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Friday, May 5, 1961  
Vaisakha 15, 1883 (Saka)

# LOK SABHA DEBATES

**(Thirteenth Session)**



***(Vol. LV contains Nos. 51 - 61)***

**LOK SABHA SECRETARIAT  
NEW DELHI**

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# LOK SABHA DEBATES

15669

LOK SABHA

Friday, May 5, 1961/Vaisakha 15, 1883  
(Saka).

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

[MR. SPEAKER in the Chair]

## ORAL ANSWERS TO QUESTIONS

Former French Possessions in India

- +
- \*1926. { Shri Pangarkar:  
Shri D. C. Sharma:  
Shri T. B. Vittal Rao:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 207 on the 17th November, 1960 and state the progress since made in extending the jurisdiction of the Supreme Court to the former French possessions in India?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** Government are actively engaged in finalizing the necessary administrative details for implementation of the decision regarding the substitution of the Appellate Courts in Paris by alternative Indian bodies.

**Shri Pangarkar:** May I know the details of the constitution of the Indian alternative bodies to be substituted for the appellate courts in Paris?

**Shrimati Lakshmi Menon:** It has already been stated on a previous occasion that in consultation with the Home Ministry and the Law Ministry, the necessary decision will be taken, and we shall have three kinds of courts corresponding to the three kinds of appellate courts which exist for Pondicherry today. These things are being finalised, and till they are finalised, it will not be possible for me to give the details.

524(A) LS.—1.

15670

**Shri D. C. Sharma:** May I know whether the French Government have been consulted on this point, and whether they have no objection to it?

**Shrimati Lakshmi Menon:** It is not necessary to consult the French Government, because under the articles of the *de facto* transfer agreement, whatever changes we are bringing about are within the framework of that agreement, and it is not necessary to consult them.

**Shri Tangamani:** For more than twelve months, this question of extending the appellate jurisdiction of the Supreme Court has been under consideration. May we know whether it has been brought to the notice of Government that even as late as December, 1960, the Leader of the Opposition there had to prefer his appeal in the Paris court and it was disposed of, causing a lot of inconvenience, and if so, whether at least now we could have an exact date or definite date by which this decision will be taken, because in view of the *de facto* transfer agreement, there is no difficulty about it?

**Shrimati Lakshmi Menon:** I cannot give the exact date, but as I have stated in the original answer, these things are being finalised, and all appeals which are pending in the French courts will automatically be transferred to these courts.

**Shri Tyagi:** May I know whether the delay is due only to prolonged consideration of the issues in the External Affairs Ministry, or it is due to the French Government coming in the way?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The French Government does not come in at all.

**Shri Tyagi:** So, it is a delay on account of protracted consideration in the External Affairs Ministry only?

**Shri Jawaharlal Nehru:** It is not due to consideration, but it is because references to the Madras High Court and various other references have to be made, such as to the Home Ministry, the Law Ministry and so on.

**Shri Tyagi:** Are the residents of that area also being consulted about this?

**Shrimati Lakshmi Menon:** It is not necessary to consult. The councillors are consulted.

**Shri Jawaharlal Nehru:** How do we consult the people? Their representatives, their councillors have requested that this should be done.

**Mr. Speaker:** They are anxious.

**Shri Hem Barua:** This difficulty is connected with the fact of the *de jure* transfer of Pondicherry. In view of the inordinate and inexplicable delay on the part of France to effect the *de jure* transfer of Pondicherry to the Indian Union, may I know whether Government propose to bring pressure on the French authorities that they must implement the terms of the Indo-French agreement within a specified date?

**Shri Jawaharlal Nehru:** The hon. Member, being a student of history and current affairs, should know what has been happening in France during these periods. It is no good bringing pressure; we cannot bring pressure; we can act independently, if you like, ignoring them.

**Shri Hem Barua:** In view of the anomalous position between *de facto* and *de jure* transfer of Pondicherry, may I know whether it is a fact that the elected representatives of the people are not in a position to discharge their duties to the electorate, and if so...

**Mr. Speaker:** All these are matters of consequence. What is the good of asking this question? All these things

do not arise out of the main question. Government are fully aware of the difficulties which those people are undergoing, in the absence of *de jure* transfer. They are doing their best. This is all the subject-matter of the question.

**Shri Tangamani:** May I know whether it is a fact that certain judicial officers functioning in Pondicherry today are opposing the conferment of this appellate jurisdiction on the Supreme Court?

**Shrimati Lakshmi Menon:** We do not know whether they are opposing it.

**Shri Tyagi:** There is no satisfactory explanation from the External Affairs Ministry for this undue delay. We want to know really the cause of this delay.

**Shri Jawaharlal Nehru:** Where is the undue delay, if I may respectfully say so? It is only a few months, certainly not more than a few months, and considering that it is a novel matter without precedent, it has to be examined fully in the Home Ministry and the Law Ministry, and references have to be made to the Madras Government, and the Madras High Court. I do not think there has been an unconscionable delay.

**Mr. Speaker:** It is a rather difficult affair.

#### Technical guidance by Small Industries Service Institutes

\*1929. **Shri Aurobindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that small industrialists do not get sufficient technical guidance from Small Industries Service Institutes;

(b) if so, what are the difficulties;

(c) whether there is any provision to convey the current technical information to the technical offices in an expeditious way; and

(d) if so, the details thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (d). A statement is laid on the Table of the House. [See Appendix VI, annexure No. 84].

**Shri Aurobindo Ghosal:** May I know whether any guidance is given by sending trained personnel to give practical demonstrations?

**Shri Manubhai Shah:** Yes, they are being trained even in the units in the country, that is, in the various industries.

**Shri Aurobindo Ghosal:** May I know which industries have benefited mainly by this technical training and guidance?

**Shri Manubhai Shah:** Practically, as I have mentioned in the statement, all the small-scale industries are being benefited by training within the plants as also in the institutes.

**Shri Ram Krishan Gupta:** May I know whether these institutes have been set up in all the States, especially in the backward areas?

**Shri Manubhai Shah:** There is one institute in each State, and there are about 89 extension centres including those in the backward areas.

**Shri B. K. Galkwad:** May I know the functions and duties of these small industries service institutes?

**Shri Manubhai Shah:** These are so elaborate, and are given in the annual report.

**Mr. Speaker:** The hon. Member will kindly look into the report. Now, next question. **Shri Jinachandran.** The hon. Member is absent. Now, question No. 1931. **Shrimati Ila Palchoudhuri.** The hon. Member is absent. Then, question No. 1932. **Shri Harish Chandra Mathur.** The hon. Member is absent.

Then, I come to question No. 1933. **Shri Indrajit Gupta.** He is absent. Then, **Shri Narayanankutty Menon.** The hon. Member is absent.

**Shri Narayanankutty Menon:** I am here, Sir.

**Mr. Speaker:** I find that the hon. Member is not in his usual seat. He cannot go in changing his seat from time to time. Hon. Members will kindly sit in their usual seats, so that I may look at their seats and may call them and not pass on to the next question.

**Shri Narayanankutty Menon:** I am sorry. I came to this seat just to pick a paper.

**Mr. Speaker:** Then, I would not allow him to put the question from that seat.

**Shri Narayanankutty Menon:** All right.

**An Hon. Member:** The question is very important.

**Mr. Speaker:** All right, I shall allow this as an exception.

#### Polyethylene Project

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\*1933. { **Shri Narayanankutty Menon:**  
**Shri Indrajit Gupta:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the proposed polyethylene project in Third Five Year Plan may not materialise; and

(b) if so, the reasons therefor?

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

(b) Does not arise.

#### Price of Art Silk Yarn

\*1934. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Textile Commissioner has recently forwarded his recommendations to Government for the maintenance of an agreed price for art-silk yarn;

(b) if so, what are the recommendations; and

(c) what is Government's decision about the same?

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

(b) and (c). The Textile Commissioner, after discussion with the interests concerned, had recommended that 60 per cent. of the recent increase in excise duty on indigenous rayon yarn should be absorbed by the spinners of viscose rayon yarn and the balance of 40 per cent. should be passed on to be borne by the consumers of rayon yarn. This recommendation has been accepted by Government.

**Shri P. C. Borooah:** May I know what action has been taken by Government to implement this recommendation?

**Shri Manubhai Shah:** It is being implemented.

**Shri P. C. Borooah:** May I know the reaction of the industry and the trade?

**Shri Manubhai Shah:** The reaction is that once proper consideration has been given to all points of view and more or less an agreed solution has been arrived at, they accept it, and they are assisting us in implementing it.

**Pakistani Attempt to Survey the Godagari Char Area in West Bengal**

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\*1935. { **Shri D. C. Sharma:**  
**Shri Hem Barua:**  
**Shri Shree Narayan Das:**

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

(a) whether it is a fact that some Pakistanis made an attempt to survey the Godagari Char, Indian border area in Murshidabad District on 11th April, 1961;

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

(c) whether any protest has been lodged with the Pakistan Government?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika):** (a) and (c). Yes, Sir.

(b) Some Armed Pakistani Policemen, Surveyors and other Pakistani nationals trespassed into the Indian territory at Godagari Char, Police Station Jalangi, District Murshidabad, on the 11th April, 1961 at about 12-00 hours and surveyed the area and went away. Again on the 14th April, some Pakistanis trespassed into the same area when the Indian Police arrested two of them. The two arrested persons were in possession of survey instruments.

**Shri D. C. Sharma:** May I know whether this survey party which was arrested twice was not doing some act of espionage, and if so, the nature of that act?

**Mr. Speaker:** Were they guilty of any act of espionage, and if so, in what way?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** It is a matter of guess-work as to what their intention was. The facts have been given in answer to the question.

**Shri D. C. Sharma:** May I know how they are being treated, where they are and what is being done to them?

**Shri J. N. Hazarika:** The two arrested persons are being prosecuted under the Indian Passport Act. The rest escaped.

**Shri Inder J. Malhotra:** May I know when this protest was launched with the Pakistan Government and whether any reply has been received?

**Shri J. N. Hazarika:** Just on the next day, the 15th April, the District Magistrate of Rajshahi protested to his counterpart of the Rajshahi district of East Pakistan. We are asking the West Bengal Government to fully report about this matter. As soon as we get any report from that Government, we shall consider what action we shall have to take in due course.

**Shri Hem Barua:** May I know if this particular Char to which the survey party came is in dispute, and if so, whether this vulnerable point in our frontier is being definitely protected?

**Mr. Speaker:** Is there any dispute regarding the ownership of this portion between the Governments of India and Pakistan?

**Shri Jawaharlal Nehru:** I do not think so. I am not quite certain.

**चोनियों द्वारा अधिभूत भारतीय राज्य-क्षेत्र**

\*१९३६. श्री लुशवक्त राय : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पश्चिम तिब्बत के मिनसर गांव पर कुछ वर्ष पहले भारत का अधिकार था और भारतीय अधिकारी वहां से मालगुजारी वसूल किया करते थे ; और

(ख) क्या इस संबंध में भारत सरकार के पास प्रमाण के लिये कोई दस्तावेज है ?

**बैंडिशक-कार्य उपमंत्री (श्रीमती लक्ष्मी मेनन) :** (क) और (ख). सीमा के प्रश्न पर सरकारी अधिकारियों की रिपोर्टें देखने से यह मालूम हो जायेगा कि इस धारणा को सिद्ध करने के लिये पक्के कागजाती सबूत पेश किये गये थे कि मिनसर गांव जम्मू और काश्मीर सरकार के ताल्लुक में था और वह सरकार समय समय पर वहां से मालगुजारी वसूल करती थी।

(a) and (b). A reference to the official's Report on the Boundary Question would show that conclusive documentary evidence was produced to establish that the village of Minsar was considered to belong to the Jammu and Kashmir Government and collections of revenue were made by them periodically.

**श्री लुशवक्त राय :** क्या मैं जान सकता हूँ कि प्रधान मंत्री का ध्यान सोवलिस्ट पार्टी के

नेता डा० राम मनोहर लोहिया के उस ध्यान की तरफ गया है जिसमें उन्होंने कहा है कि उनके पास कुछ प्रमाण मौजूद हैं कि यह ग्राम हिन्दुस्तान के अधिकार में था ?

**श्री जवाहरलाल नेहरू :** डा० लोहिया ने तो हमारे पास इसका कोई सबूत भेजा नहीं है। लेकिन जहां तक इस ग्राम का संबंध है उसके बारे में तो आपने अभी जवाब गुना और जो किताब छपी है उसमें भी इसके बारे में लिखा है। इसमें हमारी राय में कोई मन्देह नहीं है कि इस ग्राम का कुछ पुराना ताल्लुक जम्मू और काश्मीर गवर्नमेंट से था और वह जारी रहा कुछ वर्ष पहले तक। क्या ताल्लुक था वह कहना जरा मुश्किल है लेकिन बहरसूरत तना था कि हर दूसरी साल जम्मू काश्मीर सरकार के कुछ आदमी वहां जाकर वहां से गे पंचाम रुपये बतौर मालगुजारी जमा कर लाने थे। यह कहना मुश्किल है कि उस ताल्लुक की कानूनी शकल क्या थी। यह गांव तिब्बत के बीच में है। जाहिर है कि वहां कोई रोजमर्रा की कार्यवाई तो होती नहीं थी, सिर्फ वहां से मालगुजारी वसूल की जाती थी।

**श्री लुशवक्त राय :** क्या मैं जान सकता हूँ कि डा० राम मनोहर लोहिया से इस बात की जांच पड़ताल की गयी कि उनके पास क्या प्रमाण मौजूद है ?

**श्री स्थायी :** उनके पास होता तो वे गवर्नमेंट को भेज देते।

**श्री जवाहरलाल नेहरू :** गालिबन नहीं की गयी हांगो, ब्रूम ठीक नहीं मालूम।

**डा० राम लुभन सिंह :** स्वतंत्रता प्राप्ति के बाद जम्मू काश्मीर सरकार की धार से वहां कोई गया या नहीं।

**श्री जवाहरलाल नेहरू :** मैं इस बारे में कुछ यकायक नहीं कह सकता कि हमारी स्वतंत्रता प्राप्ति के बाद जम्मू काश्मीर सरकार की तरफ से वहां कोई गया या नहीं। लेकिन सन् १९५० के बाद से कोई नहीं गया। जाकर लू

१९४८-४९ में कोई गया था। सन् १९५० के पहले क आध बार कोई शायद गया हो। आम तौर पर पहले हर दूसरे बरस कुछ लोग जम्मू काश्मीर से जास्ता पूरा करने जाते थे और २५० पया जमा कर लाते थे। इससे ज्यादा तो उनके झाने जाने में खर्च हो जाता होगा। लेकिन वह एक जास्ता पूरा करते थे लेकिन सन् १९५० के बाद से कोई नहीं गया।

**Shri Ranga:** Under whose occupation is it now—under the occupation of the Jammu and Kashmir Government or of the Chinese?

**Shri Jawaharlal Nehru:** It is under the occupation of the Chinese authorities.

**Shri Ranga:** Was this question also considered during the talks...

**Mr. Speaker:** Shri Balraj Madhok.

**Shri Balraj Madhok:** According to the 1842 treaty between Ladakh and Tibet, the revenue from this village was used by the Kashmir Government for providing lamps in the monasteries on the banks of Manasarover. May I know whether that revenue is still being used for that purpose?

**Shri Jawaharlal Nehru:** Since no revenues have been collected, they can hardly be used for any purpose.

**Shri Balraj Madhok:** According to the 1842 treaty between the Jammu and Kashmir State and Tibet, the revenue from this village was taken by the Kashmir Government for being used for that purpose. That was what I wanted to state. The hon. Prime Minister perhaps does not know it.

**Mr. Speaker:** The hon. Member is giving information.

**Shri Inder J. Malhotra:** May I know whether the Jammu and Kashmir Government have been asked to collect more documentary evidence like old revenue records and so on regarding this particular village?

**Shri Jawaharlal Nehru:** All the documentary evidence that has been available to us in Jammu and Kashmir and elsewhere has been thoroughly examined in the last year or so. The Jammu and Kashmir Government have been co-operating with us in this matter. There is no question of asking them.

**श्री सुशबल राय :** क्या मैं जान सकता हूँ कि स.म.पर चीनियों का कब से कब्जा हो गया था ?

**श्री जवाहरलाल नेहरू :** यह कहना मुश्किल है कि किस तारीख में उनका कब्जा हुआ, लेकिन जैसा कि मैंने आपसे कहा, सन् १९५० के बाद जम्मू काश्मीर गवर्नमेंट ने वहाँ अपना कोई अफगर मालगुजारी जमा करने नहीं भेजा। उसके बाद जाने में कब कब्जा आ, किस तारीख में हुआ, किस ग.से आ, यह कहना मुश्किल है।

**Shri Vajpayee:** In view of the fact that Dr. Ram Manohar Lohia has made it clear that he has certain specific written documents to support the stand that this village belongs to India, may I know whether the hon. Prime Minister would consider the desirability of requesting Dr. Lohia to hand over these documents to Government?

**Shri Jawaharlal Nehru:** Certainly we will be very happy to have any additional material which he may possess. Perhaps hon. Members themselves would help us to get them from him. But if hon. Members will refer to the printed books on this subject, they will find that the important documents are given there. It may be that he may have the same documents. There is no doubt about that particular fact that this village was ours. Whether it was in the nature of, as sometimes happens, zamindari or other rights, legal rights, one does not know. But a certain revenue, a sum of Rs. 250, went to the Jammu and Kashmir Government.

# **Visas for Delegates to the Conference of C.P.I. .**

\*1937. Shri Tangamani: Will the Prime Minister be pleased to state:

(a) whether it is a fact that visas were refused to delegates from France, Israel and East German for attending the Sixth Conference of C.P.I. held in Vijayawada from 7th to 16th April, 1961;

(b) if so, the reasons for the same; and

(c) how many delegates from various countries applied for visas and how many were granted the same?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

(a) Yes; except for France, from which country no delegates applied for visas.

(b) Although it is not our policy to permit foreigners to come to India to participate in purely local political Conference and Meetings, a few foreigners from five countries were given visas to come to India, for special reasons.

(c) Eighteen delegates had applied for visas which were authorized in respect of 12 delegates.

Shri Tangamani: May I know whether there is any special reason why the delegate from Israel was not allowed, although he applied for it?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** These are question decided usually on a variety of consideration. So far as the individual from Israel is concerned, as the House knows, we have no diplomatic relations with Israel. That, of course, does not prevent a person from Israel from coming here. I cannot say at present without inquiry who the particular person was and why it was thought better not to issue him a visa. But as I have said, we do not encourage people from other countries coming here to national conferences when these conferences are on the political level. This was

rather a relaxation of that rule and some people were issued visas.

Shri C. D. Pande: In view of the fact that delegates from certain countries in a similar conference, namely, Peace Conference, abused the courtesy of the host Government, will Government consider the feasibility of not allowing such persons in future?

Shri Jawaharlal Nehru: Any person who has abused the privilege given to him will obviously not be encouraged in future.

**श्री बिभूति मिश्र :** ये जो कम्युनिस्ट काफ़ेसिस होती हैं, और इसमें बाहर के देशों से जो कम्युनिस्ट आते हैं, वे हिन्दुस्तान के कम्युनिस्टों को हिन्दुस्तान की सरकार के खिलाफ उकसाने हैं। मैं जानना चाहता हूँ कि क्या यह चीज सरकार के ध्यान में आई है और अगर कोई आई है तो सरकार इसके बारे में क्या कार्रवाई कर रही है ?

**श्री जवाहरलाल नेहरू :** कौन किस को उकसाने है ।

**श्री बिभूति मिश्र :** बाहर के देशों से जो कम्युनिस्ट आते हैं ।

**श्री जवाहरलाल नेहरू :** बाहर वाले यहां के लोगों को या यहां जाने बाहर के लोगों को उकसाने है ?

**श्री बिभूति मिश्र :** बेजवादा में अभी एक काफ़ेस हुई थी जिसमें बाहर के देशों के कम्युनिस्ट आये थे और उन्होंने आकर भीतर ही भीतर यहां के कम्युनिस्टों को हिन्दुस्तान की सरकार के खिलाफ उकसाया । क्या इस तरह की जानकारी सरकार को प्राप्त हुई है और अगर हुई है तो इसकी तिकयाम करने के लिये क्या उपाय किये गये हैं ?

**श्री जवाहरलाल नेहरू :** ज़रूर है कि अगर कोई ऐसी बात करे तो बहुत बेजग है, बहुत ना न्यायिक है । लेकिन क्या उन्होंने खुफिया में कहा, उसका मैं जवाब नहीं दे सकता हूँ ।

**Kidnapping of Col. Bhattacharjee**

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 \*1938. { **Shri D. C. Sharma:**  
**Shrimati Manjula Devi:**

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

(a) whether the report from the East Pakistan Government on the arrest of Col. Bhattacharjee has been received by the Government of India; and

(b) what are the broad points raised by Pakistan in the report with regard to the arrest?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika):** (a) No, Sir.

(b) Does not arise.

**Shri D. C. Sharma:** May I know whether the question that Col. Bhattacharjee was trespassing into the Pakistan territory or he was on our own territory has been taken up with the Pakistan Government or not and if it has been taken up, what is the reaction of the Pakistan Government to it?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The Pakistan Government's case is that Col. Bhattacharjee was in their territory when he was arrested and that, according to them, he was engaged in very undesirable activities. Now, apparently, they are going to try him. This is not a question, on which, if I may say so with all respect, questions in this House are going to be helpful. All kinds of things are going to be said.... (*Interruptions*).

**Mr. Speaker:** Order, order. I disallow further questions.

**Small Scale Industrial Units**

\*1939. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Government have further liberalised terms for the supply of machinery to

small scale industrial units on hire purchase basis; and

(b) if so, nature and details of the concessions given?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). A statement is laid on the Table of the House.

**STATEMENT**

(a) Yes, Sir.

(b) (i) Earnest money at 10 per cent. of the value of machines is now required to be paid by small entrepreneurs wanting machinery valued at less than Rs. 50,000.

(ii) The applicants wanting machinery valued above Rs. 50,000 who are required to pay earnest money at 20 per cent. (30 per cent. in the case of furnaces) of the value of machines, are given a choice to pay 5 per cent. in each and give bank guarantee for the remaining 15 per cent. or 25 per cent. as the case may be, encashable at the time of delivery of machines.

(iii) In the case of applicants specially sponsored by the State Governments, the Corporation accepts the earnest money at 5 per cent. of the value of machines provided the balance of 15 per cent. or 25 per cent. as the case may be, is covered by the guarantee of the sponsoring State Government.

(iv) Where the period of delivery of machines is protracted, the earnest money is split up in the two equal instalments payable in cash.

(v) The capital ceiling in respect of ancillary units to be set up to certain selected large industries has been relaxed upto Rs. 10 lakhs.

**Shri Ram Krishan Gupta:** From the statement I find that where the period of delivery of machines is protracted, the earnest money is split up into equal instalments payable in cash. What is the period of delivery and is there some difference between one case and another?

**Shri Manubhai Shah:** About one year to eighteen months generally.

**Shri Ram Krishan Gupta:** What are the selected industries for which relaxation has been made upto Rs. 10 lakhs?

**Shri Manubhai Shah:** Ancillary industries of the major industries such as machine tools, automobiles and various other types of high priority items.

**Shri Tangamani:** How many instalments are left for instalment payment under this concession?

**Shri Manubhai Shah:** There are no special instalments being left as concessional payments. There are certain broad rules. But what is allowed is this. Instead of 20 per cent. or 30 per cent. advance security, they have only to place five to thirteen per cent. as deposit.

**श्री बिभूति मिश्र:** अभी माननीय मंत्री जी ने बताया कि दस लाख तक लिमिट को बढ़ा दिया गया है एसिलरी इंडस्ट्री के लिये। मैं जानना चाहता हूँ कि सरकार ने अपनी एक्सचेंज में से कितना रुपया सके सि निकाल दिया है ताकि छोटी छोटी जो इंडस्ट्रीज लगाना चाहें, उनको एक्सचेंज मिल सके ?

**श्री मनुभाई शाह :** इससे जो जबब दिया गया है उसका कोई ताल्लुक नहीं है। पांच लाख तक हमारी इंडस्ट्री की व्याख्या है और दस लाख तक की एसिलरी इंडस्ट्री के लिये थी। हमने कुछ रिलक्सेशन किया है एसिलरी इंडस्ट्री के कम में और उनकी कपिटल सीलिंग को दस लाख कर दिया है और उसके लिये यह तजवीज है।

(a) whether two thousand workers of Lalbhai Patel Nagri Mining. Dandeli has been on strike since 11th April, 1961;

(b) if so, what are the main demands of the workers;

(c) whether conciliation proceedings have been held with Karnatak Mangnese Mines Workers Union; and

(d) if so, what is the result?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) 1600 workmen of Nagri Mining Co. (P) Ltd. Dandeli went on strike from the 11th April, 1961.

(b) The demand was for reinstatement of the Supervisor of the mine, who had been dismissed by the Company for misconduct etc.

(c) and (d). As a result of the efforts made by the Conciliation Officer concerned a settlement was arrived at between the parties and the strike was called off on the 24th April, 1961.

**Shri T. B. Vittal Rao:** May I know whether the conciliation officer received any representation before the 11th April. What was the time-lag between his going for conciliation and the receipt of the representation?

**Shri Abid Ali:** A representation was received from the union but not in this connection. That was with regard to other matters. He has fixed conciliation to be held on the 27th of April.

#### Indian News Service

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\*1942. { Shri P. G. Deb:  
          { Shri Arjun Singh Bhaduria:

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

(a) whether a new news agency

Lalbhai Patel Nagri Mining, Dandeli

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\*1940. { Shri T. B. Vittal Rao:  
          { Shri Muhammed Elias:

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

named Indian News Service has been started in New Delhi;

(b) if so, what are its terms and constitution;

(c) whether it is a fact that this news agency has concluded a pact with a foreign agency to circulate its news in India; and

(d) whether it is not against the policy of the Government of India to do so?

**The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi):** (a) Yes, Sir.

(b) It is a public limited company registered under the Companies Act, 1956. Its objects enumerated in its Memorandum of Association *inter alia* include:—

(i) carrying on the business of news agency to collect and transmit news, to enter into arrangements with publishers of any newspapers, weeklies or journals and with any other person or persons for supplying them news.

(ii) entering into agreements or arrangements with any news agency or organisations or institutions for collection and supply of news and to arrange for the distribution of news to any person or persons.

(c) Yes, Sir. All news agencies have arrangements with foreign agencies for coverage of International news.

(d) No, Sir.

**Shri P. G. Deb:** May I know the name of the foreign news agency and also its country?

**Dr. Keskar:** I think it is United Press International with whom they have some arrangements.

**Shri S. M. Banerjee:** I want to know which of the newspapers are con-

nected with the news services and whether they fulfil all the conditions laid down by the Government before permission was granted?

**Dr. Keskar:** It is obvious that facilities would not have been granted unless they fulfilled the minimum conditions. As for the newspapers, I have not got them here but I can provide the hon. Member with the full prospectus and memorandum regarding this question.

**Mr. Speaker:** It may be placed on the Table of the House or in the Library so that it may be available to all hon. Members.

**श्री भक्त वरुण :** जहाँ पहले एक समाचार समिति थी, वहाँ उस के बाद और समाचार समिति बन रही है। मैं जानना चाहता हूँ कि इस के बारे में गवर्नमेंट का क्या रुख है कि अधिक मैं अधिक संख्या में उन को प्रोत्साहन दिया जाना चाहिये ?

**डा० केसकर :** गवर्नमेंट का कोई रुख नहीं है इस मामले में। गवर्नमेंट खाली इतना ही चाहती है कि जब कभी कोई न्यूज एजेंसी बने वह जो मटे सिद्धान्त हैं या जो नियम बनाये गए हैं, उन के अनुसार, बने। समाचार समितियों का नम्बर महदूद करना गवर्नमेंट के लिए सम्भव नहीं है।

**श्री भक्त वरुण :** क्या गवर्नमेंट के ध्यान में यह बात आई है कि भारतीय भाषाओं के समाचार देने के लिए एक नई समिति बनाने का प्रयत्न किया जा रहा है और अगर आई है तो क्या गवर्नमेंट इस बार में कोई सहायता देने का कृपा करेगी ?

**डा० केसकर :** माननीय सदस्य को मालूम है कि गवर्नमेंट न्यूज एजेंसी की सहायता नहीं देती है क्योंकि अगर दे तो लोग कहेंगे कि गवर्नमेंट इस को सबसि-डायज़ कर रही है।

**Ceylonese of Indian Descent**

\*1942-A. {  
 Shri Tangamani:  
 Shri D. C. Sharma:  
 Shri Narasimhan:  
 Shri Subbiah Ambalam:  
 Shri Muthukrishnan:  
 Shri Sambandam:

Will the Prime Minister be pleased to state:

(a) whether Government have received reports about the happenings in the five Districts of Northern and Eastern Provinces of Ceylon affecting a large number of Tamil-speaking people;

(b) if so, the nature of the dispute;

(c) whether it affects the Ceylonese of Indian descent;

(d) how far the Tamil-speaking Indian nationals are affected by the agitation; and

(e) what steps, if any, have been taken by our Government in the matter?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

(a) to (e). The Government of India have received reports on the language agitation and Satyagrah in the northern and eastern Provinces of Ceylon. It would not be appropriate for the Government of India to discuss the nature of the dispute, which is an internal affair for the Ceylon Government to handle. The majority of persons of recent Indian origin in Ceylon are Tamil speaking, but the Government of India can naturally only be concerned about those among them who are Indian nationals in law. We have expressed our concern regarding the safety of our nationals and we have received an assurance from the Government of Ceylon that they are fully alive to their responsibility in safeguarding foreign nationals and has taken all steps to ensure the protection of foreign nationals.

**Shri Tangamani:** May I know whether the different opposition parties in

Madras State have made a special appeal to the Government of India to see that these special grievances of the Tamil-speaking people, whether they are Ceylonese nationals or are of Indian descent or Indian nationals, are settled and they are looked after, because of the position which our Government has in the international situation and also in relation to the Ceylon Government since the Ceylon Government have also taken certain progressive measures along with our Government in foreign affairs?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** We are fully aware of the deep feelings more especially in the Madras State on some of these developments in Ceylon. But we do not think that any official step that we might take will be helpful at all in such matters. May be, friendly contacts and others may be helpful.

**Shri Ranga:** Have the Government made any effort to study the demands that are being made by the Ceylonese of Tamil descent for local autonomy subject to federal overall control by the Sinhalese Government and whether the Government tried to get into touch with the leaders of this movement in order to be able to understand the national as well as the international significance of their demands and their needs?

**Shri Jawaharlal Nehru:** The suggestion that the hon. Member has made seems to me entirely improper, absolutely improper; to get into touch with the leaders of opposition and agitation parties in another country—which, I submit, would be an extraordinary thing from many points of view, national or international law or practice. Where one wants to help, it is through friendly contacts unofficially and that way, and not in the way suggested by the hon. Member.

**Shri Ranga:** I am prepared to amend my question on the lines suggested by my hon. friend the hon. Prime Minister. But then, have any representations been made or contacts been established by those people who

are affected, with our High Commission in Ceylon and whether our High Commission have taken any trouble to acquaint themselves with the attitude and the demands of those people?

**Shri Jawaharlal Nehru:** It is the business of the High Commission to find out what is happening in that country to which they are accredited and to report to us on any situation that arises. That of course is always done and is done. We receive fairly lengthy reports. But again, when the hon. Member asks me if the High Commission goes and develops contacts with those people, he is treading on rather dangerous ground.

**Shri Ranga:** I have already amended my question. There is nothing for my hon. friend to give a second exhortation. What is the job of High Commission if they are not prepared to keep themselves in touch with what is happening in Ceylon and advise the Government here in regard to the developments there? What are they supposed to do if they do not keep their eyes open?

**Mr. Speaker:** The hon. Prime Minister has answered in full. Lengthy reports are being received from time to time from the High Commission regarding the situation in that place. Beyond that, the hon. Prime Minister feels that it would not be proper for either the High Commission or himself to interfere.

**Shri Ramanathan Chettiar:** While appreciating the difficulties of the Government of India, may I know whether the Prime Minister will write to the Prime Minister of Ceylon in a friendly way and bring these things to the notice of the Prime Minister there?

**Mr. Speaker:** It is a suggestion for action. Can there be any doubt about it?

**Shri Narasimhan:** Since the last few days there is a complete black-out of news excepting rumours as to what is going on there. Will it be possible to get correct information so that our

people and the public may know about these things?

**Shri Jawaharlal Nehru:** I do not know if there is anything very unusual happening. If news reaches us I shall report to the House. We can hardly function as a kind of news agency in this matter.

**Shri Hem Barua:** In view of the fact that the Tamillians are practically Ceylonese citizens, may I know whether the Prime Minister will offer or has already offered his good offices in his personal capacity towards an amicable settlement of the problem?

**Mr. Speaker:** He wants to know whether there is any approach.

**Shri Jawaharlal Nehru:** How can I answer this question?

**Mr. Speaker:** He wants to know whether there has been an attempt at amicable settlement because they are all of our extraction.

**Shri Jawaharlal Nehru:** It should be remembered that the Tamil population of North and East Ceylon have been there for broadly 600, 700 or 800 years. They are as much Ceylonese as anybody else—the Sinhalese people. Except, of course, cultural, they have no contacts with India. Therefore, it becomes a question of some group of Ceylonese people coming into conflict, if you like, or being at variance with another group; it is an entirely internal question. We are interested, for a variety of reasons, especially people in the South, and that is a different matter. We are interested also because Ceylon is a friendly country, and where possible, we wish to help and take steps without any kind of interference. These are not things which I can discuss here, as to what is possible to do and what is not possible.

**Shri Sampath:** May I know whether the Government have received any information regarding the Stateless persons of Indian origin and even Indian nationals settled in Ceylon having been involved in the agitation and, if so, what is the position?

**Shri Jawaharlal Nehru:** There was some talk of a general strike in the estates, but the strike I think was called off. A few persons who did not get notice perhaps of the calling off, indulged in it. But they soon returned to work. They are naturally interested in this, but attempts were made by the leaders of the estate labourers not to get them entangled in this as far as possible.

**Shri Narasimhan:** Has the Government considered that what is happening in Ceylon, particularly about the Stateless persons, is against what are known as human rights and, if so, whether the Government contemplate any step in this regard at forums other than at India-Ceylon level, such as the United Nations or the Commonwealth?

**Shri Jawaharlal Nehru:** No, Sir. We do not contemplate doing that kind of thing. We do not think it is at all right for us. We deal with the Ceylon Government directly and try to settle them however long it may take. I do not think it will be quite right to bring in the question of human rights in regard to estate labour. Their non-recognition or their non-registration as citizens of Ceylon can hardly be called an infringement of human rights. It is undesirable; it is otherwise being protested against.

**Shri Tangamani:** Recently, news appeared in the papers that the ferry service between Dhanushkodi and Talaimannar which is the link between the South and Ceylon has been discontinued. I would like to know if there is any information whether it has been discontinued and whether the normal channel of communication will be restored.

**Shri Jawaharlal Nehru:** My information is that it was discontinued for two days only. This was related to the question of illicit immigrants.

#### Indian Embassy in Congo

\*1943. **Shri Ram Krishan Gupta:** Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to the recent news item which appeared on the front page of the 'Hindustan Times', New Delhi dated the 16th April, 1961 that the Indian Embassy may be expelled from Congo following a recent sharp attack on the Indian Envoy by Mr. Albert Delvaux, Resident Minister in Belgium and one time acting Prime Minister;

(b) whether the facts have been ascertained;

(c) if not, how far this news is correct; and

(d) action taken in the matter?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

(a) to (d). Government have seen the news item in question. The Indian Mission in Leopoldville, which took the matter up with the authorities there, was informed that the views reportedly expressed by Mr. Albert Delvaux did not represent the official views of the Government. There is, thus, no basis for the inference that the Indian Mission in the Congo might be closed down by the Congolese authorities.

**Shri Ram Krishan Gupta:** In view of the serious situation in the Congo, may I know what security measures are being adopted there?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Sometimes reference is made by hon. Members to security measures. Security for whom? There is certainly a considerable lack of security in the Congo for the people of the Congo, because they are often in conflict with each other. If the question is about security for the Indian army, I do not want other security forces to look after our army; it can look after itself.

#### Large Scale Pak Infiltration into Azam

\*1944. **Shri P. C. Borooah:** Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to the news item in the 'Assam Tribune' dated 19th April, 1961 reporting large scale infiltration of Pakistanis into the Assam-East Pakistan border areas without valid passports and through unauthorised routes; and

(b) if so, what action is being taken to tackle the situation?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika):** (a) Yes, Sir.

(b) The press report is grossly exaggerated. Necessary measures for detention and prosecution of unauthorised entrants into India on the Assam-East Pakistan border already exist. Vigilance on the border has been further tightened up.

**Shri P. C. Borooah:** May I know whether Government can deny that there is no infiltration from East Pakistan to Assam and if not, on which side are the infiltrants crossing the boundary from Pakistan to Assam?

**Shri J. N. Hazarika:** In Goalpara district, during the 15 months from 1st January 1960 to 31st March, 1961, only 499 persons entered without any valid travel document and were arrested. All of them were prosecuted. 429 were convicted, 2 acquitted and 88 cases are pending.

**Shri P. C. Borooah:** May I know whether this infiltration is a recent occurrence or it has been going on for a long time?

**Shri J. N. Hazarika:** I have given the figure for the last 15 months. For the rest, I require notice.

**Shri Basumatari:** May I know whether it is a fact that a large number of PGRs and VGRs of the two districts of Goalpara and Kamrup had been encroached by these unauthorised infiltrants from East Pakistan?

**Shri J. N. Hazarika:** These are allegations reported in the Press. I have given the figure of the illegal entrants for the last 15 months. I have no record to say if any of these have en-

tered into Kamrup district or any other district.

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The figures given by my colleague do not indicate any very extraordinary occurrence. 499 or roughly 500 persons in the course of 15 months is not a very large figure.

**Shri Hem Barua:** May I know whether the attention of the Government has been drawn to a press communique issued by the Government of Assam in response to this news item in the Assam Tribune that during the course of the five months from the marking of the houses to the taking of the census, as many as 12 immigrants from a foreign territory percolated into Goalpara district? If so, I want to know, in the face of what the hon. Parliamentary Secretary has said that the security measures are adequate there, whether it is not a sad commentary on our security measures?

**Mr. Speaker:** He need not argue. He wants to know whether the Government's attention has been drawn to this statement of the Assam Government that it is 12,000.

**Shri J. N. Hazarika:** The Assam Government has issued a press communique giving the correct figures. The difference between the population figures for Goalpara district obtained when the house-numbering was carried out between 15th September and 15th November, 1960 and the actual census operations held five months later in February-March, 1961 is only 12,553 and not 42,000 as alleged in the Press.

This difference is due to various reasons. One is, an entire village and a considerable number of houses in the other villages were omitted in house-numbering in September-November, 1960. Subsequently this was corrected in February, 1961. The second reason is there is a little influx....

**Shri Jawaharlal Nehru:** Seasonal

**Shri J. N. Hazarika:** ....of population who come from Bihar and other parts of India during the winter period. Thirdly, there is a small normal increase of population by 5 persons per thousand. The estimated population of the district was 15 lakhs.

**Shri P. C. Borooah:** May I know whether Government's attention has been drawn to a Press report appearing in the Assam Tribune on 2nd May 1961, wherein they have stated that during the one month between house-numbering and actual enumeration during the last census, through this Goalpara route alone 42,000 East Pakistanis have entered into Assam and are staying in Goalpara district?

**Shri Jawaharlal Nehru:** The hon. Member perhaps did not quite hear or listen to what my colleague had stated. The figure 42,000 has been shown to be wrong. The actual figure is 12,553, which is the difference in counts within the five-month period. I repeat what has been said. This difference is said to be due to two or three causes. One was for some reason or other, one entire village was omitted in the previous count and it was included in the second count. Secondly, there is a seasonal influx of labour from Bihar, etc. during these months into Assam. These are the two main reasons for the difference of 12,000.

**Mr. Speaker:** Next question.

#### RE: ADMISSION OF VISITORS

**Shrimati Renu Chakravartty (Basirhat):** Sir, before you proceed to the next question, I want to submit that the Watch and Ward women outside are not permitting the guests of Members of Parliament to come in. They are absolutely preventing us from coming in; they are manhandling us. That is why we are so agitated. Four or five guests of myself and Shrimati Parvathi Krishnan are being prevented from coming in. They are permitting all the men freely, but they are preventing the four or five guests of myself and Shrimati

Parvathi Krishnan. They are preventing even myself and Shrimati Parvathi Krishnan. They are surrounding us and they are physically preventing us from coming in. They say, it is under the police officer's order and I presume it must be under your orders.

**Mr. Speaker:** I am really sorry. Why should they make a difference between men and women?

**Shrimati Renu Chakravartty:** They are doing it.

**Shri Vajpayee (Balrampur):** The women cannot stand under the sun.

**Mr. Speaker:** I will make an immediate inquiry. I am sending the Joint Secretary to make enquiries and see that it does not recur and those that are waiting outside are freely allowed here, subject to their having their passes.

**Shri Tyagi:** If Members of Parliament themselves are responsible for bringing a crowd... (Interruptions). I do not attribute any motive. Before you give your ruling, it may be clarified for political reasons. I do not attribute any motive to the present case, but for future, this may be made clear. If Members themselves are bringing a crowd....

**Shrimati Renu Chakravartty:** If five is a crowd, there is no democracy in this country. (Interruptions).

**Mr. Speaker:** Next question.

**The Minister of Industry (Shri Manubhai Shah):** With your permission, Sir, Question 1947 is identical to Question 1945 and so they may be clubbed together.

**Mr. Speaker:** Yes.

#### Closure of Jute Mills in West Bengal +

\*1945. { **Shri Aurobindo Ghosal:**  
**Shri Shree Narayan Das:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Indian Jute Mills Association have decided to close all

jute mills of West Bengal from 1st May, 1961; and

(b) if so, why and what steps have been taken to prevent it?

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

(b) Does not arise.

#### Indian Jute Mills Association

+  
\*1947. { **Shri P. C. Borooah:**  
          **Shri Shree Narayan Das:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Indian Jute Mills Association has recently represented to Government to be allowed to undertake a block closure for about 15 days; and

(b) if so, what is Government's decision in the matter?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The Indian Jute Mills Association have discussed with Government the possible need to close jute mills for a short period in view of a serious shortage of raw material. It was decided that the position should be reviewed in the latter half of May 1961, when the raw jute stock position and the prospects of the next season's crop would be known a little more definitely.

**Shri Aurobindo Ghosal:** May I know what steps are being taken for supplying the shortage of raw jute which will be to the extent of 1 lakh bales?

**Shri Manubhai Shah:** I have already laid a statement on the Table of the House on 4th March, 1961, which elaborately gives the whole position of the various steps that the Government have taken. The steps particularly are to make more raw materials available, to permit to some extent whatever is possible to be imported and to stagger the working hours so as not to cause any serious unemployment.

**Shri P. C. Borooah:** May I know the circumstances under which such block closure of jute mills became inevitable and whether that closure was actually effected?

**Shri Manubhai Shah:** No, yet; the matter is under consideration. No closure will be effected without consulting the Central Government.

**Shri Shree Narayan Das:** May I know whether any assessment has been made as to the requirements of raw jute and the amount of consumption?

**Shri Manubhai Shah:** The shortage is about 12½ per cent.

**Shri A. C. Guha:** Before any final decision in this matter is taken, may I know whether Government will also take into consideration the stock position of manufactured jute goods so that export possibilities may not be curtailed?

**Shri Manubhai Shah:** Yes, Sir. All the relevant factors will be taken into full consideration in consultation with the industry, labour, the West Bengal Government and ourselves.

**श्री बिभूति मिश्र :** मैं जानना चाहता हूँ कि क्या सरकार ने कोई ऐसा उपाय सुझाया है कि जूट की कमी न हो ? जूट की कमी किसानों को उचित दाम न देने से होती है। इस लिए सरकार क्या कोई इंतजाम सीखती है जिस से किसान को जूट पैदा करते हैं उन को उस के उचित दाम मिलें ?

**श्री मनुभाई शाह :** यह बातें बहुत गौर से देखी गई हैं। यह जूट की फसल महज सीजनल फेलियोर की वजह से पिछले दो साल से फेल हो रही है। चीफ मिनिस्टर वहाँ के जूट प्रोडक्शन को प्रोत्साहन देने के लिये सब इतिहाई कोशिश कर रहे हैं और उधर से हम को जो पाकिस्तान से इम्पोर्ट कर सकते हैं उस को भी इम्पोर्ट करने की कोशिश कर रहे हैं। यह बात

सही नहीं है कि आज जूट के दाम नीचे जा रहे हैं। जूट के जितने दाम आज हैं उतने दाम देश के इतिहास में कभी नहीं थे। पिछले १, २ साल में जूट के दाम बढ़े हैं। जहाँ एक साल पहले आसाम बोटम्स के दाम ३१ रुपये ८ आने थे वहाँ अब उस के दाम करीब करीब ५६ रुपये हैं।

**Shri Ranga:** Are any steps being taken in consultation and collaboration with the Food and Agriculture Ministry to step up the production of jute in Orissa and Andhra where at an earlier stage a larger production was made possible by an assurance of economic prices for jute?

**Shri Manubhai Shah:** All those steps are being taken. Every area which is good and vulnerable for jute production will be given all encouragement.

**Shri Ranga:** Is it not a fact that the earlier practice has been abandoned and no assurance is being given to those people about payment of any stabilised price for jute?

**Shri Manubhai Shah:** I have already indicated that the ruling prices of jute have been the highest in record, and these are highly uneconomic prices. As my hon. friend Shri Guha pointed out rightly, nothing should be done in a manner which will jeopardise the greatest foreign exchange earning commodity for the country, namely, jute and jute goods.

**Shri Aurobindo Ghosal:** May I know whether any compensation will be given to the workers in case the jute mills are closed, because they have already suffered due to the power cut?

**Shri Manubhai Shah:** All those relevant factors will be taken into consideration. I may recall, Sir, that there is a standing agreement about all these matters.

**Shri Hem Barua:** In view of the fact that these mills have already sealed a certain percentage of loomage and Government have, at the same time, also agreed to an additional

sealing of 8 per cent loomage, may I know whether these steps are not adequate for the Mill Association and whether they are not creating artificial conditions by closing down the mills?

**Shri Manubhai Shah:** There has been no closure, as I have already said. All these matters will be properly considered before any decision is taken. As a matter of fact, unsealing had taken place to some extent. At one stage, as the House will remember, 19 per cent had been closed, and it has been reduced to 12 per cent. The working hours however had to be reduced. All these will be considered when the situation is reviewed.

### Indian Troops in Congo

\*1946. **Shri D. C. Sharma:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that Indian troops were prevented from entering Ndjill airport by the Congolese soldiers at gunpoint; and

(b) if so, the reactions of the Government of India thereto?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). No, Sir. No such incident as alleged seems to have taken place at the Ndjill (Leopoldville) airport.

### Indian Nationals in Cuba

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\*1946-A. { **Shri P. G. Deb:**  
**Shri Arjun Singh**  
**Bhadauria:**

Will the Prime Minister be pleased to state:

(a) whether the Indian nationals in Cuba are safe; and

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

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). Our Embassy in Washington is taking such action as is possible but they have pointed out that it is extremely difficult to make enquiries owing to interruption of communications. They have records of 19 per-

sons of Indian origin, but their nationalities and precise whereabouts in Cuba are not known to them. There does not appear to be any danger to Indian nationals in Cuba.

**Shri Tangamani:** May I know whether we have received reports as to the number of Indian nationals in addition to these 19 persons of Indian descent who are at present in Cuba?

**Shrimati Lakshmi Menon:** No, Sir.

# SHORT NOTICE QUESTIONS AND ANSWERS

## काश्मीर

प्र० सू० प्र० १७. श्री प्रकाशबीर शास्त्री:

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २८ अप्रैल, के जालन्धर से प्रकाशित होने वाले "प्रताप" (उर्दू) और "बीर प्रताप" (हिन्दी) में यह समाचार प्रकाशित हुआ है कि भ्रकाली दल के एक सदस्य श्री जम्मू-काश्मीर के भ्रकाली दल के अध्यक्ष श्री सन्तसिंह तेग ने स्यालकोट में एक ऐसा वक्तव्य दिया है जिस में उन्होंने काश्मीर की समस्या का समाधान केवल जनमत को ही बताया है ;

(ख) क्या यह भी सच है कि श्री सन्तसिंह तेग ने आगे कहा है कि काश्मीरी जनता अपनी गुलामी के दिनों से ऊब चुकी है ;

(ग) क्या यह भी सच है कि श्री सन्तसिंह तेग सियालकोट में बाबेबी बेर नामक गुरुद्वारे में तीर्थ यात्रा के लिये गये थे ;

(घ) क्या यह भी सच है कि उन्होंने वहां अपने वक्तव्य में यह भी कहा है कि यदि पंजाबी सूबे का निर्माण क्षीप्त नहीं किया गया तो पंजाब के सिख अधिक देर तक इस गुलामी को सहन नहीं कर करेंगे ; और

(ङ) क्या यह भी सत्य है कि २५ अप्रैल, के सिविल और मिलिट्री गजट लाहौर, जंग, नयी रोशनी आदि कई समाचार-पत्रों ने इस समाचार को प्रकाशित किया है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) से (ङ). सरकार ने पाकिस्तानी अखबारों की उन रिपोर्टों को देखा है जो सरदार सन्त सिंह तेग द्वारा दिए गए किन्हीं बयानों के बारे में हैं। ये रिपोर्ट भारत के कुछ अखबारों ने भी छापी हैं। इन रिपोर्टों के कुछ व्योरो में भ्रमता है लेकिन मोटे तौर पर उनका रूप वही है जो प्रश्न में बताया गया है।

सरदार सन्त सिंह तेग उस दल के सदस्य थे जो पाकिस्तान-स्थित गुरुद्वारों की यात्रा के लिए गया था।

(a) to (e). The Government have seen reports in Pakistani newspapers about some statements made by Sardar Sant Singh Teg. These reports have been reproduced in some newspapers in India also. The reports vary in small details but broadly they are on the lines indicated in the question.

Sardar Sant Singh Teg was a member of the party which went on pilgrimage to Gurudwaras in Pakistan.

श्री प्रकाशबीर शास्त्री : क्या अभी पिछले दिनों प्रधान मंत्री महोदय ने पंजाब के कुछ जिम्मेदार मिनिस्ट्रों को भ्रकाली आन्दोलन के सम्बन्ध में यह कहते हुए सुना कि पाकिस्तान से भी इसको हवा मिल रही है और क्या इस प्रकार के वक्तव्यों से उसकी भूलसा मिलती जुलती है?

श्री जवाहरलाल नेहरू : अब मुझे इसका जवाब देना तो अरा मुश्किल है लेकिन जिस वक्तव्य का हवाला माननीय सदस्य के सवाल में है, जाहिर है कि सरकार सन्तसिंह तेग का वह बयान हमारी राय

में गलत बयानी है और बेजा है। इससे पाकिस्तान वालों को कुछ सहायता मिल सकती है ऐसी बात तो हो सकती है लेकिन अब यह कहना कि इससे पहली बात हो सकती है या नहीं यह तो हर एक आदमी खुद समझ सकता है।

**श्री प्रकाशवीर शास्त्री :** क्या मैं जान सकता हूँ कि जो इस प्रकार के तीर्थ यात्रा करने वाले भारतीय नागरिक पाकिस्तान या दूसरे देशों में जाते हैं और भारत सरकार की नीति के विपरीत दूसरे देशों में जाकर इस प्रकार के वक्तव्य देते हैं तो उनके भारत लौटने पर क्या उनसे इसके लिए किसी प्रकार का कोई जवाब तलब किया जाता है

**श्री जवाहरलाल नेहरू :** ग्राम तोर से तो शायद नहीं किये गये हैं अब वैसे तो हर एक को अलग अलग देखना चाहिए कि वह मुनासिब है कि नहीं लेकिन ग्राम तोर से जहां तक मैं जानता हूँ कोई जवाब उनसे तलब नहीं किया गया है क्योंकि एक तो यह दिक्कत होती है कि जो स्पीच देते हैं उसकी रिपोर्ट से अक्सर वह इकार कर जाते हैं और यह कहते हैं कि वह रिपोर्ट गलत है और फिर उसका सबूत पेश करना मुश्किल होता है।

**श्री प्र० मु० तारिक :** जहां तक इस चीज का ताल्लुक है, पाकिस्तान होकर आने वाले लोगों का ताल्लुक है, मैं वजीर आबम से जानना चाहता हूँ कि सन्त सिंह तेग क्या ऐसे लोगों में नहीं हैं जो पिछले बारह वर्ष में काश्मीर सरकार की मुलासिफत करते आए हैं और कई बार काश्मीर सरकार को उन्होंने नजरबंदी किया है? मैं जानना चाहता हूँ वजीर आरिजा से कि उनकी वज्जहत ने ऐसे आदमी को पाकिस्तान जाने की इजाजत दी क्यों दी और क्या जो लोग पाकिस्तान जाते हैं, उनके कंरेक्टर की पहले छानबीन की

जाती है और की जाती है तो क्या इसके कंरेक्टर की छानबीन की गई थी?

