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LOK SABHA DEBATES

**Tenth Session
(Second Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

New Delhi

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LOK SABHA

*Thursday, February 11, 1960/Magha
22, 1881 (Saka)*

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

U.P.S.C. Examination Centre in Madhya Pradesh

*65. **Shri Ram Krishan Gupta:** Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1008 on the 17th December, 1959 and state at what stage is the proposal to open a centre for the I.A.S. and other U.P.S.C. examinations in Madhya Pradesh?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The Union Public Service Commission propose to discuss the matter with the Chairman of the Madhya Pradesh Public Service Commission sometime in April or May this year.

Shri Ram Krishan Gupta: May I know whether any such request has been received from any other State?

Shri Datar: There are three States where there are no centres for the U.P.S.C. examinations. Kerala is one, Madhya Pradesh is another and Rajasthan is the third.

Shri Vidya Charan Shukla: This question of establishing a centre for the U.P.S.C. examinations has been pending for some time. What are the difficulties in arriving at an early decision in this matter?

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Shri Datar: It has been pending for some time. The difficulty is of choosing a particular place—Bhopal or Indore. And, at Bhopal there is want of necessary accommodation.

Shri Vidya Charan Shukla: May we know what are the places which are under the consideration of the U.P.S.C. and what are the specific difficulties that have been encountered? May we know whether there is any difference of opinion in the Madhya Pradesh Government or whether there is any difference of opinion between the U.P.S.C. and the Madhya Pradesh Government?

Shri Datar: I may point out that two places were probable, one Bhopal and the other Indore. But Indore is on a branch line and, perhaps, may not be convenient. As far as Bhopal is concerned, want of accommodation is seriously felt and the Government of Madhya Pradesh also feels that after a few months it would be possible for them to provide the necessary accommodation.

Shri Bahadur Singh: May I know whether any assessment has been made about the number of candidates that appear from the States where there are no centres?

Shri Datar: I have not got the figures before me; but, we are anxious to provide centres at all convenient places.

Shri Vidya Charan Shukla: May I know if the Government of Madhya Pradesh proposed the names of other sites such as Gwalior or Jabalpur and whether they were considered by the U.P.S.C.?

Shri Datar: I am not aware of any such recommendation.

विश्वविद्यालयों में शिक्षा का माध्यम

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६६- { श्री भक्त दर्शन :

{ श्री प्रकाश बीर शास्त्री :

क्या शिक्षा मंत्री २६ नवम्बर, १९५९ के अतारंकित प्रश्न संख्या ५४१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) विश्वविद्यालयों के शिक्षण में भारतीय भाषाओं को कहां तक माध्यम बनाया जा सकता है इस प्रश्न पर विचार करने के लिये विश्वविद्यालय अनुदान आयोग ने कुछ समय पहले जो कार्यकारी दल नियुक्त किया था, उसने अब तक अपने कार्य में क्या प्रगति की है; और

(ख) उस दल का कार्य कब तक समाप्त हो जाने की आशा है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) कार्यकारी दल का पहला अधिवेशन १५ फरवरी, १९६० को होगा।

(ख) अभी से बताना कठिन है।

श्री भक्त दर्शन : श्रीमन्, जबकि यह विषय इतना महत्वपूर्ण है तो क्या कारण है कि अभी तक कार्यकारी दल की एक बैठक भी नहीं हो पाई है ? और मैं जानना चाहता हूं कि इस कार्य में इतनी देरी क्यों की जा रही है ?

डा० का० ला० श्रीमाली : आप जानते ही हैं कि इस काम को यूनिवर्सिटी ग्रांट्स कमिशन कर रहा है और यूनिवर्सिटी ग्रांट्स कमिशन के सामने जो समस्या है उसको वह अच्छी तरह से जानता है और उसको सुलझाने का प्रयत्न भी कर रहा है। आप जानते ही हैं कि यह काम बहुत कठिन है, आसानी से नहीं हो सकता है। जो कुछ काम यूनिवर्सिटी ग्रांट्स कमिशन ने किया है और जो कदम उठाये हैं, मेरे क्याल से वे संतोषजनक हैं।

श्री भक्त दर्शन : श्रीमन् क्या यह सत्य है कि आज से कई वर्ष पहले डा० राधाकृष्णन जी की अध्यक्षता में एक यूनिवर्सिटी कमीशन बिठाया गया था, और उसने भी यह सिफारिश

की थी कि भारतीय भाषाओं के माध्यम से शिक्षा दी जाए और उसके बाद प्रोफिशियल लैंग्वेज कमीशन में भी इसका समर्थन किया था ? यदि यह सत्य है, तो ऐसे महत्वपूर्ण विषय में इतनी देरी किये जाने को क्या गवर्नमेंट उचित समझती है ?

डा० का० ला० श्रीमाली : यह सच है कि राधाकृष्णन कमिशन ने यह सिफारिश की थी कि हमारी यूनिवर्सिटी में शिक्षा का जो माध्यम है वह प्रादेशिक भाषायें या हिन्दी हो। लेकिन जैसा सदस्य महोदय जानते हैं कि यह सिफारिश यूनिवर्सिटी के लिये थी और जितनी भी हमारी यूनिवर्सिटी हैं वे स्वतंत्र हैं इस मामले में और उन को कोई आदेश हमारी तरफ से नहीं दिया जा सकता है। हां इस बारे में सेंट्रल एडवाइजरी बोर्ड की तरफ से सिफारिश जरूर की गई थी। जहां तक हमारा सम्बन्ध है हमने उस सिफारिश को मंजूर कर लिया था और इस सेंट्रल एडवाइजरी बोर्ड की रिकमेंडेशन को यूनिवर्सिटीस को भेज दिया गया था। अब यूनिवर्सिटी ग्रांट्स कमिशन ने इस काम को उठाया है और मैं समझता हूं कि इसमें आगे प्रगति ठीक तरह से होगी।

Shri D. C. Sharma: May I know who the members of this Working Group are and whether they are members of other working groups of the Ministry of Education also?

Dr. K. L. Shrimall: I think the names of the members were given in that statement. Anyhow I will read them. They are—

Hindi—Prof. Virendra Verma, Prof. of Hindi, Allahabad University.

Punjabi—Sardar Niranjan Singh, ex-Principal of Khalsa College, Amritsar and Delhi (Chemistry).

Bengali—Prof. Buddha Dev Bose, Prof. of Comparative Literature (Bengali), Jadavpur University.

Marathi—Prof. G. D. Parekh, Rector of Bombay University.

Kannada—Prof. C. K. Venkata-ramiah, ex-Government Translator, Mysore Government.

Telugu—Dr. Govindarajulu, Vice-Chancellor, Sri Venkateswara University.

Tamil—Prof. Narayanaswamy Pillai of Annamalai University.

Malayalam—Prof. K. M. George, Assistant Secretary, Sahitya Academy, New Delhi.

Gujarati—Shri Maganbhai P. Desai, Vice-Chancellor, Gujarat University.

Oriya—Shri Sadasiva Misra, Principal, Ravenshaw College, Cuttack.

Assamese—Dr. Virinchi Kumar Barua of Gauhati University.

Urdu—Prof. A. A. Suroor of Aligarh Muslim University.

Kashmiri—Prof. J. N. Bhan, Prof. of Economics, Jammu & Kashmir University.

श्री बजर्राज सिंह : क्या यह सत्य है कि यूनिवर्सिटी ग्रांट्स कमिशन उन यूनिवर्सिटीस के रास्ते में जो खुद हिन्दुस्तानी भाषाओं में पाठ्यक्रम रखना चाहती हैं रोक लगा रहा है और उन विश्वविद्यालयों को जोकि हिन्दुस्तानी भाषाओं में पाठ्यक्रम चलाना चाहते हैं, ग्रांट्स कम देता है या बिल्कुल नहीं देना चाहता है ?

डा० का० सा० श्रीमाली : इस प्रश्न को सुन कर मुझे बड़ा आश्चर्य हुआ है। यूनिवर्सिटी ग्रांट्स कमिशन स्वयं इस बात की कोशिश कर रहा है कि प्रादेशिक भाषायें माध्यम हो जाएं और उसके लिए वर्किंग ग्रुप बनाया गया है और सदस्य महोदय कहते हैं कि यूनिवर्सिटी ग्रांट्स कमिशन रोड़े भरका रहा है, यह तो उनका बड़ा आश्चर्यजनक प्रश्न है।

श्री रघुनाथ सिंह : क्या मैं जान सकता हूँ कि संसार के स्वाधीन राष्ट्रों में केवल हिन्दुस्तान ही ऐसा देश है क्या, जहाँ पर कि अब भी मीडियम ग्राफ इस्ट्रक्शन फारेन लैंग्वेज है ?

डा० का० सा० श्रीमाली : इसके बारे में इस वक्त मैं कुछ नहीं कह सकता हूँ लेकिन यह सही है कि हिन्दुस्तान में अभी माध्यम अंग्रेजी है और इस बात का प्रयत्न किया जा रहा है कि धीरे धीरे प्रादेशिक भाषायें माध्यम बन जाएं।

श्री बि० दास गुप्त : क्या मैं जान सकता हूँ कि इस वर्किंग ग्रुप की टर्म्स ग्राफ रेफरेंस क्या हैं और क्या यह वर्किंग ग्रुप यह भी तय करेगा कि किन किन यूनिवर्सिटीज में कौन कौन सी लैंग्वेज मीडियम ग्राफ इस्ट्रक्शन होंगी या मीडियम ग्राफ एग्जिमिनेशन होंगी ?

डा० का० सा० श्रीमाली : जहाँ तक माध्यम का सम्बन्ध है, यह तो यूनिवर्सिटीज को ही तय करना पड़ेगा, उन्हीं को इसके बारे में फैसला करना होगा क्योंकि जैसा आप जानते हैं कि यूनिवर्सिटीज बड़ी हद तक स्वतंत्र हैं, प्राटोनोमस हैं। इस वर्किंग ग्रुप का काम यह होगा कि किस तरह से साहित्य का निर्माण किया जा सकता है कि पुस्तकों का प्रनुवाद किया जाय और इनके बारे में यह वर्किंग ग्रुप बैठ कर विचार करेगा।

Shri Sadhan Gupta: May I know if the terms of reference of the Working Group enables them to make recommendations for introducing the regional languages in administration as well as for purposes of commerce and industry side by side with making them the media of instruction so that employment to future University graduates may not be restricted by their education through the media of instruction?

Dr. K. L. Shrimall: This Working Group has a very limited purpose. It has been set up to study the question of adopting the Indian languages as the media of instruction in the Universities. It will not go into the questions which have raised by my hon. friend there.

Swami Ramanand Tirtha: Is there any proposal to make the regional languages the media of instruction for humanities and in the light of the experience gained in that respect to apply them to science and other subjects?

Dr. K. L. Shrimali: That is so. Gradually, we do want to change over to the regional languages.

Shri Ajit Singh Sarhadi: Pending suggestion by the Working Group, have any instructions been issued to the Universities themselves to switch on to the regional languages in the matter of the medium of instruction?

Dr. K. L. Shrimali: I have already explained that no directives or instructions can be issued to the Universities in this matter. The Universities are autonomous bodies and the University Grants Commission can only persuade them and request them. No instructions or directives can be given by the University Grants Commission in this matter. (*Interruption*).

Mr. Speaker: This has become a regular debate on the official language. I have been following every question that has been put and every answer that has been given. The hon. Members must have by this time learnt from the answers given by the hon. Minister that the adoption of any particular medium is in the hands of the universities themselves which are autonomous and all that the working group, as the agent of the University Grants Commission, can do is after they resolve upon having their own language as the medium of instruction, to see how best to accelerate the pace and to get along. Nothing more can be done. What is the meaning of going into all this? So far as the official language is concerned it is in the hands of the local legislature and the State Government and they could have the regional language as the official language in substitution of English. All that can be done.

श्री भक्त बर्षन : श्रीमन् माननीय मंत्री जी ने स्वीकार किया है कि कई वर्षों पहले इस सिद्धान्त को स्वीकार किया गया था। मैं जानना चाहता हूँ कि क्या विश्वविद्यालयों ने कोई कारण बतलाये हैं कि क्या ग्रहचर्चें हैं, या क्या कठिनाइयाँ हैं जिन की वजह से वे इसे लागू नहीं कर पा रहे हैं।

अध्यक्ष महोदय : इस में यह क्या कर सकते हैं ?

डा० का० सा० श्रीमाली : जो कारण है वह हम सब लोग जानते हैं। कारण यह है कि अभी तक मौलिक पुस्तकें प्रादेशिक भाषाओं में नहीं हैं। न तो अनुवाद हैं और न मौलिक पुस्तकें लिखी गई हैं। जब तक मौलिक पुस्तकें तैयार न हों, मैं नहीं समझता कि युनिवर्सिटीयों के लिये यह सम्भव है कि वह प्रादेशिक भाषाओं में एक दम से बदल सकें।

Mr. Speaker: Shri Goray. He is a writer by himself.

Shri Goray: How many universities have adopted the regional language as the medium of instruction?

Dr. K. L. Shrimali: There are several which have adopted, but I do not have a statement here. If the hon. Member is interested, I will be glad to place a statement on the Table of the House.

Some Hon. Members rose—

Mr. Speaker: I am sorry, I shall have to proceed to the next question.

Coking Coal for Steel Plants

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

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

(a) how much coking coal is at present produced and supplied to the Steel Plants at Bhilai and Rourkela from the Coal Washery at Kargali;

(b) whether that quantity is sufficient;

(c) if not, how the deficit is met;

(d) whether it is also a fact that Jamshedpur and Burnpur Steel Plants are experiencing shortage of coking coal; and

(e) if so, whether orders have been placed for fresh coal-washeries?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) During January 1960, the production of washed coal at Kargali Washery

was 96,962 tons out of which despatches to Bhilai and Rourkela were 67,606 tons.

(b) Yes. In fact the present production of the washery exceeds the requirements of these Steel Plants.

(c) Does not arise.

(d) No. Their overall requirements of coking coal are being adequately met.

(e) As an ultimate objective to increase the availability of washed coal for all the Steel Plants, steps are under way to set up new coal washeries.

Shri R. C. Majhi: Which are the places where new coal washeries are proposed to be set up?

Shri Gajendra Prasad Sinha: New coal washeries are being planned at three or four places: Dugda, Pathardi and Bhojdi. One is practically completed at Durgapur.

Shri T. B. Vittal Rao: When is the Kargali washery going to attain its full rated capacity, because in January 1960 it has achieved only 40 per cent of its rated capacity?

Shri Gajendra Prasad Sinha: The rated capacity of the Kargali washery is 1.6 million tons out of which at present we are able to get 1:1 or 1:2 million tons of coal washed there. Its maximum capacity will depend upon the fuller production by the steel plants.

Shri Bimal Ghose: The reply was that the steel plants would have all the coking coal. Will this be depriving the railways of the coal needed for them or will it be in addition to them?

Shri Gajendra Prasad Sinha: I did not hear the question.

Mr. Speaker: Would it be to the prejudice of the railways?

Shri Gajendra Prasad Sinha: These coal washeries are meant for the steel plants.

Shri T. B. Vittal Rao: The reply was that in January 1960, the Kargali washery washed about 92,000 tons. It works out to about a million tons per year. May I know how many shifts this washery is working?

Shri Gajendra Prasad Sinha: I have already stated that the figure was 92,000 tons. I am not just now in a position to say how many shifts are being worked there.

Shri Aurobindo Ghosal: May I know whether the Kargali washery will be sufficient to meet the needs of the Durgapur Steel Plant?

Shri Gajendra Prasad Sinha: I suppose so.

Shri C. D. Pande: May I know if the Government is aware that the entire output of the washeries is not enough to meet the requirements of the present steel production which is supposed to be 4.5 million tons of finished steel? We are contemplating to double this output which means that the production would go up to about 10 million tons. May I know whether the Government proposes to make arrangements in time for other washeries for washing the coal required?

Shri Gajendra Prasad Sinha: Our present output of coal washeries is sufficient for the present production of steel. I have already stated that we are going to have practically four coal washeries: one at Durgapur, one at Dugda, one at Pathardi and one at Bhojdi. That will be sufficient to meet the demands of the production of 4.5 million tons of finished steel.

As far as the further increase is concerned, that will depend upon the target that will be fixed for the Third Plan and the production of steel that is proposed. Of course, I am pretty sure that coal washeries will be planned according to the targets that will be fixed for the Third Plan.

Shri Vidya Charan Shukla: Referring to part (c) of the reply given by the Parliamentary Secretary, May I

know if the National Coal Development Corporation have given a proposal for the establishment of coal washeries in Korba and if so, why no mention of it was made in the reply?

Shri Gajendra Prasad Sinha: I require notice.

Shri T. B. Vittal Rao: May I know the circumstances in which the Coal Board has issued orders for the Jamshedpur steel works to use the selected grades of coal which they refused to use in view of the higher ash content. It has been said that the metallurgical coal production is sufficient and adequate.

Shri Gajendra Prasad Sinha: At present we are not exclusively using washed coal for our steel production. We are using other types of selected coal also and therefore, probably the Coal Board has advised the use of selected grades of coal also along with washed coal.

Children's Museum, Delhi

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- *68. { **Shri R. C. Majhi:**
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Ram Krishan Gupta:
Shri Pramathanath Banerjee:
Shri D. C. Sharma:

Will the Minister of Education be pleased to state:

(a) whether the plan and estimate of the Children's Museum in New Delhi have been prepared;

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

(c) what steps have so far been taken to construct the museum?

The Minister of Education (Dr. K. L. Shrimall): (a) to (c). The plans and estimates for the buildings of the Children's Museum, New Delhi have been prepared, but not yet finalised.

Shri R. C. Majhi: May I know when it will be finalised?

Dr. K. L. Shrimall: They are being re-examined at present.

Pay Commission's Recommendations

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- { **Shri Vajpayee:**
Shri S. M. Banerjee:
 *69. { **Shri Harish Chandra Mathur:**
Shri Assar:
Shri Ram Garib:

Will the Minister of Finance be pleased to state:

(a) whether any decision has been taken in respect of the remaining recommendations of the Pay Commission;

(b) if so, the decisions taken; and

(c) the progress made in regard to their implementation?

The Deputy Minister of Finance (Shri B. E. Bhagat): (a) to (c). A statement containing the required information is laid on the Table of the House. [See Appendix I, annexure No. 22.]

Shri Vajpayee: In view of the appeal made by the Prime Minister to the Central Government employees, may I know if there is any proposal to invite employees' organisations for consultation before taking any final decision on the remaining recommendations, particularly those which adversely affect them?

Shri B. E. Bhagat: It is not considered necessary because the associations and the unions had ample time to present their views to the Commission and their representations are subsequently before us. Whatever decisions we have taken, have been taken after considering the points of view raised by them. So, it is not considered necessary to invite them for further consultation.

Shri S. M. Banerjee: I want to know whether the Pay Commission recommended working on alternate Saturdays but the Government modified it so that the employees had to work on three Saturdays and the last Saturday is declared as a holiday. May I know whether the Government is aware...

Mr. Speaker: What is this? The Government is always aware of everything....

Shri S. M. Banerjee: I wanted to know whether the Government is aware....

Mr. Speaker: Order, order. The hon. Member must hear me. He can put a question to elicit information. The hon. Member is trying to argue with the Government that they have modified the Pay Commission's recommendations and that it is not right....

Shri S. M. Banerjee: My question is whether the Government is aware....

Mr. Speaker: If a question requires elaboration for over five minutes I won't treat it as a question, I will treat it as an argument.

Shri S. M. Banerjee: I have taken only a few seconds. May I know if the Government is aware....

Mr. Speaker: If the Government is aware the hon. Member is also aware of it. Why should he ask the Government for that information? Hereafter I am not going to allow questions like this: "Is the Government aware....".

Shri S. M. Banerjee: May I know whether the Government's decision to modify the recommendation of the Pay Commission in respect of Saturday has caused serious unrest among the employees; if so, whether the Government are going to reconsider their decision and discuss it with the representatives of the employees?

Shri B. E. Bhagat: No, Sir.

Shri Thimmalah: May I know whether the decisions of the Government on the recommendations of the Pay Commission will also apply to certain departments which have been taken over by the Government of India very recently?

Shri B. E. Bhagat: All these have been specified when the decisions were taken. The recommendations of the Pay Commission are there. We have

already circulated to hon. Members the decisions taken by the Government. The terms etc. concerning those decisions are explained there. I cannot give a general answer to this question.

Some Hon. Members rose—

Mr. Speaker: Order, order. The Pay Commission's Report is coming up for discussion tomorrow. Hon. Members will have an opportunity to raise their points during that debate. If they do not have an opportunity they may brief other hon. Members.

Shri Thimmalah: Certain departments were taken over by the Government of India after the publication of the Report. I want to know whether the recommendations of the Pay Commission would apply to them.

Shri B. E. Bhagat: Let the hon. Member ask a specific question.

Mr. Speaker: He may ask the hon. Minister tomorrow. I was informed in the Business Advisory Committee that the time allotted for the discussion on the Report of the Pay Commission may not be sufficient. Therefore, I wanted that to be included even today, but it does not appear to have been included.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I said yesterday that it depended upon the hon. Finance Minister's convenience. He said that today in the afternoon he will not be available. I had, therefore, to cancel it. We may take it up tomorrow.

Mr. Speaker: It will be taken up tomorrow and concluded tomorrow. Every hon. Member who has studied this matter and is interested in it may send up his questions on those points which have not been answered and on which there has not been sufficient elucidation. They may be sent to the Secretary at the Table and I will pass them on to the hon. Minister for making a statement later on.

Shri T. B. Vittal Rao: Are we to understand that the time allotted for

discussion on the Report of the Pay Commission cannot be extended?

Mr. Speaker: No. We thought we could spare some time today, but the hon. Finance Minister does not find it convenient to be present. Therefore, the other alternative that I suggest is, whatever can be said on the floor of the House may be said tomorrow and the debate concluded.

Some Hon. Members: Tomorrow is Friday.

Mr. Speaker: I am fully aware that tomorrow is Friday. Whatever remains can be said on the General Discussion on the Budget and also on the Finance Bill. There are a number of opportunities for hon. Members to raise these points. They have got the discussion on the President's Address and various other matters.

Shri S. M. Banerjee: If the Finance Minister is not available, Sir, the Deputy Minister is present. We can start the discussion today and hon. Members who are ready can speak on it.

Mr. Speaker: Order, order. I am not going to extend the time now. Hon. Members persist in their own way of having it in this House—that is my conclusion. We referred the matter to the Business Advisory Committee. If there was some time available we wanted to have it today. Unfortunately, the Finance Minister does not find it convenient to be present today. Therefore, it will be taken up tomorrow. Whatever else remains can be sent by way of questions. If still anything more remains, hon. Members can go on referring to this matter on the President's Address, on the discussion on the Budget and also when the Finance Bill is taken up. Next Question.

Central Indian Medicinal Plants Organisation

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*71. { Shri D. C. Sharma:
Shri Pangarkar:

Will the Minister of Scientific Research and Cultural Affairs be pleased

to refer to the reply given to Starred Question No. 93 on the 18th November, 1959 and state the further progress since made in the setting up of the Central Indian Medicinal Plants Organisation?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): In addition to the steps being taken for the development and cultivation of medicinal plants in Madras and West Bengal, further steps are being taken to develop on a commercial scale cultivation of six important medicinal plants in Kerala State in consultation with the Central Indian Medicinal Plants Organisation.

An Assistant Director has been appointed and is expected to join shortly.

Shri D. C. Sharma: May I know whether Himachal Pradesh will be included in the scheme so that medicinal plants are cultivated there also?

Shri Humayun Kabir: Ultimately, it is proposed to extend the scheme to any part of India which is suitable, but for the moment the work is being done in the three States that I have mentioned.

Shri D. C. Sharma: May I know if the sub-mountainous districts of Gurdaspur and Hoshiarpur will also be utilised for the cultivation of medicinal plants?

Shri Humayun Kabir: I have already replied to the question when I said that it will be gradually extended to all parts, that are suitable.

Shri Pangarkar: How long will it take to finalise the scheme?

Lease Form for Coal

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*72. { Shri Vidya Charan Shukla:
Shri Ram Krishan Gupta:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question

No. 723 on the 9th December, 1959 and state:

(a) whether a decision has since been taken on the question of drafting a new standard lease form for coal;

(b) if so, the nature thereof; and

(c) if no decision has yet been taken, the reasons for the delay?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) No.

(b) Does not arise.

(c) The question of providing for a new standard lease form for coal is still under consideration along with the model lease form for other minerals proposed to be incorporated in the new Mineral Concession Rules to be issued under the Mines and Minerals (Regulation and Development) Act, 1957. The comments of some State Governments on the proposed Mineral Concession Rules are still awaited. Hence the delay.

Shri Vidya Charan Shukla: This proposal of framing a standard lease form for coal was made by the Mineral Advisory Committee in 1958. May I know how many State Governments have sent in their reactions and suggestions from how many State Governments are still awaited?

Shri Gajendra Prasad Sinha: A model lease form was in the Mineral Concession Rules. There was no difficulty if the State Governments wanted to alter it. The Mineral Concession Rules themselves are now going to be amended. I have already said that most of the State Governments have sent in their recommendations. We are awaiting recommendations from some of the States and that is why there has been some delay.

Shri Vidya Charan Shukla: I wanted to know from how many States suggestions have been received and from how many they are awaited?

Shri Gajendra Prasad Sinha: I have already stated that most of the States except one or two States have sent in their suggestions. Within a very short time, within a month or two we shall be able to complete it.

Shri Vidya Charan Shukla: What are the implications of the changes that have been proposed by the Mineral Advisory Committee?

Shri Gajendra Prasad Sinha: It is too early to commit ourselves in that respect.

(Re. Q. 60)

Mr. Speaker: Before I go to the next question I have an announcement to make in respect of the discussion on the Report of the Pay Commission. I had a talk with the hon. Minister of Parliamentary Affairs. In view of the desire on the part of the Members to focus their attention, particularly, on the recommendations of the Pay Commission, as soon as the legislative work put down for today is over we will start the discussion on the Report of the Pay Commission. Hon. Members, whoever is ready, may start speaking on it. If they are not ready we will take up the other work.

Shri Bimal Ghose: That means the discussion on the Dandakaranya Development Authority will not come up today. Will it be taken up next week?

Mr. Speaker: It won't come up today. We may take it up next week if there is time.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The No-day-yet-named Motion will not be taken up today.

Mr. Speaker: Therefore, hon. Members will try to prepare from now and try to be ready.

Shri Chintamani Panigrahi: Those who have not come prepared today can prepare for tomorrow.

Mr. Speaker: This will go on till 2-30 tomorrow. It will be started today to give more time for the discussion, but let it not fall through

for want of speakers, in which case I will take up the discussion on Dandakaranya Development Authority and only 2½ hours will be available for the discussion on the Report of the Pay Commission.

**Explosion in Ordnance Factory,
Khamaria**

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*73. { Dr. Ram Subhag Singh:
Shri Amjad Ali:
Shri P. G. Deb:
Shri Raghunath Singh:
Shri Asad:
Shri Hem Raj:

Will the Minister of Defence be pleased to state:

(a) whether an explosion took place in Ordnance Plant Blast at Khamaria on the 1st January, 1960 resulting in the death of one person; and

(b) if so, the full details of the explosion and the findings of the Enquiry Committee formed?

The Parliamentary Secretary to the Minister of Defence (Shri Fatehsinhrao Gaekwad): (a) I regret to say that such an incident occurred.

(b) On the 1st January 1960 at about 03.25 hours when break-down and boiling out of shells were in progress in building No. 200 at F 6 Section in the Ordnance Factory, Khamaria (Jubbulpore), one shell exploded. 9 persons were working in the building at the time of the explosion. As a result of the explosion, the roof of the building was completely blown up and one individual was killed and 4 others injured. A court of enquiry has been held whose findings are awaited.

Dr. Ram Subhag Singh: May I know under what circumstances that explosion occurred? Pending the submission of the report of the court of enquiry, may I also know whether the explosion was due to any negligence or it was merely accidental?

Shri Fatehsinhrao Gaekwad: No such information is available at the

moment; we are awaiting the report of the court of enquiry.

Shri Raghunath Singh: As the hon. Parliamentary Secretary has no information, may I know whether any departmental enquiry was held?

Shri Fatehsinhrao Gaekwad: This court of enquiry is a departmental enquiry.

Shri S. M. Banerjee: I want to know whether this accident took place in the danger building, whether all the safety measures likely to be taken in the danger building were provided and even after that this accident took place?

The Deputy Minister of Defence (Shri Raghuramaiah): These are all matters which will have to be gone into by the court of enquiry and reported upon.

Shri S. M. Banerjee: Since this report will take a long time and payment of full compensation will take a long time, may I know whether any ad hoc compensation has been given to Mrs. Kamble, the wife of the worker who died because the worker has no son?

Shri Fatehsinhrao Gaekwad: Yes, Sir. Rs. 3,000 has already been sanctioned as compensation.

Shri Hem Raj: May I know whether the loss due to the explosion has been assessed?

Shri Raghuramaiah: The only information we have is that one person died and four were injured. About other matters, it would be presumptuous to say anything without receiving the report of the Court of enquiry?

Dr. Ram Subhag Singh: We are told that we will get the information about this explosion only when the court of enquiry submits its report. But when an hon. Member asked about the extent of damage done to the plant, to say that that information will also be known when the court of enquiry submits its report is something which is quite astonishing.

Shri Raghuramalaiah: If my hon. friend has followed the answer that was read out, he could understand. The information we have, which was pointed out in the answer, is that the roof of the building was completely blown up; one individual was killed and four others were injured. For any further information as to the actual value of the things damaged and so on, we will have to await the report of the court of enquiry. This is all the information we have.

Dr. Ram Subhag Singh: It is a factory where arms and ammunition are manufactured and it can be easily known what sort of ammunition was damaged due to that explosion and the estimated value of that can also be easily made available.

Shri Raghuramalaiah: I can only give the information available. I have already placed before the House whatever information we have. Any further information which will be revealed by the proceedings of the court of enquiry will be undoubtedly placed before the House.

Dr. Ram Subhag Singh: It is this negligence which we do not want to tolerate. The explosion took place in January and it is now February and the department says that it does not know anything about that. If they are running the ordnance factories in this fashion, nobody will allow them to do so.

Shri Raghuramalaiah: It is entirely wrong to say that, and I do not accept that there is negligence, unless it is proved. Whether it is due to negligence or not is a matter which will have to await the report of the court of enquiry. It is not one man's or two men's opinion. A court of enquiry has to go into it and it has to find out what is the cause for the accident. *(Interruptions)*.

Mr. Speaker: Order, order. It requires greater clarification. The functions of the court of enquiry probably are to assess the responsibility for this occurrence and so on. So far as the

materials that have been lost are concerned, it is the department that has to find out what machinery has been lost, how much has been lost, etc. Is that also part of the function of the court of enquiry?

Shri Braj Raj Singh: It cannot be

Mr. Speaker: Order, order. It might be. Is the department to look only to the court of enquiry for finding it out? What exactly is the loss? Can they not independently ascertain the loss?

Shri Raghuramalaiah: I am willing to place before the House all the information we have. Now, according to our report, when shells were broken out for reconditioning in a section of the building in Khamaria factory, when this operation was going on, one shell exploded during the boiling of the exploder container as a result of which the roof of the building was completely blown up.

Mr. Speaker: What about the machinery?

Shri Raghuramalaiah: We have no information. I shall certainly get the information and place it before the House.

Shri Vidya Charan Shukla: What are the terms of reference of the Enquiry Committee or the court of enquiry? Do the terms of reference include the assessment of the loss that has occurred as a result of this explosion?

Shri Raghuramalaiah: Broadly speaking, the terms are that they should go into this accident and find out the reasons. *(Interruptions)*.

Mr. Speaker: Order, order. Do the "reasons" include the assessment of the damages? Hon. Members expect that immediately when an occurrence happens like this, the owner of the property must know the extent of damage. Therefore, the authorities must have an assessment as regards the apportionment or the reasons for that. Who is responsible for that? By this time, about two months have

elapsed. A court of enquiry will go into it, but how is it that the Government have not got that information except that the building collapsed and so on? Any hon. Member will certainly put a question to know the loss. Any person will be driven to ask, "Is the damage serious, and how much is the loss" etc. It is really strange that the department concerned has not assessed the loss, etc. The hon. Minister will kindly do so as early as possible.

Shri Raghunath Singh: Was there any equipment in the hall where the explosion occurred?

Mr. Speaker: The hon. Minister gave the House all the information that he has.

Shri Raghunath Singh: What was the immediate cause for the explosion? We want to know that.

Mr. Speaker: As early as possible, the hon. Minister will try to give sufficient information to the best of his enquiry, apart from the report to be made by the court of enquiry.

Sale of Pig Iron

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- *74. { **Shri Pangarkar:**
Shri Abdul Salam:
Shri Chintamoni Panigrahi:

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

(a) the quantities of pig iron sold to different foreign countries by the Hindustan Steel so far; and

(b) whether such exports of pig iron are intended to be a temporary feature pending the completion of the steel-making sections of the public sector steel plants?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) So far a quantity of 136,900 tons of pig iron produced by Hindustan Steel Limited have been arranged for export to different foreign countries.

(b) Yes, Sir.

Shri Pangarkar: May I know the present output of pig iron in India?

Mr. Speaker: All this can be gathered from the annual reports.

Shri Gajendra Prasad Sinha: The output of pig iron in 1959-60 from all the steel plants was 9,70,000 tons.

Shri Pangarkar: What is the present annual requirement of pig iron in the country? (Interruption).

Mr. Speaker: The hon. Member must stand erect and put the question slowly and distinctly.

Shri Pangarkar: May I know the present annual requirements of foundry grade pig iron in the country? (Interruption).

Shrimati Renu Chakravartty: How could they give the production for 1959-60 so soon?

Shri Gajendra Prasad Sinha: I gave the figures for the expected production.

Shri Vidya Charan Shukla: May I know at what price this pig iron has been exported to various countries? Has it been a uniform price the f.o.b. price and has the price varied with different countries or has it been the same? How does it compare with the imported price that we paid when we were deficit in pig iron?

Mr. Speaker: How does it arise out of this? I cannot allow it.

Shri Vidya Charan Shukla: We have exported pig iron now.

Mr. Speaker: The question about the price does not arise out of the main question. (Interruption). Order, order. I have noticed a tendency among hon. Members. When one hon. Member takes the trouble of putting a question, another hon. Member butts in and goes on, trying to get details. If he is interested, why not he table a separate question? He is going into details. No Minister is omniscient and particularly, I am afraid, a Parliamentary Secretary.

Shri Vidya Charan Shukla: At what price have they exported pig iron?

Mr. Speaker: I will allow that question afterwards.

Shri Chintamani Panigrahi: Out of the 1,36,900 tons how much actually has been exported and to which countries?

Shri Gajendra Prasad Sinha: Last year, we had exported nearly 50,000 tons of pig iron outside.

Shri Chintamani Panigrahi: To which country?

Mr. Speaker: The hon. Member can ascertain it leisurely. There may be a hundred countries in the world.

Shri Gajendra Prasad Sinha: I have got the details. If the hon. Member is interested, I have no objection in giving the information, but it will take time. In the month of July, it was 17,000 tons to Japan; in August, 1,100 tons to Japan; in September, 1,905 tons to Japan; in October, 17,800 tons to Japan; in November, 16,436 tons to Japan. The total is, about 53,000. I have said approximately 50,000.

Shri Vidya Charan Shukla: I want to know at what price it has been exported?

Shri Gajendra Prasad Sinha: I have got the details of the price also. If the Speaker allows, I will read them.

Mr. Speaker: He may read out one price.

Shri Gajendra Prasad Sinha: Hanuman Foundries Limited have given their quotation for 20,000 tons of pig iron as Rs. 181 per ton f.o.r.

Development Loan Fund

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- *75. { **Shri Ram Krishan Gupta:**
Shri Amjad Ali:
Shrimati Ila Palchoudhuri:
Shri Aurobindo Ghosal:
Shri B. Das Gupta:

Will the Minister of Finance be pleased to state the result of talks held with the Managing Director of

Development Loan Fund during the second week of January, 1960 in Delhi with a view to get bigger loan from the United States Development Loan Fund?

The Deputy Minister of Finance (Shri B. R. Bhagat): The programmes and projects considered suitable for financing by the Development Loan Fund from possible future loans were discussed with Mr. Vance Brand, Managing Director of the Development Loan Fund during his visit to New Delhi in January, 1960. The negotiations have not concluded and are being continued in Washington by the Commission-General for Economic Affairs.

