

Friday, December 23, 1960
Pausa 2, 1882(Saka)

LOK SABHA DEBATES

Second Series

Volume XLIX, 1960/1882 (*Saka*)

[*December 12 to 23, 1960/Agrahayana 21 to Pausa 2, 1882 (Saka)*]



TWELFTH SESSION, 1960/1882 (*Saka*)

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LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Friday, December 23, 1960/Pausa 2,
1882 (Saka)

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

हिमाचल प्रदेश, मनीपुर, त्रिपुरा और दिल्ली
में लोकप्रिय सरकारें

+

- *१०८०. { श्री प्रकाश वीर शास्त्री :
श्री रामकृष्ण गुप्त :
श्री बी० चं० शर्मा :
श्री इन्द्रजीत गुप्त :
श्रीमती रेणु चक्रवर्ती :
श्री सुरेन्द्रनाथ द्विवेदी :
श्री हेम राज :
श्री बजराल सिंह :
डा० साभन्तसिंहार :
श्री जं० ब० सिंह बिष्ट :
श्री मधुसूदन राव :
श्री प्र० चं० बरुआ :
श्री हेम बरुआ :

क्या गृह-कार्य मंत्री यह बताने की
कृपा करेंगे कि :

(क) क्या सरकार हिमाचल प्रदेश,
मनीपुर, त्रिपुरा और दिल्ली को पहले जैसे
स्वायत्तशासी राज्य बनाने की संभावना पर
विचार कर रही है;

(ख) क्या यह सच है कि इस प्रश्न को
लेकर इन क्षेत्रों में आन्दोलन किये जा रहे हैं
1695 (Ai) LS—1.

और वहां की जनता ने भी यह मांग की है;
और

(ग) इन क्षेत्रों को स्वायत्तशासी राज्य
बनाने के बारे में सरकार संभवतः कब तक
अन्तिम निर्णय कर लेगी ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :

(क) से (ग). मनीपुर में विधान सभा
और उसके प्रति उत्तरदायी शासन की
स्थापना के लिए कुछ आन्दोलन हुआ था।
अन्य क्षेत्रों में ऐसा कोई आन्दोलन नहीं हुआ।
इस बात पर विचार हो रहा है कि मौजूदा
प्रशासन व्यवस्था में कोई परिवर्तन लाने की
आवश्यकता है या नहीं।

Some Hon. Members: The English
version may also be given.

Mr. Speaker: Yes.

Shri G. B. Pant: (a) to (c). There
was some agitation in Manipur for the
establishment of a legislative assembly
and a government responsible to
it; there has been no similar agitation
in other territories. The question
whether any changes or adjustments
are necessary in the existing adminis-
trative set-up is under consideration.

श्री प्रकाश वीर शास्त्री : गृह मंत्री जी ने
अभी अपने उत्तर में यह कहा है कि इन प्रदेशों
के प्रशासन में परिवर्तन लाने की आवश्यकता
है या नहीं, इस विषय पर विचार हो रहा है।
मैं क्या आशा करूँ कि कब तक इस विचार के
अन्तिम रूप दिया जा सकेगा ?

श्री गो० ब० पन्त : अगले चुनाव से
पहले, ताकि चुनाव के वक्त से पहले जो कोई
तब्दीलियाँ समझी जायें, वे कर दी जायें।

श्री बजराल सिंह : अभी गृह मंत्री महोदय
ने कहा है कि अगले चुनाव से पहले यह परिवर्तन

सम्भव हो सकेगा। अगर कोई उत्तरदायी सरकार की बात मानी जाती है—जैसी कि आशा की जा रही है—तो क्या यह भी सम्भव होगा कि अगले चुनाव से काफ़ी पहले, छः आठ महीने पहले, इस तरह का निश्चय कर दिया जाये ?

श्री गो० ब० पन्त : जो भी करना हो—क्या होगा, वह तो निश्चित रूप से कहा नहीं जा सकता—वह उस से कई महीने पहले करना होगा, क्योंकि पार्लिमेंट की मन्जूरी भी तो लेनी होगी किसी बात के लिए, अगर वह करनी होगी।

Shri Ram Krishan Gupta : Is it a fact that a deputation of representatives of Himachal Pradesh met the Prime Minister and he assured them that some steps will be taken to enlarge the functions of the Advisory Committee; if so, may I know what steps are being taken in this respect?

Shri G. B. Pant : Well, I do not exactly know if he said that some steps would be taken to appoint an Advisory Committee.

Shri Indrajit Gupta : May I know whether it is a fact that an all-party delegation from Manipur recently visited Delhi and had discussions with the Government and whether the arguments and reasons put forward by them for speedy replacement of the present Territorial Council by an elected Assembly have been fully considered by the Government and whether they are willing to move actively in this matter?

Shri G. B. Pant : A deputation did meet me and their representation is under consideration.

Shri Hem Raj : May I know whether in the Union Territories the Class C set-up which was formerly in existence will again be restored?

Shri G. B. Pant : When a matter is under consideration one cannot say what will be finally done.

Shri Hem Barua : May I know whether it is a fact that the deputationists from Manipur who met the hon. the Prime Minister and also the hon. the Home Minister emphasised the fact that provided responsible government is granted in Manipur, the separatist tendencies among the Naga tribals in that State can be effectively counter-acted; if so, whether Government have examined this aspect of the matter also?

Shri G. B. Pant : Every relevant aspect will be examined.

Shri Hem Barua : I want to know whether this aspect will be examined.

Mr. Speaker : 'Every aspect' means the particular aspect also.

Shri Braj Raj Singh : In view of the assurance of the hon. the Home Minister that some months before the next elections take place the consideration shall be over and something will be done, may I know whether he will consider the possibility of release of those prisoners or detenus in Manipur who were arrested in connection with the agitation which was conducted there recently?

Shri G. B. Pant : I do not see how the two are connected with each other.

Shri Tyagi : Since there is no name of any Member of Parliament from these areas I want to know whether the Members representing these areas will also be consulted in this matter?

Shri G. B. Pant : Well, the members representing these areas are also members of the Advisory Councils who are in touch with the Home Minister. They will naturally be consulted.

Shri Tyagi : May I know as to what circumstances have persuaded the Home Minister to reconsider the situation? Is it on account of an agitation in one State, or is it that of his own accord he is thinking of it? Is it, for instance, that the experiment of the Corporation in Delhi has failed and the Home Minister is persuaded to reconsider the situation?

Shri G. B. Pant: I have not said anything about Delhi. I said that the matter is under consideration. Representations have been made and there seems to be a desire that the present set-up, in the view of some of the persons, should be reviewed. So that is being done.

Shrimati Ila Palchoudhuri: May I know if the delegation that met the Home Minister and the Prime Minister has given some sort of assurance that if their case is considered, this movement in Manipur will be called off and things will be peaceful?

Shri G. B. Pant: There is no movement in Manipur at present.

श्री प्रकाश बीर शास्त्री: क्या मैं जान सकता हूँ कि भारत सरकार की और से संघीय प्रशासित इन प्रदेशों में जा प्रजासक निवृत्त हैं, उन की इस सम्बन्ध में क्या सम्मति है ?

श्री गो० ब० पन्त : उन की सम्मति भी ली जायेगी ।

Some Hon. Members rose—

Mr. Speaker: Next question. I cannot allow fifty supplementaries on one question.

Shri Braj Raj Singh: The Home Minister said....

Mr. Speaker: He has said that the other matter does not arise out of this question. It is not a matter which can be settled like this during Question Hour. Nothing will happen without the knowledge of this Parliament. I have allowed sixteen supplementaries already.

Shri Braj Raj Singh: Sir, on a matter of clarification. The Home Minister said that there is no connection between the release of the prisoners who were arrested there in connection with the movement in Manipur and the question of setting up responsible government there. Now, Sir, he admits that the movement is not there, and the people who conducted the movement have

also withdrawn the movement. I want to know whether he is prepared to consider the release of the prisoners.

Mr. Speaker: That question is irrelevant, it does not arise out of this.

श्री प्र० ना० सिंह: श्रीमन्, इस सम्बन्ध में . . .

अध्यक्ष महोदय: इस सम्बन्ध में कुछ भी नहीं किया जा सकता है ।

श्री प्र० ना० सिंह: यह बहुत ज़रूरी प्रश्न है ।

अध्यक्ष महोदय: नहीं जी । Next question. On a single question hon. Members cannot spend away all the time. We have spent ten minutes over this. If it is so important, why don't hon. Members move a resolution?

Shri P. N. Singh: Members of this House are under detention there.

Mr. Speaker: The hon. Member cannot interrupt when I am on my legs. Hon. Members know how to bring such matters before the House if they are important. The hon. Minister says that it is under discussion and under consideration. What more can be done now? They will wait until the consideration is over; when we meet again in the next session let us know something more about it. If they want to express their views before the consideration, they know how to move this House. During Question Hour every matter is sought to be brought in. Is there no place and no procedure? If hon. Members want a discussion, they have always moved me for a discussion, and I will consider. In view of the fact that the hon. Minister says that the matter is under consideration, let them wait until the next session and certainly we will have a discussion on this matter.

Shri Braj Raj Singh: One of the Members of this House is in detention. The House is adjourning today.

Mr. Speaker: If any Member of this House wants to put himself in that position, how can I advise the Government not to put him in that position?

Shri P. N. Singh: The agitation has already ended, and the man is still under detention. That is the whole question.

Mr. Speaker: I cannot allow this question to be taken advantage of for the purpose of arguing the case of those persons who wanted to have a change. Let them sacrifice something.

Shri G. B. Pant: I may say, Sir, that even when we meet in the next session the consideration will not be over.

Mr. Speaker: Very well.

Shri Hem Barua: Then we may be allowed to put some more questions.

Mr. Speaker: If the consideration is not over even then, hon. Members may make their suggestions. There is no difficulty in that.

Shri Hem Barua: May I put some more supplementaries?

Mr. Speaker: No. Next question.

शारीरिक व्यायाम शिक्षा, मनोरंजन और
युवक कल्याण सम्बन्धी सामंजस्य समिति

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*१०८१. { श्री भवत वंशन :
श्री रा० चं० माझी :
श्री सुबोध हंसदा :
श्री न० रा० मुनिस्वामी :
श्री अग्राड़ी :
श्री सुगन्धी :
श्री बी० चं० शर्मा :

क्या शिक्षा मंत्री २६ अगस्त, १९६० के तारंकित प्रश्न संख्या ८३५ के उत्तर के

सम्बन्ध में यह बताने की कृपा करेंगे कि शारीरिक व्यायाम शिक्षा, मनोरंजन और युवक कल्याण की सब योजनाओं में सामंजस्य स्थापित करने के लिये जो समिति नियुक्त की गई थी उसने अपने कार्य में अब तक क्या प्रगति की है ?

शिक्षा मंत्री (डा० का० ला० श्रीमास्ती):
विवरण सभा-पटल पर रख दिया गया है ।

विवरण

तब से समिति ने बम्बई का १२ से १४ अक्टूबर १९६० तक और मद्रास का १५ से १७ अक्टूबर १९६० तक दौरा किया है । इन दानों जगहों पर विभिन्न योजनाओं के अन्तर्गत होने वाले कार्य को देखने के लिए उन्होंने अनेक संस्थाओं का निरीक्षण किया । समिति के कार्य-क्षेत्र के अधीन विभिन्न योजनाओं के अन्तर्गत कार्य से सम्बन्धित कुछ शिक्षाविज्ञों के मौखिक वार्ता भी उन्होंने लिए । समिति की एक बैठक १५ नवम्बर, १९६० को नई दिल्ली में भी हुई जिसमें उन्होंने राष्ट्रीय कंटेनर कौर के निदेशक के और चार संसद सदस्यों के वार्ता लिये । उन्होंने समिति के सम्मुख अपने वार्ता देने की इच्छा प्रकट की थी । समिति को आशा है कि वह मार्च, १९६१ के अन्त तक रिपोर्ट को अन्तिम रूप दे देगी ।

Mr. Speaker: I would like to make a suggestion. When the Constitution is amended or a law is passed by this House, I do not know if it is open to any hon. Member, who may not be in agreement with it, to go on asking for a change in the law. They could have brought in a Bill for the amendment of the Constitution. It is not as if hon. Members cannot bring in an amendment to a Bill. They must have given notice of such a Bill and taken their chance in the House. Every action of the Government, of course, may not be acceptable to all sections of the community. An hon. Member of this House has got a right to have his full say, and once a decision is

taken he must abide by it. Then it is not open to him or to any others through him to go and take the law into their own hands and make an agitation. I am, therefore, really surprised at this. Where are we leading to? Are we working democratic institutions? If they make such an agitation and the Government in the interest of proper administration thinks it necessary to put them in jail they must suffer the consequences. Therefore, hon. Members will seriously consider whether it is right that whenever they do not succeed to do a thing by a vote of this House they can do the rest and during the Question Hour demand that the law should be changed. Let them bring an amending Bill and let us see whether it is carried in this House or not.

Shri Braj Raj Singh: Sir, that raises a very fundamental question. You have been pleased to observe in this House so many times that we are running a democracy in this country and there are certain people who believe that fundamentally they have got a right to agitate peacefully for the demands which they think are proper.

Mr. Speaker: I have no objection.

Shri Braj Raj Singh: If certain people are agitating peacefully and non-violently for certain demands which they think are proper, it will not be proper that observations are made here in this House that it is something unjustifiable.

Shri Raghunath Singh: Sir, this is Question Hour and this is not the time for any discussion.

Mr. Speaker: Order, order. All that I can say is, it is open to any section of the community—we represent the community, and all of them may not be of the same view—to peacefully agitate for modification of any law. But I am talking of hon. Members here. Should they not abide by a majority decision? Should they also follow the people outside if they want to change the law?

Shri P. N. Singh: That is not the question. The question here is.....

Mr. Speaker: Order, order. What happens is this. Hon. Members may want to vote against a particular measure or in favour of it. They may not succeed in getting it passed or thrown out. Some others may start an agitation outside on that issue. Hon. Members take advantage of that position and come here saying that the law must be changed. What they were not able to persuade the House to do when the actual measure was being considered, they are trying to do indirectly taking advantage of the agitation. There are other methods open to an hon. Member of this House. He can table an amendment to that particular Act or even to the Constitution which we are changing so often. Why does he not do so. (*Interruption*). Order, order. Anyhow, the Question Hour is not the proper occasion for doing all this. They can move resolutions, they can have discussions and then persuade the House to agree to their view. There are a number of measures open to them. Why should they interrupt the proceedings of the House during the Question Hour?

Shri Braj Raj Singh: As a matter of fact, Sir, there was no intention to utilise the Question Hour for that. The only reason is that the House is adjourning today. A Member of this House is in detention. The movement, as the Home Minister admits, has fizzled out. I do not think there is any sense in keeping that Member under detention any longer. We will not get a chance to raise this matter in this House for another two months.

Mr. Speaker: Very well—Shri Bhakt Darshan.

श्री भक्त दर्शन : पिछली बार माननीय मंत्री जी ने उत्तर देते हुए बताया था कि इस कमेटी की रिपोर्ट दिसम्बर में मिल जायेगी और अब कहा जा रहा है कि मार्च तक मिलेगी ।

में जानना चाहता हूँ कि क्या कमेटी ने कोई कारण बताये हैं कि क्यों इतनी देरी लग रही है ?

Dr. K. L. Shrimali: The Committee had sent round a questionnaire and the Government had requested that the report may kindly be expedited. The Committee has some distinguished Members of this House as well as the other House. All that we can do is to make a request to them. Now they have promised that the report will be available by the end of March.

श्री भक्त दर्शन : क्या इस कमेटी ने देश के सभी प्रान्तों का दौरा किया है और यदि नहीं किया है तो क्या शेष प्रान्तों में भी जाने का इसका विचार है ?

Dr. K. L. Shrimali: The Committee has toured in some parts of the country. They propose to do some more touring. But it is not necessary for them to go all over the country. They only want to see some institutions in some places.

Shri D. C. Sharma: Was the questionnaire circulated to the Members of Parliament also; if so, to how many Members was it circulated?

Dr. K. L. Shrimali: The questionnaire was circulated to the universities, colleges and schools.

Shri D. C. Sharma: May I know if Members of Parliament are not consulted in matters which pertain to universities and education?

Dr. K. L. Shrimali: Members of Parliament have been interviewed by the Committee, and any Member of Parliament who wishes to give evidence would be welcome to do so.

Shri Subodh Hansda: From the statement I find that from October up-to-date the Committee has visited only two States. The hon. Minister just now stated that the report will be submitted by the end of March 1961. Will it be possible for the Committee to submit its report by the end of March 1961?

Dr. K. L. Shrimali: I think, Sir, by the end of March the report will be submitted.

श्री प्रकाश वीर शास्त्री : मैं जानना चाहता हूँ कि इस समय इन योजनाओं पर पृथक् पृथक् कितना व्यय हो रहा है और सामंजस्य स्थापित हो जाने पर क्या इस व्यय में कोई कमी हो जायेगी, यदि हां तो कितनी ?

डा० का० ला० श्रीमाली : जब कमेटी की रिपोर्ट आयेगी तभी इस मामले पर गौर किया जा सकता है ।

श्री प्रकाश वीर शास्त्री : पृथक् पृथक् कितना व्यय हो रहा है ?

डा० का० ला० श्रीमाली : उसका व्यौरा तो अभी मेरे पास नहीं है ।

Shri Yadav Narayan Jadhav: In the statement that has been laid on the Table of the House it has been stated that the Director, National Cadet Corps also gave evidence. May I know whether he has impressed upon the Committee that the National Cadet Corps should be introduced in all the secondary schools in the country?

Dr. K. L. Shrimali: The hon. Member will have to wait for the report of the Committee.

श्री भक्त दर्शन : क्योंकि यह मामला बहुत महत्वपूर्ण है, इसलिये क्या माननीय मंत्री जी बतलाने की कृपा करेंगे कि जब इस कमेटी की रिपोर्ट शासन को मिलेगी, तो उस पर निर्णय करने से पूर्व इस सदन के सदस्यों की राय इस सम्बन्ध में ली जा सकेगी ?

डा० का० ला० श्रीमाली : मैं जब तक रिपोर्ट देख नहीं लूँ इस मामले में कोई वादा नहीं कर सकता । लेकिन मैं आप को विश्वास दिलाना चाहता हूँ कि जितने भी काम होंगे उन सब में माननीय सदस्यों से परामर्श करने

का जब भी मौका मिलेगा, उस में लाभ उठाया जायेगा। परामर्श करने का मौका मिलता ही रहता है, अब बजट आयेगा, उस वक्त भी इस मामले में राय जाहिर करने का मौका मिलेगा।

Industrial Establishments

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*1082. { **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:
Shri S. M. Banerjee:

Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 995 on the 1st September, 1960 and state:

(a) whether Government have considered the matter for removing disparity in Industrial Establishments in the light of the recommendations of the Central Pay Commission in regard to leave entitlement of Industrial and non-Industrial staff; and

(b) if so, the results thereof?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The recommendations of the Central Pay Commission in regard to leave entitlement of industrial and non-industrial staff are still under examination in the Ministry of Finance. I may add, Sir, that the examination is almost complete and orders are likely to be issued soon.

Shri Ram Krishan Gupta: What are the approximate financial implications to implement all these recommendations?

Shri Raghuramaiah: Only when decisions are taken it will be possible to work out the financial implications in accordance with the decisions.

Shri S. M. Banerjee: May I know whether it is a fact that after the publication of the Pay Commission's recommendations the holiday and casual leave concessions of the non-industrial employees were reduced and in the case of industrial employees where the Pay Commission has sug-

gested an increase from 5 to 7 and 14 to 16 the report has not been implemented; if so, may I know what the delay and why there has been so much delay when the Prime Minister himself stated that it has been treated as an award?

Shri Raghuramaiah: I have already stated that the examination has almost been completed and orders are likely to be issued. I would request my hon. friend to hold his patience a little while longer.

Shri D. C. Sharma: May I know whether it is going to be a case of downward revision or upward revision, or it is going to be a case of status quo?

Shri Raghuramaiah: If my hon. friend wants me to anticipate the decisions, it will be very difficult for me to do so.

Shri S. M. Banerjee: May I know whether the Committee of the Ministry is considering the recommendations of the Pay Commission or whether there is going to be any modifications in them?

Shri Raghuramaiah: The examination of the recommendations of the Pay Commission is going on, and it is too premature for me to say what the final shape of the conclusions of the Government would be.

Conference of Middle East Oil Producing Countries

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*1083. { **Shri Raghunath Singh:**
Shri Rajendra Singh:
Shri P. K. Deo:
Shrimati Ila Palchoudhuri:
Shri Rameshwar Tantia:
Shri Subiman Ghose:
Shri Hem Barua:
Shri B. Das Gupta:
Shri Aurobindo Ghosal:
Shri Indrajit Gupta:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that there has been a meeting of the Oil

Producing countries and oil companies in the Middle East to discuss situation arising out of reduction in posted price of oil as a result of Russian participation in oil market especially in South East Asia;

(b) whether India had been invited to this meeting as an observer; and

(c) the net outcome of this meeting?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A Conference of the Organisation of Petroleum Exporting Countries in the Middle East, was held in Baghdad from 10th to 14th September, 1960 to discuss the situation arising out of reduction in posted prices of oil in the Middle East. The Oil Companies were not present in the Conference nor had the situation arisen solely as a result of Russian participation in the oil market in South East Asia. Oil producing countries and oil companies were represented also in the 2nd Arab Petroleum Congress held in Beirut between 17 and 22nd October, 1960; this Congress also, among other things, discussed the reduction in posted price of Crude Oil by oil companies.

(b) India was not invited to the Baghdad Conference but a delegation of observers from India attended the 2nd Arab Petroleum Congress at Beirut.

(c) The O.P.E.C. Conference at Baghdad dealt exclusively with the issue of stabilisation of prices of petroleum products and the re-establishment of prices prevalent before the reductions effected by oil companies in August, 1960 and recommended, *inter alia*, the regulation of production as a means to ensure a stable income to producing countries. The 2nd Arab Petroleum Congress at Beirut also recorded disapproval of the Arab countries to the unilateral reduction of posted prices of oil by oil companies, upheld the demand and the efforts of the Arab countries to improve terms of petroleum concessions and recommended large scale expansion of facilities

for technical, economic and legal studies for Arab nationals.

Shri Raghunath Singh: May I know what is the effect on the prices of oil in South-east Asia and in Asia as a whole on account of Soviet Russia entering into the oil trade?

Sardar Swaran Singh: It is a fact that in the world taken as a whole, there have been new entrants in this international market of oil. Soviet Union, Italy and France are the three countries here, besides the stepping up of production by the other oil companies. So, it is difficult to say whether this downward trend was started by the entry of Soviet Union. There are other factors also.

Shri Hem Barua: In view of the fact that India is in the thick of this price dispute between the principal oil companies and the oil producing countries of West Asia and in view of the fact that there is much resentment against India in the Arab world, which is evident from the Beirut Conference, may I know whether India's position was explained to this Conference by our observers?

Mr. Speaker: The hon. Member has given more information than he seeks!

Sardar Swaran Singh: But unfortunately, the information is not correct. For one thing, India is not in the thick of the dispute. Secondly, there is no resentment in these Arab countries against India. It is dangerous for India to arrogate to herself a position which she does not enjoy. India is one of the small consumers of oil and to imagine that India in anyway can either enrage people or cajole people is, I think, too much for us, and we cannot arrogate it to ourselves.

Shri Hem Barua: As a corollary to my question,....

Mr. Speaker: I will allow him later. But his question is so involved that it is impossible for me and for other hon. Members to understand it.

Shrimati Ila Palchoudhuri: May I know whether, by participating only as an observer in this conference, India will be able to make our position clear, should any suggestion that she is in the thick of this matter—as mentioned by Shri Hem Barua—crop up in the conference? Will the observers be in a position to clear India's attitude in this respect?

Sardar Swaran Singh: We should not smell danger where it does not exist. I have said that we are not in the thick of the dispute and nobody misunderstands us; let us not misunderstand ourselves.

Shrimati Renu Chakravartty: Is it not a fact that the core of the dispute is that the oil companies have actually reduced the amount of royalty which they pay to the oil producing countries on the plea that in the world market the prices have come down, and whether in view of the decision that was taken at the 2nd conference at Beirut that no further reduction will take place,—what they call the stabilisation of prices,—that decision is not really going to have the effect in India also whereby these British and other oil companies have come to a stand that they will not reduce the prices further as a result of that conference?

Sardar Swaran Singh: The conference did not take decision which were binding on the producers and the oil companies. There is a certain measure of what you may call conflict or mutuality of interests between the countries in which oil is produced and the oil companies. Sometimes the interests clash and sometimes these interests go together. So, it is not for us really to criticise or to comment upon the expression of opinion by the producing countries. We will carefully watch and see that our interests as consumers are sufficiently safeguarded.

Shri Hem Barua: May I know whether it is not a fact that the consensus of opinion in the conference at Beirut was that the "break" in the posted price of oil far exceed the conces-

sions, and that is due to the fact that certain concessions were granted to India by the principal oil companies in the wake of the refusal of some foreign companies to refine Russian crude oil in the refineries in this country? May I know whether this matter came up specifically for discussion in this conference, and if so whether our position was explained to the conference or not?

Sardar Swaran Singh: I do not think why the hon. Member should work under that complex. We do not owe an explanation to any country for our oil policy. Let that be clearly understood.

So far as this question that arises there—between the producing countries and the oil companies—that is generally their own domestic dispute or a dispute between the people who are functioning in an important and vital industry there. It will be wrong to say that this downward trend in the oil prices in India or elsewhere started only with the entry of Russian oil in the market. I have attempted already to explain that there are other factors: principally the over-production in the world as a whole and the wrong judgment that the world market would expand as rapidly as the oil producers thought it would. It did not, and it resulted in over-production.

Shri Hem Barua: May I draw the attention of the hon. Minister....

Mr. Speaker: The hon. Member has got so much to ask that he might reserve them for other questions.

Shri Hem Barua: The statement made by....

Mr. Speaker: Order, order. I cannot allow him to monopolise the Question Hour.

Shri Subiman Ghose: We are told by the hon. Minister that a delegation of observers from India attended the conference. May I know the purpose of attending it and was India in a position to influence the decisions at that conference?

Sardar Swaran Singh: The purpose was, as the name itself suggests, to observe what was happening there. Observers generally do not influence, and the participants were those people—the representatives of Arab countries and the oil companies. And it is always good to observe what is happening. It is not necessary for us to influence them. We had not gone there to influence them.

Shrimati Renu Chakravartty: There is one factor arising from this. I want to know whether the decision on the stabilisation of prices which has been taken at Beirut will further complicate the issue of further reduction in prices in our country, because the Arab countries are a party to that.

Sardar Swaran Singh: The Arab countries' desire to get revenues to the maximum extent is understandable. It is not for us really to criticise that attitude of theirs. But oil does not today occupy the position of being an item the price of which can be easily controlled by unilateral actions. There are world forces. There are other countries which are in the market. All these factors will have a vital effect on the price of oil.

Mr. Speaker: Next question.

Shri Indrajit Gupta: My name is there; I may be allowed to put a supplementary.

Mr. Speaker: I call him even in cases where his name does not appear. Therefore, he must be prepared to balance the two.

Shri Hem Barua: If I am allowed to put a question, I will clarify my position.

Mr. Speaker: Nobody misunderstands his position; everybody knows it.

Korba Coal Fields

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*1084. { **Shri Ram Krishan Gupta:**
 Shri Morarka:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the

reply given to Starred Question No. 997 on the 1st September, 1960 and state:

(a) whether Government have received the project reports in respect of underground mines of the Korba Coal Fields;

(b) if so, the main recommendations therein; and

(c) the action taken thereon?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No.

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

Shri Ram Krishan Gupta: May I know whether any assessment has been made of the coal potentiality of these mines?

Sardar Swaran Singh: Yes, Sir; assessments have been made I have already given that information on an earlier occasion.

U.K. Investment in India

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*1085. { **Shri Sadhan Gupta:**
 Shri P. K. Deo:

Will the Minister of Finance be pleased to state:

(a) the total amount of U.K. Investments in India at present;

(b) what proportion it bears—

(i) to total foreign investment in our country,

(ii) to total investment in our country;

(c) what was the total U.K. investment as on 15th August, 1947 and what relation it bore on that date—

(i) to total foreign investment, and

(ii) to total investment; and

(d) the industries in which the additional U.K. investment have been made?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Rs. 398.03 crores as at the end of 1958.

(b) (i) 69.8 per cent.

(ii) 21.7 per cent. to estimated capital employed in the organised corporate sector at the end of 1958.

(c) Information as on 15th August, 1947 is not available. However, it was Rs. 206.02 crores as on the 30th June, 1948:

(i) 80.5 per cent. on the 30th June, 1948.

(ii) Information is not available.

(d) Mainly in Petroleum and Manufacturing Industries and in Plantations.

Shri Sadhan Gupta: May I know whether the manufacturing industries in which these investments have been made are more in consumer goods rather than in capital goods?

Shri B. R. Bhagat: It is difficult to generalise on that. But recently all investments, as the House is aware, are controlled under a policy accepted by the House and in the Plan. It is not as if all goes to the consumer industries, because it is on a very low priority.

Shri Sadhan Gupta: May I know whether Government's attention has been drawn to a statement made by Mr. F. D. Wart, U.K. Trade Commissioner in Bombay that U.K.'s investments have doubled since 1947 and if so, whether that is correct?

Mr. Speaker: He said so. In 1948, it was Rs. 206 crores and in 1958 it was Rs. 398 crores; which is roughly Rs. 400 crores.

Shri Tyagi: Is there any ceiling fixed either by the Planning Commission or by the Finance Ministry over the investment of foreign capital in India and if so, what is that ceiling? My question arises because all types of collaborations are being freely permitted. For how long will India be exploited by foreign countries?

The Minister of Finance (Shri Morarji Desai): May I say there is no exploitation in these collaborations?

Collaboration is allowed only in what falls within the Plan and as Government think necessary; not otherwise. There is no ceiling prescribed.

Shri Tyagi: That is true; I want to know whether there is any ceiling fixed.

Mr. Speaker: He said there is no ceiling prescribed.

Shri Tyagi: Has the Government not come to any decision as regards the amount of foreign capital which is permitted to be invested in India?

Mr. Speaker: None. Next question.

Shri Tyagi: I may submit this is a very relevant question.

Mr. Speaker: The hon. Member wants a particular thing to be done. He can only ask for information. I allowed him once and again to repeat his question. The Minister has said there is no ceiling. The hon. Member wants to impress upon the Government that a ceiling ought to be fixed. He may choose other occasions for that.

Shri Sadhan Gupta: May I know the amount repatriated to the U.K. by way of profits—the latest amount?

Shri B. R. Bhagat: I want separate notice of that question.

Shri Yadav Narayan Jadhav: May I know whether there is inordinate delay in finalising the projects for foreign collaboration, at least with U.K. and other countries?

Shri B. R. Bhagat: There is no delay; much less inordinate delay.

Shri Bimal Ghose: I find the proportion of foreign investments in India has increased. May I know which countries have increased their proportion of foreign investments significantly?

Shri B. R. Bhagat: One country from which investment is going up is USA. In 1948, U.S. investment was Rs. 11.17 crores. At the end of December, 1958, it was Rs. 59.85 crores.

चीनियों और पाकिस्तानियों की गिरफ्तारी

***१०८६. श्री पद्म देव :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि १ जनवरी, १९६० से लेकर ३१ अक्टूबर, १९६० तक की अवधि में भारत में कितने चीनी और पाकिस्तानी नागरिक बिना पारपत्र अथवा जाली पारपत्र के गिरफ्तार किये गये ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : त्रिपुरा के अतिरिक्त, जहाँ से सूचना प्राप्त नहीं हुई है, इस अवधि में पकड़े गये पाकिस्तानी नागरिकों की संख्या ५,५५२ है। इस आधार पर कितनी चीनी नागरिक की गिरफ्तारी नहीं हुई।

श्री पद्म देव : क्या मैं जान सकता हूँ कि इसी काल में हिन्दुस्तान में बिना पासपोर्ट के कितने चीनी और पाकिस्तानी थे ?

श्री गो० ब० पन्त : जो इस बीच में आये उन के बारे में आप का सवाल था। उस का जवाब मैं ने दिया जोकि बिना पासपोर्ट के आये, और फिर बने पाकिस्तानियों की संख्या काफी है जो पासपोर्ट ले कर आये हैं या जिन को इजाजत मिली हुई है, और कुछ ऐसे भी हैं जोकि पहले के आये हुए हैं जबकि पासपोर्ट का कोई सवाल या ही नहीं। मगर जब कभी कोई ऐसी बात मानूम होती है कि उन के खिलाफ कार्रवाई करनी चाहिये तो कार्रवाई ऐक्ट के मुताबिक कार्रवाई की जाती है।

श्री पद्म देव : जबकि हिन्दुस्तान में कई जगह ऐसी घटनाएँ हो चुकी हैं, वम की और दूसरी, तो ऐसे हालात में जो लोग बिना पासपोर्ट के ठहरे हुए हैं या आते हैं उन के सम्बन्ध में सरकार उपेक्षा वृत्ति से क्यों काम लेती है ?

श्री गो० ब० पन्त : कोई उपेक्षा वृत्ति नहीं की जाती। ५५५२ आदमी आये और उन में से ४३०२ को सजा हो चुकी है। यह तो उपेक्षा वृत्ति की निशानी नहीं है।

श्री प्रकाश वीर शास्त्री : अभी पीछे गृह मंत्री जी ने एक अतारांकित प्रश्न का उत्तर देते हुए बताया था कि भारत में जो पाकिस्तानी पारपत्र ले कर आये थे उन की अवधि समाप्त होने के पश्चात् जी भी अनियमित रूप से भारत में रह रहे हैं ऐसे पाकिस्तानियों की संख्या पंजाब प्रदेश को छोड़ कर पांच हजार से कुछ ज्यादा है, और गृह मंत्री जी ने यह भी कहा था कि ऐसे पाकिस्तानी भारत में हैं जो अराष्ट्रीय कार्रवाई कर रहे हैं। तो क्या हजारों की संख्या में इस प्रकार के व्यक्तियों का रहना भारत के हित में है, और यदि नहीं है तो क्यों नहीं शीघ्र उन के खिलाफ कार्रवाई की जाती ?

श्री गो० ब० पन्त : यह कब कहा था। इस वक्त या पहले ?

श्री प्रकाश वीर शास्त्री : इसी अविवेशन में एक अतारांकित प्रश्न के उत्तर में कहा था।

श्री गो० ब० पन्त : तो उस का उत्तर भी उसी दिन दे दिया होगा जब और सवाल किये गये होंगे।

Mr. Speaker: He wants to know how really 5000 people are allowed to stay here from Pakistan. If the number is correct, he wants to know why so many should be allowed to stay here?

Shri G. B. Pant: These are the people who were arrested for entering into this country without passport and against them action has been taken. A large number has already been convicted. Whenever action has been taken against others who came here without passports at a time when it was necessary to possess such passports, action is taken under the Foreigners Act.

श्री वाजपेयी : हजारों की संख्या में पाकिस्तानी बिना पासपोर्ट के भारत में रहते हैं अथवा पारपत्र की अवधि समाप्त होने के पश्चात् भी यहां बने रहते हैं, क्या इस तथ्य का पश्चिमी पाकिस्तान और पूर्वी पाकिस्तान के बीच रेल मार्ग जारी करने का निर्णय करते समय ध्यान में रखा गया था ?

श्री गो० ब० पंत : रेलमार्ग तो अभी जारी नहीं हुआ है ।

Shri Vajpayee: The decision was announced on the floor of the House.

Mr. Speaker: But the Home Ministry is not responsible for this.

Shri Vajpayee: Are we to understand that the Railway Ministry will take a decision without considering all the aspects of the question?

Mr. Speaker: He may table a question on this later on.

Shri G. B. Pant: I am also responsible.

Shri Vajpayee: The Home Minister says that he is also responsible.

Shri G. B. Pant: Yes, as a member of the Government.

Shri Vajpayee: May I repeat the question?

Shri Bimal Ghose: At an earlier stage an announcement was made by the Government that no decision has yet been taken in the matter.

Shri G. B. Pant: I did not follow the question of Shri Ghose.

Mr. Speaker: We are going away from one question to the other. Let us not stray way into another question, however relevant it may appear to be.

Shri Hem Barua: In view of the fact that there are more than about 5,000 Pakistani nationals in this country without passports who have been detected, may I know whether Government propose to repatriate them and send them back to their homeland?

Mr. Speaker: Will they be repatriated to their homeland?

Shri G. B. Pant: Yes.

Chhattar Manzil Palace, Lucknow

***1087. Shrimati Ila Palchoudhuri:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to his statement in Lok Sabha on the 9th September, 1960, regarding Cracks in the Chhattar Manzil Palace, Lucknow and state:

(a) whether the Special Committee of Experts appointed to carry out detailed investigation in regard to the safety of the Chhattar Manzil and the advisability or otherwise of the Central Drug Research Institute remaining there has submitted its report; and

(b) if so, details thereof and Government's decision in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Committee has completed its investigations and its report is under compilation.

(b) Details are not yet available.

Sir, with your permission, I may indicate some of the broad conclusions of the Committee. The first conclusion is that the recent unprecedented floods in the Gomati river did not cause any damage to the structure. Secondly, considering the age of the building, the basement is in a safe state of preservation except for a few minor cracks. Thirdly, the Committee, after examining the main dome has declared it safe. Fourthly, the Committee has recommended that a light folded plate roof of reinforced concrete be provided over the swimming pool extension in place of the reinforced concrete slabs originally proposed.

Shrimati Ila Palchoudhuri: Has the Committee taken the samples of the soil and investigated whether the soil has got any corroding salts and whether it is capable of bearing the present building?

Shri Humayun Kabir: I have said that this committee is a committee of experts and it has stated that the structure is safe. All those aspects mentioned by the hon. Member must have been considered by the Committee of experts.

Shrimati Ila Palchoudhuri: I agree that I am not an expert on that. But the two domes have been demolished. From the point of view of tourist interest what is being done to conserve these two domes in the character of the Chhattar Manzil, as it should be?

Shri Humayun Kabir: First of all, it is now a science laboratory and, therefore, the antiquarian interest is of very little importance. Also, we propose to completely modernise the building and not to preserve it as an antiquarian building.

Shrimati Ila Palchoudhuri: We are told that Rs. 14 lakhs were spent on housing and Rs. 20 lakhs on equipment. May I know how much more has to be spent to make it quite safe so that these Rs. 20 lakhs may not be wasted?

Shri Humayun Kabir: I am afraid, the hon. Member did not listen to what I said. The expert committee has stated the building is safe. I do not know why the hon. Member still says that it is not safe.

Barauni Refinery

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*1088. { **Shri P. K. Deo:**
 Shri Rami Reddy:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the progress made in the construction of oil refinery at Barauni;

(b) when it will be completed; and

(c) what is the annual production capacity of this refinery and what by-products will be produced and in what quantity?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) to (c). A statement is laid on the Table of the House. [See Appendix III, annexure No. 101].

Shri P. K. Deo: From the statement we find that the first Barauni unit will be commissioned by October 1962 and the second unit by April 1963. For the proper functioning of this refinery, pipelines that will carry oil from the oilfields to Barauni are to be manufactured at Rourkela. So, what is the progress that has been made in the manufacture of pipelines at Rourkela?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The pipes are already being manufactured at Rourkela. I would suggest to the hon. Member, who comes from that State, to pay a visit to the new pipe mills where it is already being manufactured.

Shri P. K. Deo: May I know whether there is any proposal to extend the pipeline from Barauni to Delhi for the transport of finished products?

Sardar Swaran Singh: There has been some thinking, but I do not think that the thinking has gone to the stage of the proposal yet.

Shri P. C. Borooah: May I know whether it is a fact that the original site of the Barauni refinery has been found to be unsuitable and for the development of the same an extra expenditure of Rs. 8 crores is needed? If so, may I know whether there is any proposal of a change in the original location and whether it is proposed to be amalgamated with the refinery at Noonmati?

Sardar Swaran Singh: There is no proposal to change the refinery site. The figure of Rs. 8 crores which the hon. Member has mentioned, is not correct. Some earth work is required to be undertaken at that site, for which technical advice has been taken. There is no proposal to shift the site.

Shri P. C. Borooah: Is it a fact that the original site has been found to be unsuitable?

Sardar Swaran Singh: No, Sir.

Shri Morarka: The hon. Minister has just now stated that some earth-work will have to be undertaken there. May I know the approximate cost of the earthwork?

Sardar Swaran Singh: I do not know the exact figure. It may be of the order of Rs. 50 lakhs or so. But I am not giving any firm figure.

Pandit D. N. Tiwari: May I know whether the recent visit of the Minister of Oil, Shri K. D. Malaviya, was in connection with seeing whether the land at Barauni has to be filled by more than 5 or 6 ft.? If so, have arrangements been made for that?

Sardar Swaran Singh: Generally a Minister's visit is not to supply any technical lacuna. It is for the engineers and the technicians to come to a conclusion as to what engineering works, earth works or foundation and the like are to be undertaken. There was some confusion in the minds of the people on account of certain reports appearing in the press. My colleague, Shri K. D. Malaviya, went to the site and then he made a statement that the site was not being shifted.

Shri Mahanty: May I know whether there has been any delay beyond the original schedule for the completion of the refinery in Barauni and, if so, the reasons therefor?

Sardar Swaran Singh: The schedule is given here and it should be regarded as the schedule. There is no question of any original schedule, second schedule and third schedule.

Shri Hem Barua: May I know whether Government propose to maintain parity so far as the production pattern is concerned between the Barauni refinery and the Noonmati refinery?

Mr. Speaker: Is there any allocation?

Sardar Swaran Singh: Yes, that is all contained in the statement. On page 2 of the statement a detailed picture of annual production is given.

Shri Hem Barua: I have it with me. I just wanted to know from him whether any parity is sought to be maintained between pattern of production in the Noonmati refinery and the pattern of production of the Barauni refinery. I wanted to know the overall picture of the two refineries.

Sardar Swaran Singh: The overall picture is given in the statement. There is no theory behind it. Actually, I have given the figure that the Barauni refinery will produce so much of motor gasoline, so much of jet fuel, so much of superior kerosine and so on. With regard to Noonmati also we have given the production pattern. You may call it parity or you may use any noun for it.

Shri P. K. Deo: From the statement we find that some railway sidings are being built. Are we to understand that the railway siding would be of the metre-gauge of the North Eastern Railway as well as broad-gauge of the Eastern Railways?

Sardar Swaran Singh: The virtue of the site was that the metre-gauge and broad-gauge meet there. These are operational things as to what will be the length of the metre-gauge and what will be the length of the broad-gauge. But there are good railway facilities there for transhipment from one gauge to the other.

Shri P. C. Borooah: May I know how the associated gas that will be available from the crude oil of Barauni is going to be utilised?

Sardar Swaran Singh: That does not arise out of this question. But, the other day, my colleague, Shri K. D. Malaviya, gave detailed information about the utilisation of gas.

Shri P. C. Borooah: What are the by-products that will be obtained from the Barauni refinery?

Sardar Swaran Singh: They are all contained in the statement on page 2. I have given as many as 14 items there and if the hon. Member studies them carefully he will get all the information.

Import of Machinery for Korasia Collieries

***1089. Shri Subiman Ghose:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether heavy machinery (Drug line) was recently imported and carried in large number of wagons for Korasia Collieries in Madhya Pradesh;

(b) if so, whether it is the first of its kind in Asia;

(c) the price and cost incurred for its carriage to the collieries;

(d) whether American experts came for putting it into operation;

(e) if so, the remuneration paid to the experts and how long they worked;

(f) whether the machinery has gone into operation; and

(g) if not, the reason therefor?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Yes.

(c) The price of the machine is 38.38 lakhs, c.i.f., Calcutta port. The cost incurred on its carriage from the port to the colliery is Rs. 0.86 lakhs (approximately).

(d) Yes, one expert worked for 4 months from April to August, 1960, supervising the erection of the drag-line.

(e) Under the terms of the contract, no remuneration is due to the American expert for supervising the assembling of the machine at site and its erection.

(f) No.

(g) The erection of the machine has been completed. The energising of

the machine now remains to be done. For this purpose electric power will be available in about a month's time. After necessary adjustments and testing, the machine is expected to go into operation by the end of January 1961 or soon thereafter.

Shri Subiman Ghose: Is it a fact that the power house where the machinery will be fitted has been opined by the American experts as small and that it will not accommodate the machinery?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Not to my knowledge.

International Hydrographic Bureau

***1091. Shri Kalika Singh:** Will the Minister of Defence be pleased to state:

(a) the nature, constitution and working of International Hydrographic Bureau and its activities in India;

(b) the Indian personnel associated with the Bureau and advantages accruing to India from it; and

(c) since when the Bureau is functioning in India and under what authority?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix III, annexure No. 102].

Shri Kalika Singh: From the statement laid on the Table it appears that India became a member of the International Hydrographic Bureau in 1956 and a representative of India attended the meeting of the Bureau in 1957. It is also stated that steady progress in international co-operation has resulted from this. May I know whether the countries which are represented there included China (KMT) and South Korea but do not include China proper or North Korea? Has it resulted in international co-operation with a particular

set of countries and not with the other set of countries?

Shri Raghuramalaiah: That is a matter of argument. We have given the complete list of countries who are members. The implications of this is a matter of inference.

Shri Kalika Singh: What was the reason for India joining this International Hydrographic Bureau in 1956 when no benefit is resulting to us?

Shri Raghuramalaiah: That is not strictly correct. The statement has explained at length the various advantages of being a member of this Bureau. We have been getting advice and technical assistance by way of various publications and so on. We have been enabled to keep our hydrographic surveys up to the international standards by reason of our association with this Bureau.

Shri P. K. Deo: There is one Naval installation at Dehra Dun which takes up the work of oceanographic survey. May I know whether that co-ordinates its work with this International Hydrographic Bureau?

Shri Raghuramalaiah: We certainly take advantage of all the technical assistance and advice that we can get from the Bureau for our own work in this country.

Alloy and Tool Steel Plant

*1092. **Shri D. C. Sharma:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether any offers of foreign technical and financial co-operation for the proposed Alloy Steel Plant to be set up at Durgapur have been received; and

(b) if so, what are they?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) 1695(Ai) L.S.—2.

and (b). No offer of foreign technical and financial co-operation for the setting up of the proposed Alloy Steel Plant at Durgapur has been received. A few foreign firms have, however, offered their technical services for production know-how and training of Indian personnel for operation of the Plant.

Shri D. C. Sharma: May I know if the Government has considered offers of these foreign firms and has made up its mind as to which firm is to be selected for providing production know-how?

Shri Gajendra Prasad Sinha: That will be considered after the project report for the Alloy Steel Plant is available to us.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): May I clarify that the project report has been received and is being examined by Hindustan Steel? They are making arrangements for getting the know-how from a suitable firm.

Shri D. C. Sharma: May I know if our Government will require any foreign exchange for this and, if so, whether it will get the assistance of some foreign Government for that foreign exchange?

Sardar Swaran Singh: We will require foreign exchange for establishing this project and some of the credits from friendly countries that are available might be utilised for financing a part of the foreign exchange component of this project.

सेठ भ्रमल सिंह : क्या माननीय मंत्री जी बतलाने की कृपा करेंगे कि देश की एलाय स्टील की कितनी जरूरतें हैं और वे कब तक पूरी हो जायेंगी ?

सरदार स्वर्ण सिंह : तकरीबन दो लाख टन सालाना का अंदाजा है ।

Shri Morarka: May I know whether any time schedule has been prepared for setting up this plant and whether the progress made so far is according to that time schedule?

Sardar Swaran Singh: A broad time schedule has been indicated and it flows from the detailed project report that has already been received. It will take roughly about 2½ years after we start work physically. Now that the site has been selected, the work is likely to make considerable progress.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि इस एलाये स्टील प्लांट की लगाने में तकरीबन कितने खर्च का अंदाज़ा किया गया है और यह कब तक पूरा हो जायेगा ?

सरदार स्वर्ण सिंह : अभी प्राजक्ट रिपोर्ट पर विचार हो रहा है, इसलिये मैं इस वक्त खर्च के अंदाजे के ठीक आंकड़े नहीं बता सकता हूँ। कई चीज़ें हैं जिन पर विचार हो रहा है और शायद उस में कुछ तबदीली हो।

दूसरे सवाल का जवाब मैं दे चुका हूँ कि जब काम शुरू होगा तो उस के बाद तकरीबन तीस महीने इस को मुकम्मिल होने में लगेंगे।

Shri D. C. Sharma: May I know if this Alloy Steel Plant will be managed by Hindustan Steel or some new corporation will be set up to manage it?

Sardar Swaran Singh: It will be managed by Hindustan Steel.

Shri Mohammed Imam: May I know whether any offers of foreign technical and financial co-operation have been made for the manufacture of ferro alloy and alloy steel at Bhadravati?

Mr. Speaker: We are on Durgapur.

Sardar Swaran Singh: Not to my knowledge.

Pension Scheme for Central Government Employees

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*1093. { **Shri Ram Krishan Gupta:**
Shri Jagdish Awasthi:
Shri S. M. Banerjee:

Will the Minister of Finance be pleased to state:

(a) whether the pension scheme to benefit temporary Central Government employees has been finalised as recommended by the Pay Commission;

(b) if so, the main features of the scheme; and

(c) the number of employees to be benefited under this Scheme?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). The Pay Commission has not recommended a pension scheme for temporary employees but has recommended the grant of terminal gratuity on their retirement, retrenchment or invalidment, and death gratuity to their families in the event of their death while in service, subject to certain conditions being satisfied. This recommendation has been accepted by the Government and copies of orders issued on the subject, which are self-explanatory, are placed on the Table of the House. [See Appendix III, annexure No. 103].

