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**Friday, March 4, 1960**  
**Phalguna 14, 1881 (Saka)**

# **LOK SABHA DEBATES**

**Tenth Session  
(Second Lok Sabha)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**  
**New Delhi**

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LOK SABHA

Friday, March 4, 1960/Phalgun 14,  
1881 (Saka).

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Indians Stranded in Italy

- +
- \*610. { Shri A. M. Tariq:  
Shrimati Ila Palchoudhuri:  
Shri Assar:  
Shri Hem Barua:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 636 on the 7th December, 1959 and state the result of the discussions held with the Government of Italy in regard to 138 persons detained by them?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): The Italian Government decided not to prosecute or deport the persons concerned. Since the Government of India had no legal powers to repatriate the latter compulsorily, the Italian Government eventually decided to hand back the seized passport as and when the person concerned was able to make his own travel arrangements to leave Italy. The Government of India at the same time instructed their Embassies in Rome, Paris, Bonn and Berne that as soon as any of these persons himself applied for repatriation, he should be immediately repatriated.

Shri Hem Barua: May I know whether it is a fact that the Indian Government approached the shipping

company concerned that brought them to Italy to bring them back to the port of embarkation and, if so, what was the response of the shipping company?

Shri Sadath Ali Khan: This matter was discussed with the Italian Government. The Italian Government maintained that as the passport of these persons had been checked and pronounced valid by the Indian check-posts prior to embarkation, the shipping company was not responsible.

Shri Hem Barua: As the Indians have to be repatriated to India and as the Government of India have paid for their repatriation, may I know whether those Indians are asked to sign a bond to repay in instalments the passage money?

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

Dr. Ram Subhag Singh: Since this matter came to the notice of the Government, may I know whether the Government have made any investigations regarding the number of such persons who might have got similar passports?

Shri Jawaharlal Nehru: Yes, Sir. Very extensive investigations have been made in England and other countries in Europe and in India.

Shri Hem Barua: They were detained in two camps in Italy. Pending their repatriation to this country they were in a very miserable condition in the camps. If so, may I know whether we have instructed our embassy in Rome to see that these miseries are relieved to a certain extent and, if so, what was the response?

**Shri Jawaharlal Nehru:** Our embassy in Rome was in constant touch with these camps. Originally, some complaints were received that they were not being well provided for, but soon after, our report was that the Italian Government provided quite a large number of amenities, such as food, blankets, etc., to them. Naturally, the Italian food did not always agree with them but the Italian Government treated them well after the first few days of some confusion.

**Dr. Ram Subhag Singh:** The hon. Prime Minister has just now stated that thorough investigations have been made regarding these matters. May I know who are the persons who are indulging in such spurious travel documents?

**Shri Jawaharlal Nehru:** That is a matter which will come up before the courts of law.

#### **Hungarian Delegation on Bio-gas**

- \*611. { **Shri S. C. Samanta:**  
**Shri Subodh Hansda:**  
**Shri R. C. Majhi:**  
**Shri Ajit Singh Sarhadi:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 496 on the 2nd December, 1959 and state:

(a) whether the report of the Hungarian Delegation on Bio-gas has since been considered by Government and decision taken;

(b) how the accepted recommendations are going to be implemented; and

(c) how much Government had to spend for the said delegation?

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

(a) Yes, Sir. The present intention is to set up two pilot plants.

(b) The terms under which Hungarian patents can be utilized are to be incorporated in an agreement which may be finalised shortly. Action

could only be taken thereafter to set up the pilot plants.

(c) About Rs. 20,000.

**Shri S. C. Samanta:** May I know whether the materials that remain after the extraction of bio-gas can be used as manure?

**Shri Satish Chandra:** That is the main idea. There are large quantities of organic waste—agricultural waste and food waste—in the country, and the pilot plants are intended to experiment the utilisation of these wastes for the production of gas for heating purposes and the residue for manurial purposes.

**Shri S. C. Samanta:** May I know whether the Food and Agriculture Ministry will also take up this scheme?

**Shri Satish Chandra:** The scheme has been taken up in consultation with the Food and Agriculture Ministry. It is only in an experimental stage, at present. A delegation came here, and we pursued this matter in fullest consultation with the Ministry of Food and Agriculture. In fact, the committee appointed to discuss the proposal with Hungarian delegation had among others the Director of the Indian Agricultural Research Institute and the Director of the National Sugar Research Institute as members. Other officers of that ministry were also associated as members.

#### **Wage Boards for Industries**

\*612. **Shri Ram Krishan Gupta:** Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 233 on the 19th November, 1959 and state:

(a) whether Government have taken final decisions regarding the placing of the wage boards for industries on a statutory footing; and

(b) if so, the nature of the decision taken?

**The Parliamentary Secretary to the Minister of Labour and Employment**

**and Planning (Shri L. N. Mishra):** (a) and (b). The consensus of opinion in the Standing Labour Committee, which discussed this question at its meeting in January 1960, was not in favour of the proposed legislation.

**Shri Ram Krishan Gupta:** In reply to a previous question it was said that some of the central organisations were not in favour of the scheme. May I know the objections which they raised?

**Shri L. N. Mishra:** Out of the four central organisations, only two—the INTUC and the AITUC—are in favour of giving legal sanction to the proposal. The HMS is opposed to it, and we have received no reply from the UTUC.

**Shri Ram Krishan Gupta:** What steps have the Government taken so far to implement the recommendations of the wage boards which have been set up so far?

**Shri L. N. Mishra:** We have got the reports from only three wage boards—sugar, textiles and cement. So far as the textiles and cement are concerned, the Government's decisions were published only two or three days ago. So far as sugar is concerned, the recommendations have been implemented by most of the mills barring one or two.

**Shri S. M. Banerjee:** The wage boards for textiles and cement have since submitted their recommendations which are unanimous in character. Daily, some people from some quarters including the mill owners are coming out against the recommendations of the wage boards. I know that in the absence of legislation.....

**Mr. Speaker:** What is the question?

**Shri S. M. Banerjee:** If these are not accepted, and in the absence of legislation, may I know how Government is going to enforce these decisions? How enforcement will be possible?

**The Minister of Labour and Employment and Planning (Shri Nanda):** At the last meeting of the Standing Labour Committee, this matter was discussed. The representatives of workers and of the employers were there. They had some differences of opinion among them. The consensus was that unanimous recommendations should be implemented. We trust they will be implemented. If it happens that in some cases there is difficulty, we will try to meet it.

**Shri T. B. Vittal Rao:** In the Standing Labour Committee, it was agreed that the unanimous recommendations will be implemented. Why not we undertake legislation at least to that extent that unanimous recommendations will be implemented?

**Shri Nanda:** If they are implemented without the help and support of legislation, one should welcome that.

**Shri Rameshwar Tantia:** What will be the Government's policy in those industries where no wage boards have been set up and may I know whether Government are going to set up wage boards for the jute industry and the engineering industry?

**Shri Nanda:** There is a list of industries which have been considered for being dealt with through wage boards. By and by, more and more such industries are being brought within the purview of wage boards.

**Shri Tangamani:** For cement and textile industries, the wage boards have submitted their reports and the Government have accepted their recommendations. May I know what Government will do in those units which may not implement them from the 1st January, 1960?

**Shri Nanda:** Through their organisations, we shall try to prevail upon them to carry them out.

**Shri S. M. Banerjee:** May I know whether it is a fact that representatives of the employers from U.P. met the hon. Minister here and demanded

non-implementation of the wage board recommendations in the textile industry? If so, what was the reaction of the hon. Minister?

**Shri Nanda:** I do not now presume that after the publication there will necessarily be that opposition. At some stage, everybody tried to put forward his point of view.

नेताजी सुभाष बोस के भाषण तथा

लेख

+

\*६१३. { श्री भक्त दर्शन :  
श्री बी० चं० शर्मा :  
श्री पांगरकर :  
श्री राम गरीब :

क्या सूचना तथा प्रसारण मंत्री दिनांक १८ दिसम्बर, १९५९ के तारांकित प्रश्न संख्या १७५१ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि नेताजी सुभाष चन्द्र बोस के भाषणों और लेखों के संग्रह तथा प्रकाशन के बारे में इस बीच क्या प्रगति हुई है ?

सूचना और प्रसारण मंत्री के सभा-सचिव (श्री डा० चं० जोशी) : अब तक जो सामग्री इकट्ठी की गई है उसकी छान-बीन की जा रही है ; अधिक सामग्री इकट्ठी करने का कार्य प्रगति में है ।

The materials collected is being scrutinised and verified; collection of more material is in progress.

**श्री भक्त दर्शन :** श्रीमन्, कब तक यह भाषा की जा सकती है कि यह संग्रह कार्य समाप्त हो जाएगा और पुस्तक निकल जाएगी ?

**सूचना और प्रसारण मंत्री (डा० केशकर) :** अगर माननीय सदस्य को याद हो तो पिछले जवाब में मैं ने यह कहा था कि इस साल के मध्य तक यह काम समाप्त होने की उम्मीद है । हमें आशा है कि इस समय तक यह काम समाप्त हो जाएगा ।

**Shri D. C. Sharma:** May I know from what places the material has not been collected and what agencies are being employed to collect the material from those places?

**Dr. Keskar:** These are matters of detail—I mean the question of collecting the speeches of Netaji Subhash Bose. There are a number of speeches delivered outside India and our efforts are to collect them and also to see whether any speech which has not been reported up till now can also be made available. I cannot say at every moment what particular person is being approached or what authorities are being approached.

**Shri D. C. Sharma:** May I know whether the speeches delivered in India will also be collected?

**Dr. Keskar:** Speeches delivered in India as well as outside speeches will be collected.

**Shri Hem Barua:** May I know what steps Government have taken to verify the authenticity of the speeches delivered abroad, which are supposed to be the speeches of Netaji?

**Dr. Keskar:** That is one of the reasons why we are proceeding carefully in this matter; we are getting them verified.

**Shri Ansar Harvani:** Who are the members of the editorial board who are editing the material and scrutinising it?

**Dr. Keskar:** This was given in the last answer I gave to this question.

**Mr. Speaker:** It need not be repeated.

**श्री पद्म देव :** इन व्याख्यानों और लेखों को संग्रह करने के सम्बन्ध में सरकार ने लोगों को सूचना देने के लिए क्या क्या साधन बरते हैं ?

**डा० केशकर :** उनके भाषण ऐसे नहीं हैं कि इधर उधर फैले हुए हों और लोगों को और पब्लिक को नोटिस देने से मिल सकने

हों। हां विदेशों में जहां वह ये वहां भ्रष्टाचार काफ़ी लोगों को लिखा गया है कि अगर उनका कोई व्याख्यान उनके पास हो तो उसका हमें पता रहे। देश में इसकी कोई आवश्यकता नहीं है कि पब्लिक को नोटिस दिया जाए।

**श्री भक्त वर्शन :** श्रीमन्, मैं जानना चाहता हूँ कि जिस भाषा में नेता जी ने ये भाषण दिए थे या लेख लिखे थे क्या उन्होंने भाषाओं में उनका प्रकाशन होगा, या इसके लिए कोई फारमूला निकाला गया है कि हिन्दी बंगला आदि भारतीय भाषाओं में भी उनका अनुवाद किया जाएगा ?

**डॉ० केशकर :** अभी तक तो हम अंग्रेजी में ही करने का सोच रहे हैं क्योंकि अधिकांश भाषण जो मिले हैं वह—विदेशों को छोड़कर—अंग्रेजी में हैं या कुछ बंगला में हैं। एक प्राच भाषण हिन्दी में भी है। फिलहाल तो हम अंग्रेजी में ही प्रकाशित करने की सोच रहे हैं, आगे चल कर भ्रष्टाचार इनका अनुवाद हिन्दी, बंगला आदि भारतीय भाषाओं में करने के बारे में सोचा जाएगा।

#### Film on the Life of Tagore

\*614. **Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 757 on the 10th December, 1959 and state the progress made in the production of a film on the life of Shri Rabindranath Tagore?

**The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi):** The script of the film is expected to be ready by the end of April.

**Shri D. C. Sharma:** May I know how much time it will take for the translation of the script into film and whether it will be ready by the time the celebrations are going to take place?

**Shri A. C. Joshi:** It will be ready when we have the Birthday Centenary in May, 1961, of Shri Rabindranath Tagore.

**Shri Palaniyandy:** May I know whether the Government is going to produce the picture or some private people?

**Shri A. C. Joshi:** The work has been entrusted to Shri Satyajit Ray of Calcutta, who is a famous producer.

**Shri D. C. Sharma:** May I know whether the Ministry will have any hand in pre-censorship, censorship and in the distribution of this film?

**The Minister of Information and Broadcasting (Dr. Keskar):** This question has been asked many times and answered before. But in order to give the information again, I might say that the film is being produced by Shri Satyajit Ray on behalf of the Government of India and not on his own behalf. Naturally, this film will be produced according to certain conditions laid down. We have an advisory committee to give advice to Shri Ray. Persons who have been connected with Rabindranath Tagore intimately, are there to advise him in this matter.

**Shri B. K. Gaikwad:** May I know how much Government have decided to spend on this film and whether there is anybody else in the Government's view whose film Government is going to produce?

**Dr. Keskar:** We are quite satisfied with assigning this to Shri Satyajit Ray; we do not want to assign it to anybody else. Secondly, the exact payment to be made has not been fixed, but it has been decided in the agreement signed with him that a sum of Rs. 75,000 will be advanced to him in suitable instalments for the production of the film.

**Shri A. C. Guha:** May I know in what language it will be produced? Will it be only in English or any attempt will be made to produce this



film in Bengali and other Indian languages?

**Dr. Keskar:** Like all our documentaries, the film will be produced in all the 13 Indian languages.

#### **Exhibition of Indian Goods in Jedah**

**\*616. Shri M. B. Thakore:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether an annual exhibition is held in Jedah for the display of Indian manufactured goods and art works to Haj pilgrims from all over the world; and

(b) if so, the number of the pilgrims who visited the exhibition in the years 1956 to 1958?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) A permanent showroom was inaugurated at Jedah on 30-10-58 for giving commercial publicity to India's exportable merchandise in Saudi-Arabia. No special display was arranged for Haj pilgrims.

(b) The showroom is visited on an average by about 600 persons every month.

**Shri M. B. Thakore:** May I know whether our trade with Saudi Arabia has decreased?

**Shri Satish Chandra:** The trade with Saudi Arabia during 1959 has not shown improvement over that of 1958. But the figures indicate that many new items which were not being exported to Saudi Arabia before are being exported now.

**Shri M. B. Thakore:** May I know the reason for the decline of our trade?

**Shri Satish Chandra:** The export trade with Saudi Arabia is very small and normal fluctuations do take place. It is difficult to assign any particular reason. We are slowly finding a new market and it is hoped that the trade will develop in future.

**Shri Sampath:** May I know whether handloom products are also displayed in the show?

**Shri Satish Chandra:** Yes, handloom products are displayed in the showroom.

#### **Jeep Case**

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**\*617.** { **Shri Vidya Charan Shukla:**  
**Shri Khushwaqt Rai:**  
**Shri B. C. Mullick:**

Will the **Prime Minister** be pleased to state the latest position about the 'Jeep Case' filed by Government of India in the U.K.?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** According to information available at present, the Jeep Case is likely to come up for hearing in May 1960.

**Shri Vidya Charan Shukla:** On 28th November 1958 it was stated that the inspection of documents connected with this case was completed and it was likely to come up for hearing in early 1959. Now it is stated that it is going to come up for hearing much later. May I know the specific reasons for the delay in the hearing of the case?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** How can we go into law's delays?

**Shri Raghunath Singh:** May I know whether the issues have been framed in this case or not?

**Shri Jawaharlal Nehru:** It is likely to come up for hearing in May, pretty soon. A great deal must have been done, I cannot say precisely. The issues must have been framed.

**Shri Vidya Charan Shukla:** May I know whether any attempts have been made by the Government of India to settle this case out of court?

**Shri Jawaharlal Nehru:** No particular attempt has been made, but we

told our counsel that if suitable opportunities arise to consider this matter, it might be considered.

**Shri U. C. Patnaik:** In view of the fact that a number of transactions had been entered into with this firm with £100 capital and there have been so many reports of the Public Accounts Committee and of the Auditor-General, in view of those facts, may I know whether Government propose to place on the Table of the House information about the transactions with this firm and the position of the case?

**Shri Jawaharlal Nehru:** It is rather an extraordinary question and I am sure the hon. Member knows the answer.

**Shri N. R. Muniswamy:** May I know whether it is a fact that the defendant has made a counter claim which, if allowed, will absorb the entire claim made by us?

**Shri Jawaharlal Nehru:** Yes, Sir. They have made a counter claim.

**Shri U. C. Patnaik:** Even though I know the answer, I want to know whether the Government is prepared to place on the Table of the House the facts of the case and the position in which it is now.

**Shri Jawaharlal Nehru:** I cannot understand a question of this kind. Here is a matter which has been discussed in this House for the last four or five years. We have discussed it, we have made statements, we have appointed committees and what not. There are a number of papers about it, innumerable, and I do not know how to sort them out; some are secret, some are confidential and some are not. Obviously, we cannot undertake to do it.

**Shri Vidya Charan Shukla:** What is the subscribed capital of this firm against which we have instituted legal proceedings and what is the extent of the claim that the Government have made against this firm?

**Shri Jawaharlal Nehru:** The hon. Member has referred to numerous statements that have been made in this House. I cannot go into the details of it. If a specific question...

**Mr. Speaker:** What is the amount of the claim in this case?

**Shrimati Lakshmi Menon:** £254,498-4-0.

**Shri Braj Raj Singh:** What is the subscribed capital of the firm?

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

**Shri Hem Barua:** May I know....

**Mr. Speaker:** Hon. Members would not be allowed to put questions for which answers are easily available in published records.

**Shri Hem Barua:** Sir, no answer is available to this.

**Mr. Speaker:** Further, it is not relevant.

#### Wage Board for Sugar Industry

\*618. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 17 on the 16th November, 1959 and state whether all the sugar mills have since implemented the recommendations of the Wage Board for the award of interim relief?

**The Deputy Minister of Labour (Shri Abid Ali):** According to the information received from the State Governments, all sugar mills, except one, have started implementing the recommendations.

**Shri S. M. Banerjee:** In reply to a previous question the hon. Minister stated that 15 mills—3 in Bihar, 1 in Madhya Pradesh, one in Orissa, 9 in Uttar Pradesh and 1 in Punjab—have not implemented the recommendations of the Wage Board. May I know whether those nine mills in Uttar Pradesh have now implemented it or are implementing?

**Shri Abid Ali:** I have stated in the main reply that except one all others have started implementing it.

**Shri S. M. Banerjee:** In reply to a supplementary the hon. Minister stated that the advice of hon. Members of this House to expedite the report will be communicated to the members of the Sugar Wage Board. May I know whether the report of the Wage Board is expected before September 1960?

**Shri Abid Ali:** This was communicated to the Chairman of the Board. The Board felt that it will not be proper for us to hurry them as then they will not be able to collect all the information which is necessary to enable them to come to a correct conclusion. We have told them that the hon. Members of this House want the report to come early. It is expected that they will be able to submit the report by August next.

**Shri Palaniyandy:** After Government have taken a decision on the recommendations of the Wage Board, may I know whether they will advise the State Governments to convene a meeting of the employers and employees to implement the decisions?

**Shri Abid Ali:** Not necessarily. If it becomes necessary, we will do it.

**Shri Jadhav:** What is the name of the mill which has not implemented it so far, and what steps are taken against it?

**Shri Abid Ali:** One mill in Madhya Pradesh has not implemented it. The Indian Sugar Mills Association has been requested to persuade the mill to implement the recommendations of the Wage Board.

#### Land Routes to Goa

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- \*619. { **Shri Rameshwar Tantia:**  
**Dr. Ram Subhag Singh:**  
**Shri P. G. Deb:**  
**Shri C. K. Bhattacharya:**  
**Shri Assar:**  
**Shri Hem Barua:**

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

(a) whether it is a fact that Government have decided to open additional land routes to Goa; and

(b) if so, the nature of the decision?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). Government have at the moment under study the opening of another route to Goa. The opening of a new route, however, presents its own problems such as transport, additional customs and police personnel, amenities for passengers and proper roads, and these aspects have to be fully examined before a decision can be reached.

**Shri Rameshwar Tantia:** May I know whether on the present route there is harassment of the travellers on both sides of the border at customs chowkis? If so, will Government try to help to remove the difficulties of the travellers?

**Shrimati Lakshmi Menon:** Now there is only one route on the Magali border. The allegations made earlier have been examined and found to be not true.

**Shri Jadhav:** May I know whether smuggling is on the increase on the Goa border?

**Mr. Speaker:** I have not called him to put the question. **Shri Hem Barua.**

**Shri Hem Barua:** May I know whether the question of customs and ferry facilities on the proposed route is being examined and, if so, with what results?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Question of customs?

**Shri Hem Barua:** Yes, customs and ferry facilities on this particular route.

**Shri Jawaharlal Nehru:** When a proposal is made for another route to be opened that aspect has to be examined. I am not at all sure that it will be opened, the second one, nor can I say that it will not be. The matter is under examination, including the aspects that the hon. Member has mentioned.

**Shri Jadhav:** May I know whether it is a fact that smuggling is on the increase on the Goa border?

**Mr. Speaker:** How does it arise out of this question?

**Shri Achar:** May I know whether the Government is aware that travellers are put to much inconvenience and delay on account of the small number of customs officials? Sometimes they are detained from six to eight hours. Will Government do something about it?

**Shri Jawaharlal Nehru:** We have received such complaints, both about delays and smuggling. We are trying to tighten up the regulations and avoid delays.

#### Employees' State Insurance Scheme

\*620. **Shri T. B. Vittal Rao:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1230 on the 19th December, 1958 and state:

(a) the reasons for not extending the medical benefits to workers' families under the Employees' State Insurance Scheme in Bombay and Madras cities; and

(b) whether any firm date has been fixed for this extension?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Due to shortage of personnel and accommodation, the State Governments could not complete necessary arrangements for extending medical care to workers' families in Bombay and Madras.

(b) No.

**Shri T. B. Vittal Rao:** Was it not stated at one of the meetings by the Director General of the Corporation that the additional expenditure consequent upon the expansion could be met from the Corporation's resources themselves? If so, why is there delay?

**Shri Abid Ali:** The question of expenses does not arise. The difficulties are what I have just now mentioned.

**Shri T. B. Vittal Rao:** For the hospital that was to be constructed at Madras, only land has been acquired. Am I to understand that this will not be extended to the families of the insured till the hospital, which is to be constructed, is constructed? It will take two years more.

**Shri Abid Ali:** First of all we have to cover the families for general treatment. The question of hospitalisation will arise afterwards. At present even all the insured persons have not got hospitalisation arrangements. Hospital beds have been reserved and annexes have been acquired by the Corporation for their treatment in hospitals.

**Shri Tangamani:** By what time is the hospital, which is proposed to be constructed in Madras City by the Corporation, likely to be completed?

**Shri Abid Ali:** For hospitalisation in Madras, it is proposed to have one hospital of 175 beds. 84 bedded annexe will be in Coimbatore. In other places also arrangements will be made. But at present land acquisition and all that is being attended to.

**Mr. Speaker:** He wants to know the time within which the hospital will be opened in Madras.

**Shri Abid Ali:** To say that at this stage will be very difficult. So many things have to be completed.

**Shri S. M. Banerjee:** I want to know the progress made towards the establishment of E.S.I. hospitals in

Bombay and other places. What progress has been made in that regard?

**Shri Abid Ali:** The hospital at Bombay is under construction. It should be completed by next year. What is the other place that the hon. Member wants to know?

**Shri S. M. Banerjee:** Other places, like Kanpur.

**Shri Abid Ali:** For that he may give separate notice.

**Shri S. M. Banerjee:** The foundation stone was to be laid in February . . .

**Mr. Speaker:** He wants notice.

**Shri Palaniyandy:** May I know whether the Employees' State Insurance Scheme is also extended to the small industries in Madras State? How far is it extended?

**Shri Abid Ali:** This scheme is extended to places where the required number of persons are employed and not to industries. Whatever industries are situated in that particular zone are covered.

**Shri Kunhan:** May I know whether this scheme has been extended to the families of the insured employees in Kerala State? If not, why not?

**Shri Abid Ali:** In Kerala the scheme has been extended to Alleppey, Quilon, Trichur, Alwaye, Ernakulam, Alagappanagar, Trivandrum, Kozhikode and two or three other places.

**Shri Kunhan:** Whether it has been extended to families . . .

**Mr. Speaker:** Shri Thirumala Rao.

**Shri Thirumala Rao:** May I know if the attention of the Government has been drawn to the very deplorable condition in certain of these hospitals in Bombay run under this scheme and entrusted to private medical practitioners?

**Shri Abid Ali:** Some complaints were received. They were attended to.

**Shri Nanjappa:** The hon. Minister was pleased to say that for want of medical personnel a number of centres were not opened. How many centres were not opened for want of medical personnel?

**Shri Abid Ali:** No, I submitted that families have not been covered.

**Shri S. M. Banerjee:** What are the cities in which this concession has been extended to the families?

**Shri Abid Ali:** A statement was placed on the Table of the House and if again the hon. Member wants it, he can give notice. I will place it before the House. It is a long list.

**Shri T. B. Vittal Rao:** In part (b) of the question I asked whether any firm date has been fixed. In the last meeting of the Corporation the hon. Minister requested the State Governments to help him in drawing a time schedule for the various phases. Even as a result of his sweet persuasion nothing has progressed.

**The Minister of Labour and Employment and Planning (Shri Nanda):** Such a pessimistic view is not warranted. I have been in personal touch with the States. Schedules have been communicated to them, that is, the schedule of dates on which several steps will be taken. I believe considerable progress is being made.

**Dr. Sushila Nayar:** A very important reason for the inadequate health conditions in E.S.I. is said to be the dual control of State Governments and the Central Government. What steps have been taken or are proposed to be taken to rectify this?

**Shri Nanda:** A legislation on the subject has laid down certain arrangements. It may be that some things have to be done in the States and we can only persuade. We cannot take any other action. But I believe that in course of time things have improved.

### Manufacture of Fountain Pens

\*622. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of fountain pens manufactured in India during 1959;

(b) whether any fountain pens were exported during the above period; and

(c) if so, the value thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) Approximately 11 to 12 million pieces in the large scale sector. Precise information from units in the small scale sector is not available, though it is estimated to be over 10 million pieces of fountain pens.

(b) Yes, Sir.

(c) Rs. 1,57,000—export of fountain pens during the period January–November, 1959.

**Shri Pangarkar:** May I know whether any financial assistance has been given to the pen manufacturing units in India during the year 1959?

**Shri Manubhai Shah:** No financial assistance is generally needed. It needs technical assistance, facilities for raw material and import licences.

**Shri Pangarkar:** May I know whether it is a fact that a large number of pens are smuggled in India from Japan and West Germany? If so, what steps have been taken by the Government to check that?

**Shri Manubhai Shah:** There has been a total ban for the last two years on their import because we are more than self-sufficient. As the hon. Member must have noticed from the answer, we are actually exporting and are trying to have more exports. It is still possible that some small quantities are being smuggled like any other commodity.

**Shri Radha Raman:** May I know whether the quality of fountain pens that are manufactured in India compares favourably with the quality of

fountain pens that were imported before? How do their prices compare?

**Shri Manubhai Shah:** As far as the prices are concerned, they are much cheaper on an average from quality to quality. Regarding quality, several of the makes are of first-class standards. We have recently tried to group them into A, B and C categories according to price and are considering to provide technical experts to enforce standards of qualities so that they become better than what they are now. On the whole, the quality is very satisfactory.

**Shri Radha Raman:** May I know whether the fountain pens that are manufactured here employ totally indigenous material or there are certain parts which are still being imported in order to manufacture them?

**Shri Manubhai Shah:** I am glad that the hon. Member has raised this question. As against the import of total parts and components of more than Rs. 6 crores two years ago, the present imports of all kinds of components amount to about Rs. 20 lakhs only. That shows that mostly fountain pens are indigenous. We mean to see that during the current year these imports are also reduced to practically nil.

### ☪. Floods in Chilka Lake Area

\*623. **Shri Chintamani Panigrahi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 1677 on the 18th December, 1959 and state:

(a) what steps have been taken so far in repairing the embankment and draining out the flood water from the lands near Chilka Lake which had affected the land allotted to refugees; and

(b) whether the work has been completed by now?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) and (b). The flood water has since receded from the lands. The work of repairing the embankment has been entrusted to the State Public Works Department and is in progress.

**Shri Chintamani Panigrahi:** May I know, whether the Government is aware that although the flood water has receded in submerged lands, flood water is still there and the land has remained uncultivated because water has not been drained out?

**Shri P. S. Naskar:** We have been informed by the State Government that the water has receded and that due repairs to the embankments are in the process of completion.

**Shri Chintamani Panigrahi:** May I know the acreage of land which was submerged and affected by these flood waters and the compensation or help that was rendered to these refugees who suffered?

**Shri P. S. Naskar:** The total acreage that was submerged is about 1,100 acres, out of which only 700 acres were in the possession of D.Ps. on which the crops were there. We have asked the State Governments to take necessary precautions for the future so that there is no more breach in the embankment.

**Shri Chintamani Panigrahi:** May I know whether the State Government has asked for any financial aid for repairing this embankment and, if so, whether any assistance has been extended to the State Government?

**Shri P. S. Naskar:** So far no financial help has been asked for by the State Government. As and when a request is received from the State Government, it will be considered.

## Labour Bank

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\*624. { **Shri P. G. Deb:**  
**Shrimati Ila Palchoudhuri:**  
**Shri Bibhuti Mishra:**  
**Shri Madhusudan Rao:**  
**Shri S. M. Banerjee:**  
**Dr. Ram Subhag Singh:**  
**Pandit D. N. Tiwari:**  
**Shri Mohan Swarup:**  
**Kumari M. Vedakumari:**  
**Shri Khushwaqt Rai:**

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that a proposal to open a 'labour bank' where people could donate working hours is under the consideration of Government;

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

(c) when a final decision is likely to be taken?

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):**  
(a) No, Sir.

(b) and (c). Recently the Planning Commission sent to the State Governments its tentative suggestions for the fuller utilisation of man-power resources in the rural areas. A copy of the Commission's paper on the subject is laid on the Table of the House. [Placed in Library. See No. LT-1965/60]. The proposals are being considered by the State Governments.

**Shri P. G. Deb:** May I know if the Government have considered the absorption of retired agricultural officers in order to increase agricultural production and create community assets?

**Shri L. N. Mishra:** It is a matter of detail. We have not yet examined this aspect of it.

**Shri S. M. Banerjee:** I want to know whether it is the same scheme as donating Rs. 100 worth of extra work which was decided upon by the Planning Commission. If so, is it a fact

that the people who donate extra work will be given some extra money also?

**Shri L. N. Mishra:** There is no question of giving any payment for the labour they contribute. The question is one of making some contribution for the national endeavour; it might be in the shape of labour or in the shape of cash contribution.

**Shri S. M. Banerjee:** The statement says that the works programmes will ordinarily comprise five categories of works, and the third item is:

"Local development works towards which local people contribute labour while some measure of assistance is given by Government."

I want to know whether this scheme is being introduced to ease the unemployment situation in the rural areas.

**The Minister of Labour and Employment and Planning (Shri Nanda):** There are several schemes, different kinds of schemes catering to different needs and purposes. So far as local development works are concerned, the Government makes a certain contribution and the people have to do their part; it may be, as it was pointed out, either cash contribution or labour. There are other purposes also. In the Panchayats, for example, there are some customary obligations, maintenance of field channels, tanks etc. So, the scheme is in several parts.

**Shri Shree Narayan Das:** May I know whether the Planning Commission has made a survey of the enforcement of the labour tax imposed in the various States by the Panchayats, and what is the result of that survey? Has any attempt been made to see that the labour bank is popular in the country?

**Shri L. N. Mishra:** There are some States where श्रम कर or labour tax is enforced by the Panchayats, and we have asked for the comments from the State Governments. So far as the Planning Commission is

concerned, it has not, on its own, made any survey of it.

**Shri Supakar:** What is the meaning of this term? Is it merely another name for *shram dan*, or is it going to be some place where the potential energy of the persons concerned will be stored for future use?

**Shri Jadhav:** May I know when these suggestions were circulated to the various States, and what is their response?

**The Deputy Minister of Planning (Shri S. N. Mishra):** They were circulated in January, and we have begun receiving replies. One State Government has given a somewhat detailed reply, that is the Andhra Pradesh Government; two State Governments have given *ad interim* replies, and we are awaiting replies from the other State Governments.

#### Naga Rebels

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\*625. { **Shri S. M. Banerjee:**  
**Shri Subiman Ghose:**  
**Shri D. R. Chavan:**  
**Shri Shree Narayan Das:**  
**Shri Radha Raman:**  
**Shri Raghunath Singh:**  
**Shri Pangarkar:**  
**Shri Bibhuti Mishra:**  
**Shri Hem Raj:**  
**Shri D. C. Sharma:**

Will the Prime Minister be pleased to lay a statement showing:

(a) how many times the Naga rebels have raided since the 15th December, 1959;

(b) the extent of loss suffered by the Government and the people;

(c) the nature and kind of property looted;

(d) how many people have been kidnapped and killed or are untraceable; and

(e) how many Naga rebels were killed or captured during this period?



The Parliamentary Secretary to the  
Minister of External Affairs (Shri J.

N. Hazarika): (a) to (e). A statement  
is placed on the Table of the House.

### Statement

#### 1. Raids by the Naga rebels since the 15th December, 1959

NHTA . . . . .	13
Assam State . . . . .	5
Manipur . . . . .	6

#### 2. Extent of loss suffered by the Government and the people

NHTA . . . . .	Value of loss suffered being ascertained.
Assam State . . . . .	Killed 1
Manipur . . . . .	Property worth Rs. 8510/-, 7 fire arms and 20 rounds of ammunition looted or destroyed, 18 inches of Railway line blown and one Railway engine damaged by bullets.
Manipur . . . . .	Property worth Rs. 7471.75 looted or destroyed.

#### 3. Nature and kind of property looted.

Cash, licensed arms, clothes, food grains, wrist watches and fountain-pens.

#### 4. Number of people kidnapped, killed or untraceable.

NHTA . . . . .	35 kidnapped—still untraceable.
Assam State . . . . .	25 kidnapped and later released.
Manipur . . . . .	Nil

#### 5. Naga rebels killed or captured :

NHTA . . . . .	Killed 15
Assam State . . . . .	Captured 207
Manipur . . . . .	Nil.
	Captured 2

**Shri S. M. Banerjee:** In view of the repeated incidents as mentioned in the statement, I want to know if it is a fact that the Naga hostiles are much more stronger than the loyal ones, and if so, what steps are Government taking to negotiate with the hostiles to have a permanent solution?

**Shri J. N. Hazarika:** They are not stronger than the loyal Nagas. The people in large numbers are co-operating with the administration.

**Shri Amjad Ali:** With regard to the answer to part (e) of the Question, could I know, if the Nagas are being cleared from the Naga Hills at this rate and if this process of killing goes on, whether there will be any Naga left un-killed in the Naga land at all?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The hon. Member's question starts with a presumption which is

most extraordinary and based on some phantasmagoria of the mind.

**Shri Hem Barua:** May I know whether it is a fact that the recent convention of the Naga people held at Mokokchung have adopted a resolution demanding a separate Naga State within the Indian Union; if so, is Government seized of that resolution, and what are their reactions to that resolution?

**Shri Jawaharlal Nehru:** That resolution has not been sent to us formally. We have seen it in the sense it was reported. But the matter is under discussion among the convention people themselves, and when they consider it the right time, they would come to us and discuss the matter with us.

**Shri Hem Raj:** May I know whether any attempt has been made to approach the border States of Burma

and Pakistan to round up these Naga hostiles?

**Shri Jawaharlal Nehru:** Approached by whom?

**Mr. Speaker:** Approached by us. That is what he says.

**Shri Jawaharlal Nehru:** Certainly not, Sir.

**Shri Hem Barua:** May I know whether this resolution of the Naga people's convention that has not yet been forwarded to the Central Government is being discussed at the local official level, with the Governor of Assam or with the local officials there in the administration?

**Shri Jawaharlal Nehru:** The convention people themselves are still conferring about this matter, and conferring with other Nagas there. I think that they have met occasionally official people, but there has been no meeting or discussion at the official level, because they have not yet themselves made up their mind quite clearly as to what to discuss.

**Shri Joachim Alva:** Have you offered them a general amnesty, and have the terms of that amnesty been sufficiently circularised so that you can bring round the rebels and put them into peaceful lines?

**Shri Jawaharlal Nehru:** An amnesty was offered and kept open, but obviously the amnesty does not include all future offences which take place after the amnesty.

**Shrimati Masda Ahmed:** In the statement I find that there were altogether 24 raids in different places. May I know whether it is a fact that troubles increased due to relaxation of security measures in the Naga Hills-Tuensang area, and if so, may I know whether the security measures have been intensified now?

**Shri Jawaharlal Nehru:** I can hardly discuss the nature of security measure in answer to a question. They are quite adequate we think, but no amount of security measures can give security to an individual or to a group.

we cannot make 100 per cent. security. The best security is the security which comes from the populace generally supporting the administration. In a very large area that has happened. In fact, it is the result of this spread, if I may use the expression, of a relative peaceful order in large areas, that certain eruptions have taken place in entirely different areas. It is a measure of the success of the administration that they have broken out in some odd areas quite distant from the others.

**Shri Raghunath Singh:** May I know whether the 200 civilian Nagas who have been captured are in jail, or have been released, or some cases have been started against them?

**Shri Jawaharlal Nehru:** I could not say about all of them. It depends on what they were guilty of. Either they were imprisoned, or, if they have surrendered in the normal course with nothing special against them, they have probably been released.

**Shri S. M. Banerjee:** In the statement it is mentioned that 15 Nagas have been killed and 207 captured. I want to know whether those who have been captured have revealed their source of getting arms and ammunitions. Were they interrogated?

**Shri Jawaharlal Nehru:** These are normal procedures. When a person is captured, every type of available information is sought to be obtained from him.

**Mr. Speaker:** It cannot be given.

**Shri Hem Barua:** May I know whether this process of extending the date of the amnesty from time to time has given an indirect fillip to the Naga hostiles who surrendered to take to these hostile activities once again?

**Shri Jawaharlal Nehru:** There has been no extension of the amnesty, and there has been no final date. An amnesty was proclaimed a considerable time ago, and it was made clear that this does not apply to future offences, but the past. The matter is there. If any offences are committed

today, they are not governed by the annexity.

**Shrimati Mafida Ahmed:** May I know whether the so-called loyal Nagas are co-operating with our police and army men to resist the hostile activities?

**Shri Jawaharlal Nehru:** How am I to answer this vague question? I have already stated that broadly the people of the Naga areas are anti to the hostile elements; they are giving a great deal of co-operation. Today, we have, in fact, what are called village guards made of the Nagas there. They are in their villages and they perform very good service, because naturally they live in that country and they know. Therefore, it may be said that by and large, over large areas, a great measure of co-operation is received.

#### **Export of Indian Textiles to Australia**

\*626. **Shri Raghunath Singh:** Will the Minister of Commerce and Industry be pleased to state whether it is a fact that India is facing a keen competition in textile market of Australia and the import from India is decreasing?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** In spite of keen competition from other countries, our textile exports to Australia have remained more or less steady.

**Shri Raghunath Singh:** May I know whether on account of the competition from China and Japan, Indian exports to Australia are not being stepped up?

**Shri Satish Chandra:** I said that there is no decline. We have been able to export in the first eleven months of 1959 to the same extent as we did in 1958. There is competition from Japan in the Australian market, but not so much from China. In fact, the Japanese textiles this year have affected exports from U.K. to Australia, but they have not affected our exports to Australia.

**Shri Rameshwar Tantia:** May I know our total exports during 1958 and 1959, year-wise?

**Shri Satish Chandra:** In 1958, it was 47 million yards; in 1959, for the first eleven months, it was 43.3 million yards, as against 43 million yards in the first eleven months of 1958.

**Shri Palaniyandy:** May I know whether the handloom exports are being extended in Australia, even though the mill goods exports may not be extended?

**Shri Satish Chandra:** Not so much; mainly, the exports are of mill textiles.

#### **Rajasthan Salt**

\*628. **Shri Harish Chandra Mathur:** Will the Minister of Commerce and Industry be pleased to state:

(a) what steps have been taken to develop the Salt sources in Rajasthan;

(b) whether rates of Rajasthan Salt have been raised;

(c) if so, the reasons therefor; and

(d) what effect it is likely to have on the industry?

**The Minister of Industry (Shri Manubhai Shah):** (a) Production in the three sources of Sambhar Lake, Pachbadra and Didwana has increased from about 30 lakh maunds per annum in the beginning, to 90 lakhs maunds per annum in 1959. Necessary plants to produce free flowing table salt and dairy salt at a cost of Rs. 2 lakhs have been installed at Sambhar Lake. Schemes for production of cattle licks and for washing salt and recovery of sodium sulphate at Sambhar Lake are under consideration. The Rajasthan Government have decided to set up a sodium sulphate plant at Didwana.

(b) Yes, Sir; the issue price of Sambhar and Didwana salt has been raised slightly by the Hindustan Salt Co. Ltd., who is working these sources.

(c) and (d). The price of salt was raised to ensure the working of the salt sources on commercial lines and also to rationalise the price of salt having regard to the quality and supply and demand position. The slight increase effected in the wholesale price of salt had hardly any effect on retail prices or on the industry.

**Shri Harish Chandra Mathur:** May I know the cost structure of the Sambhar and the Saurashtra salt, and whether this increase in the rates will not make any imbalance between the two?

**Shri Manubhai Shah:** No, this was done precisely to remove the imbalance to some extent. The Sambhar salt has a different type of market, and the Kharagoda salt is more of marine salt. Therefore, there is no imbalance likely to take place, and the revision was called for in order to make each project almost paying for itself.

**Shri Harish Chandra Mathur:** I had asked about the cost structure.

**Shri Manubhai Shah:** That was what I was saying. The cost structures are not comparable. If my hon. friend wants details for the Kharagoda salt, the price was 67 nP., and for the standard salt in Didwana, it was 50 nP. and for Sambhar 62 nP.

**Shri Harish Chandra Mathur:** May I know whether Government propose to hand over certain salt works to the Rajasthan Government, particularly, Pachbadra and Didwana, and if so, the reasons therefor? Is it that these salt works are unremunerative?

**Shri Manubhai Shah:** That was not precisely the reason. But when we tried to form a company for all the Government salt works, we had long negotiations with the Rajasthan Government, and as this was an enterprise which the State sector could also take up, we decided to hand over Didwana and Pachbadra to the Rajasthan Government.

**Mr. Speaker:** Next question.

396 (A) L.S.—2

**Shri Harish Chandra Mathur:** Is it not a fact that the Pachbadra salt....

**Mr. Speaker:** Order, order. I have gone to the next question. I am not going to allow the hon. Member to ask any further supplementary question now.

**Shri Harish Chandra Mathur:** I have asked only two supplementary questions.

**Mr. Speaker:** No, he has asked about four questions.

**Shri Harish Chandra Mathur:** No.

**Mr. Speaker:** I have allowed a sufficient number of questions. That is what is passing in my mind.

#### Judiciary in Pondicherry

†  
\*629. { **Shri Tangamani:**  
          **Shri Tridib Kumar**  
          **Chaudhuri:**  
          **Shri H. N. Mukerjee:**  
          **Shri Prabhat Kar:**

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

(a) whether Government propose to bring the Judiciary in Pondicherry in line with the Judiciary in the Indian Union;

(b) whether representations were received in this regard;

(c) which is the ultimate Court of Appeal for Pondicherry; and

(d) what steps Government propose to take to grant powers to High Courts in neighbouring States and to the Supreme Court in such matters?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). Government have received representations from Leaders of different political parties in Pondicherry that steps should be taken to amend the judicial procedures that now prevail in that territory in order to ensure that the final Court of Appeal for all cases is a Court in the Indian Union. The system of Judicial Administration in the territory continues to be that as established by

the French Government. The representations received by Government deal more with the question of the final Court of Appeal rather than the question of introducing radical changes in the judicial system as such.