Shri Ram Krishan Gupta: May I know the purposes for which the D.L.F. loans have been utilised?

Shri B. R. Bhagat: So far as the present loans are concerned, the negotiations are not complete. Unless they are finalised, we cannot say the purposes for which they will be utilised.

श्री विभूति विश्व : क्या सरकार बता सकती है कि ये लोन कौन से सूद के रेट पर लिए जा रहे हैं ? क्या सरकार को सूद की दर का पता है ?

श्री ब० रा० भगत : सूद का रेट भी तभी बताया जा सकता है जब सारी बात पूरी हो जाए।

Shri Tyagi: In view of the heavy inflationary pressure on the market prices of commodities and other things in India, may I know if the Government or the Planning Commission have fixed any ceiling beyond which they would not encumber the States with foreign loans and if so, what is the ceiling?

Shri B. R. Bhagat: The ceiling should not be fixed in relation to the market inflationary pressure, because on economic grounds, the two are not connected. If there is quick production as a result of industrialisation, inflationary pressure will go down. The ceiling is being fixed—whether

in the second Plan or the third Plan—from other considerations and not merely the considerations of inflationary pressure.

Shri Tyagi: Investment on foreign loans surely gives quite a lot of twist to inflationary pressure; there is no doubt about it. I wonder whether Government or the Planning Commission have fixed any ceiling beyond which the State shall not be encumbered with any foreign loans.

Mr. Speaker: The hon. Member wants Government to adopt that kind of policy. The hon. Minister does not agree with him.

Shri B. R. Bhagat: It has been announced repeatedly in this House that certainly our capacity to pay will be taken into consideration in getting more and more loans. So long as we have the capacity to pay, I think it is advisable to get loans.

Shri Tyagi: What is your estimate of the capacity?

Mr. Speaker: The hon. Member suggests that not only the capacity to repay, but also the inflationary tendency should be taken into account in getting loans from outside.

Shri Raghunath Singh: As the development of shipping is suffering on account of lack of foreign exchange, may I know whether shipping will find a place in this loan, so that we may have more foreign exchange for the development of shipping?

Shri B. R. Bhagat: That is a suggestion for action which will be borne in mind.

Shri Aurobindo Ghosal: May I know if the policy of the D.L.F. has changed since October, 1959, as stated last time by the Managing Director and now the primary emphasis is placed on financing of goods and services organised within the U.S.A., particularly financing of foreign exchange for development projects, the borrowers having got no choice?

Shri B. R. Bhagat: It is true that there has been a change in the policy. Originally the loans were available for purchases throughout the world. Now they will be more and more restricted to purchases within America.

Shri Aurobindo Ghosal: Is it a fact that the Managing Director has also emphasised that henceforward private sector will be given more loans?

Shri B. R. Bhagat: Private sector will get a share in it.

Shri Jadhav: What is our total demand from the DLF for all the projects?

Mr. Speaker: He may put a separate question. How can all the projects be narrated here?

Shri Jadhav: What is our total demand?

Shri B. R. Bhagat: The total amount of the loan the projects for which it will be available, etc. are being negotiated.

Mr. Speaker: He wants to know our total demand for which we expect loans.

Shri B. R. Bhagat: Our demands are much more. Those things are in the process of negotiations. We cannot say how much will be our demand. Demands are many.

Mr. Speaker: In a lump sum, what is our total demand, if they are prepared to give? We must have some proposals also.

Shri B. R. Bhagat: We are getting 100 million every year. Last year we got 100 million. We have got 195 million upto 1958-59. We expect an increased rate of loan this year. It will be definitely more than 100 million.

Shri B. Das Gupta: What is the total amount received up-to-date from the DLF?

Shri B. R. Bhagat: A separate question may be put.

Shrimati Renuka Ray: The hon. Deputy Minister said that the loan is given on the ground that the purchases must be made in the country from which the loan comes. Do Government contemplate taking more loans from the International Monetary Fund and other international organisations rather than from individual countries?

Shri B. R. Bhagat: We are trying to get loans on best terms from whatever agencies or countries they are available to our advantage.

Shrimati Renuka Ray: Because of the restrictions, are Government considering giving priority to loans from international organisations?

Shri B. R. Bhagat: It is not as if we can get all our requirements and we have to choose. Our requirements are large and whatever we can get on best terms we get from all the sources.

Shri N. R. Muniswamy: There are various other financing agencies in the country. May I know how far their policies differ from the policy pursued by the DLF?

Shri B. R. Bhagat: It is very difficult to answer that question, except that so far as loans from other countries like UK, USA, Japan and Germany are concerned, they were restricted to purchases within those countries. Only DLF loans were able for global purchases anywhere. Now it is coming to that uniform pattern. The second difference is that the payment of DLF loans is in rupees whereas payment of other loans is in the currencies of the other countries.

Coal Production in the Public Sector Collieries

*78. **Shri T. B. Vittal Rao:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 1220 on the 13th March, 1959 and state:

(a) whether collieries in public sector have raised eight million tons of coal in 1959;

(b) if not, the reasons for not achieving that level of production in 1959;

(c) whether the target of 15 million tons of coal annually fixed for public sector by the end of Second Plan period is likely to be reached; and

(d) if not, what is the likely shortfall?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Raisings in the public sector in December, 1959, amounted to 6.45 lakh tons. This represents a level of production of over 7.7 million tons annually, which is very nearly the target set for 1959.

(c) There is a fair chance of this level of production being attained in the last month or so of the Plan period.

(d) Does not arise at this stage.

Shri T. B. Vittal Rao: The total production in the public sector in 1959 has been 6.5 million tons. May I know if by the end of the second Plan period, i.e., by March, 1961, we would be able to achieve that target of 15 million tons annually, at this rate of production?

Shri Gajendra Prasad Sinha: I have already stated that the chances of attaining the target production are quite bright.

Shri T. B. Vittal Rao: May I know from which collieries in the public sector this additional tonnage will be raised?

Shri Gajendra Prasad Sinha: There are so many collieries. I have not got the detailed figures as to from which colliery this additional production is to be raised. But, according to the present indication, there is every likelihood that the target production will be achieved.

Shri Raghunath Singh: May I know whether it is a fact that the cost of production of coal in the private sector is lower than that in the public sector.

Shri Gajendra Prasad Sinha: As I have not got all the figures, I cannot answer that question.

Shri Sadhan Gupta: What is the reason for the shortfall of 1½ million tons in 1959, and what is the basis of the optimism that the target will be

achieved by the end of the Second Plan?

Shri Gajendra Prasad Sinha: In my reply I have already indicated that the production in December, 1959 amounted to 6.45 lakhs tons. According to this calculation the annual rate of production is estimated to be 7.7 million tons. Our estimated level of production for the year 1959 was 8 million tons. So, the shortfall is not 1.5 million tons, as the hon. Member has suggested. Actually, the shortfall has been very small.

Mr. Speaker: It appears to be more.

Shri Gajendra Prasad Sinha: The level of production estimated for 1959 was 8 million tons. From the actual production figures of December, 1959, the level of production reached during 1959 was 7.7 million tons. So, the shortfall was only 3 million tons.

Shri Bimal Ghose: That is bad arithmetic. We have to take the figures of December, 1959 for the production target of 1960, and not for the target of 1959.

Shri Vidya Charan Shukla: The hon. Parliamentary Secretary has stated that the production in 1959 has been 7.7 million tons, and the target fixed is 15 million tons by the end of 1961, that is, one year hence. He says that it is likely to be reached. We want to know from Government from where they propose to produce this additional quantity of 7 million tons within the Plan period.

Shri Gajendra Prasad Sinha: The production target for 1959 was 8 million tons, out of which 7.7 million tons have practically been reached. The total additional production in the Public Sector during the Plan period is estimated to be 12 million tons.

Shri Vidya Charan Shukla: 15 million tons.

Shri Gajendra Prasad Sinha: No, 12 million tons. Out of that, 10.5 million tons are expected to be raised by the National Coal Development Corporation.

Mr. Speaker: I would advise hon. Members to go to the collieries and study the problem before putting questions.

Shri T. B. Vittal Rao: We have visited the collieries.

Credit from Austria

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Shri Bibhuti Mishra:
Shri P. G. Deb:
Shri Prabhat Kar:
Dr. Ram Subhag Singh:
Shri Tridib Kumar
Chaudhuri:
Shri Raghunath Singh:
Shri D. C. Sharma:
Shri Ajit Singh Sarhadi:
Shri Amjad Ali:

*80.

Will the Minister of Finance be pleased to state:

(a) whether Government have accepted about 20 million dollars long term credit offered by Austria; and

(b) if so, the manner in which this credit will be utilised?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b). There have been some preliminary discussions with the Austrian Finance Minister during his recent visit to India regarding Austria extending credit facilities covering imports of capital goods and machinery from Austria into India. The conclusion reached was that the Austrian Government would consider the matter in the light of the discussions and in due course make their specific proposals in regard to a credit to India. Such proposals have not yet been received.

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि भारत सरकार ने कौन कौन से कैपिटल गुड्स लेने के लिये कहा है और कौन से कैपिटल गुड्स वह दे रहे हैं।

श्री ब० रा० भगत : धन्य तो बात चीज की शुरुआत हुई है, कौन कौन से प्रोजेक्ट्स होंगे, कौन कौन से.....

श्री बिभूति मिश्र : अध्यक्ष महोदय, अगर आप से कोई मांगे कि आप हमें पैसिल दीजिये तो आप कहेंगे कि पैसिल दे रहे हैं। मैं जानना चाहता हूँ कि सरकार ने कौन कौन सी चीजें मांगी हैं। कम से कम इतना तो बतलाइये।

श्री ब० रा० भगत : अभी तक तरीका यह है कि बातचीत शुरू होने पर एग्रिमेंट होता है। एग्रिमेंट में पूरी फेहरिस्त होती है प्राजेक्ट्स की और कैपिटल गुड्स की। वह टेबल पर रखी जाती है। जब बात चीत खत्म हो जायेगी तो सारी सूचना सदन के मੈम्बरों को मिल जायेगी।

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि हम ने बातचीत में क्या मांगा। हवा तो नहीं मांगी है। कोई चीज मांगी ही होगी। हम को इतना तो बतलाना चाहिये।

Mr. Speaker: Order, order. There seems to be an impression that these 20 million dollars which are taken as credit from Austria, are in respect of capital goods which are ordered from that country, in which case the Government and the hon. Minister must have an idea as to what commodities they exactly want from that country for these 20 million dollars which they are getting. Or, it may be a loan of 20 million dollars with which they can purchase any goods anywhere in the world. In that case, it is purely a loan. In the other case, it will not be a loan in that sense; it will be capital goods given on credit. If it is the latter, the hon. Minister must have an idea as to what exactly he wants from that country. He must have a list—may not be an absolutely accurate one—of the kind of articles which we want to order for this credit of 20 million dollars, and that must be given to the House. Now what I find is that there are questions and cross-examination and nothing comes by way of substantial information.

Shri B. R. Bhagat: Even this amount of 20 million dollars is from a press report. They have not given 20 million dollars as such.

Mr. Speaker: He should not answer it that way at all. Shall I allow cross-examination like this? Let it be 2 million or 20 million. There is an attempt to get a credit loan from Austria. What are the items which the Government wants to get from them by way of capital goods? Whatever credit they may apply, or the other side may be able to give, they must have a plan, a general plan "these are the machinery which we want to purchase for such and such projects". Otherwise, if they simply get a loan, are we to take whatever is not necessary to us also? It is rather strange. The Minister is not able to answer it.

Shri B. R. Bhagat: The discussions are at a very preliminary stage.

Mr. Speaker: Before any Minister applies for a loan, should he not make up his mind for what purpose he may utilize it?

Shri B. R. Bhagat: This discussion was held at the option of the Austrian Finance Minister. He came here and held discussions with us. What we said was that it should be a long term loan, at least for not less than ten years, probably for more than ten years, and it will be for capital goods.

An Hon. Member: For what?

Shri Tyagi: For the sake of loan!

Shri B. R. Bhagat: It will not be for consumer goods, or other goods. What will be the capital goods that will be purchased, that will be determined when we know the requirements and the sources from which we can get goods. It will be at that stage that detailed discussions will be held and the details will be incorporated in an agreement. That agreement will be laid on the Table of the House. That is the usual procedure. (Interruptions).

Mr. Speaker: Order, order. This is the way in which we have been proceeding. Hon. Members may not be satisfied with that. If so, during the various debates on the Finance Bill and the budget let them take up this matter and let them ascertain from

the hon. Minister what exactly the procedure is. They seem to think "let us negotiate for 20 million dollars; as we are in need of particular goods we can order them from particular places". They have been following that procedure so far. Members can take it up during the budget discussion. I am not going to allow any further discussion on this matter now.

Shri Tyagi: Are the Government in a position to assure this House that all loans obtained from foreign countries shall be exclusively utilized for the purpose of capital investment and not for consumer goods?

Mr. Speaker: Question Hour is not intended for eliciting any assurance and no hon. Minister need give an assurance of that kind.

Shrimati Renu Chakravarty: May I know whether this 20 million dollar loan from Austria will be available for payments against the big amounts which will be put against us for the LD converter at Rourkela or will it not be available for that?

Shri B. R. Bhagat: It was mentioned that all this is given for the LD process, but whether that would form part of that or whether that would come at all for the LD process is still too premature for me to say.

Expansion of Steel Plants

*81. **Shri Ram Krishan Gupta:** Will the Minister of Steel, Mines and Fuel be pleased to state at what stage is the proposal to set up a committee to co-ordinate the work of various organisations engaged in the detailed planning for expansion of the three steel plants in the public sector?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): A Committee consisting of the following has been set up to co-ordinate the work of various organisations engaged in the detailed planning of the expansions:

- (a) Resident Director, Rourkela steel works;

- (b) General Manager, Bhilai steel works;
- (c) General Manager, Durgapur steel works;
- (d) General Manager (Construction Division), Hindustan Steel Limited;
- (e) A representative of the Ministry of Steel, Mines and Fuel in the Department of Mines and Fuel;
- (f) The Iron and Steel Controller;
- (g) A representative of the Planning Commission; and
- (h) A representative of the Ministry of Steel, Mines and Fuel in the Department of Iron and Steel, who will also be the convenor of the Committee.

WRITTEN ANSWERS TO QUESTIONS

Training of Indian Technicians in U.S.S.R.

*70. **Shrimati Ila Palchoudhuri:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Soviet Economic Delegation which visited India in December, 1959 indicated that the Soviet Union may expand the programme of assistance for training Indian technicians in the Soviet Union;

(b) if so, the details thereof; and

(c) the progress made in connection therewith?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) to (c). The question of training of Indian technicians in the Soviet Union was one of the subjects discussed with the Soviet Economic Delegation which visited India in December, 1959. These discussions have been resumed recently and details of the projects to be financed under the 1500 million roubles credit including the programme of

assistance for training Indian technicians are expected to be finalised soon.

Engineering College, Cannanore

*76. { Shri A. K. Gopalan:
Shri Narayanankutty Menon:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Government of India have received any proposal to open an Engineering College at Cannanore;

(b) if so, the details thereof; and

(c) when the college is likely to be started?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). A proposal was received in March, 1959 from the Government of Kerala that the Regional Engineering College recommended by the All India Council for Technical Education for establishment at Mangalore may instead be established at Cannanore. This proposal was later withdrawn by the State Government.

(c) Does not arise.

Olympic Games in Rome

*77. { Shri Rameshwar Tanti:
Shri Kalika Singh:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have taken certain decisions in regard to the selection of participants and officers and for financing India's participation in the next Olympic Games in Rome; and

(b) if so, the nature of Government's decision?

The Minister of Education (Dr. K. L. Shrivastava): (a) and (b). The selection of the teams and officials for the Olympic Games is the concern of the

Indian Olympic Association and not that of the Government of India.

It is proposed to pay to the Indian Olympic Association a grant equivalent to 60 per cent. of the expenditure on approved items subject to a maximum of Rs. 3 lakhs.

Dandakaranya Administration

*79. Shri C. K. Bhattacharya: Will the Minister of Home Affairs be pleased to state:

(a) whether the rules and procedure for appointments in the Dandakaranya Administration have been framed;

(b) when were these framed;

(c) whether these have been circulated to the States concerned; and

(d) whether a copy of these rules and procedure will be laid on the Table?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (d). The question will be answered by the Ministry of Rehabilitation in due course.

राष्ट्रीय प्रतिरक्षा कलेज, नई दिल्ली

*80. { श्री भक्त वार्मा :
श्री बी० चं० शर्मा :

क्या प्रतिरक्षा मंत्री २६ नवम्बर, १९५६ के तारांकित प्रश्न संख्या ३३० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि नई दिल्ली में राष्ट्रीय प्रतिरक्षा महाविद्यालय की स्थापना की दिशा में इस बीच क्या प्रगति हुई है ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : कालिज के लिए इमारत ले ली गई है, और उसे कालिज की आवश्यकताओं के अनुसार तबदील करने का काम हो रहा है। जैसे २६ नवम्बर, १९५६ के दिन कहा गया था, पहला पाठ्यक्रम जारी करने के लिए योजनाएं प्रगतिशील हैं।

Theatres

*83. { Shri D. C. Sharma:
Shri Chintamani Panigrahi:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 117 on the 18th November, 1959 and state:

(a) whether Government have received more plans for theatres from the State Governments;

(b) if so, the details thereof;

(c) whether they have examined them;

(d) if so, the result thereof; and

(e) the progress made in the execution of the scheme?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Yes, Sir. Plans have also been received from the State Governments of Bihar and West Bengal.

(c) and (d). No, Sir, It has now been decided that the State Governments may themselves finalise the plans.

(e) The States have been asked to start the work and to intimate to the Government of India the anticipated expenditure during the current financial year.

Copper Deposits in Khetri

*84. { Shri Rameshwar Tantia:
Shri Ram Krishan Gupta:
Shri Harish Chandra Mathur:
Shri Raghunath Singh:
Shri Karni Singhji:

Will the Minister of Steel, Mines and Fuel be pleased to state the nature of progress made so far in assessing the quality of copper ore in Khetri and Daribo areas in Rajasthan?

The Minister of Mines and Oil (Shri K. D. Malaviya): At Khetri the Indian Bureau of Mines have proved

tentatively the following reserves of copper ore in one block of Madhan-Kudhan Section of Khetri Copper belt spread over a zone of 100' to 150' in width on the basis of bore hole data:

Average Grade	Reserves (Million tons).
0.8 per cent. Cu.	28.4
OR	
1.5 per cent. Cu.	9.2
OR	
2.5 per cent. Cu.	2.6

Drilling and other exploratory work is going on in the adjoining blocks and the results obtained so far are encouraging.

At Daribo the Bureau is engaged in proving copper ore at Dariba mine block and Dariba Nala Block. Rich but small shoots of ore have been recorded in the area. Further drilling and exploratory mining are still under progress. 2892 metres of drilling and 1244 metres of underground development have been carried out so far.

Student Indiscipline

{ Shrimati Ila Palchoudhuri;
Shri Bhakt Darshan:
Shri Ram Krishan Gupta:
Shri Khushwaqt Rai:
Shri P. K. Deo:
Shri Harish Chandra Mathur:
*85. { Shri Rameshwar Tantia:
Shri Halder:
Shri Assar:
Shri Bibhuti Mishra:
Shri D. C. Sharma:
Shri Daljit Singh:
Shri Sarju Pandey:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the University Grants Commission have decided to take immediate steps to deal with the problem of student indiscipline in Universities pending receipt of the report of the Discipline Committee appointed by the Commission some time ago;

(b) if so, the nature of the decisions taken; and

(c) when is the Discipline Committee's report referred to in part (a) above expected to be submitted?

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

(b) Does not arise.

(c) April, 1960.

Sales Tax on ready-made Garments

*86. { **Shri A. K. Gopalan:**
Shri Narayanankutty Menon:

Will the Minister of Finance be pleased to state:

(a) whether there is a widespread demand for the abolition of Sales Tax on ready-made garments;

(b) if so, has the Government of India received any representation from organisations of ready-made garments manufacturers in this regard; and

(c) what action do the Government of India propose to take in this regard in view of the fact that sales tax on cotton cloth is collected centrally?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b). Soon after the replacement of sales tax on textiles by additional duties of excise, in December, 1957, some representations were received from the trade for complete exemption from sales tax of ready-made garments.

(c) Government of India have reduced the incidence of tax on the garments in the Union territories. Some of the States have also granted similar relief.

Metallurgical Coal in Assam

*87. **Shri T. B. Vittal Rao:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is any proposal to exploit the huge reserves of metallurgical coal available in Assam since re-

searches conducted in the Fuel Research Institute indicate that sulphur can be removed therefrom to the extent of 70 to 75 per cent; and

(b) if so, the steps that are likely to be taken in the matter?

The Ministry of Steel, Mines and Fuel (Sardar Swaran Singh): (a) There is no such proposal. The experiments at the Fuel Research Institute have shown that though 70—75 per cent. sulphur can be removed from Assam coals in the process of carbonisation by passage of gas, there is no reduction of sulphur in the residual coke. In other words, these experiments have not been successful. Limited blending of these coals with the Jharia coals for producing coke is also uneconomical, because of the high cost of the former.

(b) Does not arise.

Acquisition and Requisitioning of Land

*88. { **Shri Ram Krishan Gupta:**
Shri Karni Singhji:

Will the Minister of Law be pleased to refer to the reply given to Starred Question No. 983 on the 17th December, 1959 and state the further progress since made towards the enactment of a consolidated law applicable uniformly throughout the country in regard to acquisition and requisitioning of land?

The Minister of Law (Shri A. K. Sen): After the reply to Starred Question No. 983 was given on the 17th December, 1959, a reminder was sent to State Governments in which their attention was drawn to the urgency of the matter. So far, only one State Government has sent its views on the recommendations of the Law Commission contained in the Report. Replies from some Ministries have been received but replies from other Ministries are still awaited. Further progress will necessarily have to await

replies from the State Governments who are vitally interested in the subject matter of the report.

Alloy and Steel Plant Consulting Engineers

*89. **Shri T. B. Vittal Rao:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply to Starred Question No. 82 on the 18th November, 1959 and state:

(a) the amount paid so far to M/s M. N. Dastur & Co. for the preparation of the detailed project report for the proposed Alloy and Tool Steel Plant;

(b) whether this firm is also executing some contracts for the Hindustan Steel Company; and

(c) whether this firm has since asked for extension of time for the submission of the project report?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Rs. 1,80,000 (One hundred and eighty thousand).

(b) Yes, Sir. They have prepared a preliminary project report for a steel plant at Bokaro.

(c) No, Sir.

Export of Coal to Pakistan

54. **Shri Amjad Ali:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the quantity of coal despatched to Pakistan during the period from January to December, 1959 (month-wise); and

(b) whether any increase in the quantity of coal-export to Pakistan is likely during 1960?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a)

Quantity of coal despatched to Pakistan in 1959.

Month	Quantity (in tons)
January	95,122
February	74,986
March	99,393
April	93,137
May	51,671
June	57,797
July	85,141
August	36,402
September	39,914
October	36,775
November	69,116
December	76,318*
TOTAL	815,772

(*Figure Provisional).

(b) The previous trade agreement expired on 31-1-60. The quantity of future exports will depend on the new trade agreement to be concluded.

Netaji Bose

55. **Shri Mohan Swarup:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Defence Ministry has made valuable collection of source material connected with Netaji Subhash Chandra Bose's movements;

(b) whether it is also the intention of Government to acquire the buildings in Singapore in which Netaji Bose lived and in which the head-quarter of the I.N.A. was housed; and

(c) if so, when?

The Minister of Defence (Shri Krishna Menon): (a) The Ministry of Defence has, among its records of World War II, a number of reports describing the activities of INA personnel captured during and after the fighting in Burma. While these reports are of some historical value, they do not give any exhaustive account of the movements referred to in the question.

(b) and (c). This matter is under examination in the Ministry of External Affairs.

Bonus Issue

56. **Shri Damani:** Will the Minister of Finance be pleased to lay a statement on the Table showing:

(a) the Bonus issue sanctioned by the Government during 1957-58 and 1959;

(b) the actual Bonus shares issued after the sanction during the above periods; and

(c) the amount of Bonus issue tax collected by the Government during the above period?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The total amounts of consents given to the issue of bonus shares during the years 1957, 1958 and 1959, and of the shares issued in terms of those consents are as under:

(In Rs. Lakhs)		
Year	Total amount of consents	Amount issued against the consents
(1)	(2)	(3)
1957	1551.98	1011.05
1958	1025.62	881.71
1959	388.00	35.84

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

C.S.S. Officers

57. { **Shri H. N. Mukerjee:**
Shri Prabhat Kar:

Will the Minister of Home Affairs be pleased to refer to the reply given to Supplementaries on Starred Question No. 1940 on the 21st April, 1959 and state:

(a) whether the claims of the Central Secretariat Service Officers successful at the I.A.S. examination, for absorption into the I.A.S. cadre have since been considered; and

(b) if so, with what result?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). 102 candi-

dates were declared successful at the Indian Administrative Service (Special Recruitment) Examination, 1956 for appointment to the Indian Administrative Service. Of these 5 candidates have still to be offered appointments in the Indian Administrative Service. Out of 71 candidates belonging to the Central Secretariat Service called for interview only one was among the list of 102 successful candidates and he has been appointed to the Indian Administrative Service. None of the remaining 70 candidates from the Central Secretariat Service has secured a high rank in order of merit and so it has not been possible to appoint any of them to the Indian Administrative Service.

Election Commission

58. { **Shri Ram Krishan Gupta:**
Shri Bhakt Darshan:
Shri Amjad Ali:

Will the Minister of Law be pleased to refer to the reply given to Starred Question No. 91 on the 18th November, 1959 and state:

(a) the further progress since made in regard to the implementation of the recommendations of the Election Commission; and

(b) the time by which final decision is likely to be taken on all the recommendations of the Commission?

The Minister of Law (Shri A. K. Sen): (a) No other recommendation of the Election Commission has been implemented.

(b) The remaining important recommendations of the Election Commission are still under consideration. They require very careful examination in consultation with the Election Commission, other Departments of Government, State Governments, other interests and political parties, before concrete proposals to implement them are finalised. No time-limit can, therefore, be prescribed for the implementation of all the recommendations.

Gatiswar Temple Near Puri

59. **Shri Ram Krishan Gupta:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 386 on the 23rd November, 1959 and state whether Government have considered the proposal to declare the Gatiswar Temple at Algam Village in the district of Puri in Orissa as a protected monument of archaeological importance?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): The matter is still under consideration.

Mining Institute, Kothagudlum

60. { **Shri Ram Krishan Gupta:**
Shri Madhusudan Rao:

"Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 382 on the 23rd November, 1959 and state the action taken on the request of the Government of Andhra Pradesh for a loan for the construction of hostel for the students of Mining Institute, Kothagudlum, Andhra Pradesh?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): Government have not as yet received the recommendation of the All India Council for Technical Education in the matter. The Southern Regional Committee of the Council has made its recommendation which will be considered by the Co-ordinating Committee of the Council on the 1st March, 1960 before the matter comes up before Government. /

Surplus Stores in Defence Installations

61. { **Shri Ram Krishan Gupta:**
Shri Pangarkar:

Will the Minister of Defence be pleased to refer to the reply given to

Starred Question No. 322 on the 26th November, 1959 and state:

(a) whether Government have examined the report regarding surplus stores in various defence installations; and

(b) if so, the results thereof?

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

(b) Recommendations of the team in regard to retention and re-utilisation of some of the surplus stores have been accepted and the Service authorities have been asked to take necessary action to implement them.

The team had also made certain other recommendations regarding the disposal of surplus stores which cannot be used. These are under examination.

Pakistan Nationals in India

62. **Pandit D. N. Tiwari:** Will the Minister of Home Affairs be pleased to refer to the statement laid on the Table on the 21st December, 1959 in implementation of assurance on Unstarred Question No. 1144 dated the 2nd March, 1959 and state:

(a) the number of persons out of 3691 (dealt with for offences of overstay and unauthorised entry) who were sent back to Pakistan;

(b) whether a large number of them are still continuing to stay in the country; and

(c) the reasons for not sending them back?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected and will be laid on the Table of the House as soon as it is available.

Multi-Purpose Tribal Blocks

63. { **Shri Sanganna:**
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri Hem Raj:

Will the Minister of Home Affairs be pleased to refer to the reply given

to Unstarred Question No. 731 on the 1st December, 1959 in respect of the Multi-purpose Tribal Blocks and state:

(a) whether the report has since been received;

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

(c) whether they have been considered and accepted by Government?

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

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

Coal and Oil Deposits in Basti

64. Shri Pramathanath Banerjee: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that crude oil and coal deposits are reported to have been found in Hariharpur Village in Basti District; and

(b) how much of the crude oil and coal is estimated to exist in this place?

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

(b) Does not arise.

Panchayats in Delhi

65. Shri Rameshwar Tantia: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the functioning of Panchayats in Delhi villages has been delayed; and

(b) if so, the reasons for the delay?

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

(b) There has been some delay in the functioning of Panchayats due to their integration with the Development Department Panchayat Extension Officers and Panchayat Secretaries have since been appointed. A scheme for the training of the staff, the Sarpanches and the Pradhans has

been drawn up and training will be given to all concerned during the current month. The Panchayats will start functioning regularly by the end of February, 1960.

Indebtedness of Adivasis

66. Shri P. G. Deb: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 444 on the 1st December, 1959 regarding indebtedness of Adivasis and state whether Government of Orissa have since collected the necessary data for the same?

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

Housing Facilities in Ordnance Depots

67. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether Central Ordnance Depots have no housing facilities for the civilian employees;

(b) if so, what steps have been taken to build houses for them; and

(c) the amount sanctioned for each Depot for 1960-61?

The Minister of Defence (Shri Krishna Menon): (a) Surplus military accommodation, if and when available, is allotted to Civilian Employees under local arrangements.

(b) Civilians paid from Defence Services Estimates are generally not entitled to be provided with Government accommodation. In view, however, of acute shortage of accommodation, specially in big cities, it has been decided that, to begin with, accommodation should be planned at Dehu, Delhi Cantonment, Pulgaon, Panagarh, Bombay and Avadi, upto 15 per cent of the civilians permanently located at the station.

Necessary projects are being planned.

(c) Nil.

Museology

68. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) how many officials were sent abroad for training in Museology;

(b) what specialised technique of museology did they study;

(c) whether any of them have come back; and

(d) if so, how their services are being utilized?

The Minister of Scientific Research and Cultural Affairs (Shri Humayan Kabir): (a) Four.

(b) Restoration of Paintings and General Museum Techniques.

(c) Yes Sir, one.

(d) His services are being utilized by the Rajasthan Government, who sponsored his deputation for the development of Museums in the State.

Private Foreign Capital

69. Shri Rameshwar Tantia: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that there was greater flow of private foreign capital into India during 1959 than in the previous years;

(b) if so, the details of such investments; and

(c) the reason for such increase in flow?

The Minister of Finance (Shri Morarji Desai): (a) to (c). At this stage no more than preliminary data regarding 1959 can be collected. This is being done and the available data will be laid on the Table of the House.

State Bank of India and Reserve Bank of India Branches in Andhra Pradesh

70. Shri Madhusudan Rao: Will the Minister of Finance be pleased to state:

(a) the total number of State Bank of India and Reserve Bank of India branches opened so far in Andhra Pradesh since 1st July, 1955; and

(b) the names of places where these branches have been opened?

The Minister of Finance (Shri Morarji Desai): (a) During the period from the 1st July, 1955 to the 31st December, 1959, 32 branches and 14 pay offices of the State Bank of India were opened in Andhra Pradesh.

A sub-office and a public debt office of the Reserve Bank were also established in the State during this period.

(b) A statement giving the required information is placed on the Table of the House. [See Appendix I, annexure No. 23]. ✓

Production of Billets at Bhilai

71. Shri Achar: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the billet mill of Bhilai is producing improved quality of billets and if so the quantity produced per day; and

(b) whether the billets so produced have been sold and if so to whom and the value realized by such sale till now?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The billet mill has been in operation only for a few weeks. The quality and quantity of billets improve from day-to-day with experience. All the steel is generally converted, at present, into billets.

(b) Billets are sold to re-rolling mills and the allocation is made by the Iron & Steel Controller. Billets from Bhilai generally supply the re-rolling mills in the North and West

of India. During January 1960, 5,500 tons of billets were sold valued at about 2,331,000 rupees.

Import of Diesel

72. **Shri Pangarkar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the value of diesel oil imported in India during the year 1959; and

(b) how does it compare with the year 1958?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The values of imports of Diesel Oils (H.S.D. & L.D.O./M.D.O.) during the years 1958 and 1959 are given below for comparison:

1958	1959
Rs. lakhs	Rs. lakhs
Diesel Oils 510.68	499.24

Political Sufferers in Andhra Pradesh

73. **Shri Madhusudan Rao:** Will the Minister of Home Affairs be pleased to state:

(a) whether any aid or relief has been given by the Central Government to the political sufferers and their families in Andhra Pradesh during 1957-58 and 1958-59;

(b) if so, the number of such persons or families; and

(c) the amount given to them individually?

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

(b) 1957-58	12
1958-59	23

(c) A total amount of Rs. 37,500 was disbursed during this period, individual grants ranging from Rs. 100 to Rs. 6,000.

Closure of Roads in Kamarhati and Baranagore

74. { **Shri H. N. Mukerjee:**
Shri Prabhat Kar:

Will the Minister of Defence be pleased to state:

(a) whether his attention has been drawn to the serious inconvenience caused to the inhabitants of Kamarhati and Baranagore (West Bengal) municipalities on account of the closure by military authorities of certain thoroughfares in the area; and

(b) whether any steps are being taken to meet the wishes of the people?

The Minister of Defence (Shri Krishna Menon): (a) and (b). Representations have been made against closure of Old Magazine Road at Dakshineswar. The road had to be closed on grounds of security. This should not result in any great inconvenience to the public as two alternative routes are available which entail extra distance of less than 200 yards.

Output of Opium

75. { **Shri P. G. Deb:**
Dr. Ram Subhag Singh:

Will the Minister of Finance be pleased to state:

(a) what is the total output of opium in India in 1959 as compared with previous years; and

(b) whether total prohibition of opium has affected its production?

The Minister of Finance (Shri Morarji Desai): (a) The total production of opium in India in 1959 as com-

pared with the previous three years is as follows:

Year	Produce at 70 C. (Maunds)
1956	9,279
1957	12,950
1958	17,572
1959	20,392

(b) No, Sir. Opium is now being produced in India mainly for export to foreign countries for manufacture of alkaloids for medicinal and scientific purposes, under strict government control, and the demand for such opium has increased considerably during the past few years.

Ex-Servicemen in Tripura

76. **Shri Bangshi Thakur:** Will the Minister of Defence be pleased to state:

(a) the number of colonies established so far in Tripura for the ex-Servicemen of Tripura;

(b) the number of colony-inmates; and

(c) the total amount given to them as grant so far?

The Minister of Defence (Shri Krishna Menon): (a) Nil.

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

Training in H.A.L. Employees

77. **Shri Aurobindo Ghosal:** Will the Minister of Defence be pleased to state:

(a) whether any employees of the Hindustan Aircraft Limited have been sent abroad for receiving training in the manufacture of aircrafts; and

(b) if so, how many and where?

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

(b) No. of persons sent abroad for training since 1946-47:

United Kingdom	41
France	3

Pakistan Citizens

79. { **Shri A. M. Tariq:**
Shri Vajpayee:
Shri Raghunath Singh:

Will the Minister of Home Affairs be pleased to state:

(a) the number of Pakistani citizens who overstayed in India even after the expiry of their visas during 1959; and

(b) the number of cases in which visas were extended during that year?

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

(a) and (b). The information is being collected and will be laid on the Table of the House as soon as it is available.

Police Men

80. **Shri Daljit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the number of policemen serving under the Central Government who were arrested and convicted on charges of corruption during 1959-60 so far; and

(b) the number of policemen who were given reward for rendering meritorious service during the same period?

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

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

Lok Sahayak Sena

81. **Shri Daljit Singh:** Will the Minister of Defence be pleased to state:

(a) whether the target of training Lok Sahayak Sena has been completed; and

(b) if not, the reasons therefor?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir. Out of

the target of 5 lakhs to be attained by 31st March 1960, 4,35,000 persons in all have been trained until the end of December 1959. It is anticipated that during the remaining three months about 35,000 more persons would be given the Lok Sahayak Sena training.