(जहाँ तक اس حدو کا تعلق ہے - پاکستان ہو کر آنے والے لوگوں کا تعلق ہے - میں وزیر اعظم سے جاننا چاہتا ہوں کہ سلیٹ سلگھہ تیغ کیا ایسے لوگوں میں نہیں ہیں جو پچھلے بارہ برسوں سے کشمیر سرکار کی مخالفت کرتے آئے ہیں اور کئی بار کشمیر سرکار کو انہوں نے نظر انداز کیا ہے - میں جاننا چاہتا ہوں وزیر خارجہ سے کہ انکی وزارت نے ایسے آدمی کو پاکستان جانے کی اجازت دی کہوں دی اور کہا جو لوگ پاکستان جاتے ہیں ان کے کاریکٹر کی پہلے چھان بین کی جاتی ہے تو کیا ان کے کاریکٹر کی چھان بین کی گئی تھی -)

**श्री जवाहरलाल नेहरू :** यह बात जैसे आनरेबल मेम्बर जानना चाहते हैं, मैं भी जानना चाहता हूँ। मैं दरियापत करूंगा।

**श्री बाबूदेवी :** अभी कुछ अकाली नेताओं से प्रधान मंत्री जी की बातचीत चल रही है जिसका शायद भाग भी एक दौर चलेगा। मैं जानना चाहता हूँ कि इस अकाली नेता द्वारा पाकिस्तान में किए गए भारत विरोधी प्रचार को क्या उस-वार्ता के दौर में उठाया जाएगा?

**श्री जवाहरलाल नेहरू :** यह मैं नहीं कह सकता हूँ कि किस सिलसिले में उठे लेकिन हो सकता है कि इसका कुछ जिक्र आ जाए।

**Shri Vidya Charan Shukla:** Recently a Bill has been passed, amending the criminal law, which makes it punishable to question the territorial integrity of the country. Has the Government examined this factor whether

the statements made by this gentleman infringes the law?

**Shri Jawaharlal Nehru:** No, Sir. We have not examined it that way.

**Shri Ram Krishan Gupta:** May I know whether Shri Sant Singh Teg has contradicted the statements after returning to India?

**Shri Jawaharlal Nehru:** I am not aware of any contradiction, Sir.

श्री प्रकाशवीर शास्त्री : जैसा मैंने अभी आपसे सवाल पूछा था कि पंजाब कुछ जिम्मेदार मंत्रियों ने भी यह बताया है कि अकाली आन्दोलन को पाकिस्तान से हवा मिल रही है। अभी यहां एकाबगंज के गुस्ठारों में अकाली आन्दोलन के एक मुख्य प्रवक्ता ने यह भी कहा था कि सन्त फनह सिंह का अगर देहावमान हो जाता है तो पाकिस्तानी फौजें भारतीय सीमा पर तैयार खड़ी थी। क्या यह वक्तव्य आपकी निगाह में आया है? इस तरह के वक्तव्यों से क्या ऐसा नहीं समझा जा सकता है कि पाकिस्तान से इसका कुछ सम्बन्ध है और कुछ इसको प्रश्रय मिल रहा है? यदि हां, तो क्या इसके बारे में जागरूकता बरती जा रही है, क्या कुछ कार्रवाई की जा रही है?

श्री जवाहरलाल नेहरू : माननीय सदस्य ने जो कुछ कहा है, मैंने नहीं सुना है। यह इस कदर गैर-जिम्मेदारी की बात है कि जो लोग इसको सुनेंगे उन पर इसका उलटा ही असर होगा और कहने वालों के निकम्पेपन का पता चलेगा।

श्री प्रकाशवीर शास्त्री : सभी प्रश्नकारों में यह चीज प्रकाशित हुई है।

**Shri Tyagi:** I want to get a clarification whether Government are also under the same prejudice against the Akalis, as some of my hon. friends here who have given expression to their views, that the movement is being inspired by Pakistan. An indi-

vidual speech should not lead Government or even the public to think that this whole movement is being inspired by Pakistan. That is wrong.

**Mr. Speaker:** Order, order. I thought the hon. Member was putting a question. Now he is giving advice.

**Shri Tyagi:** I want to know. . .

**Mr. Speaker:** No, no. I am sorry.

**Pandit J. P. Jyotishi:** May I know...

**Mr. Speaker:** No, Sir. Next question.

### Boycott of Damaged Liberian Ship

**S.N. Q. 18. Shri Raghunath Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that damaged Liberian ship the Dicoronia, which was towed by I.N.S. Kistna, when it reached Bombay was boycotted by Bombay Port Workers; and

(b) if so, the reasons of boycott of the damaged ship.

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) Yes, Sir.

(b) The Ship "Dicoronia" had previously traded with Goa and the Dock Workers had, in keeping with their decision to boycott all ships which had traded with Goa, refused to handle the ship unless its owners gave a written undertaking that in future the s.s. Dicoronia or any other vessel owned by them would not be trading with Goa. It is understood that the agents of the Shipping Company have since given such an assurance and that the Dock Workers have lifted the boycott of the vessel on 3rd May 1961.

श्री रघुनाथ सिंह : मैं जानना चाहता हूं कि सन्त में जब यह शिप डैमेज हुआ था और बम्बई पोर्ट में आया तो क्या उस पर कुछ सहायत मांगी थी ?

श्री राज बहादुर : इसका एक प्रोपलर टूट गया था या उसमें कुछ खराबी आ गई थी। जो मैसेजिज आते हैं उनके बारे में यह कायदा है कि जो मदद को जा सके की जाए। चुनावों हमारे समुद्री बेड़े के घाह० एन० एस० कृष्णा ने मदद की और टो करके बम्बई लाया।

**Military Secretary, Army Headquarters**

S.N. Q. 19. **Shri Basappa:** Will the Minister of Defence be pleased to state:

(a) whether a court of enquiry is being held against the Military Secretary, Army Headquarters;

(b) whether he is still in service with access to papers; and

(c) if answer to parts (a) and (b) above is in affirmative, whether Government's sanction has been obtained for the court of enquiry and for his retention in service pending enquiry?

**The Minister of Defence (Shri Krishna Menon):** (a) to (c). No, Sir, but there is an enquiry about a matter which is dealt with in the Military Secretary's Branch. The enquiry is proceeding and therefore it is not possible to give details at this stage.

**Shri Basappa:** May I know the reasons for the enquiry to which the hon. Minister has referred?

**Shri Krishna Menon:** It is an enquiry instituted in the normal course by the Army Headquarters in relation to certain matters in the Military Secretary's Branch. It does not come up to Government until the conclusion of the enquiry.

**Shri Basappa:** May I know how long the Military Secretary is in service?

**Shri Krishna Menon:** I do not know whether this is relevant to the question, but he has four or five years' service.

**Mr. Speaker:** Have they obtained the approval of the Ministry?

**Shri Krishna Menon:** No. Preliminary sanction has not been obtained. I am not sure whether it is necessary. Once this report comes to us we shall be able to see the nature of the case. The question is posed from the point of view that the enquiry is against the Military Secretary. That is not the case.

**Shri Nath Pal:** What is the nature of the enquiry? We want to know the facts. What has led to this enquiry? What is the nature of the charges? How did the necessity for the enquiry arise? Would he give us some information as to what led to the necessity for the enquiry?

**Shri Krishna Menon:** It is a departmental enquiry by Army Headquarters, and those charges are not placed before the Government.

**Shri Vajpayee:** May I know how any enquiry can take place without charges being framed?

**Shri Nath Pal:** Something must have provided the occasion, and created the necessity for it.

**Mr. Speaker:** How long has the Military Secretary been in service?

**Shri Krishna Menon:** Four or five years.

**Mr. Speaker:** Only four or five years?

**Shri Krishna Menon:** His total service will be 25 to 27 years. He has been in this post for the last four or five years.

**Shri Hem Barua:** On a point of order. The House will be interested to know about the departmental enquiry to which the Defence Minister has made a reference. Since there can be no enquiry in a vacuum, there must be some solid ground on which it is based. I think the Defence Minister is withholding information from this House.

**Shri Krishna Menon:** I have not ordered this or any enquiry. There are hundreds of enquiries going on in establishments under the Defence Ministry. It is not possible for me to

be familiar with these enquiries. I have however told Army Headquarters to keep me informed of this case. Once an enquiry has started, it would be improper for me to interfere in the middle until it is concluded.

**Mr. Speaker:** A point of order has been raised. When there are thousands of employees in any particular department, there are various grades of officers who have got the right or authority to hold enquiries at various levels. The hon. Minister has informed the House that it is done at a lower level, below him. The Army Headquarters have taken up this matter, and they have got the right to do so. Normally, these matters do not come up to the highest level, except possibly after punishment by way of appeal. There the matter stands. All the same, he has tried to ask those people to keep him in touch in the matter. If it is an army matter, how can a point of order arise? It is not any other matter. To my knowledge, every matter does not come to him. Otherwise, the Minister would not have any work other than dealing with all these petty small matters, or big matters and he would not attend to the defence of the country. (*Interruptions*).

**Shri Vajpayee:** It is not such a simple matter.

**Mr. Speaker:** If hon. Members wanted further elucidation or even suggested that anything against the Military Secretary should be handled by the Defence Minister, and not by the Army Headquarters, I would have allowed further questions. But before the matter comes to the Defence Ministry, the Army Headquarters can dispose of it. It does not come to him except later on. Possibly, it may come or may not come. Under those circumstances, how can I ask the hon. Defence Minister to give further particulars or make him responsible to answer these questions? There are many enquiries, small and big.

**Shri Krishna Menon:** May I submit that at present there is no enquiry

against the Military Secretary as such? It is an enquiry on a matter which appertains to his branch. Well, at the end of the enquiry what will come up, I cannot say. But I would like to state for the protection of the officer that there is no enquiry against the Military Secretary as such.

**Shri Birendra Bahadur Singhji:** The hon. Defence Minister has stated that this officer has been in his post for the last four or five years. This is something new and unusual. Why should the Military Secretary be allowed to stick to his job for all these years? He has been there for over five years. Why should he be there for such a long time?

**Mr. Speaker:** This is another matter altogether.

**Shri Narayanankutty Menon:** The hon. Defence Minister says that there is no enquiry against the Military Secretary. We fail to understand why the short notice question was at all accepted by the hon. Minister if no information could be given to this House.

**Mr. Speaker:** He wanted to disabuse the questioner with regard to this fact. The hon. Member asked the question whether a court of inquiry has been appointed. He says that there is no court of inquiry.

**Shri Vajpayee:** Then there is no enquiry at all.

**Shri Krishna Menon:** I said that there is no enquiry against the Military Secretary. There is an enquiry by a properly established tribunal under the ordinary rules presided over by the Adjutant General. I have, in this particular instance, asked the officers to keep me informed about it. There is no rule which says that they should have taken previous sanction. Whether it would have been better or not would appear after the enquiry is completed.

**Shri Ranga:** Our difficulty is that so little information comes to our knowledge. Therefore it is naturally very

difficult for us to know whether any enquiry is being conducted at all at any particular level. It is only by chance that this short notice question was given notice of. You were good enough to accept it as also the hon. Minister was good enough to accept it. Generally speaking, the custom in this House is of saying that such-and-such a court of inquiry is not there, but possibly the hon. Member had such-and-such enquiry about some other matter in his mind when he gave notice of this short notice question and therefore such-and-such is the information. That is what they used to do. Generally speaking, they are expected to give us information, but instead of that my hon. friend makes a fetish of public interest, keeps everything a secret and then says, "There is some enquiry going on, but I am not going to give you any information as to the purpose of that enquiry". Then what is the redress for us?

**Sr. Speaker:** Are there more military Secretaries than one? I think, there is only one Military Secretary.

**Shri Krishna Menon:** Yes, Sir.

**Mr. Speaker:** He is a man holding a high rank. The hon. Minister could have only said, "I am not going to accept this question". But having accepted it, he ought not to create an impression that anything is going on against such an important and a big officer. He may take the House into confidence regarding this matter, otherwise, he might have said, "I am not going to accept this question at all".

**Shri Krishna Menon:** I have done so. I accepted the short notice question because I did not want it to be thought that there was anything to hide. This is an enquiry made by Army Headquarters. I have since informed the Chief of the Army Staff that it would have been better in the case of a senior officer of this kind if they had informed me about this beforehand. He has not broken any rule in this instance. At the present moment it is in the hands of a tribunal

and if I ask for details now, it would be improper.

**Shri Ram Krishan Gupta:** Such questions should not be accepted.

**Mr. Speaker:** Next question.

### Rickshaw Pulling

**S.N.Q. 20. Shri Thirumala Rao:** Will the Minister of Labour and Employment be pleased to state:

(a) whether in the recent meeting of the Standing Labour Committee the question of permitting cycle rickshaws in the States to ply for a further period of time was considered; and

(b) if so, what is the result of such consideration?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) It has been decided that the subject may be left to the State Governments for such action as they may deem necessary.

**Shri Thirumala Rao:** May I know if there are any States that have objected to continue these cycle rickshaws as distinguished from the rickshaws pulled by men?

**Shri Abid Ali:** This suggestion is for gradual abolition of plying or pulling of rickshaws through a phased programme. Some of the State Governments have taken action of varying nature towards this end. Some have been feeling that it would not be proper at present to interfere in this matter.

**Shri Thirumala Rao:** In view of the fact that the horse carriage and the bullock cart are practically being driven out of the road in all mofussil towns barring the Presidency towns, have Government considered the necessity of keeping some sort of conveyance for the middle-class and the lower middle-class people and also of keeping the tempo of employment of thousands of people who make their livelihood by cycle rickshaws?

**Shri Abid Ali:** That is why this matter has been left to the discretion of the State Governments. They may take action according to the requirements of their respective areas.

**Shri Tangamani:** May I know whether this decision or directive to the State Governments concerns only those rickshaws which are pulled by hand or does it also include the so-called cycle rickshaws?

**Shri Abid Ali:** It includes cycle rickshaws also.

**Mr. Speaker:** It does not apply to cycle rickshaws. Is that what he said?

**Shri Abid Ali:** It includes cycle rickshaws also.

### C.O.D. Kanpur

**S.N.Q. 21. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that some three persons attempted to take away some stores from C.O.D. Kanpur on the night of 13th April, 1961;

(b) if so, whether the guard on duty fired at them;

(c) whether a person died on account of this firing;

(d) if so, whether any inquiry has been conducted in this matter; and

(e) if so, the details thereof?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) The case is being investigated by the police. Investigation by the Depot authorities is also in progress and a Staff Court of Inquiry has been ordered.

(e) The results of the Inquiry are not yet available as the Inquiry has not yet been completed.

**Shri S. M. Banerjee:** May I know whether the man who has died as a result of this firing was an employee of this Depot or was he an outsider and, if he was an outsider, was he accompanied by many persons?

**Shri Krishna Menon:** He was a civilian. He is alleged to have been shot dead by the Defence Security Corps sentry when he was in the perimeter of the Depot while taking out some material.

**Shri S. M. Banerjee:** May I know whether some persons have been arrested in this connection and whether they have given a statement to the Police to the effect that there is a regular theft going on in this Depot?

**Shri Krishna Menon:** I have no information about it.

**श्री भवत दर्शन :** माननीय मंत्री जी ने प्रश्न कहा कि यह प्रश्न राज्य सरकार के निर्णय पर छोड़ दिया गया है। मैं जानना चाहता हूँ कि कोई हमारी नीति इस सम्बन्ध में है या नहीं है।

**श्री आबिद अली :** नीति तो पिछली कांग्रेस में निश्चित हो चुकी थी। उसके बाद जो दिक्कतें हमारे सामने आईं उनका जिक्र पिछली लेबर मिनिस्टर्स कांग्रेस में भी हुआ और स्टैंडिंग लेबर कमेटी में भी हुआ जहाँ वर्कर्स के नुमाइन्दे भी हाजिर थे। उसके बाद यह फैसला किया गया, जो सब को अच्छा लगा।

**श्री बाजपेयी :** जिन प्रदेशों का शासन केन्द्र चलाता है उनके सम्बन्ध में किस नीति का प्रबलम्बन किया जायेगा ?

**श्री आबिद अली :** वहाँ यही नीति रहेगी कि आहिस्ता आहिस्ता यह साइकिल रिक्शा खत्म हो, मगर इसके साथ साथ जो लोग इसमें काम करते हैं वे बेकार न हो जायें इसका भी ध्यान रक्खा जायेगा। जब वे लोग किसी दूसरे काम में जा कर शामिल हो जायेंगे तो यह लाइसेंस प्राप्ति नहीं दिये जायेंगे।

## WRITTEN ANSWERS TO QUESTIONS

### Congo

**\*1927. Shri Rameshwar Tantia:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the U.N. Special Representative in the Congo, Mr. Rajeshwar Dayal has accused Belgium of having committed a triple violation of International Law by aiding Col. Mobutu's troops to enter Bukavu; and

(b) if so, the steps taken by the U.N. Security Council in the matter?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

(a) and (b). This is an old matter and refers to certain incidents that took place in Ruandi Urundi in December last. On the basis of a report on these incidents from his Special Representative in the Congo, the U.N. Secretary General presented a Note Verbale to the Permanent Representative of Belgium in New York on January 1, 1961. In this Note the attention of the Belgian Government was drawn to violations of the Trusteeship Agreement relating to Ruanda Urundi as well as to open interference in the affairs of the Congo, a territory in respect of which the U.N. had assumed special responsibilities. As is known, from reports in the press, these developments were considered by the Security Council at the meetings held from January 12 to 14, but a Resolution, sponsored by Ceylon, Liberia and the U.A.R., failed to secure the necessary majority. Such acts, however, stand specifically condemned in the terms of the Resolution adopted by the Security Council, later, on February 21, 1961.

### Godowns in Calcutta

**\*1928. Shri Subiman Ghose:** Will the **Minister of Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 1034 on the 21st December, 1960 and state:

(a) whether the high technical committee has completed the investigation into the causes of the collapse of the shell type godown for keeping foodgrains in Calcutta;

(b) if so, the reasons ascertained by it for the collapse;

(c) what recommendations have been made by the Committee; and

(d) if the reply to part (a) above be in the negative, when it is expected to complete its investigations?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) Yes, Sir.

(b) and (c). A statement is placed on the Table of the House. [See Appendix VI, annexure No. 85].

(d) Does not arise.

### Price of Fertilizers

**\*1930. Shri Jinachandran:** Will the **Minister of Commerce and Industry** be pleased to state:

(a) whether Government are aware that the ever increasing price of fertilisers is adversely affecting the plantation industry, especially coffee; and

(b) in view of the high cost of production of coffee on account of this and the fall in prices in the internal and external markets, what steps Government are taking to bring down the price of fertilisers and make adequate supplies to the planters?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) There has been no increase since 1957 in the price of nitrogenous fertilizers distributed through the Central Fertilizer Pool.

(b) The current prices at which nitrogenous fertilizers are sold by the Pool are being reviewed and relevant factors will be considered by the Ministry of Food and Agriculture before determining fresh prices. Subject to availability, the intention is to meet in full the realistic demand

for fertilizers in terms of nitrogen during 1961-62.

### **Investment Target for Third Plan**

**1931. Shrimati Ila Palchoudhuri:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that the total investment target during the Third Five Year Plan has been raised to Rs. 10,400 crores as against that of Rs. 10,200 crores envisaged in the draft plan;

(b) if so, the reasons for the increase; and

(c) the items which will be covered by the increased amount?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) Yes, Sir.

(b) The target of total investment during the Third Plan was provisionally revised in the light of fresh estimates of resources available for financing the Third Plan.

(c) The details are under further scrutiny and will be given in the Report on the Third Five Year Plan.

### **Sanctions against South Africa**

**\*1932. Shri Harish Chandra Mathur:** Will the Prime Minister be pleased to state:

(a) what action is being taken against South Africa in pursuance of U.N. Resolution for sanctions and collective and unilateral action by various Governments; and

(b) what other countries we have consulted in the matter and what is the reaction?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

(a) The action which various Governments propose to take in pursuance of the U.N. Resolution is for those Governments to consider. In so far as the Government of India are concerned, they were the first in the field in imposing a ban in 1944 on the entry into and movement in India of South

African nationals of non-Indian origin. This was followed by a ban in 1946 on all imports from, and exports to, South Africa. These bans continue to be in force.

(b) The Government of India are in constant touch with friendly governments in this matter through their Permanent Mission at U.N. Headquarters and elsewhere. No new consultations are called for at the present time.

### **Agricultural Land for Displaced Persons**

**\*1941. { Pandit K. C. Sharma:  
Shri Balmiki:**

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether agricultural land allotted on lease to the displaced persons from West Pakistan is going to be allotted to them on permanent basis;

(b) if so, whether this will also apply to the seasonal allottees who are in continuous possession of the agricultural land on lease basis; and

(c) whether applications have been invited from the allottees concerned?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) and (b). In Punjab the evacuee agricultural lands were allotted on Quasi-permanent basis. Those who were not entitled to the allotment on that basis were given land on annual leases. Out-side Punjab, allotments were made on temporary basis. The Quasi-permanent allotments in Punjab and the temporary allotments outside Punjab are being made permanent in accordance with the provisions of Displaced Persons (Compensation & Rehabilitation) Rules, 1955. The lessees in Punjab who are in continuous possession from Kharif 1957 have also been permitted to purchase the rural agricultural land in their possession at Rs. 450 per standard acre. Outside Punjab, the

non-claimant temporary allottees who have been in continuous possession of the rural agricultural land allotted to them have been enabled to become owners of the land in their possession, on payment of its price in instalments spread over a number of years.

(c) It is for the allottees to apply.

#### Industrial Estates in Punjab

4607. { Shri Ram Krishan Gupta:  
Shri Ajit Singh Sarhad:  
Shri D. C. Sharma:  
Shri Hem Raj:

Will the Minister of Commerce and Industry be pleased to state:

(a) the nature of progress made so far in setting up Industrial Estates in Punjab during Second Five Year Plan; and

(b) the total amount given by Central Government during the above period (estate-wise)?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table. [See Appendix VI, annexure No. 86].

#### New Industries in Maharashtra

4608. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of new industries established by Central Government in Maharashtra during the years 1960 and 1961;

(b) how many of them have started production; and

(c) the investments made in each of them?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). Steps for the establishment of a Fertilizer Factory in Trombay and a Basic chemicals and Intermediates plant near Panel have been undertaken during 1960 and 1961. The estimated investment in the plants will be Rs. 24.35 crores and Rs. 11 to 12 crores respectively. These schemes are still

in the initial stages of implementation and have not commenced production.

#### Punjab and Second Five Year Plan

4609. Shri D. C. Sharma: Will the Minister of Planning be pleased to state:

(a) what amount of the original estimate allotted for Punjab for the entire Second Five Year Plan period has been spent by the State Government;

(b) whether there is any shortfall in the Plan expenditure in Punjab; and

(c) the amount of spill over into Third Five Year Plan on Projects started in the Second Five Year Plan?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Figures of actual expenditure for 1960-61 will be available some time later in the year. In view of this it is not possible to estimate the actual expenditure under the Second Plan and the likely shortfall.

(c) According to the information furnished by the State Government the amount of outlay on spillover schemes (excluding schemes under Technical Education) is estimated at Rs. 29.68 crores.

#### Uranium Deposits in Salem District

4610. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1514 on the 8th December, 1960 and state:

(a) whether upto date reports of investigations regarding uranium deposits occurring in Salem District have been received; and

(b) if so, the nature thereof?

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

(b) Detailed investigations carried out on the radio-active granite at

Kullampatti in Suryamalai hills of Salem district indicated the presence of only a very small quantity of uranium in the rocks of this area. Further work in this area was therefore abandoned.

Sub-surface exploration by borehole drilling carried out in the Pakkanadu area showed some radio-activity at different depths. After drilling 7 boreholes the work has been given up as this area also was not found to be very promising in uranium mineralization.

#### **Boundary Dispute between People of NEFA and Assam**

**4611. Shri D. Ering:** Will the Prime Minister be pleased to state:

(a) whether Government are aware that there has been a boundary dispute between the people of NEFA and Assam, and

(b) if so, whether Government have appointed some Committee to enquire about the matter and to demarcate the boundary?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The people inhabiting a large part of the Siang Frontier Division of NEFA are known as Adis. There are some Adi villages in the Lakhimpur district of Assam also.

When the physical demarcation of Inner Line was taken in hand in this area some time ago, the Adi villages in Assam represented that the Line should be revised to include them in NEFA.

One Adi village from NEFA represented that its right over some cultivable land outside the Inner Line in Assam should be safeguarded.

A meeting of senior officials from Assam and NEFA was held in Shillong to discuss the problem. The Political Officer of the Siang Frontier Division and the Deputy Commissioner of Lakhimpur district jointly toured the area. It was not considered necessary

to appoint a Committee to enquire into this matter.

The Assam Government are understood to have decided to extend the same privileges as are enjoyed by the people in the transferred areas of Assam to the Adi villages under their jurisdiction. They have also confirmed that the right of the Adi village from NEFA possessing cultivable lands in Assam will not be affected in any way by the demarcation of the Inner Line. An officer each from Assam and NEFA have been deputed to remain in the area to settle the differences on the spot till the demarcation is completed.

#### **Industrial Estates in Andhra Pradesh**

**4612. Shri Madhusudan Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total allocation for the industrial Estates in Andhra Pradesh (with break-up for each estate) during the years 1960-61 and 1961-62; and

(b) whether any new Industrial Estates are to be opened in the State during the year 1961-62?

**The Minister of Industry (Shri Manubhai Shah):** (a) An allocation of Rs. 18 lakhs was made for Industrial Estates in Andhra Pradesh during 1960-61. The allocations to the various States for Industrial Estates for 1961-62 is still under consideration. Allocations are made Statewise and not Estate-wise. It is for the State Government concerned to decide the allocation for each Estate.

(b) The Andhra Pradesh Government propose to set up 27 new industrial estates in the State during the year 1961-62.

#### **A.I.R. Stations in Andhra Pradesh**

**4613. Shri Madhusudan Rao:** Will the Minister of Information and Broadcasting be pleased to state the number of enquiries received from each of the radio rural forums by the All India Radio Stations in Andhra Pradesh during 1960-61?

**The Minister of Information and Broadcasting (Dr. B. V. Keskar):** A statement giving the information is laid on the Table. [See Appendix VI, annexure No. 87].

### **Cottage and Small-Scale Industries in Andhra Pradesh**

**4614. Shri Madhusudan Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the various cottage and small-scale industries schemes which were being implemented in Andhra Pradesh during the Second Five Year Plan period; and

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

**The Minister of Industry (Shri Manubhai Shah):** (a) The details of the various Cottage and Small Scale industries schemes in Andhra Pradesh were laid on the Table of the House on the 7th September, 1960, in fulfilment of the assurance arising out of the reply given to Unstarred Question No. 1059 on 14-3-1960.

(b) The collection of further information will involve a disproportionate amount of time and labour.

### **Industrial Units in Andhra Pradesh**

**4615. Shri Madhusudan Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the new industrial units established in Andhra Pradesh so far under the Second Five Year Plan;

(b) the total amount sanctioned by the Central Government for the purpose; and

(c) the names of the new units to be started during the Third Five Year Plan?

**The Minister of Industry (Shri Manubhai Shah):** (a) It is not possible to furnish complete and upto-date information regarding the names of the units. However, if the Hon'ble

Member desires to have any specific information in respect of any particular industry, I will be glad to furnish the same.

(b) Grants and loans amounting to Rs. 716.24 lakhs were sanctioned by the Central Government for the development of various small, medium and large industries in Andhra Pradesh during the Second Five Year Plan period.

(c) It is not possible to anticipate this in advance.

### **Japanese Offer for Printing and Writing Paper**

**4616. Shri Madhusudan Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have considered the Japanese offer for the supply of printing and writing paper in lieu of export of manganese ore and pig iron to that country; and

(b) if so, the decision taken thereon?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). Yes, Sir. The most favourable offer for import of printing paper against export of low grade Manganese Ore has been accepted.

### **Allotment of Quarters**

**4617. Shri Madhusudan Rao:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) when the next bulk allotment of quarters to the Central Government Servants in Delhi and New Delhi will be made;

(b) the number of quarters in different categories that are ready for allotment; and

(c) the names of the places where the quarters have been constructed?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) to (c). 214 'E' class quarters in Moti Bagh II are nearing completion. These are expected to be ready for allotment in June 1961.

**Tapioca**

**4618. Shri R. Narayanasamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) what are the by-products of Tapioca;

(b) in what States in our country Tapioca is cultivated; and

(c) how much Tapioca is internally consumed and exported to the foreign countries yearly and of what value?

**The Minister of Industry (Shri Manubhai Shah):** (a) Tapioca chips, tapioca flour, tapioca globules (sago), tapioca starch and dextrine, etc.

(b) Kerala and Madras are the major States producing Tapioca. Tapioca is also produced in Andhra Pradesh, Assam, Bombay and Mysore.

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

**Production of 'Mughal-e-Azam'**

**4619. Shri Rameshwar Tantia:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it has come to the notice of Government that it was advertised by the producers of the film 'Mughal-e-Azam' that more than a crore of rupees were spent on this film;

(b) whether it is a fact that enormous amount has been spent in foreign countries on this film;

(c) whether prior permission was taken for such expenditure; and

(d) whether Government are considering any proposal to restrict such expenditure in future?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) The attention of the Government has been drawn to some press reports and advertisements.

(b) and (c). Foreign exchange to the extent of Rs. 1,87,646.74 was

released for making remittances in respect of two licences issued for importing colour negatives, uncorrected Rush Prints etc. of the film and Rs. 6,670 for business trip to the U.K. of one of the representatives of the producers.

(d) Yes, Sir.

**Dalmia Dadri Cement Factory**

**4620. Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the production of cement of Dalmia Dadri Cement factory at Charkhi Dadri (Punjab) is decreasing day by day;

(b) if so, the causes thereof; and

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

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

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

**Industrial Estates in Punjab**

**4621. { Shri Ram Krishan Gupta:  
Shri Ajit Singh Sarhadi:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received scheme from Punjab Government for setting up industrial estates during Third Five Year Plan;

(b) if so, the details thereof; and

(c) whether it has been approved?

**The Minister of Industry (Shri Manubhai Shah):** (a) No schemes have yet been received from the Government of the Punjab for the Third Plan.

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

**Housing Schemes in Punjab**

**4622. Shri Ram Krishan Gupta:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that most of the amount given to the Punjab

Government as loan or grant under various housing schemes has been spent on few cities like Chandigarh, Amritsar, Ludhiana, Jullundur, etc.;

(b) if so, whether any complaint in this regard has been received; and

(c) if so, the action taken thereon?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) No: a statement is laid on the Table showing the district-wise break-up of the amount utilised by the Government of Punjab under the various Schemes upto the 31st December, 1960. [See Appendix VI, annexure No. 88].

(b) No.

(c) Does not arise.

#### Demand of Cement in Punjab

**4623. Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) total demand of cement received from Punjab Government during 1960-61;

(b) the cement allotted to them during the above period; and

(c) the cement actually supplied during 1960-61?

**The Minister of Industry (Shri Manubhai Shah):** (a) 7,01,112 metric tonnes.

(b) 5,29,371 metric tonnes.

(c) 3,98,412 metric tonnes.

#### उत्तर प्रदेश के पिछड़े क्षेत्रों का विकास

४६२४. श्री भक्त दर्शन : क्या योजना मंत्री १३ दिसम्बर, १९६० के प्रतारावित प्रश्न संख्या १७२८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) वित्तीय वर्ष १९६०-६१ में उत्तर प्रदेश के विभिन्न पिछड़े हुए क्षेत्रों के विशेष विकास कार्यक्रम के लिये सहायता के रूप में मंजूर की गई कुल राशि में से प्रत्येक क्षेत्र पर वस्तुतः कितना खर्चा किया गया ; और

(ख) वित्तीय वर्ष १९६१-६२ के लिए उत्तर प्रदेश के प्रत्येक पिछड़े हुए क्षेत्र के विशेष विकास कार्यक्रम के लिए कितनी-कितनी राशि मंजूर की गई है ?

**योजना उपमंत्री (श्री श्या० नं० मिश्र) :**

(क) और (ख). राज्य सरकार से सूचना मांगी गयी है ।

#### Indians in Africa

**4625. Shri Pangarkar:** Will the Prime Minister be pleased to state the number of persons of Indian origin who left African countries for India during the last three months?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Such statistics are not maintained. There are large numbers of persons of Indian origin resident in various African countries, especially East and Central Africa, and there is a continuous movement of such persons to and from India, for reasons, such as, marriages, children's education, holidays and the like. Most of the visitors return to East Africa after their sojourn in India is over.

#### Export of Iron Ore to Japan

**4626. Shri Ajit Singh Sarhadi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that iron ore is being given at rates to Japan in lieu of its credit in U.S. Dollars for the purchase of the machinery necessary for the iron-Ore Mines and for meeting foreign exchange requirements of the Railways connected with their development; and

(b) if so, the extent of concessions in term of prevalent prices?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). No, Sir. It is only in the case of the large projects of Kiriburu and Bailadilla mines, that India has secured loan assistance from Japan for the import of necessary machineries. The prices of iron ore to be

supplied are not linked with the loan assistance. In consideration, however of the aid, it has been agreed that a rebate on the normal export prices would be admissible; the extent of such rebate is a matter to be negotiated from year to year after the supply commences from 1964 onwards.

#### **Kalinga Industries Limited**

**4628. Shri P. K. Deo:** Will the Minister of Commerce and Industry be pleased to state:

(a) in what year was the Kalinga Industries Ltd., incorporated;

(b) whether it is a fact that it has not paid any dividend to its shareholders upto now;

(c) whether it is also a fact that its last year's account showed a loss;

(d) whether it is a fact that its managing director has paid a sum of Rs. 1,00,000 (Rupees one lac only) to the All India Congress Committee as donation from accounts of the company; and

(e) whether this donation was given on the managing director's own initiative without the consent of the board of directors and whether it was ratified one year later?

**The Minister of Industry (Shri Manubhai Shah):** (a) In the year 1948.

(b) The company has paid a sum of Rs. 1,32,021.92 NP (Rupees one lakh, thirty two thousand and twenty one and ninety-two naye paise) as arrears of dividend due up to the 31st March 1959 to the Orissa Government in respect of the preference shares held by them as interim dividend. The company has not paid any dividend on equity shares.

(c) The latest profit and loss accounts of the company for the year ended 31st March 1960 showed a net loss of Rs. 3.85 lakhs after providing for Rs. 13.55 lakhs in respect of development rebate.

(d) The company has no managing director. It is managed by a Board

of Directors presided over by a Chairman—Shri B. Patnaik.

The company is reported to have paid a sum of Rs. 1 lakh to the All India Congress Committee as donation for the purpose of carrying on research into the development of small scale industries.

(e) It is not known if the donation was made by the Chairman on his own initiative or after consulting other members of the Board. The donation was ratified by the Board of Directors and the Annual General meeting some months after it was made.

#### **Export of Handicrafts**

**4629. Shrimati Ila Palchoudhuri:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Government of India's attention has been drawn to an article published in the "Pioneer" dated the 19th March, 1961 under caption 'Dishonest Exporters hurt Indian Handicrafts';

(b) if so, what are the facts about the matters mentioned therein; and

(c) the Government of India's reaction to the matter as a whole?

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

(b) As the names of the exporters have not been brought to the notice of Government, it has not been possible to ascertain the facts in regard to these matters.

(c) The Government of India had been receiving complaints about export of substandard handicrafts, defective packing, late shipment, etc. In this connection, various steps are being taken to infuse confidence in the foreign importers and to induce Indian exporters to export quality goods. Some of the steps taken in this respect are (a) the registration of exporters (b) introduction of quality control scheme (c) training in packing (d) provision of facilities, such as setting up of wood-seasoning kilns

and (e) pre-shipment inspection on a voluntary basis.

### Excise Duty on Tea

**4630. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the excise duty in the case of tea is paid by the producer, unlike other commodities in case of which it is paid by the wholesale buyers; and

(b) if so, why the discrimination?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) and (b). Excise duty on manufactured tea is paid by producers when it leaves the garden at the rate applicable to a particular zone. The procedure for collection of Central Excise duty on tea is the same as in the case of other commodities. While the excise duty is normally refunded at the point of export, no such refund is made for bulk teas to be eventually exported.

Under the old system, the excise duty on tea was also refundable at the point of export and the biddings at the auctions were exclusive of excise duty. Since the introduction of the differential excise duty with effect from the 28th September, 1958, the biddings at the auctions are inclusive of excise duty. This new procedure was evolved by the sellers, brokers and buyers themselves after joint consultations.

### Punjab Finance Corporation

**4631. Shri Ajit Singh Sarhadi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Punjab Finance Corporation caters to both Punjab and Delhi Small Scale Industrial Units;

(b) whether there is proposal to centralise its activities to Punjab area alone; and

(c) if so, the nature of the scheme?

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

(b) No, Sir.

(c) Does not arise.

### Nagaland

**4632. Shrimati Manjula Devi:** Will the Prime Minister be pleased to state:

(a) whether the so-called "Inner Line" in Nagaland exists now; and

(b) if so, what are its functions?

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

(b) The Inner Line is intended to control and regulate the entry of the outsiders into the tribal areas. Their uncontrolled ingress can bring in undesirable elements who would exploit the tribal people and impede their healthy and natural growth along the lines of their own genius.

In the frontier regions, the Inner Line is useful also on considerations of security.

### Refugees from Tibet

**4633. Shri Chintamani Panigrahi:** Will the Prime Minister be pleased to state:

(a) the total number of Tibetan refugees in India till March, 1961;

(b) the number of Khampa rebels who disappeared from Sikkim last year; and

(c) whether it is a fact that they disappeared with their arms?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) The total number of Tibetan refugees who have entered India till the 25th March, 1961 was approximately 30,409.

(b) About 2,000 Tibetan Refugees mostly Khampas left Sikkim between May and November, 1960.

(c) None of these refugees carried any arms with them. In fact such arms, as they brought when entering

India were taken away from them at the checkpoints.

**Primary Schools for Children of Displaced Persons in Orissa**

**4634. Shri Chintamani Panigrahi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the amount of money which was sanctioned to Orissa for providing facilities for the primary education of the children of displaced persons from Pakistan resettled in Orissa during the period 1957-58 to 1961-62;

(b) the number of primary schools established in the various refugee colonies in Orissa; and

(c) whether Government are aware that the primary schools opened in the Bhusandapur group of colonies in Orissa have not been supplied with furniture?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) to (c). The information is being collected from the State Government and will be laid on the Table of the Sabha in due course.

**Construction of Bridge over Digaru River in NEFA**

**4635. Shri D. Erling:** Will the Prime Minister be pleased to state:

(a) whether there is any proposal to construct a permanent bridge over the Digaru river in Lohit Frontier Division on the road from Sodiya to Tezu in NEFA;

(b) if so, what is the estimated cost of the bridge project;

(c) whether an foreign exchange is likely to be involved in this project;

(d) what time is likely to be taken for completion of the project and when it will be started; and

(e) if reply to part (a) above be in the negative, the reasons therefor?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) to (e): At present there

is no proposal to construct a permanent bridge over the Digaru river in Lohit Frontier Division. After the last great Earthquake there has been continuous silting of the Digaru river and its course has not yet got set. It is, therefore, somewhat premature to consider the construction of a permanent bridge over the river at this stage.

**Financial Contribution for Third Five Year Plan**

**4636. Shrimati Ila Palchoudhuri:** Will the Minister of Planning be pleased to state:

(a) the financial contribution which each undertaking in the public sector is likely to make for the implementation of the Third Five Year Plan;

(b) whether any proposal has been mooted out for similar financial assistance from the undertakings in the private sector; and

(c) if so, the details thereof?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) A statement is placed on the Table of the House. [See Appendix V, annexure No. 89].

(b) and (c). It is a well established practice for enterprises in the private sector to plough back a part of their profits into investment. On rough estimates, the contribution of this source to the financing of private sector industrial programmes in the Third Plan period might be of the order of Rs. 600 crores (as against a total estimated outlay of Rs. 1250 crores).

**Press Trust of India**

**4637. Shrimati Renuka Ray:** Will the Minister of Information and Broadcasting be pleased to state:

(a) how many centres has the Press Trust of India got in India and other countries;

(b) whether Government pay the Press Trust of India any thing for the services rendered by it;

(c) if so, what is the total amount;

(d) whether it is a fact that two other news agencies have been started; and

(e) if so, what is the composition of these and who are the sponsors?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) to (c). The Information is being collected from Press Trust of India and will be laid on the Table of the House.

(d) and (e). Yes, Sir. In 1959 two news agencies, were registered under the Companies Act, 1956. The promoter Directors of the Agencies are:—

**The Indian News Service Ltd., Bombay.**

1. Shri R. N. Goenka, Madras.
2. Shri T. S. Krishna, Madurai.
3. Shri Kamalnayan Bajaj, M.P., Bombay.
4. Shri Frank Moraes, Bombay.
5. Shri S. P. Jain, Bombay.

**The United News of India, Ltd., New Delhi.**

1. Shri Tushar Kanti Ghosh (Amrit Bazar Patrika, Calcutta).
2. Shri K. C. Sharda (Hindustan Times, New Delhi).
3. Shri Upendra Acharya (Indian Nation, Patna).
4. Shri G. Narasimham (Hindu, Madras).
5. Shri G. A. Johnson (the Statesman, New Delhi).
6. Shri A. K. Sarkar (Hindusthan Standard and Amrit Bazar Patrika, Calcutta).

#### **Affect of Power Cut on Jute and Cotton Mills etc., in Calcutta**

**4638. Shri P. C. Boroah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the working of all the Jute and Cotton Textile Mills and

light and heavy engineering industries in and around Calcutta has reached a critical stage on account of heavy power cut in Electric supply;

(b) if so, how far their working has been affected; and

(c) what steps have been taken to solve the crisis?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). Some of the Jute and Cotton Textile Mills and certain light and heavy engineering industries especially those fed from the New Cossipore station of the Calcutta Electric Supply Corporation Ltd. were partially affected due to sudden breakdown of three large generators in the above station, in quick succession and inadequate supply from the Damodar Valley Corporation, which is far short of the load contracted for by the Calcutta Electric Supply Corporation Ltd.

2. The Government of West Bengal have reported that it has not been possible to assess the loss of production or of employment in various industries, due to the power shortage. So far as the Cotton Textile Industry is concerned, the reduction of working hours necessitated by the cut in power supply varied from 2 to 18 hours, according to the source of supply. In the Jute Industry, it is estimated that the total loss in production during April would be equivalent to roughly a day's production.

3. The Ministry of Irrigation and Power have taken suitable action for the procurement on a top priority basis of the necessary spares required by the Calcutta Electric Supply Corporation with a view to the re-commissioning of the generating sets which had broken down.

4. To meet the shortage, the Damodar Valley Corporation also arranged to obtain power supply from other sources like the Sindri Fertilizers, the Durgapur Steel Works and the Durgapur Coke Oven Plant. All consumers were requested by the

D.V.C. to reduce their off-take of power as far as possible in view of the emergency that had arisen. For securing the equitable distribution of energy, the State Government had also issued orders under Section 22 B of the Indian Electricity Act, 1910, regulating the supply and consumption of power; but all essential services were exempted from the operation of these restrictions. With the re-commissioning of two power generating sets at the D.V.C. towards the end of April, the position has considerably improved. Full details of the steps taken in this connection are contained in the statement made in this House by the Minister of Irrigation and Power on the 2nd May, 1961.

#### Bharatiya Mazdoor Sangh

4639. **Shri P. C. Borooah:** Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have taken notice of the demands of the Delhi Unit of the Bharatiya Mazdoor Sangh made by the unit in a recent two-day session; and

(b) if so, what is Government's attitude towards these demands?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) Government takes all such observations and demands into account while dealing with particular problems.

#### Investment by Indian Industrialists in Surinam

4640. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Agriculture Minister of Surinam has recently called upon the Indian Investors and industrialists to invest in Surinam for its industrialisation;

(b) if so, what is the response from the Indian industrialists;

(c) whether any trade arrangements are envisaged with that country; and

(d) if so, the details thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). No such suggestion has come to the notice of the Government.

(c) No, Sir. No arrangements are under consideration at present.

(d) Does not arise.

#### चीनियों द्वारा भ्रक्साई चीन क्षेत्र पर कब्जा

४६४१. **श्री लुशबक्स राय:** क्या प्रधानमंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चीनी अधिकाारियों का यह दावा कि चीनी फौजों ने भ्रक्साई चीन क्षेत्र पर सन् १९५० में निर्विरोध कब्जा कर लिया था, गलत है ; और

(ख) क्या यह भी सच है कि १९५० से १९५६ तक की अवधि में अनेक भारतीय दलों ने उक्त क्षेत्र का बिना किसी रुकावट के दौरा किया था और उन्हें कोई भी चिह्न चीनी आधिपत्य के वहां नहीं मिले थे ?

**प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) :** चीनियों ने यह दावा किया था कि भ्रक्साई चीन क्षेत्र में वे १९५० में बगैर किसी विरोध के घुस आए थे। यदि ऐसा हो भी तो यह भारतीय प्रदेश में उनका अनधिकार प्रवेश था और इसके कारण उस क्षेत्र पर उनका किसी तरह का हक नहीं ठहरता ।

(ख) १९५८ तक, उस इलाके में दौरा करने वाले हमारे किसी भी दल का सामना किन्हीं चीनी सैनिकों या पड़ावों से नहीं हुआ था ।

#### Bonus for Dock Workers

4642. **Shri Muhammed Elias:** Will the Minister of Labour and Employment be pleased to state:

(a) whether any 'Bonus' has been paid to the dock workers of India

during the years beginning with 1948-49 up to date;

(b) if so, the rates of payment per worker and the total amount paid as bonus year by year; and

(c) if not paid, the reasons therefor?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (c). Information is not available. The time and labour involved in collecting the information will not be commensurate with the results..

#### Closure of Mica Factories in Bihar

4643. { Shri Shree Narayan Das:  
Shri Radha Raman:

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

(a) whether it is a fact that 50 per cent. of the registered small mica factories at Koderma, Jhumri Tillaiya and Donnchanai in Bihar have been closed down;

(b) if so, the reasons therefor; and

(c) the steps taken to meet the situation?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (c). Information is not available. The subject falls in the state sphere.

#### Aid to Bhutan

4644. **Shrimati Ila Palchoudhuri:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Government of Bhutan have approached the Government of India for further financial aid for the economic development of Bhutan;

(b) if so, the details and extent of aid sought; and

(c) the Government of India's reaction thereto?

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

(b) The Government of Bhutan have invited a team of experts from the Planning Commission to visit Bhutan early in June in order to assess her resources and to formulate developmental projects. They have indicated that the necessary financial and technical assistance for her development might be provided by the Government of India.

(c) The Government of India have agreed to send a team of experts and would be willing to provide financial and other assistance for the economic development of Bhutan. Details of the projects and the extent of assistance will be decided after the return of the team.

#### Loans by National Industrial Development Corporation

4645. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the firms and industrial concerns to whom loans have been granted so far by the National Industrial Development Corporation;

(b) how much loan has so far been granted to each; and

(c) what are the criteria for the grant of such loans?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2967/61].

#### Rubber Cultivation in Kerala

4646. **Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have had under consideration a scheme for the cultivation of rubber in the forest lands of Kerala under the Third Five Year Plan;

(b) if so, what is the scheme; and

(c) what is Government's decision in the matter?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) to (c). The Government of Kerala have drawn up a scheme which envisages new planting of rubber on Government forest lands and other private lands. The scheme is being examined by the Planning Commission.

#### **Agricultural Production Target during Third Plan**

**4647. Shri P. C. Borooah:** Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission have of late reviewed the Third Five Year Plan physical target for agricultural production since the National Development Council discussed the Plan in January this year; and

(b) if so, what are the changes proposed?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). The physical targets for the agricultural production in the Third Five Year Plan as shown in the paper on Agricultural Production considered by the National Development Council in January 1961 have not yet been reviewed. Final proposals of the State Governments in relation to the Third Five Year Plan are yet awaited from some of the States and it may take some more time before a complete picture in this respect is available.

#### **Power Production Target during Third Plan**

**4648. Shri P. C. Borooah:** Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission have of late reviewed the Third Five Year Plan physical target for power production, since the National Development Council discussed the Plan in January, 1961;

(b) if so, what are the changes, both in the target and the monetary allocation; and

(c) the reasons for the change?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) No, Sir.

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

#### **Target for Roads during Third Plan**

**4649. Shri P. C. Borooah:** Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission have of late reviewed the Third Five Year Plan physical target for roads since the National Development Council discussed the Plan in January, 1961;

(b) if so, what are the changes proposed both in the target and monetary allocation; and

(c) the reasons for the change?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) to (c). In the

Draft Outline of the Third Plan, a provision of Rs. 250 crores was set apart for roads—Rs. 200 crores in the State sector, and Rs. 50 crores for National Highways in the Central Sector. It was indicated that within this provision about 20,000 miles of new roads were likely to be added during the Plan period. So far as the provision in the State sector is concerned, although the overall financial ceilings for the State Plans as also for the transport sector within the State Plans have been settled after discussions with the State Governments, the detailed break-up of these provisions has yet to be finalised. At this stage, therefore, it is difficult to say exactly what additional amount over and above that shown in the Draft Outline will be set apart by the State Governments for road programmes within their Five Year Plans. The provision for roads in the Central sector is also under review. For these reasons, it is not possible for the Planning Commission to indicate at this stage the exact provision

for roads to be included in the Third Five Year Plan and the physical targets likely to be achieved as a result of the programmes included in the Third Plan.

#### Plots in Defence Colony

**4650. Shri Hem Barua:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that Government have issued notices to the junior officers who are allotted plots of land in the Defence Colony, Delhi as a measure of settlement and rehabilitation and asked the allottees to construct their houses within a month; and

(b) if so, the details of this scheme?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) and (b). Under the terms of the lease the allottees of plots in Defence Colony were required to construct their houses within a period of one year from the date of lease. This period in a number of cases has long since expired. Such allottees, irrespective of their rank or status, who have not yet constructed their houses have, therefore, been served with notices to start construction within one month of the date of receipt of the notice. No discrimination is made in this connection between junior and senior officers.

#### Passighat Co-operative Saw Mill, NEFA

**4651. Shri D. Ering:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that most of the share holders of Passighat Kebang Koret Saw Mill (Passighat Co-operative Saw Mill) have withdrawn their shares from the society;

(b) if so, what are the causes; and

(c) whether any enquiry has been made into this matter and the findings thereon?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b) The Passighat

Kebang Koret Saw Mill has 500 share holders. Only two withdrew their shares during 1960-61 as they were in need of money. Four new share holders joined the Society during this period.

(c) No enquiry is necessary as there has not been any abnormal withdrawal of shares.

#### Supplies to NEFA

**4652. Shri D. Ering:** Will the Prime Minister be pleased to state:

(a) whether Government have received complaints from the civilians about the supply discrepancies against the Directorate of the NEFA;

(b) whether it is not a fact that sometimes supplies meant for the civilians and the local people do not reach the destination in time according to the requirements; and

(c) whether sometimes, specified goods are not supplied as requisitioned by the civil authorities?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) No such complaint has been received.

(b) The bulk of the supplies for the NEFA are carried by air. Due to the unfavourable weather conditions and other limiting factors, it is not always possible to undertake airlift as soon as the demand is received. Every effort is, however, made to meet these demands expeditiously.

(c) The airlift entails very heavy expenditure. It is, therefore, confined by and large to essential commodities. Airlift of non-essential items is not permitted.

#### Local Productivity Council

**4653. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Local Productivity Councils started by the National Productivity Council are not functioning well; and

(b) if so, the steps taken or proposed to be taken in the matter?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The Local Productivity Councils are located in areas in different stages of industrial development and their functioning cannot be expected to be uniform. Besides quite a number of Local Productivity Councils have been set up only recently. The whole set up is barely 3 years old and will take some time before functioning adequately. The Central body namely the National Productivity Council is extending all possible help in strengthening the Local Productivity Councils particularly in the field of Training programmes, Advisory services, Promotional and disseminative activities etc.

