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Tuesday, December 5, 1961
Agrahayana 14, 1883 (Saka)

LOK SABHA DEBATES

**Fifteenth Session
(Second Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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N.B.—The sign + marked above the name of a Member on Questions which were orally answered indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Tuesday, December 5, 1961/Agrahayana 14, 1883 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Airmen in Naga Custody

+

- *568. { Shri S. M. Banerjee:
Shri Tangamani:
Shri Assar:
Shri Hem Barua:
Shrimati Mafida Ahmed:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that 4 airmen in Nagas' custody have since been released; and

(b) if not, the steps taken by Government to get them released?

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

(b) It is not in the public interest to give an answer.

Shri S. M. Banerjee: We were told on a previous occasion that these four airmen who are in the custody of the Naga hostiles are kept on moving from one place to another. I want to know whether it is in the knowledge of the Government where they are located or kept at present.

Shri Krishna Menon: I have given the answer, Sir. It is not in the interests of these men, and it is not in the public interest to give any information.

1587 (Ai) LSD—1

Shri Nath Pai: It is nearly more than 15 months since these four pilots have been in the hands of the Naga hostiles. Every time the question is asked, the hon. Minister's reply has been that it is not in the public interest to give any information. We should at least know the definition of "public interest". Will you, Sir, protect our right to get information? At least, let not this "public interest" be used to cover the total inaction and failure of the Government in this matter.

Mr. Speaker: What does the hon. Member expect the Minister to say? The Minister can say, "I have got them back or I have not got them back". He may say, "I am trying all possible methods," etc. Is he to give us, item by item, what he is doing from time to time? Would it serve the public interest to say, "So and so has told me that they are in a particular place; we are trying to send some others; we are seeking the aid of somebody" and so on? Would not such information terrorise those people there? **ruption).** Order, order. I do not think the hon. Minister wants to withhold any information, and whatever reasonable information he can give to the House, he has given. Every hon. Member must place himself in the position of the Defence Minister and consider this aspect. I have no objection to ask him, but the question is whether it is desirable to do it.

Shri Nath Pai: In the interests of national security which is involved here, we would like to have an answer.

Mr. Speaker: It is not one of national security. It is in the interests of those four people. Do we want to

get them or not? One cannot merely accuse the authorities. The object of hon. Members is to see that all steps are taken to get them released.

Shri Jagdish Awasthi: The question is whether they are alive or dead.

Mr. Speaker: The question is whether it is in the knowledge of the Defence Minister that they are alive or dead.

Shri Krishna Menon: There is no reason at all to think that they are dead or they are ill treated. But where anything said on this matter is going to affect the interests of these men adversely Government feel they should be reticent. I am sure you will appreciate the situation.

Mr. Speaker: I am sure that the Government are taking all steps necessary to get them released.

Shri Krishna Menon: Yes, Sir.

Mr. Speaker: What more do the hon. Members want?

Shri Hem Barua: There has been a lot of confusion over this matter. The Defence Ministry informed the father of Captain Mishra that the responsibility of securing the release of these four IAF men who are in the custody of the Naga hostiles is entrusted to the civil authorities. I think the civil authorities who generally employ pen and pencil for securing or ordering their release, and so....

Mr. Speaker: What is the use of making general observations like this?

Shri Hem Barua: I want to know whether the responsibility of securing their release, the release of these men who are in the custody of the Naga hostiles, is entrusted or was entrusted for the time being to the civil authorities and, if so, with what result.

Mr. Speaker: Why does not the Defence Minister, through his own officers, try to get these people released? That seems to be the question.

Shri Krishna Menon: I would like to have your assistance on this matter, namely, whether we could say that our officers are doing things or some other officers are doing them. If it is the responsibility of the civil authorities, that does not mean that others are not making efforts also. After all, these men are prisoners in the hands of the Nagas, and hostile Nagas at that. Once action is taken which results in their not being released but to other consequences, all present and further efforts would be in vain. After all, these airmen are servicemen, and, therefore, even apart from all official considerations they could be concerned, Government have been taking all steps possible to get the men released. I am quite prepared to give any useful information that we may have, but I really cannot go any further now, since it is not in the public interest or in the interests of the prisoners.

Shri Hem Barua: Sir, I rise to a point of order. Shri Raghuramaiah, the Deputy Defence Minister, conveyed the information to the father of Captain Mishra that it is the civil authority which was entrusted with the task of securing the release of these four IAF men. When the Defence Minister comes and makes a statement that it is impossible on his part to reveal information about this, my point of order becomes relevant. That is to say, when the letter was written like that, and when that information was conveyed, why is it that the Defence Minister withheld this information from this House?

Mr. Speaker: Is that person the father of one of those prisoners?

Shri Hem Barua: Yes.

Mr. Speaker: Well, there is no point of order. If the father of one of the captains was very anxious about his son, it is one thing to give him some private information. It is another thing to broadcast it through Members

of Parliament here. As he says, if the civil authorities can better do so, certainly they are entrusted to the civil authorities. But the Government are always watching the situation. If they have to supplement the civil authorities, they themselves will do so. I do not think any useful purpose is served by putting this question or raising such a point of order. Instead of going on further, we must leave it to the Government to decide as to what steps are to be taken. The hon. Defence Minister is thoroughly aware, from the manner in which the hon. Members are so anxious to put questions, that this matter is considered to be very serious. I am sure he will take all possible steps. I am not going to allow any more questions on this.

Some Hon. Members rose—

Mr. Speaker: I understand the position. There is nothing wrong with the position.

Shri Hem Barua: I want to point out that I am not broadcasting. I am honest and sincere.

Mr. Speaker: He need not explain. I am sure I am not understanding him incorrectly!

Shrimati Mafida Ahmed rose—

Mr. Speaker: I am not going to allow any more questions on this. Next question.

Pakistani Infiltration in West Bengal

*569. **Shrimati Ila Palchoudhuri:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a large number of Pakistani nationals have illegally entered West Bengal since July, 1961;

(b) if so, their number month-wise upto the end of October, 1961;

(c) the steps taken against those who infiltrated into West Bengal; and

(d) the steps taken to put a stop to further infiltration?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The number of such Pakistani nationals was:

July, 1961	411
August, 1961	379
September, 1961	406
October, 1961	366
	<hr/> 1562 <hr/>

(c) They have all been prosecuted and 631 of them have been sent back to Pakistan after conviction. The remaining are either undergoing imprisonment or their cases are pending in the courts.

(d) Vigilance on the border has been intensified.

Shrimati Ila Palchoudhuri: May I know whether the Government's attention has been drawn to the fact that just on the eve of the elections there have been constant demands for Indian citizenship by Pakistanis, and even from a small place like Krishnagar, in the recent months, there have been 500 such cases?

Shri Datar: Whenever any requests for Indian citizenship are received, they are duly looked into.

Shrimati Ila Palchoudhuri: There was a scheme for dividing the border into two sectors, having a very vigilant police, particularly on the West Bengal border towards the Nadia side. May I know what steps have been taken to implement the decisions that were taken?

Shri Datar: Government have taken all steps for this matter being vigilantly looked into so far as the whole border is concerned.

श्री विभूति मिश्र : हमारी सरकार की सतर्कता के बावजूद पाकिस्तानी वैस्ट बंगाल और आसाम में घुस आते हैं। मैं जानना चाहता हूँ कि क्या सरकार इस दिशा में कोई कड़ी कार्रवाई करने की सोच रही है ?

Shri Datar: As I have stated, the Government are vigilant enough. When they find any person entering India without proper travel documents, he is immediately proceeded with.

Shri Tyagi: Is this infiltration, in the view of the Government, a planned one by the Pakistan Government, or is it a fact that the people just infiltrate on an individual basis?

Shri Datar: It is a very large question that he has asked. I should like to say that whenever any such infiltration takes place, Government take strong action.

Mr. Speaker: Is there any design? What is the object of the people coming in groups?

Shri Datar: It is true they come in large numbers, but immediately they are proceeded against.

Shri Tyagi: What is the motive?

Mr. Speaker: Are they coming in search of employment, etc., or is it their design that so many people should come and occupy the place and ultimately those people are in a majority and therefore, the Government must go into their hands? Are they trying to create another Pakistan in this country?

Shri Datar: It is true that sometimes they come, but immediately they are proceeded against.

Mr. Speaker: What is the impression of the Government about the large number of people that are infiltrating without passport? Do they find there is any design behind that?

Shri Datar: I understand your question. It would be very difficult to draw a general inference. But this much is true that the conditions in India are far better than elsewhere.

Shri S. M. Banerjee: May I know whether in all these 1500 cases during the four or five months, they came to India with passport and stayed on or they came without passport?

Shri Datar: These cases cover various offences under the foreigners' law. They come without passport or they come without visas. In some cases, they come by transgressing the rules and laws so far as foreigners are concerned.

Shri P. G. Sen: These borders were previously watched by Home Guards. May I know whether they are continuing now or they have been replaced by regular soldiers?

Shri Datar: We have got outposts there and whenever any person tries to enter without proper documents, immediately he is arrested.

Shri Hem Barua: The hon. Minister said that when anybody gets into our territory, he is apprehended and some sort of action is taken against him. May I know what steps Government have taken to protect the border so that there might not be any infiltration whatsoever?

Shri Datar: Government have taken various steps to tighten the whole border.

Shri Basumatari: May I know whether there have been cases where the citizens of Bengal and Assam encourage the people of Pakistan to enter into Bengal or Assam?

Shri Datar: That is rather a larger question.

Shri Tyagi: May I know whether in the course of investigations, instances have come to the notice of the Government where citizens of India have given protection to these people?

Shri Datar: It is possible that such things do happen because oftentimes they are relatives.

Shrimati Ila Palchoudhuri: Is the Government aware that there has been infiltration right in the army headquarters? Has the Government any information about it?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): I do not think so; the hon. Member seems to be wholly misinformed. This can never be possible, because strict scrutiny is always and constantly made. As regards the general question, in West Bengal, as the House might have seen, the figure is not very much. It is bigger in Assam no doubt. The West Bengal Government has been taking prompt action in this regard. I do not think the House should feel in any way nervous about this matter.

The Minister of Defence (Shri Krishna Menon): Reference was made by the hon. Member Shrimati Ila Palchoudhuri to Army Headquarters in this connection if the hon. Member has any information we would like to have it.

Mr. Speaker: If the hon. Member has got any information, she will kindly pass it on to the Defence Minister.

Shrimati Ila Palchoudhuri: I have some information, but I did not like to say it in the House, but I shall certainly send it.

Mr. Speaker: There is no harm in sending it privately.

केन्द्रीय सरकार के कर्मचारियों की काम की दशा

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*५७०. { श्री भक्त दर्शन :
श्री रामकृष्ण गुप्त :
श्री बी० चं० शर्मा :

क्या गृह-कार्य मंत्री ७ सितम्बर, १९६१ के तारकित प्रश्न संख्या १२६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को केन्द्रीय सरकार के कर्मचारियों के कार्य की दशा के सम्बन्ध में नियुक्त अन्तः विभागीय जांच समिति की रिपोर्ट इस बीच मिल गई है ;

(ख) यदि हां, तो क्या उस रिपोर्ट की एक प्रति तथा उसकी सिफारिशों पर किये गये निश्चयों को बताने वाला एक विवरण सभा पटल पर रखा जायेगा ;

(ग) यदि उपरोक्त भाग (क) का

उत्तर नकारात्मक है तो उस समिति का कार्य कब तक समाप्त हो जान की आशा है ; और

(घ) उसके कार्य में इतनी देरी होने के क्या कारण हैं ?

गृह-कार्य उपमंत्री (श्रीमती आलवा) :
(क) से (ग) . समिति की रिपोर्ट को अन्तिम रूप दिया जा रहा है और आशा की जाती है कि शीघ्र ही रिपोर्ट प्रस्तुत कर दी जायेगी ।

(घ) इस समिति के सदस्य जो विभिन्न मंत्रालयों से लिये गये हैं अपने सामान्य कर्तव्यों के अतिरिक्त इस सामंति का कार्य कर रहे हैं । इस सामंति की जांच का क्षेत्र विस्तृत है जिसके लिये बहुत सामग्री एकत्रित करनी है और देश के विभिन्न भागों में स्थित कार्यालयों को जाकर देखना है ।

I shall read out the answer in English also.

(a) to (c). The Report of the Committee is being finalised and is expected to be submitted very shortly.

(d) The members of the Committee who are drawn from the various Ministries are working on it in addition to their normal duties. The scope of the enquiry is also wide, calling for the collection of voluminous data and visit to a large number of officers in different parts of the country.

श्री भक्त दर्शन : श्रीमन्, क्या गवर्नमेंट के ध्यान में यह बात आई है कि केन्द्रीय सरकार के कर्मचारियों की अधिकांश संख्या खास कर चौथी श्रेणी के कर्मचारियों की प्रवस्था बहुत असन्तोषजनक है जिसके कारण उनके बीच में बहुत असन्तोष फैल रहा है, और इसलिये क्या गवर्नमेंट यह उचित नहीं समझती है कि जल्दी से जल्दी इस समिति की रिपोर्ट प्राप्त की जाय और उस पर अमल किया जाय ?

श्रीमती अलवा : माननीय सदस्य जितना असन्तोष उनमें बतलाते हैं उतना असन्तोष तो नहीं है लेकिन तो भी इस समिति की रिपोर्ट जल्दी से जल्दी अर्थात् दिसम्बर के अन्त तक प्राप्त हो जायेगी ।

श्री बलराज मबोक : क्या यह सत्य है कि चतुर्थ श्रेणी के बहुत से कर्मचारी जो मैट्रिक तथा हायर शिक्षा प्राप्त कर चुके हैं उनके लिए प्रमोशन का कोई रास्ता नहीं खुला है और इस कारण उनके अन्दर बड़ा असन्तोष फैला हुआ है और क्या उसको दूर करने के लिए उनको प्रमोशन देने की कोई योजना गवर्नमेंट के सामने है ?

Shrimati Alva: This is a separate question altogether.

Shri S. M. Banerjee: May I know what are the main terms of reference of this committee and whether they are confined only to the working conditions—working hours, place of work, etc., or whether they will cover certain aspects of service conditions also?

Shrimati Alva: It will be a very comprehensive approach for the welfare of the Government staff.

Shri D. C. Sharma: At what level will the report of the committee be finalised? Will it be finalised at the departmental level or will it be at the inter-ministerial level?

Shrimati Alva: It is already at the inter-ministerial level. But the places to be visited all over India are so many, as I have stated in my answer, that it will take some time. Nevertheless, the draft report is ready. Perhaps by the end of the December, the report will be our hands.

श्री विभूति मिश्र : क्या मैं जान सकता हूँ कि यह सरकार अपने सब कर्मचारियों की तनखाओं आदि बढ़ाने के ही सबाल पर गौर कर रही है अथवा इस पर भी ध्यान देर ही है कि यह लोग आज कितना काम करते हैं

और यह कि उनसे किस तरह से ठीक से काम लिया जाय ?

अध्यक्ष महोदय : मंत्री महोदय के पास इस बारे में कोई जवाब है ?

गृह-कार्य मंत्री (श्री लाल बहादुर शास्त्री) : जी हाँ । माननीय सदस्य ने बहुत ही मुनासिब बात की तरफ ध्यान दिलाया है और मैं चाहता हूँ कि हमारे दोस्त जो उभर बैठे हैं वे भी आपके प्रश्न की तरफ अधिक ध्यान दें ।

श्री भक्त वशंत : श्रीमन्, माननीय उप-मंत्री महोदय ने अभी बतलाया कि दिसम्बर के अन्त तक इस समिति की रिपोर्ट प्राप्त हो जायेगी तो क्या यह आशा की जा सकती है कि देर से देर मार्च तक इस पर गवर्नमेंट का निर्णय हो जाएगा ताकि अगले आर्थिक वर्ष में इसको लागू किया जा सके ?

श्री लाल बहादुर शास्त्री : जी हाँ हम जरूर कोशिश करेंगे कि इस रिपोर्ट के आने के बाद उस पर जल्दी कार्यवाही की जाये क्योंकि वेलफेयर ऐक्टिविटीज ऐसी हैं कि उनमें हम जितनी जल्दी उनकी मदद कर सकें करनी चाहिए ।

Shri Nath Pal: The Deputy Minister was pleased to state that the enquiry is a very comprehensive one. We were very happy to hear it. Does it refer to the trade union rights of these employees? Will it be touching on such matters like Whitley Councils and if so, what is the relation of this enquiry to the proposed legislation which the Home Minister had promised to bring before the House?

Shri Lal Bahadur Shastri: It has nothing to do with it. Mainly the functions of the committee will be to keep a general look on welfare activity, make the experience of the different departments available to one another, maintain a degree of

uniformity in the pattern of assistance given to co-operative societies and other welfare organisations and to advise Government generally on welfare policies and programmes.

Shri S. M. Banerjee: May I know whether the various service associations and unions were also allowed to place evidence before this committee on various matters?

Shrimati Alva: That does not arise out of this. This is really for the welfare of the staff. It covers working conditions, resettlement of employees, dues, leave, gratuity, housing accommodation, facilities for education of children, medical facilities, transport, social, cultural and recreational activities, co-operative credit, co-operative consumers stores, benevolent fund—all these are included in this.

Mr. Speaker: The hon. Member is only anxious about the matter of procedure. He wants to know whether those persons who are affected by this are allowed to make representations, if they so desire, either personally or otherwise.

Shrimati Alva: They do it through the unions.

Shri S. M. Banerjee: That is what I was asking.

Mr. Speaker: Next Question—Shri Ram Krishan Gupta—absent. Next Question—Shri D. C. Sharma.

Shri D. C. Sharma: Question No. 572.

Shri Tangamani: Sir, Question No. 588 also may be taken along with this.

Mr. Speaker: That is also about lignite. That may also be answered.

Lignite

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

(a) whether a lignite seam has been uncovered at a depth of 180 feet at the southern end of the open cut mine in Neyveli some time in August 1961; and

(b) the qualitative and quantitative analysis of the lignite available there?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). A statement giving the information desired is laid on the table of the House.

Statement

The lignite seam at Neyveli was first exposed for excavation in August, 1961 at a depth of 180 feet. Tests carried out on the lignite taken out from this seam indicate that the quality of lignite is good. This confirms the results of the previous tests conducted both here and abroad on bulk samples. The results of the present analysis are given below:—

Moisture	51.55%
Volatile matter	24.11%
Ash	2.79%
Fixed carbon	21.55%
<i>Calorific value</i>	
(a) K cal/kg	3,090
(b) BTU/lb	5,561

The quantity of lignite reserves in an area of 100 sq. miles in and around Neyveli, is estimated to be about 2,000 million tons.

Lignite

*588. **Shri N. R. Muniswamy:** Will the Minister of Steel, Mines, and Fuel be pleased to state:

(a) what is the result of the test conducted by technical experts in

Norway about the possibility of producing iron from the Salem iron ore utilising Neyveli lignite; and

(b) how does it compare with East Germany's tests?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). A statement is placed on the Table of the House.

Statement

Preliminary Laboratory scale tests conducted in the Electric Low Shaft Furnace in Norway with Salem iron ore and Neyveli lignite encouraged the hope that Salem iron ore was suitable for iron making.

Arrangements are under way for the pilot plant test in Norway. The Government of Madras have also made arrangements for sending 2000 tons of Neyveli lignite and 250 tons of Salem iron ore to East Germany where large scale commercial tests will be undertaken in the low shaft furnace. Till the results of these tests are known, no comparison can be made between the tests conducted in Norway and East Germany.

Shri D. C. Sharma: May I know by what time the exploratory aspect of these mines will come to an end?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The lignite is already exposed and the deposits are well proved. We are at the mining stage and exploration in a certain way continues to plan the detailed mines; otherwise, there is no exploration involved.

Shri N. R. Muniswamy: May I know whether the test conducted in Norway is much superior in its quality results as compared to the test conducted in East Germany?

Sardar Swaran Singh: Tests are tests and we need not compare by merely dealing with two countries as to which test is superior and which is

inferior. Certain new aspects are disclosed by these tests.

Shri Tangamani: May I know whether the Government of Madras have sent these 2000 tons of Neyveli lignite and 250 tons of Salem iron ore to East Germany; if so, what is the result of the test and does it tally with the test which was conducted in Norway?

Sardar Swaran Singh: I am not aware if the results have been received. They were making arrangements to despatch the lignite. Some of it was despatched. I cannot say whether the entire quantity has been despatched. When I was there some two months ago they were putting them in bags and the like.

Shri Tangamani: From the statement we find that lignite is available in an area of 100 square miles and the quantity estimated is 2000 million tons. May we know how much area is now being covered, what is the amount which is likely to be extracted each year and whether there is a proposal for exploiting the area in full; if so, in what measure?

Sardar Swaran Singh: The hon. Member will find all this information in the Third Plan. We have given detailed information from time to time about the various stages of development of this mine and we have also given the expansion programme.

Shri T. B. Vittal Rao: In addition to these tests which are being conducted in Norway and East Germany, may I know whether any tests are being conducted at the low-shaft furnace in Jamshedpur?

Sardar Swaran Singh: Some tests were held. Now we are at the pilot stage and, therefore, it was necessary to carry on these tests not on a laboratory scale but on a pilot scale.

Shri Damani: May I know whether the present production after meeting the country's demand is sufficient to meet the export demand?

Sardar Swaran Singh: Production of what?

Shri Damani: Of lignite.

Sardar Swaran Singh: We are not producing much of lignite. The hon. Member should be aware of this fact that except for small quantities of lignite that are being mined at the moment in Rajasthan, the Nayveli lignite mine has not gone into production. And, when we talk of requirements, the fuel requirements of the country are so large that we can never over-develop our fuel resources. Lignite is something which when it is mined has to be utilised. It is not like coal that you can mine in larger quantities and transport over larger distances. That is not the way of dealing with lignite.

Shrimati Parvathi Krishnan: May I know whether the progress in the mining of lignite is keeping up to the intended programme of starting the thermal plant at the end of this year?

Sardar Swaran Singh: The mining part is I think ahead of the power plant. There are some difficulties in the receipt of certain vital parts for the thermal power station. If the thermal power station were ready, the mine is almost ready. The delay in the completion of the thermal station is coming in the way at the moment.

Places of Worship

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- *574. { **Shri Harish Chandra Mathur:**
Shri D. C. Sharma:
Shri Hem Raj:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have considered and come to any conclusions, re: action to be taken in respect of places of worships being used for political and agitational purposes and harbouring criminals and unauthorised arms; and

(b) what instructions, if any, have been issued in this direction?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) It is really for the State Government concerned to consider what action should be taken in any particular case. Government of India, however, do not consider it desirable that places of worship should be used for such purposes.

(b) It is not necessary to issue any instructions by the Government of India on the subject.

Shri Harish Chandra Mathur: May I know whether the Government of India is aware that the Golden Temple at Amritsar still continues to harbour offenders; if so, what is the attitude of the Government of India in the matter?

Shri Lal Bahadur Shastri: The hon. Member must be aware of the fact that Punjab Government has taken action in regard to several gurdwaras wherever they thought it proper, and in the circumstances it would be advisable, as I have said in the reply, to leave this matter to the care of the State Government.

Shri Hem Raj: If criminals who have done some criminal or heinous offences are protected there, will not Government think of having some better legislation enabling them to enter these temples and arrest them?

Shri Lal Bahadur Shastri: I think, Sir, no new legislation is necessary. The Government have adequate powers to deal with these matters. And, as I have said just now, the Punjab Government did take necessary action in regard to certain gurdwaras.

Shri D. C. Sharma: Since it is an all-India question, will not the Central Government issue any directive or any instruction to the State Governments to deal with this problem more effectively?

Shri Lal Bahadur Shastri: The State Governments are fully aware of the general approach of the Government of India in this matter. Therefore, no special directive is needed.

Shri Harish Chandra Mathur: When this question was raised in this House in the last session the hon. Home Minister gave an assurance that he will take certain necessary steps in the matter. May I know what steps have been taken by the Government of India since then?

Shri Lal Bahadur Shastri: No steps as such were really necessary. As I said, the Punjab Government themselves took certain action. In these circumstances any further action on our part was hardly called for.

Shri Hem Raj: When that conference called the National Integration Conference was held here, was this matter considered by all the political parties in that conference; if so, may I know what was the decision taken there?

Shri Lal Bahadur Shastri: There was a reference to this matter and no particular decision was taken. But the general opinion seemed to be that places of worship should not be utilised or should not be used for political purposes.

Shri Tyagi: May I take it that all other places of worship like temples, mosques and churches are treated alike in the same way as the gurdwaras are treated in this respect?

Shri Lal Bahadur Shastri: I entirely agree with Tyagiji.

Shri Heda: May I know whether it is a fact that the Muslim Waqf Board has issued instructions to the mosques under it that the mosques should not be utilised for political purposes?

Shri Lal Bahadur Shastri: Was the hon. Member saying that the Waqf Board has taken that decision?

Shri Heda: There was a report to this effect.

Shri Lal Bahadur Shastri: I have not received any official report, but I will look into the matter.

Shri Harish Chandra Mathur: May I know if the Government of India is aware of the places of worship which enjoy this privilege, that is to say, the places where the writ of Government does not run?

Shri Lal Bahadur Shastri: It does not arise. Government can take action in regard to any place of worship, wherever it thinks proper.

Oil Exploration

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*575. { **Shri Indrajit Gupta:**
Shri Ram Krishan Gupta:
Shri Agadi:
Shri Sugandhi:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Questions Nos. 786 and 798 on the 22nd August, 1961 and state the progress since made in talks with the remaining foreign interests for oil exploration and exploitation in India?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): An agreement was signed with ENI of Italy on the 29th August, 1961 whereby the latter undertook to provide a credit of 60 billion Italian Lire (Rs. 46.15 crores) for the establishment of petroleum projects in the public sector. An agreement was also signed with the French Petroleum Institute whereby the latter will collaborate with the Oil and Natural Gas Commission to explore for oil in the Jaisalmer area in Rajasthan. Discussions with other interested parties are proceeding.

Shri T. B. Vittal Rao: Apart from these two projects mentioned just now, namely, the Petroleum Institute collaborating in the exploration of oil in Jaisalmer area are the ENI assisting in the establishment of petroleum projects in the public sector, are there any other projects?

The Minister of Mines and Oil (Shri K. D. Malaviya): The Jaisalmer project is covered by the collaboration scheme with the French Petroleum Institute. So far as ENI is concerned, there are a number of schemes, such as the product pipe-line which is to run from Barauni to Calcutta and Barauni to Delhi, gas extraction plant liquid petroleum gas and distribution plant lubrication oil plant and production and distribution equipments. Besides these, there is a proposal also to examine the possibility of having a refinery, in the future, if it is considered a feasible proposition.

Shri T. B. Vittal Rao: Do Government contemplate another refinery during the course of the Third Plan? If so, why has it not been included in the Plan?

Shri K. D. Malaviya: As far as my thinking goes, we have not contemplated any further refinery in the Third Plan period. But, perhaps, by the end of the Third Plan period, when the position becomes a bit more clear, we may start planning for the next refinery besides the Gujarat refinery.

Shri T. B. Vittal Rao: Are there collaborators going to collaborate in the setting up of the lubricating plant under contemplation, that is to say, another lubricating plant other than the one in Barauni?

Shri K. D. Malaviya: Yes, that is the idea.

Shri T. B. Vittal Rao: If so, where is it likely to be set up?

Shri K. D. Malaviya: The project report has got to be made ready for

our examination and various other proposals are also to be examined. But, by and large, our intention is to have the lubricating oil plant as near the refinery area or oil field as possible.

Shri Hem Barua: May I know whether it is a fact that ENI has offered 100 million dollar financial assistance to us and, if so, whether there is any offer on the basis of partnership with us and, if not, whether any other party has made any offer of that nature?

Shri K. D. Malaviya: There is no partnership arrangement in this scheme of getting assistance from ENI. It is a straightforward agreement with us regarding credit and technical assistance. There is no question of partnership at all.

Shri M. B. Thakore: May I know whether it is a fact that oil has been found near Baroda at 500 metres depth or so?