(b) The short-fall in the number of personnel trained is largely due to the following reasons:

(i) The camps which were held in hilly and in thinly populated areas in most cases had to go without their full complement of trainees.

(ii) Unusually heavy rains accompanied by floods in some cases also interfered with the organisation of camps. In some cases, location of camps had to be changed at short notice due to outbreak of epidemics, etc.

Special camps were run every year to make up the short-fall in recruitment. 38 such special camps were held from the inception of the scheme up to 31st March 1959. In the year 1959-60, it is proposed to run 12 such special camps making up a total of 50 special camps for the entire five year period. An overall deficiency of 6 per cent will, however, remain in spite of these efforts.

CORRECTION IN REPLY TO UNSTARRED QUESTION NO. 149

The Minister of Mines and Oil (Shri K. D. Malaviya): In reply given to part (b) of Unstarred Question No. 149 on 18-11-1959, I stated that the Expert Committee submitted its report on 11th April, 1959. This is a typographical error and the correct date is 11th April, 1958.

12 hrs.

PAPERS LAID ON THE TABLE

AMENDMENTS TO DELHI SALES TAX RULES

The Deputy Minister of Finance (Shri B. R. Bhagat): Sir, on behalf of Shri Morarji Desai I beg to re-

lay on the Table, under sub-section (4) of Section 26 of the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, a copy of Notification No. F. 4(54)/59-Fin. (E), dated the 26th November, 1959 published in Delhi Gazette making certain further amendments to the Delhi Sales Tax Rules, 1951. [Placed in Library. See No. LT-1797/59.]

NOTIFICATION ISSUED UNDER COAL MINES (CONSERVATION AND SAFETY) ACT

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): Sir, on behalf of Sardar Swaran Singh, I beg to lay on the Table, under sub-section (3) of Section 8 of the Coal Mines (Conservation and Safety) Act, 1952, a copy of Notification No. S.O. 206, dated the 23rd January 1960. [Placed in Library. See No. LT-1881/60.]

AMENDMENTS TO MINING LEASES (MODIFICATION OF TERMS) RULES

Shri Gajendra Prasad Sinha: On behalf of Shri K. D. Malaviya I beg to re-lay on the Table, under sub-section (1) of Section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, a copy of Notification No. G.S.R. 861, dated the 25th July, 1959 making certain further amendments to the Mining Leases (Modification of Terms) Rules, 1956. [Placed in Library. See No. LT-1519/59.]

AMENDMENTS TO REPRESENTATION OF THE PEOPLE (PREPARATION OF ELECTORAL ROLLS) RULES

The Deputy Minister of Defence (Shri Raghuramalah): Sir, on behalf of Shri A. K. Sen I beg to lay on the Table, under sub-section (3) of Section 28 of the Representation of the People Act, 1950, a copy of Notification No. S.O. 341, dated the 3rd February, 1960 making certain further amendments to the Representation of the People (Preparation of Electoral Rolls) Rules, 1956. [Placed in Library. See No. LT-1882/60.]

NOTIFICATIONS ISSUED UNDER KERALA CINEMAS (REGULATION) ACT, MOTOR VEHICLES ACT, KERALA WEIGHTS AND MEASURES (ENFORCEMENT) ACT, MADRAS MOTOR VEHICLES TAXATION ACT AND PAYMENT OF SALARIES AND ALLOWANCES ACT.

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to re-lay—

(i) a copy of Notification No. G.O. MS. 408/59, dated the 15th May, 1959 under sub-section (3) of Section 13 of the Kerala Cinemas (Regulation) Act, 1958 read with clause (b) of the proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala, published in Kerala Gazette making certain amendment to the Kerala Cinemas (Regulation) Rules, 1958. [Placed in Library. See No. LT-1772/59.]

(ii) A copy of each of the following Notifications under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, read with clause (b) of the proclamation dated the 31st July, 1959 issued by the President in relation to the State of Kerala, published in Kerala Gazette:

(a) Notification No. T.B. 1-10008/56/PW, dated the 1st June, 1959 making certain amendments to the Travancore-Cochin Motor Vehicles Rules, 1952.

(b) Notification No. T.B. 1-10008/56/PW, dated the 1st June, 1959, making certain amendments to the Madras Motor Vehicles Rules, 1940. [Placed in Library. See No. LT-1773/59.]

(iii) A copy of each of the following Notifications under sub-section (5) of Section 43 of the Kerala Weights and Measures (Enforcement) Act, 1958, read with clause (b) of the proclamation dated the 31st July, 1959 issued by the President in relation to the State of Kerala, published in Kerala Gazette making certain amendments to the Kerala Weights and

Measures (Enforcement) Rules, 1958:—

(a) Notification No. 14587/E1/59/Rev. dated the 12th June, 1959.

(b) Notification No. 19603/E1/59/Rev. dated the 7th July, 1959.

(c) Notification No. 22537/E1/59/Rev. dated the 11th August, 1959. [Placed in Library. See No. LT-1817/59.]

(iv) A copy of Notification No. 17551/59/PW/TI, dated the 10th September, 1959 under sub-section (2) of Section 11 of the Madras Motor Vehicles Taxation Act, 1931 read with clause (b) of the proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala, published in Kerala Gazette.

(v) A copy of Notification No. G.O. (P) 552, dated the 2nd June, 1959 under sub-section (2) of Section 10th of the payment of Salaries and Allowances Act, 1951 read with clause (b) of the proclamation, dated the 31st July, 1959, issued by the President in relation to the State of Kerala, published in Kerala Gazette containing the Kerala Ministers' and Speaker's Travelling Allowance and Daily Allowance Rules, 1959. [Placed in Library. See No. LT-1840/59.]

AMENDMENTS TO INTERNATIONAL COPYRIGHT ORDER

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): Sir, I beg to lay on the Table, under Section 43 of the Copyright Act, 1957, a copy of each of the following Notifications making certain amendments to the International Copyright Order, 1958:—

(i) S.O. No. 57, dated the 6th January, 1960.

(ii) S.O. No. 106 dated the 13th January, 1960. [Placed in Library. See No. LT-1883/60.]

12.04 hrs.

MESSAGES FROM RAJYA SABHA

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

- (1) 'In accordance with the provision 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 Imports and Exports (Control) Amendment Bill, 1960, which has been passed by the Rajya Sabha at its sitting held on the 9th February, 1960.'
- (2) '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 Cotton Transport (Amendment) Bill, 1960, which has been passed by the Rajya Sabha at its sitting held on the 9th February, 1960.'

12.04½ hrs.

BILLS PASSED BY RAJYA SABHA—
LAID ON THE TABLE

Secretary: I lay on the Table of the House the following Bills as passed by Rajya Sabha:—

- (1) The Imports and Exports (Control) Amendment Bill, 1960.
- (2) The Cotton Transport (Amendment) Bill, 1960.

12.05 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCESTRIKE BY THE PILOTS OF AIR INDIA
INTERNATIONAL CORPORATION

Shri U. C. Patnaik (Ganjam): Sir, under rule 197 of the Rules of Procedure and Conduct of Business in the Lok Sabha, I beg to call the

attention of the Hon. Minister of Transport and Communications to the following matter of urgent public importance and request that he may make a statement thereon:

"Recent strike by the Pilots of Air India International Corporation."

The Minister of Transport and Communications (Dr. P. Subbarayan): Sir, with your permission I wish to make a short statement and lay a fuller statement on the Table of the House. [See Appendix I, annexure No. 24.]

Mr. Speaker: Very well.

Dr. P. Subbarayan: Sir, I wish to make quite a brief statement on the recent strike by the Pilots of the Air India International Corporation. The Pilots, who are members of the Indian Pilots' Guild, went on a strike at 12 noon on the 8th January, 1960 and the strike was called off on the 16th January, 1960 following a mutually satisfactory settlement between the management of the Air India International and the Guild.

The reasons given by the Guild in its letter of the 7th January, 1960 were that the selection of Captain Gilder to proceed to Seattle for Boeing training was a violation of an undertaking given to the Guild, that it had overlooked the legitimate claims of other members of the Guild, who were senior to Captain Gilder to go to Seattle, and that it was in supersession and to the detriment of the members of the Guild. The management had clarified in response to an oral enquiry from the Guild on the 7th January, 1960, the circumstances in which Captain Gilder was selected and had given the assurance that it would not in any way deprive the chances of any Pilot senior to Captain Gilder becoming a Commander, and that even Pilots junior to Captain Gilder were scheduled for command training. This assurance was confirmed in writing on the 7th January, 1960, and again

[Dr. P. Subbarayan]

in a letter from the General Manager to the Guild on the 8th January, 1960.

The management's stand was further clarified by the Chairman of the Corporation at a Press Conference on the 11th January, 1960, at which he also referred to the management's willingness to refer the dispute to arbitration.

Throughout this period, I was greatly concerned with the developments and had been in constant communication with the management. On the 14th January, 1960, I spoke to the President of the Guild on the telephone suggesting that the Pilots should resume work by the following day and that in that case I would personally look into the grievances in due course. I should express my disappointment that this was not accepted by the Guild, who desired to raise certain points which, I suggested, they should discuss with the management. I am, however, glad to say that this paved the way for further discussion between the Guild and the management as a result of which a mutually satisfactory settlement was reached. The strike was called off on the 16th January, 1960, and normal operations were resumed the following day.

I do not wish to dilate on the merits of the issue on which the Indian Pilots' Guild resorted to this extreme step of going on a lightning strike. Hon. Members will agree with me that a strike, in a public utility industry like air transport, without notice and without any attempt to negotiate is unjustified and, at this stage, I would only express the hope that at least in the future the Guild will not resort to the extreme step of a strike, and recourse will always be had to discussions and negotiations with the management.

For the information of hon. Members I place on the Table of the House a more detailed statement together with copies of relevant correspondence between the Guild and the manage-

ment. The House has agreed to pay and allowances of the Pilots as finally agreed to on the 2nd January, 1960.

12.08 hrs.

RESIGNATION OF MEMBER

Mr. Speaker: I have to inform the House that Shri P. V. G. Raju has resigned his seat in Lok Sabha with effect from the 2nd February, 1960. He has since become a Minister in Andhra Pradesh.

Shri S. M. Banerjee (Kanpur): He is here. I saw him.

Mr. Speaker: But he is not here.

12.09 hrs.

PANEL OF CHAIRMEN

Mr. Speaker: I have to inform the House that under sub-rule (1) of Rule 9 of the Rules of Procedure and Conduct of Business, I nominate the following Members on the new Panel of Chairmen:

1. Pandit Thakur Das Bhargava
2. Dr. Sushila Nayar
3. Shri Mulchand Dube
4. Shrimati Renu Chakravartty
5. Shri Narayan Ganesh Goray, and
6. Shri Jaipal Singh.

I want to give an opportunity to a number of hon. Members here to conduct the business of the House from time to time so that I may be assured that there will not be repeated occurrences as took place some time ago. All hon. Members will know as to what exactly the duty of the Chair and of the Members is.

So far as hon. Members who have served as Chairmen, Shri Barman and others, are concerned, they have done exceedingly well. It is not as if they have not been doing so. But they

have taken up other onerous tasks. As far as possible I would like to distribute to others and give opportunities to various hon. Members. I thank all the hon. Members who have assisted both myself and the hon. Deputy-Speaker from time to time, much against great inconvenience to themselves, in presiding over the House and in carrying on the deliberations.

12.10 hrs.

ADMINISTRATION OF EVACUEE
PROPERTY (AMENDMENT) BILL
—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Mehr Chand Khanna on the 10th February, 1960, namely,—

“That the Bill further to amend the Administration of Evacuee Property Act, 1950 be taken into consideration.”

Shri D. C. Sharma may continue his speech.

Shri D. C. Sharma (Gurdaspur): I was submitting yesterday that a Bill which deals especially with the refugees, suffering humanity, should be drafted in such a way that it does not become invalid when referred to the High Courts, but taking it for granted that human wisdom is limited and that even the best of draftsmen cannot prepare such Bills, I would like to ask the Minister how much time has passed between the High Court declaring some of the provisions of the Act invalid and the bringing forward of this amending Bill.

I am not sure of the facts, but I am told that several months have elapsed, that all these months have kept the refugees in a state of uncertainty, and that a great deal of harm has been done to some of them. I would have liked the Ministry to bring forward

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the amending Bill as early as possible so that there may have been no hardship caused to the refugees.

My second point is this. I find that there has been progressive decline in the qualifications for the appointments to the posts of Custodian, Deputy Custodian and other categories of officers. There was a time when the post of Custodian-General used to go to retired Judges of the High Court, but now I am informed that the Custodian-General is not a retired Judge, he is only a District and Sessions Judge. I have nothing to say against that gentleman, and for aught I know he may be a very worthy gentleman, but I cannot understand why the Ministry should go on appointing persons of lesser and lesser calibre to these posts. At the same time, they are adding to them more and more responsibilities. It is a very strange symptom of the policy of the Ministry: the progressive decline in the qualifications of these officers and the progressive addition in the responsibilities that they have to discharge. I do not know what logic there is, how these two things can be squared, how these two things are at par with each other. My feeling was that these officers should have been kept at a particular level of achievement, but this is not done. Now when these officers are not as highly qualified as they used to be, we are giving them arbitrary powers, we are making them more or less responsible for so many other things; they can assess rent, they can assess any damage that has been caused to the property, they can call upon people to show cause why this or that has not been done. I feel they should not be given these additional powers.

I hear that these officers are already overburdened with work, and I am told by some of the refugees that come to me, and that come to other Members of Parliament, that the way they deal with these cases is not in conformity with the highest judicial traditions and standards of our country; they do not devote as much time

[Shri D. C. Sharma]

to the disposal of the cases, to the study of these cases and to the hearing of these cases, as a normal civil, revenue or judicial or magistrate's court will do. If such is the state of affairs, I cannot understand why these persons should be given such autocratic powers.

I submit very respectfully for the consideration of the hon. Minister, who I know is a great friend of the refugees, that he should make provision for some kind of judicial review, some kind of judicial reassessment of these cases at the level of the Ministry. I know he would not like these cases to go to the District Judges and other functionaries of the civil courts, I know he is not prepared to accept that suggestion, but I would also say that in order to see that justice is done to these refugees, he should have some kind of judicial machinery to which persons who find themselves in disagreement with the pronouncements of the officers could go. I think this will give the Ministry higher prestige in the eyes of the people because they will know that the Ministry is meting out justice of the highest kind.

My third point is this. Clause 8 reads:

"Any power exercisable by a State Government by virtue of a direction under sub-section (1) may, unless otherwise provided in such direction, be exercised also by such officer or authority as the State Government may specify in this behalf."

I submit that this is very vague. Who is going to be the officer, what are going to be his qualifications. I know that already the work that used to be done by Commissioners is now being done by the Tehsildar, and the work of the Tehsildar is being done by the Naib Tehsildar; already there is a downgrading so far as these things are concerned. I would like to know who the persons are who will exercise the authority on behalf of the State Government.

The Ministry of Rehabilitation has to deal with difficult problems. I know these are human problems, and therefore it is not always possible to lay down any hard and fast rules, but I think there should be speedy execution of judgments, there should be speedy implementation of policies. If it has taken the Ministry a year or two or more than that to bring forward this Bill, I do not know what is going to be the fate so far as the implementation of this Bill is concerned.

The question of rent or damages is a very important one. On these two questions depend the working of this Bill when it is passed into an Act. What is going to be the rent? And what is going to be the damage? These are some points in the minds of refugees. These are the points which make the refugees worried. The hon. Minister said that these refugees went in procession towards Jaiselmer House and asked for protection. Of course, they went in procession. I am very sorry that they should go in procession. I am not in favour of their going in procession, but they go in procession because the Ministry of Rehabilitation does not apply that human approach to the solution of the problem of which it is so eloquent. It is only when that human approach is wanting that these refugees take a procession. Of course, I do not want them to take processions to any place. But that has happened on these two things, the rent and the damage. These, however, are to be parts of delegated legislation. It is like having a loan from Australia or some other country and saying, we are taking the loan, but so far as the interest is concerned, we shall decide it afterwards, so far as the mode of payment is concerned, we shall decide it afterwards and so far as the term of amortisation is concerned, we shall decide it afterwards.

This Bill which is very incomplete would have become complete if a schedule could have been given. This kind of schedule would have given

this Bill some completeness, but it is not there. So, I appeal to the hon. Minister that he should be so kind as to make this Bill a little more flexible, so that the human approach, of which we talk so much, of which all of us here talk so much, is introduced into this Bill.

Some Hon. Members rose—

Mr. Speaker: Whoever has spoken on the previous Bill may not stand now; they may give opportunities to others who have not spoken before.

Shri Achint Ram (Patiala): All those who want to speak on this Bill have spoken on the previous Bill also.

Mr. Speaker: Did Shri Ajit Singh Sarhadi speak on the previous Bill?

Shri Ajit Singh Sarhadi (Ludhiana): Yes.

Mr. Speaker: Then, I shall call Shri Achint Ram first, and then I shall call the others.

2 hours and 20 minutes are now left for this Bill. We started at about 12.10 p.m. So, we must finish this Bill by 2.30 p.m.

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): We shall finish before that. There is nothing much to be said on this Bill. Hon. Members are repeating the same arguments.

श्री अचिंत राम : माननीय अध्यक्ष जी, जैसा मैं ने पहले कहा था, यह बिल बहुत मामूली है। अगर इस को कंसलटेटिव कमेटी में या पार्टी की कमेटी में लाया गया होता तो आपस में घर में बैठ कर बातचीत हो जाती और शायद यहां स्पीच करने की नौबत ही न आती। लेकिन ऐसा करना शायद मुनासिब नहीं समझा गया और इस बिल को यहां सीधे ले आया गया। इस सदन में बोलने में एक मिनट में ५० रुपये खर्च होते हैं, इसलिये मैं तो समझता हूँ कि जितना कम समय लगे उतना अच्छा है।

लेकिन जब यह बिल यहां आ गया है तो इस पर इजहार राय करना मुनासिब है।

जैसा कि मैंने कल कहा था, इन तमाम प्रापर्टी का इन्तिजाम करने के लिये एक एड-वाइजरी बोर्ड की जरूरत समझी गयी, और मुझे बड़ी खुशी हुई कि मेरे मोहतरिम मंत्री जी ने यह ऐलान कर दिया कि इस बोर्ड की जिन्दगी मिनिस्ट्री के साथ कोटरमनिस होगी। मुझे खुशी है कि यह बात पहले ही उन के दिल में थी, लेकिन भल्फाज से वाजेह नहीं होती थी। उन्होंने जो यह ऐलान कर दिया उस के लिये मैं उन का बहुत धन्यवाद करता हूँ।

साथ ही मैं यह भी भर्ज करूंगा कि जिस उदारता से उन्होंने यह ऐलान कर दिया, उसी तरह से बोर्ड के जिन मेम्बरों ने इस्तीफे दे दिये हैं उन को फिर वापस आने की दावत दें। आप ने कहा कि बोर्ड में अच्छे अच्छे मेम्बर हैं। पर मैं समझता हूँ कि ठाकुरदास जी जैसे या लाला फीरोजचन्द जी जैसे तजरबेकार आदमी आपको कम मिलेंगे। ऐसा भी हो सकता है कि जो अब मेम्बर हैं वह भी रहें और ये लोग भी रहें। और इस तरह से उनकी खिदमात से फायदा उठाया जाय। ऐसा करना मुनासिब मालूम होता है। अगर वह किसी वजह से पहले चले गये, तो अब उन की खिदमात से फायदा उठाना चाहिये।

[SHRI MULCHAND DUBE in the Chair]

12.25 hrs.

जैसा कि मैंने कल भर्ज किया था, कुछ मामले हैं—जैसे कि इन्दिरा मार्केट का मामला—जो कि इस बोर्ड के सामने आने चाहियें। बोर्ड यह देख सकता है कि उन लोगों के साथ बेइन्साफी हुई है या नहीं। कुछ लोगों पर वहां मकान जबरदस्ती खोपे गये और फिर भी वह कुछ ज्यादा दे कर उन को लेने को तैयार हैं, लेकिन कहा जाता है कि उन को नीलाम किया जायेगा। अगर यह मामला बोर्ड के सामने आये तो इस का फैसला हो सकता।

[श्री अचिन्त राम]

मिनिस्टर साहब ने जो दूसरा ऐलान किया है उस पर भी उन को मैं मुबारकबाद देता हूँ। वह बात तो साफ है कि हम उन के साथ सहमत हैं। उन्होंने कहा कि अगर कोई प्रापर्टी जो कि इवैक्वी करार नहीं दी जानी चाहिये वही अगर वह इवैक्वी करार दे दी गयी है, उस के बारे में उन की स्वाहिस है कि वह इंसफ करें और उस को वापस किया जाये। मैं ने भर्ज किया था कि हम भी उन से इस मामले में पीछे नहीं हैं। उन का दिल भी यह तसलीम करता होगा कि जब मैं यह बात कह रहा हूँ तो उन से इसी मामले में पीछे नहीं हूँ, भागे ही होऊंगा। जिन असहब की प्रापर्टी गलती से इवैक्वी करार दे दी गयी है वह उन को वापस दी जाये, लेकिन मैंने भर्ज किया था कि मिनिस्ट्री के सामने सब एक बराबर है। चाहे वह भ्रादमी हो जिस की प्रापर्टी गलती से इवैक्वी करार दे दी गई है, या दूसरा भ्रादमी हो जिस को वह प्रापर्टी दी गयी थी, उन दोनों के साथ इंसफ होना चाहिये। आप ने पहले कहा था कि अगर रुपये की जरूरत होगी तो हम उस के लिये मुरारजी देसाई साहब के पास जा सकते हैं इसलिये कि पूल में रुपया कम होगा। और अगर जरूरत होगी तो उन को प्रापर्टी की जगह रुपया देना होगा। तो रुपये की जरूरत तो होगी और जो इस तरह की अनभयोराइज्ड जायदादें हैं उन के मामले हल करने में वक्त लगेगा। तो यह मिनिस्ट्री अभी खत्म कैसे हो सकती है।

मैं किंग्सवे का मामला आप के सामने पेश करना चाहता हूँ। वहां पर २५ हजार भ्रादमी आज बसे हुए हैं। वह एक स्वम है। आप जा कर देख सकते हैं। और मिनिस्टर साहब भी तसलीम करते हैं कि उन लोगों की हालत काबिले रहम है। वहां की हालत बहुत गंदी है और बहुत से लोग वहां जा कर उस को देख चुके हैं। मैं तो कहूंगा कि अगर जरूरत हो तो इस हाउस के कुछ मेम्बरों का एक डेपुटेशन वहां की हालत को देखने के

लिये भेजा जाय और जा कर देखे कि वहां किस हाल में लोग रह रहे हैं। अगर कोई बाहर का भ्रादमी जैसे रूस के वजीरे आजम जा कर देखें तो वह क्या कहेंगे कि हिंदुस्तान में भ्राजादी के बाद भी भ्रादमी किस हालत में रहते हैं। तो यह कैसे कहा जा सकता है कि काम खत्म हो गया। जो काम बाकी है उस को भी तो करना है। यह बात कही गयी है कि हमें कुछ उज्र तो नहीं है लेकिन जगह नहीं है उन को बसाने के लिये। मैं खुद फिरता रहा और हम को उन के लिये जमीन मिली। आखिरकार हमें खुशी हुई कि ६० एकड़ जमीन उन के लिये मिल गयी है और अब उन को बसाने की इन्तिजाम हो जायेगा। उन के लिये नये मकान बनेंगे। जब यह सवाल पेश किया गया तो कहा गया कि यह जमीन तो खाली हो जायेगी, उन के लिये बनेंगे। इस वक्त उन के दोनों लंग भिच भिच कर छोटे हो गये हैं। इस वक्त तो वहां टट्टियां बहुत कम हैं, गुसलखानों का कोई इंतजाम नहीं है, पानी का इन्तिजाम नहीं हो रहा है। आज कहा जाता है कि जो जगह वह लंग प्रोवाइड करने के लिये छोड़ी जायेगी। वह कहते हैं कि इस वक्त दो लंग से हट कर एक बटा आठ हिस्सा रह गया है। आधा लंग तो दीजिये। लेकिन हम कहते हैं कि इस काम को कारपोरेशन करेगा। बारह बरस तक यह मामला रीहैबिलिटेशन मिनिस्ट्री के पास रहा है और वे रिफ्यूजी रीहैबिलिटेशन मिनिस्ट्री के चार्ज के नीचे रहे हैं। अब उन लोगों को बसाने के लिये साठ एकड़ जमीन मिली है। कहा जाता है कि जो जगह खाली होगी, वहां पर मकान नहीं बनाये जा सकते हैं। व कहते हैं कि हमारे मकान गिरा दीजिये, वहां जमीन पड़ी है, जो मलबा होगा, उस को इस्तेमाल कीजिये, जो रेंट हम से वसूल किया है, उस को खर्च कीजिये। और जो और रुपया खर्ज होगा वह हम कितनों में भ्रदा करेंगे। लेकिन इन तमाम बातों को किस को सुनाया जाये ?

हमारा बड़े से बड़ा एवान यही है पांच खी
मैम्बरों का । इस के सामन कहते हैं । यहां
स्पीकर साहब, मिनिस्टर साहब और कैबिनेट
बैठी है, लेकिन कोई सुनता नहीं है । कहते
हैं कि हमारा काम नहीं है । मैं यह कहना चाहता
हूँ कि मिनिस्टर साहब ने कल जो एलान किया,
उस के मुताबिक वह श्री वेसाई के पास चलें
और मेम्बरों, स्पीकर साहब और मिनिस्ट्रों
को साथ लीजिये और उन से कहिये कि
रुपये की जरूरत है, चाहे रुपया उधार दीजिये
उस को हम वापस कर देंगे और अभी मिनिस्ट्री
का काम हो रहा है और अभी बाकी है ।
मिनिस्टर साहब ने हम को जो यह खुशी
की खबर सुनाई कि वह फाइनेंस मिनिस्टर
के पास जाने के लिये तैयार हैं, अगर रुपये की
जरूरत हो तो, उस के बारे में मैं यह भर्ज
करना चाहता हूँ कि रुपये की जरूरत है ।
टाइम उन के पास है । रेप्यूजीज हर तरह
की मदद देने के लिये और काम करने के लिये
तैयार हैं । मैं उन से यह दरखास्त करूंगा कि
कल उन्होंने ने जो एलान किया है, उस के मुता-
बिक वह फाइनेंस मिनिस्ट्री के पास जायें ।
पन्त जी के साथ उन के जो ताल्लुकात हैं,
उन पर उन को विश्वास है और हम सब
को भी विश्वास है । उस का वह इस्तेमाल करें ।
अपने लिये नहीं—मैं जानता हूँ कि अपने
लिये वह इस्तेमाल नहीं करेंगे—लेकिन रिफ्यू-
जीज के लिये जिन का उन के पास चार्ज है ।
मैं उन से यह कहूंगा कि वह इन्कार न करें
कि मैं नहीं कर सकता और दूसरे यह काम
करेंगे ।

साहेब सदर, मैं ने कल भर्ज किया था कि
बहुत से भाई ऐसे हैं, जिन्होंने ने ग्रान्ट्स के लिये
एप्लाई किया, लेकिन ग्रान्ट्स उन को नहीं
मिलीं, क्योंकि टाइम बार हो चुका है । कई
तारीखें मुकर्रर की गयीं । अगर बाकी तमाम
बीजों के लिये वह वक्त मांगते हैं, तो मैं कहूंगा
कि इन गरीब भ्रादरियों के लिये, जिन का
यह पूल है और जो अपनी प्रापर्टी छोड़ कर
भाये हैं और किसी वजह से अपने क्लेम नहीं
दे सके हैं, मेहरबानी कर के वह उदारता
से काम लें और जो उन का हक है, वह उन को

द । और फिर उन को दिया क्या गया है ?
वे पांच भ्रब रुपये की प्रापर्टी छोड़ कर भाये
हैं । यहां पर रहा एक भ्रब रुपया—एक
तिहाई भाप जानते हैं कि यहां पर एक तिहाई
का मोल बाजार में पड़ता है भाठ भाने,
जो कि भ्रब बेड़ भाने रह गया है । सरकार ने
प्रापर्टी डाली है, तो वह भ्रब ढाई भाने हो गई
है । इस पर भी यह कहा जाता है कि तारीख
नहीं रही है । मैं पहले पहले सुना करता था,
कि पाकिस्तान से इतने भ्रब रुपया लेना है
उस के लिये बात चीत की जायेगी । लेकिन
भ्रब उस के बारे में भी कोई बात नहीं करता है ।
भ्रब कहते हैं कि काश्मीर का मामला है ।
इन तीन चार भ्रब रुपये का कोई जिक्र नहीं
है, कोई खाता नहीं है । न प्राइवेट, न पब्लिक
और न भ्रोपन टाक का कोई जिक्र है ।
हमारे रेफ्यूजी भाई काश्मीर से भाए
उन के क्लेम नहीं लिये जाते हैं । कहा जाता है
कि वह पाकिस्तान हेरब टैरीटरी है, इसलिये
क्लेम नहीं लिये जाते हैं । अपनी मरजी से
थोड़ा बहुत वे रूहे हैं । मैं यह कहना चाहता
हूँ कि खुदा के वास्ते मेहरबानी कर के
जो प्रापर्टी वे वहां छोड़ भाये हैं, उस की लिस्ट
तो बना ली जाये । उस को क्लेम मत कहिये ।
क्लेम का नाम मत लीजिये । सिर्फ इस क्वाल
से लिस्ट बना लीजिये कि हमारा हक वहां पर
मारा न जाये और यह पता लगा लीजिये कि
इतनी प्रापर्टी फलां ने छोड़ी और इतनी
प्रापर्टी फलां ने छोड़ी । इस से सरकार
को पता चल जायेगा कि इतनी प्रापर्टी वहां
सोगों ने छोड़ी है । पाकिस्तान से जो तीन चार
भ्रब रुपया लेना है, उस को और बेबिट कर
दीजिये । लेकिन आज इस काम को कोई नहीं
करेगा । भन-भयोराइज्ड भाकुपेंट्स से जो
रुपया लिया जायगा, उस से पूल बढ़ेगा और
इस की मुझे खुशी है, लेकिन मुस्तहक लोगों को
कुछ देन की बात भी होनी चाहिये ।

मंत्री महोदय ने एक और बात फरमाई,
जिस की मुझे खुशी है । उन्होंने ने फरमाया था
कि जो मेम्बरान उठते हैं, वे मेरे मुताल्लिक
तो जिक्र करते हैं कि भाप ने अच्छा काम किया,
सयाना काम किया, काबिले-तारीफ काम किया

[श्री अर्चित राम]

लेकिन मेरे स्टाफ के मुताल्लिक कोई बात नहीं करता। उन्होंने ने कहा कि अगर उस के मुताल्लिक कोई अच्छी बात करे, तो मैं खुश हूंगा। मैं एक छोटी सी सच्चाई भ्रज करना चाहता हूँ। सब बात तो यह है कि उन के बारे में हमारे दिलों में तारीफ है और मैं जाती तौर पर उन का बड़ा मममून और मशकूर हूँ और यह बात मैं ईश्वर के सामने और इस एवान के सामने कहता हूँ। मैं यह मानता हूँ कि इन के स्टाफ में, मिनिस्ट्री में ऐसे आदमी हैं, जिन के पांव की मैं खाक नहीं हूँ और मैं उन की तारीफ इसलिये नहीं करता हूँ कि शायद ये नाराज न हो जायें। मैं जान बूझ कर डिप्टी मिनिस्टर की भी तारीफ नहीं करता हूँ कि कहीं मिनिस्टर साहब नाराज न हो जायें, क्योंकि किसी को नाराज करना मैं मुनासिब नहीं समझता हूँ। इन के अपसरों की तारीफ मैं इसलिये नहीं करता हूँ कि कहीं यह नाराज न हो जायें।

श्री मेहर चन्द खन्ना : क्यों ?

श्री अर्चित राम : अपनी अपनी तबीयत होती है।

एक माननीय सदस्य : माननीय सदस्य को उन की नीयत पर इतना शुबहा क्यों है ?

श्री अर्चित राम : मुझे उन को नीयत पर बड़ा भरोसा है। मैं इन की तारीफ करता हूँ। बाज बातों में मैं दिल से उन को अपना गुरु मानता हूँ और इन को अपने से सच्चा मानता हूँ। मेरी आंखों में मिनिस्ट्री के काम करने वाले भी हैं। वे बड़े नेक दिल और फरिश्ता-सीरत हैं, लेकिन मैं अपनी जबान को दबाये रखता हूँ कि किसी की तारीफ करने से कोई नाराज तो नहीं हो जायगा।

Shri Mehr Chand Khanna: It is a very unfair remark on the part of Lala Achint Ram to make. Certainly, I do not relish it.

Mr. Chairman: I think we might not say these things. These things had better be left unsaid.

श्री अर्चित राम : मैंने तो पहले ही उन को भनसंड रहने दिया है। मैं तो बोलता ही नहीं हूँ। कल मिनिस्टर साहब ने यह बात कही थी कि अगर मेम्बर उन के स्टाफ का जिक्र करेंगे तो उन्हें खुशी होगी। मैं तो ऐसी बातों को भनसंड, ही रहने देता हूँ, कहता नहीं हूँ। मैं तो मीठी मीठी बातें कहता हूँ, मैं ऐसी बातें कहता हूँ जिन से सब खुश रहें। ऐसे अपसर हैं, जैसे सेक्रेटरी साहब हैं; नाम लेने की बात क्या है —, जिन की सच्चाई और दियानतदारी को सब मानते हैं : मिनिस्ट्री में ऐसे भी काम करने वाले हैं, जिन का नाम लेने से मैं अपने आप को पवित्र समझता हूँ। यह खुशी की बात है, लेकिन साथ ही मैं यह भी भ्रज करना चाहता हूँ कि ऐसे भी असहाब मौजूद हैं, जिन का नाम बदनाम है और आप भी जानते हैं। भ्रमी होटल वालों की बात की गई। यहां दिल्ली में है। सब जानते हैं कि क्या चलता है। तमाम दुनिया जानती है। लेकिन क्या कहा जाये। करप्शन का जिक्र किया जाता है। अगर मेरा क्लेम नहीं मिलता है, तो यह खुली बात है कि दो सौ रुपये आफिशियल को दे दिये जायें, तो जल्दी पेमेंट हो जायेगी। इस का इलाज क्या करें ? अगर किसी से भी बात करें कि क्लेम नहीं मिलता है, तो वह कहता है कि दो सौ रुपये रखता हूँ और भ्रमी लेता हूँ। जहां नेकदिल और फरिश्ता-सीरत आदमी हैं, वहां ऐसे आदमी भी हैं।

सभापति महोदय : मैं जनाब से भ्रज करूंगा कि अगर आप के जाती इल्म में यह बात हो, तब तो आप इस को बयान कीजिये, वना जो शक्स इस हाउस में मौजूद नहीं हैं, उस के खिलाफ ऐसी बात करना नामुनासिब है। जो आप के जाती इल्म में नहीं है, उस के बारे में इस तरह कहना ठीक नहीं है। जरा इस पर ख्याल कीजिये।

श्री० रणबीर सिंह (रोहतक) :
उन्होंने किसी का नाम नहीं लिया है।

श्री अर्चित राम : आप ने पहली दफा तशरीफ रखी है। आप ने कह दिया, तो अच्छी बात है, लेकिन मैं ने किसी का नाम नहीं लिया। जो मैं ने कहा, उस के लिये मैं चैलेंज करता हूँ और गवाहियां भुगतान के लिये तैयार हूँ। मैं ने यह कहा है कि लोग कहते हैं कि अगर कोई क्लेम नहीं मिला, तो दो सौ रुपया दो, मैं ले कर देता हूँ। मैं ने नाम नहीं लिया। आप को शायद गलतफहमी है। मैं ने तो यह भ्राम बात कही है। यह मिनिस्ट्री दो चार छः महीने और हैं। मैं ने उस पर जो चार्ज लगाया है और उस के खिलाफ यह भ्राम चार्ज है, इस को वह दूर करे। यह खुला चार्ज है।

श्री मेहर चन्द खन्ना : चार लाख और ८५ हजार क्लेम थे, जिन में से साढ़े चार लाख का फैसला हो चुका है। अब सिर्फ पन्द्रह बीस, पच्चीस हजार क्लेम हैं। अगर लाला जी कहते हैं कि हर आदमी को हर क्लेम में दो सौ रुपया देना पड़ा, तो मुझे अफसोस के के साथ कहना पड़ता है कि मैं इन ब्यालात से सम्बन्ध नहीं कर सकता। अगर उन के पास कोई खास केस हो, तो वह बतायें। मैं देखने के लिये और एन्क्वायरी करने के लिये तैयार हूँ, लेकिन उन अफसरों के खिलाफ, जिन्होंने ने लाखों आदमियों के क्लेमज का तीन चार साल में फैसला किया, इस किस्म का बोहतान लगाना लाला जी के लिय कोई शान के शायान नजर नहीं आता।

श्री अर्चित राम : मैं ने यह बात हरगिज नहीं कही कि चार लाख क्लेमज में हर क्लेम में दो सौ रुपया देना पड़ा। You are putting in my mouth things which I have not said. मैं ने कहा कि हजारों क्लेमों में ऐसा हुआ और चार लाख रुपया तो गया ही होगा। चार लाख क्लेम तो मामूली बात है। मैं अब भी कहता हूँ मैं ने यह नहीं कहा कि हर क्लेम में रुपया देना पड़ा। रिपवत दी जाती रही है। यह मेरा चार्ज है और मैं उस पर स्टिक करता हूँ। शान के शायान की बात मैं नहीं करता।

श्री मेहर चन्द खन्ना : माननीय सदस्य ने बीसियों केस मुझे भेजे, लेकिन क्या उन्होंने ने ऐसा केस मुझे भेजा है, जिस में उन्होंने किसी के खिलाफ यह कहा हो कि उस ने रिपवत ली है, रुपया लिया है, उन्होंने ने मुझे इतने केसिज भेजे हैं, लेकिन कोई केस आज तक नहीं भेजा है, जिस में यह कहा गया है कि फलां अफसर ने रिपवत ली।

Shri D. C. Sharma: He wants to discuss it on the floor of the House.