(c) As the benefit will become available only on the happening of certain contingencies, it is not possible to furnish the information.

Shri Ram Krishan Gupta: From the statement I find that the President has been pleased to decide that some benefits should be allowed with effect from 1st November, 1959. In view of this may I know whether the scheme has been introduced and, if so, the number of temporary employees who will be affected, specially in the case of gratuity?

Shrimati Tarkeshwari Sinha: This has been introduced after the recom-

recommendations of the Pay Commission. The recommendations of the Pay Commission have been accepted by Government in toto. These benefits will accrue to those types of employees which have been recommended by the Pay Commission.

Shri S. M. Banerjee: It is stated in the Government orders that it will be implemented with effect from the 1st November, 1959. I want to know, when all recommendations of the Pay Commission are going to be implemented with effect from the 1st July, 1959, how is it that this scheme is going to be implemented with effect from the 1st November, 1959. What are the reasons for that?

The Minister of Finance (Shri Morarji Desai): All are not to be implemented with effect from 1st July, 1959. That is not so. Government has never said that.

Shri S. M. Banerjee: I want to know whether the pension scheme will be implemented in the case of industrial employees also and whether their total service will count towards pension?

Shrimati Tarkeshwari Sinha: Industail employees who are covered by Contributory Provident fund or Workmen's contributory provident funds will be certainly covered by this, and also those employees who do not come under this will also be covered by this.

Mr. Speaker: The Question Hour is over. Shri M. B. Thakore wants, if possible, if the Law Minister has no objection, that Question 1097 may be answered. Is he here?

Shri A. K. Sen: Yes.

Parliamentary Constituencies in Gujarat

*1097. **Shri M. B. Thakore:** Will the Minister of Law be pleased to state:

(a) whether it is a fact that Sidhpur Taluka has been shifted from Patan Parliamentary constituency to

Mehsana Parliamentary constituency and Vijapur Taluka has been shifted from Mehsana Parliamentary constituency to Patan constituency;

(b) if so, the reasons therefor;

(c) whether it is a fact that the above-said matter has been published in the Gazette of the Gujarat Government; and

(d) whether it is also a fact that the Election Commission has asked for objections before the 10th December, 1960 for such kind of decision?

The Minister of Law (Shri A. K. Sen): (a) No, Sir.

(b) Does not arise.

(c) The Election Commission's proposals in regard to the adjustment in the boundaries and description of the extent of the parliamentary constituencies of Gujarat and other matters mentioned in section 19(2) of the Bombay Reorganisation Act, 1960, were, in pursuance of section 19(5) (a) of the Act, published in the Gujarat Government Gazette on the 12th November, 1960.

(d) The Election Commission had specified the 10th December, 1960 as the date before which any objections or suggestions in regard to its proposals should reach it.

Shri M. B. Thakore: May I know whether it is a fact that the results of such delimitation of these constituencies were published in all the dailies, Gujarati newspapers at Ahmedabad in the first week of December, 1960 and if so, what steps are being taken by the Government to correct such news?

Shri A. K. Sen: Will the hon. Member repeat the question?

Mr. Speaker: He says that the delimitation of the constituencies, boundaries, etc., as worked out appeared in a number of papers in Gujarat and wants to know what steps have been taken by the Government to contradict it or counteract the effect of that.

Shri A. K. Sen: The answer to part (c) of the question that the proposals of the Election Commission regarding adjustment of boundaries and description of the extent of the parliamentary constituencies of Gujarat and other matters mentioned in section 19(2) have been published. They have been published under section 19(5)(a) of the Act.

Mr. Speaker: They are authoritative.

Shri A. K. Sen: There is no question of our contradicting it. It is a statutory obligation for the Election Commission.

Shri K. U. Parmar: May I know whether it has come to the notice of the Government that major changes have been made in the constituencies this time in the State of Gujarat in order to facilitate the ruling party coming into power again?

Shri A. K. Sen: There is no warrant for that insinuation.

SHORT NOTICE QUESTIONS

Visit of Journalists to Nagaland

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S. N. Q. 11. { **Shri Indrajit Gupta:**
Dr. Ram Subhag Singh:
Shri P. C. Borooah:
Shri S. A. Mehdi:

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

(a) whether it is a fact that a party of journalists visited Nagaland last week;

(b) if so, the purpose of the journalists visit;

(c) the names of the journalists included in the party;

(d) whether they were permitted to meet some Naga hostiles and to visit Phizo's village; and

(e) whether some of the journalists have published reports of alleged atrocities by the Indian security forces?

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

(b) The visit was organised to afford facilities to the journalists to study the conditions in the Naga Hills-Tuensang Area.

(c) A statement giving the particulars of the correspondents as available is placed on the Table of the House. [See Appendix III annexure No. 104]

(d) There were no restrictions, except those imposed on security considerations, on the journalists' meeting any one they liked.

(e) No newspaper report making any specific allegation of atrocities against the Security Forces has come to the notice of the Government.

There were a number of minor incidents and Naga hostiles occasionally fired in the direction of the camp of the newspaper representatives. No damage was done then. We have received no information of any student being killed or injured. On one occasion, however, on the 19th December, the hostiles fired at Dr. Imkongliba Ao's House. He was slightly injured.

Shri Indrajit Gupta: On some past occasions when questions have been asked here regarding the operations against Naga hostiles, this House has been told that one of the major difficulties in the way of conducting these operations is that it is very difficult to locate these hostile Nagas because they are constantly moving about. From one or two newspaper reports which I have read in the last two days, it appears that this party of correspondents who were taken there with Government's assistance were able without any difficulty to meet and talk to some headmen of Villages and Naga hostiles adjacent to Phizo's village. So, I would like to know how the organising of such a party and giving them these facilities, especially when there are a number of correspondents, I find, of certain foreign papers....

Mr. Speaker: The hon. Member is making a speech.

Shri Indrajit Gupta: I want to know how this would help the Government's case when certain papers are not at all friendly disposed towards India in this matter.

Shri Jawaharlal Nehru: That is a matter of Judgment. There has been a very consistent and persistent propaganda in some foreign countries that we have something to hide in the Naga Hills-Tuensang region and therefore we have not allowed the correspondents to go there. In fact, some correspondents have been there in the past. But, so far as I can remember, they were Indian correspondents. We told these people two or three months ago—that was when Mr. Phizo appeared in the scene in London—that the correspondents can go there, but, of course, they may not be able to go where we could not give them adequate protection. I have been in favour of correspondents going there. Let them know. We have really nothing to hide. Sometimes for security reasons this has to be done. Otherwise, they are fed by all kinds of rumours and stories and get an impression that the position must be very bad because we are afraid of allowing them to go. When we say that the terrain is such and the conditions are such that we cannot always grip on the hostiles who are functioning against us, that does not prevent individual hostiles from coming and going. In fact, they do not bear a mark on their forehead 'hostile'. They are like any person else. They come and go all over the place unless they can be recognised as particular individuals who may be absconding or something. In this particular case, I have no doubt that our authorities there partly permitted these people to come and to meet these correspondents.

Dr. Ram Subhag Singh: Now that Acharya Vinobha Bhave who occupies a unique place in India's life and who is also a great journalist is on his

way to Assam, may I know whether the Government will also request him to visit the Naga Hills-Tuensang Area?

Shri Jawaharlal Nehru: How can I answer the question? Acharya Vinobha Bhave will not be there for some months. I do not know what his views may be on the subject. Obviously, unless there is some grave difficulty, we shall all abide by his wishes in the matter.

Shri P. C. Borooah: Is it a fact that one of the hostile Nagas that the pressmen met, Mr. Shaisal, who is the husband of Mr. Phizo's niece has stated that Mr. Phizo is agreeable to have a Naga State within the Indian Union?

Shri Jawaharlal Nehru: I do not know what somebody may have said. Possibly he may have said so. It does not take us very far if the husband of a niece makes a remark.

Dr. Ram Subhag Singh: In the list of journalists which has been placed on the Table of the House, may I know whether there is any proposal to include journalists who represent Hindi and other language papers also whenever any such delegation is sent?

Shri Jawaharlal Nehru: This was not considered from the linguistic point of view. As a matter of fact, primarily they were journalists from foreign countries whatever their language might be. But, some Indian journalists were included. We had to limit the number. While anybody could have gone there, the total number going was 13.

Mr. Speaker: Shri Joachim Alva.

Shri Joachim Alva: My question has been answered. I wanted to know why the representatives of *The Hindu* and *The Free Press Journal* were not included, but the hon. Prime Minister has already answered that question.

Shri P. C. Borooah: When it was possible to locate the Naga hostiles to make them meet the pressmen was it not possible to locate them for apprehending?

Mr. Speaker: That is exactly what was asked, and the Prime Minister has said nobody carries a badge on his forehead that he is a hostile.

Shri Hem Barua: May I put a supplementary?

Mr. Speaker: I have allowed a sufficient number. I have got a number of questions.

Indian-Chinese Officials Talks

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S.N.Q. 12. { **Shri Assar:**
Dr. Ram Subhag Singh:
Shri Khushwaqt Rai:

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

(a) whether the talks between the Indian and Chinese Official teams in regard to border records have concluded;

(b) whether Government have considered the report of the Indian Official Team; and

(c) what other steps Government propose to take in the light of this report in regard to border problem?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). The talks between the Indian and Chinese official teams at Rangoon ended some days ago. Their report has been submitted to the two Governments and we have recently received it. It is a long report of about 570 pages. Together with it is a full record of the talks which takes up nearly 3,000 pages. We have yet to examine this report thoroughly before it can be decided what further steps should be taken in the matter.

Shri Assar: May I know if a copy of the report will be placed on the Table of the House; if not, the reasons therefor?

Shri Jawaharlal Nehru: I have just said that we are considering the report. Before we have considered it I am not in a position to go into these details. Some time or other, of

course, I take it, it will come before Parliament, but when this should be done I cannot say.

Shri Vajpayee: On a point of order. It has not been claimed by the Prime Minister that the report is a confidential document, nor has it been stated that it will not be in the public interest to place a copy of the report on the Table of the House. May I know why there should be any reluctance on the part of Government to place a copy?

Mr. Speaker: Hon. Members read too much into the answer. The hon. Prime Minister has said that he is considering this. Certainly it will be placed on the Table of the House when the occasion arises.

Shri Jawaharlal Nehru: I have said clearly that some time or other it will be placed. Surely, it will be very extraordinary that the moment I receive 4,000 pages of a document I throw it on the Table of the House.

Shri Vajpayee: There is no question of throwing it on the Table of the House. The Prime Minister may be pleased to place it on the Table of the House.

Shri Jawaharlal Nehru: I am glad the distinction is made by the hon. Member. First of all, as I said, a thing of this kind, anyhow, has to be considered. I have not read it, I have not read ten lines of it yet. I just cannot face a document like this. It is being read in our Ministry, and I should read it, but apart from that, the question arises—it does not bind us—when they are supposed to be joint reports, whether there should be simultaneous publication or unilateral. May be it may be unilateral, I am not saying that it must be, but all these questions have to be considered. There is a certain decorum in such matters, apart from the political aspects.

Acharya Kripalani: May I know whether it will be published before we get information from Peking, or it will be published afterwards, because it is of great significance that

many times things concerning China and India have been talked of by the Peking papers and read, and we are put in an awkward position?

Shri Jawaharlal Nehru: How can I answer the hon. Member as to what the Chinese Government might do without our permission, or without reference to us?

Acharya Kripalani: You can publish it.

Shri Jawaharlal Nehru: Suppose suddenly they issue it or parts of it without reference to us,—but I do not think that is likely to happen, that is a different matter—if by any chance, deliberately or otherwise, some leakage takes place at the other end, I will not be responsible for it, but I do not think it is likely to happen.

Mr. Speaker: All that the hon. Member, I think, wants is that steps may be taken from this end to inform them that if they want to publish it, it may be published simultaneously.

Shri Jawaharlal Nehru: Whatever we may do, we have to read it first.

Acharya Kripalani: I would want it to be done quickly.

Shri Jawaharlal Nehru: Why should it be done quickly, may I ask?

Acharya Kripalani: Because there is a possibility of our getting information from Peking, and it may be coloured information, and the world may get a wrong idea.

Shri Jawaharlal Nehru: If by any chance something comes out from Peking, surely it will be followed immediately by the thing being placed here. That cannot affect it.

Acharya Kripalani: A lie that goes in advance has always an advantage.

Mr. Speaker: Is it the suggestion that we must publish it in advance now?

Acharya Kripalani: We will give our point of view.

Mr. Speaker: The hon. Prime Minister is quite clear.

Shri Jawaharlal Nehru: It is not, obviously, in the nature of things, a report as to what should be done or what should not be done. The officials were not competent. It is an examination in a very lengthy way of the evidence produced by us and the evidence produced by the Chinese side. In fact, you cannot take a bit of it out. Either you consider the whole evidence, hundreds and hundreds of pages, or you don't, and considering the two, you may come to your opinion. Broadly, anybody who reads it will get the total effect of the case of India and the evidence on behalf of India and the case for China and the evidence on behalf of China. It cannot easily be extracted in bits here and there and a conclusion reported.

Shri Nath Pai: In spite of the fact that the report runs into 3,000 pages....

An Hon. Member: Not the report.

Shri Nath Pai: In spite of the fact that the report, including the evidence, runs into 3,000 pages, it is conceivable that a summary has been placed before the Prime Minister by the Indian expert team. Is it a fair assumption as reported in certain sections of the press that the evidence is so mutually contradictory that there is no point of agreement on the main issues; if so, may I know how Government intend to pursue the matter further?

Shri Jawaharlal Nehru: The hon. Member has started putting me the same question that was put to me originally which I answered. How can I possibly tell the House in regard to any matter which has not been fully considered, more especially in regard to an important international matter, as to what steps we are going to take and when?

Shri Nath Pai: May I clarify? I do know it had that appearance, but a summary must have been supplied.

Mr. Speaker: If the newspapers get some information, the hon. Prime Minister may have some information. These are all arguments.

Shri Jawaharlal Nehru: Quite apart from the report, it is obvious that I have to keep in touch, and I have tried to keep in touch, with what was happening. After the first time our officials came back from the Peking talks, after the second time in Delhi, and now after the third time I have met those officials, I have had a talk with them, but the whole business of the officials was, apart from difficulties, minor difficulties, to place the evidence in a proper form, and explain it to the other people. I know the evidence, a great deal of it, I have seen it in the last year or two repeatedly. There is nothing very new for me except that it is put in an ordered form, and it is perhaps easier to understand than isolated bits of evidence. So, there was nothing new. They informed me of all this, and they informed me broadly of what the other party had placed or said.

Shri Hem Barua: Does it mean that the original difference still persists? The Prime Minister says there is nothing new in the report. Does it mean that the original difference still persists?

Shri Jawaharlal Nehru: The report consists of the evidence—1, 2, 3, 4, 135, 346. There are some new items added on as and when they have come to our view, and the difference, that is, the different approach to the different cases not only persists, but was bound to persist because the officials on either side are not going to accept the evidence—minor things they may accept—as a whole, they cannot change the Government's case. That is not expected of officials on either side.

Dr. Ram Subhag Singh: May I know whether Government has received any documentary proof from China of the fact that Tibet had no right of its own to conclude treaties at the Simla Convention and any

other document repudiating the papers of Ranijt Singh's days regarding the western sector?

Shri Jawaharlal Nehru: How can I reply to the hon. Member's question? There are all kinds of documents. Some are accepted; some are not. How can there be documentary proof of that as if there is a clean, clear document saying that they have this right? They have not. Of course, there is no such document, but there are circumstances, circumstantial cases built up in that way. It has been the Chinese Government's case that the Tibetan Government had no right to come to an agreement, but it is really a very minor matter. The whole agreement is a minor matter, in our case; it is one matter to be mentioned here. Our case is based on much stronger grounds than that agreement of 1911.

Shri Nath Pai: Is it a fact that whereas our team was in a position to produce substantial evidence to establish the Indian position *vis-a-vis* Aksai-Chin, the Chinese team had not been able to produce any iota of evidence? May the Prime Minister enlighten us on this?

Shri Jawaharlal Nehru: I think the hon. Member will have to exercise some patience in such matters.

Financing Insurance Policies from General Provident Fund

S.N.Q. 13. Shri S. M. Banerjee: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government propose to withdraw the permission to finance the Life Insurance Policies of Government employees from their General Provident Fund Account;

(b) if so, why and whether the discontinuance would commence only from a specified future date; and

(c) whether the persons who are already financing their policies, or

who have since sponsored their policies for being financed from the General Provident Fund would be allowed to continue to do so?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The facility to finance life insurance policies from the General Provident Fund has been withdrawn with effect from the 17th December, 1960, except in respect of policies which were already being financed from the Fund on that date.

The facility has been withdrawn mainly with a view to stimulating savings. Moreover, it was felt that the advantages envisaged by the existing arrangement were not commensurate with the amount of administrative work involved.

Shri S. M. Banerjee: The hon. Minister has stated that in order to stimulate savings, this has been done. Till now, these Government employees were financing their policies with the help of the General Provident Fund. May I know whether Government are not in a position to utilise the same amount from the LIC now? So, where is the question of saving?

Shri Morarji Desai: I could not follow the question.

Shri S. M. Banerjee: It was from out of the General Provident Fund that they were actually giving their premia for the life insurance policies. The LIC is also a Government body. The same money which is going from the General Provident Fund to the LIC could have been utilised by Government for other purposes. May I know why they are stopping this concession?

Shri Morarji Desai: Because it does not become double savings as a result of that. It is only to increase the savings and to ensure that there may be two separate savings, that this has been done.

Shri Tangamani: Is it not a fact that the industrial employees who

are enjoying the benefit of provident fund are allowed to subscribe to the LIC from out of the provident fund? If that is so, how is it that this concession is being withdrawn in the case of the Government employees?

Shri Morarji Desai: Industrial employees are different from these employees.

Shri Tangamani: So far as the industrial employees are concerned, the principle is that from the provident fund, which is a compulsory saving for the workers, money is contributed to the LIC. When that position has been accepted in their case, may I know why a different attitude is adopted in the case of Government employees?

Shri Morarji Desai: I wish a different attitude is adopted also in the case of industrial employees.

Shri C. D. Pande: May I know whether Government are aware of the fact that this provident fund was a great stimulus for life insurance? If this facility is withdrawn now, the insurance will go down instead of people being goaded to have insurance savings as also savings by way of provident fund?

Shri Morarji Desai: The fears are unfounded.

Shri S. M. Banerjee: May I know whether it is a fact that the Central Government employees are resisting the Government decision in regard to compulsory contribution to provident fund? After the withdrawal of this concession, will Government continue that compulsory contribution to provident fund? The contribution to general provident fund then becomes actually a voluntary thing, because now, the Government servants will be unable to finance their insurance policies from the general provident fund.

Mr. Speaker: The hon. Member is only arguing. He only wants to know whether the compulsion would be removed.

Shri Morarji Desai: No, not at all.

Jambad Colliery

S.N.Q. 14. Shri N. R. Muniswamy: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that there was continued rowdyism, rioting, looting, getting off telephone lines and attacking the police with spears, lathis, etc., by some of the labourers in Jambad colliery on the 14th and 15th December, 1960;

(b) if so, what were the reasons for the trouble; and

(c) what action is being taken in this regard?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). It is reported that when the agent of a neighbouring colliery went to the house of the manager of the Real Jambad Colliery on 14th December, 1960, some workers belonging to the Colliery Mazdoor Sabha (AITUC) did not like his coming there; they suspected he acted as an adviser to the management of their colliery and tried to assault his driver. A worker who objected to this action was chased and his property looted from his house. On 15th December, 1960, when the police arrested some persons in connection with this incident, they were attacked and brick-batted by a large number of workers. The police took shelter in the colliery office after tear gas shells and a lathi charge proved ineffective and several of them were injured, two seriously. The crowd thereafter became violent, cut the telephone lines, paralysed the working of the colliery and tried to attack the quarters of some colliery peons. The police have arrested about 120 workers.

Shri N. R. Muniswamy: May I know whether it has been brought to the notice of Government that one of the leaders of this union is inciting the employees to march to Calcutta to take possession of the employers, and if so, what action is proposed to be taken by Government to prevent this contingency?

Shri Abid Ali: It is true that a communist worker in the locality during his speech there told the workers that they should go to Calcutta and occupy the buildings where the proprietor's office was located, and also that the manager's bungalow should be taken possession of and that the manager should be driven away, but I do not think he was serious about it.

Shri N. R. Muniswamy: May I know whether Government also share the feelings of many of us here that the trade unions are doing these activities for their political ends, and they are thereby jeopardising the production programme of our country?

Shri Abid Ali: There are codes for these purposes, and I wish that the unions follow the code which has been adopted by them voluntarily.

Shrimati Renu Chakravarty: May I know whether it is not a fact that on various occasions, the Minister, the Ministry and the Regional Labour Directorate had been approached again and again as to the way the employers had been bringing in armed goondas and touts to beat up the trade union workers, and yet not one single case of adjudication has been conceded to these workers during the last one year, as a result of which there has been this constant friction and large-scale victimization? Will the Labour Ministry consider the necessity of having a tripartite conference to discuss this entire question of the conditions of labour as well as trade unionism in this Raniganj area?

Shri Abid Ali: What the hon. lady Member has said, perhaps, is based on incorrect information. With regard to this particular colliery, complaints of the Colliery Mazdoor Sabha and some workers to the effect that the management had not implemented the various provisions of the Coal Award (the Das Gupta Award) and the Mines Act have generally not been substantiated on enquiry. Only some minor omissions were found out which the management agreed to rectify.

Shrimati Renu Chakravartty: Is it a fact that whenever on receipt of complaints from the Colliery Mazdoor Sabha, the Regional Labour Commissioner, Mr. Singh, goes to the coal-field area, he makes it a point never to call upon the Colliery Mazdoor Sabha officials to substantiate the charges, and he makes unilateral decisions with the management?

Shri Abid Ali: That is not correct. because I have seen reports in which what the union officials have stated has also been mentioned....

Shrimati Renu Chakravartty: He has never met them.

Shri Abid Ali: He should hear both parties, and only after that, he can be helpful to have effective conciliation. We have granted adjudication—it is a matter of record; it has been gazetted also—on the request of this particular trade union.

Shri S. M. Banerjee: May I know whether it is a fact that recently the Labour Ministry officials and the Labour Minister met the representatives of AITUC and discussed this matter concerning that entire belt? If so, what is the result of the discussion?

Shri Abid Ali: The trade union officials who met the Labour Ministry official promised that they would be helpful in creating an atmosphere which might help the resumption of normalcy there. But unfortunately, they have not carried out their promise.

Shri S. M. Banerjee: When did they meet? Only yesterday they met. I wish to raise a point of order. I seek your protection.

Mr. Speaker: Shri Tridib Kumar Chaudhuri.

Shri Tridib Kumar Chaudhuri: Is it not a fact that in the Standing Labour Committee and in Indian Labour Conference representatives of all the Central Trade Union organisations connected with colliery labour complained about the law and order situation within the jurisdiction of the Regional Labour Commissioner.....

Shrimati Renu Chakravartty: Shri Singh.

Shri Tridib Kumar Chaudhuri: of Dhanbad? Also, has any steps been taken in consultation with the State Governments concerned to look into the matter and to set things right?

Shri Abid Ali: Hon. Members would appreciate that the same Regional Labour Commissioner is in charge of both the Raniganj and Jharia coal fields. In Jharia there is complete peace. This is a place where fortunately this particular trade union organisation has no influence. There is trouble in the Raniganj coal field and the source can be found out. It is obvious. (*Interruptions*).

An Hon. Member: It is not correct.

Shri Tangamani: He makes all kinds of allegations. These are not correct. (*Interruptions*).

Mr. Speaker: I have to inform the House....

Shri Inderjit Gupta: It is wrong information that he has given.

Mr. Speaker: Hon. Members are not satisfied. What can I do?

Some Hon. Members rose—

Mr. Speaker: Will they resume their seats or not? (*Interruptions*). I am not prepared to allow any more questions.

Shri S. M. Banerjee: On a point of order.

Mr. Speaker: I have allowed a number of questions.

Shri S. M. Banerjee: It is a point of order.

Mr. Speaker: There is no point of order. Why should he be impatient?

Shri Tangamani: May I make a submission? In connection with another coal-mine, the hon. Deputy Minister was pleased to state that the Union was not registered, when in fact it was registered.

Mr. Speaker: I am not going to allow it. It is irrelevant.

Shri Tangamani: I would like to know whether he will correct himself at this stage.

An Hon. Member: He has made a wrong statement.

Mr. Speaker: Order, order.

WRITTEN ANSWERS TO QUESTIONS

Propagation of Hindi

***1090. Pandit D. N. Tiwari:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the States have been asked to review the existing arrangements for the propagation of Hindi;

(b) if so, whether replies have been received; and

(c) the common features of the replies?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a), (b) & (c). Under the Directive of the President issued under Clause (6) of Article 344, the Ministry of Education has been directed to review the working of the existing arrangements for propagation of Hindi and to take further action on the lines indicated by the Committee of Parliament on Official Language. As a preliminary step the State Governments have been requested to make a survey of the existing arrangements for the propagation and development of Hindi in their respective areas and to make recommendations to the Government of India. The Governments of Andhra Pradesh and Madras and the Administrations of Manipur and Tripura consider the existing arrangements adequate. The Administrations of Andaman and

Nicobar Islands and Laccadive, Minicoy and Amindive Islands consider the arrangements inadequate and they propose to step up the activities in the Third Five Year Plan. The State Governments of Gujarat, Kerala, Orissa and Punjab have sent only interim replies. Replies from other State Governments are still awaited.

Exchange of Scholars Between India and China

***1095. Shri A. K. Gopalan:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 409 on the 21st November, 1960 and state:

(a) the amount spent on each of the five scholars who were sent to China and who have come back;

(b) whether their studies in China are being utilised by Government; and

(c) if so, in what way and the places of their employment where they are utilising their studies and knowledge gained in China?

The Minister of Education (Dr. K. L. Shrimali): (a) The amount spent on each of the five scholars is as under:—

	Rs.
1. Shri V. P. Dutt	6630'00
2. Shri Ram Manohar Sinha	4418'68
3. Shri S. Seshadri	5068'67
4. Km. Latika Lahiri	6590'00
5. Smt. Gargi Dutt	6570'00

(b) and (c). A statement is laid on the Table of the House. [See Appendix III, annexure No. 105].

People's Friendship University, Moscow

***1096. Shri Kunhan:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether fresh applications were invited for People's Friendship University, Moscow;

(b) if so, the number of such applications received;

(c) the number of those selected; and

(d) the number of those who left for Moscow after their selection had been made?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) 577.

(c) Final Selections are yet to be made.

(d) Does not arise.

Canteen at Qutab Minar, Delhi

***1098. Shri B. C. Mullick:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the prices of foodstuffs at the Canteen in the premises of Qutab Minar, Delhi are unduly high;

(b) whether it is also a fact that drinking water is sold at Qutab Minar, Delhi;

(c) whether Government have received complaints in this regard;

(d) if so, the action taken thereon; and

(e) whether the canteen will be asked to display a price list as approved by Government?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir.

(b) Yes, Sir.

(c) No, Sir.

(d) Does not arise.

(e) The price list as approved by the Central P.W.D. is already on display at the Canteen.

C.O.D., Chheoki

***1099. Shri Ram Krishan Gupta:** with the Minister of Defence be pleased to refer to the reply given to Unstarred

Question No. 1874 on the 1st September, 1960 and state:

(a) whether Government have completed further investigations ordered in respect of certain items regarding the recovery of stores from underground in Central Ordnance Depot Chheoki; and

(b) if so, at what stage is the question of taking action against officers, at fault?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) No, Sir.

(b) The matter is still under consideration by the Army authorities.

Stoppage of Blast Furnaces

{ Shri Rajendra Singh:
Shri Morarka:
***1100.** { Shri Harish Chandra
Mathur:
Shri Koratkar:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the loss in terms of tons of production of pig iron due to stoppage of blast furnaces at Rourkela and Bhilai;

(b) the reasons for the stoppages; and

(c) the steps taken to avoid recurrence?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). A statement is laid on the Table of the House. [See Appendix III, annexure No. 106].

Jet Engines

***1101. Shri P. K. Deo:** Will the Minister of Defence be pleased to state:

(a) whether Research and Development Wing of the Indian Air Force have designed and are going to produce jet engines;

(b) what stage of development has been reached so far; and

(c) whether there was any foreign collaboration in this regard?

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

(b) The manufacture of the various components of the prototype engine is progressing satisfactorily.

(c) No, Sir.

Coal Stock in Asansol Area

*1102. **Pandit D. N. Tiwari:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that coal of grade A fit for consumption in steel plants is lying in stock in Asansol area for the last several months and arrangements for its despatch have not been made;

(b) whether the Indian Mining Federation of Calcutta drew the attention of Government towards this matter; and

(c) the action taken in the matter?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No. This area produces high volatile coal and the steel plants' requirement of such coal is very small.

(b) Owners of certain collieries in Asansol area had recently reported an increase in their pit-head stocks.

(c) Efforts are being made with the assistance of the Railways to clear these stocks to the extent possible.

जनगणना के आंकड़ों का प्रकाशन

*११०३. **श्री प्रकाश वीर शास्त्री :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने १९६१ में होने वाली जनगणना के आंकड़े हिन्दी में भी प्रकाशित करने के प्रश्न पर विचार कर लिया है ; और

(ख) यदि हाँ, तो इस सम्बन्ध में क्या निर्णय किये गये हैं ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :
(क) और (ख) : जनगणना के परिणाम हिन्दी में प्रकाशित करने के विषय में अभी कोई निर्णय नहीं किया गया। जनगणना के सभी आंकड़े और जनगणना विभाग द्वारा प्रकाशित प्रतिवेदन मुख्यतः अंग्रेजी में होंगे, किन्तु आंकड़ों के सार और परिणामों को भारत के लिये हिन्दी में प्रकाशित करने की चेष्टा की जायगी।

Pipeline from Barauni to Delhi

*1104. { **Shrimati Ila Palchoudhuri:**
 { **Shrimati Mafida Ahmed:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that a proposal to lay a 700 mile long oil pipeline to carry finished products from Barauni to Delhi is under the consideration of the Government of India;

(b) if so, the reasons which led the Government to consider such a proposal;

(c) its financial implications; and

(d) the progress made in connection therewith?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) For the transport of petroleum oil products likely to be available from the public sector refinery at Barauni a proposal to construct pipeline from Barauni to Delhi in order to feed the economic supply areas, is under preliminary consideration of Government;

(b) Experience in other countries appears to show that as against transport by railway tank wagons pipeline was more economical for moving petroleum products. Pipelines serve to provide greater continuity in supplies and afford storage within the pipeline itself and, thus, enable, reduction in storage capacity which otherwise is required in areas away from the production centres. Another important factor in the economic of pipeline transport, deserving special men-

tion, in comparison to rail road transportation, is that it avoids empty haulage in one direction. The alternative of using railway tank wagons, *prima facie*, would appear to throw considerable burden on the already congested railway system. These are some of the main considerations which have led Government to consider the mode of transport by pipeline.

(c) and (d). No financial implications have so far been worked out. For detailed consideration, a technoeconomic study will have to be undertaken, if after preliminary consideration, Government should decide to progress the matter further.

Army Personnel in Naga Areas

*1105. **Shri P. C. Borooah**: Will the Minister of Defence be pleased to state:

(a) whether an inquiry has been ordered into the allegations that certain Army personnel had committed excesses in several villages in the Naga area near Purr village soon after an encounter with hostiles;

(b) what is the nature of the allegations; and

(c) what are the results of the inquiry?

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

(b) The allegation was that some persons who were not hostiles were killed and a few villages were burnt.

(c) The results of the inquiries are still awaited from the lower military authorities.

Credit from Austria

{ **Shri Ram Krishan Gupta**:
*1106. { **Shri Morarka**:
 { **Shri Rameshwar Tantia**:

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 605 on the 20th August, 1960 and state:

(a) whether the terms and conditions for the credit received from

the Austrian Government have been finalised; and

(b) if so, the details thereof?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) The negotiations have not yet been concluded.

(b) Does not arise.

School Hostels in Maharashtra

2312. **Shri Pangarkar**: Will the Minister of Education be pleased to state:

(a) whether Central Government have sanctioned any loan to the Maharashtra Government for the construction of school hostels during 1960-61 so far; and

(b) if so, the total amount sanctioned for each institution?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) According to the revised procedure which came into force from 1960-61, loans for construction of hostels are being sanctioned to the education institutions by the State Governments. Accordingly, a sum of Rs. 3.35 lakhs has been placed at the disposal of the Government of Maharashtra for this purpose during 1960-61. This includes Rs. 1.35 lakhs for hostels for schools. The amount actually released by the State Government so far is not known.

Middle Schools in Delhi

2313. **Shri Pangarkar**: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 381 on the 8th August, 1960 and state at what stage is the proposal to make the study of art and craft compulsory in middle schools in Delhi and its rural areas?

The Minister of Education (Dr. K. L. Shrimali): In reply to Unstarred Question No. 381 dated 8th August, 1960 it was stated that the study of art and craft has been made compulsory in the middle schools. As regards

middle departments of Higher Secondary Schools, it is proposed to have at least one craft and one art subject as compulsory subjects from the commencement of the next academic session.

Schools and Colleges in Himachal Pradesh

2314. Shri Hem Raj: Will the Minister of Education be pleased to state:

(a) the number of High Schools, Higher Secondary Schools and Colleges opened in Himachal Pradesh during the two plan periods so far with their location; and

(b) their number before the start of the First Five Year Plan with their location?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). Information relating to the number of High Schools, Higher Secondary Schools and Colleges opened during the Second Five Year Plan period in Himachal Pradesh has already been furnished in reply to Unstarred Question No. 1672 answered on 12th December, 1960. Information relating to the educational institutions opened during the First Five Year Plan and those in existence before its commencement is being collected and will be laid on the Table of the Lok Sabha, in due course.

Centenary of Department of Archaeology

2315. Shri Narasimhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is any proposal to celebrate the Centenary of the Department of Archaeology;

(b) if so, when it is coming;

(c) what is the programme arranged for that occasion;

(d) the estimated expenditure for that occasion;

(e) whether there will be special invitees from abroad for the occasion; and

(f) if so, the names of the invitees?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) November, 1961.

(c) Programme is being framed.

(d) The proposal is under consideration.

(e) Yes, Sir.

(f) The Government of Asian countries will be requested to depute their representatives. In addition, eminent archaeologists of Asia and distinguished archaeologists of other countries will be specially invited to attend.

Discovery of Garnet Stone in Bihar

2316. Shri N. M. Deb: Will the Minister of Steel, Mines and Fuel be pleased to state whether it is a fact that a Garnet stone has been found in Bhagalpur District (Bihar)?

The Minister of Mines and Oil (Shri K. D. Malaviya): The Geological Survey of India has not recorded any occurrence of garnet stone in Bhagalpur District of Bihar.

Archaeological Find in Binpur, West Bengal

2317. Shri N. M. Deb: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any steps have been taken by the Government of India for study of the articles and images found in Binpur P.S. in the district of Midnapore (West Bengal) which according to some archaeologists belong to the pre-historic and the Gupta-Eras; and

(b) if so, the details thereof?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir, as the work was done by the State Department and not by the Union Department of Archaeology.

(b) Does not arise.

Institute for Handicapped Persons in Delhi

2318. Shri Ram Krishan Gupta: Will the Minister of Education be pleased to state:

(a) whether the scheme to have a specialised institute under the Directorate General of Employment and Training for adult handicapped in Delhi with a view to plan and effect their economic rehabilitation, has been finalised;

(b) if so, the details thereof; and

(c) when it will start functioning?

The Minister of Education (Dr. K. L. Shrimall): (a) A Special Employment Office for the physically handicapped is proposed to be established in Delhi.

(b) This office will function as part of the national employment service and will attempt to place blind, deaf and orthopaedically handicapped persons in ordinary commercial and industrial establishments as well as in the public services.

(c) Within the next six months.

Legal Assistance to Harijans in Delhi

2319. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the amount earmarked for giving legal assistance to Harijans in 1960-61 by the Harijan Welfare Board in Delhi;

(b) whether the whole amount has been spent; and

(c) if not, the reasons therefor?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Rs. 3,000/-.

(b) No.

(c) Applications for legal aid amounting to Rs. 4435/- recommended by the Harijan Welfare Board, Delhi, are being scrutinised by the Delhi Administration.

1695 (Ai) LSD—2.

Murders in Delhi

2320. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of murders committed in Delhi during the months of July to November, 1960; and

(b) the causes thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) 29.

(b) Previous enmity. 10
Love affairs 9

Disputes over money and property. 3

Dispute between landlord and tenant. 1

Infanticide 2

Motive unknown 4

Water Facilities for S.C. in Punjab

2321. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of wells that have been sanctioned under Centrally sponsored schemes during the years 1956-57 to 1959-60 providing water facilities to Scheduled Castes in Punjab; and

(b) the amount of expenditure involved therein?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Nil.

(b) Does not arise.

Income-tax Arrears in Punjab

2322. Shri D. C. Sharma: Will the Minister of Finance be pleased to state the total amount of income-tax arrears as on the 1st July, 1960 in the Punjab region (Circle-wise)?

The Minister of Finance (Shri Morarji Desai): The information is being collected and a statement giving the required information will be laid on the Table of the House as early as possible.

राजभाषा सम्बन्धी राष्ट्रपति का आदेश

२३२३. { श्री भक्त दर्शन :
श्री राम कृष्ण गुप्त :
श्री उमान अली खां :
श्री दी० चं० शर्मा :
श्री प्रकाश बीर शास्त्री :

क्या गृह-कार्य मंत्री २० अगस्त, १९६० के तारांकित प्रश्न संख्या ५८० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि राज भाषा के बारे में राष्ट्रपति द्वारा दिये गये आदेश में निहित निदेशों को कार्यान्वित करने में और क्या प्रगति हुई है ?

गृह-कार्य उपमंत्री (श्री गो० ब० पन्त) :
२० अगस्त १९६० के उपरान्त राष्ट्रपति के राजभाषा सम्बन्धी आदेश पर कार्यान्वित की प्रगति—

१. पारिभाषिक शब्दावली (राष्ट्रपति के आदेश का परिच्छेद ३) :

आशा की जाती है कि शिक्षा मंत्रालय शीघ्र ही वैज्ञानिक तथा तकनीकी शब्दावली बनाने के लिए एक स्थायी आयोग की नियुक्ति के लिए आदेश जारी करेगा। वैज्ञानिक और तकनीकी क्षेत्रों को छोड़ कर और क्षेत्रों में जो शब्दावली पहले बनायी गई थी, उसके पुनरावलोकन का भी प्रबन्ध किया गया है। पारिभाषिक शब्दावली से सम्बन्धित कामों में सरकार को सलाह देने के लिए एक उच्च स्तर का सलाहकार बोर्ड स्थापित किया गया है, जिसमें सभी राज्य सरकारों के प्रतिनिधि सम्मिलित हैं। इसकी पहली बैठक ६ नवम्बर, १९६० को हुई थी।

२. प्रशासकीय संहिताओं तथा कार्यपद्धति सम्बन्धी ग्रन्थ साहित्य का अनुवाद (राष्ट्रपति के आदेश का परिच्छेद ४) :

विधि तथा शिक्षा मंत्रालयों में काम शुरू कर दिया गया है और इसमें प्रगति हो रही है।

३. अंग्रेजी के अतिरिक्त हिन्दी के उत्तरोत्तर प्रयोग के लिए योजना व कार्यक्रम (राष्ट्रपति के आदेश का परिच्छेद १४) :

कार्यक्रम का प्रारूप तैयार किया गया है, और यह विचाराधीन है।

नोट :—और विषयों पर, जैसे प्रशासनिक कर्मचारियों का हिन्दी प्रशिक्षण, हिन्दी प्रचार, इत्यादि, २० अगस्त, १९६० को तारांकित प्रश्न संख्या ५८० के उत्तर में जो कुछ कहा गया उसके अतिरिक्त अभी और कुछ प्रतिवेदन नहीं किया जा सकता है।

भूतपूर्व सैनिकों की बस्ती, अफजलगढ़

२३२४. श्री भक्त दर्शन : क्या प्रति-रक्षा मंत्री १७ दिसम्बर, १९५९ के तारांकित प्रश्न संख्या १६३७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के जिला बिजनौर में अफजलगढ़ की भूतपूर्व सैनिकों की बस्ती में विकास और उन्नति के कार्य में अब तक क्या प्रगति हुई है ;

(ख) इस बस्ती के पूर्ण विकास के लिए कौन-कौन से काम अभी शेष हैं ; और

(ग) इन शेष काम के कब तक पूरा हो जाने की आशा है ?

प्रतिरक्षा उपमंत्री (श्री रघुरामैया) :

(क) भूतपूर्व सैनिकों के अफजलगढ़ उप-निवेश के आरम्भ से लेकर अब तक यह कार्य सम्पन्न हो चुके हैं :—

६३९९ एकड़ भूमि को कृषि योग्य बनाया गया है। ७२० भूतपूर्व सैनिकों को बसाया जा चुका है (२५८ पंजाब से, और ४६२ उत्तर प्रदेश से)। ८४६ वास्य क्वार्टर, १८ १/२ मील पक्की सड़क, खुले मौसम योग्य उपनिवेश के ग्रामों को मिलाने वाली सड़कें, ८००० से १०,००० एकड़ भूमि क्षेत्र को सींचने के लिए रामगंगा नदी से एक ३० मील लम्बी नहर, लगभग ३ मील लम्बी एक छोटी नहर, मुर्गीखाना केन्द्र, एक जूनियर हाई स्कूल और ८ प्राइमरी स्कूलों, पंचायत

घरों के लिए इमारतें, बच्चों के लिए ५ पार्क, ४ डाकघर, ६००० मन रखने योग्य एक बीज केन्द्र, ४ बिस्तरों का एक अस्पताल, एक क्रय विक्रय केन्द्र, २ वर्कशॉप शैड, कर्मचारियों के लिये १२ क्वार्टर, एक विश्रामघर—सम्पूर्ण हो चुके हैं। इसके अतिरिक्त एक ट्यूबवेल लगाया गया है, और पीने के पानी के नल बिछाये गये हैं। दो ग्रामों में पानी की टियां लगाई जा चुकी हैं। उपनिवेश को काशीपुर से बिजली पहुंचाई गई है। इसके अतिरिक्त एक आटा पीसने की मशीन और एक चीनी का कारखाना भी लगाया गया है जिसमें १००००० मन गन्ना पीड़ा जा सकेगा। तीन सांड पालने के केन्द्र और विभिन्न अभिप्रायों के लिए १३ लैंड सेंटिलमेंट कोआपरेटिव सोसाइटियां स्थापित की गई हैं।

(ख) उपनिवेश के पूर्ण विकास के लिये अभी निम्नलिखित कार्य होने बाकी हैं :—

- (१) लगभग १०१५ एकड़ भूमि क्षेत्र को कृषि योग्य बनाना।
- (२) लगभग १८०० एकड़ जंगल साफ करना।
- (३) १५४ वास्य क्वार्टर, एक जच्चा-खाना तथा शिशु कल्याण केन्द्र, एक लोहार तथा खातीखाना और एक पशु-चिकित्सालय।
- (४) ४ नये प्राइमरी स्कूल और ४ नये बच्चों के लिये पार्क खोलना।

(५) २ छोटी नहरें।

(६) धार नदी पर पुल बनाना।

(७) ग्रामोद्योग की संस्थापना।

(ग) शेष कार्य जो ऊपर बताये गये हैं, उपनिवेश की जनसंख्या की वृद्धि और उनकी आवश्यकताओं को देख कर यथा समय आरम्भ करके सम्पन्न किये जायेंगे।

Election Petition

2325. **Shri Ram Krishan Gupta:** Will the Minister of Law be pleased to state:

(a) whether the attention of Government has been drawn to the judgement given by the Election Tribunal on the 5th December, 1959 in the Election petition namely, S. Gurmej Singh vs. Sardar Pratap Singh Kairon; and

(b) if so, whether it is a fact that serious strictures have been passed against the Chief Minister, Punjab in this judgement; and

(c) if so, the nature of action taken or proposed to be taken against the Chief Minister, Punjab?

The Minister of Law (Shri A. K. Sen): (a) Government have seen the order of the Election Tribunal, Chandigarh, in Election Petition No. 22 of 1957, Shri Gurmej Singh vs. Shri Partap Singh. The order was made on the 26th October, 1959 and not on the 5th December, 1959, as stated in the Question.

(b) The order of the Tribunal is published in the Punjab Government Gazette, dated the 4th December, 1959. It is difficult to assert categorically that any observations made in the order amount to 'serious strictures' against the Chief Minister of Punjab, the respondent in the case.

(c) No action can be taken against the respondent in the case on the observations made in the order against him.

Prices of Land in Delhi

2326. { **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1089 on the 6th September, 1960 and state the further progress since made in taking decisions on the report regarding rising prices of land for house building in Delhi?

The Minister of Home Affairs (Shri G. B. Pant): Final decisions are expected to be taken shortly.

French Aid for Oil Exploration

2327. Shri Ram Krishan Gupta: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 593 on the 11th August, 1960 and state:

(a) whether the Oil and Natural Gas Commission has examined the proposals made by the French Institute of Petroleum in regard to French aid for oil exploration; and

(b) if so, the result thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The proposals made by the French Institute of Petroleum regarding oil exploration in India are under examination.

Bhilai Steel Plant

2328. Shri A. K. Gopalan: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the riggers of Refractory Stores in the Bhilai Steel Project have submitted representations to Government regarding discrimination shown against them as compared to riggers in other departments of the Project; and

(b) if so, whether Government have looked into these representations?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The representation from the riggers of the Refractory Stores in the Bhilai Steel Project was received by Government in September, 1960. In this representation they had ventilated their grievances regarding salary, promotion, permanency, retrenchment increment etc. These grievances have been looked into by the Hindustan Steel Ltd., and suitable steps taken, to redress them.

Explosions in Delhi

2329. { Shri Sadhan Gupta:
Shri B. C. Mullick:
Shri K. G. Wodeyar:
Shri Assar:
Shri S. A. Mehdi:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that three explosions occurred in Delhi in September, 1960;

(b) if so, the places where they occurred;

(c) the casualties caused thereby;

(d) the motives of the miscreants who engineered these explosions;

(e) the number of people arrested in this connection; and

(f) the steps taken to prevent recurrence of such incidents in future?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). Three minor explosions occurred in Delhi on 27th, 28th and 29th September, 1960. Of these, the first two occurred in the Gandhi Grounds and the third near the Fountain in Chandni Chowk.

(c) 12 persons received minor injuries.

(d) The incidents are under investigation.

(e) One person has so far been arrested.

(f) The police patrol the area. An Anti-explosives Squad has been set up in the Delhi Police.

Stocks of Iron and Steel

2330. Shri Harish Chandra Mathur: Will the Minister of Steel, Mines and Fuel be pleased to lay a statement on the Table showing:

(a) the stock of pig-iron and different varieties of steel with manufacturers in (i) public sector (ii) private

sector, and (iii) Stockists—on 1st October or 15th October, 1960;

(b) The varieties which are in short supply and reasons for the same; and

(c) the rates at which these items in short supply are available in the market?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A statement showing the stocks of steel, by categories, in the various steel works and with stockists, is laid on the Table. [See Appendix III, annexure No. 107]. The figures of stocks of pig iron are being collected.

(b) The categories of steel in shortage are mainly sheets and wire. This is because Indian production is inadequate to meet the demand and imports are limited by the shortage of foreign exchange.

(c) It is illegal to sell iron and steel at prices above the statutory prices. Government are not aware of the open market prices for these categories.

Quarters for Women Teachers

2331. { **Shri Indrajit Gupta:**
Shrimati Renu Chakravartty:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 845 on the 17th August, 1960 and state:

(a) how many quarters for women teachers working in rural areas have been already built;

(b) how many scholarships and stipends for women teacher-trainees from rural areas are being granted per year; and

(c) the details of the scheme for granting village allowance for women teachers in rural or backward areas?

The Minister of Education (Dr. K. L. Shrimani): (a) The number of quarters constructed so far under the Central schemes of Expansion of

Girls Education and Training of Women Teachers and Relief of Educated Un-employment and Expansion of Primary Education is given below:

Name of the State	Number of quarters built
1. Andhra Pradesh	14
2. Bihar	65
3. Kerala	—
4. Madras	71
5. Mysore	24
6. Maharashtra	—
7. Orissa	520
8. Punjab	133
9. Rajasthan	577
10. Uttar Pradesh	10
11. Madhya Pradesh	} information is awaited.
12. Assam	
13. Gujarat	
14. Jammu & Kashmir	
15. West Bengal	
16. Union Territories	

(b) Information is being collected.

(c) The National Council for Women's Education had recommended that women teachers may be encouraged to work in villages by being given a village allowance as an alternative to provision of free quarters as this was expected to result in the increase of the enrolment of girls. This recommendation has been referred to the State Governments who may include this scheme in their special programmes for the education of girls in the Third Plan. The allowance will have to be determined by the State Governments according to conditions prevailing in each State.