Shri K. D. Malaviya: During the course of our geological survey and investigation a small trace of oil has been found from a shallow well in Baroda. I personally felt that it has no significance.

Shri M. B. Thakore: At what depth was it?

Shri K. D. Malaviya: The depth was very shallow; 600 metres or about 1,500 to 1,700 ft. Certain significant technical information has been obtained. So far as the actual find of oil is concerned, it is not of much significance.

Shri P. G.: Is it a fact that construction of oil storage has fallen behind the schedule and is a handicap in the exploration of oil?

Shri K. D. Malaviya: All sorts of questions are being put even though this question relates to ENI credit. I do not know how those questions arise out of this.

Mr. Speaker: Next question.

New Coal Deposits in West Bengal

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 *576. { **Shri Subodh Hansda:**
 Shri R. C. Majhi:
 Shri Nek Ram Negi:
 Shri S. C. Samanta:

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

(a) whether the new deposits of coal and iron found in the districts of Midnapur and Bankura, West Bengal, have any commercial value; and

(b) if so, what steps Government are taking to exploit them?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) Coal deposits were proved in Bankura District some years ago, but they are not suitable for commercial exploitation. Moreover, better quality of coal is available in the neighbouring Raniganj field.

Occurrence of iron ore has been recorded at Katachua, Siarbinda and Churimari in Midnapur District, but its potentialities will be known only after further investigation planned for during the current year is completed.

(b) Does not arise.

Shri Subodh Hansda: May I know whether chemical analysis has been made as to the percentage of iron content?

Shri Gajendra Prasad Sinha: I have said that further investigation is essential. Before that, I am not in a position to give the chemical analysis of the iron ore.

Shri S. C. Samanta: May I know how many times the Geological Survey of India surveyed these two districts and whether material deep below were also extracted and examined?

Shri Gajendra Prasad Sinha: It is a continuous process. In 1960-61 investigation was carried out by the

GSI and the information that I have given is on the basis of that investigation. Further investigation will be carried out.

Discovery of New Minerals

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 *577. { **Shri Shree Narayan Das:**
 Shri Radha Raman:

Will the Minister of Steel, Mines and Fuel be pleased to lay a statement showing:

(a) the number of persons who have been granted rewards for supplying information leading to the discovery of new mineral deposits of economic importance during 1961 so far;

(b) the nature of finds of such deposits so discovered; and

(c) whether this kind of incentive has proved effective?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) No person has so far been granted any reward. The information furnished by applicants so far is being examined to determine, in the first instance, whether the alleged discoveries of new mineral deposits are in fact new finds. It is only after this examination is completed that the question of rewards will be considered.

(b) In the applications that have been received, the claims include finds of a variety of minerals like Kyanite, Iron Pyrites, Corundum, Beryl, Graphite and Mica etc.

(c) Yes. The response has been encouraging and as many as 232 claims have been received so far.

Shri Shree Narayan Das: May I know the number of persons who have claimed the awards so far?

Shri Gajendra Prasad Sinha: I have already said that nearly 232 claims have been put before the Ministry.

Shri Shree Narayan Das: What are the important features of the scheme?

Shri Gajendra Prasad Sinha: The response is quite encouraging and people are sending information about the mineral finds or new deposits. If after proper enquiry the GSI is able to send reports that these are new finds, rewards will be offered to them.

Shri Radha Raman: May I know whether Government is in possession of the areas where these finds are made available and whether Government has examined the prospects of utilising these finds for commercial purposes?

Shri Gajendra Prasad Sinha: Those people who give out information inform about the area where they think that deposit is there.

Shri Radha Raman: May I know if Government is receiving any foreign experts to advise them in this matter?

The Minister of Mines and Oil (Shri K. D. Malaviya): There is no need to ask for any foreign assistance in this matter. It is a simple scheme where the public is invited to pass on any information of mineral finds that they might have made during the course of their observation. After we get it, we check up whether this information is already available to us or not. All this, takes a little time. After check up if we find that this is a new information, then we will give some rewards.

Shri Damani: May I know whether any information has been received from Rajasthan?

Shri Gajendra Prasad Sinha: The information is from different parts of the country. About a particular place I have not got the information. If

the hon. Member is anxious to know and gives notice of a question, we will give him the information.

Mr. Speaker: Next question. Shri Ajit Singh Sarhadi. Absent.

Shri Bal Raj Madhok: 578. Q. 594 may also be taken up along with it.

Mr. Speaker: All right.

Release of Land in Delhi

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*578. { **Shri Balraj Madhok:**
Shri Ajit Singh Sarhadi:
Shri P. C. Boroach:
Shri M. B. Thakore:
Shri Kuhan:
Shri Mohan Swarup:

Will the Minister of Home Affairs be pleased to state:

(a) what progress has been made in the allotment of acquired land to House Building Societies in Delhi; and

(b) the area released so far;

(c) the societies to whom it has been released; and

(d) when would the release be completed?

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

(a) to (d). A statement is laid on the Table of the House.

Statement

(a) to (c). The claims of 71 house building cooperative societies have been considered by the Delhi Administration and decisions taken. Accordingly, 992 acres of undeveloped land has been offered to 12 house building cooperative societies. The names of the societies and area of land offered, are as follows:—

- | | |
|--|-----------|
| 1. Government Servants' Cooperative House Building Society | 354 acres |
| 2. Anand Niketan Cooperative House Building Society | 48 acres |
| 3. Panch Sheel Cooperative House Building Society | 92 acres |
| 4. Diplomatic Enclave Extension Cooperative House Building Society | 30 acres |

5. Government Employees Sarvodaya Cooperative House Building Society .	39 acres
6. E.P.R. Refugees Rehabilitation and Cooperative House Building Society .	35 acres
7. Maharani Bagh Cooperative House Building Society .	61 acres
8. New Friends Cooperative House Building Society .	140 acres
9. Lok Sewak Cooperative House Building Society .	27 acres
10. Delhi Bengali Hindu Cooperative House Building Society .	48 acres
11. Adarsh Bhawan Cooperative House Building Society .	52 acres
12. Gujranwala Cooperative House Building Society .	67 acres
TOTAL	992 acres

It has also been decided to allot 185 acres of land to another 26 house building cooperative societies, but actual allotment will be made only after development has been carried out by the Government.

(d) The presumption that land is being released is not correct. Allotment of land is done in accordance with the scheme, details of which are contained in the statement laid on the Table of House on 23rd March, 1961. No date of completion has, however, been fixed.

दिल्ली में भूमि का अर्जन

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*५६४. { श्री बलराज मधोक :
श्री मोहन रवश्य :

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

(क) क्या यह सत्य है कि दिल्ली प्रशासन पहले से ली गई ३४ हजार एकड़ भूमि के अतिरिक्त १६ हजार एकड़ और भूमि को अपने हाथ में ले रहा है ;

(ख) क्या पहले ली गई ३४ हजार एकड़ भूमि मकानों के बनाने के लिये तैयार कर के जनता की सहायता की जा चुकी है ; और

(ग) यदि नहीं, तो यह और भूमि क्यों हस्तगत की जा रही है ?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) An additional area of 16,000 acres of land has been notified under section 4 of the Land Acquisition Act, 1894, on the 24th October, 1961.

(b) Delhi Administration has not acquired 34,000 acres of land previously but only a notification under section 4 of the Land Acquisition Act was issued on 13th November, 1959. However, land is being acquired and developed in accordance with the scheme, details of which were laid on the Table of the House on 23rd March, 1961.

(c) The additional area has been notified to meet the requirements of land, consequent to—

(i) modifications in the 'Draft Master Plan';

(ii) additional allocations for jhuggi jhonpri, slum clearance and industrial development schemes; and

(iii) earmarking of areas for the new university and housing schemes of the Ministry of Works, Housing and Supply.

Shri Bal Raj Madhok: What are the terms and conditions on which the land is being released to the co-operative societies? Is it a fact that much of the freehold land of these co-operative societies is being made leasehold?

Shri Datar: If the hon. Member will look into the detailed statement, the whole position will be clear.

Government have now issued a notification and are now in the first stage under which about 8,000 acres of land would be acquired. The land will be properly developed and what is necessary for roads etc. will be kept clear. After the plots have been developed they would be given to the societies in certain categories.

Shri Tyagi: At what rate was compensation given to the proprietors of this land at the time of its acquisition? Is it also a fact that land acquired from a society has again been allotted to the society at the rate of Rs. 6,000 or Rs. 7,000 per bigha as premium?

Shri Datar: So far as the first question is concerned, compensation is awarded under the Land Acquisition Act. There the general principle that is followed is that the price is taken into account plus 15 per cent. by way of additional compensation. This is so far as compensation is concerned. Government have notified lands even in the possession of a number of co-operative societies for the reason that they had not developed it much less built upon it. As soon as the land is acquired and developed, it would be given to societies according to the order.

Shri Tyagi: It is not quite clear. I submit that land has been acquired from co-operative societies themselves and a certain rate of compensation given to them. Now this land is again being given to the very same societies at a much higher rate of premium; in some cases the premium is ten times the actual price paid to them. That is over and above the development charges. I have been informed that in one case Rs. 6,400 per bigha is being charged as premium plus Rs. 10,000 and something per bigha for development charges.

Shri Datar: May I point out to the hon. Member that there is some misunderstanding in his mind? In connection with these proposed acquisitions there have only been notifica-

tions. One notification was issued in 1959 and the other only recently. So far as further action on the basis of the notification is concerned, it is being carried on with respect to the first phase of 8,000 acres. No land has been acquired so far as this question is concerned.

Shri Tyagi: My point is this. Will the land be returned to those societies at the very same rate at which it was acquired if it is being given to the same societies? Constitutionally the society is entitled to a fair compensation. If that compensation was fair, Government has no business to draw any type of middleman's profit.

Shri Datar: I will again make the whole position clear.

Shri Bal Raj Madhok: He is evading the question.

Shri Datar: Let the hon. Member allow me to proceed. So far as the present land was concerned, what the Government did was to issue a notification for future acquisition in the first instance of 34,000 acres. Secondly, recently a further notification in respect of 16,000 acres has been issued. There is no actual acquisition.

Mr. Speaker: May I know whether both these notifications are for acquisition?

Shri Datar: Both are for acquisition.

Mr. Speaker: For acquisition of 34,000 plus 16,000 acres?

Shri Datar: Yes, Sir. So far as the 16,000 acres of land is concerned, it is only a notification stage at present. So far as the first 34,000 acres of land is concerned, the Government are taking action in respect of the first phase of acquisition, namely, for 8,000 acres.

Mr. Speaker: Is the price at which they propose acquiring also given in the notifications?

Shri Datar: No, Sir. That will be settled subsequently under the Land Acquisition Act. We are giving compensation at the proper time only under the Land Acquisition Act.

Mr. Speaker: Therefore the question of selling back to the co-operative societies has not arisen.

Shri Datar. It has not arisen at this stage.

Shri Ranga: May I know the purpose for which the Government has acquired the land which was in the possession of a co-operative society and of afterwards selling it again to it at a higher price?

Shri Datar: May I point out that these notifications were issued for two or three purposes? One was to halt the speculation in prices. Secondly, Government required land for their own purpose. Government also wanted to make it possible for private societies to build after proper plots had been laid. So, in the interest of removal of congestion this was also being done..... (Interruption).

Shri Ranga: It is acquired from a co-operative society and is being returned to it at a higher price..... (Interruption).

Mr. Speaker: Hon. Members are under the impression that some of the land that has been acquired from the co-operative societies at a particular price has been sold back to the same co-operative societies at a much higher price.

Shri Tyagi: That is the question.

Mr. Speaker: Has that occurred in any case?

Shri Datar: What happened was that when 34,000 acres of land was notified some of it was in the possession of co-operative societies. The co-operative societies had not taken any steps for building upon it. Therefore what the Government proposed to do

—and not have done—was to take possession of this land, develop it properly and give it to the various co-operative societies, so far as their claim was concerned, according to a certain categorisation.

Shri Ranga: Is it not a fact that they would charge development charges separately apart from the sale price?

Mr. Speaker: Why not?

Shri Ranga: Under these circumstances, what is it that prevented the Government from subtracting that particular area which belonged to the co-operative societies and acquiring the rest of it instead of going through all this unnecessary procedure in order to make a profit out of it?

Mr. Speaker. What is the meaning in repeating it? The hon. Minister need not reply. I have also heard the hon. Minister's reply. He had definitely said, "We allowed these co-operative societies to have this land and develop it. We waited sufficiently long but they did not do so. Therefore we have taken it to develop and to give it back charging the development charges." That is what the hon. Minister has said.

Shri Ranga: Over and above the development charges.....

Mr. Speaker: That is another matter..... (Interruption).

Shri Bal Raj Madhok: How much land has been developed?

Shri Tyagi: May I make it quite clear to you, Sir, if you permit me? This is a letter issued by the Government to a society in which they say:

"Within one month of the intimation of the decision to grant the aforesaid licence the society will have to deposit a sum of Rs. 42 lakhs (and odd) towards the premium for the lease. The Society

will also deposit Rs. 2,80,000 being 10 per cent. of the estimated cost of development."

So both development charges and premium are being charged from the same society from which the land had been acquired at a much lower rate.

Shri Datar: My hon. friend is again and again misunderstanding it. What has been done is this. Government have divided the co-operative societies into certain categories and have now been able to assure certain co-operative societies that as soon as the land is developed it would be offered to them after it is properly developed. The development charges are not so much as the hon. Member supposes.

Mr. Speaker: I did not allow some questions. I allowed some questions at the time when it was said that even land which belonged to some co-operative societies for building houses for Government servants has been acquired. They organise themselves into various co-operative societies here and there. When the Government wanted to acquire some land there was a lot of objection in the House to the effect that the Government was acquiring land on which Government servants themselves wanted to build houses in view of the shortage of houses; therefore, Government won't build houses themselves or allow the co-operative societies to build. After that hon. Members were anxious to know whether Government is trying to make speculation out of it or would charge upon the lands the prices at which they had acquired them from the co-operative societies and add only the development charges and give them. If they say that the development charges will be allowed, why does this letter appear where they want Rs. 2 lakhs and odd to be paid before development? It is not as if development has taken place.

Shri Datar: What I wanted to point out was this, namely, that the Govern-

ment first issued a notification. The further process of acquisition has to be taken. Government have selected certain societies according to the categorisation and a contingent notice has been given to them that after development they would get the plots but that the price would be so much. And there are some societies which might get even more than 100 acres. That should also be taken into consideration.

Shri Tyagi: May I take it that the charges made from the co-operative societies who were the owners of the land shall not be more than what is the developmental expenditure?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): May I say a word, Sir? As the hon. Members seem to be deeply interested in this matter, if you permit, we shall place a full statement about the scheme, explaining some of these matters, on the Table of the House.

Shri Tyagi: We want to know whether, as a policy, middleman's profits will be earned by the Government or not.

Mr. Speaker: In the meanwhile, as in the case of Railways, Coal and other things, they can have a conference in the Central Hall. The hon. Minister may invite all hon. Members interested in this matter to come and sit with him and try to find out things and then lay the statement on the Table of the House.

Shri Lal Bahadur Shastri: I shall surely do so. But then perhaps the statement may not be necessary.

Mr. Speaker: That is what I say. After that is done, whatever statement is necessary may be placed on the Table of the House.

Loan from Development Loan Fund for I.F.C.

+
 *579. { Shri Morarka:
 Shri Ajit Singh Sarhadi:
 Shri Ram Krishan Gupta:

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 3621 on the 7th September, 1961 and state:

(a) whether negotiations with the Development Loan Fund for the loan for Industrial Finance Corporation have been completed;

(b) if so, with what results; and

(c) how is the amount going to be allocated?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) No, Sir. Negotiations are still in progress.

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

Shri Morarka: The negotiations are going on for the past several months. May I know the stage at which these negotiations are pending at the moment?

Shrimati Tarkeshwari Sinha: The Industrial Finance Corporation have asked for a sum of 20 million dollars. The negotiations are proceeding and are at a very advanced stage. In view of the large sum of money involved it is bound to take some time.

Shri Morarka: May I know if the Development Loan Fund has in principle agreed to give this loan to the Industrial Finance Corporation and, if so, whether they want any assurance to be given by the Government or any such thing? Why is there so much delay in this?

The Minister of Finance (Shri Morarji Desai): One loan was sanctioned last year, and the second loan is likely to be sanctioned—one cannot say whether it will be sanctioned.

ed. But the D.L.F. changed its personnel, and I think it was finalised only last month or by the end of October. Therefore it has taken time. There is no other reason.

Shri Morarka: When these loans from the D.L.F. are sanctioned, may I know whether it will be possible for the Industrial Finance Corporation to give loans in foreign currency or only in Indian currency?

Shri Morarji Desai: It is for giving it in foreign currency that the loan is obtained.

Shri Ramanathan Chettiar: May I know whether the loan from the Development Loan Fund to the I.F.C. will be of a tied character, and whether even though the cost of machinery is higher in the United States we will be forced to buy machinery only from the United States?

Shri Morarji Desai: There is no question of being forced to buy. If the conditions that they make suit us we should take them, otherwise we should not.

Shri Damani: Out of this loan may I know which industry particularly will be given loan for the import of plant and machinery?

Shri Morarji Desai: That is for the Industrial Finance Corporation.

स्कूल तथा कालिज की किताबों का हिन्दी अनुवाद

*५८०. श्री विभूति मिश्र : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार ने अंग्रेजी में प्रकाशित स्कूल तथा कालिज की किताबों के हिन्दी अनुवाद प्रकाशित करने के सम्बन्ध में कोई निर्णय लिया है ; और

(ख) यदि हां, तो वह निर्णय क्या है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क) और (ख) शिक्षा मंत्रालय ने अनुवाद को निम्नलिखित दो योजनायें प्रारम्भ की हैं :—

- (१) विश्वविद्यालय स्तर की उत्कृष्ट रचनाओं और पाठ्य-पुस्तकों का हिन्दी तथा प्रादेशिक भाषाओं में अनुवाद और प्रकाशन ।
- (२) सामान्य पुस्तकों का हिन्दी में अनुवाद और प्रकाशन । योजनाओं के व्योरे संसद् पुस्तकालय में उपलब्ध हैं ।

इस सम्बन्ध में १४ अगस्त, १९६१ को श्री के० बी० मालवीय द्वारा पूछे गये अतारंकित प्रश्न संख्या ६५१ के उत्तर में सभा पटल पर जो विवरण रखा गया था उसे भी देखने की कृपा की जाए ।

I shall read out the answer in English also.

(a) and (b). The Ministry of Education have sponsored the following two schemes of translation:

- (1) Translation and publication of standard works and text books of university level into Hindi and regional languages.
- (2) Translation and publication of general books into Hindi.

Details of the schemes are available in the Library of the Parliament.

A reference is also invited to the statement laid on the Table of the Lok Sabha in reply to Unstarred Question No. 951 asked by Shri K. B. Malavia on 14th August, 1961.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि अब तक कानिजों के कौन-कौन से विषयों और स्कूल के कौन कौन से विषयों के ऊपर कौन कौन सी किताबों का और कितनी किताबों का अनुवाद हिन्दी में हो चुका है ?

डा० का० ला० श्रीमाली : काम अभी शुरू हुआ है । उन पुस्तकों की सूची तो मेरे पास नहीं है लेकिन मैं उनको इतना बता सकता हूँ कि जो कोअरडिनेशन कमेटीज बनी हैं इस काम को करने के लिये वह बिहार, मध्य प्रदेश, उत्तर प्रदेश, राजस्थान और पंजाब में बनी हैं । इन राज्यों में काम शुरू हो गया है और इन कोअरडिनेशन कमेटीज ने जो अनुवाद का काम सौंपा है वह हो रहा है । मध्य प्रदेश, राजस्थान और उत्तर प्रदेश में भी अनुवाद का काम शुरू हो गया है । इसके अलावा दिल्ली और कलकत्ता विश्वविद्यालयों ने भी कहा है कि वह भी हाल में इस काम को शुरू करेंगे ।

जहां तक प्रादेशिक भाषाओं का सम्बन्ध है गुजरात विश्वविद्यालय, विश्वभारती और मद्रास गवर्नमेंट से यह मालूम हुआ है कि वह भी इस योजना में भाग लेंगे । गुजरात में कोअरडिनेशन कमेटी बनाने की योजना पर विचार किया जा रहा है ।

जहां तक पापुलर बुक्स के हिन्दी में प्रकाशित करने का सवाल है, यह काम तीन चार पब्लिशर्स को सौंप दिया गया है और वह इस काम को कर रहे हैं ।

श्री म० ला० द्विवेदी : इस बात को ध्यान में रखते हुए कि विश्वविद्यालय के स्तर पर और माध्यमिक शिक्षा के स्तर पर प्रादेशिक भाषायें परीक्षाओं की माध्यम बन गई हैं, मैं जानना चाहता हूँ कि जो पुस्तकें अनुदित हो रही हैं वह विद्यार्थियों के लाभ के लिये कब तक तैयार हो जायेंगी ताकि उनका काम चल सके ?

डा० का० ला० श्रीमाली : जहां तक मंत्रालय का ताल्लुक है उसने विश्वविद्यालयों को धन राशि उपलब्ध कर दी है और उनसे निवेदन कर दिया है कि जितनी जल्दी हो सके वे इस काम को शुरू करें, लेकिन माननीय सदस्य यह स्वीकार करेंगे कि यह काम विश्व-विद्यालयों के करने का है गवर्नमेंट के करने का नहीं है। जहां तक धन का सम्बन्ध है वह गवर्नमेंट उपलब्ध कर सकती है।

Pandit K. C. Sharma: Do Government contemplate to establish a department to translate the classics from the world literature into Indian languages on the basis of the International Library of World Famous Literature?

Dr. K. L. Shrimali: This is a suggestion for action, and we will certainly examine it.

Pandit K. C. Sharma: But do they contemplate it?

Mr. Speaker: That does not arise out of the question which deals with text books.

श्री जगदीश श्रवस्थी : क्या मंत्री जी बताने का कष्ट करेंगे कि जो ये पुस्तकें प्रकाशित की जा रही हैं इनको सरकार स्वयं प्रकाशित करेगी या इनको निर्जः प्रकाशकों को प्रकाशन के लिये दिया जा रहा है ?

डा० का० ला० श्रीमाली : इनको सरकार स्वयं तो प्रकाशित नहीं करेगी। इनके प्रकाशन के लिये दो योजनायें हैं। एक में तो पब्लिशर्स को काम सौंपा गया है और दूसरी योजना में विश्वविद्यालयों के माध्यम यह काम हो रहा है।

पंडित डा० ना० तिवारी : प्रत्येक क्षेत्र में अपनी अपनी क्षेत्रीय भाषा के माध्यम से शिक्षा दी जा रही है, तो मैं जानना चाहता हूँ कि क्या और भाषाओं के लिए भी ऐसी योजना है कि उन भाषाओं में पुस्तकें प्रकाशित की जाएं ? और यह काम केन्द्रीय सरकार करेगी या विभिन्न प्रान्तीय सरकारें करेंगी ?

डा० का० ला० श्रीमाली : इसका उत्तर मैं दे चुका हूँ। मैंने निवेदन किया है कि जो अनुवाद का काम है वह विश्वविद्यालयों का है और राज्य सरकारों को सौंपा गया है इस काम को शुरू करने के लिए, यह उनका काम है कि किस एजेंसी के द्वारा वे यह काम करवाना पसन्द करती हैं।

Mr. Speaker: The question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Separate University in New Delhi

*571. **Shri Ram Krishan Gupta:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 484 on the 14th August, 1961 and state:

(a) whether a final decision has been taken in regard to the establishment of a separate university in New Delhi; and

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

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

(b). Does not arise.

गुरुकुलों को सहायता

*५७३. **श्री प्रकाशबीर शास्त्री :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तृतीय पंचवर्षीय योजना गुरुकुलों को आर्थिक सहायता देने का प्रश्न सरकार के विचाराधीन है ;

(ख) यदि हां, तो क्या चालू वर्ष में भी उन्हें कुछ सहायता दी गई है ;

(ग) यदि हां, तो प्रत्येक गुरुकुल को कितनी रकम दी गई है ; और

(घ) गुरुकुल प्रणाली को विकसित करने की दृष्टि से क्या आर्थिक सहायता के अतिरिक्त अन्य भी कुछ उपायों पर विचार किया जा रहा है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क) से (घ). गुरुकुलों को वित्तीय सहायता देने की एक योजना तृतीय पंचवर्षीय योजना में सम्मिलित कर ली गई है। इस योजना के अन्तर्गत सहायता देने के लिए चुने गये गुरुकुलों से प्राप्त आवेदन-पत्रों पर, केन्द्रीय संस्कृत मण्डल अपनी ७ दिसम्बर, १९६१ को होने वाली बैठक में विचार करेगा। उसके पश्चात् भारत सरकार मण्डल द्वारा की गई सिफारिशों पर विचार करेगी और उचित कार्रवाई करेगी।

अन्य योजनाओं के अधीन, विशेष प्रयोजनों के लिये, गुरुकुलों को सहायता देने के प्रश्न पर भी विचार किया जा रहा है।

केन्द्रीय सचिवालय सेवा

*५८१. { श्री म० ला० द्विवेदी :
श्री स० च० सामन्त :

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

(क) क्या यह सही है कि मेक्शन आफिसर की श्रेणी तक की नियुक्ति आदि के अधिकार जो कि अब तक गृह-मन्त्रालय को थे अब विभिन्न मन्त्रालयों को दे दिये गये हैं; और

(ख) यदि हां, तो इस निर्णय को अमल में लाने की कौनसी तारीख निश्चित की गई है ?

-कार्य भंडारण में राज्य-मंत्री (श्री बातार) : (क) जी नहीं।

(ख) कोई तिथि निश्चित नहीं की गई।

Metallurgical Coal Deposits in Bihar

*582. { Shri Vidya Charan Shukla:
Shri D. C. Sharma:
Shri Raghunath Singh:

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

(a) whether it is a fact that along with the proving of fresh metallurgical coal deposits in Bokaro and Raniganj an announcement was made that this would make India self-sufficient in this grade of coal, meeting all demands that are likely to arise; and

(b) if so, whether the subsequent investigations regarding future production and consumption have established this beyond doubt?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) There was no such official announcement. But the discoveries of Hirakum seam in Raniganj area, the Dishergarh seam in the south-western extremity of the Raniganj coalfield and the 74 feet thick seam in the Ramgarh coalfield are undoubtedly significant to our steel plants. Fuller investigations are needed before a categorical reply in respect of self sufficiency can be given.

(b) All that can be stated at this stage is that the investigations, which are still in progress, have given encouraging indications.

Italian Collaboration for Oil Industry

*583. { Shri Khimji:
Shri Vidya Charan Shukla:

Will the Minister of Steel, Mines and Fuel be pleased to refer to paragraph 4 of the statement made by him in Lok Sabha on 29th August, 1961 regarding negotiations with E.N.I. concerning petroleum projects and state:

(a) whether the substituted additional offer for a credit of 20 million dollars for collaboration with O & NGC in oil exploration in Kutch area have now been examined by Government; and

(b) if so, what are the findings of such an examination?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The offer for a credit of 20 million dollars by the E.N.I. is still under examination.

Industrialisation of States

***584. Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) whether the Industrial Finance Corporation had of late asked the less developed States about their industrial development needs and the help the Corporation could render for industrialisation of those States;

(b) if so, which States were so contacted; and

(c) whether replies have since been received from these States?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). The Industrial Finance Corporation of India has been in communication with the State Governments of Andhra Pradesh, Assam, Bihar, Jammu & Kashmir, Kerala, Orissa, Mysore, Punjab and Uttar Pradesh regarding the manner in which the Corporation could assist in their industrial development especially in respect of the projects envisaged in the Third Five Year Plan.

(c) Yes, Sir. The State Governments have generally indicated that they would approach the Corporation with concrete proposals in due course.