#### Visit of Indian Nationals to Pakistan and Pakistani Nationals to India

**4654. Shri P. C. Borooah:** Will the Prime Minister be pleased to state:

(a) the number of Indians who visited Pakistan and those Pakistanis who visited India on pilgrimage during the years 1958, 1959 and 1960;

(b) how many of them did not return to their countries of origin after the expiry of their original visas; and

(c) how many of them have settled permanently in the country which they visited on such religious missions?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Number of Indian pilgrims who visited Pakistan in:

1958	1959	1960
1054	2138	1483

Number of Pakistani pilgrims who visited India in:

1958	1960
1533	1296

(b) and (c). The necessary information is being collected and will be laid on the Table of the House in due course.

**घोषणा से पूर्व आयात-निर्यात नीति का प्रकाशन**

**४६५५. श्री प्रकाशवीर शास्त्री:** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अप्रैल-सितम्बर, १९६१ के लिये भारत सरकार की आयात-निर्यात नीति सामान्य रूप से आयोजित पत्रकार सम्मेलन में घोषित किये जाने से पूर्व उसका सम्पूर्ण विवरण बम्बई के एक समाचार-पत्र (व्यापार गुजराती, अर्ध-मासाहिक) को मिल गया था ;

(ख) यदि हां, तो सरकार ने इस सम्बन्ध में क्या कुछ जानकारी लेने का प्रयत्न किया है कि यह सब कैसे सम्भव हुआ ;

(ग) इस विषय में क्या कार्यवाही की गयी है ; और

(घ) भविष्य में इस तरह के कार्यों की पुनरावृत्ति न हो इस सम्बन्ध में क्या सरकार ने कोई कार्यवाही की है ?

**वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) :** (क) जी नहीं ।

(ख) से (घ). प्रश्न ही नहीं उठते ।

#### Raw Material Sub-Committee

**4656. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the raw materials sub-committee for small scale industries of the Development Board of his Ministry visited Gujarat in the third week of April, 1961; and

(b) if so, what was the purpose of their visit?

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

(b) Does not arise.

**Indian National Trade Union Congress**

**4657. Shri P. C. Boroah:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the 12th Annual Session of the Indian National Trade Union Congress was held in the second week of April, 1961 at Yamunaganar;

(b) if so, what major aspects were discussed therein and observations and recommendations made; and

(c) what is Government's view about these suggestions?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes, on the 16th and 17th April, 1961.

(b) The proceedings may please be looked up.

(c) Government takes all such observations and recommendations into account while dealing with particular problems.

**Buildings Lying Vacant in NEFA**

**4658. Shri D. Ering:** Will the Prime Minister be pleased to state:

(a) whether Government are aware that the NEFA colony buildings at Margherita, which used to be the headquarter of the political officer of Tirap Frontier Division, are lying unused since 1957;

(b) if so, what are the reasons;

(c) whether it is also a fact that these buildings are now going to be used as a T.B. Sanatorium;

(d) if so, from when; and

(e) whether this place is approved medically?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) to (e). There are altogether 40 buildings in the NEFA colony at Markherita. Of these, 19 have been utilised continuously for the needs of the administrative base camp for the Tirap Frontier Division. The

remaining buildings have been used occasionally to meet the local administrative needs.

Most of the buildings have been earmarked for establishing a 50-bedded T.B. Sanatorium. The place has been found suitable by the medical authorities for this purpose. The scheme will be put into effect during the current year and is expected to be completed within the Third Five Year Plan.

**विदेशों में भारतीय राजनयिकों की नियुक्ति**

**४६५६. श्री प्रकाशवीर शास्त्री:** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) सन् १९६० में विदेशों में भारतीय राजनयिक पदाधिकारियों की नियुक्ति के विषय में कितने औपचारिक प्रलेख जारी किए गए ; और

(ख) इनमें से कितने प्रलेख हिन्दी में जारी किए गए ?

**प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू):** (क) ६१ औपचारिक (फार्मल) प्रलेख जारी किये गये । इनका व्योरा इस प्रकार है :—

(१) राजदूतों और मंत्रियों के लिए विश्वास-पत्र (लैटर आफ् क्रीडेंस) ३०

(२) हाई कमिश्नरों के लिये समादेश-पत्र (लैटर आफ् कमीशन) ६

(३) कमिश्नरों और कार्यनायकों (चार्ज-डि-अफेयर्स) के लिए परिचय-पत्र (लैटर आफ् इंट्रोडक्शन) ५

(४) विदेशों में होने वाले स्वाधीनता समारोहों, विवाहों और नए राष्ट्रपति के अभिषेक (इंस्टालेशन) से संबद्ध समारोहों आदि में भाग लेने के लिए जाने वाले राजदूतों, मंत्रियों, हाई कमिश्नरों और

विशिष्ट शिष्ट-मंडलों को  
विशेष विध्वान-पत्र १३

(५) राजदूतों, मंत्रियों और हाई कमि-  
शनरों के लिए निरुक्ति-समादेश  
(कमीशन आफ एग्रीमेंट) ३४

जाड़ ६१

(ख) ६० प्रलेख, अंग्रेजी अनुवाद सहित  
हिन्दी में जारी किए गए और केवल एक अंग्रेजी  
में जारी किया गया ।

संघों के साथ हिन्दी में पत्र-व्यवहार

४६६०. श्री प्रकाशवीर शास्त्री : क्या  
श्रम और रोजगार मंत्री यह बताने की कृपा  
करेंगे कि :

(क) मुख्य श्रम आयुक्त के कार्यालय  
में सन् १९६० की अन्तिम छमाही में रजिस्टर्ड  
संघों (यूनियनों) से कुल कितने पत्र प्राप्त  
हुए और उनमें से कितनों का उत्तर हिन्दी में  
और कितनों का उत्तर अंग्रेजी में दिया गया ;  
और

(ख) क्या ऐसी यूनियनों से आगे सभी  
हिन्दी पत्रों का उत्तर हिन्दी में देने की व्यवस्था  
विद्यमान है ?

श्रम उपमंत्री (श्री आशिष अस्ती) : (क)  
विभिन्न यूनियनों (रजिस्टर्ड और अनरजिस्टर्ड)  
से ७३३ पत्र प्राप्त हुए । जहां तक जवाबों  
का सम्बन्ध है, हिन्दी में भेजे गये पत्रों का अलग  
लेखा ५-१२-६० तक नहीं रखा गया और  
इसलिये सूचना प्राप्त नहीं है ।

(ख) जी हां, ५ दिसम्बर, १९६० से ।

हिन्दी में निकाले गये प्रकाशन

४६६१. श्री प्रकाशवीर शास्त्री :  
क्या श्रम और रोजगार मंत्री यह बताने  
की कृपा करेंगे कि :

(क) मुख्य श्रम आयुक्त के कार्यालय  
से सन् १९६० में कुल कितनी रिपोर्टें  
और अन्य प्रकाशन निकाले गये और उनमें  
से कितने हिन्दी में भी निकाले गये ;

(ख) क्या डा सभी रिपोर्टों और  
प्रकाशनों को भविष्य में हिन्दी में भी  
निकालने का प्रबन्ध किया जा रहा है ;  
और

(ग) यदि उल्लेखित भाग (ख) का  
उत्तर नकारात्मक हो, तो इसके क्या  
कारण हैं ?

श्रम उपमंत्री (श्री आशिष अस्ती) :

(क) प्रतिवेदन ७ (हिन्दी में कोई नहीं) ।  
अन्य प्रकाशन कोई नहीं ।

(ख) और (ग) जब जरूरत होगी  
इन प्रतिवेदनों का हिन्दी में भी प्रकाशित  
किया जायगा ।

### Trade Delegation in Iran

4662. Shri P. C. Borooah: Will the  
Minister of Commerce and Industry  
be pleased to state:

(a) whether an official delegation  
left Delhi for Iran in April, 1961, to  
negotiate a trade agreement;

(b) if so, what are India's proposals  
in this regard; and

(c) whether that Government has  
indicated agreement on the terms  
offered by India?

The Deputy Minister of Commerce  
and Industry (Shri Satish Chandra):  
(a) Yes, Sir.

(b) and (c). A trade agreement has  
been signed between the Government  
of Iran and the Government of India  
on the 2nd May, 1961. The contents  
of the Agreement will be given publi-  
city in due course.

किसानों के लिये सीमेंट का कोटा

४६६३. श्री कुशवन्त राय : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सब है कि जिस प्रकार इस्पात और लोहे का कोटा किसानों को देने के लिये नियत है उसी प्रकार का कोई भी कोटा सीमेंट का नियत नहीं किया गया है ;

(ख) क्या सरकार को मालूम है कि खेती के लिये विशेषतया सिंचाई की व्यवस्था के लिये किसानों को सीमेंट की आवश्यकता होती है ; और

(ग) क्या कारण है कि सीमेंट का कोई विशेष कोटा इस काम के लिये नियत नहीं किया जाता है ?

उद्योग मंत्री (श्री मनुभाई शाह) :

(क) से (ग) केन्द्रीय सरकार किसानों के लिये कोई खास कोटा नियत नहीं करती। राज्य सरकारों को प्रत्येक निमाही में इकट्ठा सीमेंट नियत किया जाता है तथा जनता और निजी दोनों तरह के विभिन्न उपमोक्षताओं में इस कोटे का विस्तृत वितरण राज्य सरकार द्वारा ही किया जाता है। हमारे पास इसकी कोई ठीक ठीक जानकारी नहीं है कि राज्य सरकार इस नियत किये हुए इकट्ठे सीमेंट में से किसानों के लिये कितना सीमेंट अलग रखती है।

#### Forests in NEFA

4664. Shri D. Ering: Will the Prime Minister be pleased to state:

(a) what is Government's policy in regard to unclassified forests in NEFA—regarding rights, collecting royalty etc.; and

(b) whether Government are aware that the Pasighat Kebgang Koret (Co-operative Saw Mill) in NEFA is

not getting enough timbers as most of the timbers have been extracted by some outside contractors?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Government's policy is that the forest areas which fall under the definition of Jhum Land should be handed over to the Tribal Councils for management and the royalties accruing from these forest areas should be utilised for the collective benefit of the villagers concerned.

All other forest areas are managed by the Government and the royalties are also collected by the Government. The local people are, however, allowed free use of the forest products for their domestic uses and are permitted to fish and hunt freely.

(b) The forest areas in the locality where the Pasighat Kebang Koret Saw Mill operates were under lease to another concern from 1929 to 1950. During this period, they almost completely worked out the species of wood which is in general demand in the market. The 1950 earthquake, the subsequent erosion and the operations of the Kebgang Koret during the previous four years have led to a further shortage of the workable trees.

Being a tribal co-operative concern, the Kebang Koret is given preference and encouraged to take up operations in forest areas earmarked for exploitation. At their request the NEFA Administration are considering the possibility of allotting a new forest area for their operations so that timber becomes available to them within economical distance and the production cost is thereby minimised.

#### Indian Frontier Administrative Service

4665. Shri D. Ering: Will the Prime Minister be pleased to state:

(a) whether it is a fact that there was a proposal to bring the cadre of I.F.A.S. officers on par with those of the I.A.S. and I.P.S. in the matter of counting seniority and grades; and

(b) if so, what is the latest position?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The Indian Frontier Administrative Service is governed by its own set of Rules. These have been framed keeping in view the special needs of the Service. Rule 15 provides that the seniority of the members of the Service *inter se* shall be determined by the Central Government on the advice of the Special Selection Board and after taking into consideration the age, experience, seniority in the parent Service, if any, and other relevant factors.

Grade I and Grade II of the I.F.A.S. correspond to the Senior and Junior Grades respectively of the I.A.S. There is, however, no proposal to apply the I.A.S. or the I.P.S. Rules in the matter of seniority or Grades to the A.F.A.S.

#### **Trade Pact with Malaya**

**4666. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Malaya has offered to enter into a bilateral Trade Pact with India;

(b) if so, on what broad terms; and

(c) what is the Government's attitude in this regard?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) to (c). The matter is under consideration.

#### **Demarcation of Indo-Pak Border**

**4667. Shri D. C. Sharma:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Government of India have expedited the demarcation of the Indo-Pakistan border in the sector where Pakistan's Karnafuli dam is expected to submerge a part of Indian territory in the Lushai hills of Assam;

(b) if so, the area of land to be submerged;

(c) the compensation agreed to be paid by Pakistan; and

(d) the steps taken to expedite the survey of the area?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (d). Yes, Sir. The strength of the Indian Survey party in the area has been increased.

(b) and (c). The precise extent of Indian territory that is likely to be submerged by Pakistan's Karnafuli dam project would be known only when survey of the area has been completed. Negotiations on the claims of the Government of India regarding the loss caused by the flooding of Indian territory by this project in Pakistan can commence only when the survey is completed.

#### **Paper Grade Pulp Project in Assam**

**4668. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a licence has been issued to Messrs. Balme Lawrie and Company for its mammoth paper grade pulp project in Assam;

(b) if so, what will be their production capacity; and

(c) where will their factory be set up?

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

(b) 31,200 tons per year.

(c) At Monacherra, Near Hailakandi, District Cachar.

#### **Facilities to Exporters and Trade Delegations**

**4669. { Shri P. C. Borooah:  
Shri Ram Krishan Gupta:**

Will the Minister of Commerce and

**Industry** be pleased to state:

(a) whether Government have decided to afford some more facilities to genuine exporters and trade delegations visiting foreign countries; and

(b) if so, the details thereof?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) and (b). Government are giving adequate facilities to exporters and traders visiting foreign countries. These facilities are:

- (i) Sanction for foreign exchange;
- (ii) Assistance to secure passports and visas; and
- (iii) Issue of letters of introduction to our Commercial Representatives abroad.

#### **Recommendations of Tripartite Conferences**

**4670. Shri Ram Krishan Gupta:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that Government have decided that the recommendations of tripartite conferences, the Indian Labour Conference and the Standing Labour Committee, which have been accepted by the parties concerned should be binding on them; and

(b) if so, whether any legislation will be introduced in this regard?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The nature of tripartite decisions was considered at the 19th Session of the Standing Labour Committee held in New Delhi on 28th April, 1961. It was agreed that unanimous recommendations of tripartite Conferences would be treated as commitments on the part of parties concerned to implement them and that if in any case parties do not find it possible to implement a decision they could bring back the matter for reconsideration by the tripartite conference. There

can be no question of introducing any legislation for the purpose.

**Government of India Press, New Delhi**

**4671. { Shri J. B. S. Bist:  
Shri Bhakt Darshan:**

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

(a) whether it is a fact that proof readers of Government of India Press, New Delhi, have not been included in the Working Journalists Act, 1958;

(b) whether it is also a fact that the nature of duties of the New Delhi Press proof readers according to the Press Handbook is the same as defined by the Press Commission and supported by the legislation at the time of introducing the Bill; and

(c) if the reply to part (b) above be in the affirmative, whether Government propose to take some steps to remove this disparity?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (c). The Government of India Press, New Delhi is a Job Press and cannot be considered as a newspaper establishment for the purposes of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists (Fixation of Rates of Wages) Act, 1958. The Proof-readers employed in this Press are, therefore, not working journalists within the definition of the word as contained in these Acts.

#### **Transistor Radios**

**4672. Shri Goray:** Will the Minister of Commerce and Industry be pleased to state:

(a) the approximate number of transistor radios in the country; and

(b) what steps are being taken to check import?

**The Minister of Industry (Shri Manubhai Shah):** (a) The present production of transistor sets by the radio manufacturers on the list of the Development Wing is 9,000 nos.

(b) The import of radio receivers is banned since October, 1957. Some transistor sets have been imported as personnel baggage. The value of imports of such sets for the period April-November, 1961 is Rs. 1.96 lakhs.

The existing manufacturers of radio receivers have been permitted to utilise 50 per cent of their foreign exchange allotment for import of components for transistor sets. It has been decided, in March 1961, that radio manufacturers should plan production of transistorised radio receivers upto 50 per cent of their total production in 1961. The aim of the industry should be to produce about 100,000 transistor sets in 1961.

#### **Theft of Documents from Custodian General's Office, Delhi**

4673. { Shri M. B. Thakore:  
Shri Ram Sewak Yadav:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 1842 on the 16th March, 1961 and state:

(a) whether the victim who suffered due to theft of judicial documents from Custodian General's office, Delhi has since been adequately compensated;

(b) if so, the details thereof; and

„ (c) if not, the steps proposed to be taken?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) The person concerned viz. the appellant did not suffer any loss as his appeal was disposed of judicially after obtaining a duplicate copy of the Memorandum of appeal. Therefore there was no cause for compensating him nor did he demand any compensation.

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

#### **Quarters in Srinivasपुरi and Andrews Ganj**

4674. Shri B. K. Gaikwad: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that all the accommodation available in the Government colonies of Srinivasपुरi and Andrews Ganj have been given to the persons sanctioned out-of-turn allotment;

(b) if so the reasons therefor; and

(c) if not, the number of quarters allotted to persons falling in the general pool in the two colonies separately?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). In Srinivasपुरi there are 1,004 quarters in the general pool. Of these 740 were allotted in-turn and 264 out of turn. In Andrews Ganj there are 1065 quarters in the general pool. Of these 872 were allotted in turn and 193 out of turn. Out of turn allotments have been made in hard and deserving cases after scrutiny of each case by the Committee set up for this purpose.

#### **Claims of Sindhi Displaced Persons in Gujarat**

4675. Shri M. B. Thakore: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that many applications for claims have been pending in the Rehabilitation Ministry for Sindhi displaced persons settled in Mehsana District (Mehsana and Sidhpur and other places), Gujarat State;

(b) if so, the nature of the claims and the amount involved; and

(c) whether Government propose to decide the cases immediately and pay the claimants without delay?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) About 238 claims were originally registered in the year 1950

from Mehsana District (Mehsana and Sidhpur) of Gujarat State. All claims applications filed under the Claims Act of 1950 were disposed of long ago and even the Act under which they were filed has expired.

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

#### Industrial Museum at Bangalore

**4676. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether a permanent industrial museum at Bangalore is nearing completion;

(b) if so, when it will be completed;

(c) whether more such museums are proposed to be set up during the Third Five Year Plan; and

(d) if so, how many and where?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The information is being collected from the State Government. A statement will be placed on the Table as soon as practicable.

(c) and (d). A proposal to set up a Handicrafts Museum at Delhi and proposals from some State Governments to set up Rural Crafts Museums in community development areas during the Third Five Year Plan are under consideration.

#### Industrial Estates

**4677. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether establishment of more industrial estates was suggested at a recent two-day conference of manufacturers in New Delhi; and

(b) if so, how many more industrial estates are proposed to be set up in the Third Five Year Plan in different States and Union Territories?

**The Minister of Industry (Shri Manubhai Shah):** (a) As we have not received the record of proceed-

ings of the conference, we are not aware of the suggestion.

(b) About 300 industrial estates are likely to be set up all over the country during the Third Plan period.

#### Displaced Political Sufferers in Delhi

**4678. Shri S. M. Banerjee:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether displaced political sufferers settled in the Union territory of Delhi have been allotted cheap residential plots in Lajpatnagar No. IV, New Delhi and also given a cash grant of Rs. 500 each for the construction of their houses during the years 1957-1960;

(b) what is the total number of such allottees;

(c) whether all of them have been paid the house building grant;

(d) if not, what action Government have taken to pay the house building grant to such allottees whom the allotments have already been made but the grant has not been paid; and

(e) whether Government propose to extend the benefit of allotment to such other bona fide displaced political sufferers settled in Delhi who could not apply for it earlier?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) and (b). 42 displaced political sufferers were allotted built up accommodation and 159 were allotted small plots in Lajpat Nagar or Kalkaji. A cash grant of Rs. 500 for construction of a house could also be given to the displaced political sufferers. Where the grant was given to a claimant allottee, the amount so paid was recoverable from his claim compensation.

(c) 75 political sufferers have been paid the cash grant of Rs. 500 each during 1957-60;

(d) The remaining political sufferers do not appear to have applied for

the payment of the grant presumably because they were not eligible for such assistance.

(e) No. No new applications are being entertained now.

#### Air-lifting of Supplies to NEFA

**4679. Shri Harish Chandra Mathur:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 1629 on the 19th April, 1961 and state:

(a) what were the terms advertised before the contract for air-lifting of supplies to NEFA was given to the Kalinga Airlines;

(b) how many tenders were submitted and the agency that scrutinised the tenders and recommended the terms;

(c) the amount so far paid to the present contractors;

(d) the antecedents and qualifications of the present contractors;

(e) the complaint, if any, received against them; and

(f) the nature of complaint and action taken thereon?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) A copy of the tender notice advertised by the North East Frontier Agency Administration is placed on the Table of the House. [See Appendix VI, annexure No. 90].

(b) Only one tender was received. It was scrutinised and the terms were recommended by a Board of Officers which included a representative of the Director General of Civil Aviation, the Financial Adviser, NEFA and Nagaland and the Legal Adviser, NEFA and Nagaland.

(c) Rs. 40,13,098 were paid to the Company during 1960-61. They have received Rs. 6,26,005 in the current financial year.

(d) Kalinga Airlines is a completely Indian concern. Shri B. Patnaik is the Director of the Company. All

members of the crew with the exception of one person are Indians.

(e) and (f). Certain allegations of mal-practices and irregularities were received against the Kalinga Airlines. The Government appointed a Committee to investigate into them. A statement giving the allegations, the findings of the Committee and the action taken against the persons involved was placed by the Deputy Minister of Civil Aviation on the Table of the House on the 31st December, 1960.

#### Air-lifting of Supplies to N.E.F.A.

**4680. Shri Amjad Ali:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 1629 on the 19th April, 1961 and state:

(a) what is the percentage of losses allowed to the Kalinga Airlines under their existing supply dropping contract;

(b) how does it compare with similar losses allowed to Indian Airlines Corporation and the Indian Air Force;

(c) whether Kalinga Airlines have carried out air dropping of supplies in Mizo Hills, Manipur and Orissa; and

(d) if so, what was their performance?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Four per cent.

(b) In an earlier contract, the I.A.C. were allowed losses to the extent of 3½ per cent. No such percentage of losses was prescribed for airlift by the I.A.F.

The total losses sustained by the Kalinga Airlines during 1960-61 have not yet been finalised. It is not, therefore, possible to make any comparison with the losses sustained by the I.A.C. and the I.A.F.

(c) Yes.

(d) A statement showing the month-wise figures of freight lifted to areas in NEFA, Mizo Hills of Assam, Manipur and Orissa between July, 1960, and April, 1961, is placed on the Table of the House. [See Appendix VI, annexure No. 91].

#### **Valuables of Unauthorised Occupants in Government Premises**

**4681. Shri Ram Sewak Yadav:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that valuables of unauthorised occupants in Government premises are lying with the Estate Office; and

(b) since how long and in how many cases?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). Certain belongings of unauthorised occupants of Government premises, who had been evicted in pursuance of action under the Government Premises (Eviction) Act, 1950 and the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, are lying stored with the Directorate of Estates since various dates ranging from 28th June, 1951 to 11th November, 1960. There are 27 such cases.

#### **Evacuee Property**

**4682. Shri Ram Sewak Yadav:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 2140 on the 8th April, 1958 regarding Evacuee Property and state:

(a) whether any application under section 27(1A), of the Administration of Evacuee Property Act is missing from the record; and

(b) if so, whether no date of hearing has been fixed in this case so far?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) and (b). So far as this Ministry is aware no such application

is missing from the record. If a particular case is brought to the notice of the Ministry the matter will be looked into.

#### **Gurkhas in Indian Army**

**4683. Shri Assar:** Will the Prime Minister be pleased to state:

(a) whether there is any agreement with the Government of Nepal regarding sending of Gurkhas in the Indian army to other countries; and

(b) if so, the details thereof?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The Government of India have agreed to inform the Government of Nepal about the despatch of Gurkha troops in the Indian Army on active service out of India.

#### **Compensation to the Widow of Shri Shankar Pillai**

**4684. Shrimati Manjula Devi:** Will the Prime Minister be pleased to state:

(a) whether any compensation is to be paid to Mrs. Pillai, the widow of Late Shri Shankar Pillai of the Indian High Commission's Office in Canada who has recently been killed at Ottawa; and

(b) if so, how much?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). This matter is under active consideration by Government.

#### **Shortage of Raw Material for Small Industries in West Bengal**

**4685. { Shri P. C. Borooah:  
Shri Aurobindo Ghosal:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government's attention has been drawn to the news item in the Economic Times of the 20th April,

1961, regarding the shortage of raw material for small industries in West Bengal;

(b) if so, what is Government's view in this regard; and

(c) what action is being taken to ease the situation?

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

(b) and (c). During the past few years the development of small scale industries has been extremely rapid with the result that demands of certain industries, particularly those which are metal-based and require imported raw materials, components etc., has been growing faster than the supplies available and the gap could not sufficiently be covered by imports due to foreign exchange limitations. This shortage is felt by small industries all over India including West Bengal.

A sub-committee has been set up by the Standing Committee of the Small Scale Industries Board to look into the shortage of controlled raw materials in the country for the small scale units and also to give a report to the Board regarding ways in which the problem could be tackled.

To meet the immediate needs of small units all over the country and to relieve the difficulty, the following steps have been taken:

(a) Import of 40,000 tons of steel in categories of sheets, wire and wire rods has been arranged through the S.T.C. for distribution and delivery before June, 1961 to small scale units exclusively. The allocations have already been made to the Directors of Industries of the States. Import of 3000 tons of Tin Plates is also being arranged.

(b) The Small Industrial units can draw materials against their

pending quota certificates from the 90,000 tons of different categories of steel including sheets and wire procured by the Iron and Steel Controller under barter deal. The Directors of Industries of all the States have been informed accordingly.

(c) The planning and despatch of steel amounting to 1½rd allocation of sheets, wire, plates, bars and rods in each half year under the S.S.I. Quota will be arranged by the Iron and Steel Controller on high priority basis.

(d) A further import through the S.T.C. of 1 lakh tons of steel in categories which are expected to be in short supply is being considered for distribution exclusively to S.S.I. units during 1961-62. The Ministry of Finance have been approached for release of the necessary rupee exchange for this purpose.

Copper and zinc are released to small scale units on the basis of the recommendations of the State Directors of Industries, having regard to the importance of the item of manufacture and the past consumption of the metal by the unit concerned. However, inspite of the existing tight foreign exchange situation, allocations of copper and zinc to small scale industrial units in the country as a whole are being progressively increased. The small scale industrial units in the country as a whole are at present receiving about twice as much metal as they used to consume in 1956.

Tin is not distributed by Government. It is imported by the Established Importers and is available in the market.

**Employers' Federation of India**

4686. Shri P. C. Borooah: Will the

Minister of Labour and Employment be pleased to state:

(a) what major observations/suggestions were made in the 28th Annual General meeting of the Employers' Federation of India held recently in Bombay, in regard to Government's wage policy; and

(b) what is Government's attitude towards them?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The views expressed by the 28th Annual General Meeting of the Employers' Federation of India have already been published in the Press. The wage policy of the Government as enunciated in the Five Year Plans takes into account views of the Employers' and Workers' Organisations and all other relevant factors.

#### Exemption of Sales-Tax on Ores for S.T.C.

4687. Shri Chintamani Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the State Trading Corporation has been exempted from paying sales tax on ores purchased from its associates;

(b) whether it is a fact that the mine owners in Orissa are being charged sales tax on ores sold to State Trading Corporation;

(c) if so, how much they are being charged; and

(d) whether any representations have been received from the mine owners from Orissa in this respect?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir.

(b) to (d). Precise information is not available and is being collected from the Regional Office of the State Trading Corporation. It will be laid on the Table of the House in due course.

#### Small-scale Industries in Mysore

4688. Shri Sugandhi: Will the Minister of Commerce and Industry be pleased to state:

(a) how many small-scale industries were started in Mysore State under the Small-scale Industries Scheme since the launching of the scheme in Mysore State, year-wise; and

(b) the particulars of the aid given by way of loans to such industries in Mysore State and through what sources?

The Minister of Industry (Shri Manubhai Shah): (a) Since the introduction of the small-scale industries scheme in Mysore State during the Second Five Year Plan period, about 900 new small-scale units were established. On an average about 150 to 200 units are reported to have been established during each year.

(b) An amount of Rs. 108.45 lakhs as loan has been advanced to the Small Scale Units upto March, 1961. The sources of the same are given below:

	Rs.
(1) State Bank of India	20,00,000
(2) State Aid to Industries Act	27,83,450
(3) Mysore Central Cooperative Rural Industrial Finance Bank Ltd.	41,59,135
(4) Mysore State Finance Corporation.	19,02,000
Total:	Rs. 108,44,585

#### Cement for Orissa

4689. Shri Chintamani Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of cement in bags allotted to Orissa in January, February, March and April, 1961 separately;

(b) the quantity of cement despatched to Orissa during these four months separately by rail; and

(c) the demand for cement in Orissa at present?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The quantity of cement allotted and despatched in bags to Orissa since January 1961 is given below:

Month	Allotment	Depatches
	(in bags)	
January 1961	1,94,000	2,96,860
February 1961	2,54,000	2,04,360
March, 1961	1,94,000	2,23,240
April, 1961	1,94,000 (Figures not available)	

(c) 26,220 metric tonnes or 5,24,400 bags per month.

#### D I and D II Quarters

**4690. Shri Ram Krishan Gupta:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of quarters of categories DII and DI (both regular and special) which will be available for allotment in Delhi|New Delhi on the 1st May, 1961 and the areas where they are located;

(b) the total number of Central Government officers in Delhi|New Delhi as on 1st May, 1961 who though entitled to DI class of accommodation are allowed to occupy 'G', 'F', or 'E' class of quarters, separately;

(c) the number of officers mentioned in part (b) who will be allotted accommodation referred to in part (a) and when;

(d) upto which year the allotments will cover in terms of priority date;

(e) whether preference for localities indicated by applicants will be kept in view while making allotments; and

(f) if not, the reasons therefor?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) No 'DII' or 'DI' class quarters are under construction.

(b) Out of the officers entitled for 'DI' class accommodation, 96 are oc-

cupying 'E' class quarters, 17 are occupying 'F' class quarters and 1 officer is occupying 'G' class quarter.

(c) The question does not arise.

(d) No officer with a 'priority date' prior to 1st April, 1953 is waiting for allotment of accommodation either in DI or in DII class of accommodation.

(e) and (f). Preferences stated in the applications are kept in view at the time of allotment subject to availability of accommodation in the localities preferred.

#### Education of Plantation Workers

**4691. Shri R. Narayanaswamy:** Will the Minister of Labour and Employment be pleased to state:

(a) the progress made in educating the plantation workers with the help of Labour Welfare Fund during the Second Five Year Plan period; and

(b) the amount spent thereon during this period?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The reference is presumably to the provisions of the Plantations Labour Act in respect of educational facilities for the children of workers. The administration of those provisions is the responsibility of State Governments, and information regarding the progress made in each State is not available.

#### Refinery Gas for Trombay Fertilizer Project

**4692. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether a contract has recently been signed between the Fertilizer Corporation of India and the Burmah Shell for the supply of refinery gas for the Trombay Fertilizer project;

(b) if so, how much of gas is to be supplied; and

(c) on what terms?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) Yes.

(b) 580,00 x 106 Kilocalories/annum.

(c) A copy of the Agreement has been placed in the Lok Sabha Library.

#### **Indian Productivity Team's Visit Abroad**

**4693. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state.

(a) whether an Indian Productivity Team on Industrial Management recently visited West Germany, the U.K. and the U.S.A.;

(b) if so, whether it has submitted a report; and

(c) what are their main recommendations?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). Yes, Sir.

(c). A statement giving the main recommendations of the team is laid on the Table of the Houses [Placed in Library. See No. LT-2968/61] Copies of the Report are being sent to the Library of the Parliament.

#### **All India Organisation of Industrial Employers**

**4694. Shri P. C. Borooah:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the President of the All India Organisation of Industrial Employers in his presidential address at the 28th Session of the Organisation pleaded for reorientation of the Government's labour policy;

(b) if so, what were the basic modifications suggested; and

(c) what is Government's attitude towards the same?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) The presidential address may please be looked up.

(c) Government takes all such observations and recommendations into account while dealing with particular problems.

#### **All India Manufacturers' Organisation**

**4696. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) what major recommendations/suggestions were made at the All India Manufacturers' Organisation at their recent conference in New Delhi; and

(b) what is Government's decision about the same?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). All such speeches, statements and resolutions from different bodies are examined continuously and wherever beneficial they are taken into consideration while policy making decisions are made.

#### **Indigenous Cotton Quotas for Mills**

**4697. Shri P. C. Borooah:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been delay in the announcement of the indigenous cotton quotas for Mills, resulting in large accumulation of cotton stocks in different parts of the country;

(b) if so, to what extent; and

(c) the reasons for the delay?

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

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

#### **Pondicherry**

**4698. Shri Tangamani:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that nearly 600 officers of the non-gazetted cadre

in Pondicherry have not received any increment in their salary since *de facto* transfer of the former French possession;

(b) if so, the reasons for the same;

(c) whether the Pondicherry Assembly passed a unanimous resolution in October, 1960 recommending increase of Rs. 35 P.M. following Pondicherry Assembly Finance Commission's recommendation on Rs. 25; and

(d) what steps are proposed to be taken in this regard?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) No. All permanent employees including the officers of the non-gazetted cadre are in receipt of periodical increments in their respective scales of pay as admissible under the rules.

(b) Does not arise.

(c) Yes.

(d) The matter is still under examination.

#### **Allotment and Transfer of Government Built Properties**

**4699. Shri P. L. Barupal:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that Government do not interfere in family disputes arising out of allotment and transfer of Government built properties; and

(b) if so, whether Government can revise the original allotment order and re-transfer the property in the joint name of present occupants when the property stands in the exclusive name of one person to whom it has been given in lieu of his due compensation and also when he has paid nearly all dues to Government such as rent and cost?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) and (b). The Govern-

ment do not interfere in family disputes arising out of allotment and transfer of Government built properties. If any specific case is brought to the notice of the Ministry, it will be looked into.

#### **Indian Engineering Goods to Zanzibar**

**4700. Shri Aurobindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Zanzibar importers have expressed their dissatisfaction with Indian engineering goods to a delegation of State Trading Corporation which recently visited that country; and

(b) if so, what is their complaint and what steps have been taken to remove the same?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):**

(a) and (b). A few importers of Hardware in Zanzibar expressed to a visiting officer of State Trading Corporation their dissatisfaction regarding the quality of Indian Locks, hinges and Tower bolts etc. supplied by Calcutta merchants. The hinges, were too heavy compared to the standard English quality and the locks and tower bolts were not of an uniform quality. Similarly water tap fittings were defective in quality. The attention of the Engineering Export Promotion Council has been drawn to these complaints, so that they could take up the matter with the manufacturers with a view to rectifying the defects.

#### **Students attending Cinema Shows**

**4701. Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether students are allowed admission into matinee shows of cinema houses in Delhi;

(b) whether it is a fact that the matinee shows have led students to play truant and to absent themselves from classes in schools and colleges in Delhi; and

(c) the steps taken to prevent students and youngmen from attending the matinee shows?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) Under clause (xii) of Rule 45 of the Delhi Cinematograph Rules, 1953, no person below the age of 18 years shall be admitted to any show commencing before 5:00 p.m., except on a Saturday, a Sunday, a holiday, notified by the Chief Commissioner, or any day beginning from the 1st of May to the 14th of July.

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

**प्रतिरक्षा मंत्री की विदेश-यात्रा**

४७०२. श्री लुशवक्त राय : क्या [प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले ३ वर्षों में प्रतिरक्षा मंत्री जब जब विदेश गये हैं तब तब प्रतिरक्षा मंत्रालय के या बाहर के कौन कौन व्यक्ति उनके साथ गये ;

(ख) उन पर हर बार कितना व्यय हुआ ; और

(ग) उनके लिये विदेशी मुद्रा का प्रबन्ध प्रतिरक्षा मंत्रालय ने किया या उसका प्रबन्ध उन व्यक्तियों ने स्वयं किया ?

**प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) :** (क) १९५८, १९५९, १९६० में प्रतिरक्षा मंत्री संयुक्त राष्ट्र महासभा में भारतीय शिष्ट मंडल के नेता थे । इन तीनों अवसरों पर प्रतिरक्षा मंत्रालय से जो एकमात्र व्यक्ति उनके साथ गया वह प्रतिरक्षा मंत्री के निजी सचिव, श्री धार० मंडारी थे । इसके अतिरिक्त १९५९ और १९६० में योजना आयोग के सदस्य श्री कुन्ज मेनन के साथ उन के निजी सचिव श्री एम० बी० नायर भी साथ

गए थे । अन्य व्यक्ति संयुक्त राष्ट्र महासभा में भारतीय शिष्टमंडल के सदस्य थे ।

जून-जुलाई १९६० में, प्रतिरक्षा मंत्री घाना के स्वाधीनता समारोहों में भारत सरकार का प्रतिनिधित्व करने के लिए वहां गए थे । तब उनके साथ कोई भी नहीं गया था ।

प्रतिरक्षा मंत्री ने जब सितंबर १९६० में श्रीलंका की यात्रा की तब उनके साथ उनके निजी सचिव, श्री धार० मंडारी और विदेश मंत्रालय के उपसचिव, डाक्टर वी० राजन थे ।

(ख) इन वर्षों के दौरान में संयुक्त राष्ट्र में भारतीय शिष्टमंडलों पर जो खर्च किया गया, वह इस प्रकार है :

	र०
१९५८ में	४,२२,०००
१९५९ में	३,४१,०००
१९६० में	४,२०,०००

ये रकमें संयुक्त राष्ट्र के सम्पूर्ण भारतीय शिष्टमंडल पर खर्च की गईं । श्रीलंका और घाना की यात्रा में प्रतिरक्षा मंत्री के साथ जाने वाले लोगों पर कोई रकम खर्च नहीं की गई ।

(ग) विदेश मंत्रालय ने आवश्यक विदेशी मुद्रा का प्रबंध किया था ।

#### Rickshaw Pulling

4703. { Shri P. C. Borooah:  
Shri Ram Krishan Gupta:

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

(a) how far the regulatory/preventive measures taken in pursuance of Government's decision to abolish rickshaw pulling gradually have been

successful in the different Union territories;

(b) whether certain legal hurdles have raised their head in the way of such measures;

(c) whether there is a co-operative movement in Delhi and other Union territories to replace the rickshaws by auto-rickshaws, and to what extent has it been successful with particular reference to Delhi; and

(d) what encouragement, if any, is afforded to this movement by Government?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) to (d). The rickshaws are being plied in large numbers not only in towns but also in rural areas. The information asked for is not available and its collection is not considered worth the time and labour involved in the same.

12.17 hrs.

# MOTION FOR ADJOURNMENT

## LOCK-OUT IN SWADESHI COTTON MILLS

**Mr. Speaker:** I have got notice of an adjournment motion by Sarvashri Banerjee and Tangamani saying:

"Immediate need to discuss the serious situation arising out of illegal lock-out in Swadeshi Cotton Mills, Kanpur resulting in playing off of more than 10,000 workers. The situation is bound to deteriorate further after the statement of the State Labour Minister regarding failure of the talks. As the dispute pertains to the intensification of work-load and code of discipline centre's intervention is absolutely essential to solve this matter. Centre is in possession of all facts and has also moved."

I have been shown a paper cutting saying:

"Workers are blamed for failure of talks. U.P. Minister's statement on Kanpur Mill Lock-out."

*Prima facie* it looked to be a State subject and I wanted to rule it out. But the hon. Member said that he would convince me that this matter involves the responsibility of the Centre. Let me know how it does.

**Shri S. M. Banerjee (Kanpur):** I have also very carefully read the statement made by the U.P. Labour Minister in the U.P. Assembly yesterday. I have also got this telephonic message from Kanpur.

**Mr. Speaker:** How is this a Central subject?

**Shri S. M. Banerjee:** I am coming to that point.

**Mr. Speaker:** That is the first thing I want to know. If he is not able to satisfy me on that point he will not have jurisdiction to say other things.

**Shri S. M. Banerjee:** How can I do so unless you give me at least one minute?

**Mr. Speaker:** Why should I give him time to speak about an irrelevant matter? Let him first satisfy me about that.

**Shri S. M. Banerjee:** How can I satisfy you unless I speak? I am unable to satisfy you unless I am allowed to speak. My submission about the intensification of work-load is only this that duty hours have been fixed in a particular mill. Now whenever the employer wants to increase the duty hours it should be done by mutual agreement or by reference to Government. In this particular case a committee was formed in 1953. The committee never met. The Swadeshi Cotton Mills is the only mill which has started a nine-hour shift. They have increased it by four hours. The whole thing was asked to be referred to arbitration. The workers' point was that the matter be referred to arbitration but till such time as the arbitrator decides anything *status quo* must be maintained. We have taken decision after decision in the 16th and the 17th Labour Conferences that when this question of

work-load being intensified is taken up the workers' point of view should be taken into account.

The second thing is about this illegal lock-out. The strike notice was given legally. They declared the lock-out and refused to have negotiations. After all, this is an illegal lock-out. I do not wish to impute any motives to the State Government, but unfortunately the State Government has issued a statement which, to my mind, is one-sided. The Central Government has been apprised of the matter by me and the Union and I would request the hon. Minister to institute an impartial enquiry into the dispute. I would request you to kindly allow this motion.

**Shri T. B. Vittal Rao (Khammam):** This is a simple matter.

**Shri Tyagi (Dehra Dun):** After hearing the hon. Member, have you, Sir, decided whether it is relevant or not. I wish to know your ruling.

**Mr. Speaker:** I am not going to give my ruling.

**Shri Tyagi:** On a point of order: is it in order?

**Mr. Speaker:** There is no point of order. I was hearing the hon. Member with a view to understanding his point.

**Shri Tyagi:** On a point of order. I beg to submit that this Adjournment Motion is out of order, because it has not been proved.

**Mr. Speaker:** The hon. Member is becoming a Public Prosecutor here; it is very wrong. I am really surprised at the manner in which the hon. Member is interfering. When an Adjournment Motion has been tabled, I want first to be satisfied whether this House has jurisdiction over that subject. As far as I am aware, it is a State subject. The hon. Member was trying to say that it is in the Concurrent List. He was also saying that the State Government had not looked into the matter. I wanted to find out, whether, if it is in the Concurrent List, we have only the power to legislate or interfere in the executive

work. That is the point which I was considering. In the meanwhile Shri Vittal Rao, from the same Party, stood up and wanted to strengthen their case.

**Shri Raghunath Singh (Varanasi):** Not from the same party.

**Mr. Speaker:** Let him belong to any party.

After hearing Shri Vittal Rao, if Shri Tyagi, or any other hon. Member wanted to say or suggest to me as to what I ought to do, I would have allowed him. It is really surprising that he wants to regulate the proceedings of this House.

**Shri Tyagi rose—**

**Mr. Speaker:** Order, order. I must be allowed to proceed as I think proper, to hear any Member in this House. No hon. Member should say: "You ought not to hear him." It is for me to decide ultimately. If Shri Tyagi also wants to have a say, I would have allowed him.

**Shri Tyagi:** May I respectfully submit, Sir, that I only wanted to know whether the Chair was convinced after listening to the arguments of the hon. Member whether it is relevant or not. If the Chair requires another speech for that, I have no objection.

**Mr. Speaker:** Am I to consult my legal adviser from minute to minute whether an hon. Member's arguments are convincing or not. The very fact that I allowed another hon. Member to speak shows that I wanted further elucidation.

**Shri T. B. Vittal Rao:** Sir, nobody can work for more than eight hours, except under special circumstances, and that even for a very limited period. How is it that the authorities of this Mill have been permitted to work for nine hours throughout. Though the industrial relation aspect of it may be the responsibility of the State Government, the general interest of the working hours under the Factories Act is the responsibility of the Central Government.

**Mr. Speaker:** Does Shri Tyagi want to say anything?

**Shri Tyagi:** Nothing, Sir. When the hon. Member rose, I was under the impression that he was going to speak on the merits of the Adjournment Motion. Therefore, I raised a point of order. Since he was speaking on its admissibility, I have nothing to say.

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, the matter is within the State sphere. However, on the basis of the information obtained from them, I have to make the following statement.

Following the dispute in 1953 about the shift time working in the Mills, the Regional Conciliation Officer, Kanpur, intervened and brought about a settlement regarding the revised shift timings. This came into force from February 21, 1954. Since then the work in the Mills has been continuing on that basis.

On March 8, 1961, the Suti Mill Mazdoor Sabha gave notice that if the shift timings were not changed to those in existence before 1954, the workers would go on strike from March 25, 1961. On workers' request the State Government called a meeting of the old Board which had brought about the agreement in 1954. At the Board's meeting the workers failed to give any convincing reasons for the revision. The Board did not think it proper to make any change for the time being and wanted additional data to be considered at its next meeting. The management's representatives agreed to refer the matter to arbitration but the workers did not agree; they did not also accept the management's offer to curtail the Monday shift by one hour. The workers showed an unreasonable attitude by turning down both the offers. They went on strike at 2 p.m. on March 25. Subsequently, they started work late and left their jobs earlier than the scheduled timings. This was repeated on a number of days between April 1 to 17. The workers also resorted to go-slow by reducing

the speed of motors. Some costly electric motors were also burnt out and there was indiscipline in the mills. The management thereupon declared a lock-out from Monday, the 1st May.

The State Government offered to refer the matter to conciliation under the U.P. Industrial Disputes Act, but the union leaders have not yet conveyed their acceptance. According to the State Government the action of the workers was 'absolutely unjustified' and the strike was illegal; it was also against the Code of Discipline. The union was warned about it.

The subject being within State sphere their Industrial Relations Machinery is continuing efforts to settle the dispute early.

**Shri K. N. Pande (Hata):** May I know whether it is a fact that the working hours were increased because of the agreement of the parties? Did not the party, to which my hon. friend Shri S. M. Banerjee belongs, agree to it?

**Shri S. M. Banerjee:** On a matter of personal explanation, Sir. Since those leaders are not here, I have to safeguard their interest.

**Mr. Speaker:** Order, order. I am not going to allow. The hon. Member wrote to me that this is the last day of the session, and as the House would be adjourned he would not have occasion to raise it. Therefore, I allowed a statement to be made. Both in the beginning and in the end the Minister reiterated the fact that this is purely a State subject, some proceedings are going on, but that the strikers were recalcitrant. There is nothing that can be done here. I wanted to see whether any light would be thrown on the subject as to how far the Central Government is responsible for this. The Central Government is not responsible and I withhold my consent.

**Shri K. N. Pande:** My question has not been answered.

**Shri Abid Ali:** I have already said that it was a unanimous agreement of the parties concerned.

**Shri S. M. Banerjee:** Sir, it was only for three or four months that an agreement was drawn up in 1953 by a party which did not enjoy the confidence of the workers. This agreement was reached because, it was said, there was a crisis in the textile industry at the time. Now, they are flouting all government orders and the Deputy Minister says that the contention of Mr. Pande is correct. If the Centre were to forget the interests of the workers as against the interests of the employers, what is going to be the fate of labour?

**Mr. Speaker:** Let us now take up the next item.

12:29 hrs.

# CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE.

## (i) STRIKE OF BUILDING WORKERS IN DELHI

**Shri Balraj Madhok** (New Delhi): Under Rule 197, I beg to call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and I request that he may make a statement thereon:

The recent strike of building workers in Delhi.

The Deputy Minister of Labour (Shri Abid Ali): On the 20th September, 1960, the Delhi Administration issued a Notification under the Minimum Wages Act, 1948, revising the minimum rates of wages notified earlier under the Act for employment on the construction or maintenance of roads or in building operations in the Union Territory of Delhi. These became effective from the 1st November, 1960.

On the 11th April 1961 about 600 workers falling within the State

sphere resorted to a strike on the ground that employers in building operations had not implemented the notified revised rates. After two days all these workers returned to duty. Four days later, building workers both in the State and Central spheres went on strike demanding payment of the rates as revised by the Delhi Administration. In the State sphere the strike has already ended, and in the Central sphere also it does not now exist.

The strike in certain Central sphere undertakings under the Minimum Wages Act was mainly over the issue of the upward revision of wages. Necessary action has already been taken to revise the rates of wages fixed under the Minimum Wages Act for workers in the Central sphere also.

**Shri Bal Raj Madhok:** What new wages have been fixed?

**Mr. Speaker:** There are five more Calling Attention notices. Under Rule 197 (3) not more than one Calling Attention notice could be admitted for the same day. But today being the last day, five other Calling Attention notices are put down on the Order Paper and the statements in respect of them may be laid on the Table of the House by the Minister of Irrigation and Power, Minister of Labour and Employment, Minister of Commerce and Industry and Minister of Works, Housing and Supply as is usual in such cases.

## (ii) VISIT OF PAKISTAN WATER RESOURCES EXPERTS TO CALCUTTA PORT

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Sir, I beg to lay the statement on the Table [See Appendix VI, annexure No. 92].

## (ii) VISIT OF PAKISTANI WATER RESOURCES IN RANIGANJ COAL BELT AREA

The Minister of Labour and Employment and Planning (Shri Guhmari Lal Nanda): Sir, I beg to lay the statement on the Table. [See Appendix VI, annexure No. 93].

(iv) ACCUMULATION OF COTTON WITH  
TRADERS AND GROWERS

**The Minister of Industry (Shri Manubhai Shah):** Sir, I beg to lay the statement on the Table. [See Appendix VI, annexure No. 94].

**Shri P. R. Patel (Mehsana):** Sir, may I ask for a clarification?

**Mr. Speaker:** He might write to the Minister and obtain the information.

(v) REPORTED MISSING OF CERTAIN  
ITEMS FROM MAGAZINE OF CPWD  
FRONTIER DIVISION OF NEFA

**Minister of Works, Housing and Supply (Dr. B. Gopala Reddi):** Sir, I beg to lay the statement on the Table. [See Appendix VI, annexure No. 95].

(vi) CAUSE OF FLOODS IN ALIPUR BLOCK  
AREA

**Hafiz Mohammad Ibrahim:** Sir, I beg to lay the statement on the Table. [See Appendix VI, annexure No. 96].

12.32 hrs.

PAPERS LAID ON THE TABLE

REPORT OF ORGANISATION AND METHODS  
DIVISION FOR 1959-61

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** On behalf of Shri Jawaharlal Nehru I beg to lay on the Table a copy of the Report of the Organisation and Methods Division for the years 1959-61. [Placed in Library, See No. LT-2948/61].

APPROPRIATION ACCOUNTS (CIVIL)  
1959-60 AND AUDIT REPORT, 1961

**The Deputy Minister of Finance (Shri B. R. Bhagat):** On behalf of Shri Morarji Desai I beg to lay on the Table a copy of the Appropriation Accounts (Civil), 1959-60 (including proforma commercial accounts) and the Audit Report, 1961 under Article

151(1) of the Constitution. [Placed in Library, See No. LT-2949/61].

STATEMENTS SHOWING ACTION TAKEN BY  
GOVERNMENT ON ASSURANCES, PRO-  
MISES AND UNDERTAKINGS

**Shri Satya Narayan Sinha:** I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Second Lok Sabha:—

- (i) Supplementary Statement No. II—Thirteenth Session, 1961. [See Appendix VI, annexure No. 97].
- (ii) Supplementary Statement No. V—Twelfth Session, 1960. [See Appendix VI, annexure No. 98].
- (iii) Supplementary Statement No. IX—Eleventh Session, 1960. [See Appendix VI, annexure No. 99].
- (iv) Supplementary Statement No. XIV—Tenth Session, 1960. [See Appendix VI, annexure No. 100].
- (v) Supplementary Statement No. XVIII—Eighth Session, 1959. [See Appendix VI, annexure No. 101].
- (vi) Supplementary Statement No. XXII—Sixth Session, 1958. [See Appendix VI, annexure No. 102].

INORGANIC FERTILIZER (MOVEMENT CON-  
TROL) AMENDMENT ORDER, 1961

**The Minister of Agriculture (Dr. P. S. Deshmukh):** I beg to lay on the Table a copy of the Inorganic Fertilizer (Movement Control) Amendment Order, 1961 published in Notification No. G.S.R. 561 dated the 22nd April, 1961, under sub-section (6) of Section

3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-2956/61].

ANNUAL REPORT OF HINDUSTAN HOUSING FACTORY LIMITED, NEW DELHI AND REVIEW BY GOVERNMENT OF THE WORKING OF THE COMPANY

The Minister of Works, Housing and Supply (Dr. B. Gopala Reddi): I beg to lay on the Table a copy each of the following papers:—

- (i) Annual Report of the Hindustan Housing Factory Limited, New Delhi for the period 1st August, 1959 to 31st March, 1960 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.