Oil Pipelines

2332. **Shri Yadav Narayan Jadhav:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that the Burmah Oil Company (Pipelines) Ltd. has directly negotiated for the

purchase of line pipes with two companies without the consent of the Oil India Limited;

(b) whether it is a fact that these contracts were signed without calling for tenders; and

(c) if so, what steps have been taken by Government to validate the contracts entered into by the Burmah Oil Company (Pipelines) Ltd.?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No, Sir.

Burmah Oil Company (Pipelines) Ltd. were authorised by the Board of Oil India Ltd. to call for quotations for pipe from suppliers, approved by the Board.

(b) 32,909 tons of pipeline was purchased in U.K. from Messrs Stewarts & Lloyds, whose quotation was the lowest. One of the terms of a loan of £3 million from the U.K. Government to the Government of India was that pipeline and ancillary equipment of this value would be purchased from U.K. Although quotations were invited from suppliers in other countries in order to determine the competitiveness of the prices quoted in U.K., it was found that Stewarts & Lloyds quotation was in line with the lowest quotation received from any other supplier.

51,000 tons of pipe has to be purchased from the Hindustan Steel Limited. Hindustan Steel Ltd. are the only indigenous manufacturers/suppliers of the requisite quality of pipe in India. Therefore, the necessity for inviting quotations did not arise and the price was settled on the basis of negotiations.

(c) Does not arise.

Chairman, University Grants Commission

2333. Shri Aurobindo Ghosal: Will the Minister of Education be pleased to state:

(a) whether the Chairman of the University Grants Commission has

expressed his desire to leave his service; and

(b) if so, from what date and the reason therefor?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). While the Chairman of the University Grants Commission has not expressed any desire to leave his service, the UNIVERSITY GRANTS COMMISSION (Disqualification, Retirement and Conditions of Service of Members) Rules, 1956, provide that the Chairman shall retire on his completing the age of sixty-five, unless there is a contract to the contrary. As no such contract exists in the case of Shri C. D. Deshmukh, he is to retire on the 14th January, 1961, when he completes the age of 65 years.

Smuggling of Silver

2334. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a racket of silver smuggling involving a princely family and some leading firms of Saurashtra has been uncovered by an agency of the Union Finance Ministry; and

(b) if so, the name of the prince and firms?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir.

(b) Does not arise.

समाज कल्याण योजनयें

२३३५ { श्री रघुनाथ सिंह :
श्री वारियर :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) समाज कल्याण योजनाओं के लिये नियत की गई निधियों में से प्रत्येक राज्य सरकार ने प्रथम पंचवर्षीय योजना में और द्वितीय पंचवर्षीय योजना काल अवधि १९५८-५९ और १९५९-६० में कितने प्रतिशत राशि

दैनिक भत्ता, यात्रा भत्ता और जीप भत्तों पर खर्च की ; और

(ख) क्या यह सच है कि केरल राज्य में द्वितीय पंचवर्षीय योजना में ७५ प्रतिशत और प्रथम पंचवर्षीय योजना में ५७ प्रतिशत खर्च इन भत्तों पर किया गया ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) और (ख) : आवश्यक सूचना एकत्र की जा रही है और उपलब्ध होने पर शीघ्र ही सभा-पटल पर रख दी जायेगी ।

Open Air Jail System in Himachal Pradesh

2336. { Shri M. K. Kumaran:
Shri Raghunath Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a new system of open air jail for prisoners has been introduced in Himachal Pradesh; and

(b) if so, how is the system working?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). An open air jail started functioning at Bilaspur with effect from 24th October, 1960. 40 prisoners have been selected carefully for this jail from amongst the various jails of the territory. Keeping 4 prisoners to work on essential services such as kitchen, sanitation etc., the remaining 36 are engaged by the Public Works Department under the supervision of Jail Warders and dependable convict officers. They get their daily wages at normal rates. The scheme has started encouragingly.

Satyagraha Movement in Manipur

2337. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state the expenditure incurred by the Manipur Administration in connection with the present

satyagraha movement in Manipur for restoration of responsible Government in Manipur under the following heads from April to July 1960:

- (1) Petrol;
- (2) Bihar Military Police;
- (3) West Bengal Armed Police;
- (4) Manipur Jail;
- (5) Assam Jails; and
- (6) Tear Gas?

The Minister of Home Affairs (Shri G. B. Pant): (1) Rs. 27,949/-.

- (2) Rs. 8.50 lakhs (approximately).
- (3) Rs 50,000/- (approximately).
- (4) Rs. 46,726/-.

(5) The expenditure figure cannot be stated till the Government of Assam have communicated the necessary information regarding the maintenance of the prisoners transferred to Assam Jails.

- (6) Rs. 8,865.

Manipur Administration

2338. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Manipur Administration appointed several officers during January 1958 to July 1960 without consultation with the Union Public Service Commission against standing instructions on the subject; and

(b) if so, the number of such appointments and the action taken by the Government of India and the Union Public Service Commission against the officers responsible for such irregular appointments?

The Minister of Home Affairs (Shri G. B. Pant): (a) No. During the period January 1958 to July 1960, the Manipur Administration made 11 appointments against Class II vacant posts and each appointment was covered by the Union Public Service Commission (Exemption from Consultation) Regulations, 1958. The Administration made 7 other Class

II appointments of longer duration pending finalisation of the draft recruitment rules by the Union Public Service Commission. As such finalisation was delayed, references for regularisation of five appointments were made to the Commission. In other two cases of medical officers appointments were to be made by transfer or promotion and a reference was made to the Ministry of Health. The Administration also made appointments against 82 Class III posts before the revision of their scales of pay. As such revision resulted in the reclassification of these posts as Class II, the Commission has been approached to regularise the appointments.

(b) Does not arise.

Scheduled Castes of Savitri Nagar, Delhi

2339. Shri B. K. Gaikwad: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Scheduled Caste people of Savitri Nagar (Shaikh Sarai) New Delhi are compelled by Government to pay the cost of their housing site at the rate of Rs. 8 per sq. yard;

(b) whether Government are aware that these Scheduled Caste people are residing on the sites for the last several years; and

(c) whether it is a fact that Government policy supports these Scheduled Caste people by giving them housing site free of cost wherever possible?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) No.

(b) Yes.

(c) Delhi Administration has a scheme for providing home sites in certain villages, but Savitri Nagar is not included in the areas to which the scheme extends.

Retrenched Ex-Servicemen

2340. Shri S. M. Banerjee: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that under existing Government Orders discrimination has been made for giving War Service Benefit towards fixation of pay to Ex-servicemen absorbed in Clerical Posts (Civil) in 'Permanent' and 'Temporary' capacity;

(b) if so, what is the reason for such discrimination; and

(c) whether Government are reconsidering the issue for removing such discrimination in the cases of retrenched Ex-servicemen appointed in Clerical Posts (Civil) in Temporary capacity, who are not benefited towards fixation of pay due to their war service under existing Government Orders?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) War service candidates absorbed in civil posts against permanent vacancies, specifically reserved for them, and those appointed to civil posts on a temporary basis form two different categories of Government employees, whose fixation of pay is governed by different sets of orders. The question of any discrimination does not, therefore, arise.

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

Depressed Classes League, Orissa

2341. Shri Kumbhar: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2436 on the 9th September, 1960 and state:

(a) whether Audit and Progress Reports since 1953-54 and so far from the Depressed Classes League and other honorary official organisations in Orissa State have been received by his Ministry; and

(b) if not, the reason therefor?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) No.

(b) The State Governments who give grants to local Organisations for the welfare of Backward Classes are responsible for ensuring proper utilisation of the funds given to the Organisations.

Dearer Money Policy

2342. Shri Kahka Singh: Will the Minister of Finance be pleased to state:

(a) whether the statement of Shri H.V.R. Iengar Governor of the Reserve Bank of India at Madras on November 1st regarding the policy of 'dearer money' henceforward is going to affect adversely the agriculturists who were hopeful of large scale credits in the course of the Third Five Year Plan;

(b) if not what is the explanation in detail regarding policy underlying 'the dearer money' announcement; and

(c) how the Reserve Bank intends to help the agriculturists in the Third Plan?

The Minister of Finance (Shri Morarji Desai): (a) No. The recent measures in the direction of greater credit restraint are not being applied to the credit that is made available to agriculturists by institutional agencies such as cooperative banks and societies. The cooperative movement will continue to enjoy as before the privilege of obtaining from the Reserve Bank accommodation at concessional rates of interest.

(b) The monetary policy of the Reserve Bank has been and continues to be one of permitting such increases in bank credit as are in keeping with the genuine requirements of the economy and the maintenance of monetary stability. This policy is intended to be applied flexibly. The aim of the recent steps taken by the Reserve Bank is to keep in check any undue

expansion in bank credit; and it may be mentioned that in view of the busy season the Reserve Bank has relaxed (vide its Notification dated 11th November, 1960) its earlier measures impounding a certain proportion of the rise in scheduled banks' deposits.

(c) A substantial expansion of Reserve Bank assistance to agriculturists is envisaged in the Third Plan. The Reserve Bank has been studying closely the best means of achieving the end in view. It is at present examining the question of liberalising further its scheme of assistance to agriculturists through the cooperative movement in the light of the recommendations of the Report of the Committee on Cooperative Credit (Chairman: Shri V. L. Mehta). The Bank is also examining the question of a suitable contribution by it to the Special Development Debentures to be floated by central land mortgage banks in certain States to enable them to finance schemes of long-term credit.

School Teachers in Delhi Government Schools

2343. Shri S. M. Banerjee: Will the Minister of Education be pleased to state:

(a) whether it is a fact that in Government Schools in Delhi 50 per cent. quota has not been filled in from the departmental candidates for promotions to the grade of Rs. 200-400 in various subjects by the Directorate of Education of Delhi Administration; and

(b) if so, the reasons therefor?

The Minister of Education (Dr. K. L. Shrivastha): (a) Yes, in subjects like Physics, Chemistry, Biology, Mathematics and English.

(b) Suitable qualified departmental candidates in these subjects are not available.

सरकारी कार्यालय

२३४४. श्री प्रकाश वीर शास्त्री : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५९ में कितने सरकारी अथवा अर्द्ध-सरकारी नये कार्यालय खोले गये अथवा संगठनों का निर्माण किया गया ;

(ख) इन कार्यालयों तथा संगठनों में से कितनों के नाम भारतीय भाषाओं में रखे गये ;

(ग) क्या भारत सरकार का ऐसे नवीन संगठनों के नाम प्रारम्भ से ही भारतीय भाषाओं में रखने का विचार है ; और

(घ) यदि हां, तो इस सम्बन्ध में क्या निर्णय किया गया है ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :
(क) और (ख) सूचना इकट्ठी की जा रही है तथा लोक-सभा के सभा-पटल पर रख दी जायेगी ।

(ग) और (घ). इस विषय में अभी कोई निर्णय नहीं किया गया है ।

हिन्दी जानने वाले कर्मचारी

२३४५. श्री प्रकाश वीर शास्त्री : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) संघ राज्य क्षेत्रों में ऐसे कितने सरकारी कर्मचारी हैं जिन के पास योग्यता की वह डिग्री है जो उन्हें हिन्दी में सरकारी पत्र-व्यवहार करने के योग्य बनाती है और कितने कर्मचारियों ने मान्यता प्राप्त संस्थाओं में हिन्दी का अध्ययन किया है तथा मान्यता प्राप्त परीक्षाओं पास की हैं ; और

(ख) प्रत्येक संघ राज्य क्षेत्र में ऐसे कर्मचारियों की संख्या कितनी कितनी है ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :

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

Appointment of a Judge in High Court

2346. Shri Narayanankutty Menon: Will the Minister of Home Affairs be pleased to state:

(a) how many judges are there in the Kerala High Court at present; and

(b) whether there is any proposal to appoint one more judge in the Kerala High Court?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Eight permanent and two Additional Judges.

(b) No.

Nationalisation of Text Books

2347. { Shrimati Laxmi Bai:
Dr. Samantsinhar:

Will the Minister of Education be pleased to state:

(a) whether the Central Government are rendering any help to the State Governments for the nationalisation of the text books and sale of text books at cost prices; and

(b) if so, the nature of the help given and the names of the States receiving such help?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) Does not arise.

Requisitioning of Stores for use of A.I.C.C. Session at Raipur

2348. Shri Indrajit Gupta: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether a large quantity of stores belonging to Hindustan Steel Limited at Bhilai was requisitioned.

for use of the All India Congress Committee Session held at Raipur; and

(b) if so, the total quantity and value of the various items so utilised?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The Hindustan Steel Limited have reported that in connection with the recent session of the All India Congress Committee held at Raipur, a request was received by the General Manager, Bhilai Steel Project, for supply of certain stores on hire. The total quantity and value of the stores supplied in response to this request are given below:—

Sl. No.	Item	Quantities	Approx. Value (Rs.)
1.	Ceiling fans	72 number	12,313
2.	Pipes	3100 RFT (Approx.)	7,482
3.	C.G.I. sheets	8,000 (numbers)}	1,08,602
4.	Tarpaulines	300 Nos.	97,803
			2,26,200

The Hindustan Steel Limited report that in the past also, spare stores from the Bhilai Steel project had been similarly issued to important public institutions on request in connection with important functions. In such cases, hire charges have been recovered. In case of stores damaged, costs are recovered. Hire charges for all the stores issued to the All India Congress Committee as prescribed for other public institutions, are under recovery.

System of Examination

2349. Shri D. C. Sharma: Will the Minister of Education be pleased to refer to the reply given to Starred

Question No. 1241 on the 9th September, 1960 and state:

(a) whether the Committee set up by the University Grants Commission to examine the question of reform in the system of examination in the Indian Universities has submitted its final report;

(b) if so, the details thereof; and

(c) the nature of action taken so far to implement the recommendations of the Committee?

The Minister of Education (Dr. K. L. Shrimali): (a) Not yet.

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

Census Irregularities in Seraikela and Kharswan

2350. Dr. Samantsinhar: Will the Minister of Home Affairs be pleased to state:

(a) whether the Chairman of the Seraikela Municipality and the local M.L.A. have complained about some irregularities in Census operations in the ex-State areas of Seraikela and Kharswan;

(b) if so, what are their complaints;

(c) whether it is a fact that the Chairman of the said municipality is not appointed as a Census Superintendent in his municipality like other Municipal Chairman;

(d) if so, what are the reasons for not appointing him as census Superintendent in that municipal area; and

(e) how many Oriya and Hindi-speaking persons have been appointed as Census Supervisors separately in Seraikela and Kharswan?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (d). No representation has been received from the Chairman, Seraikela Municipality. However, a member of the Bihar Legislative Assembly has complained of some irregularities relating (i) the

appointment of Charge Officer in the Seraikela Municipality and (ii) the appointment of Census enumerators and the recording of information in the Census Slips. These allegations are being enquired into.

(e) The number of Oriya and Hindi speaking supervisors in Seraikela and Kharsawan is given below:

	Oriya speaking	Hindi speaking
Seraikela	35	49
Kharsawan	9	16

Sanitary Inspectors at Kharakvasala

2351. **Shri Yajnik:** Will the Minister of Defence be pleased to state:

(a) whether some unqualified persons have been appointed as Sanitary Inspectors in the Station Health Organisation at Kharakvasala near Poona;

(b) whether some of these unqualified Sanitary Inspectors have been promoted to the post of Sanitary Assistant overlooking the claims of qualified persons;

(c) the number of unqualified Sanitary Inspectors and those of them appointed as Sanitary Assistants;

(d) whether complaints have been received by Government in this matter; and

(e) if so, the action taken thereon?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) to (e). All Sanitary Inspectors under the Army Headquarters either possess a Sanitary Inspectors Diploma or have been specially trained by the Army Medical authorities. Thus, no unqualified persons hold the appointment of Sanitary Inspector in any Army installation. Promotion to the rank of Sanitary Assistants from Sanitary Inspectors is by selection on the basis of merit. The question of unqualified persons being promoted does not arise. Representations have been received

from certain senior Sanitary Inspectors who had not been promoted as they were not found upto the mark at the time of selection. Appropriate replies have been sent to the petitioners.

Report of Committee on Archival Legislation

2352. **Shri N. R. Muniswamy:** Will the Minister of Education be pleased to state:

(a) whether the Committee to advise on the proposed Archival Legislation has submitted its report;

(b) if so, the salient features of its recommendations; and

(c) the action taken on those recommendations?

The Minister of Education (Dr. K. L. Shrinani): (a) No, Sir; the Report is however expected by the end of this month.

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

Entry of Pakistanis into India

2353. **Shri Assar:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that nearly 2,000 Pakistanis have entered into India through Belonia sub-division of Tripura State on the India-Pakistan Border during the past six months;

(b) whether it is a fact that they have shown willingness to accept Indian citizenship; and

(c) if so, the details thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) The number of such persons was 504 during the six months from the 1st May, 1960 to the 31st October, 1960.

(b) No application for the grant of Indian citizenship has been received from any of these Pakistani nationals.

(c) Does not arise.

University Film Council

2354. { Shri Jagdish Awasthi:
Shri S. M. Benerjee:

Will the Minister of Education be pleased to state:

(a) whether a foreigner has been appointed as an Expert in the University Film Council, New Delhi;

(b) if so, whether no Indian was available for the purpose;

(c) what are the qualifications of this foreigner; and

(d) the basis of this selection?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir.

(b) to (d). The University Film Council is a registered society, registered under Registration of Societies Act, 1860. It has been ascertained from the Council that in the earlier stages it had appointed a foreign expert as technical adviser to help in its activities but that the expert is no longer with the Council as her contract has since expired.

Export of Copra and Betelnuts from Andamans

2355. **Sardar A. S. Saigal:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2199 on the 6th September, 1960 and state:

(a) what are the break-up figures destination-wise of copra and betelnuts exported from the ports of Nancowrie, Car Nicobar and Port Blair respectively during the years 1958-59 and 1959-60; and

(b) what is the figure of royalty assessed and realized on exports of copra and betelnuts from the Nicobars in 1958-59?

The Minister of Home Affairs (Shri G. R. Pant): (a) and (b). The information is being collected and will be laid on the Table.

Posts in Bhilai and Rourkela Steel Plants

2356. { Shri H. N. Mukherjee:
Shri Tangamani:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the number of posts of engineers, electricians and ordinary technicians like fitters, welders etc. lying vacant in the Bhilai and Rourkela plants;

(b) whether it is a fact that trained Indian personnel to fill the vacancies are lacking; and

(c) when and how is the lag to be made good?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The Hindustan Steel have reported that the posts of engineers including graduate apprentices lying vacant are 278 in respect of Bhilai and 103 in respect of Rourkela. Out of these, 175 vacancies in Bhilai and 34 in Rourkela are for junior engineers for which graduate apprentices have been selected. The remaining vacancies are for senior staff with experience in steel. Some of the vacancies are in respect of units which are yet to be commissioned.

Besides, in operatives and skilled workers, the vacant posts are 3012 in Bhilai and 1660 in Rourkela. All these relate to units yet to be commissioned.

(b) and (c). There is generally a shortage of Indian personnel with experience in steel. Manning of senior vacant posts is assisted by members of the Russian commissioning team in Bhilai and German engineers in Rourkela. These posts will get filled up when the staff of Hindustan Steel gain adequate experience.

In regard to operatives and skilled workers' vacancies, persons will be recruited directly or from construction staff. The shortage, if any, it is hoped, will be made good by training persons in the institutes set up by Hindustan Steel.

Floods in Madras

2357. **Shri Tangamani:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have rendered help to flood affected areas in Madras State;

(b) if so, nature of help; and

(c) what relief has been sent to the flood victims of these areas including cities of Madras and Madurai?

The Minister of Home Affairs (Shri G. B. Pant): (a) No request for any help has been received from the State Government.

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

Gang of Racketeers

2358. **Shri Ram Krishan Gupta:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the crime branch of Delhi Police have unearthed a gang of racketeers who offer bails for offenders under false names; and

(b) if so, whether any person has been arrested so far?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) Twenty seven persons have been arrested so far in this connection.

Colombo Plan Consultative Committee for Co-operative Economic Development

2359. **Shri Kalika Singh:** Will the Minister of Finance be pleased to state:

(a) who represented India at the 12th meeting of the Colombo Plan Consultative Committee for Co-operative Economic Development in South and South-East Asia held at Tokyo from November 14 to 17, 1960;

(b) what measures were decided upon to contain inflationary pressures in the Colombo Plan countries;

(c) whether balance of payments position of the countries was found satisfactory;

(d) the progressive increase in income levels and per capita income of the countries over the last 5 years and how India fared in comparison with other countries; and

(e) what percentage of external assistance of the Colombo Plan was received by India since the inception of the Colombo Plan with the figures of all countries?

The Minister of Finance (Shri Morarji Desai): (a) The Indian delegation consisted of:—

Leader

1. Shrimati Tarkeshwari Sinha, Deputy Minister of Finance
2. Shri N. C. Sen Gupta, Joint Secretary, Ministry of Finance Deptt. of Economic Affairs.—
Alternate Leader and Leader in the officials meetings.

Members

3. Dr. P. K. Banerjee, Counsellor, Embassy of India, Japan.
4. Shri A. T. Bambawale, Deputy Secretary, Ministry of Finance, Deptt. of Economic Affairs.
5. Shri S. S. Marathe, Deputy Economic Adviser, Ministry of Finance, Deptt. of Economic Affairs.
6. Shri R. K. Jerath, First Secretary Embassy of India, Japan.
7. Shri A. G. Asrani, Third Secretary, Embassy of India, Japan.
8. Shri H. Bhalla, Third Secretary, Embassy of India, Japan.

(b) The Consultative Committee, amongst other things, reviews the economic situation in the member countries of the Colombo Plan in the South and South-East Asian region and examines the need and scope for external assistance. It does not undertake to make recommendations

on ways of dealing with the economic problems of each member country. These are matters on which decisions can be taken only by the Governments of the respective countries.

(c) and (d). The annual report of the Consultative Committee will be published on or after the 12th of January, 1961 and will contain information on the state of the economy of each of the member countries in the South and South-East Asian region. A copy of the press communique issued by the Consultative Committee is laid on the Table. [See Appendix III, annexure No. 108]. On account of the limitations of national income data in different countries, it is not possible to draw any valid comparisons.

(e) External assistance under the Colombo Plan takes various forms such as technical assistance, capital aid and loans. All such assistance is arranged bilaterally, the Colombo Plan merely providing an arrangement within which such bilateral assistance can be given and received. It is, therefore, not possible to compare assistance received by India under the Colombo Plan with assistance received by other countries.

Model Small Savings Scheme

2360. **Shri Balakrishnan:** Will the Minister of Finance be pleased to state:

(a) whether model small saving schemes are introduced in several places;

(b) what is the method of model scheme; and

(c) the result and performances of the Scheme?

The Minister of Finance (Shri Morarji Desai): (a) No model savings schemes have been introduced, but "Model districts" have been selected in some States recently for intensive promotion of the savings movement on a voluntary basis.

(b) The main approach is to publicise the objectives of the movement, set up non-official savings committees at various levels, form active savings groups, organise shibirs for the training of workers, both official and non-official, conduct drives for recruitment of authorised agents, produce special publicity with local appeal and secure the assistance of the Postal Department for expanding the sales agencies and improving the services rendered to the public.

(c) While the response has been encouraging, it is too early to judge the result and performance of the experiment.

भारतीय सार्वजनिक संस्थाओं को विदेशियों द्वारा दान

२३६१. { श्री प० ला० बाबूपाल :
श्री लच्छी राम :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) हरिजनों के उद्धार के लिये कोई विदेशी किसी भारतीय सार्वजनिक संस्था को अधिक से अधिक कितनी विदेशी मुद्रा दान दे सकता है; और

(ख) इस के भुगतान और विनिमय की क्या प्रक्रिया है ?

वित्त मंत्री (श्री मोरारजी देसाई):

(क) विदेशी विनिमय नियमन अधिनियम (फोरेन एक्सचेंज रेगुलेशन एक्ट) के उपबन्धों के अनुसार किसी भी उद्देश्य से दान देने के लिये देश में विदेशी मुद्रा भेजने पर कोई रोक नहीं है।

(ख) ये दान बैंक का काम करने वाली संस्थाओं के जरिये प्राप्त किये जा सकते हैं। दान की रकम रुपयों में पाने के लिये विदेशी मुद्रा भारत में किसी प्राधिकृत कारबारी (प्रयराइज्ड डीलर) को देनी पड़ती है। आंकड़े रखने के स्थान से भारतीय रिजर्व बैंक स्टॉलिंग पोण्डों के रूप में भेजी गयी २० हजार

रुपये से ऊपर और डालरों में भेजी गयी ४५० रुपये से ऊपर की रकमों का मुनासिब हिसाब रखता है ।

१९६२ के ग्राम चुनाव

२३६२. { श्री प० ला० बरूपाल :
श्री लच्छी राम :

क्या विधि मंत्री यह बताने की कृपा करेंगे कि आगामी १९६२ के ग्राम चुनावों में बिधान सभाओं के और लोक सभाओं के निर्वाचन क्षेत्रों में निर्वाचन-केन्द्रों के नामों के साथ उन सूचियों में संबंधित डाकघरों के नाम भी प्रकाशित किये जायेंगे ?

विधि मंत्री (श्री अ० कु० सेन) : जी नहीं, निर्वाचन आयोग डाकघरों के नाम मतदान केन्द्रों की सूची में शामिल करना आवश्यक नहीं समझता । प्रत्येक मतदान केन्द्र की स्थिति स्पष्टतः दिखायी जाती है । और उस स्थान का ठीक पता चलाने में जनता को कोई कठिनाई नहीं होगी ।

Army Battalion for Orissa

2363. Shri Sanganna: Will the Minister of Defence be pleased to state:

(a) whether the Government of Orissa have approached the Government of India for the creation of Army battalion in that State; and

(b) if so, what is the reaction of Government to it?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The Government of Orissa have suggested the stationing of an Infantry Battalion in Orissa. The suggestion is under consideration of the Government.

Pay Fixation of S.A.S. Accountants

2364. Shri Tangamani: Will the Minister of Finance be pleased to refer to the reply given to Starred

Question No. 337 on the 21st August, 1958 and state:

(a) whether it is a fact that Pay fixation of S.A.S. Accountants deputed from the office of the Deputy-Accountant General, Posts and Telegraphs, Madras has not been modified in view of distance of time;

(b) how many employees are affected as a result of this order;

(c) whether it is a fact that inconsistencies do exist;

(d) what will be the loss sustained by affected employees; and

(e) what steps are proposed for rectifying the injustice done?

The Minister of Finance (Shri Morarji Desai): (a) It is presumed that the Hon'ble Member is referring to certain cases of S.A.S. passed Clerks of the office of the Deputy Accountant-General, Posts and Telegraphs, Madras and not to those of S.A.S. Accountants. If so, distance of time was not the only reason for not modifying their pay fixation.

(b) Sixteen.

(c) Attention is invited to the reply given to the Starred Question No. 337 on the 21st August, 1958.

(d) If the pay fixation had been uniform, Government would have had to pay about Rs. 35,000 more.

(e) As there is no injustice, the question of rectifying the same does not arise.

Srirangapatnam Museum

2365. Shri Tangamani: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 1333 on the 7th April, 1960 and state:

(a) whether steps are taken for augmenting collections for Srirangapatnam Museum for procuring antiquities pertaining to Tipu Sultan for private and official sources;

(b) if so, what are the new articles secured since then;

(c) whether the Musical Tiger in India Office Library has been secured; and

(d) what are the official and non-official agencies addressed in this matter?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) (i) 74 photographs of the manuscript of the *Hukum Nama* of Tipu Sultan.

(ii) One persian manuscript.

(iii) A model of Srirangapathnam Fort.

(iv) Microfilm copies of eleven manuscripts and documents in the India Office (seven reels).

(c) No, Sir.

(d) (i) The Government of Mysore.

(ii) Salar Jang Museum, Hyderabad.

(iii) Fort St. George Museum, Madras.

(iv) Red Fort Museum, New Delhi.

(v) Private parties.

UNESCO Aid for Second Five Year Plan

2366. Shri Tangamani: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2550 on the 9th September, 1960 and state:

(a) whether the amount of \$ 36,84,288 received from UNESCO has been spent fully on the three programmes;

(b) if so, how much has been spent on Madras University under U.N. Expanded Technical Assistance Programme of UNESCO;

(c) what further sum will be received before the end of the Second Five Year Plan period; and

(d) what will be the respective allocation under the three heads?

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The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) \$ 29,100.

(c) None, Sir.

(d) Does not arise.

Reserved Seat Candidates

2367. Shri Tangamani: Will the Minister of Law be pleased to refer to the reply given to Starred Question No. 1104 on the 6th September, 1960 and state:

(a) how many reserved seat candidates won the general seat in State Assembly Constituencies and how many in Parliamentary Constituencies; and

(b) when the decision on double member constituencies is expected to be taken?

The Minister of Law (Shri A. K. Sen): (a) Since the passing of the Representation of the People Act, 1950, four Scheduled Castes candidates won the general seats in the Parliamentary constituencies and fourteen Scheduled Caste candidates in Assembly constituencies. The number of general seats won by Scheduled Tribes candidates during this period in the two types of constituencies is two and nine respectively.

(b) Necessary legislation to give effect to Government decision to split double-member constituencies is being introduced in Parliament to-day.

Pension to Great Grandson of Late Maharani Lakshmi Bai of Jhansi

**2368. { Shri H. N. Mukerjee:
Shri Tangamani:**

Will the Minister of Home Affairs be pleased to state the reasons for the refusal to Shri K. L. Jhansiwala, great-grandson of the late Maharani Lakshmi Bai of Jhansi, of the monthly pension that used to be paid to his deceased father?

The Minister of Home Affairs (Shri G. B. Pant): The pension of Rs. 100/- per month granted to Shri Lakshman

Rao Jhansiwala was only for his life time and did not descend to his son by the terms of the grant. It is not the policy of the Government to continue such pensions on a hereditary basis. The pension was not therefore continued to Shri K. L. Jhansiwala.

Bihar and Bengal Transfer of Territories Act, 1956

2369. Shri P. G. Sen: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 861 on the 14th December, 1959 and state:

(a) whether all pending cases of Government servants under Bihar and Bengal Transfer of Territories Act, 1956 have been finalised; and

(b) if not, what Government propose to do in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No. In addition to the 132 cases referred to in the reply given to Starred Question No. 861 on 14th December, 1959, in regard to which final allocations had not been settled, 248 more such cases have come to notice. Out of this total of 380 cases final allocations have been settled in respect of 240 persons, 53 to be finally allotted to Bihar and 187 to West Bengal. 140 cases are still under the consideration of the State Governments.

(b) It has been suggested to the Governments of Bihar and West Bengal that in order to finally settle the matter, a meeting attended by the representatives of the two State Governments should be convened and that an officer of the Government of India may also attend the meeting. The Government of Bihar have agreed and have further suggested that the meeting may take place after the two State Governments have communicated to each other their views on the pending cases. The Government of India have agreed to the suggestion of the Government of Bihar. Reply is awaited from the Government of West Bengal.

Grade III Section Officers

2370. Shri M. B. Thakore: Will the Minister of **Home Affairs** be pleased to state:

(a) how many Section Officers of Grade III were rejected by the Union Public Service Commission during the years 1958, 1959 and 1960 who took the Assistant Superintendents' examination;

(b) how many of them have been reverted to their permanent posts so far;

(c) how many of them are still continuing as Section Officers; and

(d) the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (d). A Statement is laid on the Table of the House. [See Appendix III, annexure No. 109].

Defamatory Statements against Public Servants and Ministers

2371. Shri Harish Chandra Mathur: Will the Minister of **Home Affairs** be pleased to state:

(a) in how many cases action has been taken under Section 198B Cr. P. C. for publication of highly defamatory statements against Central Government employees and Ministers during the period 1959 and 1960 so far; and

(b) what agency in administration takes note of such defamatory statements?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The information is being collected and will be placed on the Table of the House in due course.

(b) The administrative Ministry concerned.

Participation in Aswan Dam Excavations

2372. Shri Tangamani: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Department of Archaeology is participating in archaeological excavations in the Aswan Dam Site in Egypt;

(b) if so, whether it is at the invitation of the Egyptian Government;

(c) the nature of terms of the excavation;

(d) the names of the officers deputed for the work;

(e) whether experts have also come from other foreign Governments; and

(f) whether any Egyptologist is attached to the group?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) The participation is in response to an appeal issued by UNESCO for international action.

(c) 1. To study and transplant the more important monuments; and

2. to excavate underground relics. In return for the international assistance the Government of United Arab Republic has offered—

(i) half of the excavated materials found in the area, except for specimens which may be considered to be unique, or essential for Egyptian museum collections;

(ii) to allow excavation on other sites in Egypt; and

(iii) to code certain temples in upper Nubia, and allow these to be shipped abroad; and

(iv) to give an important collection of ancient objects which are state property.

(d) 1. Shri B. B. Lal, Director of School of Archaeology. Leader of the Delegation.

2. Shri Amir Singh, Draftsman.

3. Shri S. R. Jain, Surveyor.

4. Shri R. Chatterjee, Photographer.

5. Shri K. M. Srivastava, Technical Assistant.

(e) We have no information.

(f) No, Sir.

M.E.S. Quarters in Ambala

2373. Shri Kunhan: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Chief Technical Examiner, Army Headquarters visited Ambala Cantt. to examine the defects in the construction of 108 M.E.S. quarters constructed during 1958-59;

(b) if is, the nature of defects found;

(c) whether the defects have been repaired;

(d) whether any action has been taken against the contractor for defective construction; and

(e) the nature of the action taken?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes, Sir.

(b) to (e): The main defects pointed out by the Chief Technical Examiner relate to brick work, finish to roofs, their slopes, etc. The matter has been examined and it is found that the defects pointed out by the Chief Technical Examiner are of a minor nature. Since these defects were detected during the maintenance period, they are being rectified by the contractor at his own expense.

Statutory Status for Educational Institutions

2374. Shri Kunhan: Will the Minister of Education be pleased to state:

(a) whether Government is considering a proposal to give statutory status to Jamia Millia Islamia, Gurukul Kangri and the School of International Studies;

(b) if so, whether Government have appointed three different Committees to make report about these institutions;

(c) if so, the names of members of these committees; and

(d) the date on which reports are expected?

The Minister of Education (Dr. K. L. Shrimali): (a) The answer is in the affirmative:

(b) The Government have appointed two different Committees in respect of the Indian School of International Studies, New Delhi, and the Gurukula Kangri Vishwavidyalaya, Hardwar. No such Committee was appointed in the case of the Jamia Millia Islamia, as the Chancellor of the Jamia had appointed a Committee to consider the future organisation of higher education in that institution.

(c) A statement giving the information in respect of Committees appointed by Government is given below:

STATEMENT

Names of the members of the Committee on the Indian School of International Studies.

Chairman

1. Sardar K. M. Panikkar, M.P.

Members

2. Shri S. Dutt, Foreign Secretary, Ministry of External Affairs, New Delhi.
3. Shri P. N. Kirpal, Secretary, Ministry of Education, New Delhi.

Secretary

4. Dr. P. D. Shukla, Deputy Educational Adviser, Ministry of Education, New Delhi.

Names of the members of the Committee on the Gurukula Kangri Vishwavidyalaya, Hardwar.

Chairman

1. Shri Patanjali Sastri, Ex-Chief Justice of India.

Member

2. Dr. S. K. Chatterji, Chairman, Legislative Council, West Bengal, Calcutta.

Secretary

3. Dr. P. D. Shukla, Deputy Educational Adviser, Ministry of Education, New Delhi.

(d) The report of the Committee on the Jamia Millia Islamia was received by the Government on the 15th September, 1960. The reports on the School of International Studies and on the Gurukula Kangri Vishwavidyalaya are expected to be received shortly.

Subsistence Allowance to Suspended Teachers in Delhi

2375. Shri Ram Garib: Will the Minister of Education be pleased to state:

(a) the number of teachers and principals at present under suspension under the Directorate of Education, Delhi;

(b) whether any subsistence allowance is being paid in all cases;

(c) if not, how many are not being paid this allowance; and

(d) the reasons therefor?

The Minister of Education (Dr. K. L. Shrimali): (a) 5.

(b) No, Sir.

(c) 2.

(d) These two persons have not yet submitted the affidavits to the effect that during the period of suspension they were not employed anywhere else, as required under the rules.

Primary Schools in Himachal Pradesh

2376. Shri Ram Garib: Will the Minister of Education be pleased to state:

(a) what is the present number of primary schools in Himachal Pradesh; and

(b) what is the present number of students in each of the Classes I, II, III, IV and V?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The required information has been called for from Himachal Pradesh Administration and will be placed on the Table of the House as soon as it is received.

Manipur State Constitution Act, 1947

2377. Shri Braj Raj Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Government of India are aware of the existence of an Act called "the Manipur State Constitution Act, 1947" prior to the integration of the State to Indian Union;

(b) if so, whether the said Act was ever repealed or suppressed; and

(c) if not, whether the Act still exists and holds good?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) and (c). Upon the merger of Manipur on 15th October, 1949, and the promulgation of the Manipur (Administration) Order, 1949, by the Central Government on the same day, the Manipur State Constitution Act stood impliedly repealed and ceased to be in force.

Tribal Housing Scheme

2378. Shri Braj Raj Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the amount allotted in the Second Five Year Plan, under the Tribal Housing Scheme for Manipur;

(b) the conditions laid down and rules made for proper utilisation of the amount by the recipients;

(c) whether it is a fact that a large amount of money generally goes to wrong and undeserving persons and the amount is thus misused; and

(d) whether Government will order an enquiry into the allegation of misusing the amount allotted under Tribal Housing Scheme in Manipur?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Rs. 3.00 lakhs.

(b) The information is being collected and will be laid on the Table of the House as soon as it is received.

(c) No.

(d) If any specific allegation is received it will be enquired into.

Allotment of Coal to Punjab

2379. Shri Daljit Singh: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Punjab Government have asked for more allotment coal to Punjab during 1960-61;

(b) if so, the decision taken thereon; and

(c) how much has been actually supplied during the above period?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Requests for increase in the quotas of coal for various industries in the State were received from the Punjab Government during the current year.

(b) These were considered and the quotas were suitably increased on an *ad hoc* basis.

(c) The quotas and despatches during the period April to October, 1960 for the industries controlled by the State Government were as below:

	Regular Quota	Total Despatches
<hr/>		
	(In Tons)	
Domestic soft coke	149,245	183,367
Brick burning	320,831	156,581
Pottery	4,752	5,354
Chemicals	11,963	10,957
Rubber	1,540	1,289
Enamel	1,540	699
Other industries	172,141	141,702

Translation of Kannada Books

2380. { Shri Agadi:
Shri Sugandhi:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the names of the Kannada books, the translation of which into other modern Indian languages is pending in Sahitya Akademi for more than a year; and

(b) the reasons thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): ((a) and (b). Selections are being made of the following six books which will be translated into suitable modern Indian languages after they have first been published in Kannada:

- (1) Anthology of Short Stories.
- (2) Anthology of Essays.
- (3) Anthology of One-act plays.
- (4) Selections from Purandara-dasa.
- (5) Selected Vachanas of Basavanna.
- (6) Selections from Bharatesha Vaibhava.

Laying of Pipelines

2381. Shrimati Mafida Ahmed: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 762 on the 7th December, 1960 and state:

(a) who is entrusted with the actual work of laying pipelines from Nahorkatiya oil fields to Noonmati;

(b) whether global tenders were invited for this work; and

(c) what was the basis of considering the tenders?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) M/s. Mannesmann-Saipem.

(b) Yes Sir.

(c) The prices quoted and the competency of the firm to handle a project of this nature formed the basis of consideration of the tender.

Foreign Post Office, New Delhi

2382. Shri Assar: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that three files and four thousand four hundred rupees were lost from the Foreign Post Office, New Delhi recently;

(b) if so, the details thereof; and

(c) whether any person has been arrested in this connection?

The Minister of Finance (Shri Morarji Desai): (a) and (b) Indian currency amounting to four hundred rupees confiscated to the Government and the concerned files were found missing on 5-12-1960 from the steel almirah in the office of the Principal Postal Appraiser, New Delhi.

(c) A case has been registered with the Police who are making investigations. No arrest has been made.

Mineral Survey of Himachal Pradesh

2383. Shri Daljit Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether mineral survey of Himachal Pradesh and the hilly areas of Punjab has been conducted so far during the Second Five Year Plan period; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir. The details of the mineral investigations carried out by the Geological Survey of India in the Himachal Pradesh and the hilly areas of Punjab so far during the Second Five Year Plan period are as follows:

Himachal Pradesh:

Alum.—Occurs in Jakhri and in a road cutting near Tatal. Both the occurrences are very small and are

not considered of any economic significance.

Pyrite and Chalcopyrite.—Investigation of pyrite deposits near Matiana, Mahasu district, was undertaken during 1956-57 and again in 1957-58. A preliminary surface examination of these deposits shows that mineralisation has taken place over a fairly large area.

Salt.—The saline spring near Pati, Mandi district was found to be too small to be of any economic significance.

Asbestos.—Investigation of asbestos near Mandhan, Mahasu district was undertaken during 1957-58. A small vein of tremolite about a foot in thickness and traceable from a length of about 8—10 feet is seen on the top of the ridge and it shows development of asbestos fibres. There are also veins of Serpentine and the country rock is re-crystallised limestone. The occurrence is of no economic significance.

Coal.—Investigation of alleged coal occurrences near Khairi and Sirmuri Tal in Paonta Tahsil, Sirmur district was undertaken during 1957-58. The localities do not indicate any hope of finding coal in good quantity.

The occurrences of coal in Sundernagar area of Mandi district were examined during 1959-60. The occurrences are of no economic value as they occur as small stringers and lenses.

Gold.—Investigation of gold occurrence in Khad Soon near Dharampur, Mandi district was undertaken during 1957-58. In view of the high cost of labour and poor concentration of gold there does not appear to be any future for these deposits.

Limestone-Bilaspur district.—Investigation of limestone deposits for new township, Bilaspur was undertaken during 1957-58. A fairly large tufa deposit was examined near Binaura on the new motor road to Mandi, about 6 miles from new township. It is calculated to have an ap-

proximate reserve of about 10,000 tons. It is a very high grade limestone containing 53.86 CaO (Calcium oxide) and only 1.40 MgO (Magnesium oxide) and therefore is recommended to be reserved for chemical use like leather tanning, sugar refining, etc.

Mandi district.—Investigation of limestone deposits in Mandi district was undertaken during 1957-58. Three localities of calcareous tufa deposits and three areas of Krol limestone in Mandi, Sundernagar and Jagindernagar Tahsil of Mandi district were examined for finding the possibility of starting a lime industry in the district.

The limestone occurrences in Sundernagar area, Mandi district were examined during 1959-60 and it was found to be generally dolomitic excepting the pink purple variety seen in the Bumkanala.

Clay.—Investigation of clay deposits in Paonta tahsil, Sirmur district was undertaken in 1958-59. Reserves have not been estimated so far.

Iron ore.—Occurrences of iron ore deposits in Chichot Tahsil, Mandi district were examined during 1958-59. The deposits consist of disseminated magnetite and hematite in Phyllites and is not of any economic importance.

Sulphur.—The possibility of obtaining sulphur from the hot water spring west of Seoni was examined during 1958-59. It was found that there was no possibility of finding any sulphur deposits in the vicinity.

Punjab:

Calc-Tufa.—A search for limestone in Kangra district, Kulu Valley was made during 1956-67 for neutralising the acidity of the soils. No limestone was found and it was recommended that the small quantity of calc tufa found around Sheobagh could be utilised for the purpose.

Clays.—The clays in Pinjaur area, Patiala district were examined during 1956-67 and found to be highly

calcareous and ferruginous and as such not suitable for use in pottery.

Copper.—Reported occurrence of copper ore near Narol, Kangra district, was examined during 1956-57. Small encrustations of azurite are seen on the surface of Chail quartzites that form the local country rock. No lode of copper was found.

Felspar.—Occurs at Mandi Hills Pachnota and Musnota hills in Narnaul, Mahendragarh district and is used mainly for ceramic purposes.

Glass Sand.—Glass sand was worked sometime ago in Jaijon Doabha, Hoshiarpur district but now these are not worked. Similar material occurs in the bed of the Sutlej river near Gujarka Nangal, Hoshiarpur district. Sandstone suitable for manufacture of Sheet glass is recorded near Thala 4 miles south of Narnaul, Mahendragarh district. Friable quartzites are recorded from Atala Mahendragarh district and about 2000 tons of reserves are estimated.

Iron ore.—The reported occurrence of iron ore at Khol was examined during 1956-57. The occurrence was found to be of no economic significance.

Oil.—The reported occurrence of films of oil in the well sides of Badhera, Hoshiarpur district was examined during 1956-57. It was found that the films were not due to oil but due to vegetable material.

Quartz.—Quartz deposits suitable for ceramic purposes were noted in the Mohindergarh district during 1956-57. They can be used for ceramic purposes after suitable beneficiation.

The reported occurrence of rock crystals near Jari in Mauza Harkandi, Kangra district was examined during 1956-57. The occurrence does not appear to be of economic value.

Saltpetre.—Occurs in the districts of Ferozepur, Amritsar, Hissar and Rohtak. Ferozepur leads with a production of 8—10 thousand maunds per year.

Rock salt.—The alleged occurrence of rock salt near Behna was examined during 1956-57. The dominant country rock there consists of calcareous quartzites. There is no chance of finding any large deposit of rock salt in this area.

Silver.—A preliminary survey of the abandoned silver mine below Uchich, Kangra district was carried out during 1956-57. The old workings of silver near Uchich and Manikaran were examined and further work is in progress.

Limestone.—17.6 million tons, enough to sustain a 700 tons per day plant, for 25 years has been recorded at Dharamkot (3 miles north of Dharamsala), Kangra district.

Slate.—Investigation for slate deposits was carried out near Basai Meo, Gurgaon district during 1957-58 where a 10—15 feet thick workable zone was observed. Slate is of lightly poor quality. Slate quarries in the North Dharamsala area, Kangra district were examined during 1959-60. The 4 important occurrences in the area are (1) about a mile north of Bhatti (2) Bhagsu north (3) Thatri and (4) Khas-Kaniahara.

Glass sand.—Several new quarries were examined near Badarpur in Gurgaon district during 1958-59. Occasional bands of white angular sand or soft friable quartzite, suitable for glass manufacture, which can be worked economically by sorting the suitable material were observed.

Kankar.—Beds of Kankar occur in Gurgaon district in lenticular patches of various dimensions ranging from a few acres only to several square miles and of variable thickness. It is usually not exposed on surface but is seen to be very widely distributed in the district. The thickness of the beds varies from one foot to three feet. Estimated reserves of Kankar in the different areas are about 1,03,84,704 tons.

China Clay.—Investigations of China clay and friable quartz were under-

taken in the Gurgaon district during 1959-60 and the area of 50 square miles was covered to South West of Gurgaon district and deposits of China clay were noticed in Alipur and Natupur.

Monuments in Punjab

2384. Shri Daljit Singh: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Central Government have asked the Punjab Government to take over any of the Centrally-protected ancient monuments for repairs and maintenance; and

(b) if so, the details thereof?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir.

(b) Does not arise.

Ground Water Resources in Punjab

2385. Shri Daljit Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether any detailed survey of ground water resources in Punjab has been conducted; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir. Survey of ground water resources in selected areas has been carried out by exploratory drilling in Gurgaon, Mahendragarh, Hissar, Ambala and Hoshiarpur districts. An area of about 20,720 sq. kilometers has been covered.

38 exploratory boreholes were drilled in collaboration with the Exploratory Tubewells Organisation. The maximum depth of drilling was 304.8 kilometers or bed rock whichever was earlier. The district-wise

distribution of these boreholes is given below:—

District	Total number of boreholes drilled.	Holes converted into production wells.
Gurgaon . . .	15	3
Rohtak . . .	4	Nil.
Mahendragarh . . .	5	Nil.
Hissar . . .	4	Nil.
Ambala . . .	6	5
Hoshiarpur . . .	4	1
TOTAL	38	9

Out of these 38 boreholes, 9 were converted into production or test-wells and the others did not warrant the construction of test-wells as the granular zones (i.e. water bearing zones) encountered were not adequate enough and secondly, the quality of water obtained in some wells was highly saline. The yield from these test-wells ranges from 368 to 863 U.S. gallons per minute.

On the basis of the investigation carried out, the following areas in Punjab State were tentatively recommended for large scale groundwater development for irrigation and other uses by heavy duty tube-wells:—

Shamaspur, Dahina and Darauli (Gurgaon district); Ambala (Ambala district) and Nariala (Hoshiarpur district).

Tribe of Lepchas

2386. Shri J. B. S. Bist: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the population of the Lepchas, a tribe living on the border of West Bengal and Sikkim, is declining; and

(b) if so, what measures Government propose to take to save this tribe from extinction?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) No.

(b) Does not arise.

Assembly Demand Movement in Manipur

2387. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state the number of cases in which the sentences awarded to the volunteers of the Assembly Demand Movement under different sections of the Indian Penal Code by the sub-Divisional Magistrate of Imphal, West Manipur, were reduced by the Sessions Judge and Judicial Commissioner of Manipur?

The Minister of Home Affairs (Shri G. B. Pant): Sentences passed by the lower court were reduced by the Sessions Judge in 26 cases. The Judicial Commissioner reduced sentences in 2 cases only.

Adult Films in Imphal Cinemas

2388. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that films certified "for adults only" are shown at Imphal and children below the age of 18 are freely allowed admission into them; and

(b) if so, the steps taken to check the irregular and illegal action of the exhibitors?