Lubricating Oil

***585.** { **Shri Kodiyar:**
Shri D. C. Sharma:

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

(a) whether Government have any scheme under consideration to manufacture lubricating oil in the country;

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

(c) the expenditure to be incurred by Government in this respect during the Third Five Year Plan?

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

(b) and (c). These will be known after the receipt and examination of the Detailed Project studies being made by Consultants, already appointed by Government.

Reserve Bank of India Branches

***586. Shri Damani:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Reserve Bank of India has got its branches in foreign countries; and

(b) what are the precise functions of such branches?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) The Reserve Bank of India's only branch abroad is in London.

(b) The main functions of the Bank's London branch are the issue of guarantees on behalf of Government departments, the remittance of monies on behalf of the Government of India, the encashment of drafts drawn by the Bank's Indian offices on London, the management of the outstanding rupee debt of the Government of India enfaced for payment of interest in the United Kingdom, the safe custody of the sterling securities of scheduled banks and insurance companies in India and the collection and remittance of interest thereon. In view of the importance of London as a financial centre, the branch of the Reserve Bank of India located there is also in touch with and reports to the Central Office of the Reserve Bank, any important developments which are likely to be of interest to India.

Repatriation of Assets of Displaced Indian Banks in Pakistan

***587. Pandit D. N. Tiwari:** Will the Minister of Finance be pleased to state:

(a) whether any step has been taken for repatriation of the assets of the displaced Indian banks in Pakistan which were exempted from the operation of Pak-evacuee law; and

(b) whether any of these displaced banks have shown their willingness to function in Pakistan?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) The mode of repatriation of the surplus assets of the displaced Indian banks which have recently been exempted from the provisions of the Pakistan Administration of Evacuee Property Act, 1957, has to be settled by the Finance Ministers of India and Pakistan when they meet.

(b) Four Indian banks are already functioning in Pakistan and it is understood that two more have applied for permission to resume normal working in that country.

National Foundation for Teachers' Welfare Grants

***589.** { **Shri Nagi Reddy:**
Shri Aurobindo Ghosal:
Shri N. M. Deb:
Shri Warrior:

Will the Minister of Education be pleased to state:

(a) whether a National Foundation for Teachers' Welfare Grants have been created; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) The proposal to set up a National Foundation for Teachers' Welfare has been accepted. It has yet to be formally registered as a trust.

(b) The scope of the Scheme is given in the note which is laid on the Table of the House. [See Appendix II, annexure No. 40].

Accident on the Bridge over River Teesta in North Sikkim

***590. Shri Tangamani:** Will the Minister of Defence be pleased to refer to the statement made on the 8th September, 1961 and state:

(a) whether the details of the accident on the bridge over river Teesta in North Sikkim have since been ascertained;

(b) if so, the names of persons who lost their lives;

(c) what compensation has been paid to the families of the deceased; and

(d) whether an enquiry has been instituted into the causes of the accident?

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

(b) A statement setting out available details is laid on the Table of the House. [See Appendix II, annexure No. 41].

(c) Payment of pension to the families of the deceased service personnel is being made according to army rules. The families of the civilian mazdoors are being paid compensation at the rates laid down in Workmen's Compensation Act. 50% of the amount was advanced immediately after the accident.

(d) Yes, Sir.

Financial Assistance to Teachers

***591. Shri P. G. Deb:** Will the Minister of Education be pleased to state:

(a) how many teachers have been given financial assistance from the Charitable Trust Fund; and

(b) if so, what are the conditions for grant of such assistance?

The Minister of Education (Dr. K. L. Shrimali): (a) None so far.

(b) Rules and regulations of the proposed Fund have not yet been framed.

Institutions of National Importance

***592. Shri Kalika Singh:** Will the Minister of Education be pleased to state:

(a) whether the Ministry ever considered the question of declaring certain important Universities of India as institutions of national importance in terms of entry 63 of Union List of the Constitution of India;

(b) which of the Universities have by and large attained the status of national Universities as viewed from the results of the various competitive examinations of All-India services; and

(c) what considerations have to be kept in view to find out if any institution has become important from national point of view?

The Minister of Education (Dr. K. L. Shrimali): (a) In so far as this Ministry is concerned, Visva-Bharati is the only University which has been declared as an institution of national importance.

(b) None; the attainment of national status by Universities is not viewed from the results of competitive examinations.

(c) There are no set considerations. It is however necessary that the institution should be of very high and well-established reputation, doing work of high standard in one or more important fields of study or research; or especially when the functions performed by it are not being performed by any one of the existing Universities.

Oil Pipe-line in West Bengal

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

(a) whether it is a fact that on the 1st November, 1961, extensive paddy fields had been ploughed up with bull-dozers in Rajganj Thana of Jalpaiguri district in West Bengal for laying pipe-lines;

(b) what was the urgency in destroying the mature crop as it could have been harvested within another fortnight; and

(c) by what time the small growers are expected to get equivalent measure of paddy or its value?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Clearance of paddy fields falling within the 60 feet wide right-of-way of the pipeline in Rajganj Thana of Jalpaiguri district was started on 1st November, 1961. Clearance operations involved bull-dozing of the land.

(b) Once pipelaying operations have commenced, it is essential to have a continuous strip of land for construction purposes so as not to cause any hold-up of work. It was, therefore, not possible to suspend operations till the paddy in question was harvested.

(c) It is proposed to pay compensation in cash within the current financial year.

Raw Materials Committee

***595. Shri Naushir Bharucha:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Raw Materials Committee for Steel Industry has concluded its inquiry on measures for improving transport and supply of coal, iron ore, limestone, and refractories to the steel plants; and

(b) if so, what are the main recommendations of the Committee?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The Committee is a Standing Committee studying and advising Government continuously on problems, short-term as well as long-term, relating to the production, supply and movement of coal, iron ore and other raw materials for the Steel Industry. There is, therefore, no question of concluding the inquiry on these issues. The recommendations made by the Committee from time to time are being examined and implemented.

Republic Day Celebrations

***596.** { **Shri Radha Raman:**
Shri Shree Narayan Das:
Shri Inder J. Malhotra:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Government are contemplating to issue tickets of different denominations for the Republic Day Parade in Delhi;

(b) if so, what is the object behind this proposal and what will be the denomination of these tickets; and

(c) what machinery is contemplated to sell these tickets and whether children below twelve will also be covered?

The Minister of Defence (Shri Krishna Menon): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 42].

अलीगढ़ मुस्लिम विश्वविद्यालय तथा बनारस हिन्दू विश्वविद्यालय

***५९७.** { **श्री भक्त बर्षन :**
श्री हेम राज :
श्री विभूति मिश्र :
श्री बी० चं० शर्मा :
श्री हरिश्चन्द्र मायूर :
श्री कालिका सिंह :

क्या शिक्षा मंत्री ७ सितम्बर, १९६१ के अतारांकित प्रश्न संख्या ३६६२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) अलीगढ़ मुस्लिम विश्वविद्यालय और बनारस हिन्दू विश्वविद्यालय के नामों में साम्प्रदायिकता के चिह्न अलग करने के बारे में क्या निर्णय किया गया है;

(ख) वह निर्णय कब से व किन् प्रकार लागू किया जायेगा;

(ग) यदि अनां निर्णय नहीं किया गया है, तो इन बारे में देरी होने का क्या कारण है; और

(घ) इस बारे में कब तक निश्चय हो जाने की आशा है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली):

(क) से (घ). बनारस हिन्दू विश्वविद्यालय के नाम से 'हिन्दू' और अलीगढ़ मुस्लिम विश्वविद्यालय के नाम से 'मुस्लिम' शब्दों को हटाने के प्रस्ताव के सम्बन्ध में अभी कोई निर्णय नहीं किया गया है। मामले पर अभी विचार किया जा रहा है।

Retention Prices of Steel

***598. Shri Ram Krishan Gupta:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have received recommendations from Tariff Commission regarding the new retention prices of steel; and

(b) if so, action taken thereon?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No Sir, not yet.

(b) Does not arise.

Drinking by Government Servants

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

(a) whether a plan to check drinking among Government Servants is under consideration;

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

(c) when it is likely to be introduced?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The recommendation of the Central Prohibition Committee, which met on the 4th and 5th September, 1961, on this subject was that the Government of India as well as the State Governments may, under certain circumstances, declare drinking on the part of their officers, a misconduct. This recommendation along with others, has been forwarded to the State Governments etc. for consideration. Their replies are awaited. As for the All India and Central Services, the matter is under examination.

Scholarships to African Students

***600. Shri Indrajit Gupta:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 795 on the 22nd August, 1961 and state:

(a) the total amount of stipend paid to African Students under the General Scholarships Scheme and under the Commonwealth plan;

(b) the amount of stipend payable to each student during the scholarship tenure;

(c) whether the proposed increase in number of scholarships will benefit the existing recipient countries only or other African countries also;

(d) which other non-Commonwealth African countries are likely to be included in the scheme; and

(e) whether there is any proposal to provide facilities for African students to live with Indian families during their scholarship periods in this country?

The Minister of Education (Dr. K. L. Shrimali): (a) The total amount of stipend paid to African Students from 1st April, 1961 to November, 1961 comes to Rs. 1,09,462.53 nP—Rs. 99,365.95 nP under the General Scholarships Scheme (1961-62) and Rs. 10,096.58 nP under the Commonwealth Scholarships Fellowships Plan (1961-62).

(b) The amount of stipend payable to each student during the scholarship tenure is Rs. 200 p.m. under the General Scholarships Scheme and Rs. 250 p.m. under the Commonwealth Scholarships/Fellowships Plan. 'Fellows' under the latter Scheme get Rs. 450 p.m.

(c) and (d). The distribution of Scholarships under the proposed Scheme is under the consideration of the Government.

(e) No, Sir. The foreign students, including those from African countries, are expected to stay in the hostels attached to their respective institutions. They are invariably provided with accommodation either in the college hostels or in the International Students' Houses.

C.H.S. Scheme for Civilian Defence Employees

***601. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 2501 on the 25th August, 1961 and state:

(a) whether any decision has so far been taken by the Defence Ministry to make C.H.S. Scheme applicable to all civilian defence employees working and residing in Delhi Cant; and

(b) if not, the reasons therefor?

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

(b) The question of the provision of suitable land in the Delhi Cantonment for the purpose of hospital and dispensary facilities required for the extension of the C.H.S. Scheme to

Defence civilians working and residing in Delhi Cantonment, is under consideration in consultation with the Ministry of Health.

Auction of Books about India in England

*602. **Shrimati Ila Palchoudhuri:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 1308 on the 7th September, 1961 and state:

(a) whether the enquiries regarding the auction of books about India in England have since been finalised; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

(b) Does not arise.

Sampurnanand Committee

*603. { **Shri Ajit Singh Sarhadi:**
Shri D. C. Sharma:

Will the Minister of Education be pleased to state:

(a) what progress has been made in regard to the working of the Sampurnanand Committee for study and report on the promotion of the process in emotional integration in the national life; and

(b) whether this Committee has been directed to give its report by a specific date?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). As requested by the Government, the Committee has submitted a preliminary report on the 24th November, 1961, and has promised to give the full report within a few months.

Booklet "Documents on the Sino-India Boundary Question"

*604. **Shri Bibhuti Mishra:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a booklet entitled "Documents on the

Sino-India Boundary Question" published by the Foreign Language Press, Peking has been imported into India;

(b) if so, whether it is also true that the booklet contains some objectionable and false materials; and

(c) if so, what action has been taken by the Government of India?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) and (b). Yes.

(c) The Customs authorities were directed to detain the book under the provisions of the Notification issued under section 19 of the Sea Customs Act, 1878, which prohibits the bringing into the country of publications which question the frontiers or the territorial integrity of India. The book has also been prescribed under section 4 of the Criminal Law Amendment Act, 1961.

इंजीनियरिंग और टेक्नोलॉजी कालेज

*६०५. { श्री म० ला० द्विवेदी :
 श्री स० च० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रो यह बताने की कृपा करेंगे कि :

(क) दिल्ली (हौस खास) में इंजीनियरिंग और टेक्नोलॉजी कालेज की इमारत के निर्माण के बारे में अब तक क्या प्रगति हुई है; और

(ख) क्या ब्रिटेन से इस कालेज के लिये कुछ खास सामान प्राप्त हुआ है ?

*ज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रो (श्री हुमायूँ कबिर) : (क) वर्कशॉप, टेक्सटाइल टेक्नोलॉजी ब्लॉक और २५० विद्यार्थियों के लिये होस्टल बन चुका है । २५० विद्यार्थियों का एक दूसरा होस्टल पूरा होने वाला है ।

(ख) यूनाइटेड किंगडम से प्रयोगशाला और वर्कशॉप के औजार जिनकी कीमत करीब २५,२०० पाउण्ड है मिल चुके हैं ।

Kargali Coal Washery

***606. Shri Vidya Charan Shukla:**
Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the reasons because of which the Kargali Washery did not reach its rated capacity according to schedule;

(b) the amount of loss suffered by the Washery during the last two years;

(c) whether there has been any breach of contract; and

(d) if so, penalty, if any, demanded for the breach of contract?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The main reason why the washery has not been able to reach its nominal capacity of 1,35,000 tons per month is that it had developed certain defects and the bi-cable ropeway transporting coal from Bokaro had broken down. The ropes have since been replaced by the Japanese contractors free of cost, and the defects also remedied. Trial runs conducted in August and September last show that the washery now has the hourly capacity sufficient to attain ultimately the nominal rate if there is uninterrupted working for 16 hours. Already the output has reached an average of about 1,02,500 tons per month. Steps are now being taken to streamline arrangements to bring the output gradually to the rated capacity.

(b) There is no question of loss as the understanding with the steel plants is that they would pay the Corporation the actual cost of washed coal. It is not as though the washery were working for profit and any fall in output will affect its earnings.

(c) and (d). The final position would be known only after a complete assessment is made of the performance of the washery *vis-a-vis* the contractual stipulations.

Indian Observers for Arab Oil Congress

***607. { Shri P. C. Borooah:
Shri P. G. Deb:**

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

(a) whether a team of Indian observers was sent to attend the Arab Oil Congress held in October, 1961;

(b) if so, whether the team submitted their report on return from there; and

(c) what were the main observations/recommendations of the observers?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) An official of the Indian Embassy in Cairo attended the Congress as an observer.

(b) Our observer submitted a report.

(c) The observer did not make any recommendations. He gave a brief account of the proceedings and the important papers presented, and made the following observations:—

(i) No references to India or to the agreement between the Indian Oil Company and the Government of U.S.S.R. were made during the discussions in the Congress when the downward trend of posted prices of petroleum products was being discussed.

(ii) The attempts of some delegates to limit the discussions on prices to Organisation of Petroleum Exporting Countries (O.P.E.C.) came in for criticism from delegates of some countries which were not members of O.P.E.C.

(iii) Papers read on scientific subjects were usually poorly attended

- (iv) The absence of Iraq and Tunisia was noted as also the attendance of Libya for the first time.

Air Training Centre, Jodhpur

*608. **Shri Harish Chandra Mathur:** Will the Minister of Defence be pleased to state:

(a) whether it is proposed to transfer the Air Force Training Centre from Jodhpur; and

(b) how long this Centre has been at Jodhpur and the amounts spent on fixed assets each year during the last five years?

The Minister of Defence (Shri Krishna Menon): (a) The matter is under consideration.

(b) Since 1941.

A Table of amount spent on fixed assets during the last five years is given below:—

Year	Expenditure Incurred
1956-57	Rs. 18,05,911.00
1957-58	Rs. 5,15,216.00
1958-59	Rs. 17,29,173.00
1959-60	Rs. 3,13,566.00
1960-61	Rs. 2,53,797.00
Anticipated 1961-62	Rs. 4,38,835.00

नाविक, सैनिक और वैमानिक बोर्ड

*६०९. { धी भक्त वर्शन :
धो महन्ती :

क्या प्रतिरक्षा मंत्री २२ अगस्त, १९६१ के तारंकित प्रदन-पंख्या ८३२ के उत्तर के सम्बन्ध में यह बताने को कृपा करेंगे कि :

(क) ज्ञाना नाविक, सैनिक व वैमानिक बोर्डों व उनके कर्मचारियों को स्थायी बनाने का जो प्रश्न विचारार्थन था, उसके बारे में क्या निश्चय किया गया है ;

(ख) वह निश्चय किस तारीख से व किन्म प्रहार से लागू किया जायेगा ;

(ग) यदि अभी निश्चय नहीं किया गया है, तो इनकी देरी होने का क्या कारण है; और

(घ) इस पर कब तक निश्चय हो जाने की आशा है ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) :

(क) तथा (ख). अभी तक कोई निर्णय नहीं किया गया; मामला राज्य सरकारों के परामर्श के साथ, जांच अधीन है।

(ग) विलम्ब इस कारण हो रहा है, कि कुछ राज्य सरकारों ने अभी अपने उत्तर नहीं भेजे।

(घ) जहाँ राज्य सरकारों ने बोर्डों को स्थायी करने का मुझाव स्वीकार कर लिया।

Model Legislation for Universities

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

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 483 on the 14th August, 1961 and state:

(a) whether Government have considered the preparation of model legislation for the guidance of universities in India in regard to the implication of autonomy; and

(b) if so, the result thereof?

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

(b) Proposals in this behalf are being examined by a group comprising the Chairman, University Grants Commission, the Secretary, Ministry of Education and the Vice-Chancellor, University of Delhi and the matter will be considered further by a Committee proposed to be set up under the Chairmanship of Dr. D. S. Kothari, Chairman, University Grants Commission.

Suicide in Rourkela Steel Plant

*611. **Shri Indrajit Gupta:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 971 on the 25th August, 1961 and state:

(a) whether the enquiry into the reported suicide of Shri S. N. Misra, of Rourkela Steel Plant, by jumping into the Blast Furnace has since been completed; and

(b) if so, the findings of the enquiry?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir. The police enquiry is not yet completed.

(b) Does not arise.

Steel Plants

*612. { **Shri S. M. Banerjee:**
Shri Tangamani:

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

(a) whether all the Labour Legislations have been implemented in Bhilai, Rourkela and Durgapur Steel Plants;

(b) whether the existing standing orders have been certified; and

(c) if so, whether the unions have been consulted?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) By and large the provisions of the Labour Legislation are being implemented by the Steel Plants at Rourkela, Bhilai and Durgapur.

(b) and (c). Not yet. Draft standing orders are awaiting certification. The certifying officers are expected to consult the unions prior to certification of the Standing Orders.

Affiliation of Colleges

*613. { **Shri Ajit Singh Sarhadi:**
Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of Education be pleased to state:

(a) how far the scheme regarding introduction of uniform system in all universities for the affiliation of colleges has progressed; and

(b) whether universities have adopted or accepted the scheme?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The University Grants Commission has addressed all universities on the subject. Twenty-seven universities have so far replied to the Commission. Further action will be taken by the Commission on receipt of reactions of all universities.

Service for Medical Graduates in Rural Areas

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

(a) whether there is a proposal to introduce legislation to provide for compulsory service of new medical graduates for a specified period in rural areas; and

(b) if so, the details of the proposal, if finalised?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The question is under the consideration of Government.

Supply of Coal to Pakistan

*615. { **Shri P. C. Borooah:**
Shri P. G. Deb:

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

(a) whether an agreement has been signed between Pakistan Railway

Board and the Indian firms for supply of coal for Pak. Railways during 1962;

(b) if so, how much coal is to be supplied; and

(c) on what terms?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). Government is not aware of any direct agreement between the Pakistan Railway Board and Indian firms. But under the Indo-Pakistan Trade Agreement, Government of India have agreed to export to Pakistan 130,000 tons of non-coking coal per month, and it is understood that this supply is meant mainly for their Railways. To get supplies against this trade Agreement, the Pakistan Government negotiate with individual suppliers of coal in India, who, in their turn, obtain the permission of the Coal Controller for exporting agreed quantities within the ceiling under the Indo-Pakistan Trade Agreement.

Hire-Purchase in India

***616. Shri Vidya Charan Shukla:** Will the Minister of Law be pleased to refer to the reply given to Unstarred Question No. 2788 on the 30th August, 1961 and state what action is being taken by Government on the suggestion of the Law Commission regarding special legislation on the subject of hire-purchase with a view to stimulate this form of transaction among the middle classes.

The Deputy Minister of Law (Shri Hajarnavis): The Twentieth Report of the Law Commission on the Law of hire-purchase was laid on the Table of the House on the 20th November, 1961. It is still under examination of the Government.

Urban Basic School in Delhi

**1193. { Shri D. C. Sharma:
Shri Ajit Singh Sarhadi:**

Will the Minister of Education be pleased to state:

(a) whether the proposal of the Directorate of Education of Delhi Administration to set up an urban basic

school on an experimental basis has since been implemented; and

(b) if so, the details thereof?

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

(b) Does not arise.

Government Hindi Shikshaka Training College at Gulbarga

1194. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) the further progress made in finalising the details for starting a Government Hindi Shikshaka Training College at Gulbarga; and

(b) the target date when it is likely to start functioning?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The College has already started functioning at Gulbarga with effect from 5th August, 1961.

Cultural Exchange between India and U.S.A.

1195. Shri D. C. Sharma: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there have been any cultural exchanges between India and U.S.A. during the last one year; and

(b) if so, the details thereof?

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

- (b) (i) Exchange of Art Objects.
- (ii) Exchange of Broadcasting materials.
- (iii) Educational Exchanges.
- (iv) Exchange of Books.
- (v) Travel grants.
- (vi) Cultural delegations.

Bakloh Cantonment Board

1196. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) the total amount allotted to the Bakloh Cantonment Board as grant-in-aid for development schemes during the year 1959-60; and

(b) the details of the schemes for which grants were sanctioned?

The Minister of Defence (Shri Krishna Menon): (a) Rs. 38,000-00.

(b) Street Lighting . Rs. 8,500-00

Payment of lanes
and repairs to
Roads . . . Rs. 6,100-00

Construction of
Harijan quarters Rs. 23,400-00

TOTAL . Rs. 38,000-00

Collection of various Taxes in Calcutta

1197. Shri D. C. Sharma: Will the Minister of Finance be pleased to state the amount of Estate Duty, Expenditure Tax, Gift Tax and Wealth Tax assessed and collected in Calcutta during 1960-61?

The Minister of Finance (Shri Morarji Desai): The information is as under:—

	In thousands of Rs.	
	Amount assessed	Amount collected
Estate Duty	26.73	18.83
Expenditure Tax	3.83	2.63
Gift Tax	6.31	5.13
Wealth Tax	1,76.08	1,44.75

Relief to Educated Unemployed in Maharashtra

1198. Shri Pangarkar: Will the Minister of Education be pleased to

state the total number of new primary teachers appointed so far in Maharashtra out of the teachers sanctioned under the scheme to relieve educated unemployment since the beginning of this scheme in this State?

The Minister of Education (Dr. K. L. Shrimali): 3,382 teachers.

Roads in Lahaul and Spiti Area

1199. Shri Daljit Singh: Will the Minister of Defence be pleased to state:

(a) whether there is a proposal to build more roads in the snow-bound areas of Lahaul and Spiti on the border of Tibet; and

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

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

(b) Does not arise.

Survey of Petroleum Deposits in Kashmir State

1200. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be pleased to state the up-to-date position in regard to the survey of petroleum deposits near Muradpur in Kashmir State?

The Minister of Mines and Oil (Shri K. D. Malaviya): A detailed study of Muradpur oil seepage has been included in the field programme of the Directorate of Geology of the Oil and Natural Gas Commission for the current field season.

Municipal Scavengers in Punjab

1201. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of houses constructed for Scheduled Castes families engaged in sweeping and scavenging during the Second Five Year Plan in Punjab; and

(b) the places where these houses have been constructed in Punjab?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 281 houses.

(b) The information has been called for from the State Government and will be laid on the Table of the House when received.

Children's Book Trust

1202. Shri D. C. Sharma: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 412 on the 9th August, 1961 and state the up-to-date progress made in the construction of the office building and installation of the press by the Children's Book Trust?

The Minister of Education (Dr. K. L. Shrimali): Work on the construction of the Children's Book Trust building is progressing according to schedule. Dewatering and the concreting of foundation slabs have been completed and the fabrication of steel reinforced columns to support the five storeys is continuing.

The installation of the printing equipment will be considered after the building has been constructed.

Andaman and Nicobar Islands

1203. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) how much sum has been allotted for the overall improvement of the group of Andaman and Nicobar Islands during the Third Five Year Plan;

(b) how this sum compares with the amount sanctioned during the First and Second Five Year Plans; and

(c) whether any special amount has been sanctioned for the development of fisheries and deep sea fishing?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Rs. 979.320 lakhs together with Rs. 42.1587 (A) L.S.D.—3.

lakhs provided by Ministry of Transport & Communications for development of minor ports.

(b) There was no First Five Year Plan for the Andaman and Nicobar Islands. The Second Five Year Plan entailed an outlay of Rs. 603.135 lakhs together with Rs. 42.48 lakhs provided by Ministry of Transport and Communications for development of minor ports.

(c) A sum of Rs. 14.770 lakhs has been provided for the development of fisheries in the Third Five Year Plan.

Seizure of Gold

1204. Shri D. C. Sharma: Will the Minister of Finance be pleased to state:

(a) the value of gold seized from July, 1961 to end of November, 1961 by the Customs Authorities;

(b) how many of the smugglers have been convicted so far; and

(c) to what nationalities these smugglers belonged?

The Minister of Finance (Shri Morarji Desai): (a) Gold valued at about Rs. 1.03 crore was seized as smuggled by Customs, Land Customs and Central Excise authorities during the period from the 1st July, 1961 to the 30th November, 1961.

(b) 18 (This does not include figures for Collector of Central Excise, Bombay).

(c) 7 Indians, 1 Chinese, 1 Pakistani. The details of remaining 9 smugglers, nationality-wise, are not readily available.

Pay Scales of Primary School Teachers of Punjab

1205. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether the pay-scales of the primary school teachers in Punjab have been increased in 1961;

(b) if so, whether the Government of India have advanced any amount to Punjab Government for this purpose during 1961-62; and

(c) since when the pay-scales have been enhanced?

The Minister of Education (Dr. K. L. Shrimali): (a) and (c). The required information has been called for from the State Government.

(b) No.

Repairs to Well No. 1, Rudrasagar, Assam

1206. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the progress made in the repairs being carried out to well No. 1 of Rudrasagar in Assam; and

(b) the details thereof with the estimated oil potential of Rudrasagar?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The old cement plug, through which leakage had been suspected, has been replaced.

(b) The work-over rig was installed in the month of October, 1961 and the cement plug between 3112—3142 metres, which was suspected to be leaking, was drilled through. A new cement plug has been put. The interval between 3085—3089 metres which is the upper part of the previously tested 3086.5—3101 metres interval will be perforated and tested shortly. The oil potential of Rudrasagar structure is yet to be assessed.

Land for Ex-servicemen in Gurdaspur

1207. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) the number of ex-servicemen in Gurdaspur district of Punjab to whom land has been allotted so far during 1961-62 for cultivation; and

(b) the nature of other financial assistance given to them?

The Minister of Defence (Shri Krishna Menon): (a) One, in the Afzalgarh Colony.

(b) Assistance is given to settlers in the Afzalgarh Colony, in the shape of provision of tractors, bullocks, implements, wells/tube wells, houses and common buildings such as Panchayat-gahs, seed stores, dispensaries and schools.

Powers of the High Courts

1208. Shri Ram Krishan Gupta: Will the Minister of Law be pleased to state:

(a) whether Government have considered the question of amending Article 226 of the Constitution to extend to all the High Courts the power to issue any directive, writ or order to the Union Government; and

(b) if so, the result thereof?

The Deputy Minister of Law (Shri Hajarnavis): (a) The matter is under active consideration of Government.

(b) Does not arise.

Prohibition in Delhi

1209. Shri Ram Krishan Gupta: Will the Minister of Home Affairs be pleased to state:

(a) whether a phased programme has been drawn up for total prohibition in the Union Territory of Delhi; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The matter is under consideration, in consultation with the Delhi Administration.