(c) There are three kinds of courts, in the territory, viz., judicial courts, an Administrative Court and a Labour Court. Appeals from the judicial courts lie to the *Cour de Cassation* in Paris. Appeals from the Administrative Court and Labour Court lie to the *Conseil d'Etat* and to the *Court Supérieure d'Arbitrage* in Paris respectively.

(d) The matter has to be very carefully examined in relation to the rights acquired by us under the terms of the Agreement with the Government of France on *de facto* transfer of French establishments in India, dated the 21st October, 1954, as also the Constitutional position obtaining in regard to the retention of the French judicial system in Pondicherry and the Constitutional position of the Supreme Court and other High Courts in India. A beginning, however, has been made in the study of this problem.

**Shri Tangamani:** May I know whether it is a fact that the Public Prosecutor in Pondicherry has got the same status as that of a district judge, so that any reference to his own personality, which may be of a criminal nature, is now looked upon as contempt of court?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I am not absolutely positive about it, but, broadly, I think under the French law, that is the rule.

**Shri Tangamani:** May I know whether it is a fact that the final court of appeal being in Paris, Government have preferred certain appeals on the question of customs, to the Supreme Court in Paris?

**Shri Jawaharlal Nehru:** I am not aware of it.

**Shri H. N. Mukerjee:** In view of the possibility that the *de facto* Administration might, in the case of appeals, have to appear before French courts, may I know if Government have considered that aspect of the matter which impinges on our sovereignty?

**Shri Jawaharlal Nehru:** Did the hon. Member say '*de facto* Administrator'?

**Mr. Speaker:** He means *de facto* Administration, which is vested in us. In cases of conflict, have this Government to go and appear before the Supreme Court in Paris, and does it impinge upon our sovereignty?

**Shri Jawaharlal Nehru:** I do not think there is any question of impinging on our sovereignty. These are interim difficulties that we have to face. The question has not arisen, but it is undoubtedly a somewhat unsatisfactory state of affairs. And we are examining how far, even apart from the question of *de jure* transfer, this question of appeals etc. can be dealt with otherwise.

**Shri Amjad Ali:** From the reply to parts (c) and (d) of the question, we understand that the set-up of the judiciary there is according to the French system, and that the French laws are in vogue there. How long will it take to switch over to Indian laws in Pondicherry?

**Shri Jawaharlal Nehru:** I have just said that first of all, no other change has been effected, since the *de jure* transfer has not taken place, though the *de facto* transfer has taken place. But I do not say that some steps in regard to the legal system cannot be taken even without the *de jure* transfer. That is what we are examining now. But at the same time, there are certain assurances we have given—not precisely about the legal system but, nevertheless, connected with it—that we will not change them rapidly, because they are used to certain methods, customs etc.—just as some people object to the presence of others there who object to any change. So we have to proceed cautiously.

**Shri H. N. Mukerjee:** In view of the categorical opinion of the Pondicherry State Assembly regarding the complete change over in the *de jure* sense also, may I know why Government considers that there are certain representative elements in Pondicherry who would object to the kind of change envisaged?

**Shri Jawaharlal Nehru:** Because they have told us so.

## WRITTEN ANSWERS TO QUESTIONS

### Indo-Pakistan Boundary Agreements

\*609. **Shri Vajpayee:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1034 on the 18th December, 1959 and state:

(a) whether enquiries have been made to ascertain the exact number of Muslims residing in the five villages of Patherkandi Thana which are proposed to be transferred to Pakistan;

(b) if so, the result thereof; and

(c) whether Government's attention has been drawn to a resolution passed by the Karimgunj District Congress Committee that these five villages have come to India as a result of Radcliffe Award?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) and (b). Twenty-four Muslim families reside in the villages of Dumabara, Latitilla, Karkhana, Putnigaon, Borputnigaon and Putnigaon. It is not possible to say whether any of these five villages, either wholly or in part will be affected by the demarcation of the Indo-Pakistan boundary in this area in accordance with the Radcliffe Award. The question of determining the exact alignment of the Indo-Pakistan boundary in this area is under the consideration of Directors of Land Records and Surveys of Assam and East Pakistan.

(c) Yes, Sir.

### Deferred Payments Scheme

\*615. **Shri Abdul Salam:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the deferred payments scheme is not being worked now; and

(b) if so, what are the reasons for keeping it in abeyance?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The repayment liability on foreign loans in the next five to six years is a heavy one, and Government are anxious not to add to it. Therefore, only such cases of import of plant and machinery are being approved on deferred payment terms as are likely to result in a quick saving or earning of foreign exchange to enable payments for the machinery to be met out of such savings or earnings.

### Tibetans in Darjeeling

\*621. **Shri C. K. Bhattacharya:** Will the Prime Minister be pleased to state:

(a) whether there has been an influx of a large number of Tibetans in different disguises in various parts of Darjeeling;

(b) whether some Tibetans have purchased houses at Darjeeling; and

(c) whether any steps have been taken to find out about the identity of these Tibetans?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) No case of Tibetans arriving in disguise in the Darjeeling District has come to the notice of the Government;

(b) No, Sir, not in Darjeeling but 19 have bought houses in Kalimpong.

(c) All Tibetans are closely interrogated on their arrival in the district and thereafter registered with the local authorities.

### Hindu and Sikh Institutions in Pakistan

\*627. Shri Ajit Singh Sarhadi: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether there has been any correspondence or negotiation about the Trust properties left in Pakistan by Hindu and Sikh Institutions; and

(b) if not, what is the attitude of the Government of India in this regard?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Not in the recent past.

(b) The attitude of the Government of Pakistan in such matters has not been very helpful in the past.

फियट कारें

\*६३० { श्री खादीवाला :  
श्री क० भ० मालवीय :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मोटर कारों पर नियंत्रण लगाने के बाद फियट कार की मांग अधिक बढ़ गई है; और

(ख) यदि हां, तो वह कितनी बढ़ी है ?

उद्योग मंत्री (श्री मनुभाई शाह) : (क) और (ख) मोटर कारों की मांग घाम तौर पर बढ़ती जा रही है। लेकिन यह ठीक ठीक निश्चित करना मुमकिन नहीं है कि हर मेकर की कारों की मांग कितनी कितनी है।

### Displaced Persons in Madhya Pradesh

\*631. { Shri Aurobindo Ghosal:  
Shri B. Das Gupta:

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

(a) how many families of East Pakistan refugees have been sent to Sarguja in Madhya Pradesh for rehabilitation so far;

(b) what is the amount of land allotted per family of these refugees and the yield they have received per acre in 1959;

(c) whether it is a fact that maintenance grants have been discontinued before making any alternative provision for their subsistence; and

(d) if so, the reasons therefor?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 801.

(b) Seven acres. The yield was ten to twelve maunds of paddy per acre.

(c) No.

(d) Does not arise.

### Export of Castor-oil

\*632. Shri Subbiah Ambalam: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been a marked increase in the export of castor-oil after the removal of export duty this year; and

(b) if so, the quantity and value of the export during the current year with figures of the preceding year?

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

(a) and (b). Export duty leviable on castor-oil was removed with effect from the 1st July, 1958. Exports of castor-oil increased from 7,157 tons valued at Rs. 113 lakhs in January-June 1958 to 13,077 tons valued at Rs. 192 lakhs in July-December, 1958. Exports in January-November, 1959 (for which statistics are available) have amounted to 31,014 tons valued at Rs. 433 lakhs.

### Black Marketing in Cars in New Delhi

\*632 { Shri Arjun Singh Bhadauria:  
Shri P. G. Deb:  
Shri Khadiwala:  
Shri K. B. Malvia:

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

(a) whether Government are aware that black marketing in the purchase

of cars is being carried on in New Delhi;

(b) if so, the action taken in the matter; and

(c) whether it is a fact that provision for mortgage defeats ban on resale of cars?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). The Motor Cars (Distribution and Sale) Control Order, 1959 was issued with the main objective of securing the equitable distribution and availability at fair prices of new motor cars and is working satisfactorily. Under the Control Order, it is incumbent on the dealers to sell cars strictly in the order of registration.

The Control Order prohibits the resale of a motor car before the expiry of two years from the date of its first purchase as a new motor car. Government's attention was however drawn to the possibility of this restriction on resale being circumvented by certain unscrupulous persons by disposing of cars under mortgage deals. Government have accordingly issued an amendment to the Control Order prohibiting persons from entering into transactions involving transfer of possession of cars within a period of two years. At the same time Government have also prohibited individuals from purchasing more than one new motor car in any one calendar year without the permission of the Controller.

#### Treasure of Dalai Lama

- \*634. { Shri U. C. Patnaik:  
Shri A. M. Tariq:  
Shrimati Masida Ahmed:  
Shri Ram Krishan Gupta:  
Shri Raghunath Singh:  
Shri S. M. Ranerjee:  
Shri Hem Barua:

Will the Prime Minister be pleased to state:

(a) whether a news item in the *Statesman* dated the 17th February,

1960 to the effect that the Dalai Lama brought along with him into India large quantities of gold and silver and other valuables has come to the notice of Government;

(b) if so, how much; and

(c) whether the permission of Government of India was taken?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) to (c). Yes Sir. A statement on this subject has already been made in the House.

At the end of 1950, the Dalai Lama, under an arrangement with the Sikkim Durbar, sent a number of packages for safe custody. These packages were kept by the Sikkim Durbar. The question of asking the permission of the Government of India did not arise.

In December 1959, the Dalai Lama wished to send these packages to Calcutta. On a request being made for arrangements for their transport and security, the West Bengal Government provided an escort and the packages were sent to Calcutta.

The Government of India have no knowledge of the exact value of the treasure. But it has been stated to be about eighty lakhs of rupees.

#### Central Institute for Machine Designing

- \*635. { Shri Kam Krishan Gupta:  
Shri Pangarkar:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 125 on the 10th November, 1959 and state:

(a) whether Government have since considered the alternative proposals for having a separate Central Institute for Machine Designing or organizing a separate Wing in the Heavy Machine Building Plant; and

(b) if so, the nature of the decision taken?



The Minister of Industry (Shri Manubhai Shah): (a) and (b). The matter is under active consideration of Government.

#### Handloom Weavers' Societies in Uttar Pradesh

\*636. Shri Vajpayee: Will the Minister of Commerce and Industry be pleased to state:

(a) the latest position as on the 31st December, 1959, in regard to the amount of rebate dues to be paid to the Handloom Weavers' Co-operative Societies in Uttar Pradesh; and

(b) the steps taken to expedite the payments?

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

(a) The amount of arrear rebates, as on 31st March, 1959, is reported to be Rs. 6,00,000. Information for the later period is not available.

(b) The question of sanctioning funds for meeting the arrears upto 31st March, 1959 is presently under consideration.

#### ग्यांत्से में भारतीय व्यापार एजेंसी का भवन

\*६३७. श्री भक्त दर्शन : क्या प्रधान मंत्री दिनांक १६ नवम्बर, १९५९ के तारकित प्रश्न संख्या १३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि ग्यांत्से (तिब्बत) में भारतीय व्यापार एजेंसी के भवन निर्माण में इस बीच क्या प्रगति हुई है ?

वैदेशिक-कार्य मंत्री के सभा सचिव (श्री साबत अली खाँ) : सदन में १६ नवम्बर, १९५९ को प्रश्न संख्या १३ का उत्तर दिए जाने से अब तक व्यापार एजेंसी की इमारत बनाने के काम में कोई और प्रगति नहीं हुई है। चीन सरकार के साथ इस विषय पर बातचीत और पत्र-व्यवहार चल रहा है।

#### Manufacture of Tractors

\*638. { Shrimati Ila Palchoudhary;  
Shri Ajit Singh Sarhadi;  
Shri N. B. Muniswamy;

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 139 on the 19th November, 1959 and state the progress since made in connection with the manufacture of agricultural tractors?

The Minister of Industry (Shri Manubhai Shah): Besides the firm licensed for the manufacture of 1250 Nos. per annum of British tractors, another firm had been licensed under the Industries (D & R) Act, 1951 for the manufacture of 1250 Nos. of agricultural tractors per annum in the ranges of 12 to 18 DBHP and 20 to 30 DBHP, in collaboration with a German firm. These two firms have since been issued with import licences during the current period for capital goods as well as components and raw materials. The firms are expected to go into production by the middle of this year. In addition to this, with a view to consider establishing additional capacity in the field, new schemes for the manufacture of agricultural tractors in the ranges of 12 to 18 DBHP, 20 to 30 DBHP and 35—45 DBHP have been called for and are under examination.

#### Export of Tea to European Countries

\*639. { Shri Pangarkar;  
Shri D. C. Sharma;  
Shri Raghunath Singh;  
Shri Achar;  
Shri P. C. Borooah;  
Shri Hem Barua;  
Shri B. Das Gupta;

Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the quantity of tea exported to European countries during the year 1959-60 so far;

(b) how does it compare with the year 1958-59; and

(c) the steps taken by Government to increase the exports to European countries?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) to (c). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 13].

#### Export of Iron Ore

\*640. **Shri Chintamani Panigrahi:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 229 on the 19th November, 1959 and state:

(a) whether it has been possible to export 50,000 tons of iron ore through Paradip by the State Trading Corporation by now;

(b) if not, what amount of iron ore has been exported through Paradip so far; and

(c) how the quota has been allotted among the mine owners?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) Not yet.

(b) 21,000 tons till end of February, 1960

(c) The STC purchases the ore in bulk direct from Orissa Government which procures supplies from the local Mine-owners.

#### Retrenchment of Staff in the Chief Settlement Commissioner's Office, New Delhi

\*641. **Shri S. M. Banerjee:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether 7 upper division clerks, 84 lower division clerks and 51 peons working under the Chief Settlement Commissioner, New Delhi are likely to be retrenched on the 29th February, 1960;

(b) whether they have not been offered any alternative appointments;

(c) whether there are many vacancies existing in various Ministries and attached offices;

(d) if so, the reasons for not providing them with alternative appointment against those vacancies; and

(e) the steps taken by Government in this direction?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) and (b). 7 upper division clerks, 84 lower division clerks and 44 peons were served with notices. Out of these, 3 upper division clerks, 29 lower division clerks and 10 peons have been retrenched with effect from 29th February, 1960; 3 upper division clerks, 10 lower division clerks and 11 peons have been absorbed in other offices and services of the remaining will be terminated on 31st March, 1960 unless they get alternative appointments meanwhile.

(c) Under the existing procedure all vacancies in the Central Government Offices are required to be reported to the Special Cell set up under the Directorate General of Re-Settlement and Employment, and not to the Ministries.

(d) and (e). The names of the officials on whom notices have been served have been forwarded to the Special Cell for finding them alternative appointments.

#### Permanent Exhibition in New Delhi

\*642. { **Shri Ram Krishan Gupta:**  
**Shri Ram Garib:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 235 on the 19th November, 1959 and state the nature of the final decision taken regarding the proposal to set up a permanent exhibition at the site where the 'India 1958' exhibition was held?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** The proposal to set up a Permanent Exhibition is now to be pursued vigorously and details are likely to be finalised in about a couple of months during which the World Agriculture Fair authorities will have cleared the exhibition site.

#### Chartered Accountants

\*643 **Shrimati Ila Palchoudhuri:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 2186 on the 4th September, 1959 and state:

(a) whether it is a fact that the recommendations made by the Committee appointed by the Institute of Chartered Accountants for improving the existing training facilities to its students are under consideration of the Government of India;

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

(c) if so, when a final decision is likely to be taken?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (c). The recommendations of the Committee have been considered and generally approved by the Government. The Institute has been asked to implement the recommendations.

(b) A statement containing the important recommendations is placed on the Table of the Sabha. [See Appendix II, annexure No. 14].

#### Industries at Rajpura (Punjab)

**721. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state the names of the industries at Rajpura which have taken loans from Union Government and the conditions under which these were given?

**The Minister of Industry (Shri Manubhai Shah):** A statement giving the information is given below:—

#### STATEMENT

S. No.	Name of Industries/Companies which have taken loan.	No. of displaced persons undertaken to be employed by the Industrialists.	Terms in brief e.g. rate of interest, period of repayment and important conditions.	Remarks.
1.	M/s. Road Master Industries of India Limited.	140 to 225	Interest 4½%. Repayable in 8 annual equated instalments. Simple interest to be paid on the first 2 anniversaries of the date of drawal of the loan. Thereafter commencing from third anniversary principal and interest to be recovered in 8 annual equated instalments.	Loan has been paid against 50% of the value of the installed machinery in the factory which has been mortgaged to the Government.
2.	M/s. Kapurthala Northern India Tanneries Ltd., (M/s. Knit Bone Glue Works.)	60 to 80	Do.	Do.

**Indians in U.S.A.**

722. **Shri D. C. Sharma:** Will the Prime Minister be pleased to state the total number of Indian nationals in the U.S.A. at present?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** There are over 5,000 persons of Indian origin at present in U.S.A. About 2,000 are domiciled in Western States, especially California. Many of them have acquired U.S. citizenship.

**Export of Hosiery Goods**

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

(a) the position of export of hosiery goods during 1958-60 so far as against 1958-59;

(b) whether there is scope for expansion of markets for Indian hosiery goods abroad;

(c) if so, the steps taken to increase the export of hosiery goods during the years 1958-59 and 1959-60; and

(d) the countries to which the exports have increased?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) Trade figures are available only upto November, 1959. Exports of hosiery goods have registered a slight decline during 1959-60 (April to November) as against 1958-59.

(b) Yes, Sir.

(c) Woollen Hosiery goods: (i) Under the Export Promotion Incentive Scheme which came into effect from the 1st April, 1958, additional import licences for raw material are given to the manufacturers-cum-exporters of woollen hosiery goods.

(ii) A delegation is proposed to be sent abroad to study export potentialities.

(d) Comparative study of the figures for April-November periods indicate that the exports of woollen hosiery goods have increased slightly to the Middle East Countries. Exports of art-silk knitted fabrics have increased to Singapore and that of cotton knitted fabrics to United Kingdom, Malaya, Afghanistan, Ghana, Kenya and Ethiopia.

**Moveable Properties of Displaced Persons**

724. **Shri D. C. Sharma:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 434 on the 24th November, 1959 and state the further progress since made in settling the issues pending between India and Pakistan in regard to the movable properties of displaced persons?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** There has been no further progress.

**Recording of Speeches of Eminent Leaders**

725. **Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 422 on the 24th November, 1959 and state the latest position with regard to the recording of speeches of eminent leaders?

**The Minister of Information and Broadcasting (Dr. Keskar):** A statement giving the information is given below:—

**STATEMENT**


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Name of personalities whose speeches have been further processed.	Further duration of records processed from 1st November, 1959 to 31st January, 1960
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Mahatma Gandhi	4 hours 15 minutes.
Smt. Sarojini Naidu	30 minutes.
Dr. Rabindranath Tagore.	4 minutes.

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### Displaced Persons from Pakistan in Rajasthan

726. **Shri Onkar Lal:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) what is the total number of displaced persons from East Pakistan settled at Ghatti, Parania and Gordhanpura of Kotah District so far;

(b) what financial aid is being given to them per family;

(c) whether it is a fact that there are complaints regarding late payment of money; and

(d) if so, the action taken in this matter?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) 251 agriculturists and 15 non-agriculturist families.

(b) A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 15].

(c) and (d). There was some delay in disbursement of loans for the purchase of bullocks to the second batch of 145 displaced families. The purchase of bullocks is made by the local authorities from fairs. A majority of these families have since been provided with bullocks and the remaining families numbering about 32 are expected to be provided with bullocks from purchases to be made at the Manoharthana cattle fair commencing from the 25th March.

### Automatic Juice Weighing Machines

727. { **Shri Subodh Hansda:**  
**Shri R. C. Majhi:**  
**Shri S. C. Samanta:**

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

(a) whether it is a fact that a proposal for the manufacture of automatic juice weighing machine has been approved by Government;

(b) if so, whether any foreign collaboration has been sought for; and

(c) if so, the names of the collaborators?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A proposal for the manufacture of automatic juice weighing machines in collaboration with a U.K. firm was approved by Government in 1958. The Indian firms are no longer interested in their scheme, as their arrangements with the foreign collaborators have failed.

### Report of Japanese Experts on Cottage and Small Scale Industries

728. { **Shri Ram Krishan Gupta:**  
**Shri Subodh Hansda:**  
**Shri R. C. Majhi:**  
**Shri S. C. Samanta:**  
**Shri Ajit Singh Sarhadi:**  
**Shri Madhusudan Rao:**  
**Dr Ram Subhag Singh:**  
**Shri Bhanja Deo:**  
**Shri S. A. Mehdi:**  
**Shri Arjun Singh Bhadauria:**

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 126 on the 19th November, 1959 and state:

(a) whether the Government have received report from the Japanese delegation of experts, on cottage and small scale industries;

(b) if so, whether Government have considered the report; and

(c) the nature and details of the recommendations accepted?

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

(b) The report of the Japanese Delegation on Cottage and Small Industries is under consideration.

(c) Does not arise.

**Rebate on Khadi**

729. { Shri Ram Krishan Gupta:  
Shrimati Mafida Ahmed:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 627 on the 7th December, 1959 and state:

(a) the result of the steps taken by Government to sell the unsold Khadi;

(b) to what extent the unsold stock has been cleared; and

(c) whether there is any proposal to give more rebate in Khadi?

**The Minister of Industry (Shri Manubhai Shah):** (a) According to the information available upto 31st January 1960, the value of sales of Khadi during the period from 2nd October, 1959 to 14th November, 1959 was Rs. 1.76 crores.

(b) It is estimated that about 50 to 60% of the unsold stock has been cleared.

(c) There is no such proposal at present.

**Purchase of Stores from Small Industries Sector**

730. Shri Abdul Salam: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the value of stores purchased in 1958-59 from the small industries sector with the assistance of the National Small Industries Corporation; and

(b) the value of stores purchased in 1958-59 from the small industries sector without the assistance of the Corporation?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) Rs. 2.56 Crores.

(b) Rs. 2.00 crores (including Rs. 65 lakhs worth of Khadi items).

**Nicotine Sulphate**

731. { Shri P. K. Deo:  
Shri N. R. Muniswamy:

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

(a) the quantity of Nicotine Sulphate imported into India in the years, 1958-59 and 1959-60 so far and the amount of foreign exchange involved;

(b) how it is used in the country;

(c) whether indigenous production of Nicotine Sulphate can be taken up on a commercial scale as a result of research carried out at the National Chemical Research Laboratory, Poona;

(d) the finances that will be required to set up an industry for its production; and

(e) whether any application for licence has been received for its production in the country or whether Government want to produce it in the Public Sector?

**The Minister of Industry (Shri Manubhai Shah):** (a) The information in respect of Insecticidal Nicotine Salts which include Nicotine Sulphate is as follows:

Year	Quantity imported	Value Rs.
1958-59 . . . . .	3 Tons	27,000
1959-60 . . . . .	2 Tons	18,000
(Upto September 1960)		

(b) Nicotine Sulphate is an insecticide used for control of pests of agricultural crop plants.

(c) Yes, Sir.

(d) According to the National Chemical Laboratory, Poona, the total capital cost (excluding working capital) of a plant with capacity to process one ton of tobacco waste per day will be about Rs. 60,000.

(e) The National Chemical Laboratory, Poona, has evolved a process

for producing Nicotine Sulphate from tobacco waste which is covered by Indian patent Nos. 45666 and 54867. The Process has been leased out by the Council of Scientific and Industrial Research for commercial exploitation to Messrs. Tobacco By-products, Ltd., Madras, who hold exclusive rights for the southern zone. This firm has recently gone into production. The N.C.I., has decided to defer the grant of licences in other areas till after the party already licensed goes into regular production and a better idea of the likely requirements of the products becomes available.

### **Pressure Sensitive Adhesive Tapes**

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

(a) the quantity of Pressure Sensitive Adhesive Tapes imported into India in the years 1958-59 and 1959-60 so far and the amount of foreign exchange involved;

(b) how they are used in the country;

(c) whether indigenous manufacture of these Pressure Sensitive Adhesive Tapes can be taken up on a commercial scale as a result of research carried out at the National Chemical Laboratory, Poona;

(d) the finances that will be required to set up an industry for their manufacture; and

(e) whether any application for licence has been received for its manufacture in the country or whether Government want to manufacture in the Public Sector?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (e). Statistics of imports of 'Adhesive Tape' (medicinal) are only available and

imports during 1958 and 1959 (January—November) are furnished below:

Year	Value in '000' rupees
1958	792
1959 (Jan.-Nov.)	1138

While cellulose adhesive tapes are generally used for stationery pressure sensitive tapes are for surgical and medicinal purposes.

The process developed at the National Chemical Laboratory, Poona is capable of being operated as a small scale industry. The capital investment will depend on the size of the unit but it should be possible to start manufacture in a small way with capital equipment costing about Rs. 8,000.

A few firms are already manufacturing adhesive tapes and Government have no proposal to manufacture them in the Public Sector.

### **Ammonium Humate**

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

(a) the quantity of Ammonium Humate imported into India in the years 1958-59 and 1959-60 so far and the amount of foreign exchange involved;

(b) how it is used in the country;

(c) whether indigenous production of Ammonium Humate as fertilizer from coal can be taken up on a commercial scale as a result of research carried out at the Central Fuel Research Institute, Jealgora;

(d) the finances that will be required to set up an industry for its production; and

(e) whether any application for licence has been received for its production in the country or whether

Government want to produce it in the Public Sector?

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

(a) There have been no imports of Ammonium Humate.

(b) It is a new product developed from coal by the Central Fuel Research Institute which is being experimented for use as a fertilizer.

(c) and (d). The material has been prepared and tested on a small scale only. Further pilot plant experiments are required to decide whether its manufacture can be taken up on a commercial scale. The cost economics of the process have not been worked out yet.

(e) No application for a licence has so far been received for the manufacture of this material. There is no proposal at present to produce it in the Public Sector.

#### Import of Refractories Parts

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

(a) the quantity of Special Refractories Parts imported into India in the years 1958-59 and 1959-60 so far and the amount of foreign exchange involved;

(b) how they are used in the country;

(c) whether indigenous production of special Refractories Parts can be taken up on a commercial scale as a result of research carried out at the Central Glass and Ceramic Research Institute, Calcutta;

(d) the finances that will be required to set up an industry for their production; and

(e) whether any application for licence has been received for their production in the country or whether Government want to produce them in the Public Sector?

**The Minister of Industry (Shri Manubhai Shah):** (a) Information is not available as the import figures of these items are not separately shown in the trade classification.

(b) Used in some furnaces and as kiln furniture for specific purposes.

(c) and (d). Indigenous production could be taken on a commercial scale; but, the demand being very small, no party has shown any interest so far to take up its manufacture. Hence, no data in respect of the finances which may be required to undertake its manufacture have been worked out.

(e) No application has so far been received nor do Government propose to produce these items in the Public Sector.

#### Thermocouple Sheath

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

(a) the quantity of Thermocouple Sheath imported into India in the years 1958-59 and 1959-60 so far and the amount of foreign exchange involved;

(b) how they are used in the country;

(c) whether indigenous production of Thermocouple Sheaths can be taken up on a commercial scale as a result of research carried out at the Central Glass and Ceramic Research Institute, Calcutta;

(d) the finances that will be required to set up an industry for their production; and

(e) whether any application for licence has been received for their production in the country or whether Government want to produce them in the Public Sector?

**The Minister of Industry (Shri Manubhai Shah):** (a) Information is not available as the import figures of these items are not separately shown in the trade classification.



(b) As a protective cover for Thermocouple wires used for gauging temperature conditions in furnaces.

(c) and (d). Indigenous production could be taken up on a commercial scale; but, the demand being very small, no party has so far shown interest to undertake its manufacture. Hence, no data in respect of the finances which may be required have been worked out.

(e) No application has so far been received nor do Government propose to undertake manufacture.

### Survey of Unauthorised Power Looms

736. { Shri Ram Krishan Gupta:  
Shri Rameshwar Tantia:  
Shri Ajit Singh Sarhadi:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 501 on the 2nd December, 1959 and state the progress made so far in the completion of survey of unauthorised power looms in the country?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Some States are still to complete the census.

### Automatic Looms in Textile Mills

737. { Shri S. M. Banerjee:  
Shri Tangamani:

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

(a) whether automatic looms have been installed in some of the textile mills during the period from the 1st April, 1958 to the 31st December, 1959;

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

(c) the results achieved?

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

(a) Yes, Sir.

(b).

1. M/s. Maheswari Mills Ltd., Ahmedabad.
2. M/s. Ahmedabad New Cotton Mills Ltd., Ahmedabad.
3. M/s. Rustum Jehangir Vakif Mills Ltd., Ahmedabad.
4. M/s. Shri Vivekanand Mills Ltd., Ahmedabad.
5. M/s. Mahalakshmi Mills Ltd., Bhavanagar.
6. M/s. Shri Venkatesa Mills Ltd., Udumalpet.
7. M/s. Ramalinga Choodambikai Mills Ltd., Tirupur.
8. M/s. Shri Krisharajendra Mills Ltd., Mysore.
9. M/s. Jagatjit Cotton Mills, Phagwara.
10. M/s. Chakola Spinning and Weaving Mills, Alwaye.
11. M/s. Surat Cotton Mills Ltd., Dewas Jr.
12. M/s. Western India Cotton Mills, Pappinesseri.

(c) Automatic looms have helped to produce better cloth and thereby strengthen the competitive position of our textile industry in foreign markets.

### Export of Textiles to Indonesia

738. Shri Raghunath Singh: Will the Minister of Commerce and Industry be pleased to state whether it is a fact that a triangular trade agreement has been concluded between India, Indonesia and Singapore according to which Indonesia will buy textiles worth rupees five crores from India and the rest will be supplied by Japan and China?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): According to reports received by us, Singapore has concluded an agreement with Indonesia for the supply of 6.7 million yards of textiles worth

8.5 million Singapore dollars and that the responsibility of collecting offers for exports under the agreement has been entrusted to certain Chambers of Commerce in Singapore including the Indian Chamber of Commerce.

**Loan To Y. W. C. A. Hostel,  
New Delhi**

739. Shri Rameshwar Tantia: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that Government had given loan and grant to Y.W.C.A. Hostel Constantia in New Delhi under certain conditions; and

(b) if so, the details of the amount given and conditions fulfilled?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) Yes.

(b) A loan of Rs. 50,000 and a grant-in-aid amounting to Rs. 50,000 were sanctioned in April, 1953, and a further loan of Rs. 50,000 in March, 1955. The principal conditions of the loan and grant provide for the execution of an agreement between the Association and Government, modes of payment of the money and of its repayment, representation of Government interests on the Managing Committee of the hostel, priority for Government employees in the allotment of accommodation and non-discrimination on grounds of religion. Government have not received any complaint of non-fulfilment of the conditions by the Y.W.C.A., who are repaying the loans in instalments.

**किम्बे कैम्प दिल्ली में विस्थापित  
व्यक्ति**

७४०. श्री वाजपेयी : क्या पुनर्वास तथा अल्पसंख्यक कार्य-मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने किम्बे कैम्प में रहने वाले विस्थापित व्यक्तियों के स्थायी

पुनर्वास के लिए कोई योजना बनाई है; और

(ख) यदि हां, तो उसकी क्या रूप रेखा है ?

**पुनर्वास उपमंत्री (श्री पू० श० नास्कर) :**

(क) और (ख) किम्बे कालोनी में रहने वाले शरणार्थी तो बसा दिये गये हैं । इसलिए उन्हें बसाने के लिए दूसरी योजना का प्रश्न नहीं उठता ।

**Export of Coffee**

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

(a) whether the export of coffee has shown a downward trend during July-December, 1959 as compared to the corresponding period of 1958;

(b) if so, the total fall in earnings and quantity exported; and

(c) the reasons for the shortfall?

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

(a) and (b). Figures showing export of coffee during the month of December 1959 are not yet available. The figures for July-November, 1959 compare as follows with the corresponding period of 1958:—

	Quantity Exported (in tons)	Earnings (Rs. lakhs)
July-November 1958	7654	366
Do. 1959	4950	187
Fall	2704	179

(c) There is no decline in the quantity exported from January onwards in 1959, as compared to the corresponding period of 1958. The fall in the latter half is due to heavier exports in the first six months when the coffee crop is fresh.

**Press Passes during President Eisenhower's Visit**

**742. Shri Rameshwar Tantia:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of Indian correspondents and photographers, mentioning the newspapers and agencies they represented, who were given Press Passes by Press Information Bureau to cover the visit of President Eisenhower in December, 1959;

(b) whether it is a fact that a number of non-journalists were also given press passes by the Press Information Bureau; and

(c) whether it is also a fact that some correspondents who were given press passes were not invited to other functions of President Eisenhower whose invitations were distributed by the Press Information Bureau?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 16.]

(b) No, Sir. On requests received from Press Correspondents and Cameramen, "Press Service" badges were issued, to facilitate their work, to sound-engineers, electricians, technicians, light-boys and general assistants.

(c) The Press badges issued by the Press Information Bureau were not valid for all functions as the organisers of certain functions issued their own separate invitations. These included President Eisenhower's address to Members of Parliament and the At Home at Rashtrapati Bhavan.

**Import of Watches**

**743. Shrimati Mafta Ahmed:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of permits issued for import of watches during 1959-60 so far; and

(b) the foreign exchange involved therein?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). 198 licences of the value of Rs. 2 lakhs have been issued during the year 1959-60 (upto 30-1-60) for the import of complete watches.

**Indo-Pak. Border disputes**

**744. { Shrimati Ila Palchoudhuri:  
Shri P. G. Deb:  
Shri Raghunath Singh:**

Will the Prime Minister be pleased to state:

(a) whether it is a fact that as a result of the recent agreement regarding Indo-Pakistan border disputes in the West, about 300 Indian families will be displaced following exchange of certain areas;

(b) if so, the arrangements made or proposed to be made for their resettlement; and

(c) the number of families similarly to be displaced in the area which is to come to India as a result of the agreement?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) The area in the vicinity of the Suleimanke Headworks that is to go to Pakistan under the recent Indo-Pakistan Agreement has a population of 2100. It is not essential that all this population should be displaced. These persons can continue to live on their land and even retain their Indian citizenship but they will be subject to the laws of the State under whose jurisdiction these areas fall.

(b) Such resettlement measures that may appear to be necessary are under the active consideration of the Government of Punjab.

(c) There is no population in the area in the vicinity of the Hussaini-wala Headworks that is going to be vacated by Pakistan.

**Clinical Thermometers**

745. { Shri Subiman Ghose:  
Shri D. R. Chavan:

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

(a) whether Government are aware that the National Instrument Factory in collaboration with a Japanese firm will produce clinical thermometers;

(b) if so, what will be the output each year;

(c) when the production will commence;

(d) whether any other company or organisation is already producing such thermometers;

(e) if so, the name of the company and where it is situated and its output each year; and

(f) what will be the price of these goods in comparison with the imported goods?

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

(b) An annual production of 6,00,000 Nos. is expected by 1962-63.

(c) Production is expected to commence in 1960-61.

(d) and (e). Messrs. Hind Thermometers, Amritsar, are in production. Their capacity is 2,16,000 Nos. per annum.

(f) The price will compare favourably with those imported from abroad.

**शंघाई में भारतीय**

७४६. श्री एच देव : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय शंघाई में रहने वाले भारतीयों की कितनी संख्या है; और

(ख) उनके प्रति चीन सरकार का बर्ताव कैसा है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) सबसे हाल की सूचना के अनुसार, इस समय शंघाई में कुल मिलाकर ७८ भारतीय राष्ट्रिक होंगे ।

(ख) भारतीय राष्ट्रिकों के प्रति चीन सरकार का रवैया उसी तरह का मालूम होता है जैसा कि चीन में रहने वाले दूसरे विदेशियों के प्रति है ।

**Unemployment in Himachal Pradesh**

**747. Shri Daljit Singh:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of persons (skilled and unskilled) registered with the Employment Exchange in Himachal Pradesh up-to-date; and

(b) the number of persons who have been employed during 1959-60 so far?

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

Category	No. of applicants on the Live Register at the end of January, 1960.
Skilled and semi-skilled	267
Unskilled	2,494
Others	1,319
<b>TOTAL</b>	<b>4,080</b>

(b) 1,226 applicants were placed in employment upto 31st January, 1960.

**Trade with Belgium**

**748. Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Indian trade with Belgium declined during 1959; and

(b) if so, the reasons therefor?

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

(a) A statement showing India's imports from and exports to Belgium

during the first eleven months of 1959, for which trade statistics are available, and the corresponding period of 1958, is given below:—

## STATEMENT

(Value in Rs. lakhs)

	Jan-Nov. 1958	Jan-Nov. 1959
Imports into India from Belgium	1272	1238
Exports including re-exports from India to Belgium	420	431
Balance of Trade	-852	-807

(b) The slight reduction in imports from Belgium was due mainly to India's import policy which is designed to conserve foreign exchange.

## Ban on Indian Maps in Pakistan

749. { Shri S. M. Banerjee:  
Shri Raghunath Singh:

Will the Prime Minister be pleased to state:

(a) whether the Pakistan Government have banned entry into Pakistan of maps showing the States of Junagadh, Manavadar, Menglal and Bantwa as parts of Indian Territory;

(b) if so, the reasons therefor;

(c) whether a reference has been made to Pakistan in this connection by the Government of India; and

(d) if so, with what results?

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

(b) The precise reasons are not known. The Government of India consider the banning as an act of infringement of Indian sovereignty.

(c) and (d). In the circumstances of the case, it is not considered that any useful purpose will be served by

making representations to the Government of Pakistan.

## हिमाचल प्रदेश में उद्योगों की उन्नति

७१०. { श्री पद्म बेब :  
श्री हेम राज :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि उद्योगों की उन्नति के लिए १९५९ में हिमाचल प्रदेश प्रशासन द्वारा किन-किन उद्योगों को धीर उन में से प्रत्येक को ऋण तथा सहायता रूप में कितनी रकम दी गयी ?

उद्योग मंत्री (श्री मनुभाई शाह :) :

पंजाब स्टेट एंड टू इण्डस्ट्रीज एक्ट १९३५ जैसा कि वह हिमाचल प्रदेश में लागू है, के अन्तर्गत सन् १९५९ में हिमाचल प्रदेश प्रशासन द्वारा ऋण के रूप में १,५४,६०० रु० की राशि निम्नलिखित उद्योगों के विकास के लिए दी गई है :

क्रम संख्या	उद्योग	धन (रु०)
१.	धूप बनाने का उद्योग	५,०००
२.	नेल निकालना और काटिंग	१४,४००
३.	चमड़ा तथा चमड़ा कमाने का उद्योग	४७,६००
४.	धान कूटने का उद्योग	१२,३५०
५.	लकड़ी का काम और फर्नीचर बनाने का उद्योग	१६,०००
६.	ऊनी वस्त्र उद्योग	२६,६५०
७.	कृषि सम्बन्धी औजार बनाने का उद्योग	१,५००
८.	सोलन खाद्य उत्पादन	१०,०००
९.	रस्सी बनाने का उद्योग	३,५००
१०.	हल्के इंजीनियरिंग उद्योग	३,६००
११.	साबुन बनाने का उद्योग	२,०००
१२.	बर्तन बनाने का उद्योग	२,०००
१३.	कांसे और पीतल के हुक्के बनाने का उद्योग	५,०००
१४.	मुरी पालन	२,०००

### Sales Emporium in Tripura

**751. Shri Dasaratha Deb:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total amount of loan advanced to the Sales Emporium run by the Relief and Rehabilitation Department of Tripura since its establishment;

(b) the total loan repaid by the Emporium so far;

(c) whether the Emporium is running at a loss; and

(d) if so, the reasons therefor?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) Rs. 1.50 lakhs.

(b) The loan is not yet due for repayment.

(c) No.

(d) Does not arise.

### Government Employees Sarvodaya Co-operative House Building Society, Delhi.

**752. Shri Ram Garib:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) by what time Government are likely to take a decision about the acquisition of land for the Government Employees Sarvodaya Co-operative House Building Society Ltd.;

(b) whether there are such other societies also which have completed all the formalities and are awaiting the final acquisition and allotment of land;

(c) if so, which are those societies; and

(d) what is the nature of difficulties faced by Government in allotting land to the Government Servants Co-operative House Building Societies?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) The Government have already asked the

Delhi Administration to acquire land for the Government Employees Sarvodaya Co-operative House Building Society Ltd., which was affected by the acquisition by Government of about 1200 acres in Ring Road area.

(b) and (c). Five other Co-operative Societies were similarly affected and their names are as follows:

1. Panch Shil Co-operative House Building Society;

2. Seva Sadan Co-operative House Building Society;

3. Burmah Shell Co-operative House Building Society;

4. Vasumati Co-operative House Building Society; and

5. Chanakpuri Co-operative House Building Society.

Information is not readily available whether these Societies have completed all the formalities.

(d) Acquisition of land by the Delhi Administration for Co-operative House Building Societies is linked up mainly with the question of releasing certain areas from 34,070 acres of land notified on 13th November, 1959 under Section 4 of the Land Acquisition Act, 1894, for planned development of Delhi. It may be added that Government do not "allot" land to Government Servants or other Co-operative House Building Societies. Delhi Administration helps them in acquiring land under the Land Acquisition Act, 1894 when suitable land is indicated and "no objection" certificates are obtained from the competent local authorities by the Societies.

### Standardisation of Small Industries Products

**753. Shri Hem Barua:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the products of small industries and handicrafts have not yet been standardised; and

(b) if so, whether Government propose to introduce certification marks

or some such other thing to ensure standard?

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

(a) Standards for a large variety of products manufactured in the Small Scale Sector and for a few items in the handicrafts sector have been formulated by Indian Standards Institution.

(b) The Indian Standards Institution (Certification Marks) Scheme is voluntary in nature and it is left to the producers to join the scheme or not. Manufacturers in the small scale sector and also in the handicrafts sector are, however, being persuaded to produce goods according to Indian Standards and get them certified under the Indian Standards Institution (Certification Marks) Scheme and/or under any scheme of the State Government concerned.

#### **Handloom Dhoties**

**754. Shri T. B. Vittal Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it has come to the notice of Government that the quality of Handloom Dhories has deteriorated;

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

(c) the steps taken by Government to improve the quality of dhories?

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

(a) No, Sir.

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

#### **Sumptuary Allowance for Indian Ambassador in Saudi Arabia.**

**755. Shri Yajnik:** Will the Prime Minister be pleased to state.

(a) the amount of sumptuary allowance that was granted to the Indian Ambassador in Saudi Arabia at Jedda for entertaining Indian visitors and Indian pilgrims during the last three years; and

(b) the amount that was spent on entertaining the Indian pilgrims passing from Jedda to Mecca and Madina during Haj season during the same period?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) No sumptuary allowance is granted specifically for entertaining Indian visitors and Indian pilgrims. The Ambassador is, however, given a grant of Rs. 700 per month to meet his normal representational obligations. The grant is mainly intended to cover the cost of entertaining prominent persons in Saudi Arabia and other foreign nationals resident there. The guests in such parties should be mainly foreigners though the Ambassador may include among his guests, a few important Indian visitors and Indian pilgrims.

In addition to this monthly grant, a special annual grant of Rs. 1000 was sanctioned during the last three years for the specific purpose of entertaining prominent Haj pilgrims from all countries including India.