- (ii) Review by the Government of the working of the above Company. [Placed in Library. See No. LT-2957/61].

RESOLUTION CONTAINING GOVERNMENT'S DECISIONS ON RECOMMENDATIONS RE: DEVELOPMENT OF SALT INDUSTRY

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table a copy of Resolution No. 18(4)/59-Salt dated the 3rd May, 1961, containing the Government's decision: on the recommendations made by the Committee appointed by the Government of India to consider certain matters connected with the development of Salt Industry. [Placed in Library. See No. LT-2958/61].

SCHEME FOR RECONSTRUCTION OF TRAVANCORE FORWARD BANK LIMITED

Shri B. R. Bhagat: I beg to lay on the Table a copy of the Scheme for the reconstruction of the Travancore Forward Bank Limited and its amalgamation with the State Bank of Travancore, published in Notification No. S.O. 989 dated the 29th April,

1961, under sub-section (11) of Section 45 of the Banking Companies Act, 1949. [Placed in Library. See No. LT-2959/61].

DISPLACED PERSONS (COMPENSATION AND REHABILITATION) SIXTH AMENDMENT RULES, 1961

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): I beg to lay on the Table a copy of the Displaced Persons (Compensation and Rehabilitation) Sixth Amendment Rules, 1961 published in Notification No. G.S.R. 565 dated the 22nd April, 1961, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. [Placed in Library. See No. LT-2960/61].

ORISSA LAND REFORMS RULES, 1961 AND ORISSA IRRIGATION RULES, 1961

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table the following Rules:—

- (1) The Orissa Land Reforms Rules, 1961, published in the Orissa Gazette Notification No. 19767-Re-1/61-R dated the 29th April, 1961, under sub-section (3) of Section 75 of Orissa Land Reforms Act, 1960, read with clause (c) (iv) of the Proclamation dated the 25th February, 1961 issued by the President in relation to the State of Orissa. [Placed in Library. See No. LT-2961/61].
- (2) The Orissa Irrigation Rules, 1961 published in the Orissa Gazette Notification No. 20464-III-W-12/61-R dated the 2nd May, 1961, under sub-section (3) of Section 53 of the Orissa Irrigation Act, 1959, read with clause (c) (iv) of the Proclamation dated the 25th February, 1961, issued by the President in relation to the State of Orissa. [Placed in Library. See No. LT-2962/61].

[Shri Datar]

**Shri Chintamani Panigrahi (Puri):** With regard to the Orissa Land Reforms Rules that are now placed here, may I point out this? The other day the Planning Minister stated in the House that section 46 of the Orissa Land Reforms Act was suggested to be amended. But without the section being amended, the rules are now being approved and that is going to affect section 46 of the Act itself.

**Shri Datar:** That is entirely a different matter. At this stage I cannot make any statement about it.

**Shri Chintamani Panigrahi:** You were present, Sir. This question was raised and it was said that section 46 of the Act itself was going to be amended.

**Mr. Speaker:** Very well. Then these will stand automatically amended. As soon as some rules are framed, hon. Members are aware—I believe it is so under the statutory obligation in Orissa also—that the rules have to be placed on the Table of the House. In pursuance of it they are doing so; otherwise the rules will lapse. What the further consequences are, that matter may be discussed when the Bill comes up.

**Shri Chintamani Panigrahi:** These rules were published one month ago in the Orissa Gazette. Why could it not have been placed on the Table earlier in which case we could have discussed it? Why are the rules being laid on the Table so late?

**Mr. Speaker:** There is time for this discussion later. There will be thirty days.

**Shri Chintamani Panigrahi:** Only on the last day it is placed here.

**Mr. Speaker:** I think in two successive sessions they must be on the Table and thirty days have to elapse. Therefore in the next session it can be done. In the meanwhile they will

have ample opportunity. By that time the other Bill will also come up. They can think about all that.

12.37 hrs.

#### STATEMENT RE: ARREST OF ADIVASI DISPLACED PERSONS AT ROURKELA

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): On the 24th of April, 1961, while replying to the adjournment motion regarding the arrest of Adivasi workers in Rourkela Steel Project, I had promised to give this House further information on the subject. With your permission, Sir, I place on the Table of the Sabha a statement which contains the relevant information. [See Appendix VI, annexure No. 103].

Some hon. Members rose—

**Mr. Speaker:** Hon. Members will go through the statement.

12.38 hrs.

#### COMMITTEE ON GOVERNMENT ASSURANCES

##### MINUTES

**Pandit Thakur Das Bhargava (Hisar):** I beg to lay on the Table the Minutes of the Twentieth sitting of the Committee on Government Assurances held during the Thirteenth Session.

12.38½ hrs.

#### COMMITTEE ON PETITIONS

##### MINUTES

**Shrimati Uma Nehru (Sitapur):** I beg to lay on the Table the Minutes of the sittings (Fifty-first to Fifty-fourth) of the Committee on Petitions held during the Thirteenth Session.

12.38½ hrs.

**ESTIMATES COMMITTEE****MINUTES**

**Shri Dasappa** (Bangalore): I beg to lay on the Table a copy of the Minutes of evidence given before the Sub-Committee of the Estimates Committee on Public Undertakings and Minutes of the sittings of the Estimates Committee relating to 115th, 116th, 119th, 120th, 121st, 124th and 132nd Reports on the Ministries of Transport and Communications, Works, Housing and Supply, Commerce and Industry, Defence and Food and Agriculture.

12.39½ hrs.

**PRESIDENT'S ASSENT TO BILLS**

**Secretary:** Sir, I lay on the Table the following two Bills passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 1st May, 1961:—

- (1) The Telegraph Laws (Amendment) Bill, 1961.
- (2) The Industrial Employment (Standing Orders) Amendment Bill, 1961.

12.39½ hrs.

**ESTIMATES COMMITTEE**

**HUNDRED AND THIRTY-FIFTH, HUNDRED AND THIRTY-SIXTH AND HUNDRED AND THIRTY-SEVENTH REPORTS**

**Shri Dasappa** (Bangalore): I beg to present the following Reports of the Estimates Committee:—

- (i) Hundred and thirty-fifth Report on action taken by Government on the recommendations contained in the Thirty-eighth Report of the Estimates Committee on the

Ministry of Transport and Communications (Department of Transport)—Eastern Shipping Corporation Limited, Bombay and Western Shipping Corporation Limited, Bombay.

- (ii) Hundred and thirty-sixth Report on action taken by Government on the recommendations contained in the Twenty-third Report of the Estimates Committee on the Ministry of Education and Scientific Research—Central Social Welfare Board.

- (iii) Hundred and thirty-seventh Report on action taken by Government on the recommendations contained in the Forty-eighth Report of the Estimates Committee on the Ministry of Home Affairs—Scheduled Castes, Scheduled Tribes and Other Backward Classes.

12.40½ hrs.

**PUBLIC ACCOUNTS COMMITTEE****THIRTY-SEVENTH REPORT**

**Shri C. R. Pattabhi Raman** (Kumbakonam): I beg to present the Thirty-seventh Report of the Public Accounts Committee on Faridabad Development Board—Loss in the working of the Technical Institute and the share of the responsibility of the Indian Co-operative Union for such losses.

12.41 hrs.

**COMMITTEE ON PETITIONS****TWELFTH REPORT**

**Shrimati Uma Nehru** (Sitapur): I beg to present the Twelfth Report of the Committee on Petitions.

12.41½ hrs.

**CORRECTION OF REPLY TO  
STARRED QUESTION NO. 785**

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** In answer to Starred Question No. 785 on the 8th December, 1960, relating to the Rajasthan Government property in Delhi, it was mentioned that the ex-ruler had also one-third share of rent in respect of Udaipur House. Actually, Udaipur House is a State property and no share of rent is paid to the ex-ruler in respect of this house. Full rent is paid to the Government of Rajasthan.

caused by the ignition of this prohibited mixture due to rough handling. It is suspected that prohibited explosives for fireworks were being manufactured in the premises surreptitiously without a licence. Specimens have been collected from the spot for further detailed chemical examination. The report of the magisterial enquiry into this accident is awaited.

**Mr. Speaker:** Now, Bills to be introduced. Shri Lal Bahadur Shastri. The hon. Minister is not here. Now, Shri Manubhai Shah.

12.42 hrs.

**COFFEE (AMENDMENT) BILL\***

**The Minister of Industry (Shri Manubhai Shah):** I beg to move for leave to introduce a Bill further to amend the Coffee Act, 1942.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Coffee Act, 1942."

*The motion was adopted.*

**Shri Manubhai Shah:** I introduce the Bill.

12.41½ hrs.

**STATEMENT RE: EXPLOSION AT  
POOZHICKUNNU NEMOM, DISTRICT  
TRIVANDRUM**

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** Sir, I lay a statement on the Table of the House regarding explosion at Poozhickunnu Nemom, District Trivandrum.

**STATEMENT**

An explosion occurred on the 19th April, 1961 in a thatched shed at Poozhickunnu Nemom, District Trivandrum. Three persons died in the explosion—one on the spot and two subsequently in the hospital without giving any dying declaration. Two other persons were injured with burns and are under treatment. The roofs of the shed and a neighbouring house were gutted.

An Assistant Inspector of Explosives from South Circle, Madras visited the place of accident on the 24th April, 1961 and made preliminary investigations. The preliminary tests carried out by him indicated that a prohibited explosive mixture of sulphur and chlorate was involved. It is presumed that the explosion was

12.42½ hrs.

**BANARAS HINDU UNIVERSITY  
(AMENDMENT) BILL\***

**The Minister of Education (Dr. K. L. Shrimali):** I beg to move for leave to introduce a Bill further to amend the Banaras Hindu University Act, 1915.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Banaras Hindu University Act, 1915."

*The motion was adopted.*

**Dr. K. L. Shrimali:** I introduce the Bill.

\*Published in the Gazette of India dated 5-5-1961

12.43 hrs.

## INDIAN RAILWAYS (AMENDMENT) BILL

**Mr. Speaker:** The House will now take up the Indian Railways (Amendment) Bill.

**Shri Khushwaqt Rai (Kheri):** On a point of order. Yesterday, when the House adjourned, we were discussing the Report of the University Grants Commission, and we were given to understand that that discussion would be continued today. But, now, this Bill has been given precedence over that. This means that the Report of the University Grants Commission will not be discussed today, because at 2-30 P.M. the non-official business will start. Secondly, this also means a sort of inconvenience to us, because we did not have this information that this Bill would be taken up today.

**Shri Tyagi (Dehra Dun):** If you would permit me, I would like to raise another little issue. I was holding the floor of the House when it adjourned yesterday. Now, I am in mid-stream, and I have not yet finished my speech. I do not mind this Bill being taken up, but it must be recorded that when next time the motion regarding the Report of the University Grants Commission is taken up for discussion, I shall hold the floor again.

**Shri Ranga (Tenali):** There is another small difficulty. I do not know whether I am anticipating it. I believe that the motion in respect of the Indian Railways (Amendment) Bill is that it should be referred to a Select Committee consisting of Members of this House only and not a Joint Committee consisting of the Members of this House as well as of the other House. That also is likely to create a lot of trouble, and it is for the hon. Minister to consider whether it would not be better for him to wait until the next session.

**Mr. Speaker:** How can there be trouble? The hon. Minister wanted this Bill to be referred to a Select Committee, so that, during the recess, the Select Committee may go into this matter, and, therefore, I allowed him to bring this up. There is nothing lost if the discussion on the Report of the University Grants Commission stands over. Occasionally, we can do this, because we are not so rigid. After all, this discussion can stand over, because it is not going to a Select Committee. But if this Bill does not go to a Select Committee, we may not find time for Members to sit conveniently on the Select Committee and consider this Bill.

**Shri Ranga:** There should be a Joint Committee.

**Mr. Speaker:** As far as Shri Tyagi is concerned, he will never leave his hold on any particular discussion, when he has caught it once. Therefore, he can continue his speech on the Report of the University Grants Commission. There is no difficulty about that.

As for the Bill, the change is allowed in exceptional cases.

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** I beg to move:

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of 21 Members, namely Shri S. A. Agadi, Shri Frank Anthony, Shri M. Ayakkannu, Shri Pulin Behari Banerji, Shri Naushir Bharucha, Shri Laxmanrao Shrawanji Bhatkar, Shri Ranbir Singh Chaudhuri, Shri N. R. Ghosh, Shri Yadav Narayan Jadhav, Shri Banarsi Prasad Jhunjhunwala, Shri Liladhar Kotoki, Dr. Sushila Nayar, Shri Sarjoo Pandey, Shri Nanubhai Nichhabhai Patel, Shri Balasaheb Patil, Shri Ram Garib, Shri Vutukuru Rami Reddy, Shri Radha Charan Sharma, Shri Shobha

[Shri Shah Nawaz Khan]

Ram, Shri Sinhasan Singh and Shri Jagjivan Ram, with instructions to report by the first day of the next session."

This Bill, the text of which has already been circulated to hon. Members envisages a fundamental change in the law of this country relating to the responsibility of a railway administration as carrier of animals and goods.

Although in certain other countries, the responsibility of railways from the very beginning has been that of a common carrier, the responsibility of the Indian Railways has been that of a bailee.

The Railway Freight Structure Enquiry Committee (1955-57), who were asked to examine the statutory provisions dealing with the responsibility of railways as carriers, recommended that the Indian Railways should assume common carriers' responsibility. The Committee observed that the public would derive much satisfaction from a radical change from bailee's responsibility to that of a common carrier, and that this change is bound to tune up the administrative machinery of the railways in respect of effective prevention of transit losses.

Taking into account all aspects of the problem, it is proposed that railways should assume the responsibility of a common carrier instead of that of a bailee. As bailees, the railways are required to take as much care of the goods entrusted to them for carriage as a man of ordinary prudence would, under similar circumstances, take of his own goods of the same bulk, quality and value.

However, closely following the legal position in the United Kingdom, it is proposed that the basic responsibility of our railways for loss, destruction or deterioration etc. of animals or goods be as set out in the proposed section 73.

When the railways assume this responsibility, broadly speaking, they will be liable for loss of or injury to goods while in transit by rail, arising from any cause whatsoever, unless such loss or injury is proved by the railways to have been caused by an act of God, or by an act of war, or by an act of public enemies or is proved to be consequence of inherent vice in the thing carried or is attributable to the consignor's own fault.

Even where the loss is proved by the railways to have been caused by the excepted perils, just referred to by me, the railways will not be absolved of their responsibility unless they further prove that they had used reasonable forthought and care in the carriage of animals or goods.

The result of the changes proposed will be that the railways will be paying claims for compensation in many cases where they are not paid at present, for example, in cases of losses due to running train thefts, damage by wet in transit in spite of bailee's care having been taken etc.

Another important change proposed is that in respect of goods which are not removed from the railway premises at destination within the free time allotted therefor, the railways shall assume responsibility of a bailee for a period of 30 days after the termination of the transit.

I have given only a broad outline of the more important provisions contained in this Bill. The Select Committee to which I propose that the Bill be referred by the leave of the House will have ample opportunity for examining all the provisions in detail.

I move that the Bill be referred to the Select Committee.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Indian Railways Act, 1890, be

referred to a Select Committee consisting of 21 Members, namely Shri S. A. Agadi, Shri Frank Anthony, Shri M. Ayyakkannu, Shri Pulin Behari Banerji, Shri Naushir Bharucha, Shri Laxman-rao Shrawanji Bhaskar, Shri Ranbir Singh Chaudhuri, Shri N. R. Ghosh, Shri Yadav Narayan Jadhav, Shri Banarsi Prasad Jhunjhunwala, Shri Liladhar Kotoki, Dr. Sushila Nayar, Shri Sarjoo Pandey, Shri Nanubhai Nichhabhai Patel, Shri Balasaheb Patil, Shri Ram Garib, Shri Vutukuru Rami Reddy, Shri Radha Charan Sharma, Shri Shobha Ram, Shri Sinhasan Singh and Shri Jagjivan Ram, with instructions to report by the first day of the next session."

प्रलय से विचार होगा। इस के सम्बन्ध में क्या कोई निर्णय किया गया है ?

**अध्यक्ष महोदय :** आज बुकवार है इस लिये कुर्बत नहीं मिलेगी।

The Committee was appointed on the advice of the Minister. Has that Report been placed on the Table of the House?

**Some Hon Members:** Yes.

**Mr. Speaker:** I am sure that in all such cases where matters are referred by Government to a Committee for report, they will themselves move the House. If they do not, the hon. Member may certainly give notice and it will come up next time. There is little time today. We cannot get along with it today.

12.52 hrs.

INDIAN RAILWAYS (AMENDMENT) BILL—contd.

**Shri T. B. Vittal Rao (Khammam):** While I support the motion for reference to the Select Committee the Indian Railways (Amendment) Bill, I admit that I have not given sufficient thought to this Bill at all as I should have done, because I thought it would not be coming up during this Session. But I am glad that Government have decided to take it up this time so that by the time we meet next, we can have the Select Committee's Report.

The railways are going to assume a great responsibility on themselves. For instance, the annual goods traffic earnings of the railways are to the tune of Rs. 250 crores. As regards these goods which are going to be transported, the common carrier liability will be assumed by the railways, and as regards the goods which have not been taken delivery of at the respective stations after they have been transported to their destinations.

12.50 hrs.

RE: REPORT OF THE ALIGARH  
MUSLIM UNIVERSITY ENQUIRY  
COMMITTEE

**श्री प्रकाशवीर शास्त्री (गुड़गांव) :** अध्यक्ष महोदय, एक जानकारी मैं लेना चाहता हूँ। पिछले दिनों अलीगढ़ विश्वविद्यालय के सम्बन्ध में एक प्रस्ताव आया था तब आपने कहा था कि रिपोर्ट आने पर इसी अधिवेशन में हम उस पर विचार करेंगे, शिक्षा मंत्रालय के अनुदानों पर जब चर्चा हुई थी तब भी इस के लिये यह कहा गया था कि इस प्रश्न को न छोड़ा जाये बल्कि इस प्रश्न पर सेपरेट बहस होगी। आज जब यह अधिवेशन समाप्त हो रहा है, तो मैं एक व्यवस्था चाहता हूँ कि अगले अधिवेशन में जब यूनिवर्सिटी ग्रांट्स कमिशन की रिपोर्ट पर बहस होगी तो इस विषय को भी उस के साथ लिया जायेगा या

[Shri T. B. Vittal Rao]

the railways will act as bailee for 30 days. This is a very good provision and everyone should welcome it. This is also in accordance with the recommendations of the Railways Freight Structure Inquiry Committee. What I want is that while the railways assume this responsibility, they should also create a machinery by which they can discharge this responsibility successfully.

Only a few days ago I showed the House how the figure of compensation due to claims preferred on account of goods lost or damaged during transit has been increasing. From Rs 3 crores and odd it has risen to Rs. 3.29 crores in 1958-59. I think in 1959-60, it was a little more. Therefore, unless we set up adequate machinery to see that these goods which are to be transported are properly attended to at the various places, we will not be in a position to discharge this responsibility.

**Mr. Speaker:** Why not give a portion of that amount to the trade unions and ask them to advise the workers to see that no theft is committed?

**The Minister of Railways (Shri Jagjivan Ram):** We are always prepared to welcome their co-operation.

**Mr. Speaker:** Instead of Rs. 5 crores being paid by way of compensation for goods lost in transit, if during, say, a period of five years, the trade unions are asked to see that nothing is lost, a portion of the amount saved may be given to them. That is the only other method.

**Shri Aurobindo Ghosal (Uluberia):** Workers are not always responsible for the losses.

**Shri T. B. Vittal Rao:** They are never responsible for these things. Anyway, if they detect such thefts they should be rewarded for that.

**Shri Jagjivan Ram:** We are giving rewards.

**Shri T. B. Vittal Rao:** In some cases it is given. I will readily point out some cases.

I am only concerned with the machinery that is to be created all along. For example, even today in stations, I find so many parcels and other things being kept on the platform or yard itself without being removed. They are uncared for. There is no separate shed or any such thing. In some stations, they are kept on the station platform for a number of hours without being removed, anybody can steal anything. Therefore, there should be proper arrangements to take care of them.

Secondly, our administration will also have to be very careful with regard to the disposal of those claims. One should be very careful in computing the cost of these things. There should be quick disposal of the claims preferred. But comparing the figures for the last few years, I find it is the other way about. In 1957-58, the average number of days taken for the settlement of a claim was 49. In 1958-59, it took 52 days for the settlement of a claim. In 1959-60, it is the same figure of 52 days. So there does not seem to be any improvement, in spite of the fact that every time during the Budget speech, the Railway Minister makes a special mention of this. We will have to create confidence in those who want to transport their goods by the railways.

I will just point out one instance. You were pleased to refer to the railway employees and trade unions. Once there was a parcel booked from Secunderabad to Belampalli. It was highly saturated concentrated alcohol. It was booked as 'medicine'. It was received originally from Pandura a station between Nagpur and Itarsi. It was received at Secunderabad, that is, after Nagpur. As I said, the declaration as to the contents was 'medicine'. On the same day it was

received in Secunderabad, it was re-booked. I do not know how it could be rebooked. It could only be booked because delivery was to be taken at Belampalli. It arrived there after two days. After it was received there, the very next day, the person came and tried to send it by parcel to Nagpur—by parcel or goods I do not know: He wanted to book it to Nagpur. It had come from Pandura to Secunderabad and then to Belampalli. The parcel clerk there got suspicious about it, as to why this man was offering it for booking immediately, within 24 hours. Then he told the Station Master about it. The Station Master advised him to open it. So it was opened and it contained alcohol. The man who took delivery at Belampalli is an excise contractor. So it was taken charge of and 'to all concerned' messages were sent to the Magistrate, District Collector and others. Afterwards, it was seized.

When we asked the Railway Administration as to what action had been taken against the party who first booked this under a mis-declaration of the contents, and why such a highly inflammable thing was allowed to be booked, the Railway Administration said that since the parcel charges on medicine were higher than those on alcohol, they need not take any action. Later on, we find that the excise department had registered a case. But the railways absolutely freed themselves from all their responsibility.

**An Hon. Member:** How could they do it?

**Shri T. B. Vittal Rao:** Nothing was done. In such a case, there should be prosecution of the consignor and consignee for mis-declaration. This might be intended to be taken to a prohibited area also. When we asked them, they said that they were not concerned with it. I contacted the Divisional Headquarters. I went to the General Manager. I met one of the highest officials there. I asked them and they

said they were not concerned. I put questions in Parliament. They do not seem to have that responsibility. The talk that is going on in my State is that some high officials are involved in this smuggling activity. Therefore, I suggest that the Railways should have some responsibility for taking some drastic action against those people for misdeclaration of the contents of the parcels.

13 hrs.

While I welcome this motion, I want the Railways should take care to see that the tax payers' money which is simply wasted at the rate of Rs. 3.5 crores every year is reduced further and further so that we may reach a stage when we may have to pay only an insignificant amount. If this Bill is enacted, they should not come next year or the year after and say that because carrier responsibility had been assumed, more claims had to be settled and so they had to pay more. With these words, I support the motion.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, I am extremely sorry that I forget to introduce the Bill. With your permission, shall I introduce it now?

**Mr. Speaker:** Shall I interrupt the proceedings like this? I will find out how long this will take. Who are all the persons who want to speak on this Bill? I find that Pandit Munishwar Dutta Upadhyay and Shri Aurobindo Ghosal want to speak. It will take another half an hour. I will allow Shri Jagjivan Ram himself to make the motion on behalf of Shri Datar. Otherwise, if we do like that, the proceedings could not be understood.

**Shri Datar:** I have no objection, Sir.

**Mr. Speaker:** Or, he can entrust it to any other hon. Minister.

**Shri Jagjivan Ram:** We will go together, Sir. He will be here.

**Pandit Munishwar Dutt Upadhyay** (Pratapgarh): Mr. Speaker, Sir, this Bill should have come much earlier. There was a committee appointed by the Government for enquiring into the case of corruption by the Railway Administration and in that connection, a number of recommendations had been made. I find that some of those recommendations are now being implemented in this Bill. One of the badly wanted provisions has been made in clause 6—disposal of perishable goods in certain circumstances. Where it becomes impossible on account of some derailment or accidents and the perishable goods perish, no action could be taken under the old set of conditions. Now, provision has been made that such goods could be sold by auction and the proceeds could be given over to the owner of the property.

Of course the most important provision of this Bill is the responsibility that the Railway proposes to undertake for the losses incurred in the transit of goods on the Railways. In other countries this responsibility is undertaken. This point was no doubt raised a number of times and certain recommendations had been made earlier also in the reports but the Government did not think it proper to undertake the responsibility earlier. Now, they say that they would not only function as bailees but they would function as common carriers. I think it is a very welcome change and they would pay proper attention towards the loss that is incurred by people in respect of their goods in railway transit. The Railway Corruption Enquiry Committee found that sometimes very heavy losses were incurred and it was somehow or other not possible to fix the responsibility on the railways and the people had to suffer a lot. I think this, to a certain extent, solves that problem. I do not know how far it will go to offer a complete solution because even now it is possible that certain kinds of losses may not be covered by the common carrier responsibility. Provision has been

made for exonerating the Railways in certain circumstances. I was looking into that and I find that if certain losses are incurred, if there is any loss, destruction, damage, deterioration or non-delivery of goods carried by railways within a period of thirty days after the termination of transit the railways would not be responsible in certain circumstances. If there is a riot, civil commotion, strike, lock-out, stoppage or restraint of labour from whatever cause, then they are not responsible. Riots and civil commotion may be serious grounds but restraint of labour from whatever cause, whether partial or general, is not so serious. This sort of an exemption might leave a very undesirable loophole. So, I think this point may be considered by the Select Committee.

I would welcome one very fine provision here. On page 12 of the Bill, it says:

"In any suit against a railway administration for compensation for any delay, loss, destruction, damage, deterioration or non-delivery, the burden of proving . . . . in the case of any parcel or package, the value of which has been declared under section 77B or any article mentioned in the Second Schedule not contained in any parcel or package, that the value so declared is its true value, shall lie on the person claiming compensation, but subject to the other provisions contained in this Act, it shall not be necessary for him to prove how the delay, loss, destruction, damage, deterioration or non-delivery was caused."

This was a very serious point. It could not be proved by the owner of the property. Now, there is this provision and it shall not be necessary for him to prove. This saves a lot of trouble and botheration and I am sure the difficulty will be very much reduced, in getting the claims decreed by the owners of the goods.

I think there is a little objection to another provision made in this connection. On page 8, section 77(1) reads:

"A railway administration shall be responsible as a bailee under sections 151, 152, and 161 of the Indian Contract Act, 1872 for the loss, destruction, damage, deterioration or non-delivery of goods carried by railway within a period of thirty days after the termination of transit:...."

But it is said under sub-section (2):

"The railway administration shall not be responsible in any case for the loss, destruction, damage, deterioration or non-delivery of goods carried by railway, arising after the expiry of the period of thirty days after the termination of transit."

My submission in this connection is that sometimes the serving of notice or the information to the persons concerned is very much delayed, and therefore, to fix the time as 30 days, may not be enough. If these 30 days are allowed after the notice has been served on the persons concerned, I think that would be the proper method. Otherwise, if the person is not informed in time, and if the loss is incurred, I think the person concerned should not be held responsible for it; the responsibility should be with the railways in that connection.

**Shri Jagjivan Ram:** It is too long a period.

**Pandit Munishwar Dutt Upadhyay:** You may reduce that period. I have no objection.

**Mr. Speaker:** What is the period of free time?

**Pandit Munishwar Dutt Upadhyay:** It might be a few days only.

**Shri Shah Nawaz Khan:** Five hours for unloading.

**Mr. Speaker:** In the Statement of Objects and Reasons, it is mentioned thus:

"that in respect of articles which are not removed from railway premises at destination within the free time allowed therefor,...."

The free time cannot be five hours. If somebody lives somewhere, how can he be expected to remove the goods so soon?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** We have assumed the common carrier liability.

**Mr. Speaker:** Is there some free time allowed before the 30 days?

**Shri Warior (Trichur):** Usually, three days are given, and after that, demurrage is enforced.

**Mr. Speaker:** Obviously, three days is the free time. How much is the free time?

**Shri Shah Nawaz Khan:** It is 24 hours for all kinds of goods.

**Pandit Munishwar Dutt Upadhyay:** My submission is that after the notice has been served, after the person has been informed of it, some time may be given to him. May be that some times he does not get any information and the loss is incurred by him. The other sub-clause is sub-clause (3) of clause 77, which reads as follows: •

"Notwithstanding anything contained in the foregoing provisions of this section, a railway administration shall not be responsible for the loss, destruction, damage, deterioration or non-delivery of the goods mentioned in the Second Schedule, animals and explosives and other dangerous goods carried by railway, after the termination of transit."

So, as soon as the transit is terminated, the responsibility is shifted to the

[Pandit Munishwar Dutt Upadhyay]

owner. In my submission, that is a very short period, and sometimes he may not have any information and for no fault on his part, he may be put to a loss. So, I request that the hon. Minister or the Select Committee should consider this aspect of the question, and see, if possible, whether the period could be fixed after the notice is served. They may reduce the period, and I have no objection to it. But the period should be after notice has been served and after the information is sent.

**Mr. Speaker:** How is the person to know of it? Nobody can be sure when the parcel would be reaching the destination, or when the wagon will arrive.

**Shri Shahnawaz Khan:** The railway receipt is there.

**Mr. Speaker:** Yes; but then, when we enquire, they say that the parcel has not yet come. We do not know when it comes. After it has arrived, we do not know whether it has arrived. It is not a question of penalty. The people who are dealing with this—this is a carrier system which is the monopoly of theirs—must know when it will arrive. There are so many delays.

**Pandit Munishwar Dutt Upadhyay:** The people are going to the railway goods office every day to make enquiries.

**Shri Shahnawaz Khan:** If they have telephones in their premises, they are informed by telephone. Many parties have their *dalals*. The information is passed on to them.

**Mr. Speaker:** Every measure seems to be a penal measure. But they must attend to the convenience of the people also. If they are in an out-of-the-way station, how are they to know of it?

**Shri Jagjivan Ram:** Those who are carrying on their business on a large scale have their own arrangements,

free time of five hours' has been introduced. They regularly keep themselves in touch as to when the wagon or the goods arrive. So, on that score, there is not much complaint that they do not get proper information. If the parties have telephones, they are informed on the telephone.

As regards parcels, sometimes even without receipts, the goods are received. The RR does not come in.

**Mr. Speaker:** True; but even when they arrive long after, we do not know. Both occurs.

**Mr. Jagjivan Ram:** Both occurs. But sometimes, it so happens; and it may be your experience also. For instance, take mangoes, which are perishable articles. Even if the railway receipt does not arrive, parcels are sent to parties. The railways charge, for home delivery say, Re. 1 or so, in such cases; it is something like that.

**Mr. Speaker:** I have a bad experience. Instead of mangoes what I got was a kind of root which we call Khandagedda.

**Shri Jagjivan Ram:** Zaminkand:

**Mr. Speaker:** If we put into the mouth, it is not only bitter but it corrodes, or does something like that. That vegetable basket was given to me; the railway receipt was not there. And when it was opened, my people thought that somebody had sent vegetables and they had been cut into pieces, etc.!

**Pandit Munishwar Dutt Upadhyay:** There may be exceptional cases where without the railway receipt the article may be sent. But generally speaking, the people have to pay demurrage. They do not pay it unless of course they are forced to pay by circumstances.

**Shri Jagjivan Ram:** Do they pay because they do not know?

**Pandit Munishwar Dutt Upadhyay:** Sometimes on that account also.

**Shri Jagjivan Ram:** Sometimes. But we do not legislate for 'sometimes'.

**Pandit Munishwar Dutt Upadhyay:** There should be some time given after they get definite information. There should be some arrangement in this regard. Otherwise, without supplying any information to them, it is wrong to make them suffer any loss as it generally happens in many cases. I think this matter should be considered by the Select Committee and if any provision could be made to avoid such losses to the people, that would be welcome.

As I said, I welcome the Bill and the provisions that have been made. I was not in a position to study the Bill very thoroughly as I was not sure that it would come today before the House. But even on a cursory glance of it, I found that that the Bill is welcome. I hope that the Select Committee will go into the drawbacks which are there in the Bill.

**Shri Aurobindo Ghosal (Uluberia):** Mr. Speaker, Sir, the main purpose of the Bill is to extend or increase the responsibility of the railways; as against their present position of a bailee, they are now assuming the common carrier responsibility. At the present moment, the goods which are carried by the railways are subject to three kinds of damages which happen to the goods. One is, complete non-delivery; the next is short delivery and the last is damage. On these three grounds claims are made by the consignors or the consignees. If we want to check the shortage or damage that occurs in transit, I should like to point out that we should emphasise on streamlining the machinery that is working now. In that respect, I support what Shri Vittal Rao said. A machinery should be created in order to check the wastage that occurs in transit. The wastage and damage are the result of the existence of certain rings of corrupt or convicted persons who are sometimes in touch with both

the railway employees and also the consignees and consignors. Such rings operate in separate zones in separate railways.

I know of many cases of short delivery. Short delivery was previously used to be so repudiated on the ground of RTT, that is, running train theft. It is difficult to prove that there was no theft or damage in a running train. Most of the cases of short delivery were decided by the railways on the ground of RTT. But there are plague-spots in regard to this RTT practically in every zone. Especially in the South Eastern Railway, I know there are plague-spots near Kharagpur, Chengail, Deulti, etc., where there is regular business in such activities going on. There is seal-breaking; they maintain some contacts with the drivers, the guards and a few small railway employees and some businessmen. The mis-description and short weight generally occurs especially when the goods are loaded by the consignors themselves. When the delivery is taken, the consignees say that there is short weight, or underweight though the goods are loaded by the consignors themselves. This is one of the reasons why we sometimes get short deliveries. Damage is done generally when the goods are transhipped from one railway to another railway. We have found this in several cases of ghee and butter tins. When we open a tin, we find that in every tin there is a shortage of 1 or 2 seers. There was a complaint by the ghee merchants of Calcutta that after opening the sealed tins, it is found that each tin is short by two or three seers. These are done by the businessmen. How is it possible to take out two seers of ghee from a sealed tin? They take short deliveries from the railways by signing their claims in the delivery book. That is also happening.

I inspected a claims agency office. I found that out of 300 damage cases which have been settled, 80 per cent. of cases have been settled at 50 per cent. of the claims. Suppose their claim is Rs. 500. It is always settled at Rs. 200. They say, they deliberately

[Shri Aurobindo Ghosal]

increase their claims by 50 per cent. because they want to include the expenses of filing the case in the court, the court fees, etc. "We know that the railways never settle the claims within two years. Naturally we shall have to go to the courts and incur so much of expenditure. So, we increase it by 50 per cent."—this is what they say. There is another peculiar thing. As soon as they go to the court, settlements are made, but before going to the court, no settlement is made. I want to know why railways spend more time in dealing with the matter, compelling the consignor to go to the court for small things.

Another point is, in different railways, different procedures of settlement are followed. There is one procedure in the South-Eastern Railway and there is another procedure in the Eastern Railway. I approached both the railways and the General Managers admitted that different procedures are followed, though the procedure directed by the Railway Board is one. That procedure is not being followed by any railway. This sort of anomaly should not be there and the procedure in different railways should be identical, for the benefit of the people who book their consignments through railways.

The Shalimar godowns are centres of corruption. For example, there is damage to biri leaves. Suppose about 500 maunds of biri leaves are there and if the damage is 5 per cent., by paying something, they get 15 per cent. damage. By writing 15 per cent. damage in the delivery book, they claim 15 per cent. damage. The assessments of damage in these cases are not made on the spot and final settlement is not made within a few days. After a long period, naturally it will be difficult to assess the damage in the case of these perishable goods, because there is no trace of proving what was the percentage of damage. These things should be taken into consideration in order to eliminate the payment of damages by the railways.

With these words, I welcome the Bill. I hope the Select Committee will consider the points I have mentioned.

**Shri Warior:** I may also be allowed to voice my agreement along with Shri Ghosal and others, welcoming this Bill. This is a very big problem now. Actually the railways are losing much of their revenue due to competition from private motor transport. Formerly big consignees were using the railways to send goods to very distant places like Bombay and Calcutta. Now, they are resorting more and more to road transport, though the cost is much higher.

For instance, I understand that it is cheaper to send goods from Bombay to Cochin port by road transport than by railway transport, because not only there is more security but also the consignee gets the goods punctually at regular hours of the day in particular stations. They feel there is more security by road transport. Apart from that, the responsibility is also fixed in road transport. In the railways, the difficulty is, if we have a claim for pilferage or loss or destruction of material, there is nobody responsible. The responsibility is shifted from one to the other. We go on corresponding with them and we do not get anywhere. Finally, the litigation is so costly and we have to withdraw that.

One friend told me that some 200 bags of rice were sent from Tadepalle-gudem to Trichur. Only 198 bags were received. For how long can they carry on the litigation for the sake of 2 bags? It is very costly. Naturally, we may leave it; we do not want to claim anything. A claim already made with the railways in Madras takes so long. All sorts of impediments are placed in the way of settling those claims. After all, a merchant who is importing so much of rice from other places will not care to look into this loss of two bags and prolong the controversy between the railways and himself. During that time, he may look into his business and get more profits.

This is a welcome measure. The responsibility may be fixed on somebody and somebody will have to shell out from his own pocket, if it comes to that. The railways will not be the losers. Otherwise, if all the consignors are asked to consign only at their risk, many will not be willing to take that risk, because goods are consigned to distant places.

There are many other articles which are being consigned. It is not like the old days. The pattern is changing. We have our experience of fish being consigned from our place. By the time it reaches Madras, it will be all rotten, unless it is transported by faster methods. It should not be detained, for instance, for a number of days at Shoranur junction, because it cannot be sold in the other market, as it will become rotten. It is necessary that there must be responsible people who will make quick transit of goods which are declared as perishable. Sir, you will have your experience about mangoes and we have our experience about bananas, the particular variety we have in Kerala. When we get it from there, it is either rotten or only the basket remains and the bananas disappear. So, people prefer to send such things by road transport. Even heavy material like tiles which cost Rs. 100 per thousand in Kerala tile factories are consigned to places like Salem, Erode, etc. in Tamil Nad by lories. Upto Madhya Pradesh, they are being consigned. In spite of the fact that motor transport will cost Rs. 200, whereas rail transport will cost only Rs. 100 or so, they think it is more profitable to send it by road because they know the things will reach surely and certainly without much damage. If it is sent by rail, a good percentage of breakage is assured. Like that, the railways are losing revenue. If we change the pattern, if speedier methods are evolved and bottlenecks are removed, I think the railways can cope with the traffic and it will be of help to the public also. Not only that, the revenues of the Railways will also be increased. Therefore, Sir, it is a welcome measure.

**Shri Shahuwasa Khan:** Sir, I am very glad to observe that there is general appreciation in the House for this Bill. Some very useful suggestions have been made, and we shall take full benefit from those suggestions. The Select Committee to which this Bill is proposed to be referred will undoubtedly go into all the various aspects of the suggestions which have been made.

Shri Vittal Rao wanted that a proper machinery should be set up to deal with this increased responsibility which the Railways are proposing to undertake. We shall certainly have to do that, and we will take every care to see that we are able to serve our customers to the best of our ability and to bring down the number of claims.

Sir, the problems are very well-known to all the hon. Members here. In some cases, it may be due to the negligence on the part of the Railways, but in many cases it is due to some sort of a fraud practised by various unscrupulous parties. We will have to take proper precaution against all such things.

Shri Vittal Rao referred to one particular case of booking of some consignment which was alleged to be that of alcohol. The Railways are concerned primarily with the recovery of the fare or freight, and it is our responsibility to see that we do not lose that freight. For actual prosecution to be launched in case of alcohol and things like that, it is the responsibility of the Excise Department. In this particular case, we did associate the excise Department with it, and I remember a question was answered in this House previously also about it. As far as I remember, the whole question was gone into and it was held by the competent medical authority that this consignment was that of medicine and not of alcohol.

**Mr. Speaker:** The only point that he suggested was, once you know that a false declaration has been made, why don't you prosecute the party?

**Shri S. V. Ramaswamy:** There is a higher rate for it.

**Mr. Speaker:** Apart from that, why don't you prosecute him for making a wrong declaration?

**Shri Shah Nawaz Khan:** As I said, Sir, prosecution is to be done by the police and we associated the Excise Department with this. If any prosecution was necessary, it was up to them to prosecute the party.

**Shri Jagjivan Ram:** There is already a provision in the Railways Act about wrong declaration, and if there is any wrong declaration the Railways can take action.

**Mr. Speaker:** That is all that he wants. He only wants more prompt action and nothing more.

**Shri Warior:** But if the freight charges are higher?

**Mr. Speaker:** He only wants that you should not keep quiet saying that you have got your money.

**Shri Shah Nawaz Khan:** Shri Upadhyay referred to the responsibility of the bailee at the destination station for 30 days. I think 30 days is quite a long time and there is no need to increase the time.

With these remarks, Sir, I am grateful to all the hon. Members who have made useful suggestions, and I commend this motion for reference of the Bill to the Select Committee for acceptance of the House.

**Mr. Speaker:** The question is:

"That the Bill further to amend the Indian Railways Act, 1890, be referred to a Select Committee consisting of 21 Members, namely: Shri S. A. Agadi, Shri Frank Anthony, Shri M. Ayyakkannu, Shri Pulin Behari Banerji, Shri Naushir Bharucha, Shri Laxmanrao Shrawanji Bhatkar, Shri Ranbir Singh Chaudhuri, Shri N. R. Ghosh, Shri Yadav Narayan Jad-

hav, Shri Banarsi Prasad Jhunjhunwala, Shri Liladhar Kotoki, Dr. Shushila Nayar, Shri Sarjoo Pandey, Shri Nanubhai Nichha-bhai Patel, Shri Balasaheb Patil, Shri Ram Garb, Shri Vutukuru Rami Reddy, Shri Radha Charan Sharma, Shri Shobha Ram, Shri Sinhasan Singh and Shri Jagjivan Ram with instructions to report by the first day of the next session."

*The motion was adopted.*

13.35 hrs.

# UNION TERRITORIES (STAMP AND COURT FEES LAWS) BILL,\* 1961

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Mr. Speaker, Sir, on behalf of Shri Lal Bahadur Shastri, I beg to move for leave to introduce a Bill to provide for the amendment and repeal of certain laws relating to stamp duties and court-fees as in force in certain Union territories.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to provide for the amendment and repeal of certain laws relating to stamp duties and court-fees as in force in certain Union territories."

*The motion was adopted.*

**Shri Datar:** Sir, I introduce the Bill.

13.36 hrs.

# REPORT OF THE UNIVERSITY GRANTS COMMISSION—contd.

**Mr. Speaker:** The House will now take up further consideration of the following motion moved by Dr. K. L. Shrimali on the 4th May, 1961, namely:—

"That this House takes note of the Report of the University

\*Published in the Gazette of India Extraordinary, Part II-Section 2, dated 5-5-1961.

†Introduced with the recommendation of the President.

Grants Commission for the period April, 1959—March, 1960, laid on the Table of the House on the 17th February, 1961."

Shri Tyagi may continue his speech.

**Shri Tyagi (Dehra Dun):** Sir, yesterday I was just arguing that the University Grants Commission has made.....

**Shri T. B. Vittal Rao (Khammam):** What is the use, when there is no Minister?

**Shri Tyagi:** There are other Ministers.

Sir yesterday I was arguing that the University Grants Commission has made a recommendation that entry of students into universities, colleges etc., must be selective and all and sundry should not be permitted to enter colleges because they felt that the standards were going down. I welcome this suggestion. But yesterday my argument was, which I want to repeat today, that this will not be fair so long as the education at the lower level was not made practically uniform all over the country. The villagers are now given only basic education which is comparatively of a lower standard than the education given to children or boys in the urban areas. If entry into colleges is to be made selective, my doubts are that the rural population will suffer, the students from rural areas will not be able to compete well. Therefore, this selective method should not be given effect to unless the State guarantees that the standard of education all over the country is uniform at the time they sit for competition.

In my opinion, Sir, education is the key industry, it is the first and the basic industry. We talk of industries for the economic development of the country. But that economic development will be of little avail if the manpower is not duly developed. Educational institutions are the means to develop that manpower. Educational institutions add to the suitability and

to the efficiency of the future citizens of India. If they are not properly educated, all this economic development will be useless, because so long as the society is not made intelligent enough to add to the wealth of the country all the wealth created by these industries will be lost. Therefore, this industry must essentially be in the public sector.

What I find today is—it is also perhaps authorised by the Constitution—that people start their own educational institutions. I do not resent this. Every group has the power, the authority, the right to set up its own institution for its children, because all groups have been given the right by the Constitution to safeguard their script, their language, their culture etc. Therefore, this must be permitted, but the standard of education must compulsorily be made uniform. Whether the institution belongs to one community or the other, it is immaterial, but the standard of education must be common. For that purpose, I would suggest, as the Commission has suggested, that the universities in the country must be controlled by the Central Government so that they could be brought on par, as far as their educational standard is concerned. That can be done only when the States are not permitted to freely interfere with university matters, or university politics, as it is known these days. Very recently, in my own State, the question of the appointment of a Vice-Chancellor in a University arose and it was decided that there shall be a committee or a council to make selection, and in that council one of the members would be a High Court judge. It is a pity that we are misusing the judges. We are bringing judges into every little thing with the result that very soon our judges will lose their impartiality, because they will become parties to controversial matters. I would suggest that we should keep the judiciary above everything. It would be advisable if we avoid the association of High Court judges with matters which are controversial. Let them not come into politics directly. Whenever there is any investigation, whenever

[Shri Tyagi]

there is any matter in which the politicians get confused, they resort to the appointment of High Court judges.

**Dr. M. S. Aney (Nagpur):** Does the hon. Member mean that university education should be a Central subject instead of a State subject?

**Shri Tyagi:** In the university politics as to which party should be in power and who should be the Vice-Chancellor, on such matters the High Court judges have little to do.

13.42 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

**Shri Warlor (Trichur):** But the question of the hon. Member was whether university education in the entire country should be brought under the Central Government.

**Shri Tyagi:** The University Grants Commission has done quite a lot in bringing all the universities together. Now, quite a lot of the finance are being provided by the Central Government. I think it is time that we establish uniform standards of education all over the country so that at least in education there will be absolute socialism. All children belonging to all States must be treated on par, so far as the standard of education is concerned. There should not be anything more or less in any State, so far as the educational standard is concerned. Let the new younger generation be treated on par, irrespective of the State from which they come. I would suggest that either the University Grants Commission or some other organisation which is centrally controlled should manage all the universities for the purpose of maintaining a uniform standard. Since the State Governments will invariably belong to various colours, which will change from time to time, let them not interfere with this basic industry, as I call it, which is the first need of the nation. Let education also be put on the same footing as judiciary, not to be interfered by all. Let all parties unite,

either in a conference or meeting, formally or informally, and establish a convention that university politics will not be interfered with by politicians. Let it be above the reach of politicians. Let us make some such arrangement, as that is the need of the day.

**Mr. Deputy-Speaker:** There is nothing beyond the reach of the politician.

**Shri Tyagi:** But let us not interfere with it.

In one State they have appointed a committee where one of the members shall be the nominee of the Governor. Here "Governor" has been defined as the Government, that is, party in power, in that particular State. So, one of the members who will select the Vice-Chancellor of the University shall be a nominee of the Government, a politician belonging to the party in power. Another member will be a High Court judge. A third member will be elected by the university council. I would suggest here that we should avoid the hand of politicians in university matters. Today one party may be in power. The next day, another party may come in power and they would naturally want to have their own nominees as Vice-Chancellors. Therefore, I do not want politicians to dabble in universities. The universities must be kept above party politics.

Then, selective basis has been recommended by the University Grants Commission, which is a healthy idea. Because, the universities are very much crowded today. As the Commission has rightly pointed out, all types of people, whether they are fit and efficient for higher education or not, enter the universities because they have passed the matric or higher secondary examination. So, they have got the right of entry to the college. The suggestion about the selective basis is a good one. But it can be brought into effect only when it is guaranteed that the education even at the lower

level would be uniform in all States, so far as standard is concerned.

There is another difficulty which comes to my mind. I have been in politics for a pretty long time and I know what is happening in the universities. There is communal representation in some colleges. Our younger generation is impregnated with this type of communal virus. In one of the States there was a percentage fixed for Brahmin boys only so much and not more and the matter went up to the Supreme Court. This is the kind of thing happening in a secular State like ours. I must confess with regret that communal representation was prevalent in one of the States in the South, where they stipulated only so much percentage of Brahmin boys, irrespective of their intelligence. No selective system or system of competition was prevalent in that State. The selection was made only on the basis of community and the matter went up to the Supreme Court. The Supreme Court accepted the plea of the aggrieved party and said that communal considerations should not be taken into account in the matter of admission to universities. It is a matter of surprise that nobody checked it until it was taken to the Supreme Court. I do not know what the Central Government were doing then. They actually slept over it; because the matter is in the Supreme Court. Only a nincompoop cannot work or act. That was the position for a long time. Then the Supreme Court gave their judgement that admission to college should not be on the basis of caste or community.

After that, some committees have been appointed and they have been asked to give 150 marks to the entrants, according to their judgment. So, whoever gets 150 marks in the interview will get admission. There is no written examination. It is also subjective in the sense that the members of the committee belong to particular communities or politicians belong to particular political parties. It is that committee that decides the fate of the boys and girls of the younger

generation. A young boy gets his first shock when he cannot enter a college, not because he lacks merit but there are 150 marks given by the committee according to their discretion. If that is the way in which the colleges are run, I am afraid India can never remain united. If you want real unity you must create a condition in which every young boy and girl feels that, as a citizen of India, he or she is admitted in any college with all the rest of the younger people of his or her age.

Another matter which I would like to bring to the notice of the hon. Minister is about caste. He should see to it that admission to the colleges is made absolutely on merit and no considerations for caste is given. Otherwise, if the young people in their impressionable age get the communal virus injected into their minds, it will be very difficult for any power to remove it from their minds during their life time.

Coming to the teachers, they do not enjoy a respectable position in the society today, as they used to do in the very early days. In those days, they used to be worshipped and their feet touched by their disciples as a mark of respect. If other people give respect to the teachers, it will also inspire the younger people to give them due respect. Today our teachers are treated with contempt, because they are paid too low. They are not well paid all over the country. If the finances of the Government do not permit them to bring the teachers on par with other servants, let at least the honour be given to them. In the list of protocol let them be deemed, considered and treated as a superior class in the society.

I think they must be given the first place in protocol. Suppose, we were sitting and some teachers have come there. Then let everybody respect the teachers, whether one is old or young or whether one is a pupil or not. Even the guardians must learn how to respect the teachers.

**Shri Balasabab Patil (Miraj):** But the teacher must be worthy of that.

**Shri Tyagi:** In a village if there is a village teacher, he must have the first place or precedence because he happens to be a teacher. If the whole village bows to the teacher for the very reason that he is a teacher, all our younger people will also respect him and discipline will come in the natural course. Then our younger generation will also learn to respect the teacher. Therefore the first thing is to rehabilitate the position of the teacher in an institution.

They talk of indiscipline. Indiscipline is there because the teacher occupies an inferior position in the society. His status must be raised. Therefore I plead that all teachers, irrespective of the fact whether they belong to a private institution or a public institution, should be declared public servants. A teacher who is employed in any college or school must be declared a public servant so that he may enjoy all the amenities and protection given to public servants. Under the law these must be available to each teacher.

Then there is the question of teachers taking part in politics. In this connection there is a very good suggestion which the University Grants Commission have made. They have said:

"Teachers standing for elections to Parliament or State Legislatures are sometimes tempted to use students in their election campaigns and to bring some of the passions of party politics within the precincts of the university; and teachers elected to legislatures have to be absent from the university for long spells. All these things have a bad influence on the atmosphere of the university."

I congratulate Shri Dehmukh and his colleagues in bringing this idea in a forthright manner before the Parliament. This is a major question. Teachers must be prohibited from taking part in politics as Government servants are prohibited from taking part in it. If they indulge in politics, it is

not possible to safeguard the younger generation from indulging in it and there will be indiscipline. There will then be parties and cliques of groups. Therefore I also venture to make the suggestion that there should be an all-parties convention which should voluntarily decide not to impregnate boys and girls with the type of ideas which are political ideologies and things like that. Let them be left alone. Let the teachers deal with them. Teachers must be declared Government servants so that they may not take part in politics.

Then the Commission has said:

"The political and economic tensions that many of the countries in Asia and Africa are experiencing are apt to be reflected in the behaviour of youth in these countries."