Control on Chit Funds in Delhi

1210. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 438 on the 14th August, 1961 and state:

(a) whether any decision regarding regulation and control of chit funds in Delhi has been taken now; and

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

The Minister of Finance (Shri Morarji Desai): (a) and (b). It is proposed to extend the Madras Chit Funds Act, 1961, with suitable modifications to suit the local requirements, to the Union territory of Delhi. A draft of the modifications which are necessary has recently been received from the Delhi Administration and is now under consideration.

Import of Furnace Oil

1211. **Shri Ram Krishan Gupta:** Will the Minister of Steel Mines and Fuel be pleased to refer to the reply given to Starred Question No. 503 on the 14th August, 1961 and state:

(a) whether Government have since considered the question of importing more furnace oil; and

(b) if so, the result thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir; arrangements have recently been completed to import additional quantities of Furnace Oil from rupee payment sources.

Archaeological Excavations by Utkal University

1212. **Shri Chintamani Panigrahi:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any grants had been given to the Utkal University for

conducting archaeological excavations during the Second Five Year Plan period;

(b) if so, how much; and

(c) whether there was any request from the Utkal University to this effect during the Second Five Year Plan period?

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

(b) Does not arise.

(c) No, Sir.

Loan to Utkal University for Hostels

1213. **Shri Chintamani Panigrahi:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 535 on the 9th August, 1961 and state:

(a) the number of hostels constructed during the Second Plan period by the Utkal University with the loan of Rs. 7,50,000 given by Government of India;

(b) the total capacity which was provided in these hostels for students; and

(c) the amount of loan which has been advanced to the Utkal University during 1961-62 so far for providing increased Hostel accommodation to students?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Two hostels with capacity of 250 students are nearing completion.

(c) A proposal is under consideration for grant of loan of Rs. 3.76 lakhs for additional Hostel facilities.

Marsh Gas found in Midnapore Distt.

1214. **Shri D. C. Sharma:** Will the Minister of Steel Mines and Fuel be pleased to state:

(a) whether it is a fact that Marsh

gas was found in a village in Midnapore District recently; and

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

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir.

(b) A tube-well was drilled at Gopimohanpur village, Tamluk subdivision, Midnapore district, West Bengal down to 205 metres below ground level on 20-8-1961. Two hours after the construction of the well, there was sudden sprouting of mud from the well which lasted for about fifteen minutes. Samples of gas collected by Geological Survey of India show that the gas consists mostly of methane, commonly known as "Marsh gas".

Scholarships to African and other Foreign Students

1215. { **Shri D. C. Sharma:**
Shri Bibhuti Mishra:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that there is a disparity in the amounts of scholarships awarded to African students and to other foreign students studying in India; and

(b) if so, the extent thereof and the reasons for the same?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir. There is no disparity in the amount of scholarship awarded to African and to other foreign students studying in India under the same Scheme.

(b) Does not arise.

Corruption in Public Services

1216. **Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether a proposal to amend the Constitution in order to get over procedural lacunae and delays in dealing drastically with corruption in public services is under consideration of Government; and

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

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). A proposal to amend the Constitution has been under consideration for some time; no definite decision on this has, however, been taken.

Durgapur Steel Project

1217. **Shrimati Renu Chakravartty:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that police are enquiring into the records of all workers and employees at Durgapur Steel Project;

(b) whether it is a fact that at the time of employment one round of police verifications is made; and

(c) if so, the reasons for this duplication of police verification?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). The Durgapur Steel Project normally assesses the suitability of its employees for employment in the Project at the time of their appointment by such methods as are open to them. It is quite possible that when employees have to be appointed for urgent reasons without such prior assessment of suitability or when any special circumstances make this necessary, the Project authorities may wish to assess suitability after the appointments are made.

Confirmation of Civilians in A.O.C.

1218. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that there are over 200 Civilian Ordnance Officers serving in the Army Ordnance Corps, for the last 15 to 18 years, who have not been confirmed; and

(b) if so, what steps Government propose to take for their confirmation as a number of them have either re-

tired or are about to retire in the near future?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir. There are 124 Civilian Ordnance Officers with 15 to 18 years service and still serving in the Corps who have not yet been confirmed in their grade. 62 of them are, however, permanent in the lower grades from which they have been promoted.

(b) Government propose to confirm as many of these officers as possible subject to vacancies being available.

1960-Strike

1219. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) how many defence civilian employees were arrested in connection with the 1960-strike and out of these how many were convicted by the courts of law; and

(b) the details of the above information & station as well as installation-wise?

The Minister of Defence (Shri Krishna Menon): (a) and (b). A statement is laid on the Table. [See Appendix II, annexure No. 43].

Recognition of Unions and Federations

1220. { **Shri S. M. Banerjee:**
Shri Jhulan Sinha:
Pandit D. N. Tiwari:
Shrimati Maimoona Sultan:
Shri Tangamani:
Shri Chuni Lal:

Will the Minister of Home Affairs be pleased to state:

(a) whether the instructions issued by the Home Ministry restoring recognition of all Unions and Federations of the Central Government employees which lost recognition after July 1960 strike have been implemented by all departments; and

(b) if not, the reasons for not implementing the same?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Yes, except in a few cases, where the associations have not complied with the requirements of the Central Civil Services (Recognition of Service Associations) Rules, 1959.

Coal for U.P.

1221. Shri S. M. Banerjee: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 1988 on the 22nd August, 1961 and state:

(a) whether position of coal and soft coke supply in U.P. has improved further;

(b) if so, to what extent; and

(c) the number of wagons increased?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). Yes. The total supplies of coal and soft coke to U.P. by rail were 36,964 wagons during the three months from July 1961 to September, 1961 as against 26,596 wagons during the three months from April, 1961 to June, 1961.

H. & S. Factory, Kanpur

1222. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) whether works committee elections were held in Government H. & S. Factory, Kanpur in August 1961;

(b) if so, number of seats won by the candidates put forward by the H. & S. Factory Employees Union;

(c) number of seats secured by the parallel Union namely Kila Mazdoor Union affiliated with INTUC; and

(d) Whether the Kila Mazdoor Union is recognised by Government?

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

(b) Nine out of ten seats were won by H. and S. Factory Employees Union.

(c) The Kila Mazdoor Union did not contest elections to the Works Committee held in August 1961. Hence the question of their securing seats in the Works Committee does not arise.

(d) Yes, Sir.

Shaktiman and Nishan Trucks

1223. Shri S. M. Banerjee: Will the Minister of Defence be pleased to state:

(a) what further progress has been made regarding manufacture of Shaktiman and Nishan Trucks in Ordnance Factories;

(b) how the production of these trucks compares with 1960;

(c) whether there has been any reduction in cost of production as a result of more production;

(d) if so, to what extent; and

(e) how this price compares with the prices of trucks purchased from the private sector before manufacturing in Ordnance Factories?

The Minister of Defence (Shri Krishna Menon): (a) Up to 31st October, 1961, 3071 trucks were manufactured.

(b) The number of trucks manufactured in the year 1960 was 939 and 1812 in 1961 (January to October).

(c) and (d). Actual costs of production during 1961 are not yet available. However, it is expected that with increasing indigenous content there will be some reduction in cost.

(e) The overall cost of Shaktiman Trucks and Nissan Truck is lower as compared to the prices of similar trucks purchased from trade.

Supersonics

1224. Shri S. M. Banerjee: Will the Minister of Defence be pleased to

state what further progress has been made in respect of manufacture of Supersonics in Hindustan Aircraft Ltd., at Bangalore?

The Deputy Minister of Defence (Shri Raghuramaiah): The first prototype of HF-24 is undergoing development test flights. The second prototype is nearing completion.

Flow of British Capital in India

1225. Shri S. M. Banerjee: Will the Minister of Finance be pleased to state:

(a) whether any assessment has been made as to the inflow of British capital in India;

(b) if so, the estimated amount on the 1st October, 1961; and

(c) the average annual return to U.K. in the form of profits?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The latest date upto which information has been compiled is 31 December, 1959. The total amount of U.K. investments in India as on that date was Rs. 400.1 crores.

(c) The average annual remittance to U.K. is of the order of Rs. 22 crores.

Separation of Judiciary from Executive

1226. { Shrimati Ila Palchoudhuri:
Shri D. C. Sharma:
Shri S. M. Banerjee:
Shri M. B. Thakore:
Shri Ram Krishan Gupta:

Will the Minister of Home Affairs be pleased to state:

(a) the names of those States in India which have completed separation of judiciary from the executive;

(b) the names of those States where the process of separation of judiciary from the executive is still underway;

(c) the names of those States which have so far taken no steps to separate judiciary from the executive; and

(d) the steps taken or proposed to be taken by the Government of India to urge upon the State Governments to complete implementation of the separation of the two subjects referred to in part (a) above?

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

- (a) 1. Andhra Pradesh.
2. Gujarat.
3. Kerala.
4. Maharashtra.
5. Madras.
6. Mysore.
7. West Bengal.

- (b) 1. Assam.
2. Bihar.
3. Madhya Pradesh.
4. Orissa.
5. Punjab.
6. Rajasthan.
7. Uttar Pradesh.

(c) None.

(d) Does not arise.

Durgapur Steel Plant

1227. { Shri Barman:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. C. Samanta:

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

(a) whether it is a fact that the estimate of the Durgapur Steel Project has fallen short of the estimated cost;

(b) if so, the reasons for this shortfall;

(c) whether any revised estimate has been made taking into consideration the increased cost for civil engineering; and

(d) if so, the total amount of the revised estimate?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (d). As already explained in my concluding budget speech on the 15th April 1961 the revised estimate of Durgapur Steel Project will be in the region of Rs. 186 crores which, however, exclude escalations. The revised estimates taking into consideration the increased cost for civil engineering work have not yet been finalised and are under technical scrutiny of Hindustan Steel.

Patherdih Coal Washery

1228. { Shri Barman:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. C. Samanta:
Shri Vidya Charan Shukla:

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

(a) whether the tender for the construction of Patherdih Coal Washery has been accepted;

(b) if so, whether the construction work has started;

(c) whether any amount has been paid for acquisition of land; and

(d) if so, the amount paid for this?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A contract has been concluded with an American firm for the construction of the coal washery in Patherdih.

(b) The firm has taken on hand preparation of detailed working drawings and work at site is expected to commence shortly. Construction of houses in the township will also commence shortly.

(c) and (d). A sum of Rs. 1,811,000 has been paid to the Railways who are acquiring the land required for the washery, the residential colony and the necessary railway sidings.

Steel Scraps

1229. { Shri Barman:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. C. Samanta:

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

(a) whether it is a fact that the Committee set up to enquire into the various uses and availability of steel scraps has submitted its report; and

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

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

(b) Does not arise.

Construction of Building for Delhi Municipal Corporation

1230. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) whether the Delhi Municipal Corporation has approached the Centre for financial assistance for the construction of a 7-storey building on Circular Road to house its new office; and

(b) if so, the action taken in this regard?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Does not arise.

Engineering Colleges and Polytechnics

1231. { 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 Starred Question No. 1094 on the 30th August, 1961 and state:

(a) whether the places for location of 10 engineering colleges and 67 polytechnics during Third Plan period have been selected; and

(b) if so, the names of places (State-wise)?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The location of seven colleges has been finalised as shown below:

Bhagalpur; Gorakhpur; Calcutta; Jalpaiguri; Bombay; Amraoti; Kothamangalam (Kerala).

As regards polytechnics, the revised State plans include 81 institutions for Diploma courses. The location of 49 institutions has been finalised as shown below:

Srikakulam (Andhra Pradesh); Nowgong (Assam). Broach; Adipur (Gujarat). Perinthalmanna (Kerala). Durg; Indore (Madhya Pradesh). Coimbatore; Coimbatore; Karaikudi (Madras). Tumsur; Kolhapur; Ratnagiri; Khamgaon; Yeotmal; Nanded; Bombay (Maharashtra). Raichur; Fraberpel (Mysore). Bolangir (Orissa) Jhajjar; Guru Tegh Bahadur Garh; Batala; Sirsa; Hamirpur; Rohtak; Ludhiana; Rewari (Punjab). Bikaner; Jaipur, Bharatpur (Rajasthan). Kanpur; Fyzabad; Mirzapur; Ballia; Meerut; Allahabad; Muzaffarnagar; Roorkee; Baraut; Gorakhpur; Agra (Uttar Pradesh). Malda; Ultadanga; Barachampa; Calcutta (West Bengal). Okhla; Pusa (Delhi). Pondicherry.

Linguistic Minorities

1232. Shri Ram Krishan Gupta: Will the Minister of Home Affairs be pleased to refer to Unstarred Question No. 3644 on the 7th September, 1961 and state:

(a) whether a meeting of the Chief Ministers of West Bengal, Assam, Bihar and Governor of Orissa has been held to discuss an inter-State agreement on the treatment of ling-

uistic minorities in the four States represented by them;

(b) if so, the nature of talks held; and

(c) the result thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

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

Indian Delegation to U.S.S.R.

1233. { Shri Sadhan Gupta:
Shrimati Maimoona Sultan:

Will the Minister of Education be pleased to state:

(a) whether a delegation has visited the U.S.S.R. in September and October, 1961 to study the Soviet school system;

(b) if so, the personnel of the said delegation;

(c) the object with which this delegation was sent;

(d) whether the delegation has submitted a report; and

(e) if so, the main features thereof?

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

(b) Shri Raja Roy Singh, Joint Educational Adviser, Ministry of Education—Leader.

Shri N. D. Sundaravadivelu, Director of Public Instruction, Madras—Member.

Kumari Sarla Khanna, Director of Public Instruction, Punjab—Member.

(c) To study the Soviet school system.

(d) Not yet; it is being finalised by the delegation.

(e) Does not arise.

टेक्निकल संस्थाओं में अध्यापकों की कमी

१२३४. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) खड़गपुर, रुड़की, पूना आदि स्थानों की टेक्निकल संस्थाओं में अध्यापकों की कमी को दूर करने के लिये सरकार ने अब तक क्या कार्यवाही की है;

(ख) क्या सरकार ने विदेशों से भी अध्यापक बुलाये हैं; और

(ग) यदि हां, तो कितने ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य-मंत्री (श्री हुमायून् कबिर): (क) बेतन क्रमों में सुचारु और अध्यापक प्रशिक्षण के कार्यक्रमों की शुरुआत ।

(ख) जी, हां ।

(ग) इस समय ६१ ।

भारतीय प्रौद्योगिकी संस्था, खड़गपुर

१२३५. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय प्रौद्योगिकी संस्था, खड़गपुर को १९५९ से लेकर अब तक अमरीका से कितनी आर्थिक सहायता मिली है और वहां से कितने विशेषज्ञ इस संस्था के लिये भेजे गये हैं ; और

(ख) इस वर्ष के बजट में इस संस्था के लिये कितने रुपये की व्यवस्था की गई थी और उसमें से अब तक कितना खर्च किया जा चुका है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर) : (क) १ अप्रैल १९५६ से ३१ अक्टूबर १९६१ तक अमेरिका की मदद इस तरह थी :—

औजार और किताबों के लिये ५२,०६६ डालर (२,४७,६७८ रुपये)

विशेषज्ञों की संख्या—ज्ञात ।

(ख) १९६१-६२ के बजट में इस संस्था के लिये कुल १,२६,१४,००० रुपयों की व्यवस्था की गई थी ।

३१-१०-६१ तक कुल ४५,६७,६१६ रुपये खर्च हुए ।

भारत में पाकिस्तानी

१२३६. श्री म० ला० द्विवेदी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) १९६१ में अब तक कितने पाकिस्तानी अवैध रूप से भारत में प्रविष्ट हुए हैं ;

(ख) इन में से कितनों को भारतीय न्यायालयों ने दण्ड दिया ; और

(ग) क्या यह सच है कि उत्तर प्रदेश में सब से अधिक पाकिस्तानी जामूस पकड़े गये हैं ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री बातार) : (क) से (ग). सूचना एकत्रित की जा रही है और उपलब्ध होने पर समा पटल पर रख दी जावेगी ।

अन्धमान और निकोबार द्वीपसमूह

१२३७. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

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

(क) १९५६-६० के वर्षों में सरकार

को अन्धमान और निकोबार द्वीपसमूह के जंगलों से कितनी आय हुई ; और

(ख) तीसरी पंचवर्षीय योजना में इन द्वीपों के विकास के लिये कतनी राशि की व्यवस्था की गई है ?

गृह-कार्य उप-मंत्री (श्रीमती आल्हा) :

(क) १९५६-६० के वर्षों में अन्धमान व निकोबार द्वीपसमूह के जंगलों से निम्नलिखित आय हुई :—

१९५६-५७	६०,३१,६०६ रुपये
१९५७-५८	७६,४१,७६६ रुपये
१९५८-५९	१,००,७३,६८३ रुपये
१९५९-६०	१,०४,५०,८०३ रुपये

(ख) ६७६.३२० लाख रुपये ।

वैज्ञानिक सम्पर्क कार्यालय, लन्दन

१२३८. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) लन्दन में जो वैज्ञानिक सम्पर्क कार्यालय है उसने इस वर्ष अब तक ब्रिटेन और राष्ट्रमण्डल के अन्य देशों के साथ किन-किन बातों पर सम्पर्क स्थापित किया ; और

(ख) उन सम्पर्क पदाधिकारी किन-किन समितियों के सदस्य हैं और उन समितियों की कितनी बैठकों में उन्होंने भाग लिया ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर) : (क) साइंस से ताल्लुक रखने वालों कार्यकर्ता, सूचना और सामग्री का विनिमय, और अनुसंधान कर्त्ताओं की निपुणता

(ख) (१) ब्रिटिश कामनवैल्व साइंटिफिक औरगेनाइजेशन (लंदन कमेटी के अध्यक्ष)

(२) ब्रिटिश कामनवेल्थ साइंटिफिक कमेटी (वकिंग पार्टी)

(३) इंडन-अनुसंधान की कामनवेल्थ कमेटी,

(४) कामनवेल्थ वैज्ञानिक अनुसंधान सलाहकार परिषद्,

(५) ब्रिटिश कामनवेल्थ वन विज्ञान की स्टैंडिंग कमेटी,

(६) कामनवेल्थ एग्रोकल्चरल ब्यूरो (अध्यक्ष-नियुक्ति कमेटी)

(७) ब्रिटिश कामनवेल्थ के विश्वविद्यालयों का संगठन।

अक्टूबर १९६१ के अन्त तक भारतीय वैज्ञानिक सम्पर्क अफ़ेयर ने उपर्युक्त कमेटियों का कुल २३ मॉडिगों में हिस्सा लिया।

सांस्कृतिक छात्रवृत्तियाँ

१२३६. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत सरकार ने वर्ष १९६१-६२ में अब तक भारत में तथा विदेशों में सांस्कृतिक अनुसन्धान और टेक्निकल शिक्षा के लिये कितनी छात्रवृत्तियाँ दी हैं; और

(ख) अन्य देशों ने वैज्ञानिक तथा सांस्कृतिक विषयों के लिये कितनी छात्रवृत्तियाँ दी हैं और उन में से कितनी छात्रवृत्तियों का प्रयोग किया गया है; ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर): (क) भारत में नये दाखिलों के लिये ३२०० स्कालरशिप। स्टिपेंड की स्वीकृति दे दी गई है।

विदेशों में—४।

(ख) कुल २८५ छात्रवृत्तियाँ दी गईं। नवम्बर तक ११२ का उपयोग किया गया।

भारतीय प्रौद्योगिकी संस्था, खड़गपुर

१२४०. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :

क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय प्रयोगिकी संस्था, खड़गपुर ने इस समय कुल कितने छात्र हैं, और

(ख) १९५६ में पुनरावलोकन समिति ने इस संस्था के बारे में जो रिपोर्ट पेश की थी उसकी कार्यान्विति में अब तक क्या प्रगति हुई है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर): (क) १७८०।

(ख) कुछ खास खास सफ़ारिशें लागू की जा चुकी हैं जैसे—(एक चार भारतीय प्रौद्योगिकी संस्थाओं और इंडियन इंस्टीट्यूट ऑफ साइंस बंगलूर के कार्यों का समन्वय करने के लिये कमेटी की नियुक्ति, (दो) पोस्ट ग्रेजुएट कोर्स और अनुसंधान के विद्यार्थियों को प्रवेश संख्या बढ़ाना, और (तीन) ट्यूटर प्रणाली की शुरुआत। रिब्यूइंग कमेटी की सफ़ारिशों के मुताबिक जो विजिटर द्वारा मंजूर हो चुकी हैं, संस्था ने तीसरी पंचवर्षीय योजना में मिलने वाली आर्थिक मदद के अन्दर ही कमिक विकास का एक योजना बनाई है।

Punjab Matriculation Examination Forms

1241. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether it is a fact that admission forms for the matriculation examination of Punjab University are sold at black market rates in Delhi and the adjoining districts of Punjab;

(b) whether it is also a fact that private students seeking to appear in the Examination have to pay prices ranging from Re. 1 to Rs. 2 for one admission form; and

(c) if so, the steps taken or proposed to be taken to check this menace?

The Minister of Education (Dr. K. L. Shrimali): (a) There is no reason to believe that this is so. Only in one case a firm was reported to be over-charging.

(b) No, Sir.

(c) Admission forms for matriculation examination are sold at 15 nP. each through 350 Book-sellers registered with the University. Some-time back a complaint was received by the Punjab University that a registered firm in Delhi was selling the admission forms at a price higher than that fixed by the University. The firm was placed on black-list for two years from 16th January, 1961.

Pay and Allowances of Defence Officers

1242. { **Shri D. C. Sharma:**
 Shri Vidya Charan Shukla:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a proposal to enhance the rates of pay and allowances of senior officer ranks of the Army, Navy and Air Force is under consideration;

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

(c) whether it has been finalised;

(d) if so, when it is likely to be implemented; and

(e) what are the financial implications of the proposal?

The Minister of Defence (Shri Krishna Menon): (a) to (e). Government are examining the question whether the present rates of pay of officers of the three Services, upto the rank of Brigadier, require revision. It is not possible to give any further information at this stage.

Export of Coal

1243. **Shri Vidya Charan Shukla:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) how much coal of metallurgical grade was exported out of India during the years 1958, 1959 and 1960; and

(b) the reasons for allowing this export?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Export of metallurgical coal during last three years was as follows:—

Year	Quantity
1958	0.52 million tons
1959	0.49 " "
1960	0.12 " "

(b) Decision to stop export of metallurgical coal was taken at the end of 1959. Some exports during the year 1960 were, however, allowed against our commitments made prior to this decision, from the surplus available after meeting fully the requirements of consumers of metallurgical coal in the country.

Noonmati Refinery

1244. **Shri P. G. Deb:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have decided to give 4% share to Assam Government in Noonmati Refinery; and

(b) if so, the reasons therefor?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) The Assam Government has been allowed to participate in equity capital of Indian Refineries Limited to the extent of the value of land transferred to the Company.

(b) This has been agreed to in order to enable the State to be associated with the development of one of its major resources.

सीमा पर सड़कें

१२४५. श्री हेमराज : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर सीमा पर कितनी सड़कें कहाँ-कहाँ बनवाई जा रही हैं;

(ख) उन में से कौन सी राज्य सरकारों और कौन सी केन्द्रीय सरकार द्वारा बनवाई जा रही हैं;

(ग) जो सड़कें राज्य सरकारों द्वारा बनवाई जा रही हैं उन के खर्च में कितना केन्द्रीय सरकार और कितना राज्य सरकारों हिस्सा बटा रहा है; और

(घ) केन्द्र द्वारा पंजाब सरकार को ऐसी सड़कें बनवाने के लिये अब तक कितनी रकम दी गई है और १९६१-६२ में कितनी दी जायेगी ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) :

(क) तथा (ख). तफवील प्रकट करना लोक हित में नहीं होगा ।

(ग) वाडर रोड्स डिवेलपमेण्ट बोर्ड के कार्यक्रम के अन्तर्गत सड़कों पर, राज्य पी० डब्ल्यू० डी० द्वारा किया गया सारा खर्च केन्द्रीय सरकार सहन करती है ।

(घ) १९६१-६२ में सीमा सड़कों के निर्माण के लिए, पंजाब सरकार को (वित्त मंत्रालय की १९६१-६२ की डिमांड्स फार ग्रांट्स के पृष्ठ ४०१ के अनुसार) मेजर हेड ८८ ए ४ के अन्तर्गत २० लाख रुपये की एक राशि अनुदान के तौर पर दी गई है ।

Korba Coal Mines

1246. Shri Vidya Charan Shukla: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) since when the National Coal Development Corporation has been working the coal mines in Korba; and

(b) whether any money has been paid to Madhya Pradesh Government

towards its share in profit from the Korba Coal Fields?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Since October, 1956.

(b) It is only on April 1, 1961 that the Madhya Pradesh Government has entered into partnership with the National Coal Development Corporation for working the Korba mine. No share in profits has yet been paid to the Madhya Pradesh Government. The question of such payment will arise only after the year 1961-62 is over, and accounts for that year are finalised.

Import of Drugs and Pharmaceuticals

1247. Shri Jhulan Sinha: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that cases of over-invoicing of imports of raw materials, machinery and parts and particularly of drugs and pharmaceuticals by certain foreign firms have come to the notice of the authorities and that people were actually building up foreign exchange by such over-invoicing; and

(b) if so, the steps taken or proposed to be taken to deal with such cases?

The Minister of Finance (Shri Morarji Desai): (a) A few such cases of over-invoicing of imports have come to the notice of the Government. It cannot, however, be stated at this stage if the over-invoicing was done with a view to building up foreign exchange abroad or with some other motive.

(b) The cases are fully investigated and where the offences are established, necessary action under the Sea Customs Act and other relevant allied enactments, wherever possible, is taken against the offenders, and the offending goods.

Pending Election Petitions

1248. **Shri Supakar:** Will the Minister of Law be pleased to state the number of election petitions filed in 1957 which are still pending before (i) the tribunals and (ii) the appellate courts?

The Deputy Minister of Law (Shri Hajarnavis): The number of election petitions filed in 1957 which are still pending before—

(i) Election Tribunals

(ii) Appellate courts — 4

दिल्ली में न्यायालयों के कर्मचारी

१२४६. **श्री म० ला० द्विवेदी :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली प्रशासन ने भ्रष्टाचार को रोकने के लिये न्यायालयों को यह आदेश दिये हैं कि वहां के कर्मचारी प्रतिदिन दफ्तर आते समय रजिस्टर में यह लिखें कि वे कितने पैसे ले कर आये हैं;

(ख) यदि हां, तो इस आदेश का कहां तक पालन हुआ है; और

(ग) क्या यह देखने के लिये कर्मचारियों ने रिश्तत तो नहीं लीं कभी-कभी उनकी तलाशी भी ली जाती है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातार) : (क) दिल्ली प्रशासन ने ऐसे कोई आदेश जारी नहीं किये हैं, परन्तु सन् १९५४ में तत्कालीन डिप्टी कमिश्नर ने दण्ड न्यायालयों के अधीक्षकों तथा सब रजिस्ट्रारों को यह आदेश दिया था, कि प्रत्येक दिन के शुरू में न्यायालय का स्टाफ अपने पास की रकम को एक रजिस्टर में नोट करें ।

(ख) ६२ अधीक्षकों आदि में से ४६ इस समय ऐसे रजिस्टर रखते हैं ।

(ग) उपरोक्त आदेश इस दृष्टि से जारी किये गये थे, कि काम के दौरान में स्टाफ द्वारा

रिश्तत लेने को रोका जा सके । तलाशी से नैतिक कुप्रभाव के अतिरिक्त विशेष रूप से ईमानदार कर्मचारियों के स्वाभिमान को चोट पहुंचती है, और इस लिए कर्मचारियों की वास्तविक तलाशी तभी ली जाती है, जब भ्रष्टाचार-निरोधक स्टाफ कोई पाश (trap) डाले ।

हिन्दी अफसरों की भर्ती

१२५०. **श्री म० ला० द्विवेदी :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विभिन्न मंत्रालयों में जो हिन्दी अफसर नियुक्त किये जा रहे हैं उन के लिये शिक्षा सम्बन्धी योग्यता कम से कम हिन्दी में एम० ए० रखी जा रही है और इस वजह से ऐसे अनुवादक जिनकी शिक्षा सम्बन्धी योग्यता केवल बी० ए० है लेकिन अनुवाद व भाषा विज्ञान सम्बन्धी अनुभव कई साल का है, इन पदों के लिये प्रार्थना-पत्र नहीं दे सकते; और

(ख) क्या सरकार हिन्दी अफसर के पद के लिये शिक्षा सम्बन्धी योग्यता बी० ए० रखेगी और उसके साथ अनुवाद इत्यादि में चार-पांच साल का अनुभव शामिल किया जायेगा ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातार) : (क) और (ख). सूचना एकत्रित की जा रही है और यथा समय लोक सभा के सभा पटल पर रख दी जायेगी ।

Atlas Steel Plant

1251. { **Shri Ajit Singh Sarhadi:**
Shri Vidya Charan Shukla:

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

(a) whether an agreement has been entered with Atlas Steel of Canada for installing 40 crore alloy steel plant at Durgapur; and

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

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). An agreement has been entered into with Messrs Atlas Steel Ltd., Canada, by Hindustan Steel Ltd., for providing production know-how and training services, in connection with the erection and operation of the Alloy and Special Steel Plant at Durgapur. The services to be provided cover exclusive use of all inventions, patents, secret knowledge and know-how which Atlas possess or own, advice on specifications and plans, on production and operation matters, training of personnel abroad and in India and a number of other matters. The total fee payable to them is 5 million Canadian Dollars (Rs. 23.75 million) in instalments. The agreement terminates after a period of 12 years or six years after the date of commercial production in the Durgapur plant, whichever is earlier.