(b) As Indian pilgrims were not separately entertained, the amount spent on this account cannot be separately assessed. Both the monthly and the annual grants have been fully utilised by the Ambassador.

#### **Paddy Crop in Dandakaranya**

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

(a) what was the yield of the paddy crop in Dandakaranya area in the reclaimed land which was brought under paddy cultivation last year; and

(b) the total acreage of land which has been brought under paddy cultivation in Dandakaranya area so far?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) Last year the paddy crop on reclaimed land in the Dandakaranya area yielded on an average of 11 maunds per acre.

(b) 442 acres.

### Import of Television Receivers

757. **Shri N. R. Muniswamy:** Will the Minister of Commerce and Industry be pleased to state whether Government propose to issue licence to import television receivers to meet the growing demand in big cities like Delhi, Calcutta and Bombay?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** There is no proposal at present to import television sets into India. The television service in India is yet in its experimental stage in Delhi and does not cover Calcutta and Bombay.

### Export of Betel Leaves to Pakistan

758. { **Shri P. K. Deo:**  
**Shri Arjun Singh Bhadauria**

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

(a) whether there has been substantial decrease in the export of betel leaves (Pan) to Pakistan;

(b) if so, what steps are being taken to revive the betel leaves (Pan) trade with Pakistan;

(c) the amount of foreign exchange earned by the export of betel leaves (Pan) in the last three years year-wise; and

(d) how much of it relates to Pakistan?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) Exports of betel leaves to Pakistan have declined on account of the restrictions imposed on its import in that country.

(b) The trade agreement with Pakistan mentions betel leaves as one of the items in the schedules as exportable from one country to the other, subject to normal import and export regulations of each country. No special steps are considered necessary at present.

(c) and (d). Export of betel leaves to Pakistan as well as to other countries during the last three years were as follows:—

Country	1957	1958	(Value in Rupees) Jan-Nov., 1959
Pakistan	41,971	20,889	1,702
Others	1,48,466	1,46,639	1,04,732
TOTAL	1,90,437	1,67,528	1,06,434

### Government Quarters on Ring Road, Delhi

759. **Shri P. K. Deo:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Government are aware that several hundreds of Government quarters have been built on Ring Road in New Delhi in an area known as the Pinjrapole;

(b) how long will it take to provide water and electricity therein;

(c) when these quarters will be ready for actual allotment;

(d) whether Government are also aware of the heavy existing rush on the roads passing through Lodi Colony etc;

(e) whether Government propose to consider the desirability of getting a direct road built soon so as to connect Sujana Singh Park with the Link Road which divides Kotla Mubarakpur from Defence Colony before the Pinjrapole quarters are allotted with a view to divert rush; and

(f) if not, the reasons therefor?

**The Minister of Works, Housing and Supply (Shri K. C. Reddy):** (a) About eleven hundred quarters are under various stages of construction in Andrews Ganj (Pinjrapole area).

(b) Water Supply connections have been provided but electricity is expected to be provided by end of June 1960.

(c) As soon as the quarters have been given electric connections.



(d) There is heavy traffic on all the roads leading to the Secretariat on working days during peak hours i.e. from 9 a.m. to 10 a.m. and 5 p.m. to 6 p.m., but there has been no particular complaint about heavy rush on the road passing through the Lodi Colony.

(e) and (f). No such proposal is under the consideration of Government. Andrews Ganj is linked with Sujan Singh Park through Link Road, Lodi Road and Lodi Estates roads. Besides, smaller roads of the Golf Link Area also connect the Link road to the Sujan Singh Park.

### दिल्ली की द्वितीय पंचवर्षीय योजना पर प्रसारण

७६०. श्री नवल प्रभाकर: क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५६ में आकाशवाणी के दिल्ली केन्द्र से दिल्ली की द्वितीय पंचवर्षीय योजना पर कितनी वार्ताएं प्रसारित की गईं; और

(ख) उनमें से कितनी वार्ताएं ग्रामीण कार्यक्रम के अन्तर्गत प्रसारित की गईं ?

सूचना तथा प्रसारण मंत्री (डा० केशकर)

(क) आकाशवाणी के दिल्ली केन्द्र से दिल्ली की द्वितीय पंचवर्षीय योजना पर १४ वार्तालाप और २ वाद-विवाद के प्रतिरिक्त ६ वार्ताएं प्रसारित की गईं ।

(ख) ये सब के सब ग्रामीण कार्यक्रम के अन्तर्गत प्रसारित की गईं ।

### आकाशवाणी द्वारा प्रसारण के समय में वृद्धि

७६१. श्री नवल प्रभाकर : क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि पिछले वर्ष की अपेक्षा इस वर्ष आकाशवाणी के विभिन्न केन्द्रों से प्रसारण के समय में वृद्धि हुई है;

(ख) यदि हां, तो इसका क्या कारण है ?

सूचना और प्रसारण मंत्री (डा० केशकर) : (क) और (ख) पिछले वर्ष की अपेक्षा १९५६ में आकाशवाणी के कार्यक्रमों की अवधि में कुछ वृद्धि हुई है । इस का मुख्य कारण यह था कि शिमला केन्द्र से स्कूल ब्राडकास्ट जारी किये गये, एक विशेष कार्यक्रम अन्डेमान निकोबार के लिए आरम्भ किया गया, इन्दौर भोपाल से दोपहर का कार्यक्रम जारी किया गया और विविध भारतीय और इसके बम्बई सी चैनल से रिले की अवधि की कुछ बढ़ाया गया ।

### Production of Bidis

762. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of tobacco consumed for the production of bidis in the various States and Union territories annually;

(b) the number of bidis produced;

(c) whether they are exported; and

(d) if so, the foreign exchange earned annually?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). Information is being collected and will be laid on the Table of the House in due course.

### Arrest of Naga Rebel Leaders

763. { Shri Ram Krishan Gupta:  
Shri Raghunath Singh:  
Shri P. C. Borooah:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that five Naga hostiles including Phizo's Secretary were taken into custody recently; and

(b) if so, the nature and the details of ammunition and other articles captured from them?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Yes. Kepewekho Angami, a near relation of Phizo and four other hostile Nagas were arrested by an Army patrol on the 29th January, 1960 at Dzulake in the N.H.T.A.

(b) One rifle and 100 rounds of ammunition were recovered from them.

#### गणतन्त्र दिवस पर कवि सम्मेलन

७६४. श्रीमती मिनीमाता : क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) गणतन्त्र दिवस १९६० पर नई दिल्ली में हुए आकाशवाणी द्वारा आयोजित समस्त प्रादेशिक भाषाओं के कवि सम्मेलन पर कितना खर्च हुआ : और

(ख) उस कार्यक्रम में कवियों तथा अनुवादकों के रूप में भाग लेने वाले आकाशवाणी के कर्मचारियों का क्या प्रतिशत था ?

**सूचना तथा प्रसारण मंत्री (डा० केशवर) :**

(क) आकाशवाणी की कवि गोष्ठी पर जो खर्च आया उसके आंकड़ों का ठीक हिसाब आसानी से जोड़ा नहीं जा सकता क्योंकि जिन केन्द्रों ने गोष्ठी का कार्यक्रम अपने यहां से प्रसारित किया, यह खर्च उनके कार्यक्रमों पर किये जाने वाले कुल खर्च का एक हिस्सा है।

(ख) २५ भाग लेने वालों में से ५ आकाशवाणी के कर्मचारी थे जिन में से एक ने अपनी लिखी हुई कविता पढ़ी और ४ ने हिन्दी में पद्य अनुवाद पढ़े।

#### Establishment of New Factories

765. { Shri S. A. Mehdi:  
Shri Arjun Singh Bhadauria:

Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing the names of the factories under different heads to whom new licences for their establishment have been issued under the Industries (Development and Regulation) Act, 1951 since November, 1959?

**The Minister of Industry & (Shri Manubhai Shah):** A statement of licences issued since November 1959 to January 1960, month-wise, is laid on the Table of the Sabha. [See Appendix II, annexure No. 17].

#### Slum Clearance Projects in Punjab

766. { Shri Daljit Singh:  
Shri D. C. Sharma:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) the names of slum clearance projects sanctioned for Punjab State during 1959-60 so far;

(b) the amount of grant sanctioned for each of them; and

(c) the progress achieved under the projects?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) to (c). The Punjab Government sanctioned on the 30th March, 1959, one slum clearance project for the construction of 85 tenements, at an approved cost of Rs. 2.8 lakhs, in Moga city. These tenements had come up to lintel level by the 31st January, 1960.

Another project for the construction of 176 tenements in Amritsar, at a cost of Rs. 6.11 lakhs was sent in by the Punjab Government on the 20th February 1960, and is under scrutiny.

12 hrs.

## PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF TRAVANCORE  
MINERALS PRIVATE LIMITED AND INDIAN  
RARE EARTHS LIMITED

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I beg to lay on the Table, under sub-section (1) of Section 639 of the Companies Act, 1956, a copy of each of the following Reports:

(i). Annual Report of the Travancore Minerals Private Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT-1953/60].

(ii) Annual Report of the Indian Rare Earths Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT-1954/60].

ACTION TAKEN BY GOVERNMENT ON  
ASSURANCES

**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) Supplementary Statement No. II.—Ninth Session, 1959, [See Appendix II, annexure No. 18].

(ii) Supplementary Statement No. V.—Eighth Session, 1959, [See Appendix II, annexure No. 19].

(iii) Supplementary Statement No. XII.—Seventh Session, 1959. [See Appendix II, annexure No. 20].

(iv) Supplementary Statement No. XV.—Sixth Session, 1958.

[See Appendix II, annexure No. 21].

(v) Supplementary Statement No. XVIII.—Fifth Session, 1958, [See Appendix II, annexure No. 22].

(vi) Supplementary Statement No. XXVI.—Fourth Session, 1958, [See Appendix II, annexure No. 23].

(vii) Supplementary Statement No. XXVI.—Third Session, 1957, [See Appendix II, annexure No. 24].

(viii) Supplementary Statement No. XXXII.—Second Session, 1957, [See Appendix II, annexure No. 25].

NOTIFICATION RE: AMENDMENTS TO  
DISPLACED PERSONS (COMPENSATION AND  
REHABILITATION) RULES

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** On behalf of Shri Mehr Chand Khanna, I beg to lay on the Table, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. G.S.R. 196 dated the 20th February 1960, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1954. [Placed in Library, See No. LT-1963/60].

SUMMARY OF MAIN CONCLUSIONS OF  
18TH SESSION OF STANDING LABOUR  
COMMITTEE

**The Deputy Minister of Labour (Shri Abid Ali):** I beg to lay on the Table a copy of the summary of main conclusions of the 18th session of the Standing Labour Committee held at New Delhi in January 1960. [Placed in Library, See No. LT-1964/60].

12.02 hrs.

**MESSAGE FROM RAJYA SABHA**

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

"In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Indian Sale of Goods (Amendment) Bill, 1960, which has been passed by the Rajya Sabha at its sitting held on the 29th February, 1960".

**BILL AS PASSED BY RAJYA SABHA LAID ON THE TABLE**

**Secretary:** I lay on the Table of the House the Indian Sale of Goods (Amendment) Bill, 1960, as passed by Rajya Sabha.

12.04 hrs.

**ARREST OF A MEMBER**

**Mr. Speaker:** I have to inform the House that I have received the following wireless message dated the 3rd March, 1960, from the Sub-Inspector of Police, Khanapur:

"Shri Nath Pai, Member, Lok Sabha, arrested on 3rd is remanded to seven days' magisterial custody. Remanded and sent to Central Prison, Hindalga".

12.05 hrs.

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**

**TRAIN COLLISION ON SOUTHERN RAILWAY**

**Shri Rami Reddy** (Cuddapah): Under Rule 107, I beg to call the attention of the Minister of Railways to the following matter of urgent public

importance and I request that he may make a statement thereon:—

"The train collision at Panruti Station on Southern Railway on the 25th February, 1960".

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** At about 04.41 hours on 25-2-1960, No. 102 Up Dhanushkodi—Madras Boat Mail, which was scheduled to run through Panruti, a station 12 miles south of Villupuram station on Villupuram—Cuddalore Section of Southern Railway, collided head on with No. 2335 Down Goods standing on the loop line of the station. As a result of this, 42 persons including 3 R.M.S. staff, suffered minor injuries. First aid was rendered to them by the train crew. Medical van, accompanied by Doctors, was also sent to the site of the accident. All the injured persons were, however, allowed at their own request to continue their journey by the same train which left Panruti at 07.40 hours, or about 246 minutes late.

There was fortunately no derailment to any of the vehicles of either the Goods or the Mail train. The Divisional Superintendent, Tiruchirappalli along with Divisional Officers subsequently reached the site of the accident.

*Prima facie*, the cause of the accident appears to be failure of human element. A Senior Scale Officers' Enquiry Committee has, however, been ordered to investigate the accident.

**Shri Tangamani** (Madurai) rose—

**Mr. Speaker:** No questions immediately after the statement has been made.

**Shri Tangamani:** I submit that the statement made is not complete. In the Press report, we were told that this train which was a through train was received on the loop line, and the goods train was already standing there. But for the presence of mind of the driver, there would have been a head-on collision. With his presence

[Shri Tangamani]

of mind, he was able to stop it in time so that the goods train was pushed by about 10 feet or so and by the jolt, only 42 people were injured. This was the report in the Press. I would like to know what was the nature of the collision and whether it is a fact that this particular train was received on the loop line?

**Shri Shah Nawaz Khan:** Yes, that was exactly what happened. It was received on the loop line. There was a head-on collision, but it was of a minor nature. There was no damage to either of the locomotives that collided; the injuries to the passengers were of a minor nature and they were able to resume the journey by the same train. So it is a comparatively minor thing.

**Shri Tangamani:** But should not some reference be made to the driver who averted a serious accident by his presence of mind?

**Mr. Speaker:** We are happy he saved himself also.

12.08 hrs.

#### BUSINESS OF THE HOUSE

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** With your permission, Sir, I rise to announce that Government Business for the week commencing 7th March will consist of—

- (1) General Discussion of General Budget;
- (2) Submission to the vote of the House of Demands on Account; and
- (3) Consideration of any item of business carried over from today's Order Paper.

**Shri Braj Raj Singh (Firozabad):** We are having no 'No-day-yet-named' Motion next week.

**Shri Satya Narayan Sinha:** We are having General Discussion of the

General Budget. He wants a 'no-day-yet-named' motion every week?

**Shri Braj Raj Singh:** We had agreed to have one.

**Mr. Speaker:** We shall see.

**Shri T. B. Vittal Rao (Khammam):** The hon. Minister's statement is very unsatisfactory. We have got so many 'no-day-yet-named' motions admitted, and nothing has been put for next week.

**Shri Braj Raj Singh:** We had agreed that every week there would be at least one such motion. Now he says that since there will be General Discussion of the General Budget there will be none for next week.

**Shri Satya Narayan Sinha:** We are going to have a General Discussion, where we can discuss all these matters. Every week we have been having one 'no-day-yet-named' motion; in some weeks, we have been allowing even two such motions.

**Mr. Speaker:** During General Discussion, as many matters as are there in 'no-day-yet-named' motions can be discussed. Let us see what remains.

**Shri Tangamani:** That cannot be a substitute for a regular discussion.

**Mr. Speaker:** It may not be. Let us wait and see.

12.09½

#### APPROPRIATION (RAILWAYS) BILL\*, 1960.

**The Minister of Railways (Shri Jagjivan Ram):** I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1960-61 for the purposes of Railways.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to authorise payment

\*Published in the Gazette of India Extraordinary Part II—Section 2, dated 4-3-1960.

and appropriation of certain sums from and out of the Consolidated Fund of India for the service of the financial year 1960-61 for the purposes of Railways".

*The motion was adopted.*

**Shri Jagjivan Ram:** I introduce the Bill.

12.10 hrs.

# DEMANDS FOR SUPPLEMENTARY GRANTS\*\*—RAILWAYS, 1959-60

**Mr. Speaker:** The House will now take up discussion and voting on the Supplementary Demands for Grants in respect of the Budget (Railways) for 1959-60.

## DEMAND No. 2—MISCELLANEOUS EXPENDITURE

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 10,64,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Miscellaneous Expenditure'."

## DEMAND No. 4—ORDINARY WORKING EXPENSES—ADMINISTRATION

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 28,02,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Ordinary Working Expenses—Administration'."

## DEMAND No. 5—ORDINARY WORKING EXPENSES—REPAIRS AND MAINTENANCE

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 2,50,13,000 be granted

to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960 in respect of 'Ordinary Working Expenses—Repairs and Maintenance'."

## DEMAND No. 6—ORDINARY WORKING EXPENSES—OPERATING STAFF

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 61,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Ordinary Working Expenses—Operating Staff'."

## DEMAND No. 7—ORDINARY WORKING EXPENSES—OPERATION (FUEL)

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 3,83,44,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960 in respect of 'Ordinary Working Expenses—Operation (Fuel)'."

## DEMAND No. 8—ORDINARY WORKING EXPENSES—OPERATION OTHER THAN STAFF AND FUEL

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 2,09,13,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Ordinary Working Expenses—Operation other than Staff and Fuel'."

## DEMAND No. 10—ORDINARY WORKING EXPENSES—LABOUR WELFARE

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 10,89,000 be granted

†Introduced with the recommendation of the President.

\*\* Moved with the recommendation of the President.

[Mr. Speaker]

to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Ordinary Working Expenses—Labour Welfare'."

**DEMAND No. 12—DIVIDEND PAYABLE TO GENERAL REVENUES**

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 9,67,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Dividend payable to General Revenues'."

**DEMAND No. 19—REPAYMENT OF LOANS FROM GENERAL REVENUES AND INTEREST THEREON—DEVELOPMENT FUND**

**Mr. Speaker:** Motion moved:

"That a supplementary sum not exceeding Rs. 7,38,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960 in respect of 'Repayment of loans from General Revenues and interest thereon—Development Fund'."

The time allotted is one hour. Hon. Members will be brief and state the points they want to raise one after the other.

**Shri T. B. Vittal Rao (Khammam):**  
I beg to move:

**Work of Efficiency Bureau of Railway Board**

(i) "That the Demand for a supplementary Grant of a sum not exceeding Rs. 10,64,000 in respect of 'Miscellaneous Expenditure' be reduced by Rs. 100." (3)

**Delay in the investigations entrusted to the Special Police Establishment**

(ii) "That the Demand for a supplementary Grant of a sum not exceeding Rs. 10,64,000 in respect of 'Miscellaneous Expenditure' be reduced by Rs. 100." (4)

*Payment of arrears consequent to re-distribution of posts in different cadres notified in 1957—given effect from 1st April, 1956.*

(iii) "That the Demand for a supplementary Grant of a sum not exceeding Rs. 28,02,000 in respect of 'Ordinary Working Expenses—Administration' be reduced by Rs. 100." (5)

First, I want to say something regarding the new deal that was announced by the Minister as long ago as 10th February, 1957. In that new deal, it was stated that about 1,78,000 of the members of the staff (Class III) were going to be benefited. He gave out the figures: 23,000 Station Masters and Assistant Station Masters, 48,000 office clerks, 15,000 accounts clerks, 24,000 commercial clerks, 5,000 train clerks, 3,000 train examiners, 12,000 ticket collectors and ticket examiners, 3,000 signallers, 40,000 drivers, foremen and guards. I was trying to find out from the reports that have been supplied to us how far it was implemented. I must confess that I was unable to find out from the reports whether these 1,78,000 people were really benefited, meaning thereby whether the implementation of the increase in grades was done in accordance with the announcement. I am unable to give the figures as to how far they have been implemented because I find from Volume II of the Report of the Railway Board not much of increase. The only appreciable increase I was able to find was in the grade of Rs. 100—185, where there was a big increase over the previous year of 1957-58. In others, the increase was

not large. But, I can say from experience this. When Shri Lal Bahadur Shastri was the Minister of Railways, he said that as and when the announcement was made the effect . . .

**Mr. Speaker:** Order, order. The hon. Member has tabled cut motions 3, 4 and 5. He has referred to them. I want to know how they arise out of Demand No. 2.

**Shri T. B. Vittal Rao:** Demand No. 4 is also there, Sir. All the Demands are being taken up together.

**Mr. Speaker:** Cut motions Nos. 3 and 4 do not seem to arise out of Demand No. 2. They relate to work of Efficiency Bureau of the Railway Board and the delay in the investigations entrusted to the Special Police Establishment. How do they arise out of Demand No. 2?

**Shri T. B. Vittal Rao:** If you refer to page 2 of the memorandum you will find that it states:

"The increase under Miscellaneous Establishments (3.72 lakhs) covers increase under 'Miscellaneous Special Establishments required for investigation of problems affecting the working of the Railways as a whole'."

**Mr. Speaker:** But what about the Bureau?

**Shri T. B. Vittal Rao:** This work is being carried out by the Efficiency Bureau.

**Mr. Speaker:** You mean the Efficiency Bureau of the Railway Board?

**Shri T. B. Vittal Rao:** It is a section of the Railway Board which carries on this work, Sir.

**Mr. Speaker:** A general question of principle ought not to be taken up now: it is only work done during the year that can be referred to, particularly, the amount that is spent on it.

**Shri T. B. Vittal Rao:** That is exactly what I am doing, Sir. I was trying

to tell the House that it was announced that the increase would be made effective from 1st April, 1956. I do not know how far the station masters have benefited. Some stations have been upgraded and the staff working in those stations could have been given the benefit of the higher grade from 1st April, 1956. But, what has been done? In some cases they were given effect to from 1st April, 1957 and in some cases from 1st April, 1958. Neither has officiating allowance been given to the previous men who worked in those stations nor the incumbents who have come in the higher grades been given them with retrospective effect. This is contrary to the assurance given on the floor of the House. I want the hon. Minister to look into this and see that justice is done by implementing the grades from 1st April, 1956.

About the Efficiency Bureau, I was very happy when the hon. Minister announced that the Efficiency Bureau of the Railway Board is undertaking a study of the operational efficiency of the metre gauge system. They have completed the work on the broad gauge system. This study must be completed as expeditiously as possible because the operational efficiency in the metre gauge system has gone down according to their own figures. The metre gauge system constitutes nearly 50 per cent. of the total route mileage and the traffic in this sector is increasing.

I can point out one instance. In one section the iron ore traffic that is coming from Hospet towards Madras, Vizagapatam and Kakinada is increasing considerably. This iron ore traffic has to be improved if we have to earn necessary foreign exchange. How can we move this iron ore from these places where the operational efficiency is at a very low ebb, especially in the Bangalore—Hubli section? If this bottleneck is removed, I think you will be in a position to move more iron ore and export it and earn foreign exchange. It would also mean the utili-



[Shri T. B. Vittal Rao]

sation of the wagon capacity available in our country.

One astonishing thing I found while going through the Report is that nearly 12 million man-days were lost due to the sickness of railwaymen. I tried to calculate it. The incident of sickness comes to about 3 per cent. I know that there are some hospitals and dispensaries opened for the benefit of railwaymen. I know the welfare activities have increased. But I want some study to be conducted on this question of incident of sickness. The treatment that is given to these people in the railway hospitals is not very satisfactory and they take treatment from private doctors paying exorbitant fees. If the treatment is all right at the railway hospital, I do not think they will incur this additional expenditure which, sometimes, come to about Rs. 15 to 20 per month for a railway employee for his family. Something has to be done with regard to this treatment in the railway hospitals.

Secondly, I want to suggest to the hon. Minister that the railway doctors should not be allowed to carry on any private practice. They may be given some extra allowance in lieu of private practice so that they can concentrate on their work in the hospitals. I have also said it during the general discussion on the Railway Budget that the Railway Board should consider the upgrading of these Assistant Surgeons, graduates in medicine, as gazetted officers as has been done in the State services as well as in the Central services.

About the surveys that are being carried out I feel that they are not being carried out very vigorously. I take the case of the Guna—Ujjain railway. One of the reasons that prompted the Planning Commission and the Railway Ministry to take up this project was for moving coal to the western side quickly. But only two days ago I was surprised to learn from the newspapers that not less than 62 cotton mills in Ahmedabad are likely to be

closed down because there is shortage of coal. It is said that the coal supply in some mills is just sufficient only for two days. I do not know how the situation has come about. So, I would like this Guna—Ujjain railway link to be taken up seriously and not as stated in the Budget papers—that it will be completed in 1966. The Government is responsible for the delay in taking up this survey and they will have to make up for the delay and pursue the matter more vigorously and see that we do not get into a situation like the one we are having now. I do not know what reply I will get from Government.

I am told that some cotton mills in Indore are about to be closed down on account of shortage of coal. I have tabled a question and I do not know what reply will be given. It has come as an Unstarred Question only today and I will find out what the answer is. But this situation can be rectified if this additional link is taken up quickly.

*Failure to redress the grievances of the railway accounts clerical staff viz., amalgamation of grade I and II.*

**Shri S. M. Banerjee (Kanpur):** I beg to move:

- (i) "That the Demand for a Supplementary Grant of a sum not exceeding Rs. 28,02,000 in respect of 'Ordinary Working Expenses—Administration' be reduced by Rs. 100." (1)

*Grievances of the operating staff pertaining to the proposed recommendations of the Pay Commission.*

- (ii) "That the Demand for a Supplementary Grant of a sum not exceeding Rs. 61,00,000 in respect of 'Ordinary Working Expenses—Operating Staff' be reduced by Rs. 100." (2)

**Mr. Speaker, Sir,** I shall confine myself to Demand Nos. 4, 5 and 6. The

explanatory note given says that this amount is for repairs and maintenance of railway assets, bridges, buildings, etc. The amount shown against the Western Railway is Rs. 12.70 lakhs. I was surprised when my attention was drawn to a Press note which appeared in the *Times of India* and I shall read it for the information of the House: "Misappropriation of Rs. 20 lakhs—rail project.

"Misappropriation of Union Government funds to the extent of Rs. 20 lakhs in the execution of a railway project has been detected by officers of the special police establishment of the Home Ministry, it is learned.

The money was part of the allocation for the Rs. 3 crores project for the doubling of track in the Godhra—Ratlam sector of the Western Railway. According to information available here, investigating officers have asked the Centre for special powers to institute a thorough inquiry. It is learnt that the amount was intended for the payment of wages to illiterate Adivasi workers. The project authorities are alleged to have paid the workers Rs. 75 against the prescribed rate of Rs. 135 per unit of earthwork undertaken on hard surface."

I want to know whether any information exists with the hon. Minister. If a sum of Rs. 20 lakhs could be misappropriated in a project worth Rs. 3 crores, I do not know whether such misappropriation was not going on previously in respect of other projects undertaken earlier. The other day the hon. Minister told us that corruption was a national problem and that he was trying his best to uproot or at least minimise corruption. Was the entire job done by the contractor? Who is the contractor? Was payment made under the supervision of any Government authority or the contractor was given the money to pay whatever he likes? These are questions which arise in this connection.

The other day when I was discussing the cut motions moved by me, I mentioned about the defective sleepers and keys and my purpose in bringing this issue again is that unfortunately I did not get any answer from the hon. Minister. I make a fervent appeal to him and to his sense of justice and impartiality and request him to tell us whether the cast iron sleepers supplied by the Hanuman Foundries were defective or whether the defect was due to the supply of keys and also whether one firm in Kanpur is supplying all these defective keys. I read out that day a letter from the General Manager (Engineering), Northern Railway to the Director General, Supplies and Disposals. That letter was not contradicted by the hon. Minister or any of his Deputies. It reads:

"Subject: Supply of keys steel 7.1/2" long against A/T No. SR-2/19666-E/11 dated 13th September, 1955 by Messrs. Singh Engineering Works Ltd., Kanpur.

Most of the keys supplied against the above mentioned A/T. by Messrs. Singh Engineering Works Ltd., Kanpur have been supplied to various works. Though we are not pursuing the case any further, yet it is considered necessary to point out that the standard of inspection in certain aspects has not been what it should be. It will be agreed that any excessive thickness in the key means less drive in the sleeper jaw. Such keys when newly laid have a tendency to drop out of the sleeper jaw and render the track unsafe."

I am not trying to bring out any scandal or scandalise the Railway Ministry or impute any motive to the hon. Minister or to the members of the Railway Board; I have great respect for them. But suppose this firm has supplied this sort of material and the Engineering section has pointed out this. I want to know whether this firm is given repeated orders and whether any enquiry was made about this. The other day, Sir, you were kind enough to say that a portion of that particular

[Shri S. M. Banerjee]

statement or enquiry report regarding the sleepers may be laid on the Table of the House. A controversy arose whether the entire report could be laid or not and you were very kind enough to consider the matter but you have not been able to give your decision as yet. Even when some statements were made that day, the Members of the House were not at all convinced. I even asked for half-an-hour discussion as I was not convinced about this. There may be nothing wrong in it but then in the larger interests of the country we must know who was supplying such things. Are they not trying to squander our money. Why do they do these things at the cost of our national assets?

I also quoted a letter that day about the accounts staff. There are now two grades—I and II. Various representations were made by them to the Pay Commission and the Railway Minister and they wanted something to be done. It is evident from the papers in my possession that there is no difference in the work done by these two grades of clerks. When the Pay Commission was considering the various aspects of the grievances embodied in the representations of these employees, a letter was written by the Administration to the divisional accounts officers—I quoted that letter on that day—telling them that it was desirable that the work should be differentiated in such a way that the A grade clerks were given relatively more important work. It clearly reveals that they had a weak case and if it went to the Pay Commission and if they tried to evaluate the work performed by A and B grade clerks, there would be absolutely no difference. So, they wanted to differentiate this. This is the most unfair thing on the part of the Railway Ministry to have written such a letter at that time. I am sure the hon. Minister who has a heart which bleeds for the workers will undo this injustice, if it has been done.

There is another cut motion about the various grievances of the operating

staff. I hope he will consider the various recommendations of the Pay Commission which affect the operating staff and consult the representatives of the various federations. He was able to give some recognition to both the federations and I hope he will consult them.

My another question was about the Chittaranjan Locomotive Works. I put a question as to the cost of a Chittaranjan locomotive. It was four lakhs and some thousands. My information is that the overhead charges come to about 2.60 or 2.70 lakhs; the material portion comes to about a few thousands and the direct labour charges come to about Rs. 50,000. That is the proportion between direct and indirect charges. The workers are not getting their due share. The piece work system has been introduced in Chittaranjan Works. That is the system which is an internationally accepted system. The rate is fixed for a job. It is time that the bedaux system, which is old and obsolete system is changed. Are the workers given any extra bonus? What is their basic pay? Take an ordinary workers whose basic pay is Rs. 40—60 or Rs. 60—130. What benefit does he derive out of the piece work earnings? I want these answers.

I hope all these points will be answered. Firstly, about the misappropriation of Rs. 20 lakhs and secondly, about the defective sleepers and key. I have a fear that certain elements in Kanpur are trying to defame the Railway Minister and the Members of the Railway Board by saying that the proprietor of this particular firm, Singh Engineering Works, is related to very high people in the Railway Administration. I want to allay that, I want to counteract that and support the Railway Administration, support the Railway Board Members and support, of all the Members, the hon. Minister for whom I have the greatest regard. I wish the points that I have raised are wrong. My information may be wrong, and in that case I would definitely say that I had incorrect information. But I want that my doubts

may be removed. These are not doubts in my mind only, these doubts are in the minds of 12 lakhs of people in Kanpur. They feel that Messrs. Singh Engineering Works can do whatever they like, and they cannot be brought to book because they are related to somebody. This is a very bad thing. Sir, in the interest of general administration.

**Shri Achar (Mangalore):** Mr. Speaker, Sir, I just want to bring to the notice of the hon. Minister a particular point relating to Demand No. 9. No doubt, it is a charged amount. I am referring to the amounts paid in satisfaction of decrees of courts and awards of Claims Commissioners.

**Mr. Speaker:** On what page is it?

**Shri Achar:** It is on page 14. Paragraph 2 of the explanatory note says:

"The charged portion of the expenditure relates to payments made in satisfaction of decrees of courts and awards of Claims Commissioners in regard to compensation to passengers involved in railway accidents."

The point to which I would like to draw the attention of hon. Minister is of a general nature. I had occasion to write to the hon. Minister very recently about a claim. No doubt, he was very sympathetic and immediately he has investigated into the matter. He has also told me that the claim would be satisfied.

But, as I said, the point that I would like to raise is of a general nature. It often happens that the department of the Government or the concerned Ministry does not look into this matter in time and that results in losses to the Government. Thereby they have not only to pay the amount but the costs also. I will just mention the case of a particular claim about which I recently wrote to the hon. Minister. A certain businessman in Calcutta whose native place is in South Kanara and who was traveling in the train

died in Andhra, and if I am not mistaken at Bezwada or so. He had considerable assets in his hands, cash, jewels and other articles worth, I am told, about Rs. 15,000 or so. That person died there. Of course, the Railway Department took charge of it and safeguarded it. There is no doubt about all that. But this event happened not less than two or two-and-a-half years ago. The widow and children claimed these assets, jewels and all that. Of course, the legal requirements will have to be satisfied; nobody could hand it over immediately without taking care to see that the wife and children were the legal claimants and thus avoiding future claims. The Railway Department has to be satisfied in respect of certain conditions. More than anything else, as we all know, the succession certificate is the most important item. The claimants were asked to obtain a succession certificate. The wife and children obtained a succession certificate not less than about two years ago. I think they obtained a succession certificate about 18 or 20 months back. After that they sent in their claim saying that there was no dispute whatsoever, they had obtained the succession certificate and that the assets may be handed over. One or two items out of these assets were in the Magistrate's Court—I do not know the exact details, they were some jewels or something like that. What happened was, as soon as the succession certificate was produced the Magistrate, at Bezwada, handed over the assets that were in the court's possession to the wife and children of the deceased. Of course, there can be no dispute, we know, about the title once a succession certificate is produced. A succession certificate is title against the whole world. It is a well known fact.

In this case, as I said, the succession certificate was produced and letters after letters were written—of course, the Railway Minister may not know all that—to the General Manager concerned and other people requesting that the jewels and other

[Shri Achar]

articles may be handed over to the claimants. They were not given. Finally, of course, they, naturally, complained to Members of Parliament. As I have already said, I wrote to the hon. Minister. All this took more than a year or so. In the meanwhile a lawyer also sent a registered notice—of course, Government is in a privileged position; no suit can be filed against Government without giving proper notice and all that. In spite of the registered notice, in spite of the succession certificate, neither the amount was paid nor the grievance rectified.

**Mr. Speaker:** Why did they not write to the Minister?

**Shri Achar:** Probably they did not know. Later on, I wrote to the hon. Minister. After that he has investigated into the matter. I do not know what exactly is the position today, whether they have satisfied the claim or not. I admit that correspondence and all that takes some time. What I mean to say is, we did complain to the Minister. There are difficulties, I admit. I do not deny that. So far as the Minister is concerned he even talked to me in the lobby and told me that he would look into the matter. I do not exactly know what the position now is; probably, the assets might have been handed over by now.

**Mr. Speaker:** Hon. Members can always count upon the Ministers, particularly those Ministers who are taking a lot of interest. Whenever they find that a particular case has not been disposed of they can take up the matter with the Minister concerned. Let them wait for a month, thereafter write to the Ministers. Give a reasonable time which will normally be taken. If at the end of that time the case is not disposed of and there is no other remedy left, I am sure the hon. Ministers here will certainly take notice of that if it is brought up to them. Hon. Members themselves can write about such matters.

**Shri Achar:** As soon as I got intimation I wrote to the Minister. Of course, as I said, the Minister was very sympathetic. He has already looked into the matter. My point is only this. I have had some experience of this matter even before I became a Member of Parliament. On some occasions I have appeared against the Railways also. I only wanted to point out how this is causing loss to Government, not only in the Railway Department but in other departments of Government also.

**Mr. Speaker:** Is there any practice in the Ministry whereby a report is submitted to the Minister about cases which have been delayed beyond a particular time which they should normally take? I know that in the Works, Housing and Supply Ministry whenever tenders are called for and the lowest tender is not accepted, the reasons are printed. Likewise, a time may be fixed for disposal of claims cases. All cases must be disposed of within that period. There must be an office order to that effect. If some cases are delayed beyond that reasonable time, reasons for delay may be sent to higher authorities so that higher authorities may be kept constantly in touch with such cases. Otherwise, whatever good work is being done, non-disposal of these simple cases detracts from the value of all the good work that is being done.

**Shri Achar:** After what you have mentioned, Sir, I do not want to take any more time. I only want to point out this aspect of the question. In the case about which I mentioned the succession certificate has been produced. I am sure there cannot be any reason for delay. There is no other point in this case.

**The Minister of Railways (Shri Jagjivan Ram):** As the hon. Member has pointed out, he wrote to me. I have called for a report. Today I am not in a position to give any details. I myself wonder why it has

taken so much time. He has written to me and I have called for a report. As soon as I receive that report I shall be writing to him.

**Shri Achar:** As I said, Sir, I have no complaints about the Minister. What I am pointing out is that it causes considerable loss to Government.

**Mr. Speaker:** What he suggests is that hereafter, hon. Ministers may take pains, look into these matters and see that they are disposed of within a particular time. We are not giving directions to courts. Courts are not under our control. So far as offices are concerned, they have to dispose of cases within a particular time. If they are not able to do so, let them send up a register to superior officers giving their explanations as to why there has been delay in such cases. We are finding it difficult here. Hon. Members are taking us to task every day as to why a Short Notice Question has not been admitted and so on. We know the difficulties. Therefore, we have to prescribe two or three days' time for such things and say that if they are not disposed of they must report to us. Some such method may be followed in the offices. So far as the Railway Minister is concerned, even from the Opposition, there has been a chorus of encomiums heaped upon him. But these small matters, non-disposal of grievances, may stand in the way. Therefore, some effective method will have to be followed.

**Shri T. B. Vittal Rao:** There is a "chasing Section" in the Railway Board, especially to pursue letters from Members of Parliament. Even then there is delay.

**Shri Jagjivan Ram:** We have made certain arrangements. We have been emphasising upon the railway administration all these points. We have to get the information from the divisions or the districts. We have been emphasising upon them the necessity for quick disposals of these cases. For

certain cases, we have laid down the periods, saying that these cases should be decided upon within such and such periods. But even in spite of such instructions; there are cases where delays may occur. But we have been emphasising this point.

**Shri C. R. Pattabhi Raman (Kumbakonam):** I myself have been pleading for quite some time—

**Mr. Speaker:** Let Shri Achar finish his speech.

**Shri Achar:** I only want to illustrate the position to show how it causes heavy losses to Government. I want to show clearly how exactly it causes considerable loss to the Government. Take, for instance,—

**Mr. Speaker:** He has said enough about this matter. He should have pursued the matter with the Minister.

**Shri Achar:** As soon as I came to know of it, I wrote to the Minister. Till now they have not filed a suit.

**Mr. Speaker:** What is the good of repeating it? There are other hon. Members wishing to speak.

**Shri Achar:** I was inclined to ask for the details regarding the decrees. Now that the matter is clear, I do not want to pursue it further. I would like to emphasise only one aspect. This happens not only in the railway department but also in the income-tax department. I know of an instance where an income-tax officer and even the appellate tribunal charged income-tax on income from trust property.

**Mr. Speaker:** The hon. Minister here is the Minister of Railways. He is not the minister in charge of income-tax. There is no point in quoting income-tax points here.

**Shri Achar:** I am only illustrating how it causes loss to the Government. It is from that point of view that I have been submitting these things. Trust properties, for example, cannot be taxed.

**Mr. Speaker:** That is not relevant here. The hon. Minister cannot be expected to know everything about income-tax.

**Shri Achar:** I shall leave it there. I was only pointing out that by such acts, considerable loss is caused to Government. It is not only paying the amount but paying the costs as well. The railway department has to pay the costs also of the other side. Practically, Rs. 10,000 becomes Rs. 15,000.

**Mr. Speaker:** The hon. Member wants to know why the department should have allowed decrees to be passed against it in the courts of law, and why the department should not settle such matters by itself. That is the point. Shri Achar has finished. Shri C. R. Pattabhi Raman.

**Shri C. R. Pattabhi Raman:** I do not want to make a speech. I only want to point out one aspect. I myself have appeared against the railway in the Madras High Court. I have found that in most of the cases, the delay is due to the legal department in the railways. I myself have been pleading for quite some time for the appointment of a panel of advocates—there are very good lawyers in each State—for all these Central Government matters. It need not go by some patronage by the local officials of the Railway Ministry. The Chief Justice of the State concerned could advise the Ministry in this matter, and the railways can constitute a panel of lawyers who will advise the railway authorities in regard to such cases. There are efficient young lawyers to take up this work in most of the States. Their talents can be used and a panel of such lawyers can be formed. I have been making this suggestion, often. I have spoken to the hon. Deputy Minister of Railways also about it.

It will be very good to have a panel of lawyers who know about these railway matters. For instance,

in one case in which I appeared in Madras before Justice Rajagopala Ayyangar, an interesting question concerning notice under section 90 was raised. One of the objections taken was—you, Mr. Speaker are an eminent lawyer and I am sure you will appreciate this—that the notice given to the Southern Railway, was not sufficient. The goods passed through the Eastern Railway also. Justice Rajagopala Ayyangar asked, "Are you contending that all these railways are not one unit and that the Southern Railway and the Eastern Railway are separate legal entities? Are you seriously objecting to the notice under section 90 of the Civil Procedure Code being valid"? He indicated that it might involve costs. Fortunately, a leader in the profession appeared and the plea was withdrawn.

I only wanted to give an example. There are competent young lawyers in the States, and they can constitute a panel of lawyers to help the Central Government in such cases. This is not the first time that I make this suggestion. I hope that the hon. Minister will consider it.

**Shri Rami Reddy (Cuddapah):** I just want to mention about the arrangements for the farmers who travelled in connection with the World Agriculture Fair. Arrangements were made for a special train that was to carry the farmers from different parts of the country to Delhi. The amenities provided in the train were very meagre. The farmers were coming from very remote villages and many of them had not seen a train till they entered the farmers' special which was to carry them to Delhi for the fair. The amenities and the arrangements that had been made for them were very poor and meagre.

**Mr. Speaker:** How does it arise here, when we are discussing the supplementary demands for grants?

**Shri Rami Reddy:** Because the demands include an additional expenditure for arranging and

catering for the needs of passenger traffic in excess of the budget anticipations connected with the World Agriculture Fair at Delhi. So I am referring to it. One train was arranged, from Hyderabad to Delhi. It was scheduled to start on the 5th and arrive here on the 7th. But it did not arrive on the 7th morning. It was 26 hours late and it arrived only on the 8th. On the way, it used to stop for several hours at many of the stations. There was no food arrangement there. The farmers suffered for want of food and even for want of drinking water. There was nothing. I myself went to the special train and saw the condition. There were a lot of bugs in the train. I pocketed some bugs and carried them to my room! So, I request that the railway authorities will make decent arrangements with regard to these fairs in future.

**Mr. Speaker:** The farmers came one day late. They could not have food and so on. There was a lot of complaint. That is what he says.

**Shri Rami Reddy:** I have also seen some letters addressed to the editors of newspapers about the inadequate arrangements in the railways.

**Mr. Speaker:** Obviously the staff is not made to feel that all these things should be attended to, and that the reputation must be maintained. I am not talking about the top men. What I mean is the whole rank and file in the railway must feel that they ought not to take advantage of the fact that railways are a monopoly and so on. They must be made to feel that they will lose the custom if they are not catering to the needs as much as is done in private transport services.

**Shri Jagjivan Ram:** The difficulty on this occasion was that we were called upon to run a very large number of specials. In normal times, we do not have the necessary stocks to run so many specials. We thought that because the World Agriculture Fair was going on here, we could just run as many specials as were demand-

ed though the facilities in them might not be up to the mark.