The Minister of Home Affairs (Shri G. B. Pant): (a) Children below the age of eighteen years are not allowed admission in cinema houses exhibiting films certified 'for adults only'.

(b) Does not arise.

Police Firing at Imphal

2389. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any executive enquiry was instituted by the Manipur Administration regarding the police firing of the 25th April, 1960 at Imphal; and

(b) if so, what are the findings and who made the enquiry?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) The inquiry was conducted by the Chief Commissioner who held that the firing was justified.

Division of Manipur

2390. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Manipur is being divided into districts;

(b) whether separate districts of valley and the hills are being constituted in Manipur; and

(c) if so, when and the reasons therefor?

The Minister of Home Affairs (Shri G. B. Pant): (a) to (c). Manipur is administered at present as a single district unit with 6 hill Sub-divisions and 4 valley Sub-divisions. With a view to bringing the Administration closer to the hill areas, the hill Sub-divisions were divided into 15 Circles last year, each Circle being in charge of a Sub-Deputy Collector. The question whether the territory should have more than one District is under examination.

Manipur Territorial Council

2391. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Manipur Territorial Council has passed a resolution recommending payment of a monthly salary of Rs. 250/- for its members to the Government of India;

(b) whether the attention of Government has been drawn to the recommendation; and

(c) if so, whether any action has been taken on it?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) and (c). No formal proposal has been received from the Council so far and no action has been taken.

Bomb Explosion in Manipur

2392. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there was a bomb explosion at Phungyar, the headquarters of the Phaisat sub-division in Manipur on the 21st November, 1960;

(b) if so, whether any enquiry has been made as to the cause and effects of the explosion; and

(c) whether any person has been apprehended in this connection?

The Minister of Home Affairs (Shri G. B. Pant): (a) On the 22nd November, 1960, a minor explosion took place at Phungyar Phaisat in the Ukhrul sub-division of Manipur.

(b) The incident is under investigation.

(c) No.

Children's Delinquency Cases in Manipur

2393. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether children's delinquency cases are on the increase in Manipur;

(b) whether assaults, rape and stabbing by youths have increased recently; and

(c) whether any steps are being taken to cope with children's delinquency cases in Manipur in jails and outside?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). There has been a slight increase in such cases during 1960 as compared with last year.

(c) Juveniles convicted of offences are given general education upto the Middle English standard and vocational training in such crafts as weav-

ing and carpentry in the Imphal Jail. The question of appointing Probation Officers to deal with juvenile delinquents is under consideration. The police are taking energetic action to ensure that law and order is maintained.

Matinee Shows in Imphal Cinema Houses

2394. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether students are allowed admission into matinee shows of Cinema Houses in Imphal;

(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 at Imphal; and

(c) the steps taken to prevent students and youngmen from attending the matinee shows?

The Minister of Home Affairs (Shri G. B. Pant): (a) There is no restriction on the admission of students to any cinema shows if the films exhibited have been certified for universal exhibition.

(b) Some students have been absenting themselves from classes, especially in the areas where cinema houses are located near educational institutions.

(c) Normal disciplinary steps are taken by the education authorities to prevent students from attending matinee shows during working days.

Exploration of Oil Potential

2395. Shri P. C. Borooah: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether several American oil companies have expressed their readiness to collaborate with the Government of India in the exploration of oil potential in India; and

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

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir; a few American oil companies have made offers for collaboration in oil exploration.

(b) The offers made by foreign oil companies for prospecting oil in India are under consideration. As negotiations are still going on, it is considered inadvisable in public interest to indicate Government's reaction in the matter.

All India Depressed Classes League

2396. Shri Siddiah: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any grant has been sanctioned to the All India Depressed Classes League for the year 1960-61 so far for carrying propaganda for the removal of untouchability in the country;

(b) if so, the amount sanctioned and the details of the schemes submitted by the League; and

(c) whether the League has submitted its annual report of progress of work done and the audited accounts for the year 1959-60?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) A grant has been sanctioned for 1960-61 for schemes for propaganda for the removal of untouchability to the Bharatiya Depressed Classes League (not All India Depressed Classes League).

(b) Rs. 1,45,800/-. A statement showing details of the schemes is laid on the table of the House. [See Appendix III, annexure No. 110].

(c) No grant was given to the League during 1959-60.

Post-Matric Scholarships to Backward Classes in Mysore

2397. Shri Siddiah: Will the Minister of **Education** be pleased to state:

(a) how many applications have been received from the Scheduled Caste, Scheduled Tribe and Other

Backward Class Students in Mysore State for the award of post-Matric scholarships for the year 1960-61; and

(b) how many have been awarded scholarships in each category upto the 10th December, 1960?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The scheme of Scholarships for Scheduled Caste, Scheduled Tribe and other Backward Class Students has been decentralised with effect from 1959-60 and the applications for these scholarships are received by the State Govts. concerned. Information as to the number of applications received by the Government of Mysore and the number of scholarships awarded for the year 1960-61 has not so far been received from the State Government.

Welfare of S.C., S.T. and other Backward Classes in Mysore

2398. Shri Siddiah: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the amount sanctioned to Mysore State for the welfare of the Scheduled Castes, Scheduled Tribes and Other Backward Classes for the year 1959-60 has been utilised only for the schemes approved by the Central Government;

(b) whether there is any deviation; and

(c) whether the amount sanctioned has been fully utilised?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The information is being collected from the State Government and will be laid on the Table of the House as soon as it is received.

Commissioner for S.C. and S.T.

2399. Shri Daljit Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) how many times Punjab has been visited by the Commissioner for

Scheduled Castes and Scheduled Tribes during 1960-61 so far; and

(b) the names of places visited by him and problems noted thereof?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Once.

(b) (i) Mandir Kalan (District Ferozepur), Ghagga (District Patiala), Barara (District Ambala), Nawarsi (District Karnal), Nangal Sohal (District Amritsar), Ludhiana, Moga (District Ferozepur) and Chandigarh.

(ii) During this tour the Commissioner for Scheduled Castes and Scheduled Tribes studied the following three schemes for the welfare of Scheduled Castes and Denotified Tribes:—

- (a) Harijan Housing Colonies.
- (b) Community Centres.
- (c) Land Colonisation Schemes.

Christian Missions working in Border Districts

2400. Shri Hem Raj: Will the Minister of Home Affairs be pleased to state:

(a) the number of Christian Missions—foreign and Indian—working in the border districts of Jammu and Kashmir, Punjab, Himachal Pradesh, Uttar Pradesh, Assam, NEFA, and Manipur;

(b) the number of missionaries attached to and working in each mission;

(c) the countries from which they come and the money that they receive from their countries; and

(d) the activities in which they are engaged?

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

(a) to (d). The information is being collected and will be laid on the Table of the House in due course.

Director of Industries in Manipur

2401. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Director of Industries in Manipur has purchased certain articles mostly handloom products worth ten thousand rupees for the Arts and Crafts Production Centre at Thoubal without inviting tenders and quotations; and

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

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The information is being collected and will be laid on the Table.

Strategic Survey Work

2402. Shri Warior: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that strategic survey work has been entrusted to private airways companies in India;

(b) whether any foreigners are employed by those concerns as pilots etc. for survey work; and

(c) whether any of these planes were sealed and taken under custody on suspicion?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir.

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

State Bank of India Facilities to Cooperative Societies

2403. Shri Onkar Lal: Will the Minister of Finance be pleased to state:

(a) whether there are any instructions issued to the subsidiaries of the State Bank of India and particularly in those districts and places where there is no branch of the State Bank of India, for providing facilities to the cooperative movement in general and cooperative societies in particular;

(b) whether adequate staff and skilled personnel have been provided to those; and

(c) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) The State Bank of India has brought to the notice of its subsidiaries its policy of providing financial assistance to cooperative institutions and has suggested extension of similar facilities by them to such institutions.

(b) and (c). The existing staff of the subsidiaries is considered to be adequate for the purpose. The services of the Rural Credit Section of the Central Office of the State Bank of India are also available to the subsidiary banks.

12.33 hrs.

OBITUARY REFERENCE

Mr. Speaker: I have to inform the House of the sad demise of Shri Vinayak Rao Balashankar Vaidya who passed away on the 7th December 1960 at Rajpipla at the age of 71.

Shri Vaidya was a Member of the Constituent Assembly of India and of the Provisional Parliament during the years 1947—52.

I am sure the House will join with me in conveying our condolences to the bereaved family.

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

The Members then stood in silence for a minute.

12.34 hrs.

PAPERS LAID ON THE TABLE

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

Shri Goray (Poono): rose—

Mr. Speaker: I will call him. The same thing is there in Shri Hem Barua's name also.

RECOMMENDATIONS OF DIRECT TAXES ADMINISTRATION ENQUIRY COMMITTEE

The Minister of Finance (Shri Morarji Desai): I beg to lay on the Table a copy of further Statement showing the recommendations of the Direct Taxes Administration Enquiry Committee which have been accepted either fully or with modification. [Placed in Library, See No. LT-2563/60.]

AMENDMENTS TO COAL BEARING AREAS (ACQUISITION AND DEVELOPMENT) RULES

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): I beg to lay on the Table a copy of Notification No. GSR 1457 dated the 10th September 1960, making certain amendments to the Coal Bearing Areas (Acquisition and Development) Rules, 1957, under sub-section (3) of Section 27 of the Coal Bearing Areas (Acquisition and Development) Act, 1957. [Placed in Library, See No. LT-2564/60.]

ACTION TAKEN BY GOVERNMENT ON AS- SURANCES

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table a copy of each of 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) First Statement Twelfth Session, 1960. [See Appendix III, annexure No. 111.]
- (ii) Supplementary Statement No. IV Eleventh Session, 1960. [See Appendix III, annexure No. 112.]
- (iii) Supplementary Statement No. IX Tenth Session, 1960. [See Appendix III, annexure No. 113.]
- (iv) Supplementary Statement No. XII Ninth Session, 1959. [See Appendix III, annexure No. 114.]

- (v) Supplementary Statement No. XIV Eighth Session, 1959. [See Appendix III, annexure No. 115.]
- (vi) Supplementary Statement No. XXI Seventh Session, 1959. [See Appendix III, annexure No. 116.]
- (vii) Supplementary Statement No. XX Sixth Session, 1958. [See Appendix III, annexure No. 117.]
- (viii) Supplementary Statement No. XXIII Fifth Session, 1958. [See Appendix III, annexure No. 118.]
- (ix) Supplementary Statement No. XXXIII Fourth Session, 1958. [See Appendix III, annexure No. 119.]
- (2) G.S.R. 1480 dated the 10th December, 1960. [Placed in Library, See No. LT-2575/60.]
- (ii) A copy of Notification No. G.S.R. 1474 dated the 10th December, 1960 making certain further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944.
- (iii) A copy of Notification No. G.S.R. 1477 dated the 10th December, 1960 under sub-section (4) of Section 43B of the Sea Customs Act, 1878. [Placed in Library, See No. LT-2576/60.]
- (iv) A copy of Notification No. G.S.R. 1478 dated the 10th December, 1960 making certain amendment to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955. [Placed in Library, See No. LT-2577/60.]

AMENDMENT TO MINERALS (CONSERVATION AND DEVELOPMENT) RULES

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): On behalf of Shri K. D. Malaviya, I beg to lay on the Table a copy of Notification No. G.S.R. 1458 dated the 10th December, 1960, making certain amendment to the Minerals (Conservation and Development) Rules, 1958, under sub-section (1) of Section 28 of the Mines and Minerals (Regulation and Development) Act, 1957. [Placed in Library, See No. LT-2574/60.]

NOTIFICATIONS UNDER CENTRAL EXCISE AND SALT ACT, SEA CUSTOMS ACT AND MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES) ACT

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to lay on the Table—

- (i) A copy of each of the following Notifications under section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the central Excise Rules, 1944:—

- (1) G.S.R. 1448 dated the 1st December, 1960;

STATEMENT re: PRIZE BONDS

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): I beg to lay on the Table a copy of Statement on Five Year Interest Free Prize Bonds, 1965. [Placed in Library, See No. LT-2578/60.]

12.36 hrs.

SYNOPSIS OF PROCEEDINGS OF COMMITTEES ON DRAFT THIRD FIVE YEAR PLAN

COMMITTEE 'A' (POLICY, RESOURCES AND ALLOCATIONS) ..

Shri N. R. Ghosh (Cooch-Behar): I beg to lay on the Table a copy of

[Shri N. R. Ghosh]

Synopsis of Proceedings of Committee 'A' (Policy, Resources and Allocations) on the draft Third Five Year Plan.

COMMITTEE 'B' (INDUSTRY, POWER AND TRANSPORT)

Shri Achar (Mangalore): I beg to lay on the Table a copy of Synopsis of Proceedings of Committee 'B' (Industry, Power and Transport) on the draft Third Five Year Plan.

COMMITTEE 'C' (AGRICULTURE AND RURAL ECONOMY)

डा० राम सुभग सिंह (सहस्रराम) :

श्रीमन्, तृतीय पंचवर्षीय योजना के प्रारूप सम्बन्धी समिति "सी" (कृषि और ग्रामीण अर्थ-व्यवस्था) की कार्यवाही के सारांश की एक प्रति, आप की अनुमति से मैं सदन-पटल पर प्रस्तुत करता हूँ।

COMMITTEE 'D' (SOCIAL SERVICES)

Shri Tyagi (Dehra Dun): I beg to lay on the Table a copy of Synopsis of Proceedings of Committee 'D' (Social Services) on the draft Third Five Year Plan.

COMMITTEE 'E' (TECHNICAL MANPOWER AND SCIENTIFIC RESEARCH)

Shri Supakar (Sambalpur): I beg to lay on the Table a copy of the Synopsis of Proceedings of Committee 'E' (Technical Manpower and Scientific Research) on the draft Third Five Year Plan.

Shri Tangamani (Madurai): You were pleased to constitute these Committees. These Committees have met and the discussion of the Draft Plan has taken place. I would like to know whether copies of the Synopses will be made available to all the Members.

Another point is—I raise this because I do not find it in today's Order Paper—that the hon. Minister of Transport and Communications said that the recommendations made by the Rajan Committee would be made available to us before the end of the

session. I would like to know what has happened.

Mr. Speaker: So far as the Synopses are concerned, we have got sufficient number of copies. Synopses of the proceedings of the various Committees regarding planning will all be circulated to Members.

Shri T. B. Vittal Rao (Khammam): What about the proceedings. We were told that the *verbatim* reports of the discussions in the Committees would be laid on the Table.

Mr. Speaker: Copies of the proceedings are placed in the Library. Which-ever hon. Member wants to look in for further details may go and consult in the Library. There is no meaning in circulating huge volumes and books like these.

Shri T. B. Vittal Rao: After all, they are only 7000 pages.

Mr. Speaker: No, no. It is not a question of 'After all'.

As regards the Ramjan Committee Report, does it form part of this?—It is an independent matter. I do not know if the hon. Minister is aware of it. Would it be circulated?

The Minister of Transport and Communications (Dr. P. Subbarayan): The Rajan Committee Report was placed in the Library. Printing of it, the evidence and so on, will take a long time.

Shri Tangamani: It was announced that Government's decision on the Report would be announced before the end of the session.

Mr. Speaker: Did Government say that their decision would be announced before the end of the session?

Dr. Subbarayan: I have sent a letter to the Lok Sabha Secretariat on it.

Mr. Speaker: Very well.

We will see. It will be circulated. whatever comes to me is not a secret matter.

Shri Tangamani: With respect, may I submit..

Mr. Speaker: The hon. Member has got a knack of bringing something else here. We were discussing only about the synopses of the proceedings of the Plan Committees. To a question by an hon. Member, I said that copies thereof would be circulated. Shri T. B. Vittal Rao asked about circulation of the proceedings. I said that copies are there in the Library, not one or two but three or four copies. Now the hon. Member comes to some other matter. The hon. Minister said 'Yes'. I cannot allow such kind of interference with the regular work.

Shri T. B. Vittal Rao: The Report of this Committee has been pending examination by Government for two or three years.

Mr. Speaker: That is another matter.

Shri T. B. Vittal Rao: The hon. Minister promised that before the end of the session, he would give the Government's decision. So we refrained from raising a discussion on it.

Mr. Speaker: Order, order. I have repeatedly said that this kind of casual interference with the work we are getting on should not be there. If he had only written to me yesterday, I would have asked the Minister to come prepared with it. Hon. Members do not think in advance. What can I do?

Shri T. B. Vittal Rao: That is what happens. We are so busy.

Shri Tangamani: Today is the last day.

Mr. Speaker: I cannot allow questions to be put offhand even on the last day. We have got so much of other work.

12.39 hrs.

COMMITTEE ON SUBORDINATE LEGISLATION

MINUTES AND TENTH REPORT

Sardar Hukam Singh (Bhatinda): I beg to lay on the Table the Minutes of the sitting (Twenty-ninth and Thirtieth) of the Committee on Subordinate Legislation held during the Twelfth Session.

Sir, I beg to present also the Tenth Report of the Committee on Subordinate Legislation.

12.39½ hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) OIL REFINERY IN GUJARAT

Shri Yajnik (Ahmedabad): Under Rule 197, I beg to call the attention of the Minister of Steel, Mines and Fuel to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The plans and estimated cost of constructing an oil refinery in Gujarat and of laying pipelines from Gujarat to Bombay."

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): I appreciate the interest of the Honourable Member in wanting to know the details about the proposed refinery in Gujarat and of transport of oil to Bombay.

It would, however, be premature at this stage to indicate the cost estimates for the Gujarat refinery until the preparation and receipt of detailed project report. In any case more information is likely to become available in about a month or two and it may be possible to give further information to the House about the latest position i.e. during the next Session

[Shri Gajendra Prasad Sinha]

of Parliament. In the meantime, the Minister of Mines and Fuel is proceeding to Ahmedabad and would be discussing this and other relevant matters on 27-12-1960 with the Government of Gujarat. He is likely to clarify any points that may be raised there by that Government or those present. These clarifications obviously will have to remain within the framework of the data available to us at present.

Shri Yajnik: Sir, I have pin-pointed attention on the estimated cost of establishing an oil refinery. We know that the Minister of Mines and Oil is going to Gujarat. With due respect to the House, I do not think he can reserve any information for publicity in Gujarat and withhold it from this House. I submit that the estimated cost of the refinery has been published in the papers as about Rs. 16 crores and the estimated cost of laying the pipe-line has been publicised at about Rs. 24 crores. I want to know the opinion of the hon. Minister on these vital points of the plan of building a refinery and laying the pipe-line and whether the refinery will be the first or the pipe-line.

Shri Hem Barua (Gauhati): Sir, may I put one word....

Mr. Speaker: I am not going to allow.

Shri Gajendra Prasad Sinha: It is too early to give any assessment when even the final capacity of the refinery has not been assessed, and the final production from Cambay oilfield has not been assessed. Therefore, it will not be possible to give any further detail than which has been given just now. (*Interruptions*).

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

Mr. Speaker: There is no point of order. Order, order. Let hon. Members be more orderly on the last day.

Shri Yajnik: Sir, the hon. Minister of Mines and Oil has categorically stated before the MLAs of Gujarat Legislative Assembly that a firm decision has been taken to establish a refinery in Gujarat. If Government makes a decision of this character, surely, it makes it after having a general estimate of the cost. We know that the Russian Delegation is here to settle the details of their loan which also covers the building of an oil refinery in Gujarat. I am surprised the Minister is not here. The Minister of Steel, Mines and Fuel is here. I would like to hear from him all the important details on which I have asked for information so that we might not be taken by surprise when it comes out in Gujarat.

Shri Hem Barua: On a point of order, Sir. You were pleased to state that when the House is in Session, the Ministers must not make a statement outside the House and withhold information from the House. Here is the hon. Minister, Shri Keshava Deva Malaviya who has addressed the Members of the Legislative Assembly there and gave them an idea of the details and all that. Besides, he made a statement recently about the capacity of the oil refinery in Gujarat as 2 million tons. Here, on a Calling Attention Notice on the same subject the hon. Minister does not give the amplest information which he has already given outside this House in some statement.

Shri K. U. Parmar (Ahmedabad—Reserved—Sch. Castes): Sir, may I add one thing more to what Shri Hem Barua has said? We have received invitations from the State Government of Gujarat in which it is clearly mentioned that the hon. Minister, Shri Malaviya will express his views on the refinery and will give a clear picture of the refinery. Now, the Parliamentary Secretary is saying that he has not got any information and Shri Malaviya is to disclose the information on the 27th there. Why are they not disclosing it here?

The Minister of Steel, Mines and Fuel (Sarda Swarnam Singh): I would

like to assure the hon. Members opposite that no information which is with the Government is being withheld from them. It is a fact that the size of the refinery or the location thereof or the production pattern have not yet been decided. As my colleague, the Parliamentary Secretary pointed out, even the production potential of Cambay and Ankleshwar oilfields is not fully established. But my colleague, Shri K. D. Malaviya made a statement several weeks ago to the legislators in Gujarat because there was a lot of feeling there as to whether a refinery would or would not be located at Gujarat. He addressed them to clarify the position and remove doubts. One of the things which he stated was that the decision was there that depending upon the availability of crude oil the refinery will be established there. Beyond that point, the size of the refinery, the production pattern or the cost thereof are matters which are premature. Therefore, I want to assure the hon. Members that no information is sought to be withheld from them.

Shri Yajnik said that he knows that the Russian experts are already here and they are discussing the matter. If he knows it then there is nothing further to be told. There are Soviet experts who are helping us in the location of oil in that area. But no decision has yet been taken about the size or the location of refinery. Therefore these questions are premature.

Shri T. B. Vittal Rao (Khammam): What is the project report for? I want to know who has been entrusted with the project report and what is that for; whether it is for a refinery or for the pipe-line.

Sardar Swaran Singh: I did not say that any project report has been prepared.

Shri T. B. Vittal Rao: The Parliamentary Secretary said that.

Shri Gajendra Prasad Sinha: I never said that. I said that the final assessment of the capacity of the refinery can be available after the pro-

ject report was made. So, it is too early; the project report has not been made. Naturally, if you want any information at this stage, it is not possible.

Shri T. B. Vittal Rao: Who is entrusted with the preparation of the project report?

Mr. Speaker: I am afraid there is some misunderstanding relating to what I said, so far as policy statements are concerned. Let it be clearly understood that it is only with regard to major policy statements or when there is a change or revision of the policy which has already been accepted by Parliament or when a new policy is being enunciated. The details about locating the refinery here or there is not a matter of policy. So far as these matters are concerned, it is open to the hon. Ministers to state them where they want. They have got to explain various matters. Sometimes questions are put and I am allowing questions. Every small matter cannot be treated as a matter of policy.

I fully remember that on a prior occasion, when the hon. Minister Shri Malaviya was asked about it here he said that they are going to have a refinery in Gujarat. That is my recollection. Now, so far as the details are concerned, immediately something appears in the newspapers hon. Members take hold of it and bring it up here. The newspapers have got a knack of bringing out some things and not publishing some other things. Then a statement is made on the floor of the House. The newspapers may or may not correct what they have published. Therefore, merely because something appears in a newspaper we should not come to the conclusion that some others have been taken into confidence and the House has not been informed.

It must be clearly borne in mind that only in regard matters of policy or revisions of policy that they should not be made to the public first when the House is in session. But not so when the House is not in session. The

[Mr. Speaker]

Ministers may make statements anywhere. But while the House is in session I said that as a matter of courtesy to the House all enunciations of policy or change of policy or enunciations of new policy must be first brought to the notice of the House before they are announced to the others.

But whether a particular thing is a matter of policy or of detail, we are not here to go on giving advice to the Minister. I am sure the hon. Minister himself is competent to decide whether it is a matter of policy or not. Again and again this matter is being brought here. I am not going to be a monitor here. The Minister is himself responsible to the whole country and he is entitled to carry out the executive work. He has got the executive power. We have got the legislative power. Of course, during Question Hour I am here to allow certain questions. But to say that they ought not to do this or that is too much.

So far as this is concerned, the hon. Minister says that he is going there and is going to look into the matter, I would not allow him to commit himself however much Shri Yajnik may persist in his question. It is enough that the hon. Minister says that he has not finalised it; it becomes authoritative, I would not like the hon. Minister to commit himself to a statement here and then alter it for various reasons and then the hon. Members would say that he did say one thing here and has altered it and so on. The Minister will be allowed to take his full time to go into this matter. The hon. Members can ask: why there is delay? The Minister will explain from time to time. The point is quite clear.

Shri Yajnik: I seek your protection in the matter. My calling attention notice includes plans and estimates of laying pipes. The Minister is not prepared to give them....

Mr. Speaker: It is not necessary. The hon. Member can go there and

make a statement. It is naturally competent to the Minister to bring to the notice of this House as and when he thinks it proper and to give the details. While it is in the stage of discussion or negotiation, he will not be able to give to the House lest it should be said that he had committed himself on a prior occasion. What is a matter of policy and what is not a matter of policy is in the first instance to be decided by the Minister. If, however, a definite demarcation cannot be made or if a case is in the margin, it is always open to the hon. Members to bring it up here. Then we will find out whether it is a matter of policy or not. I consider in this case the length of the pipelines, estimates and so on to be matters of detail and the hon. Member will have to wait till the hon. Minister is in a position to give something.

Shri Hem Barua rose—

Mr. Speaker: I have heard his point of order. Now, there are three calling attention notices..... (Interruptions). I am not going to allow anybody.

Shri K. U. Parmer: Sir,....

Mr. Speaker: Order, order. Will he resume his seat or not? On such statements no questions are allowed. But I allowed one or two questions...

Shri Hem Barua rose—

Mr. Speaker: Has the hon. Member committed himself to be the Public Prosecutor for the whole of India for every matter? I am really surprised. I have allowed Shri Yajnik. I also allowed another hon. Member from Gujarat. Why should Assam come to the rescue of Gujarat? I am always hearing every hon. Member reasonably.

Now, there are three 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, three 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 hon. Minister of Health and the hon. Minister of Rehabilitation as is usual in such cases.

(ii) DEMOLITION OF HUTS OF
SCHEDULED CASTES PEOPLE IN DELHI

The Minister of Health (Shri Kar-markar): Sir, I beg to lay the statement on the Table of the House. [See Appendix III, annexure No. 120].

Shri B. K. Gaikwad (Nasik): May I know what is the policy of the Government in this matter?

Mr. Speaker: He will look into the report and then pursue the matter of policy.

Shri B. K. Gaikwad: He has laid a statement on the Table of the House. Now, we find that police squads are going to demolish the huts throwing these people out. In this connection, something must be done.

Shri K. U. Parmar: The Government is spending two crores of rupees on Scheduled Castes.

Mr. Speaker: Order, order.

Shri K. U. Parmar: It is spending the amount on dancing and drama and propaganda. Why not spend the amount on housing them?

Mr. Speaker: The hon. Member seems to be new to this House. He is too enthusiastic. What can I do? I welcome enthusiasm in the right direction but here it is too much of interruption. I have already explained the position. Ordinarily, we allow only one calling attention notice. As this is the last day, I have allowed all the calling attention notices and I have explained the procedure that is adopted in cases like this. The statements are laid on the Table of the House instead of being read and thus the time of the House being spent. The hon. Members

ought not to forget that we have got other work also to do. Therefore, to save the time of the House I have suggested in accordance with past practice that the statements may be laid on the Table of the House. If they still persist, that will not be in accordance with the precedent that we have been following. I am calling items Nos. 10 and 11 on the Order Paper which stand in the name of Shri Inder J. Malhotra and Shri Indrajit Gupta respectively and these statements may be laid on the Table of the House.

(iii) REHABILITATION GRANT TO THE
DISPLACED PERSONS IN JAMMU AND
KASHMIR STATE, AND

(iv) SCHEME REGARDING MOVEMENT OF
REFUGEES TO DANDAKARANYA

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Sir, I beg to lay on the Table the following two statements:

(1) Statement on rehabilitation grant to the displaced persons in Jammu and Kashmir State. [See Appendix III, annexure No. 121].

(2) Statement on scheme regarding movement of refugees to Dandakaranya. [See Appendix III, annexure No. 122].

12.56 hrs.

CRIMINAL LAW AMENDMENT BILL

The Minister of Home Affairs (Shri G. B. Pant): Sir, I beg to move for leave to introduce a Bill to supplement the Criminal Law.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to supplement the Criminal Law."

The motion was adopted.

Shri G. B. Pant: Sir, I introduce the Bill.

12.56½ hrs.

**TWO-MEMBER CONSTITUENCIES
(ABOLITION) BILL***

The Minister of Law (Shri A. K. Sen): Sir, I beg to move for leave to introduce a Bill to provide for the abolition of two-member parliamentary and assembly constituencies and for the creation of single member constituencies in their place.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the abolition of two-member parliamentary and assembly constituencies and for the creation of single member constituencies in their place."

The motion was adopted.

Shri A. K. Sen: Sir, I introduce the Bill.

12.56½ hrs.

SPECIFIC RELIEF BILL*

The Minister of Law (Shri A. K. Sen): Sir, I beg to move for leave to introduce a Bill to define and amend the law relating to certain kinds of specific relief.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to define and amend the law relating to certain kinds of specific relief."

The motion was adopted.

Shri A. K. Sen: Sir, I introduce the Bill.

12.56½ hrs.

LIMITATION BILL*

The Minister of Law (Shri A. K. Sen): Sir, I beg to move for leave to introduce a Bill to consolidate and amend the Law for the limitation of

suits and other proceedings, and for purposes connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to consolidate and amend the Law for the limitation of suits and other proceedings and for purposes connected therewith."

The motion was adopted.

Shri A. K. Sen: Sir, I introduce the Bill.

12.57 hrs.

BUSINESS OF THE HOUSE

Shri Muhammed Elias (Howrah): Sir, a few days before you were kind enough to announce that you would allow half-an-hour discussion on the increase in fares by the Howrah Amta Light Railway. I submitted my request but it has not come in today's business. It is an important matter and it will cause great hardship to the people there.

Mr. Speaker: The difficulty is this. There is so much of other work today. We have one discussion at 5 PM today; it is about the children of the political sufferers. I hope he does not want to elbow that out. At 2.30 we take up Private Members' Bills. I am afraid this will have to stand over till the next session. So far as the fares are concerned, I will certainly see that an opportunity is allowed for discussion next time.

12.58 hrs.

CHILDREN BILL—contd.

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Dr. K. L. Shrimali on the 22nd December, 1960, namely:—

"That the Bill to provide for the care, protection, maintenance,

*Published in the Gazette of India Extraordinary—Part II—Section 2, dated 23-12-60.

welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union Territories, as passed by Rajya Sabha, be taken into consideration."

Four hours have been taken out of five hours and only one hour remains.

Shri Naushir Bharucha (East Khandesh): It may be extended till 2.30.

Mr. Speaker: Very well, Shri Kalika Singh was in possession of the House. After him, I will call the hon. Minister.

Shri Kalika Singh (Azamgarh): Sir, I was dealing yesterday with the constitutionality of the provisions regarding the total prohibition of begging by children as it might clash with article 25 of the Constitution of India which reads as follows:

"Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion."

13 hrs.

This Bill has been modelled on the Children's Act of 1948 passed by the British Parliament. In Britain there is no question of allowing begging as a matter of profession or as a matter of religion. Therefore, that mistake might have crept into our Bill because of the fact that it is based on the Children Act, 1948 of Britain. Here in India, not only begging but in certain circumstances even poverty is glorified by religion. It is one of the duties conferred by Hindu law on certain sects and communities including Buddhist bhikshus irrespective of any age limit to take to begging for their livelihood. They cannot earn money or earn their livelihood in any other way except by begging. Therefore, that point may be considered,

whether we might not be legislating something which might be considered later as *ultra vires* of the Constitution. 13.01 hrs.

[**SHRI MULCHAND DUBE** in the Chair]

I now come to the broad aspect of this Bill. This Bill deals with neglected and delinquent children. It is the neglected child who becomes a delinquent child later on, and it is the delinquent child who becomes an adult criminal. So I welcome this legislative measure in the sense that it might help in reducing crimes throughout India, because at the very initial stage we are trying to grapple with the problem of crimes. If a neglected child is put under the care of a child welfare board or if a delinquent child is put in a special school, that might reform him in such a way that he might not become a criminal at all. Therefore, a situation may arise later on when we may not have any crime if this Act comes into operation and is made effective. That is why I said that we have to provide adequate finance so that the Ministry concerned might be able to make the Children Act effective.

There is another thing which, I am afraid, the Ministry has not considered. The Bill as it is might be going beyond the scope of the Children Act, 1948 of Britain. The Act deals only with neglected children. In that Act also there is provision for children's homes, observation homes and other things. But there is no provision for children's courts in that Act. There is no sort of punishment or any such thing as has been provided here for the delinquent children. Such provisions are absent in the Children Act, 1948, of Britain. I think they were not provided for a very good reason. When a child is punished he is not in that respect different from an adult. It is the subject of the Home Ministry. Security or something connected with it comes under the Penal Code or the Criminal Procedure Code. It is for the Home Ministry to introduce a Bill dealing with that matter. In

[Shri Kalika Singh]

England that is exactly the position. In the Children Act they have no provision, as I said, for children's courts. In England they have the juvenile courts. They are under the Home Ministry.

One big omission or commission which appears in this Bill is, if a child commits an offence he is to be put in the special school or in some observation home where he will be reformed. The child may commit any offence including murder or homicide, and for that also he will be put in a special school for being reformed. In England that situation has been avoided. There it has been provided that if a child—he may be below 16 or 18—commits the crime of homicide the juvenile courts will have no jurisdiction over that case and it will be the ordinary courts of criminal law that will punish him. Therefore, in our over-zeal for reform, I think we have excluded the children from something from which they should not be excluded.

This over-zeal is there in one or two other cases also. In the jail establishments of U.P. I have found that every criminal has an expenditure of about Rs. 386 or something like that for his maintenance, for his clothing and other things, whereas the *per capita* income in the agricultural areas of the State is only Rs. 186. That means an ordinary person outside the jail has only Rs. 186 for his maintenance whereas the same person if he gets into the jail will have an expenditure of Rs. 386. Therefore, it may lead to an increase in criminal cases. The flow will be from outside the jail to inside the jail for economic reasons.

Therefore, here also we should not provide more money than is absolutely necessary for the child welfare boards because otherwise they will provide all sorts of amenities inside these children homes which are not available outside. The children outside who are hardly

getting Rs. 20 or Rs 25 per year on a *per capita* basis may by becoming neglected children get into the children homes and thereby derive double or even treble the amenities that ordinary children were getting outside. I would, therefore, request the Ministry to keep this point also under consideration and see that the children who are put in these homes do not get any amenity that is not available to the ordinary children who are outside the observation homes.

Mr. Chairman: The hon. Minister.

Dr. M. S. Aney (Nagpur): Sir, yesterday I was promised that I will have my opportunity today. That is what the Deputy-Speaker told me.

Mr. Chairman: He may speak the clause-by-clause consideration.

The Minister of Education (Dr. K. L. Shrivastava): Mr. Chairman, Sir, in the first place, I should like to thank the hon. Members for having given a warm welcome to this Bill. There are one or two points about which they had expressed apprehension. In the very beginning I should like to remove those misapprehensions.

It was said by several hon. Members that the Bill as has been proposed is perfect, but what is the guarantee that the Government will implement the provisions. The first stage is the preparation of the necessary legislation. The second stage will come with regard to the implementation, and there is no reason why hon. Members should have any apprehension about this matter. We have already made a provision in the Budget and we are going to set up all the necessary institutions in order that this Bill might be properly implemented. I think hon. Members were perfectly right when they said that the human material is the most important factor in the implementation of this Bill. That is perfectly true, and Government are fully aware of it.

Another question that was raised was, what the Government are going to do with regard to the training of personnel. I believe that hon. Members are aware that at present there are a number of schools on social work, working at the post-graduate level, which are training a large number of people—social workers, child psychologists, probation officers, labour officers and so on. All kinds of training are being given at the schools of social work. The schools maintain very good standard, and I think these schools should be able to provide all the necessary training for the various kinds of officers and workers who would be needed for the implementation of this Bill.

Shri Yadav Narayan Jadhav (Malegaon): Will these institutions be only in the Union territory or in other States also?

Dr. K. L. Shrimali: At present, we are taking up the Union territories only. Even now, in the Union territory of Delhi, in the Delhi University, we have a school of social work which is training a large number of people. A suggestion was made by some hon. Members that this Bill should not be confined to the Union territories only, but that its scope must be widened so that other States may also have similar legislation. As far as the Government of India are concerned, the scope is naturally limited, and we can legislate only for the Union territories in this regard, but after this Bill has been passed, we shall draw the attention of the State Governments to this Bill and wherever legislation already exists we shall request them to revise the legislation and wherever no legislation exists we would request them to introduce similar legislation. I can give that assurance to hon. Members.

Some hon. Members also raised the question with regard to the discouragement which this Bill will bring about to the voluntary agencies. In this connection, I would

like to assure the House that Government will take full advantage of the voluntary agencies. In fact, in all this work, the more the voluntary agencies, the better would be the results. In our country there is plenty of goodwill and spirit of social service, and I have no doubt that the necessary assistance from the voluntary agencies would be available. But if the voluntary agencies do not come forward, the Government will have to set up their own institutions. I hope that in this matter both the Government and the voluntary agencies will work as full partners.

One hon. Member—I think it was Shrimati Jayaben Shah—raised the question with regard to the age of girls, and she suggested that the age should be increased to 21. There is already a difference between the limits we have placed on the age of boys and girls. The age we have fixed is 18 for girls and 16 for boys. If we further increase this age-limit, it would mean that we are keeping these girls dependent for a longer time. It will be one of the functions of these institutions to see that after a certain period the children settle down in society as normal citizens. One of the important functions of the after-care organisations is that after the children have gone out of these institutions they must take care that these children are rehabilitated. They will give all kinds of guidance and assistance to the children. But if you keep those boys and girls in the homes or in the institutions for a longer period than is necessary, then it would mean that they would never settle down as normal citizens. Therefore, it is our duty to keep them for a certain period and after they have received the necessary training in education they must go back to the society and they must be reclaimed by the society and they must function as normal citizens. We have purposely increased the age-limit as far as girls are concerned and I am not in favour of increasing it any further, because that would defeat the whole purpose of the Bill and

[Dr. K. L. Shrimali]

would make the girls more and more dependent.

One hon. Member—I think it was Shri Radha Raman—said that the whole Bill is vitiated by the language which we have used. He referred towards such as “courts”, “Criminal Procedure Code” and so on, which we have used to meet the ordinary processes of law. In this matter also, if we can come to a stage when all this work could be done by voluntary agencies, when no courts will be necessary, that would be an ideal and happy society, as Shri D. C. Sharma stated. Then there would be no necessity for courts.

Shri D. C. Sharma (Gurdaspur): That will be in *Satyuga*!

Dr. K. L. Shrimali: Let us hope that that stage will come, but in the imperfect society in which we are living today, I think there is no other way except to take recourse to the normal law. The only thing that we should do in the case of children is that we must take the sting out and every effort has been made in this Bill to ensure that the children who are tried in the courts for various kinds of delinquencies and offences do not get any stigma. Various efforts have been made in this Bill; for example, it has been laid down that no publicity will be given to the cases that are tried. If hon. Members would look into the Bill, they will find that all the necessary measures have been taken so that the children do not get any stigma.

In this matter again, very much depends on the society in which we have to function, I should certainly welcome the day when all these children's courts could be abolished and all the work could be done by voluntary agencies and child welfare institutions. In fact, my hon. friend Dr. Sushila Nayar said they should not make any distinction between the machinery which tries the delinquents and the machinery which takes care of the neglected children.

Shri Kalika Singh: The provision regarding the determination of the age of the children does not follow the procedure of the courts there.

Dr. K. L. Shrimali: I have explained the reason why we have kept this provision here. In our country I think it is necessary to give greater protection to girls up to a certain limit and therefore we have to increase that age. Similarly, the age-limit for boys also has, to some extent, been increased.

Shri Kalika Singh: My question was, how to determine the age. Some expert ought to be there to determine the exact age, whether it is below or above that limit. But here, the provision is that the boards will determine it and that will become final, and it will not be questioned. I think that might create some hardship. When a boy of 20 years is caught, and when his age is determined as 17 and is put in the observation home, he has got no other remedy.

Dr. K. L. Shrimali: The child welfare board is not going to be a board consisting of children. It will consist of mature people who have experience of psychology and who understand children, and who are able to treat these children. I do not, therefore, think that there is any justification for the apprehension which the hon. Member is having.

Shri Kalika Singh: Some medical experts should be there.

Dr. K. L. Shrimali: All these things will be taken care of when the board is being constituted under the rules.

Another hon. Member raised the question that this Bill, while being good, is very cumbersome and that there is a lot of overlapping. In fact he went to the extent of saying why there was any need for having all kinds of institutions—observation homes, special schools, after-care organisations, etc. If the children are

to be taken care of properly. then all these institutions are necessary. The child must stay in the observation home for some time. If he is a delinquent he should be sent to the children's court. The Joint Committee, after very careful deliberation, decided—and decided rightly—that there should be a separate machinery so far as the neglected children are concerned.

There are special schools and after-care organisations. All these institutions are essential. In fact, they are working in most of the countries where children are taken care of. Therefore, there is no overlapping and all the institutions mentioned in the Bill are necessary.

It was Shri Prakash Var Shastri, I think, who said that there was no punishment for special offences in respect of children. I would draw his attention to Chapter VI where special measures are proposed against those people who exploit the children or who indulge in acts of cruelty.

Several Lady Members said that there should be more of women members in the boards and courts and various other offices which deal with children. I am in agreement with them. When we have said that there should be at least one woman in the board or court, it is not the intention that there should be only one woman. The intention is, it will be our effort to have as many women as possible on these boards and courts, but considering the fact that the necessary personnel may not be available in our country, we have made this provision that at least one member should be a woman. This should not be misconstrued as saying we will keep only one woman member. In fact, we welcome having more women on these boards. By saying there should be at least one woman, we are only emphasising the necessity of having women on these boards. I agree with hon. Members that women can always do better work when they are dealing with children.

The hon. Member who spoke last and also some others have raised a constitutional question that since we are bringing these neglected children who go about begging to these institutions, we are infringing article 25 (1), which ensures freedom of conscience. I will read that article. It says:

“(1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.”

This right of freely profession, practicing and propagating religion is subject to certain conditions, viz., public order, morality and health. We know what a great nuisance begging is. It is not our intention to infringe the religious rights of people. I do not know of any religious institution which would expect children to go about begging. An hon. Member said that in Buddhism, they have this practice. My submission is this article does not give any unfettered right; it is subject to certain conditions like public order, morality and health. We have to take that into account. This right is also subject to sub-clause (2) which says:

“(2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law—

- (a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;
- (b) providing for social welfare and reform....”

Shri Kalika Singh: These words are not there in the Bill.

Dr. K. L. Shrimali: Not necessary; the Constitution is already there. Moreover the definition of begging is practically the same as in sub-section (4) of section 3 and 63A of the Indian Penal Code and the new section which

[Dr. K. L. Shrimali]

was inserted last year by Act 52 1959. Therefore, I do not think this provision in this Bill in any way offends the provisions of the Constitution.

Shrimati Renu Chakravartty raised the point that the probation officer's duties have not been defined. In this connection, I would draw her attention to clause 53 (2) of the Bill. Dr. Sushila Nayar made it very clear that everybody knows what a probation officer is and what his duties are. As the House is aware, a large number of things have been left to the rules.

Dr. Sushila Nayar suggested that lawyers are not prevented from coming into the court. I may draw her attention to clause 28 (3) of the Bill. It will be seen that ordinarily no legal practitioner will be allowed inside the court and it is only under special circumstances that a legal practitioner may appear before the court with the specific permission of the court. That provision has been made.

These are some of the main points which were raised in connection with this debate and I think I have dealt with most of the major points. The Bill was generally welcomed by all sections. I can assure the House that as soon as this Bill is passed, we will take the necessary measures to implement the provisions of this Bill.

Mr. Chairman: The question is:

"That the Bill to provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union Territories, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: There are no amendments to the clauses.

Dr. K. L. Shrimali: No, Sir.

Mr. Chairman: The question is:

"That clauses 2 to 60 stand part of the Bill."

The motion was adopted.

Clauses 2 to 60 were added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Dr. K. L. Shrimali: I beg to move:

"That the Bill be passed."

Mr. Chairman: Motion moved:

"That the Bill be passed"

Dr. M. S. Aney: Sir, I rise to support the motion which the hon. Minister has just placed before the House. I congratulate him on having brought this Bill to this House, which is a very good Bill and which is one of those Bills which was really wanted. The function of the Government of India to establish a social welfare State would have been incomplete had there been no legislation of the kind which is being contemplated and which is being enacted to day in the form of this Bill.

My main object in rising to speak is not merely to offer compliments to the hon. Minister. I am almost in whole-sale agreement with the provisions of this Bill. I want to tell one little story from *Mahabharata*, which occurred to me yesterday as the discussion was going on. I thought it was a very good story which the House should know. We take pride in the fact that the question of delinquent children is something which is an entirely new one which the modern civilisation was faced with and that we have thought of its effects on society and decided that something should be done to repair or to remove those defects. But there is the story of Rishi Ani—Mandavya in *Mahabharata*, and it is as follows. At that time Rishi Mandavya was a young boy, a

small boy. When he was only five years old, he found an insect moving about. He took up a little stick of darb and put it in the head of the little insect. It died; that is all; the thing was over. Then, after some years, Mandavya became a saint and he was declared a *rishi*. After he died, he was taken to the other world and Yama told him "you have killed an insect with a little stick, of darb you have committed mischief and, therefore, you will be taken back to the world again." He was taken back to the world with some kind of screw in his head, which was troubling him for the whole of his life. In that life, he became a *rishi* again and he called Yama and said "Don't you know that you have punished me for an offence which was not an offence at that time? Five years old I was and you, being the main God entrusted with the duty of dispensing justice, do not know the elementary rule that those who are so young that they cannot understand even the nature of the offence cannot be punished."

Since then immunity from offences for children has come into existence. It is mentioned in Mahabharata. Unfortunately, I have not that book with me; otherwise, I would have quoted it. Rishi Mandavya was the first man to have enacted immunity from offences for children when they have committed certain offences when they are young and when they are ignorant.

So, from the ancient days the law of the land in the matter of criminology gave immunity from offences to children if they were young at the time of the commission of the offence and the people then thought that it should go into the code of the society itself. It is that code that is being repeated in the form of this law.

I am glad that we are trying to follow the modern legislation, keeping before us the old traditions of looking at which is really criminal and which is really not criminal. If we

carry on the administration of this country with this sense of duty and punish only those who are criminal, and not punish those who are not criminals, and approach others with a view to reform them, I think we shall soon be able to bring into existence a society which is the precursor to a welfare State which we want to create. This is one point which I want to make.

As regards other small points, I am glad that clauses 22, 23, 24 and 25 have made salutary provisions and children are immune from severe punishments and so on. So, those points have been covered.

There is one point which I do not understand quite clearly, and that is the definition of "begging" in clause 2

(b) (i), which says:

"'begging' means—

(i) soliciting or receiving alms in a public place or entering on any private premises for the purpose of soliciting or receiving alms....or otherwise;

"otherwise", in my opinion, is too big a word which may cover anything in this world. So, it is not at all safe to use that word. I will ask my hon. friend, while making the rules, to clearly state what this word "otherwise" is intended to cover. Otherwise, it may bring in those cases which my another hon. friend has made a reference to in the course of his speech; that is to say, it might bring in even those boys or those persons who, by an article of faith in their religion, are required to make formal or ceremonial begging. There is another thing which I do not understand, and that relates to "neglected child", in clause 2 (k) (iv), which says:

"lives in a brothel or with a prostitute or frequently goes to any place used for the purpose of prostitution, or is found to asso-

[Dr. M. S. Aney]

ciate with any prostitute or any other person who leads an immoral, drunken or depraved life;"

Here three adjectives have been used, namely, immoral, drunken or depraved. One can understand a drunken life or an immoral life. But what is a depraved life? What is the distinction between the two? The hon. mover of this Bill or the framer of this Bill should make the distinction quite clear. I do not understand this. I think in using the language in statutes we should know precisely what each word means. So, if it really means something different and important, that may be made clear in the rules when they are framed.

While making these two suggestions, I am glad that a law of this kind has been passed today, and I wish that we should soon be able to improve upon it. After all, this is only the skeleton of the law. Here also we have to see what kind of mechanism we provide in order to see that the neglected children and delinquent children are properly treated by the society so that they may later on take to normal life. This skeleton has to be filled with flesh and blood. You have to find out proper kind of men and women to carry on this work.

Many people think there are not sufficient funds in the Third Plan to implement this programme. I say that if people really understand the importance of this thing and consider this as one of the most noble charities that should be made, there will be no dearth of funds for the running of these institutions. For the betterment of these institutions for the sake of children the society has to play a major part. Unless the society takes to a thing of this kind there can be no Social legislation like this. So, society must be prepared to shoulder this responsibility. I am sure all these

Marwaries and other businessmen, who build big *dharmasalas* and those kinds of institutions with a view to help the society will appreciate the spirit of humanism which is there in the Bill and there will be no difficulty in getting proper and sufficient funds to it.

At the same time, I also appeal to the hon. Minister to see that he persuades his colleague to get something more for this in the Third Plan. Why should he not do that for a noble cause like this? I thank you once again and conclude my speech.