Farmer's Car

1252. Shri Ajit Singh Sarhadi: Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 927 on the 25th August, 1961 and state:

(a) how far the appreciation of the Defence Establishment about the manufacturing of Farmer's Car has been fruitful; and

(b) whether there is any possibility of such manufacture being taken in hand?

The Minister of Defence (Shri Krishna Menon): (a) As a result of the suggestions made by the Ministry of Defence, M/s. Komatsu Manufacturing Co., of Japan have redesigned their small tractor. The redesigned version is expected shortly. It is proposed to conduct extensive trials on the redesigned version of this car to assess its suitability for civil and defence purposes.

(b) An evaluation of the new model must precede an answer to this question.

Acquisition of Plots

1253. Shri Khimji: Will the Minister of Home Affairs be pleased to state:

(a) whether any restrictions have been placed on the acquisition of plots by persons owning houses in Delhi; and

(b) if so, whether these restrictions are applicable to persons owning houses in slum areas?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Attention is invited to the following paragraph in the statement regarding allotment of acquired land in Delhi, laid on the Table of House on 23rd March, 1961, in reply to the notice under Rule 197 from Sri P. G. Deb:

"No plot will be allotted to any person already owning a residential plot of land or house in Delhi, New Delhi or Cantonment either in his own name or in the name of his wife/husband or other dependent relations including unmarried children. The question of making an exception in the case of persons living in a congested locality or whose family has outgrown would be considered after some experience has been gained of the working of the scheme."

TISCO Personnel

1254. Shri Mahanty: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the TISCO have lodged a protest with the Hindustan Steel Company against alleged weaning away of its trained personnel; and

(b) if so, what steps have been taken by Government in the matter?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). No general protest has been received by Hindustan Steel Ltd. But there was one complaint in August 1961 that the Durgapur Steel Project had interviewed some employees of

the TISCO without their permission. On enquiry it was found that some employees of TISCO had approached the Project authorities for employment and they had been told that they would not be appointed without a 'No objection certificate' from their employers. As a general rule, no candidate serving in one of the private sector plants is considered for appointment by Hindustan Steel Ltd, without the prior concurrence of his previous employer. In view of this, no further action is considered necessary.

Sports Village in Delhi

1255. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) the progress made in the scheme to have a sports village in Delhi and

(b) when it is likely to be finalised and put into practice?

The Minister of Education (Dr. K. L. Shrivastava): (a) and (b). It has not yet been possible to secure the requisite area of land for the project. Details will be worked out after the land is available.

Demands of Bharat Pensioners' Samaj

1256. Shri Harish Chandra Mathur: Will the Minister of Finance be pleased to state:

(a) whether Government have received and considered any Memorandum from Bharat Pensioners' Samaj;

(b) what are the main demands, their financial implication and Government's reaction to the same; and

(c) what is pay bill for Central Government pensioners for each different class and the number of recipients?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The various demands put for-

ward by the Bharat Pensioners' Samaj are as follows:—

(1) A minimum pension, based on the index of prevailing prices, should be fixed and sanctioned for all existing pensioners.

(2) The children of persons with small pensions should continue to enjoy the same educational facilities which they were allowed when their parents were in service.

(3) Pensioners should continue to enjoy the same medical facilities which they enjoyed when they were in service.

(4) To avoid delays in sanctioning pensions and attend to the grievances of pensioners, and find ways and means for utilising their experience, a separate Ministry of Pensions should be created.

(5) The President should be pleased to nominate to the Rajya Sabha and the Governors to the Legislative Councils of their States, representatives of pensioners.

(6) Dearness allowance should be granted to pensioners on the terms as it is to men in active service. In some cases Government have granted dearness allowance to small pensioners who retired after 15th July, 1952. It ignores the claims of old pensioners. This is discriminatory and should be set right.

(7) Restoration of the commuted portion of pension in respect of pensioners surviving the commutation period.

(8) Utilisation of the talent and experience of retired personnel whenever younger men of requisite calibre are not available.

It is not possible to assess the financial implication of the demands. The Government of India have considered all the demands and have not found it possible to accept any of these.

(c) It is not clear what the Hon'ble Member means by "each different class". As such I am unable to guess the kind of information sought by him.

Memorial to Huen Tsang at Nalanda

1257. { Shri Kadiyan:
Shri Warrior:

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

(a) whether Government have any proposal under consideration to construct a memorial at Nalanda to the great pilgrim Huen Tsang who travelled extensively in this country in the seventh century;

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

(c) the estimated cost thereof; and

(d) when the construction of the memorial is expected to begin?

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

(b) 48.08 acres of land have been acquired at Nalanda for the construction of the memorial hall which will also be used as a Centre of Sino-Indian studies. The relics of Huen Tsang received from the Chinese Government in 1957 will be enshrined in the hall.

(c) The estimated cost of the memorial hall is Rs. 11,27,100.

(d) Construction has already started.

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Damage to Crops in Kerala

1258. { Shri Kadiyan:
Shri Warrior:
Shri P. G. Deb:
Shri Tangamani:

Will the Minister of Finance be pleased to state:

(a) whether the requests made by the Bihar, Kerala, Madras and Mysore Governments for financial assistance as a result of the damage caused by recent floods to food and other crops in the State have been considered by Government; and

(b) if so, the action taken in this regard?

The Minister of Finance (Shri Morarji Desai): (a) and (b). So far requests have been received only from the Government of Kerala and Mysore for financial assistance in connection with recent floods. These requests are under consideration. The Government of Mysore have already been given a ways and means advance of Rs. 1 crore to be adjusted later against such grants and loans as the State Government would be eligible to on the basis of actual expenditure.

U.K. Bank Rate

1259. { Shri P. C. Borooah:
Shri Bibhuti Mishra:
Shri D. C. Sharma:
Shri P. G. Deb:

Will the Minister of Finance be pleased to state:

(a) whether the U.K. has recently announced a reduction in the bank rates;

(b) if so, to what extent; and

(c) how it is estimated to affect Indian Economy?

The Minister of Finance (Shri Morarji Desai): (a) and (b). On November 2, 1961 the U.K. Bank Rate was reduced from 6½ per cent to 6 per cent.

(c) A change in the British Bank Rate can affect the Indian economy primarily through its effect on the cost of our borrowing from that country and the flow of banking funds between India and the U.K. Altogether, the effects of the recent reduction in the Bank Rate on the Indian economy may be only marginal.

Royalty for Crude Oil

1260. { Shri P. C. Borooah;
Shri P. G. Deb:

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

(a) whether Government have taken a decision to give royalty to the Gujarat State Government for the crude oil found in that State; and

(b) if so, what is the decision?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The Gujarat Government is entitled to receive royalty from the lessee in accordance with Rule 14 of the Petroleum and Natural Gas Rules, 1959.

Gupta Dynasty Coin

1261. **Shri B. C. Mullick:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a rare gold coin of Gupta Dynasty has recently been acquired by the Archaeological Directorate of West Bengal;

(b) if so, where it was found; and

(c) what is the indication on the coin?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The Government of India has no information

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

Qutab Minar and Red Fort of Delhi and Agra Fort

1262. **Shri Subiman Ghose:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether fees are collected at the gates of the Qutab Minar and the Red Fort of Delhi and the Fort at Agra from visitors;

(b) if so, the amount of collection at each of the gates separately during 1959-60 and 1960-61; and

(b) if so, the amount of collection maintenance of the Qutab Minar and the Red Fort of Delhi and the Fort at Agra during 1959-60 and 1960-61?

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

	1959-60	1960-61
Red Fort . . .	1,12,778	1,28,461
Qutab Minar . . .	44,700	71,713
Agra Fort . . .	78,026	84,422
(c)]		
Red Fort . . .	43,036	14,803
Qutab Minar . . .	6,388	11,889
Agra Fort . . .	32,533	32,986

Conference of Chief Justices

1263. { **Shri Ram Krishan Gupta:**
Shri Kalika Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1971 on the 22nd August, 1961 and state:

(a) whether Government have considered the recommendations of Conference of Chief Justices of the High Courts; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The matter is still under consideration.

Compensatory Allowances to Himachal Pradesh Employees

1264. Shri Ram Krishan Gupta: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2087 on the 22nd August, 1961 and state at what stage is the question of rationalising the rates of compensatory allowances admissible in certain areas of Himachal Pradesh?

The Deputy Minister of Home Affairs (Shrimati Alva): The initial proposals of the Himachal Pradesh Administration regarding the rationalisation of the various rates of compensatory allowances in the Territory were examined and also discussed at the meeting of the Himachal Pradesh Advisory Committee held in October last. It was decided that the Administration should send revised proposals which when received will be examined by the Government.

Barsua ore Mines

1265. Shri Vidya Charan Shukla: Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 91 on the 17th February, 1961 and state:

(a) the results of the trial runs conducted in respect of the Ore handling system at Barsua Mines;

(b) the total quantity of iron ore purchased for the Rourkela Steel Plant during the 11 months delay in the commissioning of the above mines from other sources, separately for each source;

(c) the price at which above supply was obtained; and

(d) the cost of production of iron ore at the Barsua Mines?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The ore processing and handling plant at Barsua had certain minor troubles in the beginning but is now functioning satisfactorily. The plant produced

713 tons per working hour during the week ending the 2nd November, 1961 as against the nominal rated capacity of 700 tons per hour.

(b) During the period December 1959 to October 1960, 5,65,200 tonnes of iron ore were purchased by the Rourkela Steel Project from the State Trading Corporation.

(c) Rs. 11.50 per ton.

(d) The average cost of production of iron ore raised at Barsua Mines by mechanical and manual operations is Rs. 10.19 per tonne for the year 1960-61.

Bogus Passports

1266. Pandit D. N. Tiwari: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that some Pakistani nationals belonging to an international gang dealing in bogus passports have been arrested under Foreigners Act for the infringement of trade rules;

(b) whether it is a fact that investigations have revealed complicity of some Indian and foreign nationals in this affair; and

(c) the steps taken against them?

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.

Steel Allotment to Small Scale Industries

1267. Shri Agadi: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the quantity of iron and steel allotted for Small Scale Industries in Mysore, Andhra Pradesh and Madras States during the years 1959-60, 1960-61 and 1961-62 to date; and

(b) the quantities actually supplied to Small Scale Industries during the

above periods to the above mentioned States respectively?

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

State	1959-60	1960-61	1961-62 (April- Sept.) Res- tricted cate- gories (Sheets & Wires)*
(In Metric Tonnes)			
Madras	15,539	14,291	2,589
Mysore	12,395	13,382	1,347
Andhra	17,475	32,304	5,873

*The allotment figures for 1961-62 are lower (i) because they are for the half-year only, and (ii) because a number of categories of steel are unrestricted for which no allotment is necessary.

(b) Besides direct despatches Small Scale Industries draw their supplies of steel from a number of controlled stockists. Figures of supplies from controlled stockists to Small Scale Industries are not available.

There is no separate quota of pig iron for Small Scale Industries. The quota system of allocation of pig iron was discontinued from the second half of 1959. Consumers can obtain pig iron either from the stockists or from the Producers on indent without any authorisation. Information regarding allotment and despatches (supplies) of pig iron to Small Scale Industries is not available.

Archaeological Excavations in Aswan Dam Site

1268. Shri Agadi: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to the Unstarred Question No. 2045 on 22nd August, 1961 and state:

(a) whether Indian Archaeologists have arrived on the Aswan Dam site in Egypt and started excavation work; and

(b) if so, the details of the reports so far received on their work?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Not yet, Sir.

(b) Does not arise.

Employees of Andhra Pradesh, Maharashtra and Gujarat

1269. Shri Agadi: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that many applications and appeals are pending with Maharashtra, Gujarat and Andhra Pradesh Governments, of the Government employees seeking to have transfer to Mysore State;

(b) if so, the numbers of such applications and appeals pending in each of the above States and applications rejected since 1958-59 to date, in the above states of Maharashtra, Gujarat and Andhra Pradesh;

(c) when these applications are likely to be disposed of;

(d) whether all the applications seeking transfer to Mysore State are referred to Mysore Government for consideration;

(e) whether it is a fact that without ascertaining the views of the Mysore Government some applications were rejected by the Maharashtra Government; and

(f) if so, the number of applications rejected and reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). 290 with the Government of Maharashtra. None with the Governments of Andhra Pradesh or Gujarat. No representation received from persons allotted to Andhra Pradesh for transfer to Mysore has been rejected. 26 representations from persons allotted to Maharashtra have been rejected.

(c) The representations pending with the Government of Maharashtra were once considered by the State Advisory Committee and on their advice individual representations are being examined by the State Government. On completion of such examination they will be placed before the State Advisory Committee and will be disposed of on receipt of their recommendation.

(d) Generally yes. But since the Government of Mysore expressed their inability to consider the reallocation of persons allotted to Maharashtra, the Government of Maharashtra have ceased consulting them.

(e) and (f). Yes, 11. Provisional and final allocations were made by the Government of India on the basis of the mutual agreement between the concerned State Governments. The final allocation orders in respect of allocations between Maharashtra and Mysore were published on 17th March 1960. Thereafter, the Government of Mysore were not willing to re-open and reconsider individual requests for reallocation. The Government of India, therefore, after obtaining the advice of the appropriate Advisory Committee rejected the said 11 representations.

Seizure of smuggled cloves in Ratnagiri District

1270. Shri Agadi: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 2002 on the 22nd August, 1961 and state:

(a) whether the investigation of the seizure of smuggled cloves in Ratnagiri District is completed;

(b) if not, the reason for the abnormal delay therefor;

(c) the date on which investigation actually started;

(d) whether any more similar cases of smuggling have come to the notice

of the Government since 27th April, 1960; and

(e) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) Does not arise.

(c) The investigation started immediately after the seizure, i.e. on 27th April, 1960. It appeared later on that the officer who had conducted this investigation was also involved in the case itself. As a result he was suspended, and a fresh investigation had to be started.

(d) No, Sir.

(e) Does not arise.

I.A.S. Etc. Examinations

1271. Shri Manay: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the U.P.S.C. consider total aggregate marks for determining the merit of candidates appearing for examinations held by it for the posts of I.A.S., I.P.S. and other Class I posts; and

(b) if so, what is the minimum aggregate percentage fixed for selection of Scheduled Castes/Tribes candidates appearing for such posts?

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

(b) No minimum aggregate is prescribed for any class of candidates. Under the rules for the Competitive Examination, the Commission have discretion to fix qualifying marks in any or all of the subjects at the examination. However, the Commission is empowered to recommend for appointment candidates belonging to Scheduled Castes/Tribes, who, though not qualified by the standard prescribed by the Commission are declared by the Commission to be suitable for appointment with due regard to the maintenance of efficiency.

Correspondence Course

1272. { Shrimati Maimoona Sultan:
Shri Chuni Lal:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 947 on the 25th August, 1961 and state:

(a) whether the Expert Committee appointed to work out the details of the Correspondence Courses Scheme has since submitted its report;

(b) if so, what are their main recommendations; and

(c) what are the Government's decisions thereon?

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

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

दिल्ली में मकानों की कमी का सर्वेक्षण

१२७३. श्री बलराज मधोक : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दिल्ली में मकानों की कमी का पता लगाने के लिए कोई सर्वेक्षण किया है ;

(ख) यदि हां, तो उसका व्योरा क्या है ; और

(ग) यदि नहीं, तो सरकार का निकट भविष्य में इस प्रकार का सर्वेक्षण करवाने का विचार है जिससे आवास समस्या को मूलक्षेत्र में सहायता मिल सके ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातार) : (क) मास्टर प्लान के प्रारूप में दिल्ली की मकानों की कमी का सामान्य अनुमान दे दिया गया है ।

(ख) अस्थायी अनुमान के आधार पर दिल्ली में इस समय लगभग १,४०,००० मकानों की कमी है ।

(ग) प्रश्न ही नहीं उठता ।

Grant to Kerala University

1274. Shri Kodiyan: Will the Minister of Education be pleased to state:

(a) whether the Kerala Government have requested the Centre to increase the financial grant now being given to the Kerala University;

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

(c) what was the total amount given to the Kerala University during the Second Five Year Plan by way of grant?

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

(b) Does not arise.

(c) 59,28,509-73 nP.

Indian Air Violation by a Fighter Aircraft

1275. Shri M. B. Thakore: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that on the 16th and 17th October, 1961 between 8.45 A.M. and 9 A.M. a sound of a fighter aircraft was heard in North Mehsana District of Gujarat State on Pakistan border and the aircraft was not visible to naked eyes in the clear sky;

(b) if so, the details thereof; and

(c) if not, whether Government would enquire into this incident?

The Minister of Defence (Shri Krishna Menon): (a) to (c). Government have no such information and received no report of sounds heard. Government cannot therefore inquire into this but will have regard to the alleged occurrence and make some enquiries in the best way possible.

Bhilai Steel Plant

1276. Shri Aurobindo Ghosal: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that a huge stock of rails has been lying piled up in the Bhilai Steel Factory; and

(b) if so, the reasons therefor?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). At times the stocks accumulate due to somewhat irregular supply of wagons. Accordingly some stocks had accumulated in October which have been mostly cleared by the end of November.

Allocations for Primary Education

1277. { **Shri Pahadia:**
Shri N. M. Deb:
Shri Warrior:

Will the Minister of Education be pleased to state:

(a) whether the Council for Elementary Education has recommended increase in the amount allotted for Third Plan for primary education.

(b) whether it has also expressed grave concern about shortage of teachers; and

(c) if so, what is the Government's reaction to these recommendations?

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

(b) Yes, Sir.

(c) The matter is under consideration at present.

Lawn Tennis Association

1278. **Shri Tangamani:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Lawn Tennis Association has been receiving regularly for some years, from the All England Lawn Tennis and Croquet Club, a considerable sum of money in sterling towards the expenses of the players on a "pro rata" basis;

(b) if so, whether Government are aware of the use made of this sum by the Lawn Tennis Association; and

(c) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). Necessary information is being collected and will be placed on the Table of the House in due course.

Indian Participants at Wimbledon

1279. **Shri Tangamani:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the foreign exchange was made available to Indian participants (lawn tennis) at Wimbledon two days after the start of Wimbledon;

(b) whether it is a fact that the foreign exchange was sanctioned to Lawn Tennis Association much in advance of the team's departure;

(c) if so, the amount sanctioned; and

(d) the amount given to each individual of the team?

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

(b) Yes, Sir. The Exchange Release order was sent to the Association on 17th May, 1961.

(c) £ 345/-. Besides, the Association received an amount of £ 350 from the Wimbledon authorities.

(d) (1) Krishnan . . .	£ 100
(2) Mukerjee . . .	£ 60
(3) Akhtar Ali . . .	£ 60
(4) Premjit Lal . . .	£ 60
(5) Naresh Kumar . . .	£ 50
(6) Narendra Nath . . .	£ 50

Kerbside Pumps in Kerala

1280. **Shri P. G. Deb:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Kerbside pumps have been installed by Indian Oil Company in Kerala; and

(b) if so, the amount spent in the matter?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b).

Upto 30th November, 1961 one dealer ship pump at Cochin and 17 consumer pumps have been installed at various places by the Indian Oil Company Ltd. The expenditure incurred therefor amounts to Rs. 1,50,000 (Rupees one lakh and fifty thousand only) approximately.

Naga Hostiles

1281. **Shrimati Mafida Ahmed:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that three Nagas were killed and five were kidnapped by hostile Nagas on 30th October, 1961 from Thangal village in the Tamenglong Sub-division of Manipur; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Four Nagas were kidnapped from Thangal village in the Tamenglong Sub-division on the 31st October, 1961 at about 1 a.m. At about 9 a.m. on the same day three dead bodies of the kidnapped persons were found with bullet injuries on the road about a mile away from the village by a village search party. One of the kidnapped persons is still untraced. A case has been registered by the Police and is under investigation.

Clothing Factory in Avadi

1282. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether the clothing factory at Avadi which was closed after the war has been re-started;

(b) if so, since when;

(c) whether production has started; and

(d) if not, when production is likely to start?

The Minister of Defence (Shri Krishna Menon): (a) A new Clothing factory has been set up at Avadi.

(b) 1st November 1961.

(c) Yes, Sir.

(d) Does not arise.

Strike of Teachers of Secondary Schools in West Bengal

1283. **Shri Balraj Madhok:** Will the Minister of Education be pleased to state:

(a) whether thousands of teachers of non-Government Secondary Schools in West Bengal have struck work causing closing of hundreds of schools;

(b) what are their specific demands;

(c) whether the West Bengal Government have approached the Centre for financial aid to meet the demands of striking teachers; and

(d) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimani): (a) About 8,000 teachers out of over 33,000 teachers in West Bengal participated in the cease work programme organised by the All Bengal Teachers' Association on the 18th and 19th September, 1961. The movement was called off by the Association with effect from 20th September, 1961.

(b) The specific demands were as follows:—

(i) Setting up of a Correlation Committee, as recommended by the De Commission, to co-ordinate the different stages of education Primary, Secondary and Higher;

(ii) Setting up of a "Wage Board", and unconditional Government D.A. of Rs. 35 for all teachers, clerks and librarians and of Rs. 10 for subordinate staff;

(iii) Setting up of a Service Committee to extend necessary protection to teachers; and

(iv) Setting up of an Autonomous and Democratic Board of Secondary Education with

one-third of its members being elected representatives of Secondary School Teachers.

(c) No, Sir; but the State Government has written to the Government of India, requesting for increase of provision in the Third Plan of the State for Education.

(d) The State Government has requested that the Plan provision for improvement of conditions of service of Teachers of Primary (including Basic) and Secondary schools be increased from 3.65 crores to 10.81 crores. The request of the State Government is under consideration.

Ex-I.N.A. Personnel

✓ 1284. Shri Balraj Madhok: Will the Minister of Home Affairs be pleased to state:

(a) the nature of concessions granted to political sufferers;

(b) the number of Indian National Army Personnel who availed of the concessions; and

(c) whether the accounts of those I.N.A. personnel whose accounts were not settled at the time of their removal from Government service by the British will now be settled?

The Minister of State in the Ministry of Home Affairs (Shri Da'ar): (a) Counting of previous service as well as break in service for pay, seniority, confirmation and promotion on re-employment under Government, in the case of ex-Central Government servants; educational concessions to children of political sufferers by way of stipends; book grants, free seats in hostels; non-recurring lump sum financial grants to political sufferers and their dependents who are in indigent circumstances small loans for starting industry or business; allotment of house plots at concessional rate to displaced political sufferers.

Participation in national movements is also treated as an additional quali-

fication for entry into public service.

(b) Requests for grant of concessions admissible to political sufferers, are decided by Ministries and State Governments administratively concerned. Information regarding the number of I.N.A. personnel who have availed of these concessions is not readily available.

(c) So far as Government are aware, all claims in respect of ex. I.N.A. personnel have been finally settled.

मकान का किराया काटना

१२८५. श्री बलराज मधोक : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) कि १५० रुपये से कम बेसिक वेतन पाने वाले सरकारी कर्मचारियों से नियमानुसार $7\frac{1}{4}$ प्रतिशत मकान किराया काटने के बजाय वेतन में कम्पन्सेटरी एलाउन्स जोड़ कर १० प्रतिशत किराया काटने के क्या कारण हैं ; और

(ख) मंहगाई भत्ता देने के समय कम्पन्सेटरी एलाउन्स बेसिक वेतन में न जोड़ने के क्या कारण हैं ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) सरकार ने दूसरे वेतन-आयोग (ने कमीशन) की यह सिफारिश मान ली है कि "सरकारी मकान का किराया पूरक भत्ते (कम्पन्सेटरी एलाउन्स) सहित वेतन के आधार पर काटने की मौजूदा प्रणाली जारी रखी जाये।" इसलिये सभी से पूरक नगर भत्ते सहित उपलब्धियों (इमोल्यूमेण्ट्स) के के आधार पर किराया लिया जाता है। जब उपलब्धियां (इमोल्यूमेण्ट्स) १५० रुपये मासिक या इससे ज्यादा होती हैं तब केवल वेतन १५० रुपये मासिक से कम होने पर भी किराया १० प्रतिशत के हिसाब से लिया जाता है। $7\frac{1}{4}$ प्रतिशत मकान किराया उन्हीं सरकारी कर्मचारियों से लिया जाता

है जिनकी उपलब्धियां १५० पये मासिक से कम हैं।

(ख) पूरक भत्ते केवल वेतन के आधार पर दिये जाते हैं। मंहगाई भत्ता भी केवल वेतन के आधार पर दिया जाता है। एक पूरक भत्ता दूसरे पूरक भत्ते सहित वेतन के आधार पर देना अनियमित होगा, क्योंकि इसका अर्थ यह होगा कि मंहगाई भत्ता पूरक (नगर) भत्ते और मकान किराया भत्ते पर दिया जाय और तब ये दोनों भत्ते भी एक दूसरे पर और मंहगाई भत्ते पर भी देने पड़ेंगे।

Schools for Tibetan Students

1286. Shri Raghunath Singh: Will the Minister of Education be pleased to state the number of schools that are being opened and/or being run for the education of Tibetan students?

The Minister of Education (Dr. K. L. Shrimali): Twenty-one.

Borrowings

1287. Shri Raghunath Singh: Will the Minister of Finance be pleased to state the amount borrowed in and outside the country during the last three months and payment made on the old borrowings?

The Minister of Finance (Shri Morarji Desai): The figures of borrowings and repayments inside India during the months September to November, 1961 are as under:

Borrowing Repayments

Market loans	Nil	41.35 crores
Treasury bills	1012.84 crores	1066.55 „

As regards borrowings and repayments outside India, the figures upto the end of November 1961 are not yet available. The figures for the quarter ending October, 1961, however, are Rs. 84.67 crores and Rs. 9.32 crores respectively.

Ankleshwar Oil

1288. Shri Raghunath Singh: Will the Minister of Steel, Mines and Fuel be pleased to state whether after re-examining it is now settled that Ankleshwar may yield less oil than expected?

The Minister of Mines and Oil (Shri K. D. Malaviya): Yes, Sir. On the basis of additional drilling it is thought that the optimum annual production may be less to some extent than earlier estimates.

Bilingual Primers

1289. Shri Kalika Singh: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1098 on the 19th August, 1959 regarding Bilingual Primers and state:

(a) the number of booklets of Basic Hindi Vocabulary published and distributed by sale or otherwise in different States or institutions so far;

(b) whether Primers in accordance with item (ii) of the answer have been printed and distributed;

(c) if so, in what numbers and States;

(d) whether panels of authors have been formed;

(e) if so, the personnel of panels in different States and the work done by them so far; and

(f) the progress made with regard to the proposal to bring out bilingual primers?