This is a matter of major policy and I hope the Government will take notice of all these comments.

The Commission has done well in granting at least Rs. 11,02,000 and odd for the increment in pay of professors etc. in colleges. I do not know to what extent this will go. If an increase in pay is to be the responsibility of the Central Government, the Central Government must have a hand in the management of educational institutions. This problem is a major problem which has to be tackled whether our economic development is there or not. That is very important, no doubt, but this development is of the prime importance. Teachers must have a suitable pay. But whether their pay is less or more, irrespective of the standard of pay, they must be given a status in society in society and that status must be officially recognised.

I have heard and read.....

**Mr. Deputy-Speaker:** The hon. Member is trying to conclude I suppose.

**Shri Tyagi:** I will conclude soon.

I have read that most of the students in USA and Canada and in other countries also are earning during their holidays or vacations. I read from a paper :

"The majority of students in the Canadian universities seek employment during the summer vacations to earn the money needed for the following college year. For some it is an additional spending money, whereas there are others who either must earn something or stay out of colleges. In the summer of 1956 nearly nine-tenths of students had jobs of various description and varying salaries."

This is a thing which should be introduced in India. We must find jobs for students while they are studying.

Here it says :

"Jobs which require special skills included those of machine repairman, carpenter, plumber, typists, stenographers, radio announcer etc. Casual and miscellaneous jobs found. Students working as truck drivers, bus drivers, cooks, bakers, golf caddies, porters and labourers etc."

There in their very young age they are taught the dignity of labour. They work and they earn. This practice should be encouraged. To avoid indiscipline in the universities, instead of introducing basic education elsewhere, it is better that in the universities these ideas are encouraged so that students here might learn not only the dignity of labour but also start standing on their own legs even while they are students.

Since you have rung the bell, I do not want to dilate upon it. My only point is....

**Mr. Deputy-Speaker:** I have not rung the bell. I have only advised the hon. Member to try to conclude.

524 (A) LSD-4.

**Shri Tyagi:** Then I would like to emphasise one more point.

The Commission has pointed out that there is dearth of qualified teachers. It says :

"While realising that salaries of teachers in colleges and universities have not been sufficiently raised to enable them to meet the present high cost of living, we feel constrained to say at the same time that it is becoming increasingly difficult to get adequately qualified teachers who are competent and conscientious. Many of the abler graduates coming out of the universities are lured away from the teaching profession by the more attractive salaries offered by the commercial houses and also by the relatively better salaries and opportunities in the superior services of the Government."

This is another problem. Our training also differs from State to State, sometimes even from district to district and from institution to institution. This is another matter on which I would emphasise. The training of teachers also must be on a uniform basis. They must lay down a pattern and that pattern must be observed all over India. It must be uniform so that our teachers may not have a feeling that they could not get opportunities of training. Teachers could be given training even before they are appointed. They must also be given training after they are appointed. That might just be for a month or two. They might again be sent for another course for a little period of training. I submit that training has remained neglected in the country.

**Shri Kodiyan (Quilon—Reserved—Sch. Castes):** Mr. Deputy-Speaker, Sir, the University Grants Commission has again referred in this report to the question of restricting admissions to colleges. On page 4 the Report says :

"But we have even at the present time in our universities far too

[Shri Kadiyan]

many unfit students who have come in merely because they did not know what else to do...."

This problem of so many students coming for admission to the universities and colleges is, in my opinion, a creation of the system of education that prevails in our country today. You are today reaping the consequences of a system of education that you have refused to amend according to the changed conditions in our society since independence. Our education system, specially at the lower level, remains such that a student, who comes from the secondary school does not know what to do. If a system of education will not help the student to know what to do after he passes from the school, of course, then there is something basically wrong with the system of education in our country.

14 hrs.

Sir, some steps have been taken to introduce reforms in the educational system. I am well aware of the fact that Government have tried to introduce basic education, to convert some of the secondary schools to multi-purpose schools and various other propositions are at hand. But I want to stress one important aspect of the whole problem. That is, the situation has entirely changed in our country. The system of education that we got from the Britishers was a system that suited a country which was economically backward which was industrially backward and which was only a colony of the metropolitan country, a colony to be exploited by the Britishers. But now we are in the midst of a revolution in economy, industry, in agriculture and in all other spheres of our life. But nothing has been done to change the pattern of our education to suit the changed atmosphere of our country.

Now what do we find? A student who leaves the secondary school, or passes the matriculation examination—what can he do? He can only go for the job of a clerk. In our country today more and more junior experts,

technical experts and technically qualified people are needed for our industrial undertakings and other public ventures. But what can these people coming from the secondary schools contribute? How can they contribute to nation-building, to the reconstruction of the nation we are planning? Nothing can be done, because they are not equipped for it.

My suggestion in this regard is that unless we improve the standard education, change the pattern of education at the lower level, we cannot expect to improve the quality or standard of education at the university level. Our aim must be to prepare our young people to be fit citizens, to take up their tasks in nation-building and also to prepare students equipped with sufficient skill and aptitude for entering higher education. To achieve this I suggest that after the seventh class, let there be a change in the pattern of education to one of vocational education. Up to the Seventh class the student can be taught general subjects, languages, mathematics, including of course Algebra and geometry. After the seventh class, that is, from the 8th class, the student should be given vocational education, with a technical bias, so that when he completes his course in the secondary school, he may be awarded a diploma and on the basis of this diploma he may be given practical training in some of the industrial undertakings, or any other suitable institutions. He can, then enter public service; or he can be absorbed in some kind of a job where he will be in a position to discharge his responsibilities.

Coming to another point I would like to say that in our universities there must be faculties for specialised education. As I have already pointed out, when we are in the midst of planned development we are in need of a large number of technical personnel. If we are to have proper planning, we must have a precise idea as to the number of technical personnel and

experts required for each category. In Kerala we need not have steel technologists, or steel experts. But we are very much in need of experts on marine biology, because we are a maritime State and we have immense possibilities of developing our fishing industry. Have we got any faculty in Kerala University for marine biology, or has any other maritime university, either Bombay, or Madras, got any marine biological station for carrying out research and teaching the subject on a scientific basis? Nothing of the sort.

**The Minister of Education Dr. K. L. Shrimall:** I may inform the hon. Member that the Andhra University is making investigations into oceanography.

**Shri Warior:** That we have in Kerala too; but that is different from marine biology.

**Shri Kodiyan:** What I want to have is not oceanography. The study of oceanography is good. We are thankful to the Andhra University and to the hon. Minister for having such institutions. What I want is that there must be a faculty in marine biology alone. Not only Kerala, but the entire coastal areas have immense possibilities of fishing. Even the University Education Commission, presided over by Dr. Radhakrishnan, has said some years back that this is a neglected subject in our university education. But years have elapsed and nothing has been done.

Therefore, as I was pointing out, not only must there be faculties for specialised subjects, but admission to these faculties should be organised in such a way that we should get sufficient number or right type of people at the right moment. But due to a crisis in planning, due to lack of proper planning, a paradoxical situation has been created in our economic development. While on the one hand there is a dearth of technical experts, technical personnel and engineers, on the other we find that a large number of engineers and other

technical personnel are unemployed. Even our Prime Minister has referred to this aspect and he has suggested that this paradoxical situation should be removed as early as possible. Therefore, I think that our educational plans should be correlated to the economic needs of our country.

Then, Sir, coming to the quality or standard of higher education, everybody agrees that our standard is going down.

**Shri D. C. Sharma:** No, no.

**Shri Kodiyan:** Perhaps, my hon. friend Prof Sharma may not agree with me.

**An Hon. Member:** His standard has not fallen.

**Shri Kodiyan:** There are many factors responsible for this. Inadequate equipment, lack of library facilities, unattractive pay scale of teachers, overcrowding in colleges, outmoded text-books, outmoded syllabi, dearth of qualified teaching personnel, all these have contributed to a fall in the standard of higher education. I do not want to go into every aspect of this question, but I would like to mention only one or two things. Our education, not only our university education but education as a whole, has failed to keep pace with the developments in this country as also outside. Take, for example, our science education. Our science education, I am pained to find, still is in the Newtonian age. Take the syllabus of physics. It is built around Newtonian mechanics. Of course, the Newtonian mechanics have ruled science for more than two centuries. But as years have passed, some new developments have taken place. The quantum theory, relativity and other things have come into being. Also, the importance has now been shifted from particles to atom and from nucleus to sub-nucleus.

**Shri Tyagi:** But we are still in the sun-cooker age.

**Shri Kodiyan:** We are in the Nineteenth Century. I should say, so far as science is concerned.

**Shri D. C. Sharma (Gurdaspur):** -  
No.

**Shri Kodliyan:** Of course, there are some exceptions, there are some universities which try to keep pace with the modern developments in science. Our standard is awfully low. This is a very vital factor in our country in the present context of our development, because without a scientific outlook and without bringing up our younger generation in a scientific environment and with a scientific curiosity, we cannot expect them to develop as citizens who may be useful for making their contribution for the reconstruction of the country. Therefore, I should like to urge upon the Government to evolve some machinery to review these things to keep pace with the developments in science to review text-books, to review the syllabus and assimilate what is new in science and try to give it to our young students.

Even though we have now entered the Third Five Year Plan, after ten years of planned development in our country, you will be surprised to find that not even a single authoritative text-book on planning is available in our country. How can you explain this? Whatever the faults or failings of planning may be, we are in the midst of planning. A gigantic effort is being made by our people to develop the country, to build the modern India to which we all desire to take the country as quickly as possible. This is a development which not only concerns the present generation but also the generations to come. They will have to learn many lessons from this planning, from its defects, failings, successes and its bearing on the future of the entire country and of the Indian people. But still nothing is done to have a text-book on planning, so that our people may be taught not only the lessons of planning but also be made plan-conscious. But nothing of the sort is being done. I would therefore urge upon the hon. Minister to look into this question and to see that something is done.

Coming to another point, namely, research, we have not done very much in that direction. Yesterday my hon. friend Shri Hem Barua referred to one aspect so far as this question of research is concerned. He said that even though funds had been provided by the Planning Commission to do some research work on political science, the funds were allowed to lapse. Nothing was done. And whatever is being done in the name of research in our universities is of such a character that it will not do any good either to the university or to the students. Take, for example, the expert committee's findings on the major research project of the Aligarh University into the history of Mediaeval India. The expert committee that was appointed has come to the conclusion that the research project undertaken by the Aligarh University was conducted in such a way that there was unnecessary rivalry between teachers, because the research work was divided and the teachers were divided into research professors and teaching professors. They have strongly criticised this bifurcation of research and teaching. It has led to unnecessary bitterness among teachers.

This committee has pointed out another fact also. Two research projects were undertaken, two separate groups were formed and they were placed under two separate *de facto* supervisors. And the committee says that the two separate groups were working at cross purposes.

The committee has also complained about the failure of the University to account for the grant of Rs. 1 lakh given by the University Grants Commission. So, such is the kind of research work that is going on in our universities.

It was again pointed out that the research assistants in this particular project were working as paid scholars without trying to complete their work within a specific period. So that is the sort of research. Unless this research is given a prominent place in our universities, I do not think that the universities can become real centres of

intellectual adventure. Teachers cannot be kept alert and vigilant unless they are asked to do research work. Otherwise teachers will become stagnant and they will get out of date.

**Mr. Deputy-Speaker:** The hon. Member's time is up

**Shri Kodiyar:** Since you have rung the bell, I do not want to refer to many other points. But there is only one point regarding the medium of instruction. Yesterday our friend Shri Braj Raj Singh was impatient at the delay in introducing the medium of Hindi and other regional languages; he was particularly referring to Hindi. Nobody has any objection to that. We support that idea. But there must not be any undue haste in implementing this suggestion. The University Grants Commission has also rightly pointed out that proper preparation should be made for this change-over to Hindi or any other Indian language so far as the medium of instruction is concerned. It must be left to the universities, to the colleges, and they must be assisted in the matter of preparing the necessary text-books in the respective regional languages. Therefore, I do not think that there is any room for any controversy over this matter.

In conclusion, I should say a good word about the hon. Minister and his Ministry. I wholeheartedly support and welcome the proposal of Government to have evening colleges and correspondence course during the Third Five Year Plan. But I do not think that it is very easy to implement this, because some of the universities are not in favour of this suggestion.

Recently, the Syndicate of the Kerala University has decided not to have any such correspondence courses or evening colleges, on somewhat strange grounds. The reason put forward by the Kerala University is that there are already a large number of educated unemployed, and these evening colleges and correspondence courses will add to the rank of the educated unemployed. It is none of the business of the universities to solve the problem of unemployment. The duty of the

universities is to give more and more education, not merely to the higher people but to the entire section of the people, and especially to the weaker sections. Therefore, it is high time that universities like the Kerala University should be told that it is none of their business to say that the unemployment problem will be accentuated due to the introduction of these evening colleges and correspondence courses.

**Mr. Deputy-Speaker:** Is there any hon. Member from the Congress Party who can finish within the next ten minutes?

In that case, I can call him.

**श्रीमती लक्ष्मी बाई (विकाराबाद) :**  
बहनों को भी बोलने का मौका मिलना चाहिए ।

**Shri Ram Krishan Gupta (Mahendragrah):** I shall conclude in eight minutes.

**Shrimati Laxmi Bai:** I can conclude in five minutes.

**Shri Ram Saran rose—**

**Mr. Deputy-Speaker:** Shri Ram Saran has written to me that he has had no chance to speak during this session. Therefore, I must give him preference.

**श्री राम सरन (मुगदाबाद) :** उपाध्यक्ष महोदय, मैं आपका आभारी हूँ कि आपने मुझे कुछ समय दिया ।

हमारे देश में शिक्षा की स्थिति कुछ विचित्र सी है । एक तरफ जब हम प्राथमरी एजुकेशन और मैकिडरी एजुकेशन के बारे में विचार करते हैं तो हम अपने को दूसरे देशों की तुलना में पिछड़ा हुआ पाते हैं, लेकिन जहाँ तक विश्वविद्यालय की शिक्षा का सम्बन्ध है उसमें जब हम आगे बढ़े हुए देशों के साथ अपनी मूकाबला करते हैं तो हम अपने को उनके बराबर या कुछ से आगे बढ़ा हुआ पाते हैं । पिछले कुछ वर्षों में हमारे यहाँ विश्व-विद्यालयों की संख्या बहुत बढ़ गयी है । पहले

## [श्री राम शरण]

यह संख्या १८ थी जो कि अब ४० हो गयी है। विद्यार्थी भी बहुत बढ़ गये हैं। लेकिन मालूम होता है कि ठीक नियोजन नहीं है जिसके कारण ग्रनम्पलायमेंट और खास तौर से शिक्षित लोगों में ग्रनम्पलायमेंट बढ़ती चली जा रही है। तो जरूरत यह है कि ऐसा नियोजन हो कि जो विद्यार्थी विश्वविद्यालयों में पढ़ लिख कर निकलें उनको निकालते ही या निकलने के कुछ समय बाद ही काम मिल जाये जिससे जो असंतोष पढ़े लिखे लोगों में बढ़ता चला जा रहा है वह कम हो जाये।

विश्वविद्यालय अनुदान आयोग ने अनेक उपयोगी सुझाव दिये हैं। उनके सम्बन्ध में मैं कुछ निवेदन करना चाहता हूं।

पहली बात तो यह है कि यदि हमारे देश में विश्वविद्यालय के विद्यार्थियों की संख्या बढ़ती हुई चली जाये और हमको उचित संख्या में अध्यापक न मिलें तो हमारी पढ़ाई का माप गिरता चला जायेगा। इसलिए हम को कोई रोक जरूर लगानी होगी कि विश्वविद्यालय में हम कहां तक लोगों को भरती कर सकते हैं। इसके साथ ही हमको उन लोगों के लिये जो कि विश्वविद्यालय में आने योग्य न हों मल्टी परपज स्कूल खोलने चाहिए जिनके द्वारा हम लोगों को तकनीकी शिक्षा देकर काम धन्धों में लगा सकें। इससे विश्वविद्यालयों में जाने वाले लोगों की संख्या कम होगी और जो लोग विश्वविद्यालयों में नहीं जा सकेंगे वे इन स्कूलों की शिक्षा से लाभ उठा सकेंगे। ऐसा होने से हम को अध्यापक भी पर्याप्त संख्या में मिल सकेंगे। विश्वविद्यालयों में विद्यार्थियों की भरती पर रोक लगाने के साथ साथ हमको शिक्षकों की योग्यता ज्यादा से ज्यादा बढ़ाने पर ध्यान देना होगा। उनका बेतन बढ़ा दिया गया है। लेक्चरर्स, रीडर्स और प्रोफेसर्स का बेतन बढ़ा दिया गया है और इसलिए घाशा की जाती है कि अच्छे पढ़े लिखे लोग अध्यापन के कार्य की तरफ काफी मात्रा में आवेंगे और इस कार्य को अपनावेंगे।

तीन सान का जो डिग्री कोर्स है इसको प्रायः सभी विश्वविद्यालयों ने अपना लिया है, केवल उत्तर प्रदेश के कुछ विश्वविद्यालयों ने और बम्बई के विश्वविद्यालयों ने इसको कुछ भेद के साथ अपनाया है। मैं मी जी का ध्यान इस तरफ दिलाना चाहता हूं। उत्तर प्रदेश इन बात का प्रयत्न है कि १२ साल का कोर्स खत्म करने के बाद फिर तीन वर्ष की पढ़ाई बी० ए० के लिए शुरू की जाये। साधारण तौर पर दूसरे विश्वविद्यालयों ने ११ वर्ष के बाद तीन वर्ष का कोर्स बी० ए० के लिए रखा है। तो यह जो उत्तर प्रदेश की विशिष्टता है क्या उसको जारी रखा जाना चाहिए? इसमें विद्यार्थियों का एक बर्ष अधिक लग जायेगा इस पर जरूर विचार करना चाहिए। लेकिन बम्बई में ऐसा किया है कि इंटरमीजिएट के बाद तीन साल का कोर्स रखना चाहते हैं लेकिन उसको वह बी० ए० आनर्स की उपाधि देंगे। इसी प्रकार यदि उत्तर प्रदेश में भी १२ साल के बाद जो तीन साल का कोर्स रखा जा रहा है उसको आनर्स की उपाधि दी जाये तो जो एक साल ज्यादा लगेगा उसका कुछ एवज विद्यार्थियों को मिल जाएगा।

इसके अतिरिक्त मैं खास तौर से जो ध्यान दिलाना चाहता हूं वह छात्रवृत्तियों के सम्बन्ध में है। जहां तक मालूम हुआ है सरकार चाहती है कि कोई भी विद्यार्थी जो मैरिट के हिसाब से विश्वविद्यालय की शिक्षा के योग्य है उसे विश्वविद्यालय की शिक्षा से वंचित नहीं रहना चाहिए। आयोग की रिपोर्ट में मालूम होता है कि हार्म-निटीज में पोस्ट ग्रेजुएट और रिसर्च के लिये १०० और २०० रुपये के ८० और ५० स्कालरशिप रखे गये हैं और जहां तक साइंस, इंजिनियरिंग और टेक्नालाजी का खवाल है १०० स्कालरशिप दो दो सौ रुपये के रखे गये हैं। हमारे देश में विश्वविद्यालयों की संख्या ४० है। इस संख्या को देखते हुए ये स्कालरशिप बिल्कुल अपर्याप्त हैं। इससे काम नहीं चलेगा। दूसरी बात है कि विश्वविद्यालयों

इंस्टीट्यूट एस्टेट्स कायम की जा रही हैं जिन में वे विद्यार्थी काम करके कुछ कमा सकेंगे और अपनी शिक्षा जारी रख सकेंगे जो कि धनाभाव के कारण अपनी विश्वविद्यालय की शिक्षा जारी रखने में असमर्थ हों। इस से उन लोगों को शिक्षा प्राप्त करने में अवश्य मदद मिलेगी।

इसी के साथ मेरा सुझाव है कि कुछ छात्रवृत्तियां मैरिट कम पावरटी के आधार पर दी जानी चाहिए जिससे कि वे विद्यार्थी जो योग्य हैं किन्तु धनाभाव के कारण अपनी शिक्षा जारी नहीं रख सकते उनको सहायता मिल सके। कुछ विद्यार्थी ऐसे होते हैं जो एक तरफ धनाभाव के कारण आगे पढ़ नहीं सकते लेकिन दूसरी तरफ योग्य हैं। इस प्रकार की छात्रवृत्तियों से ऐसे विद्यार्थी अपनी शिक्षा जारी रख सकेंगे और इस प्रकार देश की प्रतिभा का उचित विकास हो सकेगा और वे विद्यार्थी अच्छे काम में लगाये जा सकेंगे।

एक बात जो बहुत महत्वपूर्ण है वह शिक्षा के माध्यम की बात है। आयोग की रिपोर्ट पढ़ने से यह मालूम होता है कि सिद्धान्त रूप से सब विश्वविद्यालयों ने यह मान लिया है कि शिक्षा का माध्यम रीजनल भाषा होनी चाहिए। लेकिन रिपोर्ट से यह मालूम होता है कि किसी भी विश्वविद्यालय ने अभी तक क्षेत्रीय भाषा को माध्यम के रूप में नहीं अपनाया है। और रिपोर्ट में यह भी लिखा हुआ है कि "The period of changeover should be shortened." लेकिन पता नहीं कि यह पीरियड थ्रू चेंज ओवर कितना रखा जायेगा। एक तरफ कहा जाता है कि अभी जरूरी साहित्य नहीं है। साहित्य की कमी है। इसलिए इस प्रकार का साहित्य अधिक से अधिक और जल्द से जल्द निर्माण होना चाहिए। यह प्रयत्न होना चाहिये ताकि जल्दी से जल्दी शिक्षा का माध्यम क्षेत्रीय भाषाओं हो सके।

आखिरी बात जिसकी तरफ ध्यान दिलाना है वह नैतिक शिक्षा के बारे में है। हम जानते हैं कि देश की परतंत्रता के कारण हमारे देश के नैतिक स्तर का बहुत ह्रास हुआ है और इस देश का नैतिक स्तर बहुत अधिक गिरता जा रहा है। हमारे देश का स्तर अभी ऊंचा हो सकेगा जब कि हमारे विद्यार्थियों का नैतिक स्तर ऊंचा हो और उसके लिए यह आवश्यक है कि अध्यापकों का नैतिक स्तर ऊंचा हो। अध्यापकों का नैतिक स्तर ऊंचा होने से उसका असर विद्यार्थियों पर पड़ेगा। उसके साथ ही साथ हमारी पढ़ाई और कोर्स भी इस प्रकार के हों, पुस्तकें इस प्रकार की हों जिनका कि विद्यार्थियों के ऊपर अच्छा असर पड़े। पढ़ते लिखते हुए किस तरीके से वे अपना नैतिक स्तर ऊंचा कर सकते हैं इसकी जानकारी उन्हें करानी चाहिए। बैसे तो शिक्षा मंत्रालय ने एक कमेटी भी बनाई थी और उसने भी रिपोर्ट दी है। उसके जरिये से भी इस बात का प्रयत्न किया जा रहा है और आगे चल कर आशा है कि यह प्रयत्न किया जायेगा कि हमारे विद्यार्थियों को इस प्रकार की नैतिक शिक्षा दिलाने के उचित प्रबन्ध किये जाय जिससे आगे चल कर हमारे विद्यार्थी देश के अच्छे और योग्य नागरिक बन सकें। बस मैं इतना ही कह कर अपनी बात समाप्त करता हूँ।

Dr. K. L. Shrimall: Since the debate will be carried over to the next Session, I would like to give one piece of information to Shri Kodiyan now. He referred to the question of introducing marine biology. I might inform him that this subject has already been introduced in the University of Kerala, and the University Grants Commission has given a grant of Rs. 9 lakhs non-recurring and also propose to give a recurring grant for this subject. I might also tell him that an international team of scientists under the auspices of UNESCO is shortly visiting India to explore the Indian Ocean.

I thought he might be interested in this bit of information.

**Mr. Deputy-Speaker:** This debate will be carried over to the next Session.

14.33 hrs.

### OLD AGE PENSION BILL\*

by Shri Aurobindo Ghosal

**Shri Aurobindo Ghosal** (Ulu-beria): I beg to move for leave to introduce a Bill to provide for the payment of pension to the aged and disabled citizens of India.

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to introduce a Bill to provide for the payment of pension to the aged and disabled citizens of India".

*The motion was adopted.*

**Shri Aurobindo Ghosal:** I introduce the Bill.

14.34 hrs.

### ALL INDIA DOMESTIC SERVANTS BILL—contd.

by Shri Balmiki

**Mr. Deputy-Speaker:** The House will resume further consideration of the following motion moved by Shri Balmiki on the 22nd April, 1961:—

"That the Bill to provide for the registration of domestic servants and to regulate their hours of work, payment of wages, leave and holidays be taken into consideration".

Out of 2½ hours allotted for discussion of the Bill, 5 minutes were taken on the 22nd April, 1961, and 2 hours and 25 minutes are now available.

Shri Balmiki may now continue his speech.

श्री बाल्मीकी (बुलन्दशहर—रहित—अनुसूचित जातियाँ) : उपर्युक्त महोदय, २२ अप्रैल सन् १९६१ को मैंने सदन के सम्मुख अपना भाषण इंडिया घरेलू कर्मचारी बिल पेश

करते हुए इस बात की आवश्यकता बतल ई थी कि घरेलू कर्मचारियों का रजिस्ट्रेशन किये जाय, उनके काम के घंटे रेगुलेट किये जायें, उनके लिए उचित पारिश्रमिक दिलवाने की व्यवस्था की जाय। इसके साथ ही उनके काम की शर्तों और छुट्टी आदि को रेगुलेट किये जाय। मैं जब उस दिन इस बिल पर बोल रहा था तो मैं ने कहा था कि हमारा देश एक कल्याणकारी राज्य की ओर बढ़ रहा है जहाँ प्रत्येक मनुष्य को समान दृष्टि से समान स्तर पर लाने के प्रयत्न हो रहे हैं। छोटे से छोटे मनुष्य को चाहे वह किसी भी प्रकार का मजदूर है या घरेलू मजदूर है उसे ऐसे अवसर प्राप्त होने चाहिएँ जिससे वह महसूस कर सके कि वह भी एक मनुष्य है और उस प्रकार का मानवोचित व्यवहार चाहता है। केवल वेतन आदि तथा दूसरी सुविधाएँ लेकर ही नहीं बल्कि इस प्रकार का अवसर भी उसे सुलभ होना चाहिए जिससे कि वह उस हीन जीवन से उठ कर एक ऐसा जीवन प्राप्त कर सके जहाँ उन्नति के अवसर हों। इसके लिए समाज की व्यवस्था तथा बातावरण को बदलने की आवश्यकता है। आज की समाज की व्यवस्था में जो एक दोष नजर आता है वह दोष यह है कि जो मनुष्य छोटा है वह छोटा ही बना रहता है और जो जन्म-जन्मान्तर से बड़ा है उसे उन्नति के अवसर प्राप्त होते रहेंगे और नतीजा यह होता है कि वह निरन्तर उन्नति-पथ पर अग्रसर होता रहता है।

आज मजदूरों के कल्याण के लिए आपकी ओर से काफी प्रयत्न चल रहे हैं किन्तु घरेलू मजदूर उन से वंचित हैं। आज जब कि प्रजा-तांत्रिक परम्परायें देश में पनप रही हैं तथा मनुष्य का महत्व बढ़ रहा है तब घरेलू मजदूर या इस प्रकार के मजदूर जीवन भर एक रट में फंसे रहें और उन्हें सामाजिक न्याय भी न मिले यह कहाँ तक न्याय-संगत है? घरेलू मजदूरों के अलावा हमारे वे अभागे व्यक्ति जो कि बड़ी बड़ी जायदाद वाले मालिकों के यहां

नौकर हैं, राजा महाराजाधों के नौकर हैं उनका जीवन भी बड़ा दुःखपूर्ण है। आज हमारे उन राजा महाराजाधों के सिर पर ताज भले ही न रहा हो लेकिन उनके महलों के अन्दर और हरमों के अन्दर वे हमारे अभागे नौकर आज भी फंसे चले आते हैं। अभी यह सुनने में आया था और मैं समझता हूँ कि मंत्री महोदय ने भी उसको सुना होगा कि निजाम हैदराबाद जिसका कि आज से कुछ समय पहले काफी दबदबा रहा है उस निजाम हैदराबाद के वहाँ हजारों इस प्रकार के घरेलू मजदूर ससकते नजर आते हैं। आज सदियों के बाद जब इस प्रकार के प्रयत्न चल रहे हैं तो हमें उन अभागे आदमियों को भी उस रट में से निकालने के लिए प्रयत्न करना होगा जोकि उसमें सदियों से फंसे चले आते हैं। मेरा तो कहना है कि चाहे वह भंगी हो, चाहे वह दूसरे प्रकार का मजदूर हो, घोड़ी हो, साधारण प्रजा का आदमी हो, घरेलू मजदूर हो या कोई बर्तन धोने आदि का काम करता हो, उन सब लोगों को उस रट में से निकालने का प्रयत्न होना चाहिए। उनकी अवस्था में सुधार लाने का प्रयत्न होना चाहिए। मैंने अंग्रेजी का एक "बैगाबीड" नाम का नाविल पढ़ा था। उस नाविल के अन्दर जो विशेष कैरेक्टर है वह कहता है कि मैं अपने इस स्कलियन को अर्थात् बर्तन धोने वाले को फिलासफर बनाऊंगा। किन्तु आज की स्थिति में ऐसा मजदूर फिलासफर भले ही न बन सके क्योंकि फिलासफर बनने के लिए अकल दरकार होती है, वह एक अकल वाला आदमी होता है लेकिन वह कम से कम एक लीडर और नेता तो बन ही सकता है जिसके लिए ज्यादा अकल की जरूरत नहीं होती है। उसको कम से कम लीडर और नेता तो बनने के अवसर दे ही सकते हैं। इसलिए मैं यह चाहता हूँ कि आज के प्रजातांत्रिक युग में यह बहुत जरूरी है कि उनको सामाजिक न्याय मिले। अगर उनके साथ उसी पुराने तरीके से अन्याय होता रहे और उनको सामाजिक सुरक्षा प्राप्त न हो और वह उसी दयनीय अवस्था में

पड़े रहें तो फिर हमारे इस प्रजातांत्रिक व्यवस्था की दुहाई देना बेकार है और वह कोई मायने नहीं रखती है।

आज शासन का यह कर्तव्य हो जाता है कि वह इस बात की व्यवस्था करे कि हर एक देशवासी चाहे वह बड़े घर में जन्मा हो या छोटे घर में, अमीर हो या गरीब मालिक हो या घरेलू नौकर, पढ़ा लिखा हो या अनपढ़ा हो, सब अपना जीवन एक इंसान की तरह बिता सके। हर एक इंसान को जीवन में आगे बढ़ने और प्रगति करने के समान अवसर दिये जायें। निस्संदेह एक भूखा और नंगा आदमी जो कि एक भूखी और गंदी गोद में पैदा होता है वह भी प्रयत्न करके अपनी मेहनत से लाखों की जायदाद का मालिक बन जाता है। जरूरत सिर्फ इस बात की है कि उसको भी उन्नति करने के समान अवसर दिये जायें। मैं इसको बल देने के लिये आप के सामने "एस्टडी इन इकोनामिक प्रिंसिपल्स एण्ड ह्यूमन बीइंग" में प्रदर्शित किये गये उस मनोवैज्ञानिक विश्लेषण को स्पष्ट शब्दों में रखना चाहता हूँ ताकि वह बात आपके सामने अच्छी तरह से आ सके। उससे आप समझ सकते हैं कि एक साधारण से साधारण मनुष्य भी किस प्रकार से आगे बढ़ सकता है और उन्नति कर सकता है। मैं आपके सामने उन शब्दों को रख देना चाहता हूँ :—

"However humble his origin, however menial his task, and however limited his educational opportunities or achievements—man is still a fellow human being. The mainsprings of his personality and his attitude towards his job relationship derive from this basic need of the dignity of man".

मैं एबरेट चैरिंगटन ह्यूज के शब्दों को आपको पढ़ कर सुनाना चाहता हूँ। उन्होंने कहा है :—

"A man's work," as Everett Cherrington Hughes puts it, "is

## [श्री बाल्मीकी]

one of the more important parts of his social identity, of his self, indeed of his fate, in the one life he has to live...." Work, therefore, being of such crucial importance for the material as well as for the psychological well-being of the individual is normally liked by almost all human beings."

इसी प्रकार से जे० ए० सी० ब्राउन ने लिखा है :—

"It is understood that there are some tasks and occupations which are not very pleasant or socially satisfying, and even considered degrading in the eyes of society which may wound the workers' personal dignity."

मैं अज्ञ करना चाहता हूँ कि इस प्रकार के जीवन की कुछ मजबूरियाँ हैं कि उन्हें कोई भी काम अपनी इच्छाओं के विरुद्ध करना पड़ता है और मजबूर हो कर इस तरह के साधारण काम में लगना पड़ता है। जब वह अपनी इच्छा के विरुद्ध किसी काम को करने पर मजबूर हो जाता है तो उसकी कंसी दशा होती है, इसका अनुमान आप खुद ही लगा सकते हैं। वह करना तो किसी और काम को चाहता है, अक्लमन्दी के साथ किसी और काम को पकड़ना चाहता है लेकिन भाग्यवश उसे और काम मिलता नहीं है और उसे मजबूर हो कर इस काम को करना पड़ता है। घरेलू मजदूर हो कर उसको रहना पड़ता है। इस और आपके ध्यान देने की आवश्यकता है कि क्या मनुष्य इस प्रकार घागे बढ़ सकता है यदि उसे जीवन को सफल बनाने का अवसर तक नहीं दिया जाता है? वह एक प्रकार से बिना मुँह खोले और अपनी बात को कहे बगैर और जीवन में हर एक ज्यादाती को बरदाश्त करके केवल दासता का जीवन व्यतीत करते रह कर क्या वह कभी उन्नति कर सकता है। घरेलू कर्मचारियों का जीवन एक इसी प्रकार का जीवन रहा है। इसके बारे में मैं कहना चाहता हूँ कि मेरे मस्तिष्क में जब इनका चित्र आता

है तो वह एक दासता का, तथा घृणापूर्ण ही आता है। यद्यपि वह दासता आज संसार में नहीं है तथापि घरेलू मजदूरों का निकास वहीं से प्रारम्भ होता नजर आता है। प्राचीन सम्यतायें चाहे आज दुनिया में न रही हों, मगर वे एक अमिट निशान छोड़ गई हैं। चाहे वह यूनान की सम्यता हो, रोम की सम्यता हो, चीन की सम्यता हो, या यहां की पुरानी सम्यता हो, घरेलू कर्मचारी दासों का ही जीवन व्यतीत करते थे, उनका जीवन एक दुःख भरा ही जीवन था। सम्यता के विकास के साथ साथ महल तथा हरम के जीवन के साथ साथ आराम के जीवन के साथ साथ जीवन की रंगीनी के साथ साथ इनकी संख्या भी बढ़ने लगी। प्राचीन भारत में घरेलू मजदूर शूद्र ही तो कहलाते थे और जब मुझे यह शूद्र शब्द याद आता है तो इसके साथ साथ मुझे जैसा जीवन वे व्यतीत करते थे दुःख भरा जीवन व्यतीत करते थे दासता का जीवन व्यतीत करते थे, पतित जीवन व्यतीत करते थे, निम्न जीवन व्यतीत करते थे, उसकी भी याद आ जाती है। प्राचीन काल में भी उन के साथ इसी तरह का व्यवहार होता था और इसी प्रकार का वे जीवन व्यतीत करते थे। मेरे पास एक किताब है जो डोमेस्टिक सर्वेंट क्लास के बारे में है और जिसको मेरी एक बहन ने बम्बई की जो है उन्होंने लिखा है। उनका नाम अबान बी मेहता साहिब है। उस में उन्होंने बताया है कि किस प्रकार से प्राचीन काल में, प्राचीन भारत में ये घरेलू मजदूर शूद्र का जीवन, चांदाल का जीवन व्यतीत करते थे। उन्होंने लिखा है :—

"Domestic work in ancient India was performed chiefly by slaves and sudras who were members of a servile class impoverished in the conflicts, addicted to manual tasks, and ordained to live by serving the people of the higher varnas. We have evidence to male and female slaves, dasas and dasis employed

in domestic work as early as in the Vedic society attending on their priestly and warrior masters. We find that from the Vedic period right upto the Gupta age as delineated by Ram Sharan Sharma slaves and Sudras were engaged as domestic servants. The conditions of, and the treatment accorded to these household workers, are depicted in such works as the Dharma Shastras, Kautilya's Arthashastra, Kama Sutra, Santi Parvan of the Mahabharatha, Buddhist and Jain texts, in the works of Panini, Gautama and Manu."

इस प्रकार से बुद्ध मं तथा जैन धर्म इन के साथ सद्व्यवहार की बात कही थी और बीमारी में उन का ध्यान रखने को कहा था और यह भी कहा था कि कभी कभी छुट्टी भी उन को मिल जानी चाहिये। कौटिल्य अथं शास्त्र में व्यक्त ये शब्द भी मैं आप के सामने कह देना चाहता हूँ कि वहाँ घरेलू मजदूरों के साथ सद्व्यवहार की बात कही गई है और यह भी कहा गया है कि मालिक नौकर के सम्बन्ध अच्छे होने चाहिये। उन्होंने यह भी कहा है कि उन के उचित वेतन निर्धारित होने चाहिये। कौटिल्य ने साफ तौर से राजा का ध्यान इस ओर आकर्षित किया है कि दास और भूत्यों का विशेष ध्यान रखा जाये। इतना ही नहीं बल्कि अशोक के धर्म उपदेशों में उन के साथ दयापूर्ण व्यवहार की बात कही गई है। काम सूत्र शान्ति पर्वम आदि में भी उन के साथ सद्व्यवहार की बात कही गई है। शकुन्तला नाटक में भी महाकवि कालीदास दास ने कन्व ऋषि के मुह से शकुन्तला को जब वह विदा हो रही थी, कहलवाया है कि उस का व्यवहार परिजनों के साथ नम्रता का होना चाहिये तथा घरेलू मजदूरों के साथ नम्रता का सद्व्यवहार होना चाहिये। मनु ने भी भूत्यों के वेतन आदि की बात कही है और कही कहीं यह भी कहा है कि उन को उतरे हुए कपड़े और उच्छिष्ट भी दिये जायें। उतरे हुए कपड़े या उच्छिष्ट देने की प्रणामी आज भी

चल रही है। बात्मीकी रामायण में यह लिखा है कि रामचन्द्र जी का व्यवहार भूत्यों के साथ नम्रता तथा मानवता का था।

इस सब से यह स्पष्ट है कि यह प्रश्न आज कोई नया प्रश्न नहीं है। आज जब सामाजिक चेतना है जब जायुति है तो घरेलू मजदूर केवल सोते रहें यह कहाँ तक सम्भव है। आज उन की कीमत है तथा उन के काम की सामाजिक महत्ता है। मैं मेरी बी० बिबिसन, गायरेक्टर आफ बोमोज ब्योरो के शब्दों में कहना चाहता हूँ :

"Household employment is obviously a service of vital importance because of its contribution to the health and happiness of families, the convenience and comfort of homes. Certainly workers who prepare food, launder clothes, keep households clean and attractive, care for children, old people or invalids and perform numerous tasks that oil the daily routine of existence are engaged in socially worthwhile services which not only promote the well-being of the household but contribute to the welfare of the community."

यह सामाजिक दोष कि घरेलू मजदूरों का जीवन विकसित न हो सके कब तक चलेगा। आज उन की परिस्थिति को हर प्रकार से देखना होगा और यह बहुत आवश्यक है। इन पिछले चन्द वर्षों में किसी न किसी प्रकार से बयह प्रधान हमारे सामने आता रहा है। अम मं मलय की मनाहकार समिति ने बराबर हम पर बिचार किया है। २६ अप्रैल, १९४६ को भी हम पर बिचार हुआ था और कहा गया था कि इन के प्रति सद्व्यवहार होना चाहिये और इन की समस्याओं की ओर ध्यान दिया जाना चाहिये। इन की एक मात्र समस्या आम इंडिया डोमेस्टिक वर्कर्स नियम जो है उस ने भी इस के बारे में बराबर ध्यानोत्तर किये हैं और बराबर अपने रिप्रिजेंटेशन सरकार के सामने और मन्त्रीय प्रधान मंत्री जी के सामने रखे हैं। प्रथम की बात है कि प्रधान मंत्री जी ने अपने व्यस्त

## [श्री बाल्मीकी]

जीवन में से कुछ समय इन की समस्याओं को दे ने के लिये और हल करने के लिये निकाला है। यह इन बहुत पुराना है, नया नहीं है। इन को शू समझा जाता रहा है, इस को मैं दोहराना नहीं चाहता। केवल इतना ही कहना चाहता हूँ कि इन को ठीक प्रकार से नहीं दिया जाता है, यातनाय इन को भोगनी पड़ती है, बड़ा ही दुखभरा जीवन व्यतीत करना पड़ता है और आज के युग में जहाँ आप अन्य मजदूरों के लिये इतना कुछ कर रहे हैं और उन की तरफ इतना अधिक ध्यान दे रहे हैं वहाँ आप का यह कर्ब व्यर्थ होता है कि इन की ओर भी आप ध्यान दें। कारखानों में जो मजदूर काम करते हैं, उन की तरफ आप ध्यान देते हैं, खेतिहर जो मजदूर हैं उन की तरफ आप का ध्यान जाता है, तो कोई वजह नहीं है कि आज जब कि जनता की सरकार है, जनता के पैसे से वह चलती है, इन घरेलू कर्मचारियों की समस्या को बराबर टालती जाये। अगर ऐसा किया जाता है तो यह न्यायसंगत नहीं है। अन्तर्राष्ट्रीय श्रम संगठन, आई० एल० ओ० की एक कन्वेंशन सन् १९५१ में जेनेवा में हुई थी और उस के बाद से घरेलू मजदूरों के बारे में, उन की जीवन की समस्या के बारे में, दिन-प्रति के प्रश्नों के बारे में बराबर एक सवाल उठता रहा है और इस रूप में भी यह सवाल आप के सामने आया है। मैं आप का ध्यान इस ओर आकर्षित करना चाहता हूँ कि जो विशेषज्ञ सन् १९५१ के जेनेवा कन्वेंशन में बैठे थे उन का ध्यान इस ओर गया था। उन्होंने जो बात वहाँ पर रखी थी वह भी मैं आप के सामने रखना चाहता हूँ। उन का ध्यान डोमेस्टिक सर्वेंट्स की समस्याओं पर गया और उन्होंने कहा कि मालिक और घरेलू मजदूरों के सम्बन्ध सुव्यवस्थित रहें, वे पारस्परिक अधिकार को समझें, कानून की स्थितियों को समझें, एक दूसरे के प्रति उत्तरदायित्व को समझें। काम करने की स्थितियाँ ठीक हों, काम करने के घंटे ठीक होने चाहियें, बिभ्राम करने का

समय, साप्ताहिक छुट्टी, वार्षिक छुट्टी, वेतन सहित देने की व्यवस्था होनी चाहिये। इस प्रकार की व्यवस्था उन के लिये निर्धारित होनी चाहिये। घरेलू मजदूरों के लिये न्यूनतम वेतन की व्यवस्था होनी चाहिये, और यही नहीं, बल्कि उन के स्वास्थ्य की सुरक्षा का भी प्रबन्ध होना चाहिये। नारी घरेलू मजदूरों के लिये मैटर्निटी बेंनिफिट्स तथा दूसरी सुविधाओं का प्रबन्ध होना चाहिये, निवास की व्यवस्था का प्रबन्ध होना चाहिये, कम उम्र के घरेलू मजदूरों की सुरक्षा का प्रबन्ध होना चाहिये। इस दिशा में सामाजिक सुरक्षा के साथ कानूनी व्यवस्था भी होनी चाहिये। उन के लिये नये उद्योग षंघों में ट्रेनिंग आदि, वोकेशनल ट्रेनिंग आदि, देने का प्रबन्ध होना चाहिये। इन बातों पर उन विशेषज्ञों ने ध्यान दिलाया है। मुझे दुःख के साथ कहना पड़ता है कि उस कन्वेंशन की जो मंशा है उस पर पूरी तरह लेकर ऐंड स्पिरिट के अनुसार ध्यान नहीं दिया गया है, न ही इस दिशा में प्रयत्न हुआ है।

आज देश में बेकारी बढ़ रही है, आज देश में अनप्रोडक्टिव लेबर बढ़ती चली जा रही है। मैं जानता हूँ कि आप इस बेकारी को दूर करने के लिये प्रयत्न कर रहे हैं, और एक प्रकार से देश के अन्दर उद्योग षंघों को ला कर के, छोटे उद्योग कायम कर के, कुटीर उद्योग कायम कर के, लोगों के सामने काम के लिये आकर्षण पैदा करना चाहते हैं, लेकिन फिर भी देश के अन्दर एक प्रकार की अनप्रोडक्टिव लेबर बढ़ती चली जा रही है। इस की वजह यह है कि इस ओर अभी लोगों को पूरी तरह से काम देने का प्रबन्ध आप के पास नहीं है न ही इधर कोई आकर्षण उत्पन्न हो रहे हैं। यों तो घरेलू मजदूर देश के हर कोने से उत्पन्न होते हैं, किन्तु जो पर्वतीय क्षेत्र है, जहाँ मे भक्त दर्शन जी आते हैं, और जिन के बारे में

वे बोलते हुए बतलाने की चेष्टा करेंगे कि वहां कैसी स्थिति है, वहां की स्थिति को थोड़ा थोड़ा मैं भी देखा है। पर्वतीय क्षेत्रों में मैं देखा है कि वहां कितनी भयंकर गरीबी है, वहां अच्छे आर्थिक साधन उपलब्ध नहीं हैं और इस प्रकार से वहां से हजारों गरीब लड़कों को, गरीब मजदूरों को, काम की तलाश में मैदानों में उतरना पड़ता है। दिल्ली, बम्बई, कलकत्ता जैसे कांसमोपालिटन नगरों के अन्दर उन को काम की तलाश में भ्रमण पड़ता है। मैं समझता हूँ कि आप प्रयत्न कर रहे हैं इस के लिये, लेकिन मैं पूछना चाहता हूँ कि इस प्रकार की अनप्रोडक्टिव लेबर को रोकने के लिये, जहां वे पैदा होते हैं वहीं पर उन को काम धंधा देने के लिये, वहीं पर उन को रोकने और उन के लिये काम के आकर्षण पैदा करने के लिये आप क्या कर रहे हैं? यह आवश्यक है कि सर्वेक्षण करके पहाड़ी क्षेत्रों का आर्थिक विकास किया जाय। घरेलू मजदूर देश के हर कोने में उत्पन्न होते हैं, लेकिन जैसा मैंने बतलाया पर्वतीय क्षेत्रों से वे अधिक आते हैं, और यहां आकर वे तरह-तरह के छोटे-बड़े काम धंधों को अपनाते हैं। मैं कहना चाहता हूँ कि यह भाग्यहीन पर्वतीय क्षेत्रों के रेस्टोरेंट्स के अन्दर या होटलों में या दूसरे प्राइवेट उद्योगों में तरह-तरह के प्राइवेट कामों के अन्दर लगे हुए हैं, लेकिन उन का जीवन बड़ा दुखी जीवन है उन की दिन चर्या कष्टपूर्ण है, उन को वेतन भी ठीक नहीं मिलता है, उन को फुर्सत नहीं होती है, कोई आराम नहीं मिलता है। चौबीस घंटे काम में पिले रहते हैं। जब ऐसा प्रश्न यहां आता है तब कोई यह सोचे कि मैं देश के अन्दर अग्रान्त वातावरण पैदा करना चाहता हूँ और मालिक तथा नौकरों के बीच के सम्बन्ध खराब करना चाहता हूँ, तो ऐसा मेरा मंशा नहीं है। मैं यह चाहता हूँ कि नौकरों और मालिकों के बीच सद्भावना उत्पन्न हो, जिन प्रकार मालिक दोपहर को खाना खा कर डेढ़ दो घंटे सोता है, उसी प्रकार नौकर को भी आराम करने का मौका मिले, जिस प्रकार से घर के और लोगों

को आराम मिलता है, उसी प्रकार घरेलू मजदूरों को भी मिलना चाहिये। यदि आप यह कहते हैं कि हमारे देश के अन्दर जो घरेलू मजदूर हैं वह हमारे घर का अंग है उसी प्रकार बहुत से माई कहते हैं। मैं यह मानता हूँ कि बहुत से हमारे परिवार इस प्रकार के हैं, जो धनी परिवार हैं, सुखी परिवार हैं, उन के यहां घरेलू मजदूरों को काफी सुख दिया जाता है, उन के कपड़े लते का सुन्दर प्रबन्ध किया जाता है और घर की तरह से उन को आराम मिलता है। लेकिन ऐसे मनुष्य मुट्ठी भर हैं, उंगलियों पर गिनने के काबिल है, परन्तु जो अन्य हजारों आदमी हैं वे किस प्रकार का व्यवहार करते हैं उन्हें व्यर्थ समझते हैं। इसीलिये मैंने आप का ध्यान इस ओर आकर्षित किया कि नौकरों को जानवरों की तरह से नहीं समझना चाहिये, उन की ओर ध्यान देने की आवश्यकता है। यह समझने की आवश्यकता है कि जानवरों की भी कोई कीमत है किन्तु घरेलू मजदूरों की कोई कीमत नहीं। समाज में उन की कोई कीमत बन सके—मैं चाहता हूँ कि उस की ओर आप ध्यान दें। आज तक जो भी फैसले हुए हैं उन के बारे में उन को कार्यान्वित करने की आवश्यकता है।

सभ्रता की बात है कि इस बीच हमारी सलाहकार समिति भी और कुछ अन्य नेताओं ने भी इस ओर सरकार का ध्यान आकर्षित किया है और जो १७ वां श्रम सम्मेलन मद्रास के अन्दर हुआ था उस में भी आप ने कुछ फैसले किये हैं, उन की ओर आप को ध्यान देना चाहिये। आप ने देश के सामने पाइलट स्कीम का नक्शा भी रक्खा है। उस पाइलट

14.55 hrs.