Dr. K. L. Shrimali: I am grateful to the hon. Member, Dr Aney, for having given us the beautiful story, a story from Mahabharat which, I think, symbolises the true spirit in which this Bill has been drafted. I am in full agreement with him that most of the crimes or offences which children commit, if they are properly diagnosed, if the whole case study is made properly, it will be found that they are not offences or crimes in the real sense of the term. Several hon. Members who have intimate study of children told us that when a child becomes a victim of certain circumstances he indulges in crimes. When he is emotionally mal-adjusted, when he does not get a sense of security, when he does not receive affections from his parents, he becomes aggressive and he indulges in all kinds of anti-social activities, because he has been denied love and a sense of security.

Most of the children's crimes are due to these two factors, namely, lack of security and lack of adequate affection at home. If these things can be made up in our building of good homes and in creating a better social environment, I am certain that most of the offences of children will be removed from society. Every effort has been made to ensure that this problem is treated in a humane way and that the child is not treated as an ordinary criminal. In fact, it is for this

reason that even if a child commits the highest crime which can be conceived of in society, he will not go to an ordinary court but will go to a children's court. That provision has been made only because of this and that, I think, is the most progressive measure as far as I see. In no country does this provision exist, not even in Sweden from where examples were given by hon. Members. They make a difference between serious and ordinary crimes. When a child has committed a serious crime, he is sent to ordinary courts. Otherwise he is treated by child welfare boards. Therefore I think we have gone a step forward in this direction. I would assure hon. Dr. Aney that we would keep the moral, which he has placed before us, continuously in front of us. It is that spirit in which this Bill will be implemented.

He raised a question with regard to the definition of begging. We have listed all these things, namely, singing, dancing fortune-telling, performing tricks or selling articles. Where was the need to have the word 'otherwise' when we have listed all these activities, he asked. It is necessary because these people who exploit children are very ingenious. They can always find out all kinds of methods and means in order to evade this law. In fact, one hon. Member gave the instance of putting up of national flags. That is one way in which they try to squeeze money from people. That is not listed here. It is not possible to list all kinds of possible activities in which children may indulge or may be asked to indulge by people who exploit them. Therefore this word 'otherwise' is necessary.

Dr. M. S. Aney: Do I understand that the hon. Minister feels that the word is to be interpreted as, what is known in law, *ejusdem generis*, namely, things of the same kind or nature? Then he can say so.

Dr. K. L. Shrimali: That is the purpose. He also raised the question as to why there should be the word

'depraved'. I think we understand all these words, namely, 'immoral' drunken or depraved life'. When people lose all noble instincts, when they become perverted, they are not only immoral but they also become depraved. When they lose all the good aspects or values of human life, they become depraved and I think it is right that children should not be associated with such people. It is with that view that this has been kept and I do hope that the law will take proper account of the type of persons who are depraved, drunken and immoral.

With these words I would like to thank the House again for having given such good support to this measure. We have introduced two important measures. One is for providing compulsory education for children and the other is this Children Bill for neglected and delinquent children. Both these measures in my opinion are a big step forward.

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

13.45 hrs.

TELEGRAPH LAWS (AMENDMENT) BILL

The Minister of Transport and Communications (Dr. P. Subbarayan):
Sir, I move:

"That the Bill further to amend the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933, be taken into consideration."

This is a short measure in order to make the law applicable to television. A certain doubt was raised in the mind whether television is included in the Act as it exists. We did feel that it did, but as a matter of act out of caution so that there may be no doubt about it we have introduced this Amendment Bill. We have taken advantage of this Amendment Bill to amend section 7 also to make it more clear.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933, be taken into consideration."

Shri Muhammed Elias (Howrah): Mr. Chairman, Sir, I have no criticism to make on this Bill, but since this Bill relates to television and because this Ministry is going to tax those people who will possess television sets, this Ministry also should see that television works properly and people also get the benefit of this. At the same time I shall make certain suggestions towards the end of my speech. When the rules are framed this Ministry should also consider inclusion of one or two suggestions of mine so that television and the work of the staff who will come under those rules will be improved.

Television has recently been introduced in our country. It was done only on the 15th September, 1959. In our country now only 76 sets are there and there are only two half-hour programmes. From the 23rd of this month another half-an-hour programme will be added to these. There is only one station in Delhi with a radius of 12½ miles.

Television is a very important thing in the modern age. It is one of the biggest media to teach and educate the ordinary masses. In this modern age most of the big countries, for instance, USA, USSR and many countries in Europe, have got television network throughout the country. Thousands of television sets are possessed by people. Even students in schools could be taught through television. I have seen with my own eyes how it is done in Moscow University. 16,000 television sets have been given to students who stay in the University itself. If any student cannot attend the class due to ill-health, he will be able to attend the class through his television set. Chemistry, physics, science, everything could be taught through television. But it will take a long

time to reach this stage in our country, namely, to teach and educate our people through television.

But the little that we possess now and the work which is going on in our country is not at all satisfactory. I shall say a few words about the working of television. For instance, the programme executive, the producer, the script writer, the assistant station director and the staff artistes, who are all very highly paid, do not have the qualifications to run television, because it is a highly technical thing. A man who is to run this must have experience of films, the theatre, acting as also of broadcasting. But the officers who have been given the charge to run television, do not have these qualifications—they are given very high salaries to run this—as a result of which the little number of people of Delhi who possess television sets are not at all satisfied with the programme. The cameras which our Television people possess are four only and the stage is very small where three cameras cannot be worked. Three-dimension pictures cannot be taken here, by two cameras only. If the stage had been a little bigger, three-dimension pictures could have been taken and relayed to the people. This is not there. The Programme executives and producers use the same artistes every time. It becomes monotonous to the people to see the television programmes.

The high officials who are recruited are not recruited through any committee or the U.P.S.C. They are arbitrarily taken as high officials and are given high salaries. But, they are not able to run the television properly. That is why I suggest that when the rules will be framed, not only the technical staff, but these officers also, for instance, the Programme executives, Producers, Assistant Station Directors, should come under the rules and some sort of an examination should be there, so that they must have some qualification to run television.

At the same time, the programme is now for four hours—from the 23rd, it is going to be four hours a week. It should be increased. We do not possess vidio-tape-recording. Vidio-tape-recording system is absolutely necessary to run television. Because, in the stage everything cannot be done. By this vidio-tape-recording, pictures, etc. can be taken from all places and they can be televised from the stage. People could have an idea of every important event of our country. The Ministry should see that the vidio-tape-recording system is introduced as early as possible.

Just as the radio is becoming more and more cheap and at least the middle class people are able to buy a radio set, the Government should try to make easily available television sets. I do not want to take much of the time of the House. I only request the Minister to see that when the rules are made under this Act, just as the technical staff will be coming under the rules, the programme executives, producers and other staff also should come under the rules.

Shri D. C. Sharma (Gurdaspur): Mr. Chairman, I think, with this Bill, we are ushering in the age of television in our country. Of course, television has been going on in our country for quite a number of months. But this Bill legalises and makes legitimate the use of television in this great country of ours. Our Prime Minister was responsible for ushering in the atomic age in this country. It redounds to the credit of the Minister of Communications, Dr. P. Subbaravan to bring into being this television age.

Of course, I must admit that the television system which we are having at present is not very adequate. It is also imperfect in many ways. But I do believe that it was an act of cour-

age to undertake television even on a pilot project basis. I think it was made possible with the help of Philips and Co. and it was on account of them that we are having this television. Television is a great thing in the western countries. But it is not an unmixed blessing. I have watched some of the television shows in the U.S.A., U. S. S. R. and other countries of the world. I have felt that some of the television shows that I saw were such as were not conducive to civic consciousness. The organisers of the programme might not have meant it like that. But, somehow, the impression that is carried by the audiences is quite different. In the U.S.A. there was a complaint that school students and college students did not attend to their studies. This is a complaint that I heard in other countries of the world also. They were all the time watching the television shows and it was very difficult to take them away from the television shows. Therefore, I believe that while television is to be given adequate backing, some of the objectionable parts that are found in other countries should not be put into operation here.

Just as the broadcasting programmes serve two purposes, education and entertainment, so also, the television programmes will serve both the purposes of education and entertainment. It will give education that is wholesome. It will give entertainment that is pure. There should not be televised shows of boxers, boxing and all this kind of thing which smack of violence, crime, and sex. If they are there, instead of improving the taste of the public, they will degrade the taste of the public. If all these things are there, instead of becoming a medium of education it will become the medium for the corruption of the manners of the people.

There is provision in this Bill for prescribing rules for the qualification

[Shri D. C. Sharma]

of persons who are going to be employed in the establishment, maintaining or working the wireless telegraph system. They are going to have examinations also. They are going to have fees also charged from them. I think all these are inevitable consequences of this Bill. But I would submit very respectfully that the examinations to be conducted for this purpose should be such as will allow as large a number of admissions as possible. No irksome regulations should be made for this examination which militate against a large number of students taking part in the examination. I also hope that the fees will be kept as low as possible. There has been a tendency in this country for some time past to raise the fees gradually and sometimes it becomes very difficult for poor and talented people to sit for these examinations. I hope that, while prescribing fees, the per capita income of my country will be taken into account and the fees will not be prohibitive. At the same time, I hope, while the Government is going to have examinations, the Government will also provide for the training of such persons. Training is necessary. I do not know what agencies the Government is going to employ for the training of these persons who will be qualified to work the television system. I hope attention will be given to that also.

I know there has been a drive in my country for producing cheap radio sets. Of course, the time has not come for us to produce cheap television sets. It would take some time before we are able to do that. I feel that the Government should keep this long term idea also in its mind. Unless we have cheap television sets, the population in this country will not be properly served.

The hon. Member who preceded me gave some details about the programmes that are being televised in the Delhi television sets. I agree with

some of the comments that he has offered. I have read in the papers, and have also myself seen, that the television programme suffers from lack of variety, suffers from dead monotony. It does not give the people the kind of fare expected of it. There seems to be a clique for managing the show. To become popular, it should try to obtain new talent all the time. It should not be the close preserve of a few persons coming from one State or the other. It should be thrown open to all the talent available in India.

India does not lack talent of any kind. In the film industry, for instance; our country has produced talented actors. I think in the television world also we should be able to produce performers who can bring international appreciation. Unfortunately, what is happening is that this television business has become a kind of close business. I hope these things will be avoided, and the public will get the kind of television that it wants.

14 hrs.

There was criticism in the press that the programmes are more pompously serious than enter-entertaining; they suffer from a kind of seriousness which is boring to the person who takes to television for relaxation. I hope this will be looked into. I know the programmes are not under the Ministry of Transport and Communications, but under the Ministry of Information and Broadcasting, but since this Bill has come to legalise and make legitimate the coming in of the television age, I hope all these things connected with television will be taken into account, and India will progress as much in the field of television as in the field of films and broadcasting and other fields of mass media.

श्री मोहन स्वरूप (पीलीभीत) :

सभापति महोदय, आज की दुनियां में जब कि ऐटामिक एज है, और जब कि टेली कम्यूनिकेशन का विस्तार होता जा रहा है और टेलिविजन की आवश्यकतायें हर देश में बढ़ती जा रही हैं, यह खुशी की बात है कि यह अमेंडमेंट हमारे सामने आया है। जहां तक उन की डेफिनिशन का सवाल है, जैसा कि स्टेटमेंट आफ आब्जेक्ट्स ऐंड रीजन्स में दिया गया है, डेफिनिशन्स में कुछ ज्यादा फर्क नहीं है। जो डेफिनिशन्स पहले ऐक्ट में हैं और जो अब प्रोवाइड की गई हैं, उन की स्पिरिट एक ही है। खाली यह है कि बदलते हुए दौर में जब कि टेलिविजन की चर्चा ज्यादा होती है और उसका विस्तार हो रहा है, इस चीज को देखते हुए इस में तब्दीली की गई है।

व्यूनस आर्यस में जो १९५२ में इंटर-नेशनल टेलीकम्यूनिकेशन कंवेन्शन हुआ था उसमें जो कुछ डेफिनिशन्स दी गई है, वह बड़ी दिलचस्प हैं। टेलीकम्यूनिकेशन की डेफिनिशन दी गई है :

"Any transmission, emission, or reception of signs, signals, writings, images and sounds or intelligence of any nature by wire, radio, visual or other electro-magnetic systems."

यह बहुत मुक्तमर सी डेफिनिशन दी गई है। टेलीग्राफ की डेफिनिशन दी गई है :

"A system of telecommunication for the transmission of written matter by the use of a signal code."

टेलीफोनिक की डेफिनिशन भी दी गई है :

"A system of telecommunication set up for the transmission of speech or in some cases other sounds."

इस तरह से बहुत मुक्तमर और दिलचस्प डेफिनिशन्स दी गई हैं। हमारे यहां जो

डेफिनिशन्स दी गई हैं वह बहुत लम्बी चौड़ी हैं। तो मेरा कहना यह है कि इन को जरा मुक्तसर किया जाता तो ज्यादा अच्छा था। इस के साथ ही साथ टेलीग्राफी की डेफिनिशन का भी इजाफा होना चाहिये, जो कि नहीं हुआ है। इस में टेलीग्राफ की डेफिनिशन है लेकिन टेलीग्राफी की डेफिनिशन भी ऐड होनी चाहिये। जैसा कि टेलीफोनिक में दिया गया है :

"A system of telecommunication set up for the transmission of speech or in some cases other sounds."

इस का भी इजाफा होना चाहिये था।

इसके साथ साथ इस में कुछ तरमीमें पेश की गई हैं, जिन के बारे में ज्यादा कुछ कहने की गुंजाइश नहीं है। वे ठीक ही हैं। जैसे कि सेक्शन ७ में (जे) के बाद जो (जेजे) बढ़ाया गया है वह बहुत ठीक है। उसमें खास बात नहीं है। सेक्शन ५ में जो सन्स्टिट्यूट पेश किया गया है वह भी ठीक है और इस के बारे में ज्यादा कहने की गुंजाइश नहीं है। लेकिन वह लेंग्यी ज्यादा कर दिया गया है, हालांकि उस से कुछ फायदा नहीं होता।

वायरलेस टेलीग्राफी ऐक्ट, १९५३ में जो अमेंडमेंट है वह भी ठीक ही है लेकिन कहीं कहीं पर कुछ विस्तार ज्यादा कर दिया गया है, जैसे कि अमेंडमेंट आफ सेक्शन १० जो दिया गया है वह बहुत लम्बा चौड़ा कर दिया गया है। पहले ऐक्ट में उसे विस्तार से दिया गया था लेकिन इस में लेंग्वेज को कुछ तोड़ मरोड़ कर एक साथ कर दिया गया है। मैं चाहता था कि उस में जो बजाहूत की गई थी वही जो मौजूदा सन्स्टिट्यूट दिया गया है उसमें भी की जाती। इस तरह से हमारे सामने बोड़े से अमेंडमेंट्स हैं। वे ठीक ही हैं और मुझे उन के बिषय में ज्यादा नहीं कहना है। लेकिन कुछ बातें मैं भी कहना चाहता हूं कि जैसे कि मेरे दोस्त प्रोफेसर डी० सी० शर्मा ने कहीं टेलीविजन के बारे में।

[श्री मोहन स्वरूप]

अभी थोड़े ही दिन हुए हमारे यहां टेलीविजन शुरू किया गया है। बताया गया कि टेलीविजन का प्रोग्राम ३० मील तक ही देखा जा सकता है। उस के बाद रिलेइंग का बन्दोबस्त करना पड़ता है। और देशों में ऐसा किया भी गया है। हमारे यहां यह चीज नहीं है। मैं समझता हूँ कि अगर टेलीविजन के प्रोग्राम को ज्यादा दिलचस्प बनाना है तो उस के लिये रिलेइंग स्टेशन्स भी होने चाहियें ताकि पूरे देश में उसे देखा जा सके। टेलीविजन के जो रिसीवर्स होते हैं वे भी बहुत महंगे होते हैं। मामूली इन्सान उन को खरीद नहीं सकता। इसलिये अगर उनको सस्ता करने के मुताल्लिक और उन के लाइसेंस को लिब्रलाइज करने के मुताल्लिक गवर्नमेंट विचार करे तो ज्यादा अच्छा है।

इसी के साथ साथ मैं यह कहना चाहता था कि हमारे यहां मीडियम वेव के स्टेशन्स बहुत कम हैं और प्रोग्राम मीडियम वेव पर ज्यादा होते हैं। मुझे बनलाया गया कि मीडियम वेव पर जो प्रोग्राम होते हैं, वे शायद कुछ महंगे होते हैं। लेकिन इस के साथ साथ अगर मीडियम वेव के प्रोग्राम को सुनने वाले रिसीवर बनाये जायें तो शायद वह सस्ता पड़ेगा शार्ट वेव के मुकाबले में। इस लिये मेरा गवर्नमेंट से अनुरोध है कि वह मीडियम वेव के प्रोग्राम की ओर भी बढ़ाने की कोशिश करे।

इस के साथ साथ मैं यह भी कहना चाहता हूँ कि रीजनल लैंग्वेज में मीडियम वेव पर प्रोग्राम होने चाहियें। पंजाब में पंजाबी में और मद्रास में दक्षिणी भाषाओं में रीजनल प्रोग्राम होंगे तो वे ज्यादा पापुलर होंगे। यह खुशी की बात है, जैसा कि मैं ने अखबार में पढ़ा, कि ए० आई० आर का एक्स्टेंशन हो रहा है। अखबार की खबर यह है :

"Mr. J. C. Mathur, Director-General of All-India Radio, announced in New Delhi on Thursday that AIR proposed to set up

56 new transmitters within one year, bringing the total number to 115."

इसी के साथ साथ टेलीविजन का विस्तार हो रहा है। फ्रांस, इटली और यू० एम० के पेटर्न पर कुछ क्लब भी बनाये जा रहे हैं। यह सब काम हो रहा है यह खुशी की बात है, लेकिन इसमें जितना विस्तार हो सके वह किया जाये और जितनी एफिशिएंसी बढ़ाई जा सके, वह बढ़ाई जाये तो और भी ज्यादा खुशी की बात होगी।

मैं निवेदन करना चाहता हूँ कि इंग्लिश ला में यह प्रोवाइड किया गया है कि जो लोग वायरलेस टेलीग्राफी में एक्सपेरिमेंट्स करेंगे उनको एक्सपेरिमेंटल बेसिस पर लाइसेंस दिये जायें। हमारे मौजूदा ऐक्ट में जो ग्रैंड-मेंट्स आये हैं उन में एक यह चीज नहीं आती है कि एक्सपेरिमेंटल बेसिस पर अगर कुछ लोक लाइसेंस चाहें तो उन को वह मिल सकेगा।

इसी के साथ साथ यह जो व्युनस आयरस कन्वेंशन १९५२ का हमारे सामने है इसमें कुछ परिवर्तन किये गये हैं जिनकी ओर मैं आपकी तवज्जह दिलाना चाहता हूँ। आर्टिकल ३८ में यह दिया गया है कि गवर्नमेंट जो भी कम्युनिकेशन भेजे वह सीक्रेट लैंग्वेज में हो। इसी तरह से अगर कोई इंडीवीजुअल चाहे तो उसके लिये भी सीक्रेट लैंग्वेज में मैसेज भेजने का प्रावीजन होना चाहिये।

इसी के साथ साथ आर्टिकल ४६ में दिया हुआ है कि डिस्टेंस काल और इसी तरह के दूसरे मैसेज के लिये टाइप प्रायिग्टी दी जाये।

मैं चाहता था कि इस कन्वेंशन से और वायरलेस के सिलसिले में जितने भी इंटरनेशनल और कामन वैल्यू आरगेंनाइजेशन्स हैं उनसे हमारा तालमेल हो और उनकी जो एक्टिविटीज और प्रोग्राम जो इसमें प्रोवाइड किये

गये हैं उनमें इजाफा करें तो देश के लिये ज्यादा बेहतर होगा ।

मैं और ज्यादा नहीं कहना चाहता क्योंकि और ज्यादा कहने की गुंजाइश भी नहीं है । मैं फिर निवेदन करना चाहूंगा कि जो वायर-लैम के या टेलीविजन के प्रोग्राम हों उनका ज्यादा से ज्यादा विस्तार किया जाये और उनको ज्यादा से ज्यादा रोचक बनाने की तरफ तबज्जह दी जाए ताकि उनकी उपयोगिता बढ़ सके और लोग उनको पसन्द करें ।

Shri Kalika Singh (Azamgarh): The introduction of television in India must be welcomed for a very special reason. In India we have got the highest illiteracy, and in a country where the people are not literate, the medium of education is often the radio, or television or cinema or some such thing.

In regard to the importance of television, we just read in the papers that the whole American election was influenced by the direct talks that the two candidates had on television. Four or five such programmes were arranged in the U.S.A. and the two candidates had face-to-face discussion on important subjects, and the people of USA were given an opportunity to hear and assess the merits of the two candidates directly. It was the medium of television that helped them, because all the newspapers there are connected with this party or that party or they have got their own independent opinions.

Even in India the speeches of the Prime Minister of India are not reported just as he wants them to be reported, because there are papers which have got the capitalist background, there are other papers which have got the leftist background, and, therefore, the same speech of the Prime Minister is reported in different ways in different papers. Therefore, it is of prime importance in India at least that whatever our leaders say should be correctly conveyed to the people of India

as a whole. About 80 to 85 per cent., and in fact, I may say, even 90 per cent. of our people depend upon some intermediate agency. That agency may be the newspapers or it might be mere persons who just convey in the villages anything they please, or even that the Prime Minister has expressed an opinion that a province will be given to Pakistan or that he has said that Government are going to introduce this or that drastic legislation in Parliament. In this way, wild rumours are publicized and our public are just carried away by such propaganda. Therefore, in India at least where we have got such high illiteracy, it is very essential that the Government of India should be prepared to spend any amount, even crores and crores for the dissemination of proper information, through AIR and through television. I know the limitations in regard to television, because television sets cannot be set up in all the villages in all the States, because the range of transmission is very limited. If a television transmitter is established in Delhi, it will not telecast for more than 20 or 25 miles round about. That is the limit. So, there will have to be regular relaying stations throughout India, and these will cost our exchequer a very high amount. Government should make provision for that. But, anyway, it should be the duty of this Parliament to provide as much money as possible for the television and radio programmes, because these media are the only means of serving the masses at large, or otherwise, the whole democracy may topple down because of the misinformation carried through so many agencies.

Television is also a very good medium for recreation and for so many other things. I am not welcoming television here for recreational purposes. In England, USA and elsewhere, television is important as a recreational medium. In England, every third or fourth family has got a television set,

[Shri Kalika Singh]

and now they are doing away with radio. They just sit round the hearth and hearing the television programmes, and they see sports and everything else on the television screen. I am not concerned with that aspect here in our country. I do not want that Indians should have recreation at the cost of the country. I want television in our country in order that our democracy may grow. Television and radio being very important from this point of view, any amount of money should be provided for this purpose I am conscious of the fact that the Ministry of Transport and Communications is not concerned with all that. That is the business of the Information and Broadcasting Ministry, and this Ministry has only come forward with an amendment of the Indian Telegraph Act and the Wireless Telegraphy Act to enable the people to have licence for television sets. So, the limitations of this Ministry apart, I would, however, submit that the point should be carried through that we must have television in India for the carrying on of democracy.

Dr. P. Subbarayan: I do not think I could add much to the debate, because the person really concerned with this is the Minister of Information and Broadcasting. I shall naturally convey to him all that has been said about programmes etc.

I think our All India Radio programmes are as good as could be had anywhere, and, therefore, I do not think people need complain that the Information and Broadcasting Ministry are not doing what they should do.

Of course, the television programme is only at its beginning. I am sure hon. Members understand that it will cost a good deal of money before there is a network of television programmes all over India. It is being tried now in a small fashion, and of course, it will increase, if more and more people get interested in television and want to see television propagated in the proper manner.

Therefore, I would content myself with saying that hon. Members have dealt with this matter in a very comprehensive fashion, no doubt, with which I am not really concerned, but I am sure my hon. colleague the Minister of Information and Broadcasting will go through the debate that has taken place and see what they can do with regard to this.

Mr Chairman: The question is:

"That the Bill further to amend the Indian Telegraph Act, 1885 and the Indian Wireless Telegraphy Act, 1933, be taken into consideration."

The motion was adopted.

Mr. Chairman: There are no amendments to the clauses.

The question is:

"That clauses 2 to 5, clause 1, the Enacting Formula and the long Title stand part of the Bill".

The motion was adopted.

Clauses 2 to 5, clause 1, the Enacting Formula and the long Title were added to the Bill.

Dr. P. Subbarayan: I beg to move:

"That the Bill be passed".

Mr. Chairman: The question is:

"That the Bill be passed".

The motion was adopted.

14-20 hrs.

BRITISH STATUTES (APPLICATION TO INDIA) REPEAL BILL

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

"That the Bill to repeal certain statutes in their application to India, as passed by Rajya Sabha, be taken into consideration".

This is a very formal matter pursuant to the recommendations made by the Law Commission in respect of certain British statutes which are still applicable in India. The Law Commission has recommended the repeal of these statutes. So we have formally

introduced this Bill to repeal those statutes which are very large in number, as will be found from the Schedule to the Bill itself.

14.22 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: Motion moved:

"That the Bill to repeal certain statutes in their application to India, as passed by Rajya Sabha, be taken into consideration."

Shri Supakar (Sambalpur): The hon. Minister has stated that this is only a formal Bill. But if you look at the Fifth Report of the Law Commission of India, you will find that the Report was submitted as long ago as on 9-11-1957; and after the submission of that Report, Government took a considerable time, about three years, to bring forward such an apparently simple Bill. The Bill was introduced on the 14th July 1960.

I would submit that even the Bill as it was introduced in the Rajya Sabha and as now placed before us does not fully take into consideration all the statutes that were considered by the Law Commission. I had a curiosity to compare the list of the Acts scheduled to the Report of the Law Commission with the Schedule to the present Bill and I found some variation, for which some explanation at least should be forthcoming. We expected that during the last three years the Government would have taken into consideration not only appendices I and II which were recommended for repeal by the Law Commission but also appendix III in respect of which the Commission has said that the Government might consider appropriate legislation to fill up the vacuum when the statutes listed in appendix III are repealed.

You will find from the Statement of Objects and Reasons that there are certain statutes included in the Schedule to the present Bill which are from

British statutes listed in appendix III of the Law Commission's Report, but where the opinion of Government is of a dubious character. I will take only one illustration. On page 17, in regard to the Domicile Act, 1862, it is stated:

"The Law Commission while stating that this statute is not necessary, has added that the point whether similar legislation is required with respect to the relations of India with foreign States may be considered. It is felt that this statute may be repealed for the present and that the point raised by the Commission may be pursued separately later on, if necessary".

I submit that this is a most unsatisfactory state of affairs. The first point is that apparently the Government have not taken into account all the statutes under appendix III regarding which the recommendation was that Government might consider appropriate legislation before the statutes were repealed. Secondly, even when they have chosen to repeal only a few out of the whole list, the Government are not sure whether it is necessary to have appropriate legislation in place of the statutes repealed.

Mr. Deputy-Speaker: His first point is that all the Acts have not been included for repeal. The second point is that proper legislation has not been taken up to replace them.

Shri Supakar: The Law Commission gave so much importance to the subject. Along with their recommendations regarding the laws of limitation, registration, Civil Procedure Code and other important pieces of legislation, they took so much pains on this particular aspect of British statutes applicable to India to decide how far and to what extent they should be repealed. Government have taken so much time to take a decision on that and even then in the Bill they have brought forward, they are not sure as to whether appropriate legislation to replace them is necessary.

Mr. Deputy-Speaker: Let us hear the Law Minister.

Shri Aurobindo Ghosal (Uluberia): We know that previously the British used to divide the legislation into two series, one for Presidency towns and another for provincial towns. For example, in Bengal there is the Small Causes Court Act. One is for the Presidency of Calcutta and another for the mofussil towns. There is also an Insolvency Act, one for the Presidency towns and another for the mofussil towns. At present, there is no distinction between Presidency towns and other towns. Why should this division be maintained? Why should we not have one law for both Calcutta and the outside towns? That is one point for consideration.

Shri Kalika Singh (Azamgarh):
rose—

Mr. Deputy-Speaker: We are hard up for time. I do not have any objection, but if the business is not finished, we will have to leave it like that.

Shri Tangamani (Madurai): I am only going to refer the hon. Member to a certain note of dissent appended by Dr. N. C. Sen Gupta to the Report on the basis of which this Bill has been drafted. He has made three pertinent points. One is on the question of application of certain Acts, the Indian Extradition Acts and other Acts. For want of time, I do not want to discuss in detail. There the point was raised about the right of citizenship, which was the subject-matter of a question here in regard to Shri Phizo. Phizo is an Indian citizen. He is entitled to British citizenship and a passport issued by the British Government by virtue of being a Commonwealth citizen. That point has been raised here. I would like to know what reply the Government have to the dissenting note of Dr. N. C. Gupta on these Extradition Acts, and also on the Church Act of 1927 and the Foreign Tribunal Evidence Act of 1857.

Shri Kalika Singh: After the passing of the India Independence Act 1947,

it was said in Britain that they were not going to pass any Act thereafter applying to India. But in 1948, the UK Parliament passed the Republic of India Act. It was asked why this Republic of India Act was necessary and they said it was to regulate citizenship. Now another Act has been quoted by the British people—the British Nationality Act of 1948. It is said that Phizo who is an Indian citizen automatically, because of his Indian citizenship, becomes a British subject. After 1947 the British Parliament has got no jurisdiction over India, except that the Queen is the symbol of association and is the head of the Commonwealth. How is it that Britain has got two Acts at least which regulate citizenship in India and has got application to all the citizens here?

Shri A. K. Sen: Mr. Deputy-Speaker, Sir, we have already answered one of the objections taken that Appendix III cannot be done away with until the vacuum is filled up by legislation by Parliament. In fact, some of them have already been covered by legislation passed by Parliament like the Merchant Shipping Act. Therefore, as and when Ministries bring in legislation to cover the field the Appendix will be filled up.

Mr. Deputy-Speaker: Let the vacuum be created first and then it will be filled up.

Shri A. K. Sen: With regard to the point raised by Shri Kalika Singh, I have not been able to follow him. There is no such Citizenship Act applying to this country. They are regulating their own citizenship laws. If under their law, they admit Phizo as one of the citizens, we cannot quarrel, as they cannot if we admit any other person in India as an Indian citizen.

Shri Kalika Singh: Every Indian citizen automatically becomes a British subject.

Shri A. K. Sen: That is their law; it is not a law applicable to India.

Mr. Deputy-Speaker: In their own country they can pass any law they like.

Shri Tangamani: Can I transfer a property not belonging to me?

Mr. Deputy-Speaker: If we pass a piece of legislation that we would acknowledge every British subject to be an Indian citizen, how can they prevent it.

Shri A. K. Sen: The point is not the propriety of their law; the point is whether it applies here. It does not apply here. Our law is quite different. Our law is a parliamentary law called the Indian Citizenship Act. That law applies to their own country by which they can admit any other person as a citizen. It has nothing to do with the application of British statutes in India.

Mr. Deputy-Speaker: The question is:

"That the Bill to repeal certain statutes in their application to India, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments. I shall put all the clauses together. The question is:

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Shri A. K. Sen: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14:35 hrs.

REPEALING AND AMENDING BILL

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

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

Sir, this is a Bill which seeks to repeal statutes which have become obsolete. It also amends those Acts mentioned in the Second Schedule to the extent they need amendment as a result of the subsequent legislation affecting their operation. This is a formal matter, because it gives effect to the law as it is now.

Mr. Deputy-Speaker: The question is:

"That the Bill to repeal certain enactment and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to this Bill as well. I shall, therefore, put all the clauses together.

The question is:

"That clauses 2 to 5, the First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 2 to 5, the First Schedule, the Second Schedule, Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Shri A. K. Sen: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14:37 hrs.

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
SEVENTY-FIFTH REPORT****Sardar A. S. Saigal (Janjgir):**

"That this House agrees with the Seventy-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 21st December 1960."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Seventy-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 21st December 1960."

The motion was adopted.

14:38 hrs.

**JUNIOR ARTISTES' (REGULATION
OF EMPLOYMENT) BILL***
by Shri Narayan Ganesh Goray

Shri Goray (Poona): Sir, I beg to move for leave to introduce a Bill to regulate the employment of Junior Artistes in the Film Industry.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to regulate the employment of Junior Artistes in the Film Industry."

The motion was adopted.

Shri Goray: Sir, I introduce the Bill.

14:39 hrs.

**PREVENTION OF COW SLAUGHTER
(FOR UNION TERRITORIES) BILL***

by Pandit Brij Narayan "Brijesh"

Pandit Brij Narayan "Brijesh" (Shivpuri): Sir, I move the Bill.

Mr. Deputy-Speaker: Which Bill? The hon. Member should have been ready by this time. He ought to have taken care that this item was coming.

Pandit Brij Narayan "Brijesh": Sir, I beg to move for leave to introduce a Bill to prohibit and prevent the slaughter of cow in Union Territories.

Mr. Deputy-Speaker: Motion moved:

"That leave be granted to introduce a Bill to prohibit and prevent the slaughter of cow in Union Territories."

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): Sir, we fully appreciate the sentiments which have actuated my hon. friend Shri Brijesh to bring forward this piece of legislation before the House.

Shri Goray (Poona): They are opposing it even at the stage of introduction?

Mr. Deputy-Speaker: The Opposition did it.

Shri M. V. Krishnappa: In a matter like this, however, there are other factors which have also to be given due thought, namely, constitutional protection to all citizens to practise any profession or to carry on any trade or business and the practical effect of passing such legislation. Sub-clause (ii) of clause 3 of the Bill provides for complete prohibition of the slaughter of cows in Union Territories. A provision of this nature tantamounts to an abridgement of the Fundamental Right under article 19(1) (g) of the Constitution and is excessive restriction which is not shown to be in the general interests of the public, and is not covered by article 19(6). This position has been supported by a recent judgment of the Supreme Court on a petition filed by some butchers from the States of U. P., Bihar and Madhya Pradesh against State legislation. The judgment of the Supreme court is, that a total ban on the slaughter of she-buffaloes, bulls

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and bullocks (cattle or buffalo) after they cease to be capable of yielding milk or of breeding or working as draught animals cannot be supported as reasonable in the interest of general public.

A complete ban on the slaughter of cattle will result in an annual increase of 11.5 million animals or 5.75 per cent, and thus jeopardise the well-being of the good cattle since the present fodder and other resources of the country are grossly inadequate to maintain even the existing cattle.

As was observed by the Prime Minister in April, 1955, in connection with the Indian Cattle Preservation Bill by Seth Govind Das, the enactment of such a legislation would actually result in the deterioration of the cattle wealth of the country instead of preserving it.

A convention has grown that Bills are not opposed at the introduction stage. But Government feel that the introduction of this Bill will not be in public interest. It is, therefore, my painful duty to oppose the motion for introduction.

Mr. Deputy-Speaker: Does the hon. Member like to say anything?

पंडित ब्रज नारायण "ब्रजेश": उपाध्यक्ष महोदय, मैं नहीं समझता कि देश के कल्याण की दृष्टि से मैंने जो बिल पेश किया है उसमें कोई जनता का कल्याण होगा, खास तौर पर केन्द्रीय सरकार द्वारा शासित जो प्रदेश हैं उन प्रदेशों में गोहत्या बन्द करने के संबंध में मैंने यह बिल पेश किया है। इस दृष्टि से मैं समझता हूँ कि यदि खास तौर पर लोक-सभा में इस संबंध में वाद विवाद हो जाता है और इस समस्या पर प्रकाश पड़ जाता है तो वह बहुत अच्छा होगा। इस कारण मैं चाहता हूँ कि मेरा इस विधेयक को उपस्थित करने का प्रस्ताव स्वीकार कर लिया जाये।

Shri Goray: Can I say something, Sir? I want to say something.

Mr. Deputy-Speaker: No; I am sorry. The question is....

Raja Mahendra Pratap (Mathura): I have a word to say about it.

Mr. Deputy-Speaker: No, not now.

The question is:

"That leave be granted to introduce a Bill to prohibit and prevent the slaughter of cow in Union Territories."

The motion was negatived.

Mr. Deputy-Speaker: Now, what has the hon. Member to say—not on this?

Raja Mahendra Pratap: Only on this, Sir.

Mr. Deputy-Speaker: That is gone.

14.43 hrs.

INDIAN INSTITUTE OF ARCHAEOLOGY BILL— contd.

By Shri C. R. Narasimhan

Mr. Deputy-Speaker: The House will now resume further consideration of the following motion moved by Shri C. R. Narasimhan on the 9th December, 1960:

"That the Bill to provide for the constitution of an Indian Institute of Archaeology for importing training in scientific methods of archaeology and in the conservation of historic and artistic works, including research in various branches of archaeology, be circulated for the purpose of eliciting opinion thereon by the 30th April, 1961."

Out of an hour and a half allotted for the discussion of the Bill, one hour and 16 minutes have already been taken up on the 9th December, 1960 and 14 minutes are now available. Dr. M. M. Das may continue his speech.

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): Mr. Deputy-Speaker, Sir, on the 9th December, when this Bill was before this House for discussion I was on my legs when the House rose. At that time I was trying to explain to this House that if this Bill is passed, then, the results on the Union Department of Archaeology would be disastrous, in addition to involving the Government of India in extravagant and wasteful expenditure of huge sums of money.

This Bill has got three objectives to achieve. First is the establishment of an Institute of Archaeology on a very grand scale just like a University having a Chancellor, a Vice-Chancellor, a Governing Council, an Academic Council, the Director and so on and so forth. Secondly, it is proposed that the school of archaeology which is being at present run by the Department of Archaeology will be taken over by this newly established Institute. Thirdly, it has been proposed in this Bill that the most important functions of the Department of Archaeology, namely, exploration, excavation and pre-historic research will be taken over from the Department of Archaeology and entrusted to the newly established Institute.

As I have said, he hon. Member proposes the establishment of this Institute of Archaeology on a very grand scale, just as big as a University. It involves capital expenditure of a huge sum of money as well as recurring expenditure. Before incurring this huge capital expenditure, and before committing ourselves to the recurring expenditure which also will be of a very large amount, Government should see whether the money thus spent would be properly utilised.

In these days of educated unemployment, before spending money for the establishment of such an Institute, Government must be satisfied that the products of this Institute,

that is the young men and women of this country who get training in this Institute, should be gainfully employed so that their talent and their training may be properly utilised for the welfare of the country.

At present, there are about half a dozen universities in this country like Calcutta, Madras, Allahabad, Baroda, Saugar and others which have got their full-fledged and well-developed Departments of Archaeology. With the handsome grants offered by the University Grants Commission for this purpose, it is likely that there will be a few more universities coming forward for the establishment of archaeological departments of their own. Now, the need for imparting higher training in the subject of archaeology will be fully met by the facilities that are provided by the archaeological departments of these universities and by bodies like the K. P. Jayaswal Institute at Patna and the Deccan College of Post-Graduate and Research Institute. So, it is difficult to justify the huge expenditure of money which will be spent for the establishment of this Institute as well as for maintaining it.

Clause 4(5) of this Bill provides for the taking over of the functions of exploration, excavation and pre-historic research from the hands of the Department of Archaeology by this Institute. These branches, namely, exploration, excavation and pre-historic research form an integral part of the Department of Archaeology. They are the most important functions of any department of Archaeology in any part of the world, today. Without these important functions to perform no department of Archaeology can be called a department of Archaeology. A department of Archaeology ceases to be such if these most important functions are taken out of its hands. This clause 4(5) is the most obnoxious provision in this Bill. It aims at the dis-memberment, dissolution and disintegration of a very old, efficiently run department of the Government of India.

This Union Department of Archaeology which the proposed measure wants to disintegrate and dismember was established in the year 1862 just after the Sepoy Mutiny when the administration of India was taken over by the British Crown. Eminent archaeologists like Alexander Cunningham, Sir John Marshall, Sir Mortimer Wheeler Shri R. D. Banerjee and others who have got world-wide reputation have built up this department and the department has made unique contribution towards reconstruction of history not only of India but also the history of the civilisation of the whole world. The achievement of this department has gained international recognition and the tradition of a century and more lies behind it. It is not only unwanted but also uncharitable, I think, to propose dismemberment of this department and give away its function to a newly established organisation.

From the speech of the hon. Member it appears that the report of Sir Leonard Woolley which was submitted to the Government of India 22 years ago in 1938 had provided inspiration and stimulus to the hon. Mover for bringing this measure before the House. In order to have a proper understanding and appreciation of this report, we must have the background of this report. During 1931 and onwards there was world-wide depression and the Government of India—then British Government—was confronted with financial difficulties and the axe fell on this department. A large number of employees were retrenched and the activities of this department practically came to a standstill. When the position improved in 1936-37, they thought of developing this department again. They invited Sir Leonard Woolley, an eminent archaeologist of the time to come over to India and give his suggestions for the development of this department. Woolley spent a few weeks here and submitted a report in February 1939. Then the Second World War broke out and nothing could be done till

1944, when the Government of India invited Sir Mortimer Wheeler, another eminent archaeologist of international fame to come over to this country and accept the post of Director-General for at least four years. He was from Britain—he came here and carried out a series of reforms. He practically reorganised and reconstructed the whole department of archaeology. Previously, the repair and maintenance of monuments were in the hands of the PWD and there were many complaints about the repair and maintenance done by the PWD which understood very little of archaeological principles. Sir Mortimer established a conservation branch in the department of archaeology and took away from the hands of the PWD repair and maintenance works. He reconstituted the excavation branch and he appointed the first assistant superintendent for pre-history. At his suggestion, the Central Board of Archaeology, the All India Advisory Board of Archaeology, was formed with eminent archaeologists, university representatives and State Government representatives as members.

Mr. Deputy-Speaker: Is all this history necessary for liquidating the stimulus that the hon. Mover got from that report?

Dr. M. M. Das: I have already said that the inspiration behind this Bill lies in the report and so I think it is to some extent necessary to tell the hon. Members what actually happened after that report was submitted. It is not that everywhere Sir Mortimer accepted the recommendation laid down by Woolley. Whenever he thought it better, he pursued his own principles. For instance, Woolley in his report did not recommend the continuance of the site museums at important places but Sir Mortimer was in favour of maintaining them. He also created the museum branch in the department of archaeology. The impression sought to be created by my hon. friend, the hon. Mover of this motion in this House that nothing had

[Dr. M. M. Das]

been done after the submission of that report is—I want to say categorically incorrect and untrue, if not false....

Shri C. R. Narasimhan (Krishnagiri): I did pay a good tribute to Sir Mortimer Wheeler who was here for a long time after the submission of the Wolley Report.

Mr. Deputy-Speaker: Both hon. Members cannot pay their tributes simultaneously. If the hon. Minister does not yield, what can be done?

Shri Narasimhan: He said: "..... if not false" and I have to explain the correct position.

Mr. Deputy-Speaker: I will call him afterwards.

Dr. M. M. Das: The hon. Member in his enthusiasm profusely quoted from the report of Leonard Woolley; he quoted enthusiastically without knowing where those quotations or recommendations were leading him. He said; he was quoting from Woolley:

"Do not worry about their taking away the idols. You can spare them. You first construct history."

Mr. Woolley advised us to get foreign aid and asked us not to worry about their taking away the idols. His advice to the Government of India was;

"It is history that has to be constructed. When the purpose is served, sell them."

He advised us to invite foreign teams of archaeologists to carry out excavations in this country and allow them to carry the sculptures that might be excavated from this country.

Shri Narasimhan: For what purpose?

Dr. M. M. Das: For the construction of the history of India. After

quoting this passage my hon. friend asks why we have not secured foreign aid on the condition that all the exhibits would be taken by them out of India.

Shri Narasimhan: No.

Dr. M. M. Das: He referred to Egypt and other places, Aswan Dam, etc. to which I shall come a little later. Now, I may tell my hon. friend that for the last 200 years this ancient heritage of India, these sculptures, etc. have continually found their way to foreign museums under the very eyes of a foreign Government. Are we going to continue the same practice of sending our ancient heritage to foreign countries? I know the answer of this House would be an emphatic no. Then my hon. friend referred to Nagarjunakonda. This is what he said:

"It is quite possible according to modern methods to use electric meters like what the Oil and Natural Gas Commission and geologists have to find out through electronic and other equipment whether there are things below. Use them."

That is what he says about Nagarjunakonda. He says:

"Use them. Find out quickly what is there and decide. But nothing has been done."

15 hrs.

Sir, there is no greater travesty of truth than this. For the information of this hon. House and for the information of my hon. friend I might say that the excavation of Nagarjunakonda has been completed at a cost of more than Rs. 25 lakhs. It is not only that the excavation has been completed, but we are constructing a building for a museum on a hill top which will be in the centre of a lake that will be produced by the erection of a dam on Krishna. That building is going to be completed within a year

or two. All these excavated material will be placed in this museum. I am sorry, Sir, if my hon. friend who moved this Bill does not know all about it. He asks: "What have you done?". But he does not care to know what has been done and he indicts Government saying that this has not been done and that has not been done.

Shri Narasimhan: I referred to the use of electronic equipments and said that nothing was done in that regard.

Dr. M. M. Das: My hon. friend asks: Why do you not take foreign aid, why do you not take the help of foreign archaeologists as the Government of Egypt has done in their proposed excavation in Nubia? I want to tell him, we do not want the help of foreign archaeologists, we do not want them to come to our country to excavate our sites. Our archaeologists have the required experience, training and qualification to conduct their own archaeological excavations. Sir, the Government of Egypt appealed to the UNESCO for the help of other countries for the excavation of the area in Nubia which is going to be submerged by the construction of the Aswan Dam. The UNESCO which has a better and more intimate knowledge and, perhaps, better appreciation of our archaeologists in the department of archaeology of the Government of India has written to us also as it has written to other countries of the world to know whether we can give them some help. Only the other day our Ministers, our Director-General of Archaeology and other officers were in Egypt to see what can be done about the excavations to be carried out. My hon. friend asks: "Why have you not asked for foreign aid?" We are giving foreign aid to Egypt—the place he has mentioned. We ourselves do not require foreign aid to carry out our excavations.

My hon. friend was quoting profusely from Sir Leonard Woolley's report which was submitted to the Government of India 22 years back. When I

was listening to his eloquence I was reminded of the story of Rip van Winkle of the Washington Irving. Ripvan Winkle went to the Katskil Mountain and there under the influence of liquor he slept for 20 years. When he woke up and came back to his village he saw that everything was changed. Before he went to sleep America was a colony under the British. In those twenty years the War of Independence was fought and America had become independent and, therefore, it was a new land that he saw when he came back after his sleep. So like Ripvan Winkle, my hon. friend rises up after 22 years of sleep....

Mr. Deputy-Speaker: That ought to be enough for the hon. friend. Now he should stop there.

Dr. M. M. Das: I am sorry, Sir.

Shri Narasimhan: I did not hear.

Mr. Deputy-Speaker: He ought to hear. Why was he not hearing?

Shri Tangamani (Madurai): He was only referring to the hon. Member as Ripvan Winkle.

The Minister of Law (Shri A. K. Sen): He does not hear when he is accused of sleeping.

Dr. M. M. Das: Sir, perhaps it is not necessary to go into more details. The hon. Member's motion is for the circulation of the Bill. But he has already circulated this Bill. He sent copies of this Bill to that eminent international archaeologist, Sir Mortimer Wheeler. I request my hon. friend to read out before this hon. House the reply that Sir Mortimer Wheeler has sent to him.

Shri Narasimhan: Sent to me?

Dr. M. M. Das: Yes, sent to you.

Shri Prabhat Kar (Hooghly): Sir, the hon. Mover is being attacked in such a way that I think he should have the protection of the Chair.

Dr. M. M. Das: I am not going to attack him any more.

Mr. Deputy-Speaker: The feeling is that the hon. Member who moved the Bill should be protected at this stage.

Dr. M. M. Das: No protection will be necessary. I am not going to attack him any more. I beg your indulgence and the indulgence of the House to quote a few lines.

Dr. M. S. Aney (Nagpur): I want to know on what date that reply was received.

Dr. M. M. Das: Sir, the letter was written to our Minister on 17th October, 1960. I am reading a few lines from that. This is what Sir Mortimer writes:

"I have read the Bills very carefully and must confess they fill me with alarm. They create new financial overheads and subdivide activities which are closely inter-related and must be more efficiently controlled in a single department. That is the line of thought at present prevalent in this country and it is one which equally appeals to me as irrefutable from my knowledge of, and intense interest in, these activities in India.

Forgive me, therefore, if I burden you with a copy of my reply to Shri Narasimhan."

Shri Narasimhan: That should be read.

Dr. M. M. Das: Sir, with the permission of the hon. Mover may I quote a few lines from Sir Mortimer Wheeler's letter written to him. Sir Mortimer Wheeler has been very kind to send us a copy of the letter written to him in reply to the two Bills which he sent to him for opinion. Sir Mortimer writes:

"The archaeological excavations, with full facilities for students, carried out by the Depart-

ment of Archaeology at the present time are unsurpassed in quality anywhere in the world. By all means let the existing university departments be strengthened and supplemented; but why set up an entirely new organisation, with new financial overheads, to carry out work for which admirable provision already exists?"

He again says:

"With the greatest care and sympathy I have read and re-read the draft Bill, but I must confess that I have failed to discover any sort of justification for it."

Sir, may I also tell this hon. House that this Bill was referred to the Standing Committee of the Central Advisory Board of Archaeology where the most eminent archaeologists of this country are members. The unanimous opinion of this committee consisting of nearly all the heads of universities having archaeological departments, Dr. Sankalia, who is the Director of the Deccan College Post-Graduate and Research Institute in Archaeology—Prof. Sharma of the Allahabad University and others, is that this Bill is harmful and should not be pursued any more.