श्री अर्चित राम : मैं ने इस बात को एक या दो दफा नहीं, कई दफा साइस्टा तरीके से मिनिस्टर साहब के गोश-गुजार किया है।

श्री मेहर चन्द खन्ना : कोई इंसटेंस नहीं दिया माननीय सदस्य ने आज तक।

सभापति महोदय : सवाल यह है कि किसी खास मामले को वक्त और आदमी के लिहाज से साफ तौर पर बयान कर के मिनिस्टर साहब से आप ने कहा या नहीं। यह सवाल है सिर्फ। जनरल बात नहीं है।

श्री अर्चित राम : मैं यकीन से कह सकता हूँ कि अगर मुझे आज यह होसला हो, मुझे आज इस बात का पता हो कि तहकीकात की जाएगी, काम सिरे चढ़ेगा तो मैं आपको बताऊं भी, तब तो मैं बात भी करूँ। मेरा दिल बैठा हुआ है। आपसे मैं दयानतदारी से कहता हूँ कि अगर मुझे यकीन हो...

श्री मेहर चन्द खन्ना : जो केस आप बतलायेंगे मैं आपको यकीन दिलाता हूँ कि मैं उसकी होम मिनिस्ट्री की स्पेशल पुलिस इन्टेबलिशमेंट के जरिये तहकीकात कराऊंगा उसके पास उसको भेज दूंगा।

श्री अर्चित राम : जितनी प्लेजेंट बातें मैंने कहीं, जिन बातों के लिए मैंने शुक्रिया अर्पित किया आपका और आपके अफसरों

[श्री अजित राम]

का, वे तो सब मामूली बातें हो गईं लेकिन अगर जरा सी सच्ची या अनपेक्षित बात कही, वह बात कही जिस को कि दुनिया कहती है, तो आप नाराज हो गए, इसका मुझे अफसोस है।]

आखिर में मैं आपका सहिब सदर, श्री माननीय मंत्री जी का शुक्रिया अदा करता हूँ। कल दौलता साहब ने बहुत सी बातें कहीं और कहा कि हमारी पार्टी ने यह किया और वह किया और उसने रूलिंग पार्टी को शिकस्त दी। मैं समझता हूँ कि इस तरह की बातें करना ठीक नहीं है। शिकस्तें तो रूलिंग पार्टी ने भी दूसरी पार्टियों को दी हैं लेकिन इस तरह की बातें नहीं कही जानी चाहियें।

उन्होंने यह भी कहा कि मिनिस्टर साहब परसनली मेहरबानी कर रहे हैं, यह भी मुनासिब नहीं है। परसनल मेहरबानी करने का कोई सवाल नहीं होता है।

मैं आशा करता हूँ कि जो बातें मैंने कहीं हैं उन पर विचार किया जाएगा और उन को दुस्त करने की कोशिश की जाएगी।

Shri Ajit Singh Sarhadi (Ludhiana):
Mr. Chairman, Sir, I regret, I cannot congratulate the hon. Minister on this Bill either, however much regard and appreciation I have otherwise for the services he has rendered to the displaced community. I am afraid he has not applied his mind sufficiently to the effect and the implications of this Bill.

In his opening speech, while sponsoring the Bill, he has summarily dealt with the reasons that have been given in regard to the previous Bill, the Displaced Persons (Compensation and Rehabilitation) Second

Amendment Bill, 1959, which equally apply to this Bill. I beg to differ from him.

The two Bills are quite distinct with distinct and separate implications, however identical and similar the provisions may be in them. I personally feel that this Bill is more unjustified and uncalled for than even the previous one. This pertains to the evacuee property which this Ministry has been dealing with since 1947-48. According to the hon. Minister himself, most of the property has been disbursed. From the figures of the claims satisfied which he has given us now, about Rs. 90 to Rs. 95 crores out of Rs. 100 crores—maybe even more—has been acquired and disbursed to the refugees. If that is so, then, very little must have been left scattered all over the country and we should have a better and brighter picture about it before we are being called upon to pass a certain Bill governing its administration.

I regret equally that in the Statement of Objects and Reasons no sufficient light has been thrown on the details, as to how much of the property is yet left, what is the expectation in rent, in damages and compensation for loss to enable this House to understand and have a clear picture about the legislation that we are embarking upon. If the property is very much less, if most of it has been acquired by the displaced persons by adjustment or by auction, then, I do not think it was at all necessary to embark upon legislation of this kind.

But, anyway, it is not for me to say. I wish a more clear picture had been placed before us. I would take the different provisions of this Bill and submit how they are unjustified. I need not recapitulate the points which

I had already taken while making my submission on the previous Bill. Those reasons which I gave then apply with greater force and more strength to this Bill for the reason that the provisions of this Bill are not only contrary to the basic principle which the hon. Minister enunciated in his last Budget speech in saying that the Ministry is to be liquidated at the earliest and the distinction between displaced persons and others is to be eliminated at the earliest, but go beyond that. The effect of this Bill, I would submit, would be to perpetuate the offices and the officials under the Ministry; it would be the perpetuation of the distinction and the difference between the displaced persons and others and would not enable the displaced persons to fit in the economy of the country by becoming one with others.

I need not also recapitulate the argument which I placed before the House then and which equally applies here that giving discriminatory treatment to the displaced persons in the matter of the assessment of rent, in the matter of the realisation of the rent, in the matter of the assessment of damages, and in the matter of assessment of the compensation is contrary to the provisions of the Constitution in as much as it is contrary to the equality in the eye of the law which the Constitution postulates.

Whether it will stand the test of time and the superintendence of the High Courts is besides the point and it is not for me to say here. But I need an assurance from the hon. Minister that he had opinion on this from his legal advisers—as to the correctness of these provisions—that if they are brought on the statute book they will not be declared *ultra vires*. I hope the hon. Minister would be able to assure the House that they are *intra vires* and he has got the best legal opinion available to the Government on the point.

Coming to the different provisions of the Bill, the Bill deals with 7 differ-

ent aspects of the administration of evacuee property. As I said, this deals with evacuee property, with that property which was declared evacuee property in 1947 and 1948. In between, if I am right in my recollection, there have been three or four amendments brought before this House and agreed to by us. There was an amendment in 1953 by Act XI, if I am right; there was another amendment in 1954 by another Act; and, there was a third amendment in 1956 which was passed during the regime of my hon. friend the Minister. There have been three amendments and each clause that has been proposed to be amended now was dealt with at that time too. What are the circumstances that were not present at that time but which have come forward later to necessitate this Bill? That is not clear either.

Now, clause 3 of this Bill seeks to amend section 10 of the principal Act. It seeks to empower the custodian with the right to acquire any property, whether by way of purchase or otherwise. This is a very important amendment. Firstly, it is not clear whether this acquisition by purchase or otherwise is acquisition under the Land Acquisition Act which is already on the statute or whether another method is adopted. But that is beside the point. What is the object of empowering the custodian to purchase any property that he likes. I could appreciate the justification of purchasing non-evacuee interests in the evacuee property. There could be some justification for the reason that a certain evacuee property is not being taken by the persons there and as such there is depreciation and there cannot also be separation of the two and as such the custodian should be authorised to purchase the non-evacuee property, by auction or otherwise. I have tabled an amendment on these lines. But here I beg the hon. Minister to consider these implications, after empowering the custodian for purchasing the non-evacuee interest. I was glad when I heard him saying that

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in this secular State no non-evacuee would be hit or would suffer. I entirely agree with every word he has said. I beg him to appreciate the implications of this. I will illustrate my point by the very illustration which he has given.

A house belongs to two individuals—one Rahamaddin and another Din Mohamad. They are brothers. Rahamaddin has migrated to Pakistan and Din Mohamad is in possession of a part of the house; he is a non-evacuee while the former has been declared as an evacuee and has gone outside the country. Now, you want to sell the share of this evacuee by auction or otherwise while Din Mohamad, who is a non-evacuee, refuses to purchase it. Now, naturally the evacuee property depreciates because Din Mohamad, a non-evacuee, refuses to buy it. If the house is so situated as could not be separated, what would happen? You want to authorise the custodian to purchase Din Mohamad's property because he is a non-evacuee. That is to say you want to displace him and make him an evacuee when he is not. This is hitting hard Din Mohamad who is a non-evacuee and this goes against the spirit when you say that you would not like to deprive a non-evacuee who is here. You are empowering the custodian to purchase his share and deprive him of his possession and displace him. But you are not making an alternative arrangement also. I would like the policy to be enunciated by the Ministry in this respect.

I know that by not purchasing the non-evacuee interests, the evacuee property suffers. I would allow the evacuee property to depreciate and to be sold for a penny rather than make a non-evacuee suffer and oust him from his house or a part of his house. I hope that the hon. Minister will see the amended Bill from this new angle. In this connection, I would draw the attention of the hon. Minister to my amendment or I would request the Government to

bring its own amendment. But if you allow the provisions relating to clause 3 to remain as they are, then I am afraid the damage would be increased.

There is another provision also which relates to section 8 of the principal Act. But I am afraid the hon. Minister has come very late in the day with this amendment. The powers of management which vest in the custodian are given in section 10 of the parent Act. One of the powers is given in item (i). There, it is stated that one of the powers of the custodian is to take such action as may be necessary for the management of the property....(Interruptions). Now, section 7 vests the property. I know that there have been rulings of the High Court and the validity of certain State Acts and Ordinances have been challenged. Of course legislation is necessary for validating certain vestments of the evacuee property. I concede that point. But this is only a sort of a corrective. I disagree with my friend Shri D. C. Sharma when he says that we should have foresight to eliminate the lacunae from the outset. However perfect the human machinery may be or however perfect a Bill may be, there is a High Court which in its wisdom declares certain Acts to be *ultra vires* and all that. You have got to have legislations of a corrective nature from time to time. But I certainly question the substantial amendments on the main and salient features of the Act which could have been, with a little foresight, done earlier.

Now, I come to clause 4. That has got different parts.

13 hrs.

The first part, Sir, which is a proposed amendment to section 10 of the principal Act, pertains to empowering the Custodian to realise rents from the displaced persons. It says:

"Where any person is in arrears of rent in respect of any evacuee property vested in the Custodian, the Custodian may, by order, require that person to pay the same within such time and in such instalments as may be specified in the order."

Now, what I respectfully submit is this, that we passed the principal Act in 1950, we amended it in 1953, we again amended it in 1954 and a third amendment was made in 1956. These amendments related to different items under section 10 which vests certain powers in the Custodian as the manager of the evacuee property. In one of the amendments you will find—I refer to (i) of section 10 of the principal Act—it says that the Custodian will be authorised to "take such action as may be necessary for the recovery of any debt due to the evacuee". On this the High Courts have held that the Custodian for the purpose of realisation of the rent of the evacuee property should have recourse to the ordinary law of the land by going to civil courts for realisation. These rulings have been given as far back as before 1953 when for the first time this section was amended. There have been subsequent rulings on the point. If we had got a clear picture about the powers of the Custodian pertaining to the realisation of the rent of the evacuee property before 1953—I am surprised—why was not an amendment brought in 1953, why was it not brought in 1954, why was it not brought in 1956? Empowering the Custodian now to realise the rent from his tenants by a different way than what the ordinary law postulates, I would submit, Sir, would not be just and proper. You have got, I am submitting, the ordinary machinery of law in your hands. Why not have recourse to that and allow the Custodian to go to the court of law?

I may submit for the consideration of the House that the individual who is in occupation of the house is not an unauthorised occupant. Accord-

ing to the very word he is a tenant. Rent is fixed. He is not paying it deliberately, inadvertently or otherwise. You want to realise it. You cannot realise it under the principal Act because the Custodian has only the right of management. You cannot realise it under case law, the High Court has laid down, because you must have recourse to the ordinary law by having court fee. Now you want to give that power to the Custodian. When the whole thing is liquidated you want him to realise it the way he likes, by attachment or through the Collector as arrears of land revenue. Sir, I submit, I take strong exception to this provision. This is neither just nor legal nor constitutional. It is not equitable either. It is not fair.

Now, let us see the next provision which also pertains to section 10. I am referring to the second part of the proposed amendment to section 10—section 10A(2). It is harder still. What it says is this:

"Where any person is deemed to be holding any evacuee property on behalf of the Custodian under sub-section (4) of section 8, the Custodian may, having regard to such principles of assessment of rent as may be prescribed, by order, assess the rent payable in respect of such property and that person shall be liable to pay the rent so assessed."

Sir, what this amendment proposes to do is this, that where the rent is not fixed and the tenant is deemed to be holding the evacuee property on behalf of the Custodian, the Custodian is empowered to assess the rent at his discretion. Now, I beg of you, and through you, Sir, I beg the House to consider the situation. It seems improbable that there will be any property of the kind, but, possibly, because of the slackness on the part of the officials there may be some where there has been no rent realisation all these years. All the same, if there is any such case, why should we have recourse to a special

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legislation for this purpose? Is it justified? The ordinary law of the land is there. The user is bound to pay the mesne profits for the use. Then, the Custodian enters the shoe of the evacuee and is a manager under section 10. I fail to understand why uptill now he has not taken objection to it. Now he will go taking the protection of this law as passed by this august and honourable House. With all the accumulated arrears on the evacuee he will now jump on him and realise it as land revenue. That seems rather—what can I say, possibly it may not be parliamentary, I would only say, it is not fair.

Here too you will appreciate, Sir, with all your legal knowledge and your status in the profession, that the man is a tenant and not an unauthorised occupant. Here again I submit that it rather looks unfair. I might also draw your attention to one thing. My personal feelings are that this point was under consideration by the Ministry at the time when the previous amendment was brought to the principal Act, and I am fortified in my assertion by the amendment which was brought to section 12 of the principal Act. To section 12 of the Act an amendment was brought in 1954 by Act 42 of 1954 by which a sub-clause, sub-clause 4, was added to section 12 of the principal Act. According to that the Custodian was authorised to cancel any lease or allotment of the evacuee property if the person in occupation failed to pay the rent. This governs both 10A(1) and 10A(2). This was brought deliberately because in 1950 Act, whereas the Custodian had powers of managing the property and of fixing the rents he had no right to cancel any lease or allotment for non-payment. He was not asked to take recourse to the relevant Rent Control Acts applicable to the particular State, but, all the same, in 1954, by Act 42 of 1954, this amendment was deliberately brought in order to empower him to cancel the allotment,

cancel the lease, whatever the nature of holding it was, of a displaced person in case the rent was not paid. I would ask respectfully, if in 1954 it was not thought fit to cancel the lease and the allotment because the man had been delinquent and a defaulter in respect of the payment of rent, what is the use of authorising the custodian now to realise that amount? Why was not the allotment cancelled? Because the men will be thrown out and the police will come in and I have seen it happen on many occasions. Therefore, I beg to submit that this provision is also against the Constitution, and in fact, leaving aside the Constitution, this provision is unjust and unfair. It is unfair to authorise the custodian and empower him to such an extent as is being done.

Again, the main or the hardest hit comes in the next provision, in clause 4 which seeks to put in a new section, section 10A. This amendment proposes that where any evacuee property is in unauthorised possession of any person, then also the damages can be assessed at the discretion of the custodian. The hon. Minister was very eloquent about the misfeasances and the misbehaviours of unauthorised persons. I know that he knows in what circumstances they became unauthorised. It was all due to the partition; after partition, they became stranded and penniless and were suffering and they were eager to find some shelter, some roof anywhere. So, the widows, children, old men and others occupied houses wherever they could find a shelter. They hardly knew the law of allotments and the ways in which allotments were made. With all the integrity of the personnel in the Rehabilitation Ministry, it did require a greasing of palm of some low official before the man could get an allotment order. Many did not get an allotment order. Many became unauthorised occupants suddenly and the very fact that these unauthorised occupants were there and were mis-

takenly there was admitted by the Rehabilitation Ministry itself. The Ministry passed orders, trying to regularise them. By the first order, they regularised the possession before 1954. By the second order or press note, they regularised the possessions in 1955, and a third time also, up to December, 1956—if my memory does not fail me—the unauthorised possessions were regularised. My submission is that the Rehabilitation Ministry itself appreciated the significance of the unauthorised occupants inasmuch as these occupants were not deliberate nor were they mischievous. It so happened because of the exigencies of time. I believe that even after 1956 or 1957, whatever the target date, there must be some people yet who are unauthorised occupants, unauthorised in the circumstances in which others were, and in respect of whom the hon. Minister regularised their possessions before 1957. Therefore, with regard to these unauthorised occupants, these unfortunate sufferers who were not aware of the procedure or who were not able to grease the palm of some low officials, I may say that to deal with them as is proposed now would not be fair. I may say again that I do not attack the integrity of the hon. Minister. As I said during the budget debate on the last occasion, I have the highest appreciation for the personnel of the Rehabilitation Ministry. They have done a lot, but no human individual is above human frailties, and there may be among the low officials some people whose palms have to be greased for getting an order. So, to deal with such matters in a way that is postulated in sub-clause (3) of clause 4; where the custodian is authorised to assess the damages as mesne profits for use and occupation in the way he likes and then realise them, is not fair and is not justifiable. It would also be inequitable.

I am sorry I have taken rather a long time, and I shall cut my points short. But I believe that the time that is allocated is quite sufficient for

us to permit me to proceed for a while.

Now, section 10A(4) as is introduced by clause 4 of the Bill gives perhaps the hardest hit. If the hon. Minister appreciates its implication and appreciates its significance, I think he would be the first person to spare this last or parting kick of the Ministry, if I may say so, to the refugees. The provision reads as follows:

“Where any person being in possession of any evacuee property vested in the Custodian has caused damage to any such property, the Custodian may assess the compensation payable on account of the damage so caused and may, by order, require that person to pay the compensation within such time and in such instalments as may be specified in the order.”

We are unearthing all the acts of omission and commission done by an individual during the last ten years. Whether the individual has done such an act is beside the point. The property may have been damaged and you are authorising the custodian to assess the damage to the property. Here I fail to understand what has been the reason for the Rehabilitation Ministry to come forward with this proposal in the 11th year of the Republic and the 13th year after partition. We had already a provision in the parent Act. It was a very stringent provision. I beg to draw the attention of this august House to section 32. This is a penal provision in the parent Act. It says:

“Any person who wilfully destroys or causes damage to any evacuee property or unlawfully occupies for his own use shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.”

This provision in the statute-book is as far back as 1950. This is to the

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effect that a person who causes any damage to the evacuee property is guilty under section 32 of the Act. This section, read with section 37, makes the provisions of the Bill very stringent. Section 37 lays down that "notwithstanding anything contained in the Code of Criminal Procedure, all offences under this Act shall be cognizable". I submit that when we had a provision to that effect, and when all officers in the Rehabilitation Ministry were aware that certain properties were being damaged, why was not recourse taken under this provision? They could stop all the mischief done to the property. But they remained silent. During the 13th year after partition and the 11th year of the Republic and the 12th year of the Act itself, they have come forward to legalise and authorise the custodian to assess all the damages and realise them as compensation from the poor refugees who may be in occupation or who may have even left. So, I submit that this new section 10A which is proposed to be introduced into the statute-book is most unfair and I beg to beseech the hon. Minister to reconsider whether this provision is at all necessary.

There is another aspect of the question. As I have said, I have got the highest regard and the highest appreciation for the integrity of the personnel of the Ministry at the high levels and indeed at all levels. But by empowering the custodian who will be doing all the assessment and who is a subordinate, may I ask whether it will not be introducing an element of temptation for corruption which might damage the position of the Ministry and the officials.

13.20 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

From this respect also, I would beg the hon. Minister to consider whether it would be satisfactory to go into things which have gone by.

Clause 5 seeks to amend section 27, authorising the Custodian-General

even to declare acquired property to be evacuee property. So far he had powers only to declare non-evacuee property; power to declare acquired property to be evacuee property was not there. There may be some cases; I do not know. I would certainly never like that the compensation pool should be enriched by unjustified deprivation of an individual, I would rather like that the compensation pool should suffer than be enriched in this manner. I would beg the hon. Minister to take into consideration the fact that 12 years have passed. If you declare evacuee property to be non-evacuee property and restore it to the rightful owner, what is the position of the person who has acquired it? That will have to be considered. This point has already been discussed in detail by Pandit Thakur Das Bhargava and I need not dilate on it further.

Clause 6 has been fully dealt with. This point was discussed at the time when an amendment was brought by Pandit Thakur Das Bhargava and the provisions of the Evidence Act also were referred to. Certain protection has been given; let us not take it off. I hope the hon. Minister would look into that again.

So far as clause 8 is concerned, this is just identical to clause 7 in the other Act which has been passed by the House. That clause was withdrawn there. Since the provisions are identical, I hope he will be withdrawing it here also.

In conclusion, I would crave the indulgence of the House and submit that the implications and the effects of this Bill are far more than the implications and effects of the sister Bill passed yesterday. It should be taken in that light because it deals with evacuee property which is yet to be acquired; it also affects property which has been in possession of the displaced persons since 1947 and this is unearthing and salvaging matters which are long-buried, which is fair neither to the administration nor to the Ministry.

श्री० रणबीर सिंह : उपाध्यक्ष महोदय, इस विधेयक के सिलसिले में जितनी टीका टिप्पणी हुई है, उस का कोई यह मतलब नहीं कि जो कुछ हुआ है वह सब गलत हुआ है। करोड़ों रुपये की जायदाद का इस महकमे ने बारह साढ़े बारह साल तक ठीक तौर पर इन्तजाम किया है और जैसा लाला अर्चित राम जी ने कहा था कि लाखों आदमियों के क्लेमस को भी निपटाया है। करोड़ों रुपये की जायदाद का इन्तजाम ही नहीं किया, उस को कायदे कानून के मुताबिक बांट कर जो भाई उधर से उजड़ कर आये हैं उनको उस का मालिक बनाया। लेकिन आज उस की इतनी टीका टिप्पणी क्यों होती है, इसकी वजह साफ है कि संसार में ज्यों ज्यों समय बीतता है, जो मसले हल हो जाते हैं, आदमी उन को भूलता जाता है। कुछ मसले हल हो गये और हम ने देखा कि उस का अच्छे ढंग से निपटारा हुआ। जो बचे उन को हल करने के लिये ही उन्होंने यह संशोधन विधेयक रखा। इसी से साफ जाहिर है कि हमारी खराबियां थीं, कमजोरियां थीं, उन खराबियों और कमजोरियों को दूर करने के लिये उन को कानून की मदद चाहिये थी और इस लिये उन्होंने मौजूदा कानून को बदलवाना चाहा। कौन नहीं जानता कि इसी मंत्रालय ने चौधरी कमेटी को नियुक्त किया था और उस में कुछ बड़े बड़े आदमियों और कुछ छोटे आदमियों के कागजात को भी संभाला गया था। कल मंत्री महोदय ने मुझ से कहा कि जो कुछ खराबियां हैं मैं उन को बतलाऊं। उस कमेटी में बड़े बड़े लोगों की खराबियां सामने आईं जो कि आई० सी० एस० आफिसर्स थे। जलघर के बारे में कहा जाता है कि एक हिस्सा जो शहर के बीच में है, जो बिल्कुल शहर में है उस को देहात करार दिया गया और देहात करार देने के बाद बड़े बड़े अफसरों के नाम उस को एलाट किया। और भी बहुत सी चीजें हुईं।

छोटी छोटी खराबियां भी हुईं। मैं जानता हूं, और मंत्री महोदय भी इस बात को मानते हैं, कि जो कुछ हुआ वह सारे का सारा ठीक था ऐसा नहीं कहा जा सकता।

इस विधेयक के सिलसिले में जो कुछ मैं कहना चाहता था उस में से काफी हमारे लाला अर्चित राम जी ने कह दिया, सरहदी साहब ने भी कह दिया जिन को कहने का मुझे हौसला नहीं होता था। उन्होंने मुझे हौसला दिया। शायद आज से कुछ साल पहले वह ऐसी बात इस सिलसिले में न कहते जिस के बारे में उन्होंने आज जिक्र किया, और मैं करना चाहता हूं। इसके अन्दर जितने क्साजेज रक्खे गये हैं, जिस समय मंत्री महोदय ने इस विधेयक को सदन के सामने रक्खा था, उन को उस के कारण कुछ ज्यादा देने चाहिये थे। लेकिन शायद उन्होंने यह समझा होगा कि बजट के वक्त या दूसरे डिस्कशन के वक्त कई बातों को सदन के सामने रक्खेंगे जैसे कि कितना किराया बाकी है। करोड़ों रुपया बाकी है। लेकिन मैं समझता हूं कि जिस वक्त इस कानून को तब्दील करने के लिये यह बिल रक्खा गया उस समय मंत्री महोदय को उन के कारणों का अपनी तकरीर में जरूर जिक्र करना चाहिये था। उन्हें सदन को बतलाना चाहिये था कि कितना रुपया किराये का बाकी है, कितने करोड़ रुपये के मकानों का नुक्सान हुआ है। उन्होंने जिक्र किया अगर दो भाई यहां थे, उन में एक भाई पाकिस्तान चला गया और एक भाई यहां रह गया, जब वह भाई पाकिस्तान गया तो यदि उसकी जायदाद को उसका भाई खरीद नहीं सकता अब हम लोग उस दूसरे भाई की जायदाद का जो कि इक्विवी प्रापर्टी हो गई बन्दोबस्त करने के लिए, दूसरा नान-इक्विवी हिस्सा भी खरीदना चाहते हैं।

श्री मेहर चन्ध लाला : यह बात नहीं है।

श्री० रणबीर सिंह : सेक्शन ३ जो है वह बिल्कुल साफ है इस सिलसिले में कि कस्टोडियन उसे खरीद सकता है। सवाल है कि कितनी परेशानियां थीं, कितने केस थे, मंत्रालय के सामने। और किन परेशानियों की वजह से उन्होंने यह संशोधन रक्खा और कहाँ कहाँ है वह परेशानियाँ, यह भी नहीं बताया। मैं आप से क्षमा चाहता हूँ क्योंकि आप भी उजड़ कर आने वालों में से एक हैं, लेकिन एक सच्चाई है कि इस मंत्रालय के अन्दर जो भाई उधर से आये, आम तौर से उन को ही ज्यादा नौकरियाँ दी गईं, और दी जानी चाहियें थीं क्योंकि उन के रिटैबिलिटीशन का सवाल था। आप जानते हैं कि जिस राज्य से मैं आता हूँ, और जिस राज्य से आप आते हैं वहाँ की बदकिस्मती है कि जिस कौम या जिस मजहब के मानने वालों की जायदाद को आप इवैक्वी मानते हैं उन के मजहब का कोई अफसर नहीं। उस जायदाद का इन्तजाम करने वाले जिसे आप इवैक्वी कहते हैं, आम तौर पर वही भाई हैं जो भाई उधर से उजड़ कर आये हैं, और उन की हमदर्दी जो भाई उजड़ कर आये हैं उन से है। उस हमदर्दी के जोश में अगर वह कुछ अपने अस्तरायार से ज्यादा भी कर दें तो वह भी सही समझा जा सकता है, और समझ में आ सकता है कि वह ऐसा कर सकते हैं। मुझे मालूम नहीं कि यह समस्या कहाँ की है। बिहार की समस्या है तो शायद मुझे ज्यादा उज्ज न हो, लेकिन अगर यह समस्या पंजाब की है तो मुझे उस में बहुत डर है। मंत्री महोदय ने यहाँ पर जो दो धारायें रखी हैं, एक तो ३ और दूसरी ५, उन में जो धारा ५ है वह सारी धारा ३ से खत्म हो जाती है। आज तक किसी को यह अधिकार नहीं था कि जो भाई यहाँ हैं, और जिस की जायदाद को इवैक्वी प्रापर्टी करार न दी गई हो, उस की जायदाद के ऊपर कोई हाथ उठाये। लोगों को तो शायद पहले से ही गिला था,

मंत्रालय को भी आज गिला है। इसी लिये उन्होंने सेक्शन ५ को यहाँ रक्खा है। कुछ ऐसी जायदादें हैं यहाँ पर जो इवैक्वी प्रापर्टी नहीं थीं, और न इवैक्वी प्रापर्टी मानी ही जाती थी, लेकिन फिर भी उस को इवैक्वी बना दिया गया। यह सेक्शन ५ इसलिये लाया गया है कि वह ऐक्वायर की हुई प्रापर्टी उन आदमियों को वापस मिल सके। कुदरती बात है। हम मानते हैं कि यहाँ गलतियाँ हुई हैं। लेकिन उन गलतियों के करने वालों के हाथ में आज आप एक दूसरी तलवार दे रहे हैं। मुझ को तो यह बहुत खतरनाक लगता है। शायद मुझ को यह ख्याल भी न आता, चुभता भी नहीं, अगर आज से पाँच या दस दिन पहले एक वाक्या मेरे सामने न आता। रोहतक जिले के अन्दर एक सुभाष नगर गांव है। पहले तो उस का नाम कुछ और था, लेकिन अब उस का नाम सुभाष नगर है। उस में कुछ भाई हैं जो मुसलमान काश्तकार थे। वह अभी भी वहाँ हैं। वहाँ के एक भाई मेरे सामने आये उन का एक भाई साल या डेढ़ साल पहले पाकिस्तान चला गया। उस के रहने वाले मकान को एक भाई ने बोली में ले लिया है। जिस भाई को वहाँ पहले जमीन एलाट हुई थी वह अपनी जमीन को बेच गया। दूसरे भाई की जायदाद नीलाम हो रही है। वह वहाँ रहता है लेकिन उस के आधे मकान को दूसरे को बेचा गया। उस के खिलाफ अब अपील पेंडिंग है। लेकिन आज तो उस भाई की सुनने वाला कोई नहीं है। कल कोई दूसरा भाई, असिस्टेंट कस्टोडियन या कोई दूसरा छोटा बड़ा आदमी लिख देगा कि यह प्रापर्टी खराब हो रही है और मुझ को यह दूसरा हिस्सा भी खरीदने की इजाजत दी जाय। ऐसी हालत में उस बेचारे को जो अब तक किसी तरह अपना गुजारा करता आ रहा है, अपने मकान से भी जाना होगा।

मैं जानता हूँ कि कानून में जो मसविदा रखा गया है वह इसलिए रखा गया है कि अगर इवेक्सी प्रापर्टी घटती है तो उसकी वजह से पूल में घाटा न रहे। असल में क्या होता है ? होता यह है कि अगर किसी प्रापर्टी की कीमत बढ़ती है और किसी आदमी को फायदा दिलवाना है, तो उस जायदाद की कीमत लगायी जाएगी और वह उसको पहले ज्यादा दिलायेंगे, वह खरीद कर नहीं सकता। पर दूसरे के पास तो क्लेम है। आप मानिए या न मानिए, इसमें सबूत देने की कोई बात नहीं है कि रुपये का क्लेम १२ आने, आठ आने और सात आने में बिका है। इस बात को सब आदमी जानते हैं। मंत्री महोदय को भी यह बात मालूम होगी और मंत्रालय को भी मालूम होगी। मैं जानता हूँ कि जिन लोगों को इन हालात में अपने क्लेम बेचने पड़े उनकी भी बहुत बड़ी मजबूरी थी। तभी तो उन्होंने रुपये की चीज को सात आने में दे दिया। जिन्होंने उनको खरीदा—चाहे किन्हीं हालात में खरीदा—उन्होंने उन भाइयों को कानूनी तौर पर एक्सप्लाइड किया, लूटा। मैं नहीं कह सकता कि कितने करोड़ के क्लेम इस तरह से अण्डर बिड किए गए लेकिन अगर हिसाब लगाया जाए तो यह एक बहुत बड़ी रकम होगी। जिन भाइयों को मजबूरी थी उनको हमारे इस इन्तिजाम से घाटा हुआ। हमारी भी मजबूरी थी हम उनको उसी वक्त क्लेम का रुपया नहीं दे सकते थे। लेकिन बहरहाल उनकी इस हालत का कुछ भाइयों ने फायदा उठाया।

तो मैं यह कह रहा था कि यह जो बात है जायदाद खरीदने की, मुझे इसमें आशंका है, मुझे आशंका है कि पहले जो चीज थी यह उससे भी ज्यादा खराब होगी। मैं नहीं चाहता कि यह अधिकार किसी छोटे मोटे अधिकारी के हाथ में हो। अब तो इस

सदन को बताया जाना चाहिए था कि कितनी ऐसी प्रापर्टीज है कि जिनको हमें खरीदना जरूरी है। मैं तो समझता हूँ कि ऐसी प्रापर्टीज की लिस्ट, जिनको खरीदना आप जरूरी समझते थे, हमको पहले ही मिलनी चाहिए थी, लेकिन अगर अब तक नहीं मिली, और हमको अगर यह कानून पास करना है, तो कम से कम अब इस सदन के हर सदस्य को वह लिस्ट मिलनी चाहिए, ताकि अगर उनके हलके में कोई ऐसा मामला हो तो वह देख सकें कि किसी गरीब भाई से धक्का न हो सके। पंजाब में कायम रहना कितना मुश्किल है यह वह भाई जानते हैं जो उधर से आए हैं। पार्टीशन के १२-१३ साल बाद अब उनको फिर बेघर होना पड़ेगा। हम तो समझते हैं कि इस कानून का सबसे खराब नतीजा यह होगा।

इस कानून में उन्होंने एक अच्छी बात की भी झलक दिखायी है। अगर इसमें यह झलक न होती तो शायद यह पास भी न होता। मंत्री महोदय मेरी गुस्ताखी माफ़ करेंगे। मुझे पता लगा कि मंत्री महोदय वकील नहीं हैं, लेकिन अपनी बात मनवाने में वह किसी वकील से भी ज्यादा होशियार हैं। मैं मानता हूँ कि इस बिल का क्लोज ३ कमी पास नहीं हो सकता था, अगर इसके साथ क्लोज ५ भी न होता। मुझे मालूम नहीं, लेकिन शायद मंत्रालय के भाई भी बहुत होशियार हैं, उनके सामने बहुत समस्याएं हैं। शायद वह इस बात को समझें हों कि इस सदन का मन कैसा है और इस सदन के सदस्य किस ढंग से सोचते हैं। हो सकता है कि माननीय मंत्री का ध्यान उस तरफ न गया हो, तो मैं उनका इस तरफ ध्यान दिलाना चाहता हूँ। अगर आप चाहते हैं कि आपको दफा ५ के लिए यश मिले तो आप दफा ३ को हटा दीजिए और जो समस्याएं हैं उनको इस सदन के सामने फिर रखिये। सारी समस्याएं सदन के सदस्यों के सामने आएँ और उसके बाद

[चौ० रणबीर सिंह]

इसको लाया जाएगा तो मैं समझता हूँ कि यह एक अच्छा तरीका होगा।

बांकी बात तो बहुत अच्छी है। सरदार अजित सिंह सरहदी ने जिक्र किया क्लाइ ८ के बारे में। वैसे तो कोई आदमी इसकी खिनाफत नहीं कर सकता। आखिर देश के अन्दर हिमाब किताब तो सब का होना चाहिए। जो भाई उधर से आए हैं उनका भी होना चाहिए। लेकिन इस चीज को किम ढंग से चालू किया जाए। मुझे इस बात से इन्कार नहीं कि अफसरों को अधिकार दे दिए जाएं। लेकिन अफसर भी हमारी तरह के ही इन्सान होते हैं। जिससे वह नागज हो जाते हैं उसके टिकने के लिए जगह नहीं रहती। खुदा ही उसकी रक्षा कर सकता है। तो मैं चाहता हूँ कि चाहे इस बारे में मंत्रालय द्वारा हिदायत दी जाय या मंत्री महोदय हिदायत दें। मैं जानना हूँ कि मंत्री महोदय के पास बहुत बड़ा काम है। जो भाई वैंस्ट पाकिस्तान से आए थे उनकी समस्या तो किसी हद तक हल हो गयी है। कुछ उन भाइयों ने खुद अपनी समस्या हल कर ली है। उन्होंने अपने होमले में अपनी समस्या किसी हद तक हल कर ली है। लेकिन जो भाई ईस्ट पाकिस्तान से आए हैं उनका कुछ होमला भी कम है। गुहा साहब का तो गिला है कि मंत्रालय का होमला कम है। हमें तो दोनों का ही होमला कम दिखायी देता है।

श्री मेहरचन्द खन्ना : मैं आपका वहाँ से चयन कर दिखा सकना हूँ।

चौ० रणबीर सिंह : मैं ने जाकर देखा है। उनको जमीन मिली जिसमें अच्छा चावल हो सकता था। उनको मकान मिले हैं। लेकिन वह उस जमीन में कुछ नहीं कर पाये और पंजाब के राय सिखों ने वहाँ जाकर उनमें बहुत जमीन खरीद ली और आज उसमें

चावल पैदा कर रहे हैं। वह भाई भी उजड़ कर आए हैं और यह भी उजड़ कर आए हैं। फर्क यह है कि जो बंगाल से उजड़ कर आए हैं वह पंजाब वालों जैसे होमले वाले नहीं हैं।

एक माननीय सदस्य : दोनों बहादुर हैं।

चौ० रणबीर सिंह : बहादुर हैं, इसमें मुझे इन्कार नहीं। बंगाल के भाई हमसे पढ़ने लिखने में, डाक्टरी वगैरह में हमसे बहुत ज्यादा हैं, लेकिन खेती के काम में हम से पीछे हैं।

एक माननीय सदस्य : बुद्धि में ज्यादा है।

चौ० रणबीर सिंह : मैं तो कह रहा हूँ कि बुद्धि में हमसे आगे हैं। बहादुर भी होंगे। लेकिन शरीर के मामले में हम उनसे आगे हैं।

उपाध्यक्ष महोदय : चौधरी कीनसी चीज चाहता है ?