The Minister of Education (Dr. K. L. Shrimali): (a) 5,000 copies of each of the two booklets containing 500 words and 2000 words of Basic Hindi Vocabulary were published. 4,070 and 4,360 copies of the booklets respectively have been distributed to the States and institutions, and to individuals on demand. These booklets are distributed free of cost.

(b) No, Sir.

(c) Does not arise.

(d) and (e). The work of writing primers and readers has been entrusted to the Kendriya Hindi Shikshak Mahavidyala, Agra.

(f) The work of preparation of Bilingual Primers was entrusted to the Dakshin Bharat Hindi Prachar Sabha, Madras. The Sabha have informed that they have completed primers in Hindi-Tamil and Hindi-Malayalam and steps are afoot to take in hand the work in respect of other primers. The Sabha is also arranging the publication of these primers and the expenditure involved in this behalf will be borne by the Government of India.

Replacement of Indian Currency by Kuwait

1290. **Shri Kalika Singh:** Will the Minister of Finance be pleased to state:

(a) the reasons why Kuwait decided to replace the Indian currency with Dinar currency with effect from the 1st April, 1961;

(b) whether Dinar is dependent upon and linked with the sterling security of the Bank of England or is an independent currency; and

(c) whether the initiative to discontinue the Indian currency in Kuwait came from U.K.?

The Minister of Finance (Shri Morarji Desai): (a) Kuwait is an independent sovereign country, and was entitled to introduce its own local currency. The Government of India are not in a position to indicate the precise reasons why the decision to introduce the Kuwaiti dinar from the 1st April 1961 was taken.

(b) The Kuwaiti dinar is an independent currency unit. It is understood however that provision has been made for the assets of the Kuwait Currency Board to be held to a substantial extent in the form of sterling securities.

(c) The Government of India have no information on this point.

Fort at Sambhal

1291. **Shri Balraj Madhok:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state.

(a) whether Prithvi Raj's old fort at Sambhal (Uttar Pradesh) is a protected monument; and

(b) if so, what steps are being taken to prevent its demolition and destruction by interested persons in search of old hidden treasures?

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

(b) Does not arise.

Dress Quota for Police Personnel in Delhi

1292. **Shri Balraj Madhok:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that police constables in Delhi are issued only one shirt and one half pant annually;

(b) whether it is also a fact that this dress quota is quite insufficient and that police personnel have to spend from their own pockets to supplement this quota; and

(c) whether Government would take steps to increase the annual ration of clothing to the police personnel?

The Minister of State in the Ministry of Home Affairs (Shri Datta): (a) On joining the Delhi police, Constables are supplied with various articles of uniform including two shirts and two shorts of which one shirt and one short is replaced annually.

(b) Government consider the uniform quota of constables to be adequate. No instance of the police personnel spending money from their pockets has come to notice.

(c) No such proposal is under consideration.

दिल्ली में प्लाट

१२६३. श्री बलराज मधोक : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली प्रशासन द्वारा कम आय के लोगों के लिए बनाये गये प्लाटों का मूल्य २५ पये प्रति वर्ग गज निश्चित किया गया है ;

(ख) इन प्लाटों की भूमि को लेने के लिये सरकार को प्रति वर्ग गज कितना दाम देना पड़ा है और प्रति वर्ग गज विकास पर कितना खर्च आया है ;

(ग) क्या यह सच है कि यह कीमत प्राइवेट कालोनाइजरो द्वारा डेवेलप की गई भूमि में बनाये गये प्लाटों की अपेक्षा कहीं अधिक है ; और

(घ) इस कीमत को कम करने के लिये सरकार क्या कर रही है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातर) : (क) और (ख). इस सम्बन्ध में तारांकित प्रश्न संख्या ३३८ दिनांक २७ नवम्बर, १९६१ के उत्तर की ओर ध्यान आकर्षित किया जाता है ।

(ग) जी नहीं ।

(घ) इन नहीं उठता ।

अपर डिवीजन क्लर्क

१२६४. श्री बलराज मधोक : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सचिवालय में असिस्टेंट और अपर डिवीजन क्लर्क को एक जैसा काम करना पड़ता है ;

(ख) क्या यह भी सच है कि अपर डिवीजन क्लर्क के अलग ग्रेड को १५ वर्षों के

बाद १९५४ में चालू किया गया था ;

(ग) क्या यह सच है कि इसके कारण अपर डिवीजन क्लर्कों की पदोन्नति बहुत हद तक रुक गई है ; और

(घ) क्या सरकार अपर डिवीजन और असिस्टेंट ग्रेड को मिला कर एक कर देने पर विचार कर रही है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातर) : (क) जी नहीं । असिस्टेंटों से कठिन व क्लिष्ट मामलों का टिप्पण व मसौदा बनवाया जाता है । इसके विपरीत अपर डिवीजन क्लर्कों को वह कार्य दिया जाता है, जो न तो इतना महत्वपूर्ण हो, कि असिस्टेंटों से कराया जाए, और न ही इतना साधारण प्रकार का हो, कि उसे लोअर डिवीजन क्लर्क करें ।

(ख) सचिवालय में अपर डिवीजन क्लर्कों का ग्रेड १९३९ में समाप्त किया गया था और प्रथम मई, १९५४ से केन्द्रीय सचिवालय क्लैरिकल सेवा के प्रारम्भिक संघठन के समय पुनः लागू किया गया था ।

(ग) जी नहीं ।

(घ) पिछले वर्ष अपर डिवीजन क्लर्क के ग्रेड को समाप्त करने के प्रश्न पर विचार किया गया था, और यह निश्चय किया गया था कि इस ग्रेड को जारी रखा जाए । तत्पश्चात् कुछ अभ्यावेदन प्राप्त हुए हैं, तथा उन पर विचार किया जा रहा है ।

Dearness Allowance of Pensioners

1295. { Shri Vidya Charan Shukla:
Shri Anirudh Sinha:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that different scales of dearness allowance are obtaining in respect of Government pensioners of the same category, based on the fact of the pension amounts being above or below

Rs. 100 per month and the pensioner having retired before or after the 15th July, 1952;

(b) if so, reasons therefor;

(c) whether it is also a fact that the case of 'existing pensioners' was excluded from the terms of reference of the 1952 Gadgil Committee and the 1957 Central Pay Commission resulting in the recommendations of both these bodies being not applicable to the pensioners who had retired prior to its appointment;

(d) if so, reasons therefor; and

(e) what steps, if any, are being taken to bring about the grant of uniform rate of dearness allowance to pensioners of the same category and also to ameliorate their lot vis-a-vis the rising cost of living?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Persons who retired before 15th July, 1952 with pension not exceeding Rs. 100 per month, are allowed temporary increase of Rs. 12.50 p.m., with marginal adjustments, upto Rs. 112.50 nP. This increase is not admissible to persons who retired after that date because they had their normal pensions enhanced by the merger of dearness pay in their emoluments, consequent on the acceptance of the Gadgil Committee's recommendations.

(c) The case of pensioners who retired before 15th July, 1952 was not referred to the Gadgil Committee. But the Committee stated in its report that some pensioners' associations had represented to it for relief for low paid pensioners. The Committee, however, pointed out that this was outside the scope of their terms of reference.

The question of affording relief to pensioners was considered by the Second Pay Commission, which was of the opinion that though claim for relief did not arise on contractual grounds, some relief may be allowed on humane ground, to pensioners in receipt of pension not exceeding

Rs. 200 per month. Government decided that for financial considerations it was not practicable to provide relief to pensioners against the cost of living.

(d) The Gadgil Committee was appointed to consider the question of merger of dearness allowance with basic pay, for those Government servants, who were in service on the date of appointment of the Committee.

(e) Government have no proposal under consideration at present for granting dearness allowance to pensioners.

Coal Deposits in Orissa

1296. Shrimati Renuka Ray: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that huge coal deposits have been found in the Talcher Coal Fields in Orissa; and

(b) if so, what is the quality of the coal and when the exploitation work is likely to start?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes. Significant quantities of additional reserves have been proved in recent years.

(b) In the lowest seams the quality varies from Selected Grade to Grade II, while in the upper seams the coal is likely to be inferior. A new open-cast mine has already been opened by the National Coal Development Corporation here and it went into production in December, 1960.

Copper Ore in Ladakh

1297. Shri P. G. Deb: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is any scheme to exploit the copper ore in Ladakh; and

(b) what is the total estimate of copper in Ladakh?

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

(b) The information is not available. As no survey has yet been done.

Report on Working of Central Excise Department

1298. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 974 on the 25th August, 1961 and state:

(a) whether the seven member committee constituted to carry out a comprehensive examination of the working of the Central Excise Department and to make recommendation for its reorganisation has submitted any report so far; and

(b) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir. The Committee has now been given time up to 31st July, 1962, to submit its report.

(b) Does not arise.

Simplification of Procedure in Courts

1299. Shri Ram Krishan Gupta: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 975 on the 25th August, 1961 and state:

(a) whether the reconstituted Law Commission has considered the question of simplifying the procedure in courts; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The question is still under examination by the reconstituted Law Commission.

(b) Does not arise.

Shuddha Ayurvedic Courses in Banaras Hindu University

1300. Shri Ram Krishan Gupta: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 906 on the 14th August, 1961 and state:

(a) whether the scheme to start Shuddha Ayurvedic courses in the Banaras Hindu University has been finalised; and

(b) if so, the result thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The matter is still under consideration.

Land Survey Work in Kailasahar, Tripura

1301. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have recently received any representation from the people of Kailasahar, Tripura, to postpone land survey works during the months of Agrahayan and Poush as a huge quantity of paddy crops is being destroyed during the operations; and

(b) if so, what steps have been taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Two representations were received containing the request that the survey operations be postponed in Kailasahar Sub-Division till the standing crops have been harvested.

(b) Orders have been issued to the Field staff to avoid damage to the crops. They have been instructed either to leave out the fields with standing crops from the survey operations or in emergent cases to carry these operations by holding the chains above the crops so that the standing crops are not damaged.

Swasti Samity of Tripura

1302. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether any final demarcation of the areas of land allotted to Swasti Samity in Tripura has been made;

(b) if so, what is acreage of excess

land so far occupied by Swasti Samity of Kanchanpur; and

(c) whether any steps are being taken to bring such excess land under the Government control for the distribution of the same among the poor and landless people of the area concerned?

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.

Land in Possession of Tribals in Kanchanpur

1303. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a considerable amount of land in Kanchanpur Area (Tripura) which was given as settlement to Swasti Samity, has been under possession of tribal peasants long before the advent of Swasti Samity;

(b) whether it is a fact that Swasti Samity has been attempting to evict those tribal occupants from their occupied land which they themselves reclaimed; and

(c) if so, what remedy do Government offer to those tribals for the protection of their lands?

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.

Agricultural Loans to D.Ps. in Tripura

1304. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether any representation has been made to Government to write off the agricultural loan which was provided to the D.Ps. in Tripura; and

(b) if so, whether any decision has so far been arrived at by the Government of India in the matter?

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

(b) The matter is under consideration.

One-Rupee Currency Press

1305. Shri Yadav Narayan Jadhav: Will the Minister of Finance be pleased to state:

(a) the progress in the construction of one rupee currency press at Nasik;

(b) when the work of actual printing of one rupee note will commence;

(c) what will be the capacity of the Press; and

(d) what will be the requirement of staff and other establishment?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Most of the machines have already been erected and are working.

(c) The installed capacity of the press, when fully commissioned, will be 5.4 million pieces of notes per day of 8 hours' working.

(d) It is estimated that the total number of industrial labour and other staff will be about 1,400.

Requisition of Land in Maharashtra

1306. Shri Yadav Narayan Jadhav: Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 3684 on the 21st April, 1961 and state:

(a) the progress in the payment of acquisition costs and rental dues of the lands that have been acquired and taken on rent for military purposes in the District of Nasik, in Maharashtra State;

(b) whether any decision has been taken to acquire more lands in 1961-62; and

(c) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon): (a) Rs. 1.41 crores out of a total estimated cost of Rs. 1.46 crores for acquisition of about 27,738 acres of land have been disbursed. The remaining amount has not been disbursed because the cases are under reference to arbitration.

In addition to above, land measuring about 373 acres is in the process of acquisition and as such no compensation has so far been assessed.

Rentals in respect of hired lands have been paid upto 12-11-1960 and 13-5-1960 in two cases and upto 31-3-1960 in all other cases except for two plots where the owners have expired and legal successors have not yet been decided by the Collector.

(b) No.

(c) Does not arise.

MES Employees in Jorhat (Assam)

1307. Shri M. B. Thakore: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the civilian staff of M.E.S. employed at Jorhat (Assam) is not paid the project allowance whereas their counter-parts in the C.P.W.D. working along with them at the same project are getting it;

(b) if so, reasons therefor; and

(c) the steps proposed to be taken to remove the disparity in the matter?

The Minister of Defence (Shri Krishna Menon): (a) Neither the C.P.W.D. nor the M.E.S. staff employed at Jorhat get any project allowance.

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

MES Employees in Jorhat (Assam)

1308. Shri M. B. Thakore: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the civilian employees of M.E.S. used to

be posted at Jorhat in Assam for a fixed period;

(b) whether it is also a fact that Government have recently decided to do away with the system of fixed tenure for this category of persons;

(c) if so, the reasons therefor;

(d) whether it has come to the notice of Government that a large number of employees who have since completed their tenure period, have been adversely affected by the above decision; and

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

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

(b) M.E.S. authorities have recently decided to do away with the tenure system at Jorhat.

(c) The factors which are taken into account in declaring a particular station as a tenure station, viz., lac of educational, medical, marketing and recreational facilities no longer exist in Jorhat. In the interests of administration, it is also necessary to curtail the number of tenure stations.

(d) and (c). Some representations have been received against this decision. These are under consideration of Government.

New Cachar Road

1309. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some irregularity for the over spending of sanctioned expenditure on the construction of the New Cachar Road was detected by the Vigilance Department of the Manipur Administration; and

(b) if so, what action was taken on the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Does not arise.

Posts of Store-keepers in Natural Gas and Oil Commission

1310. **Shri Bahadur Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether some posts of store-keepers were announced by the Natural Gas and Oil Commission at Dehradun;

(b) the number of posts announced;

(c) the number of candidates called for interview during the months of June and July, 1961;

(d) the number of posts reserved for the scheduled castes;

(e) the qualifications fixed for the candidates;

(f) the number of posts already filled in by the end of October, 1961;

(g) the number of posts filled out of the reserved posts;

(h) the qualifications of the candidates who appeared for reserved posts; and

(j) the qualifications of the scheduled castes candidates who have been selected for posts and have been appointed?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Twenty posts were advertised in March, 1961.

(c) Fifty-two.

(d) Three.

(e) (i) Graduate from a recognised University. (ii) Minimum five years' practical experience in maintenance of stores.

Qualifications relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.

(f) Seven.

(g) One.

(h) Only two candidates appeared for the reserved posts. Their qualifications—

fications were: (i) Graduate with three years' experience in clerical line but no experience of stores. (ii) Matriculate with seven years' experience in Stores.

(j) Out of the two candidates one was selected and appointed. He is a Matriculate with seven years' experience of stores.

Custom House, Madras

1311. **Shri A. K. Gopalan:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1036 on the 14th August, 1961 and state:

(a) progress made in the construction of the new Customs House building in Madras;

(b) the date by which the work will be completed;

(c) the monthly rent paid for the premises rented for the offices of the Customs;

(d) whether any action has been taken against the contractor; and

(e) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) Work on the superstructure of the front portion of the building has started.

(b) By the end of 1963.

(c) Rs. 8,405.00 nP. per mensem.

(d) and (e). The work of pile foundation was awarded to another firm at the risk and cost of the original contractor. The amount of additional expenditure is proposed to be recovered from the original contractor.

चुनाव याचिका

१३१२. श्री अर्जुन सिंह भौरिया : क्या बिधि मन्त्री चुनाव याचिकाओं के बारे में अतारांकित प्रश्न संख्या ३०१६ के १० अप्रैल, १९६१ को दिये गये उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश

विधान सभा के ५ व्यक्तियों में से जिस एक सदस्य की चुनाव लड़ने के लिये दो वर्ष की अवधि में से २ माह की अवधि कम करने की प्रार्थना को अस्वीकार कर दिया गया था, उसे पुनः स्वीकार कर लिया गया है; और

(ख) यदि हाँ, तो इस प्रार्थना की पहले अस्वीकार करने के क्या कारण थे और अब किस आधार पर यह स्वीकार कर ली गई है ?

विधि उपमंत्री (श्री हजरतबीस)

(क) जो हाँ ।

(ख) उच्च न्यायालय ने अपील में जो निर्णय इस आशय का दिया था कि उम्मीदवार ने पिछले साधारण निर्वाचन में यह भ्रष्टाचार किया था कि उसने निर्वाचकों को मतदान केन्द्र तक लाने और वहाँ से उन्हें ले जाने के लिये मोटरगाड़ी भाड़े पर लो था; उससे वह जिस अनर्हता के अर्चन हो गया था उसके हटाये जाने के लिये उसने मूलतः आवेदन किया था । विधान सभा में स्थान खो देने से और लगभग तीन वर्षों तक निर्वाचन याचिका का प्रतिविरोध करते रहने से उम्मीदवार को जो कष्ट भोगना पड़ा है उसे ध्यान में रखते हुए निर्वाचन आयोग ने अनर्हता की अवधि को छः वर्ष से घटा कर दो वर्ष कर दिया था । उम्मीदवार ने आयोग से पुनः यह आवेदन किया था कि अनर्हता की अवधि और कम कर दो जाये । आयोग का यह विचार था कि मतदान केन्द्र तक मतदाताओं के ले जाने के लिये ट्रैक्टर भाड़े पर लेना निर्वाचन विधि का इतना गम्भीर उल्लंघन नहीं समझा जा सकता है जिससे कि उम्मीदवार को आगामी साधारण निर्वाचन में चुनाव लड़ने से वंचित कर दिया जाये और यह कि अपने भ्रष्ट आचरण के परिणाम वह सभी व्यवहारिक प्रयोजनों के लिये अप्रैल, १९५९ से भुगत चुका है । अतः आयोग ने अनर्हता की अवधि में दो मास की और कमी कर दी। उम्मीदवार

की यह अनर्हता २३ दिसम्बर, १९६१ को समाप्त हो जायेगी ।

Citizenship Act

1313. Shri Kunhan: Will the Minister of Home Affairs be pleased to state whether it is a fact that the Supreme Court has recently held that by section 9(2) of the Citizenship Act, the jurisdiction of the ordinary courts to determine whether or not a citizen of India has so lost his citizenship is excluded and that the decision of the executive authority is final?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The Supreme Court has, in Criminal Appeal No. 192 of 1959, held that in view of Section 9(2) of the Citizenship Act, 1955, a court cannot decide whether an Indian Citizen has acquired the citizenship of another country.

Citizenship Rules

1314. Shri Kunhan: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that under the Citizenship Rules framed under the Citizenship Act, the burden of proving that a citizen of India has not acquired the citizenship of another country is cast on the citizen concerned;

(b) whether it is a fact that under the Citizenship Rules, the fact that a citizen of India has obtained on any date a passport from the Government of any other country shall be a conclusive proof of his having voluntarily acquired the citizenship of that country before that date; and

(c) whether it is a fact that under the said rules no hearing need be given to the person concerned before his citizenship is taken away?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The reply is in the affirmative.

(c) The Rules do not prescribe personal hearing. But under the procedure followed, the person concerned is afforded an opportunity to submit such evidence or material as he may wish to be taken into consideration by the Central Government in the determination of his citizenship.

Government Partnership with Stanvac Ltd.

1315. Shri P. C. Borooah: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that Government asked the Stanvac Ltd. to accept Government partnership in the proposed Naptha Cracker Project at their Bombay refinery; and

(b) if so, what is the Company's response to this proposal?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) During preliminary discussions, such a suggestion was made.

(b) The Company has offered equity participation to private Indian investors.

Yarakala and Eradi Communities in Andhra Pradesh

1316. Shri Madhusudan Rao: Will the Minister of Home Affairs be pleased to state:

(a) whether the Government of Andhra Pradesh have since agreed to treat the Yarakala and Eradi communities of Telangana area at par with other tribes of Andhra Pradesh;

(b) if so, the details thereof; and

(c) if the reply to part (a) above be in the negative, the reasons for not accepting the proposal?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The proposals of the State Governments regarding the revision of lists of Scheduled Castes and Scheduled Tribes are still under examina-

tion. Meanwhile it will not be in the public interest to divulge the recommendations made by the State Governments.

Coal Shortage in Orissa

1317. Shri Chintamani Panigrahi: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether any coal dumps have been established in Orissa for meeting the shortage of coal supply in that State;

(b) whether Government are aware that at Sakhigopal and Puri there is huge shortage of coal; and

(c) if so, what steps are being taken to remove this difficulty?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The Government of Orissa have tentatively decided to set up coal dumps at Cuttack, Jharsuguda, Berhampore and Balasore, but the dumps have not yet started functioning.

(b) and (c). Government have received no specific report about shortage of coal at Sakhigopal and Puri, but the position of coal supplies to the State of Orissa has improved. The total despatches of coal to the State of Orissa by rail during the current year upto October, 1961 have been 46,380 wagons as against 36,603 wagons despatched during the corresponding period in the year 1960. Under the present system of planned movement of certain categories of coal, it is for the State Government to draw up programmes of coal movement to specific places, and they would no doubt take into account the need of areas where there are shortages.

Text Books of Delhi Schools

1319. Shri Balraj Madhok: Will the Minister of Education be pleased to state:

(a) whether it is a fact that school text-books in Delhi are changed very

often to the disadvantage of the students and their parents;

(b) whether it has been suggested to Government that as a rule there should be no change in the text-books for five years; and

(c) if so, what is Government's reaction to such a suggestion?

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

(b) No such suggestion has been received.

(c) Does not arise.

Steno-Typists and Stenographers

1321. Shri Balraj Madhok: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Steno-typists in the Secretariat and Non-Secretariat offices are in the pay scale of Rs. 110—180 plus Rs. 20 p.m. special pay and are tested at a minimum speed of 80 words per minute in shorthand by the Department/Ministry concerned;

(b) whether it is also a fact that the lowest grade Stenographers in the non-Secretariat offices are in the pay scale of Rs. 130—300 and are tested at a minimum speed of 100 words per minute in shorthand by the Department concerned;

(c) whether it is a fact that the lowest grade stenographers in the Secretariat offices are in the pay scale of Rs. 210—530 and are tested at a minimum speed of 100 words per minute in shorthand by the U.P.S.C.;

(d) whether it is a fact that the nature of work and duties and responsibilities of lowest grade Stenographers working in the Secretariat as well as non-Secretariat offices are the same; and

(e) if so, what is the justification for this disparity in the pay scales of lowest grade stenographers working

in Secretariat and non-Secretariat offices?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). Yes.

(d) No.

(e) Does not arise.

Pragati Bidyalaya, Agartala

1322. Shri Dasaratha Deb: Will the Minister of Education be pleased to state:

(a) whether the attention of Government has been drawn to the mismanagement of the fund of Pragati Bidyalaya, Agartala; and

(b) if so, what steps are being taken to locate the culprits and to punish them?

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

(b) The matter is under police investigation.

Central Secretariat Service Officers on Deputation

1323. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) what is the number of Central Secretariat Service Officers at present who are away on deputation to (i) States; (ii) Centrally Administered areas; (iii) public sector organisations; and (iv) foreign posts in countries abroad;

(b) whether it is a fact that those officers can continue to remain on deputation for an indefinite period; and

(c) if so, what are the other conditions for such deputations so that the persons after 5 years of deputations may be absorbed in the borrowing organisation?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) (i) 45; (ii) 23; (iii) 56; and (iv) 26.

(b) No.

(c) Does not arise.

Temporary Assistants

1324. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) what is the number of temporary Assistants at present;

(b) how many of the temporary Assistants have put in more than seven years of service;

(c) how many posts of Assistants have been filled permanently by direct recruitment from 1955 to 1961;

(d) how long will it take for the Assistants from a date earlier than the 31st March, 1954 to get confirmation; and

(e) what steps are being taken or are proposed to be taken to expedite their confirmation?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) About 1880.

(b) About 1150. Out of these, about 425 persons have not yet been confirmed in any grade.

(c) 1385.

(d) and (e). The confirmation of temporary Assistants is made against the departmental quota i.e. 50 per cent of the permanent vacancies in the grade, and no definite time-limit for the confirmation of all temporary Assistants of the category referred to can be indicated.

Assistants

1325. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a number of Assistants who have actually put in more than 15 years of service in that grade have been deprived of their chances of promotion because of different criteria adopted by Govern-

ment for fixing seniority in that grade;

(b) if so, what is the number of such persons;

(c) what steps are proposed to be taken to ensure that the chances of persons with such a long service in the particular post are not jeopardised; and

(d) how long will it take for all those with more than 15 years of service to get promotion to the next grade?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). There are about 800 permanent Assistants who have put in more than 15 years' service in the Assistants' Grade, out of whom about 320 are officiating as Section Officers. The criteria relating to seniority in Grade IV of the Central Secretariat Service adopted from time to time were formulated after due consideration of claims based on length of service as well as other relevant factors.

(c) and (d). According to the Central Secretariat Service Scheme, 50 per cent of the permanent maintenance vacancies in the Section Officers' Grade are required to be filled by direct recruitment on the results of the I.A.S. etc. Combined Competitive Examination, and the remaining vacancies are to be filled by promotion from the Assistants' Grade as follows namely:

(i) half the number of vacancies, on the basis of a departmental competitive examination held by the Union Public Service Commission and open to Assistants possessing a minimum length of service; and

(ii) the remaining half of the vacancies, by the promotion of Assistants on the basis of seniority in Grade IV of the Central Secretariat Service, subject to fitness. Assistants who have not yet secured promotion to the Section Officers' Grade will be eligible for such promotion in their turn in accordance with the above

provisions which are considered to be adequate.

Assistants in Central Secretariat

1326. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) what is the criterion for fixing the seniority of Assistants under the Central Secretariat Scheme;

(b) whether it is a fact that Assistants who held the posts in a permanent capacity on the 1st January, 1958 have been placed junior to persons recruited after that date;

(c) if so, the reasons therefor;

(d) whether different criteria have also been adopted for fixation of seniority in the grade of Section Officers and whether persons belonging to Scheduled Castes/Tribes who have been selected for appointment against the reserved quota are also proposed to be declared senior to the Section Officers holding the posts in temporary/permanent vacancies; and

(e) if so, how the matter stands?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (e). A statement indicating the position is laid on the Table.

STATEMENT

The principles governing seniority of persons appointed to Grade IV (Assistants' Grade) of the Central Secretariat Service have been explained in the Statement laid on the Table of the House in reply to Unstarred Question No. 1961 by Shri D. C. Sharma, answered in the Lok Sabha on the 20th March 1961. As explained therein, it has been decided that direct recruits to this Grade appointed on the basis of the July 1957 and subsequent competitive examinations and persons substantively appointed to the Grade through the Second and subsequent Regular Temporary Establishment Lists of the Grade should be assigned alternate positions in the seniority list of the Grade. As a result of this, some of the direct recruits of

the July 1957 and subsequent competitive examinations, although appointed after 1st January, 1958, rank senior to some of the persons substantively appointed to the Grade through the Second Regular Temporary Establishment List of Assistants with effect from 1st January, 1958.

2. Seniority in the Section Officers' Grade of the Central Secretariat Service is regulated as follows:

(i) *Permanent Officers:* All officer of the erstwhile Grade II of the Service rank senior *en bloc* to all officers of the erstwhile Grade III of the Service. The relative seniority of officers substantively appointed to the Grade through the Regular Temporary Establishment of the Grade *vis a vis* the direct recruits is determined with reference to the date of substantive appointment in the case of the former and the date of appointment on probation in the case of the latter, 1st November of the year following the year of the competitive examination being deemed to be the "date of appointment on probation" in their case for this purpose. The seniority *inter se* of persons substantively appointed to the Section Officers' Grade through the Regular Temporary Establishment is governed by the order in which they are so appointed and that of the direct recruits by the order of their merit in the competitive examination.