[SHRI JAGANATHA RAO in the Chair]

स्कीम के अनुसार उन के नाम वहां दर्ज हैं, एम्प्लायमेंट एक्सचेंज में एक रजिस्टर रक्खा जाय और इस प्रकार की उन को मुविजा प्राप्त हो सके।

मैं आपका ध्यान आकर्षित करना चाहता हूँ कि यह जो पाइलट प्रोबेशन स्कीम या प्रयोगात्मक कार्यालय खोले गये हैं उनसे

## [श्री बाल्मीकी]

इन लोगों की समस्या हन नहीं होती है। इनको और मजबूत करने की कोशिश करें क्योंकि अगर यह इसी तरह से ढील से चलते रहे तो लोगों को इसका फायदा नहीं मिलता और उनकी समस्याओं का निराकरण नहीं हो सकता है। आपने उनकी स्थिति की जांच के लिये एडवाइजरी कमेटी नियुक्त की है, ठीक है मसका स्वागत करता हूँ, लेकिन इस एडवाइजरी कमेटी का रूप बदलने की आवश्यकता है। इसमें कम से कम घरेलू मजदूरों के भी दो या तीन प्रतिनिधि होने चाहियें ताकि आप उन लोगों की समस्याओं पर और अच्छी तरह विचार कर सकें। जैसा रूप आज इस कमेटी का है उससे काम चलने वाला नहीं है। मान लीजिये कि आप उनकी स्थितियों को ठीक करना चाहते हैं और उसके लिये एक अच्छी शकल पदा करना चाहते हैं, तो जैसा मने कहा, कानून की शकल मेरे मस्तिष्क में मौजूद है। मैं तमाम दुनिया के बारे में जानता हूँ या नहीं, लेकिन कई देश इस प्रकार के हो सकते हैं जहाँ कोई न कोई कानूनी शकल की बात मौजूद है। मुझे बतनाया भी गया है कि एक ऐसी मोरेल सोमायटी है जिम को सरकार की मदद मिलती है और सरकार द्वारा सहायता प्राप्त कर के वह उनकी समस्याओं को समझने की चेष्टा करती है। लेकिन मैं थोड़े से शब्दों में साफ तौर से बतला देना चाहता हूँ कि जब दूसरे मजदूरों के लिये कानूनी व्यवस्था लाना चाहते हैं तो यकीनी तौर से कोई बजह नहीं है कि घरेलू मजदूरों के लिये भी कोई कानूनी व्यवस्था पैदा न हो सके, उनके लिये काम के घंटे निर्धारित न हो सकें, उन के लिये छुट्टी के घंटे निर्धारित न हो सकें, उनके लिये सम्मानित रूप से कार्य करने के लिये अवसर न प्राप्त हो सके, उनके लिये बीमारी के समय देश-देख-भाल या ठीक से प्रबंध न हो सके, और अगर और कुछ नहीं तो कम से कम उन के वेतन की और ध्यान देने की आवश्यकता है और जो न्यूनतम

वेतन का कानून है उसको उन पर लागू करने की कोशिश करनी चाहिये। उन पर खाली यह कानून ही लागू नहीं करना चाहिये बल्कि जो उन के झगड़े होते हैं वे कंसिलिएशन मशीनरी या ट्राइब्यूनल के द्वारा तय होने चाहियें। जो आप की ट्राइब्यूनल या कंसिलिएशन मशीनरी है वह उन की मांगों पर ध्यान नहीं देती है, मैं इस की ओर आपका ध्यान आकर्षित करना चाहता हूँ और आशा करता हूँ कि आप इस ओर ध्यान देंगे और इस तरह से उन के साथ सद्भावना का वातावरण पैदा करने की कोशिश करेंगे।

मैं आप से मानवता के नाम पर, सामाजिक न्याय के नाम पर तथा कल्याणकारी राज्य के सम्मान के नाम पर अपील करता हूँ कि आप ठंडे दिल से और ठंडे मस्तिष्क से, संजीदगी के साथ उन की समस्याओं पर विचार करें तथा उनके लिये कोई उचित व्यवस्था करें। उचित व्यवस्था से मेरा मतलब उन के काम की व्यवस्था से है। यदि इस युग में भी ऐसे मानवों को जो धुआ की ज्वाला बुझाने के लिये गरीबी के अभिशाप के कारण छोटा से छोटा काम करते हैं, न्याय नहीं मिलता है, सामाजिक सुरक्षा नहीं मिलती है, तो उन लोगों के अन्दर एक अजीब क्रान्ति भविष्य में उत्पन्न हो सकती है। मैं समझता हूँ कि जब तक इस प्रकार के मजदूरों की समस्याओं को हल नहीं किया जाता है और उन के लिये कोई सामाजिक न्याय पैदा करने की कोशिश नहीं की जाती है, उन को नित्य प्रति के विक्टिमाइजेशन या अत्याचार से बचने की चेष्टा नहीं होती है जो कि उन पर पुलिस या मालिकों द्वारा किया जाता है तब तक सड़ियों से भूखों मरने वाले और नीचे गिरे हुए मनुष्यों का जीवन अव्यवस्थित ही रहेगा। यह आप रखने की आवश्यकता है—

“बुभुक्षित किन्नकरोति पापं, शीघ्राः

नराः निष्करुणा भवन्ति।”

भूखा मनुष्य क्या पाप नहीं कर सकता।

इस प्रकार के क्षीण दलित हृदय मनुष्य करुणा रहित होते हैं।

दुर्बल को न सताइये, बाकी मोटी हाथ,  
मुई खाल की सांस सों सार भस्म हो जाय।

अब समय आ गया है कि आप उन की ओर ध्यान दें और ऐसी कोई व्यवस्था करने की कोशिश करें जिस से उन की स्थिति ठीक हो सके।

इन शब्दों के साथ मैं अपना विधेयक प्रस्तुत करता हूँ।

15 hrs.

श्री बाजपेयी (बलरामपुर) : मैं श्री बाल्मीकि द्वारा प्रस्तुत विधेयक की भावना का अन्तःकरण से स्वागत करता हूँ।

यह स्वाभाविक है कि देश में घरेलू कर्मचारियों की सेवा की शर्तों, काम के घंटों और वेतन की प्रदायगी के बारे में विचार किया जाये और ऐसा प्रयत्न किया जाए कि जिससे घरेलू कर्मचारियों का पारिश्रमिक उनको उचित रीति से मिल सके। बहुत बड़ी संख्या में हमारे देश में घरेलू कर्मचारी काम करते हैं, और जब तक शासन हर एक मध्यम व्यक्ति के लिये काम नहीं जुटा सकेगा, घरेलू कर्मचारी रहेंगे और उनकी सेवा की शर्तें तैयार करने का सवाल भी इस सदन और देश के सामने रहेगा।

लेकिन इस सवाल पर विचार करते हुए केवल भावना के आधार पर हम बहुत दूर तक नहीं जा सकते। अन्य देशों से हमारे देश की तुलना भी ठीक नहीं होगी। जहां मनुष्य श्रम के लिए बहुत बड़ी संख्या में प्रस्तुत नहीं रहते, जहां स्टेशनों पर कुली नहीं मिलते, जहां घरों में कर्मचारी रखना बहुत महंगा पड़ता है, उन देशों की स्थिति से हमारे देश की स्थिति की तुलना नहीं हो सकती। यह ठीक है कि हम उसी स्थिति को लाना चाहते हैं जबकि प्रति घंटे आदमी को पाँच या सात रुपये पारिश्रमिक मिल सके,

जैसा कि अन्य देशों में मिलता है जिसके कारण घरेलू कर्मचारी रखना सम्भव नहीं होता, लेकिन आज इस प्रकार के नियम हम लागू कर सकें यह व्यावहारिक नहीं है, और इसलिए इस विधेयक पर व्यावहारिक दृष्टि से विचार करना होगा।

देश के अनेक प्रान्तों में अलग अलग स्थितियाँ हैं, और मैं प्रस्तावक महोदय से इस बात में सहमत नहीं हूँ कि सम्पूर्ण देश के लिए कोई एक कानून बनाया जाए जिसे वहाँ विद्यमान परिस्थिति का बिना विचार किए लागू कर दिया जाए। हाँ, मैं इस सम्बन्ध में यह सुझाव अवश्य दूंगा कि केन्द्रीय सरकार को इस सम्बन्ध में कोई "माडल बिल" बनाना चाहिये और उसे अन्य राज्य सरकारों के विचार के और स्वीकृति के लिये भेजना चाहिये जिस वहाँ की परिस्थितियों के अनुसार लागू किया जा सके।

जहाँ तक इस विधेयक का प्रश्न है, कुछ ऐसी बातें हैं जिन पर विचार करना आवश्यक है। घरेलू कर्मचारियों के लिये हफ्ते में एक दिन की छुट्टी लेनी चाहिये, यह बात बिल्कुल ठीक है। लेकिन मेरा व्यक्तिगत अनुभव यह है कि मेरा घरेलू कर्मचारी एक दिन की भी छुट्टी लेना नहीं चाहता। क्योंकि छुट्टी लेने का अर्थ होता है कि उस दिन घर में भोजन नहीं बनेगा क्योंकि भोजन बही बनाता है, और अगर भोजन नहीं बनेगा तो उसे भी अपने भोजन की व्यवस्था अलग करनी पड़ेगी। अब अगर प्रस्तावक महोदय इसमें ऐसी व्यवस्था कर दें कि जिस दिन घरेलू कर्मचारी की छुट्टी हो उस दिन जो उसे नीकर रखे वह उसे भोजन बना कर खिलाए—लेकिन यह व्यवस्था उन्होंने नहीं की है—तब तो समझ में आ सकता है। उन्होंने ऐसी व्यवस्था नहीं की है। इससे मैं समझता हूँ कि शायद इसकी दूर तक जाने के लिए वह भी तैयार नहीं है।

Shri S. M. Banerjee (Kanpur): You are a bachelor; that is why difficulty arises. Otherwise, the wife will prepare the meals.

श्री बाजपेयी: : यह कठिनाई अवश्य है। इसीलिए घरेलू कर्मचारी छुट्टी नहीं चाहता। इसलिए इसके बारे में नियम बनाने के पहले हम को सोचना चाहिए कि कहीं ऐसा न हो कि हम कानून बना कर उनका हित करने का प्रयत्न करें और इससे उनका अहित हो जाए। तो जहां तक भावना का सवाल है वह तो बिल्कुल ठीक है, लेकिन अगर कानून बनाया गया तो घरेलू कर्मचारियों के सामने कठिनाइयां उत्पन्न हो जायेंगी और जो प्रस्तावक महोदय का उद्देश्य है वह पूरा नहीं होगा।

जहां तक वेतन का सवाल है, वेतन भी आज की स्थिति को देखते हुए बहुत कम रखा गया है। इसमें रखा गया है कि १८ साल की उम्र से कम वाले को २० रुपया प्रतिमास वेतन दिया जाए और जिसकी उम्र इससे ज्यादा हो उसको ४० रुपए प्रतिमास वेतन दिया जाए। मैं उनसे स्पष्टीकरण चाहूंगा कि क्या इसमें भोजन का हिस्सा भी शामिल है या नहीं। अगर इसमें भोजन का हिस्सा शामिल नहीं है तो वह वेतन के अन्तर्गत कैसे आएगा और अगर कोई घरेलू कर्मचारी अपने पैसों से भोजन की व्यवस्था करता है तो इस तीस रुपये में उसका निर्बाह कैसे होगा। अभी जो दिल्ली में घरेलू कर्मचारी हैं वे भोजन के साथ तीस और बलीक रुपया प्रति मास लेते हैं। अतः भोजन के सम्बन्ध में कुछ स्पष्टीकरण होना चाहिये। जहां तक काम के घण्टों का प्रश्न है दस घण्टे की व्यवस्था इस तरह हो सकती है कि किसी परिवार के भोजन के दोनों समय उसको काम के लिए बुला लिया जाए और उसको अपने भोजन की व्यवस्था बाहर करनी पड़े।

इस तरह से १० घंटे की व्यवस्था कर दी गयी तो भी कर्मचारी को कठिनाई हो सकती है। आज तो अगर १० घंटे का काम नहीं है

तो वह बैठ सकता है या अपना समय और काम में लगा सकता है, लेकिन अगर एक बार हम मालिक और कर्मचारी के सम्बन्धों का निर्धारण ट्रेड यूनियनवाद इस आधार पर करेंगे तो घरेलू कर्मचारियों को १० घंटे बराबर काम करने के लिए तैयार रहना चाहिए।

इसमें जो पुलिस को अधिकार दिया गया है वह भी घरेलू कर्मचारियों के हित में प्रमाणित नहीं होगा। पुलिस खानबीन करेगी, वह कहां से आया है इसका पता चलाएगी। अब कुछ ऐसे घरेलू कर्मचारी भी होते हैं जो अपने घरों की परिस्थितियों से विवश होकर मैदानों में चले जाते हैं, कुछ घर वालों से बगैर कहे चले आते हैं और कुछ काम कर घर वापस जाना चाहते हैं। अगर पुलिस वाले उन के घर वालों को बतादेंगे कि वे कहां तो हो सकता है कि उनके घर वाले आकर उनको पकड़ कर ले जाएं। और कितने कर्मचारी पुलिस को पूरी जानकारी देने के लिये तैयार होंगे। और पुलिस अगर जानकारी एकत्र करेगी तो मैं नहीं समझता कि घरेलू कर्मचारियों के लिये यह कोई अच्छी बात होगी।

जहां तक मालिक का सवाल है अगर मालिक उसको रजिस्टर नहीं कराता तो उसको केवल २५ रुपये देने होंगे। यह जुरमाना बहुत कम है।

मेरा निवेदन है कि यह विधेयक जितना दूर जाना चाहिये उतना दूर नहीं जाता और दूसरी ओर ऐसी दिशा में आगे बढ़ने का प्रयत्न करता है कि जिससे घरेलू कर्मचारियों की कठिनाइयां बढ़ जाएं। इसलिये मेरा आग्रह है कि इस प्रश्न पर विचार करने के लिए संसद को को चाहिये कि एक समिति का निर्माण करे जो यह सोचे कि कानून बनाने के अलावा घरेलू कर्मचारियों की स्थिति को सुधारने के लिए कौन कौन उपाय अपनाने चाहिये और सब बातों पर विचार करके ऐसी व्यवस्था का विकास करे कि जिसमें घरेलू कर्मचारियों के जीवन में आवश्यक सुख

सुविधा भी लायी जा सके और कानून से उनके भार्य में अनावश्यक कठिनाइयाँ भी न आएँ।

श्री भक्त बसंत (गढ़वाल) : सभापति महोदय, हमारे आदरणीय मित्र श्री बाल्मीकि जी ने जो अखिल भारतीय घरेलू कर्मचारी विधेयक इस सदन के समक्ष विचारार्थ प्रस्तुत किया है उसका सैद्धान्तिक रूप से समर्थन करते हुए मुझे बड़ी प्रसन्नता हो रही है।

अभी मुझे पूर्ववक्ता श्री वाजपेयी जी ने अपना भाषण देते हुए यह बताने की कृपा की थी कि इस विधेयक को लागू करने में हमें किस प्रकार की व्यावहारिक कठिनाइयों का सामना करना पड़ेगा। उन्होंने जिन कठिनाइयों का उल्लेख किया उनमें से बहुत सी ऐसी हैं कि जिन पर विचार किया जाना चाहिए। लेकिन उन सब के बावजूद मैं यह समझता हूँ कि इसमें मेरे विचार से मेरे मित्र श्री वाजपेयी जी भी इस बारे में मेरी राय से सहमत होंगे कि हमारे देश में घरेलू कर्मचारियों की जो दयनीय स्थिति है उसके सम्बन्ध में कुछ न कुछ अवश्य किया जाना चाहिए और कोई ऐसा मार्ग अवश्य निकालना चाहिये ताकि उनकी स्थिति में सुधार किया जा सके।

श्रीमन, मैं इस अवसर पर इस सदन का अधिक समय नहीं लेना चाहूँगा, क्योंकि सदन के सभी वर्गों और विचारों के लोग इस बात से सहमत होंगे कि घरेलू कर्मचारियों की जो इस समय स्थिति है वह बहुत ही दयनीय है और वह बहुत असन्तोषजनक है तथा उसमें सुधार करने की अत्यधिक गुंजाइश है। हमारे घरेलू कर्मचारी लोग रात दिन काम की चक्की में जिस प्रकार से पीसे जाते हैं उसके प्राये दिन उदाहरण हमारे सामने आते रहते हैं। दिल्ली में इस तरह के कितने ही उदाहरण मौजूद हैं कि जब नौकरों द्वारा बेतन की मांग की गई तो उनको बेतन देने के बदले उन पर चोरी का इत्जाम लगा दिया

गया और उनको जेलों में भेज दिया गया। हमारे यहां की पुलिस हालांकि मैं उसका प्रशंसक हूँ लेकिन भ्राम तौर से यह देखने में आया है कि वह मालिकों का ही साथ दिया करती है और बेचारे गरीब मजदूरों और इस प्रकार के घरेलू कर्मचारियों को उनका सहायता प्राप्त नहीं होती है। उनको कानूनी सहायता उपलब्ध होना असम्भव होता है और इस कारण उनकी मुसीबतें और भी बढ़ जाती हैं।

श्रीमन्, मैं इस विधेयक की भावना का इसलिये भी समर्थन करना चाहता हूँ कि अधिकांशतः जिन इलाकों से ये गरीब भाई यहां दिल्ली में तथा दूसरे बड़े बड़े शहरों में आते हैं उन इलाकों के कुछ प्रश्न का प्रतिनिधित्व करने का मुझे भी कुछ गौरव प्राप्त है। अभी मेरे मित्र श्री बाल्मीकि जी ने अपने वक्तव्य में इस बात का उल्लेख किया कि यह घरेलू कर्मचारी उन पिछड़े हुए इलाकों से आते हैं जो कि ज्यादातर सीमावर्ती क्षेत्रों में स्थित हैं, वे पहाड़ों के रहने वाले हैं, गढ़वाल, कुमाऊँ, हिमाचल प्रदेश, कागड़ा और नेपाल आदि इलाकों से वे आते हैं। तो क्या कारण है जो वहां से हजारों की तादाद में यह लोग दिल्ली और दूसरे गरम स्थानों में चले आते हैं? कौन सी ऐसी मजबूरी है जो उन्हें यहां ले आती है? उन पहाड़ी क्षेत्रों की दर्दनाक गरीबी सर्वविदित है और वह गरीबी प्रोत्साहित हो गयी है। मुझे इसके बारे में मालूम है कि इन पिछड़े अनेक वर्षों के अन्दर हमारी सरकार के प्रयत्नों के कारण उनकी दयनीय अवस्था में कुछ सुधार अवश्य हुआ है, कुछ उन्नति अवश्य हुई है। इससे इंकार नहीं किया जा सकता है। लेकिन जिस तेजी के साथ उन इलाकों का विकास किया जाना चाहिए, वहां का औद्योगीकरण किया जाना चाहिए और वहां की स्थिति में सुधार किया जाना चाहिए, वह नहीं हो पाया है। वहां की दर्दनाक गरीबी के कारण ही मां-बाप

## [श्री भक्त दर्शन]

मजबूरन अपने बच्चों को इधर नौकरी करने के वास्ते भेज देते हैं। जिस उम्र में कि उन्हें अपने बच्चों को स्कूल में पढ़ने भेजना चाहिए था मजबूरन अपना दिल मसोस कर उनको मैदानों में और शहरों में नौकरी करने के वास्ते भेजना पड़ता है। उन बच्चों के मां-बाप जब यहां की कहानियां सुनते हैं तो उनका दिल हिल जाता है लेकिन मजबूरी की वजह से उन्हें अपने बच्चों को यहीं शहरों में छोड़ देना पड़ता है।

श्रीमन्, श्री बाल्मीकि जी के विधेयक को मैं मही दिशा में एक कदम समझता हूं और उसके पीछे जो भावना है उसका मैं स्वागत करता हूं। वैसे बाल्मीकि जी का नाम लेते ही महापि बाल्मीकि का स्मरण हो आता है और मैं समझता हूं कि कम से कम इस विधेयक द्वारा जो उन्होंने पेश किया है इस सदन का ध्यान उन पिछड़े हुए पहाड़ी प्रदेशों की अवस्था की ओर जायगा जहां कि गरीबी की कहानियां सब जगह प्रसिद्ध हैं और जिनकी गरीबी के कथानक सब लोग जानते हैं। मुझे विश्वास है कि इस सदन में जब इस विधेयक पर विचार चल रहा है तो माननीय सदस्यों का ध्यान उन पिछड़े हुए और गरीब इलाकों की ओर अवश्य जायगा और वे सब सरकार पर इस बात के लिये जोर डालेंगे कि उनकी अवस्था को सुधारने के लिये कुछ न कुछ अवश्य किया जाय। इस समस्या के हल के लिये उन पर्वतीय क्षेत्रों की आर्थिक स्थिति में सुधार करना होगा। इस समस्या के हल का असली उपाय यह है कि हम उन इलाकों की गरीबी को दूर करे ताकि इस तरह की समस्याएँ पैदा न हों और कम वेतन पर और कम पारिश्रमिक पर शहरों में इतने सस्ते मजदूर उपलब्ध न हो सकें।

मेरे भाग्यवर मित्र श्री बाजपेयी जी ने यह कहा है कि अगर इस विधेयक की व्यवस्था कर दी गई तो पुलिस हमारे घरों के घन्दर

घुस सकती है और मदाखलत कर सकती है। इसके अलावा और भी कई कठिनाइयाँ पैदा हो सकती हैं। वेतन की दरों के निर्धारित करने के सम्बन्ध में भी कुछ मतभेद हो सकता है वह दूसरी कठिनाइयाँ भी हो सकती हैं। उसमें सुधार की अवश्य कुछ गुंजाइश है। पर अगर इस विधेयक पर विचार किया जाय तो कोई रास्ता निकल सकता है और वर्तमान धाराओं में संशोधन करके वह सुधार किया जा सकता है।

श्रीमन्, एक और आलोचना इस विधेयक की या इस प्रकार की जितनी मांगें या आन्दोलन हैं, उनके बारे में की जाती है और वह यह है कि अगर हम इस तरह की मांगें करते चले गये, वेतनों की दर बढ़ाते गये या और गुविधायें उनको दी गईं तो उनको जो रोजगार इस समय उपलब्ध है वह कम हो जायेगा नौकरी कम हो जायेगी और कुछ ही लोग नौकर रख सकेंगे और इससे बेरोजगारी बढ़ेगी। इसमें कुछ तथ्य जरूर हैं लेकिन मैं उसका स्वागत ही करूंगा। पश्चिमी देशों में सब इस बात को जानते हैं कि वहां पूरे समय के घरेलू कर्मचारी तो होते ही नहीं हैं। वह पार्ट टाइम वर्कर्स या प्रमिस्टेंट्स कहलाते हैं। एक आदमी झाड़ू दे जाता है, दूसरा बर्तन साफ करता है और एक तीसरा आदमी बाजार से सौदा बगैरह ला देता है। मैं समझता हूं कि यही कि यही व्यवस्था कुछ दिनों में हमारे देश में और लागू कर यहां दिल्ली में, जहां के नागरिक जीवन में हम सब लोग अभ्यस्त हैं, आने वाली है और आती जा रही है। मैं स्वयं इसको देख रहा हूं और हमारे बहुत से मंसू के सदस्य भी इस बात के साक्षी हैं कि पहले यहां लोग फुल टाइम कर्मचारी रखते थे वहां अब लोग अपने घरों में पार्ट टाइम आदमी रखने लगे हैं। लोग यहां पर महारियां रखने लगे हैं, बर्तन उनसे मंजवा लेते हैं और बाकी तमाम काम खुद

अपने आप कर लेते हैं। पर मैं यह जानते हुए भी कि इसका असर जरूर उन लोगों पर पड़ेगा, मैं चाहूंगा कि कोई न कोई इस तरीके का कदम उठाना चाहिए, ताकि अगर इस तरह का घरेलू नौकरी का धंधा उनके लिये बन्द भी होता है तो वे बेकार न रहें और हम उनको किन्हीं दूसरे उद्योग धंधों में खपा सकें। अतः सरकार को उनको उद्योगों व अन्य रोजगारों में लगाने की उचित व्यवस्था करनी पड़ेगी। यह मौभाग्य का विषय है कि हमारे जो श्रम मंत्री म्हादय हैं या जो श्रम मंत्रालय है वह रोजगार उपलब्ध करने का भी मंत्रालय है और मुझे आशा है कि हमारे मंत्री म्हादय इस बात के लिये सोचेंगे कि घरेलू नौकरी के अभाव में हमारे उन लोगों को जो मजदूर होकर अन्य उद्योग धंधों में नौकरी पाने के लिए रुक करना पड़ेगा, उनको उन उद्योग धंधों में खपाने के हेतु आवश्यक प्रशिक्षण आदि देंगे और उनको तरह तरह की दस्तकारियों को भी सिखाने की व्यवस्था की जायेगी।

श्रीमन, इस अवसर पर एक निवेदन मैं यह भी करना चाहता हूँ कि इंडियन लेबर कांफेंस की बैठक मद्रास में २७ जुलाई, १९५६ से लेकर २९ जुलाई, १९५६ तक हुई थी और उसकी रिपोर्ट यहां मदन में रखी गई और उस पर मेरे मित्र श्री बनर्जी के प्रस्ताव पर बहस भी हुई थी। पर मुझे यह देख कर बड़ा आश्चर्य हुआ कि चार अखिल भारतीय मजदूर संगठनों ने, साम्यवादी दल द्वारा प्रभावित जो हमारी आल इंडिया ट्रेड यूनियन कांग्रेस है और इसी तरीके से आई० एन० टी० यू० सी० (इंटक) वगैरह इन चारों मजदूर संगठनों ने सर्वसम्मति से यह तय किया कि इस तरीके का कानून बनना ही नहीं चाहिये। अब एक ओर तो वह मजदूरों की भलाई करने वाली संस्था होने का दावा करते हैं और दूसरी ओर अपने ही एक वर्ग के प्रति इस प्रकार उपेक्षा दिखलाना चाहते हैं, उसकी अवहेलना करना चाहते

हैं। मेरी समझ में यह बात नहीं आती है कि यहां पर तो रोज आये दिन मजदूरों की दुहाई दी जाती है और उनके पसीने के साथ में अपना खून तक बहा देने का दावा किया जाता है, लेकिन मजदूरों में वह घरेलू कर्म-चारियों की जो निम्नतम श्रेणी है उनके प्रति इस प्रकार की अवहेलना और उपेक्षा का व्यवहार किया जाता है। मैं इस अवसर पर चूँकि उनके बहुत से प्रतिनिधि यहां पर मौजूद हैं इस मदन के द्वारा यह अपील करना चाहता हूँ कि उनको यह देखना चाहिए कि मजदूरों का जो यह एक महत्वपूर्ण वर्ग है उसकी दशा सुधारने के हेतु भी उनकी ओर से कुछ प्रयत्न होना चाहिए। इंटक और ए० आई० टी० यू० सी० को अपनी शाखा संस्थाओं को आदेश देना चाहिये कि उनकी महायत्तय सूचना केन्द्र खोले जायें जहां पर कि मजदूरों के दुखों की सुनवाई हो। अगर उनको वेतन समय पर नहीं मिलता है या बिल्कुल नहीं मिलता है तो वह सूचना व महायत्तय-केन्द्र अपनी तरफ से मदद देकर उनके लिए वेतन वसूल करवाने में मदद करें। अगर कर्मचारी बीमार पड़ जाते हैं तो उनकी दवा दार का इंतजाम करें और इन केन्द्रों द्वारा उनको रोजगार दिलाने की भी व्यवस्था हो।

श्रीमन, मैं थोड़ा सा ही इस सम्बन्ध में और कहना चाहता हूँ। मद्रास में जो सम्मेलन हुआ था उसमें यह मिफारिश की गई थी कि एक पायलेट कार्यालय दिल्ली में खोला जाय। इसमें हमें बड़ी प्रसन्नता हुई थी और मजदूरों के जो प्रतिनिधि थे उनको भी यह सुन कर बड़ा संतोष हुआ था लेकिन मुझे यह कहते हुए बड़ा दुःख होता है कि हमने उससे जो आशाएँ की थी वह हमारी आशाएँ इस पायलेट केन्द्र से पूरी नहीं हुई।

मैंने ५ दिसम्बर, १९६० को दिल्ली में घरेलू कर्मचारियों के कल्याण केन्द्र की बाबत एक प्रश्न पूछा था। मैंने उस अतिरिक्त

## [श्री भक्त वर्धन]

प्रश्न संख्या १२६८ के खंड (ग) में मंत्री महोदय से यह पूछा था :—

(ग) परामर्शदात्री समिति और कल्याण पदाधिकारी की नियुक्ति से घरेलू नौकरों को कहां तक लाभ हुआ है ?

सरकार की ओर से उस के बारे में यह जवाब दिया गया था—

(ग) अभी इस बारे में कोई अन्दाजा नहीं लगाया जा सकता ।

अब मैं यह जानना चाहता हूँ कि यह दफ्तर है या एक मजाक है ? इस दफ्तर का कम से कम पहला काम तो यह होना चाहिये कि वह इस बात का पता लगाये कि यहां दिल्ली में कितने घरेलू मजदूर हैं, कितना वेतन कम से कम और अधिक से अधिक उन को मिलता है ? किन परिस्थितियों में वे काम करते हैं ? मेरा कहना यह है कि इस तरह के सर्वेक्षण का कार्य तो पूरा कर लेना चाहिये था । जो बुनियादी चीजें सर्वेक्षण की हैं वे तो कम से कम कर ली जानी चाहियें थीं ।

दूसरी बात यह है कि यह जो केन्द्र केन्द्र खोला गया है उसे घरेलू कर्मचारियों का विश्वास अभी तक प्राप्त नहीं हो पाया है । इसी कारण केवल २०० या २५० लोगों ने ही इस में अना नाम दर्ज कराया है । बड़ी मुश्किल से कोई १६-२० लोगों को रोजगार दिलाया गया है । अब यह दफ्तर सारे देश के लिये एक मॉडल दफ्तर बनने वाला है और जब इसी तरह के देशों में और केन्द्र खुलने वाले हों तो यह बहुत ही आवश्यक हो जाता है कि यह मजाक की चीज न रह जाये । इस को जरा एनरजाइज कीजिये, इस में प्राण भरिये और देखिये कि इस के द्वारा कुछ काम हो ।

श्री बाल्मीकी जी ने कहा है कि एक एडवाइजरी कमेटी बनाई गई है लेकिन उस में घरेलू कर्मचारियों का कोई प्रतिनिधि नहीं लिया गया है । मेरी समझ में नहीं आता है कि

जिन के लिये यह कमेटी बनाई गई है और दफ्तर खोला गया है उन का प्रतिनिधि क्यों उस में न लिया जाये और क्यों न उन की आवाज उठाने वाला उस में कोई हो । यह तर्क दिया जाता है कि जो आल इंडिया डोमेस्टिक वर्कर्स यूनियन है वह रजिस्टर्ड नहीं है । मैं इस तर्क को स्वीकार करता हूँ । लेकिन मुझे बताया गया है कि उस यूनियन ने कई बार प्रार्थना पत्र दिये हैं कि उस को रजिस्टर कर लिया जाये लेकिन हमारे श्रम मंत्रालय की ओर से उस को रजिस्टर नहीं किया गया है । एक तरफ तो रजिस्ट्रेशन करके स्वीकृति नहीं दी जाती है और दूसरी ओर उन के प्रतिनिधि इसलिये नहीं लिये जाते हैं कि वह रजिस्टर्ड नहीं हैं, तो यह समझ में आने वाली बात नहीं और न ही यह न्यायपूर्ण बात है । मैं चाहता हूँ कि इस ओर श्रम मंत्रालय का ध्यान जाये ।

दूसरी बात मैं यह कहना चाहता हूँ कि केवल दिल्ली में इस तरह का पायलट केन्द्र खोलने से लाभ नहीं होगा । अगर पायलट केन्द्र खोलने हैं तो हर राज्य में एक एक पायलट केन्द्र तो खोला जाये । कलकत्ता, बम्बई, मद्रास, लखनऊ इत्यादि बड़े बड़े सेंटर हैं जहां पर घरेलू कर्मचारी लाखों की संख्या में काम करते हैं । वहां पर भी अगर इस तरह के केन्द्र खोले जायें तो कुछ लाभ हो सकता है । अभी जैसा कि बाजपेयी जी ने कहा कि हर एक राज्य की परिस्थितियां भिन्न भिन्न हैं और वहां की परिस्थितियों का अध्ययन हो सके, इस के लिये यह आवश्यक है कि वहां पायलट केन्द्र खुलें । अगर ऐसा किया गया तभी सारे देश के लिये एक फार्मूला निकाला जा सकेगा ।

अन्त में मैं केवल इतना ही निवेदन करना चाहता हूँ कि हमारे श्रम मंत्री जी का सहानु-भूतिपूर्ण रवैया और उदार दृष्टिकोण सारे देश में प्रसिद्ध है और हमारे उप मंत्री महोदय की कर्तव्यपरायणता सारे देश में विख्यात है,

वे इन अभागों लोगों की तरफ भी ध्यान दें। साथ ही साथ मैं उन से पूछना चाहता हूँ कि वे अपने हृदय पर हाथ रख कर के सच्चाई के साथ क्या यह कह सकते हैं, क्या यह कबूल कर सकते हैं कि वे उस ढंग से अपने कर्तव्य का पालन कर रहे हैं, जिस ढंग से उनको करना चाहिये था। मुझे याद है वह दिन जब कि घरेलू कर्म-चारियों के एक नेता श्री इयाम सिंह ने हमारे सदन के सामने भूख हड़ताल कर रखी थी और यह सवाल यहां उठा था तो हमारे उपाध्यक्ष महोदय ने, अध्यक्ष महोदय की ओर से यह घोषणा की थी कि अब से उनको कोई बरत नहीं होगा, उन के सब दुःख दर्द दूर हो जायेंगे, वे निर्बिचल हो जायेंगे, और ऐसा कह कर उन्होंने एक प्रकार से सभी माननीय सदस्यों की भावनाओं का प्रतिनिधित्व किया था, और माननीय मंत्री जी ने भी आश्वासन दिया था कि वह जो कुछ इन के लिये कर सकते हैं करेंगे। अतः मैं उन्हीं से अपील करना चाहता हूँ कि वह सोचें उस बात को कि जो उस दिन इतना गम्भीर आश्वासन उन्होंने दिया था क्या वे लैट्टर एंड सिप्रिट में उस की पूरी तरह से पूर्ति कर सकें हैं, और अगर नहीं कर सकें हैं तो उन को चाहिये कि वह उस की पूर्ति करें।

अन्त में एक बात मैं इन मजदूरों से भी कहना चाहता हूँ। उन को अपना संयम और धैर्य नहीं छोड़ना चाहिये क्योंकि मैं इस सिद्धान्त में विश्वास करता हूँ "कबहुँ तो दीन दयाल के भनक पड़ेगी वान"। अगर वे संगठित रहें और शान्ति से अपना आन्दोलन चलाने रहें तो कभी न कभी हमारे शासकों का दिल जरूर पसीजेगा, और उन की आत्मा अवश्य जागृत होगी।

**Ch. Ranbir Singh (Rohtak):** As this is a very important Bill, the time may be extended.

**Shri Narayanankutty Memon (Mukandapuram):** Every Bill is important. The next Bill is more important than this Bill.

**श्री यादव नारायण जाधव (मालेगांव) :** यह जो विधेयक इस सदन के सामने आदरणीय सभासद ने रखा है और इस को रखने में जो उन का मकसद है, उस मकसद से मैं कुछ हद तक सहमत हूँ। आल इंडियन डोमेस्टिक वर्कर्स यूनियन जो है, उस ने एक छोटा सा पैम्पलेट शायी किया है और उस में इस ने कहा है कि डोमेस्टिक सर्वेंट्स की तादाद हिन्दुस्तान में दस करोड़ के करीब है। इस को देख कर मुझे बहुत आश्चर्य हुआ है।

**एक माननीय सदस्य :** इस में एक सिफर उड़ा दीजिये

**श्री यादव नारायण जाधव :** अगर हम हिन्दुस्तान के देहातों में रहने वालों की तादाद को देखें और शहरों में रहने वालों की को देखें तो यह जो घरेलू कर्मचारियों की तादाद दी गई है, वह बहुत बड़ा चूड़ा कर दी गई है, ऐसा मैं समझता हूँ।

अगर हम देश के हालात को देखें और फिर इस सवाल के ऊपर विचार करें तो इस बारे में विधेयक लाने से कुछ असर पड़ेगा, ऐसा मैं नहीं मानता हूँ। हमारे स्टैच्यूट बुक पर बहुत से कानून हैं जिन को जो हमारी एडमिनस्ट्रेशन है, जो हमारी गवर्नमेंट है, खोल कर के देखती नक नहीं है। उस की तरफ से उन कानूनों को इम्प्लेमेंट करने की कोशिश तक नहीं की जाती है। यही हाल इस बिल का अगर यह पास हो जाता है होने वाला है।

यह सही है कि यह जो सवाल है इसकी तरफ हमारे देश के काफी लोगों का ध्यान गया है। इस के ऊपर किताबें भी शायी हुई हैं। हमारे आदरणीय सदस्य श्री बाजपेयी जी जी ने जो एक बात कही है, उस से मैं अपनी सहमति प्रकट करना चाहता हूँ। उन्होंने कहा है कि इस संसद की एक ऐसी समिति बननी चाहिये जो इस प्रश्न पर कुछ मामूलात हमिल करने की कोशिश करे और इस सवाल को हल करने के लिये एक कक्षा देख के सामने और सरकार के सामने रखे।

## [श्री यादव नारायण जाधव]

हमें इस प्रश्न पर भी विचार करना होगा कि इन लोगों को जो लोग रखते हैं, उन की इनकम क्या है। हमारे सामने दिल्ली का नक्शा है। बाल्मीकी जी ने कहा और उन के भक्त श्री भक्त दर्शन जी ने भी कहा कि दिल्ली का जो नक्शा है जो कि हमारे सामने है यह दिल्ली का नक्शा सब जगह नहीं है, सब जगह दिल्ली नहीं है। जो सर्व-साधारण आदमी हैं जिन की आमदनी कम होती है उन में जो मियां और बीबी होते हैं वे दोनों ही अगर काम पर नहीं जाते हैं तो उन का संसार चल नहीं सकता है। जब दोनों को मजदूर होकर काम पर जाना पड़ता है तो उनके लिए यह भी लाजिमी हो जाता है कि वे किसी घरेलू मजदूर को रखें। ऐसी सूरत में अगर घरेलू कर्मचारियों के लिये कोई वेतन श्रेणी तय की जाती है और उसके ऊपर अमल करने की कोशिश की जाती है, तो यह किस हद तक कामयाब हो सकता है, इसे हमें देखना पड़ेगा। जहां तक घरेलू कर्मचारियों के लिये सुविधायें मुहैया करने की बात है, वे उनको जरूर मिलनी चाहिये। इस बारे में मैं एक बात खास तौर पर यह कहना चाहता हूं कि यह स्टेट की जिम्मेदारी है कि जिन लोगों की आमदनी, जिन घरेलू कर्मचारियों की आमदनी, पचास रुपये या या चालीस रुपये माहवार से कम है, उनकी जो मूलभूत गंज है, उसको वह पूरा करे। हमारे देश में जिन लोगों की आमदनी सौ रुपया या दो सौ रुपया माहवार है, उनके रोजमर्रा के जो खर्च है उनको पूरा करने के बाद उनके पास क्या बच रहता है और घरेलू कर्मचारियों की जो आवश्यकताएं हैं उनकी पूर्ति क्या वे कर सकते हैं, यह सोचने की बात है। मुझे बताया गया है कि इनको खाना दिया जाता है और उसके बाद पैसा दिया जाता है। जहां पर एक घर में पांच छः लोगों के लिए खाना बनता है वहां उस में एक आदमी के लिए खाना निकालना कोई मुश्किल बात नहीं है और खाना वे दे सकते हैं। लेकिन जब कैश

पैसा देने की बात आती है तो बहुत मुश्किल हो जाता है। अगर यह बिल पास हो जाता है और एक खास रकम उनको माहवार देने की बात तय हो जाती है तो क्या वे दे सकेंगे, यह यह सोचने की बात है।

कहा गया है कि उनको मैडीकल रिलीफ मिलना चाहिये। मैं मानता हूं कि उनको मिलना चाहिये। आपने कंट्रीब्यूटरी हेल्थ स्कीम चालू की है। उसके लिये आप मेम्बरज से और गवर्नमेंट सर्वेंट्स से पैसा लेते हैं। हमारे कई माननीय सदस्यों की फैमिलीज यहां नहीं होती हैं और कई मेम्बर तो ऐसे होते हैं जो कभी बीमार नहीं पड़ते हैं, लेकिन पैसा उनको देना पड़ता है। मैं कहूंगा कि मेम्बरज से और गवर्नमेंट सर्वेंट्स से जिन में कि कुछ हाईली पेड भी हैं, जब पैसा लिया जाता है और उनकी फैमिलीज को भी यह सहूलियत दी जाती है तो इसका लाभ उनके जो सर्वेंट्स हैं, उनको भी मिलना चाहिये। मैं चाहता हूं कि हमारे मंत्री महोदय इस और ध्यान दें। स्टेट्स में भी ऐसा हो सकता है।

जहां तक काम के घंटों का सम्बन्ध है, घरेलू मजदूरों का प्रश्न ऐसा है कि उनके काम का समय मुकर्रर कर देना एक मुश्किल सी बात होगी। क्योंकि दो घंटे काम करने के बाद उनको पांच छः घंटे छुट्टी मिलनी है, फिर दो घंटे काम करना पड़ता है, फिर दो घंटे काम करना पड़ता है। मैं नहीं समझता कि घरेलू काम करने वाले आदमी को सब मिला कर आठ घंटे से ज्यादा काम करना पड़ता है। यहां यह बात भी कही गई है कि उनको बीस बीस घंटे काम करना पड़ता है, ऐसी बातें रखने से हम जो कैश गवर्नमेंट के सामने रखना चाहते हैं उसका कोई अंतर होने वाला नहीं है।

हमारे कुछ लोगों ने कहा कि हमारे इस तरह के विधेयक को लाने का फल क्या हुआ? मैं कहना चाहता हूं कि इन सेवाओं की तरफ गवर्नमेंट का ध्यान आकर्षित हो, इसके लिये

इस तरह के विधेयक लाना जरूरी है। हमारी गवर्नमेंट ऐसी है कि जब तक उसके सामने कोई बात कही न जाय तब तक वह जिन्दा नहीं होती है। उन्होंने कहा कि यह गवर्नमेंट ऐसी है कि उस पर किसी बात का असर नहीं होता। मैंने देखा है कि कोई कोई सवाल ऐसे होते हैं कि जब माननीय मेम्बर यहां उस पर ठोसा लगाते हैं तभी गवर्नमेंट उन की तरफ देखती है। यहां पर हर आर्गनाइजेशन अपनी मांग रखते हैं। जो हमारे सही हालात हैं उनका नक्शा गवर्नमेंट के सामने हमें रखना चाहिये और गवर्नमेंट को जल्दी से जल्दी उन पर कार्रवाई करनी चाहिये। पाइलट आफिसेज के बारे में जो हमारे माननीय सदस्य ने कहा है या इस तरह की जो दूसरी बातें होती हैं, उनकी तरफ गवर्नमेंट को जल्दी से जल्दी ध्यान देना चाहिये और जो हमारे मजदूर हैं उनके लिये आज की हालत में वह क्या कर सकती है इस को देखने की कोशिश करनी चाहिये। अगर गवर्नमेंट ऐसा करे तो बहुत अच्छा है।

श्री नवल प्रभाकर (बाह्य दिल्ली-रक्षित अनुसूचित जातियां) . सभापति महोदय, सरकार ने जो समिति बनाई है इन घरेलू कर्मचारियों के लिये, मुझे यह कहना पड़ता है और सदन को सूचित करना पड़ता है कि उसका एक सदस्य मैं भी हूँ। स्पष्ट है कि जो समिति बनाई गई थी उस के अन्दर सरकार का इरादा यह था कि इस बात की छानबीन की जाय कि घरेलू कर्मचारियों की दिक्कतें क्या हैं और इसका निर्णय किया जाय कि सरकार उनके लिये क्या कार्रवाई कर सकती है जैसा कि मेरे मित्र श्री भक्त दर्शन जी ने कहा कि एक कार्यालय है। उस कार्यालय में ही एम्प्लायमेंट एक्सचेंज का एक केन्द्र नई दिल्ली में है। उस केन्द्र के साथ एक इन्स-पेक्टर को नियुक्त कर दिया गया है कि तुम देखो कि इसमें सरकार को क्या करना है। इसके प्रतिरिक्त एक एम्प्लायमेंट अधिकारी का पाट टाइम नियुक्त कर दिया गया कि वह

अपने काम के साथ इस काम को भी देखे। जो कमेटी बनाई गई उसमें तीन सदस्यों को रखा गया। उस में मेरे अलावा दो और साथी हैं। उस कमेटी की कई मीटिंगें हुईं और और सब सदस्यों ने अपने अपने अलग अलग सुझाव दिये। जैसा भक्त दर्शन जी ने कहा कि जो दूसरी पाटियां हैं वे दूसरे मजदूरों के हितों के सम्बन्ध में तो बात करते हैं, किन्तु जहां घरेलू कर्मचारियों के सम्बन्ध में कोई बात आती है, वहां वे मौन हो जाते हैं। यह बात सत्य है, लेकिन इसका जो सबसे बड़ा कारण मालूम हुआ वह यह है कि किसी कारखाने में जो लोग काम करते हैं वे बालिग होते हैं और उसके मुताबिक उनको अधिकार होते हैं। जो हमारे घरेलू कर्मचारी हैं जब उनको मदद पाने का अधिकार प्राप्त होता है तब तक वे अपने काम को छोड़ गये होते हैं। इसलिये जितने भी राजनीतिक दल हैं, चाहे वे मजदूरों के हितों के लिये कितने ही हमदर्द होते हों, वे यह जानते हैं कि उनके पास वोट नहीं है, और चूंकि उनके पास वोट नहीं, इसलिये उन के हितों के बारे में सोचना क्या? मैं बहुत स्पष्ट शब्दों में कहना चाहता हूँ कि अगर आज घरेलू कर्मचारियों के पास वोट के अधिकार होते तो उन की तरफ राजनीतिक दल अवश्य पहुंच जाते।

मैं जब इस समिति का सदस्य बना, तो मैंने इसमें निजी रूप से काफी जांच पड़ताल की। मैंने उसमें देखा कि बहुत से परिवार तो ऐसे हैं जिनमें उनके और उनके घरेलू कर्मचारी के सम्बन्ध ऐसे हैं जैसे पिता और पुत्र के सम्बन्ध होते हैं। वे उनको अपनी मल्लान की तरह से रखते हैं, पालते हैं, उन के मुख दुःख का खयाल रखते हैं। फिर भी थोड़ा अन्तर जरूर होता है। बहुत से परिवारों में मैंने यह भी देखा कि जब शाम के समय स्वामी आते हैं तो उन कर्मचारियों को भी वे बुला लेते हैं और पढ़ाते हैं। मुझे यह भी मालूम हुआ कि कुछ परिवार ऐसे हैं जिन्होंने अपने घरेलू कर्मचारी को मैट्रिक पास करवा कर और जगह

## [श्री नवल प्रभाकर]

नौकर करवा दिया। यह सब सही है किन्तु ऐसे भी बहुत से परिवार हैं जो अपने घरेलू कर्मचारी को इन्सान नहीं समझते, उसके लिये यह भी नहीं सोचा जाता कि वह कब उठेगा, कब खाना खायेगा और कब सोयेगा। यह प्रश्न हमारे सामने है। यह नहीं सोचा जाता कि वह निरीह बच्चा जिसकी उम्र चौदह, पन्द्रह या सोलह साल की है, उसकी क्या हालत होगी। जरा कल्पना कीजिये, सबेरे चार या पांच बजे उस को उठना पड़ता है, उसके बाद उस को घर की सफाई करनी होती है, जब घर के लोग उठते हैं तो उनको घर साफ मिलना चाहिये, उसके बाद जैसे जैसे घर के लोगों की जीवनचर्या शुरू होती है, वैसे वैसे उसका काम भी होता है। चाय के बर्तन मांजने से लेकर खाने के बर्तन मांजने तक। चाय बनाना भी उसी में शामिल है और दूसरे काम शामिल हैं। अगर इस बीच में बच्चा रोने लगा तो मां निदेश दे देती है कि बच्चा खिलाओ। जब बाबू साहब सुबह दफ्तर चले जाते हैं तो उसके बाद और घर के काम शुरू हो जाते हैं। और इस तरह से जो जीवन सबेरे चार या पांच बजे शुरू होता है वह रात के दस बजे तक चलता रहता है। रात को जब सब लोग सो जाते हैं उसके बाद भी अगर बच्चा कहीं रो पड़ा जाग कर तो गृहणी कर्मचारी को जगा कर कहती है कि इस बच्चे को खिलाओ। आखिर वह कर्मचारी भी तो बच्चा है, उसकी अवस्था का आप भ्रन्दाजा लगाइये, वह भी तो सोना चाहता है। आराम करना चाहता है। लेकिन उसके काम के घंटे कोई निश्चित नहीं हैं। वह ऊँघता दिखाई देता है तो उसके दो घप्पड़ भी मार दिये जाते हैं।

कर्मचारियों की स्थिति पर कमेटी में बहुत बाद-बिबाद हुआ, इस पर सोचा गया। एक सुझाव आया उसके अन्तर कि कुछ परिचय पत्र बनाये जायें और हर कर्मचारी को रजिस्टर किया जाय।। घरेलू कर्मचारियों को

रजिस्टर कर के उसके पिछले पते वगैरह सब लिखे जायें क्योंकि भ्राम तौर पर यह देखा गया है कि उन में से चोर भी होते हैं, सामान भी उठा ले जाते हैं, भाग भी जाते हैं और उनका कोई पता नहीं लगता है। इसका विरोध भी किया गया कि साहब, उनसे परिचय पत्र क्यों लिया जाय। जो लोग उनको नौकर रखते हैं उन का यह कार्य होना चाहिये कि वे बतलायें कि हमारे यहां एक कर्मचारी है जिसका भ्रमुख भ्रमुख नाम है, और इस इस जगह का रहने वाला है, और उनको जाकर रजिस्टर करायें। तो यह बात भी नहीं मानी गई। इस तरह से बहुत सी बातें वहां सोची गईं, बहुत से पहलुओं पर विचार किया गया, किन्तु किसी निर्णय पर नहीं पहुंचा गया। मैं चाहता हूं कि सरकार और यह संसद् एक स्पष्ट निदेश दे ताकि उन निदेशों के प्रकाश में जो समिति सरकार ने ५ आई है वह कार्य कर सके। जब तक यहां से कोई निदेश नहीं जायेगा तब तक वह समिति काम करने में, मेरे खयाल में, अपने को निकम्मा पा रही है। मैं चाहता हूं कि इस समिति को और अधिकार दिये जायें। वे लोग मुहल्लों में जाकर उनकी अवस्था को देखें और अलग अलग शहरों का चूँकि अलग अलग स्टैंडर्ड होता है इसलिये उन जगहों की व्यवस्था को भी देखें।

जो वेतन मान बाल्मीकि जी ने रक्खा है उसके सम्बन्ध में मैं कहना चाहता हूं कि एक साधारण परिवार के लिये घरेलू कर्मचारियों को रखना बहुत कठिन है। लेकिन यह भी सही है कि घरेलू कर्मचारी वही रख सकते हैं जो सुख और आराम चाहते हैं। उनकी पत्नी जो होती है वे चूल्हा नहीं फूंक सकती हैं, धांगीठी नहीं जसा सकती हैं, बरतन नहीं मांज सकती हैं, कपड़े नहीं धो सकती हैं। इन के अलावा और भी बहुत से काम होते हैं। जब वे समझती हैं उन को घर में आराम करना है, तो उन को कुछ न कुछ कुर्बानी करनी ही होती है।

मैं संसद का सदस्य हूँ लेकिन मैं ने अपने घर में कोई नौकर नहीं रखा है। हम अपना काम स्वयं करते हैं। इसी तरह से जो लोग समझते हैं कि हम नौकर का बोझा नहीं उठा सकते उनको उसका बोझा नहीं उठाना चाहिये। लेकिन बहुत से लोग ऐसे हैं जो अपने यहां नौकर रखना चाहते हैं और उसका बोझा उठाना चाहते हैं। दूसरे देशों के आंकड़े हमारे सामने मौजूद हैं। उनमें घरेलू कर्मचारियों के तन निश्चित हैं, उनके काम के घंटे निश्चित हैं और उनकी सुख सुविधा का पूरा ध्यान रखा जाता है। यही व्यवस्था यहां भी होनी चाहिए। हमें इस तरफ ध्यान देना चाहिए। मैं कहता हूँ कि आप और सब बापों को छोड़ दीजिये, केवल इस दृष्टि से इस सदन पर विचार कीजिये कि आपकी श्रीलाद हो और उसकी ऐसी हालत आ जाये कि उसको घरेलू कर्मचारी का काम करना पड़े, तो आप उसके लिए कितनी देर का काम चाहेंगे। तो मेरा कहना है कि इस पर आप मानवता के विचार से सोचें, इस विचार से सोचें कि घरेलू कर्मचारी भी हमारे देश के बच्चे हैं, और उनको अपने बच्चों की दृष्टि में हमको देखना चाहिए। हम को यह नहीं सोचना चाहिए कि हम अलग हैं और कोई अलग लोग हैं जैसे कि कुछ मैदान के भाई सोचते हैं कि यह पहाड़ का है यह मुंड है। इस प्रकार का खयाल नहीं करना चाहिए। अगर पहाड़ का है तो क्या वह देश का नहीं है। अगर आज वह बिगड़ता है तो देश का एक नागरिक बिगड़ता है, देश का एक भावी नागरिक बिगड़ता है। मैं यह भी जानता हूँ कि जिन घरों में शराब या सिगरेट पी जाती है उस घर के कर्मचारियों में भी वह बुराई आ जाती है और उस परिवार में रहने से उसको यह नुकसान भी होता है। मैं चाहता हूँ कि संसद इस प्रश्न पर स्पष्ट निर्देश दे।

श्री भक्त वल्लभ जी ने कहा कि जो समिति बनी हुई है उसमें घरेलू कर्मचारियों का कोई

प्रतिनिधि नहीं है। मैं भी चाहता हूँ कि उनका कोई प्रतिनिधि उसमें हो, लेकिन उनकी यूनियन रजिस्टर्ड नहीं है। मैं ने मालूम करने की कोशिश की क्यों रजिस्टर्ड नहीं है, तो पता चला कि उसके कायदे कानून ही ठीक नहीं हैं। मैं ने कोशिश की कि उसको रजिस्टर्ड कराया जाये लेकिन इस दिशा में अभी तक कोई सफलता नहीं मिली है। मैं चाहता हूँ कि उनकी यूनियन रजिस्टर्ड हो और उनका एक प्रतिनिधि उस समिति पर हो, और संसद भी इस बात को सोच कर एक निर्देश दे कि वे भी इन्सान हैं और उनके साथ मानवता का व्यवहार होना चाहिए। हमें स प्रश्न पर मानवता की दृष्टि से विचार करना चाहिए।

Shri J. B. S. Bist (Almora): Mr. Chairman, Sir, I think the object of this Bill is laudable, as far as it tries to bring good circumstances in the lives of people who are working as domestic servants. How far this kind of legislation is going to actually help.