Shri Narasimhan: Did they pass a resolution to that effect?

Dr. M. M. Das: If the hon. Member wants I can read that also.

Shri Narasimhan: Only for information I am asking.

Dr. M. M. Das: Yes, they passed a resolution to that effect. I think Dr. Sankalia has written to the hon. Member.

Mr. Deputy-Speaker: Is the hon. Deputy Minister then going to make an appeal to the hon. mover?

Dr. M. M. Das: Yes, Sir, I am going to make a very humble appeal to the hon. mover not only for withdrawing his present motion for circulation of the Bill but to withdraw the Bill also.

Mr. Deputy-Speaker: Let us now hear the hon. mover.

Shri Narasimhan: Mr. Deputy-Speaker, Sir, Let me reply to the points made by the hon. Minister one by one. Firstly, it was alleged that a huge expenditure would be involved to implement this measure. My categorical answer is, because this will mean only a taking over the work practically from the present Ministry and just passing it on to a new institution, there would not be any additional expenditure of an enormous size that is feared by the hon. Minister. It is only transferring the activities from one organisation to another organisation, and the funds that are now being used by the existing organisation go to the new organisation. Therefore, any exaggerated idea about any increase in expenditure on this score is wrong. So much in defence of my Bill, so far as the aspect of expenditure is concerned.

Secondly, as far as the achievements of the department are concerned, I might point out that Sir Mortimer Wheeler himself achieved, with very little funds, enormous results. As against this, in spite of an expenditure which is several times more than what Sir Mortimer Wheeler had, much progress in this department has not been made. One or two good things have been excavated. But one swallow does not make a summer. This is my explanation so far as the work in this department is concerned.

Then, it is thought that this measure would ruin the entire department of Archaeology. That is what the hon. Minister said. But I think that he meant archaeology and not the archaeological department. If it is merely the department of archaeology, it is not such a big calamity.

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But if it is archaeology, as a science, then it would be a national calamity. I admit that. But then, what I wish to emphasise is that my approach to the subject cannot be disastrous. Archaeology is accepted as a science. It is one of the modern sciences, and all the knowledge of modern sciences including nuclear methods is being utilised in archaeology. Therefore, it is practically a great science and is admitted as a science.

Even in this very Ministry, all the scientific departments are dealt with by semi-autonomous and autonomous institutions or bodies. The Council of Scientific and Industrial Research, which forms part of the Ministry of Scientific Research and Cultural Affairs, is an autonomous body. They even want to make it a statutory body. So also is the case with the Oil and Natural Gas Commission. They dig and find out whether there is oil or not.

Dr. M. M. Das: That is not in this Ministry.

Shri Narasimhan: What I say is, it is the accepted principle of the Government to form such autonomous bodies for certain fields. Even in the matter of other scientific schemes, like oil exploration and other things, the principle is to have a statutory, independent body. Therefore, it is not altogether a new conception. We have accepted such things. Even in this very Ministry, it is the same principle in so far as the various scientific matters are concerned.

Take the Defence Ministry, for instance. My approach is towards differentiation of functions. In the Defence Ministry, there are three different wings: Air, Navy and Army, and so on and so forth. There is also the Defence Science Organisation which deals with scientific matters pertaining to defence, separately. Therefore, my plea is that this matter of approach is not altogether out-of-date or disastrous as is feared by the hon. Minister.

[Shri Narasimhan]

As far as the working of the department is concerned, the House may recollect what has been done. From an answer to a question given on the floor of this House, I find that there have been 13 excavations done, but no report so far has been given. One of them is 10 years old. The Bikaner excavation, for instance, is ten years old, and except some preliminary note, we have not received any reports at all. The sooner the reports come, the better. Otherwise, a lot of mistakes can happen, and misunderstanding and even misreading of history can happen. Therefore, there should be some reasonable quickness about the submission of reports. As it is, as things go on now, it is no credit to the Ministry.

I know this is the non-official business of the House. This is a grand slaughter of the innocents: many of the Bills start well and then, like infant mortality, they lose their life. In this connection, I am reminded of another non-official motion of mine and the approach of the Government of India towards that. A couple of years ago, I moved for consideration of a resolution to the effect that there should be an institute of cost and works accountants in the country. The Government opposed it tooth and nail. Just as the Minister started the other day with great praise for the motives which impelled me to bring this Bill and ended in the manner he did today, on that resolution also the Government appreciated the approach, for a cost and works accountants institute but said that there was no immediate necessity for it. They added that the institute of chartered accountants was enough to deal with the matter and that no separate institute was needed. Therefore, my resolution was withdrawn. But within a year, Government itself came forward with a Bill for a separate institute of cost and works accountants and it was passed.

Mr. Deputy-Speaker: Then he can rest content with the hope that a Bill

for this measure also will be brought forward by Government soon.

Shri Narasimhan: I am not surprised at my failure, in one session or two sittings, to instil some kind of appreciation and urgency in the minds of the Government about this matter, because, it all requires a little more time and care. They are unwilling to be compelled to do a thing. I admit that. But I hope that in the same manner as the Government—a sister Ministry—was impelled to come with the same kind of solution after a year or so, this very Ministry will one day see the necessity for a very good, high-class institute of archaeology for this country, for the reconstruction of the unknown past. I am sure they will come forward with such a Bill sooner or later.

Shri T. B. Vittal Rao (Khammam): What about the hon. Member's resolution on prohibition being adopted by the House?

Mr. Deputy-Speaker: When he is so sure, what is he going to do now?

Shri Narasimhan: I find that the Ministry is not in a mood to receive a remedy that I suggested. Treatment and remedies have to be administered with the consent of the patient. So, this malady, this disease, will take a little longer to be cured, and much more preparation is necessary to make the Government accept my suggestion and my remedies. I am prepared to wait, but before withdrawing my Bill in deference to the hon. Minister's wishes and fears—though there is no intrinsic mistake in my approach—I wish to state that really all is not well with the department of archaeology. Just as Sir Leonard Woolley was asked to make a full enquiry into the activities of the department, I say that another commission of enquiry is called for. With these words, I do not press my motion.

Mr. Deputy-Speaker: Does he withdraw the Bill?

Shri Narasimhan: I leave to withdraw the Bill.

The Bill was, by leave, withdrawn.

15.19 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Amendment of Section 198) by Shrimati Subhadra Joshi

Shrimati Subhadra Joshi (Ambala): I beg to move:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration:—

'Enacting Formula

1. That at page 1, line 1, for the word "Tenth" the word "Eleventh" be substituted.

Clause 1

2. That at page 1, line 4, for the figure "1959" the figure "1960" be substituted.'

Mr. Deputy-Speaker: The question is:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration:—

'Enacting Formula

1. That at page 1, line 1, for the word "Tenth" the word "Eleventh" be substituted.

Clause 1.

2. That at page 1, line 4, for the figure "1959" the figure "1960" be substituted.' "

The motion was adopted.

Shrimati Subhadra Joshi: I beg to move:

"That the amendments made by Rajya Sabha in the Bill be agreed to."

Mr. Deputy-Speaker: The question is:

"That the amendments made by Rajya Sabha in the Bill be agreed to."

The motion was adopted.

Mr. Deputy-Speaker: Shri Prakash Vir Shastri—absent. Shri Tangamani

15.21 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Amendment of sections 107, 129, 144 and insertion of new section 131A) by Shri K. T. K. Tangamani

Shri Tangamani (Madurai): I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

In this Bill, I have sought to amend certain sections of the Criminal Procedure Code, particularly sections 107, 129, 131 and 144. In the Statement of Objects and Reasons, I have made abundantly clear the purposes for which I have brought this amending Bill. As the House is aware, the Cr.P.C. was enacted at a time when our country was under the British rule. There are certain provisions in the Cr.P.C. which were being used for the suppression of our people's movement and also the national movement for independence and democratic rights and liberties. In the context of India's political independence, some of the provisions of the Cr.P.C. call for certain amendments, as they are liable to be used, as they are also being used, for the suppression of popular

[Shri Tangamani]

agitation and also curtailment of democratic movements for the rights and liberties of citizens.

I shall take the various clauses one by one and I will try to convince you, Sir, and the House how I have not sought to remove the provisions of the various sections themselves, but all that I want to do is to impose further restrictions against the abuse of such provisions of these sections and also to enlarge the rights of citizens and introduce certain safeguards which are vital on the basis of many pronouncements of the High Courts and the Supreme Court.

I shall first take section 107. Most of us here would have been subjected at some time or other to arrest under this section, which is generally known as the security section. There is a whole chapter dealing with arrests without warrant and also arresting people and compelling them to furnish sureties for keeping the peace, etc. In the year 1922, when the Cr.P.C. was in vogue, this is how section 107(1) read:

"Whenever a Presidency Magistrate, a District Magistrate, a Sub-divisional Magistrate or a Magistrate of the First Class is informed that any person is likely to commit a breach of the peace or disturb public tranquility or to do any wrongful act that may probably occasion a breach of the peace or disturb public tranquility, the Magistrate may, in the manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with or without sureties, for keeping the peace, for such period not exceeding one year as the Magistrate thinks fit."

At that time, the Magistrate had got the power to require such person to show cause why a certain order should not be passed against him. This matter was discussed in the Legislative Assembly on the 18th January, 1923.

That is recorded in the Legislative Assembly debates, Volume II, Part 2, 1923. When these entire security proceedings were discussed, instance after instance was brought to the notice of the House as to how this was being abused and how even any subjective satisfaction of the Magistrate was not necessary. The Magistrate can order the arrest of any person. At this time, when the discussion took place in the Legislative Assembly, the late respected Maulana Mohammed Ali was proceeding from Madras to Calcutta. On the way at Vizag, he was arrested. The Members were very reluctant even to raise this question. One Member, somehow gathered courage and said, a particular important citizen of this country was arrested without any warrant and the proceedings were under section 107. Who satisfied himself? How was he arrested? Such questions were being asked.

Ultimately, even in those days in 1923, the Legislative Assembly felt that the following words should also be included:

"If in his opinion, there is sufficient ground for proceeding."

They wanted to checkmate the absolute powers which were given to the Magistrate. So, in 1923 they laid down that if a Magistrate passes an order, it will be subject to judicial check-up, whether he has satisfied himself that there is sufficient ground for proceeding. It is not enough if some report has been produced before him. The Magistrate has to satisfy himself that in his opinion, there is sufficient ground for proceeding. This happened nearly 40 years ago. After 40 years, if we are going to stick to the original provision, my submission is the time has come when a certain amendment or restriction is imposed. That is why to section 107(1), in clause 2 of the amending Bill, I would like the following proviso to be included:

"Provided that no such proceeding shall be taken against any per-

son in respect of any of his action or contemplated action connected with any lawful agitation, movement or effort for the redress of the grievances of workers, peasants, middle-class employees, traders, businessmen or any other section of the community.

Provided further that no *bona fide* worker of any political party or people's organisation shall be liable to proceedings under this section unless such person has been actually apprehended in an act of commission of a criminal offence."

Here I have attempted to bring to the notice of this House the need for giving greater protection to the individual. I do not go to the extent of saying that the original section 107(1) goes against or violates the provisions of the Constitution. All that I want is to give some more safeguards to the individual. There are normal agitations by workers, peasants, middle-class employees and even traders. In Madras, we had *hartal* by the traders against the multi-point sales-tax. In an issue like scarcity of food, the entire community is moved. There are every so many issues which come up. In many of these cases, there has not been any violence or, even if there was any violence at all, it was only sporadic here and there. It is not organised in a violent way. No violent movement has been organised by any of the political parties, trade unions, peasants' organisations, organisations conducted by political parties or even social organisations. That is why this amendment becomes absolutely necessary.

I will now take the question of how the High Courts have pronounced on this. Even where the opinion of the Magistrate is to be construed, they said, this particular section has got to be preventive and not penal. The moment they want to be vindictive, the moment they want to punish a person where they are not able to apprehend him in some other way, this should not

be used. Suppose a call has been given and there is going to be a *hartal* in a particular place. If the leaders of that particular movement are arrested under section 107, the High Court says, that is a very *mala fide* use of this provision.

Recently against the transfer of Berubari, the entire Calcutta city was on strike. For the first time, even a *panwala* did not open his shop. Not only Calcutta, but the entire Bengal was moved in such a big way. But then Government in its wisdom thought it fit not to invoke section 107. Normally it is invoked. That is why I say that in such cases it should not be invoked, and let us put it that way on the statute book.

In this case, 1940 Patna 252, the whole question of the way it has got to be used has been discussed.

"proceedings under this section are proceedings for the preservation of peace, not for the preservation of morals, not for the preservation of the prestige of a political party."

Such words appear in A.I.R. 1939 Sind, page 38. So, from 1923, step by step they feel that section 107 should be very sparingly used. The Madras High Court in 1937 in the case of Murugappa Gounder, 1937 Madras, page 356, has stated that mere information report will not do, because a report of the police official can be sufficient to warrant proceedings under section 107. They say that merely a report which, on the face of it, may be fool-proof, that will not do and something more is necessary. That something is that the magistrate must be satisfied that there is going to be a breach of peace, a breach of peace in the normal sense where the normal work of the people, ordinary citizens, will be affected. They do not contemplate a case of a situation where the entire country is moved as one man or the entire city is moved as one man on a particular issue. The moment a large section of the people is moved as one man, we can rest assured that violence

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will be reduced to the minimum. Here I do not want to refer to any moment. I remember, on June 12th, 1960 there was a procession in Chandni Chowk over some demand, with which we may agree or we may not agree. The onlookers there were absolutely not interested in the movement. Even the valiant Sikhs who normally fought were absolutely non-violent. It is the other people who wanted to preserve law and order who forgot what non-violence means and resorted to violence. It was really a peaceful demonstration. So, the moment the objective is clear, it moves hundreds and thousands of people and violence is reduced to the minimum. That is a guarantee that there will not be any breach of peace. If only we look through the pronouncements of the various High Courts, that has been made clear again and again.

Another High Court, the Lahore High Court, in its wisdom has stated that merely because a person causes momentary excitement in a crowd, which was in an excited mood, by raising certain objectionable slogans, that will not warrant action under section 107. In 1931, when it was the thick of the national movement, a person might have excited people who are already excited. Merely because he has excited the people who are already excited, that does not give a ground for proceeding under section 107. They want to checkmate many abuses that have taken place in the past. 1931 Lahore page 184 says that it is not unlawful.

There was also a case where a *chamar* was found drawing water from a well. It may lead to breach of peace. If the drawing of water is prevented, it will be a justifiable thing even if there is violence. Suppose a *harijan* wants to draw water from a well. Some cantankerous person wants to prevent him from drawing water and the magistrate thinks there is likely to be breach of peace. In such cases, if by resorting to violence order can be restored it will be a very good thing.

Even that was contemplated in one of the decisions of the High Courts. I am not spinning it from my head. This has been quoted very profusely in the discussions which took place in the Legislature.

I have got ever so many cases to develop how step by step the High Courts have decried the abuses of powers under section 107. Then, I would like to tell the hon. Minister that a person who is arrested under section 107 is not an accused person. It will be a misnomer to call him an accused person. In security cases, you will find, it is a misnomer to call a person an accused, and that is what the Law Member says in the discussion on page 1253. Even section 340 has been amended, the following words have been put, namely "against whom proceedings started under this Code". A person who has been proceeded against under section 107, because he is not an accused person, certain things cannot be done under section 340. Therefore, they say "any proceedings under this Code".

Many eminent persons have been prosecuted one way or the other under the security proceedings. I think when some of us go into the political movement or in the trade union movement the first time action will be taken under section 107. The first time I was arrested under section 107 when I was a practising lawyer. If a person is arrested under section 107 he can be remanded by the city magistrate and kept in jail for at least seven days even if sureties are provided. Therefore, they resort to this provision. Section 151 is another section which is always used by way of preventive arrests.

Mr. Deputy-Speaker: Subsequent to that the hon. Member must be getting many briefs under that section.

Shri Tangamani: That is so, Sir. Otherwise, I would not have referred to all these things. Now that you have referred to this thing, some of

these cases are what I find in my diary. Because, I was arrested under section 107 for inciting workers who were already on strike, and the strike was an absolutely legal strike.

The High Court of Lahore says that when a person incites people who are already in an incited mood, that does not give you power to prosecute him for inciting the people. You can prosecute him for inciting people to do something unlawful or for entering into a conspiracy. Because, as you know, a lot of stigma is attached to action under this section and it should be resorted to only against habitual prisoners, who, unless you put them there, are likely to commit offences.

When the Viceroy came to Madura one of the leading Congressman, Shri Vaidyanatha Aiyar was the first man to be arrested, because he was a political k.d., a political criminal. In the trade union front, the moment a strike is started the trade union leader will be arrested, and the first person to be arrested will be Shri Dange; probably, the next person will be myself. This kind of thing is still happening.

Mr. Deputy-Speaker: I doubt whether there are not other persons between Shri Dange and the hon. Member.

Shri Tangamani: May be many more. I had put him at the top and I will be at the lowest rung of the ladder.

My friend is now saying that sections 151 and 107 always go together. Section 151 enables a police officer to arrest any person even without a warrant and put him in jail for ten days—it is another Preventive Detention Act—and section 107 enables him to put that person in jail for another 15 days. So, it is really a case of bringing down the prestige of that person, which is not a proper thing. I will not develop this point further.

I have 20 more case with very beautiful quotations. The quotations are as if they were spoken by a trade union leader, or a Communist leader,

or even by Pandit Jawaharlal Nehru. That is the type of quotations that I have got with me now. So, my point is that it is very necessary for them to change the law. They may or may not accept my Bill. But I would like the hon. Minister to give attention to this and see that a suitable amendment is brought forth so that the entire Chapter, Chapter VII, containing sections 106 to 126A, is recast.

107 is the first section that I have taken up. But there are three more sections. I may not be taking as much time as I have taken in this particular case. I now come to section 129, which is a very small section. It reads:

"If any such assembly cannot be otherwise dispersed and if it is necessary for the public security that it should be dispersed, the magistrate of the highest rank who is present, may cause it to be dispersed by the armed forces."

Here I would like to mention that the statement of objects and reasons is dated the 8th July, 1958. Just before the 8th July, 1958, there were two police firings. On the 16th June, 1958, the police opened fire in Madras when the armed forces were also there and six people were killed. Troops were called in Jamshedpur and some workers were killed. I remember several questions were asked in this House. I think even the hon. Prime Minister intervened and said, "We have brought the troops not for suppressing the strike but we have brought the troops because the District Magistrate wanted them." There was a lot of confusion. Whether the District Magistrate wanted them or the Chief Secretary wanted them, anyway troops were called to protect the property of the employer. That was the reason given. Ultimately, Shri Dange reported by saying, "Did the troops find the property spread all over the streets" Because they were parading the streets causing terror in the minds of the people. Curfew was also clamped. That was in May, 1958. In June 1958 six peo-

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ple were filled. In both the cases troops were called.

15.42 hrs.

[SHRI MULCHAND DUBE in the Chair]

Having these two incidents in mind I also included this when I drafted this Bill. In this Bill I am not saying that troops should not be called. Sections 129 and 131 may be read together. What section 129 says is:

"and if it is necessary for the public security that it should be dispersed". 'Public security' is such a wide term. I want to restrict that. Therefore in clause 3 of my Bill what I say is:

"if there are reasonable grounds for apprehending positive and immediate danger of loss of human lives".

I do not think that today the Government, whatever policy they are wedded to, which at least says that it is a welfare government, or any government for that matter, in 1960 could seriously object to this clause being included, namely,—

"if there are reasonable grounds for apprehending positive and immediate danger of loss of human lives".

There is nothing vague in it. Reasonableness has been defined. What is reasonableness is really a matter which can be found out. There must be a positive and immediate danger. The hon. Minister knows that there may be certain circumstances where it may mitigate the entire thing. As where there is a grave provocation it must be a sudden provocation in the same way there must be positive and immediate danger. That is why I mentioned these two words deliberately. If there is a positive danger, there must be an immediate danger also. There may be positive danger, but if there is an immediate danger

also, it will probably be justified for the magistrate to call the troops. That is why I have also added a proviso to this, namely,—

"Provided that recourse to such use of armed forces shall not be taken unless the Magistrate is reasonably satisfied that the Police is not in fact in a position to restore order,

"Provided further that resort to the use of armed forces shall not be made with a view to suppressing movements or agitations, except communal disturbances, by sections of the people, such as, workers, employees, peasants or any other sections of the people having organised themselves to solve their problems in a collective manner."

This does not need further explanation or elaboration.

There is another provision, namely, section 131, which says that under certain circumstances when the magistrate is not available,

"any commissioned officer of the armed forces may disperse such assembly with the help of the armed forces under his command, and may arrest and confine any persons forming part of it, in order to disperse such assembly or that they may be punished according to law; but, if, while he is acting under this section, it becomes practicable for him to communicate with a Magistrate, he shall do so, and shall thence forward obey the instructions of the Magistrate as to whether he shall or shall not continue such action."

This section gives much wider powers. Even without a magistrate the commissioned officer can open fire or do whatever it is. That is why whether military has been called under section 129 or under section 131, I would like certain safety clauses. That is why I have included clause 4

inserting a new section, that is, section 131A, saying:

"In every case where the Armed Forces have been called in the manner provided hereinbefore, the Central Government shall appoint within three days of such use of military force an Enquiry Commission consisting of not less than nine persons of whom three shall be members of Parliament and the remaining from out of persons functioning as Judges of High Courts or of persons qualified to hold the post of High Court Judges, to enquire into and report to the Parliament on the circumstances under which Armed Forces were called in, the justifiability or otherwise of the same and the actions and behaviour of the officers and men so called in, and such other connected and consequential matters."

Why I want this matter to be referred to Parliament is because when military was called in the various States and when a report was received in this House that the magistrate had called for it under section 121, we became *functus officio*. We have absolutely no jurisdiction to go into it then. So I want really to confer jurisdiction upon Parliament whenever military is called either to disperse the crowd or for any other reason. Although they are separate clauses, clauses 3 and 4 really deal with one matter which has arisen as a result of incidents which took place in May and June 1958.

Now my last point is about section 144. Of course, section 144 does not need much elaboration. Here also I have not said that all the sub-sections, namely, sub-sections (1) to (6), of section 144 should be dispensed with. I have not said that. I only want suitable amendments to section 144(1) and section 144(6). Again I want to make it clear that I want the Government to give some considered attention to this so that when they choose to bring forward an amend-

ment to the Code of Criminal Procedure this also may be borne in mind. But I want to press the point that it is not out of nothing that such an amendment has come. It has not got any other motive except to safeguard what has been repeatedly enunciated in various places, particularly in Parliament and also before the High Courts.

Section 144(1) says:

"In cases where, in the opinion of a District Magistrate...."

and other magistrates above Third-Class Magistrates "...there is sufficient ground for proceeding under this section and immediate prevention or speedy remedy is desirable,...."

that is, in the opinion of the District Magistrates etc., if there is sufficient ground for proceeding under this section and immediate prevention or speedy remedy is desirable,

"such Magistrate may, by a written order stating the material facts of the case and served in manner provided by section 134, direct any person to abstain from a certain act or to take certain order with certain property in his possession or under his management, if such Magistrate considers that such direction is likely to prevent, or tends to prevent, obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquillity, or riots, or an affray."

That is the absolute blanket power which is given to him now. We know how it is used. Here I want to bring in this proviso, namely,—

"Provided that no order under this section shall be served on any person engaging in picketing in pursuance of a strike, or in respect of any meeting or procession by

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any section of the people engaged in lawfully ventilating the grievances and/or sponsoring their demands".

On the whole Chapter XI there have been ever so many pronouncements in the High Courts. The original intention was that it should be a temporary order in urgent cases of unisance or apprehended danger. But many High Courts have held—these words may be marked—that this section confers very wide powers to pass orders on emergent occasions and that is why it must be exercised with great caution. Judge after judge has warned the magistrates, "This section has given such wide powers; so we warn you that you must use this or exercise your power with great caution". That warning has been given. That warning has been now introduced by way of provisos. I refer to certain lawful matters which do take place. Because, I distinctly remember that section 7 of the old Criminal Law Amendment Act gave powers to the police to arrest picketers, arrest those who organise picketing, arrest those people who were inside the house and who by their presence inspired picketing, or who were in any way connected with picketing. So, it was so wide that any person whether he was in his house or outside, whether he was picketing or not, could be arrested under section 7 of the old Criminal Law Amendment Act. Many State Governments have pronounced that they will not use the provisions of section 7. I remember, in 1940, after the police firing in Golden Rock when 5 railway workers were killed, there was a terrific feeling against the police and police firing and the way this section 144 was being used and the way in which people were being arrested under section 7. The then Chief Minister of Madras, Shri T. Prakasam said on the floor of the Assembly that in his State, section 7 of the Criminal Law Amendment Act will not be used. That assurance was given. A similar situation has

arisen. Because these are cases of processions, cases of meetings, cases of strikes. I do not think we have banned strikes. I do not think they will seriously think of banning any strike. There are many industries where no notice is necessary before going on a strike. There are certain industries where notice is necessary before going on a strike. In such a case, action becomes legal. As regards picketing, there are certain conventions. Even during the British period, you could picket ten yards outside a foreign cloth shop. We were able to get such rights. But, today, if a man is going to picket, he will be arrested immediately, the entire area will be cleared and section 144(1) will be clamped. That is why I want to give these safety clauses. The High Courts have warned that this section gives wide powers and therefore it must be exercised with very great caution: underline the words, very great caution. Several High Courts have made this pronouncement.

Sub-section (3) more or less follows this. It says:

"An order under this section may be directed to particular individual, or to the public generally when frequenting or visiting a particular place."

My proviso is:

"Provided that no order under this section shall be directed to any person or any section of the community or the public generally with a view to preventing or obstructing, in any manner or form, the ventilation of grievances of the people or any section thereof;"

The moment you know that a man is an important man, don't arrest him. This does not improve things. That would create a lot of trouble as it has happened in the Punjab. There may be one person who has been arrested, under the Preventive Detention Act. That creates a lot of confusion and excitement. Don't direct it

against a particular person who is respected by the people.

Another proviso is this. Whenever people want to make a representation in front of Parliament or State legislatures, they should not be banned from entering that area. In a certain area they must be allowed to come and ventilate their grievances.

Lastly, in sub-section (6), as it originally stood; a magistrate is given power to pass these orders for a period of two months. In some cases, what happens is, this period of two months is extended. Although many strictures have been passed by High Courts that there must be sufficient new grounds for passing this order and a magistrate cannot go on extending the period from 2 months to 2 years, this happens. What I am now suggesting is this. The original sub-section is:

"No order under this section shall remain in force for more than two months from the making thereof; unless, in cases of danger to human life, health or safety, or a likelihood of a riot or an affray, the State Government may by notification in the Official Gazette, otherwise, directs".

So, two months is the maximum time. By my amendment, I say, that no order under this section shall remain in force for more than 48 hours.

"(6) No order under this section shall remain in force for more than forty-eight hours....."

What you want is, at least for one or two days, let there not be any big demonstration and creation of trouble. That is why I say, for two days they can be prevented.

".... from the making thereof; unless, in cases of danger of human life, health or safety or a likelihood of a riot or an affray,...."

—words which have appeared in the original sub-section—

the State Government, with the consent of the High Court of Judicature, by notification in the Official Gazette, otherwise directs."

What it means is, in first instance, the magistrate should have the power only to impose this order for two days. If he wants to extend it, if the State Government wants to extend it, it must get prior sanction from the High Court. I want to bring the executive orders under the control of the judiciary.

Mainly I have sought to amend all these four sections on the basis of pronouncements in the various High Courts, on the basis of certain events which have taken place, on the basis of agitation and other things which are taking place in this country, and in the very nature of these, they have been very peaceful. Without saying much, I would like to say once again as I have said at the time of introducing my motion, I have not come to this House to say that all these sections should go, although I do not like these sections whether it is section 107 or the entire preventive sections and the prohibitive sections. The day will come when these preventive and prohibitive sections should go. Any way, what I sought to impress upon the House through you and on the Ministry is that the events of the past do compel us that certain changes should be made. In 1923, they felt that because the powers were so wide that even Maulana Mohammed Ali was arrested, that a certain amendment should be introduced, namely, these words, if in his opinion there is sufficient ground for proceeding. What I want is, to add certain provisos so that the liberties of the people may be enlarged, so that section 107 and the other preventive sections are not used against the public workers. Recently in a place called Tiruchirappalli in Madras, there were several cases against political workers including some of our provincial leaders, mostly people belonging to the Communist party and All India

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trade union workers. They were harassed for nearly 18 months. Ultimately the City First Class Magistrate found that there is no case against them. Anyway, the harassment was there against not one political leader in the area. That is why amendment to section 107 is now urgently called for.

The second point which I have already mentioned is police firing which has taken place under the shadow of the military both in Jamshedpur in May 1958 and in the Madras harbour in June 1958 resulting in the death of many workers. Questions were raised here. We were helpless. I say that when the military is called either by the magistrate or by them, they must be subjected to certain restrictions, certain enquiries. In that enquiry, I have suggested that the House must be vested with jurisdiction and three Members of Parliament should be there. I have dealt with the question of section 144 also.

Shri Naldurgkar (Osmanabad): At this stage, I want to ask one question whether it would be constitutional for Parliament to interfere with the affairs of the States, when law and order is solely within the jurisdiction of the States.

Shri Tangamani: I am only bringing an amendment to the Criminal Procedure Code which has been passed in this House. There are certain powers which are given to the States.

Shri Naldurgkar: Would that amendment be constitutional?

Shri Tangamani: You may raise it.

In section 144 also, I wanted mainly to amend sub-sections 1, 3 and 6. I have suggested that it should not be directed against political workers for their political work and also if

an order is passed, the maximum period should be 48 hours unless the State Government has got the sanction and approval of the High Court. With these words, I move.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

16 hrs.

Pandit Munishwar Dutti Upadhyay (Pratapgarh): I was very attentively listening to the Mover of the Bill, and from all that I could gather it appears there is some very serious doubt in his mind about the present provisions. If this apprehensions are correct, he would be fully justified to bring in these amendments to the Criminal Procedure Code.

In Clause 2 he says:

"Provided that no such proceeding shall be taken against any person in respect of any of his action or contemplated action connected with any lawful agitation, movement or effort for the redress of grievances of workers, peasants, middle class employees, traders, businessmen or any other section of the community."

Really, if the provision is intended to suppress any lawful agitation, movement or effort for the redress of grievances of workers etc., it should be scrapped. It should not only be amended but should disappear from the statute. But really this provision is not intended for the purpose of suppressing any lawful agitation or movement. In case the action of the persons who are taking part in an agitation or movement reaches a stage where a breach of the peace is apprehended, where it appears that violence is likely to be committed, where it appears that there is danger to human life and property this provision comes into play. Otherwise,

this provision is not at all intended to suppress these lawful movements and agitations. Hundreds of cases come up before the courts, and it is necessary to retain this provision to prevent danger to property and human life, because prevention is always better than cure. If the provision is properly utilised, if the magistracy and the police behave in the manner expected of them, I do not think there can be any serious objection to this provision.

He has stated in the other proviso:

"Provided further that no bona fide worker of any political party or people's organisation shall be liable to proceedings under this section unless such person has been actually apprehended in an act of commission of a criminal offence."

That is an absolutely different matter. In case a person has been apprehended committing a crime or an offence, he shall be prosecuted for that action under sections that are applicable to his case, and he will be punished for it. But section 107 is to prevent a breach of the peace only, so that prosecution of people for offences may not be necessary, so that there may be no damage to human life and property.

I think this Bill has come only out of a great apprehension in the mind of the Mover that such provisions are likely to be misused. So, all that should be done is to see that there are no chances of these provisions being misused. For that there are different ways, and I shall talk of them a little latter. Let me now deal with the provisions in the Bill.

Regarding the use of the armed forces, I must say that on certain occasions it becomes necessary to call in the armed forces to control the situation, but such action is taken only when it is found that the police is not effective, that the police will not be in a position to control the situation. When the armed forces are

summoned, they can take action if there is no magistrate, but as soon as the magistrate arrives on the spot, the direction is in his hands. So, as a matter of fact, precaution has been taken in all these provisions so that there may be no misuse, but it depends, of course, on the individuals, on the personnel that deal with it; if they are really inclined to misuse them, they can very well misuse them. So, we have to find some way by which we can prevent the misuse of these provisions. Otherwise, the provisions as such are not at all objectionable. It may be that certain remarks have been made by High Courts in certain cases which is only due to the excesses committed. Otherwise, I do not think, if you go through the provisions as they are, there can be very serious objection.

Under the proposed section 144(6), the Bill says:

"No order under this section shall remain in force for more than forty-eight hours from the making thereof; unless, in cases of danger to human life, health or safety, or a likelihood of a riot or an affray, the State Government, with the consent of the High Court of Judicature, by notification in the Official Gazette, otherwise directs."

There is a certain occurrence. After that the Government should come into the picture, and the High Court also should come into the picture. Government should consult the High Court and within 48 hours should pass orders whether it should continue or not. I do not think it is at all practicable that all these things can take place within 48 hours. Of course, if section 144 is misused, it is very bad and undesirable, but if it is properly used, it is good, because it envisages preventive measures. The section provides:

"....such Magistrate may, by a written order, stating the material facts of the case and served in the manner provided by section 134,

[Pandit Munishwar Dutt Upadhyay]

direct any person to abstain from a certain act or to take certain order with certain property in his possession or under his management, if such Magistrate considers that such direction is likely to prevent,

....

—this is the material portion—

“...or tends to prevent, obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquillity, or riot, or an affray.”

It is only when prevention of these happenings becomes necessary that use of this section is made. I do not think any one should object to this, unless, of course, it is misused, unless it is used against persons who are engaged in lawful activities. That is a different matter.

So, the basis of the amending Bill appears to be really some very serious apprehension in the mind of the Mover that these provisions are likely to be misused. So, if you go through the provisions literally, I do not think there should be any objection to the provisions that have been made and I do not think that it is at all necessary that these provisions should be amended.

श्री सरजू पांडेय (रसड़ा): उपाध्यक्ष महोदय, मैं इस बिल का समर्थन करने के लिये खड़ा हुआ हूँ।

अभी हमारे भाई ने इस बिल को मूव करते हुये बताया है कि यह कानून उस जमाने में बनाया गया था जब हमारे देश में ग्रंथों का राज था और इस कानून का खुला मंशा यह है कि लोगों को दबाया जाये। इन १०७, १४४ और १२६ धाराओं के जरिये हमारे सारे अस्तित्ववादी हाकिमों के हाथों में दे दिये गये हैं और वे इनका हमेशा बेजा इस्तेमाल करते हैं।

अभी सदन में माननीय सदस्य ने भाषण करते हुये बताया कि शायद बिल के मूवर के दिल में इन धाराओं का डर समाया हुआ है। उन्होंने कहा कि ये प्रावीजन रहने चाहिये। मैं नहीं समझता कि आज हिन्दुस्तान को आजाद होने के १४ वर्षों बाद, जबकि आज शांति का जमाना है ऐसी स्थिति में धारा १०७, १४४ या १२६ को रखने की जरूरत है। सिवा इसके कि सरकार उनका इस्तेमाल अपने विरोधियों के खिलाफ करे इनका और को उपयोग समझ में नहीं आता।

अभी पिछले दिनों मैं एक इलेक्शन की मीटिंग में गया था। जब तकरीर करके लौट रहा था तो मुझ को गिरफ्तार कर लिया गया। पूछने पर मालूम हुआ कि मेरी तकरीर की वजह से सारी जगह हिसा फल गयी है। लेकिन कहीं कोई मरा नहीं, कोई कल्ल नहीं हुआ, फिर इसका मंशा क्या है? इस तरह से पुलिस इन धाराओं का इस्तेमाल करती है। पिछले दिनों माननीय सदस्य श्री जगदीश अक्स्थी भी इसी तरह से गिरफ्तार कर लिये गये थे। अगर सरकार के खिलाफ कोई भी बात कही जाती है तो सोचा जाता है खतरा पैदा हो गया।

अभी आपको हमारे साथी ने बताया कि अगर एक हरिजन किसी कुएं से पानी भरना चाहता है और कुछ लोग उसको रोकते हैं, तो उन लोगों के खिलाफ दफा १०७ लगाने के बजाये उस हरिजन के खिलाफ यह दफा लगायी जाती है। तो यह बात नहीं है कि मूवर के दिल में इन धाराओं का डर समा गया है इसलिये वह यह बिल लाये हैं, बल्कि इसलिये यह बिल लाया गया है कि इन धाराओं का हमेशा गलत इस्तेमाल हुआ है, और होता रहेगा, इसलिये कि इस जमाने में विभिन्न शक्ति के लोग मौजूद हैं। इस जमाने में एक तरफ ऐसे लोग मौजूद हैं जिनके हाथों में सारी शक्ति है और दूसरी तरफ ऐसे लोग हैं जिनके हाथ में न कोई कानून है और न शक्ति है।

अगर वगैरह समाज में हम इस व्यवस्था को लागू रहने देने की बात करते तो समझ में आ सकता था, लेकिन जिस समाज की नींव वर्ग व्यवस्था पर कायम है उस समाज में जो शक्ति-शाली वर्ग है वह इन धाराओं का उपयोग उस वर्ग के खिलाफ करेगा जो कि शक्ति में नहीं है।

पिछले दिनों हमारे सदन के प्रधान मंत्री ने लिखा है कि प्रतापगढ़ में एक किसानों का आंदोलन हुआ। उस सिलसिले में वह वहां खुद गये थे। चूंकि मूवमेंट चल रहा था इसलिये दफा १४४ लगी हुई थी। उन्होंने कहा कि मैं वहां जाकर किसानों को समझा दूंगा और झगड़ा नहीं होगा और सैकड़ों जानें जाने से बच जायेंगी लेकिन उनसे कहा गया कि आप वहां नहीं जा सकते क्योंकि अगर आप वहां जायेंगे, तो झगड़ा जरूर होगा, इसलिये आप यहीं तशरीफ रखिये। उस वक्त वह प्रधान मंत्री नहीं थे। मैं आपको ऐसी सैकड़ों स्पीचेज बतला सकता हूं जिनमें कांग्रेस के नेताओं ने इन धाराओं की मुखालिफत की है।

मैं समझता हूं कि हमारे साथी श्री तंगामणि ने सिद्धांत रूप से इनका विरोध नहीं किया है। वह इनमें कुछ अमेंडमेंट चाहते हैं। दूसरे माननीय सदस्य ने अपनी तकरीर में इसके सिलसिले में कहा कि यह बात सही है कि अगर इसका मिसयूज होता हो तो कोई प्रतिबन्ध लगाया जाये, यानी यह सब स्वीकार करते हैं कि इन धाराओं का मिसयूज होता है। मैं समझता हूं कि सब लोग इस बात को मानते हैं। इसीलिये दूसरे सदस्यों का भी कहना है कि ऐसा रास्ता निकालना चाहिये ताकि इनका बेजा इस्तेमाल रोका जा सके। लेकिन जैसा मैंने आपसे कहा इस जमाने में इनका बेजा इस्तेमाल होगा। इसलिये इन धाराओं की आज कोई आवश्यकता नहीं है।

अगर कोई आदमी ऐसा काम करता है जिससे किसी की जिन्दगी को खतरा पैदा

होता है, या अगर कोई भाग लगाता है या कत्ल करता है तो उसके लिये आपके पास पहले से कानून मौजूद हैं। हम नहीं समझते कि फिर इन धाराओं का क्या मतलब है। कहा जाता है कि इनकी आवश्यकता इसलिये है कि किसी आदमी के कारण शांति भंग की संभावना हो सकती है, उसको इनके द्वारा रोका जा सकता है। लेकिन आप देखें कि वह संभावना किस तरह हो जाती है। अगर किसी पुलिस के कांस्टेबल ने कह दिया कि शांति भंग होने की संभावना है तो फिर जिला मजिस्ट्रेट यह नहीं कह सकता कि संभावना नहीं है। इस तरह आप जनता की स्वतंत्रता को एक पुलिस कांस्टेबल के हाथ में सौंप देते हैं। मैं समझता हूं कि यह प्रजातांत्रिक सिद्धांतों के खिलाफ है और किसी भी प्रजातांत्रिक देश में इस तरह का कानून नहीं है। अगर यह सरकार देश में प्रजातांत्रिक शक्तियों को बढ़ने का मौका देना चाहती है तो यह सही मानों में तभी हो सकता है जब कि देश में प्रजातांत्रिक वातावरण उत्पन्न किया जाये। और मैं समझता हूं कि यह कानून उस प्रकार का वातावरण पैदा होने के मार्ग में लाजिमी तौर पर बाधा उत्पन्न करता है। मैं तो मंत्री महोदय से कहूंगा कि वह इन धाराओं को वापस लेलें तो अच्छा हो, और अगर इन सुधारों के साथ उनको मान लें तो मैं समझता हूं कि उसमें कोई बर्बादी बात नहीं है। मूवर ने कहा है कि दफा १०७ के सिलसिले में पोलिटिकल वरकर्स के खिलाफ एक्शन लिया जाता है। पिछले दिनों गन्ने का स्ट्राइक हुआ था। मैंने यहां कहा था कि एक लाख आदमी या तीन लाख आदमी तकरीबन हड़ताल पर हैं। उस समय मुझे सदन में बताया गया कि यह जनता के हित में नहीं है। जो सरकार का हित होता है उसी को जनता का हित कहा जाता है। अगर किसान हड़ताल पर जाते हैं और कहते हैं कि हमको गन्ने का उचित मूल्य दिया जाये और कुछ दूसरी सुविधायें दी जायें तो यह जनता के हित में नहीं है। जो पांच आदमी सरकार में बैठ कर तै करते हैं उसी को जनता का हित कहा जाता है।

[श्री सरज पाण्डेय]

इसीलिये वह व्यवस्था आपके सामने रखी गयी है कि अगर किसान या मजदूर अपनी मांगों को मनवाने के लिये कोई आंदोलन करते हैं तो उसमें दफा १०७ को लागू करने का अधिकार बन्द करना चाहिये। अगर ऐसी स्थिति हो और आप इस कानून को लागू करेंगे तो इसका मतलब यह होगा कि कोई सरकार के खिलाफ बोल ही नहीं सकेगा। जो भी सरकार के खिलाफ कुछ बात कहेगा उसको आप दफा १०७ में गिरफ्तार करके जेल में डाल देंगे और उसके बाद उस पर दुनिया भर के मुकदमे चलायेंगे।

इसी तरह से धारा १४४ भी एक अजीब धारा है। मेरी समझ में नहीं आता कि आप किस तरह एक आदमी को यह अधिकार दे देते हैं कि जब वह समझेगा कि शांति भंग की संभावना है तो इस धारा को लागू कर दे। पिछले दिनों मैं दिल्ली में एक मीटिंग में गया और तकरीर करना चाहा तो कहा गया कि अगर आप लाउड स्पीकर पर बोलेंगे तो शांति भंग की संभावना है। आप देखें कि इससे बड़ा बेजा इस्तेमाल इस धारा का और क्या हो सकता है, आपको कहीं दुनिया में ऐसा कानून नहीं मिलेगा कि अगर हम जवान से तकरीर करेंगे तो शांति भंग होने की संभावना नहीं है लेकिन अगर हम लाउड स्पीकर पर बोलते हैं तो शांति भंग की संभावना है। इसी प्रकार मैंने देखा है कि अगर कहीं भी दफा १४४ लगा दी जाती है तो आप सभा नहीं कर सकते, अपनी बात नहीं कह सकते, बोल नहीं सकते। पिछली साल ऐसे दो मौके आए। हमने पूछा कि आखिर कौन सी बात हो गयी, क्या लोगों ने हथियार उठा लिए, क्या सरकार हाथ से निकल गयी, क्या कल्ल हो गया या बलवा हो गया। कहा गया कि ऐसी स्थिति उत्पन्न हो गयी है क्योंकि यहां पर बहुत ज्यादा लोग झगड़ा करना चाहते हैं। लेकिन आप देखें कि झगड़ा बिल्कुल नहीं होता।

इस लिये मैं समझता हूं कि दफा १४४ तो अंग्रेजों ने सिर्फ अपनी सरकार के लिए बनायी थी ताकि उन के खिलाफ कोई कुछ बोल न सके। उनका उद्देश्य इस से यह था कि कोई उन के खिलाफ सभा सोसाइटी न कर सके।

आपने लोगों को संविधान में सभा करने को, बोलने का और अपनी मांगें रखने का अधिकार दिया है लेकिन दफा १४४ के द्वारा आप उस अधिकार को छीन लेते हैं। इसलिए इस धारा का संशोधन आवश्यक है।

मैंने पिछले दिनों हाईकोर्ट में भी जजों से यही बात कही, लेकिन उन्होंने कहा कि हमारा काम कानून को बदलने का नहीं है, हमारा काम तो यह देखने का है कि जो कानून बन कर आया है वह ठीक ढंग से लागू होता है या नहीं। कोर्टों के बीसियों रिमार्क इस बारे में मौजूद हैं कि इस धारा १४४ का गलत इस्तेमाल किया गया है। इस से झगड़े बढ़ते हैं। इसलिए मैं समझता हूं कि धारा १४४ को तो बिल्कुल ही लागू नहीं करना चाहिए। कहा जाता है कि इस से झगड़ा रुकता है। मैं कहता हूं कि इस धारा से न कभी झगड़ा रुका है और न रुक सकता है। और इसका उपयोग हमेशा लोगों के अधिकारों को छीनने के लिए किया जाता है। इस कानून को लागू करने का अधिकार ऐसे अफसरों को दे दिया जाता है जो बंगलों में बैठे रहते हैं और जिनको दुनिया का कोई इल्म नहीं होता। अगर कोई सिपाही उन के कान में कह देता है या लिख कर दे देता है तो दफा १४४ लागू कर के लोगों के अधिकार छीन लिए जाते हैं।

हमारे साथी ने यह भी बताया है कि किन स्थितियों में दफा १४४ लागू होनी चाहिए। मैं समझता हूं कि माननीय मंत्री

महोदय को इन सुधारों को मान लेना चाहिए, क्योंकि इन से कोई बड़ा परिवर्तन नहीं होने वाला है ।

जहाँ तक ब्रह्मा १२६ का सम्बन्ध है, अभी पिछले दिनों बंगाल में खाद्य आन्दोलन के सम्बन्ध में मिनटों में मिलिटरी बुला ली गई । वहाँ पर लोगों ने मांग की कि हम को सस्ता चावल दो और सरकार ने समझ लिया कि यह हमारे खिलाफ बगावत है । आज स्थिति यह है कि कोई बात हुई और फ़ौरन मिलिटरी बुला ली गई और औरतें, बच्चे, जवान सब मारे गये । चंद आदमियों के हाथ में यह अधिकार दे दिया गया है कि जब भी उन के दिमाग में यह बात आ जाये कि स्थिति कंट्रोल से बाहर है, तभी वे फ़ौज को बुला लें । मैं यह निवेदन करना चाहता हूँ कि जनता के किसी आन्दोलन को, जिस के पीछे जन-समर्थन हो, फ़ौजों और बन्दूकों से कुचलने का अर्थ यह है कि हम देश में एक ऐसी स्थिति लाना चाहते हैं, जिस में कोई आदमी स्वतंत्रतापूर्वक कार्य नहीं कर सकता है । मुमकिन है कि हिटलर की हुकूमत में भी इस किस्म की बातें हुई हों, लेकिन इस देश में प्रजातंत्र का नाम लेते हुए भी ऐसे कानूनों का निर्माण कर के और उन को लागू कर के जनता के उन अधिकारों को छीना जा रहा है, जो कि संविधान के द्वारा उस को मिले हुए हैं ।

इस लिए माननीय सदस्य ने पार्लियामेंट के मेम्बरों और जजों के कमीशन के सम्बन्ध में जो सुझाव दिया है, उस को स्वीकार कर लेना चाहिए । ऐसी कोई स्थिति नहीं हो सकती । अगर ऐसी स्थिति उत्पन्न हो जाये, तो शायद कोई बुलाने, पूछने को न रहे । आवश्यकता इस बात की है कि उन को इस बात का मौका दिया जाये कि वे सही तौर पर स्थिति का अध्ययन कर के बतायें कि फ़ौज बुलाने की स्थिति है या नहीं है ।

! इस बिल का समर्थन करते हुए मैं माननीय मंत्री जी से यह चाहूंगा कि चूंकि इस वक्त हमारे देश में काफी अच्छा वातावरण है, इस लिए वह इन सुझावों को स्वीकार कर लें । यह बात सही है कि आज देश में जो परेशानियाँ हैं, उन के लिए लोग लड़ते हैं और इस संबंध में मांगें भी करते हैं । यह एक अच्छी बात है और यह किसी मुल्क की तरक्की की द्योतक है । यह वांछनीय नहीं है कि यहाँ पर कोई बात हो जाये, और सब उस को मान लें । अगर यह सरकार देश की प्रजातांत्रिक शक्तियों को बढ़ने का मौका देना चाहती है, तो उस को लाजिमी तौर पर इन धाराओं को निकाल देना चाहिए, ताकि हमारे देश की वे शक्तियाँ प्रगति कर सकें, जो कि समाजवाद की रचना करना चाहती हैं, क्योंकि वे शक्तियाँ बहुत शक्तिशाली हैं, जो कि समाजवाद के विरुद्ध हैं, जो लोगों को समान अवसर प्रदान करना नहीं चाहती हैं ।

अगर यह सरकार इन धाराओं का इस्तेमाल उन जमींदारों के खिलाफ करती है, जो गरीबों का खेत छीनते हैं, उन मालिकों के खिलाफ करती है, जो मजदूरों के अस्तिथार पर हमला करते हैं, उन हाकिमों के खिलाफ करती है, जो जनता के जनतांत्रिक अधिकारों पर हमला करते हैं, तो मैं इस बिल का तहे-दिल से समर्थन करता हूँ ।

पंडित मनीश्वर दत्त उपाध्याय : अगर ये धाराएँ चली गई, तो क्या इस्तेमाल करेंगे ?