(ii) *Temporary Officers:* Officers included in the Regular Temporary Establishment of the Grade rank senior *en bloc* to all other temporary officers in the Grade. The seniority *inter-se* of officers included in the Regular Temporary Establishment, including those belonging to Scheduled Castes/Scheduled Tribes taken against the reserved quota for these communities on the basis of the departmental competitive examination, is regulated according to the order of their inclusion in the Regular Temporary Establishment. The seniority *inter se* of other temporary officers in the Grade

is regulated by their seniority in Grade IV (Assistants' Grade) of the Central Secretariat Service.

Education Department, Manipur

1327. Shri L. Achaw Singh: Will the Minister of Education be pleased to state:

(a) whether it is a fact that a sum of Rs. 40,000 has been embezzled in the Education Department of Manipur Territorial Council and the cashier was arrested in October, 1961; and

(b) if so, steps taken by Government to check further misappropriation of funds?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir, there was an embezzlement of about Rs. 25,000 in the Education Department of the Manipur Territorial Council and the Cashier was arrested on 27th September, 1961.

(b) (1) Iron safes have been provided with double control.

(2) Additional supervisory staff is being provided.

(3) Only Senior Clerks will be appointed as Cashiers who will be required to furnish security deposits.

(4) Audit has also been requested to suggest preventive measures.

M. E. S. Employees

1328. Shri Madhusudan Rao: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the City and Guilds (London) Examinations were recognised by Government for employment of civilians in the Electrical and Mechanical Departments of the M.E.S.;

(b) whether it is also a fact that departmental employees were allowed to take up these examinations on the

basis of which they used to be promoted;

(c) whether it is also a fact that Government had discontinued recognition of these examinations since 1949;

(d) if so, the reasons therefor;

(e) whether it is a fact that all those persons promoted prior to 1949 on the basis of the City and Guilds (London) Examination were demoted;

(f) if so, the reasons therefor; and

(g) the steps Government propose to take to mitigate the hardship of the reverted persons?

The Minister of Defence (Shri Krishna Menon): (a) to (g). The requisite information is not readily available and is being collected. It will be placed on the Table of the House, as soon as it is available.

Temporary Employees of M. E. S.

1329. Shri Madhusudan Rao: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a large number of civilian employees in the M.E.S. are serving in temporary capacity even though they have put in 20 years or even more of service;

(b) if so, their number (category-wise and command-wise);

(c) the reasons for not declaring them permanent; and

(d) the steps Government propose to take in the matter?

The Minister of Defence (Shri Krishna Menon): (a) to (d). The requisite information is not readily available. It is being collected and will be placed on the Table of the House as soon as it is available.

12.00 hrs.

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

ALLEGED RETRENCHMENT OF 10,000 WORKERS IN RAJHARA AND NANDINI MINES

Shri S. M. Banerjee (Kanpur): Under Rule 197, I beg to call the attention of the Minister of Steel, Mines and Fuel to the following matter of urgent public importance and I request that he may make a statement thereon:—

The retrenchment of about 10,000 workers of Rajhara and Nandini mines under the Bhilai Steel project.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): With your permission, I would like to place the statement on the Table of the House. [See Appendix II, annexure No. 44] explained this briefly while replying to the Supplementary Demands.

Mr. Speaker: Yes.

Shri S. M. Banerjee: I want to know whether 10,000 workers were discharged on the 30th of last month. That is why I gave an adjournment motion. Under your advice, I have tabled this motion. I want to know whether they have been discharged.

Sardar Swaran Singh: A large number of them are employees of contractors. Only a few are direct employees of the project authorities. The essential point to be mentioned in this connection is that they are engaged in mining ore manually. Now that mechanisation is coming up, this work tapers off. Every one who was employed knew that this will come to an end. It is not something that has happened in an unexpected manner.

Shri S. M. Banerjee: When this matter was raised, there was a suggestion that as between contract workers and mine workers there should be no discrimination and a common pool must be established.

12.04 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORTS AND REVIEW BY THE GOVERNMENT OF THE SINGARENI COLLIERIES COMPANY LIMITED, ETC.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): I beg to lay on the Table a copy each of the following papers:—

- (i) (a) Annual Report of the Singareni Collieries Company Limited, Hyderabad, for the year 1960, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (b) Review by the Government of the working of the above Company.
[Placed in Library. See No. LT-3393/61].
- (ii) (a) Annual Report of the National Coal Development Corporation Limited, Ranchi for the year 1960-61, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (b) Review by the Government of the working of the above Corporation.
[Placed in Library. See No. LT-3394/61].
- (iii) (a) Annual Report of the Neyveli Lignite Corporation Limited, Neyveli (Madras) for the year 1960-61, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government of the working of the above Corporation.

[Placed in Library. See No. LT-3395/61].

Shri T. B. Vittal Rao: (Khammam):

Mr. Speaker, with regard to the Neyveli Lignite Corporation Annual report, the Corporation authorities sent us a copy a month ago. I do not know why the Government took such a long time in laying on the Table of the House this Annual report.

Sardar Swaran Singh: They should be placed on the Table of the House within three months after the reports are adopted at the Annual General Meeting. Then, a review by the Government is also to be prepared. It takes some time, because we must prepare the review carefully when we present it to Parliament.

Some Hon. Members rose—

Mr. Speaker: Order, order. Originally, the reports were always placed on the Table of the House and then alone given to the public or to newspapers. A letter was written to me by some of the Ministers—I remember Shri Manubhai Shah or some others—that they may be permitted to send copies of the report to hon. Members here for the reason that they need not wait, that they have Board meeting and that they give these reports to the public and also to the press. For that reason, instead of allowing hon. Members to learn this matter only after they come to Parliament, long after it is issued to the public and the press, copies are made available to hon. Members. It is to enable them to circulate to hon. Members and the press whatever is placed before the Board of management that permission was granted by me. What difficulty can there be in placing copies of the report immediately as soon as they are received or in the first week of the session which comes after the publication of the report? Hon. Members evidently

want to suggest that if it had been placed earlier, they would have taken the earliest opportunity to have a discussion on this matter in this House. This does not apply to this case where they make it already available to the public and the press.

Sardar Swaran Singh: There is no difficulty. If that is the desire of the hon. Members, it can be done: that is, supply a copy as soon as the report has been approved by the Board of directors. But, there is this difficulty. A review by the Government on this report has also to be prepared and presented to the House when these reports are presented. If it is the desire of the Chair or of the House that the reports should be placed on the Table of the House as soon as they are received, even without the Government review, we can adopt that practice.

Mr. Speaker: Very well.

Shri Naushir Bharucha (East Khadesh): It should be adopted.

CERTIFIED ACCOUNTS OF THE INDIAN INSTITUTE OF TECHNOLOGY, KHARAGPUR FOR 1959-60 AND AUDIT REPORT THEREON

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I beg to lay on the Table a copy of the certified Accounts of the Indian Institute of Technology, Kharagpur, for the year 1959-60 along with the Audit Report thereon, under sub-section (4) of section 23 of the Indian Institute of Technology (Kharagpur) Act, 1956. [Placed in Library. See No. LT-3396/61].

Shri T. B. Vittal Rao: This annual report relates to 1959-60. I think the 1960-61 report is overdue. How is it that we are getting this report after one year?

Mr. Speaker: Are the accounts of 1960-61 available?

Shri Humayun Kabir: As soon as they are available, they are placed before the House.

Shri T. B. Vittal Rao: Why are they not available?

Mr. Speaker: What is the difficulty? We are now in December. Eight months are over.

Shri Humayun Kabir: Reports come to us from the Auditor General. At that stage we lay it on the Table of the House. If questions are put, I shall answer why there is delay.

Mr. Speaker: I will ask the Office to write to the Auditor-General and find out why there is delay.

AMENDMENTS TO REGISTRATION OF ELECTORS RULES, 1960.

The Deputy Minister of Law (Shri Hajarnavis): I beg to lay on the Table a copy of Notification No. S.O. 2791 dated the 24th November, 1961 making certain amendments to the Registration of Electors Rules, 1960, under sub-section (3) of section 28 of the Representation of the People Act, 1950. [Placed in Library See No. LT-3397/61].

Shri Braj Raj Singh (Firozabad): Mr. Speaker, these rules were published on 24-11-61. At the fag end of the session, we find that they are being placed on the Table of the House. If we want to look into the rules or move any amendments, we have no opportunity. This is something important concerning the next general election. Why were they not placed earlier in the Table of the House so that we could have an opportunity to move any amendments if we so wished?

Mr. Speaker: Twenty-fourth of November: even then, would there be time?

Shri Hajarnavis: I do not think there has been such a delay.

Shri Braj Raj Singh: We do not have an opportunity to move any amendments.

Shri T. B. Vittal Rao: They should have been placed on the 24th of November.

Mr. Speaker: Particularly in view of the coming election, there being no opportunity to discuss these rules, I think, on the 24th itself it should have been placed on the Table of the House. We will have 6 plus 14 days, which is the time allowed under the rules. Even now, I have no objection. Hon. Members may look into it.

The Minister of Law (Shri A. K. Sen): These rules were framed in consultation with all the parties, after several consultations with representatives of the different parties.

Shri Braj Raj Singh: What of that?

Shri A. K. Sen: The reason why I mention this is because of the fact that at that time, if any suggestion had been made by the different parties, the Chief Election Commissioner would have certainly paid attention to them. I mention this fact in order to show that there was more or less no controversy over these rules.

Mr. Speaker: Are not these rules placed on the Table of the House under an obligation imposed by the Act?

Shri A. K. Sen: Of course. I am not saying that they are not to be placed or that amendments are not to be moved. I am not saying that at all. But since the point was raised that they would not have enough time to move amendments...

Mr. Speaker: Their point is that they would not have the opportunity of tabling amendments now.

Shri A. K. Sen: Of course, they have.

Mr. Speaker: They would not have fourteen days' time for the purpose.

Shri Prabhat Kar (Hooghly): We are adjourning on the 8th December, 1961.

Mr. Speaker: Under the rules, hon. Members are entitled to have fourteen days' time, and within that

period, they can study the rules and table amendments.

Shri A. K. Sen: What I am saying is that Parliament is rising only on the 8th instant, and hon. Members have still time to table amendments.

Mr. Speaker: But they would not have fourteen days.

Shri A. K. Sen: These rules were published long ago. No doubt, they are being placed on the Table of the House only now.

Mr. Speaker: They must be placed on the Table of the House immediately so that hon. Members may have fourteen days to look into the matter and then table amendments.

Shri A. K. Sen: They can table amendments even now. That is what I am saying.

Mr. Speaker: But they do not have fourteen days.

Shri A. K. Sen: We shall waive all notice.

Shri Ranga (Tenali): The hon. Minister may waive. But should we also not agree?

Mr. Speaker: Anyhow, hon. Members can make the best out of the situation. They may table amendments, and if necessary, we shall have some time to discuss them.

Shri T. B. Vittal Rao: I was one of those who represented my party at the meeting convened by the Chief Election Commissioner. The suggestions which we had made there were not acceptable to the Chief Election Commissioner, but we may move amendments here and get them accepted by the House. To say that we had not suggested amendments there is not quite true.

Shri A. K. Sen: That is what I am saying. Hon. Members know what the point is, and they can move amendments even now. Fourteen days are

not necessary to study the rules, when hon. Members know what the point is, and, therefore, there are capable of moving amendments even now.

Shri Braj Raj Singh: What was the difficulty in placing these rules before the House earlier?

Mr. Speaker: Whatever be the period for which the rules laid on the Table must be before the House, hon. Members have still got time; let them table amendments. Let us see; if they are of a serious nature, and the hon. Minister does not accept them, then they may certainly be discussed.

Shri Naushir Bharucha (East Khadesh): Why should we be hustled?

Shri Braj Raj Singh: Otherwise, will the rules remain as they are?

Mr. Speaker: What is the other way then? Either hon. Members may keep quiet, or the only other course is to table amendments today. Either they should table amendments or they should allow the rules to become operative.

ANNUAL REPORT OF FILM FINANCE CORPORATION LIMITED AND REVIEW BY GOVERNMENT OF WORKING THEREOF

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the Film Finance Corporation Limited, Bombay, for the period from the 25th March, 1960 to 31st March, 1961, along with the Audit Accounts and the comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government of the working of the above Corporation.

[Placed in Library. See No. LT-3398/61].

CORRECTION OF ANSWER TO
STARRED QUESTION NO. 147

The Deputy Minister of Defence (Sardar Surjit Singh Majithia): Sir, in the statement which I laid on the table of the House in answer to Starred Question No. 147 on the 23rd November, 1961, I had stated as follows:—

"According to the information available with us, no person was killed by food packets dropped from the air during the floods in Orissa. The State Government were asked for information on this point and their reply is awaited."

2. The above reply was given on the basis of the information available in the Ministry of Defence on 23rd November, 1961.

3. We have since received a reply from the Government of Orissa on 29-11-1961 intimating that eight persons were killed in Cuttack District due to air dropping of food packets.

Mr. Speaker: Eight persons were killed?

Sardar Majithia: Yes.

Shri Chintamani Panigrahi (Puri): These operations were carried out under the direct supervision of the Army Command. How is it that even though this question was put pretty early, and sufficient time was given to Government to get the information, Government have first stated that no persons had died, and again they come and tell us that eight persons had died? The question was tabled as long ago as the 12th November, and sufficient time was given to Government to get the information.

Sardar Majithia: As I said, on that day, we had no information about any death having taken place. We had asked the Orissa Government, and they had not replied at that time; they only replied on the 29th November, 1961, and this is the first opportunity that I am taking to give the information to the House.

Shri Chintamani Panigrahi: May I again draw your attention to another matter? Five days after this statement was laid on the Table of the House in reply to this question, the hon. Minister of Irrigation and Power made another statement, but he had also stated that eight persons had died owing to air-dropping of food packets in Orissa. I do not know how these conflicting reports are received from a Government. I do not know how the Government of Orissa do not reply correctly to these questions from Parliament or from the Government of India.

Shri Tangamani (Madurai): This question was tabled only because there was an item in the newspapers that as a result of the air-dropping operations, some people were killed. That was why we wanted to know the correct position from Government.

Mr. Speaker: The Central Government can only function through the State Government of Orissa; there is no other source of information, except the newspapers. As the State Government did not furnish the information in time, the hon. Minister here said that according to the information available with the Ministry here, there were no deaths, and later on, he might have got the information.

Hereafter, in such cases, I would advise the hon. Minister to say that 'We have written to the State Government, we have not yet received any information'. Instead of saying first that there were no deaths, and then making this kind of correction, they may adopt that course hereafter.

Shri Chintamani Panigrahi: Can they get some compensation from the Army?

Mr. Speaker: For making this incorrect statement or for death?

Shri Chintamani Panigrahi: For death.

Mr. Speaker: Now, legislative business.

RE: MOTION ON JOINT COMMITTEE ON PUBLIC IMPORTANCE

Shri Braj Raj Singh (Ferozabad): Before you proceed to legislative business, may I seek a clarification from you? There was a motion on setting up a joint committee on public undertakings moved in the House. But, we find that without your consent, perhaps, or without our notice, the motion has been put off from the agenda or the list of business for this week. We have not been told what is happening to that motion. Is there some tussle or some difficulty about that motion?

Mr. Speaker: There was a discussion on that motion. A number of suggestions were made, and the hon. Law Minister agreed to consider all those suggestions and then try to place before the House, as far as possible, an agreed draft. He prepared a draft and showed it to me. With respect to that draft, again, a number of suggestions were made. Therefore, he wrote to me saying that in view of those suggestions, and in view of the fact that even if that draft would be accepted, the current Session would come to an end within a few days, and, there would be no purpose in appointing a joint committee which will last only for a month or so and which may not act, he would like to defer consideration of this matter, and he will place it before the new Parliament.

Shri T. B. Vittal Rao (Khammam): Will it stand over to the next Session or is it withdrawn?

Mr. Speaker: It is not a question of withdrawal. It will stand over, with whatever effect it will have.

An Hon. Member: If it lapses?

Mr. Speaker: If it lapses, then it lapses. That is all.

Shri T. B. Vittal Rao: Government should be informed of that position.

Mr. Speaker: If it lapses, it will go over to the new Parliament, and they will introduce it in the new Parliament.

12.16 hrs.

APPROPRIATION (RAILWAYS)
NO. 4 BILL

The Minister of Railways (Shri Jagjivan Ram): I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1961-62 for the purposes of Railways, be taken into consideration."

Mr. Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1961-62 for the purposes of Railways, be taken into consideration."

The motion was adopted.

Mr. Speaker: I shall now put the clauses etc. to vote.

The question is:

"That clauses 1 to 3, the Schedule, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 1 to 3, the Schedule, the Enacting Formula and the Title were added to the Bill.

Shri Jagjivan Ram: I beg to move:

"That the Bill be passed".

Mr. Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

12-17 hrs.

DISCUSSION RE: CHINESE INCURSIONS—contd.

Mr. Speaker: The hon. Prime Minister will now reply to the discussion on the latest Chinese incursions into Indian territory.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Mr. Speaker, Sir, in accordance with the wish expressed by you, I have had a map or chart of this area placed in the Central Hall, and also—I am not sure if you, Sir, have got it—a copy of the latest Chinese letter. If you would permit me to say, we have received a reply from the Chinese Government to our last protest note, which has been printed, our last protest note dated the 31st October, 1961.

Shri S. M. Banerjee (Kanpur): What was the date of that letter?

Shri Jawaharlal Nehru: The date of the reply is 30th November, but it reached us naturally two or three days later; that is the Peking date; it came to us about three days ago, I think.

So, I should like to place this too on the Table of the House, to complete the record thus far. [See Appendix II, annexure No. 44(a)]

Mr. Speaker: The hon. Prime Minister may give the substance of that letter to hon. Members.

Shri Naushir Bharucha (East-Khandesh): So that our records also would be complete.

Shri Jawaharlal Nehru: I can give the substance. The substance is that they have, of course, as usual, denied and repudiated the various charges that we had made against them; and they have said that their line of 1956 in the Chinese map was not changed; it was more or less the same in the 1960 map, and the difference was just minor, which is not correct, because that is a factual matter where you and see the differences. Just to draw

the attention of the House to this matter, we pointed this out quite clearly in the report of the officials of the Government of India who met the Chinese officials; it has been dealt with there.

Then, they talk about our complaint about Chinese intrusions, more especially, about those three posts that I have mentioned.

In regard to one of them, Dambuguru, they deny the fact that they have got a post there. I have no doubt that they had it, and all I can conclude is that they have withdrawn it, as previously they withdrew another post near Demchok. For the rest, they say that at the other places they have been there all the time or for a long time.

Then they complain of the Government of India's stepping up military activity on the border and establishing new checkposts, and generally building up their military position along the border, not only there, but at Bara Hoti. Then they complain, denying our complaint, of Indian aircraft violating what they call Chinese airspace and state that the Chinese forces have been asked not to patrol within 20 kilometres on the Chinese side of the border. Then they sort of hint at the fact that if our military activities continue, they may have to take steps in defence by sending some troops across the MacMahon Line. This is broadly what they have said.

May I add that in the map I have placed—it is a very good map, not merely a chart but a regular map—there are two or three lines marked, the international boundary, the Chinese side's 1956 claim and the 1960 map of the Chinese. They are three lines. Three or four places are marked in it. Our post at Dawletbeg Oldi is not printed there, but it is marked there. This is the only post we have marked. We have not marked the other posts that we have, as I

stated the other day before the House. The three Chinese posts are, one on the Chip Chap river and the other two Dambuguru and Nyagzu; they two are marked in this. We have not marked other posts; we did not think it was desirable for us to mark our posts on the map. As for the Chinese side's other posts, some are on the other side of the 1956 line. They are stated in the documents and can be easily traced.

I have welcomed this discussion in the House because I want these matters or any matters that may create doubts in the minds of Members of the House or the country to be elucidated, explained and clarified in this way. So I have welcomed it, and I have found in the course of the debate that a good deal requires clarification. I have been accused of many things, including confusion and lack of clarity. It is rather difficult for me to speak about my own capacity to be clear-minded. My own impression has been that a number of Members, chiefly on the opposite side of the House, have been singularly lacking in any clarity of thought or expression.

Shri Naushir Bharucha: I take exception to this remark. Repeatedly we are asking Government to furnish us with maps. They do not furnish maps. Then they accuse us saying that we are lacking in clarity. This is not fair.

Shri Jawaharlal Nehru: I have not quite understood the hon. Member.

Shri Naushir Bharucha: You have not given us a single map. How can you say that we are lacking in clarity? It is your fault. You are suppressing facts, you are suppressing literature and then accusing us of ignorance and lack of clarity.

Shri Jawaharlal Nehru: This is an example of utter confusion and lack of clarity. Hon. Members like Shri Naushir Bharucha, as he has displayed now, lack clarity of thought completely.

Shri Naushir Bharucha: I do not understand. Let us make this

clear. We have been asking the hon. Minister to give us maps. Maps are not given. One map is placed there and then he comes up here and says that we are lacking in clarity of thought. May be we are lacking in that. We are ignorant because Government have kept us ignorant deliberately (*Interruptions*)

Shri Jawaharlal Nehru: He does not enable me to finish a few sentences; and starts protesting. That, I submit, is an attitude of utter lack of a coherent approach to any problem.

Shri Naushir Bharucha: You may say anything. You are no better.

Shrimati Ila Palchoudhuri: (Nabad-wip): The Prime Minister must not be referred to as 'he'.

Mr. Speaker: Hon. Members must be a little more thick-skinned.

Shri Jawaharlal Nehru: I was not referring to Shri Naushir Bharucha. He brought it upon himself by referring to himself.

Now the other Members, two or three of them—Acharya Kripalani and others—repeatedly said that I lacked clarity of thought. As I said, I cannot obviously be a judge of my own virtues and failings. Others have to judge; the House will have to judge. But this charge which Shri Naushir Bharucha repeated, about my desiring to suppress facts, is so patently wrong that I am amazed that anyone should make it unless he himself suffers from some confusion in thinking.

One thing that is correct in that charge—we dealt with it during the previous debates—is that when for the first time, the Chinese started building or using the Aksai Chin road, when we first heard of it, we were not quite sure. So we inquired into it. We sent our people to inquire into it. Some of our people were arrested and things happened. Then we sent a protest to them. That is correct. It may be I was wrong there, that at that time I did not bring this fact immediately before the House because we were inquiring and finding:

[Shri Jawaharlal Nehru]

out what the Chinese Government's answer was.

Shri Ranga (Tenali): That is only an excuse.

Shri Goray (Poona): That is not the reason. You have stated in your White Paper. You stated that there should be no furore here, there should be no heart-burning and that sort of thing.

Shri Jawaharlal Nehru: Quite so. I am saying that we wanted to find out the Chinese Government's answer, etc., before we placed it before the House.

Apart from this particular fact, we have kept this House informed of almost every scrap of paper that has been used in this connection. The book that I placed on the Table of the House the other day, White Paper No. V, and the other four fat volumes, contain every letter that has gone and every letter that we have received. Naturally it is not possible or, I think, desirable for me to come to the House and tell them of every petty incident that occurs from time to time or of a protest made or a protest received. But every relevant thing has been stated.

Now, an hon. Member—I forget who—said that even on the 20th November, I kept back facts. I have my own failings, but I am not an unmitigated fool and for anyone to suggest that on the 20th I kept back a fact and that on the 27th I should be exposed by the hon. Member is a bit difficult to understand. How am I exposed by the papers I placed on the Table, which I knew I was going to place on the Table in a few days' time and which I said so? Am I going to keep back a fact which I know is coming up before the House at my instance? The fact of the matter is that in this matter of the fresh incursions, before I went to America, that is to say, just about the time we sent this last reply to the Chinese Government on October 31, we thought it was a very important matter and must be placed before this House. And we decided to prepare this White Paper No. V. It has taken

some time to prepare it, the House will see it. It is not produced in two days' time, and during this period it was being printed for being placed before this House. I returned from America in the forenoon of the 20th November. Almost immediately within an hour or an hour and half, I had to come to the House, and I came here. It was my intention to make a statement along with the White Paper as soon as it was ready, but the matter was raised as a motion for adjournment, and I made a brief statement then, and I said then that four or five days later I would place the papers and make a statement. That is the position. So, to say that I deliberately kept back anything, when we are giving everything in this printed book, is rather wide of the mark.

In this book there are some references to our Ministry having written about some Chinese patrol being seen somewhere. It is for you to judge, for the House to judge, whether every incident of that type has to be reported immediately to the House, because these petty incidents are occurring sometimes; they have occurred, and we take some action, we get some reply which comes up in a connected form before the House. It would be confusing for every letter that we write to be placed before the House immediately.

So, I do submit that there is a very great deal of misapprehension and misunderstanding about this matter, and I have ventured respectfully to treat this House, in regard to taking it into our confidence, more than is normally done in such matters.

Shri Ranga: No, no. He did not come to the House early enough.

Shri Jawaharlal Nehru: And I propose to continue to do so because the matter, as the hon. Member Shri Asoka Mehta said, is one of profound importance. Nobody in this House can disagree with that description, and certainly not I or any Member of our Government. Indeed, if the House

would remember, sometime back—I forget now—when speaking on this problem, on our broader problem in this House and the events that had given rise to it, I laid the greatest stress on the importance of this matter to India, not only in the present but in the future, and I said this problem in some shape or other might pursue us for a generation or more, and we could not consider it lightly or superficially. What happens on our border is a basic problem, it is a problem of historic importance. So that, nobody can charge me with not attaching enough importance to it. I think personally that it is more important basically for us than any other external problem.

Shri Ranga: Here, hear. I am glad you have come to that now.

Shri Jawaharlal Nehru: Possibly, the noble Acharya, the gentleman of the Swatantra Party, will further follow my argument and find himself in agreement, though I rather doubt it.

My difficulty has been that this matter, the importance and profound importance of this matter, has not been thoroughly understood by the noble Acharya opposite. I am sorry I use the word "noble". I do not think it is quite parliamentary, and the right expression should have been "the learned Acharya".

So that, I would beg the House at least to accept this statement of mine that we attach the greatest importance to it, and it is not a party matter, it is obvious; it is a matter of national importance, and I would have hoped that we should have all treated it as a national issue of the highest importance.

A curious thing was said by one of the hon. Members opposite, that we had hidden this fact, that some daily newspaper in Delhi had said that a meeting of officials of the External Affairs Ministry was held which decided to keep it dark in view of the 1587(Ai) LSD—6.

elections. I have not seen it, but if it has appeared in any Delhi newspaper, this kind of thing really does little credit to that newspaper. I know of nothing, no meeting, and I have enquired about it in my Ministry. How could it be kept dark for months and months when it is obvious, it is patent, that the thing was being printed to be placed before the House? The whole thing is ridiculous. As for doing it because of the elections, I should have thought that there could be no more foolish thing from the point of view of the present Government than to do this; and if I may say so—and I say so with some hesitation and without meaning or implying anything—certainly the impression created on my mind has been that part of the heat generated on the other side is due to the very elections in the foreground. May or may not be so.

The hon. Member Shri Braj Raj Singh asked the Government to resign on this issue and to face the electorate. Well, I am sorry to say I am not convinced by him, as I am seldom convinced by what he says. He demanded this on behalf of the people of India. Of course, I suppose that he is aware of the fact that, as a matter of fact, this Government will cease to exist in a few months, elections will take place, and the people of India whom he represents so stoutly will be given full opportunity to decide who should form the next Government. I do not know, I may guess but I do not know, what their decision will be, and whatever it is, it will be faithfully and loyally followed. But may I venture to say that we all represent, in a degree, the people of India; otherwise, we would not be here. But when Shri Braj Raj Singh stoutly talks on behalf of the people of India, I am reminded of an old story which has stuck in my mind almost from my childhood, of the three tailors of Tooley Street. The three tailors of Tooley Street issued a manifesto once, declaring "We, the People of England say this and that". It amused me when I heard of it first long ago, and

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somehow it suddenly came back to my mind listening to Shri Braj Raj Singh.