**Mr. Speaker:** The impression that they carry is about the bugs and not other good things.

**Shri Jagjivan Ram:** We had to take up the old coaches also, because there were many demands from more or less every Community Development area for bringing the kisans here for the fair. I myself am aware that the arrangements made were meagre, because we did not have kitchens and all those amenities. We had only a limited number but at the same we had to run a very large number of specials.

So far as the other difficulties are concerned, I shall look into them. I receive both kinds of reports. Some of my friends have written to me that the arrangements were very good, and I have also received complaints that the arrangements were poor and they were put to some avoidable inconvenience. Whenever these complaints come to our notice, we remind our officers to regard the passengers as our patrons.

**श्री मणिबेन पटेल (भानन्द):** श्री जी जी नहीं, जब-जब भ्रमण स्पेशल चलायी जाती है तब-तब कई बार यह शिकायत आती है कि वह समय पर नहीं आती, रास्ते में घंटों-घंटों पड़ी रहती है और प्लेटफार्म पर जहाँ स्टेशन पर उसको ठहराया जाता है वहाँ उसके लिए काफी इन्तिजाम नहीं होता। मेरा बहुत स्पेशल ट्रेनों का अनुभव है लेकिन यह मेरा ही अनुभव नहीं है। औरों का भी यह अनुभव है।

**The Deputy Minister of Railways (Shri Shah Nawaz Khan):** Sir, Shri Vittal Rao referred to the upgrading scheme. According to the upgrading scheme, 66,516 employees were benefited. Up to date 98 per cent of them have received all their dues and payments to be made to them from 1st April, 1956. Shri Vittal Rao referred



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to certain cases in which people were given this benefit from dates other than 1st April, 1956. Under this scheme, 13 categories were to receive the benefit. Later on, as a result of negotiations with the National Federation of Indian Railwaymen, upgrading in a number of other cases was also sanctioned. This is over and above the categories to which the benefit was given in the first instance. It is in respect of these others that the dates are different from 1st April, 1956. As I said, we are doing our utmost to see that every single employee, who has been benefited by these orders, does receive the actual benefit as early as possible.

Shri Vittal Rao also referred to certain investigations that had been made by the Efficiency Bureau regarding the speeds of goods trains. I am very glad to say that the work of the Railway Board generally and of the Efficiency Bureau in particular has been appreciated, especially where they carried out these investigations into the speeds of broad gauge goods trains. We are very grateful to hon. Members of both Houses who have expressed their appreciation in this regard.

This Efficiency Bureau was created early in 1954 with the object of studying operation, workshops, marshalling yards and other statistics and suggesting ways and means of improving efficiency, for investigating and eliminating outmoded and costly practices and for evolving suitable techniques for efficient measurement in diverse fields of railway operation and management.

Since its inception, the Bureau has undertaken several useful investigations and suggested ways and means of improving performance. Special studies have been made by them on work-load on railways, the problem of break-of-gauge in India, the speeds of goods trains, detention to wagons under or awaiting repairs in sick lines and transportation workshops, and

wagon sample survey. They have made very useful suggestions for rationalising office work and for reducing the desk work of our officers who are engaged in duties of a technical nature. They are doing good work and they deserve to be congratulated.

Shri Vittal Rao made a reference to inadequate arrangements in our railway hospitals. I am really amazed. I have seen various hospitals belonging to almost every other department and I have also visited many railway hospitals. Without casting any aspersions on any other organisation, I have no hesitation in saying that the railway hospitals are among the very best hospitals in the country. I can challenge any statement to the contrary. No other department provides the same amount of amenities and facilities as we provide to railwaymen. I would invite my hon. friend to come with me to one of our railway hospitals. I will be very glad to take him round, if he is suffering from some wrong information given to him.

**Mr. Speaker:** Before saying 'wrong information', I thought he was going to refer to some disease.

**Shri Shah nawaz Khan:** Wrong information also causes some psychological disease.

**Mr. Speaker:** Where there are no other hospitals, are they thrown open to the public also?

**Shri Shah nawaz Khan:** Railway employees must necessarily have the priority. If it is possible, we do consider it. It was also suggested that the railway medical doctors should not be allowed private practice. That is a point which we are seriously considering.

**Shri S. M. Banerjee:** The Pay Commission suggested that some private practice allowance should be given. Are you implementing it?

**Shri Shah nawaz Khan:** That is being considered.

**Shri Vittal Rao** also suggested that the railway medical officers—assistant surgeons—should be gazetted officers. The chain we have on the railways is Chief Medical Officer, divisional medical officers, under them Assistant Medical Officers and then under them Assistant Surgeons. This category of Assistant Medical Officers does not exist in other departments. The system is peculiar to the railways and we intend sticking to this.

He also referred to the precarious situation of the industry regarding coal. That is a matter of concern to the whole country. We, who are the carriers of coal, are also faced with a similar situation.

**Mr. Speaker:** Is it on account of want of wagons?

**Shri Shah nawaz Khan:** It is a question of allotment. This difficulty is there. We are trying to overcome this. We are discussing this matter with the sister Ministry and we hope some solution will be found.

**Shri Braj Raj Singh (Firozabad):** What sort of allotment?

**Shri Shah nawaz Khan:** Allotment of coal by the Coal Commissioner.

**Mr. Speaker:** There was a committee of this House, when **Shri Gadgil** was here in charge of collieries. Some complaint was made that the Coal Commissioner was giving equal treatment to private agencies and railways, not giving sufficient coal to the railways, lest the private industry should be disturbed. In the railway collieries, about 4,000 workers were unemployed, because from the pithead coal could not be removed. An ad-hoc committee of the Estimates Committee was appointed and it made a report. I do not know exactly the recommendations of that committee. So far as coal for railway purposes is concerned, does the situation remain the same?

**Shri Jagjivan Ram:** Now the railways do not run their own collieries. They have transferred it to the Steel, Mines and Fuel Ministry and all allotment of coal is made by the Coal Controller. In recent times, there were some difficulties in the railways also. Much to our dislike, we had to requisition wagons going to the private industry, because unless we did that, we would have had to suspend some train services. So, the situation has now.....

**Mr. Speaker:** Have the coal pit-heads got exhausted or what?

**Shri Jagjivan Ram:** There was some difficulty at the pit-heads.

**Shri Braj Raj Singh:** It is very strange. There is a single Government which has got joint responsibility. They are having some difficulties in between themselves—the Railway Ministry and another Ministry.

13 hrs.

**Mr. Speaker:** Formerly, the collieries were under the Railway Ministry. They were working and getting as much coal as they wanted. Now it is under the control of the Coal Commissioner, who is functioning under a different Ministry. So, they have to stand before another Ministry for allotment.

**Shri Jagjivan Ram:** Now everything is being ironed out.

**Shri Shah nawaz Khan:** Then, **Shri Banerjee** referred to certain reports about misappropriation of funds on the Godhra-Ratlam line. It is true that some reports have been received of over-payments that had been made in the provisional payments to the contractors in the Godhra-Ratlam line. These excess payments are being adjusted in the final bill, and no loss to the railways is anticipated in this particular case.

**Shri S. M. Banerjee:** I would like to know whether the project is really-

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worth Rs. 3 crores, as stated in the press, and whether the misappropriation is to the extent of Rs. 20 lakhs. Thirdly, I want to know whether the Adivasis were paid Rs. 75 instead of Rs. 135.

**Shri Shah Nawaz Khan:** If the hon. Member will permit me to finish, I will give all the information. So far as the Railway Board is aware, the earthwork of Godhra-Ratlam doubling is being carried out with the agency of contractors. There is no information with us whether the contractors are employing Adivasi or some other workers and what they are paying to their own labour. That is not the concern of the railways. We called for tenders and the work was let out to contractors. How do they do the work, through whom do they do it, and how much they pay for the work, it is their show, and railways normally do not go into that. I may say, for the information of the House, that since these allegations were made, we have handed over this particular case to the SPE for investigation. They will go into all aspects and find out whether there is anything wrong anywhere. It is up to them to find out whether there is anything wrong; and if there is anything wrong, the Railway Ministry will not be found wanting in taking strong disciplinary action against the corrupt officers.

**Shri S. M. Banerjee:** The SPE investigating officer has asked for more powers from the Centre to enquire into this case.

**Shri Shah Nawaz Khan:** He does not have to ask for powers, as they have the fullest powers of investigations.

**Shri S. M. Banerjee:** He has asked for fuller powers.

**Shri Shah Nawaz Khan:** He has the fullest powers.

Then I come to defective sleepers and defective keys. Regarding the

sleepers, we have laid a full statement on the Table of the House. Now I come to the question of keys.

**Shri S. M. Banerjee:** I have mentioned sleepers also.

**Mr. Speaker:** In answer to a question the hon. Minister himself stated that the keys were defective. Was there not a question relating to this—why was it rejected and so on? The reply was, there was some defect in the keys.

**Shri Shah Nawaz Khan:** That was a question relating to sleepers, to which the reply was the keys were falling out; not that the keys were defective. Regarding sleepers, the House is aware of the whole case. By some oversight or mistake, certain officers, who were asked to look into that case, reported that they were defective. Later on, another committee of officers, very high-ranking experts, belonging not to one Ministry but three different Ministries—Ministry of Home, representative of the DGS & D and our Ministry—went into the whole case thoroughly.

**Mr. Speaker:** Are the sleepers now in use?

**Shri Shah Nawaz Khan:** They have been in use for the last three years. They have always been in use, though so much was made of the so-called defective sleepers—that the railways are conniving with corrupt officials, they are using defective sleepers, and so on. These sleepers have been there in use for the last three years, and we have found nothing wrong with them. Neither has the safety of trains been affected in the least.

**Mr. Speaker:** How did this trouble arise then?

**Shri Shah Nawaz Khan:** It was based on a wrong report. A report was received that some keys had fallen. Some letter came and people thought that the sleepers were defective.

**Mr. Speaker:** Have the keys now been restored?

**Shri Shah nawaz Khan:** The question was whether the keys should go in 2½" or the keys should go in 1", whether the keys should be hit with a seven-pound hammer, on a four-pound hammer, and so on—minor things.

**Mr. Speaker:** Nobody is interested in those details, whether it is hit by a big hammer or small hammer. But have the keys fallen out or not?

**Shri Shah nawaz Khan:** Some have fallen. When there are millions and millions of keys, some are bound to fall out.

**Mr. Speaker:** So there is nothing special about it?

**Shri Supakar:** How is it that what was originally wrong was found to be correct and what was originally correct was found to be wrong by the subsequent enquiries?

**Shri Shah nawaz Khan:** I may make it clear that we have not indulged in any jugglery in this case at all.

**Shri S. M. Banerjee:** May I ask for one clarification? As you were pleased to remark, a question was asked on the 22nd December, in the last session, to which the answer we received was that information is being collected from Kanpur, which will be laid on the Table of the House. Then I read from a letter of the General Manager, Engineering, Northern Railway.

**Shri Shah nawaz Khan:** I will clarify that. I am still dealing with the same subject. Regarding this case, a complaint was received by the Northern Railways in May 1956 that the keys supplied by Messrs. Singh Engineering Works Limited, Kanpur, were over-sized, as those keys were found to be thicker than the standard size. The Director-General, Supplies and Disposals, called for a dozen sample keys out of the supply received.

Here I would like to make it quite clear that the orders are placed by the DGS&D. He has got his own organisation for inspecting these things. They were inspected and tested by him, and afterwards they were sent to the railways. Then some keys fell out. As we are very careful about the safety of the track, when reports came that keys fell out, we referred the matter back to the DGS&D, and I would like to read what exactly he has stated:

"No doubt, some keys have been found to be somewhat over-sized by 1/32 part of an inch. But, as you are aware, the difference is not beyond the permissible limit."

A certain amount of tolerance is allowed for all those parts that are manufactured, whether it be sleepers or keys.

**Mr. Speaker:** If they did fit in well, it does not matter.

**Shri Shah nawaz Khan:** If it is a little smaller, it goes two inches deep; if it is a little thicker, it goes only 1-1/2 inches. That is the only difference, though so much is made about it in this House. I am really surprised at it.

**Shri S. M. Banerjee:** Since I have served in the ordnance factories I know.....

**Mr. Speaker:** Order, order. I am not going to allow the hon. Member to interrupt like this.

**Shri Shah nawaz Khan:** The Director-General has stated:

"As you are aware, the difference is not beyond the permissible limit and, under the circumstances, it is requested that the keys in question may please be accepted."

He is the expert who places orders and belongs to another Ministry. His people go and inspect them. He is telling us—"There is nothing wrong

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with these keys. Please use them." Where do the misappropriation, embezzlement and relationship to somebody else, come in? How do the Railways come into this? I am very sorry that this sort of mentality should work anywhere.....

**Shri S. M. Banerjee:** I know what the relationship is.

**Mr. Speaker:** There is no good in accusing hon. Members of Parliament or others. One set of your own officers took one view and another set of officers took another view. Hon. Members here are not experts. They can certainly try to find out whether the one report is really true and *bona fide* or whether the subsequent inspection or report is only to cover up the previous one. This will occur in the mind of any hon. Member.

**Shri S. M. Banerjee:** On a point of personal explanation.

**Mr. Speaker:** Merely because a complaint is voiced, the hon. Minister should not be emphatic in saying that these people are giving all sorts of things and so on. They are trying to take up only what appeared in the hon. Minister's own department.

**Shri S. M. Banerjee:** On a point of personal explanation. If this information is required and if you will permit me, I will write out a big note and lay it on the Table of the House. I know what is the relationship. It is an open and prevalent story in Kanpur. I have the highest respect for the hon. Minister.....

**Mr. Speaker:** Then why does he hesitate? If he knows that there is relationship, let him pass on the information to the hon. Minister.

**Shri C. K. Nair (Outer Delhi):** I want a clarification. I want to know if a request has been made to accept them in future or whether the past supplies have been accepted. I would like to have a clarification about that.

**Shri Shah Nawaz Khan:** Those that were supplied were to be accepted. For future requirements, if and when they are needed and if their tender is acceptable they will still continue to get the orders.

**Shri C. K. Nair:** What does it mean? If they are not accepted, do the keys which have been used have to be removed or have they not been used and are to be used now?

**Shri Shah Nawaz Khan:** The question does not arise. They are there for the last three years.

My hon. friend, Shri Banerjee, also referred to the cases of the accounts clerks. As is very well known, there are two grades, Grade I and Grade II. This arrangement is not peculiar only to the Railways. This arrangement exists in other Government Departments and in the civil audit and accounts offices also. Important type of work is given to Grade I clerks and the less important type of work is given to Grade II clerks.

I might also add that under the up-grading scheme from the 1st April, 1956, the number in higher grade was increased. Previously they were having 20 per cent in the higher categories; that was enhanced to 40 per cent. Promotion from Grade II to Grade I is by an examination to ensure a high standard of efficiency. Clerks, who qualify in Appendix II(A) examination for promotion from Grade II to Grade I, receive a higher starting salary of Rs. 100 in the grade of Rs. 80-220. That is the arrangement, and the Public Accounts Committee of this hon. House approved of this arrangement.

He also referred to the operating staff and the recommendations of the Pay Commission. The hon. Minister, in his speech in this House, made it quite clear that we will consult the Federations regarding the PTOs and passers..... (Interruption). Before we take decisions on these aspects we will hold consultation with them.

My hon. friend, Shri Achar, referred to a case. A welfare inspector has been specially deputed to go and make delivery to the dependents.

Then my hon. friend, Shri Reddy, referred to the poor arrangements that were made for the farmers who came to see the World Agriculture Fair. The House is aware of the strain under which the Railways are working. This was a particularly busy time of the year when we were straining to run as many goods trains as possible. Consistent with that situation and at the request of the hon. Minister, who organised this World Agriculture Fair, and knowing the interest of the *kisans* to visit this Fair, we made special arrangements. I think we ran over 50 special trains for the *kisans*. I am sorry that there were delays sometimes on the way. Many of these *kisans* came from very distant places. Some, I think, even came from Kerala, Madras and Andhra. We tried to make as good arrangements as possible. But there were so many crossings on the way. Some trains were delayed. I am sorry to hear that. But we did make special arrangements to ensure that for every train that arrived in Delhi, even if it arrived ten hours late, people were given ten hours extra stay in Delhi.

I hope I have made myself very clear. Although the *kisans* may have arrived a few hours late, they were allowed to remain in Delhi for extra time.

**Mr. Speaker:** Sometimes it was extended by a day also.

**Shri Shahnawas Khan:** Yes. When people wanted extensions, we extended it. If, in spite of that, there was some inconvenience to anybody, all I can say is that I am very sorry. We are trying, and we will continue to do our best.

**Mr. Speaker:** Is it necessary to put any of the cut motions to the vote of the House?

**Shri T. B. Vittal Rao:** I withdraw my cut motions.

*The cut motions were, by leave, withdrawn.*

**Shri S. M. Banerjee:** I also withdraw my cut motions.

*The cut motions were, by leave, withdrawn.*

**Mr. Speaker:** I will put all the Demands together to the vote of the House. The question is:

"That the respective supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of the following demands entered in the second column thereof—

Demand Nos. 2, 4, 5, 6, 7, 8, 10, 12 and 19."

*The motion was adopted.*

13-18 hrs.

# DELHI LAND HOLDINGS (CEILING) BILL—contd.

**Mr. Speaker:** The House will now take up further consideration of the following motion moved by Shrimati Violet Alva on the 24th February, 1960, namely:—

"That the Bill to provide for the imposition of a ceiling on land holdings in the Union territory of Delhi and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

The time allotted for this was three hours. The time already taken is 1 hour 37 minutes. The balance available is 1 hour 23 minutes. Shri Naval Prabhakar may kindly continue his speech.

**Shri Braj Raj Singh (Firozabad):** I wanted one information the other day. The hon. Minister said that he will give the information.

**Mr. Speaker:** In regard to this?

**Shri Braj Raj Singh:** Yes, Sir. I wanted to know as to how many persons will be affected by the passing of this Bill.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** The information that the hon. Member wants is like this. After leaving out of account those who would have 30 standard acres, Government will have to take excess land from 155 persons. The total acreage that is likely to be available is in the neighbourhood of 1,700 acres.

**Shri Mulchand Dube (Farrukhabad):** May I seek a clarification? What is the standard acre so far as Delhi is concerned? It appears it is not an acre of 4,840 sq. yards, but something else.

**Shri Datar:** The standard acre is not an ordinary acre. There are different types of land, and therefore, the quantity of yield and the facilities for irrigation and other purposes, the number of crops that are likely to be had, all these will be taken into account and then the standard acre would be fixed. It will not be the same for the different areas, because the yielding capacity has to be taken into account, and therefore, if it is one acre in some places, it may be more than one, it maybe two or something more in other areas where the standard of production is less.

**Shri Mulchand Dube:** Is this part of the Act, or will it be covered by the rules? It occurs in several places.

**Shri Datar:** My hon. friend will kindly note that we had the Land Reforms Act in Delhi already, and there are rules and regulations made under this, and the position is quite clear because there also this question of ceiling had been fixed so far as future acquisitions were concerned. Therefore, this question had to be considered already.

**Shri Mulchand Dube:** I am not bothered about the ceiling, I am bothered about the standard acre.

**Shri Datar:** I have pointed out that this question was considered and has been provided for.

**Mr. Speaker:** Does the hon. Minister mean that the ceiling has been fixed under a separate Act?

**Shri Datar:** For future acquisitions. This is for present acquisition. We had an amendment of the Delhi Land Reforms Act only last year. What is done now is in respect of present holdings of the various people. Future acquisitions have been provided for.

**Mr. Speaker:** Is there a great difference between future acquisition and the present one?

**Shri Datar:** No difference. The lands are the same.

श्री नवल प्रभाकर (बाह्य दिल्ली—रक्षित—अनुसूचित जातियाँ) : श्रीमान्, मैं उस दिन कह रहा था कि यह विधेयक बहुत से लोगों को प्रभावित करने वाला नहीं है, किन्तु मेरे पूर्व-वक्ताओं ने इस का जो रूप हमारे सम्मुख रखा, उस से ऐसा मालूम होता था कि यह एक ऐसा भयानक बिल है जिस से बहुत से लोग प्रभावित होंगे और सरकार बहुत से लोगों पर एक तरह से अत्याचार कर रही है। मैं विनम्र शब्दों में उन से कहना चाहता हूँ कि जसा कि माननीय मंत्री जी ने अभी बताया है, जितने लोग इस से प्रभावित होंगे और जितनी भूमि इस से प्रभावित होगी, वह नहीं के बराबर है। जहाँ तक मुझे ज्ञात है अधिक से अधिक एक हजार एकड़ भूमि इस विधेयक के अनुसार प्रभावित होने वाली है।

श्री बजरंग सिंह : १,७०० एकड़।

श्री नवल प्रभाकर : मैं समझता हूँ कि जब यह मामला कोर्ट में जायगा, तो शायद

एक हजार एकड़ भी नहीं रहेगा, क्योंकि यह विधेयक बड़ा लचकदार है। ऐसा लचकदार विधेयक मैं ने नहीं देखा है। इस में सब को प्रसन्न करने का प्रयत्न किया गया है। जैसा कि उस दिन मैं कह रहा था, क्लाइ २६ में ऐसी छूट दी हुई है कि यदि आप के पास डेयरी फार्म है, तो आप को पूरी छूट है कि आप पूरी जमीन अपने पास रख सकते हैं। डेयरी फार्म की क्या परिभाषा है, वह इस में पूरी तरह से नहीं दी गई है। इस में यह भी कहा गया है कि अगर कहीं ऊन के उत्पादन के लिए कोई प्रयत्न किया गया है, तो उस को भी पूरी छूट है।

श्री मूलचंद दुबे मृगियां पालना नहीं ?

श्री नवल प्रभाकर : वह डेयरी में आ जाता है।

इसके अतिरिक्त अगर किसी ने बहुत ज्यादा खर्च कर दिया है, तो उस को भी पूरी छूट है। अभी माननीय मंत्री जी ने १,७०० एकड़ की बात बताई है। सिवाये उस भूमि के जो नदी के कटाव में आने वाली भूमि है, वह सम्भवतः सरकार को मिल जायगी, किन्तु इस के अतिरिक्त कोई भूमि उस को मिल सकेगी, इस में मुझे पूर्ण सन्देह है। उस दिन कुछ माननीय सदस्यों की ओर से कहा गया कि जो तीस एकड़ की सीमा निर्धारित की गई है, वह बहुत कम है। जहाँ तक मेरी अपनी जानकारी है—क्योंकि मैं भी ग्रामीण क्षेत्र का प्रतिनिधित्व करता हूँ और उस जानकारी के आधार पर मैं कह सकता हूँ और जब मैं पिछली बार बोल रहा था, तब भी मैं ने कहा था — मैं उस जानकारी को पक्का करने के लिए गांवों में गया और बहुत लोगों से पूछा कि आप के पास कितनी भूमि है। किसी ने कहा कि बीस बीघा है और किसी ने कहा कि पच्चीस बीघा है, चालीस बीघा है। बहुतांश के पास दस-पंद्रह बीघा तक है। दस बीघा का

मतलब है दो एकड़ भूमि और चालीस बीघा का मतलब है आठ एकड़ भूमि। मैंने चालीस बीघे वाले से पूछा कि आप का गुजारा होता है या नहीं, तो उस ने बताया कि दाल-रोटी मिल जाती है, ठीक है, परिवार चल जाता है। मैं समझता हूँ कि दस एकड़ भूमि जिस के पास है, जब उस का परिवार चल जाता है—मैं आठ एकड़ वाले को छोड़ देता हूँ, दस एकड़ वाल पर आ जाता हूँ—और हम यहाँ पर तीस एकड़ को अधिकतम सीमा निश्चित कर रहे हैं, तो ऐसी अवस्था में उस में तीन परिवार चल सकते हैं। अगर उस परिवार में दो लड़के हों और पति-पत्नी हों, तो मैं समझता हूँ कि वह परिवार अच्छी तरह से चल सकता है। उस दिन यह तर्क दिया गया कि अगर उस के लड़के जवान हैं, तो वह क्या करेगा। मैं आप से यह कहना चाहता हूँ कि हमारे यहाँ एक कहावत है—

पूत कपूत तो क्यों धन संचय,  
पूत सपूत तो क्यों धन संचय।

इस के अनुसार अगर बेटा सपूत है, तो वह कमायगा और तीस एकड़ अपनी भी बना लेगा, लेकिन अगर कपूत है, तो सौ एकड़ भी छोड़ कर चले जायेंगे, तो वह सौ एकड़ को भी अपने पास रखने वाला नहीं है, वह उस को गंवा देगा। जैसा कि मैं ने अभी बताया है, दस एकड़ में एक परिवार अच्छी तरह से चल सकता है और तीस एकड़ हम तय कर रहे हैं, जिस का मतलब यह है कि तीन परिवारों के भरण-पोषण के लायक हम जमीन दे रहे हैं। इस के अतिरिक्त भी इस में और प्रबन्ध है कि पांच व्यक्तियों के परिवार से जो अधिक व्यक्ति होंगे, उन को पांच एकड़ के हिसाब से अधिक भूमि दी जायगी। ऐसी अवस्था में वह साठ एकड़ तक पहुँच जाता है। यह कहना कि तीस एकड़ की सीलिंग बहुत कम है, यह मैं नहीं समझता। हमारे निकटवर्ती पंजाब में भी तीस एकड़ है, राजस्थान में भी तीस एकड़ है। और यहाँ पर यह तीस एकड़ किस ने



[श्री नवल प्रभाकर]

तय किया ? पहले हमारे यहां जब लैंड रिफॉर्म बिल आया, तो उस समय यहां पर दिल्ली विधान सभा थी। दिल्ली विधान सभा में दिल्ली के चुने हुए प्रतिनिधि मौजूद थे। वहां जो विधायक थे, उन में से ग्रामीण क्षेत्र के विधायकों की एक कमेटी बनाई गयी। उस कमेटी ने एक साल तक इस पर विचार करने के बाद कुछ मुद्दे तय किये और उस के बाद इस बिल की कप-रेला, उस का ड्राफ्ट आया। फिर विधान सभा में वह बिल पेश हुआ। विधान सभा में वह बिल प्रवर समिति को भेज दिया गया। प्रवर समिति में भी उस पर विचार हुआ। प्रवर समिति में विचार होने के बाद वह बिल फिर विधान सभा में आया। वहां उस पर फिर विचार किया गया और उस के बाद तय पाया गया कि आगे आने वाले समय के लिए तीस स्टैंडर्ड एकड़ हमारे लिए ठीक है। दिल्ली के लिए उन्होंने बहुत सोच-विचार के बाद तीस स्टैंडर्ड एकड़ रखा था और बड़ी खुशी के साथ रखा था। उस का कोई विरोध नहीं हुआ। मैं यह कह सकता हूं कि इस बिल का भी आज दिल्ली के लोगों की ओर से कोई विरोध नहीं है। एक भी दिल्ली वाले की, जिस के पास यहां पर जमीन है, इस विधेयक से न तो नाराजगी है और न ही कोई विरोध है। जैसा कि मैं ने उस दिन कहा था, यह तो नीति का प्रश्न है। एक दल है कांग्रेस दल। उस की अपनी नीति है कि हम ने यहां पर सीलिंग करना है, भूमि की सीमा निर्धारित करनी है। यह उसी का परिणाम है और नहीं तो मैं यह समझता हूं कि दिल्ली में यदि सीलिंग बीस स्टैंडर्ड एकड़ की होती, तो उस से सरकार को कुछ न कुछ भूमि प्राप्त हो जाती और उस में सरकार अपने विचार के अनुसार या तो कोऑपरेटिव फार्मिंग चला सकती या उन लोगों को जमीन दे सकती थी, जो लैंडलैस हैं, या जो खेत पर काम करते हैं। इस समय १,७०० एकड़ है। वह रहेगा या नहीं, कितना दिया

जायगा, कितनों का भला होगा, यह मैं नहीं समझ सकता। किन्तु मैं एक बात जरूर कहना चाहता हूं और वह स्टैंडर्ड एकड़ के सम्बन्ध में है। यह हमें निश्चित करना होगा कि जो स्टैंडर्ड एकड़ हम तय करें . . . . .

**Mr. Speaker:** How is the standard acre determined?

**Shri Datar:** That is what I have pointed out already. We find out the yielding capacity of the land . . . . .

**Mr. Speaker:** Where is it in clause 2?

**Shri Datar:** It is not here. It is there in the original Act. This is a supplementary Bill. This does not deal with land reforms matters as such. We had the Land Reforms Act passed by the then Delhi Legislature, and then, certain amendments were made therein. Therefore, this question does not directly arise here. That matter has already been provided for in the rules. It has been duly notified, and there is no dispute about what a standard acre would be. It would be different in different parts of Delhi.

**Mr. Speaker:** Is the definition of standard acre given here anywhere?

**Shri Datar:** This has a reference to the Land Reforms Act of Delhi, which is the principal Act, and this deals only with the question of ceilings.

**Shri P. R. Patel (Mehsana):** What is the definition of 'standard acre'?

**Mr. Speaker:** I only wanted that to be made clear in this Bill.

**Shri Datar:** I shall make it clear in my speech.

**Mr. Speaker:** It is not stated in this Bill anywhere that the words 'standard acre' shall have the same meanings as in the original Act?

**Shri Datar:** If necessary, we shall make it clear here.

**Mr. Speaker:** For, it is not stated here that this Bill seeks to amend the previous Act. If this is an amendment to the previous Act, then, the definition clause in that Act will apply in this Bill also; or, if this is an addition to the previous Act, then the definitions in both the measures will apply.

**Shri Datar:** May I invite your attention to clause 2 (h) which reads:

'the words and expressions 'Asami', 'Bhumidhar', 'Deputy Commissioner', 'Gaon Panchayat', 'improvement', 'land', 'standard acre' and 'village' shall have the meanings respectively assigned to them in the Delhi Land Reforms Act, 1954.'

**Shri C. K. Nair (Outer Delhi):** I think it is better to have a clarification of what the standard acre means, for, the old definition was meant for people who would like to acquire more than 30 acres. Now, we are going to impose a ceiling of 30 acres.

**Mr. Speaker:** Does the hon. Member want to speak on this Bill?

**Shri C. K. Nair:** Yes.

**Mr. Speaker:** Very well. I shall call him afterwards.

**श्री नवल प्रभाकर :** उपाध्यक्ष महोदय, मैं स्टैंडर्ड एकड़ के बारे में प्रश्न कर रहा था। दिल्ली प्रशासन ने जो इससे बारे में निश्चय किया था वह यह था कि इसको छः भागों में विभक्त किया जाये और ये छः भाग हैं बंजर, डाबर, कोडी, खादर, खांडर और शाहदरा की जमीन। इस तरह से छः भागों में उसने इसको विभाजित किया है। स्टैंडर्ड एकड़ का हर जगह पर मूल्य धलंग-धलंग होगा।

13-34 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

यह कहा गया है कि बंजर में तो १६ आना होना और अगर इसको मान लिया जाये तो

फिर डाबर में उसकी कीमत क्या रहेगी, शाहदरा में जा कर क्या रहेगी, खांडर में जा कर क्या रहेगी, खादर में क्या रहेगी यह मैं जानना चाहता हूँ।

यह भी मैं माननीय मंत्री महोदय से जानना चाहता हूँ कि एक व्यक्ति जोकि शाहदरा में रहने वाला है जिसके पास ३० स्टैंडर्ड एकड़ है उसके पास प्रायः अनुसार कितने गज का स्टैंडर्ड एकड़ वहाँ पर लगाया जायगा। यह जानकारी मैं मंत्री महोदय से निश्चित रूप से जानना चाहता हूँ। इसी तरह से प्राप यह भी बतलायें कि खादर के अन्दर प्राप कितने गज का स्टैंडर्ड एकड़ मानेंगे, खांडर के अन्दर कितने गज का मानेंगे, डाबर में कितने गज का मानेंगे। मैं चाहता हूँ कि यह चीज माननीय मंत्री महोदय पूरी सफाई के साथ हमें बतलायें।

उस में भी मैं यह चाहूँगा कि जो बाही जमीन है, उस में उसका मूल्य क्या होगा, यह जो भूमि है यह गजों के हिसाब में कितनी होगी, अगर वह चाही और नहरी दोनों हैं, उस अवस्था में क्या होगी, यदि केवल नहरी है तो उस में क्या होगी। इरिगेटिड लैंड में क्या अवस्था होगी, बारानी हैं, जो वर्ष में मैलाब होती है, उसमें क्या होगी और जिस में मैलाब आता है, उस में उसकी क्या अवस्था होगी। मैं चाहता हूँ कि मुझे बतलाया जाये कि इन भिन्न-भिन्न अवस्थाओं में कितने गज का स्टैंडर्ड होगा और क्या तरीका है जिसको अपना कर कि स्टैंडर्ड एकड़ का फैसला किया जायेगा ताकि यह चीज हमारी समझ में आ सके और शाहदरे वालों को पता चल सके कि कितनी भूमि उनको मिलने वाली है। यह जरूर है कि एक व्यक्ति को ३० स्टैंडर्ड एकड़ मिलेगी लेकिन गजों में या बीघों में वह कितनी भूमि होगी यह प्राज्ञ सही नहीं बताया जा सकता है। मैं चाहता हूँ कि जिस तरह से भूमि को छः भागों में विभक्त किया गया है और प्रत्येक भाग को जो उसकी अवस्था धलंग-धलंग है, चाही है, चाही नहरी

[श्री नवल प्रभाकर]

है, नहरी है, आबी है, बारानी है, सेलाबी है, इन सब में भूमि की क्या अवस्था होगी, कितने गज का स्टैंडर्ड एकड़ होगा, यह हमें बताया जाये ताकि हमें पता चल सके कि शाहदरा वालों का स्टैंडर्ड एकड़ इतना रहेगा, खा वालों का इतना रहेगा, डाबर वालों का इतना रहेगा, इत्यादि इत्यादि ।

**उपाध्यक्ष महोदय :** माननीय सदस्य को खत्म करना चाहिए । बहुत वक्त हो गया है जब पहली घंटी बजाई गई थी ।

**श्री नवल प्रभाकर :** पूर्व वक्ता से आधा भी समय मैं ने अभी नहीं लिया है ।

**उपाध्यक्ष महोदय :** मुझे यह मालूम नहीं, लेकिन स्पीकर साहब ने घंटी जरूर बजाई थी ।

**श्री नवल प्रभाकर :** १० मिनट में समाप्त करता हूँ ।

**उपाध्यक्ष महोदय :** १० मिनट में तो सारी स्पीच दी जा सकती है ।

**श्री नवल प्रभाकर :** दिल्ली का यह मामला है और कभी-कभी तो बोलने का मौका मिलता है और फिर यह मेरे निर्वाचन क्षेत्र की बात है, इस वास्ते मैं प्रार्थना करता हूँ कि मुझे इतना समय दे दिया जाये ।

**उपाध्यक्ष महोदय :** स्पीकर साहब ने जब घंटी बजाई थी तब तो माननीय सदस्य ने कोई उज्र नहीं किया था ।

**श्री नवल प्रभाकर :** बीच में कुछ समय इसी तरह से चला गया है ।

**उपाध्यक्ष महोदय :** और पांच मिनट में खत्म कर दीजिये ।

**श्री नवल प्रभाकर :** माननीय ठाकुर दास भार्गव जी ने बार-बार इस बात पर

जोर दिया है कि अगर ३० स्टैंडर्ड एकड़ की लिमिट रख दी गई तो जो लोग इससे प्रभावित हों, उनका जीवन स्तर उन लोगों से भी नीचे गिर जायेगा, जोकि दलित लोग हैं, जोकि डिप्रेस्ड लोग हैं । मैं भी उस श्रेणी का ही एक व्यक्ति हूँ और मैं जानता हूँ कि उनकी क्या दशा है । अगर उन के पास १० स्टैंडर्ड एकड़ जमीन भी हो जाये तो वे गनीमत समझेंगे । उनकी अवस्था दयनीय है । अगर तीस स्टैंडर्ड एकड़ जमीन रखने वालों को आप इन लोगों में मिलायें तो आप ज्यादाती करेंगे । हरिजनों का स्तर बहुत गिरा हुआ है और उसको ऊपर उठाने की जरूरत है । जो तथ्य है उसको आपको भुलाना नहीं चाहिए ।

आपने कम्पेंसेशन की दर ४० गुना रखी है और इस के बारे में पंडित ठाकुर दास भार्गव जी ने कहा है कि यह बहुत कम है । मैं बतलाना चाहता हूँ कि दिल्ली विधान सभा ने जो लैंड रिफार्म्स एक्ट पास किया था, उस की १४वीं क्लॉज की, उप-क्लॉज ३ और उसकी उप-क्लॉज (बी) में यह कहा गया था :—

"and be liable to pay as compensation an amount equal to 20 times the land revenue".

यानी बीस गुना लैंड रेवेन्यू का मुआबजा रखा गया था । जब एक बार आप लैंड रिफार्म्स एक्ट में यह तय कर चुके हैं और जिससे जो गरीब आदमी ये वे भी प्रभावित होते ये तो यहां पर तो कोई एतराज की बात ही नहीं रह जाती है । उस में वे लोग भी आ जाते ये जिन के पास पांच एकड़ थी और जिन्होंने बटाई पर उसको दे रखा था, या टेनेंट को दे रखा था । उस अवस्था में जो उसको मुजारा काश्त करता था उससे तो उसको २० गुना ही मुआबजा मिला लेकिन यहां तो उससे कहीं अधिक मिल रहा है । जो यह कहा गया है कि सौ परसेंट मुआबजा

बिलना चाहिए इसको मैं समझ नहीं पाया हूँ। बीस से बल कर घापने चालीस कर दिया बानी दुगुना कर दिया, इसमें तो प्रत्याय की कोई बात नहीं की। जहाँ तक न्याय की बात है वह तो भ्रमी भी किसी के साथ नहीं हो सकता है। यदि १,००० रुया प्रति एकड़ के हिसाब से भी दिया जाये तो वह कहेगा कि उसे ५,००० के हिसाब से दिया जाय क्योंकि यही उसकी जमीन का मूल्य है और यदि ५,००० दिया जाये तो कहेगा कि १०,००० के हिसाब से दिया जाये क्योंकि इसका यही मूल्य है। इस तरह से सन्तोष की तो कहीं कोई गुंजाइश ही नहीं है।

इन शब्दों के साथ भन्त में मैं इतना ही कहना चाहता हूँ कि जो क्लॉज ३६ है इस पर कुचारा गौर किया जाये क्योंकि इस में बहुत ही लचक है और इस लचक के कारण जिन लोगों के ऊपर इस विधेयक का असर होने वाला है, वे उस असर से बाहर हो जायेंगे।

श्री मोहन स्वरूप (पीलीभीत) : उपाध्यक्ष महोदय, सीलिंग की जो बात है वह एक अच्छी बात है और उसके सम्बन्ध में न किसी को विरोध हो सकता है और न ही होना चाहिए। यह उसने के साथ की मूब है और एक अच्छी मूब है। लेकिन सीलिंग के सम्बन्ध में कुछ ऐसी चीजें हैं जिन पर कि गौर होना चाहिए था और उन पर गौर नहीं हुआ है। मिसाल के तौर पर सीलिंग का प्रिंसिपल यह है कि बहुत सी ऐसी जमीनें हैं जोकि अर्थिकोनामिक हैं और बहुत सी ऐसी जमीनें हैं जोकि लोग लिए बैठे हैं और उन से कोई फायदा नहीं उठाते हैं, और उनसे वे जमीनें ले ली जायें और भूमिहीनों में बांट दी जायें। यह सीलिंग का प्रिंसिपल है। लेकिन इस चीज पर गौर करते वक्त मैं यह धर्ज करना चाहता हूँ कि ऐसे लोगों के सुपुर्द यह काम किया गया है जिन का खेती से कोई वास्ता नहीं है। मसलन् प्लैनिंग कमिशन में जिन लोगों ने सीलिंग के ऊपर

गौर किया वह सभी खेती करना नहीं जानते हैं, न उन्होंने गांवों को जा कर देखा है और न खेती के उसूलों को जानते हैं। जहाँ तक खेती का ताल्लुक है, यह जमीनें न तो ब्रिटिश गवर्नमेंट की बफादारी की वजह से जागीरों में मिली हैं और न राजाओं से फतेह की गई हैं। बल्कि यह वे जमीनें हैं जिन्हें किसानों के पूर्वजों ने अपने पैसों से खरीदा था या जिन्हें उन्होंने अपने पैसों से हासिल किया था। मैं यह नहीं कहता कि जो फालतू जमीनें उन के पास हैं वह उन के पास पड़ी रहनी चाहियें। हमारे सोशलिस्टिक समाज में जो बराबरी की बात कही जाती है या जो सोसायटी में खेतों को बराबर करने की कोशिश की जा रही है, वह न हो, यह मैं नहीं कहता। लेकिन वह विचार जरूर होना चाहिए कि उन से कितनी जमीन निकाली जाय, कितनी जमीन से एक भ्रादमी का गुजारा हो सकता है, इस पर जरूर गौर होना चाहिए। जैसा कि प्लैनिंग कमिशन ने बताया एक भ्रादमी की साल में ३६०० रु० की भ्रादमी होनी चाहिए। लेकिन ३६०० रु० सालाना की भ्रादमी से एक किसान का गुजारा कैसे हो सकता है? न तो वह इस से अपने बच्चों को पढ़ा सकता है और न अपनी ही गुजर भवकात कर सकता है।

श्री मो० ब० ठाकुर (पाटन) : पढ़ाने की जरूरत क्या है? सब को तो नहीं पढ़ना चाहिए।

उपाध्यक्ष महोदय : पढ़ाई पढ़ाई में फर्क है। उन के लिहाज से पढ़ा सकता है।

श्री मोहन स्वरूप : इस बात पर गौर नहीं किया गया कि किसान की भ्रादमी क्या होनी चाहिए और कितने से उस का गुजारा हो सकता है। जहाँ तक जमीन का सबाल है मैं नहीं कहता कि १०० एकड़ हो या २०० एकड़ हो, लेकिन इस पर जरूर गौर किया जाना चाहिए था कि कितनी जमीन से उसका गुजारा हो सकता है।

## [श्री मोहन स्वरूप]

जहाँ जमीन की सीलिंग की बात होती है वहाँ धीरे चीजों की सीलिंग नहीं की जाती। धाज कुछ लोगों की करोड़ों रुपयों की धामदनी हो रही है, उन के कारखाने चल रहे हैं और उन से उन को नफा हो रहा है, लेकिन उन की तरफ सीलिंग का कोई सबाल पैदा नहीं किया जाता, न तो कारखाने ही नेशनलाइज किये जाते हैं न उन की धामदनी पर ही सीलिंग होती है। सिर्फ किसानों के लिए समझ लिया गया है कि समाज में वह बहुत ज्यादा मालदार हैं और सारा एक्सप्लायटेशन किसानों के ही खिलाफ चलता है। जमींदार तो चले गये। धाज यू० पी० में कुछ जागीरदार कोशिश कर रहे हैं कि उन की जमीनें बापस की जायें। अभी एक रिट फाइल हुआ है लखनऊ की बेंच में जिस में कुछ जागीरदार साहबान ने मांग की है कि उन को जमीनें ब्रिटिश गवर्नमेंट से मिली थीं, इसलिए जो धाज लैंड रिफार्म का बिल है वह उन की जमीन पर लागू नहीं होता। इन किसानों के पास न तो इस तरह की कोई चीज है और न वह इस तरह के हकूक पर स्ट्रेस डालना चाहते हैं। लेकिन फिर भी वे यह जरूर चाहते हैं कि उन के गुजारे के सवाल पर जरूर गौर कर लिया जाना चाहिए। किसानों के पास सिर्फ बाजू की कुव्वत है, उन के पास हल है, बैल है, लेकिन हम देखते हैं कि उन के हल और बैल बेकार होते चले जा रहे हैं। किसान खेती से धनाज पैदा करता था और मुल्क को धनाज मुहैया करता था, धाज उसकी तकत नहीं रह गई है कि वह लोगों को धनाज मुहैया कर सके। इस की वजह यह है कि गवर्नमेंट की पालिसी बड़ी डिलमिल है, इस पर ठीक से कोई गौर व खोज नहीं हुआ है। इसलिए मैं चाहता था कि जहाँ दूसरे प्राविसेज में सीलिंग के मुताल्लिक गौर हो रहा है, वहाँ दिल्ली में अगर इस के लिए कोई कानून बनता है तो वह माडल ला बनना चाहिए जिस से सारे हिन्दुस्तान के सूबे मुतासिर हो सकें। लेकिन