चौ० रणबीर सिंह : मुझे तो दोनों की ही जरूरत है। हर पांचवें साल चुनाव आते हैं। उस समय तो अगर शरीर मजबूत न हो काम नहीं हो सकता लेकिन सदन में बुद्धि की आवश्यकता होती है।

तो मेरे साथी ने जो कि मेरे जिले से चुन कर आए हैं गिला किया। उनकी आशा लगी थी केरल की ओर। वह समझते थे कि वहाँ वजारत की कुर्सी मिलेगी। वह समझते थे कि गायद पंजाब में भी कुर्सी मिल जाएगी। लेकिन केरल की कुर्सी तो खिसक गयी और ऐसा ७, अंतर मंतर रोड वालों की कोशिश से हुआ। इसी लिए वह अपने दिल के फफोले यहाँ फोड़ रहे हैं। अगर कम्युनिस्ट पार्टी के पास या दूसरी पार्टी के पास कोई ऐसी प्रापर्टी होती जो कि इक्की होती

और पोलिटिकल पार्टी के हाथ में होती और उनके साथ कोई दूसरे ढंग का व्यवहार किया जाता तो मेरी समझ में आ सकता था। लेकिन आज वह क्या चाहते हैं और क्या समझते हैं ? वह पोलिटिकल पार्टी जिसे हर पंच साल बाद मुकाबला करना पड़े तो वह कंगाल हो जाती है, वह किसी साहूकार के बराबर आकर बोली नहीं दे सकेगी। मैं तो समझता हूँ कि कई दफा जब हम लड़ लेते हैं तो लड़ने के बाद समझ की बात भूल जाते हैं।

हम सबको इस बात को मानना चाहिए कि यह रजिस्टर्ड बाडी हम से बेहतर नहीं है। इस देश के बनाने में अगर सियामी आदिमियों का हाथ नहीं है, तो मैं समझता हूँ कि यह देश बना ही नहीं है। मुझे इसमें कोई एतराज नहीं है कि उन बनाने वालों में आचार्य कृपालानी, गोपालन साहब, डांगे साहब और खुदावक्त राय साहब को और सब को, शामिल कर लिया जाये। उनका जो तरीका है, काम करने का जो स्थान है, उसकी रक्षा होनी चाहिए। प्रजातन्त्रवाद के नाम पर जो दुहाई दी जाती है और इस ढंग की बात को लूट कहा जाता है, वह गलत है, और गलत वकालत है और वह इस लिए है कि किसी का एक पार्टी से गिला है। लेकिन वह भूल जाता है कि कभी उसकी पार्टी के साथ भी ऐसा मामला आ सकता है और आया है। केरल में कितनी चीजों के ऊपर कम्युनिस्ट पार्टी के साथ रियायत नहीं हुई, यह सदन जानता है और यह देश जानता है।

उपाध्यक्ष महोदय : मैं चौधरी साहब से दरखास्त करूंगा कि वह अब खरम करने की कोशिश करें।

श्री० रणवीर सिंह : आखिर मैं मैं मंत्री महोदय से यह निवेदन करना चाहता हूँ कि

उस मेरे भाई ने जो टीका-टिप्पणी की है, उसका कोई बहुत ज्यादा असर वह न समझें क्योंकि वे तो दो चार भाई हैं, हारे हुए भाई हैं और हारे हुए भाई के शब्द का गिला नहीं करना चाहिए, अगर तो उसका क्या होगा।

Shri Mehr Chand Khanna: Sir, as I said yesterday while moving this Bill for consideration that I do not wish to cover the same ground over again, I would even now like to avoid repeating those arguments. But I am sorry that all those arguments, which were stated on the floor of the House yesterday, have been repeated and some of my hon. friends have even made references to some of our housing schemes and colonies which have no bearing whatsoever either on the amending Bill or on the amendments that have been proposed by some of the hon. Members. I will deal with some of those general questions on another occasion.

As far as this Bill is concerned, my hon. friend, Professor Diwan Chand Sharma, made some remarks which, I believe, were based more or less either on ignorance of the provisions of the amending Bill or he had no idea whatsoever of the provisions of the parent Bill. He said that vast powers were being vested in certain officers and people had no right of approach to the Ministry. If he had only listened to my speech yesterday, I had made it abundantly clear that there is an appeal to the Chief Settlement Commissioner or the Settlement Commissioner. Then there is revision and after that there is a right of approach to the Ministry under section 33. So, any order that is passed either by officer A or by officer B, either under this Act or under the previous Act is appealable.

It rather came to me as a surprise that while on the one hand attacks were made on the Ministry, on the other

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hand an effort was sought to be made that even those powers which are being exercised by some very high officers either in the compensation organisation or in the Custodian General's organisation should now be centred in the Ministry. A remark was made that there was a time when the Custodian General in this Ministry was of the rank of a retired High Court Judge. Two, three or four Custodian Generals were appointed in this Ministry and every time an effort was made that we get a judge of high reputation both in ability and integrity so that on account of the abnormal provisions of this law, justice can be meted out to the aggrieved parties. But a time came not many months ago, a few months ago, when the work of this Ministry tapered off to a very great extent. The Custodian-General today, in my view, has not got the same amount of work that his predecessors had. So, we combined the office of the Custodian-General with that of the Chief Settlement Commissioner, and I have no hesitation in naming the officer who till a couple of months ago held this post, because my hon. friends, in spite of the remarks about some officers of the Ministry, have always been very appreciative of his work—I am referring to Mr. Johnson. Shri Ajit Singh Sarhadi and many other friends whoever had the opportunity of meeting him, have told me, and I think Lala Achint Ram also told me that he was not very happy over his transfer from Delhi to Dandakaranya.

Shri Achint Ram: Yes, quite right.

Shri Mehr Chand Khanna: He is one of our very fine officers, but realising the priority that we wished to give to the Dandakaranya scheme and to the rehabilitation of displaced persons from East Pakistan, I thought

that even if we had to undergo a little bit of hardship in the western region, I owed the refugees from East Pakistan a duty and it was on this consideration that Mr. Johnson was transferred.

After that fortunately we have been able to get another senior officer of the service, and he joined us only a few days ago. So, though I have not been able to and I have not thought it advisable to appoint a Judge of the High Court at this stage because the work does not justify it, I still have a very senior officer, an officer of the rank of a Joint Secretary in the Government of India, a senior ICS officer who is combining both the functions in him, the functions of the Custodian-General and the Chief Settlement Commissioner. The appeal lies to the Custodian-General. If there is any order of a Custodian or a Deputy-Custodian, for that procedure is properly laid down in the Act, and these appeals and revisions can be made.

So, I felt that when Shri D. C. Sharma made that criticism about the vesting of certain officers with certain powers and making them absolute, he was not justified because he was not apprised of the other provisions where relief is provided under the Act.

Another remark that Shri D. C. Sharma made was that though certain judgments or rulings had been given by certain High Courts, I took several months to come before the House. He accepted the position that validation was essential, that it must be done, but thought that I took many months in coming before the House. If a judgment is given by a High Court, and the judgment is not supported by another Judge of the same High Court and we feel that there

are contradictory opinions, then before I rush to Parliament, I have to go through certain stages. We have that matter examined in our own Ministry, we then go to the Ministry of Law, and sometimes we have even to go to the Solicitor-General. After the matter has been thoroughly discussed and the Government is satisfied that legislation either amending or original has to be brought before the House, the matter is taken up to the Cabinet. In my case, as you know, there is a Rehabilitation Committee of the Cabinet which has been functioning for all these years, and the powers of the Cabinet *vis-a-vis* this Ministry are centered in that Rehabilitation Committee of the Cabinet. After the approval of that Committee we have to go to the Minister of Parliamentary Affairs and see that he finds us time, on account of the legislation that is pending, the priority that a certain legislation has to receive etc., and seek his approval for bringing up the Bill before the House.

This Bill, or both these Bills, were brought before the House during the last session, but on account of lack of time, they could not be discussed. I wish to assure my hon. friend Shri D. C. Sharma—he is not present in the House—and other Members that if there has been any delay, it is not wilful; it is a delay which has to take place, and we would rather be on the safe side in taking a little extra time, in having the matter thoroughly examined, than come before the House and put up a legislation which may not stand the test of time.

He made a rather uncharitable reference, though in a veiled way, to some of my predecessors. The Evacuee Property Act, I think, was passed in 1950. Who knew the conditions then? I am prepared to confess that though I have been the longest in this Ministry, if some one were to ask me today to define the word "rehabilitation" fully, I may not be able to do it. So, the Act was passed in 1950 and either due to the judg-

ments given by certain High Courts, or on account of the legal opinion that we may receive, or on account of the ambiguities that may arise from time to time, if we come before the House, no aspersions should be cast on those Ministers who, years ago, had to pilot some of these Bills.

Now I come to my hon. friend Shri Ajit Singh Sarhadi. I heard his speech with very great attention. As regards clause 2 he had nothing to say; he just referred to it in passing, because he knows perfectly well what harm, if this Bill is not passed by Parliament, will be done to the refugees, to the evacuee pool and to the Government revenues. So, he referred to that only in passing, but he spent a great deal of his time on Clause 4.

Clause 4 is nothing new to what we discussed in another clause of the Bill that was passed by the House last evening. There you may have a managing officer, here you may have a Custodian. The position remains the same. So, I do not wish to take up the time of the House by repeating all those arguments as to why a District Judge cannot be introduced into our system today, how there is no longer need for him today though there might have been need for it three, four or ten years ago. I do not want to cover all that ground. There is, however, one thing on which I am in agreement with him, and I am grateful to him for having drawn my attention to it, and I am also grateful to Ch. Ranbir Singh. That is in relation to Clause 3. Where there is composite property and the evacuee interest has to be separated after adjudication, there we come up against certain difficulties. I wanted to seek powers to overcome those difficulties. It has never been my intention, or that of the Government, that I shall take powers with a view to purchase property which is not directly concerned with the Evacuee Pool or evacuee property as such. So, I have no hesitation in accepting the amendment which will be moved by Shri Ajit Singh, that is, to insert the words

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"non-evacuee interest in evacuee" after the words "acquire any" in that clause. I accept that, though it will come up later. I hope, Ch. Ranbir Singh will now accept by *bono fides* and intentions that in bringing clause 5 I had no intention of hoodwinking the House or taking powers which I wanted to use against the local persons in purchasing their property.

14 hrs.

Ch. Ranbir Singh: It was just a joke. I never meant it.

Shri Mehr Chand Khanna: Sardar Ajit Singh made one remark possibly because he was irritated over my speech yesterday, when I talked about the restoration of property to a Muslim national. My friend, Ch. Ranbir Singh just made a reference about Subhash Nagar. If that case comes before me, I shall certainly look into it. I said yesterday that it will be a very sad day when any Government which professes to be secular takes advantage of the unfortunate position of a national of India whose property should never have been declared as evacuee is declared as evacuee and we deprive him of all those benefits.

My hon. friend Shri Diwan Chand Sharma said yesterday that even in the case of amendments moved with the best of motives, I have tried to impute motives. That was never my intention at all because I know every Member of this House who brings forward something before the House, does it with a view to helping the Government, with a view to seeing that the law that we pass is properly administered and that law commands the respect of the people in its fairness, in its justice, in its application. Ajit Singh said that I want to take powers with a view.....

Mr. Deputy-Speaker: I feel that when the hon. Minister is addressing them, or referring to them, some formality should be observed.

Shri Mehr Chand Khanna: Shri Ajit Singh Sarhadi and myself have been together for so many years, both coming from the same part. I used to call him Ajit. Here, I call him Sardar Ajit Singh.

Mr. Deputy-Speaker: Those freedoms might be exercised outside the House.

Shri Mehr Chand Khanna: I am sorry, Sir. I shall call him as Sardar Ajit Singh Sarhadi.

Shri Jagdish Awasthi (Bilhaur): Shri Ajit Singh Sarhadi.

Shri Mehr Chand Khanna: About composite properties, it is rather a difficult process. First of all, we know that the house or a part of it is evacuee property; then the case has to come before the competent officer; he adjudicates; after that, separation of evacuee interests takes place. A part of it belongs to a Muslim who has gone away to Pakistan; a part of it may be belonging to his very brother who may be in India and may be in possession of that house. So, what we did was, in cases that came up before us where we found that a co-sharer, who is still living in that house—his brother has gone away to Pakistan—and the property has been declared evacuee to the extent of the Custodian's share. We gave him facilities by an order which was issued two or three or four years ago—I cannot recall exactly the date—where we said, "If the evacuee share is less than half, sell that share to the non-evacuee co-sharer at the price assessed by the competent officer and if he is not interested, then offer it to the allottee if he is a displaced person." So, we have already given that facility to the person who is a co-sharer in a house, maybe half, maybe two-thirds, maybe one-third. We have already given him the facility to purchase the share which will vest in the Custodian under certain conditions because we do not want to deprive him of that house. If there is

a big property and it can be separated by metes and bounds, then the question does not arise. But if it is a small house where his father has lived, where his fore-fathers have lived and the national is still living in India, but his brother has gone away to Pakistan, we have given him the facility to become the owner of that house. Under the Act, the Custodian has the power to sell his share, but the difficulty arose that in certain cases the other person who is a non-evacuee and is living in India says, "I am not willing to purchase the house; I do not want to purchase the house." Now, if he does not want to purchase the house and the Custodian has no power to purchase the property, then we have come up against cases where we found that the evacuee interests or the Government interests or the interests of the Pool were not being properly looked after. So, we are taking power in these exceptional cases to allow the Custodian to purchase the other share of the property and then the whole can either be allotted to a displaced person, if it is according to the rules, or it can be sold. But having accepted the amendment which Shri Ajit Singh has suggested that objection should not now arise.

As regards clause 6, we discussed it at great length yesterday. We gave powers to the Custodian General under section 27. We have to give similar powers to the Custodian General in the case of a property which has been acquired under section 12, because cases have come to our notice where the property has passed from the Custodian's Department and has become vested in the President under section 12. If we find now that that property should never have been declared as evacuee and the man whose property has been declared evacuee, just as Ch. Ranbir Singh said, is still living in India, still living in Subhash Nagar, still living in Rohtak, then our idea is to give those powers to the Custodian General to restore that property. I do not want to dwell upon that argument whether I should exercise

that power in the Ministry, or whether that power should be exercised by the Custodian General.

Now, I come to clause 7.

Shri Ajit Singh Sarhadi: On a point of clarification. The hon. Minister said that he wanted to vest the Custodian General with powers to declare an acquired property as a non-evacuee property. Now, if the acquired property has been transferred to a displaced person, either by way of adjustment or otherwise, what would be the position then? In that case, will a fresh allotment be made to him? How will he proceed in that eventuality?

Shri Mehr Chand Khanna: It is a very relevant question. If in the meanwhile the house has been allotted to a displaced person, and he is in possession of that house...

Shri Ajit Singh Sarhadi: And has been adjusted against his claims.

Shri Mehr Chand Khanna:... and it has been adjusted against his claim...

Shri Ajit Singh Sarhadi: Or purchased by him in auction.

Shri Mehr Chand Khanna:...or it has been purchased by him in auction. . . .

Pandit Thakur Das Bhargava: And he has erected a substantial property over there.

Shri Mehr Chand Khanna:—my hon. friend Pandit Thakur Das Bhargava has drawn my attention to that important fact which I myself mentioned yesterday... and he has made some substantial improvements, in the belief that he is the owner of that property because that property has been given to him in satisfaction of his claim, then I shall have to consider, the Ministry shall have to consider whether we should deprive the displaced person of that house or the Mussalman to whom that house has to be restored, and whether under

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the law, we should give him something, as I said yesterday, whether some other property or some cash or some property and cash or some house. But I shall certainly see that a displaced person to whom I have allotted a house or sold a house, and who has taken it in good faith is not put to any loss. Whether he is allowed to keep on that very house or not is entirely a separate question; that will depend upon the merits of each case.

Now, I come to clause 7. I shall seek the permission of the Chair, as I did yesterday, to delete that clause, so that I could bring it in line with what happened yesterday.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Administration of Evacuee Property Act, 1950 be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the clauses.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Amendment of section 10)

Amendment made:

Page 2, line 3, after "acquire any" insert "non-evacuee interest in evacuee".

[Shri Ajit Singh Sarhadi]

Mr. Deputy-Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4—(Insertion of new section 10A)

Pandit Thakur Das Bhargava: I beg to move:

Page 2, for lines 9 to 39, substitute:

"10A. Where any person is in arrears of rent in respect of any evacuee property vested in the Custodian or where any person is deemed to be holding any evacuee property on behalf of the Custodian under sub-section (4) of section 8 or where any person is or has at any time been in unauthorised possession of evacuee property and has not surrendered possession though ordered to do so or has caused damages to any such property, the Custodian may sue such person for arrears or recovery of amount due as rent or damages for use and occupation or other damage as the case may be in the civil court and such court shall decide the suits in accordance with the general law of the land and the Civil Procedure Code shall be applicable to such suit." (8)

Shri Ajit Singh Sarhadi: I beg to move:

(i) Page 2, lines 17 and 18, for "and that person shall be liable to pay the rent so assessed" substitute:

"and in case it is disputed by the occupant, shall refer such dispute to the District Judge nominated in that behalf by the State Government, whose decision thereon shall be final." (4)

(ii) Page 2, for lines 24 to 26, substitute:

"and may, by order, require that person to pay the damages and fix instalments for the payment of such damages; but if it is disputed by the occupant or the holder, shall refer such dispute to the District Judge, nominated in that behalf by the State Government, whose decision thereon shall be final." (5)

(iii) Page 2, omit lines 27 to 32. (6)

(iv) Page 2, lines 30 to 32, for "and may, by order, require that person to pay the compensation within such time and in such instalments as may be specified in the order", substitute:

"and in case the assessment is disputed, shall refer the matter to the District Judge nominated in that behalf by the State Government whose decision thereon shall be final." (7)

Mr. Deputy-Speaker: These amendments are now before the House. I suppose enough has been said already on this matter.

Shri Ajit Singh Sarhadi: I would not recapitulate the arguments I advanced earlier, but I still beg of the hon. Minister to consider whether he could not agree to the omission of lines 27 to 32 at page 2 of the Bill, namely sub-section (4) of proposed section 10A which postulates that the Custodian should be authorised even to assess the damages to the property and to assess the compensation in respect thereof.

This is a very novel provision, and it is found nowhere else. To assess the damages after such a long time would not be fair. Earlier, the criminal provision was there, and penalty could be imposed under section 32, and the offence was also cognizable. But, after a period of twelve or thirteen years, again to assess damages and ask for compensation would be rather unfair. I would strongly stress on this that the hon. Minister should consider this amendment, particularly, along with the others, of course, which I have moved.

Mr. Deputy-Speaker: Does Pandit Thakur Das Bhargava want to say anything on his amendment?

Pandit Thakur Das Bhargava: I have moved my amendment. That is all.

Shri Mehr Chand Khanna: I only want to give one assurance to the House in the matter of these damages,

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that if I find that there is a case where the damages which are assessed are heavy, I shall have the case examined at the level of my technical adviser in this Ministry, who is a very senior officer, namely a superintending engineer, and I shall see that no injustice is done. I am prepared to give this assurance to the House, and I would also make this request to hon. Members that if a case of this nature comes to their notice, I shall be very grateful if my attention is drawn to it.

Mr. Deputy-Speaker: I take it that the hon. Member is not pressing his amendments.

Shri Ajit Singh Sarhadi: I am pressing my amendments.

Mr. Deputy-Speaker: Then, I shall put the amendments to this clause to vote.

The amendments nos. 4, 5, 6, 7 and 8 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

New Clause 4A

Pandit Thakur Das Bhargava: I beg to move:

Page 2, after line 39, insert:

'4A. After section 16 of the principal Act, the following section shall be inserted, namely:—

"16A. The Central Government may in cases where it has acquired property under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 at any time by notification published in the Official Gazette cancel such acquisition and order the restoration or the transfer of the property to such person as is deemed by it to be entitled to the property on such terms and conditions as it considers just and equitable.".

Mr. Deputy-Speaker: I shall now put the amendment to vote.

The question is:

Page 2,—

after line 39, insert,—

'4A. After section 16 of the principal Act, the following section shall be inserted, namely:—

"16A. The Central Government may in cases where it has acquired property under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 at any time by notification published in the Official Gazette cancel such acquisition and order the restoration or the transfer of the property to such person as is deemed by it to be entitled to the property on such terms and conditions as it considers just and equitable."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Clause 7

Mr. Deputy-Speaker: Now, we come to clause 7.

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): We are withdrawing it.

Mr. Deputy-Speaker: That shall have to be done by putting it to vote and the House rejecting it.

The question is:

"That clause 7 stand part of the Bill."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clauses 8 and 9 stand part of the Bill."

The motion was adopted.

Clauses 8 and 9 were added to the Bill.

Clause 1 (Short Title)

Amendment made:

Page 1, line 4, for '1959' substitute '1960'.

[Shri P. S. Naskar]

Mr. Deputy-Speaker: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1, for 'Tenth Year' substitute 'Eleventh Year'.

[Shri P. S. Naskar]

Mr. Deputy-Speaker: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Long Title was added to the Bill.

Shri Mehr Chand Khanna: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

14.19 hrs.

DOWRY PROHIBITION BILL—Contd.

The Minister of Law (Shri A. K. Sen): I beg to move:

"That the following amendments made by Rajya Sabha in the Bill to prohibit the giving or taking of dowry, be taken into consideration:—

'Clause 2

(1) That at page 1, at the end of line 9, after the word 'given'

the words 'either directly or indirectly' be inserted.

- (2) That at page 2, lines 1 to 6 be deleted.

Clause 4

- (3) That at page 2, clause 4 be deleted."

Now, Sir, so far as the first amendment is concerned, it is really consequential. It is merely change in drafting language. Even the original Bill included the expression "anything given directly or indirectly". So far as the Government is concerned, as this amendment makes it more clear by use of specific language, we accept the amendment.

Mr. Deputy-Speaker: It was rejected.

Shri A. K. Sen: It was rejected only on the ground that it was a surplusage. In fact I told the House—I think you will remember—that the word 'given' would include 'anything given indirectly'. I think the House accepted my interpretation and thought that it would be surplusage to add the words 'either directly or indirectly'. The Rajya Sabha Members felt that even if it is surplusage, it should be mentioned. In this case, as you know, there was no whip. We have not been issuing any whip and the amendment adding the words "whether directly or indirectly" has been accepted by Rajya Sabha. Instead of trying to precipitate a joint sitting, I think, we might as well accept it.

Shri Shree Narayan Das (Darbhanga): We have had no joint session since we started.

Shri A. K. Sen: We will have a joint sitting at 5 o'clock today!

Now, Sir, so far as the second amendment is concerned, if hon. Members would be good enough to turn to page 2, they will find that it is really the deletion of the explanation which was introduced. I think the hon. lady Member, Shrimati Renu Chakravarty would be glad about it. I think our other colleagues of the fairer sex would be very glad to find that this

explanation has been deleted by the Rajya Sabha. In fact, I can tell the hon. Members of this House that the Government more or less supported the deletion. Government means I personally, because, in this case, as I said, there has been no whip. Personally I thought that even though our interpretation remains, namely, that 'unless a thing is really paid in consideration of marriage', there cannot be anything to prevent either a father or mother to give anything to a daughter, by way of pure gift which is not tainted with the vice of being made a dowry. But, if that is stated in the explanation as it is stated here, it might leave the door open to people trying to bring about gifts, ostensibly as gifts, but which really arise by way of consideration for bringing about a marriage. That is why, Sir, the Members of the Rajya Sabha felt that if the interpretation that the Government gave with regard to the definition of dowry was correct, then, this explanation should not be there. In fact, the introduction of this explanation would have the effect of encouraging transactions ostensibly disguised as gifts but possibly not really gifts. So, this House would be at liberty to accept the amendment made by the Rajya Sabha. So far as I am concerned, I shall be quite happy if the amendments of the Rajya Sabha were accepted.

Now, Sir, so far as the deletion of Clause 4 is concerned, I would like to say this. Here, there is a mere demand which is not actually followed by the receipt of dowry. In other words, merely because a man demands dowry, it is not followed up by actual agreement of marriage and actual giving and taking of dowry and therefore mere demand should not really be made penal. Various arguments were advanced in the Rajya Sabha in this respect. In fact, most of the lady Members of the other House were very insistent that mere demand should not be made penal. They felt that in a society like ours, especially in the rural areas, private feuds result in one party not accepting the daughter of the other. These feuds are very common. It was felt that if mere

[Shri A. K. Sen]

demand was made penal, a man whose daughter has not been accepted by the other, but marriage is done to somebody else's daughter, would not hesitate to go and lay a complaint in a court of law saying that his daughter has not been accepted because the dowry that was demanded was not paid. There will be thousands of cases of such harassing complaints without really bringing about any substantial results or benefits strong enough to outweigh the mischief which might result in a society like ours, especially in our rural areas, from such harassing complaints. It would be true that if mere demand is made penal, that would lead the door open to hundreds of harassing complaints by unsuccessful parents of daughters whose daughters are not actually selected as brides.

Mr. Deputy-Speaker: But would it not be the situation that only if a demand remains unmet, then alone complaints would be brought or disclosures made?

Shri A. K. Sen: Then it has resulted in the actual giving and taking of dowry. It would be penal.

Pandit Thakur Das Bhargava (Hissar): Prevention is better than cure.

Shri A. K. Sen: What I meant was the actual taking of the dowry in consideration of selecting a bride for a bridegroom. If neither the bride is selected, nor the dowry is taken, but merely a demand had preceded, it was felt by Members of the Rajya Sabha that that should not be made penal. In fact, it would not result in the corresponding benefit. I personally agree, Sir, that what we really ought to penalise is the actual giving and taking of dowry.

Dr. M. S. Aney (Nagpur): Demand is not dowry.

Shri A. K. Sen: It is said that demand is not dowry. Well, there is difference of opinion.

Mr. Deputy-Speaker: It is not dowry that is punished, it is the giving of the dowry that is punished.

Shri A. K. Sen: Exactly, Sir. I don't think we can make that difference at all. It is a demand by a man for dowry which is really vicious. It is pernicious and I do not think there is anybody in the House or outside or any section of public opinion, which would plead for such a demand being made. But what is said is that even those who voted in favour of the amendment for deletion of Clause 4 never supported the demand on principle but what was stated was that if mere demand is made penal, then, it would lead to harassment. It has been said that it would lead to harassing complaints. You really ought to stop the actual taking or giving of dowry. If the man has not really succeeded in his demand, he has failed.

Dr. Sushila Nayar (Jhansi): Having given it, nobody is willing to tell. Anybody who has given dowry will not have the courage to go and complain.

Shri A. K. Sen: Am I to accept that suggestion that because nobody is going to complain I should not make penal the giving or taking of dowry?

Dr. Sushila Nayar: Parents can refuse the demand for dowry.

Shri A. K. Sen: I am only placing the views and you can accept it or reject it. So far as Government is concerned, we have no views in this matter.

Shri Braj Raj Singh (Ferozabad): Under the rules you have to say that the House agrees with it.

Shri A. K. Sen: Well, if the House agrees with it, the House will know.

Shri Braj Raj Singh: You cannot say you have no view. You have to say that the House agrees with it.

Shri A. K. Sen: I said the Government have no view. I did not say that I have no view. I have very strong views in this matter and possibly, and

sometimes strongly, I have expressed my views, as I did it on the last occasion, when I met Pandit Thakur Das Bhargava's criticism about this Bill. It was pointed out that nobody will give evidence or will complain when he has given dowry. That shows the difficulty which I expressed at the very beginning in the way of prosecuting people who give dowries and others who take dowries. Therefore, Sir, I laid very strong stress on Clause 6, which, according to me, is the core of the Bill. It is the strongest portion of the Bill where it says that whoever gives something by way of dowry, the amount given, whether in kind or in cash, has to be held in trust for the bride. I conceive, with the limited experience that I had at the Bar, that from the moment all the cash and other things are paid as dowry, even the bridegroom will give evidence in a court of law to enforce the rights of the bride when he finds that the amounts given by the father-in-law are going to be shared with father and other brothers and the heirs of the father.

Therefore, I told this House and also the Upper House that I place the strongest reliance, as the merit of this Bill, on clause 6 rather than on the penal section.

An Hon. Member: That clause also contains a penal provision.

Shri A. K. Sen: Yes, it does. Nevertheless, it is to be enforced only by a civil suit or civil action. That is a very strong provision which will give a definite right to the bride to the property which otherwise would have been taken away from her and she would not have got it herself. It is in the interest of the bridegroom too, which will enable this right to be enforced in a court of law by both together. If it is a civil action, even the giver of the dowry will come and give evidence saying that actually it is the daughter who is entitled to it. But if he has to send the bridegroom and his father to jail in a criminal prosecution, he may not give evidence. That was why when it was suggested

that action in pursuance of clause 6 should also be coupled compulsorily with criminal action, I had opposed it.

Pandit Thakur Das Bhargava: He will himself have to go to jail if he makes such a statement.

Shri A. K. Sen: No, somebody has to prefer a complaint.

Pandit Thakur Das Bhargava: His statement will be a confession.

Shri A. K. Sen: He will not prefer a complaint. The son may.

I have myself seen suits being filed against the father by the daughter-in-law. The son has come and given evidence for the daughter-in-law. I myself conducted such cases. If it is civil action, both the daughter-in-law and the son and others will come and give evidence against the father. But if it is criminal action, they will not. That is the difficulty.

Therefore, the civil right given in clause 6 to the bride will, in my own estimate, result in a proper enforcement of the benefits we are conferring on the daughter-in-law, the bride, in consideration of whose marriage the dowry has been given.

So, as I said, we should not place very blind reliance on the penal section, because I myself reminded the House of the difficulties of a penal action, penalising the giver or the taker of a dowry. We should never forget the difficulties in a penal action. But as regards civil action under clause 6 for enforcement of the right given in that clause to the daughter-in-law, the bride, there will be no difficulty in getting evidence. Such suits are even now quite frequent, when the bride says that it was not a dowry but it was a gift.

Dr. Sushila Nayar: Is not clause 6 a contradiction of clause 3? Clause 3 makes the giving and taking of dowry an offence.

Shri A. K. Sen: Perhaps Dr. Nayar is a better lawyer than myself. If she thinks so, I bow to her better judgment. But I think it is not a contradiction.

Dr. Sushila Nayar: There is no meaning in being sarcastic. The hon. Minister may explain it. I do not claim to be a lawyer.

Shri A. K. Sen: When she said it, she expressed her opinion.

Dr. Sushila Nayar: I was asking: 'Is it not a contradiction?'

Shri A. K. Sen: I thought she said: 'It is a contradiction'. I do not think it is a contradiction.

Dr. Sushila Nayar: I said: 'Is it not a contradiction?'

Shri A. K. Sen: Then I am sorry.

But if it was asked for the purpose of clarification, it is not a contradiction, because as I explained originally, it is meant to reinforce the condemnation of the act of giving or taking dowry, of all transactions of dowry, namely, that if notwithstanding the prohibition, one gives and takes dowry, the dowry is to be held in trust for the bride. I say this because once the law is broken, the man may be sent to jail, but what will happen to the property? Somebody must own the property. We want to give the property to the taker of the dowry, the father or his son. Therefore, the law says that notwithstanding the fact that it has been given as a dowry, it must be held in trust for the bride. That, in my submission, is a right which the bride has not up till now possessed, a right which can be enforced through civil action during which process evidence will be forthcoming even from the daughter-in-law's side, from her husband and from her other relations.

Therefore, I told the Members of this House and of the other House that we should place stronger reliance on civil action. If the daughter in each case takes the dowry and the father or his other sons take no share in the dowry, then it will be a better preventive than criminal action, because really nobody in our society would like to send a father-in-law to jail; no father would like to send to jail a person to whose son his daughter has been married. That is a difficulty inherent not only in our social system but in all social systems.

Therefore, I was pleading that we should not place too much reliance on the penal sections, because of the difficulties of getting conviction. At the same time, as I said, we should also not try to make everything penal which will leave the door open to harassing complaints, which might introduce an element of disturbance in our social system, which will not be welcomed by anyone. We know even as it is how unsuccessful brides' fathers try to harass fathers of bridegrooms who select other people's daughters.

I was trying to explain the views of the Rajya Sabha because the hon. Member who moved the amendment is not here. I tried to put his point of view saying that we should not in our anxiety to penalise the action of giving or taking dowry, while giving the benefit of all dowry to the daughter, penalise a mere demand which has not resulted in the actual transaction being completed.

Shri Shree Narayan Das: It is an attempt to commit an offence.

Shri A. K. Sen: That is right. It is not really an offence in the sense that a mere demand should lead to prosecution. That is the whole purpose, as was explained on the floor of this House and of the other House, of the deletion of clause 4. As I said, whether you make the demand penal or not, whether you make the actual giving or taking of dowry penal or not, prosecution will be very difficult. Suppose a man goes and lays a complaint against a person for merely demanding it and says that his daughter was not married because the demand was not met by him. It will be very difficult for him to prove it, because the defendant may say that he is disgruntled because his daughter was not taken.

Pandit Thakur Das Bhargava: Will not the demand constitute abetment of taking or giving dowry?

Shri A. K. Sen: Mere demand would be an attempt. It is not a question of abetment. Abetment is abet-

ment by somebody assisting the actual offender. But in this case, the actual offender is demanding. It will be more similar to an attempt to commit an offence.

Pandit Thakur Das Bhargava: In the attempt, the last thing must not appear. Asking for a dowry is certainly a demand for the giving of dowry.

Shri A. K. Sen: Juristically?

Pandit Thakur Das Bhargava: Yes. Therefore, it will come within the purview of section 3.