Shri S. M. Banerjee: Why don't you move an amendment?

Shri J. B. S. Bist: I do not know how far the amendment is going to help also. When the structure cannot help, amendments do not arise at all. I believe—and it is a fact—that most of these domestic servants hail from the hills. Why? It is because the economy there does not provide them with sufficient means of living, so that they may pass their lives in their homes and need not seek employment outside. The question seems to be absolutely and purely economical. The remedy lies, in raising the economy of those areas from where these people come, that they may find themselves so placed that it would not be necessary for them to be forced to go out and take up the job of domestic servants.

As I was saying the other day in a speech of mine, the economy of the hills do need reorientation. But even in the hills there are certain portions from where you do not get domestic servants. What I say is that we have

[Shri J. B. S. Bist]

first, if we are to solve the problem finally, to tackle the problem which lies at the root. The remedy seems to be to introduce in those areas in the hills small industries. They need be of a simple type, and should be able to absorb people into them so that the condition of the people there would be improved.

I may submit that even in advanced countries there may be domestic servants; but they are not of that category to which our domestic servants belong. The reason is that the standard of economy there is higher and in those circumstances the lives of the domestic servants would also be better. Similarly, people who employ them are also of that type that they behave themselves in such a manner as not to hurt them. So, these conditions do not exist there.

I do not think it is the intention of any hon. Member of this House that these domestic servants should be a living institution and continue to exist. That is not what will solve the problem. How is any law that is passed going to be enforced? Who is going to be the witness in that house. A quarrel takes place between the domestic servant and the housewife. As the previous speaker said, some of them are very good; some masters also are very good. Then the domestic servant quarrels with the wife of the person. What is going to happen? He will be creating another trouble. How will all this be managed? In spite of our good desires, which we are trying to express in this House, these are difficult problems. I feel that it is high time that Government should raise the economy of those areas from where most of these people come, so that the root of the problem is tackled and domestic servants become rarer and rarer.

In advanced countries I think most people use these mechanical gadgets. And with the increased progress of industry, I think we would also begin to follow suit. When people get used to these mechanical gadgets, domestic servants would not be needed. But

then, we have these people still to deal with. If they will not be engaged as domestic servants, what is going to happen to them? I personally feel that this is a problem where you have to deal with quite a huge group, who because of the lack of means of livelihood in the hills and because they are poor, are doing this job now. And unless we tackle the root cause, as I have submitted earlier, there will not be the desired result. We have to do something else. We have to place them somewhere, or we have to take them somewhere else. Something has to be done. Otherwise, they are all citizens of India, and if they go astray it will be a loss to the nation also.

With all my good wishes, I still doubt how far this piece of legislation will be able to help in solving the actual difficulties of these people. I only wish that a solution could be found by Government by which everything could be settled in a more pleasant way.

**Shri D. C. Sharma** (Gurdaspur): Mr. Chairman, I congratulate Shri Balmiki for bringing forward this Bill. He has been interesting himself in the lot of the scavengers so far, and I am very happy that he has now taken up the cause of the domestic servants also.

**Ch. Ranbir Singh:** Progress!

**Shri D. C. Sharma:** I hope that with his continued interest in both these problems the situation for these two types of workers will improve.

I would also make an appeal to the hon. Minister of Labour. I would ask him not to treat this Bill as an ordinary piece of legislation brought forward by a private Member which has to be treated with a big 'No'. I would request him to accept at least the substance and spirit of this Bill and to find out ways and means of implementing the fine points that are given in this Bill.

**Shri Narayanankutty Menon:** What are those points?

**Shri D. C. Sharma:** My third point is this. Two or three days ago we were discussing the Shop Assistants Bill. If we have given every worker a chance in Free India, the landless labourer, the agricultural worker, the factory worker, the shop assistant, if we have given all these different types of workers a chance in Free India, there is no reason why a domestic worker should also not be treated in the same way as those workers.

It will be said that this is a question which has got something to do with the States. I know that that will be one of the things which will be put forward against this Bill. Well, then, why do we have the Minister of Health here and why does he give model Bills for local self-government or why does he give us model Bills for other things?

**An Hon. Member:** It is a concurrent subject.

**Shri D. C. Sharma:** What I mean to say is this: where there is a will, there is a way. I think this Bill should be treated with that amount of seriousness which it deserves and that, if nothing else, the Labour Minister should bring forward a model Bill which should be forwarded to the States for implementation. But the initiative for it must come from the Central Ministry.

Of course, I visualise a day when there will be no domestic servants left in India. That day is not far off, and I am sure that that will be a very happy day for my country. There was a time when the domestic servants in my part of the country used to come from a particular district. They all belonged to that district or districts. Two or three districts were the reservoirs for the supply of these domestic servants. But now I find that no servants come from those districts.

**Shri Hem Raj (Kangra):** Why not? They are still there.

**Shri D. C. Sharma:** The reason is that in those districts we have put up

big projects, and all those persons who were available for this kind of work now go and work in those projects. Therefore we do not find many domestic servants from those districts. Therefore, the best way of solving this problem is that in the hilly parts of my country, from which most of these persons come, we should put up some fine and big projects, so that all the available labour that has to come to Delhi or other cities in India for finding this kind of employment finds employment there itself. That is the positive approach to this problem.

But so long as domestic servants are there I think we have got to do something for them. What are we going to do? In this Bill I find that there are only three provisions for them. There is the provision of registration, there is provision of inspection, and there is provision made for their salary, leave and other things. I believe that registration is a good thing. But I think that this automatic inspection by persons of the rank of Sub-Inspector of Police is not going to be very helpful. I think this will be a kind of nuisance for those persons who employ the servants and also mean a lot of trouble for the domestic servants. Anyhow, this kind of inspection may be kept, but it should be done at a level higher than what is provided for in this Bill. So far as the wages provided in the Bill are concerned, they are reasonable wages. Perhaps some people will say that they are not normal and fair wages. I think that so far as wages are concerned and so far as the rules for leave and other things are concerned, they should also be put on a more stable basis than what they are at present. For instance, I find that there are some households where the servants do not get employment only for the sake of wages: they are given clothes also, they are given other amenities also. All these things have got to be looked into.

I met some of the members of the Union of Domestic Workers to which a reference has been made by some of

[Shri D. C. Sharma]

my hon. friends, and they have detailed their grievances to me. They have said to me that they do not get their salaries regularly; that they do not have proper shelter, at least in winter; that they have to do work which is very excessive having regard to their physical strength. They have told me all these things. All these things have got to be looked into and we have to see to it that these domestic servants also have that kind of leave which others have.

I know what the fate of this Bill is going to be. I know that very well. In this connection I wish to say that so far as employment is concerned, the advisory body which is there should be made a legal advisory body. This kind of advisory body is no good to anybody. It is not good to those who serve on it or to those for whom it is meant. Therefore the advisory body should be reconstituted, and I think the sooner it is done the better. But one thing I want to point out to the hon. Minister . . .

**Shri Narayanankutty Menon:** Where is the hon. Minister?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** I am sitting here.

**Shri Narayanankutty Menon:** The Minister of Steel has taken the Labour portfolio?

**Shri D. C. Sharma:** So far as the spirit of the Bill is concerned it has already been conceded by everybody. A gentleman went on strike and there were questions in this House, and something was done as a result of that. So the spirit of the Bill has already been accepted. It was as a result of the hunger strike of Shri Syam Singh that the advisory committee was formed. He has already done some good work for these persons and he has already got the Government to accept that spirit. What is now required is to give legislative garb to that spirit, and I hope that the

hon. Minister will not come forward and say "I request Shri Balmiki to withdraw this Bill", and that the hon. Member will have to withdraw the Bill. He may withdraw the Bill. But what I say is that the spirit and substance of the Bill should be accepted by the Government. And Government should bring forward a Bill which is more comprehensive and which enshrines the spirit of the Bill of Shri Balmiki. I believe that this is a Bill which concerns lakhs of persons, and which concerns most of the homes in Delhi and most of the homes in my country. I think that the Bill concerns most of those persons whose income is more than Rs. 300 or Rs. 400 a month. This Bill is going to be a very sweeping legislation so far as these persons are concerned. I, therefore urge that this Bill should be treated with the utmost care and attention, and something should be done to improve the lot of domestic servants.

16 hrs.

**श्री राम सेवक यादव (बाराबंकी) :** सभापति महोदय, जो विधेयक सदन के सम्मुख प्रस्तुत है मैं उस के पीछे जो भावना उस से पूर्णतया सहमत हूँ और उस का स्वागत करता हूँ। इस विधेयक के पक्ष में दो तरह के लोग बोलें। कुछ तो चाहते हैं विधेयक में कर्मचारियों के रजिस्ट्रेशन उनकी छुट्टियों और उन की तन्वाह आदि के सम्बन्ध में सीधी व्यवस्था कर दी जाय और स के लिये कोई कानून बना दिया जाय। कुछ इस तरह के लोग हैं जो स विधेयक की भावना से सहमत हैं, और घर के कर्मचारियों की जो दयनीय दशा है उस में वे सुधार चाहते हैं, उन की परिस्थितियों से प्रभावित हैं किन्तु व्यवहारिकताओं के नाम पर, यह सम्भव नहीं है, इस के नाम पर, चाहते हैं कि तरह का विधेयक पास न हो। साथ ही उन का यह भी कहना है कि अगर कानून बन जाय लेकिन

उसको लागू न किया जाय तो उसके बनाने का कोई मकसद नहीं है। मैं इस सम्बन्ध में यह कहना चाहता हूँ कि जो लोग इस विधेयक की भावना से प्रभावित हैं और उसकी कद्र करते हैं लेकिन साथ ही साथ चाहते हैं कि उन की भावनाओं को का निमित्त न किया जाय, उन के अनुसार कोई कानूनी व्यवस्था न हो, मैं ऐसे व्यक्तियों को उसी कोटि में रखता हूँ जो इस विधेयक का विरोध करते हैं। जहाँ तक व्यवहारिकता और विधेयक को लागू करने का प्रश्न है, मैं कहना चाहूँगा कि अगर सरकार चाहे तो वह इस को लागू कर सकती है। जिस कानून को लागू करने के लिये सरकार तत्पर होती है वह लागू हो जाया करता है, और जिस पर वह तत्पर नहीं होती वह लागू नहीं होता। मैं यही कहूँगा अगर सरकार चाहती है कि ऐसा कानून बने तो वह बना भी सकती है और उस को लागू भी कर सकती है।

जहाँ तक माननीय श्री शर्मा जी ने यह कहा कि श्री बाल्मीकी इस विधेयक को वापस ले लें और सरकार कोई कानून बना रही है, मैं भी इस से सहमत हूँ। अगर हमारे मंत्री महोदय आश्वासन देते हैं कि वह सम्बन्ध में कोई ऐसा विधेयक रखेंगे जिस में इन सभी बातों का समावेश होगा और इस समस्या का हल होगा, तो मैं भी इस मुद्दा को पसन्द करूँगा और मैं भी माननीय प्रस्तावक महोदय से निवेदन करूँगा कि वे इस को वापस ले लें। लेकिन शर्त यही है कि माननीय मंत्री महोदय कोई दूसरा विधेयक लाने का आश्वामन दें।

मैं जब दूसरे विधेयक को लाने की बात करता हूँ और माननीय सदस्य मे उस को वापस लेने की बात करता हूँ तो इस दृष्टिकोण से कि इस विधेयक में कई बातें त्रुटिपूर्ण हैं, कई खराबियाँ उन में हैं। माननीय सदस्य ने एक व्यवस्था यह रखी है कि घरेलू कर्मचारियों का वेतन ३० और ४० ६० मासिक हो। लेकिन घरेलू कर्मचारियों को

भोजन आदि की जो सुविधा मिलती है उस का इस में कोई जिक्र नहीं है। इस का मतलब यह भी हो सकता है कि कर्मचारियों को ३० या ४० ६० वेतन तो मिले, लेकिन भोजन न मिले। अगर उन को भोजन नहीं मिला तो यह विधेयक जिन लोगों के लिये बनाया जा रहा है उन को कुछ देने के बजाय उन से कुछ ले ही लेगा। इस लिये इस की व्यवस्था इस विधेयक में होनी चाहिये।

दूसरी चीज यह है कि इस विधेयक में पंजीकरण की बात रखी गई है। उस के अन्तर्गत यह है कि जो पंजीकरण न कराये उस को २५ ६० जुर्माना देना होगा। लेकिन इस विधेयक में कुछ ऐसी विशेष धाराएँ हैं जिन की ओर मैं ध्यान दिलाना चाहता हूँ। इस में धारा ६ है जिस में सप्ताह में २४ बंटों के लिये छुट्टी की व्यवस्था है और साथ में यह भी है कि वेतन में कटौती न हो। इस छुट्टी की धारा के साथ ही धारा १० में यह दिया गया है कि हर महीने के प्रथम सप्ताह में कर्मचारी का वेतन मिल जाय तथा नौकरी से हटाने के बाद तीन दिन के अन्दर उस का वेतन मिल जाय। इसी तरह से धारा ११ उन की न्यूनतम तन्हाह के बारे में है। लेकिन अगर इन उद्देश्यों का इम्प्लीमेंटेशन नहीं होगा नौकर रखने वाले उन का पालन नहीं करेंगे, तो उस के लिये कौन सी व्यवस्था है? उन पर घमेल न होने पर क्या होगा इस का हमें पता नहीं। जहाँ तक पंजीकरण का प्रश्न है, उस के लिये तो २५ ६० जुर्माने की बात लिख दी, अगर उस का पालन न किया जाय, जिन का इतना महत्त्व नहीं है, लेकिन अगर नौकर रखने वाला ३० या ४० ६० तन्हाह के न दे, हफ्ते के अन्दर एक छुट्टी न दे, दस बंटों से अधिक काम ले, तो ऐसे मालिक के खिलाफ कार्रवाई करने के लिये इस विधेयक में कोई व्यवस्था नहीं है।

एक माननीय सदस्य : रख दीजिये।

श्री राम लेखक दावब : होनी चाहिये। इसलिये मैं कहता हूँ कि इस विधेयक को पास

[श्री रामसेवक यादव]

करने में कठिनाइयां हैं। जब तक विधेयक में इस तरह की बातों की व्यवस्था नहीं होती तब तक इस विधेयक के पास होने पर भी माननीय सदस्य की मंशा पूरी नहीं होती। मैं जानता हूँ कि मतदान इस विधेयक पर नहीं होने जा रहा है क्योंकि माननीय प्रस्तावक महोदय मंत्री महोदय की आंख से आंख लगाये रहेंगे, जैसे ही उन को इशारा मिलेगा, वे यह कह कर बैठ जायेंगे कि वे इस को वापस लेते हैं।

श्री बाजपेयी : नहीं वे वापस नहीं लेंगे।

श्री रामसेवक यादव : लेकिन मेरा मंत्री महोदय से यह निवेदन है कि वे सदन को इस बात का आश्वासन दें कि वे घरेलू कर्मचारियों के वास्ते, जिन की हालत बहुत खराब है, एक विधेयक लायेंगे। बिना विधेयक आये हुए घरेलू मजदूरों का हित नहीं हो सकता है। यह बात सही है कि हम ने ऐसे मालिकों को भी देखा है जो अपने मजदूरों के साथ बहुत अच्छा बर्ताव करते हैं, अच्छा खाना भी खिलाते हैं, अच्छे कपड़े पहनाते हैं लेकिन यह विधेयक उन मालिकों के लिये है जो अपने नौकरों के साथ बहुत बुरा और कहीं कहीं भ्रमानुषिक व्यवहार करते हैं। यह जो विधेयक आयेगा वह उन को रोकने के लिये होगा। मंत्री महोदय ऐसा विधेयक लायें जिस में इस विधेयक की जो खामियां हैं वे दूर हो जायें। आज सारे देश में लाखों की संख्या में घरेलू मजदूर हैं उन की दयनीय दशा है। कभी कोई नौकर रखा और फौरन ही उस को निकाल दिया, कभी कभी ऐसा होता है कि तन्हाह नहीं दी जाती है, उन का सामान मालिक लोग ले लेते हैं और वे चिल्लाते रहते हैं। उन को सुविधा तो नहीं मिलती लेकिन असुविधाओं का सामना करना पड़ता है। उन की स्थिति में सुधार हो। समस्या के जो भी पहलू हैं, नौकरी और तन्हाह से लेकर खुद की भावि तथा के लिये माननीय मंत्री विधेयक लायें और इस समस्या को समूल नष्ट करें।

कुछ सदस्यों ने यह भी कहा कि आगे चल कर यह समस्या रद्दी ही नहीं, वह समय जल्दी आने वाला है। लेकिन मैं श्री बाजपेयी के इस विचार से सहमत हूँ कि वह समय जल्दी नहीं आयेगा। इस समय तो वह आने वाला है ही नहीं। मुझे तो यह भी नहीं मालूम है कि वह समय आयेगा भी या नहीं। आये या न आये, लेकिन जो समस्या इस वक्त है उस का समाधान हम को करना है। हमारे यहां अगर इस समस्या का समाधान न किया गया तो यह कोई अच्छी बात नहीं होगी।

मैं अब ज्यादा समय नहीं लेना चाहता, केवल माननीय मंत्री महोदय से निवेदन करना चाहता हूँ कि वे ऐसा विधेयक लायें जिस से यह समस्या हल हो सके।

Mr. Chairman: May I know from the hon. Minister how much time he is likely to take to reply?

The Deputy Minister of Labour (Shri Abid Ali): About 25 minutes.

Shri Tyagi (Dehra Dun): I will finish soon.

Ch. Ranbir Singh The time may be extended.

Shri Tyagi: I thank my hon. colleague who has brought forward this Bill for the simple reason that he has drawn the attention of this House, and through this House of practically the whole nation, to this problem. There is no doubt that domestic servants have remained neglected for a long time. Most of them are exploited for their poverty and on account of unemployment. The whole problem hinges on the problem of unemployment. If there was fuller employment available in India, the condition of domestic servants would automatically improve, and improve to a great deal. So long as there is surplus labour and people are wanting employment, naturally domestic servants also will lose their market value. But the domestic servant is a very important factor in a family.

When I think of the domestic servant, my mind immediately goes to my own boy. I cannot really acknowledge how dutifully and faithfully he has served me for the last 20 years. I owe quite a lot of even my political career to him, because I am absolutely free from my worries. He looks after practically everything. He washes my clothes and does everything for me. For the last 20 years, punctually at half past five every morning, he has been offering tea to me. He has really enslaved me. The urge in my mind is that before I die, I must make some arrangement for him and his family; otherwise, I would not really pay him.

I owe so much to him. The domestic servants know all secrets of your domestic life, including how you are behaving with your wife and children. They are the custodians of one's domestic life, the most private life and therefore, they are a very intimate factor of a family. We are for a socialist pattern. I appeal to the hon. Prime Minister who is more amenable to such types of appeals. Perhaps the other hon. Ministers and also Members of Parliament will agree to this. Let us give a trend to a new type of behaviour to our domestic servants. Let us eat with him on the same table. (An Hon. Member: Without any legislation?) Yes, without legislation. Let him not feel that he is inferior in any way. Let him become a regular member of our family. If he is so treated, no legislation would be needed. This could be done more by inspiration. We can inspire the nation by our own behaviour and perhaps people will take this trend if we decide to treat our servants on a par with us.

As far as cooking is concerned, it is really a very different type of job. I wish I were your domestic servant really, and particularly, Sir, your cook. I would give you very good dishes. It is a nice job. When one cooks, one gets engaged.

Then again, a domestic servant faces all the adversities of the family. My fears are that if a law were to come, there may

not be this type of intimate relationship; it will be disturbed. At the same time, I am of the view that some protection against misbehaviour must be given. There is no regular amendment to this Bill but I would suggest that the Government must see to it that in every locality there is some sort of a conciliation board created which could have the authority to intervene whenever any domestic servant has a complaint against an employer. There may be some honorary magistrate or some such people who have authority to intervene whenever there is any complaint. After all, not enacting a law means also leaving the domestic servant at the risk of the employer. They may misbehave with him or maltreat him. Therefore, he must have some place where he could appeal. There are people who, for instance, do not pay his salary. So, there should be local authority to call the employer and listen to the complaint of the domestic servant in a formal and informal manner. Some guarantee is needed. I agree with the anxiety of the hon. Members that something must be done for domestic servants. But the picture is not as bad as people make it to be. Domestic servants are mostly having a happy life; they are part and parcel of the family and only a general type of protection need to be given. But we need not go to the extent of enacting drastic laws. In human society, the relationship cannot be guided by laws alone. The domestic servants have a close relationship with the employer and it cannot be guided by laws, bylaws, rules etc. Otherwise, domestic life would become a curse in India if it is restricted and it is to be guided by rules.

**Shri Narayanankutty Menon:** But the real domestic life is governed by laws.

**Shri Tyagi:** That too is not. The relationship between my friend and his wife is not legal; I do not call it illicit... (Interruptions.) Is there no emotional attachment to each other? Likewise the servant's relationship with the master or his employer is more emotional in nature... (Interruptions.)

**Shri Tangamani (Madurai):** Our relationship will create laws.

**Shri Tyagi:** Sometimes my communist friends are very queer. They may sometimes come out with a suggestion that the wife's and husband's relations must also be guided by law. They want that there must be bedroom manners prescribed by a statute. How can it be done? They are always contractual in their behaviour. That is my difficulty. My feeling is that the relationship must be one of love and affection. Love is never guided by law. Love is blind as far as law is concerned. It is also at the same time sublime.

So, I appeal to that affection and that love in society. I wish that we set an example by just making a sort of ethical rule of behaviour, that is, we must behave with our domestic servants as we do with our own brothers.

**Mr. Chairman:** Shri S. M. Banerjee.

**Shri N. R. Muniswamy (Vellore):** There are a few more Members who want to speak. Each may be given five minutes.

**Mr. Chairman:** I have to call the hon. Minister after Shri Banerjee finishes. We have no time.

**An Hon. Member:** How long will the Minister take?

**Mr. Chairman:** I think 25 minutes will be taken by the Minister.

**Shri S. M. Banerjee:** Mr. Chairman, Sir, I support the Bill. You may remember that in this very House, when one of the undisputed leaders of domestic servants went on a hunger-strike outside the Parliament House assurance was given by the hon. Labour Minister that their service conditions would be looked into. He never promised to bring in legislation. That is a fact. But he did promise to consider the grievances of domestic servants. I am happy that the spirit of this Bill or the principle underlying this Bill has been supported by all the speakers. My hon. friend

Shri Tyagi quoted the example of a very devoted servant. He is very fortunate and that domestic servant is also very fortunate to serve Shri Tyagi or to get from him a sort of fatherly affection.

But the whole thing is this. Sometimes even the domestic servants are exploited by saying, "you are just like my son." So, they are allowed to work for 24 hours. Small children or boys work as domestic servants out of their affection or respect for the elders. They go on working for hours together. I feel that the working hours should be regulated. I say that if a domestic servant wants to work for a longer number of hours, out of love he may work. But there should be some duty hours fixed for domestic servants.

When I speak in this House and support this Bill I am not speaking anything which I do not observe myself. After all, let us see the conditions of domestic servants. The domestic servant has to please many people; he has to play with the children; or he has to serve under the 'home ministry' as we say. If the 'home minister' is angry, he loses his job. The point is, the attitude of the Home Ministry whether in the Government of India or in the State Governments or inside our houses is generally not very good. That is what I say. Therefore, we must regulate the service conditions of domestic servants, and it has become absolutely essential for them. I have been given a memorandum submitted by the domestic servants' association in which they have stated that even the pilot scheme is not working satisfactorily. A committee consisting of five members was constituted but even in this committee no member has been taken from the class of domestic servants. The domestic servants have got their undisputed leaders who are capable of pleading their case very well. So, their representative should be included in this committee. Whether this legislation which is before the House or a similar legislation could

be framed is a matter which has to be considered very seriously by the hon. Minister of Labour.

Another question was very ably raised by my hon. friend Shri Bhakt Darshan. How is it that the trade union congresses, whether it is AITUC, INTUC, Hind Mazdoor Sabha or the UTUC, who speak so vocally about the workers did not support the proposal to bring a legislation, at the 17th Labour Conference? I was not present at that labour conference. But I did raise this question before my friends who attended it. They said that they supported a minimum wage for domestic servants; that they did mention that their service conditions should be looked into; but in the absence of some unanimity among the State Governments it was impossible for them to say that legislation in this matter should be brought. That was the difficulty which confronted those leaders, whether belonging to AITUC, INTUC or other organisations. That was the main reason why they could not possibly support bringing a legislation for this purpose.

I do not say every domestic servant is troubled by the master. I do not want to impute any motive to Members of Parliament, but for trifling matters, domestic servants have been handed over to the police in the North Avenue, where I stay. It was with great difficulty that we were able to get bail for the domestic servants. When a procession was being taken at the time of hunger strike my servant asked me, "Should I join the procession, because I am one of the members of the executive committee?" I said, "You should join. Why not?" Regarding the question as to what will happen to our food, I may say that though my wife has become the wife of a Member of Parliament, she knows cooking still; it does not mean that she has forgotten cooking because she has become the wife of a Member of Parliament. In the case of Shri Vajpayee, the difficulty is there, be-

cause he is a bachelor. I realise his difficulty. After all, we cannot think of a Bill keeping in mind only the question of bachelors. After all they are to marry today or tomorrow.

**Shri Tyagi:** I sympathise with your wife.

**Shri S. M. Banerjee:** You sympathised with me and made me a Member of Parliament. Shri Tyagi dismissed me and that is why I am here as a Member of Parliament. So, I shall remain grateful to him throughout my life.

Sir, a legislation like this is necessary. Without legislation, by rousing social consciousness alone, it is not possible to improve the conditions of domestic servants. With all the eloquence at his command, with all his honesty and feeling for the domestic servants, the hon. Deputy Labour Minister, who is unfortunately a dignified domestic servant, cannot do anything. I use the words 'dignified domestic servant' because he has to please some master—the Government.

**Shri Abid Ali:** I have to satisfy the Parliament.

**Shri S. M. Banerjee:** If the hon. Mover withdraws the Bill, that is a different matter. But the substance of this Bill and the various clauses of this Bill are to be taken seriously. If a committee is appointed, as suggested by Shri Vajpayee, this entire question can be gone into objectively, keeping in view the condition of those who engage domestic servants whether they have the capacity to pay, whether the salary of Rs. 30 is adequate, or inadequate, whether it should be Rs. 30 salary only or they should also be given food, etc. These are matters which are to be considered seriously. It is not only a question of Delhi. They may not be 10 crores, but I am sure they are in lakhs. It should be considered very seriously.

[Shri S. M. Banerjee]

With these words, I would request the Mover of this Bill not to withdraw it. If he withdraws the Bill, its very purpose will be defeated. If it is a question of disciplinary action against him by the party, that is a different matter. But if the disciplinary action is not official, but non-official, as the Bill is non-official, I would request him. . . .

**Shri Tyagi:** You want to create domestic trouble in the party.

**Shri S. M. Banerjee:** I am not interested in that. I sincerely believe in *Panchsheel* in non-interference. But let him not withdraw it, so that the domestic servants also may feel that the Government is going to accept this Bill or reject it, or let the Deputy Minister say that he is going to bring another piece of legislation much more comprehensive. The whole difficulty is, whenever we say "comprehensive", the Deputy Minister says, "I do not know what is comprehensive". To know what is comprehensive, one should have a power of comprehension. It is very difficult for me to explain to him every time what is comprehensive. If he is allergic to the word "comprehensive", I will say, another Bill should be brought forward embodying all the suggestions given by hon. Members, which are very valuable.

With these words, I support the Bill and I would request Shri Balmiki not to withdraw it. Let there be some occasion when Bills are not withdrawn. Otherwise, what is the use of speaking so much, when it is withdrawn? Let it not be only for purposes of election; let it be actually for the purpose of honestly helping the domestic servants.

**धर्म उपसम्पन्नी (श्री आशिष शर्मा) :** जो

भी इस बिल के सम्बन्ध में यहां कहा गया है, उसके बारे में मैं अर्ज करना चाहता हूं कि इसमें से बहुत कुछ कहने की जरूरत नहीं थी और वह इसलिये कि इस काम को करने वाले भाई बहनों के साथ हमारी सहानुभूति भरपूर है। जो कुछ भी सेवा उनकी पिछले १८ महीनों में करने की कोशिश की गई है, वह आप जानते ही हैं। एम्प्लायमेंट एक्सचेंज में दिल्ली के एक खास विभाग उनके लिये खोला गया है और उसकी मार्फत उनकी समस्याओं को समझने की कोशिश की गई है। यह मामला सचमुच काफी गम्भीर है और अनुभव ने कुछ और भी बताया है। हम चाहते हैं कि इनकी उन्नति हो। वे भी इस हमारे विशाल देश के अंग हैं और देश के किसी भी अंग का कमजोर रहना या बीमार होना, उस शरीर की रक्षा करने वाला कोई भी आदमी नहीं चाहेगा। कमजोर हैं, गरीब हैं, समें कोई सन्देह नहीं है। सवाल यह है कि क्या कानून की मार्फत उनकी सेवा की जा सकती है या और तरीकों से भी की जा सकती है। अस्म में बीमारी को समझ कर और उसकी जरूरत के अनुसार दवा देकर ही इस समस्या को हल किया जा सकता है। कांग्रेस सरकार ने जिसने कि जनता को सरकार माना है, वह जनता की कैसे उपेक्षा कर सकती है। क्योंकि जनता सरकार की भी सरकार है। हम सब उसके कर्मचारी हैं। जनता ने मैनबर साहिबान को भी कर्मचारी बना कर यहाँ भेजा है और जितना सचेष्ट मैनबर साहिबान रहेंगे उतना ही हम कर्मचारी जो हैं, अच्छी तरह से काम करेंगे। हमारे मालिक हैं एम० पी० और हम सब की मालिक जनता। कांग्रेस की सरकार कैसे यह देख सकती है कि कोई भी अंग देश का या कोई भी तबका देश का कमजोर रहे। हमने विधान में मजदूर को भी यह हक है कि वह हिन्दुस्तान का प्रेजिडेंट हो सकता है, प्रधान मन्त्री हो सकता है, सब कुछ हो सकता है। हमने विधान के द्वारा उनके बढ़ने के लिये सीढ़ी भी बना

दी है। कोई आदमी अगर गरीब है, कम आमदनी पाता है, तो ऐसा इंतज़ाम हो रहा है कि वह जो सीढ़ी है उस पर चढ़ने की ताकत हासिल कर सके। उनके लिये पढ़ाई के मामले में हमने मदद करने की कोशिश की है और दूसरे मामलों में मदद करने की कोशिश की है। तरीके हैं जो कि हम अस्तित्व-यार कर रहे हैं। ये जो साधन हम उनके लिए मुहैया कर रहे हैं, ये बढ़ने चाहियें यह मैं मानता हूँ और उन्हें पूरी तरह से कामयाब होना चाहिये।

यहां पर कहा गया है कि दयालु हो जाइये, अर्चे हो जाइये। मैं समझता हूँ कि इस तरह की बातें कहने की कोई आवश्यकता नहीं है। किसी पर दयालु होने का या किसी पर उपकार करने का कोई सबाल नहीं है। यह हमारा कर्तव्य है और हमें इसका पालन करना चाहिये। अपने कर्तव्य का पालन करना हर अच्छे आदमी का काम है।

बाल्मीकी माहब ने हमें बहुत सी प्राचीन बातें समझाईं जो कि बहुत मजेदार थीं। मुझे भी कुछ प्राचीन बातें याद हैं लेकिन मैं उनका जिक्र नहीं करूंगा। मैं इतना अवश्य कहूंगा कि अब भी हिन्दुस्तान में ऐसे लोग मौजूद हैं, जैसे कि बेहरे, लोहे, मेहन, आदि जो बाबरजी सफाई करने वाला, मैनेजर, मालिक, कर्मचारी जितने भी हैं, सब साथ में बैठ कर खाना खाते हैं। एक घाल में मालिक से लेकर छोटे से छोटे काम करने वाले बाबरजी बगैरह सब साथ बैठ कर खाना खाते हैं। आज भी मुल्क में ऐसे लोग हैं जो किसी किस्म का भेदभाव नहीं करते। यहां पर गांधी जी का नाम लिया गया है। उनके ही आशीर्वाद से, उनके ही प्रयत्नों से राज इन पिछड़े हुए लोगों के लिये इतना कुछ हो सका है। जिसको पतित समझा जाता है, जो

पाखाना साफ करता है, महात्मा जी उसको पावन समझते थे और पाखाना गंदा करने वाले को जो पाखाना साफ करने वाले को घृणा की नज़र से देखता था, पतित समझते थे।

श्री राम सेवक यादव : आप ऐसा करते हैं ?

श्री आशिष शर्मा : इस वक्त माननीय सदस्य ने जो कहा उसकी गुंजाइश नहीं थी। लेकिन हर एक अपने अपने खयाल से अपने अपने माहोल में फंसा रहता है। कितनी ही कोशिश की जाय उसके निकालने की लेकिन वह उसी में फंसा रहता है। मेरी धारणा यह थी कि जो लोग गन्दगी करते थे फिर भी अपने को पावन समझते थे और उन की गन्दगी को साफ करने वाले जो थे उन को पतित समझते थे, हम उन की दशा को बिल्कुल बदल रहे हैं। उन को एक समान करने की कोशिश आज काफी अर्थ से हो रही है और काफी तरक्की उन की हो रही है।

जहां तक पार्लियामेंट का सवाल है, इस मामले को आज तीसरी मर्तबा उठाया जा रहा है। पहली मर्तबा यहां पर, दूसरी बफा राज्य सभा में और तीसरी मर्तबा आज फिर उठाया जा रहा है।

श्री स० मो० बनर्जी : इस को भी ज्वायंट सेशन में रख दीजिये।

श्री आशिष शर्मा : आनरेबल मेम्बर तो हमेशा मतभेद ही चाहेंगे। उनका अस्तित्व ही इससे है। मेरी धारणा यह थी कि उन्होंने भी अच्छी तरह से कोशिश की, लेकिन बिना पैसे के लोटे की तरह से ही रहे। मद्रास की कांग्रेस में वह हाजिर नहीं थे। मैं उन को याद दिलाऊँ कि इन्फार्मल कंसल्टेटिव कमेटी में वे हाजिर थे और वहां पर इस मामले पर गौर किया गया। मैं तो यही मानता

[श्री आबिद अली]

कि वहां पर सब इसी खयाल के थे कि इस सवाल के बारे में कोई कानून पास न किया जाय। वही चीज मद्रास में भी विचार के लिये आई और वहां भी इस सवाल पर मतभेद नहीं था, मतभेद की कोई गुंजाइश ही नहीं थी। स्टेट गवर्नमेंट्स के कहने से यह चीज मान ली गई और इण्डियन लेबर कान्फरेंस में यह सब सम्मति से पास हुई कि इस बारे में कोई कायदा कानून न लाया जाय क्योंकि, जिस तरह से हमारे भाई श्री त्यागी ने फरमाया, यह आपसी सम्बन्धों का सवाल है। सम्बन्ध मीठे होने चाहियें और सम्बन्ध कायदे कानून से मीठे नहीं हो सकते।

श्री बी० चं० शर्मा : आपने धर्मपत्नी और पति के सम्बन्धों के लिये जो कानून बना दिया है वह नहीं है ?

श्री आबिद अली : उनके सम्बन्ध में कानून है कि अगर वह भ्रमण होना चाहें तो क्या होगा। इसके लिये कानून है।

श्री त्यागी : उसको सम्बन्ध तोड़ने के लिये बनाया गया था।

श्री आबिद अली : इसके लिये है कि कि टूट जायेगा तो क्या होगा। जब तक वे सुख से रहते हैं तब तक उन के लिये कानून की कोई बंदिश नहीं है।

वहां यह बात जरूर हुई थी कि पाइलट स्कीम और एडवाइजरी कमेटी बने। लोग कहते हैं कि समस्या बहुत बड़ी है, लेकिन पिछले १८ महीनों से जिस तरह से हमारा काम चल रहा है उसको मुन कर माननीय सदस्यों को ताज्जुब जरूर होगा और खुशी भी होगी। लेकिन कुछ लोग इस किस्म के भी होते हैं जो इन बातों से नाराज होते हैं, और वे नाराज भी होंगे कि भ्रमणों में ऐलान के बाद भी कि यह दफ्तर मजबूत है हमारे पास सिर्फ घाठ शिकायतें आई हैं।

हमारे भाई फरमा रहे थे कि भ्रमण भ्रमण मोहल्लों में इसका इन्तजाम किया जाय कि शिकायतें दर्ज हो सकें। हमारे दल के एक सदस्य फरमा रहे थे कि एक अफसर वहां काम कर रहा है जिस के पास दूसरे काम भी हैं। लेकिन यह सही बात नहीं है। इस काम के लिये खास तौर पर अफसर रखा जाता है लेकिन भ्रमणों में ऐलान करने के बाद भी कुछ घाठ शिकायतें आई हैं जिनमें से तीन मालिकों की तरफ से हैं और पांच कर्मचारियों की तरफ से हैं। कर्मचारियों की तरफ से यह शिकायतें थीं कि उनको तनखाह नहीं दी गई। लेबर वेलफेयर अफिसर ने पूरे मामले को सोच समझ कर दोनों में समझौता करवा दिया और जिन कर्मचारियों को तनखाह नहीं दी गई थी, उनको तनखाह मिल गई। और कर्मचारियों की ओर से जो पांच शिकायतें आई थीं उन पांचों को उनके सन्तोष के अनुरूप हल कर दिया गया।

यह कहना कि कर्मचारी बड़े दुखी हैं और मालिक बड़े भाराम में हैं यह भी ठीक नहीं है। कोई कहता है कि मालिक ज्यादा मजलूम है क्योंकि कोई कर्मचारी उनकी सड़की भगा ले जाता है, कहीं खून हो जाते हैं और कहीं चोरियां हो जाती हैं या और तरह की गड़बड़ियां हो रही हैं। बहरहाल उन दोनों से मेरी धन्य यह है कि कर्मचारी भी इस देश के भ्रमण हैं, उन में और दूसरों में कोई फर्क नहीं है। हमारा समाज जितना परिमाण में बुरा है उतने ही वे भी बुरे हैं और समाज जितना अच्छा है उतने ही वे भी अच्छे हैं। कर्मचारी ज्यादा खराब हैं और वे काम नहीं करते हैं, यह कह देना भी बिल्कुल सही नहीं होगा और कर्मचारियों का भी सब मालिकों के लिये बुरा कह देना ठीक नहीं है। दिल्ली में, जहां इतनी बड़ी संख्या में कर्मचारी काम करते हैं, सिर्फ तीन मालिकों की कर्मचारियों के खिलाफ

और पांच कर्मचारियों की मालिकों के खिलाफ शिकायतें हुईं।

एक माननीय सदस्य : मालिकों की शिकायत क्या थी ?

श्री आबिद खली : मालिकों की शिकायत यह थी एक मामले में की कर्मचारियों का व्यवहार अच्छा नहीं है, दूसरे मामले में यह था कि कर्मचारी गैर हाजिर हो जाया करता है। इसी तरह तीसरे की भी कुछ शिकायत थी। बहरहाल इन मामलों के लिये हमने एक लेबर वेलफेयर आफिसर नियुक्त कर दिया है। एक किया हुआ है, जरूरत हो तो हम दस करने को तैयार हैं। एम्प्लायमेंट एक्सचेंज हमने कायम किये हुए हैं, एक नई दिल्ली में है, एक दरियागंज में है और एक पूसा में है। हर एक एम्प्लायमेंट एक्सचेंज में हम एक आफिसर नियुक्त करने को तैयार हैं अगर काम बढ़ने वाला हो। लेकिन अगर उन के लिये काम की गुंजाइश नहीं है तो सिर्फ एम्प्लायमेंट आफिसर नियुक्त कर देना ही ठीक नहीं है।

जहां तक कर्मचारियों के रजिस्ट्रेशन का ताल्लुक है, मेरी समझ में भी यही आता है कि दिल्ली में घरेलू कर्मचारियों की संख्या कम होती जा रही है, इस लिहाज में कि वे घरों में काम करना नहीं चाहते हैं। पहाड़ों से और गांवों से जो लोग आते हैं वे दिल्ली में आकर घरों में काम करना शुरू कर देते हैं और साथ में वे पढ़ाई भी करते हैं। मैं कई जवानों और छोटे लड़कों को जानता हूँ जिन्होंने दिल्ली में आकर घरों में काम करते हुए पढ़ा है और उनमें से ज्यादातर यह कोशिश करते हैं कि उनको चपरासी बगैरह की जगह मिल जाये।

[MR. DEPUTY-SPEAKER in the Chair]

कुछ ऐसी कोशिश करते हैं कि कारखानों में चले जायें। अगर आप मोटर ट्रेनिंग स्कूल में जा कर देखें तो पावेंगे कि बहुत बड़ी संख्या काम सीखने वालों में। बरेलू

कर्मचारियों की है जो वहां पर काम करके भ्रामदनी करते हैं और उससे अपनी फीस देते हैं और कुछ दिन बाद मोटर ड्राइवर हो जाते हैं। बहुत से लोग भागे पढ़ने की भी कोशिश करते हैं क्योंकि यह जरूरी नहीं है कि हिन्दुस्तान में मजदूर मजदूर ही रहें या मजदूर के बच्चे मजदूर ही रहें। वह भी तरक्की करके भागे बड़ें, समाज का बिस्वास हासिल करें और बढ़ते बढ़ते ऊंची से ऊंची जगह पहुंच जायें। इसलिये हमें उनकी तरक्की के साधन पैदा करने चाहियें, यह भी मैं मानता हूँ। इस तरह से उन में से बहुत बड़ी संख्या में लोग मजदूरी से बर काम करते हैं, खुशी से काम नहीं करते। कोशिश हर एक की पहले यह रहती है कि वह कमाल और फिर भागे बढ़ने के लिये शुरू की नौकरी छोड़ जाय।

श्री स० मो० बनर्जी : ऊंचे से ऊंचे कहां तक वे चढ़ सकते हैं ?

श्री आबिद खली : मुश्किल तो यह है कि हमारे भाई वहां पहुंच ही नहीं सकते हैं, गुम्मा उनको जरूर है, लेकिन क्या किया जाय ? डिजब एंड देन डिजायर।

श्री स० मो० बनर्जी : बिहिस्त या बोजब में कहां जायेंगे ?

उपाध्यक्ष महोदय : कोन ऊंचा हो सकता है, बिहिस्त या बोजब ?

श्री आबिद खली : जमाने अच्छे को जैसा बनाया है, यह उम पर मुल्कर है।

इस विषयक में पुलिस बगैरह का जिक्र किया गया है, मैं उसको नामुनासिब समझता हूँ। इसमें कांफ्रिहेंसिब लेजिस्लेशन या ऐनपर लेजिस्लेशन की बात नहीं है। मैं तो यह धर्म कर रहा था कि जहां तक इन्फार्मल कन्सल्टेटिव कमेटी या इंडियन लेबर कांफ्रेंस का ताल्लुक है, जहां तक इस समस्या का ताल्लुक है, सब जगह से अभी तक यही चीज आई है, जिस में सब कुछ,

## [श्री आबिद अली]

पार्टी और मूवमेंट या आर्गेंटाइजेशन, सब लोग शामिल हैं, कि कोई इस तरह की चीज न की जाय। मैं यह चीज नहीं कह रहा हूँ कि मुझे इस चीज पर ऐतराज है। अगर ऐतराज है तो यह कि मैं पुलिस एन्क्वायरी को बहुत अच्छा नहीं समझता हूँ। इस विधेयक को माननीय सदस्य ने रखा है, उनकी खुशी है। यह ठीक नहीं है कि इसमें पार्टी वगैरह का सवाल आता है या यह कि कांग्रेस मेंबर होने की वजह से इसे वापस ले लेंगे। कई दफा हमारे दूसरे भाई जो मुतालिक हैं, उन्होंने भी बिल वापस ले लिये हैं। यह बात जरूर है कि जब माननीय सदस्य किसी चीज को ठीक समझते हैं तो उनको यहां रखने की कोशिश करते हैं, लेकिन जब वे सब बातों को समझ लेते हैं और जान लेते हैं कि जो बात कही जा रही है वह ठीक है और किसी चीज पर जोर देने की जरूरत नहीं है और बिना उन चीज को रखे हुए काम ज्यादा ठीक तरह से हो सकता है, पूरा मकसद हासिल हो सकता है, तो उन वे वापस ले लेते हैं। यह सरकार सिर्फ कांग्रेस पार्टी के मेंबरों के लिये नहीं है, वह सब के लिये है इसमें कोई शक नहीं है। यहां पर पार्लियामेंट के मेंबर आते हैं, जो चीज रखते हैं अगर वह मुनासिब होती है तो उन पर हम उन तरह से धमक करते हैं, और अगर वह ठीक चीज नहीं मालूम होती तो उनको नहीं मानते हैं।

अभी एक भाई अमरीका वगैरह की बात करता रहे थे। ठीक है, वहां ऐसा होता है। मुझे भी एक ऐसी चीज मालूम है। क्या हुआ कि एक मेम साहबा ने एक काम करने वाली रखी और कुछ दिन के बाद उसको एक दिन की छुट्टी दी। छुट्टी के दिन वह अपने कमरे में देर तक गुस्से से बैठी रही। जब देर तक किसी ने चाय नहीं दी तो बाहर निकली और कहा

कि क्यों मेरी चाय तुम ने नहीं दी? उस पर मालकिन ने कहा कि मैं तुमको चाय दूँ? नौकरानी ने कहा कि आज मेरा छुट्टी का दिन है और चाय मिलना मेरा हक है इसलिए आपको चाय बनाना चाहिए और मुझे चाय पिलाना चाहिए। यह भी एक तरीका है। वहां के जो हालात और तरीके हैं वह आप हजरात को अच्छी तरह से मालूम हैं।

**Shri S. M. Banerjee:** Everything there is automatic.

श्री आबिद अली : मैं ने सुना नहीं।

**उपाध्यक्ष महोदय :** वह कहते हैं कि वहां पर हर एक चीज आटोमैटिक है, लेकिन इस हाउस में हर चीज आटोमैटिक न हो।

श्री आबिद अली : गायद आनरेबिल मेंबर को वहीं का दिमाग मिला है इसलिये वह हमेशा आटोमैटिक हुआ करते हैं।

दूसरी बात यह है, जैसा कि त्यागी साहब ने कहा, कि ये कर्मचारी भाई बहिन खानदान के अंग हो जाते हैं। खानदान की राहत और तकनीक में बराबर हिस्सा लेते हैं। अक्सर देखा गया है कि अगर खानदान में कोई मर जाता है तो उसके लिए ये कर्मचारी उसी तरह रोते हैं जैसे कि दूसरे खानदान के लोग।

हां उन मालिकों के लिये जरूर कुछ होना चाहिये जो नामुनासिब कार्रवाई करते हैं। लेकिन इस मामले में अगर कायदा बनाया गया तो उस पर धमक होगा यह मेरा मानना नहीं है। बल्कि ऐसा कायदा बनाना तो बरेलू कर्मचारियों से दुश्मनी होगी धमक तो वह कायदा धमक में नहीं आ सकता। कायदा ऐसा बनाना चाहिए कि जो धमक में आ सके है। कहा

गया कि वे वेतन की वह रसीद लें। मैं कहता हूँ कि जो लोग छोटी घामदनी के हैं वह रसीद नहीं लेते। फिर अगर वे ले भी लें तो उसको रखें कहां, उनके पास तिजोरी नहीं है।

अभी तक हमारे पास पांच शिकायतें आई हैं कि तनखाह नहीं मिली। आप कहते हैं कि बहुत से लोग ऐसी शिकायतें लेकर आते हैं। यहां पर इसका चर्चा हो गया, आप भी अपनी तरफ से प्रचार कीजिए। हम चाहते हैं कि ज्यादा लोग शिकायतें लावें तो मालूम हो कि क्या बात है। तो मैं प्रज करना चाहता हूँ कि इसके लिए कायदा बनाने की जरूरत नहीं है। जहां पर उनको तकलीफ हो उनकी मदद करना जरूरी है और हम मदद करने के लिए तैयार हैं।

हमारी एडवाइजरी कमेटी पर उनका एक प्रतिनिधि होना चाहिए। उनके लिए जगह खाली रखी है। मगर मवाल यह है कि हम लें किम को। यूनियन रजिस्टर नहीं हुई है यह हमारा ऐतराज नहीं है। लेकिन यूनियन का अस्तित्व तो होना चाहिए। यहां तीन यूनियन हैं, उनमें से एक तो कभी जिन्दा हो जाती है और कभी बरमाना मेंढक की तरह गायब हो जाती है। मगर जो दो यूनियन और हैं उनसे हमने बात करने की कोशिश की। उनको खत लिखे, आदमी उसके पास भेजें। कई मतंदा आदमी भेजे और पहले से उनको लिख दिया कि इस वक्त हमारा आदमी आएगा, आप उनकी अपनी रजिस्टर दिखाइए, उनको अपनी मेम्बरशिप बतलाइये अगर किसी बैंक में हिसाब रखने हों तो उनको बतलाइये। वह गरीब लोगों की यूनियन है इसलिए शायद बैंक में हिसाब न रखते हों। लेकिन हमने उनके बफ्तर पर आदमी भेजा, लेकिन अभी तक हमको इस मामले में कोई सफलता नहीं मिली। हमने यह भी जानने की कोशिश की कि उनके रजिस्टर होने में क्या

दिवकत है और अगर हम मदद कर सकते हैं तो करें। लेकिन इसमें हमें कामयाबी नहीं मिली। यूनियन रजिस्टर न भी हों लेकिन हमको अपनी कितने बंगरह तो दिखावें जिससे मालूम हो कि मेम्बरशिप के लिहाज से उनको नुमायन्दगी का हक है।

यह बात सही है कि एडवाइजरी कमेटी की मीटिंग्स कम हुई हैं। मैं चाहता हूँ कि एडवाइजरी कमेटी के मेम्बर इसमें ज्यादा हिस्सा लें। उनको हर किस्म की सहूलियत दी जावेगी और उनको अस्वियार है कि इस सम्बन्ध में जिस अफसर को चाहे बुला सकते हैं, जिस मुहल्ले में जाना चाहें जा सकते हैं, हमारे अफसरान की जितनी मदद उनको चाहिए वह हम देने के लिए तैयार हैं। वह सारे हालात मालूम करने की कोशिश करें इसके लिए उनकी सहूलियत देने के लिए तैयार हैं।

जब हमारे अफसरान ने यह जानने की कोशिश की कि कितने कमचारियों को हफ्ते में छुट्टी मिलनी है तो उनकी रिपोर्ट है कि करीब ५० फी सदी को हफ्ते में छुट्टी मिल जाती है। यह सही है कि वह खास खास मुहल्लों में ही गए। हो सकता है कि कुछ मुहल्लों में न मिलनी होगी। लेकिन ५० फी सदी को हफ्ते में एक छुट्टी मिल जाती है और बाकी को भी किसी न किसी शकल में छुट्टी मिल जाती है।

तनखाह के बारे में भी उनकी रिपोर्ट है कि महीना खलास होते ही एक हफ्ते के अन्दर उनको तनखाह मिल जाती है। कुछ क्लेज में ऐसा हो सकता है कि पूरी तनखाह न मिलती हो। मगर जिन्हे मिलती है उनको पूरी मिल जाती है।

श्री अक्षत बर्मान : श्रीमान्, क्या मारी दिल्ली का सर्वे करके यह फैसला किया गया है?