मैं इस बिल में कोई नई बात नहीं पात हूँ।

जहाँ तक खेती का ताल्लुक है, उस में एक बयालाजिकल ऐस्पेक्ट हुआ करता है। मान लीजिये खेती में ६ सेर गेहूं पड़ता है एक बीघा जमीन में, अगर आप उस में एक धन गेहूँ डाल दें तो उस से कोई ज्यादा धनाज पैदा नहीं होगा। उसी तरह से ६ सेर के बजाय अगर आप २ सेर धनाज उस में डाल दें तो भी धनाज कम पैदा होगा। इसलिए जो बयालाजिकल ऐस्पेक्ट होता है खेती का उस पर भी गौर होना चाहिए था और सोचना चाहिए था कि किसान के लिए कितनी जमीन जरूरी है जिस से उस का किसी तरह से गुजारा हो सके।

मैं सीलिंग के मुताल्लिक धर्ज कर रहा था यह कोई मेरी व्यूज नहीं है, सारे देश की व्यूज है और उन किसानों की व्यूज है जिन्होंने सब कुछ अपने खेतों में लगा दिया है, अपनी बीबी के जेवरों को लगा दिया है, अपनी जिन्दगी की सारी कमाई को लगा दिया है, उन खेतों को सरसब्ज और शादाब किया है। इसलिए मैं चाहता हूँ कि जब गवर्नमेंट इस पर गौर कर रही है तो उसे इन्साफ करना चाहिए और सोचना चाहिए कि किसानों के गुजारे के लिए कितनी जमीन मुनासिब है।

जहाँ तक दिल्ली के बिल का सवाल है, जो कि हमारे सामने है, अभी मैं अपने लायक दोस्त श्री नवल प्रभाकर की स्पीच सुन रहा था। बिल में जो फैमिली की डेफिनिशन है क्लाज २(डी) में, वह मेरे खयाल से कॉन्फि-हेसिव नहीं है। सेलेक्ट कमेटी में मैं ने धर्ज किया था कि तमाम बेबाधों के हकूक पर गौर नहीं किया गया है। मसलन् एक बाप है, उस की बीबी है, लड़के हैं, उस की दो बहनें हैं जो उसी के परिवार के साथ रहती हैं और उन का गुजारा उसी परिवार से होता है, उन के हकूक के मुताल्लिक बिल बिल्कुल साइलेंट है। कुछ पता नहीं चलता कि उन को क्या मिलेगा, या मिलेगा भी या नहीं। हकीकत यह है कि जो लड़के नोजवान हो

चुके हैं, जिन की शादियां हो चुकी है, जिन के बच्चे हैं, हालांकि वे ज्वॉयंट फैमिली में हैं, लेकिन अपनी तौ से उन की फैमिली भलग है। जहां तक उन के हुकूक का सवाल है, उन के मुताल्लिक भी यह बिल साइलेंट है। उन के साथ यह इन्साफ नहीं है।

इस बिल में भूमिधरी और सीर का भी कोई फर्क नहीं रक्खा गया है। जहां तक भूमिधरी जमीनों का ताल्लुक है, भूमिधरी कायतकार को बहुत बड़े हुकूक हैं, वह जमीन को बेच सकता है, बँनामा कर सकता है, और उसका लगान भी सीर के मुकाबले में घाधा होता है। भूमिधर को कितनी जमीन मिलनी चाहिये और सीरदार कायतकार, जिस को हक हासिल नहीं है, उस को कितनी जमीन मिलनी चाहिये, इस बारे में भी इस बिल में कुछ नहीं बताया गया।

जैसा अभी बताया गया जमीनों के ६ क्लासिफिकेशन किये गये हैं। लेकिन उसी के साथ साथ दिल्ली में कुछ जमीन ऐसी है जो पथरीली है, कुछ कंकरीली है जहां पर खेती बहुत कम होती है, कुछ जमीनें ऐसी हैं जो दुमट हैं, कुछ दलदल हैं, उन जमीनों के मुताल्लिक कुछ नहीं बताया गया। जैसा प्रभाकर साहब ने कहा कि कितनी जमीन होगी, कितनी कंकरीली जमीन है, कितनी पथरीली जमीन है, कितनी ऐसी जमीन है जिस पर आबपाशी नहीं है, यह सब सरकार की मंशा पर निर्भर करता है। इन जमीनों में क्या फर्क है, इस के मुताल्लिक इस बिल में कुछ नहीं कहा गया है। इस की और बजाहत होनी चाहिये। इस के साथ-साथ जमीनों की लगानों में भी फर्क होता है। मैं नहीं जानता कि दिल्ली की जमीनों पर लगान लेने का तरीका क्या है, लेकिन यू० पी० के बारे में मैं जानता हूँ कि कुछ जमीनें ऐसी हैं जो १००

बीघा हैं, कुछ ऐसी हैं जो १२ आ० बीघा हैं और कुछ ऐसी हैं जो ८० आ० बीघा हैं।

श्री श्री० ए०० नारायण (बहादुर, दिल्ली) :  
यहां भी ऐसा ही है।

श्री मोहन स्वराज्य : मैं समझता हूँ कि दिल्ली की लगानों में भी फर्क होगा। यू० पी० का जो बिल है उस में लगान के मुताल्लिक बाजह जर्कल पेश की गई है। उस में बताया गया है कि कितनी जमीन की लगान ५ रु० एकड़ या उस से कम हो और किसी जमीन की लगान १० रु० एकड़ या उस से ज्यादा हो, तो ५ रु० एकड़ वाली जमीन जो होशी बंध १० रु० एकड़ वाली जमीन से डबल मानी जायेगी। उस में यह फर्क रक्खा गया है। वहां पर जिस जमीन की लगान कम है वह ज्यादा मिलती है और जिस जमीन की लगान ज्यादा है वह कम मिलती है। दिल्ली लैंड सीमिंग के बारे में इस तरह की कोई बात पेश नहीं की गई है, इस की बजाहत होनी चाहिये।

इसी के साथ-साथ यह जो चीफ कमिशनर और डिप्टी कमिशनर ऐडमिनिस्ट्रेशन में एक बहुत बड़ा दर्जा रखते हैं और सारी ऐडमिनिस्ट्रेटिव मशीनरी उ० पर आधारित है यह सही है लेकिन उन को बहुत हुकूक दे दिये गये हैं, बहुत वसीह, डिस्क्रेणरी पावर दे दी गई है जो कि कुछ मुनासिब नहीं मानूँ पड़ती है। सेक्शन २६ और २७ में उन के ऊपर छोड़ दिया गया है कि वे जिस जमीन को चाहें उसको सेक्शन ३ के ओपरेशन से मुस्तस्ना कर सकते हैं। चीफ कमिशनर को यह पावर दी गई है कि वह जिस जमीन को चाहे मुस्तस्ना कर दे और जिस जमीन को चाहे मुस्तस्ना न करे। चाहे कुछ भी डिक्लेयर कर दे। बिल में चीफ कमिशनर को इस तरह की जो डिस्क्रेणरी पावर दी गई है वह नहीं होनी चाहिये। कानून तो एक वाक्य चीज ठुपा करता है और उस में जो भी प्राविजस होते हैं वह

## [श्री मोहन स्वरूप]

बहुत साफ होते हैं। लेकिन यह जो गोलमाल भ्रष्टाचार है उस के धीरे जिस तरह की चीज है वह कुछ मुनासिब नहीं मालूम होती है। मैं चाहता था कि यह जो प्राविजंस है इस तरह के बंधन नहीं होने चाहिये थे। चीफ कमिशनर को हक इस तरह के दिये गये गये हैं वह मुनासिब नहीं हैं।

उपाध्यक्ष महोदय, बहुत से दोस्तों ने कम्पेंसेशन के मुतालिक यह कहा कि वह कम है। जहां तक मुद्राविजे का सवाल है तो यह तो जमींदारियां खत्म हुई, भ्रष्टाचार बड़े बड़े राज्य खत्म हुए तो उसका उनको क्या मुद्राविजा मिला ? मैं समझता हूं कि जहां मुल्क में भूमिहीन लोगों को जमीन देने का सवाल है, या जहां ऐसी व्यवस्था हो रही है कि फालतू जमीनें जिन लोगों के पास पड़ी हैं वे फालतू जमीनें उन के हाथ से निकल जाय और ऐसे लोगों को जिनके कि पास जमीन नहीं है, उनको वह मिल रही हों तो मैं समझता हूं कि यह कम या ज्यादा कम्पेंसेशन का सवाल उठाना, यह कोई ऐसी प्रथम बात नहीं है।

ज्वाइंट कमेटी में मुद्राविजे के मुतालिक और हुआ था। उस में बहुत से शेडयुल्स दिये गये लेकिन भ्रष्टाचार में ४० गुने का प्रमुख जो माना गया वह बाद में तय हुआ। मैं समझता हूं कि हालांकि जमीन बहुत अधिक मंहगी है, जमीन १०० रुपये पर एकड़ या २०० रुपया पर एकड़ है और मझे ठीक से पता नहीं लेकिन मेरा खयाल है कि दिल्ली में तो जमीन उत्तर प्रदेश की अपेक्षा अधिक मंहगी होगी...

श्री बजर राज सिंह : दिल्ली में तो रेट २००० रुपये प्रति एकड़ का है।

श्री मोहन स्वरूप : जी हां दिल्ली में २००० रुपये एकड़ होगा। अब यह मुद्राविजे की दर जो ४० गुना रखी गई

है तो मुझे उसमें कोई ऐतराज तो नहीं है लेकिन वह कम जरूर है। मैं यह प्रवक्ष्य कहूंगा कि वह कम है और दिल्ली के लिए जहां कि इतनी ज्यादा मंहगी जमीन मिलती हो, वहां इसको कुछ और बढ़ा कर रखना चाहिए था।

मेरा समय अब समाप्त हो गया है इसलिये और अधिक न कह कर अन्त में यही कहना चाहूंगा कि यह जो बिल हमारे सामने है उसमें मुनासिब तरमीम करके उसे एक मॉडेल कानून की शक्ल में पेश किया जाय ताकि वह दिल्ली में ही नहीं बल्कि सारे देश के लिये एक नमूना बन सके।

श्री बजर राज सिंह : उपाध्यक्ष महोदय, कहा जाता है कि इस बिल का उद्देश्य भूमिहीनों...

Shri D. C. Sharma (Gurdaspur): What is the time allotted.....

Mr. Deputy-Speaker: What was the question?

Shri D. C. Sharma: What is the time allotted for clauses?

Mr. Deputy-Speaker: That is for the hon. Members to decide. If they want me to put a time limit or advise that I can do that. I may add that, perhaps, out of the 3 Bills this is the first one and even if we take a longer time here, others will not take the same time because most of the Members who are desirous must have spoken on this. That is why I do not want to put any limit. Each of these Bills has been allotted 3 hours and so 9 hours are there; and we will be able to finish them comfortably, I suppose.

Shri Supakar (Sambalpur): Probably, Shri Sharma will speak on this.

Mr. Deputy-Speaker: He has indirectly given me an indication that he wants to speak.

श्री बजर राज सिंह : बिल का उद्देश्य भूमिहीनों में जमीनों का वितरण करना

बतलाया गया है। एक खास उद्देश्य को लेकर यह विधेयक बनाया जा रहा है ऐसा कहा जाता है और उस उद्देश्य में से एक उद्देश्य यह बतलाया जाता है कि जो भूमिहीन हैं उन्हें भूमि मिलनी चाहिये। जहां तक इस उद्देश्य का प्रश्न है एक बहुत ही सुन्दर उद्देश्य है लेकिन इस विधेयक में शुरू से लेकर आखिर तक अगर हम पढ़ जाय तो कहीं पता नहीं लगेगा कि कहीं भी भूमिहीनों को भूमि दिलाने की कोई व्यवस्था की जा रही है। पहले तो यह कि जो अधिक जमीन मिलेगी उस जमीन को न तो पंचायत में निहित किया जा रहा है न कोई व्यवस्था बिल में यह की जा रही है कि वह जमीन जो कि सरप्लस भूमि होगी, फालतू और अधिक भूमि होगी वह किन्हीं भूमिहीनों को दी जायेंगी। व्यवस्था यह की जा रही है कि वह जमीन राज्य में निहित हो जायगी, स्टेट में वैंस्ट हो जायगी और फिर राज्य उसका क्या करेगा इसके बारे में यह धारा १५ में कहा गया है :

"The Chief Commissioner may reserve any excess land vesting in the Government under the provisions of this Act for the benefit of the village community or for any work of public utility or for such other purposes as may be prescribed."

अब एक दूसरा जहां तक कि गांव की जनता के भले के लिये मुनासिब भूमि को रखने का प्रश्न है यह कुछ अच्छा मालूम पड़ता है लेकिन जो दूसरा काम है पब्लिक यूटिलिटी का तो वह इतना गोल मटोल है कि कुछ भी किया जा सकता है और मुझे लगता यह है कि अभी जो मंत्री महोदय ने बतलाया कि १७०० एकड़ जमीन इस कानून के पास होने के बाद हमें मिल सकेगी इस १७०० एकड़ जमीन को यह इसी काम में लाया जायगा पब्लिक यूटिलिटी का नाम बता कर उसको वे वास्तव में दिल्ली के विस्तार के लिए प्रयोग में ले

आयेंगे। अगर यह उद्देश्य पूरा होता कि भूमिहीनों को हम जमीन दे सकते तो इस से अच्छी कोई बात नहीं थी। इस उद्देश्य को ध्यान में रख कर और यह ध्यान में रख कर कि यह सारे देश के लिये एक आदर्श बिल होगा प्रमुखतः यह बिल बनाने की कोशिश की जा रही है लेकिन मुझे लगता है कि जिस उद्देश्य की पूर्ति के लिए यह बिल लाया जा रहा है उसका कहीं भी ध्यान इस बिल में नहीं रखा जा रहा है ? तब फिर हम क्या करना चाहते थे ? एक तो यह प्रश्न है कि सिर्फ दिल्ली में जहां पर कि दूसरे राज्यों की अपेक्षा एक विशेष परिस्थिति है, जहां पर कि विस्तार के कारण भूमि की कीमतें दूसरे राज्यों से अधिक हो गयी हैं। दिल्ली चूंकि देश की राजधानी है और इसका विस्तार बहुत अधिक हो रहा है तो उसके लिये कोई हमें विशेष व्यवस्थाएं करनी चाहियें या नहीं। लेकिन जो कुछ भी इसमें व्यवस्था को जा रही है उसमें मुझे यह लगता है कि एक एकड़ जमीन भी आप भूमिहीनों को नहीं दे पायेंगे। इस १७०० एकड़ भूमि की बात आती है लेकिन यह १७०० एकड़ कब मिल सकेगी इसके लिये अगर हम धारा २६ को देखें तो उससे बहुत ही आश्चर्यजनक बात मालूम पड़ती है। उसमें और सब बातों के अलावा एक बात कही गई है। उसके क्लॉज १३ में यह दिया हुआ है :

"Any specialised farm which is being used for cattle breeding, dairy or wool raising".

14 hrs.

आश्चर्य की बात यह है कि यह नहीं कहा गया है कि इस एकड़ के लागू होने के पहले कहीं फार्म बना हो बल्कि ऐसा लगता है और शायद विधेयक बनाने वालों की इच्छा यह है कि यह फार्म कभी भी बनाया जाय तो उस के लिए चीफ कमिश्नर जो है वह यह इजाजत दे सकता है। सम्भवतः मिनिस्टर महोदय की



[श्री ब्रज राज सिंह]

तरफ से यह कहा जाय कि धारा २६ में पहले ही यह कहा गया है कि यह ऐक्ट लागू होने के तीन महीने के अन्दर इस तरह की दरखास्त दी जा सकती है लेकिन उसमें आगे चलकर यह कह दिया गया है कि अगर कोई विरोध कारण हो तो वह तीन महीने के बाद भी दरखास्त दे सकता है। आप एक ऐपी छूट दे रहे हैं कि जिस से यह १७०० एकड़ जमीन पूरी की पूरी इसी में लग जायगी। किसी में तो यह डेरी फार्म खोला जायगा तो किसी में यह ऊन पैदा करने का फार्म खोला जायगा और किसी में कैटिल ब्रीडिंग के लिए या जानवरों के विकास के वास्ते कोई फार्म बनाया जायगा। यदि आप की इच्छा इस कानून को ठीक तरह से लागू करने की है तब तो आपको जैसा कि इसमें कहा गया है कि एक खास तारीख के बाद की जमीनें अगर कोई बेच दी गई हों, या उन को ट्रान्सफर कर दिया गया हो चीफ कमिशनर ट्रान्सफर की दरखास्त देने पर सैक्शन ३ और सैक्शन १२ के अप्रेशन से एग्जम्प्ट कर सकता है। उन पर पहले निर्णय का ध्यान रक्खा जायगा। उसी तरह इसमें भी रखना चाहिये लेकिन यहां पर इस की कोई व्यवस्था नहीं है और वह भी पार्लियामेंट को यह अधिकार नहीं है। यह अधिकार दिया जा रहा है चीफ कमिशनर को कि अगर चीफ कमिशनर यह मुनासिब समझे तो किसी डेरी फार्म, किसी वूल रेजिंग फार्म का या किसी कैटिल ब्रीडिंग फार्म को एग्जम्प्ट कर सकता है और उसके ऊपर यह लागू नहीं होगा। मुझे भय है कि अगर हम इसमें इस तरह की व्यवस्था रखते हैं तो जो १७०० एकड़ जमीन मिलने की बात कही जाती है वह हमको नहीं मिलेगी। ऐक्ट पास होने के बाद भी लोग ऐसे फार्म बना लेंगे। वह चीफ कमिशनर के यहां जाकर दरखास्त देंगे और एग्जम्पशन ले लेंगे और इस तरह से आपको कोई जमीन नहीं मिल पाएगी। लेकिन अगर आपको कोई जमीन मिल भी जाती है, तो आपने दूसरा

अपवाद दिया है और वह यह है कि अगर कहीं पर हैवी इनवेस्टमेंट हो जाए या परमानेंट स्ट्रक्चरल इम्प्रूवमेंट हो जाए तो उस पर यह कानून लागू नहीं होगा। इसकी क्या परिभाषा है। इसके लिए भी आप चीफ कमिशनर को डिस्क्रिशन दे रहे हैं। इसलिए जिन लोगों की वहां तक पहुंच होगी वह अपनी माफ़ करा लेंगे।

इसी तरह से क्लाज २६ के सब क्लाज डी में यह दिया गया है :

'any land held by a body notified by the Chief Commissioner under section 33 of the Delhi Land Reforms Act'.

उस पर भी यह लागू नहीं होगा। और जहां तक पब्लिक परपज का सवाल है, अभी जो हेल्थ मिनिस्ट्री की तरफ से यहां टाउन प्लानिंग के लिए ३४००० एकड़ जमीन नोटीफाई की गयी है, उस जमीन पर भी शायद यह लागू नहीं होगा आपकी व्यवस्था के मुताबिक। इस जमीन में अगर कोई ऐसे कास्तकार आते हैं कि जिनके पास ३० एकड़ से ज्यादा जमीन है तो उन पर भी यह लागू नहीं होगा। हिसाब लगाया गया है कि इस कानून का १५५ आदमियों पर प्रभाव पड़ेगा और हमको १७०० एकड़ जमीन मिलेगी, तो मेरी समझ में नहीं आता कि यह किस तरह से होगा। जिन लोगों के पास साधन हैं उन पर यह लागू नहीं हो सकेगा। आपने चीफ कमिशनर को जगह जगह यह अधिकार दिया है कि वह इसको भी एग्जम्प्ट कर सकेंगे, और उसको भी एग्जम्प्ट कर सकेंगे। ऐसी दशा में जिस न्याय की आशा इस सदन से की जाती है वह नहीं मिल पाएगी।

इसके अलावा आपने यह कहीं भी इस कानून में नहीं लिखा है कि इस तरह से जो जमीन आपको मिलेगी इसका आप क्या करने जा रहे हैं। दफा १६ के अन्दर लिखा है :

"Allotment of excess land:  
Subject to any rules that may be

made in this behalf, the Chief Commissioner or any officer authorised by him may allot any excess land vesting in the Government (other than land reserved under section 15) to such persons and on such terms and conditions as he thinks fit".

यहां पर भी यह नहीं है कि जो जमीन हमें मिलेगी उस जमीन को हम भूमिहीनों को देना चाहते हैं। इसमें भी यह अधिकार चीफ कमिशनर को, या किसी दूसरे अफसर को जिसे वह मुकर्रर कर दे, दिया गया है कि वह जिसको ठीक समझेंगे देगे।

श्रीर बलाज १५ के अन्दर यह कहा गया है :

"Reservation of land for certain purposes".

इसमें पबलिक यूटिलिटी का परपज दिया गया है। जो जमीन अधिक मिलेगी उसे जनहित के कार्य के लिए संरक्षित कर सकते हैं। अब जनहित का कार्य कौनसा है? सबही जानते हैं कि दिल्ली का विस्तार हो रहा है। यह अनुमान लगाया जाता है कि बीस साल में इसकी आबादी ४५ लाख हो जाएगी। अभी दिल्ली की आबादी २५ लाख अनुमान की जाती है। तो बीस साल में इस बीस लाख बढ़ी हुई आबादी के लिए मकान चाहिए, मुझे लगता है कि हम शहरीकरण की तरफ बढ़ रहे हैं और देहातों को नष्ट करने की साजिश मालूम होती है क्योंकि इसमें आप ने भूमिहीनों के लिए कुछ नहीं रखा है। जो जो जमीन आप एक्वायर करेंगे वह जमीन जनहित के कार्य के लिए रख ली जाएगी और जनहित का कार्य है शहर का विस्तार। इसके लिए जमीन चाहिए, मकान बनाने के लिए, तो फिर आप उन लोगों को यह जमीन देंगे मकान बनाएंगे। कम से कम भूमिहीनों को तो इसमें से जमीन मिलने वाली नहीं है। इसलिए मैं इस व्यवस्था के खिलाफ अपना विरोध प्रकट करता हूं। इसका

मतलब यह है कि जब आप इस तरह के कानून बनाएंगे तो हिन्दुस्तान में जो २७ प्रतिशत भूमिहीन हैं उनको भूमि देने की कोई व्यवस्था नहीं की जाएगी। इस तरह से सीमा बांधने से जमीन आपको मिलेगी वह भूमिहीनों के पास नहीं जाएगी। इसका नतीजा यह होगा कि दिल्ली में जो जमीन आपको मिलेगी वह दिल्ली के विस्तार के लिए दे दी जाएगी और जो दूसरी जगहों पर मिलेगी वह इंडस्ट्रियलाइजेशन के नाम पर और फ्रंटियरियां स्थापित करने के लिए लोगों को जमीन देंगे और कहेंगे कि यह जनहित के लिए है। आखिर जनहित क्या है? देश का औद्योगिकरण एक जनहित का काम हो सकता है। केवल खेती की जमीन ही जनहित के लिए आप रखना चाहते हैं। और देहात की जमीन पर ही सीमा लगाना चाहते हैं। अगर सीमा लगानी है तो उन लोगों पर भी लगायी जाए जो शहर में बसते हैं, जो उद्योग करते हैं। उनकी आमदनी पर भी कोई सीमा लगाइए। बार बार सदन में इसकी मांग की जाती है। सिर्फ खेती की जमीन की ही सीमा क्यों बांधी जाती है। आप देश में कोई भी कानून प्रलय से नहीं बना सकते। जो समाज की स्थिति है उसके मुताबिक ही आप कानून ला सकते हैं। यहां बार बार कहा जाता है कि शहर के लोगों की ओर जो उद्योग में लगे हैं उनकी आमदनी की भी कोई सीमा होनी चाहिये। जब तक हम सारे समाज की आमदनी की सीमा नहीं बांधते और एक ही वर्ग की आमदनी की सीमा बांधते हैं, तब तक हम समाज का विकास नहीं कर सकते। दिल्ली में हम देखते हैं कि एक तरफ दस दस मंजिले मकान बन रहे हैं और उनके लिए योजना है, और दूसरी तरफ उन लोगों को कोई जमीन देने की व्यवस्था नहीं है कि जिनके पास अपनी झोंपड़ी भी नहीं है। इस तरह से समाजवादी समाज कायम करने का उद्देश्य पूरा नहीं हो सकेगा। मैं निवेदन करना चाहता हूं कि इस कानून में बहुत ही आमूलचूल

## [श्री राज राज सिंह]

परिवर्तन करने की जरूरत है। एक तो इस में यह व्यवस्था होनी चाहिए कि जो जमीन सीलिंग के बाद मिलेगी वह जमीन और किसी काम के लिए नहीं जाएगी, वह भूमिहीनों के लिए जाएगी। मैं मानता हूँ कि सब भूमिहीनों को हम जमीन नहीं दे सकेंगे लेकिन कुछ को तो हम दे सकते हैं। कानून कुछ इस तरह का बनाइये कि जिसके पास कम से कम जमीन है या जिसके पास बिल्कुल जमीन नहीं है उसको दी जाएगी। यह व्यवस्था तो अवश्य होनी चाहिए कि जो भी जमीन मिलेगी वह भूमिहीनों को दी जाएगी, दूसरे कामों में नहीं ली जाएगी। लेकिन जो एम्बेम्पन आप ने दिए हैं उनसे मालूम होता है कि आप यह जमीन उन लोगों को देना चाहते हैं जो शहर का विकास करेंगे, या जो कैटिल ब्रीडिंग और वूल रेजिंग वगैरह करेंगे। ये काम खेती से सम्बन्ध नहीं रखते हैं। शहर के विकास का खेती से कोई सम्बन्ध नहीं हो सकता।

इसके अलावा इस में यह रखा गया है कि यह कानून उन जमीनों पर लागू नहीं होगा जो कि पहले नोटिफ़ाइड एरिया में थीं या म्युनिसिपलिटि में थीं या कंटोनमेंट एरिया में थीं। आखिर इसके पीछे कौनसी भावना है? उत्तर प्रदेश में दिहात में जमीनदारी तोड़ी गयी, लेकिन वहाँ अभी भी शहरों में जमीनदारी कायम है। यह कौनसा न्याय है। अगर कोई विकास का काम करना हो, कोई स्कूल कालिज बनाना हो, अस्पताल बनाना हो तो कहा जाता है कि इसको पहले शहरों में बनाया जाए, लेकिन अगर कोई तोड़ने का काम होता है तो उसकी व्यवस्था सबसे पहले देहात में कर दी जाती है। अगर आप को इस कानून का उद्देश्य पूरा करना है तो तभी हो सकता है जब कि यह कानून उन सब जमीनों पर लागू हो जो कि नोटिफ़ाइड एरिया में, या म्युनि-

सिपलिटि में या कंटोनमेंट में हो। यह नहीं होना चाहिए कि यह कानून उस जमीन पर लागू नहीं होगा जो कि नोटिफ़ाइड एरिया, म्युनिसिपलिटि या कंटोनमेंट में है, केवल उस जमीन पर लागू होगा जो कि खेती की जमीन है। इसलिए अगर आप केवल गांवों के लोगों की भ्रामदनी की सीमा बांध रहे हैं तो यह न्याय नहीं है और आगे चल कर यह देश की प्रगति के लिए घातक सिद्ध हो सकता है।

फिर प्रश्न आता है मुद्रावजों का। इसके लिए कोई सिद्धान्त होना चाहिए। हमने जमीनदारी तोड़ी और उसके लिए मुद्रावजा दिया। लेकिन इस जमीन के बारे में मुद्रावजा देते वक्त हमको यह ध्यान में रखना चाहिए कि वह जमींदार की जमीन नहीं है, किसान की जमीन है इस जमीन का उचित मुद्रावजा दिया जाना चाहिए। जहाँ तक उद्योगों का सवाल है जिस उद्योग में पांच लाख तक की पूंजी लगी होती है उसको आप छोटा उद्योग मानते हैं, लेकिन अगर किसी किसान के पास ३५ एकड़ भूमि भी है तो उससे पांच एकड़ भूमि लेना चाहते हैं। उसकी जमीन दो ढाई हजार प्रति एकड़ के हिसाब से बिक सकती है लेकिन आप उसको मुद्रावज में चालीस रुपया, पचास रुपया या ज्यादा से ज्यादा १०० रुपया प्रति एकड़ देना चाहते हैं। इस कानून में हम यह अन्यायपूर्ण चीज देखते हैं। मैं मानता हूँ कि जो बड़े लोग हैं उनके लिए मुद्रावज की बात नहीं होनी चाहिए। जब आप इम्पीरियल बैंक को नेशनलाइज करना चाहते हैं तो उसके शेयरों को आप बाजार भाव पर लेते हैं और दूसरे उद्योग जिनका आप राष्ट्रीयकरण करते हैं उनका मूल्य आप बाजार भाव पर देते हैं, लेकिन जब खेती की जमीन का सवाल आता है तो उसको बाजार भाव पर मुद्रा वजा नहीं दिया जाता। जहाँ तक जमींदारियों का सवाल है उनके लिए आप यह सिद्धान्त रखें,

उद्योगों के लिए आप यह सिद्धान्त रखें, लेकिन जहाँ छोटे उद्योगों का प्रश्न है वहाँ पर यह सिद्धान्त लागू करना मुनासिब नहीं होगा। मैं यह कहूँगा कि इस बिल का जो उद्देश्य है, वह इस तरह की व्यवस्था से पूरा होने वाला नहीं है।

जहाँ तक स्टैंडर्ड एकड़ का सम्बन्ध है, किसी दूसरे कानून में उस की जो परिभाषा की गई है, उस को इस बिल में लागू किया जा रहा है। जिस परिस्थिति में यह सदन इस बिल पर विचार कर रहा है, उस में उस को इस बात का भी अधिकार है कि स्टैंडर्ड एकड़ की परिभाषा पर भी विचार करे। स्टैंडर्ड एकड़ के विषय को हमारे सामने न लाकर एक गलत काम किया जा रहा है। सदन के सामने स्टैंडर्ड एकड़ की परिभाषा रखी जानी चाहिए थी और अगर आवश्यकता होती, तो उस परिभाषा में परिवर्तन भी किया जाता। कम से कम यह सदन उस पर विचार तो करता। दूसरी परिभाषा को इस बिल के सम्बन्ध में भी लागू कर देना उचित नहीं है।

जब वह कानून बन रहा है और देश के लिए एक आदर्श के रूप में बन रहा है, तो हम एक मुख्य उद्देश्य यह रखें कि जो एक्सेस लैंड मिलेगी, वह हमेशा उन लोगों को दी जायगी, जो खेती से सम्बन्धित हैं—वह भूमिहीन लोगों को दी जायगी। अगर दिल्ली में भूमिहीनों को जमीन नहीं मिलेगी, तो फिर सारे देश में भी उन को जमीन नहीं मिलेगी। अगर उस जमीन को दिल्ली नगर के विस्तार के काम में प्रयुक्त किया गया, तो फिर देश के और हिस्सों में ऐसी जमीन को औद्योगिक विस्तार आदि के लिए काम में लाया जायगा और इस का परिणाम यह होगा कि खेती की पैदावार बढ़ाने का हमारा उद्देश्य पूरा नहीं हो सकेगा।

दफा २६ में कुछ अपवाद रखे गये हैं। अगर उन अपवादों को खत्म नहीं किया गया,

तो फिर सरकार को एक एकड़ जमीन भी नहीं मिलेगी। चीफ़ कमिश्नर से जिन लोगों के कुछ ताल्लुकात हो सकते हैं, या जिन की पहुँच हो सकती है, वे किसी न किसी अपवाद में आ जायेंगे। वे अपने फ़ार्म कायम करेंगे इस प्रकार वे दूसरे काम करेंगे। हमारा जो उद्देश्य है, वह पूरा नहीं होगा। सिलेक्ट कमेटी में तो मिनिस्टर महोदय ने इन सब सुझावों को मंजूर नहीं किया। मैं आशा करता हूँ कि इन सब परिस्थितियों को देखते हुए अब वह इन को मंजूर करने का प्रयत्न करेंगे, जिसे से ऐसा कानून बन सके, जो कि देश के लिए आदर्श हो सके।

**Shri Raghbir Sahai (Budaun):** Mr. Deputy-Speaker, Sir, admittedly, after the elucidation that has been given by the hon. Minister, this Act will apply only to about 155 tenants and to about 1700 acres of land, which means its application would be of a very limited character. But, as has been admitted by every one of the Members who have spoken, it involves fundamental principles and, therefore, it deserves the consideration of this House.

Sir, I may say, at the very beginning, that I have not been able to create any enthusiasm in me for this matter of ceilings, but that does not mean that I am in any way opposed to the imposition of ceilings in any shape or form because I attach greater importance to co-operative and joint farming, and if by adoption of this Bill or Act, co-operative farming can be furthered, I would welcome this Bill.

**An Hon. Member:** Back door tactics.

**Shri Raghbir Sahai:** So far the limit of holdings is concerned, I find from the provisions of this Bill that they have laid down 30 standard acres in the case of a family and where the family members exceed the limit of five they have made a provision that in the case of every

[Shri Raghbir Sahai]

additional member another five acres would be allotted to him provided the maximum limit does not exceed 60 acres. I suppose that this limit would be very reasonable and it should satisfy, ordinarily, the requirements of an average family in the village.

But I realise that there are difficulties in the matter of "standard acre". Some elucidation has been given by the hon. Minister himself, and the learned Speaker, at that time, when he was in the Chair, also put certain questions to the hon. Minister. Even after that elucidation, some more clarification would be required. I suppose, if the limit had been put in the shape of ordinary acres that would have been much better.

Sir, so far as the method of taking over excess land that is prescribed is concerned, I feel that it is also a somewhat cumbrous and complicated procedure. For instance, if we turn to clause 7 of the Bill we find that towards the end it is said:

"...the excess land to be determined under section 6 shall be selected out of the lands held at the commencement of this Act by the transferor and the transferee in the same proportion as the land held by the transferor bears to the land transferred and where no land is held by the transferor, out of the land transferred."

Now, this is a very complicated provision. In my own humble opinion, a rigid date should have been fixed whereafter any transaction that has taken place should be held to be null and void, because I feel that in the report of the Committee of the Panel on Land Reforms some such thing has been very clearly laid down. I would invite your attention, Sir, to page 103 of the report where it is said:

"We would, therefore, recommend that any transfer or lease

made after a given date should be disregarded in determining the surplus area."

They do not make a provision whether the surplus land or any portion of it has been transferred by a registered deed, because that would also create difficulties. That condition should not have been laid down, and I think this submission that I have made would be considered by the hon. Minister.

So far as the compensation laid down in the Bill is concerned, it is proposed, I find, that the compensation would be paid in cash in a lump sum or in instalments or in bonds. I do not think that the rate of compensation is unreasonable, but I do feel that whatever compensation is determined should be paid in a lump sum. We, who come from Uttar Pradesh have had a very regrettable experience of the zamindari bonds there. We have reconciled ourselves to the abolition of zamindari, but certainly people there are not reconciled to the giving of bonds that have got a life of 40 years and the instalments are being paid in dribbles. The fact of the matter is that in U.P. people are parting with their zamindari bonds because they are disgusted with them. I do not wish that the same sort of experience or experiment should be repeated in Delhi. Whatever you decide to give them, well, pay them in a lump sum so that they may feel satisfied.

With regard to the utilisation of the surplus land, I have got one humble suggestion to make. Certainly, the Panel on Land Reforms have made their own suggestions. But, as I said in the beginning, I lay great stress on and attach great importance to co-operative farming. When we take away some land in Delhi by introducing this Bill, or the provisions of this Act, why not apply all that area to cooperative farming? Again, in this report of the Panel on Land Reforms,

I find that they have made a reference to the effect:

"We are informed that the Committee on problems of reorganisation has taken the view that the surplus should be settled on co-operative basis."

I would like to invite the attention of the hon. Minister to the fact that this surplus, whatever it may be, either 1600 acres or 2000 acres or less than that, should be made use of on this co-operative basis. This is what I have to submit on this Bill. Otherwise, I support it.

Several Hon. Members rose—

**Mr. Deputy-Speaker:** This Bill has to be concluded on a subsequent day which might come after a very long time. So, only those hon. Members should speak now who can either finish by 2-30 or might be sure of resuming speech on the next occasion. Can Lala Achint Ram do that?

**Shri Achint Ram (Patiala):** Sir, I will take only two minutes.

उपाध्यक्ष महोदय, मैं माननीय मंत्री महोदय से पूछना चाहता हूँ कि जिन लोगों के पास ज्यादा जमीन है, उन से इस बास्ते क्या जमीन ली जा रही है कि उन के पास इतनी अधिक जमीन का रहना बुरा मालूम पड़ता है या इसके पीछे कोई मकसद है? किसी के पास ५० एकड़ या सौ एकड़ है उससे तीस एकड़ से अधिक जितनी जमीन ली जा रही है वह इसलिए ली जा रही है कि इतनी अधिक जमीन उसके पास रहना बुरा मालूम होता है या इसके पीछे कोई मकसद है? मैं समझता हूँ कि पेश्तर इस कि कोई सीलिंग मुकर्रर हो, जो मकसद है वह साफ होना चाहिए।

जहाँ तक मैं समझ पाया हूँ इस में यह लिखा है कि जो सरप्लस लैंड है उसको ले लिया जाये और डिजविंग धादमियों में बांट दिया जाये। इस में भी यह देखना बहुत

जरूरी है कि डिजविंग लोग हैं कौन? जब यह पता चल जाये कि पचास धादमी रोटी खाने वाले हैं और हमारे पास चार सौ रोटियाँ हैं तो उनके बीच चार चार रोटियाँ बांट दी जा सकती हैं और अगर ४०० धादमी रोटी खाने वाले हैं तो एक एक रोटी बांट दी जा सकती है। इस बास्ते यह जानना जरूरी था कि दिल्ली के अन्दर कितने धादमी हैं जो डिजविंग हैं, कितनी लैंड की जरूरत है। जहाँ तक मैं समझा हूँ हमें दो तरह के कामों के लिए जमीन की जरूरत है। एक तो काश्त करने के लिए और दूसरे मकान बनाने के लिए। गांवों के अन्दर ऐसे बहुत से लोग हैं जो कि हाउसलेस हैं और जो मकान बनने हैं वे जमीन पर ही बनने हैं। इसलिए मकानों के लिए जमीन की जरूरत है। इस बास्ते उस जरूरत का भी अंदाजा लगाया जाना चाहिए था कि कितने धादमी हाउसलेस हैं और उन के बास्ते कितनी जमीन की जरूरत है। इसके अलावा यह भी देखा जाना चाहिए था कि कितने धादमी दिल्ली में ऐसे हैं जिन की गुजर जमीन पर है और उन के लिए कितनी जमीन की जरूरत है। मैं यह नहीं कहता कि आप इसका अंदाजा लगाते कि जो दुकानदार हैं या जो दूसरे काम करते हैं उन के लिए कितनी जमीन चाहिए, मकानों के लिए या दूसरे कामों के लिए लेकिन मैं यह कहता हूँ कि जिन का गुजर जमीन पर है लेकिन जमीन उन के पास नहीं है उनकी तादाद कितनी है और उन को कितनी जमीन चाहिए। इस बास्ते मैं कहना चाहता हूँ कि पेश्तर इसके कि सीलिंग मुकर्रर की जाये जैसे तीस एकड़ की गई है हमें यह देखना चाहिए था कि कितने धादमी जमीन के बगैर हैं, कितने धादमी मकानों के बगैर हैं और उस के बाद देखा जाता कि उस काम के लिए कितनी जमीन की जरूरत है और मिनिमम जमीन कितनी दी जावे लैंडलेस को जिससे वे अपना काम चला सकें। पांच एकड़ दी जावे, दस एकड़ दी जावे या बारह एकड़ दी जावे। इस बात का पता लगा लेने के बाद सीलिंग मुकर्रर

[श्री अर्चित राम]

की जानी चाहिए थी चाहे वह २० एकड़ होती, २५ एकड़ होती या ४० एकड़ होती। इसलिए मैं समझता हूँ कि जिस तरह इस बिल को पाइलट किया जा रहा है, वह बुनिवादी तौर से गलत चीज है। मैं सिलैक्ट कमेटी का मेम्बर नहीं था और उस कमेटी को इस बुनिवादी चीज को देखना चाहिए था . . . .

श्री मू० चं० जैन (कैथल) : जमीन को ही या धन को भी बांटा जाये ?

श्री अर्चित राम : आपने बड़े मौके से यह बात कही है और अगर आपने वह बात न कही होती तो शायद मैं इस को भूल जाता। जमीन को ही नहीं मैं तो इस हक में भी हूँ कि धन को भी बांटा जाये। उसके लिए भी . . .  
(Interruptions)

उपाध्यक्ष महोदय : अभी धन बांटा नहीं जाने लगा है कि झगड़ा हो।

श्री अर्चित राम : अभी तो मैं चूँकि जमीन का मामला आया है इसलिए सलाह दे रहा हूँ, जब धन का प्रायेगा, तो उस वक्त भी अपनी राय दूँगा। मैं चाहता हूँ जैसे यह बिल लाया गया है वैसे ही वह बिल भी लाया जाये।

मैं यह कह रहा था कि इस मसले की बुनियाद में नहीं पहुँचा गया है। यह तो ऐसे ही है जैसे पुटिंग कार्ट बिफोर दी हास। मैं समझता हूँ पहले यह देखा जाना चाहिए था कि मकानों के लिए कितनी जमीन की आवश्यकता है और कान्त के लिए कितनी की आवश्यकता है और उसके बाद सीलिंग मुकर्रर की जानी चाहिए थी। इतना ही मुझे भर्ज करना था।

Mr. Deputy-Speaker: Shri Radha Raman, Shri C. K. Nair and Shri D. C. Sharma may reserve themselves for the next day.

Shri Rami Reddy (Cuddapah): My name may also be noted for the next time.

Shri M. C. Jain: My name also.

Shri P. R. Patel: Mr. Deputy-Speaker, Sir, in regard to the question of putting a ceiling on the land, I would like to put a question to the hon. Minister. The ceiling is 30 acres and the income, according to the P.anning Commission, will be Rs. 3,600. I doubt even that. The Planning Commission considers that there is 50 per cent. net profit in the agricultural profession. I think those who are engaged in agriculture will agree that agriculture is a losing concern and not an earning concern. Everybody engaged in agriculture will find that the position remains the same; one year a good year, second year a bad year, third year the same thing and the position remains the same.

Now, we have accepted democracy and in democracy representatives elected by the people will guide the country. We know our own experience. Those who have been elected to this hon. House have experience of what money they have to spend. I think the hon. Minister also during his election must have toured miles and miles and must have spent thousands of rupees. No doubt, there was the Congress backing and the Congress had a large fund of Rs. 3 crores, and the Congress could also finance them. That is a different question.

Mr. Deputy-Speaker: Has the hon. Member kept the accounts of the Congress?

Shri P. R. Patel: The whole country knows that the Congress spent Rs. 3 crores or so.