Shri A. K. Sen: I do not think so. I am very sorry I cannot agree with Pandit Thakur Das Bhargava.

Mr. Deputy-Speaker: He means that once the commission of a thing is a crime, an attempt automatically must be an offence under the Penal Code. This demand would be an attempt because so far as he is concerned, he has done whatever was in his power and whatever he could do. If it is frustrated and does not come off completely, it is not his fault. He has made the demand.

Shri A. K. Sen: Since a penal provision has to be construed very strictly, specially when a new crime is committed, if the mere giving and taking—physical giving and taking—are made offences and the demand is not made an offence, I do not think there will be a different interpretation. But if the courts interpret it differently, it will be an offence. What the hon. Members felt was that the mere demand should not be made penal specifically under clause 4 of the Bill.

Pandit Thakur Das Bhargava: The demand is not in the nature of a public notice. It will be supplemented by importunities and entreaties and putting pressure upon the person to give the dowry. That will be nothing but abetment.

Shri A. K. Sen: Thakur Dasji says that even if we delete clause 4, the

attempt would be an offence. Well, if it is, it is. I do not think it will be.

Shri Nathwani (Sorath): We want to know how it will be an offence because an attempt is not made punishable otherwise.

Mr. Deputy-Speaker: An attempt is not to be made punishable specifically. If there is an offence, the attempt of it is also punishable.

Shri Nathwani: Under which law?

Mr. Deputy-Speaker: Under the Penal Code.

Shri Nathwani: The Penal Code makes attempts of only those offences which are punishable under the Penal Code itself and not of those which are offences under other enactments.

Shri A. K. Sen: I personally feel that what Shri Nathwani says is correct. I have not got the Penal Code here. That is why we have made an attempt also an offence. Otherwise, it would not have been necessary.

Pandit Thakur Das Bhargava: Section 3—abetment is there.

Shri A. K. Sen: Abetments and attempts are quite different.

Shri D. C. Sharma (Gurdaspur): Sir, when the hon. Minister was piloting this Bill here he was very eloquent about clause 4; and, therefore, we all voted for clause 4. When he went to the other House he was for the deletion of clause 4. So far, he has not made it quite clear as to what made him delete this clause 4 about which he was so keen on the floor of this House. I have not been able to follow him quite.

Mr. Deputy-Speaker: He has said that he is not very keen on any thing particularly. Because this House wanted it he was of that opinion. But when he went to the other House it was of the other opinion and he agreed to that.

Shri D. C. Sharma: If he is not keen on anything, then, the Bill will never be passed.

Mr. Deputy-Speaker: There is a decision of the other House and that has to be considered now.

Shri A. K. Sen: I was very much surprised at Prof. Sharma telling me that I was very eloquent either in retaining clause 4, or otherwise. I was for it because this was a Bill introduced by Government. At the same time, I do not think there was any amendment in this House for the deletion of clause 4.

Shrimati Renu Chakravartty (Basirhat): Clause 4 was undebated.

Shri A. K. Sen: I do not think it was debated at all. I stand subject to correction. My recollection is that clause 4 was not at all a matter of any controversy in this House; and, therefore, there was no occasion for me to be eloquent to retain clause 4. But I may tell my hon. friend that in the other House I did not introduce any amendment for the deletion of clause 4. If I am right, I think, it was a lady Member that introduced the amendment for the deletion of clause 4. That is my recollection. (*Interruption*).

Mr. Deputy-Speaker: Whoever might have done it, it is not material. (*Interruption*).

Shri A. K. Sen: But several ladies spoke for it. Whether a lady moves it or a gentleman moves it the effect is the same. The Government did not move it. I have made it clear that the Government proposes to issue no whip for the voting on this. (*Interruption*).

Mr. Deputy-Speaker: The hon. Minister may be allowed to conclude his speech. This may be discussed later.

Shri Mulchand Dube (Farrukhabad): Sir, the speech is not before me; but, to the best of my recollection, the hon. Minister said that it was the extortion that was being made punishable. If that was the view.....

Mr. Deputy-Speaker: Every hon. Member should not try to tax his memory and bring back recollections unless he has got the record before him.

Shri A. K. Sen: If I had said that extortion is punishable I do not think there is anything wrong in it because extortion is punishable. But if I had said that only extortion is punishable I would have been wrong. I have no recollection of what I said. But if I had said that extortion only is punishable I might have made a mistake like others. So, what I am saying is this. When the Rajya Sabha has passed this amendment it is my duty to place my point of view. The majority passed the amendment proposed. So far as I am concerned, there is no question of my being neutral or otherwise because I shall vote according to my own choice. But, so far as Government is concerned, as I said, the Government has no particular views on either the retention or the deletion of clause 4.

Shri Nathwani: May I know what was the voting in the Upper House?

Shri A. K. Sen: I think a fairly substantial majority was in favour of it.

Shri Nathwani: I think there were 25 for the deletion and 21 for the retention; it was a very narrow majority.

Mr. Deputy-Speaker: It was quite a working majority—25 out of 46.

Pandit Thakur Das Bhargava: The whole House here and 21 there is a greater majority than 25 there.

Mr. Deputy-Speaker: That can be decided in a joint session.

Shri A. K. Sen: If the House decides not to accept this amendment for the deletion of this clause then it will have to come to a joint session of both the Houses. Even then the Government proposes not to issue any whip on this at all.

Shri Nathwani: Let us meet once at least.

Shri A. K. Sen: We are meeting this afternoon!

Mr. Deputy-Speaker: Order, order.

Shri A. K. Sen: Therefore, this is the position. We should bear in mind that since this is a first attempt at making such transactions penal we made a provision and passed it in this House. This House was of the view that even a demand should be made penal. After that it was brought with considerable force to my notice that in the rural areas it would result in many harassing complaints being lodged at the instance of unsuccessful fathers of brides. I thought that possibly we might—speaking personally again—adopt the Bill without making mere demand penal, and then see how the Bill works; and if necessary, in future to make demand also penal. (*Interruption*).

In these matters nobody should have fixed views; they should be flexible because so many considerations are involved. What are the measures available, what the financial resources are and how they are going to be employed and how these things are going to be executed and so many other considerations come into the picture before we can finally decide what should be done, what should be the final picture of the law which we intend to pass on the subject. I think that an element of caution in all such matters is not a wasteful thing or a useless thing. It may be worthwhile paying some attention to the amendment made by the Rajya Sabha and try to see whether the Bill does work or not, without penalising the mere demand. We can review the matter after some time. But, as I said, so far as Government is concerned, it has no particular view on the matter. (*Interruption*).

Mr. Deputy-Speaker: Order, order.

Shri A. K. Sen: As I said since one House has passed this deletion by a majority we should consider it. In this House there was no discussion either for the deletion or retention of this clause 4. Before the matter was debated in the Rajya Sabha we had no debate in this House, as far as I

remember, on the propriety of either retaining or otherwise of this clause. But after this debate in the Rajya Sabha, I thought, it might possibly lead to many harassing complaints in areas where private feuds are not unknown and where there are people who might take advantage of private feuds and try to give evidence for one party or the other. Therefore, since the mere demand does not result in an injury to any one except social or moral indignation one might feel against it, we may pass the law without making the mere demand penal and then review the position after some time.

I place more reliance on clause 6 than on anything else in this Bill. To my mind it seems that the penal provision will not work very regularly or very effectively because of the difficulties inherent in the situation, because of the many factors which we all know. So, these are the things that I wanted to place before the House and I hope that the motion will be passed without seeking further amendment with regard to the deletion of clause 4.

Mr. Deputy-Speaker: Motion moved:

"That the following amendments by Rajya Sabha in the Bill to prohibit the giving or taking of dowry, be taken into consideration:—

'Clause 2

- (1) That at page 1, at the end of line 9, after the word 'given' the words 'either directly or indirectly' be inserted.
- (2) That at page 2, lines 1 to 6 be deleted.

Clause 4

- (3) That at page 2, clause 4 be deleted."

I think that enough discussion had taken place during the speech of the hon. Minister and that I may straightaway put them to the vote of the House.

An Hon. Member: Three hours have been allotted for this discussion.

Shri A. K. Sen: I submit that they should be put separately because the most controversial amendment is the deletion of clause 4.

Shrimati Renuka Ray (Malda): May I also add that we may have discussions also separately? They may be debated separately and voted separately.

Mr. Deputy-Speaker: No. That cannot be done. All these have to be taken into consideration. We can vote on them separately.

Shri A. K. Sen: May I submit—now that I have got the Penal Code—that what Shri Nathwani said was right. I am sorry that Pandit Thakur Das Bhargava was not quite correct.

Mr. Deputy-Speaker: And myself 100.

Shri A. K. Sen: Yours was a query.

डा० सुशीला नायर : उपाध्यक्ष महोदय, यह दहेज प्रथा को रोकने वाला कानून जब मंत्री महोदय इस सदन में लाए थे, तो हम लोगों ने उन को बधाई दी थी। इस कानून में बहुत त्रुटियाँ हैं। इस कानून से, जैसा यह बना हुआ है, दहेज की कुप्रथा दूर हो जायेगी, ऐसा हम नहीं मानते, तो भी यह सही कदम है, मही दिशा में कदम है, इसलिए हम ने इस बिल का स्वागत किया था। उन्होंने ने खुद भी कहा है कि लड़की की शादी कर के लड़की के पति और ससुर को जेल में भेजे, ऐसा व्यक्ति कोई विरला ही हिन्दुस्तान में हो सकता है। आम तौर पर कोई भी यह नहीं चाहेगा कि वह इस प्रकार से लड़की के पति और ससुर को जेल में भिजवा कर उस के भविष्य को दुखी करे। इस से चाहिए है कि जो मन्त्र्य उन्होंने ने पहले डीबेट के समय यहाँ पर हमारे सामने रखा था, वही सही मन्त्र्य था, अर्थात् शादी हो जाये, दहेज

दे दिया जाये और यह जो आफ़ेंस है, या कसूर है, वह कर दिया जाये और उस के बाद सच्चा की बात हो, वह तो कुछ होने वाली बात नजर नहीं आती। शादी टूट जाय, या शादी कर के, दहेज ले कर भी लड़की में कोई बहुत बुरा व्यवहार करे, तो शायद ऐसा केस कोई लाए, लेकिन लड़की को, चाहे घर-बार बेच कर, चाहे बरबाद हो कर दहेज दे दिया, लड़की को भेज दिया, तो पीछे वह लड़की के घर को बरबाद करने के लिए केस नहीं चलायेगा, शिकायत नहीं करेगा कि मेरी लड़की के ससुर मुझ से जबर्दस्ती दहेज ले गये या मांगा या मैं ने दिया। इस कानून में एक क्लॉज थी जिस से कि जो आशय है इस कानून का कि दहेज की प्रथा को दूर किया जाय, उस में कुछ मदद मिल सकती थी। वह क्लॉज ४ थी। इस में यह था कि जब कोई दहेज डिमांड करता है तो लड़की का पिता या लड़की स्वयं, हिम्मत हो तो, कह सकती है कि यह नहीं होगा और उस मूरत में वह अगर उस की सोशल स्पिरिट जागृत है तो जा कर शिकायत भी कर सकता है और यह भी कह सकता है कि हम ने तो रिश्ता तोड़ दिया लेकिन दूसरे किसी पिता में यह हिम्मत न हो तोड़ने की तो कम से कम दहेज मांगने वाले के कान तो खड़े हो जायें कि मांगने से कुछ नुकसान हो सकता है, हम कानून की पकड़ में आ सकते हैं। तो जो क्लॉज ४ थी जिस में दहेज मांगने के कसूर को सजा के काबिल माना गया था वह सब से अधिक उपयोगी, सब से अधिक मुफीद धारा दहेज की कुप्रथा को दूर करने वाली इस कानून में थी। इस से एक तो जनता को एजुकेट करने में मदद मिल सकती है, दूसरे जनता में हिम्मत आ सकती है कि हम दहेज न दें और तीसरे मांगने वाले को भी थोड़ा सा भय हो सकता है कि मैं ने मांगा तो कहीं ऐसा न हो कि उस की बजह से मैं कानून की पकड़ में आ जाऊँ। इस वास्ते अगर इस को आप निकाल देते हैं, इस क्लॉज ४ को

आप निकाल देते हैं तो मैं समझती हूँ कि इस कानून में कोई प्राण नहीं रह जाता है, तब हम इस कानून को ही छोड़ दें, न पास करें ताकि जो इस के विरोधी हैं उन का आशय पूरा हो जाय इस धारा के निकालने से वह ही जायेगा। क्लॉज ४ के चले जाने से जो इस बिल का प्राण है वह चला जायेगा। लिहाजा जो क्लॉज ४ को डिलीट करने के लिए यहां सिफारिश की गई है, मैं उस का विरोध करती हूँ।

माननीय मंत्री महोदय को बहुत गर्व है अपने कानून के ज्ञान पर और वह कानून मंत्री हैं और गर्व कर भी सकते हैं। यदि वह अपने ज्ञान का इस्तेमाल करेंगे तो वह देखेंगे कि चोरी करने के प्रयत्न करने वाले को भी सजा मिल सकती है, फिर चाहे चोर चोरी करने के प्रयत्न में सफल हो या न हो। मर्डर करने का जो एटेम्प्ट है उस में भी सजा मिल सकती है, फिर चाहे वह मर्डर करने में सफल हो या न हो। यह होता है कि झूठा आरोप चोरी का भी लगाया जाता है और कतल का भी तो भी चोरी या कतल के प्रयत्न के लिए और किस्म की मंजूरियाँ पीनल कोड में लिखी गई हैं। हम न यह दलील कभी नहीं दी कि क्योंकि झूठा आरोप लगाया जा सकता है लिहाजा इस आफ्रम के प्रयत्न को हम सजा से बरी कर दें, मंजा से मुक्त कर दें। यह भी कहा गया है कि दुश्मनी के कारण से कोई दहेज मांगने की शिकायत कर के किसी को हैरास करेगा। अगर किसी ने दुश्मनी ही करनी है तो पहली बात तो यह है कि वह दुश्मन के साथ अपनी लड़की की शादी करने क्यों जायेगा, दूसरी बात यह है कि शादी के बाद भी तो वह झूठा इलजाम लगा सकता है कि इस ने डाबरी ली थी और इस तरह भी वह दुश्मनी निकाल सकता है। और तीसरी बात यह है कि खाली हैरासमेंट की, परेशान करने की जो बात कही जाती है वह ठीक नहीं क्योंकि केवल किसी की

शिकायत करने से ही तो कोई भी कोर्ट सजा नहीं देने वाली है। जिस ने शिकायत की उस को इस चीज को साबित भी करना पड़ेगा और इस को साबित करना उस के लिए कोई बहुत आसान काम नहीं होगा। इसलिए मैं समझती हूँ कि इस क्लॉज ४ को रखने से कोई बहुत ज्यादा केसिस होने वाले नहीं हैं या बहुत ज्यादा लोगों को सजा होने वाली नहीं है हैरासमेंट भी होने वाली नहीं। लोगों पर दो तरह से इस धारा का भ्रष्टाचार पड़ेगा, एक तो डिस्ट्रेंट पनिशमेंट के डर की वजह से और दूसरे नैतिक दृष्टि से एक तो लड़की वाला देने से इन्कार कर सकता है। अगर अपने भ्रष्टाचार सीधे इन्कार करने की हिम्मत न हो तो कह सकता है हाथ जोड़ कर, कि हम कानून की जद में आ जायेंगे, पता चल जायगा सामने वालों को और हम दोनों परेशानी में पड़ जायेंगे। मांगने वाले को भी शर्म आ सकती है और वह सोच सकता है कि अगर मांगने पर जोर दिया और अगर यह चीज कानून की जद में आ गई तो यही नहीं कि मुझे परेशान होना पड़ेगा बल्कि मेरी इज्जत आबरू भी चली जायगी। जो देहातों का माननीय मंत्री महोदय ने जिक्र किया है वहां पर आज भी इस चीज को बहुत महत्व दिया जाता है कि इज्जत आबरू बनी रहे और जेल जाने को बहुत बुरा समझा जाता है। नेशनल स्ट्रगल में लोग जेल गये, वह और बात थी लेकिन जब कोई किसी कसूर के कारण जेल जाता है तो इस को कहीं भी भ्रष्टाचार नहीं समझा जाता। इस वास्ते जेल जाने के भय से कोई भी यह काम करने वाला नहीं है। दहेज मांगने वाला नहीं है।

15 hrs.

इस बात की ओर मैं आप का और मंत्री महोदय का ध्यान दिलाना चाहती हूँ। मैं ने सुना है, कानून को देखा तो नहीं है, कि फ्रांस में एबलट्रेशन के लिए, मिलावट

[डा० सुशीला नायर]

के लिए, मृत्यु दण्ड की सजा है। कहते हैं कि मृत्युदण्ड किसी को भी नहीं दिया गया है और इस का कारण यह है कि इतनी कड़ी सजा रखी गई है कि उस के भय से ही एडलट्रेशन वहां नहीं होता। न दवाओं में होता है और न ही खाने पीने की चीजों में। मैं समझती हूँ कि यह जो क्लॉज ४ में डिटेरेंट पनिशमेंट की बात रखी गई थी यह बहुत सोच समझ कर रखी गई थी। मंत्री महोदय के जो इम्प्रेसमेंट हैं, उन्होंने ने बड़े सोच समझ कर इस को रखा था और इस एक क्लॉज के जरिये इस कानून में बाकी जो कमजोरियाँ थीं, उन को दूर करने का, उन को ढकने का, उन को मेक अप करने का प्रयत्न इस बिल में किया गया था। लिहाजा इस को इस में से न निकाला जाय।

बाकी जो दूसरी दो एमेंडमेंट्स हैं उन का मैं स्वागत करती हूँ। एक तो क्लॉज २ में डायरेक्टली और इंडायरेक्टली ऐड करने की बात है वह बहुत अच्छी है, वह बहुत उपयोगी सुझाव है। इसी प्रकार से एक्सप्लेनेशन निवाल देमे का सुझाव भी उपयोगी सुझाव है। मगर क्लॉज ४ को रहना चाहिये। क्लॉज ६ का जो एक्सप्लेनेशन दिया माननीय मंत्री महोदय ने उस का मतलब यह है कि इस कानून के बावजूद कुछ लोग ऐसे होंगे जो दहेज देंगे और शायद बहुत से लोग देंगे और लेंगे, ऐसी सूरत में दहेज लेने वाले को आप सजा दे सकते हैं मगर जो लिया या दिया वह कम से कम लड़की के पास चला जाय, इतना प्राविजन वे धारा छ में रखना चाहते हैं.....

उपाध्यक्ष महोदय : क्या आप खत्म कर रही हैं या अभी बोलना चाहती हैं क्योंकि दूसरा बिजनेस हम को अब लेना है।

डा० सुशीला नायर : अभी मैं एक मिनट में खत्म कर रही हूँ।

इसलिये भी मैं समझती हूँ कि यह आवश्यक है कि धारा ४ को जैसी वह थी वैसे ही वापिस इस में रखा जाय ताकि

इस कानून का जो मुद्दा है, जो उद्देश्य है, वह पूरा हो सके।

Mr. Deputy-Speaker: This discussion will continue tomorrow.

15.02 hrs.

MOTION RE: REPORT OF PAY COMMISSION—Contd.

Mr. Deputy-Speaker: We shall now take up further consideration of the following motion moved by Shri Narayanankutty Menon on the 17th December, 1959, namely:

"That this House takes note of the Report of the Commission of Enquiry on Emoluments and Conditions of Service of Central Government employees, Government Resolution thereon and the statement made by the Finance Minister in the House on the 30th November, 1959."

Shri Harish Chandra Mathur may continue his speech. Time taken by him is ten minutes.

Shri Harish Chandra Mathur (Pali): That is lost in the vacuum. I do not know whether anyone knows what I have said.

Mr. Deputy-Speaker: The hon. Member knows it.

Shri Harish Chandra Mathur: I do not know whether I can maintain that continuity or not.

Mr. Deputy-Speaker, Sir, I had stated that the Pay Commission had to make its recommendations in a particular context. As a matter of fact, even in the terms of reference it had been enjoined upon the Pay Commission to take into consideration the historical background, the economic conditions in the country, the implications and requirements of the development of planning and also the disparities in the standards of emoluments of Central Government employees, on the one hand, and the

employees of the State Governments, on the other, and the local bodies as well.

Now, it is stated by certain hon. Members that the Pay Commission was inhibited by these very terms and conditions. Of course, it could never be expected that the Pay Commission could be made to make its recommendations in a vacuum, but the very important point which has to be borne in mind is that the Pay Commission itself has made it absolutely and abundantly clear that it will not permit itself to be distracted by any extraneous considerations if the revision of the grades and the raising of the emoluments were considered to be necessary as a fair deal to the Central Government employees. The Pay Commission has positively stated in the report that it was not going to be distracted by any of those conditions; if it thought that the emoluments must be raised it will make a definite recommendation to that effect.

But, while the Pay Commission has taken all these factors into consideration, we must also bear in mind that this Pay Commission was born, as a matter of fact, out of the discontent among the services. It was because of certain threatened strikes, because of certain agitations which were threatened and because of certain representations that were made that the Pay Commission was born.

What is the position today? Even though the report of the Pay Commission is before the entire country we find almost the same discontent amongst the services. I do not know of any organisation or any association which has given expression to satisfaction at the recommendations of the Pay Commission. We might also take note of the fact that there are certain independent observers. Most of the leading papers have given a fair comment and have, as a matter of fact, considered the recommendations of the Pay Commission as fair.

I wish to pinpoint this particular matter. How is it that in spite of

this comment from certain independent sources, in spite of the great labour and thought which have gone into these recommendations of the Pay Commission, in spite of the fact that as a direct result of the implementation of these recommendations of the Pay Commission we will have to incur an expenditure of about Rs. 40 crores, as has been indicated in the report itself, there is discontent among the services? This is a matter which calls for immediate attention.

I think the unfortunate factor is that there has been no real understanding between the Government or the senior officers, I would say, on the one hand, and those who have been employed, on the other. It is absolutely essential that there is a much better understanding brought about between the Government and the employed. The Pay Commission has, in particular, referred to these associations in this context, and it is only in this context that I would like to support the need for a certain machinery to be put up which would bring about a real and better understanding between the services and the Government, because today the position is entirely different from what it was earlier. Now the interests of the Government and the interests of the services should be almost identical. There are no two different interests. They are serving no alien government. In a way, these services constitute the Government. It is only the government services which should have a better understanding of the entire situation in the country.

If we look at the wage bill we will find that out of Rs. 650 crores, which is the total revenue of the Centre, more than Rs. 550 crores goes only on the pay bill. I wonder if this country can afford to pay anything more to the services in the present context. And yet, this simmering discontent is there. It is my feeling that the Government, the Ministers, the leadership has failed to inspire that faith and confidence in the services.

[Shri Harish Chandra Mathur]

They have not been able to establish an intimate contact with the services. They have not been able to make a sense of responsibility felt by the services. I think this psychological change, a change of the mental attitude between the services and the government must be brought about. This is the most important factor as I see it.

I will now come to four or five important recommendations to which I attach greater importance than to the others. It is absolutely difficult to deal in *extenso* with this vast report which has raised so many interesting points, but I would like to refer particularly to the disparities in the standards of emoluments between the Central Government employees and the State Government employees. To my mind, this state of affairs is absolutely intolerable. There is no justification whatsoever, as I could see it, that the salaries for the same job with a man with the same qualifications should be different at the State level and it should be much different at the central level. The Finance Minister's argument is that it depends upon the resources and that he would have absolutely no objection if the State Governments were to raise the emoluments of their employees. He even goes further to the extent of saying that they might under certain conditions and terms give 50 per cent. assistance to allow the State Governments to raise the standard of remuneration of their services. This talk about resources is not understandable to any sensible men. What are these resources? Are the resources of the States and the resources of the Centre in any watertight compartments? What is the basis for making certain avenues available to the States and taking all the flexible and the important avenues of income by the Centre? I think this demarcation about the resources is absolutely artificial and arbitrary. Even the first pie that goes into the treasury should go to remove the disparities between the emoluments in other

sectors as compared to the emoluments to the Central Government employees. I would not be happy even if a single penny is spent by the Central Government in raising the emoluments of those persons who are already getting a little more than what the employees in the State Governments are getting.

There is no justification for this disparity. I think this country as a whole must be taken into consideration. This is a Republic. The resources of the States and the resources of the Centre are the resources of this country, and the citizens of this country must be treated alike. There is absolutely no justification whatsoever for treating some sections differently and telling them: "Here are the resources which we give to you and you make up". I would like the Central Government to tell us whether the States are not making their very best efforts to raise the resources? Can they point out to any State and say, "Here is the source and it is a source which you have not tapped. It must be tapped"? If the States fail to come up to the expectations of the Centre and if they are not really earnest and sincere in raising the resources, the Central Government could have a certain complaint. But the employees should not for any such reason suffer in any way. I think therefore that the resources of the country as a whole should be taken together and this disparity should be done away with. The earlier it is done, the better.

In this connection, I am glad that even the Speaker of this House had thought it necessary to go out of his way to make this point, while speaking at some place, possibly in Andhra or somewhere, and pointing out that there was no justification for this disparity between the emoluments of the Central Government employees and those of the State Government employees.

Secondly, I will come to the question of disparities between the lowest paid employee and the maximum pay that is given to the best of our services.

Here I am quite clear in my mind that a section of our services which is bracketed between Rs. 100 and Rs. 300 is not happy. The Pay Commission has brought out very interesting facts and figures and I do not wish to ignore those facts. I am fully conscious of those facts, and they are that our Government employees are paid favourably and better than what is given to the employees in the private sector. There has been a great feeling that the industries are paying much better to their employees. But when we take note of the entire situation we find that the Government services are paid better than those in the private sector, except for a few jobs here and there and except in the case of half a dozen firms.

Another important factor is the output of work and discipline in spite of lower emoluments. In the private sector, discipline and output are much better. These facts have been brought out in this report and it is here that the services must pay particular attention. It is here that the associations must pay particular attention.

When we come to the question of emoluments, if we look to the budget of the families of employees between Rs. 100 and Rs. 300, we will find that there is a justification for constant effort to improve their emoluments, and we must do it. But while I say that we must do something to improve their emoluments, I am very clear in my mind that we should do nothing to bring down the emoluments of those who are getting Rs. 2,000 to Rs. 3,000. I think we are paying too little even to those people. The disparity is not as large as 28 times, as is being made out. My definite feeling is that we must take the minimum of the man at the lowest rung and then compare it with that of the others. He gets roundabout Rs. 80 to Rs. 100 and the least pay of the best of our services, the IAS, is Rs. 400. So, the disparity is only four times. Why do we take the minimum of the lowest man and the maximum of the man who gets the highest salary? Do we want to see that our best talents in the country

should have no attraction whatsoever in the matter of their emoluments?

I think this question of disparities possibly arose first from the USSR. Anybody who has made a little study of it could understand it. It was correct that more than 20 years back in the USSR they thought that nobody should get more than 500 roubles and the people should get according to their needs. If you examine the pay structure you will find that they have now learnt a lesson to their cost and they have revised the entire notion today. I can say that in the USSR, the lowest minimum is 370 roubles or 400 roubles. We have to take into consideration the various conditions. I am not oblivious of them, namely, the conditions of housing, etc. But the fact stands that there are people who get 400 roubles at the minimum and there are those who get as much as 25,000 to 30,000 roubles.

Mr. Deputy-Speaker: I think the minimum now is 600 roubles.

Shri Harish Chandra Mathur: The minimum pay, as seen since last week, is about 400 roubles. When I visited that country in 1954, I tried to make a little study of the pay structure there. I think they might have revised it to 600 roubles but I am also sure that the maximum has also gone up.

Shri Narayanankutty Menon (Mukandapuram): May I know in what category of employees does this pay of 30,000 roubles obtain? Is it for the technicians?

Shri Harish Chandra Mathur: That is another point which I have been stressing very strongly. It is not only in response to my hon. friend's provocation that I am saying this. I have been saying this a number of times on the floor of this House and on the floor of the other House. I know who are the people who are getting such salaries. That is a very important factor. But I am talking about the question of disparity at the present moment. Let the ghost of disparity be buried for all time.

[Shri Harish Chandra Mathur]

Let us understand that we must provide incentives for the people and unless and until we provide those incentives, you cannot have the right type of people. Even in the U.S.S.R. they found it absolutely necessary to provide these incentives. It is not only in the U.S.S.R. but in all developing countries the maximum goes only to those people who do the creative work, the people who are technologists, scientists and engineers. This type of people must get a much higher salary. If that is the idea with which my hon. friend has just intervened, I entirely agree with him. I have been saying it all the time. That is absolutely necessary. It is not that it is true only in the U.S.S.R. It is true in all developing countries. Of course, the salary of the I.C.S. and the I.A.S. here is just a hang-over which we have taken from the past. But they do a very useful work.

Shri Braj Raj Singh (Firozabad): But they do no creative work.

Shri Harish Chandra Mathur: There is the least doubt that an engineer must get more. It is unfortunate that here a Chief Engineer starts on just Rs. 1,500 or Rs. 1,600. It is really unfortunate. An I.A.S. officer, in his fifth, sixth or seventh year of service gets Rs. 1,800. There are people who have hardly put in ten years' service but who have been able to get Rs. 2,250. If you take the statistics from the various States you will note these things. As a matter of fact, I quite know that the grade is Rs. 400—800 in the first instance, and then the grade is Rs. 800—1,800. I understand it. But what is the present position? There are quite a number of people who have hardly put in ten to fifteen years' service and who are getting Rs. 2,250. At least I can show you instances in Rajasthan State.

Shri Braj Raj Singh: In the Centre also, there are certain posts like that.

Shri Harish Chandra Mathur: I submit we should do nothing to kill the incentive of the people by bringing down the maximum. We should

try to pay much better salaries than at present to our employees, but the trend must be changed. It must be for the technologists, artists with creative genius and only for those who are there to assist in the development of the country. Of course, we will have to balance it. I do not mean to say that the administrative services do not play an important role. I know of an institution where the director who is in administrative charge of the institute gets only 3,000 roubles, whereas a visiting professor, who does professional work, gets much more. Our process is just the other way. It is because of the historical background. We must reverse the process. The difficulty, unfortunately, is that the entire administration is in the hands of those people who are affected. They cannot see that the trend must be changed. I hope Government will take note of it.

I am glad the President himself has made a little mention of it in his address. I understand he found it necessary to write a letter to the Prime Minister about scientists and engineers. Even in the U.P.S.C. reports, they mention that the clamour for the administrative services still continues and the engineers want to go to the administrative services. I tried to put questions on this particular subject. Let us understand it clearly. While it is very necessary to give relief to the bracket between Rs. 100 and Rs. 300, we must not try to pull down the higher salaries which we are giving. Of course, there should be a complete change in the trend; the trend should be for creative purposes.

Then, I have not been able to see much sense about the classification of cities. Bombay and Calcutta are in A class whereas Delhi is in B class. Are you going merely by population or by the actual living conditions and the index of prices? I submit there is absolutely no justification for this sort of classification. Everyone

knows that the per capita income in Delhi is highest, and that the cost of living in Delhi is no less than in Bombay and Calcutta. What justification is there for keeping Delhi down? Even if we take the census, Delhi should be included in A category. I am not pleading for Delhi alone; I am pleading for the principle to be accepted. You will be surprised to know that I have my establishment both here and in Jaipur and my Jaipur establishment costs me more than the Delhi establishment (Interruption).

Mr. Deputy-Speaker: Here the hon. Member lives as a Member of Parliament; there he leads a better life!

Shri Harish Chandra Mathur: If anybody is to be envied, I think, it is the Members of Parliament and the Ministers, considering all the facilities which are being given to them. So, this classification must be looked into. I wish the Minister makes up his mind about revising this classification. Delhi must definitely be included in A category. I think possibly because most of the Central Government employees are centred in Delhi, they have been trying to keep the wage bill down, arbitrarily fixing the classification and purposely keeping Delhi down. Otherwise, there is absolutely no justification for this. Similarly, when the Central Government employees in Jaipur wrote to the Auditor General, he said, "The Pay Commission is looking into it; we will consider it afterwards". I submit that there is unnecessary discontent among the employees, because we do not take decisions in the right time. If we take decisions in right time, half of the discontent would be over. There is no reason why we should not take the associations of employees into confidence and make them explain their difficulties, because they are as responsible citizens of this country as we are.

My last point is about the age of superannuation. In its report, the Pay Commission has really given valuable data on the subject and re-

commended that the superannuation age should be raised to 58. If you will look into the history of this particular problem, you will find that with the solitary exception perhaps of Indonesia, all over the world, by stages the superannuation age has been raised from time to time. In some places it is 60, in some 58 and so on. I think England has revised it three times. What is the justification for your not accepting a recommendation which is backed and supported by solid facts and arguments? Who wants to retire at 55? I am 55 now.

Mr. Deputy-Speaker: Therefore he is in the Parliament.

Shri Harish Chandra Mathur: Do you want to enforce idleness on me now because I am 55? When the poor employees are fit and mature, you want them to retire. Longevity of life is there. The only argument advanced is, it will shut off avenues of promotion and there will be more of unemployment. This is just playing on the sentiments of the younger people. I have got a number of relations who are in Government service and who are young. So, my vested interest lies in seeing that the younger people get a better chance. But, if you look to reason and merit, there is absolutely no justification. As a matter of fact, it has been made out by the Home Ministry more than once that they are so short of personnel and they are making emergency recruitment and all that. I find youngmen with hardly 5 or 6 years' service working as District Magistrates today. I do not know about the Central Services, but so far as I.A.S. is concerned, the position is just the reverse. It is entirely different. We are not finding people and it is with reluctance that we are forced to push up our youngsters to jobs which they should occupy only after 5 to 10 years. The criterion laid down was that he must spend 6 years in the grade of Rs. 800 and after 6 years he gets the next grade. But I know of two instances. Immediately he gets into the Rs. 800 grade, he

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is not supposed to be a Collector or Joint Secretary....

Mr. Deputy-Speaker: Even if I ignore the time which he has appropriated to himself, his time is up.

Shri Harish Chandra Mathur: I will finish in one minute.

Apart from my personal experience, I submit that this business of extension is the most demoralising thing which the Government can do. There should not be any question of grant of extension after 55. You can even say "55 and no more". I am prepared to concede even that. But I am not prepared to concede this business of extension after the age of 55. The previous Chairman of the U.P.S.C. wrote to the Home Ministry very strongly on this point more than once. We all know how these officers who are about to retire find themselves. Everyone is trying to get an extension, and this extension is completely demoralising the officer at the fag end of his career. So, I plead that we must raise the age from 55 to 58, and if you do not agree to that, then there should absolutely be no extension and every one must retire at the age of 55. I am not at all prepared to have this patronage. This is only a distribution of patronage, favouring certain people. It is only demoralising certain people who want to seek advantage here or there in the last two or three years of their official career when they are in the best positions, when they are in the most important positions they can get. It completely demoralises the officers and leads to very unhealthy traditions. Therefore, I am strongly opposed to any extensions being given, but, at the same time, I strongly plead that the superannuation age should be raised from 55 to 58.

Shri U. C. Patnalk (Ganjam): The first Pay Commission of 1946-47, the Varadachariar Commission, suffered from certain handicaps. It did not have sufficient statistics or adequate data. It submitted its report within a year. But the present Pay Com-

mission had the advantage of sitting for a much longer time and it had the advantage of having before it the Varadachariar Commission's report, complete up-to-date data and statistics, about 4,700 representations and ample evidence. In spite of all this, the Report, though it has satisfied, to some extent, some people, on the whole, has not been satisfactory, has not satisfied all the Central Government employees and has created hardships in their minds.

I will simply refer to a few salient points, because this is a subject on which many hon. Members are anxious to speak. I will refer, in the first instance, to the minimum wage that has been given. In the tripartite conference of the 15th Labour Conference in Delhi in 1957, with the hon. Labour Minister in the chair, after considering reports from Government, representations from labour and employers, it was given out that the minimum wage should be about Rs. 125 to 137/8- or thereabouts. They calculated the minimum wage on the basis of three consumption units, that is, earner plus three, and they put it down at Rs. 125 to 137—about 72 yards of cloth, that is to say, 18 yards of cloth per person, 47 ounces of foodgrains, that is, 2,800 calories and so on. But the estimate now accepted is that of Dr. Patwardhan, about 32 ounces, giving about 2,600 calories. The difference between the old calculation and the present one is that no meat, fish or egg, reduced quantities of vegetables and milk and replacement of fruit by groundnut. The total has been put down at 56 nP. There are two objections to this. Firstly, the caloric value and the weight of food has been reduced and, secondly, what is much worse, the price of the food is put down at 57 nP; that is, about 15 ounces of cereals and so on and so forth, all coming to 57 nP. I would submit that this is not a proper calculation, and I would request the Commission, or the members opposite, to tell us how is it possible to have

all these items for 57 nP. Of course, you have substituted groundnut for fruits, but even then how is it possible to have this food for 57 nP in Delhi in 1958?