श्री जगदीश अवस्थी (बिल्हौर) : अभी तक तो इस्तेमाल नहीं किया है । इन के अधीन कितने पूंजीपति पकड़े गए हैं ?

श्री सरजू पाण्डेय : इन को उन लोगों के खिलाफ इस्तेमाल नहीं किया जाता है, इसीलिए तो विरोध हो रहा है ।

[श्री सरजू पाण्डेय]

यह सरकार इस देश में समाजवाद की स्थापना करना चाहती है। उस ने देश को समाजवादी समाज का नारा दिया है। उस उद्देश्य की पूर्ति के लिए अगर वह इन धाराओं का प्रयोग उन लोगों के खिलाफ़ करे, तो बात समझ में आती है। अगर इन धाराओं का इस्तेमाल गरीबों के खिलाफ़ और राजनैतिक दलों को दबाने के लिए होता रहा, तो यह सरकार लाजिमी तौर पर अपने निश्चित सिद्धान्तों से गिरेगी और देश की प्रगति नहीं कर सकेगी।

श्री बजर्राज सिंह (फ़िरोज़ाबाद) : सभापति महोदय, यह बिल एक बार फिर इस सदन में नागरिक स्वतंत्रता के प्रश्न को महत्वपूर्ण रूप से उठाता है। जिन दिनों इस सदन में प्रिवेंटिव डिटेंशन एक्ट पर बहस हुई थी, उन दिनों सरकार की तरफ़ से यह दलील दी गई थी कि वैसे कानून के बिना सरकार के पास उन लोगों से सुलझने का कोई तरीका नहीं रहेगा, जो कि स्थायी सिविल नाफ़रमानी में, पर्मानेंट सिविल डिसआबिडियेंस में विश्वास रखते हैं। इस बिल में खास तौर से उन्हीं लोगों को दफ़ा १०७ और दफ़ा १४४ की व्यवस्थाओं से माफ़ करने के लिए व्यवस्था की गई है, जो नागरिक स्वतंत्रता के उन अधिकारों के लिए लड़ते हैं, जो कि हमारे संविधान के द्वारा दिये गए हैं। चाहे वह खेत में काम करने वाले किसान का प्रश्न हो, चाहे कारखाने में काम करने वाले मजदूर का प्रश्न हो और चाहे माध्यम वर्ग के नागरिकों का सवाल हो, जो अपनी जायज मांगों के लिये कोई आन्दोलन करना चाहते हैं, और उस के लिए गांधी जी के उसूलों को मानते हुए शान्तिपूर्ण तरीकों से कोई सत्याग्रह भी करना चाहते हैं, तो मुल्क की ऐसी सरकार का, जो कि गांधीजी

के पद-चिन्हों पर चलने का दावा करती हो, यह कर्तव्य होता है कि जब तक किसी खास कानून की किसी खास धारा का उल्लंघन नहीं होता है, तब तक प्रिवेंटिव सैक्शन, जुर्म को रोकने वाली धाराओं, के अन्दर उन लोगों का चालान न हो और उन के अन्दर उन पर कोई जुर्म आयद न किया जाये। दफ़ा १०७ क्या है ? संविधान ने लोगों को यह अधिकार दिया है कि किसी भी व्यक्ति को बिना मुकदमा चलाए हम जेल में नहीं रख सकते हैं। लेकिन इन धाराओं के मातहत लोगों को बिना मुकदमा चलाए जेल में रखा जा सकता है इस आधार पर कि उन से भविष्य में शांति भंग होने का खतरा है — शांति भंग हुई नहीं है, भंग होने का खतरा है। एक बड़े रूप में बड़ी व्यवस्था प्रिवेंटिव डिटेंशन एक्ट में रखी गई है और उस के अधीन निवारक नज़रबंदी की जा सकती है और सरकार बिना मुकदमा चलाए एक नागरिक को एक साल तक जेल में रख सकती है। इसी प्रकार दफ़ा १०७ में यह व्यवस्था की गई है कि किसी व्यक्ति से शांति भंग के खतरे के आधार पर एक साल तक ज़मानत और मुचलका लिया जा सकता है। अगर वह व्यक्ति ज़मानत और मुचलका दाखिल कर के बाहर आता है, तो फिर वहां की स्थानीय पुलिस पर यह निर्भर करता है कि वह जब चाहें उस पर शांति भंग का अपराध लगा दे और ज़मानत और मुचलके को ज़ब्त करा दें।

मेरे मित्र, श्री उपाध्याय ने अभी सम्भवतः यह कहने की कोशिश की कि यदि इस तरह की धारा न हो, तो ग्राम तौर से जो गांवों और शहरों में व्यक्तिगत झगड़ों को ले कर शांति भंग के मामले होते हैं, उन का क्या होगा। अगर

सरकार व्यक्तिगत झगड़ों पर इन धाराओं को लागू करे, तब तो बात समझ में आ सकती है । लेकिन क्या सरकार ने कभी यह जानने का प्रयत्न किया कि दफा १०७ को कितने ऐसे मामलों में लागू किया गया, जहां पर व्यक्तिगत झगड़े का प्रश्न नहीं था, जहां अगर कोई झगड़ा था, तो वह सरकार और जनता के बीच था । यदि जनता और सरकार के बीच का झगड़ा है, तो ईमानदारी की बात यह है कि जिस पीनल ला की, जिस कानून की किसी विशेष धारा का उल्लंघन किया गया है, उस के अधीन सम्बन्धित व्यक्तियों पर मुकदमा चलाया जाये और उन को सजा दिलवाई जाये और अगर कोई ऐसा उल्लंघन नहीं किया गया है, तो जेनरल इलैक्शन में उन का मुकाबला किया जाये । उन को जेल में बन्द करने का सवाल नहीं होना चाहिये । अगर मैं इन धाराओं का विरोध करता हूं, या इस बिल का स्वागत करता हूं, तो वह सिर्फ़ इस लिए कि हमारे संविधान द्वारा प्रदत्त नागरिक अधिकारों पर ये धारायें रोक लगाती हैं, अंकुश लगाती हैं । संविधान की इन व्यवस्थाओं के होते हुए जब राजनैतिक दलों के खिलाफ़ या ऐसे व्यक्तियों के खिलाफ़ कार्यवाही की जाती है, जो संविधान द्वारा प्रदत्त अधिकारों के अधीन अपनी जायज मांगों के लिए आन्दोलन करते हैं, तो फिर हमारी नागरिकता स्वतंत्रता मखौल और खिलवाड़ बन जाती है ।

मुझे पता नहीं कि क्या सरकार ने कभी यह सोचने की कोशिश की है कि इन कानूनों का अमल किस पर निर्भर करता है । देहातों और शहरों में दफा १०७ के अन्तर्गत जो चालान करते हैं, वे कौन लोग होते हैं ? एक ठोटा दारोगा होता है । अगर कोई रंजिश भी है, तो वह किसी राजनैतिक आदमी

को दफा १०७ में भेज सकता है और वह आदमी जब तक मुकदमा न लड़े, तब तक उस के लिए छूटना सम्भव नहीं है । अगर इस सरकार को कांग्रेस के इतिहास की पृष्ठभूमि का कुछ ख्याल भी है, तो उस को याद रखना चाहिए कि ऐसी दफा में कोई राजनैतिक आदमी नहीं लड़ना चाहता है । वह कहता है कि अगर दफा १०७ के मातहत आप जमानत और मुचलका लेना चाहते हैं, तो हम वह नहीं देंगे, जेल में रहना पसन्द करेंगे । अभी हाल का एक उदाहरण है कि इस सदन के, माननीय सदस्य श्री अर्जुन सिंह भदौरिया को एक आन्दोलन में छः महीने के लिए जमानत और मुचलके पर बन्द कर दिया गया । उन से यह कहा गया कि शांति भग करने के आरोप में जमानत और मुचलका दाखिल कीजिए । उन्होंने ऐसा करने से इन्कार किया । अगर उन पर किसी कानून की किसी खास धारा के मातहत मुकदमा चलाया जाता और सजा दी जाती, मुझे कोई एतराज नहीं था । लेकिन पुलिस यह करती है कि उस को जब कोई कानून और धारा नहीं मिलती है, जिस के मातहत वह मुकदमा चला सके, तो उस के पास यह हथियार होता है कि वह दफा १०७ के अन्दर बन्द कर दे और छः महीने, एक साल — जितने दिन चाहे — के लिए बन्द कर दे ।

हमारे देश में कुछ राज्य इस तरह के हैं—खासकर उत्तर प्रदेश—जहां पर प्रिवेंटिव डिटेंशन एक्ट का प्रयोग न कर के दफा १०७ का प्रयोग किया जाता है और यह दिखाया जाता है कि हमारे यहां प्रिवेंटिव डिटेंशन एक्ट के अन्तर्गत कोई व्यक्ति बन्द नहीं है । मैं नहीं समझता हूं कि सरकार की या मंत्री महोदय की यह इच्छा है कि दफा १०७ का प्रयोग उसी तरह से होना चाहिये जिस तरह से कि डिटेंशन ला का प्रयोग होता है । मैं

[श्री नजराराज सिंह]

नहीं समझता कि श्री दातार यह कहेंगे कि दफा १०७ का मंशा वही है जो कि डिटेंशन ला का है ; अगर यह मंशा नहीं है तब फिर इस तरह की व्यवस्था जरूर होनी चाहिये जिससे कि कम से कम राजनीतिक व्यक्तियों पर, ट्रेड यूनियन में काम करने वाले व्यक्तियों पर, किसानों की मांगों को ले कर लड़ने वाले व्यक्तियों पर, जो कि शान्तिपूर्ण ढंग से आप काम चलाते हैं, ये धारायें लागू न हो सकें, उनके खिलाफ इन को अमल में न लाया जा सके । अगर इन धाराओं को आपको रखना ही है तो इस तरह की व्यवस्था का होना बहुत जरूरी है । वैसे तो मैं चाहता हूं कि इस बिल को आप स्वीकार करें लेकिन अगर आप ऐसा नहीं कर सकते हैं तो इन धाराओं का प्रयोग राजनीतिक व्यक्तियों के खिलाफ किसी भी सूरत में नहीं होना चाहिये । आप विचार करें कि दफा १०७ का अमल किस प्रकार से हो रहा है, उसका वकिंग किस प्रकार से हो रहा है और इसके बारे में एक रिपोर्ट आप इस सदन में पेश करें । जब इस तरह की मांग की जाएगी और इस तरह का प्रश्न उठेगा तो श्री दातार साहब कहेंगे कि यह प्रान्तीय सरकारों का काम है और जहां तक प्रान्तीय सरकारों का सम्बन्ध है वे किसी दूसरे ही तरीके से काम करती जाएंगी और उसका नतीजा यह होगा कि नागरिक स्वतंत्रताओं पर, मूल अधिकारों पर हमेशा ही हमला होता रहेगा । इसलिये मैं कहना चाहता हूं कि अब समय आ गया है जब कि सरकार को प्रगति की तरफ जाना चाहिये ।

यहां पर बहुत बार कहा जाता रहा है कि हम बड़ी प्रगति कर रहे हैं, पंचवर्षीय योजनायें चल रही हैं और जब डिटेंशन बिल पर बहस चल रही थी उस समय जब एक माननीय सदस्य ने यह कहा कि इन पंच वर्षीय योजनाओं को चलाने के लिये डिटेंशन बिल की आवश्यकता है, तो इस बात को सुन कर मुझे बड़ा आश्चर्य हुआ । अगर मेरे मित्र

श्री दातार महसूस करते हैं कि इन योजनाओं को चलाने के लिये, इन पर अमल करने के लिए भी ऐसे कानूनों की आवश्यकता है तो मैं कहना चाहता हूं कि आपकी पंचवर्षीय योजनायें देश के लिये एक धोखा साबित होंगी, उससे देश का सच्चा विकास नहीं हो सकेगा, सच्चा उत्थान नहीं हो सकेगा और वह आदर्श आप हासिल नहीं कर पायेंगे, जो आदर्श कि हासिल किया जाना चाहिये । इसलिये जरूरत इस बात की है कि आप इस पर गम्भीरतापूर्वक विचार करें । अगर आप समझते हैं कि कुछ लोगों के दिमागों में कीड़ा घुस गया है, पागल कुत्ते ने उनको काट खाया है, इसलिये वे आन्दोलन चलाते रहते हैं तो ऐसा आपका सोचना गलत है । असल बात यह है कि इन आन्दोलनों के लिए पृष्ठभूमि आप तैयार करते हैं, आप खुद कूड़ा तैयार करते हैं ताकि उस पर मक्खियां बैठ सकें और अगर कूड़ा ही न हो तो मक्खी के बैठने का सवाल ही पैदा नहीं होता । इस वास्ते आप कूड़े को हटाने की कोशिश करें । अगर आप ने ऐसा कर दिया तो इस तरह के कोई आन्दोलन नहीं चलेंगे । मुझे अफसोस के साथ कहना पड़ता है कि आज की सरकार, जो लोग शान्तिपूर्ण तरीकों से आन्दोलनों को चलाते हैं, वैध निक मांगों को ले कर चलाते हैं, उन मांगों को ले कर चलाते हैं जिनका कि उन्हें संविधान के अन्तर्गत अधिकार हासिल है उन की इन मांगों को दबाने के लिये ऐसे कानूनों का इस्तेमाल करती है । आप ऐसे तरीकों का प्रयोग करते हैं जिन्हें जनतांत्रिक तरीके नहीं कहा जा सकता है, जिन को अप्रजातांत्रिक तरीके ही कहा जाएगा ।

इस वास्ते मैं निवेदन करना चाहता हूं कि अब समय आ गया है कि इस प्रश्न पर आपको गम्भीरतापूर्वक विचार करना होगा कि जनता के जो मूलभूत अधिकार हैं उनका हनन न हो, जिन अधिकारों को हिन्दु-

स्तान के संविधान ने जनता को दिया है, वे सुरक्षित रहें। यह सोचना कि जिस पार्टी की आज केन्द्र में तथा देश के सभी प्रान्तों में सरकार है, वह पार्टी अपनी जिन्दगी-भर का पट्टा लिखा कर के आई है और समझती है कि उनकी सरकार हट नहीं सकती है, ठीक नहीं है और कम से कम आप तो कभी भी इस तरह से सोचने की कोशिश न करें। ऐसी स्थिति भी आ सकती है जब आपकी सरकार न रहे और अगर आपकी सरकार न रही तो विरोधी भाई जिन की सरकार उस वक्त हागी, उनके स्थानीय दारागा ने दफ्ता १०७ के अन्तर्गत आपको बन्द करने की काशिश की तो कैसी बुरी स्थिति होगी। मैं नहीं चाहता हूँ कि दातार साहब के खिलाफ वहां का दारोगा ऐसी बात करे, जो हमारे साथ होगी है

श्री लुशवक्त राय (खैरी) : १९६२ में यही होगा।

श्री अजरज सिंह : मैं कल्पना के लिये कहना चाहता हूँ कि कल्पना कीजिये की ऐसी स्थिति आ जाती है तो कौन जनतंत्रवादी होगा जोकि इसे पसन्द करेगा ? विचारों में मतभेद हो सकता है लेकिन जो मूल उद्देश्य है, उसके बारे में कोई मतभेद नहीं है। देश की तरक्की करना, देश को विकास के पथ पर अग्रसर करना, देश को आगे बढ़ाना, जनतंत्र का विकास करना, ये सब ऐसे उद्देश्य हैं, जिन के बारे में किसी भी प्रकार के मतभेद की कोई गुंजाइश नहीं है। तो फिर क्यों आप इस तरह के कानूनों का प्रयोग राजनीतिक विरोधियों के खिलाफ करना चाहते हैं। इस तरह के मैं आपको सैंकड़ों उदाहरण दे सकता हूँ जिन में कि राजनीतिक विरोधियों के खिलाफ इस कानून का प्रयोग किया गया है। १९५७ में सोशलिस्ट पार्टी का आंदोलन चला था। उस वक्त सैंकड़ों सोशलिस्ट पार्टी के व्यक्तियों को दफ्तरों से पकड़ पकड़ कर ले जाया गया था और उनसे कहा गया था कि तुम्हारी तरफ से शांति भंग का अन्देशा है। दफ्तरों में वे लोग

बैठे हुये थे, पार्लिमेंट के मँम्बर थे, मंत्री थे, और उनके बारे में कहा गया कि उन से शांति भंग होने का अन्देशा है। जब किसी के खिलाफ किसी और कानूनी धारा का प्रयोग करके मुकदमा नहीं चल सकता है तो उनको इस धार के अन्तर्गत कैद कर दिया जाता है।

मैं एक और बात कहना चाहता हूँ। आप इस तरह की धारा को रख कर पुलिस को लापरवाही करने का न्योता देते हैं। पुलिस कभी कोशिश नहीं करती है कि उसे कोई इस तरह की धारा मिल सके जिससे कि वह किसी व्यक्ति के खिलाफ मुकदमा चला सके और वह दफ्ता १०७ के अन्तर्गत उसको बन्द कर देती है। अब वह व्यक्ति मुचल्का देने से रहा क्योंकि उसको कहा जाता है कि तुम से शांति भंग होने का अन्देशा है और इसका नतीजा यह होता है कि उसको बन्द ही रहना पड़ेगा। और आगे बढ़ें तो आपका डिटेंशन एक्ट है जिसके तहत तीन साल के लिये उसको डिटेंड किया जा सकता है और आप कलैक्टर को कह सकते हैं कि इसको बन्द कर दिया जाये। आखिर कोई हद होनी चाहिये। अभी इस सदन में सबेरे ही मांग पेश हुई है जिसकी तरफ मैं आपका ध्यान दिलाना चाहता हूँ। आप खुद कहते हैं कि मुवमेंट फिजल आउट हें; गई है, खत्म ह। गई है तो उसके बाद भी आप किसी पार्लिमेंट के मँम्बर को क्यों बन्द करके रखते हैं। समय आ गया है कि आप इस पर पुनर्विचार करें। आज कांग्रेस पार्टी के अन्दर ही हर प्रदेश में दो गुट हैं। मैं कहना चाहता हूँ कि ऐसा समय भी आने वाला है जबकि एक गुट के लोग दूसरे गुट के लोगों को दफ्ता १०७ के अन्तर्गत बन्द करवायेंगे और कहेंगे कि इस गुट के लोगों से शांति भंग का अन्देशा है। इस वास्ते आप इस प्रश्न पर गम्भीरतापूर्वक विचार करें और अगर आप समझते हैं कि अभी इसको समाप्त नहीं किया जा सकता है तो कम से कम कुछ ऐसे तरीके आप अपनाय जिससे कि दफ्ता १०७, ११७

[श्री ब्रजराज सिंह]

इत्यादि का प्रयोग राजनीतिक व्यक्तियों खिलाफ न हो सके। किसी भी राजनीतिक व्यक्ति को १०७ के अन्तर्गत कैद करने का मतलब यह है कि आप जनता के बीच में उसकी बदनामी करते हैं और कहते हैं कि उससे शांति भंग का अन्देश है। ऐसे ऐसे व्यक्तियों के खिलाफ इस कानून का प्रयोग किया गया है जो कि कसम खा कर कहते हैं कि शांति भंग करने का उनका कोई इरादा नहीं है हिंसा का सहारा वे कभी नहीं लेंगे क्योंकि हिंसा से मुल्क बरबाद हो जायेगा। आप विश्वास रखें कि सिद्धान्तों का जब सवाल आता है तो उनमें मतभेद हो सकता है, विचारों में मतभेद हो सकता है लेकिन जहां तक देश के उत्थान का, देश को तरक्की के पथ पर अग्रसर करने का, देश का विकास करने का संबंध है मतभेद की कोई गुंजाइश ही नहीं है और इसको पूरा करने का जैसे मंत्री जी को या सरकार को अधिकार है, उसी तरह से दूसरों को भी है। अगर आप इस प्रश्न पर आज विचार नहीं करेंगे तो समय आयेगा जब आपके खिलाफ भी वही बात हो सकती है जोकि हमारे खिलाफ हो रही है, इधर बैठे हुये लोगों के खिलाफ हो रही है। कभी ऐसे लोगो की सरकार बन सकती है जोकि आज विरोधी दल में हैं और उन आदर्शों का प्रतिपादन करते हैं जिनका मैं करता हूं तो उस वक्त हम चाहें या न चाहें लेकिन चूंकि कानून ऐसा होगा इस वास्ते उसका आपके खिलाफ भी प्रयोग किया जा सकेगा। इसलिये मैं चाहता हूं कि इस पर आज विचार करें और इसको स्वीकार करें और अगर इसको स्वीकार नहीं कर सकें हैं तो कम से कम ऐसी व्यवस्था तैयार कर, जिससे कि इस कानून के दुरुपयोग का सवाल ही न उठे।

श्री जगदीश प्रवस्थी : सभापति महोदय, मुझे खुशी है कि माननीय सदस्य श्री तंगामणि ने एक बार पुनः इस सदन में इस विधेयक को प्रस्तुत किया है और चाहा है कि दफा १४४

और दफा १०७ में संशोधन किये जायें। मैं अनुभव करता हूं कि इन पिछले तेरह वर्षों में राज्य सरकारों ने राजनीतिक व्यक्तियों के विरुद्ध इन धाराओं का भीषण दुरुपयोग किया है।

सभापति महोदय, आपको स्मरण होगा कि इसी आशय का एक बिल मैंने इस सदन में पहले प्रस्तुत किया था और उस पर काफी बहस हुई थी। उस बहस के बाद मुझे अच्छी तरह से स्मरण है कि हमारे माननीय उपमंत्री महोदय ने आश्वासन दिया था कि अगर दफा १०७ और १४४ के दुरुपयोग के संबंध में कहीं शिकायतें हैं तो वह उन पर विचार करेंगे। उस वक्त मैंने उनको यह जवाब दिया था और आज फिर कहता हूं कि सारे हिन्दुस्तान की बात को आप छोड़ दीजिये, हिन्दुस्तान का जो सब से बड़ा सूबा है, उत्तर प्रदेश, उसको आप ले लीजिये। वहां पर इन तेरह वर्षों में जितना इन धाराओं का भीषण दुरुपयोग हुआ है, जितना अधिक इनका प्रयोग राजनीतिक विरोधियों के खिलाफ किया गया है, अगर केवल उसी की छानबीन करना वह शुरू कर दें तो गृह मंत्रालय को अपना बाकी सब काम बन्द कर देना पड़ेगा, और केवल इसी काम में अपना सारा समय लगाना पड़ेगा, समय नष्ट करना पड़ेगा। माननीय मंत्री जी ने जो छानबीन का आश्वासन दिया था मुझे खेद है कि उसे उन्होंने पूरा नहीं किया है। मैं चाहता हूं कि कितने केसिस में इन धाराओं का दुरुपयोग हुआ है, इसको वह हमें बतायें।

अभी हमारे मित्र श्री ब्रजराज सिंह और सरजू पांडेय जी ने, जोकि उत्तर प्रदेश के रहने वाले हैं और जहां पर कि इन धाराओं का दुरुपयोग होता रहा है और जहां पर आंदोलन भी चलते रहे हैं और चलते रहते हैं, सरकार ने सब से ज्यादा दमन से काम लिया है और इन धाराओं का भीषण दुरुपयोग किया है।

मेरे नगर कानपुर में जहाँ का कि मैं रहने वाला हूँ यह दफा १४४ घर करके बैठ गई है और वहाँ इसका किसी न किसी रूप में प्रयोग होता ही रहता है। लेकिन आज तक इस पर कोई ध्यान नहीं दिया गया है।

आज सोशलिस्ट पार्टी की तरफ से सारे देश में पांच मांगों को लेकर, जो कि बहुत ही न्यायोचित मांगें हैं, आंदोलन चल रहा है। वे पांच मांगें हैं : दाम नीति ठीक हो, भाषा नीति ठीक हो, जाति नीति ठीक हो, लोगों को ठीक से चीजें मिलें, जो महंगाई है वह दूर हो। इन न्यायोचित मांगों को लेकर आंदोलन चल रहा है, हम अपनी बातें रखने जाते हैं, सरकारी दफ्तरों के सामने कोई पिकेटिंग नहीं होती है, वही चीज होती है जिसका हमें भारतीय संविधान के अन्दर अधिकार प्राप्त है, लेकिन वहाँ पर इस नौकरशाही ने, जिसे हमने इस संविधान के अन्तर्गत अधिकार दे रखा है काम करने का, इन दफ्तरों का उपयोग कर के, इन लोगों को बन्द कर दिया है। मैं निवेदन करना चाहूंगा कि मुझ जैसे आदमी को, जिस ने अपनी मांगें उपस्थित करने के लिये कोई पिकेटिंग नहीं की थी, उसकी कोई सूचना नहीं दी थी कि मैं यह करने जा रहा हूँ, केवल इस सरकार के पास उस मांगपत्र को ले जाना चाहता था, सरकार ने जेल में भेज दिया। दफा १०७ और १५१ लगाई गई, उसके बाद उनको हटा कर क्रिमिनल ला अमेंडमेंट ऐक्ट का सेक्शन ७ लगाकर मुकदमा चलाया गया, उस में सारी बातें झूठ लिख दी गईं। सभापति जी, आप स्वयम् एक अच्छे वकील हैं, आप जानते हैं कि जितनी पुलिस की चार्ज शीट्स बनती हैं, अगर उनके किस्से कहानियों को ले लिया जाये तो सचमुच बड़ा दिलचस्प उपन्यास बन जाय। खास कर राष्ट्रीय प्रवृत्तियों के विरुद्ध पुलिस जो आरोप पत्र बनाती है तो उसमें जितनी मनगढन्त और झूठी बातें होती हैं, उनको कहकर मैं सदन का समय नष्ट नहीं करना चाहता। लिख दिया गया कि यह व्यक्ति पिकेटिंग कर रहा था, चार

गवाह खड़े कर दिये गये और सजा हो जाती है मैं स्पष्ट कहना चाहता हूँ कि और प्रदेशों में यह हो या न हो लेकिन हमारे उत्तर प्रदेश में जो लोअर कोर्ट्स कहलाते हैं, आज वह बिल्कुल पुलिस कोर्ट्स हो गये हैं। जो भी पुलिस कहती है वही होता है, जो दूसरा आदमी कहता है उसे नहीं सुना जाता। आज जिस तरह से हमने अधिकार दे रखे हैं अपने पुलिस वालों को कि वे मुकदमे चलायें अपराधियों को, उनको राजनीतिक व्यक्तियों के विरुद्ध इस्तेमाल करके उनको जेलों में ठूस दिया जाता है।

मैं इतना ही कहना चाहूंगा कि मेरे मित्र श्री तंगामणि ने यह विधेयक रख कर कोई और बात नहीं की है, उन्होंने केवल यह मांग की है कि राजनीतिक कार्यकर्ता समय समय पर अपनी न्यायोचित मांगों को लेकर जो शांतिमय आंदोलन करते हैं, उन आंदोलनों को दबाने के लिये जो इन धाराओं का दुरुपयोग होता है, उसे बन्द किया जाय, क्योंकि उनके रहते हुये न देश चल सकता है और न ही जनतंत्र चल सकता है। इन धाराओं के चलते हुये एक दिन भी कोई सरकार हो, चाहे किसी भी दल विशेष की हो, वह नहीं चल सकती है। इनके रहते हुये फिर से इतिहास की पुनरावृत्ति होने लगेगी। भले ही यह बिल यहां पर गैर सरकारी रूप में रखा गया है, लेकिन मैं कहना चाहूंगा कि मंत्री जी फिर एक बार इस पर विचार करें। मैं आशा करता हूँ कि वे अपने उसी पिटे पिटाये उत्तर को नहीं देंगे जो वे हमेशा दे दिया करते हैं।

दफा १०७ के बारे में सिद्धांत यह है कि जब तक कोई मनुष्य अपराध नहीं करता है तब तक उसे दंड नहीं दिया जा सकता। केवल कल्पना करके ही कि अपराध होने वाला है, मनुष्य को आप बन्द कर दें, मैं समझता हूँ कि यह अनुचित होगा, विशेष रूप से उन राजनीतिक पार्टियों के विरुद्ध या उनके नेताओं के विरुद्ध जिन्होंने शांतिप्रिय होने की कसम खा रखी है। मैं समझता हूँ कि इस देश

[श्री जगदीश अवस्थी]

के अन्दर जितनी भी राजनीतिक पार्टियां हैं, वे सब शांतिप्रिय हैं। उन सबके कार्यक्रम विदित हैं। वे कोई भी अशांतिप्रिय नहीं हैं, कोई भी हिंसा में विश्वास नहीं करती हैं क्योंकि जनतंत्र का मूल सिद्धांत अहिंसा है। जिस समय देश की पार्टियां और व्यक्ति हिंसा में विश्वास करना आरम्भ कर देंगे, उस दिन जनतंत्र चल नहीं सकता है। जनतंत्र की नींव अहिंसा होती है। जितनी राजनीतिक पार्टियां हैं, उनसे हमारा सब बातों में मतभेद हो सकता है, लेकिन एक बात में मतभेद नहीं है कि वे हिंसा में विश्वास नहीं करतीं। लेकिन आप जो चीजें करते हैं वे ऐसी हैं जो इसको बढ़ावा देती हैं। आप दफा १४४ जैसी धारायें लगा कर उनको हिंसावृत्ति के लिये मजबूर कर देते हैं। आप उनके नेताओं को जेलों में बन्द कर देते हैं, उसकी प्रतिक्रिया के फलस्वरूप अगर कहीं कोई छोटी मोटी घटनायें हो जाती हैं तो आप उन को बदनाम करने लगते हैं। मैं समझता हूँ कि ब्रिटिश सरकार का इतिहास यहां का बड़ा दुःखद इतिहास है। उनके समय की इस दफा १४४ को हमारे मंत्री जी प्यार करते हैं जिस दफा १४४ का विरोध करने के लिये जलियां वाले बाग में न जाने कितने खून हुये और कितने बलिदान हुये। उन चीजों को हम भूल गये तो हमारा सारा बलिदान व्यर्थ हो गया। जिन चीजों को लेकर हम अंग्रेजों से लड़ते थे, आज उनकी हमारे ही लोग तारीफ करते हैं तो उसे देख कर हमें दुःख होता है। हमारे गृह मंत्री महोदय की गर्दन, जो अब भी हिलती है, इस बात की सबूत है कि उन्होंने जो साइमन कमिशन आया था उसका विरोध किया था और लाठियां खाई थीं। आज वे इन बातों को भूल गये हैं क्योंकि मंत्री के पद पर बैठे हुये हैं। मैं समझता हूँ कि जो व्यक्ति, चाहे इधर बैठता हो या उधर बैठता हो, जिन चीजों का इस देश की नौकरशाही और पुलिस हमेशा दुरुपयोग करती है उनको तरजीह देती है तो वह सरकार के कफन में कील ठोकने जा रहा है। मैं नहीं जानता कि यह सरकार

इन गंदे कानूनों को रख कर कौन सा आदर्श उपस्थित करना चाहती है। मैंने जब यह बिल उपस्थित किया था कि धारा १४४ को रद्द कर दिया जाय और दफा १०७ को रद्द कर दिया जाय क्योंकि आप इन दफाओं का उपयोग सचमुच जो अशांतिकारी तत्व हैं उनके खिलाफ न करके जो अपने अधिकारों के लिये लड़ते हैं, जो राजनीतिक लोग हैं और शांतिप्रिय तरीके से अपने अधिकारों को लेना चाहते हैं, उनके खिलाफ करते हैं। इस तरह की एक नहीं सैकड़ों मिसालें मौजूद हैं।

इसलिये अब समय आ गया है कि इन चीजों को बन्द किया जाय नहीं तो मैं समझता हूँ कि भविष्य इस बात का साक्षी होगा कि जो सरकार दफा १४४ और दफा १०७ जैसे गन्दे कानूनों को रख कर जनतंत्र और लोगों की मर्यादाओं की हत्या करती है, वह एक दिन भी नहीं चल सकती है। मैं चेतावनी के रूप में अपने मंत्री महोदय से कहना चाहूंगा कि वे फिर विचार कर अगर इन कानूनों को हटा दें तो देश में उनका सम्मान बढ़ेगा और विश्व के लोग अनुभव करगे कि सचमुच जिस जनतंत्र की हमने मिसाल रखी है उसको हम कायम रखा चाहते हैं। भारतीय संविधान इतना पवित्र है कि हम सब उस को प्यार करते हैं। भारतीय संविधान की आत्मा की रक्षा करने का और उसका आदर बढ़ाने का जो अधिकार हमें प्राप्त है, उसे दफा १४४ लगा कर आप नष्ट करना चाहते हैं। कितने दुःख की बात है कि भारतीय संविधान का संशोधन केवल इस दफा को रखने के लिये किया जाता है। कानून से संविधान ऊंचा हुआ करता है। लेकिन आज संविधान की वह इज्जत नहीं है जोकि कानून की इज्जत है, इसलिये कि आप सरकार के विरोधियों को दबाना चाहते हैं। मैं फिर कहना चाहूंगा कि भारतीय संविधान की रक्षा के लिये, जनतंत्र की रक्षा के लिये दफा १४४ और दफा १०७ को अगर हटा नहीं सकते हैं तो जो संशोधन श्री तंगा-

मणि जी ने उपस्थित किये हैं, उनको स्वीकार कर लें और इस बात का आश्वासन दें कि इस देश के अन्दर हमने जो सच्चा जनतंत्र कायम किया है उसके ऊपर के धब्बों को हमेशा के लिये हटा देना चाहते हैं।

Shri Sadhan Gupta (Calcutta-East):

Sir, I rise to support the Bill which has been presented before this House by my hon. friend, Shri Tangamani. He deserves the thanks of this House for drawing our attention to some of the most abused sections of the Criminal Procedure Code and moving for amendment of these sections. As a lawyer I have seen how sections 107 and 144 have been abused. We have had the abuse of the other sections 129 and 131 during the legal strike in Jamshedpur. As regards 107, any lawyer who has anything to do with political matters knows how this section has been abused. No doubt with proper safeguards incorporated in 107, it could have been a very useful section because there are certain anti-social elements in every society which need to be curbed. They may not commit what can be described as offences and yet they may conduct themselves in such a manner that breach of peace becomes imminent. They might, for instance, give provocations or they might terrorise the population without actually doing any injury. This kind of things become insidious in a society and therefore, they need to be curbed. Then we must see that in taking this kind of a power, we do not give the executive such an amount of power that it can be applied against innocent persons for ulterior purposes.

Now, unfortunately, Section 107 has been widely applied for such purposes. I have known in the course of my practice, in the course of my defending trade unionists or peasant organisers, how section 107 has been abused. In the case of one trade union, I know, the employers of the industrial establishment in which this trade union was formed did not want a trade union. They resisted the formation of the trade union and tried to terrorise the workers. When in spite

of all this the workers joined the trade union, they started section 107 proceedings against the leaders of the union, absolutely unfounded proceedings. But they started it. They bribed the police to give a report against the leaders and thereby proceedings were started in the court. The police can be easily bribed, you and I both know and everyone knows. The police can be easily bribed and can be influenced to give a report against whoever is sought to be harassed. This proceeding was entirely harassing proceeding. It went on for one year, dragged those trade union leaders into the court day in and day out, they were subjected to ruinous expenses, and after everything was said and done it ended in the discharge of those people. Similarly, I have seen in the case of a peasant movement that a certain landlord had leased out his land on a fixed rent on the basis of crops to about 40 or 50 peasants. Later on, when the question of acquisition of States came, he wanted to surreptitiously grab those lands which he could not do under the law. Therefore, he took all manner of means, criminal cases and also proceedings under section 107. In this case also, the criminal cases ended in acquittal and the cases under section 107 also ended in the discharge of the persons. But for a whole year and a half these people were harassed and put to financially ruinous litigation.

Should we allow these things to happen? This is always being done by unscrupulous employers, unscrupulous landlords and by other unscrupulous people. Should we not provide some kind of safeguard against it. I think the safeguard that Shri Tangamani has proposed, the provision of some kind of a safeguard in the case of trade unionists or organisers of mass movements of workers and political parties, should be incorporated in section 107. If some such safeguard is provided, it will be very difficult to harass these kinds of people unnecessarily under section 107. The cause of peace, the cause of social tranquility will not suffer, but the people who should not be harassed will have a safeguard.

[Shri Sadhan Gupta]

Regarding section 144, Sir, the same can be said. We have often seen how it has been used to suppress civil liberties by the Governments. It has been used to suppress civil liberties in many ways. There are many places where it has become a habit with the authorities to impose section 144. Apart from that, even private persons, for the same purpose and particularly in the case of disputes over land, in the case of disputes between landlords and peasants, very often resort to it. I know that in the same case which I was referring to, where section 107 was used, the landlord applied in court and obtained orders under section 144 and influenced the police officers to put up an armed police force there and under the protection of the armed police force they cut away the crops, although they had no right to do so. This is the way in which section 144 is abused both by public authorities and by private persons. It cannot be allowed to continue in this form. Some kind of safeguard by way of reference to judicial authorities is necessary.

Shri Tangamani has suggested that in the first instance it may be imposed for 48 hours and then a reference may be made to the high court. Instead of 48 hours it may be made for 96 hours or even five days or a week. But to impose it for two months and then to subject them to endless litigation is absolutely contrary to civil liberty. This is a thing which the least, elementary sense of justice cannot tolerate. Some judicial officer has to determine whether the order is reasonable. It may be the high court or it may be the district and sessions judge. This can be settled by suitable amendments in the second reading, but the important thing is, this should not be left in the hands of the executive and in the hands of magistrates who are part of the executive, to determine, to make or mar the civil liberties of the people at will. So, this principle which Shri Tangamani has proposed

should be adopted, and the Act should be suitably amended to provide for the principle of review by a judicial authority.

Mr. Chairman: The hon. Member might continue next time. It is 5 O'clock. We will now proceed to the half-hour discussion.

Shri Sadhan Gupta: I shall continue on the next occasion.

16.57 hrs.

*CHILDREN OF POLITICAL SUFFERERS

श्री भक्त दर्शन (गढ़वाल) :
सभापति महोदय, मैं ने इस महीने की १२ तारीख को तारांकित प्रश्न संख्या ८३४ के द्वारा शिक्षा मंत्री महोदय का ध्यान इस समय सारे देश में राजनैतिक पीड़ितों के बच्चों को जो शिक्षा सम्बन्धी सुविधाएँ दी जा रही हैं उनकी ओर आकर्षित किया था और उन्होंने जो उस समय उत्तर दिया था उसी के सम्बन्ध में कुछ बातें यहां पर रखने का मैं साहस कर रहा हूँ ।

मैं माननीय अध्यक्ष महोदय का अनुग्रहित हूँ कि उन्होंने मुझे इस महत्वपूर्ण विषय की ओर इस सदन का ध्यान आकर्षित करने की सुविधा प्रदान की । आज से लगभग दो वर्ष पहले, ५ दिसम्बर, १९५८ को, मैं ने सदन में इस सम्बन्ध में एक प्रश्न पूछा था और उस अवसर पर भी मैं ने उस प्रश्न के उत्तर पर विवाद उठाने की अनुमति चाही थी, लेकिन उस समय मुझे अनुमति नहीं मिल पायी । लेकिन मुझे बड़ी प्रसन्नता है कि इस सत्र के अन्तिम दिन मुझे यह विषय उठाने का अवसर प्रदान किया गया है । इसलिए

मुझे आशा है कि अनेक दिनों तक इस विवाद की गूँज माननीय मंत्री जी और सरकार के कानों में गूँजती रहेगी।

सभापति महोदय, सब से पहले मैं अपना यह कर्तव्य समझता हूँ कि देश के विभिन्न भागों में जिन व्यक्तियों ने स्वाधीनता संग्राम में कुरबानियाँ कीं और जो आज भी देश के कोने कोने में देश के लिए कुरबानियाँ कर रहे हैं उन के प्रति अपना नमस्कार अर्पित करूँ।

बहुत से लोग समझते हैं कि देश की स्वाधीनता-प्राप्ति के बाद जो भी विभिन्न श्रेणियों के राजनीतिक पीड़ित हैं उनकी हालत में सुधार हो गया है, लेकिन यह विचार भ्रमात्मक है। अभी भी लगभग ६० प्रतिशत स्वतंत्रता-संग्राम के सैनिक बहुत कठिन और कष्टपूर्ण परिस्थितियों में जीवन बिता रहे हैं। जो लोग संसद में निर्वाचित हो गए हैं या जो राज्य सरकारों की विधान सभाओं के सदस्य हो गए हैं, या जिन्होंने और किसी प्रकार अपनी आर्थिक स्थिति में सुधार कर लिया है, उनको छोड़ कर आज भी एक बहुत बड़ा वर्ग हमारे स्वाधीनता-संग्राम के सैनिकों का ऐसा है जिन्हें आर्थिक दृष्टि से पीड़ित माना जा सकता है।

सभापति महोदय, हम ने १९५७ में एक सौ वर्ष पहले १८५७ के ग़दर के शहीदों की स्मृति में दिये जलाये थे; समय समय पर हम उन के प्रति शब्दों के द्वारा श्रद्धा और प्रशंसा प्रकट करते रहे हैं, किन्तु यह यथेष्ट नहीं है। इस समय हमारी राष्ट्रीय सरकार का यह कर्तव्य हो जाता है कि स्वतंत्रता-संग्राम के जिन सैनिकों ने अपने सारे जीवन की आहुति दे दी, उन के बच्चों की जिम्मेदारी वह अपने ऊपर ग्रहण करे और उन के लिए कानूनी ढंग पर या अन्य प्रकार से,

जो भी सुविधायें दी जा सकती हैं, उन्हें देने का प्रयत्न करे।

17 hrs.

इसी लिए जब से इस संसद की स्थापना हुई है, यह प्रश्न सदन के सामने आता रहा है। १४ दिसम्बर, १९५६ को हमारे आदरणीय मित्र, डा० राम सुभग सिंह, ने एक गैर-सरकारी प्रस्ताव के द्वारा इस विषय को यहां रखा था। तब इस विषय पर काफ़ी वाद-विवाद हुआ था, लेकिन माननीय अध्यक्ष महोदय ने यह सुझाव दिया था कि चूंकि उस समय माननीय गृह मंत्री महोदय सदन में उपस्थित नहीं थे, इस लिए दूसरे गैर-सरकारी संकल्पों के दिन उस पर विचार किया जाये। लेकिन तब तक पहली लोक-सभा समाप्त हो गई और उस पर विचार नहीं हो पाया। उस के बाद जब से दूसरी लोक सभा संगठित हुई है, इस और माननीय सदस्यों का ध्यान गया है। मैंने इस सम्बन्ध में एक संकल्प की सूचना दी थी, जिस की भाषा इस प्रकार है—

“यह सभा सरकार से सिफ़ारिश करती है कि ऐसे भारतीयों को, जिन्होंने १८५७ से लेकर स्वतंत्रता संग्राम में अपने प्राणों का बलिदान दिया अथवा अन्य प्रकार से कष्ट उठाये, वित्तीय सहायता देने के संबंध में एक समान उदारतापूर्ण नीति अपनाई जाये और सभी श्रेणियों के राजनैतिक पीड़ितों के पुनर्वास के लिये व्यवस्था की जाये और उन के बच्चों को विश्वविद्यालय की शिक्षा पर्यन्त निःशुल्क शिक्षा दी जाये।”

इस संकल्प पर २८ फरवरी, १९५८ को वाद-विवाद होना था, लेकिन माननीय प्रधान मंत्री जी और माननीय गृह मंत्री जी के आदेश पर, उन के सुझाव पर, उनकी

[श्री भक्त दर्शन]

प्रेरणा पर, मैं ने यह उचित समझा कि उस समय इस सदन में इस पर विवाद न किया जाये और सरकार की ओर से यह आश्वासन दिया गया कि उस प्रस्ताव पर बड़ी सहानुभूति से विचार किया जायेगा, विशेषकर शिक्षा-सम्बन्धी सुविधायें देने के सम्बन्ध में। फिर बड़ी कठिनाई के बाद, कई महीनों के विचार-विमर्श के बाद एक योजना तैयार हुई और ५ दिसम्बर, १९५८ को सदन में एक प्रश्न के उत्तर में माननीय शिक्षा मंत्री जी ने उस की घोषणा की। उस समय सदन के सभी पक्षों ने हर्ष और संतोष प्रकट किया था कि देश की एक बड़ी भारी समस्या को सुलझा लिया गया है। उस समय माननीय अध्यक्ष महोदय ने ये शब्द कहे थे कि “नो पोली-टिकल सफ़रर विल नाऊ सफ़रर”। जब यह घोषणा हुई, तो उन को भी इतना संतोष हुआ था।

17.03 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

लेकिन मैं यह निवेदन करना चाहता हूँ कि जितनी आशाएँ इस नई योजना से की गई थीं, वे अभी तक पूरी नहीं हो पाई हैं। सब से बड़ी बात यह है कि आज दो साल से अधिक का समय हो गया, लेकिन अधिकांश राज्यों में इस को लागू नहीं किया जा सका है। केवल चार राज्यों—आन्ध्र प्रदेश, बिहार, मैसूर और उड़ीसा—और तीन संघीय क्षेत्रों—दिल्ली, मणिपुर और त्रिपुरा—में इस को सिद्धान्त रूप से मान लिया गया है और किन्हीं अंशों में लागू किया गया है। यह समझ में नहीं आता कि जब केन्द्रीय सरकार ने इस का स्वीकार कर लिया और राज्य सरकारों ने सिद्धान्ततः स्वीकार कर लिया, तो फिर सारी योजना क्यों दो दो वर्ष तक खटाई में पड़ी रहे और उस पर अमल न हो। मैं माननीय शिक्षा मंत्री महोदय से अनुरोध करना चाहता

हूँ कि हम राज्य सरकारों की स्थिति पूरी तरह से जानते हैं। हम जानते हैं कि उन को अपने कार्य-क्षेत्र में काफ़ी स्वाधीनता है, लेकिन क्या केन्द्रीय सरकार का यह कर्त्तव्य नहीं है—क्या वह यह उचित नहीं समझती है कि उन को बार बार प्रेरणा दी जाये कि जब उन को रुपया दिया जा रहा है, तो वे उस का पूरी तरह से उपयोग क्यों नहीं करते हैं ?