Shri Raghunath Singh: And what were the expenses incurred by my hon. friend?

An Hon. Member: Rs. 2,000.

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

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the hon. Member has been making allegations which are not true.

**Mr. Deputy-Speaker:** I have told him that he should not do so.

**Shri P. R. Patel:** The income of those persons who are engaged in agriculture today will be divided, minimised, because the property, namely the land-holding will be divided among the sons and daughters according to the present law; their income also will be lessened day by day.

**Mr. Deputy-Speaker:** The hon. Member might continue and distribute all that next time! Now the House will take up the Private Members' Business.

14.31 hrs.

COMMITTEE ON PRIVATE MEM-  
BERS' BILLS AND RESOLU-  
TIONS

FIFTY-SEVENTH REPORT

**Sardar A. S. Saigal (Janjgir):** I beg to move:

"That this House agrees with the Fifty-seventh Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd March, 1960."

**Mr. Deputy-Speaker:** The question is:

"That this House agrees with the Fifty-seventh Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd March, 1960."

*The motion was adopted.*

**Mr. Deputy-Speaker:** Then there are some Bills to be introduced.

**Shri Pocker Sahib and Shri C. K. Bhattacharya** are both absent.

**Sardar A. S. Saigal.**

14.32 hrs.

SIKH GURDWARAS BILL

by Sardar A. S. Saigal

**Sardar A. S. Saigal (Janjgir):** I beg to move:

"That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 30th July, 1960."

उपाध्यक्ष महोदय, सिख गुरुद्वारा बिल, १९५८ जो है यह १२ दिसम्बर, १९५८ को पेश किया गया था। उस में लिखा था कि ३० मार्च, १९५९ तक जनता की राय घा जाय। लेकिन यह देखा गया कि जनता ज्यादा उत्सुक है कि इस के बारे में वह अपनी राय भेजे। इसलिए २० मार्च, १९५९ को इस सदन के सामने यह प्रस्ताव रखा गया कि कुछ और वक्त दिया जाय। सदन द्वारा ३० जुलाई, १९५९ तक के लिए राय जानने की तारीख बढ़ाई गई। इस के बाद जो रिपोर्ट्स आईं और जो विचारधारायें प्रकाशित हुईं उन से यह मालूम हुआ कि हम को इस के लिए और ज्यादा समय देना चाहिए। १४ अगस्त, १९५९ को फिर इस सदन के अन्दर आ कर १५ फरवरी, १९६० तक के लिए और समय मांगा गया। इस के बाद जो विचार धारायें आई हैं उन को देखने के बाद और लोगों से जो वार्तालाप मेरा हुआ है, उस के बाद यह जरूरी मालूम होता है कि और समय दिया जाय। और इसी लिए मैं इस सदन के सम्मुख उपस्थित हुआ हूं कि वह इस के लिए थोड़ा समय और दे। सब से जरूरी चीज यह है इस सम्बन्ध में जानने की कि अभी जो शिरोमणि गुरुद्वारा प्रबन्धक कमेटी के चुनाव हुए हैं, उस के सदस्यों की राय जानना हमारे लिए जरूरी था, और इसलिए मैं ने उन से भी कुछ वार्तालाप किया . . . . .



उपाध्यक्ष महोदय : इस के लिए हाउस को इतनी लम्बी तफसील की जरूरत नहीं है।

सरदार भ० सि० सहगल : हम उस के थोड़े से विचार और हासिल करें, इसके लिए मैं आप से प्रार्थना करूंगा कि इस समय को २० जुलाई, १९६० तक बढ़ाने की इजाजत दी जाय।

Shri Raghunath Singh (Varanasi): Sir, I support the motion moved by Sardar A. S. Saigal. The time should be extended.

श्री बी० च० शर्मा (गुरदासपुर) : उन के पास कौन सा माप है जिस से पता लगा कि जितने लोग अपनी राय दे सकते थे वह अभी तक दे नहीं चुके हैं ?

उपाध्यक्ष महोदय : इस में झगड़े की क्या बात है ? मेरे खयाल से इस में दो रायें नहीं होंगी।

श्री बजरत्न सिंह (फ़िरोजाबाद) : उपाध्यक्ष महोदय, हमारे पास वक्त बहुत थोड़ा है और मैं समझता हूँ कि कई महत्वपूर्ण बिल आ रहे हैं। मैं इस प्रस्ताव का विरोध तो नहीं करना चाहता, लेकिन सरदार भ्रमर सिंह सहगल साहब ने जो दलीलें पेश की हैं कि चूंकि नई शिरोमणि गुरुद्वारा प्रबन्धक कमेटी चुनी गई है

उपाध्यक्ष महोदय : जो प्रस्ताव आया है भ्रमर उस से आप सहमत हैं तो दलीलों में ज्यादा बज़न न भी हो तो क्या हर्ज है ?

श्री बजरत्न सिंह : क्यों इस पर पूरी राय नहीं आ पाई है, इस का प्रस्तावक महोदय ने कोई जिज़ नहीं किया है।

श्री रघुनाथ सिंह : मुझे इस सम्बंध में यह निवेदन करना है कि सरदार भ्रमर सिंह सहगल का बिल बड़ा उपयोगी बिल है और उस के बास्ते जनता की राय जानने के लिए और समय दिया जाना चाहिए। जैसा मेरे भाई

ने अभी कहा है अभी नई कमेटी चुनी गई है, नये मेम्बर चुन कर आये हैं, उन से भी हमें कहना चाहिए कि वे इस बिल के सम्बन्ध में अपनी राय का इजहार करें। इसलिए मैं भी चाहता हूँ कि इस बिल पर जनता की राय जानने का समय एक्स्टेंड किया जाय।

Shri D. C. Sharma: Are we going to discuss the merits of the Bill?

Mr. Deputy-Speaker: The question is:

"That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 30th July, 1960."

The motion was adopted.

14.37 hrs.

BACKWARD COMMUNITIES (RELIGIOUS PROTECTION) BILL—  
contd.

by Shri Prakash Vir Shastri

श्री प्रकाश वीर शास्त्री (गुड़गांव)

उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ :

"कि सभा द्वारा २८ अगस्त, १९५६ को पिछड़ी जातियां (धार्मिक संरक्षण) बिल पर चर्चा के लिए नियत किये गये समय को ढाई घंटे से बढ़ा कर चार घंटे कर दिया जाये।"

यह निवेदन मैं इस दृष्टि से कर रहा हूँ कि यह बिल भारतीय एकता और अखंडता की दृष्टि से आवश्यक है और सदन के बहुत से सदस्य इस में भाग लेना चाहते हैं। इसलिए मेरा निवेदन है कि इस समय को और बढ़ा दिया जाय।

**Mr. Deputy-Speaker:** Motion moved:

"That the time allotted by the House on the 28th August, 1959 (vide Forty-eighth Report of the Committee on Private Members' Bills and Resolutions) for the discussion of the Backward Communities (Religious Protection) Bill be increased from 2½ hours to 4 hours."

**श्री भक्त वर्शन (गढ़वाल) :** उपाध्यक्ष महोदय, इस समय को कम से कम एक घंटा और बढ़ा दिया जाय ।

**Shri P. R. Patel (Mehsana):** Sir, I did not like to oppose this, but I have a submission to make, namely, that there is one Bill in my name, and it is a very important Bill. It is for the repeal of the Mahendra Pratap Singh Estates Act, 1923 by which those estates were attached and forfeited by the British Government for the patriotic action of Raja Mahendra Pratap. In order that I may get at least five minutes so that I may be able to move for its consideration, the time may be extended in such a way that I may have at least five minutes.

**Some Hon. Members:** Yes; we support it.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** That will be very difficult, because in-between there are other Bills.

**Mr. Deputy-Speaker:** That means that no extension should be given to Shri Prakash Vir Shastri's Bill, because Shri Ram Krishan Gupta has to come up after Shri Prakash Vir Shastri's Bill is finished, and we have got only . . . .

**Shri Prakash Vir Shastri:** It may be extended by at least half an hour.

**Shri Jamal Khwaja (Aligarh):** May I suggest that the time allowed to Shri Ram Krishan Gupta may be slightly reduced, just enough to accommodate the other Bill?

**Shri Ram Krishan Gupta (Mahendragarh):** I have no objection.

**Mr. Deputy-Speaker:** So, we have first of all to take the decision that the time allotted to Shri Prakash Vir Shastri's Bill be extended by an hour and a half.

**Shri P. R. Patel:** It may be one hour.

**उपाध्यक्ष महोदय :** अगर एक घंटे के लिए बढ़ाया जाता है तो जो श्री राम कृष्ण गुप्त का मोशन है, उसके लिए एक घंटा रह जाता है। अगर वह मंजूर करें तो इस के लिए दो घंटे हो सकते हैं। यानी उन के मोशन के लिए जो दो घंटे मुकर्रर किये गये हैं उस की जगह पर एक घंटा कर दिया जाय और एक घंटा इस मोशन को दे दिया जाय। इसी तरह से हो सकता है।

**Shri Raghunath Singh (Varanasi):** It is a very good proposal. We support it.

**श्री राम कृष्ण गुप्त :** यह बोल मुझ पर न डाला जाये।

**उपाध्यक्ष महोदय :** मैं शास्त्री जी से भी प्राथना करता हूँ कि इस पर घाठ, नौ मेम्बर बोल चुके हैं। मेरा अपना खयाल तो है कि अब कोई नई बात कहने के लिए बाकी नहीं है। अगर वह चाहें तो इस वक्त मैं मिनिस्टर साहब को बुला लूँ और जब वह बोल चुकें तो शास्त्री जी जवाब दे दें।

**The Deputy Minister of Law (Shri Hajarnavis):** We have only 2½ hours more.

**Mr. Deputy-Speaker:** Yes, this is how I am dividing. One hour might be taken for Shri Prakash Vir Shastri's Bill. Then will come the Bill of Shri Ram Krishan Gupta. Then we have some minutes to begin Shri P. R. Patel's Bill.

**Shri Raghunath Singh:** Thank you, Sir. It is a very good proposal.

**Several Hon. Members** rose—

**Mr. Deputy-Speaker:** We should not lose more time now.

**Shri B. K. Galkwad (Nasik):** The Bill which has been moved by my hon. friend Shri Prakash Vir Shastri seeks to give necessary protection to the Scheduled Castes, Scheduled Tribes and Backward classes. As far as my knowledge goes, only two Members from the Scheduled Castes and Scheduled Tribe communities were allowed to speak. I think in the House there are not less than one-third of the total strength who constitute the Members from Scheduled Castes, Scheduled Tribes and other Backward communities.

**Mr. Deputy-Speaker:** If out of eight Members I have allowed two Members from those classes, then that is not less.

**Shri B. K. Galkwad:** The Bill is for them and so.....

**Mr. Deputy-Speaker:** So, the others should not have the chance to speak?

**Shri B. K. Galkwad:** They should have, but.....

**Mr. Deputy-Speaker:** If the Bill is intended for the protection of the Scheduled Castes, Scheduled Tribes and other Backward classes, it ought to have been moved by some other hon. Member who belongs to any of these classes. But it has been moved by Shri Prakash Vir Shastri. I think that it would be better if I call the hon. Minister to speak. I think I have the discretion to extend the time by 10 hours. Let us proceed and let us try to finish the Bill within one hour. Then we may take up Shri Ram Krishan's Bill. After that, we would try to save some minutes for the Bill of Shri P. R. Patel to be moved. Is the House agreeable?

**Shri Raghunath Singh:** Yes, yes.

**Shri B. K. Galkwad:** Will we be allowed to speak or not?

**Shri Manay (Bombay City Central—Reserved—Sch. Castes):** His point is.....

**Mr. Deputy-Speaker:** I quite follow his point. The point is that he might be given an opportunity to speak. That is the only point. How long would he like to take?

**Shri B. K. Galkwad:** Ten to 15 minutes.

**Mr. Deputy-Speaker:** He should not just go on increasing it himself. Anyway, I shall now put the motion. Let it be adopted in the regular manner. The question is:

"That the time allotted by the House on the 28th August, 1959 (vide 48th Report of the Committee on Private Members' Bills and Resolutions) for the discussion of the Backward Communities (Religious Protection) Bill be increased from 2½ hours to 3½ hours."

*The motion was adopted.*

**Shri Braj Raj Singh (Firozabad):** What about the Bill of Shri Ram Krishan Gupta?

**Mr. Deputy-Speaker:** That will come in its own time; not just now. The House will now take up further consideration of the following motion moved by Shri Prakash Vir Shastri on the 19th February, 1960:—

"That the Bill to provide for more effective protection of the Scheduled Castes, Scheduled Tribes and other Backward communities from change of religion forced on them on grounds other than religious conviction be taken into consideration."

I think no hon. Member was in possession of the House on the last occasion. No hon. Member is on his legs even now!

**Shri B. K. Galkwad:** Sir, I wish to speak.

**Mr. Deputy-Speaker:** Yes; within seven or eight minutes.

**Shri B. K. Gaikwad:** As far as possible I shall try to complete within the time.

**Mr. Deputy-Speaker:** As far as possible within the time allowed by me.

**Shri B. K. Gaikwad:** I shall try, Sir. Those who have spoken so far have supported the Bill. I rise to oppose the Bill which has been moved by Shri Prakash Vir Shastri. The Bill seeks to provide for more effective protection for the Scheduled Castes, Scheduled Tribes and other Backward communities from change of religion forced on them on grounds other than religious conviction. On going through the Statement of Objects and Reasons, I find the following paragraph:

"As the Backward sections of the society have to be afforded protection from all kinds of exploitation and as religious exploitation is no less dangerous than economic exploitation, this Bill is intended to protect them from such exploitation."

Sir, I oppose the Bill. The reason is very simple. Firstly, the Bill is against the fundamental principles of the Constitution. The Constitution has assured the right of freedom of religion to everybody in the country. Secondly, you will find that by passing this Bill, the Scheduled Castes, the Scheduled Tribes and other Backward communities will not at all be protected from any kind of exploitation, but they will be exploited in all respects by the Hindu brethren and priests as before. Therefore I oppose this Bill.

Now, the point is, my hon. friend Shri Prakash Vir Shastri is anxious that the Scheduled Castes, the Scheduled Tribes and other backward communities should remain in the Hindu fold. I just want to know why he wants them to remain in the Hindu fold. What has the Hindu fold done to them? If you want an explanation for that, you will find.....

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**An Hon. Member:** That is a matter of opinion.

**Shri B. K. Gaikwad:** It is not a question of opinion. It is a question of facts and figures.

**Mr. Deputy-Speaker:** Opinions can also be expressed.

**Shri Raghunath Singh:** But an opinion should be expressed like an opinion.

**Shri B. K. Gaikwad:** There is only a very short time at my disposal. So, I shall be very brief. It is very difficult to know what Hindu religion is. For instance, you will find that in the Christian religion, they have got one book—the Bible. That is their religious book. (*Interruption*). They have got one God and they believe in Him, the Christ. Whatever he has preached is accepted by the Christians.

If you take the Muslims, they have got one Koran. They have one Mohammed who is the prophet. But as far as the Hindus are concerned, is there any book? Is there any prescribed book of religion which can be accepted by all the Hindus? (*Interruptions*).

**An Hon. Member:** Gita; Vedas.

**Shri Prakash Vir Shastri:** Vedas.

**Shri B. K. Gaikwad:** My hon. friend the Mover and many other Members say that there are Vedas. But you must note how many people study or read the Vedas and how many people know what Vedas are. You will find that whatever religion is practised today by the Hindus is not Vedas but other books and novels which are written.....

**Mr. Deputy-Speaker:** It would be rather delicate to proceed like that. I hope the hon. Member will avoid it.

**Shri Shree Narayan Das (Darbhanga):** Sir, a point of order. The hon. Member is indulging in the merits or otherwise of religions. I think that is not right.

**Mr. Deputy-Speaker:** That is exactly what I am asking him to avoid. He should not trespass into prohibited ground. He should not compare religions, one against the other. All of them are to be respected. Therefore, he would be exposing himself to certain objections and criticisms if he proceeded like that. He might speak about the Bill as he finds it. He should not go into the merits of one religion or the other.

**Shri C. K. Nair (Outer Delhi):** I think it is justified, because there are people belonging to some castes who cannot read the Vedas and if they are taught and if the mantras fall into their ears, lead is put into the ears and so on. These things are there. They may have a very reasonable objection. (*Interruption*).

**Mr. Deputy-Speaker:** I shall not allow Vedas to be discussed. They should not become the primary objects of discussion here. We are not here to discuss Vedas, what they are and what their contents are. That would not be in order.

**Shri B. K. Gaikwad:** Much of my time is taken by other Members.

**Mr. Deputy-Speaker:** These interruptions are also part of the speech. He has to finish his speech within the time allotted. He should not go into such subjects as might provoke others and invite interruptions.

श्री दादव (ब.रावकी) : यह विषय :  
ही ऐसा है कि इसमें इस तरह की चीजें  
आ जाती हैं . . .

**Mr. Deputy-Speaker:** Order, order.

**Shri B. K. Gaikwad:** While moving for consideration of this Bill my hon. friend Shri Prakash Vir Shastri said that missionaries have come from foreign countries and they brought something like Rs. 125 crores from foreign countries and that was utilised for the spread of the Christian religion. I would admit that. But I would just ask my hon. friend Shri Prakash Vir Shastri and other hon.

friends who have supported this Bill as to what happened to that amount. Has it been misappropriated? What has been done about it? You will find that every pie of that amount was collected by the sympathisers and those who support the Christian religion. They collected the amount in foreign countries. They sent it here. As a Member of the Estimates Committee, when I was touring in tribal areas and Naga Hills, I found in the hills there were missionaries. They had started schools and dispensaries. The Nagas, whom you call backward, were speaking English and leading decent lives. They had a gentleman's attitude. Even if you go to the south—Madras and other States—you will find that missionaries went to the localities where the so-called untouchable communities predominated and educated them. Whatever doctors, nurses, teachers and even foreign returned people are there among the backward classes, they were brought up by the missionaries. (*Interruptions*). Whether they are converted or not converted, I would like to ask you, they were Hindus not for generations, but for centuries, what the Hindu brethren have done for them? Have they gone to their localities and done anything as human beings? What was their responsibility? Instead of doing anything, you are finding fault with them. There is a proverb in Marathi which says:

मुल हुइना सब सहन.

In the same way, you do not do anything for your own brothers.

श्री भवः बर्शन : इसका हिन्दी अनुवाद दीजिए।

उपाध्यक्ष महोदय : इसका मतलब यह है—

आप ने दे लिख भर पानी,  
तैं निन्दे शिव गंगा प्रानी।

**Shri Palaniyandy (Perambalur):** We do not understand it. The translation may be given in English.

**Mr. Deputy-Speaker:** It means, one is not prepared to give even a glass of water to others, but he begins to denounce Shiva, who brought the Ganges.

**Shri B. K. Gaikwad:** Many of my friends say, the religious book is the Vedas. I do not want to criticise any book. You know what religion is taught in the villages. You know what books are read in the villages and by a majority of the people in the country. You will find people here reading *Tulsi Ramayan*, *Manu Smriti*, *Yajnavalkya Smriti*, *Narada Smriti*, *Brahma Sutras*, *Shankara Bashyam*, *Grihya Sutras* and so many other books. You will find what the *shastras* have said about the *sudras*. **Shri Shankara** said.....

**Mr. Deputy-Speaker:** But if he begins to recite the *shastras*, he may not be able to finish.

**Shri B. K. Gaikwad:** I want to tell you what the *shastras* have said for the scheduled castes and other backward classes.

**Mr. Deputy-Speaker:** I must remind the hon. Member how pressed I am for time. He also knows it; he asked me to give him 10 minutes; now he should finish at least within 15 minutes.

**Shri B. K. Gaikwad:** The Bill is important; the time has been expended and so many speakers have spoken supporting it. I am the only man who is opposing it. You should, please, permit me to do so.

**Mr. Deputy-Speaker:** There may be others also. (*Interruptions*). Order, order. We ought to be more serious, even if it is a Private Member's Bill.

**Shri B. K. Gaikwad:** **Shri Shankaracharya** in his *Brahma Sutra* says:

"If a *sudra* becomes a *pandit*, he must be hanged or beheaded".

(ब.एणत् शरीर भेदः)

**An Hon. Member:** That is not the correct interpretation. (*Interruptions*).

श्री बसु देव (कम्बा) : संस्कृत का पूरा  
श्लोक तो पढ़ें ।

**Shri B. K. Gaikwad:** If you allow me to quote, I have got *Manu Smriti* not written by me or anybody from a scheduled caste.....

**Mr. Deputy-Speaker:** Then again, he is taking up controversial subjects. It is not necessary that he should state here what *Manu Smriti* says, because, as he himself has said, there may be many or most of them here who may not be following that. So, what is the use of citing or quoting from that? It would not serve his purpose. He has made out two or three points, that according to the Constitution it cannot be held valid, that would go against the provisions of the Constitution, that everyone should be free, that Christians have done this or that, that they should be allowed to go on, etc. He has made out his points. But if he goes into these details, even if I were to give him the whole 2 hours that we have he cannot finish it.

**Shri B. K. Gaikwad:** I want to satisfy my Hindu friends, when they insist that the scheduled castes.....

**Mr. Deputy-Speaker:** Then I would advise him to sit with them in the Central Hall and convince them.

**Shri B. K. Gaikwad:** I have got thousand and one instances to be quoted, but unfortunately there is no time and I am not going to quote anything. Many people say, whatever is written in these books, is not practised. Not one, but most people believe in *Manu Smriti*, *Tulsi Ramayan*, etc. You will find, taking for instance, our President.....

**Mr. Deputy-Speaker:** Do not bring in the President and what he does.

**Shri B. K. Gaikwad:** I want to show how people practise Hindu religion

[Shri B. K. Gaikwad]

from top to bottom. So, it is absolutely necessary to give an explanation. You do not allow me to give all this explanation in order to make people understand what is the position, why conversion is prevented, how it is not proper to prevent these people, e/c. If they want to accept any other religion, they should be allowed.

**An Hon. Member:** Why?

**Shri B. K. Gaikwad:** That must be thought over. If you do not allow me, I will only say this much that these religions books which are.....

**Mr. Deputy-Speaker:** If he wants to place it on the Table of the House... (Interruptions).

**Shri B. K. Gaikwad:** If you do not allow me to read all this, I can tell you that this has been brought purposely not to be placed on the Table of the House, but to be torn like this.....

**Mr. Deputy-Speaker:** Order, order. I would not allow the hon. Member to do it like that. That might be offending the other hon. Members here. It is not proper that he should have done like that. The House is meant for debates and not for demonstration. I take very strong objection to such demeanour and behaviour. It is not good. (Interruptions). He might oppose the Bill; he can do it legitimately. Today he tears out this book just in the presence of other hon. Members. The next day some other hon. Member might tear out my religious book; would I allow it? Would I allow another religion's sacred books to be torn? There may be others who might have as much respect for this book as I have for my own or others have for their own. That cannot be permitted. That is very objectionable.

I cannot allow him further. The hon. Minister.

**Shri B. K. Gaikwad:** I will take my seat if you give me one minute.

**Mr. Deputy-Speaker:** Not like that. I cannot allow him.

**Shri B. K. Gaikwad:** Whatever is written in this book for the Scheduled castes and other Backward classes whom you call sudras and how they should be treated, if they learn.....

**Mr. Deputy-Speaker:** He might take it to his house and do whatever he likes with it. But I would not allow him to make such demonstrations here.

**Shri B. K. Gaikwad:** Do you mean to say that we should take these scornful books on our heads..... (Interruptions).

**Mr. Deputy-Speaker:** I am not concerned with that. That is not the question that is being discussed here.

**Shri Raghunath Singh:** That is simply an offence. He should be requested to withdraw his words. (Interruptions).

**Shri B. K. Gaikwad:** I am not going to withdraw any of my words.

**Mr. Deputy-Speaker:** No excitement on that account. It is very unfortunate that such a thing has happened. I cannot allow it and it should not be approved by any hon. Member here.

**Shri Raghunath Singh:** Certainly.

**Mr. Deputy-Speaker:** I could never anticipate that such a thing could happen. Otherwise, I would have stopped him before he could do that. That is not the freedom of speech that is to be exercised by hon. Members. We cannot continue any discussion if such a behaviour is demonstrated or exhibited here. I am very sorry that the hon. Member has conducted himself like that.

15 hrs.

**Shri K. N. Pandey (Hata):** I request that it may be expunged from the proceedings.

**Mr. Deputy-Speaker:** There is nothing to be expunged from the proceedings. Now the hon. Minister.

Some hon. Members rose—

**Mr. Deputy-Speaker:** I am sorry there is no time. But I find the Minister is not here. How can I call him?

**Shri Hajarnavis:** The Minister was under the impression that he will be called at 3:15 P.M.

**Mr. Deputy-Speaker:** All right. Dr. Ram Subhag Singh. He should not take more than five minutes.

**डा० राम सुभग सिंह (सहसराम) :** उपाध्यक्ष महोदय, जिस किसी धर्म में कोई रुढ़ि है, मैं उन तमाम रुढ़ियों की मुबालिफत करता हूँ, चाहे वह हिन्दू धर्म हो, बौद्ध धर्म हो, ईसाई-क्रिस्चियन-धर्म हो, मुस्लिम धर्म हो। रुढ़िवाद के सभी समर्थकों का मैं विरोध करता हूँ और इसी दृष्टि से मैं किसी भी ग्रन्थ के फाड़े जाने का बिल्कुल विरोधी हूँ। चाहे वह किसी भी मजहब का ग्रन्थ हो, हम को उस की प्रतिष्ठा करनी चाहिए।

उपाध्यक्ष महोदय : अगर माननीय सदस्य उस का जिक्र करेंगे, तो फिर वह इस में धा जायेगा। मैंने पहले नहीं घाने दिया।

**डा० राम सुभग सिंह :** इस बिल के मुतालिक मुझे यही कहना है कि मैं इस के समर्थन में खड़ा हुआ हूँ। इस बिल की मूल बात यह है कि जिस प्रकार से हमारे दलित भाइयों को धार्मिक शोषण से बचाने का प्रयास किया जाता है, उसी प्रकार से उन की धार्मिक शोषण से भी रक्षा की जानी चाहिए। इस को मैं इस लिए आवश्यक समझता हूँ कि क्योंकि दबाव के कारण—चाहे किसी भी प्रकार का दबाव हो—यदि कोई भाई या बहन इस बात के लिए मजबूर कर दिए जाते हैं कि वे अपने धर्म को छोड़े, तो उसे मैं बाजब नहीं समझता। मैं

यह पूरी तरह चाहता हूँ कि स्वेच्छा से जिस किसी का भी मजहब परिवर्तन करने का इरादा हो, उस को ऐसा करने की पूरी छूट होनी चाहिए। लेकिन अगर कोई धार्मिक दबाव या सामाजिक दबाव डाल कर या बल का प्रयोग कर के किसी को मजहब परिवर्तन करने के लिए बाध्य करे, तो उस की इनामत हिन्दुस्तान में नहीं होनी चाहिए। आज इस तरह के परिवर्तन कई एक स्थानों में हो रहे हैं। मैं यह नहीं चाहता कि किसी को धार्मिक विचारों के प्रचार की छूट नहीं होनी चाहिए। भारत के संविधान में इस बात का स्पष्ट उल्लेख है कि सभी लोगों को धर्म-परिवर्तन की पूरी स्वतंत्रता होनी चाहिए, धार्मिक प्रचार की पूरी स्वतंत्रता होनी चाहिए और उस को जितना ही हम ज्यादा बढ़ावा दे सकें, उस का मैं कायल हूँ और चाहता हूँ कि हर एक व्यक्ति को अपने धर्म के मूल सिद्धान्तों के प्रचार के लिए ज्यादा से ज्यादा अवकाश मिलना चाहिए, लेकिन कोई भी धर्म यह नहीं कहता कि हम दबाव के जरिये या नाजायज बल का प्रयोग कर के किसी को पय-भ्रष्ट करें। मैं पय-भ्रष्ट भी नहीं मानता। पय-भ्रष्ट इस मायने में कि यदि मान लीजिए कि मैं किसी धर्म का अनुयायी हूँ और यदि किसी ग्रन्थ धर्म के ग्रन्थों के अध्ययन से या उस के मजहबी गुरुओं के आदेशों से प्रभावित हो कर मैं अपना धर्म परिवर्तन करूँ, तो इस बात की मुझे पूरी स्वतंत्रता होनी चाहिए, लेकिन अगर कोई मजहबी गुरु या कोई समुदाय मुझ पर दबाव डाल कर, या मेरी गरीबी या दुर्बलता का नाजायज फायदा उठा कर मुझ पर अपना धर्म लादे, तो मैं जीवन-पर्यन्त ऐसे कुचक्रों का मुकाबला करने के लिए बाहूंगा कि न केवल वह व्यक्ति तैयार हो, वरन सारा समाज और सरकार भी उस की सहायक हो, क्योंकि आज स्वतंत्रता के मायने ये नहीं हैं कि बाघ और बकरियों को एक जगह छोड़ दिया जाये। अगर ऐसा किया जायेगा तो यह स्वाभाविक है कि वह खाने का प्रयास करेगा। बहाने पर सरकार



[डा० राम सुभग सिंह]

को प्रकुश डालना चाहिए और उस को देखना चाहिए कि दोनों की स्वतंत्रता की रक्षा करे और बाध को स्वतंत्रता देने का मतलब है कि वह जंगल में रहे और उस को स्वच्छंद ढंग से बकरियों में भी विचरने का अधिकार न हो। इसी दृष्टि से मैं इस बिल का समर्थन करता हूँ कि सरकार को इस बात को पूरी व्यवस्था करना चाहिए कि कितो गरीब और दुर्बल भाई या बहन को नाजायज रीति से धर्म-परिवर्तन करने के लिए बाध्य न होने दिया जाये।

श्री जांगड़े (बिलासपुर) : उपाध्यक्ष महोदय, वर्तमान विधेयक मुझे विवादग्रस्त नहीं मालूम होता। यह बहुत ही सीधा सादा विधेयक है। जो भी व्यक्ति यदि धर्म-परिवर्तन करता है, तो उस के लिए किसी प्रकार की रोक नहीं है। एक कहावत है कि जो व्यक्ति सिर मुँडाता है, सिर का मुँडन करता है, उसे उस्तरे या छुरे से क्यों डरना चाहिए। उसी प्रकार से यदि कोई आदमी धर्म-परिवर्तन करता है, तो उसे जिले के न्यायाधीश के पास जाने में और अपने नाम के पंजीयन से क्यों डरना चाहिए। यह सिद्धान्त है।

श्री व० अ० कट्टी (चिकोडी) : इस बिल में यह प्रिजम्प्शन है कि शिड्यूल्ड कास्ट्स के लोग पैसा ले कर धर्म-परिवर्तन करते हैं। यह रांग है। (Interruptions)

श्री पद्म रेव : माननीय उपाध्यक्ष जी, यह बड़ी आपत्तिजनक बात है कि यह कहा जाये कि ये लोग इस लिए ऐसा करते हैं कि इन को पैसा मिलता है। (Interruptions)

Shri Raghunath Singh: He has got no right to interfere.

एक माननीय सदस्य : यह कहा कहा है? (Interruptions)

उपाध्यक्ष महोदय : मैंने सुना नहीं है। . . . क्या यह कहा गया है, जो कि माननीय सदस्य कह रहे हैं।

एक माननीय सदस्य : ऐसा नहीं कहा गया है।

उपाध्यक्ष महोदय : ऐसा नहीं कहा गया है। अब इन्ट्रप्शन नहीं होनी चाहिए। हमारे पास वक्त नहीं है।

श्री जांगड़े : इस के अतिरिक्त अनुसूचित जातियों और आदिम जातियों की भी हालत वह नहीं रही, जो सैकड़ों वर्ष पहले थी। आज हिन्दू समाज सुधारवादी होता जा रहा है और सुधरता जा रहा है।

एक माननीय सदस्य : यह गलत है।

श्री जांगड़े : और इसीलिए इसी संसद ने इसी सदन में हिन्दू समाज के सुधार के लिए अनेक उपाय किए हैं। . . . . .

एक माननीय सदस्य : यह गलत है।

श्री जांगड़े : . . . . . हिन्दू कोड बिल बनाया है और विवाह प्रथा और रीति-रिवाज में बहुत अन्तर डाल दिया है। अब अन्तर्जातीय विवाह होने लगे हैं। किसी भी जाति को अब भेद आदि के पठन-पाठन में कोई रुकावट नहीं डाली जाती है। यदि एक आध स्यान पर ऐसा होता है, तो उसे अपवाद के रूप में मानना चाहिए। परन्तु साधारणतया कहीं पर कोई रुकावट नहीं है। (Interruptions)

Mr. Deputy-Speaker: I find that controversies are being created even from distances.

श्री जांगड़े : ऐसी हालत में हम इस में कोई विवादग्रस्त बात नहीं पाते हैं। अब हिन्दू सामाज बहुत प्रगतिशील हो गया है।

ऐसी हालत में किसी को धर्म-परिवर्तन के लिए बाध्य किया जाये, यह जायज बात नहीं है। हिन्दुस्तान पनप चुका है और हम अपने आप को समझते हैं और समझने के बाद भी हम पैसे के कारण अपनी इच्छा के बरखिलाफ किसी धर्म में जाते हैं और धर्म का परिवर्तन अपनी इच्छा के खिलाफ करते हैं, क्योंकि हम गरीब हैं। जो गरीब होता है, उस को चारों तरफ से शिकार बनाया जाता है। धार्मिक पिपामु भी उस को शिकार बनाते हैं और आर्थिक शोषण करने वाले भी उसे अपना शिकार बनाते हैं। ये बातें स्वतंत्र भारत में नहीं होनी चाहिए, यह मेरा निश्चय है। मैंने देखा है कि ज़ा अकाल पड़ता है और शासन उस समय अधिक सहायता करने के काबिल नहीं होता, तो मिल्क पाउंडर दे कर या थोड़ी सी लालसा दे कर, या दूसरे धर्म को कनडेम कर के—उस का तिरस्कार कर के और इन प्रकार अपने धर्म की प्रतिष्ठा बढ़ा कर अपने अपड़ आदमियों के मन में अपने धर्म के प्रति घृणा की भावना भरी जाती है। लेकिन मैं समझता हूँ कि यदि इस घृणा की भावना के कारण धर्म-परिवर्तन करते हैं, तो हम अपने धर्म को कद्र नहीं करते हैं। आज हम ने इस धर्म को धोखा दिया है, तो हो सकता है कि दूसरे धर्म में जा कर हम उस को भी धोखा दें। हम नहीं चाहते कि हम इस प्रकार का धोखा दें।

(Interruptions) अगर हम धर्म-परिवर्तन करें, तो अपने अन्तःकरण से प्रेरित हो कर, सच्ची वृत्ति के साथ और अपनी भावना को पवित्र कर के करें। इस प्रकार के धर्म-परिवर्तन को हम मानते हैं। यदि मेरी इच्छा है कि मैं इस्लाम धर्म को मन्ज़ूर करूँ, यदि मुझे उस के सिद्धान्तों और आदशों में विश्वास है, तो मैं इस्लाम धर्म में जा सकता हूँ। यदि मैं ईसा मसीह के पवित्र उम्मीलों को मानूँ, तो मैं ईसाई धर्म में जा सकता हूँ। एक ईसाई ने कहा कि मैं हिन्दू बनना चाहता हूँ, तो महात्मा गांधी ने कहा कि अगर

तुम्हें सच्चा ईसाई बनना है, तो तुम्हें हिन्दू धर्म में नहीं रहना है और एक हिन्दू यदि अपने हिन्दू धर्म को छोड़ कर ईसाई होता है, तो वह असली हिन्दू नहीं है, असली मानव नहीं है। हर एक धर्म का मूलभूत सिद्धान्त एक है और यदि हम उस मूलभूत सिद्धान्त को मानते हैं, तो किसी भी धर्म-परिवर्तन की हमें क्या आवश्यकता है? हमें मानवता की दृष्टि से देखना और सोचना चाहिए। जो मानव की सेवा करता है, वही सच्चे धर्म को मानता है। वही हमारा मूलभूत सिद्धान्त और मूलभूत धर्म होना चाहिए। अगर जबर्न जबर्दस्ती, चारों तरफ घेरा डाल कर किसी का धर्म-परिवर्तन किया जाता है, तो स्वतंत्र भारत में मैं उस को नाजायज मानता हूँ। इसलिए इस विधेयक का शासन को स्वागत करना चाहिए और न केवल इस का पालन करना चाहिए, बल्कि मैं तो चाहता हूँ कि विदेशी मुद्रा, विदेशी पैसा किसी धर्म परिवर्तन के काम के लिए हमें नहीं चाहिये, हमारे देश के पास पैसा है, और हम अपने पैसे से अपने देश को आगे बढ़ा सकते हैं।

Some Hon. Members rose—

Mr. Deputy-Speaker: I would now give an opportunity to only one hon. Member, who might be a Christian.

Shri C. K. Nair: I may be given an opportunity because I want to oppose it. There were only three people who opposed it.

Some Hon. Members rose—

Mr. Deputy-Speaker: Is there any hon. Member, who is a Christian, here? No one. Shri Nair.

श्री च० कृ० नायर : उपाध्यक्ष महोदय, यहां बहुत सी बातें कही गई हैं इस धर्म परिवर्तन के बारे में और खास तौर पर आखिरी वक्ता ने यह कहा है कि हमें सब तरह की आजादी है जोकि पहले नहीं थी। यह बात उन्होंने सच्ची कही है। एक उमाना या बहुत वक्ता नहीं हुआ है जबकि मुझे मान्य है कि त्रिवेन्द्रम में संस्कृत कालेज

[श्री च० कृ० नायर]

में हरिजनों को जब-पहले पहल दाखिल किया गया था तो वहाँ के जो ब्राह्मण लोग प्रीफेसर थे, वे बाक आउट करके चले गये थे। उन्होंने कह दिया था कि इनको हम नहीं पढ़ा सकते हैं। इसी तरह से अगर मंदिर से उठ रही आवाज इनके कानों में पड़ जाती थी तो कह दिया जाता था कि हम नरक में चले जायेंगे। (Interruptions)

Shri Raghunath Singh: That was the old story.

Mr. Deputy-Speaker: Order order. When I am on my legs, the hon. Member must resume his seat.

यह आवाज तो ऐसी नहीं थी कि जिसके कानों में पड़ने से हम सब मੈम्बरों को यह ख्याल हो गया कि हम नरक में चले गए। हम नरक में नहीं जा रहे हैं। अगर वह आवाज हमारे खिलाफ भी जाती है तो हमें वह सुननी होगी और डेमोक्रेसी इनी का नाम है। जो आवाज हमारी आवाज के मुखातिफ जाती है, उसे हमें सुनना चाहिये और उसको बरदाश्त करना चाहिये। बरदाश्त करने की सिरिट यहाँ आनी चाहिये और आराम से जो माननीय सदस्य कह रहे हैं, उसको सुनना चाहिये।

श्री च० कृ० नायर : मैं मानता हूँ कि जिस जमाने की बात मैं कर रहा हूँ वह खत्म हो गया, वह बहुत पुराना था। लेकिन मैं कहना चाहता हूँ कि अगर कोई ईसाई बन जाता है तो आसमान गिरने वाला नहीं है। एक चीज जरूर है कि हमारे व्यवहार की वजह से यह चीजें हुई हैं और इसे हमें कभी भी नहीं भूलना चाहिये।

इस पाबन्दी को लगाने का यह मतलब जरूर है कि जो बैकवर्ड क्लासिस के लोग हैं या जो शीड्यूल्ड कास्ट के लोग हैं उन को हम अचरवस्ती एक धर्म में रखना चाहते हैं।

क्यों हम ऐसा करें, यह मेरी समझ में नहीं आया है। अगर कोई धर्म परिवर्तन करना चाहता है तो हमें कोई आपत्ति नहीं होनी चाहिये। हमारी दृष्टि में सभी धर्म बराबर हैं, उनमें कोई फर्क नहीं है। अगर कोई पैसा ले कर बनता है तो वह खुद को कंडेम करता है। हम क्यों कंडेम करें। मैं समझता हूँ कि सब से बड़ा धर्म रोटी है। धर्म के नाम पर कई ढोंग रचा रखे हैं। जिसको रोटी खाने को नहीं मिलती है, उसको ईसान नहीं माना जाता है, सड़क पर नहीं जाने दिया जाता है, मंदिर में दाखिल नहीं होने दिया जाता है, किसी तरह की कोई भी आजादी उसको नहीं दी जाती है, किसी तरह के कोई भी अधिकार उसको नहीं दिये जाते हैं।

अगर किसी हरिजन बस्ती में ईसाई पादरी जाते हैं, प्रेम के साथ उसको अपनी बात समझाते हैं, उसको इन्सान बनाते हैं तो कौन बेवकूफ होगा जो ईसाई नहीं बनेगा (Interruption) मैं मानने के लिए तैयार हूँ कि हमारे हरिजन भी बड़े बेवकूफ थे जो अब तक नहीं बने थे। लेकिन उनको बेवकूफ बनाने वाले कौन थे? हम ही तो थे। हमने उनसे कहा कि यह कम का फल है जो तुम भोग रहे हो। ऐसी हालत में वे सोच नहीं सकते थे कि वे मुसीबत में क्यों पड़े हैं। लाखों करोड़ों वर्षों से उनको सोचने तक का अधिकार नहीं था, इन्सान उनको नहीं माना जाता था, पवित्र से पवित्र काम करने पर भी उनको नीच समझा जाता था, मुर्दा ये लोग उठाते थे, टट्टी ये लोग साफ करते थे, गांवों की सफाई ये लोग करते थे और इतना कुछ करने पर भी उनको कहा जाता था कि तुम भ्रष्ट हो। जो धर्म था, इस तरह की बातें करके उसको विधम कर दिया गया। मैं यह भी कहने के लिए तैयार हूँ कि यह हरिजन मूवमेंट जो है यह इतनी ताकत से नहीं बढ़ सकती थी जितनी ताकत से बढ़ी है,

धरर ईसाइयों का काम हिन्दुस्तान में न होता ।

एक माननीय सदस्य : नो ।

श्री च० कृ० नायर : लेकिन ध्राज हरिजनों में जागृति ध्रा गई है, वे पढ़ लिख गए हैं । त्रिवेन्द्रम को लीजिये, तमिलनाडु को लीजिये । उनके अन्दर हरिजन डाक्टर हैं, नसिब हैं, प्रोफेसर हैं, जजिज हैं । धरर ईसाई लोग उनको ध्रा कर ईसाई न बनाते तो ये लोग इन पदों पर नहीं पहुँच सकते थे । मैं समझता हूँ कि यह कृतघ्नता को बात होगी धरर ईसाई धर्म के खिलाफ, ईसाई मिशनरियों के खिलाफ कोई इस तरह को पाबन्दी लगाई गई । मैं इस पक्ष में हूँ कि स्वार्थी बन कर धर्म परिवर्तन न किया जाए । मगर मैं जानता हूँ कि बड़ी ऊँची जाति के लोग स्वार्थी बन कर ईसाई बने हैं । मैं पूछना चाहता हूँ कि बैक्वड क्लासिस और शैड्यूल्ड कास्ट्स को ही क्यों इस में रखा गया है कि धर्म परिवर्तन उनका न किया जाए ? इसका क्या यह मतलब है कि जो ब्राह्मण हैं, जो क्षत्रिय हैं, या जो दूसरे उच्च जाति के लोग हैं वे, धर्म परिवर्तन कर सकते हैं ? मैं पूछना चाहता हूँ कि क्या ये ऊँची जाति के लोग बैक्कूफ नहीं हो सकते हैं ? वे भी बैक्कूफ हो सकते हैं, बैक्कूफ हम भी हो सकते हैं —

Shri Raghunath Singh: Yes, yes. You are.