It is quite within Government's rights to appeal to the country in the name of development expenditure, in the name of defence expenditure now going up, in the name of developing the country's resources, and ask us to tighten the belts and to say that we should get on with less than what we actually require. Of course, it is expected that they would give us the lead by setting the examples themselves. But, apart from that, we cannot understand them when they say that they are giving a fair deal by saying that all these calories and all these things can be had for 57 nP in Delhi, and that the minimum expenditure for a family would be only Rs. 70 to 80, and not Rs. 125 to 137.

Another important point is the difference between the announcement of the Labour Ministry in that tripartite conference with the hon. Labour Minister in the Chair, and the present announcement by the Finance Ministry. I would submit that it is for the two Ministries to come to a decision. But, then, to tell us that what was decided upon by Nandaji and his tripartite conference....

Shri Narayanankutty Menon: And also Shri Morarji Desai.

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): When he was not present.

Shri U. C. Patnaik: To tell us that it should not be what was decided in that conference but it should be something much less is not the proper way of tackling the subject, and I submit that Government ought to revise this low pay structure.

Then, about the maximum, my hon. friend from Rajasthan who just preceded me, tried to make out an elaborate case for having the present higher ceilings, and he was saying

that the trend in every country is to raise the higher emoluments of persons in higher places. My submission is that there was a time when the ruling party, or the predecessors of the ruling party, had stated that the maximum should be Rs. 500 per month. It was in the Karachi Congress, when Mahatma Gandhi, the father of the nation, was present that it was laid down that the maximum amount should be Rs. 500. The previous pay commission, the Varadachariar Commission, had put it down at Rs. 2,000. Now we are told that, on various grounds it cannot be reduced even to the level recommended by the Varadachariar Commission and that it should be what it is. While we are talking of retrenchment at the lower levels, while we are talking of the pay structures at the lower levels, we are going on expanding our higher services in numbers as well as in salaries.

It has come up before this House on several occasions that a number of higher-salaried posts are being created from day to day, carrying Rs. 3,000 to 4,000 and that, at the same time, we are told that we are sticking to certain principles in life and so on. I am not worried that people are getting Rs. 4,000 to 5,000. It is true that hon. Ministers are getting good salaries in spite of what the father of the nation had laid down for them. It is true that the I.C.S. officers and others are getting higher salaries. I am not worried about it. But the main question is the disparity between the higher scales and the lower scales. An hon. Member has just told us that the disparity is not much. He asked us to take the higher salary of the lowest cadre and the lowest salary of the highest cadre and said that the disparity is only four or so. I submit that it is not a realistic picture. The disparity is much more than that exists in any other country. It is a very important thing that the disparities between the higher scales and the lower scales should not be so much as it is. Apart from the political professions and promises of the

[Shri U. C. Patnaik]

country during the period of struggle, apart from various other reasons, I would submit that the disparity should be brought to the minimum.

At the same time I would also submit that one of the important ways of avoiding disparity and one of the important methods of trying to do justice to one and all should have been not merely to think of the pay-scales but also to think in terms of the cost of living. You, Sir, know that the cost of living is increasing day by day. Prices of foodstuffs are soaring like anything. Blackmarketing is going on. Clothing has become very costly. It is for Government to focus attention not merely on the pay scales and other amenities to be given to Government servants but also to remove all heart-burning and trouble by trying to minimise the prices of at least the necessities. It is quite possible to so regulate our marketing system that certain essential commodities would be made available at fair prices and you can go on taxing luxuries like anything. But till now there has been no attempt to do that. On the other hand we get complaints everywhere that it is in the necessities of life that corruption, black-marketing and soaring prices are going on. What is it that we are doing to see that the necessities of life and the barest minimum requirements of food and clothing are put down at a fairly good price? Is it not possible for Government to think of regulating that? Unless you regulate that, it is going to cause still more discontent day by day. Not only that, as my hon. friend who preceded me told us, there is more discontent because State subordinates with the same qualifications and with the same experience do not get the same rate as the Pay Commission is giving. These are things which have got to be looked into and unless the essential basic factors are taken into consideration nothing can be done.

Then, with your permission, I would submit a few points about the Defence employees. Of course, the

case of Defence employees, who are in uniforms, is now being considered by the Raghuramaiah Committee and I hope the Raghuramaiah Committee will give its decision very soon because the position that while the people in civil services and civilian personnel in Defence services are slightly better off than they were before, the Defence employees should continue to have a raw deal is not desirable. So, I would appeal to the Raghuramaiah Committee to come to a decision very soon and rationalise the pay structure in the Defence organisation.

But there are a number of civilian Defence employees whose cases were considered both by the Central Pay Commission of 1946-47 and by the present Pay Commission. One of the most difficult things for them is that they have no security of service. We have been told that about 68 per cent. of these Defence employees are temporary hands. They have no permanency of service. Out of 2,53,000—in 1945 it was about six lakhs—we are told that 68 per cent. are still temporary. In 1954, Shri Tyagi, who was at that time M.D.O., had announced that about 50 per cent. people in the old factories and about 40 per cent. in the new factories would be made permanent. But till now we have not heard of it. In the meantime there were two committees, which were set up, to consider the problems of the Defence employees. One was the Kalyanwalla Committee and another was, I think, the Sahni Committee. We do not know at what stage they are. But apart from it my submission is that the Defence organisation should make up its mind as to what permanent cadre they will require.

Now we are being told that the Ordnance factories are expanding, that production is increasing and this and that, whereas 68 per cent. of the people, who have been working there since 1949, are still on temporary posts and have not been confirmed. My submission is that while you are thinking of expansion of the indus-

trial potential of the Defence organisation, Government should also consider the necessity of giving the employees security of service. They should be assured that after they complete the probation they will be absorbed in service. It is no good having them for years and years together without giving them the security of service.

There is one particular organisation where people have been working since 1941, 1942 and so on. They are put down as extra temporary servants and are treated to have started only some time in 1949. That is another point that has got to be considered. It should be seen that all these people who have been in service for the last so many years are given some sort of security and are treated as permanent employees. I would submit that it is for the Defence to make up its mind and say as to what is going to be its normal peace time strength, what is going to be the strength of the M.E.S., what is going to be the strength of the E.M.E., what is going to be the strength of the civilian officers, gazetted and non-gazetted, in the different factories and Ordnance depots and all those organisations and what is going to be the strength of the civilians in the Army, Navy and Air Headquarters. These are things that have got to be finalised and they have got to make up their minds. As we have been complaining in this House from time to time, it is unfortunate that our Defence organisation or the Defence Ministry is unable to chalk out its programme and find out its target and to say that this will be the peace time strength, this will be the war time strength and so on. They are not doing that.

Then there are also some minor things. For instance, the Pay Commission has not dealt with extra temporary establishment. Then there has been no calculation as to what will be the piece rates in the Ordnance factories and how the Report

will affect the cost of production because that is a figure that can be changed from time to time. Then there is the difficulty about the privilege ticket order which was previously once a year to anywhere in India for rest and recoupment but now it is only to one's home place and that too if it is over 250 miles.

These are some of the defects in the Pay Commission's Report that have got to be examined. In particular, the civilian officers of the Defence organisation who are getting a step-motherly treatment have got to be given proper treatment. The other Pay Commission's Report should come. Apart from everything else, no number of Pay Commission's Reports will help the people unless Government takes an active part in co-ordinating the various departments and proper cost of living is assured and the minimum food and clothing requirements are properly priced.

श्री प्र० ना० सिंह (चन्दौली) : उपाध्यक्ष महोदय, द्वितीय वेतन आयोग के बैठायें जाने के समय इस बात की उम्मीद की जाती थी कि केन्द्रीय कर्मचारियों का मसला या उन के अन्दर जो असन्तोष है वह दूर हो जायगा। लेकिन हमें इस बात का दुःख है कि द्वितीय वेतन आयोग की रिपोर्ट आने के उपरान्त और साथ ही साथ गवर्नमेंट ने उन सिफारिशों को जो लागू किया, उस के बाद, वह असन्तोष और बढ़ा है। हम यह भी महसूस करते हैं कि सारे देश में जिस तरह से वेतन आयोग की सिफारिशों के बारे में तथा सरकार ने जिस तरह उन को लागू किया है, उस से आज तमाम केन्द्रीय कर्मचारी एक मत से इस राय के हैं कि वेतन आयोग की सिफारिशें जो हुई हैं और सरकार ने जिस तरह से उन को लागू किया है, उसे हमें मानना नहीं चाहिये, उन को माना नहीं जाना चाहिये।

[श्री प्र० ना० सिंह]

मैं ने प्रधान मंत्री का एक वक्तव्य अखबारों में पढ़ा था जोकि उन्होंने एक प्रेस कान्फेंस में दिया था जिस में उन्होंने ने सलाह दी थी केन्द्रीय कर्मचारियों को कि देश पर आए संकट के मौके पर उन्हें संयम से काम लेना चाहिये । मैं इस अवसर पर यह कहना चाहता हूँ कि सन् १९५१ में जब रेलवे कर्मचारियों ने हड़ताल का नोटिस दिया था तो उस समय काश्मीर के खतरे का नाम उठाया गया था । सन् १९५७ में जबकि केन्द्रीय कर्मचारियों ने अपनी आवाज बुलंद की तो उस समय आर्डिनंस और दमन की धमकी दी गई । उस वक्त उन की न्याययुक्त मांगों को कुचलने का प्रयत्न किया गया और आज देश को खतरा होने के नाम पर पुनः इस बात का प्रयत्न किया जा रहा है कि केन्द्रीय कर्मचारियों का जो वाजिब और सही असन्तोष है उस को ठीक तरीके से खत्म न किया जाये ।

15:15 hrs.

[DR. SUSHILA NAYAR in the Chair]

बाल्क उस की जगह पर इस बात का प्रयत्न किया जा रहा है कि उस से जबर्दस्ती काम कराया जाय । माननीय सभानेत्री महोदया, मैं आप के द्वारा माननीय मंत्री जी से यह कहना चाहता हूँ कि वे असन्तोष के कारण को ढूँढ़ें । आखिर क्यों इतना असन्तोष है आज केन्द्रीय कर्मचारियों में । इस कारण को ढूँढ़ना लाजिमी तौर से सरकारी पक्ष के निये जरूरी है । हम इस बात को देखते हैं कि जो आज केन्द्रीय कर्मचारियों को मिले हुए हक हैं, या जो उन को मिली हुई आसाइशें हैं उन को सेकेन्ड पे कमीशन के द्वारा छीनने की कोशिश की जा रही है । साथ ही साथ सरकार ने जो रवैया अपनाया है उस के द्वारा कर्मचारियों के हकों पर भी कुठाराघात हुआ है ।

जहाँ तक मौजूदा सरकार का खयाल है, वह अपने को सोशलिस्ट स्टेट कहती

है । लेकिन मैं मौजूदा सरकार के मंत्रियों से पूछना चाहता हूँ, विशेष तौर से जो मौजूदा सरकार के नुमाइन्दे हैं उन से पूछना चाहता हूँ कि सोशलिस्टिक स्टेट कहलाने के बाद, डिमाक्रेटिक सोशलिस्ट स्टेट कहने के बाद भी जब वह मेहनतकशों की सहूलियतों को कम करती है, उन को मिली हुई आसाइशों को छीनती है तो भी क्या आप को सोशलिस्ट स्टेट कहलाने का हक है ? इस बात का जवाब आप हमें दें ।

मैं इस बात को कहता हूँ कि सरकार ने खुद बतलाया है कि केन्द्रीय सरकार के कर्मचारियों का वर्क लोड बढ़ाया गया । २३ सार्वजनिक छुट्टियों को १६ किया गया, जो कैजुअल लीव पंद्रह दिन की मिलती थी, अब १२ दिन रह गई है । जो चार शनिवार आधे आधे दिन के होते थे उन में से तीन को पूरे दिन का कर के सिर्फ एक शनिवार की छुट्टी रखी है । तो मैं तो कहना चाहता हूँ कि जो हक आप ने दिया था, जो उन के जीवन में आप ने आसाइशें पैदा की थीं कि मेहनत करने के बाद वे अपनी जिन्दगी को अच्छी बना सकें, जो सुविधायें मिली हुई थीं उन को, उन को सेकेन्ड पे कमिशन ने छीन लिया । जो रिक्मेन्डेशन सेकेन्ड पे कमिशन ने किया, उन की रिपोर्ट को लागू कर के केन्द्रीय कर्मचारियों के हकों पर सरकार ने कुठाराघात किया है । ऐसी हालत में यदि केन्द्रीय कर्मचारियों ने असन्तोष जाहिर किया, या अपना विरोध जाहिर करते हैं, प्रदर्शन करते हैं तो मैं कहना चाहता हूँ कि उन्होंने ने बिल्कुल वाजिब किया है ।

मैं इस सदन के सामने यह भी कहना चाहता हूँ कि जिस तरह से केन्द्रीय कर्मचारियों का वर्क लोड बढ़ाया गया उस से तो दूसरे पूँजीपति लोग लाभ उठावेंगे । सरकार तो एक माइस एम्प्लायर है, सरकार के माइस एम्प्लायर के रहते हुए जो दूसरे कैपिटलिस्ट हैं, पूँजीपति हैं इस देश के,

वे भी अपने यहां कामके घंटों को बढ़ावे की कोशिश करेंगे, जिस तरह से कि केन्द्रीय कर्मचारियों के सिलसिले में सरकार ने बढ़ाया है। इसलिए यह असन्तोष केवल केन्द्रीय कर्मचारियों का ही नहीं है, बल्कि उन के साथ साथ उन मेहनतकशों का है जो भ्राज फैक्ट्रियों में काम करते हैं या दूसरी जगहों पर काम कर रहे हैं, जिन को उठाने के सिलसिले में लोग यहां आन्दोलन कर रहे हैं।

इस के साथ साथ मैं इस बात को भी सदन के सामने रखना चाहता हूं कि लेबर कांफरेंस में गवर्नमेंट के लोग भी शामिल थे। जब उस कांफरेंस ने मिनिमम वेज को १२० या १२५ के ऊपर रखने की सोची, तो कम से कम मिनिमम वेज तो सब की होनी चाहिये। फिर भी जिस तरीके से ५ ६० का इजाफा हुआ, जिस को इंटेरिम रिलीफ मिला कर ७५ ६० मिलते थे उस की जगह पर ८० ६० मिलने की बात की गई, जो १५० और ३०० ६० के बीच में पाते थे उन को ३० डिग्रिनेस अलाउंस देने की बात हुई, उस को देखते हुए मैं कहना चाहता हूं कि जिस तरह से जीवन के खर्च में बढ़ोतरी होती जा रही है, उस को देखते हुए सरकार की तरफ से यह कहना कि योजनाओं और डेवेलपिंग एकानमी के कारण देश में हमारी स्थिति ज्यादा बढ़ी नहीं है, बिल्कुल वाजिब और उचित नहीं होगा। इस वजह से कि भाव को बढ़ने से रोकने की जिम्मेदारी सरकार के ऊपर है। यदि चावल का भाव बढ़ता है, कपड़े का भाव बढ़ता है, दूसरी जरूरी चीजों का दाम बढ़ता है, तो उसे रोकने में सरकार नाकामयाब रही है। जो लोग भ्राज इस देश में मेहनत कर के देश को उठाने में लगे हुए हैं, उन के सिलसिले में इस चीज को लागू करना ठीक नहीं होगा। इसलिये मैं समझता हूं कि सेकेन्ड पे कमिशन के द्वारा जो ७० ६० बेसिक सैलरी रखी गई और १० ६० डिग्रिनेस अलाउंस रखवा गया या जो नीचे के कर्मचारियों के लिये

५ ६० की बढ़ोतरी की गई है, १५० और ३०० ६० के बीच में पाने वालों के लिए यदि १५ ६० की बढ़ोतरी होती है, तो वह बहुत नाकाफी है। इस सिलसिले में सरकार को गौर करना चाहिये।

इस के साथ ही साथ सरकार को यह भी सोचना चाहिये कि भ्राज जो स्थिति है उस स्थिति को देखते हुए, जैसाकि भ्रमी सरकारी पक्ष के एक सदस्य ने कहा, जहां तक थोड़ी तन्स्वाहों के पाने वालों का सवाल है इंसेंटिव के रूप में कुछ दिया जा सकता है, त्रिएटिव सर्विस के रूप में कुछ दिया जा सकता है, लेकिन बड़ी बड़ी तन्स्वाह वालों को ऐडमिनिस्ट्रेटिव रूप में कुछ नहीं दिया जाना चाहिये। इस सिलसिले में मैं कहना चाहता हूं कि तन्स्वाह बड़ी दें या छोटी दें, लेकिन कम से कम जब आप अपने को सोशललिस्ट स्टेट कहते हैं तो सोशललिस्ट स्टेट कहलाने के नाते आप को छोटी तन्स्वाहों और बड़ी तन्स्वाहों में कुछ रिश्ता कायम करना चाहिये। वह इतना बड़ा फर्क न हो जिस के देखने से लगे कि नीचे का जो भ्रादमी है वह पिस रहा है। उस को अपने जीवन की रोजमर्रा की जो आसाइशें हैं वह भी नहीं मिलती हैं, और दूसरी तरफ आप इतनी लम्बी तन्स्वाहें देते हैं कि जिन को देख कर नीचे के भ्रादमी हमेशा सफर करते रहें। इसलिये सोशललिस्ट स्टेट होने के नाते आप को जो बड़ी तन्स्वाहें हैं और जो छोटी तन्स्वाहें हैं उन में कुछ रिश्ता कायम करना चाहिये। उन के बीच में जो बड़ा से बड़ा रिश्ता हो सकता है वह १ और १० का हो सकता है, इस से ज्यादा नहीं।

इस के साथ साथ मैं कुछ रेलवे एम्प्लायीज के बारे में भी कहना चाहता हूं। सेकेन्ड पे कमिशन रिपोर्ट आने के बाद जो रेलवे एम्प्लायीज की मेडिकल फेसिलिटीज थीं वह भी खत्म होती जा रही हैं। कंट्रिब्यूटरी हेल्थ स्कीम के आने से रेलवे एम्प्लायीज को वे सुविधायें नहीं रह गई हैं। इस के साथ साथ उन के पैसेज का सवाल है, वह

[श्री प्र० ना० सिंह]

सुविधा भी प्राप्त उन से छीन रहे हैं। ओवर टाइम का सवाल है। इस सिलसिले में कहा गया कि जो स्टाफ रेलवे में काम करता है यदि वह ४५ मिनट तक ही ज्यादा ओवर टाइम करते हैं तो उन को एक्स्ट्रा पेमेंट नहीं होगा। मैं कहना चाहता हूँ कि हम को इन्साफ के आधार पर ओवर टाइम देने का मामला तय करना चाहिये। ऐसा नहीं होना चाहिये कि यदि हम ने किसी से ४० मिनट तक जबर्दस्ती ज्यादा काम करवाया तो हम उस को कुछ न दें। सिर्फ ४५ मिनट के बाद ही दें, उस के पहले का कोई ओवर टाइम नहीं दें। अगर आप नहीं देते हैं तो सीधे सीधे बर्क लोड बढ़ाना चाहते हैं। इसी के साथ साथ रेलवे एम्प्लायीज के क्वार्टरों के रेंट का सवाल है। सेकेन्ड पे कमिशन ने उस में इजाफा किया है। इन सब चीजों को देखते हुए मैं कहना चाहता हूँ कि सेकेन्ड पे कमिशन की तरफ से जो सिफारिशें सदन के सामने हैं और जिस तरह से सरकार ने उन को इम्प्लिमेंट किया है, उस से असन्तोष का होना स्वाभाविक है।

इस के साथ ही साथ मैं एक बात और कहना चाहूंगा। सेकेन्ड पे कमिशन रिपोर्ट में जहां तक केन्द्रीय सरकार के कर्मचारियों के राजनीतिक अधिकारों का प्रश्न है, उस के सम्बन्ध में यह कहा गया है कि जो सविध कंठकट रूल्स हैं वह उसी तरह से रहने चाहियें। मैं इस चीज को कहना चाहता हूँ कि चूंकि आप अपने को सोशलिस्ट स्टेट कहते हैं, आज रेलवे का राष्ट्रीयकरण हुआ, इंडियोरस का राष्ट्रीयकरण हुआ, कल बैंक्स का नेशनलाइजेशन होगा, दूसरी फील्ड का नेशनलाइजेशन होगा, यदि आप इस तरह से पोलिटिकल राइट्स को छीनते जायेंगे तो जो सरकारी उद्योग बंधों में लगे हुए लोग हैं, मजदूर हैं, उन की भागे चल कर क्या स्थिति होगी। ऐसी दशा में आप कभी भी मजदूर राज्य की स्थापना का स्वप्न, सोशलिस्ट स्टेट की स्थापना

का स्वप्न पूरा नहीं कर सकते। इस लिये पोलिटिकल राइट्स के सम्बन्ध में जो सेकेन्ड पे कमिशन की रिपोर्ट है उस के बारे में सरकार को सोचना चाहिये। आज आप ने कर्मचारियों के ऊपर इस चीज का छोड़ दिया है, सविध कंठकट रूल्स के अन्दर कि यदि उन कर्मचारियों के कोई नजदीक के रिलेटिव हैं जो कि राजनीति में भाग लेते हैं, तो वे लोग उन की रिपोर्ट सरकार को करें। आप उन लोगों से सी०आई०डी० का काम करवाना चाहते हैं। यदि उन के परिवार का कोई आदमी राजनीतिक कार्य करता है तो ऐसी हालत में उस को रिपोर्ट करनी चाहिये। मैं कहता हूँ कि जब आप सिविल लिबर्टीज की बात करते हैं, डिमांडेसी की बात करते हैं तब आप केन्द्रीय कर्मचारियों के सिलसिले में यदि उन के परिवार के लोग या उन के नजदीक के रिस्तेदार राजनीति में हिस्सा लेते हैं, यह नियम बनाते हैं तो यह कहां तक ठीक है। यह तो एक तरीके से उन पर दबाव डालना चाहते हैं कि वे उस में भाग न लें। आप ने पोलिटिकल राइट्स के सिलसिले में जो फैसला दिया है, वह उचित नहीं है। इस लिये मैं इस बात को कहूंगा कि और चीजें सोचने के साथ साथ सरकार को इस प्रश्न पर भी सोचना चाहिये। साथ ही साथ इस मसले को देश के खतरे के नाम पर या घमकियों या दमन के द्वारा दबाने की कोशिश नहीं करनी चाहिए और न केन्द्रीय कर्मचारियों को इन बातों को लेकर दबाने की कोशिश करनी चाहिए। जो उन के संगठन हैं, उन को आप बुलाएं, ठीक तरीके से उनकी बातों को सुनें, और उनकी स्थिति को जानने के बाद उचित फैसला करें, जिससे कि केन्द्रीय कर्मचारियों को ठीक तरह से संतोष हो सके और उनमें जो असंतोष का वातावरण है वह खत्म हो सके।

16 hrs.

Shri Sampath (Namakkal): Madam Chairman, the Second Pay Com-

mission's Report when published gave a rude shock to those who had quite legitimately expected that the Pay Commission's Report would do justice to those employees of the Government of India who had been long subjected to great injustices. The Commission, as many hon. Members who preceded me in this discussion had pointed out, has, instead of removing the causes for the suffering of the employees in the lower rung, inflicted new hardships to be borne by them.

The number of working days has been increased on the ground that many other countries in the world have more number of working days than India. Nobody can object to this; nobody can find fault with this. But when we try to draw comparisons with the conditions existing in other countries, we must do it fully and completely and all the aspects of the question should be compared and examined, because the various aspects of the question are inter-related. The Commission has chosen to compare only the aspects of working days and conveniently avoided comparing other conditions of life of the employees of those countries who do more work.

Now, what is the type of pay-scales that they are bestowed with and what is the type of pay-scales that our employees are condemned to? The housing and other facilities should also be compared. There is no use in comparing the performance of a race horse with that of the *Jatka* or *Tonga* horse without considering the attentions bestowed upon the needs and comforts of those two types of horses.

Next, I wish to draw the attention of this House to the failure of the Commission to appreciate the fairness of the principles and norms laid down by the 15th Indian Labour Conference, regarding the fixation of minimum wages. One would have expected the Government, as a model employer, to respect the decision

arrived at by the 15th Indian Labour Conference in which the Government itself was one of the three participants. The Government of India has totally rejected the decision of the 15th Indian Labour Conference, saying that the Government has not committed itself to the decision.

Another thing is that the calculations of Dr. Aykroyd are completely overruled by the Commission. According to Dr. Aykroyd, the daily requirements of a person are: rice and millets 14 oz.; pulses 3 oz.; vegetables 10 oz.; milk 10 oz.; sugar and gur 2 oz.; fish, meat, etc. 4 oz.; fruit 2 oz.—total comes to 47 oz. But, according to the Pay Commission's proposals, these work out to: cereals 15 oz.; pulses 3 oz.; vegetables 6 oz.; milk 4 oz.; sugar and gur 1.5 oz.; fish, meat, etc. nil; fruit nil; groundnut 1 oz.—the total comes to 32 oz. And the Commission makes the assertion that 32 oz. of these commodities were available in the Delhi market in 1958 for 56 nP. Apart from the adequacy of the nutritional value of these two different patterns of diet, it is amazing how the Commission could come to believe that these 32 oz. of commodities could be bought for 56 nP in Delhi. The other day also my hon. friend Mr. Banerjee challenged that he would prefer to give 76 nP to somebody to go to the market and purchase all these commodities.

Shri S. M. Banerjee (Kanpur): I said that to the Minister.

Dr. B. Gopala Reddi: Food Minister, or Finance Minister?

Shri S. M. Banerjee: Finance Minister.

Shri Sampath: This is a very unrealistic approach which has resulted in greater injustices to the employees. More than 90 per cent of the total number of Government employees belong to class III and class IV. What is it that they have gained in net, according to the recommendations of the Commission?

[Shri Sampath]

Let us take the case of class IV and class III employees of the Posts and Telegraphs Department. Class IV category of packers, peons, etc. were getting Rs. 30 salary and Rs. 45 dearness allowance, the total of which comes to Rs. 75. According to this award, they will get Rs. 70 salary and Rs. 10 dearness allowance, that is, a total of Rs. 80. They get a benefit of Rs. 5 and there will be a deduction of Rs. 5 for Provident Fund. So, the net benefit is nil.

Dr. B. Gopala Reddi: Provident Fund is their own.

Shri Sampath: As for the postmen class, in the case of those getting Rs. 35 to Rs. 47, the benefit is nil. Those who get Rs. 47 will get Re. 1 extra per month and those who get Rs. 46 will lose Re. 1. As for the head postmen grade, all of them will be losers as a result of the recommendations of the Pay Commission. Regarding the clerical grades, we find that those who are getting Rs. 60 and Rs. 170 are losing from Rs. 2 to Rs. 9 per month. As regards lower selection grade, those who were getting Rs. 160 to Rs. 250 are losing to the extent of Rs. 8 to Rs. 19 per month.

As regards the compulsory provident fund, the argument that is put forward often is that saving should be encouraged. Saving from what? Already what is given to the employees is inadequate to meet even the barest basic needs of life. One should not lose sight of the fact that generally children are not born after retirement, when they get all these benefits from the provident fund. Moreover, the purchasing power of the rupee is decreasing day by day and the interest provided is very low. At least, if the Government comes forward to contribute equal amount to the provident fund of the employees, it would hearten him to a certain extent. But the Government is not prepared to accept this.

The net result of the pattern sought to be set out by this Pay Commission

is that hereafter the employees will be terribly afraid to demand a fresh Pay Commission and the appointment of a Pay Commission will be a potential weapon in the hands of the Government to threaten its employees. It is really tragic that the Pay Commission, instead of enhancing the emoluments and other facilities to the Government employees, has sought to cut their facilities already enjoyed by them. I would request that the Pay Commission's recommendations should be revised and the Government should play its role in a very *boda fide* manner that it at least recognises the decision arrived at the 15th Indian Labour Conference regarding the fixation of minimum wages.

Shri Tangamani (Madurai): Madam Chairman, previous speakers have already stressed upon the various aspects of the Pay Commission's Report and they have characterised the Report as disappointing. When the Report was submitted to this House on the 30th of November, 1959, much was expected of that Report. After the Report was published and when the details were made known, comments have come from different quarters, not only from the employees but also from those who are not interested generally about the employees.

I would take this Report and deal with it in the following three or four aspects. Why was this Report eagerly awaited? Why was this Report expected by a large section of the employees? It is true that this Report deals mainly with the Central Government employees. But certainly, basic questions about wages, dearness allowance and other things were raised at the time of enquiry. Naturally, people thought that these basic points will be dealt with and final decisions will be given on these basic points.

One such question was the question of wages. Many hon. Members have referred to the question of wages, and pointed out how the Commission have

gone back on the unanimous decision of the tripartite conference of 1957, where certain compromises were accepted not only by the employers and the employees but also by Government. Having accepted this, now the commission go a step further and accept the recommendation of some other expert.

In this connection, I would like to mention that a special tribunal was set up for going into the question of the wages and other working conditions of the plantation workers in the Madras State. Generally, the employees were relying more upon Dr. Aykroyd's formula. It was the employers who brought Shri Patwardhan as an expert on their behalf. It is surprising that the recommendation of the expert who was invited on behalf of the employers has now been accepted in this Pay Commission's report. So, we would like to have a categorical answer from the Minister as to whether they still stand by the tripartite decision of 1957 or whether they are going to accept the recommendations of Shri Patwardhan whose recommendation has been followed in the report of this Pay Commission.

The second point is this. The First Pay Commission accepted the principle of linking the dearness allowance with the cost of living index, although Government did not follow it in spirit. It was said that for every 20 points increase in the index, there should be an increase of the dearness allowance by Rs. 5. This recommendation also was not followed by Government. But the fact remains that this recommendation was made as early as 1947, and several tribunals have followed this. So, we find that a principle which had once been accepted in 1957 and subsequently followed by the various tribunals is now sought to be taken away by this Pay Commission. On this also, we would like to know the views of Government.

I can very well understand a position like the one taken in the First Pay Commission's report. The First Pay Commission said that if all these factors were taken into consideration, then the employees might be entitled to more, but because of certain other extraneous considerations, they were fixing the minimum wages at Rs. 30 and the dearness allowance at some other figure. Now, the Second Pay Commission have gone into the decisions arrived at at the Fifteenth Indian Labour Conference and stated that the minimum wages to be paid according to that would be Rs. 125. Having accepted that, instead of saying that under the present conditions, in view of the terms of reference, it can only be Rs. 80, they want to buttress their arguments by resorting to Shri Patwardhan's recommendation. That is what I would like to point out.

Another point that I would like to mention in this connection is that although the commission's award has been disappointing, even those recommendations which are beneficial to the employees are sought to be taken away by the Central Government. I would briefly mention certain beneficial recommendations; for instance, the recommendation regarding retirement benefits is something which is beneficial to the employees. Again, the recommendation regarding the conversion of the temporary and casual employees into permanent employees is also a beneficial one. I remember that in reply to one of the questions last year, it was stated that there were 17 lakhs Central Government employees, 9 lakhs industrial and 8 lakhs non-industrial. Out of these, only 3 lakhs received more than Rs. 100 by way of remuneration or wages; and 14 lakhs were getting less than Rs. 100. Out of these 14 lakhs, slightly less than 50 per cent were either temporary or casual. It may now be one-third. Yesterday, in reply to one of the questions, the Railway Minister stated that there were 110,000 class III and class IV employees in Railways who would still come under the category of temporary. Therefore,

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we would like to know what time Government are going to take to convert all these temporary hands into permanent ones.

There is another recommendation about compulsory arbitration. When the two parties, namely Government and the employees, do not agree on a particular issue or issues, then the matter is to be referred to arbitration; that arbitration will be at the highest level. There will also be arbitration at different levels, namely by the creation of Whitley Councils. This particular recommendation of the Commission has not been accepted by Government, to this day.

There is again the recommendation about the age of retirement. A reference was made to this particular aspect by one of the previous speakers. According to the commission, the retirement age is to be 58, instead of 55. Even this recommendation has not been accepted by Government.

Yet another recommendation is that instead of making the employees work half a day on every Saturday, they may be made to work for a full Saturday, for 8 hours or 6 hours, as the case may be, on the first Saturday of the month; have a holiday on the second Saturday, again work for a full Saturday on the third Saturday and have a holiday on the fourth Saturday. That was the recommendation of the commission. But now Government come forward and say that they do not accept this recommendation. And they would like all these employees to work for three Saturdays continuously and have the fourth Saturday as a holiday. Simple arithmetic will show that an employee who was working for two days in a month on the Saturdays is now made to work three days in a month; in other words, he has to work for 12 full days in a year. And what is the emolument Government are giving him? Whatever emoluments that Government are giving him by the right hand, they are taking away by the left. So, even the very paltry

emolument increase sought to be given by the Pay Commission is taken away by Government's refusal to accept these recommendations.

It is true that PTO is now extended to the industrial employees. That is a welcome feature. But what is already being enjoyed by the railway employees is sought to be taken away. I do not know whether orders have been passed in this regard; if those orders are going to be passed, then there is likely to be resistance from the railway employees. Now, I think, the railway employees are getting one free pass and 6 PTO's. Now, Government are seeking to reduce it.

Shri Rajendra Singh (Chapra): Two free passes.

Shri Tangamani: Now, they are going to reduce it to one free pass and two PTO's. What the railway employees have been enjoying all along is much more than what is now sought to be given to the Central Government employees. I would suggest here that whatever is being enjoyed by them all along should not be taken away. Many of the organisations of the Central Government employees have brought to the notice of Government the various facilities they have been enjoying.

Take, for instance, the question of casual leave and holidays. They were enjoying 23 holidays and 15 days casual leave. Now, that is sought to be reduced to 16 and 12. Even here, what they have been enjoying so far is now sought to be taken away. I read in one of the journals a calculation which shows how as a result of these recommendations, an ordinary Central Government employee would get one month's wage less. We find that there is a demand by the various central trade union organisations like the All India Trade Union Congress, that if a person works for 12 months in a year, he must get 13 months' wages; in other words, one month's wage should be paid in terms of bonus. Here, the Central Government

employees were formerly working for about eleven months odd and they were getting 12 months' wages. But, today, they have to work nearly for 12 months for getting 11 months' wages; in other words, to put it in popular terms, the person will have to work for 13 months for getting 12 months' wages. So, the calculation that the additional emoluments would come to Rs. 31 crores or Rs. 41 crores is really misleading. I am just giving a reply to the point raised by Shri Harish Chandra Mathur. If you pay the employees an amount of Rs. 5 extra and take away the existing benefits, it will not enthruse them.

The First Pay Commission said that certain facilities should be given to those persons who are employed in big cities. Big cities like Bombay and Calcutta were notified as 'A' class cities. When these cities were categorised as 'A' class cities, it was based on consideration of population. The population of these cities is much more than 1½ millions. There were big cities like Madras, Delhi and Kanpur, but their population was not 15 lakhs then. Ever since 1947, the demand has been that those cities whose population is 15 lakhs or more should be classed as 'A' class cities. It is common knowledge that in respect of cities like Madras, Kanpur, Delhi and Hyderabad, the population exceeds 15 lakhs. The demand of the employees from these cities requesting that these cities may be treated as 'A' class cities is a just demand.