मैं यह निवेदन करना चाहता हूँ कि एक बार इस विषय में अनुमान लगाया गया था कि हमारे देश में कितने लोगों ने स्वतंत्रता संग्राम में भाग लिया था। तो शायद कई लाखों में उन की गणना की गई थी। जिन लोगों ने अकेले सत्याग्रह आन्दोलन में भाग लिया था, उन्हीं की संख्या लाखों में गिनी जा सकती है। लेकिन उस दिन के उत्तर में यह बताया गया कि आन्ध्र प्रदेश में १८५३, बिहार में २७६, मैसूर में ११९६, उड़ीसा में ८७, दिल्ली में ४५९, मणिपुर में ४२ और त्रिपुरा में ७७, कुल ३९९० छात्रों ने इन सुविधाओं से लाभ उठाया है; जब कि हमारा अनुमान है कि लाखों की संख्या ऐसे छात्रों की हो सकती है। वैसे भी हिन्दुस्तान में परिवार के सदस्यों की संख्या काफ़ी है और राजनैतिक पीड़ित भी बच्चों के मामले में किसी वर्ग से पीछे नहीं हैं; उन पर भी बड़ा भारी भार है। इस लिए ३९९० की संख्या देख कर हम इस परिणाम पर पहुँचते हैं कि इस योजना का पूरा प्रचार नहीं किया गया और लोगों को इस की जानकारी नहीं दी जा रही है।

पहले जब डा० राम सुभग सिंह का संकल्प प्रस्तुत हुआ था, उस समय बोलते हुए मैं ने सुझाव दिया था कि अगर गवर्नमेंट और कुछ नहीं करती, तो कम से कम उस को सारे देश में, हर राज्य में एक राष्ट्रीय रजिस्टर बनाना चाहिए, जिस को हम एक तरह का रोल आफ़ ऑनर कह सकते हैं। उस रजिस्टर में इस का पूरा विवरण हो कि हमारे स्वतंत्रता-

संग्राम में किन लोगों ने भाग लिया, उन की आर्थिक स्थिति कैसी है, उन के कितने बच्चे हैं और वे किस मुसीबत से गुजर रहे हैं। जब तक इस तरह की गणना नहीं की जायगी और सैन्सस नहीं ली जायगी, तब तक इस विषय में पूरा न्याय नहीं किया जा सकता है। लेकिन मुझे खेद है कि राज्य सरकारें और शायद केन्द्रीय सरकार भी इसे इतना आवश्यक नहीं समझती कि इस का पूरी तरह से प्रचार किया जाये और प्रकाशन किया जाये, ताकि अधिक से अधिक लोग इस से लाभ उठा सकें।

उसी प्रश्न के उत्तर में यह बताया गया है कि १,४६,०७३ रुपये राज्य सरकारों को दिये गए हैं। मेरे एक प्रश्न के उत्तर में माननीय मंत्री जी ने बताया था कि पांच लाख या ऐसी ही रकम बजट में निश्चित की गई है, जिस में से राज्य सरकारों को सहायता दी जायगी। उसी समय मैं ने और कई माननीय मित्रों ने शंका प्रकट की थी कि पांच लाख रुपये भी बहुत कम हैं। जब अरबों रुपये इस देश के उत्थान के लिए विभिन्न विकास-योजनाओं पर खर्च किये जा रहे हैं, तो क्या कुछ करोड़ रुपये उन व्यक्तियों के लिए, उन के परिवारों के लिए, खर्च नहीं किये जा सकते, जिन की वजह से हम को स्वतंत्रता मिली, जिन की वजह से आज भी हम स्वतंत्रता का उपभोग कर रहे हैं

पंडित द्वा० ना० तिवारी (केसरिया) :
जिन की वजह से हम यहां बैठे हुए हैं।

श्री भक्त दर्शन : हां, जिन की वजह से हम यहां बैठे हुए हैं। जो योजना रखी गई है, उस में बताया गया है कि पचास प्रतिशत सहायता केन्द्रीय सरकार देगी। केन्द्र-शासित प्रदेशों में पूरा खर्च केन्द्रीय सरकार बर्दाश्त करेगी, यह खुशी की बात है। लेकिन राज्य, सरकारों को पचास प्रतिशत खर्च अपनी

और से देना होगा। मैं इस सम्बन्ध में यह कहना चाहता हूं कि मैचिंग ग्रान्ट्स का सिस्टम ही बहुत गलत है। हम देख रहे हैं कि पंच-वर्षीय योजनाओं में से अधिकांश योजनाओं में यह स्थिति है कि पचास प्रतिशत, या दो-तिहाई, या एक तिहाई केन्द्रीय सरकार देगी और बाकी राज्य सरकार देगी। इसका परिणाम यह है कि जो गरीब राज्य हैं, जो साधन-सम्पन्न नहीं हैं, जिनकी आर्थिक स्थिति अच्छी नहीं है, वे पूरा खर्चा नहीं जुटा पाते हैं और केन्द्रीय योजनाओं से पूरा लाभ नहीं उठा पाते हैं। इसके विपरीत जो सम्पन्न राज्य हैं—मैं किसी राज्य विशेष का नाम लेकर उसके बारे में कुछ नहीं कहना चाहता हूं, लेकिन पहले जैसे बम्बई राज्य था, जहां बहुत इंडस्ट्रीज और फैक्ट्रीज थीं—जिनकी आर्थिक स्थिति अच्छी है, वे केन्द्र से ज्यादा रुपया खींच सकते हैं। अतः मैं मैचिंग ग्रान्ट्स के सिस्टम के सिद्धान्ततः विरुद्ध हूं। लेकिन कम से कम इस योजना के लिए तो खास कर इसमें संशोधन किया जाना चाहिए और वह इसलिए कि, जैसा कि माननीय अध्यक्ष महं दय ने इस प्रश्न के विषय में पूरक प्रश्नों के समय कहा था, अपने भूतपूर्व सैनिकों और पेंशनार्ड का, जिन्होंने देश की रक्षा की, बल्कि जिनमें से अधिकांश ऐसे हैं, जिन्होंने ब्रिटिश जमाने में फ्रांस और दूसरे मोर्चों पर जाकर लड़ाई की, पूरा भार सरकार ने ले रखा है, उनके बच्चों की शिक्षा की व्यवस्था केन्द्रीय सरकार ने कर रखी है, उनको पेंशन और रोजगार दिये जा रहे हैं और जो हमारे राजनैतिक पीड़ित हैं, जो स्वतंत्रता के भवन की आधार शिला हैं, उनके विषय में हम राज्य सरकारों के सुपुर्द कर देते हैं कि तुम इन्तजाम करो, हम केवल सहायता करेंगे।

मैं निवेदन करना चाहता हूं कि इस योजना पर पुनर्विचार किया जाये। यह योजना इतनी महत्वपूर्ण है कि केन्द्रीय सरकार को सारा खर्च बर्दाश्त करने के लिए तैयार रहना चाहिए और इसके लिए राज्य सरकारों

[पंडित द्वा० ना० तिवारी]

को खुली छूट देनी चाहिए कि वे इस सम्बन्ध में अधिक से अधिक आवेदनपत्र लें, सूचियां तैयार करे और जितनी भी अधिक से अधिक सुविधाएं दे सकते हैं, दें। मैं समझता हूं कि सदन के सब सदस्य अपने मत-भेद भुला कर इस विषय में सहमत होंगे और जितना भी खर्चा इसके लिए आवश्यक होगा, उसको वे पूरी तरह से सहमति प्रकट करेंगे।

दो तीन माननीय सदस्यों ने इस सम्बन्ध में प्रश्न पूछने के लिए अपने नाम दे रखे हैं, जिनमें डा० राम सुभग सिंह भी हैं। इसलिए अधिक समय न लेते हुए मैं अपने निवेदन को यहीं समाप्त करता हूं और माननीय मंत्री जी से अनुरोध करता हूं कि इस सारी योजना पर नये सिरे से विचार किया जाये और इसको बढ़ी तेजी से, उत्साह के साथ, और लगन के साथ जल्दी से जल्दी लागू किया जाये।

उपाध्यक्ष महोदय : ५५(५) में किसी और साहब ने नोटिस नहीं दिया है।

डा० राम सुभग सिंह (सहसराम) : मैंने दिया है।

उपाध्यक्ष महोदय : ५५(२) में है, मगर उसी से अपने आप नहीं हो जाता है। खैर, आप सवाल पूछिये।

डा० राम सुभग सिंह : हमारे माननीय सदस्य श्री भक्त दर्शन ने कहा है कि जितने भी हमारे सैनिक हैं, उन सभी के बच्चों की पढ़ाई का प्रबन्ध किया गया है जो कि अच्छी चीज है। उनके बच्चों की पढ़ाई का प्रबन्ध होना ही चाहिये। लेकिन जिन लोगों ने राजनीति के क्षेत्र में सैनिकों के रूप में काम किया है, उनकी वैसी उपेक्षा नहीं होनी चाहिये, जैसी आज हो रही है। पोलिटिकल सफरखंड को आज सर्टिफिकेट की आवश्यकता होती है जिसको प्राप्त करने के लिये उनको सैकल आफिसर के यहां जाना पड़ता है और सैकल

आफिसर वाले उनको पहचानने के लिये तैयार नहीं होते हैं। कई जगहों पर मैंने खुद देखा है कि चूंकि उन्होंने वहां पर क्लर्क को सर्टिफिकेट प्राप्त करने के लिये पैसे नहीं दिये, इसलिये उनको सर्टिफिकेट नहीं मिला। इस वास्ते मैं समझता हूं कि यह आवश्यक है कि उनका एक "हू इज हू" तैयार करवाया जाए या जैसा कि भक्त दर्शन जी ने कहा कि नेशनल रजिस्टर होना चाहिये, वह हो। यह दुःख की बात है कि आज तक सरकार ने इसे नहीं करवाया है।

दूसरी बात मैं यह कहना चाहता हूं कि जिस तरह से लोगों को सनदें दी जाती हैं सरकार द्वारा, उसी तरह की सनदें इनको राष्ट्रपति जी की ओर से या सरकार की ओर से दी जायें या उस तरह की कोई चीज दी जाये ताकि उनकी सन्तानों बाद में यह जान सकें कि उनके पूर्वजों ने या उनके बाप दादों ने देश की आजादी की लड़ाई में भाग लिया था। मैं नहीं कहता कि हर एक राजनीतिक पीड़ित के बच्चे को शिक्षा की सुविधा आप दें, मुफ्त शिक्षा की सुविधा आप दें। लेकिन यह जरूर है कि जो गरीब हैं, उनके बच्चों की पढ़ाई लिखाई का पूरा पूरा प्रबन्ध आप करें और उनको पूरी पूरी सुविधायें मुहैया करें। इसके साथ ही साथ मैं यह भी चाहता हूं कि उनको किसी प्राइवेटिव काम में लगा लिया जाये। मैं भिक्षा वृत्ति को पसन्द नहीं करता। कहीं कहीं पर तो सरकार आगे आ कर और बढ़ चढ़ कर किन्हीं लोगों की सहायता करती है और कहीं पर अगर कोई डिजविंग केस भी होता है तो उसकी सहायता नहीं की जाती है। चूंकि इन लोगों ने देश की आजादी की खातिर कुरबानियां की हैं, इस वास्ते उन के लड़कों की परवरिश अच्छी तरह से नहीं हो पाई और आज वे लड़के इस लायक नहीं हैं कि उन लड़कों का मुकाबला कर सकें जिनको कि पढ़ाई लिखाई की पूरी सुविधायें मिली हुई थीं जिस का कारण यह है कि उनके अभिभावक

अच्छी नौकरी में थे . . .

उपाध्यक्ष महोदय : माननीय सदस्य को सवाल करने का ही मौका दिया गया है . . .

डा० राम सुभग सिंह : मैं चाहता हूँ कि उनको सनदें दी जायें और साथ ही साथ पोलिटिकल सफरज के जो लड़के हैं उनकी मुफ्त शिक्षा का प्रबन्ध किया जाये । जो पोलिटिकल सफरर जीवित हैं, उनको काम करने की सुविधा दी जाये और जिस तरह से संगीत नाटक अकादमी की ओर से कलाकारों को चारों ओर विश्व में घूमने का अवसर दिया जाता है, उसी तरह से इनके बच्चों को या खुद पोलिटिकल सफरज को आप दूसरी जगहों पर अध्ययन के लिए और वहाँ देख-रेख के लिये भेजें । आप थियेटर वगैरह में करीब १२ करोड़ रुपया खर्च करने जा रहे हैं । क्या ही अच्छा होता कि आप कम से कम पांच करोड़ भी इन बच्चों की शिक्षा पर खर्च कर पाते ।

मुझे अन्य सरकारों से भी थोड़ी शिकायत है । पोलिटिकल सफरज को सहायता की घोषणा के बावजूद भी केवल १ लाख २६ हजार रुपया ही इस्तेमाल हो सका है, इनके लड़कों की शिक्षा में । मैं चाहता हूँ कि आप बतायें कि क्या कारण है कि सरकार इसका खूब अच्छी तरह से प्रचार नहीं कर पाई है । सरकार को चाहिये था कि वह ऐसी व्यवस्था करती कि जो लोग जेल में गये थे, या जिनके घर जल गये थे, या जिनको अंग्रेजों ने गोली का निशाना बना दिया था, उनकी पूरी पूरी सहायता होती और सरकार खुद-ब-खुद उनकी मदद करती । इसके लिए एक लिस्ट का होना जरूरी था ताकि उनके बच्चे पढ़ लिख सकते । जैसा अब है उसमें लोग दौड़ते दौड़ते परेशान हो जाते हैं और जिस सहायता का वचन दिया गया है, वह भी उनको नहीं मिल पाती है । आपको चाहिये कि जो सहायता है, वह सभी तक आप पहुँचायें ।

Shri Raghunath Singh (Varanasi): I do not believe in the theory of the

begging bowl, but I say that the sons and dependents of the fighters of freedom should be given priority in the fighting forces, specially in the Navy. I think my this suggestion will be considered by the hon. Education Minister.... (Interruption). They should be taken in the fighting forces because they are the real martial race of modern India.

श्री विभूति मिश्र (बगहा) : शिक्षा मंत्री जी तो यहां मौजूद हैं लेकिन जहां तक सहायता देने का सम्बन्ध है, वह गृह मंत्रालय का काम है । मैं चाहता हूँ कि सेंट्रल गवर्नमेंट और स्टेट गवर्नमेंट्स के जितने भी रिसोर्सिस हों, उनको इकट्ठा करके एक ही जगह से सारी स्टेट्स में उनका बटवारा हो । मैं जानना चाहता हूँ कि क्या इस तरह की बात पर सरकार ने ध्यान दिया है या नहीं दिया है ?

दूसरी बात यह है कि पोलिटिकल सफरज के लड़कों के लिए पढ़ाई लिखाई का मुफ्त प्रबन्ध हो । एक बात और मैं कहना चाहता हूँ । हमारे बेतिया शहर में एक जवाहर नाम के व्यक्ति कई बार जेल गये थे । आज वह कुष्ठ रोग से पीड़ित हैं और दरवाजे दरवाजे जा जा कर भीख मांगते फिरते हैं । जो पोलिटिकल सफरर मर गये थे तो मर गये, लेकिन जो जिन्दा हैं, उनकी आजीविका के लिए क्या सरकार द्वारा कोई उपाय किया जा रहा है ? मैं यह भी चाहता हूँ कि उनके लड़कों की शिक्षा दीक्षा का समुचित प्रबन्ध हो ।

श्री० रणवीर सिंह (रोहतक) : मैं जानना चाहता हूँ कि सरकार के रास्ते में क्या मुश्किलात हैं कि जो राजनीतिक पीड़ित पचास वर्ष से ज्यादा उम्र के हैं और जिन के पास कोई आजीविका का प्रबन्ध नहीं है, उनको पेंशन नहीं दी जा सकती है । क्या वजह है कि राजनीतिक पीड़ितों के बच्चों को चाहे टेक्नीकल तालीम हो या दूसरी तालीम हो, बजीफे, नहीं दिये जाते हैं ? कौन सी आप के रास्ते में दिक्कतें हैं ?

श्री प्रकाश बीर शास्त्री (गुडगांव) : मैं पूछना चाहता हूँ कि जैसा अभी माननीय सदस्य श्री भक्त दर्शन ने अपना वक्तव्य देते हुए कहा कि सभी दलों के प्रतिनिधियों को दलीय स्तर से ऊपर उठ कर इस प्रश्न पर विचार करना चाहिये और अपनी सहानुभूति व्यक्त करनी चाहिये, क्या सरकार भी दलीय स्तर से ऊपर उठ कर राजनीतिक पीड़ितों के सम्बन्ध में कोई निर्णय करेगी ? यदि हां तो क्या अपनी निष्पक्षता के कुछ ऐसे प्रमाण भी वह प्रस्तुत करेगी जिससे देश को विश्वास हो कि इस सम्बन्ध में जितने भी राजनीतिक पीड़ित थे, चाहे वे किसी भी दल से सम्बन्धित थे, निष्पक्ष हो कर सहायता देने के सम्बन्ध में निर्णय लिये गये हैं ?

श्री रा० स० तिवारी (खजूराहो) : मैं निवेदन करना चाहता हूँ कि जो छोटी छोटी रियासते थीं, दो दो, चार चार गांवों की या पच्चीस पच्चीस गांवों की उन्होंने इन आन्दोलनों में आदमियों का खून किया, उनको मारा, उनका क्या कोई रिकार्ड आपके पास है ? उनका कोई भी रिकार्ड आपके पास नहीं है। इसका कारण यह है कि उन्होंने कोई रिकार्ड अपने यहां रखा ही नहीं। सजा दी राजनीतिक मामले में लेकिन दफा लगा दी १०६ या १४४ या कोई और। मेरा निवेदन है कि आप सर्वे करें कि जो ६०० के करीब रियासतें थीं उन में से बड़ी बड़ी रियासतों को छोड़ कर छोटी छोटी रियासतों के बारे में आप सर्वे करवायें कि वहां किस हद तक उथलपुथल हुई, कितने आदमी मारे गये और आज जिन्होंने राजनीतिक आन्दोलनों में हिस्सा लिया है, उन के साथ कैसा व्यवहार हो रहा है। मध्य प्रदेश में ही एक कानून बनाया गया है ...

उपाध्यक्ष महोदय : माननीय सदस्य भाषण देना शुरू न करें।

श्री रा० स० तिवारी : मैं एक मिनट में खतम

कर रहा हूँ। उस कानून में यह है कि अगर डाक्टर सर्टिफिकेट दे दे और यह लिख दे कि फलां खानदान कमजोर हो गया है, उस को मदद देनी ही चाहिये, उस की शिक्षादीक्षा का प्रबन्ध किया जाय या अन्य उपाय किये जायें तो ऐसा किया जाता है। मैं चाहता हूँ कि आप सर्वे करायें इन लोगों का तो बड़ा अच्छा होगा।

श्री जि० मंडल (खगरिया) : जिस तरह से हरिजनों तथा पिछड़ी जातियों के विद्यार्थियों को छात्रवृत्तियां दी जाती हैं। अगर उसी तरह से राजनीतिक पीड़ितों की वार्षिक आर्थिक आय निर्धारित कर दी जाये कि पांच सौ या एक हजार वार्षिक से कम जिन की आय होगी, ऐसे जो राजनीतिक पीड़ित हैं उन के बच्चों की शिक्षा दीक्षा मुफ्त होगी तथा उन को छात्रवृत्तियां दी जायेंगी तो अच्छा रहेगा। मैं समझता हूँ कि यदि आप ने ऐसा किया तो डा० राम सुभग सिंह जी ने पांच करोड़ की जो बात कही है, उस में काम चल जायेगा। मैं जानना चाहता हूँ कि क्या सरकार इस तरह की सुविधा देने के लिये तैयार है।

श्री नवल प्रभाकर (बाह्य दिल्ली-रक्षित अनुसूचित जातियां) : अभी विभिन्न राज्यों की बात की गई है। किन्तु जो केन्द्र शासित प्रदेश हैं, उनमें आप की नीति क्या है, यह मैं जानना चाहता हूँ। राज्यों के बारे में तो आप ने कहा है कि वे इतना खर्च करेंगे तो हम इतना देंगे। लेकिन केन्द्र शासित प्रदेशों में तो आप का ही दखल है। उन के बारे में आप की नीति क्या है, इस को आप स्पष्ट करें।

पंडित ज्वा० प्र० ज्योतिषी (सागर) : सरकार इस तरह की व्यवस्था करेगी

कि जो राजनीति में कान करते हुए देश के लिये शहीद हुए हैं उन की स्मृति में कुछ ऐसे स्कालर-शिप्स की व्यवस्था करे जिन के द्वारा राजनीतिक पीड़ितों के बच्चों का शिक्षण हो सके ?

The Minister of Education (Dr. K. L. Shrimali): Sir, in the first place, I must say that as far as.....

श्री बजरत्न सिंह (फिरोजाबाद) :
आप तो हिन्दी में बोलिये । आप हिन्दी बोल सकते हैं ।

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :
क्योंकि मैंम्बर साहिबान का यह आग्रह है कि मैं हिन्दी में बोलूँ, मैं खुशी से हिन्दी में बोलने के लिये तैयार हूँ । मैं निवेदन करना चाहता हूँ कि इस मामले में जरूर हमारी कुछ बील रही है । हमें स्वतन्त्रता के बाद ही इस बात का प्रयत्न करना चाहिये था कि जिन लोगों ने त्याग किया, देश की आजादी के लिये लड़ी गई लड़ाई में हाथ बटा । और जिन्होंने ने तरह तरह की यात्नायें भोगीं, उन के और उन के बच्चों की जीविका के लिये सरकार कुछ प्रबन्ध करती । कुछ किया भी । मैं नहीं कहता कि नहीं किया । लेकिन पर्याप्त रूप से नहीं किया । मैं समझता हूँ कि दो वर्ष पहले श्री राम सुभग सिंह जी ने, भक्त दर्शन जी ने और इस सदन के कुछ अन्य सदस्यों ने इस हाउस में इस प्रश्न को उठाता था और उसका प्रयोजन सिर्फ इतना ही था कि जो राजनीतिक पीड़ित हैं उन के बच्चों की तीन्नीम के लिये कुछ सुविधाओं का प्रबन्ध किया जाये । इस सीमात प्रश्न को लेकर भारत सरकार ने यह तय किया कि इस सम्बन्ध में राज्य सरकारों की सहायता के साथ कदम उठाना चाहिये । सन् १९५६ की जनवरी में यह निर्णय किया गया था और सन् १९६० में सब राज्य सरकारों को और यूनियन टैरीटरीज को इस सम्बन्ध में लिखा गया ।

जहां तक पोलिटिकल सफरर्स का संबंध है, इस शास्त्र की व्याख्या निश्चित रूप से की 1695 (Ai) LSD—9.

गई है । पोलिटिकल सफरर की व्याख्या यह है :

“Political sufferer means a person who suffered imprisonment or detention of not less than six months or who died or was killed in action or in detention or was awarded capital punishment or became permanently incapacitated due to firing or lathi-charge or lost his job or means of livelihood or a part or whose of his property on account of participation in national movements for emancipation of India.”

All persons come within the definition mentioned in paragraph 6 provided their income does not exceed Rs. 300 per month.

जिन की आय ३०० रु० से ऊपर थी उन को तो इस फायदे की आवश्यकता भी नहीं है, लेकिन जिन की आय ३०० रु० से कम थी उन के लिये निश्चय किया गया था कि उन के बच्चों को तालीम दी जाय और जो कंसेशन्स दिये जाने वाले थे वे ये हैं :

जितने भी राजनीतिक पीड़ितों के बच्चे हैं उन के लिये, फ्रीशिप, हाफ फ्रीशिप और दूसरे कंसेशन्स दिये जायें, प्राइमरी स्कूलों, मिडल स्कूलों और हाई स्कूलों में जो हास्टेल लगे हुए हैं, या कालेजों के साथ लगे हुए हैं, उन में फ्री सीट्स का प्रबन्ध किया जाय ।

श्री विभूति मिश्र : क्या यह कालेजों के सम्बन्ध में नहीं है ?

डा० का० ला० श्रीमाली : कालेजों और स्कूलों दोनों में । उन को स्टाइपेंड्स दिये जायें, कुछ किताबों का खर्चा दिया जाय, प्राइमरी स्कूल से लेकर पोस्ट ग्रैजुएट स्टैंडर्ड तक । यह हिदायतें राज्य सरकारों को दीं और कहा कि इस का आधा खर्चा राज्य सरकार दे और आधा केन्द्रीय सरकार देगी । तो तत्स्वीर इतनी बुरी नहीं है जितनी श्री भक्त दर्शन जी ने बतलाई । परिस्थिति यह है कि सन् १९५६ में जिन सात राज्यों

[डा० का० ला० श्रीमाली]

ने इस सम्बन्ध में न केवल निश्चय किया बल्कि उन्होंने ने स्कीम को लागू भी कर दिया वे ये हैं :

आन्ध्र प्रदेश, बिहार, मैसूर, उड़ीसा, दिल्ली एडमिनिस्ट्रेशन, मणिपुर एडमिनिस्ट्रेशन और त्रिपुरा एडमिनिस्ट्रेशन ।

उत्तर प्रदेश राज्य ने कहा कि वे सन् १९६०-६१ में इस स्कीम को लागू करेंगे ।

Shri Neswi (Dharwar South): The category of absconders is not included, only those who underwent imprisonment.

An Hon. Member: Do you mean persons who went underground?

Shri Neswi: Yes, yes. They have suffered more, they have lost their property.

डा० का० ला० श्रीमाली : आसाम, मध्य प्रदेश, मद्रास, पंजाब, वेस्ट बंगाल और हिमाचल एडमिनिस्ट्रेशन ने अपनी योजनायें केन्द्रीय सरकार के पास भेजी हैं और वे हमारे विचारधीन हैं । मैं आशा करता हूँ कि शीघ्र ही उन को मंजूर किया जायेगा । जिन राज्यों ने अभी तक कोई योजना नहीं भेजी है या जिन्होंने हमारे आदेश के मुताबिक अभी कोई रिबीजन नहीं किया है, वे ये हैं :

महाराष्ट्र, गुजरात, केरल, राजस्थान, जम्मू तथा काश्मीर और पांडिचेरी एडमिनिस्ट्रेशन ।

अब प्रश्न यह रहा कि सारा खर्चा केन्द्रीय सरकार को देना चाहिये या केन्द्रीय सरकार और राज्य सरकार को मिल कर देना चाहिये । निश्चय यह किया गया कि केन्द्रीय सरकार आधा देगी और राज्य सरकार भी आधा दे । जहाँ तक मुझे मालूम है किसी भी राज्य सरकार ने आर्थिक प्रश्न नहीं उठाया । बल्कि जो पिछड़े हुए राज्य हैं जैसेकि बिहार,

उड़ीसा आदि हैं उन्होंने ने स्कीम को लागू भी कर दिया है । यह स्कीम लागू नहीं हुई बम्बई में और बहुत मुमकिन है कुछ रोज वह न करना चाहे । सिद्धान्त रूप से कुछ लोग कहते हैं कि यदि इन लोगों ने स्वतंत्रता संग्राम में भाग लिया तो उन्होंने अपना कर्तव्य किया, अब उस का लाभ उन को क्यों मिले ? हमारी तरफ से इस बात का बराबर प्रयत्न हो रहा है कि सब पीड़ितों को सहायता मिले, और मैं समझता हूँ कि यह राज्य का कर्तव्य भी है । जिन्होंने ने देश की सेवा की, जिन्होंने ने त्याग किया जिन्होंने ने देश को स्वतंत्र करने के लिये तरह तरह की यातनायें भोगीं, उन के बच्चों को कम से कम तालीम तो मिले । यह राज्य का कर्तव्य है और इस में पूरी सहायता करनी चाहिये । इस दृष्टि से जहाँ तक सम्भव है हमारी बराबर कोशिश होगी कि हम इन राज्यों से, जिन्होंने अभी कोई योजना नहीं बनाई है, योजनायें बनावायें । प्रश्न पूरे खर्च के उठाने का नहीं है ।

Dr. Samantsinhar (Bhubaneswar): Is there anything to the effect that the scholarships will be given according to the percentage of the marks obtained?

डा० का० ला० श्रीमाली : मार्क्स का सहायता के साथ कोई सम्बन्ध नहीं है । तो यह जो पांच छः राज्य हैं, जिन्होंने अभी कोई योजना नहीं बनाई है, उन से हम दल्बास्त करेंगे, लेकिन आप यह तो मानेंगे कि बहुत कुछ राज्य सरकारों के एटिट्यूड पर निर्भर करता है । मेरी दल्बास्त है कि आप इन राज्यों से भी कहें क्योंकि आप का उन से सम्बन्ध है और आप का उन पर असर है । आप उन से पूछ सकते हैं कि क्या वजह है कि दूसरे राज्यों ने योजना लागू कर दी है परन्तु वे अपने राज्यों में नहीं करते हैं । अगर आप का असर पड़ेगा तो मैं आशा करता हूँ कि उन की योजनायें जल्दी बन जायेंगी ।

Shri Raghunath Singh: You should also press.

डा० का० ला० श्रीमाली : मैं आश्वासन दिलाता हूँ कि मेरी तरफ से वह किया जायेगा ।

एक प्रश्न पूछा गया, उस के सम्बन्ध में भी मैं कहना चाहता हूँ । एक प्रश्न तो श्री रघुनाथसिंह जी ने उठाया था कि जो भी राजनीतिक पीड़ितों के बच्चे हैं उन को नेवी में दाखिल क्यों नहीं करते ?

Shri Raghunath Singh: All the fighting forces.

डा० का० ला० श्रीमाली : जी हाँ, उनको आर्म्ड फोर्स में क्यों नहीं दाखिल किया जाता ? मेरी उन बच्चों के साथ पूरी सहानुभूति है, लेकिन मैं समझता हूँ कि यह तरीका ठीक नहीं होगा । हमारी आर्म्ड फोर्स में सबसे योग्य व्यक्ति जाने चाहिये और आज कल जो दाखिला होता है वह प्रतियोगिता के आधार पर होता है । अगर राजनैतिक पीड़ितों के बच्चों में योग्यता है, उनके शरीर पुष्ट हैं और वे अच्छे सैनिक बन सकते हैं, तो उनको जरूर लिया जाना चाहिये ।

Shri Raghunath Singh: What facility is given by Government?

डा० का० ला० श्रीमाली : देश की रक्षा का प्रश्न ऐसा है, जिसके साथ खिलवाड़ नहीं किया जा सकता । इसके सम्बन्ध में हमारी कोशिश होनी चाहिये कि देश के अच्छे से अच्छे लोग जायें और फोर्स में और नेवी में । मेरी सहानुभूति होते हुए भी जो उनका प्रस्ताव है उसे स्वीकार करना कठिन है ।

श्री रघुनाथ सिंह : प्रायरीटी होनी चाहिये ।

An Hon. Member: What about national register?

डा० का० ला० श्रीमाली : मेरा यह निश्चित मत है कि जितनी डिफेन्स फोर्स हैं उन में अच्छे से अच्छे व्यक्ति जायें और

किसी के साथ किसी किस्म का पक्षपात नहीं होना चाहिये, चाहे वह राजनैतिक पीड़ित ही क्यों न हो । बड़ी भारी गलती होगी अगर हम इस मामले में रिजर्वेशन वगैरह करें । मेरी उन बच्चों के साथ पूरी सहानुभूति है लेकिन जो देश के हित में नहीं है, वह मैं समझता हूँ कि नहीं करना चाहिये ।

प्रकाश वीर जी ने यह प्रश्न उठाया था कि जो स्कालरशिप दिये जाते हैं वे सभी राजनीतिक दलों के व्यक्तियों के बच्चों को दिये जाने चाहिये । पोलिटिकल सफरर जो भी हों, चाहे वे किसी भी राजनीतिक दल से सम्बन्धित हैं, उनके बच्चों को सहायता मिल सके । अगर मेरे सामने ऐसा एक भी उदाहरण लाया जाय जहाँ पर कि पक्षपात हुआ है, तो उस पर कार्रवाई की जायेगी और मैं यह देखूँगा कि उस मामले में स्कालरशिप दिया जाय । पोलिटिकल सफरर की जो व्याख्या है उसके अन्तर्गत अगर एक भी उदाहरण आपके ध्यान में हो जहाँ पर राज्य सरकार ने या केन्द्र सरकार ने पक्षपात किया है तो हमारा ध्यान आप उस पर दिलायें, तुरन्त उस पर कार्रवाई की जायेगी । लेकिन खाली यह कहने से काम नहीं चलेगा कि पक्षपात हुआ है । उसके विशेष उदाहरण सरकार के सामने रखे जायें ।

कुछ सुझाव हमारे राम सुभग सिंह जी ने दिये थे कि उनको सनद मिलनी चाहिये और कुछ हू इज हू बनना चाहिये । इन सुझावों पर मैं गौर करूँगा गो कि इस योजना के साथ इनका कोई सम्बन्ध नहीं है । जो सुझाव दिये गये हैं उन पर सरकार गौर करेगी ।

जहाँ तक इस स्कालरशिप की योजना का सम्बन्ध है, इसको पूरी पब्लिसिटी दी जाएगी । और हम राज्य सरकारों को और लिखेंगे । मैं माननीय सदस्यों से भी दरख्वास्त करता हूँ कि वे भी राज्य सरकारों पर इस बारे में दबाव डाल, तभी यह योजना सफलतापूर्वक कार्यान्वित हो सकेगी ।

श्री विभूति मिश्र (बगहा) : मैं कहना चाहता हूँ कि जिस तरह सेंट्रल गवर्नमेंट सेंट्रल प्रार्थी को देती है उसी तरह से हम को भी दे। हम तो सारे देश के लिए लड़े थे किसी एक राज्य के लिये नहीं। इस बारे में भी मंत्री जी जवाब दें।

उपाध्यक्ष महोदय : आपने कह लिया और उन्होंने भी जवाब दे दिया। अब कुछ मुझे कहना है वह कहने दीजिए।

17.31 hrs.

VALEDICTORY REFERENCE

Mr. Deputy-Speaker: I am very happy that we have now concluded this session. We have been here for about six weeks. During that period, important debates have been held. We had one on foreign affairs, our Prime Minister's visit to the UNO, his speeches there and the part that we played there.

We have put through very important legislation also, like the Companies Bill and the Preventive Detention (Amendment) Bill.

Shri Braj Raj Singh (Firozabad): That is important?

Mr. Deputy-Speaker: They are important. We might differ from each other. But they are important pieces of legislation (*Interruptions*). They are, from every point of view, important. We might oppose or we might support them, but the import-

ance does not go away from that. We have differed many a time.

Shri P. N. Singh (Chandauli): It is a notorious Act.

Mr. Deputy-Speaker: It should not be addressed to me like that. It is not my fault.

Hon. Members, irrespective of their party affiliations, have been making nice contributions and though there were many differences of opinion and uproarious debates as well, ultimately we have co-operated and collaborated for the advance of democracy further and further, and we go back satisfied in that respect, that we have done our job well.

Now there is this pleasant task for non. Members of going to their constituencies and meeting their electors who are the real masters.

Shri C. D. Pande (Naini Tal): Facing them.

Mr. Deputy-Speaker: I give them my good wishes. There also they have to educate them and to learn from them. I think they will enjoy their stay. Now that the elections are also coming near, they have certainly tremendous responsibilities before them. I wish them well. They carry my best wishes.

The House now stands adjourned *sine die*.

17.34 hrs.

The Lok Sabha then adjourned *sine die*.

[Friday, December 23, 1960/Pausa 2, 1882 (Saka)]

ORAL ANSWERS TO QUESTIONS :

S.Q. No.	Subject	COLUMNS
1080	Popular Governments in Himachal Pradesh, Manipur, Tripura and Delhi	7201—55
1081	Co-ordination Committee on Physical Education, Recreation and Youth Welfare . .	7201—07
1082	Industrial establishments	7207—13
1083	Conference of Middle East Oil Producing countries	7213—14
1084	Korba Coal fields . .	7214—19
1085	U.K. Investments in India	7219—20
1086	Arrest of Chinese and Pakistanis	7220—22
1087	Chhattar Manzil Palace, Lucknow	7223—26
1088	Barauni refinery . .	7226—27
1089	Import of Machinery for Korasia collieries . .	7227—31
1091	International Hydrographic Bureau	7231—32
1092	Alloy and Tool Steel Plant	7232—33
1093	Pension Scheme for Central Government employees	7233—35
1097	Parliamentary Constituencies in Gujerat . .	7236—37
S.N.Q. No.		
11	Visit of Journalists to Nagaland	7237—39
12	Indian-Chinese Officials talks	7239—43
13	Subscription of L.I. Policies from G.P.F. Account by Government employees	7243—48
14	Jambad colliery	7248—50
		7251—55

WRITTEN ANSWERS TO QUESTIONS :

S.Q. No.		
1090	Propagation of Hindi . .	7255—56
1095	Exchange of scholars between India and China . .	7256
1096	People's Friendship University, Moscow	7256—57
1695 (A)	LS—10	

WRITTEN ANSWERS TO QUESTIONS—contd.

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1098	Canteen at Qutab Minar, Delhi	7257
1099	C.O.D., Chheoki	7257—58
1100	Stoppage of Blast furnaces	7258
1101	Jet engines	7258—59
1102	Coal stock in Asansol area	7259
1103	Publication of Census Statistics in Hindi . .	7259—60
1104	Pipeline from Barauni to Delhi	7260—61
1105	Army Personnel in Naga areas	7261
1106	Credit from Austria . .	7261—62
U.S.Q. No.		
2312	School hostels in Maharashtra	7262
2313	Middle Schools in Delhi	7262—63
2314	Schools and Colleges in Himachal Pradesh . .	7263
2315	Centenary of Department of Archaeology	7263—64
2316	Discovery of Garnet stone in Bihar	7264
2317	Archaeological find in Binpur, West Bengal . .	7264
2318	Institute for handicapped persons in Delhi . .	7265
2319	Legal assistance to Harijans in Delhi	7265
2320	Murders in Delhi	7266
2321	Water facilities for S.C. in Punjab	7266
2322	Income-tax arrears in Punjab	7266
2323	President's Order on Official Language	7267—68
2324	Ex-servicemen's Colony, Afzalgarh	7268—69
2325	Election Petition	7269—70
2326	Prices of Land in Delhi . .	7270
2327	French aid for oil exploration	7271
2328	Bhilai Steel Plant	7271
2329	Explosions in Delhi	7272
2330	Stocks of iron and steel . .	7272—73

WRITTEN ANSWERS TO
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2331	Quarter for women teachers	7273-74
2332	Oil pipelines	7274-75
2333	Chairman, University Grants Commission	7275-76
2334	Smuggling of silver	7276
2335	Social Welfare Schemes	7276-77
2336	Open air Jail system in Himachal Pradesh	7277
2337	Satyagraha Movement in Manipur	7277-78
2338	Manipur Administration	7278-79
2339	Scheduled Castes of Savitri Nagar, Delhi	7279
2340	Retrenched Ex-service-men	7280
2341	Depressed Classes League, Orissa	7280-81
2342	Dearer Money Policy	7281-82
2343	School teachers in Delhi Government schools	7282
2344	Government Officers	7283
2345	Hindi knowing employees	7283-84
2346	Appointment of a Judge in High Court	7284
2347	Nationalisation of text books	7284
2348	Requisitioning of stores for use of A.I.C.C. Session at Raipur	7284-85
2349	System of examination	7285-86
2350	Census Irregularities in Seraikela and Kharswan	7286-87
2351	Sanitary Inspectors at Kharakvasala	7287-88
2352	Report of Committee on Archival Legislation	7288
2353	Entry of Pakistanis into India	7288
2354	University Film Council, New Delhi	7289
2355	Export of copra and betelnuts from Andamans	7289
2356	Posts in Bhilai and Rourkela Steel Plants	7290
2357	Floods in Madras	7291
2358	Gang of racketeers	7291
2359	Colombo Plan Consultative Committee for Cooperative Economic Development	7291-93
2360	Model Small Saving Scheme	7293-94

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QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2361	Donations by foreigners to Indian Public Institutions	7294-95
2362	General Elections, 1962.	7295
2363	Army Battation for Orissa	7295
2364	Pay Fixation of S.A.S. Accountants	7295-96
2365	Srirangapatnam Museum	7296-97
2366	UNESCO aid for Second Five Year Plan	7297-98
2367	Reserved seat candidates	7298
2368	Pension to Great grandson of Late Maharani Lakshmi Bai of Jahnsi	7298-99
2369	Bihar and Bengal Transfer of Territories Act, 1956	7299
2370	Grade III Section Officers	7300
2371	Defamatory Statements against public servants and Ministers	7300
2372	Participation in Aswan Dam excavations	7301-02
2373	M.E.S. quarters in Amroala	7302
2374	Statutory Status for Educational Institutions	7302-04
2375	Subsistence allowance to suspended teachers in Delhi	7304
2376	Primary Schools in Himachal Pradesh	7304-05
2377	Manipur State Constitution Act, 1947	7305
2378	Tribal Housing Scheme	7305-06
2379	Allotment of coal to Punjab	7306
2380	Translation of Kannada books	7307
2381	Laying of pipelines	7307-08
2382	Foreign Post Office, New Delhi	7308
2383	Mineral Survey of Himachal Pradesh	7308-13
2384	Monuments in Punjab	7313
2385	Ground Water Resources in Punjab	7313-14
2386	Tribe of Lepchas	7314
2387	Assembly Demand Movement in Manipur	7315

WRITTEN ANSWERS TO
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2388	Adult films in Imphal cinemas	7315
2389	Police firing at Imphal . .	7315-16
2390	Division of Manipur . . .	7316
2391	Manipur Territorial Coun- cil	7316-17
2392	Bomb explosion in Mani- pur	7317
2393	Children's Delinquency cases in Manipur . . .	7317-18
2394	Matinee shows in Im- phal cinema houses . .	7318
2395	Exploration of oil poten- tial	7318-19
2396	All India depressed Clas- ses League.	7319
2397	Post Mastic Scholar- ships to Backward Clas- ses in Mysore	7319-20
2398	Welfare of S.C., S.T. and Other backward classes in Mysore	7320
2399	Commissioner for S.C. and S.T.	7320-21
2400	Christian Missions work- ing in border districts .	7321
2401	Director of Industries in Manipur	7321
2402	Strategic survey work . .	7322
2403	State Bank of India fa- cilities to Cooperative Societies	7322-23
OBITUARY REFERENCE		7323

The Speaker made a reference to the passing away of Shri Vinayak Rao Balashanker Vaidya who was a member of the Constituent Assembly of India and Provisional Parliament.

Thereafter members stood in silence for a short while as a mark of respect.

PAPERS LAID ON THE
TABLE 7323—26

- (1) A copy of further State-
ment showing the re-
commendations of the
Direct Taxes Adminis-
tration Enquiry Com-
mittee which have been
accepted either fully or
with modification.

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- (2) A copy of Notification No. G.S.R. 1457 dated the 10th December, 1960 making certain amend-
ments to the Coal Bear-
ing Areas (Acquisition
and Development) Rules,
1957, under sub-section
(3) of Section 27 of the
Coal Bearing Areas (Ac-
quisition and Develop-
ment) Act, 1957.
- (3) A copy of each of the fol-
lowing statements show-
ing the action taken by
the Government on various
assurances, promises and
undertakings given by the
Ministers during the vari-
ous sessions of Second
Lok Sabha :—
- (i) First Statement Twelfth Session
1960
- (ii) Supplementary Eleventh Session,
Statement 1960.
No. IV.
- (iii) Supplementary Tenth Session,
Statement 1960.
No. IX.
- (iv) Supplementary Ninth Session
Statement 1959.
No. XII
- (v) Supplementary Eighth Session
Statement 1959.
No. XIV.
- (vi) Supple- Seventh Session
mentary 1959.
Statement
No. XXI.
- (vii) Supple- Sixth Session,
mentary 1958.
Statement
No. XX.
- (viii) Supple- Fifth Session,
mentary 1958.
Statement
No. XXIII.
- (ix) Supplemen- Fourth Session,
tary 1958.
Statement
No. XXXIII.
- (4) A copy of Notification
No. G.S.R. 1458 dated
the 10th December, 1960
making certain amend-
ment to the Minerals
(Conservation and Deve-
lopment) Rules, 1958,

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- under sub-section (1) of Section 28 of the Mines and Minerals (Regulation and Development) Act, 1957.
- (5) A copy of each of the following Notifications under Section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944 :—
- (i) G.S.R. 1448 dat3d the 1st December, 1960.
- (ii) G.S.R. 1480 dated the 10th December, 1960.
- (6) A copy of Notification No. G.S.R. 1474 dated the 10th December, 1960 making certain further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944.
- (7) A copy of Notification No. G.S.R. 1477 dated the 10th December, 1960, under sub-section (4) of Section 43B of the Sea Customs Act, 1878.
- (8) A copy of Notification No. G.S.R. 1478 dated the 10th December, 1960 making certain amendment to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955.
- (9) A copy of Statement on Five year Interest Free Prize Bonds, 1965.
- (10) The synopsis of the proceedings of the following Committee on Draft Third Five Year Plan were laid on the Table :—
- (i) Committee 'A' (Policy, Resources and Allocations)

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- (ii) Committee 'B' (Industry, Power and Transport)
- (iii) Committee 'C' (Agriculture and Rural Economy)
- (iv) Committee 'D' (Social Services)
- (v) Committee 'E' (Technical Manpower and Scientific Research).
- (11) The minutes of the sittings (Twenty-ninth and Thirtieth) of the Committee on Subordinate legislation held during the Twelfth Session were laid on the Table.
- REPORT OF COMMITTEE ON SUBORDINATE LEGISLATION PRESENTED . 7330
- Tenth Report was presented.
- CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE . 7330—38
- Shri Indulal Kanaiyalal Jainik called the attention of the Minister of Steel, Mines and Fuel to the plans and estimated cost of constructing and oil refinery in Gujarat and of laying pipelines from Gujarat to Bombay.
- The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha) made a statement in regard thereto.
- In response to the three other calling attention notices mentioned below against the names of the members concerned, the Ministers concerned laid statements on the Table :—
- (1) Shri B.K. Gaikwad. Reported demolition of huts of the Scheduled Caste people by the Delhi Development Authority in Delhi.
- (2) Shri Inder J. Malhotra. Order of the Government of India for bidding rehabilitation grant to the displaced persons settled in districts other than Jammu in Jammu and Kashmir State.

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- (3) Shri Indrajit Gupta. Reported decision of the Government to reverse the existing scheme of voluntary movement of refugees to Dandakaranya

BILLS INTRODUCED . . . 7338—40

- (1) The Criminal Law Amendment Bill, 1960.
 (2) The Two-Member Constituencies (Abolition) Bill, 1960.
 (3) The Specific Relief Bill, 1960.
 (4) The Limitation Bill, 1960.

BILLS PASSED . . . 7340—78

- (i) Further discussion on the motion to consider the Children Bill, as passed by Rajya Sabha was concluded. The motion was adopted. After clause-by-Clause consideration the Bill was passed.
 (ii) The Minister of Transport and Communications (Dr. P. Subbarayan) moved for consideration of the Telegraph Laws (Amendment) Bill. The motion was adopted. After clause-by-clause consideration the Bill was passed.
 (iii) The Minister of Law (Shri A.K. Sen) moved for consideration of the British Statutes (Application to India) Repeal Bill, as passed by Rajya Sabha. The motion was adopted. After clause-by-clause consideration the Bill was passed.
 (iv) The Minister of Law (Shri A.K. Sen) moved for consideration of the Repealing and Amending Bill, as passed by Rajya Sabha. The motion was adopted. After clause-by-clause consideration the Bill was passed.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED . . . 7379

Seventy-fifth Report was adopted.

PRIVATE MEMBER'S BILL INTRODUCED . . . 7379

The Junior Artists' (Regulation of Employment) Bill, 1960. by Shri Narayan Ganesh Goray.

PRIVATE MEMBER'S BILL —MOTION FOR INTRODUCTION NEGATIVED . 7379—82

Pandit Brij Narayan "Brijesh" moved for leave to introduce the Prevention of Cow Slaughter (for Union Territories) Bill.

PRIVATE MEMBER'S BILL —WITHDRAWN . . . 7382—97

Further discussion on the motion to circulate the Indian Institute of Archaeology Bill moved by Shri C.R. Narasimhan on the 9th December, 1960 continued. Shri C.R. Narasimhan replied to the debate. The Bill was withdrawn by leave of the House.

PRIVATE MEMBER'S BILL RETURNED BY RAJYA SABHA WITH AMENDMENTS — AMENDMENTS AGREED TO . . . 7397—98

Shrimati Subhadra Joshi moved for consideration of the Amendments made by Rajya Sabha in the Code of Criminal Procedure (Amendment) Bill, 1959 (Amendment of section 198). The motion was adopted. Shrimati Subhadra Joshi also moved that the amendments made by Rajya Sabha be agreed to. The motion was adopted and the amendments were agreed to.

PRIVATE MEMBER'S BILL UNDER CONSIDERATION

Shri Tangamani moved that the Code of Criminal Procedure (Amendment) Bill, 1960 (Amendment of sections 107, 129, 144 and insertion of new section 131A) be taken into consideration. The discussion was not concluded.

HALF-AN-HOUR DISCUSSION . . . 7444—63

Shri Bhakt Darshan raised a half-an-hour discussion on points arising out of the answer given on the 12th December, 1960 to Starred Question No. 834 regarding Children of Political Sufferers.

The Minister of Education (Dr. K.L. Shrimali) replied to the debate.

Lok Sabha adjourned *sine die*.

OF THE TWELFTH SESSION OF LOK SABHA

1. Period of the Session—November 14 to December 23, 1960/ <i>Karika</i> 23to <i>Pausa</i> 2, 1882 (<i>Saka</i>)		(vi) Adopted Nil (vii) Part Discussed . . . I	
2. Number of sittings 30		9. Government Motions :	
. Total number of sitting hours 191·57		(i) Received I	
4. Number of Divisions held . . . 13		(ii) Adopted Substitute Motion. moved by Shri D.C. Sharma was adopted	
5. Government Bills :		10. Private Members' Motions :	
(i) Pending at the commence- ment of the session 13		(i) Received 76	
(ii) Introduced 19		(ii) Admitted 57	
(iii) Laid on the Table as passed by Rajya Sabha 4		(iii) Moved 8	
(iv) Referred to Select Com- mittee 1		(iv) Adopted 6	
(v) Referred to Joint Com- mittee 1		11. Discussions held on motions or urgent Public Import- tance. 2	
(vi) Reported by Select Com- mittee 1		12. Half-an-hour Discussions held 9	
(vii) Reported by Joint Com- mittee 1		13. Number of matters of ur- gent Public Importance to which attention of Ministers was called and statements were made or laid by Ministers . . . 22	
(viii) Passed 26		14. Adjournment motions :	
(ix) Returned by Rajya Sabha insisting on amendments to which Lok Sabha had dis- agreed 1		(i) Received 40	
(x) Pending at the end of the Session 11		(ii) Admitted Nil	
(xi) Returned by Rajya Sabha without any amendment (Money Bills) 6		(iii) Consent withheld by Speaker 40	
6. Private Member's Bills :		15. Questions Asked :	
(i) Pending at the commence- ment of the session 125		(i) Starred 1,106	
(ii) Introduced 5		(ii) Unstarred (including Starred Questions con- verted as Unstarred Ques- tions) 2,390	
(iii) Withdrawn 2		(iii) Short Notice Questions . . 14	
(iv) Negatived 1		16. Reports of Parliamentary Committees Presented :	
(v) Passed 1		(i) Estimates Committee 4	
(vi) Pending at the end of of the session 126		(ii) Public Accounts Com- mittee 2	
7. Government Resolutions :		(iii) Railway Convention Co- mittee, 1960 1	
(i) Moved 1		(iv) Committee on Petitions . . . 1	
(ii) Adopted 1		(v) Committee on Subordinate Legislation 1	
8. Private Members' Resolu- tions :		(vi) Committee of Privileges . . . 1	
(i) Received 932		(vii) Committee on Absence of Members from the Sittings of the House 1	
(ii) Included in the List of Business 659		(viii) Business Advisory Committee 5	
(iii) Discussed 4		(ix) Committee on Private Members' Bills and Re- solutions 5	
(iv) Withdrawn 2			
(v) Negatived 1			