Mr. Deputy-Speaker: Order, order. I will request hon. Members to exercise some kind of restraint upon themselves.

Shri Raghunath Singh: Yes, Sir. That was the point.

Mr. Deputy-Speaker: I have rather the biggest grievance against the hon. Member, who says "Yes, Sir". There ought to be some discipline here. Is it that I should go away and allow hon. Members to have tablig as they like?

Now the hon. Member will conclude his remarks.

Shri Shree Narayan Das: The hon. Member's speech discloses that he has not read the provisions of the Bill. There is no prohibition.

श्री च० कृ० नायर : मैं नहीं समझता कि इस बिल को इस भवन में लाने की जरूरत थी । ईसाई धर्म, इस्लाम धर्म, ध्रायँ समाज, इत्यादि सभी धर्मों को प्रचार करने का पूरा हक होना चाहिये जो कि उनको हमारी कांस्टीट्यूशन में मिला हुआ है । उसके खिलाफ जा कर ध्राप बैक्वड क्लासिस और शैड्यूल्ड कास्ट्स के ऊपर धर्म परिवर्तन करने की पाबन्दी लगा रहे हैं, उनकी ध्राजादी के ऊपर पाबन्दी लगा रहे हैं—

Shri Raghunath Singh: There is no ban.

श्री च० कृ० नायर : मैं समझता हूँ कि धरर लालच की बात कही जाती है तो यह गलत है उनके लिए रोटी ही उनका धर्म है, दूध ही उनके लिए उनका धर्म है, किताबें पढ़ने, इल्म हासिल करने का उनको इस तरह से मौका मिलता है (Interruptions)

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri C. K. Nair: Two minutes more. I must finish what I have been developing.

Mr. Deputy-Speaker: He has got many things in his mind. I cannot allow him to bring out all those points that he has in mind.

Shri C. K. Nair: I am very sorry. It is a very important Bill.

इस बिल से इंसान की डिगनिटी को क्वेश्चन किया जाता है और खास तौर पर बैक्वड क्लासिस और शैड्यूल्ड कास्ट के लोगों के ऊपर यह इल्जाम लगाना है कि लालच में ध्रा कर वे धर्म परिवर्तन करते हैं । ईसाई धर्म में ध्राज तक जितने धर्म परिवर्तन हुए हैं दुनिया में, इस्लाम का बहुत जोर रहा है और उसमें जितने लोगों ने धर्म परिवर्तन किए

[श्री च० क० नायर]

हैं क्या वे सब लालच में आ कर किये हैं? थोड़ा बहुत लालच हो सकता है, लेकिन इसका इतना ज्यादा मैगनिफाई करने की जरूरत नहीं है।

इसलिए अधिक न करते हुए मैं इस बिल को अपोज़ करता हूँ।

**Shri Datar:** Mr. Deputy-Speaker, Sir, I was extremely sorry to find that considerable heat was imported.....

**Shri Braj Raj Singh:** When you were absent.

**Shri Datar:** ....in the course of the discussion. I would, therefore, like to approach the question with restraint and with a large measure of dignity.

A number of hon. Members have spoken and have placed before the House a certain picture. The general contention appears to be that there are mass conversions by force. The second point that has been made is that those who are converted develop what is called an anti-Indian or unpatriotic feeling. These are the two main points that have been raised.

Before I deal with the Bill on its merits, may I point out to the hon. Mover of this Bill that it discloses a number of very serious defects which, I wish, he had taken into account and remedied against.

In the first place we have got article 25(1) of the Constitution. When this article was under consideration, as the House is aware, there was a very long discussion, an exhaustive discussion, on the various points that had to be considered in this respect, and after taking into account all the different aspects of the question, the Constituent Assembly passed the particular article. I should like to read that article because that is the touchstone by which the present Bill is to be tested. It reads:

"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."

Thus, you will find that a very valuable right, a fundamental right, was extended to the citizens of India. It consists of two parts. Firstly, there is what is known as freedom of conscience; a man can practise any religion he likes. Secondly, the orbit of religion has not been circumscribed as, unfortunately the hon. Member has purported to do.

The hon. Member has tried to contract the scope of religion. He has, unfortunately, excluded certain religions from what he calls the "religion of Indian origin." There are a number of recognised religions, and it is open to any citizen of India to follow any religion, or to embrace any other religion as well, and the word "religion" has not been circumscribed in the Constitution on the lines that the hon. Member now wants us to do. Here he says:

'(c) "religion of Indian origin" means—

(i) Hindu religion in any of its forms or developments including Virashaiva, Lingayat or Brahmo, Prarthna or Arya Samaj;

(ii) Buddhist, Jaina or Sikh Religion;

—And may I point out with all sincerity to my hon. friend that the sting lies in the tail?—

'(iii) any religion other than Muslim, Christian, Parsi or Jew;'

Is it proper, is it not late in the day, to say that Muslims, Christians, Parsis or Jews are not professing a religion which is a religion of Indian origin?

We have to take into account two circumstances in this connection. One is that all of us are proud of Hinduism, even though some other friends try to

insult certain books or certain doctrines. After all, may I point out to my hon. friend that Hinduism was and has been one of the most tolerant of religions? Secondly, Hinduism is always open to expansion, is always open to consolidation. It is one of the dynamic religions of India.

While considering the question of religion, let us not bring in social organisations like caste or untouchability. They never formed part of the religion at all. They were what can be called details of the organisational aspect, and therefore, the sooner we understand the substantial aspect of Hindu religion, the better for us, the better for the country at large.

While all of us, those who are Hindus, might be proud of their religion, our religion, I may point out, is a universal religion in the sense that it appeals to all. Secondly, let us take into account the historical aspect, how in India, side by side with Hinduism, even Christianity, even the Muslim religion had a place, an honourable place, a dignified place, and how they have developed side by side here.

Take for example, the question of Christianity. Does my hon. friend know that on the west coast of India, hardly within one or two hundred years.....

**Shri Braj Raj Singh:** Only fifty years.

**Shri Datar:** Only fifty years. I am glad my hon. friend has corrected me. Within fifty years after Christ, a number of Christians came. They are here for the last 19 centuries, and should we dare call these people followers of a religion other than what the hon. Member calls a religion of Indian origin?

Religion has no origin. If a religion is a religion, is to be a religion, it must always have what may be called a universal appeal. Take, for example, the Muslim religion. Let us not talk of what happened long ago. There might have been wrongs on both sides.

But even the Muslim religion has been in India from the seventh century A.D., for more than 1,200 years. Under the circumstances, would it be proper for us, would it be religious on our part, to say that these are foreign religions?

Take the small community of Parsis. The Parsis came to India and India gave them shelter. It is a matter of pride to all of us that India gave shelter to a small community. Their number is hardly one lakh, and even now they are proud that India has given them shelter.

Take the question of Jews also. The number of Jews is also small, but we are not going to circumscribe our view of religion by what may be called a local idea. I am making reference to the local idea because my hon. friend wants to bring within the purview of religion of Indian origin only Hinduism and certain allied religions. That is, in the first place, a wrong approach.

So, taking the Bill as it is, does it or does it not go against the provisions of the Constitution?

If a man has a right not only to practise religion but to propagate religion, the question arises whether such a right can be taken away, especially in the case of the backward classes for whom my hon. friend wants a protection. They do not want any protection at all.

Now, I should like very briefly to make reference to a few other points. The question of mass conversions has been raised not only in the course of this debate. We had a long debate in the first Parliament when a similar Bill was sponsored by Shri Jethalal Joshi. There was a long discussion and the hon. Prime Minister also took part in it and explained what the Government policy was. And on certain occasions, I remember hon. Members have asked questions, as to whether there were forcible conversions, whether there were mass conversions. Government made enquiries in all these cases through their machinery, and all such contentions, I would not

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say allegations, were found to be without substance. I remember that in a case from Bombay State, Dohad or some other State, we were told that there were mass conversions, but ultimately, it was found that there was a conversion of one person with the consent of his or her guardian. That is all that has happened. So, let us not be immediately in a hurry to believe every piece of evidence or every piece of information that often comes to us.

Then, a reference was made to the anti-Indian attitude. So far as the anti-Indian attitude is concerned, may I tell the House that Government are anxious that no anti-Indian attitude is allowed in any quarters? The Indian Government has to be strong, and if, for example, there is any anti-Indian or unpatriotic attitude, it amounts to what can be called a subversive attitude, and Government have rights in their armoury in respect of this. We have rights even under the ordinary criminal law of the land, whenever a conversion takes place against the desire either of the person converted or of his or her guardian. Even the hon. Member quoted some cases which were taken to the courts. Therefore, under the ordinary law, we have got powers, in the first place, to make enquiries as to whether there are conversions of a forcible type or a conversion of ordinary or normal type meaning a conversion by conviction with which it would not be proper for Government to interfere because that is a right which has been conceded by the Constitution. But, whenever there are any attempts at a forcible conversion, or any attempt at a conversion of, say, a minor who is not in a position to protect his or her interests, much less to know the principles of the religion that he or she has been following, or of the new religion that he or she is to follow, we can take action. In the first place, we have got powers. It would not be proper, however, to point out what exactly we are doing. But whenever Government find that anything other than legitimate—

let the House understand that clearly—is done, Government have sufficient powers.

Then, a number of hon. Members brought in the question of foreign missionaries. So far as these missionaries are concerned, I have got the figures before me. The number of missionaries has fallen down considerably. Only recently, it has come down from 1700—I am speaking from memory—to about 1,300.

The House will also note that so far as the foreign missionaries seeking recognition at the hands of India are concerned, during the British administration, there were certain other bodies, bodies which were not Indian, but which were foreign, which were recognised. The British Government had recognised two bodies, one in respect of the Roman Catholics and another in respect of the Protestants. The first act that was done after the achievement of Independence was to have recognition only through Indian bodies. That is the first step that we have taken.

The policy which the Government are following regarding missionaries was elucidated in one of the recent reports of the Home Ministry. What was pointed out was that so far as these missionaries were concerned, certain over-coloured accounts were placed before us. There were similar accounts in the two reports to which the hon. Members have made a reference. But, there is also the other side which we should take into account. The other side is that not all these missionaries are acting in the manner that the hon. Member wanted us to believe. I know the conditions in various parts of India, and the conditions of those parts where there is a large concentration of the tribal population and the Harijan population as well.

As against the few instances which my hon. friend has pointed out, may I also say that these missionaries

have been carrying on what can be called a 'Mission of Christ' so far as service is concerned? That is one of the greatest contributions that Christianity has made to the welfare of the world. These Christian missionaries have been carrying on their work in that spirit. Barring the few instances which have to be fully gone into, may I add a word of tribute to the large number of missionaries who have been carrying on their work for the uplift and for the good of a large number of communities? I know cases where these great Christian missionaries, including the Indian missionaries also have gone far into the interior, and have buried themselves into it. When certain hon. friends came to me and they just told me about this, I asked them, 'Have you got any missionary effort on the lines that our foreign missionaries or our Christian missionaries have been carrying on?'. Let us try to appreciate the whole position. Let us not be unfair to the Christian missions here.

If, for example, they do not carry it on properly, then when their action comes within the orbit of the laws that we have, we can take action. I may point out here that we have also got the foreigners laws which the Parliament passed a few years ago, such as the Foreigners Act, and also the rules that have been made 'hereunder. If, unfortunately, any foreigner, be he a missionary or be he anybody else, is guilty of doing certain acts against the interests of India, then Government have effective powers under all these laws to take action against him.

I may also point out in this connection that Government, while appreciating whatever they have done, are taking necessary steps to see that they carry on their work properly, whenever there is any reason to believe that their conduct is not proper, but, we must understand, it is subject to this that it is a matter which is governed by the Constitution. If, for carrying on their work or for distributing certain articles, they bring in money, and as it has been pointed out,

they do bring in money, then, naturally, there is a normal presumption that the money has been used in a legitimate manner, unless we have evidence to the contrary.

Therefore, these are very large questions of policy, and in all these cases, the welfare of India is always kept before us. I may further point out whenever any new missionary societies or associations are to be recognised, then the test that has been laid down is that the recognition of such bodies should be necessary in the interests of India. That is all that we always look into. I would assure the House that Government are extremely anxious to see to it that the welfare of the poor masses, the Scheduled Castes or the backward classes or the tribals is advanced to the fullest extent. And, whenever it becomes necessary, whenever there is no objection, we have to take their help, and we have to appreciate the help of these missionaries, either local or foreign. Therefore, I would request the hon. Member to note this particular background. As I have pointed out already, the number of these missionaries also has been falling.

Then, a contention was raised that there were mass conversions in certain parts, and Chotanagpur was brought forward as an instance. I have got figures here to show that there has not been such a large conversion, as the hon. Member would have us to believe. I have got the figures of 1951, and I have the recent figures also, and they show that there is an increase of only a few thousands, and not more.

Under these circumstances, let us not be guided or misguided by certain reports. I know that two committees were appointed, one by the Madhya Bharat State, and the other by the Madhya Pradesh State. The Government of India have not got any communication from these two Governments when they were separate or from the present successor Government as to whether any action was called for. Those two reports were



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there, and they gave certain instances. But I may assure the House that Government are anxious to maintain in spirit as also in letter what has been given to every man, so far as article 25 is concerned, subject to the following condition.

Whenever we receive any complaints which show that methods other than legitimate are used, then always we should see if anything wrong has been done in this respect, because after all, Government have to see that the laws are properly administered and the interests of India, especially the interests of these communities, are always advanced. Under the circumstances, in spite of all that often comes to our ears, let us try to see and believe only those complaints which are well-founded. As I have stated, if there are any complaints which *prima facie* call for examination, Government always take care to have a proper examination of it. Subject to this, we always take care to see that the foreigners who come to India have to remain here for advancing the cause of India. I would not like the House to believe all what my hon. friend and others have stated, that the Scheduled Castes and the Scheduled Tribes and, as he has stated, other backward classes, require any such protection at all. The protection of the law is here; the arm of the law is as long as strong as possible. Subject to this, we should appreciate what they have done. We should not bring in all the missionaries, lump them together and condemn them in unmeasured terms, as has been done. On the last occasion, when this question was brought forward, the whole position was explained.

Mr. Deputy-Speaker: The hon. Minister will take long?

Shri Datar: I am finishing my last sentence.

I therefore appeal to my hon. friend, Shri Prakash Vir Shastri to withdraw this particular Bill on the ground that there has been a discussion and I—

hope I have—have tried to answer some of the points that he has raised.

सुधी मणिबेन पटेल (भानन्द) : मैं मिनिस्टर साहब से जानना चाहती हूँ कि हमें भ्राजादी मिलने से पहले यहां कितने मिशनरों थे और भ्राज कितने हैं।

Shri Datar: This question has been answered a number of times.

श्री प्रकाश वीर शास्त्री : उपाध्यक्ष जी, इस सदन में इस बिल पर पहले भी एक बार चर्चा हो चुकी है। सौभाग्य था कि—

उपाध्यक्ष महोदय : बहुत संक्षेप में होना चाहिए।

श्री प्रकाश वीर शास्त्री : जी, संक्षेप में ही निवेदन करूंगा।

जितने शान्तिपूर्ण वातावरण में और जिस सद्भावना के साथ उस दिन इस बिल के सम्बन्ध में विचार किया गया था भ्राज वह वातावरण इस बिल को उपस्थित करते समय नहीं रह सका और एक विशेष प्रकार की भ्रष्टाचार घटना इस सदन में घटी। उसका विशेष रूप से उल्लेख मैं इसलिए भी करता हूँ कि उसका मेरे विधेयक से सम्बन्ध है। हमारे एक मित्र ने इस बिल की भावना को न समझते हुए एक धार्मिक ग्रन्थ के पन्ने फाड़ कर एक अपमान का वातावरण उपस्थित कर दिया है मैं चाहता हूँ कि भविष्य के लिए आप कोई ऐसा नियम बनाएं या कोई इस प्रकार की परम्परा निर्धारित करें कि इस सदन में इस प्रकार की घटना न घट सके।

Shri B. K. Galkwad: Government should ban such books.

श्री प्रकाश वीर शास्त्री : दूसरी बात जो मैं इस सम्बन्ध में निवेदन करना चाहता हूँ वह यह है कि हमारे उग्रह मंत्री महोदय ने कहा है कि यह बिल संविधान की धारा २५ भाग (१) का विरोध करता है। संविधान की उस धारा को मैं पढ़ कर सुनाता हूँ और माननीय मंत्री महोदय से निवेदन

कहेंगे कि वह इस सम्बन्ध में थोड़ा और गम्भीरता से सोचें। संविधान की धारा २५(१) इस प्रकार है :-

“सार्वजनिक व्यवस्था, सदाचार और स्वास्थ्य तथा इस भाग के दूसरे उपबन्धों के अधीन रहते हुए, सब व्यक्तियों को अन्तःकरण की स्वतंत्रता का तथा धर्म के अबाध रूप से मानने, आचरण करने और प्रचार करने का समान अधिकार होगा”

तो मैं कहना चाहता हूँ कि सार्वजनिक व्यवस्था और सदाचार की यह मांग है कि किसी भी व्यक्ति का धर्म परिवर्तन धार्मिक भावनाओं से भिन्न कारणों से न हो, और यही बात इस विधेयक के अन्दर है। जैसा कि हमारे उप गृह मंत्री महोदय ने कहा कि हमारे धर्म की यह विशेषता है कि सहिष्णुता की मात्रा उसमें आरम्भ से रही है। अगर इस विषय में कहीं भी किसी भी तरह से न्यूनता की भावना होती तो बहुत सम्भव है कि इस विधेयक की धाराएं और कड़ी होतीं। मैं ने यह सफ़ट ही शुरू में लिखा है कि धार्मिक भावनाओं या आध्यात्मिक कारणों से प्रेरित होकर यदि कोई व्यक्ति धर्म परिवर्तन करना चाहे तो उसके मार्ग में कोई रुकावट नहीं होनी चाहिए। रुकावट उसके लिए होनी चाहिए जब इससे भिन्न स्थिति में धर्म परिवर्तन कराया जाए। आज देश में कुछ अवांछनीय उपाय अपनाए जा रहे हैं, जबरदस्ती और लोभ से और लालच से जो लोगों का धर्म परिवर्तन कराया जा रहा है उस पर गवर्नमेंट को अवश्य कोई प्रतिबन्ध लगाना चाहिए।

माननीय मंत्री महोदय ने कहा है कि हमारे देश में ईसाई धर्म का प्रचार अब नहीं बहुत पहले से चला आ रहा है। लेकिन जिस तरह से अभी सुश्री मणिबेन ने संकेत किया उसी प्रकार से मैं भी एक संकेत देना चाहता हूँ, कि हमारे देश में ईसाई मत का प्रचार चला अवश्य आ रहा है, परन्तु देखना यह है कि स्वतंत्रता प्राप्ति से पहले यहां ईसाई

प्रचारकों की कितनी संख्या थी और आज कितनी है। स्वतंत्र होने के पश्चात् देश का एक बहुत बड़ा भाग दूसरे देश के रूप में परिणत हो गया, फिर भी ईसाई मिशनरियों की संख्या दुगुनी, तिगुनी और चौगुनी होती चली जा रही है, राशियां बढ़ती चली जा रही हैं और अरबों रूपया इस देश में धर्म प्रचारक नाम पर बाहर से आ रहा है। इससे स्पष्ट है कि इसके पीछे आराध्य संकेत भी छिपा हुआ है। उपाध्यक्ष जी, मैं अपने उप गृहमंत्री महोदय की जानकारी के लिए एक विशेष बात कहना चाहता हूँ। मेरे हाथ में यह एक पुस्तक है—त्रिदिचयन मास मूवमेंट इन इंडिया। यह सन १९३४ में अमरीका में मिस्टर विकेट द्वारा लिखी गयी थी। उसमें हिन्दुस्तान के हर वातावरण का हर प्रान्त का विश्लेषण करते हुए लिखा है कि कहां कहां हमने कैसे कैसे कार्य करना है। लेकिन अभी हाल की घटना में आपको बताना चाहता हूँ कि अमरीका में फरवरी, १९५३ में एक ब्राडकास्टिंग कम्पनी ने ब्राडकास्ट किया जिसका शीर्षक है—दि होरी हिन्दू रिलीजन मस्ट गो—अर्थात् बूढ़ा हिन्दू धर्म समाप्त होना चाहिए। मैं पृथ्वा चाहता हूँ कि जो इस प्रकार का ब्राडकास्टिंग हो रहा है उसके पीछे भावना क्या है। इसी सिलसिले में एक मिस्टर फ्रेंक बिली ग्राहम कुछ दिन पहले भारत में इन चीजों का जायजा देने के लिए आए थे। इसी प्रकार से पांटलेड की एक कम्पनी है जिन्होंने कहा है कि अगर दुनिया को कम्युनिस्ट होने से बचना है तो हमें एक अरब लोगों को ईसाई बनाना पड़ेगा। मैं आपके द्वारा अमरीका देश के शासकों तक अपना यह संदेश भेजना चाहता हूँ कि आप कृपा करके उनको कहिए कि जहां तक सेवाओं का सम्बन्ध है अस्पतालों के द्वारा, स्कूलों के द्वारा, वह हमारे देश में आकर, हम उनका स्वागत करेंगे और एक बाणी से नहीं हजार बाणी से स्वागत करेंगे। लेकिन, जैसा कि गांधी जी ने कहा था, यह इस तरह है कि जैसे मछली पकड़ने वाला कांटे के ऊपर आटा

[श्र प्रकाश वीर शास्त्री]

लगाकर तालाब में डालता है। उसके ऊपर छाटा है लेकिन अन्दर कांटा लगा हुआ है जो मछली को मारने के लिए है। इसलिए अगर उनकी सेवाएं हमारा धर्म छीनने के लिए हों तो यह आपत्तिजनक कार्यवाही है और इसी आधार पर स्वतंत्र होने के पश्चात् जो उनके प्रति रोष हमारे देश में फैल रहा है उसको हम उस देश के शासकों तक पहुंचाएं और उनसे कहें कि हमारे दिलों में उनके प्रति जो श्रद्धा की भावना है वह हिल रही है।

अब अपने वक्तव्य का उपसंहार करते हुए मैं दो तीन मुद्दा आपके सामने रखना चाहता हूं।

मेरा एक मुद्दा यह है। मैं ने अनुसूचित जातियों और आदिमवासी जातियों के कमिश्नर की रिपोर्ट को पढ़ा है। उसमें उन्होंने एक डेढ़ लाइन में एक स्थान पर बड़ी सावधानी के साथ लिखा है कि जंगलों में और पिछड़े क्षेत्रों में कुछ लोगों ने धर्म परिवर्तन किया है, ईसाई हुए हैं, लेकिन इससे उनके जीवन में कोई विशेष लाभ नहीं हुआ है। मैं चाहता हूं कि हमारे गृह मंत्री महोदय इन कमिश्नर महोदय को स्पष्ट आदेश दें कि आगे आदिम जातियों और अनुसूचित जातियों की जो रिपोर्ट लिखें उसके अन्दर ये तमाम चीजें अंकित की जानी चाहिए कि कितने लोगों ने इस वर्ष में धर्म परिवर्तन किया। जब वह इन क्षेत्रों में जा कर कार्य कर रहे हैं तो इस प्रकार की रिपोर्ट भी भारत सरकार के पास आनी चाहिए। और इस नीति की जानकारी होनी चाहिए कि इन लोगों का बलात् धर्म परिवर्तन किया गया है या उन्होंने धार्मिक भावनाओं से प्रेरित होकर धर्म परिवर्तन किया है।

मैं तो यही चाहता था कि आप इस बिल को स्वीकार करें क्योंकि जिस दिन यह बिल पहली बार प्रस्तुत हुआ उसके पश्चात् मेरे पास केरल से और आन्ध्र प्रांत से बहुत से पत्र

आए हैं जो इस समय मेरे पास हैं और जिनको समयाभाव से मैं इस समय उपस्थित नहीं कर सकता। अगर आप इस बिल को टालेंगे और जो भावना इसके अन्दर निहित है उसका स्वागत नहीं करेंगे तो मेरा यह निश्चित विश्वास है कि आगे चल कर इस से भयानक स्थिति आने वाली है और उस भयानक स्थिति का सारा दायित्व सरकार पर होगा, देश की जनता के ऊपर नहीं होगा। अगर उस भयानक स्थिति से देश को बचना है, कि जिस प्रकार छोटे छोटे कारण बढ़ते गये और देश का विभाजन एक दूसरे देश के रूप में हुआ, यदि उस विभाजन को बचना है तो उसके लिए यह अत्यन्त आवश्यक है कि आपको इस बिल की धाराओं का स्वागत करना चाहिए और इस बिल को स्वीकार करना चाहिए। अगर आपको इस बिल को स्वीकार करने में इस लिए संकोच और आपत्ति है कि यह एक गैर सरकारी सदस्य की ओर से आया है तो मैं चाहता हूं कि आप अपनी ओर से एन्वयरी कराएं, और उस एन्वयरी कराने के बाद उचित संतोष के साथ सरकार की ओर से इस बिल को आना चाहिए लेकिन मेरा यह निश्चित विश्वास है कि इस प्रकार का बिल और यह सिद्धान्त इस सदन में अवश्य स्वीकृत होना चाहिये, जिस से देश की जनता को संतोष हो सके।

इन शब्दों के साथ मैं बलवती भाषा में प्रस्तुत करता हूं कि इस बिल को पारित किया जाये।

**Mr. Deputy-Speaker:** There is one amendment by Shri Siddiah that the Bill be circulated for the purpose of eliciting opinion thereon.

**Shri Siddiah (Mysore—Reserved-Sch. Castes):** I am not pressing it.

**Mr. Deputy-Speaker:** Has the hon. Member leave of the House to withdraw his amendment?

(The amendment was, by leave, withdrawn.)

(The amendment was, by leave, withdrawn.)

**Mr. Deputy-Speaker:** Now, the question is:

"That the Bill to provide for more effective protection of the Scheduled Castes, Scheduled Tribes and other backward communities from change of religion forced on them on grounds other than religious conviction be taken into consideration."

*The motion was negatived.*

15.52 hrs.

# CHARITABLE AND RELIGIOUS TRUSTS (AMENDMENT) BILL

(Amendment of sections 3 and 4 and insertion of new sections 7A and 7B by Shri Ram Krishan Gupta)

**Mr. Deputy-Speaker:** Shri Jamal Khawaja wanted to move a motion; he may do so.

**Shri Jamal Khawaja (Aligarh):** Sir, as has already been informally agreed, I beg to move:

"That the time allotted by the House on the 3rd April, 1959 (vide 40th Report of the Committee on Private Members' Bills and Resolutions) for the discussion of the Charitable and Religious Trusts (Amendment) Bill by Shri Ram Krishan Gupta, be reduced by one hour."

**Mr. Deputy-Speaker:** The question is:

"That the time allotted by the House on the 3rd April, 1959 (vide 40th Report of the Committee on Private Members' Bills and Resolutions) for the discussion of the Charitable and Religious Trusts (Amendment) Bill by Shri Ram Krishan Gupta be reduced by one hour."

*The motion was adopted.*

**Shri Ram Krishan Gupta (Mahendragarh):** Sir, I beg to move:

"That the Bill further to amend the Charitable and Religious Trusts Act, 1920 be taken into consideration."

**उपाध्यक्ष महोदय :** क्या माननीय सदस्य के लिये बीस मिनट काफी होंगे ?

**श्री राम कृष्ण गुप्त :** आधा घंटा ।

**उपाध्यक्ष महोदय :** अगर आधा घंटा माननीय सदस्य लेंगे और आधा घंटा मिनिस्टर साहब ले लेंगे, तो बहुत कम वक्त बचेगा ।

**The Deputy Minister of Law (Shri Hajarnavis):** I will not take more than 5 minutes.

**श्री राम कृष्ण गुप्त :** जो बिल मैं ने पेश किया है, उस का मकसद यह है कि चैरिटेबल और रिलिजस ट्रस्ट्स का हिमाब-किताब बिल्कुल अच्छी तरह से हो, ताकि उन की रकम खर्च-बुर्द न हो सके और जिस मकसद के लिये कोई ट्रस्ट बना है, वह पूरा हो । मौजूदा कानून इतना कमजोर और लूट है कि उस के जरिये ट्रस्ट्स के हिमाब-किताब पर पूरा कंट्रोल नहीं होता है । इस के अलावा अगर उस में कोई खराबी पैदा होती है, तो उसका अदालत में कानूनी तरीके से आमानी में नहीं उठाया जा सकता है । इस मकसद को मटे नजर रखते हुए मैं ने यह बिल पेश किया है । इस बिल के स्टेटमेंट आफ आबजेक्ट्स एंड रीजन्स में साफ़ तौर पर कहा गया है —

"Under the present Act the Trustee is not bound to keep regular accounts duly audited by a Chartered Accountant. Therefore, it is apprehended that the Trust money may not be utilised for the purpose for which the Trust was created."

[श्री राम कृष्ण गुप्त]

इस सिलसिले में बहुत से उदाहरण पेश किये जा सकते हैं, लेकिन मैं इतना ही कहना चाहता हूँ कि यह बहुत ग्रहम सवाल है। आज हम देखते हैं कि हिन्दुस्तान में दो किस्म के ट्रस्ट हैं। एक ट्रस्ट ऐसे हैं, जो रिलिजस हैं और दूसरे ऐसे हैं, जोकि हिन्दुस्तान के बड़े बड़े कैपिटलिस्ट्स और बिजिनेसमैन ने बनाये हुए हैं। मैं चाहता हूँ कि आज हम यह मालूम करने की कोशिश करें कि दर-ग्रन्ट इन का असली मकसद क्या है। जैसाकि मैंने पहले कहा है, उन का हिसाब-किताब बाकायदा चैक नहीं होता है, जिस का नतीजा यह होता है कि बहुत सी रकम खुद-बुद हो सकती है। अगर आप गहराई तक जाने की कोशिश करेंगे, तो आप पायेंगे कि जब ये ट्रस्ट बनाये जाते हैं, तो किसी फर्म या बिजिनेस या फ़ैक्ट्री को इन के सुपुर्द कर दिया जाता है। यह इन्तज़ाम इनकम-टैक्स की चोरी में भी काफी हद तक मदद देता है। इसलिये मैं चाहता हूँ कि मौजूदा कानून को बदल कर उस में ऐसी तब्दीलियाँ की जायें, जिस से उन पर हमारा पूरा कंट्रोल हो।

जैसाकि आप जानते हैं, इन ट्रस्ट्स पर मौजूदा कम्पनीज एक्ट और इनकम-टैक्स एक्ट की बहुत सी धारायें लागू नहीं होती हैं और उन को इन धाराओं से एग्जैम्प्ट किया जाता है, जिस से इनकम टैक्स की चोरी करने में उन को काफी मदद मिलती है। इस के लिये मैं एक छोटा सा उदाहरण पेश करना चाहता हूँ। मेरे हल्के में एक टैक्सटाइल मिल है, जिस का नाम है टी० आई० टी, जोकि भिवानी में है। वह मिल बिड़ला एजुकेशन ट्रस्ट के तहत है और उस की तमाम ग्रामदनी बिड़ला एजुकेशन ट्रस्ट के सुपुर्द की जाती है, ताकि वह अच्छे कामों के लिये खर्च की जा सके। पिछले दिनों उस कारखाने में मजदूरों और मालिकों में झगड़ा हुआ। मजदूर यह कहते थे कि कारखाने में ग्रामदनी काफ़ी

हुई है, लेकिन चूँकि वह कारखाना ट्रस्ट के सुपुर्द कर दिया गया है, इसलिये उस के एकाउन्ट्स बग़ैरह को अच्छी तरह से चैक नहीं किया गया है और उस के नफ़े की . . .

**Shri Hajarnavis:** On a point of order, Sir. The matter is one between an income-tax payer and the State and, as such, it is liable to be taken to courts. Is it proper that reference should be made here?

**Mr. Deputy-Speaker:** He is referring to the dispute between the labour and the employer.

**श्री रामकृष्ण गुप्त :** मेरे कहने का मकसद यह था कि मैं आप को बतलाऊँ कि ट्रस्ट के जो एकाउन्ट्स होते हैं, उन का किम तरीके से खुद-बुद और मैनीपुलेट किया जाता है, क्योंकि उस के एकाउन्ट्स को बाकायदा आडिट नहीं किया जाता है।

**उपाध्यक्ष महोदय :** अगर माननीय सदस्य किसी का नाम ले कर कहेंगे कि उन्होंने खुदबबुद किया है, तो तकलीफ़ तो इस में होगी न। वह तो यहाँ है नहीं कि वह जवाब दे सकें।

**श्री रामकृष्ण गुप्त :** यह ठीक है। मैं उन कागजात का हवाला देना चाहता था, जो लेबर ट्राइब्यूनल के सामने उन एकाउन्ट्स को गनत साबित करने के लिये पेश किये गये।

**उपाध्यक्ष महोदय :** क्या माननीय सदस्य ने नकूल हासिल की हुई है ?

**श्री रामकृष्ण गुप्त :** मेरे पास उन की नकूल मौजूद है।

**उपाध्यक्ष महोदय :** जो ग्रामदनी में दाखिल हो चुके हैं, मैं उन पर एतराज नहीं कर सकता। राय का कायम करना मुश्किल होगा, अगर वहाँ ट्राइब्यूनल के पास कोई चीज पेंडिंग है। या ट्राइब्यूनल ने कोई फ़ैसला दे दिया है ?

श्री रामकृष्ण गुप्त : ट्राइब्यूनल ने फ़ैसला दे दिया है।

उपाध्यक्ष महोदय : दे दिया है। तो फिर आगे चलिए।

श्री राम कृष्ण गुप्त : मेरा कहने का मतलब यह था कि उस में यह जाहिर करने की कोशिश की गई कि किस तरीके से ट्रस्ट का रुपया खर्च-बुर्द किया गया और बैलेंस-शीट्स गलत बनाई गई और वे अदालत में भी पेश की गईं। जिस साथी ने वे बैलेंस-शीट्स पेश की थी, उस को गिरफ्तार किया गया और उस पर चोरी का मुकद्दमा लगाया गया। इस के बावजूद जो ट्राइब्यूनल मुकदमे हलवा था, उसने उन डाक्यूमेंट्स के बारे में अपनी जजमेंट में जिक्र भी किया। मैं एक छोटा सा खत पढ़ कर सुनाना चाहता हूँ, जोकि उस अदालत में पेश किया गया। उस में यह कहा गया—

"As desired, I have replaced the old balancesheet with the new one sent by you and am returning herewith the old copy."

This letter was written from Birla House, New Delhi.

मैं किसी इंडिविजुअल को पार्टिकुलरली क्लिटिमाइज नहीं करना चाहता। मैं तो सिर्फ़ हाउस के सामने यह बात लाना चाहता था कि ट्रस्ट्स के रुपये और हिसाब-किताब पर हमारा पूरा कंट्रोल होना चाहिये।

16 hrs.

दूसरी बात यह है कि मौजूदा कानून के तहत हम सिर्फ़ पिछले तीन साल का हिसाब-किताब चैक कर सकते हैं। अगर कोई दो साल का हिसाब-किताब के लिये कानून के तहत अदालत को एप्लाइ करें, तो उन को यह हक़ हासिल नहीं है कि वह यह मालूम कर सकें कि उस ट्रस्ट में तीन साल से पहले कितना रुपया था, कैसे क्या हुआ, वगैरह।

इसलिये मैंने इस बिल को पेश किया है कि मौजूदा कानून इस ढंग से एमेंड किया जाय ताकि दरखास्त कुनिदा जब से ट्रस्ट बनाया गया है, तब से तमाम असें के लिए उस हिसाब किताब को चैक कर सकें।

जैसाकि स्टेटमेंट में कहा गया है, तोमरी एमेंडमेंट इसलिये की जा रही है कि

"At present the applicant can apply for any direction in respect of accounts only for the last three years. The proviso to section 3 is now sought to be deleted so that the petitioner may be able to examine and see the accounts from the day on which the Trust was created."

इस के बाद एक एमेंडमेंट यह भी है कि :—

"If a trustee fails to comply with any provision or commits any breach of trust, no suit can be filed without the previous sanction in writing of the Advocate-General. Under such circumstances, it is very difficult, if not impossible, for the persons who are benefited or interested in the trust to file such a suit against the trustees. The Bill seeks to make the procedure similar so that they may file a suit without any previous sanction of the Advocate-General."

16.02 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

यह बात मैंने इसलिये कही है कि आज हम देखते हैं कि जो एकतरफ़ ट्रस्ट बनाये जा रहे हैं उन के अन्दर जो खासियां होती हैं उन के लिये मुकद्दमा चलाने के लिये जो मौजूदा कानून है वह बड़ा कमज़ोरी है, बड़ा कास्टली है इसलिये हर आदमी यह काम नहीं कर सकता है कि अदालत के जरिये से कानून के खिलाफ़ उन के अन्दर

[श्री राम कृष्ण गुप्त]

जो डिफैक्ट्स हैं, उस को दूर करने की कोशिश करे। यह ठीक है कि एडवोकेट जनरल को काफी पावर दी गई है और वह इस मामले में काफी देखल दे सकता है लेकिन यह सही बात है और इस को आप भी जानते हैं कि जितने भी मौजूदा कानून के तहत मुकदमात अदालतों में आये हैं उन में से बहुत ही कम ऐसे मुकदमात हैं जिन के बारे में एडवोकेट जनरल ने खुद अपने इनिशियेटिव पर कॉन्-वाइ की हो। यह ठीक है कि कोर्ट्स को काफी पावर है और एडवोकेट जनरल को भी अख्तियार मिले हुए हैं लेकिन उन का रोल नेगेटिव रहा है और उन्होंने एब्यूजिज को चेक करने की कोई कोशिश नहीं की है। बल्कि मैं तो यह भी कहने के लिये तैयार हूँ कि जब दो शख्स इजाजत के लिये कोशिश करते हैं तो पहले उन को काफी दिक्कत आती है। यह बात मैं अपने जाती तजुबों की बिना पर बता सकता हूँ। मेरे हल्के में दो एक मशहूर इंडस्ट्रियल टाउन चर्ची, दादरी हैं। वहाँ भी एक कारखाना डालमिया दादरी सिमेंट फॅक्ट्री के नाम से बना हुआ है। उस कारखाने के मालिक मेठ राम कृष्ण डालमिया ने भी एक ट्रस्ट कायम किया और सन् १९४८ में वह कायम किया गया। छः सात साल तक तो लोगों को यह पता नहीं लगा कि कब ट्रस्ट क्रियेट हुआ, कैसे ट्रस्ट किया गया। सन् १९५२ या १९५३ में कोशिश की गई कि एडवोकेट जनरल से इजाजत ले कर इस मामले को अदालत में लाया जाय और आप को यह जान कर हैरानी होगी कि मुसलसल कोशिश होने के बावजूद भी सन् १९५८ में जा कर कहीं इजाजत मिली। इसलिये मैं यह बात ख़ास तौर पर कहना चाहता हूँ और आप से मालूम करना चाहता हूँ कि जो ग्राम पब्लिक है उस के अन्दर कहां इतनी हिम्मत है, कहां इतनी जुरंत है कि इस मामले में वह अपने पास से रुपया खर्च करे और इस काम को चलाने के लिये अदालतों में लगातार कोशिश करती

रहे। इसलिये यह जरूरी है कि इस तरफ पूरा ध्यान दिया जाय और इस कानून में तबदीली की जाय ताकि इजाजत हासिल करने का जो प्रोसीजर है वह सिम्पल हो सके और हम ज्यादा आसानी से डिफैक्ट्स को अदालतों के जरिये से दूर करवा सकें।

मैंने अभी कहा कि यह चीज इन प्राइंट आफ व्यू से भी बहुत जरूरी है क्योंकि हिन्दुस्तान के अन्दर जो ट्रस्ट हैं और उन की जो वैल्यू है वह बहुत ज्यादा है। यह ठीक है कि गवर्नमेंट आफ इंडिया की तरफ से कोई एस्टीमेट बाकायदा तौर पर लगाने की कोशिश नहीं की गई है और न कोई सर्वे ही किया गया है। लेकिन टाइम्स आफ इंडिया में ३ अक्टूबर १९६० को एक रिपोर्ट थाया हुई थी और उस में यह कहा गया था :—

“The total assets of the trust and endowments are estimated between Rs. 350—500 crores of rupees with an annual income of roughly Rs. 40 crores.”

इस को देखते हुए यह मसला और भी जरूरी हो जाता है। मुझे पूरा विश्वास है कि अगर इन पर कंट्रोल किया जाय, इस रुपये से ज्यादा से ज्यादा फायदा उठाने की कोशिश की जाय तो देश का बहुत ज्यादा फायदा हो सकता है और उस रकम को हम अच्छे काम में खर्च कर सकते हैं। मेरे कहने का यह मकसद नहीं है कि ट्रस्ट के ग्राबजेंट के खिलाफ जा कर उस रकम का इस्तेमाल किया जाय। जितने ट्रस्ट होते हैं अक्सर हर एक का ग्राबजेंट अच्छा होता है और वे लोगों की भलाई के लिये, उस इलाके की जनता की भलाई के लिये बनाये जाते हैं। हाँ इतना डिफैक्ट जरूर है कि बहुत से ट्रस्ट किमी खास कम्युनिटी के लिये या रिलिजन के

लिए क्रियेत किये जाते हैं। यह चीज मैं नहीं चाहता हूँ। मैं चाहता हूँ कि जो भी ट्रस्ट बनाये जायें वे उस एरिया के अन्दर जो भी लोग हैं चाहे वे किसी भी कम्युनिटी से ताल्लुक रखते हों, उन के फायदे के लिये बनाये जायें ताकि वे उन से लाभ उठा सकें। इस दृष्टि से भी देखा जाय तो हमें पता चलेगा कि इस मामले की तरफ पूरा ध्यान देने की आवश्यकता है।

मैं आप को यह भी बतलाना चाहता हूँ कि जो मैंने ये एमेंडमेंट्स पेश किये हैं ये नये नहीं हैं। बम्बई और मद्रास के अन्दर जो ला है उन के तहत भी अदालतों को यह प्रत्त्यारा है कि वे ट्रस्ट्स के हिसाब किताब में दखल दे सकती हैं, उस को आडिट करवा सकती हैं और इस तरह के और बहुत से प्रत्त्यारात उन को हासिल हैं। इसलिये मैं चाहता हूँ कि हम भी इस तरफ पूरा ध्यान दें। यह ठीक है कि तमाम हिन्दुस्तान के अन्दर कोई यूनिफार्म ला नहीं है। इस के लिये मैं ने ये चन्द तजवीजें पेश की हैं। मद्रास और बम्बई के अन्दर जो कानून हैं वे काफी कम्पेरिहेंसिव हैं।

The Bombay Public Trust Act of 1950 is a comprehensive one and it consolidates eight Acts which were then in force in Bombay. The Act contains several new features. It applies to all communities and all public trusts irrespective of the size of their income. Under the Act, the Charity Organisation exercises considerable powers of supervision and control over the public trust. The Act requires that every public trust should be registered and that their annual accounts should be audited.