In the same way, the population of 'B' class cities was fixed at 5 lakhs. Those cities which were having population of less than 5 lakhs according to 1951 census are now having population exceeding 5 lakhs. I can mention the case of a city like Madura. Even in the municipal area, the population is nearly 5 lakhs. It does not extend to Greater Madura. If you take Greater Madura and Madura Postal District, certainly the population will be nearly 7 lakhs. Here is an important city which is a big industrial city. It is a city of pilgrimage. The demand of the employees

of the Posts and Telegraphs Department and the other Central Government employees to treat this city as a class 'B' city is a just demand. What does the Pay Commission say in this matter? The Commission says that they will have to wait for the census of 1961. Even after the census of 1961, they will have to wait for 2 more months or 2 more years even. But there is a proviso saying that these cities, wherever necessary, may be made into class 'B' cities. Here, there is a demand from the employees of this city to treat it as class 'B' city. There are similar cities all over India which are under class 'C' where the employees demand that they may be treated as class 'B' cities. 'C' class cities are those cities whose population is 1 lakh or more. In Tuticorin, the population has exceeded 1 lakh. Even in 1955, the population has exceeded 1 lakh. If we wait for the census of 1961, many of the benefits which are at least indicated in the Pay Commission's Report will be denied to these employees. So, I request the hon. Minister to look into this matter. I request him not to restrict the condition to cities like Bombay and Calcutta, but to extend it to other big cities.

Sir, the previous speaker referred to class IV employees. I would like to mention only one point relating to class IV employees. If we take the postmen, what we find is this. The Razaltine Committee of 1920 stated as follows:

"The Postman is drawn from a class distinctly superior to that of the ordinary menial. To be qualified for his work he must have some knowledge of script of at least 3 languages one being English; in his duty is involved considerable pecuniary responsibilities; he is in fact a small way cashier; he has to render a daily account to furnish security and to make good losses. The efficiency in the postal service very largely depends upon the Postmen. The Standing Finance Committee in one of the Report stated 'the

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Postmen really are a sort of inferior clerks having regard to the qualifications and other monetary responsibilities."

Some of the Class IV employees of the Central Government have got to bear these responsibilities. They are as good as Class III employees. Does the Government feel that an amount of Rs. 80 which they have fixed would be proper emoluments for them? Certain Wage Boards have been set up in respect of certain industries and they have made certain recommendations. In respect of the cement industry the Wage Board has recommended Rs. 102 for Class IV employees. If the industrial worker in the private sector could be paid Rs. 102, I do not see any reason why the same principle cannot be extended to the employees of the Central Government also. I have indicated that 3 lakhs employees of the Central Government are drawing more than Rs. 100. 14 lakhs of Central Government employees are drawing less than Rs. 100, of whom 50 per cent are still temporary. The emoluments that some of them are now getting by way of the recommendation of the Second Pay Commission are Rs. 75 plus Interim Relief. Certain employees like the RMS employees are doing very arduous work, and some of the welfare facilities have not been extended to them. I can give details. I would like the hon. Minister to go into this question and at least give us an assurance that whatever benefits have been enjoyed by the Central Government employees before the Pay Commission was set up, would not be denied to them.

Another point which I would like to mention here is this. In all cases where a Commission is set up for fixation of wage scales, the wages are always fixed and paid with retrospective effect. They will be perfectly justified if they demand that wages may be paid from 1st August, 1956. Some of these organisations are demanding it not from 1st August,

1956 but from the date from which the interim relief was paid to them. At least, the payment should be made from 1st July, 1957. The Commission says that even in respect of those earlier months the amounts would be credited to the provident fund accounts of the employees. Since some Members have already referred to provident fund, I would not go into that. But what I would like to say in this connection is that at least the existing facilities which have been enjoyed by the Central Government employees should not be taken away from them; otherwise, it will be not only a disappointing report but it will be a very distressing report.

Mr. Chairman: Shri D. C. Sharma. He is absent. Shri Vajpayee.

श्री जाजवेयी (बलरामपुर) : मैं तो कल बोलना चाहता था लेकिन चूँकि आप चाहती हैं कि मैं आज बोलूँ, मैं आपकी बात को स्वीकार करता हूँ।

महोदया, वेतन आयोग की सिफारिशों ने बीस लाख से अधिक केन्द्रीय कर्मचारियों में बड़ी निराशा उत्पन्न की है। अनेक वर्षों से बढ़ती हुई महंगाई और बढ़ते हुए टैक्सों के पाटों में पिसने वाले कर्मचारी यह आशा करते थे कि वेतन आयोग उनकी तनखाह और भत्तों में इतनी वृद्धि करेगा कि जिस से देश की आर्थिक परिस्थितियों को ध्यान में रखते हुए वे अपना जीवन-यापन ठीक तरह से कर सकेंगे तो उनके कर्त्तव्यपालन के लिए भी आवश्यक है और पंच वर्षीय योजना के अन्तर्गत जीवन के स्तर को ऊँचा करने का हमने जो लक्ष्य रखा है, उसके भी अनुरूप होगा। लेकिन वेतन आयोग की रिपोर्ट के परिणामस्वरूप कर्मचारी बड़े असन्तुष्ट हैं। सरकार ने आयोग के सम्मुख जिस तरह के टर्म्स आफ रेफ़ेंस रखे, विचार की जो सीमा निर्धारित की, उसके कारण बहुत कुछ अंश में वेतन आयोग के हाथ-पैर बन्ध गए। लेकिन जो सिफारिशों की गई हैं, उन में से कुछ ऐसी हैं जन्हें सरकार ने ज्यों का त्यों

स्वीकार नहीं किया। कांग्रेस पार्टी में सम्बन्धित जो मजदूर संगठन हैं वे भी इस बात की आलोचना कर रहे हैं कि सरकार ने जो सिफारिशें उस के हित में थीं, उन को तो स्वीकार कर लिया, मगर जो सिफारिशें कर्मचारियों के हित में थीं उन को बदल दिया। सरकार के सम्मुख एक रास्ता यह था कि कमिशन की रिपोर्ट को जैसे का तैसा स्वीकार कर लेती और उस को कार्यान्वित करती। किन्तु यदि सरकार सिफारिशों में कोई परिवर्तन करना चाहती है तो फिर उस के लिये कर्मचारियों के जो प्रतिनिधि संगठन हैं उन से विचार विनिमय की बहुत आवश्यकता है।

छुट्टियों का प्रश्न है। सभी लोग चाहते हैं कि भारत का प्रत्येक नागरिक अधिक से अधिक काम करे, अधिक से अधिक श्रम करे, और हमारे सरकारी कर्मचारी मेहनत करने में किसी से पीछे नहीं हैं। लेकिन वेतन आयोग ने जो सिफारिश की है, विशेषतः शनिवार को काम के घंटे बढ़ाने के बारे में, उसे भी सरकार ने ज्यों का त्यों स्वीकार नहीं किया। छुट्टियां कम कर दी गईं। कुल मिला कर छुट्टियों की संख्या घटा दी गई। कर्मचारियों पर इस से कार्य का बोझ अधिक पड़ेगा। उस बोझ के उत्तरदायित्व का निर्वाह करने के लिये जो कर्मचारी तैयार हो सकते हैं, यदि बदले में उन की जो सुविधायें आज तक चली आ रही हैं, उन को कम न किया जाय, और परिस्थिति की मांग को देखते हुए कुछ अधिक सुविधायें दी जायें। लेकिन वेतन आयोग की सिफारिश के परिणामस्वरूप काम में वृद्धि हो गई और सुविधाओं में कमी हो रही है।

अभी रेलवे कर्मचारियों की बात हो रही थी। रेलवे कर्मचारियों को जो मकान दिये जाने वाले हैं अब उन का किराया जोड़ते समय जिस जमीन पर मकान बने हैं, और अगर जमीन महंगे दामों पर प्राप्त की गई है, तो उस को भी कर्मचारी से किराये के रूप में वसूल किया जायेगा। जो चिकित्सा

की सुविधायें हैं उन को भी व्यापक नहीं बनाया गया। जिन कर्मचारियों को रहने के लिये सरकार मकान दे सकी है, उन की संख्या बहुत कम है और जो शेष कर्मचारी हैं वे इस समय मकानों की कमी को अनुभव करते हैं और उस के लिये अधिक किराया देने के लिये विवश होते हैं। जो सुविधायें थीं पास या पी०टी०भोज० की उन्हें भी कम किया गया है। और मुझे पता लगा है कि रेलवे मंत्रालय ने आदेश जारी कर दिया है कि मार्च तक जो कमिशन ने कटौती के सुझाव दिये हैं उन्हीं के अनुसार फी पास और पी०टी०भोज० जारी होने चाहिये। अब यह तर्क दिया जाता है कि जो कर्मचारी रेलवे में काम नहीं करते, हम उन के लिये भी वर्ष में एक बार यात्रा की व्यवस्था कर रहे हैं, वह भी घर से आने के लिये। अब मेरा निवेदन है कि रेलवे कर्मचारी जिन परिस्थितियों में काम करते हैं, उन का थोड़ा सा विचार किया जाना चाहिये। जो सुविधायें उन्होंने वर्षा के संघर्ष के पश्चात् प्राप्त की हैं उन को छीनना नहीं चाहिये जब तक उन की सेवाओं की शर्तों में कोई अन्तर नहीं होता। आज भी रेलवे कर्मचारी रुल १४८ के अन्तर्गत एक महीने का नोटिस दे कर, बिना कारण बताये हुए नौकरी से अलग किया जा सकता है। यह सेवा की शर्तें और कर्मचारियों के साथ नहीं। उन के काम में भी अन्तर है। डाक और तार विभाग के कर्मचारी भी एक विशेष तरह का काम करते हैं। रात को रात और दिन को दिन नहीं समझते और अपनी संगठन शक्ति से जो सुविधायें उन्होंने प्राप्त की हैं, वे अपने कर्तव्य का ठीक तरह से निर्वाह कर सकें, इस के लिये उन की आवश्यकता है। सरकार उन्हें भी कम करने जा रही है। कुछ मिलना तो अलग रहा, और कर्मचारियों की जेब में से कुछ जा रहा है। चौबे जी चले थे छत्ते बनने मगर रह गये दुबे। कर्मचारी कुछ प्राप्ति की आशा करते थे मगर उन के सामने सुविधाओं की कमी का सवाल खड़ा है। मैं मंत्री

[श्री वाजपेयी]

महोदय से कहना चाहूंगा कि पे कमिशन की सिफारिशों ने कर्मचारियों को असन्तुष्ट किया है। यदि वर्तमान मुविधाओं में कमी की गई तो उस की प्रतिक्रिया होनी स्वाभाविक है और यदि कर्मचारियों ने मुविधाओं की रक्षा के लिये कोई ऐसा कदम उठाया जिस से सरकार को पता लगे कि वे अपनी मुविधाओं को छोड़ने के लिये तैयार नहीं हैं, तो मैं समझता हूँ कि वह उन का बिल्कुल न्यायोचित कदम होगा।

हमारे प्रधान मंत्री ने ३० जनवरी को नई दिल्ली की एक सभा में भाषण करते हुए कर्मचारियों में अपील की है कि वे देश के व्यापक हितों का ध्यान रखें। मैं समझता हूँ कि पंचवर्षीय योजना की सफलता के लिये जितना अधिक श्रेय कर्मचारियों को है उतना और किसी को नहीं। सरकार दावा भी करती है कि योजनायें सफल होती जा रही हैं। लेकिन यह बड़े आश्चर्य की बात है कि उन योजनाओं के चलते कर्मचारियों का जीवन स्तर कम होता जा रहा है। महंगाई बढ़ रही है। सरकार जिस तरह की अर्थ नीति अपना रही है उस में महंगाई कम हो जायेगी, यह आशा करना भी ठीक नहीं होगा। मुद्रास्फीती के लक्षण बिल्कुल स्पष्ट हैं और अभी हम ने देखा कि अनाज के दाम बढ़े, कपड़े के दाम बढ़े, जीवन की आवश्यक वस्तुओं के मूल्य में वृद्धि हो रही है और उस वृद्धि से अगर अब से अधिक कोई वर्ग परेशान हो। है तो वह सरकारी कर्मचारियों का होता है जिन्हें बंधी बंधाई महीने की तनस्वाह मिलती है। और उन के सम्बन्ध में यह अंक रखे जाते हैं कि वे ५६ पैसे नये में दिल्ली में भोजन कर सकते हैं। कमिशन इस परिणाम पर पहुँच सकता है, मगर जो मंत्री हमारे दिल्ली में रहते हैं और दिल्ली की महंगाई ने अधिक नहीं तो थोड़ा सा उन्हें भी स्पर्श किया है वे जरा हृदय पर हाथ रख कर देखें कि क्या ५६ पैसे नये में ३२ आउंस भोजन मिल सकता है। वह उन के जीवित रहने

के लिये पर्याप्त हो सकता है लेकिन उस से अधिक काम करने की प्रेरणा नहीं मिल सकती।

पे कमिशन से यह भी आशा की जाती थी कि वह सर्विस कंडक्ट रूल्स में कोई परिवर्तन करेगा। दिखाई ऐसा देता है कि हमारे कर्मचारियों को पहले कितनी मुविधा थी उस से भी शायद अब कम होती जा रही है और सरकारी कर्मचारी अब और भी बन्धनों में बांधे जा रहे हैं। जो मान्यता प्राप्त संगठन हैं उन से भी कहा जा रहा है कि बाहर के व्यक्ति को अपना पदाधिकारी न बनायें। वे कार्यालय की सीमा के भीतर सभा भी नहीं कर सकते। धीरे धीरे उन के काम करने के लिये जो प्रेरणा है उसे कम करने की कोशिश हो रही है। जब एक बार सरकार ने यह स्वीकार कर लिया कि जो कर्मचारियों के संगठन हैं वे कर्मचारियों की दक्षता बढ़ाने के लिये और शासन के साथ उन के सम्बन्ध ठीक रखने के लिये आवश्यक हैं तो मैं समझता हूँ कि कर्मचारियों के संगठनों को पूरा प्रोत्साहन दिया जाना चाहिये। पे कमिशन यदि चाहता तो सर्विस कंडक्ट रूल्स में ऐसे संशोधन करने के सुझाव दे सकता था जिन से कर्मचारी के आस पास की गतिविधियों में सामाजिक और सांस्कृतिक कामों में और अधिक मुविधा से भाग ले सकते। लेकिन ऐसा पता लगता है कि गृह-मंत्रालय ने कुछ ऐसे संगठनों का सूची बना कर रखी है जिसे काली सूची कहा जाता है। और सन्देश पर भी, अगर कोई छोटा सा गुप्तचर विभाग का कर्मचारी नीचे से यह रिपोर्ट कर दे कि प्रमुख कर्मचारी एक कथित संगठन के साथ सम्पर्क रखता प्रतीत होता है, तो उसे नौकरी से अलग कर दिया जाता है। मैं समझता हूँ कि देश की बदली हुई परिस्थितियों के साथ कर्मचारियों की जो सेवा की शर्तें हैं, और जो नियम हैं उन में भी संशोधन होना चाहिये।

पे कमीशन ने अपने से पहले कमीशन, बर्दाश्तारी कमीशन, द्वारा महंगाई का भत्ता निर्धारित करने के लिये जो आधार निश्चित किया गया था उस को भी स्वीकार नहीं किया है। एक तरफ तो कमीशन यह मानता है कि निकट भविष्य में महंगाई को कम करना सरल नहीं होगा, लेकिन वह दूसरी तरफ मल वेतन भी नहीं बढ़ाना चाहता, क्योंकि वह समझता है कि ८० रुपये में हिन्दुस्तान में पढ़े लिखे, हट्टे कट्टे लोग मिल सकते हैं, इसलिये बेसिक सैलरी को बढ़ाने की मांग मानने के लिये कमीशन तैयार नहीं है। मैं समझता हूँ कि सरकार को अपने कर्मचारियों की तनखाह निर्धारित करते समय यह डिमांड और सप्लाई का नियम लागू नहीं करना चाहिये। भ्रस्ती रुपया तो क्या, भ्रगर वेतन और भी कम कर दिया जाये तो भी देश की परिस्थिति ऐसी है कि पढ़े लिखे लोग फिर भी काम करने के लिये तैयार हो जायेंगे। लेकिन सरकार को तो आदर्श मालिक के रूप में काम करना चाहिये। जब हम इंडस्ट्रियल वर्क्स के लिये निजी मालिक से अधिक वेतन और अधिक भत्ते की मांग करते हैं, तो सरकार के लिये आवश्यक है कि अपने कर्मचारियों को समुचित वेतन दे और महंगाई बढ़ने के साथ उन के महंगाई भत्ते में भी उसी प्रकार से वृद्धि होनी चाहिये। इस दृष्टि से आयोग की सिफारिशें पिछले पे कमीशन द्वारा निर्धारित आधार से भी पीछे चली जाती हैं।

जहां तक १२० या १२५ रुपये बेसिक सैलरी तै करने का सवाल है, मैं नहीं समझता कि आज की परिस्थिति में सरकार को उसे स्वीकार करने में क्यों आपत्ति होनी चाहिये। कहा जाता है कि भ्रगर कमीशन की सभी सिफारिशों को स्वीकार कर लिया जाये, तो सरकार को ३१ करोड़ का व्यय देना होगा। मेरा निवेदन है कि कर्मचारियों से जो सुविधायें ली जा रही हैं, उन से अधिक काम करा के जो ग्रामदनी की जा रही है, उन के पासों में और उन के पी० टी० प्रोज० में जो कटौती

कर के बचत की जायेगी और जो अधिक काम के घंटों के परिणाम स्वरूप कर्मचारी सरकारी कोष में ग्रामदनी की वृद्धि करेंगे, भ्रगर उस सब को जोड़ा जाये, तो सरकार ३१ करोड़ रुपया खर्च कर के घाटे में रहेगी, ऐसा मैं नहीं समझता। जो कर्मचारियों के संगठन हैं, उन्होंने भी अपना कुछ हिसाब लगाया है और रेलवे के कर्मचारी यह दावा करते हैं कि वे स्वयं अधिक काम कर के कम से कम २६ करोड़ रुपया सरकार को देंगे। यह रेलवे कर्मचारियों का दावा है और मैं समझता हूँ कि इस दावे में तथ्य है।

श्री हरिश्चन्द्र माधुर : इस की जांच प्राप ने की होगी ?

श्री बाजपेयी : जी हां।

श्री हरिश्चन्द्र माधुर : वही तो हम सुनना चाहते हैं।

श्री बाजपेयी : भ्रगर रेलवे कर्मचारी अधिक काम करेंगे और उन की सुविधाओं में कमी होगी, जैसा कि पे कमीशन की सिफारिशों के अनुसार हो रहा है, तो स्पष्ट है कि सरकार के कोष में बचत होगी और वह कर्मचारियों का ही योगदान होगा। लेकिन यदि सरकार को अपने कोष से भी कर्मचारियों के वेतन में या भत्ते में कुछ योगदान देना पड़ता है, तो मैं समझता हूँ सरकार को उस के लिये भी तैयार रहना चाहिये। अन्ततोगत्वा शासन तंत्र कर्मचारियों के भरोसे ही चलता है। ये कर्मचारी प्रामाणिक हों और निष्ठा के साथ अपना काम करें, हम उन से यह आशा करते हैं। इस प्राणय की अपीलें भी की जाती हैं। लेकिन इस बात का ध्यान रखना आवश्यक है कि पंचवर्षीय योजनाओं के चलते कर्मचारियों के जीवन स्तर में कमी नहीं होनी चाहिये जिस का आज संकट दिखायी देता है।

[श्री वाजपेयी]

वेतन आयोग ने जो विभिन्न सेवाओं में श्रेणियां हैं उन के लिए भी वेतन क्रम की कोई ठीक दर निर्धारित नहीं की। कोई वैज्ञानिक पद्धति के आधार पर वेतन क्रम की दरें तै की गयी हों ऐसा नहीं दिखायी देता। पोस्ट और टेलीग्राफ विभाग में और विशेष कर रेलवे में जो अलग अलग श्रेणियां हैं उनकी अलग अलग ग्रेड्स हैं और उन में उतार चढ़ाव है जिन के कारण कहीं एक दूसरे का संघर्ष होता है जो कर्मचारियों के मन में ईर्ष्या पैदा करता है, उन के काम करने की क्षमता को घटाता है। कमीशन से आशा की गयी थी कि वह इन सभी केटे-गरीज के बारे में विचार कर के उन के लिए वेतन क्रम की सिफारिश करेगी। मैं रेलवे में देखता हूं। स्टेशन मास्टर हैं, असिस्टेंट स्टेशन मास्टर हैं, उन की योग्यता की शर्तें अधिक हैं। उन के पास काम का भार अधिक है। मगर जो उन के ग्रेड हैं वह उन के उत्तरदायित्व के अनुकूल नहीं हैं। इस तरह के और भी उदाहरण दिये जा सकते हैं। कमीशन के लिए एक बड़ा काम था कि सेवाओं की विभिन्न श्रेणियों में जा कर उन के उत्तरदायित्व के अनुसार उन के वेतन भत्ते निर्धारित करता। लेकिन जो काम कमीशन ने नहीं किया वह सरकार कर सकती है। कुछ सिफारिशें अभी सरकार के विचाराधीन हैं। मेरा सुझाव है कि विशेषतः ऐसी सिफारिशें जो कर्मचारियों की वर्तमान सुविधाओं में कमी करती हैं, उन के संबंध में कोई अन्तिम निर्णय करने से पूर्व सरकार को कर्मचारियों के संगठनों के प्रतिनिधियों को बुलाना चाहिये, उन से बात करनी चाहिये, देश में आज जो परिस्थिति है उस के संबंध में उन को विश्वास में लेना चाहिये, और मैं समझता हूं अगर कर्मचारियों के प्रतिनिधियों को बुलाया जायगा वार्ता की जायगी तो कोई ऐसा मार्ग निकल सकता है जिसमें कर्मचारियों को भी संतुष्ट किया जा सके और सरकार उन्हें अपना दृष्टिकोण

भी समझा दे। लेकिन अगर हमारे वित्त मंत्री दूर से बात करेंगे और कर्मचारियों को विश्वास में नहीं लेंगे, और सरकार पर कितना बोझ पड़ता है, इसी पक्ष पर बल दोगे और कर्मचारियों के अन्तःकरण में क्या प्रतिक्रिया होती है इस का ध्यान नहीं रखेंगे, तो मैं समझता हूं कि कर्मचारियों में और भी असन्तोष पैदा होगा। ऐसी परिस्थिति उत्पन्न न हो इसलिए मेरा निवेदन है कि वित्त मंत्री जी को समय रहते कर्मचारियों के संगठनों को विश्वास में लेना चाहिये।

Shri Prabhat Kar (Hooghly): Madam Chairman, already many speakers have spoken about the recommendations of the Second Pay Commission. I feel that so far as the recommendations of the Second Pay Commission go, it has done great injustice not only to the Government employees but also to the accepted social concepts.

The Second Pay Commission was appointed on the demand of the employees and they demanded the appointment of a Second Pay Commission with a view to see that a revision is made in their emoluments because their emoluments were much less than what was required to maintain one's own commitments in the family. They did not want that immediately some *ad hoc* increase should be made by the Government. They wanted an enquiry should be made. What was the purpose for demanding this enquiry? It is a universally accepted fact and it has been admitted by the various tribunals and other commissions that the Government employees draw less than other employees in this country and their emoluments are much less than what is required to keep one's body and soul together.

The Central Government employees, as they did not want to create any complication by directly putting for-

ward their demands and asking the Government to immediately meet them, wanted that an enquiry should be made to find out what revision there should be in the emoluments of the employees. It is said that in a judicial enquiry in a court of law not only justice should be done but it should appear to have been done. The employees wanted justice to be done. I do not know what calculations they have made, but the very appearance and the fact that not only they have not been given any rise in their emoluments but there have been deductions clearly show that the demands of the employees have not been met and justice to their cause has not been done by the Pay Commission.

The year 1957, when the Pay Commission was appointed, was preceded by various awards of tribunals and Acts of Parliament. There was a certain set of accepted principles, accepted by the employers and employees and also by the judicial bodies in formulating the wage structure. It was accepted that while differing with the findings of a body the judges will always point out why they differed and where the difference is. There was the Fair Wages Committee's Report. There was the Minimum Wages Act. There were awards given by various tribunals. Apart from that, there was the 15th Indian Labour Conference. In all these, certain calculations accepted universally have been made in formulating the minimum wage for various categories of workers. But the Pay Commission has not taken any one of these into consideration. Not only that, they have not cared to say how the other judgments were wrong and why in formulating the minimum wage for the Central Government employees they have come to the conclusion which they have given in their recommendation.

It appears to me from the arguments that have been put forward that the Pay Commission was completely blind to the actual state of

affairs and the change in the social concept of the country or it was anxious only to see that no more burden may be put on the Government. It seems that they were anxious to readjust the books by debiting one page and crediting it in the other maintaining the same emoluments, make a show of it and present it before the country so that the Government may not have to spend any extra amount and at the same time there will be a readjustment of the emoluments given to the employees so far as the heads are concerned.

Secondly, in 1957, knowing the condition of the country, particularly the acute problem of unemployment, to consider the wage structure from the point of view of employment, to fix an amount by which it will be possible to get a man, I think, is not only bad but it is something obnoxious under the present concept of social change. We know very well that today because of the acute unemployment problem in the country it is easy to get a good number of educated persons on low emoluments, lower than what is granted today by the Central Government. Because you can get persons on low salaries, shall that be the criterion for deciding the minimum wage, shall that be taken into consideration when deciding the wage structure? In 1957, the second Pay Commission had taken that into consideration as to what would be the amount under which it would be easy for the Government to get persons in their employment.

Now, I do not know where there is any difference between the minimum wage given to one section of the people and that given to another section. So far as the minimum wage or the minimum requirement is concerned, it is the same, whether the man works in the private sector or in the public sector, because the commodities are not sold at different prices to an employee working in the private sector and an employee working in the public sector. The price of rice or of clothing or of anything for

[Shri Prabhatkar]

that matter is the same, and the shop-keeper does not ask his customer whether he is working in the Central Government or in the State Government or in the banking or any other industry. The cost will be the same. So, the minimum wage will be the same for every person working anywhere. But here, a calculation has been shown saying that Rs. 80 shall be the minimum wage for the Central Government employee, while it is being held by various tribunals and wage boards that even for an unskilled person the minimum wage should be Rs. 117 in all. I do not know how the second Pay Commission's recommendations can be justified when they are fixing a minimum wage. The minimum wage is not based on any other factor than the minimum requirement of a person. There have been various calculations by the wage boards, tribunals and others in fixing the minimum wage. While fixing the minimum wage for the Central Government employee, if the Central Pay Commission wanted to make a change, at least they should have given the reason why they are changing the findings of the various tribunals and boards who have fixed the minimum wage.

It is said in the recommendations that at the time of considering the minimum wage, the question of what will be the burden on the Government is a matter which has to be taken into consideration. I can understand that all these things should be taken into consideration and should be an important factor for the Commission to consider at the time of making or recommending a scale or granting any other amenities. But when they are fixing a minimum wage, how they can differ from the recommendations of the other tribunals and wage boards who have fixed a much higher minimum wage, taking into consideration the requirements of

the persons working in society and taking into consideration the abnormal rise in the price of the daily necessities of life today, is not understandable. How the Pay Commission can come to the conclusion in fixing a lower salary as the minimum wage for the Central Government employees, I have not been able to understand.

Looking at the scales recommended, as I was saying, it is purely a book adjustment. What the employees were getting under the head 'salary and dearness allowance' has been massed together and a new scale has been formulated. There the matter ends. It is a pure and simple book adjustment. Previously, it was Rs. 35. Now, it is Rs. 75, which is the starting salary. Along with dearness allowance, the total comes to Rs. 80. So, Rs. 45 plus Rs. 35 comes to Rs. 80. The minimum is Rs. 75. Formerly, the scale was Rs. 60—130. Now, it has been changed to Rs. 110—180. If we add Rs. 50 as dearness allowance, it comes to Rs. 110, and Rs. 130 was the maximum. To the maximum, if we add Rs. 55 as dearness allowance, it comes to Rs. 185. The grade has been fixed at Rs. 180 as the maximum.

As I was saying, only some book adjustment, debiting in one page and crediting in the other page has been done to make a show of some increase in the emoluments.

समाप्ति महोदय : सदन कल ११ बजे
तक स्थायी किया जाता है। श्री प्रभात कार
अपना भाषण कल जारी रखेंगे।

17 hrs.

The Lok Sabha then adjourned till
Eleven of the Clock on Friday,
February 12, 1960/Magha 23, 1881
(Saka).

[Thursday, February 11, 1960/Magha 22 1881 (Saka)]

ORAL ANSWERS TO QUESTIONS

S.Q. No.	Subject	COLUMNS
65.	U.P.S.C. Examination Centre in Madhya Pradesh	473-74
66.	Medium of instruction in Universities	475-80
67.	Coking coal for steel plants	480-83
68.	Children's Museum, Delhi.	483
69.	Pay Commission's Recommendations	484-87
71.	Central Indian Medicinal Plants Organisation	487-88
72.	Lease form for coal	488-90
73.	Explosion in Ordnance Factory, Khamaria	491-95
74.	Salv of pig iron	495-97
75.	Development Loan Fund	497-501
78.	Coal production in the public sector collieries	501-04
80.	Credit from Austria	504-07
81.	Expansion of steel plants	507-08

WRITTEN ANSWERS TO QUESTIONS

S.Q. No.	Subject	COLUMNS
70.	Training of Indian Technicians in U.S.S.R.	508-09
76.	Engineering College, Cannanore	509
77.	Olympic games in Rome	509-10
79.	Dandakaranaya Administration	510
82.	National Defence College, New Delhi	510
83.	Theatres	511
84.	Copper deposits in Khetri	511-12
85.	Student indiscipline	512-13
86.	Sales Tax on ready-made garments	513
87.	Metallurgical coal in Assam	513-14
88.	Acquisition and Requisitioning of land	514-15
89.	Alloy and Steel Plant Consulting Engineers	515

U.S.Q. No.

54.	Export of coal to Pakistan	515-16
55.	Netaji Bose	516
56.	Bonus issue	517
57.	C.S.S. Officers	517-18
58.	Election Commission	518
59.	Gatiswar Temple near Puri	519

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
60.	Mining Institute, Kothagudem	519
61.	Surplus stores in Defence Installations	519-20
62.	Pakistan Nationals in India	520
63.	Multi-purpose tribal blocks	520-21
64.	Coal and oil deposits in Basti	521
65.	Panchayats in Delhi	521-22
66.	Indebtedness of Adivasis	522
67.	Housing facilities in Ordnance Depots	522
68.	Museology	523
69.	Private Foreign Capital	523
70.	State Bank of India and Reserve Bank of India Branches in Andhra Pradesh	524
71.	Production of billets at Bhilai	524-25
72.	Import of diesel	525
73.	Political sufferers in Andhra Pradesh	525
74.	Closure of roads in Kamarhati and Barangore	526
75.	Output of opium	526-27
76.	Ex-Servicemen in Tripura	527
77.	Training of H.A.L. Employees	527
79.	Pakistar citizens	528
80.	Policemen	528
81.	Lok Sahayak Sena	528-29

CORRECTION OF REPLY TO UNSTARRED QUESTION NO. 149 RE EXPLOITATION OF IRON ORE IN ORISA.

PAPERS LAID ON THE TABLE

- (1) A copy of Notification No. F.4(54)/59-Fin—(E) dated the 26th November 1959 published in Delhi Gazette under sub-section (4) of Section 26 of the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, making certain further amendments to the Delhi Sales Tax Rules, 1951.
- (2) A copy of Notification No. S.O. 206 dated the 23rd January, 1960 under sub-section (3) of Section 8 of the Coal Mines (Conservation and Safety) Act, 1952.

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- (3) A copy of Notification No. G.S.R. 861 dated the 25th July, 1959 under sub-section (1) of Section 28 of the Mines and Minerals (Regulations and Development) Act, 1957, making certain further amendments to the Mining Leases (Modification of Terms) Rules, 1956.
- (4) A copy of Notification No. S.O. 341 dated the 3rd February, 1960 under sub-section (3) of Section 28 of the Representation of the People Act, 1950, making certain further amendments to the Representation of the People (Preparation of Electoral Rolls) Rules, 1956.
- (5) A copy of Notification No. G.O. MS. 408/59 dated the 15th May, 1959 under sub-section (3) of Section 13 of the Kerala Cinemas (Regulation) Act, 1958 read with clause (b) of the proclamation dated the 31st July, 1959, issued by the President in Relation to the State of Kerala, published in Kerala Gazette making certain amendment to the Kerala Cinemas (Regulation) Rules, 1958.
- (6) A copy of each of the following Notifications, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, read with clause (b) of the proclamation dated the 31st July, 1959 issued by the President in relation to the State of Kerala, published in Kerala Gazette :—
 - (a) Notification No. T. B. 1—10008/56/PW dated the 1st June, 1959 making certain amendments to the Travancore-Cochin Motor Vehicles Rules, 1952.
 - (b) Notification No. T.B. 1-10008/56/PW dated the 1st June, 1959 making certain amendments to the Madras Motor Vehicles Rules, 1940.

PAPERS LAID ON THE
TABLE—contd.

- (7) A copy of each of the following Notifications under sub-section (5) of Section 43 of the Kerala Weights and Measures (Enforcement) Act 1958 read with clause (b) of the proclamation dated the 31st July, 1959 issued by the President in relation to the State of Kerala, published in Kerala Gazette making certain amendments to the Kerala Weights and Measures (Enforcement) Rules, 1958 :—
 - (a) Notification No. 14587/E1/59/Rev. dated the 12th June, 1959.
 - (b) Notification No. 19603/E1/59/Rev. dated the 7th August, 1959.
 - (c) Notification No. 22537/E1/59/Rev. dated the 11th August 1959.
- (8) a copy of Notification No. 17551/59/PW/T1, dated the 10th September, 1959 under subsection (2) of Section 11 of the Madras Motor Vehicles Taxation Act, 1931 read with (b) of the proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala published in Kerala Gazette.
- (9) a copy of Notification No. G.O. (P) 552, dated the 2nd June, 1959 under sub-section (2) of Section 10 of the Payment of Salaries and Allowances Act, 1951 read with clause (b) of the proclamation, dated the 31st July, 1959, issued by the President in relation to the State of Kerala, published in Kerala Gazette containing the Kerala Ministers' and Speaker's Travelling allowance and Daily Allowance Rules, 1959.
- (10) A copy of each of the following Notifications under Section 43 of the Copyright Act, 1957 making certain amendments to the International Copyright Order, 1958 :—
 - (i) S.O. No. 57 dated the 6th January, 1960.

PAPERS LAID ON THE TABLE—contd.

COLUMNS

COLUMNS

(ii) S.O. No. 106 dated the 13th January, 1960

MESSAGES FROM RAJYA SABHA

533

Secretary reported two messages from Rajya Sabha that at its sitting held on the 9th February, 1960, Rajya Sabha had passed the following Bills :

(1) The Imports and Exports (Control) Amendment Bill, 1960

(2) The Cotton Transport (Amendment) Bill, 1960.

BILLS PASSED BY RAJYA SABHA—LAID ON THE TABLE

533

Secretary laid on the Table the following Bills as passed by Rajya Sabha :—

(1) The Imports and Exports (Control) Amendment Bill, 1960.

(2) The Cotton Transport (Amendment) Bill, 1960.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

533-36

Shri Uma Charan Patnaik called the attention of the Minister of Transport and Communications to the recent strike by the pilots of the Air India International Corporation .

The Minister of Transport and Communications (Dr. P. Subbarayan) made a statement in regard thereto and also laid on the Table a statement.

RESIGNATION OF MEM- BER

536

The Speaker informed Lok Sabha that Shri P.V.G. Raju had resigned his seat in Lok Sabha with effect from the 2nd February, 1960.

PANEL OF CHAIRMEN

536-37

The Speaker informed Lok Sabha that he had nominated the following Members on the new Panel of Chairmen :—

(1) Pandit Thakur Das Bhargava

(2) Dr. Sushila Nayar

BILL PASSED

537-88

Further discussion on the motion to consider the Administration of Evacuee Property (Amendment) Bill, 1959 was concluded and the motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed.

BILL RETURNED BY RAJYA SABHA WITH AMEND- MENTS—UNDER CON- SIDERATION

588-608

The Minister of Law (Shri A.K. Sen) moved that the amendments made by Rajya Sabha in the Dowry Prohibition Bill, 1959 be taken into consideration. The discussion was not concluded.

MOTION RE: REPORT OF PAY COMMISSION

608-56

Further discussion on the motion re the Report of the Pay Commission moved by Shri Narayanankutty Menon on 17-12-59 was resumed. The discussion was not concluded.

AGENDA FOR FRIDAY, FEBRUARY 12, 1960/ MAGHA 23, 1881 (SAKA)—

Further discussion on the Report of the Pay Commission and consideration of the following Private Members' Resolutions:

(i) Compulsory Military training in educational institutions by Shri Prakash Vir Shastri ; and

(ii) "Quit the Commonwealth of Nations" by Shri Braj Raj Singh.