श्री आश्विद अग्नी : बहुत बड़े एरिया का सर्वे किया गया है, कुछ मुहल्लों में गए थे

[श्री आबिद अली]

यह माननीय सदस्य ठीक फरमा रहे हैं। बहुत बड़ी संख्या को उन्होंने नहीं देखा, कुछ सौ कैसेज देखे हैं। लेकिन तनखाह न मिलने की कुल पांच शिकायतें हैं।

कहा गया कि लेबर आफिसर ठीक काम नहीं करते। मालूम नहीं कि किस किस्म की शिकायत है। अभी तक मुझे तो कोई शिकायत नहीं मिली। लेकिन अगर किसी माननीय सदस्य का कोई शिकायत हो वह हमको बताये और अगर वह शिकायत सही है तो हम उस आदमी को बदलने में कोई संकोच नहीं करेंगे।

जहां तक सहानुभूति का सवाल है, मैं अर्ज कर चुका हूं कि उनके साथ हमें पूरी हमदर्दी है और रहेगी। यह भावना उपकार के रूप में नहीं है बल्कि कर्तव्य के रूप में है। और उनकी तकलीफ की कोई भी शिकायत जब हमारे पास पहुंचेगी तो उस तकलीफ को हटाने की पूरी कोशिश की जाएगी। लेबर डिपार्टमेंट उसको दूर करने में मदद करेगा और मैं खुद अपने तरीके से उसमें मदद करूंगा। जहां भी और जितनी भी उनको मेरे डिपार्टमेंट की मदद चाहिए वह लें और मैं बायदा करता हूं कि उनको मदद दी जाएगी।

पिछले हंगर स्ट्राइक के बाद जो स्टेटमेंट दिया गया उसके बारे में भी माननीय सदस्य ने जिज्ञासा किया। मैं अर्ज करूंगा कि उस स्टेटमेंट में ऐसी कोई बात नहीं कही गई थी कि हम कोई कायदा इस बारे में बनाएंगे। ऐसा हमने नहीं कहा। स्टेटमेंट यहां मौजूद है।

इसके बाद मुझे उम्मीद है कि माननीय सदस्य इस बिल को वापस ले लेंगे और वे हमारी पूरी मदद करेंगे ताकि हम इन कर्मचारियों की पूरी मदद कर सकें।

श्री भक्त दर्शन : श्रीमन्, मद्रास कानुफरेंस में यह तै हुआ था कि दिल्ली में एक पायलट स्कीम शुरू की जाए और उसके अनुभव के बाद सारे देश में उसको लागू किया जाए। मैं जानना चाहता हूं कि इसमें इतना समय क्यों लग रहा है ?

श्री आबिद अली : यह जरूरी नहीं है कि राज्य सरकारें दिल्ली के तजरबे के लिये रुकी रहें। वे भी अपने यहां दफ्तर खोल सकती हैं और अपना तजरबा कर सकती हैं। इसके लिये कोई बन्दिश नहीं है।

श्री बात्मीकी : घरेलू कर्मचारी विधेयक पर काफी बहस हुई है और इसमें नौ माननीय सदस्यों ने भाग लिया और दसवें मंत्री जी बोले। दस धर्म के लक्षणों की तरह से यह भी एक व्यावहारिक बात प्रतीत हुई। तथा उनके विचारों की पवित्रता सदन के सम्मुख आई।

श्री बाजपेयी : नम्बर भी ठीक है।

उपाध्यक्ष महोदय : जो नौ माननीय सदस्य बोले उनमें अपने आपको भी क्या आप शामिल करते हैं ?

श्री बात्मीकी : माननीय सदस्यों के उद्गार सुनने के बाद और माननीय मंत्री जी के हल्के आश्वासन को सुनने के बाद भी मैं समझता हूं कि यह आवश्यक है कि इस बिल को मंजूर कर लिया जाए। आज का दिन एक मुबारक दिन है क्योंकि आज के दिन घरेलू कर्मचारियों के प्रश्न पर यहां बहस हुई है और उस बहस के दौरान मैं कुछ उनकी दयनीय स्थिति का चित्र हमारे मस्तिष्क में आया है। जब भी कभी इस तरह का सवाल सामने आता है तो एक

अजीब हालत विचारों की हो जाती है। ऐसी स्थिति में हर आदमी धर्म संकट में फँस जाता है। मुझे याद आता है वह जमाना जब कि इंग्लैंड में पहली बार फैक्ट्री एक्ट लाया गया था तो उसे देश के अन्दर जहाँ पर कि इतने चमत्कार हुए हैं और एक प्रकार की रोशनी उसने दुनिया को दी है, एक बावैला मचा था, शोर मचा था और आज भी इसी तरह का एक शोर हम अपने देश में मचता हुआ पाते हैं। यह कोई नई बात नहीं है। आज हम देश में बड़े बड़े और छोटे छोटे सभी प्रकार के उद्योग स्थापित कर रहे हैं, देश का औद्योगीकरण करने हम जा रहे हैं और उस तरफ भी ऐसे कुछ लोगों को अलग से आकर्षण पैदा होगा और वे उधर भी जायेंगे। लेकिन फिर भी औद्योगीकरण से जो शान बढ़ेगी, धन बढ़ेगा, दौलत बढ़ेगी तो कोई वजह नहीं है कि घरेलू कर्मचारी किसी न किसी रूप में आग्राम के लिए या लाभ के लिए रखे न जायें। यह बात भी अवश्य है कि जब शान व शौकत में भरा जीवन होता है, वभवपूर्ण जीवन होता है, ऐश्वर्यपूर्ण जीवन होता है तो जो मानिक की मन्त्री होती है, उस पर मोदय अत्यन्त जाता है और जहाँ वभवपूर्ण मोदय अत्यन्त है वहाँ उसमें काम करने की हिम्मत नहीं रहती है और वह नौकर का सवारा लेती है। ऐसी सूरत में कोई कारण मझे प्रतीत नहीं होता कि है कि क्यों न इन लोगों के लिए कोई कानून हम बनायें। मेरा पक्का विश्वास है, आप इसको चाहे मानें या न मान, और मैं विधेयक वापस लूँ या न लूँ, यह अलग बात सवाल है, कि उनके काम के घंटे मुकर्रर करने के लिए उनके लिए जीवन की आवश्यक मुविधाएं उपलब्ध करने के लिए, उनकी शिक्षा के लिए तथा चिकित्सा का प्रबन्ध करने के लिए, कोई न कोई कानून जरूर बनना चाहिए। मेरा पूरा विश्वास है कि यह जो विधेयक मैं लाया हूँ इसकी क्लाजिब पर अगर आप पूरे तौर से ध्यानसे दें, आप के विचार भी जरूर बदलेंगे।

मुझे वह दिन याद आता है जब मैं तेजी से आ रहा था ब्रिस्लंदशहर से लौट कर और मुझे संसद के सामने भूख हड़ताल करता हुआ शाम सिंह मिला था जिसने घरेलू मजदूरों के लिए अपनी जान तक की बाजी लगा रखी थी। उसको भूख हड़ताल किए हुए कई दिन हो चुके थे। मैंने जल्दी में इसके बारे में बिल लाकर यहाँ पेश किया और एक प्रकार से इसको प्रस्तुत किया। जब मैंने ऐसा कर दिया तब जाकर उसने अपनी भूख हड़ताल तोड़ी। जिन भावनाओं को लेकर मैंने इस बिल को यहाँ प्रस्तुत किया है, उन भावनाओं की मैं आज भी बह्र करता हूँ। यह बात जरूर है कि चाहे पहाड़ी क्षेत्रों से लोग आकर नौकरी करते हों या किन्हीं दूसरे प्रदेशों से आकर उन सब की समस्याएँ एक जैसी हैं। कोठी बंगलोज इत्यादि में काम करने वाले भंगी, धोबी और अन्य लोग जिनमें घरेलू मजदूर भी शामिल हैं, उनकी विकट समस्या है, विकट परिस्थितियाँ हैं और उनकी ओर आपका ध्यान जाना आवश्यक है। आपने आश्वासन दिया है कि आप उनके लिए जो कुछ भी कर सकते हैं करेंगे। आपने पायलट स्कीम, प्रयोगात्मक कार्यालय खोला है और इन दो एक मामलों में थोड़े से केस भी पकड़े हैं। लेकिन मुझे मालूम है कि तनखाहों के तथा पुलिस या मास्किंग के जुल्म के दूसरे मामले जो आपके सामने आने चाहिये वे नहीं आते हैं। जो काम आप कर रहे हैं और जिस काम को लेकर आप चल रहे हैं, उसका विकास नहीं हुआ है, उसका अधिक प्रचार नहीं हुआ है, यह होना चाहिये। ये कोठी, बंगलेवाले लोग जब अंग्रेजों का राज्य था तब भी कोठियों, बंगलोज आदि में नौकरियाँ करते थे। अंग्रेजों का राज्य यहाँ था और वे इनको अच्छी तनखाह दिया करते थे, इस बातसे उनका राज्य बना रहना चाहिये था, यह मैं कभी नहीं कह सकता हूँ। मुझे एक बात याद है जो मैंने अंग्रेज को कही थी। उक्त वक्त मैं सफाई मजदूर के तौर पर का

[श्री बाल्मीकी]

करता था। तथा उसके कपटों का अनुभव करता था। उस अंग्रेज का नाम कैर साहब था और उसने एक अजीब बात कही तो मैंने उसे कहा कि ब्योरोक्रेटिक मेन्टलिटी आपको हो सकती है, हमारी नहीं। तनखाह कम मिले या ज्यादा, इसकी कोई परवाह नहीं लेकिन अंग्रेजियत को यहां से जाना होगा और वह गई और यह अच्छा ही हुआ किन्तु इनके कपटों का निराकरण कहाँ हुआ है। उस वक़्त एक भंगी को चालीस रुपये या पचास रुपये माहवार मिलते थे, आराम मिलता था उनके कपड़े मिलते थे, और जो ऐसे नौकरीपेशा आदमी परदेस आते थे, उनकी शान होती, लेकिन इस सब की मुझे कोई आज़ चिन्ता नहीं है। मुझे इस बात की भी चिन्ता नहीं है कि आज एक कलेक्टर दस रुपये से ज्यादा नहीं देता है। लेकिन उनकी जो स्थिति आज है वह मैं आपके सामने रखना चाहता हूँ कि वे अडयुत कपट में हैं।

पुलिस के मदाखलत की बात कही गई है। यह मुझे भी अच्छी नहीं लगी है। बिल आप नहीं मान रहे हैं। पुलिस को मैं बीच में नहीं लाना चाहता हूँ। लेकिन यह जरूर है कि जिस तरह से आपने फैक्ट्री एक्ट बनाया है, शाप एम्प्लॉयमेंट एक्ट बनाया है, उसके आधार पर तनखाहों की बात को तो छोड़िये, लेकिन काम के घंटों के बारे में, कंडिशज आफ सर्विस के बारे में आप कोई कानून जरूर बनायें। इस में कोई दिक्कत की बात नहीं होनी चाहिये।

यहां पर सदन में कहा गया है माननीय सदस्य की ओर से एक जांच समिति हो संसद् सदस्यों की जो उनकी स्थिति पर विचार कर और उपाय सुझावे। बैसे आप की सलाहकार समिति बनी हुई है। मैं उसका

जो रूप है, उस से संतुष्ट नहीं हूँ। कोई बजह नहीं है कि उसमें दूसरे लोगो को न लिया जाये सारे देश के अन्दर जो घरेलू मजदूर हैं, उन प्रतिनिधियों को आपको चाहिये कि आप उस में लें।

मेरी हमदर्दी उन के साथ है जो नौकरी से हटा दिये जाते हैं। इस तरह से हटाये गए किसी घरेलू कर्मचारी को जब मैं देखता हूँ तो मुझे दुख होता है, मेरा हृदय दर्द से भी जाता है। एक लड़के को मैंने देखा जिसकी चार दिन हुए सर्विस छूट गई थी और उसका बहुत ही बुरी हालत थी। उसकी सूरत उत हुई थी, मालिक ने तनखाह तक नहीं दी थी इस तरह के मामले आपके सामने आते हैं या नहीं आते हैं। मैं चाहता हूँ कि इस तरह की बातों के बारे में भी आप कुछ करें। प्रयोगात्मक कार्यालय ऐसे मामले हाथ में लें। कोठी बंगलोज में जो लोग काम करते हैं, उनके प्रतिनिधि भी आप को उस कमेटी में लेने चाहिये। मान्यता के नाम पर संस्था के पीछे आप मत पड़िये, आप किसी और आधार पर उनके प्रतिनिधियों को ले सकते हैं। अगर ये लिये जायें तो ये अपने दुख दर्द आपके सामने रख सकेंगे, अपने विचार आपके सामने रख सकेंगे।

मैं चाहता तो यह था कि कोई कानूनी शक्ल इसको दे दी जाती लेकिन मंत्री जी के भावनापूर्ण विचार सुनने के बाद कर्तव्य पालन तो करना ही है। वाजपेयी जी तथा दूसरे साथी जानते हैं कि भावना से कर्तव्य बहुत बढ़ा होता है। जो आश्वामन मंत्री जी ने दिया है और जो प्रेम इनके प्रति जाहिर किया है, उसकी मैं कद्र करता हूँ। त्यागी जी ने प्रेम की बात कही, बंशगत बात कही और कहा कि बंश में जिस तरह से और सदस्य रहते हैं, इनको भी उसी तरह से रखना चाहिये और इन को भी बंश का एक अंग मनाना

चाहिये। काश कि उस तरह का प्रेम वे इनके प्रति दिला सकें।

श्री ३म महोदय सामनस्यं मविद्वेषं कृणोमि वः।

अन्यो अन्यमाभिहृतं वत्सं जार्तामवाप्स्या ॥

अथर्ववेद ॥

मंत्र में व्यक्त भावना यह है कि हमारे दिल एक में हों, दिमाग एक में हो, विचार एक में हों, सभी के दिलों में उनके प्रति सद्भावना हो और हम उनके प्रति मनुष्यता का व्यवहार करें और वैसा ही व्यवहार करें जैसा व्यवहार गाय अपने नवजात बच्चे के साथ करती है। उसे प्यार करती है। वैदिक भावना जो मानव के प्रति रही है, वही भावना अगर हमारी इनके प्रति हो जाये, तो समस्या आप के आप हल हो सकती है।

चाहता तो मैं यह था कि मंत्री महोदय मेरे इन विधेयक को स्वीकार कर लेने लेकिन कारणवश उन्होंने अपनी मजबूरी जाहिर की है इनको स्वीकार करने में और कहा है कि इनके जीवन को सफल बनाने के लिये वह अपने कर्तव्य का पालन कर रहे हैं और करने जायेंगे, इसलिए मैं अपने इन विधेयक को वापिस लेता हूँ। अन्त में मैं सभी माननीय सदस्यों तथा मंत्री जी को हृदय में धन्यवाद देता हूँ कि उन्होंने इनके प्रति अपने विचार व्यक्त किये हैं।

Mr. Deputy-Speaker: Has the hon. Member leave of the House to withdraw the Bill?

The Bill was, by leave, withdrawn.

17 hrs.

## CONSTITUTION (AMENDMENT) BILL

(Amendment of Article 226 by  
Shri C. R. Pattabhi Raman)

Shri C. R. Pattabhi Raman (Tanjore): Sir, I beg to move;

"That the Bill further to amend the Constitution of India be taken into consideration"

Sir, the amendment that I am seeking to move concerns article 226 of the Constitution. This article reads as follows:

"Notwithstanding anything in article 32, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases any Government within whose territories directions, orders or writs, including writs in the nature of *habeas corpus*, *mandamus*, prohibition, *quo warranto* and *certiorari*, or any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose."

Mr. Deputy-Speaker: The hon. Member may continue next time.

17.02 hrs.

## INTEGRATION OF SERVICES IN PUNJAB\*

श्री राजकृष्ण गुप्त (महेन्द्रगढ़) : मेरा जो पंजाब की सर्विस के इंटिग्रेशन के बारे में सवाल था, उस का जो जवाब दिया गया, उस के बारे में मैं यह डिस्क्शन रैज करना चाहता हूँ। इस के बारे में मैं सब से पहले यह बात बतलाना चाहता हूँ कि इंटिग्रेशन में पहले यानी पहली नवम्बर, १९५६ के पहले जो पेप्सू के प्रिन्सिपल चीफ मिनिस्टर थे और जो पंजाब के चीफ मिनिस्टर थे उन की एक कांफरेंस हुई। उस कांफरेंस में एक ऐग्रीड फार्मुला तैयार किया गया और माफ और पर इस बात का फैसला किया गया कि जितने भी एम्प्लोयीज हैं उन सब को कोडर टू कोडर बेसिस पर इंटिग्रेट किया जायेगा। और पेप्सू के जो क्लर्क हैं, प्रिन्सिपल हैं, प्रिन्सिपल इनचार्ज हैं या सुपरिन्टेन्डेंट वगैरह जो हैं उन को किसी भी हालत में उन श्रेणियों में कम नहीं समझा जायेगा जो कि पंजाब में उन्हीं श्रेणियों पर हैं। उन को बिल्कुल बराबर समझा जायेगा। इस जगह पर मैं यह भी कह देना चाहता हूँ कि यह जो फैसला हुआ, वह

## [श्री रामकृष्ण गुप्त]

जो हमारी पार्लियामेंट ने स्टेट्स रिफॉर्म-नाइजेशन बिल पास किया सन १९५६ में, बिल्कुल उस के मुताबिक था। अगर मैं उस के क्लॉज ११५ और ११६ को हाउस के सामने रखूँ तो मेरी बात की ताईद हो जायेगी। क्लॉज ११५ में साफ तौर पर कहा गया है :

"(7) Nothing in this section shall be deemed to affect after the appointed day the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to the determination of the conditions of service of persons serving in connection with the affairs of the Union or any State;

Provided that the conditions of service applicable immediately before the appointed day to the case of any person referred to in sub-section (1) or sub-section (2) shall not be varied to his disadvantage except with the previous approval of the Central Government.

116 (1) Every person who immediately before the appointed day is holding or discharging the duties of any post or office in connection with the affairs of the Union or of an existing State in any area which on that day falls within another existing State or a new State or a Union Territory shall, except where by virtue or in consequence of the provisions of this Act such post or office ceases to exist on that day, continue to hold the same post or office in the other existing State or new State or Union Territory in which such area is included on that day, and shall be deemed as from that day to have been duly appointed to such post or office by the Government of, or other appropriate authority in, such State, or by the

Central Government or other appropriate authority in such Union territory as the case may be."

मेरे कहने का मतलब यह है कि इस सेक्शन के मुताबिक जो फैसला उन्होंने किया उस का साफ मतलब यह है कि सर्विसिज के इंटिग्रेशन के लिये दोनों स्टेट्स के जो एम्प्लोयीज हैं, उन में किसी किस्म का डिस्टिन्क्शन या इम्प्रेजाज नहीं किया जायेगा। लेकिन बाद में जो कुछ हुआ उस का नतीजा क्या निकला? एक नया ग्रुपिंग फार्मूला बनाया गया। उस ग्रुपिंग फार्मूला में यह था :

"The grouping formula was, however, contrary to the decision of the two Chief Ministers that the posts of clerks, assistants, assistants-in-charge, deputy superintendents and superintendents in PEPSU were to be treated as equal to those very posts in the Punjab."

उस ग्रुपिंग फार्मूले में मैन बिजनेस

"All services from the post of a clerk to that of the gazetted superintendents and superintendents were to be grouped together and their seniority was to be fixed according to their length of service."

मेरे कहने का मतलब यह है कि सर्विसेज का जो इंटिग्रेशन कोडर टु कोडर बेसिस पर होना चाहिये था उसके बजाय तमाम आफिसर्स ने जिस जिस कैटेगरी के अन्दर सर्विस की थी, उस तमाम पीरियड को काउण्ट कर के फिर इंटिग्रेशन किया गया। इसके खिलाफ पेप्सू के जितने एम्प्लोयीज थे, जिन की तादाद २०,००० के करीब थी, उन्होंने अपील की। मैं इस जगह यह साफ कर देना चाहता हूँ कि जो सेंट्रल कमेटी अपीलों का फैसला करने के लिये मुकर्रर की गई थी उसने जितनी भी अपील इस मामले में की गई थी उन तमाम

को मंजूर कर लिया और पंजाब गवर्नमेंट के फसले को नाजायज करार दिया। मेरी इस बात को मानदीय मन्त्री जी ने भी अपने जवाब में मान लिया है और कहा है :

"The Central Advisory Committee did not approve of the method of fixing *inter se* seniority adopted by the State Government and recommended that seniority should be fixed on the basis of the length of continuous service in the equated grade."

यही नहीं, सेंट्रल गवर्नमेंट की कमेटी का जो फैसला था उसको हमारी सरकार ने भी मान लिया है।

"The Government of India accepted this recommendation and passed orders on that basis and also cancelled orders which were passed on the recommendations of the State Advisory Committee."

मैं इस जगह पर यह भी कहना चाहता हूँ कि यह जो बात की गई वह कोई नई बात नहीं थी। हिन्दुस्तान के अन्दर और भी बहुत सी स्टेट्स मजबूत हुई थी। उनमें भी यह प्रिंसिपल फालो किया गया। मेरा यह भी कम्बाल था और उसके बारे में यह कहा गया :

"In view of answer to parts (b) and (c) given in the attached statement, action will be taken to work out the *inter se* seniority on the basis of the formula now agreed to after they have been approved by the Central Advisory Committee. The principle generally adopted in other States for fixing *inter se* seniority is continuous length of service in the equated grade."

इसलिए मैं यह कहना चाहता हूँ कि सेंट्रल गवर्नमेंट के लिये ऐप्रोप्रिएट कदम यह था कि वह मेकान ११७ को देखने हुए उन को हिदायत जारी करती थी कि जो फैसला हुआ है, सेंट्रल ऐडवाइजरी कमेटी का जो फैसला है, उसको बिल्कुल पूरा करें, उस पर अमल

किया जाय। सेक्शन ११७ में साफ़ तौर पर गया है :

"The Central Government may at any time before or after the appointed day give such directions to any State Government as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Government shall comply with such directions."

इस जगह पर मैं यह भी कहना चाहता हूँ कि जो सेंट्रल कमेटी मुकर्रर की गई वह भी उसी रिपोर्ट के तहत मुकर्रर की गई थी। सेंट्रल के सेक्शन ११५ के सबसेक्शन ५ में निकल दिया गया है :

"The Central Government may by order establish one or more Advisory Committees for the purpose of assisting it in regard to—

(a) the division and integration of the services among the new States and the States of Andhra Pradesh and Madras...."

मेरे कहने का मतलब यह है कि जब यह बात बिल्कुल साफ़ है, जो ऐप्रोप्रिएट हुआ उसके मुताबिक़ जो फैसला था, जिस को सेंट्रल ऐडवाइजरी कमेटी ने कन्फर्म भी कर दिया, और जिस का बाद में सेंट्रल गवर्नमेंट ने भी मान लिया, उस क्वेश्चन पर फिर बहस करने की ज़रूरत मालूम दा हो गई बाद में, जो यह कहा गया :

"The State Government pointed out their difficulties in giving effect to the orders passed on the basis of the recommendations of the Central Advisory Committee. The matter has since then been under discussion for resolving the differences of opinion on this point. An agreed formula has now been evolved."

मेरी समझ में यह बात नहीं आती कि जब तीन जगह फैसला हो चुका और

[श्री राम कृष्ण गुप्त]

एकट के मृताबिक "सला हुआ, तो फिर क्या डिफीकल्टी थी। न क्वेश्चन के अन्दर स बात को साफ किया गया कि वह कौनसी डिफीकल्टी थी। जहां तक मैंने मालूम करने की कोशिश की है कोई डिफीकल्टी नहीं है, सिर्फ डिफीकल्टी यह है कि रीगेशन कर दिया गया। मका नतीजा यह हुआ कि जो पेप्सू में क्लर्क थे या सुपरिन्टेण्डेंट थे वह अब तक बकायदा सुपरिन्टेण्डेंट हैं। आप इजाजत दें तो मैं उनकी लिस्ट पेश कर सकता हूं। और जो 'जाब का क्लर्क था वह पुसुपरिन्टेण्डेंट हो गया। सिर्फ यही एक डिफीकल्टी हो सकती थी, जो डिफीकल्टी नसाफ की डिफीकल्टी थी। बाद में मैंने यह भी मालूम करने की कोशिश की। मेन क्वेश्चन में यह जाहिर किया गया कि एक एंड फारमूला पेश किया गया है, लेकिन मैंने जब सवाल किया कि वह एग्जीड फारमूला क्या है कम से कम यह हो बतलाने की कोशिश की जाए तो जवाब दिया गया :

It will take a pretty long time to give the details.

और मैंने यह भी पूछा कि एग्जीड पार्टीज हैं, जिनको नुकसान हुआ है, क्या उनसे कोई सलाह ली गयी, तो कहा गया कि उनकी सूची तो पहले से मालूम थी, सलिये सलाह लेने की क्या जरूरत थी। तो मैं यह सवाल आज हाउस के सामने पेश करना चाहता हूं। जब फैसला पहले हो चुका था तो उस फैसले पर अमल करवाने की कोशिश क्यों नहीं की गयी। इसलिये मेरी यह अपील है कि जो दोनों स्टेटों के चीफ मिनिस्टर्स ने एग्री किया था, जिसको सैल कमेटी ने भी मान लिया था और जिसको सेंट्रल गवर्नमेंट ने अमल में लाने के लिए आर्डर जारी किए उस फारमूले को मान लिया जाए। मैं यह बात इसलिये कहता हूं कि यह २० हजार सरविसेज के साथ नसाफ का सवाल है। छोटी कोटी स्टेट्स बनी, उनमें जो रीगेशन के टाइम में डिफीकल्टीज आयीं उनको महसूस करते हैं इस

एकट को पास किया गया और उसमें यह प्रावीजन दाखिल किया गया ताकि किसी भी स्टेट के साथ बेसाफी न हो।

दूसरे जब तमाम हिन्दुस्तान के अन्दर कंमैण्ड रतमाल किया गया तो 'जाब के अन्दर वें जहां २० हजार मूलजिम्मे के साथ बेसाफी है उसको ठीक करने में दूसरा तरीका क्यों स्वीकार किया गया।

दूसरी बात मैं यह कहना चाहता हूं, और माननीय डिप्टी स्पीकर मेरी इस बात की ताईद करेंगे कि जिस वक़्त मरजर का सवाल था तो तमाम हिन्दुस्तान के अन्दर पेप्सू एक ऐसी स्टेट थी कि जिसने अनकंमिशनल सरेंडर किया वहां कोई कैपिटल के लिए या किसी और चीज के लिए कंटेस्ट नहीं किया गया। इसकी वजह यह थी कि हमारे जो पेप्सू के नेता थे उनके सामने एक ही खयाल था और वह खयाल देश के इंडीपेंडेंस और बेहतरी का खयाल था। इसलिए उन्होंने इस फैसले को मंजूर कर लिया। तो मैं समझता हूं कि सरविसेज के साथ इन्साफ किया जाये और मेरी आखिर में यह अपील है कि इस मामले में सेंट्रल गवर्नमेंट बोलब स्टैप उठाये, स्वाह कितनी भी डिफीकल्टी क्यों न हो, और तमाम सरविसेज को काबू में काबू इकट्ठा करे और काबू में काबू बेसिल पर उनका इंडीपेंडेंस करे।

जहां तक नये फारमूले का सवाल है मुझे इस में भी कोई ऐतराज नहीं, अगर दूसरी पार्टीज इससे खुश हों। लेकिन जो सवाल दिया गया उससे मेरे दिमाग में डर पैदा हो गया कि उनको शायद कंसल्ट नहीं किया गया। इसलिए जहां तक स्टेट का सवाल था वह तो नहीं रहा। अब तो उन एम्प्लॉईज को कंसल्ट किया जाये और उनको कंसल्ट करने का तरीका यही है कि उनके जो रिप्रेजेंटेटिव हैं उनको बुलाकर उनकी राय से कोई ठबदीली हो।

अगर ऐसा किया जाये तो मुझे कोई ऐतराज नहीं है। लेकिन जहाँ तक इन्फार्म का सवाल है उसके लिए मेरी एक ही अपील है कि पुराने फ़ैसले को मनवाया जाये और पंजाब गवर्नमेंट को इंस्ट्रक्शन जारी किये जायें कि वह उन पर अमल करे।

इंटीग्रेशन का सवाल बहुत अहम है। तमाम स्टेट गवर्नमेंट्स और सेंट्रल गवर्नमेंट का इन्तिजाम आफिमर्स के मोराल पर डिपेंड करता है। इसलिए मैं चाहता हूँ कि आफिमर्स के साथ जस्टिस की जाये ताकि उनका मोराल ऊंचा हो और वह तभी हो सकता है जब कि उन के साथ इंटीग्रेशन के मामले में इन्फार्म किया जाये क्योंकि इसके बारे में वे बड़े फ़ैनेटिक होते हैं। मेरा डम में कोई परमनल सवाल नहीं है। मैं ने तो यह बात इमलिये कही है कि यह २० हजार आफिमर्स के साथ इन्फार्म का सवाल है। मुझे उम्मीद है कि मेरी इस दरखास्त पर जरूर विचार किया जागा।

श्री प्रकाशचोर शास्त्री (गुडगांव) : मैं दो प्रश्न पूछना चाहता हूँ। एक तो यह है कि और बहुत सी रियासतों का दूसरे प्रान्तों के साथ विलय हुआ, और उन प्रान्तों की सरकारों ने उन रियासतों के कर्मचारियों के साथ जो उचित व्यवहार किया, क्या केन्द्रीय सरकार ने यह जानने का प्रयत्न किया कि पंजाब सरकार को उन प्रान्तों का अनुकरण करने में कौन सी कठिनाइयाँ थीं ?

दूसरी बात यह है कि पेप्सू के जो कर्मचारी थे, क्या केन्द्रीय सरकार ने यह जानने का प्रयत्न किया कि कितने कर्मचारियों को उनकी योग्यता और प्रभुत्व के अनुकूल स्थान अब तक मिल चुका है और कितने इस प्रकार के कर्मचारी अब तक हैं जिनको उनकी योग्यता के अनुकूल स्थान नहीं मिला है।

सरदार इकबाल सिंह (फिरोजपुर) : मैं यह पूछना चाहता हूँ कि क्या कोई ऐसी कमेटी बनी हुई है पंजाब में जिसमें कि पेप्सू

के एक्स चीफ मिनिस्टर और पेप्सू के और भी आदमी मेम्बर हैं जो सारे इंटीग्रेशन के सवाल पर गौर करती है।

दूसरे क्या ऐसी कमेटी बनी हुई है जिसमें पेप्सू की सरविसेज के और पंजाब की सरविसेज के मेम्बर हैं जो इस सवाल पर गौर करती है।

तीसरे मैं यह पूछना चाहता हूँ कि क्या यह सच है कि पेप्सू का सरजर हाने से दस दिन पहले बड़ी तादाद में आदमियों को कनफर्म किया गया था।

श्री भक्त बर्षाण : श्रीमन्, क्या इस प्रकार की शिकायत केवल पंजाब में ही है या अन्य राज्यों की भी जिनका वलय किया गया है, यह शिकायत है की उनके कर्मचारियों के साथ इस बारे में उचित कांवाई नहीं की गयी ?

श्री क० गो० सेन (पूर्निया) : हमारे यहां से जिन सरविसेज का बंगाल को ट्रांसफर किया गया उनको इतने दिन हो जाने के बाद भी अभी तक रेगुलराइज नहीं किया गया है।

उपाध्यक्ष महोदय : आज तो सवाल सिर्फ पंजाब का है।

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Deputy-Speaker, Sir, my hon. friend who has sponsored this discussion was needlessly critical, and to a certain extent, also, the information on which he built his case was rather inaccurate. The Government of India have some time before the reorganisation laid down four principles for the equation of services, and thereafter they have also laid down certain principles for the fixation of seniority in an equated grade. All these principles were sent to the various Governments, because on 1-11-1956 the new re-organised States were to come into operation.

[Shri Datar]

When this question was considered by the inter-State committee of the former PEPSU and the original Punjab Governments, it is not that they only relied upon, what my hon. friend called, the cadre-cadre equality. That is not what they did. I would like to point out to my hon. friend that that is how, unfortunately, a situation arose which has created a lot of, what can I say, representations and inconvenience also.

The representative of the PEPSU Government, after agreeing to the first principle in general of cadre to cadre equality, also pointed out, secondly, the point with regard to the grouping of services. We agreed that there was a lot of reason in it. We said that in a smaller State naturally the promotions were quicker and the cadre was smaller. Therefore, we agreed that we would consider the entire length of services in cases where the normal method of recruitment was by promotion.

I would like to tell my hon. friend that Government are fully seized of this problem. Government have before them a number of representations from the former PEPSU officers, and Government know what their representations are. But, for the information, or, rather the correction of what my hon. friend has pointed out, I would say here that the inter-State committee, both at the officers' level as well as at the ministerial level—that should be noted—considered both the views and evolved principles of integration on an agreed basis. They have pointed out:

"It was also decided, however, that in services where recruitment was normally done by promotion from the services below, the seniority list of the personnel in such services should be drawn up by grouping such services."

Therefore, I would point out to the hon. Member that at the time when this particular more or less general agreement was come to between the

representatives of the PEPSU and Punjab Governments, it is quite likely that the full implications of any such agreement, or in general of the group formula, might not have been realised at all.

I would point out the general history as briefly as possible. After this particular agreement was before the Government of India, the whole matter was considered and Government then tentatively pointed out to them that in as much as at a later stage under the States Reorganisation Act the matter has to come before the Government of India and a final directive has to be issued by the Government of India, therefore, Government would allow the various States concerned upon any formula that they might consider proper. Under these circumstances, the reorganised State of Punjab proceeded on the assumption that there was a general agreement, so far as the grouping formula was concerned. Thereafter, the Punjab Government issued what were known as Punjab Integrated Services Seniority Rules. They also were issued within some months or a year after the reorganisation and, thereafter, the question of the seniority of the various officers was also taken into account.

So far as grouping formula is concerned, it is not as if this question arose only in Punjab and PEPSU; there were certain other States also. So far as the Government of India were concerned, they agreed that, as far as possible, to the fullest extent, there ought to be seniority on the basis of cadre to cadre. That is the view that the Government of India took. But, as I pointed out, it was subject to an agreement between certain States. As I pointed out to my hon. friend at an earlier stage, here there was something like an agreement. I would not like to bind both the Governments to a particular course of action, but in as much as there was some sort of an agreement, the reorganised Punjab Government pro-

ceeded on the basis that the former PEPSU Government were also of the view that in suitable cases, especially when there was a promotion from a lower post to a higher post, the grouping formula might be taken into account. May I point out to the House that such promotion can be direct recruitment or can be by promotion, and the agreement was to the effect that the avenues of promotion from a lower post to the higher post was in this manner, namely, by considering the seniority and other things, and not by direct recruitment? That is how all this has started, and it would not be proper....

**Shri Ram Krishan Gupta:** As there was no PEPSU Government, with whom was the agreement reached?

**Shri Datar:** With the Punjab Government in which there were PEPSU officers as well. Let not the hon. Member needlessly blame the present Punjab Government. Under the present re-organised Punjab Government, there have been some officers of the former PEPSU state who have been dealing with the question of seniority. I would not mention their names but I would point out that this is how the grouping formula came into operation.

Subsequently when the matter came up before the State Advisory Committee, so far as the non-gazetted servants were concerned they also did not go into the propriety of this. They only wanted to know whether the formula was correctly passed and used in a particular case. Thereafter there were certain appeals. Those appeals could not be entertained on account of the fact that *prima facie* they were according to the State integration rules.

We also have a Central Advisory Board, as the House is aware. When this matter in respect of the gazetted or higher officers went before the Central Advisory Board not only in respect of Punjab but in respect of other States also, the Central Advisory Board took the view that any other formula than that of cadre to

cadre equation would not be proper. Therefore, they rejected what you can call the grouping formula so far as the cases before them were concerned. This was after the appeals against the decision of the Punjab Government on the advice of the State Advisory Board had been disposed of.

Then an anomaly arose, namely, that in certain cases the grouping formula had been followed and in other cases and so far as the rest of India also was concerned, the common formula had been followed. That was why the Government of India themselves took up this question. We received a number of representations from former PEPSU officers also. Thereafter there was a long discussion. We are extremely anxious to see that the rights that the services have, either in the States or in the Centre to the extent that the Centre comes into operation, are always safeguarded. Therefore, we wrote to the Punjab Government pointing out the difficulties as also the anomalies in the position. After that we had a meeting which went on for two or three days between the State's officers and the Central Government's officers. The whole matter was discussed fully. I might inform my hon. friends that there the officers, some of them, who attended were also from former PEPSU State and the interests of PEPSU officers were also taken into account because it was their representation that their seniority had been depressed. If, for example, there was going to be a cadre to cadre seniority then naturally they might not have lost to the extent that they have done. But by the operation of the grouping formula, it is true—and my hon. friend is justified in complaining—that there were certain cases where senior officers in PEPSU got their seniority below certain junior officers in the Punjab State. Certain District Judges, for example, in PEPSU were placed under Subordinate Judges. This is the case in a number of other departments. Therefore, Government had to consider the matter as carefully as possible. On the one hand, the position was that there was some

[Shri Datar]

sort of an agreement on behalf of the representatives of former PEPSU Government which naturally induced the present Punjab Government to go on with the implementation of this grouping formula and, on the other hand, it was also represented very strongly to us that a number of PEPSU officers had suffered in their seniority and that considerable hardship if not even injustice had been done to them.

It was under these circumstances that these opposing views had to be fully recognised. The interest of justice has always to prevail with us because ultimately under article 115 of the Constitution we are responsible for settling this question and under article 117 it is open to us to send a directive to the State Government. But, fortunately, after the recent conference held in February and March, it was found that both the groups agreed that some changes should be made. An agreed compromise formula, on behalf of the Punjab State which reflected, may I point out to my hon. friend, the views of both the Punjab officers as also of the former PEPSU officers was evolved. My hon. friend the other day as also today wanted to know the details of this formula. It is rather premature for me at this stage to disclose them. But that formula has the support not only of the Punjab officers, but also the former PEPSU officers. Let us try to remedy the evil; let us try to mitigate; if not completely eradicate, the evil. Let us not maintain this regional idea of former PEPSU officers and Punjab officers. We have to consider all of them as the officers of one State and on this basis a common formula has been evolved. I am very happy that the Punjab Government reflecting, as I pointed out, the views of both the officers, have evolved a formula which is fairly equitable.

The complaints which the hon. Member voiced have been before Government. Government are anxious to do full justice to all such complaints. They want to remove all complaints

to the extent possible. Now an agreed formula between the Central Government and the Punjab Government is before the Central Advisory Board. After their advice is received, Government will take necessary action and as I pointed out in my reply, if some reconsideration of the order already passed becomes necessary in the light of the compromise agreed formula, that also will surely be done. Therefore, I would point out to my hon. friend that he should not ask me at this stage to disclose the details of this agreement which has, as I said, the support of the State Government, reuacting both the views, and also the Central Government. We have sent it to the Central Advisory Board and they will also, I hope agree with this. As soon as they agree and express their opinion, Government will take necessary steps so far as the various representations that are before Government are concerned. Government will also consider whether there is any need for a reconsideration of the order that has already been passed. Thus, I would point out to my hon. friend that Government are fully seized of this problem. Government know the views of the various sections. I would not point out the *pros* and *cons* of both the views—what the Punjab officers' case was and what the former PEPSU officers' case was. That is all of academic interest only, especially when happily both the States have been fully reorganised.

So far as PEPSU is concerned, there has been reorganisation twice: first we had the PEPSU State round about 1947-48; then PEPSU remained a Part B State for a few years till 1-10-1956; then it has been merged in the Punjab; ultimately the whole area has become Punjab. Thus you will find that whatever is necessary, whatever is equitable will surely be done by the Central Government, because, under the States Reorganisation Act, it is the Centre's responsibility and the Centre are fully alive to this problem and they will take proper steps as early as possible.

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17.34 hrs.

## VALEDICTORY REFERENCE

**Mr. Deputy-Speaker:** Hon. Members, we have just concluded the longest sessions during this year. I am happy that we have done it with that toleration and forbearance which was expected of us. On occasions, there were excitements; tempers have also been exhibited sometimes; but always it was considered that discretion was really the better part of valour. The Chair, of course,—including myself, the hon. the Speaker, as well as the Panel of Chairmen—is extremely obliged to hon. Members that they have given that co-operation which was very much needed. The Chair alone cannot maintain the dignity of the House unless there is com-

plete co-operation by the hon. Members; and we have absolutely no complaint whatsoever, because we got that co-operation from every side and from every individual Member.

Now that you would be going to your constituencies you carry with you our good wishes. May success meet you everywhere, and you might come refreshed with a feeling of the greater responsibilities that we have to discharge.

**Shri Raghunath Singh, Shri Datar:** We also thank the Chair.

**Mr. Deputy-Speaker:** The House now stands adjourned *sine die*.

17.36 hrs.

The Lok Sabha then adjourned *sine die*.

[Friday, May 5, 1961/Vaisakha 15, 1883(Saka)]

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1947.	Indian Jute Mills Association . . .	15699—15702	4617.	Allotment of quarters . . .	15726
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1946-A	Indian Nationals in Cuba . . .	15702-03	4619.	Production of 'Mughal-e-Azam' . . .	15727-28
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19.	Military Secretary, Army Headquarters . . .	15709—14	4623.	Demand for Cement in Punjab . . .	15729
20.	Rickshaw Pulling . . .	15714-15	4624.	Development of Backward areas of Uttar Pradesh . . .	15729-30
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4700.	Indian Engineering goods to Zanzibar . . . . .	15776
4701.	Students attending cinema shows . . . . .	15776-77
4702.	Defence Minister's tours abroad . . . . .	15777-78
4703.	Rickshaw pulling . . . . .	15778-79

# MOTION FOR ADJOURNMENT

15779—85

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvashri S.M. Banerjee and K.T.K. Tangannani regarding the situation arising out of lock-out in Swadeshi Cotton Mills, Kanpur.

# CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

15785—87

Shri Balraj Madhok called the attention of the Minister of Labour and Employment to the recent strike of building workers in Delhi.

# CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE—contd.

COLUMNS

The Deputy Minister of Labour (Shri Alid Ali) made a statement in regard thereto.

In response to the five other calling attention notices mentioned below against the names the names of the members concerned, the Ministers concerned laid statements on the Table :—

(1) Shri Rahhunath Singh  
Visit of Pakistani water resources experts to Calcutta Port.

(2) Shri N. Keshva

Incidents of violence occurring in the Modern Satgram Colliery and other collieries of the Raniganj Coal belt area.

(3) Shri Purushottamdas R. Patel

Accumulation of large stocks of indigenous cotton with the traders and growers in Gujarat due to the policy of import of cotton under PL-480.

(4) Shri Inder J. Malhotra  
Reported missing of detonators, gelatine and fuse wire from the magazine of the C.P.W.D. Frontier Division of N.E.F.A.

(5) Shri C. Krishnan Nair

Proposal regarding diversion of the drain No. 8 to drain No. 6 on the border of Punjab and Delhi and the resulting danger of frequent floods in in Alipur block area.

# PAPERS LAID ON THE TABLE

15787—92

(1) A copy of Report of the Organisation and Methods Division for the years 1959-61.

(2) A copy of the Appropriation Accounts (Civil), 1959-60 (including proforma commercial accounts) and the Audit Report, 1961 under Article 151(1) of the Constitution.

(3) The following statements showing the taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Second Lok Sabha :—

(i) Supplementary Statement No. II

Thirteenth Session, 1961.

(ii) Supplementary Statement No. V

Twelfth Session, 1960.

PAPERS LAID ON THE  
TABLE—contd.

## COLUMNS

- (iii) Supplementary Statement No. IX.  
Eleventh Session, 1960.
- (iv) Supplementary Statement No. XIV  
Tenth Session, 1960
- (v) Supplementary Statement No. XVIII  
Eighth Session, 1959.
- (vi) Supplementary Statement No. XXII  
Sixth Session, 1958.
- (4) A copy of the Inorganic Fertilizer (Movement Control) Amendment Order, 1961 published in Notification No. G.S.R. 516 dated the 22nd April, 1961, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955.
- (5) A copy each of the following papers :—
  - (i) Annual Report of Hindustan Housing Factory Limited, New Delhi for the period 1st August, 1959 to 31 March, 1960 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.
  - (ii) Review by the Government of the working of the above Company.
- (6) A copy of Resolution No. 18(4).59-Salt dated the 3rd May, 1961, containing the Government's decisions on the recommendations made by the Committee appointed by the Government of India to consider certain matters connected with the Development of the Salt Industry.
- (7) A copy of the Scheme for the reconstruction of the Travancore Forward Bank Limited and its amalgamation with State Bank of Travancore, Published in Notification No. S.O. 989 dated the 29th April, 1961, under sub-section (11) of Section 45 of the Banking Companies Act, 1949.
- (8) A copy of the Displaced Persons (Compensation and Rehabilitation) Sixth Amendment Rules, 1961

PAPERS LAID ON THE  
TABLE—contd.

## COLUMNS

- published in Notification No. G.S.R. 565 dated the 22nd April, 1961, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954.
- (9) The Orissa Land Reforms Rules, 1961, published in the Orissa Gazette Notification No. 19767-Re-1/61-R sub-section (3) of Section 75 of Orissa Land Reforms Act, 1960 read with clause (c) (iv) of the Proclamation dated the 25th February, 1961 issued by the President in relation to the State of Orissa.
- (10) The Orissa Irrigation Rules, 1961 published in the Orissa Gazette Notification No. 20464-III-W-12/61-R dated the 2nd May, 1961 under sub-section (3) of Section 53 of the Orissa irrigation Act, 1959, read with clause (c) (iv) of the Proclamation dated the 25th February, 1961, issued by the President in relation to the State of Orissa.
- (11) A statement regarding the arrest of displaced persons at Rourkela.
- (12) Minutes of the Twentieth sitting of the Committee on Government Assurances held during the Thirteenth Session were laid on the Table.
- (13) Minutes of the sittings (Fifty-first to Fifty-fourth) of the Committee on Petitions held during the Thirteenth Session were laid on the Table.
- (14) A copy of the Minutes of evidence given before the Sub-committee of the Estimates Committee on Public Undertakings and Minutes of the sittings of the Estimates Committee relating to 115th, 116th, 119th, 120th, 121st, 124th and 132nd Reports on the Ministries of Transport and Communications, Works, Housing and Supply, Commerce and Industry, Defence and Food and Agriculture were laid on the table.

## COLUMNS

## STATEMENTS BY MINISTERS 15792

(i) The Minister of Steel, Mines and Fuel (Sardar Swa an Singh) laid on the Table a statement regarding arrest of Adivasi Displaced Persons at Rourkela, as promised by him on 24-4-61. 15792-96

(ii) The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda) made the following statements :

(a) Statement correcting the reply given on the 8th December, 1960 to Starred Question No. 785 by Shri Hariash Chandra Mathur regarding Rajasthan Government property in Delhi.

(b) Statement on the explosion at Poozhikunnu Nemon, District Trivandrum (Kerala) on the 19th April, 1961.

## PRESIDENT'S ASSENT TO BILLS

15793

Secretary laid on the Table the following Bills passed by the Houses of Parliament during the current session and assented to by the President since the last report made to the House on the 1st May, 1961.

(1) The Telegraph Laws (Amendment) Bill, 1961

(2) The Industrial Employment (Standing Orders) Amendment Bill, 1961

## REPORTS OF ESTIMATES COMMITTEE PRESENTED 15793-94

Hundred and thirty-fourth, Hundred and thirty-sixth and Hundred and thirty-seventh Reports were presented.

## REPORT OF PUBLIC ACCOUNTS COMMITTEE PRESENTED 15794

Thirty-seventh Report was presented.

## REPORT OF COMMITTEE ON PETITIONS PRESENTED 15794

Twelfth Report was presented.

## BILLS INTRODUCED 15796, 15820

(1) The Coffee (Amendment) Bill, 1961

(2) The Banaras Hindu University (Amendment) Bill, 1961

(3) The Union Territories (Stamp and Court-fees Laws) Bill, 1961

## BILL REFERRED TO SELECT COMMITTEE 15797-15801 15802-20

The Deputy Minister of Railways (Shri Shah Nawaz Khan) moved that the Indian Railways (Amendment) Bill, 1961 be referred to a Select Committee. The motion was adopted.

## MOTION Re: REPORT OF UNIVERSITY GRANTS COMMISSION 15820-43

Further discussion on the motion re. Report of University Grants Commission moved by the Minister of Education (Dr. K. L. Shrivastava) on 4-5-61 [continued. The discussion was not concluded.

## PRIVATE MEMBER'S BILL INTRODUCED 15843

The Old Age Pension Bill, 1961 by Shri Aurobindo Ghosal

## PRIVATE MEMBER'S BILL WITHDRAWN 15843-15913

The Discussion on the motion to consider the All India Domestic Servants Bill by Shri Balmiki was resumed. Shri Balmiki replied to the debate and the Bill was, by leave, withdrawn.

## PRIVATE MEMBER'S BILL UNDER CONSIDERATION 15913-14

Shri C.R. Pattabhi Raman moved that the Constitution (Amendment) Bill (Amendment of Article 226) be taken into consideration. The discussion was not concluded.

## HALF-AN-HOUR DISCUSSION 15914-28

Shri Ram Krishan Gupta raised a half-an-hour discussion on points arising out of the answer given on the 21st April, 1961 to Starred Question No. 1661 regarding integration of services in Punjab.

The Minister of State in the Ministry of Home Affairs (Shri Datar) replied to the debate

Loh Sabha Adjourned sine die.

## OF THE THIRTEENTH SESSION OF SECOND LOK SABHA

Period of the Session	February 14 to May 5, 1961/ Magha 25, 1882 to Vaisakha 15, 1883 (Saka)	7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193	
		(Matters of urgent public importance)	
2. Number of Sittings	61	(i) Notices received	7
3. Total Number of Sitting Hours.	399-1 Hours.	(ii) Discussions held	nil
4. Number of Divisions Held	5	8. NUMBER OF STATEMENTS MADE UNDER RULE 197	
5. GOVERNMENT BILLS:—		(Calling Attention to matters of urgent public importance)	
(i) Pending at the commencement of the session	11	(i) Notices received	307
(ii) Introduced	26	(ii) Statements made by Ministers	39
(iii) Laid on the Table as passed by Rajya Sabha	3	9. HALF-AN-HOUR DISCUSSIONS HELD	18
(iv) Referred to Select Committee	2	10. GOVERNMENT RESOLUTIONS	
(v) Referred to Joint Committee		(i) Moved	1
(vi) Reported by Select Committee		(ii) Adopted	1
(vii) Reported by Joint Committee	1	11. PRIVATE MEMBERS' RESOLUTIONS	
(viii) Passed	29	(i) Received	967
(ix) Returned by Rajya Sabha without any recommendations (Money Bill)	14	(ii) Admitted	719
(x) Returned by Rajya Sabha with amendments	3	(iii) Discussed	7
(xi) Pending at the end of the session	14	(iv) Withdrawn	1
6. PRIVATE MEMBERS' BILLS:—		(v) Negatived	5
(i) Pending at the commencement of the session	125	(vi) Adopted	nil.
(ii) Introduced	9	(vii) Part Discussed -	1
(iii) Discussed	9	12. GOVERNMENT MOTIONS:—	
(iv) Withdrawn	2	(i) Moved	1
(v) Negatived	4	(ii) Adopted	nil.
(vi) Passed	nil.		(Discussion not concluded).
(vii) Part Discussed	1	13. PRIVATE MEMBERS' MOTIONS:	
(viii) Circulated for eliciting public opinion thereon	2	(i) Received	68
(ix) Pending at the end of the session	128	(ii) Admitted	61
		(iii) Moved	4
		(iv) Adopted	4
		14. MOTIONS RE. MODIFICATIONS TO STATUTORY RULES	
		(i) Received	35
		(ii) Admitted	35
		(iii) Moved	2

15. NUMBER OF AD-  
JOURNMENT MO-  
TIONS:—

(i) Brought before the House . . . . .	44
(ii) Admitted . . . . .	nil.
(iii) Consent withheld by Speaker . . . . .	44

16. TOTAL NUMBER  
OF QUESTIONS  
ADMITTED :

(i) Starred . . . . .	1950
(ii) Unstarred (including] starred question converted as unstarred questions . . . . .	4698
(iii) Short Notice Questions . . . . .	21

17. NUMBER OF RE-  
PORTS OF THE  
VARIOUS PARLIA-  
MENTARY COMMI-  
TTEES PRESEN-  
TED TO THE LOK  
SABHA

(i) Estimates Commi- tee . . . . .	30
(ii) Public Accounts Committee . . . . .	5
(iii) Joint Committee on the Maternity Be- nefit Bill, 1960. . . . .	1
(iv) Committee on Sub- ordinate Legislation . . . . .	1
(v) Committee on Peti- tions . . . . .	1
(vi) Committee of Pri- vileges . . . . .	1
(vii) Committee on Pri- vate Members Bills and Resolutions . . . . .	9