इसलिए मैंने ये चन्द एमेंडमेंट्स पेश की हैं। मुझे यह जान कर बड़ी खुशी हुई है कि सरकार ने एक कमीशन मुकर्रर किया है जोकि इन तमाम ट्रस्ट्स की तहकीकात करेगा और यह मालूम करने की कोशिश करेगा कि मौजूदा सिस्टम के अन्दर क्या डिफैन्ड्स हैं और उन को किस तरह से दूर किया जाये।

मेरे कहने का मतलब यह है कि अगर मेरे इम बिल को मंजूर कर लिया जाये तो काफी दिक्कतें दूर हो सकती हैं और जो मौजूदा कानून है वह और ज्यादा सिम्पल हो सकता है, हिसाब किताब पर पूरा कंट्रोल हो सकता है और जो मिसयूज वगैरह की शिकायतें हैं उन को अदालतों में लाने के लिये इंटिरेस्टिड और बनिफिशरी को और ज्यादा प्रत्त्यारात मिल सकते हैं। इस मकसद को मद्देनजर रखते हुए मैंने यह बिल पेश किया है और मुझे पूरा विश्वास है कि माननीय मंत्री महोदय इस को जरूर मंजूर कर लेंगे।

Shri Achar (Mangalore): Mr. Chairman, Sir, to me the Bill seems to be rather superfluous. If we consider the main Act, this is a summary relief allowed for the purpose of starting a scheme suit or any other suit under the Civil Procedure Code in some parts of the country. So far as some States are concerned they have got specific legislations also for this purpose. In Madras State there is an elaborate Religious Endowments and Trusts Act which covers all these things. Therefore, so far as those areas are concerned it will be absolutely unnecessary. I do not know whether the Mover has considered this aspect of the question, that this summary procedure is provided only for the purpose of getting the accounts and after that for the purpose of starting a scheme suit or some other suit.

Take the case of religious trusts or temples. If there is any mismanagement, the Civil Procedure Code provides two alternatives. Either the applicant must get the sanction from the Advocate-General or he must have proceedings taken as provided. Sometimes authority is given to the Collector to go summarily into the question and find out whether there is a *prima facie* case of criminal breach of trust or anything of that sort which ought to be enquired into. And, finally, the court has to come to the conclusion whether the trustee has to be removed or some such action taken.



[Shri Achar]

Therefore, the scope of the main Act itself is very limited. It is a case of summary proceedings. Usually it is started in District Courts, or in the original side of the presidency courts. Therefore, if the original Act is meant only for the purpose of having the preliminaries, I am really unable to find why he wants to remove a certain proviso in that Act which restricts the relief claimable, that is, asking for accounts. The remedy is only for the purpose of starting litigation. If that is so, now he can ask for accounts for three years only. Why should any person be allowed to go into ancient history and ask for accounts relating to several years? I would like to submit, Sir, it will be unnecessary.

Not only that. As I said, it is a summary proceeding. The District Court does not go into the matter and find out whether there is any criminal breach of trust or something of that kind. *Prima facie* they look into the matter and they allow the person who goes as petitioner to see the accounts for three years. I do not think there is any necessity to increase the period.

With regard to the earlier amendments suggested in clause 2 of the Bill, after the word "nature" he seeks to insert the words "or benefited by it directly or indirectly". This seems to be entirely unnecessary, as the case law stands. The words used in the main Act are:

"Save as hereinafter provided in this Act any person having an interest in any express or constructive trust....."

"Having an interest in any express or constructive trust" is a very wide term. It will certainly include a person who is actually benefited by it. We have got considerable case laws on this question. Take the case of a Hindu temple. Everyone who is a Hindu and who goes there once in a year is considered to be "having

the position, I am really unable to understand why the hon. Mover thinks that the words he has proposed "benefited directly or indirectly" should be added. As the law stands present, the expression used is wider than the one proposed. Certainly a person who is benefited will be considered as a person "having interest" there can be no doubt about that.

Then, in clause 3 he has said that the same words "or benefited by directly or indirectly" should be added after the word trust" in section 4 of the Act. The same comment which I have made with regard to the earlier portion apply to this amendment also.

In the next clause he wants to add a new section:

"(1) Every trustee of an express or constructive trust created or existing for public purpose of a charitable or religious nature shall fulfil the purpose and object of the trust within reasonable period and obey the directions mentioned in trust....."

Here again, my objection is this. I said, it is a summary proceeding. Under the Act as it stands, the court will not even take evidence or anything of that kind. When that is the position, where is the scope for enquiry as to whether a trustee has fulfilled the purpose or not? It will be entirely out of place. I would submit the effort now to bring in these sections in an Act of this nature will not at all be proper, and I submit that this Bill seems to be not of much practical value. I must say it is superfluous.

Apart from that, we know, so far these religious and other trusts are concerned, there is now an effort to consolidate the entire law on this question. Recently a committee has been appointed, we read in the paper under the distinguished chairmanship of Shri C. P. Ramaswami Ayyar.

**Shri Achar:** No doubt, these trusts, religious trusts and public trusts, mosques and temples constitute a complicated problem. There are several Acts in several States. All these things will have to be looked into, public opinion has to be gathered and a suitable Central Act, probably, will have to be introduced. But I submit that this attempt to modify the Act does not seem to be of any use.

**श्री रामेश्वर टांटिया (सीकर) :** सभा-पति महोदय, माननीय सदस्य ने जो बिल पेश किया है और उसके बारे में जो अपनी दलीलें दी हैं उनसे मैं सहमत नहीं हूँ। आज भारतवर्ष में हजारों चैरिटेबल ट्रस्ट हैं उनके द्वारा बड़े बड़े काम हो रहे हैं। उन्होंने अपनी दलीलों में दो ट्रस्ट्स का नाम लिया, एक भिवानी ट्रस्ट और दूसरा शायद दादरी का ट्रस्ट। दादरी ट्रस्ट के बारे में उन्होंने कहा कि ट्रस्ट का रुपया ठीक से लगता नहीं है। लेकिन उन्होंने भिवानी के बारे में बोले हुए कोई मजदूरों का झगड़ा हुआ उसके बारे में कहा। वह ट्राइब्यूनल में है या कोर्ट में है। उसका फैसला होगा लेकिन उनको बतलाना चाहिये था कि इस ट्रस्ट के रुपये का दुरुपयोग होता है या नहीं। वह जरूरी बात थी। आज भारतवर्ष में लेडी ठैकर्स ट्रस्ट, हलवसिया ट्रस्ट, वाडिया ट्रस्ट, बिरला ट्रस्ट चल रहे हैं। कौन कह सकता है कि इन ट्रस्टों के द्वारा कोई काम नहीं हो रहा है? अगर गवर्नमेंट उस ट्रस्ट को ले ले तो उससे ज्यादा अच्छा काम होगा, यह मेरी समझ में नहीं आता। सदस्य महोदय यह कहते हैं कि कोर्ट कुछ नहीं करते। कोर्ट में केस होते हुए भी अभी कुछ तय नहीं हो पाया। ऐसी हालत में मैं सोच नहीं पाता कि क्या गवर्नमेंट ट्रस्टों को ले लेगी तो ज्यादा अच्छा काम हो सकेगा?

दूसरी बात यह है कि इन चैरिटेबल और रैलीजस ट्रस्ट्स का रुपया ठीक से लगे और उनके एकाउण्ट्स ठीक तरह से मनेज्ड हों, इस बारे में कोई दो मत नहीं हैं। **मैम्बर कमेटी**

की जो रिपोर्ट है उसमें इसके विषय में कई सुझाव और सिफारिशें दी गई हैं। इसके अतिरिक्त एक हाई पावर कमीशन सर सी० पी० रामास्वामी अय्यर की अध्यक्षता में बैठा हुआ है और वह भी शीघ्र ही अपनी सिफारिशें और रिपोर्ट इस सम्बन्ध में देगा। उचित तो यह था कि माननीय सदस्य इस बिल को लाने से पहले उस कमीशन की रिपोर्ट का इन्तजाम कर लेते और अगर उस रिपोर्ट को देखने के बाद वह इस तरह के बिल को लाना आवश्यक समझते तो वह इसको ला सकते थे अन्यथा न लाते। **मैम्बर कमेटी** ने इस सम्बन्ध में काफी सिफारिशें की हैं और शायद उन्होंने उनको पढ़ा भी होगा लेकिन मैं समझता हूँ कि अगर उनको उन्होंने अच्छी तरह से पढ़ा होता तो उनका जो यह ट्रस्ट्स के सम्बन्ध में भ्रम है वह बहुत कुछ दूर हो जाता।

इसमें तो दो मत हो ही नहीं सकते कि ट्रस्टों का रुपया ठीक से लगे और उनके एकाउण्ट्स ठीक से रखे जायें। लेकिन इसके यह मानी तो नहीं है कि इसके लिये अनिवार्य रूप से राज्य उन ट्रस्टों का नियन्त्रण करे और राज्य उन ट्रस्टों को अपने हाथ में ले ले। राज्य के हाथ में और बहुत से दूसरे दूसरे काम हैं। पंचवर्षीय योजना चल रही है और अन्य बड़े बड़े काम हैं। अब अगर तमाम काम स्टेट ही करे तो यह चीज हमारे उस कथन से कि सब चीजों का डिसेंट्रलाइजेशन होना चाहिये, कहां तक मेल खाती है इसलिये इस तरह का सुझाव कि सब काम स्टेट ही करे, मुझे तो कुछ ठीक नहीं जंचता। मान लीजिये कि कहीं भूकम्प आया हो और तुरन्त वहां पर सहायता पहुंचानी हो, सहायता कार्य वहां पर तत्काल शुरू करना हो तो अगर राज्य के हाथ में वह काम हो तो वहां से खबर पहुंचते पहुंचते और सहायता का हुक्म निकलते निकलते और जगह पर मदद पहुंचते पहुंचते महीना डेढ़ महीना लग जायेगा और भूकम्प से जो क्षति पहुंचती है वह पहुंच ही जायेगी और समय को जो सहायता आवश्यक थी, वारे *con-*  
*somewhat on*

[श्री रामेश्वर टाटिया]

उनको नहीं मिल पायेगी। समय बीत जाने पर उस सहायता का विशेष उपयोग नहीं हो पायगा। मेरे कहने का मतलब यह है कि इस तरह के पब्लिक ट्रस्ट्स खाली हमारे देश में ही काम नहीं कर रहे हैं बल्कि विदेशों में भी वे काम करते हैं और काफी उपयोगी काम करते हैं। अमरीका में दो ट्रस्ट्स हैं रोकफ़र और फोर्ड फाउन्डेशन। इसी तरह ब्रिटन में भी ट्रस्ट्स हैं और अन्य देशों में भी इस तरह के ट्रस्ट्स कार्य करते हैं। उनके द्वारा बहुत अच्छा और उपयोगी काम होता है। समाज की सेवा उनके द्वारा होती है। हमारे देश में भी इस तरह के ट्रस्ट्स हैं जो कि समाजोपयोगी कार्य कर रहे हैं और विविध क्षेत्रों में जनता की सेवा कर रहे हैं। अब यह हो सकता है जैसे कि माननीय सदस्य ने बतलाया कि कहीं एक आध जगह ट्रस्ट्स द्वारा चलायी जाने वाली चीजों में कुछ गलती हुई हो। उन्होंने बिड़ला के भिवानी ट्रस्ट के बारे में शिकायत की कि वहां पर मजदूरों के साथ कुछ सख्ती हुई या मजदूरों को जो उनका उचित शेयर होना चाहिये वह वहां पर नहीं दिया जाता है। लेकिन मैं यह बतलाना चाहता हूं कि मैं पिलानी जा चुका हूं और मैंने स्वयं देखा है कि बिड़ला ट्रस्ट द्वारा वहां पर करोड़ों रुपये खर्च किये गये हैं। बड़े बड़े कालिजेज बिड़ला ट्रस्ट ने खोले हैं, इंजीनियरिंग कालिजेज हैं जहां कि ३५०० लड़के बाहर से आकर वहां पर ट्रेनिंग प्राप्त कर रहे हैं। मेरी समझ में नहीं आता कि एक खाली भिवानी मिल के मजदूरों का सवाल लेकर, मजदूरों का अगड़ा हुआ तो महज उसको लेकर माननीय सदस्य इस नतीजे पर पहुंच गये कि राज्य को तमाम ट्रस्ट्स का नियन्त्रण अपने हाथ में ले लेना चाहिये। इसी तरह यदि डालमिया ट्रस्ट द्वारा संचालित दादरी फैक्टरीज में कोई थोड़ी बहुत गड़बड़ हो गई तो सारे जितने भी ट्रस्ट्स हैं उनको राज्य अपने नियन्त्रण में ले ले, ऐसा सुझाव देना मुझे तो way is समझ में नहीं आता है। अलबत्ता interest" उसे जरूर सहमत हूं कि ट्रस्टों का allowed

काम ठीक तरह से चले और अगर जरूरी हो तो सरकार उनका एकाउण्ट्स देख सके। इसका प्रबंध किया जाये कि प्रति वर्ष चार्टर्ड एकाउण्टेंट्स उनके सारे हिसाब किताब की जांच पड़ताल करें कि जो रुपया लगा है वह ठीक तरह से खर्च होता है कि नहीं। अगर माननीय सदस्य यह बिल लाने से पहले इस बात का इन्तज़ार कर लेते कि त्यागी कमेटी की रिपोर्ट पर क्या अमल होता है और इसके अलावा सर सी० पी० रामास्वामी अय्यर की अध्यक्षता में जो कमेटी बंठी हुई है उसकी रिपोर्ट का इन्तज़ार करते तो बेहतर था और यदि उन्होंने ऐसा किया होता तो मैं समझता हूं कि शायद उन्हें इस तरह के बिल को पेश करने की जरूरत ही न मालूम पड़ती।

श्री रामकृष्ण नूतन : इस बिल में यह नहीं कहा गया है कि ट्रस्ट्स को राज्य अपने हाथ में ले ले। और न ही इस बिल का ऐसा मकसद है।

Shri S. M. Banerjee (Kanpur): When the hon. Minister replies, I would like him to tell us whether this Committee which has been set up will also go into the various Trusts, not only Hindu religious Trusts but various other Trusts also, including those where money is spent by Churches also. Because, my information is that a lot of money has been spent by Churches for political purposes, in Kerala and other places. In Kerala, it came out very clearly. So, I would like to know from the hon. Minister whether this Committee will go into these also or will be confined only to Hindu Trusts.

Shri Hajarnavis: The Mover of this Bill has placed the House under an obligation by drawing its attention to a very important subject. And my task in replying to him has been rendered extremely easy by the two hon. Members of the House who have preceded me.

That the public Trusts should be amenable to some control and supervision by the State is a proposition which does not require any demonstration. As the hon. the Mover himself has pointed out, there are provisions working in various States which are more exhaustive than his own Bill and working with remarkable efficiency. He has already alluded to the Bombay Act where the Charity Commissioner has done excellent work, and is doing excellent work. The Charity Commissioner there has examined all the Trusts. The accounts are submitted to him every year, and he sees to it that no portion of the Trust money is diverted to a purpose which is not covered by the Trust. Similarly, Madras also has a proud record of administration of Trusts. In Madhya Pradesh, from my personal knowledge, I know that there is a similar Act, and there also the public Trusts are brought under scrutiny.

Therefore, that being a necessary function to be assumed by the State, we ourselves have been giving some thought to this problem. As we have told the House in reply to questions—the hon. Member was one of them who asked this question—we shortly propose to bring a Bill which will cover the religious Trusts. And it will contain such provisions as he has advocated in this Bill and—I am only anticipating—I hope in that Bill we shall be able to include provisions for registration of Trusts, for keeping of accounts, examination of the accounts, and the House will be able to deliberate and consider that Bill when it is introduced. I hope it shall be possible for Government to introduce that Bill after a very short interval.

Then the other hon. Members have already alluded to a very high-powered committee consisting of eminent jurists and public men whom we have appointed to examine the question, and we hope that after their report comes we shall be able to act.—(Inter-*ruption*). I am referring to the Commission which has been appointed under the distinguished leadership of

Dr. C. P. Ramaswami Ayyar—in accordance with the recommendations that those eminent members in that Commission may make.

But I am afraid that the mover has mixed up two things. One is the administration of Trusts; the other is the creation of a Trust. Whether a Trust has or has not been created is a question of fact. No one is compelled to create a Trust. But if he creates a Trust and that Trust is merely, with a view to evading the supervision and control, say, of the Companies Act or with a view to enabling the person to escape the just taxes due from him, then the matter becomes one between the State and the creator of the Trust. Is the Trust a genuine Trust—that becomes an important question—or is it merely a device for evading the tax. My hon. friend who is an eminent lawyer will readily admit that this Act does not come into play at all there. But unhampered by any provision of law, the tax authorities or those who administer the Company Law will address themselves to the question "Is this Trust a genuine Trust or no?", and there is no question of any inhibition at all. And it must be his experience, as it has been my experience, that the Income-tax officers are extremely zealous, they are lynx-eyed watchmen of Revenue. As far as my experience goes, no Trust which does not satisfy the most rigorous test of being a genuine transfer of property will pass muster at the hands of the Income-tax officer. I am quite sure that even the Trusts that he envisages have been closely examined by the Income-tax officers before any kind of relief has been admitted. It must be so.

Therefore, so far as the evasion of taxes is concerned, so far as removing the safeguards or loosening the safeguards of the Act is concerned, I submit that this Bill is not necessary at all. This does not stand in the way of exercising the powers of supervision and control by the State.

So far as charitable trusts are concerned, they are placed somewhat on

[Shri Hajarnavis]

a different footing from the religious trusts. After all, as my hon. friend, Shri Rameshwar Tantia has said, let us not try to dry up the springs of charity. A man makes money; having made money probably he wants to perpetuate either his name or achieve some cherished object which he has in view and for which he has earned the money. He makes a trust. The present laws, as far as I see, are quite sufficient to deal with any misuse of the charitable trusts.

After all, why should the permission of the Advocate-General be necessary? It is quite apparent—and it must be apparent to my hon. friend the Mover of this Bill—that it is to prevent blackmail being practised against the trustees who are carrying out the onerous and difficult task of administering the trusts. It is an odious task to administer a trust; you displease many people. Therefore, two safeguards are placed. Speaking for myself, I think they are wholesome safeguards. One is that no person shall be allowed to make an application in respect of trusts complaining about the maladministration unless he has some interest. My hon. friend wants to say whether it is direct or indirect. As a lawyer, I have always found it difficult to understand what is meant by "directly or indirectly". If it is a direct interest, it is something which we can determine and which we can grasp. But if it is indirect, we will have the whole thing vague, and where proof should be required probably we will proceed on suspicion.

Therefore, I think that as the Privy Council has said in a famous case—here I must acknowledge that Shri Achar has also adverted to it and I am grateful to him for having placed it before the House—unless a person has some kind of interest—it may be a small interest—he ought not to be allowed to interfere with the administration of the trust.

Secondly, in order to stop any kind of frivolous complaint, an examination as to whether a *prima facie* case has or has not been made out by the Advocate-General is absolutely necessary. Therefore, speaking for myself, I think that those provisions should remain, but even the Civil Procedure Code in which this provision occurs is under examination by the Law Commission. The Law Commission will certainly consider the question whether it should be retained in its present form or not, and then after their recommendation, we shall consider whether any improvement in that provision is necessary.

I think I have given the Mover of the Bill almost an assurance that so far as the Bill refers to the religious trusts, we shall shortly be bringing in a Bill. The matter will be further examined by the Commission under the distinguished leadership of Dr. C. P. Ramaswami Aiyar. So far as the charitable trusts are concerned, we will watch and consider when the Law Commission makes its recommendations. Therefore, I would request my hon. friend to withdraw the Bill.

**Shri S. M. Banerjee:** I have not received a reply to my query. I wanted to know whether the Commission will go into the question of all the religious trusts, apart from the Hindu religious trusts.

**Shri Hajarnavis:** I do not have the notification before me at present. As far as my impression goes, it only applies to Hindu religious endowments.

**Shri S. M. Banerjee:** A question was put in this House about this. You are aware of it, Sir. After all, there are religious trusts belonging to other communities also, who are running them for political purposes. I want to know whether there will be some check on that. It is not as if the Hindu religious endowments alone need be enquired into.

**Shri Hajarnavis:** So far as this Commission is concerned, the only task

they have been requested to undertake is the examination of the Hindu Religious Endowment Board.

**Shri Raghunath Singh** (Varanasi): May I know whether the Buddhist, Jain, Sikh and Muslim trusts will also come under this?

**Shri Hajarnavis:** I cannot give my opinion on that offhand. But my impression is that the Muslim *wakfs* are out of this. As for the others, the definition of the word 'Hindu' is probably wide enough; I am not quite sure. I cannot give my opinion just now.

**श्री रामकृष्ण गुप्त :** सभापति जी, जो बिल मैंने पेश किया था वह बहुत सिम्पल था। बहुत सी बातें ऐसी कही गयीं जो कि इस बिल में बिल्कुल ताल्लुक नहीं रखती। अगर माननीय सदस्य इस बिल को अच्छी तरह से पढ़ते तो शायद उनको यह कहने की जरूरत न पड़ती।

कहा गया है कि इस बिल का यह मकसद है कि ट्रस्ट का इन्तिजाम ग्रेट अपने हाथ में ले ले। दरअसल इसका मकसद तो यह है कि जो ट्रस्ट बनाए जाते हैं उनका तमाम इन्तिजाम पब्लिक के हाथ में हो और जो कानून है उसको सिम्पल किया जाए ताकि अदालत का कम से कम दखल हो और उससे पब्लिक ज्यादा से ज्यादा फायदा उठा सके। अगर बिल को अच्छे तरीके से पढ़ा जाता तो शायद इस बात को कहने की जरूरत न पड़ती।

दूसरी चीज जो कि मैं कहना चाहता हूँ वह यह है कि इस बिल में कोई ऐसी चीज नहीं है जो कि बम्बई और मद्रास में जो मौजूदा ऐक्ट हैं उनसे कहीं बाहर हो। यू० के० अन्धर जो कानून है उसके क्लॉजेज के अन्धर भी प्रोविडिंग वगैरह के लिये प्रावीजन है। मैं तो सिर्फ यह चाहता था कि चैरिटेबिल एण्ड रिलीजस ट्रस्ट ऐक्ट, १९२०, को इस ढंग से अमेंड किया जाए कि जो दूसरे स्टेट्स में हिसाब किताब ठीक रखने का प्रावीजन है वह तमाम हिन्दुस्तान में एप्लाइ हो। इसलिये मैंने इस बिल को पेश किया था।

दूसरी बात जो मैं इस बारे में कहना चाहता हूँ—जैसा कि मैंने पहले भी कहा—वह यह है कि इनकम टैक्स का जहाँ तक ताल्लुक है मैं यह मानता हूँ कि इन ट्रस्ट्स को इनकम टैक्स से इम्पेंशन इसलिये दिया जाता है कि वह रुपया तमाम पब्लिक के कामों में खर्च हो। जो कारखाने की मैंने मिसाल दी शायद मेरे दोस्तों ने उसको समझने की कोशिश नहीं की। मेरा उस मिसाल को देने में मकसद यह था कि अगर हिसाब किताब क्लियर हो और उस पर कंट्रोल हो तो मुनाफा और ज्यादा होगा और वह पब्लिक के काम में खर्च होगा। अगर किसी कारखाने में २० लाख का मुनाफा होता है और अगर ठीक हिसाब किताब रखने में उसमें चालीस लाख मुनाफा होने लगे तो उससे लोगों को ज्यादा फायदा पहुँचेगा या २० लाख से लोगों को ज्यादा फायदा पहुँचेगा। मजदूरों का उससे कोई ताल्लुक नहीं है। मजदूरों ने तो यह जाहिर करने की कोशिश की कि यह जो ट्रस्ट बनाया गया है इसके अन्धर जो मुनाफा दिखाया गया है उससे कहीं ज्यादा मुनाफा होता है। मैं जानना चाहता हूँ कि क्या इसका मतलब यह नहीं है कि उस तमाम रकम को, जो कम दिखलायी गयी है, मिसयूज किया गया है, वरना कम दिखलाने की क्या जरूरत थी। इसलिये मैंने यह बिल पेश किया है। लेकिन चूँकि माननीय मंत्री जी ने यह फरमाया कि कमीशन नियुक्त कर दिया गया है, तो यह बड़ी खुशी की बात है, और मुझे पूरा विश्वास है कि वह कमीशन इन तमाम बातों पर विचार करेगा और तमाम हिन्दुस्तान के लिये एक यूनीफार्म ला इसके बारे में बनाया जाएगा ताकि ट्रस्ट के रुपये का पूरा हिसाब किताब हो और उसको मिसयूज न किया जा सके। इसलिये मैं इस बिल को विद्वान् करना चाहता हूँ और मुझे पूरा विश्वास है कि इस बिल का जो मकसद है उसीके बारे में भी वह कमीशन पूरे तरीके से विचार करेगा, और जो नया कानून इस संसद् में पेश किया जाएगा

[श्री रामकृष्ण गुप्त]

उसमें इन तमाम बातों का पूरा खयाल रखा  
जाएगा ।

**Mr. Chairman:** Has the hon. Mem-  
ber the leave of the House to withdraw  
his Bill?

**Some Hon. Members:** Yes.

*The Bill was, by leave, withdrawn.*

16.40 hrs.

**MAHENDRA PARTAB SINGH  
ESTATES (REPEALING) BILL**  
by Shri P. R. Patel

**Mr. Chairman:** The House will now  
take up the consideration of Mahendra  
Partab Singh Estates (Repealing)  
Bill.

**Shri P. R. Patel (Mehsana):** I beg  
to move:

"That the Bill to provide for the  
repeal of the Mahendra Partab  
Singh Estates Act 1923 be taken  
into consideration."

Before I speak on the Bill I must  
thank my hon. friend, Shri Ram  
Krishan Gupta, because he has per-  
mitted the House to curtail the time  
allowed for the consideration of his  
Bill. At the same time, I must also  
thank the hon. House for being so good  
enough to grant the request made by  
me.

**An Hon. Member:** Specially Shri  
D. C. Sharma.

**Shri P. R. Patel:** When I speak on  
the Bill, before my eyes is Mahendra  
Partab, a young man of 29, who was  
fired with patriotism, who thought  
that whatever be the sacrifices, the  
country must be freed from the British  
rule. With this view, with this deter-  
mination, he left his young wife and  
two children to the care of God, left  
the country and outside the country he  
tried in his own way to free our  
country.

We know that at that time to say  
"Swaraj is my right" was an offence.  
We know that our Leader of the  
House was tried and sentenced for  
committing certain offences, which  
were offences against the British rule.  
Most of us, including myself, have also  
committed offences. And our offences,  
what were they? Our offences were to  
free our country from the foreign  
British rule.

Mahendra Partab left India, went  
outside, had been to Germany and  
Afganistan. The Britishers did not  
like anybody working against the  
British rule, working in a way that the  
British rule may end in India. So, the  
British Government was prompt in  
taking action against him. His estate  
was attached under the Bengal State  
Prisoners Regulation, 1818. We know  
this Regulation of 1818 very well. So  
many citizens of our country who  
dreamt of freeing our country, who did  
something to free our country, were  
put behind the bars. Many great men  
of our country have been put behind  
the bars under these Regulations. His  
properties were attached and his only  
offence was his patriotism for the  
motherland, his determination to free  
the country from British rule. His  
properties were attached in 1915 and  
then the British Government thought  
it proper at that time to forfeit his  
estates.

They brought a Bill before the Cen-  
tral Legislature in the year 1923 and  
passed an Act under which they for-  
feited the property and declared that  
it vested in His Majesty. The property  
included agricultural land as well as  
other movable and immovable prop-  
erty, like shops etc. If we see the  
Schedule, we find that there are as  
many as 79 or 80 shops forfeited to  
Government along with agricultural  
land and other property.

The question will arise as to who is  
the authority to repeal this Act. I sub-  
mit that this is a Central Act and  
unless this Act is repealed, I do not  
think any provincial government can  
return the property. Unless this Act

is repealed, I do not think the provincial government would be even competent to pass any order regarding other property except agricultural land. So, my submission is that as the property was forfeited and vested in His Majesty under this Act passed by the Central Legislature, this House is the only competent body which can repeal it. To keep this Act on our statute book is a black spot on our statute book. This Act is the blackest Act that the British legislature—I would say British legislatures and not Indian legislatures—have passed.

At the time of discussing this Bill, which became law, the Home Member—I think it was Sir Malcolm Hailey, who moved the Bill for the consideration of the House—said:

"The Bill of Attainder not only attacked the property of the offender but attacked it in perpetuity. Here we are attempting to meet the problem of applying more modern methods and ideas in regard to the State's claim on the property of a fugitive rebel, accused of what would once have been described of treason and felony."

It was the birthright of every Indian to commit the offence of felony against any foreigner. I think if he committed this, it was an offence under the British law but it would be an act of virtue after independence. If we do not repeal this law and if we keep this Act on our statute book, it would be a shame to us and we do not deserve to live in independent India.

Later on, Sir Malcolm Hailey says:

"That my description of him is accurate, I hope that no one here will harbour any doubt. In the other House my friend Mr. Crerar gave a complete history of the career of this misguided and mischievous man;".

I do not wish to repeat those details here.

After that, he has said many things. I do not want to take the valuable time of this House, but I would say that if to rebel against foreign rule was mis-

chievous, every Indian was entitled at that time to do mischief of that type. It was the privilege and birthright of every Indian to rise against British rule and try in all possible ways to drive out the Britishers. There was nothing wrong.

The methods may differ. Our Rashtrapita, Gandhiji, had certain methods. He taught us non-violence and *satyagraha*, and we fought our battles under his leadership. There were others who believed in violence, and they used bombs and all other things, but their intention was to free the country. We might differ on the ways adopted, but it was a patriotic act.

The great leader of our country, Subhas Babu, came with his army. What for?—to free the country. I think that was the bravest act on the part of an Indian, a great son of the country. So, there are different ways and methods to free the country, but the intention, the ideal, was one, and that was the freedom of the country, to drive away the Britishers from the country.

While discussing the Mahendra Partab Singh Estates Bill in 1923, I was pained to read, the then Indian Members praised the Government for bringing it.

**An Hon. Member:** Who were they?

**Shri P. R. Patel:** What is the good of reading the names? But that shows the mentality of the country at that time, that shows what a hazard it was to speak against the British rule or do anything against British rule, because, after all, educated persons sought safety by just praising the Government for introducing and bringing forward such a Bill.

Later on, the Foreign Secretary, Mr. Denys Bray said:

"Sir, after this chorus of approval, no further words on behalf of the Government are really required. But, like my friend Mr. Agarwala, I too have had some



[Shri P. R. Patel]

acquaintance with Mahendra Partab, though my acquaintance has been of a very different kind. Ever since the day he embarked on his career of high treason, it has been part of my duty to follow him very closely. ....As the Honourable the Home Member says, on a very long and a very laborious journey—which is not yet over. I propose simply to take one episode in his career, and to bring it into somewhat sharper relief by means of certain documents in the archives of the Foreign Office. Mahendra Partab was sent by the German Government as one of the members of its Mission under Von Hentig to Kabul. At the time it struck me as a somewhat incongruous membership; indeed I think it was not until I was able to peruse this booklet now in my hand that I realized what great store the German Government set by his presence on that Mission. It is a German diary kept up by one of the German members on that Mission, depicting the long journey from Berlin through south-east Europe, across Asia Minor, down the Euphrates to Baghdad right across the breadth of Persia into Afghanistan. And the many references in it to 'our Indian Prince'—for as such Mahendra Partab appears to have imposed on the German Government—and the great solicitude set up throughout the whole of the Mission whenever 'our Indian Prince' went down with a touch of fever on the way make it quite clear that the German Government attached the utmost importance to Mahendra Partab's presence on that Mission and expected great things from it."

Then, describing Raja Mahendra Partab's activities, he says that letters were written to Nepal. Regarding that, he says:

"Of these two, one reached us as soon as postal arrangements

between Katmandu and Simla could bring it. I am not able to display the House the original, for His Highness the Prime Minister of Nepal in sending us the letter and the two covering letters of Mahendra Partab requested that they might be returned to him as an interesting, if somewhat amusing souvenir of the Great War. But I have in my hands photographic copies. There are first, two letters from Mahendra Partab, both signed 'M. Partab, for the time being President of the Provisional Government of Hind'."

Then, there was laughter in the House.

The Provisional Government of Independent India was established by Raja Mohendra Pratap in 1915 in Afghanistan. He foresaw all these things at that time, that India was going to be free. He did all these things, not for himself. If he meant anything for himself, he would have been happy with his estate, and he would have been happy with his wife and children. Why should he have left all these things, and gone to Germany and Afghanistan? He went because at that time our patriots thought that to free our country foreign help must be sought, and at that time since the Germans were at war with Britain, it was thought that some help might come from them. So, in order to get some help from the foreign Powers, he, and like him, others also, had been to foreign countries, seeking help, and tried to free our country. ...

Raja Mahendra Partab had been outside, from December 1914 to 1946. He returned to India after we had the interim Government here. He could have returned earlier, and in fact, a resolution was moved in the House, perhaps in 1937 or so—I do not remember the year well—and some hon. Member desired that permission be given to him, but then, the British Government said that if he entered, then he should be prepared to bear the consequences, which means that he

would be put in jail and be tried for treason and all those things. But, throughout his life, whether he was in Russia, or in Germany or in Kabul or in Japan or in America, his endeavour was just to help the country to be free. But the British Government had penalised him for this.

Now, the question before us is whether we should do justice to him for the patriotic act done by him, which was considered as treason by the Britishers. I am glad that only the other day, I read in the newspapers that the Congress Party was very sympathetic and might also support the Bill. But, as I read in the newspaper, the question that was put was....

**Mr. Chairman:** May I know whether the hon. Member will take some more time?

**Shri P. R. Patel:** Yes.

**Mr. Chairman:** Then, he may continue on the next day.

17 hrs.

BUSINESS ADVISORY COMMITTEE  
 FORTY-NINTH REPORT

**Shri Jaipal Singh** (Ranchi West—Reserved—Sch. Tribes): I beg to present the Forty-ninth Report of the Business Advisory Committee.

17.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 7, 1960/Phalgun 17, 1881 (Saka).*

[Friday March 4, 1960/Phalgun 14, 1881 (Saka)]

## ORAL ANSWERS TO QUESTIONS

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611	Hungarian Delegation on Bio-gas . . .	4143-44
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613	Speeches and Articles of Netaji Subhas Bose . . .	4147-49
614	Film on the life of Tagore . . .	4149-51
616	Exhibition of Indian goods in Jedah . . .	4151-52
617	Jeep case . . .	4152-54
618	Wage Board for Sugar Industry . . .	4154-55
619	Land routes to Goa . . .	4155-57
620	Employees' State Insurance Scheme . . .	4157-60
622	Manufacture of fountain pens . . .	4161-62
623	Floods in Chilka Lake Area . . .	4162-63
624	Labour Bank . . .	4164-66
625	Naga Rebels . . .	4166-71
626	Export of Indian Textiles to Australia . . .	4171-72
628	Rajasthan salt . . .	4172-74
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## WRITTEN ANSWERS TO QUESTIONS

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615	Deferred Payments Scheme . . .	4178
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627	Hindu and Sikh Institutions in Pakistan . . .	4179
630	Fiat Cars . . .	4179
631	Displaced persons in Madhya Pradesh . . .	4179-80
632	Export of castor-oil . . .	4180
633	Black Marketing in Cars in New Delhi . . .	4180-81
634	Treasure of Dalai Lama . . .	4181-82
635	Central Institute for Machine Designing . . .	4182-83
636	Handloom Weavers' Co-operative Societies in Uttar Pradesh . . .	4183
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## WRITTEN ANSWERS TO QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
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639	Export of tea to European Countries . . .	4184-85
640	Export of iron ore . . .	4185
641	Retrenchment of staff in the Chief Settlement Commissioner's Office, New Delhi . . .	4185-86
642	Permanent Exhibition in New Delhi . . .	4186-87
643	Chartered Accountants . . .	4187-88

## U.S.Q. No.

U.S.Q. No.	Subject	COLUMNS
721	Industries at Rajpura (Punjab) . . .	4188
722	Indians in U.S.A. . . .	4189
723	Export of hosiery goods . . .	4189-90
724	Movable properties of displaced persons . . .	4190
725	Recording of speeches of eminent leaders . . .	4190
726	Displaced persons from Pakistan in Rajasthan . . .	4191
727	Automatic juice weighing machines . . .	4191-92
728	Report of Japanese experts on Cottage and Small Scale Industries . . .	4192
729	Rebate on Khadi . . .	4193
730	Purchase of stores from Small Industries Sector . . .	4193
731	Nicotine Sulphate . . .	4194-95
732	Pressure Sensitive Adhesive Tapes . . .	4195-96
733	Ammonium Humate . . .	4196-97
734	Import of Refractories Parts . . .	4197-98
735	Thermocouple Sheath . . .	4198-99
736	Survey of unauthorised power looms . . .	4199
737	Automatic looms in Textile Mills . . .	4199-4200
738	Export of Textiles to Indonesia . . .	4200-01
739	Loan to Y. W. C. A. Hostel, New Delhi . . .	4201
740	Displaced persons in Kingsway Camp, Delhi . . .	4201-02
741	Export of coffee . . .	4202

WRITTEN ANSWERS TO  
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
742	Press passes during President Eisenhower's visit . . . . .	4203
743	Import of watches . . . . .	4203-04
744	Indo-Pak Border disputes . . . . .	4204
745	Clinical Thermometers . . . . .	4205
746	Indians in Shanghai . . . . .	4205-06
747	Unemployment in Himachal Pradesh . . . . .	4206
748	Trade with Belgium . . . . .	4206-07
749	Ban on Indian Maps in Pakistan . . . . .	4207-08
750	Promotion of Industries in Himachal Pradesh . . . . .	4208
751	Sales Emporium in Tripura . . . . .	4209
752	Government Employees Sarvodaya Co-operative House Building Society, Delhi . . . . .	4209-10
753	Standardisation of Small Industries products . . . . .	4210-11
754	Handloom dhoties . . . . .	4211
755	Sumptuary Allowance for Indian Ambassador in Saudi Arabia . . . . .	4211-12
756	Paddy crop in Dandakaranya . . . . .	4212
757	Import of television receivers . . . . .	4213
758	Export of betel leaves to Pakistan . . . . .	4213-14
759	Government Quarters on Ring Road, Delhi . . . . .	4214-15
760	Broadcasts on Delhi Second Five Year Plan . . . . .	4215
761	Increase of broadcasting hours by A.I.R. . . . .	4215-16
762	Production of bidis . . . . .	4216
763	Arrest of Naga Rebel Leaders . . . . .	4216-17
764	Republic Day Symposium . . . . .	4217
765	Establishment of New Factories . . . . .	4218
766	Slum Clearance Projects in Punjab . . . . .	4218

PAPERS LAID ON THE  
TABLE . . . . . 4219-20

(1) A copy of each of the following Reports under sub-section (1) of Section 639 of the Companies Act, 1956 :—

(i) Annual Report of the Travancore Minerals

PAPERS LAID ON THE  
TABLE—contd.

Private Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon.

(ii) Annual Report of the Indian Rare Earths Limited for the year 1958-59 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon.

(2) 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) Supplementary Statement No. II Ninth Session, 1959

(ii) Supplementary Statement No. V Eighth Session, 1959

(iii) Supplementary Statement No. XII Seventh Session, 1959

(iv) Supplementary Statement No. XV Sixth Session, 1958

(v) Supplementary Statement No. XVIII Fifth Session, 1958

(vi) Supplementary Statement No. XXVI Fourth Session, 1958

(vii) Supplementary Statement No. XXVI Third Session, 1957

viii) Supplementary Statement No. XXXII Second Session, 1957

(3) A copy of Notification No. G. S. R. 196 dated the 20th February, 1960, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1954.

## COLUMNS

PAPERS LAID ON THE  
TABLE—contd..

- (4) A copy of the summary of main conclusions of the 18th Session of the Standing Labour Committee held at New Delhi in January, 1960.

MESSAGE FROM RAJYA  
SABHA . . . . . 4221

Secretary reported a message from Rajya Sabha that Rajya Sabha had passed the Indian Sale of Goods (Amendment) Bill, 1960.

BILL PASSED BY RAJYA  
SABHA—LAID ON THE  
TABLE . . . . . 4221

Secretary laid on the Table the Indian Sale of Goods (Amendment) Bill, 1960, as passed by Rajya Sabha.

## ARREST OF MEMBER . . . . . 4221

The Speaker informed Lok Sabha that he had received a wireless message dated the 3rd March, 1960 from the Sub-Inspector of Police, Khanapur, intimating that Shri Nath Pai was remanded to seven days' magisterial custody and sent to Central Prison, Hindalga.

CALLING ATTENTION  
TO MATTER OF URGENT  
PUBLIC IMPORTANCE . . . . . 4221—23

Shri Rami Reddy called the attention of the Minister of Railways to the train collision at Panruti station on Southern Railway on the 25th February, 1960.

The Deputy Minister of Railways (Shri Shah Nawaz Khan) made a statement in regard thereto.

## BILL INTRODUCED . . . . . 4224-25

The Appropriation (Railways) Bill, 1960.

DEMANDS FOR SUPPLEMENTARY  
GRANTS  
(RAILWAYS), 1959-60 . . . . . 4225—58

Discussion on the Demands for Supplementary Grants in respect of Railways for the year 1959-60 was commenced and the Supplementary Demands were voted in full.

## COLUMNS

PAPERS LAID ON THE  
TABLE—contd.BILL UNDER CONSIDERA-  
TION . . . . . 4258—93

Further discussion on the motion to consider the Delhi Land Holdings (Ceiling) Bill, 1959, as reported by the Joint Committee was resumed. The discussion was not concluded.

REPORT OF COMMITTEE  
ON PRIVATE MEMBERS  
BILLS AND RESOLU-  
TIONS ADOPTED . . . . . 4293

Fifty-seventh Report was adopted.

MOTION RE : EXTEN-  
SION OF TIME FOR  
ELICITING OPINIONS  
ON BILL . . . . . 4274—96

Sardar A. S. Saigal moved that the time appointed for eliciting opinions on the Sikh Gurdwaras Bill, 1958, be further extended up to the 30th July, 1960. The motion was adopted.

MOTION RE : INCREASE  
IN ALLOCATION OF  
TIME TO A PRIVATE  
MEMBER'S BILL . . . . . 4296—4300

Shri Prakash Vir Shastri moved that the time allotted for the discussion of the Backward Communities (Religious Protection) Bill be increased from 2½ hours to 3½ hours. The motion was adopted.

PRIVATE MEMBER'S  
BILL—NEGATIVED . . . . . 4300—33

Further discussion on the motion to consider the Backward Communities (Religious Protection) Bill by Shri Prakash Vir Shastri was concluded. The motion was negatived.

MOTION RE : REDUC-  
TION IN ALLOCATION  
OF TIME TO A PRIVATE  
MEMBER'S BILL . . . . . 4333

Shri Jamal Khwaja moved that the time allotted for discussion on the Charitable and Religious Trusts (Amendment) Bill by Shri Ram Krishan Gupta be reduced by one hour. The motion was adopted.

## COLUMNS

PRIVATE MEMBER'S BILL  
WITHDRAWN . . . 4334—55

Shri Ram Krishan Gupta moved that the Charitable and Religious Trusts (Amendment) Bill, 1959 (*Amendment of sections 3 and 4 and insertion of new sections 7A and 7B*) be taken into consideration. After some discussion the Bill was, by leave, withdrawn.

PRIVATE MEMBER'S BILL  
UNDER . . . CONSIDERA-  
TION . . . 4355—62

Shri P. R. Patel moved that the Mahendra Pratab Singh

PRIVATE MEMBER'S BILL  
UNDER . . . CONSIDERA-  
TION—ontd.

Estate (Repealing) Bill 1958 be taken into consideration. The discussion was not concluded.

REPORT OF BUSINESS  
ADVISORY COMMITTEE  
PRESENTED . . .

Forty-nth Report was  
presented.

4362

AGENDA FOR MONDAY,  
MAY 7, 1960/*PHAL-  
GUL* 17, 1881 (SAKA)—

Genl Discussion on the  
Budget (General), 1960-61.