This is a matter of high importance, and I should like to deal with this matter in all seriousness. Basically, what has happened? A certain aggression has taken place on our territory, and many other things backing it have happened or are happening. And how do we deal with it? First of all, what is the objective? Obviously, our objective can only be to get that aggression vacated. How do we get that aggression vacated?—by diplomatic means, by various measures, and ultimately, if you like, by war. Now, our policy is to get that aggression vacated fully and wholly. Our policy also is, and always has been in regard to every matter, to try every method, every peaceful method, to gain our objective. It may be that the peaceful method is not successful. Even so, it is desirable to do that for two reasons; one because it is in consonance with our policy, internal and external; and, secondly, it should always be the necessary prelude to any other action.

I have again to refer—I regret to do so—to Shri Braj Raj Singh. I am sorry; but I want to be quite clear that his thinking and mine are not the same in this matter because he says that we should go out and occupy 70 miles beyond the McMahon line and reach the Brahmaputra and the Mansarowar lake.

Shri Braj Raj Singh (Ferozabad): With your permission, Sir, may I correct the hon. Prime Minister? I did not say, 'occupy'. I said if we are not able to get the Tibetan region, independence, as is called by the Prime Minister of China, then we should declare that our frontier is from the source of Brahmaputra as it flows to the east.

Shri Jawaharlal Nehru: If I have not correctly reported him, I am sorry.

Nevertheless, he says that we should declare that our frontier is the Brahmaputra and includes the Mansarowar lake. We will not claim that frontier and we do not propose to claim that because it has no historical or other validity. What we claim we claim for adequate reasons pointed out in the Officials' Book.

One of the reasons I should like to state here which is a deeper reason because the Himalayas are not only a part of our territory but, if I may say so, they are part of our hearts and minds; and it is a deep injury to us if anything happens to them. It has been associated with the thinking of our race, our forbears for thousands of years; and our whole cultural tradition is tied up with it; our literature is tied up with it; our mythology is tied up with it. So far it is an essential part of us, something deeper or greater and more important than merely some territorial claim.

When Acharya Kripalani and others took exception to the fact when I have stated several times that this area is a bare mountain, very few people hardly dwell there, there are no trees etc., they seem to think that I am saying that to minimise the importance of this area. (*Interruption*). They are mistaken. But we must know the facts; and I do not understand how you arrive at the truth by minimising the facts which are known to everybody else but we ourselves refuse to see them properly ostrich-like. The importance of it is very great for a variety of reasons and more essentially for the reasons which I have just mentioned. But, nevertheless, the fact remains that this area is a most extraordinary area in the world so far as terrain is concerned. At that rate, no tree grows anywhere in this wide area—there may be some shrubs.

Shri Hem Barua (Gauhati): The Chinese Prime Minister when he met Mr. Nehru in Delhi used this statement of our Prime Minister against us

and he did not take it in the light our Prime Minister has mentioned it.

Shri Bal Raj Madhok (New Delhi): There are so many regions like Baltistan and others where there grow no trees. Does it mean that they should be left out?

Shri Tyagi (Dehra Dun): No hair grows on my head. Does it mean that the head has no value?

Shri Jawaharlal Nehru: I was stating our policy about this vacation of aggression; and so long as that aggression is not vacated, this basic trouble remains. This is a basic headache. How should we get that vacated? Always through peaceful methods. Apart from peaceful methods, there are pressures short of war; and then there is war.

Now, I am free to confess to this House that my whole soul reacts against the idea of war anywhere. That is the training I have received throughout my life and I cannot easily get rid of it at the age of 72.

Acharya Kripalani (Sitamarhi): Except in Congo.

Shri Jawaharlal Nehru: Hon. Acharya's interjections are sometimes not relevant and at other times have little meaning. He says, Congo. He should know that Congo is an entirely different type of case where in our duty to the United Nations and to the emergent nations of Africa we undertook a responsibility which may involve us in warlike operations; but it is not war all the same (*Interruption*).

However, how can any person rule out war? Why do we keep our Army, Navy and Air Force? We keep them. But the fact is that first of all one should realise that our desire is to avoid it, but not to submit to any evil if the avoidance of that means submission. Therefore, even if we have to take that step, we take it certainly, for defence and certainly for the vacation of any aggression. Because when I say defence, it includes action against

an aggressor. Obviously, aggression on our part would be if we cross our international borders outside; that is aggression. What we do inside our territory is defence. So, one cannot rule out war and we do not rule out war.

But, then, other facts come too, the factors which might broadly be called military factors. That is, when one takes a step, one does not take a step without being, so far as possible, quite prepared for success in that step, without adequately strengthening oneself in every way and that is what I call adventurist action.

The hon. Acharya Kripalani gave us instances—not very happy instances—of England joining the Second World War or France being defeated by Hitler. I do not quite know what the relevancy is to this. That is why I feel that the charge of confusion and all that may very well apply to some hon. Members opposite.

However, the point is a very simple fact that if you have to take anything in the nature of military action it should be thoroughly prepared and strong action, and not action which may come back upon you if you do not succeed in it; and it may weaken your position. It is a simple proposition which is applicable in war. Of course, if sometimes one has to take action immediately because there is no escape from it, that is a different matter. So, we have followed this policy, aiming at the vacation of this aggression, at the same time, through peaceful means, realising that we are not sure how far they will succeed. They may not; and I am not ruling out the possibility of their succeeding, because one must not go by all the brave words that are said in these communications to us by the Chinese Government. But other factors work also. Nevertheless we realise that that may not be brought about in that way. Therefore, we are taking all the steps that we can to prepare the ground for other methods to be employed.

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Hon. Members will say that we are giving some information to the Chinese which will give them strength. But the fact of the matter is that we are dealing with a physical situation which was completely neglected for the last 100 years or more. And we are dealing with it pretty well, I think, administratively, militarily, building it up, preparing the ground for advance: we are advancing and we are putting up our posts, administrative centres and others. It is a neglected part and the whole of a hundred years is responsible for it; we started doing it ten years ago and did it fairly effectively in some parts of the frontier which is, remember, over 2000 miles. In other parts we did something which, let us admit, was not adequate to stop this aggression. It is true also—we say—that we did not expect this type of aggression from the Chinese, although we knew right from the beginning that fundamentally the change in the situation in our borders was a historic change, that would affect our frontiers and bring danger to them. That is why we took it. We did not expect that danger to come in that particular place, especially Ladakh, at that stage. All this came because of various developments in Tibet. Anyhow, we have been taking those steps and hon. Member says that we must jump into this fray in some other way without adequate preparation. I would submit that this is more from exuberance of his mind and excitement than from clear thinking.

Acharya Kripalani: In two years China may have the atom bomb. We will not have, because we do not want to use such weapons.

Shri Jawaharlal Nehru: What conclusion does the hon. Acharya draw from that?

Acharya Kripalani: They are not so ready if we oppose today; they will be more ready to oppose when that happens.

Shri Tyagi: Shall we risk all our strength, all our army, in this?

Shri Ranga: For fifteen years, the hon. Prime Minister says, we have been preparing. Yet he himself says that they were not adequate to prevent that aggression. Is that our preparation?

Shri Nath Pai: Why go on advertising unpreparedness?

Shri Jawaharlal Nehru: I knew that you would say that; I prophesied that you would say it. I said that for hundred years nobody in India has thought of that frontier.

Shri Ranga: That was because Tibet was protected there on our behalf by the British. But you allowed the Chinese to come there and you made no arrangements.

Shri Jawaharlal Nehru: I find it a little difficult to follow the tortuous working of the hon. Acharya's mind. I am talking about things about a hundred years ago. He talks about the British Government protecting Tibet all the time.

Shri Ranga: All the time Tibet was there to protect us: Tibet was looked after by the British (*Interruptions*).

Shri Jawaharlal Nehru: I do not understand what the hon. Member is after. Some hon. Members said that Tibet should not have been given up, as if it was our property to keep or give up... (*Interruptions*). I really cannot understand how else or what other policy we could have adopted. We could have adopted two policies. One was the one which we have adopted. The other also involved our walking out of Tibet. We were in Tibet not in any great armed forces; we had a couple of hundred soldiers protecting the line, somewhere in Yarun or Yangtze; just a few. They could not possibly remain there. It was an impossibility. We could not march our armies into Tibet. We had to come out of Tibet. There was no way and not all the power in the world could prevent that. That is admitted. Therefore, the objection is not of the step

that we took but of the fact that we justified it by certain historical and political reasons. The step had to be taken; there was no doubt about it.

Shri Nath Pai (Rajapur): That is not the objection. You came back; that was the correct thing you did. But you agreed to the Chinese walking in; that is the objection. We wanted an independent and free Tibet, as it was always.

Shri Joachim Alva (Kanara): Yesterday, we heard every one of these hon. Members, with the utmost patience.... (*Interruptions*).

Shri Nath Pai: He can take care of himself; you sit down.

Mr. Speaker: Order, order. Let there be no interruptions.

Shri Jawaharlal Nehru: The objection, as the hon. Member said, is that while the Chinese came there, we should have withdrawn such elements of forces we had there—we had to and the Chinese would have come in as they came in—but we should have registered our protest about their coming. It comes to this.... (*Interruptions*.) Whether that protest would have been of the slightest help to us or to the Tibetans is another matter.. (*Interruptions*).

Shri Ranga: It is a matter of conscience.

Shri Jawaharlal Nehru: Am I to speak or not, Sir? I cannot have half a dozen of them talking at the same time. I submit that I should like the hon. Members opposite to think what exactly could we have done, except if they think that we could have affected the fate of Tibet by condemning them in the United Nations or elsewhere?

Shri Ranga: Even that we did not do in the United Nations.

Shri Jawaharlal Nehru: Hon. Member talks about the matters of conscience. There are many matters of

conscience. If we enter into the field of conscience, we may lose ourselves because not much of what has been said here relates to conscience. Many things happen in the world and in our borders. If we are looking at it from the point of view of India's interests, as we must and, naturally, from the point of view of doing the right thing, I regret to say that I am completely unrepentant about the policy we adopted towards Tibet. In practice, we could not have adopted any other policy except of course that foolish policy of accepting what has happened and bewailing our lot.

Shri Bal Raj Madhok: We are suffering as a result of that policy.

Shri Hem Barua: You have said that Tibet is independent in your book..... (*Interruptions*).

Mr. Speaker: Order, order. I am not going to allow this sort of thing. Let there be no running commentary in this matter.

Shri Jawaharlal Nehru: It is a sign of bad conscience.

Shri Hem Barua: My problem is this, Sir. He has written in his book, *Glimpses of World History*, 1939 edition, page 842 that "Tibet was independent." Why is he withdrawing from that original position?

Mr. Speaker: I will have to ask him to withdraw if he interrupts like this.... (*Interruptions*).

Shri Rajendra Singh (Chapra): I request you to direct the Prime Minister to withdraw his remarks.

Shri Hem Barua: I am quoting from the book written by him.

Shri Rajendra Singh: Are we sitting here with a bad conscience?

That is the most objectionable thing; he must withdraw it now.

Shri Jawaharlal Nehru: The hon. Member perhaps does not understand English language adequately..... (Interruptions.)

Shri Rajendra Singh: I understand as much as there is need to understand.

Shri Jawaharlal Nehru: I said 'bad conscience' because I did not wish to impugn the quality of the mind opposite. I have to find some explanation and so I gave the most charitable explanation.... (Interruptions.)

Shri Hem Barua rose—

Shri Rajendra Singh rose—

Mr. Speaker: Are the hon. Members here intent upon disturbing and not allowing the Prime Minister to go on with his reply?

An Hon. Member: It is a question of conscience.

Mr. Speaker: Order, order. The hon. Members had no hesitation in saying things the whole of yesterday; they were saying a number of things against the hon. Prime Minister and he has to explain. In doing so, he referred to this question of conscience and so on. Somebody referred to it; Prof. Ranga said so. Now, is the hon. Prime Minister to say: yes, mine is a bad conscience?? I cannot understand.

Shri Rajendra Singh: Are we discussing foreign policy or conscience?

Mr. Speaker: The hon. Member is not the only Member of the Opposition. There is the Leader of his Party. Let him keep quiet for some time.

Shri Rajendra Singh: He is the Leader of the House, Sir and we expect good manners from him; not bad manners.

Mr. Speaker: Nothing is gained by being rather unruly like this. I would advise the leaders of his group to just check him.

Shri Rajendra Singh: On that side also, let them check.

Mr. Speaker: It is improper. If he continues like that, I will have to take more drastic action.

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Shri Jawaharlal Nehru: I submit that to suggest that a person has a bad conscience is not an offensive statement at all. I may also submit, with respect, that it is not only parliamentary but it is almost on the verge of extreme politeness.

Apart from that, I can very well understand hon. Members feeling strongly on the Chinese incursion and aggression. I understand that. We all feel it. Only there is a difference in our expression. We have to express ourselves, some of us at any rate connected with the Government, in a somewhat restrained way, because, normally civilised Governments function in that way. We agree with the broad objective. There may be differences in the ways we reach the objective. I have analysed, pored over and listened carefully to some of the speeches made.

First of all, Shri Asoka Mehta said that I create confusion and ambiguity by calling the check-posts military posts. I really do not understand what the hon. Member is after. I cannot understand it. I thought that by calling them military posts I gave them a greater significance.

Shri Asoka Mehta (Muzaffarpur): It was the other way about. What I had said was, what were military posts originally had been characterised as check-posts; that you have been consistent in your attitude of understating the facts by using words which did not really express the real position.

Shri Jawaharlal Nehru: I do not remember Shri Asoka Mehta raising this point ever before. It was I who raised the point and said they should be called military posts. He did

not say so. As a matter of fact, frankly, I may say that in this description, which is more correct, there is no thing down in the position, which you call it check-posts or military posts. But it was a more correct description, and therefore I am using it.

Then he said, "Why did you not use it before?" I do submit that it is a prevarication, and it has no importance. That is my difficulty. Except a strong feeling and, if you like, passions, I do not get any logical line of reasoning. First of all, I am accused of what happened ten years ago in regard to Tibet. Well, good or bad, there it is; it is over. We are dealing with the present position. (*Interruption*).

An Hon. Member: It is not over.

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: Then, my difficulty is, Acharya Ranga cannot move up beyond ten years. He does not seem to realise that we are living today and facing all these problems and not ten years ago still.

Shri Ranga: We are facing problems today and this is the legacy of your rule.

Shri Jawaharlal Nehru: Therefore, does he propose somehow to change the course of history of the past ten years? What does he propose to do? (*Interruption*).

Mr. Speaker: Order, order. Let us discuss the present.

Shri Jawaharlal Nehru: We are a mature, responsible body. Take again Shri Asoka Mehta. He talked about the chain of events and our prevarication, etc. I really and honestly submit—I do not claim to be a very brilliant person but I have an average intelligence—that I am quite unable to understand this. I can understand some errors here and there, but charging us with a course of pre-

varication during all these years is something which I cannot understand. I do submit that something should be done and if he wants to do it, I shall be grateful to him. Let him write out an essay and we shall deal with it and we shall improve ourselves and get rid of our mistakes. Then there was the question, "What have you done for the last ten years?"

Shri Asoka Mehta: I never used the word "prevarication". I do not know who has taken down notes for you.

Shri Nath Pai: I remember what was said. You sent the Secretary-General to China. It was asked as to what you gained in return for this gesture of friendship. The Secretary-General is charged by the Chinese as indulging in prevarication. That is what was said. We did not charge you with prevarication, nor did we doubt your brilliance.

Shri Jawaharlal Nehru: Thank you. But then you have accused us, that we have allowed to create an atmosphere, and in spite of all this trouble, of China being right and reliable. I do not know how; in our usual attempt at being friendly with every nation, we have opposed and objected to many things done by other countries. But we have avoided, nevertheless, shouting loudly against them. That is our broad policy and I think it is a right policy. That does not mean this; that is, sometimes, people imagine that politeness is subservience. That is a sign, if I may say so, of some hidden fears in one's hearts and not a brave, straightforward attitude to the world. We are friendly with every country in the world including China, but we will fight China if necessary. That is the whole lesson that I have been taught during the last 40 or 50 years of my life by Gandhiji and others: always to be friendly and never to give in. That is how we have carried on our campaign. The gentlemen opposite perhaps have not had that training and therefore they cannot appreciate what I say. But I propose always to avoid saying

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or doing things which are unnecessarily offensive and which are not necessary. Sometimes an offensive thing has to be said, but ultimately, what I am aiming at is, either winning over the other party or weakening the other party in its own opinion and in the world's opinion and in my own. This is the normal practice.

Shri Hem Barua: We have done neither.

Shri Jawaharlal Nehru: That is for the hon. Member to judge. Others also judge differently. However, there it is. Then Shri Asoka Mehta referred to *Panchsheel*. Take this question of *Panchsheel* which the people seem to think is a kind of red rag to the bulls of the Opposition,—

Shri Asoka Mehta: The bulls are on that side.

Shri Braj Raj Singh: They have got the bulls as symbols.

Shri Vajpayee (Balrampur): It is their election symbol.

Shri Jawaharlal Nehru:—or anybody else. Gradually, hon. Members are beginning to see and sometimes even say, as Shri Asoka Mehta, said, that the principles of *Panchsheel* are quite good but they should not be applied to China! Now, if *Panchsheel* is good, it is good, and *Panchsheel* is a method of international relations which I think is essential, unless you have war, ultimately. You may have intermediate stages too.

Shri Hem Barua: But China has not lived up to that.

Shri Jawaharlal Nehru: If you say that China has not lived up to that, I entirely agree. Because China has not lived up to that, we are taking all these steps aimed at and this situation has arisen. That is a different matter. But it is no good talking of *Panchsheel*. You might even say: "Truth is a good proposition, but it

does not pay. Therefore, we lie all the time because somebody else is lying!" I say that in the *Panchsheel*, the principles laid down are the only principles which a civilised society can have in its international affairs. The alternative leads to war. If you have war, there is no *Panchsheel*; then it is war. but there it is. That is completely right for us to adopt it here and elsewhere.

Our grouse is that China has broken its word, and in that sense betrayed its word. That is our grouse. But you seem to be annoyed at the mere fact that *Panchsheel* is mentioned or the five principles are mentioned; it is to our advantage that it is mentioned. I am only pointing out that they have broken their word.

Raja Mahendra Pratap (Mathura): What about my three peaceful solutions?

Shri Jawaharlal Nehru: As far as I remember, Shri Asoka Mehta said and most people said that they do not want war if possible. Of course, if it comes it cannot be helped. Shri Asoka Mehta does not even want us to break our diplomatic relations with China. I think I am right in saying that he said that. What then? Not indulging in a campaign of slanging—we do not want that—and instead of that, we exchanged notes which are sometimes strong notes, and we go on strengthening our position to deal with the situation whenever we think it is strong enough to be dealt with by us and not from a weak position.

Now, when we have arrived at this stage of preparation, etc.—we lay down the policy—the other matter goes inevitably into the hands of our military or air or defence advisers—the so-called experts. It is for them to decide what steps to take, naturally in terms of our broad policies, taking directions from us. But ultimately it is their decision and we have to follow that. We have been doing that and

building up our strength from the base upwards. The roads that we decided to build and have built today to a considerable extent are over 2,000 miles, all roads in mountainous areas. Just imagine the task we have undertaken—2,000 miles of roads—and we have built them. A great deal depends to them, because without those roads, that basic build-up does not come into play.

I have talked about adventurist action. Adventurist action is taking some action without having a base to support. That is not fair to our men. They are brave and fine men, but it is not fair to put them in that position and not fair for the nation to take some action which cannot be supported and therefore which ends abruptly. So, that is the broad policy; the rest becomes a question of military tactics, strategy and the resources one has at one's disposal.

Some hon. Member said, put the whole resources of the Five Year Plan there, which again shows an extraordinary lack of intelligence. If I get together all the engineers and others and dump them in Ladakh, what are they to do there? A variety of things are necessary. Material is necessary this and that—which has to be carried by air. Every little screw is to be carried by air. So, more aircraft is necessary. We get new aircraft; we have got it. The moment new aircraft come, new airfields are necessary, because they are too heavy aircraft to be supported by the old airfields. So, there are a hundred and one aspects of things. One seems to think that India should rise as one man and sort of oppose it, and if I may add, be about as capable as one man. These are phrases may be for political meetings, but when we are considering this very dangerous and highly important situation, one has to plan and do things which will lead to success.

Take again the most extraordinary statement made by Acharya Kripalani that according to his information, we

have issued orders that none of our people are to fire unless fired upon. It is absolutely wrong. There are our military posts and obviously they are there to defend, to attack or do whatever the position may demand. Then, there are reconnaissance parties—usually small parties—whose objective is to gain information and report to us. If this small reconnaissance party gets involved in some trouble, we do not get the information and the main objective is denied. Where we want to fight, we fight; the posts fight and others fight. But so far as the reconnaissance parties, which may consist of 3, 4 or 5 persons are concerned, we have told them to concentrate on getting information and telling us about it. They do not go spreading about, 10 persons spreading about, to engage themselves in major warfare; that is writing them off, which is unfair to them and we do not gain. So, we must distinguish between reconnaissance, getting news whether publicly or secretly and fighting. These are obvious things which Members may perhaps forget.

Much was said about friendship with Burma, Nepal, etc. I do not think we have ever been quite so close friends with Burma as we are now. Does that mean that we are to dictate Burmese policy? Take Nepal even. Much has happened in Nepal, which we have not liked and we have expressed ourselves about it. But we have not interfered, because we want to maintain their friendship. We are still continuing to help them. Some hon. Members opposite have expressed themselves very strongly against the present regime in Nepal, which has irritated them. We have restrained ourselves, although mildly we have said so and we are friends with Nepal still. It is true that things have happened there which are not to our liking and we have made it clear; we shall continue to make that clear. We cannot order about these things, because the mere act of doing that has the reverse consequences.

Broadly speaking, I think all these countries are in terms of quite close

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friendship with us. The Malayan King is coming here; the Malayan Prime Minister is coming here within a few days. The hon. Member, Shri Asoka Mehta, should not attach too much importance to what a few students might have said to him in Rangoon or Singapore, I forget, or someone else there in Singapore or Malaya.

Somebody said that we should not sponsor the Chinese case in the UN. As a matter of fact, even last year, we did not sponsor it, but certainly we voted for it, because that has nothing to do with China being good or bad. In fact, we think that unless China is in the UN, we cannot proceed with disarmament or any major matter. There can be no disarmament, China being left out to arm. There are other reasons. It has nothing to do with our trouble with China. We shall deal with it.

Then, a number of statements by the Defence Minister were apparently not approved of by some hon. Members opposite. But again I would submit that they do not seem to have read them before disapproving of them, apart from headlines or may be something else. He was on the eve of coming back to India. He was asked something at the New York airport. That very morning something had appeared in the newspapers; I had made a statement here on the 20th November and there were big headlines there. He was asked, what is this about? In relation to what was said in Parliament, he said, "I do not know the latest developments". He know, of course, all the others. He said, he did not know what was happening just now. It was in relation to what happened in Parliament that morning that he said, "I do not know what the latest development there is".

Shri Nath Pai: He referred to developments on the China-India border.

Shri Jawaharlal Nehru: It was in relation to the news that appeared that morning in the papers.

Shri Nath Pai: The news was about the Prime Minister's statement about 11 new incursions.

Shri Jawaharlal Nehru: In relation to what happened in Parliament, he said, "I do not know if anything happened in the last day or two". The concept there was, large armies were facing each other in Ladakh, to which he said that there are no active hostilities of this kind going on, not "hostility", but "hostilities" going on in this way, i.e., large-scale fighting.

Shri Asoka Mehta: Pardon me, I am interrupting because the Defence Minister said that I have misinterpreted him. Actually, the words quoted in inverted commas are "active hostility" and not "hostilities". So, you will have to stick to that expression "active hostility" if you are quoting from the newspapers.

Shri Jawaharlal Nehru: I do not know, but surely the newspaper is not more reliable than what I am telling him.

Shri Asoka Mehta: He says something and the newspaper reports it in inverted commas. He may remember having said something, but the only thing we have before us and you have before you is this. His actual words were not heard by you. All you have is the evidence in the newspaper. I am prepared to accept that he did not use those words, but until he makes that position clear, it is not fair to say that we have misinterpreted him.

Shri Jawaharlal Nehru: I am not accusing hon. Members....

Shri Ranga: Why not allow the Defence Minister to defend himself? Why do you come to his rescue?

Shri Jawaharlal Nehru: With such gallant crusaders as the Acharya....

Shri Ranga: You are the gallant crusader for him.

Shri Jawaharlal Nehru: It is on his instructions that I am saying so. Anyhow, it is immaterial. He says that he used the word "hostilities". Nobody can be absolutely dead certain as to what was said, every word casually said when one is going to the airport. But the whole point was that the concept there was of large armies fighting, and he wanted to say that this kind of thing is not happening there now.

Sir, I was saying something about sponsoring China. Last year we did not sponsor it but we supported that, and that is our position this year too.

Well, Sir, there are many minor matters but the major position is this, and I hope that apart from our minor arguments that we throw at each other this question of our border and Chinese aggression there is of the most vital importance—I repeat—not only for India's integrity but for the future of Asia and of world peace. It is a matter of tremendous importance, and unless the world takes some other course in the next few years, which it might—I mean disarmament—and takes a vital turn, this will be one of the major trouble spots of the world, and we have to prepare ourselves not for today only but for tomorrow, the day after and years ahead. That is why anything that we want to do we want to do with full preparation.

I think, as I said the other day, that we have improved our situation in the border very much in the last year and half. I do not say that it is as good as we want it to be, but it will become that good progressively, growing better and better, and our policy can only be to get this vacation by the Chinese forces from India's territory. We work to that end, and therein we all agree.

Ultimately, if you analyse the situation, Sir, it becomes one of, possibly, some military tactics. We may differ on that. I may have some opinion, but I have to abide by the opinion of my, military advisers. I

know they are anxious to achieve results and they are working to that end. It is a difficult task. Anyhow it is no good saying that. When I say it is a difficult task, the Chinese will think we are afraid. We are not afraid, we are not accustomed to be afraid of anything. But that does not mean that we should function without due care, due preparation and due thought. That is what we venture to do. And, we have to see it in the context of a developing world situation. It is bad enough here. But the developing world situation has to be kept in view. You cannot isolate it. We are trying to do that, and I think that in doing so we have served the cause of India. We hope—we are not without hope—that we shall be able to succeed in getting this land vacated through pressures, through other things, whatever they may be, and without engulfing the whole world in a major war. These things are connected with each other. We cannot isolate them. In effect, therefore, there is little difference, except for strong accusations here and there, in the approach to this question from any side of the House.

I think—you may say that I am to blame for that—that even though I, right ten years ago, foresaw these developments I, nevertheless, trusted—perhaps that is not the right word—I thought that the Chinese Government would not function exactly as it did later. It is true. You may say I was mistaken in feeling that way. But I think that all the time basing one's policy on suspicion is not also a good thing. Sometimes one may be mistaken as one was in this case. But the success we have had in our foreign policy the world over is because we have tried to keep every country a friend and succeeded in creating that impression. Rightly, it was not that China specifically was isolated from others. China was one of the countries we dealt with as a great country, a big country and a country which is our neighbour. We have to adopt that policy; there is no other way, though otherwise all the

[Shri Jawaharlal Nehru]

trouble would have come perhaps sooner or in a worse form.

Anyhow, Sir, we have to face the situation as it is, and we propose to face it stoutly and with courage.

Dr. Ram Subhag Singh (Sasaram): I want to seek one clarification regarding the latest communication. The Prime Minister said that China has intimidated India that she will march her troops on this side of McMahon line. May I know whether we will repel the march of these troops if it happens?

Shri Jawaharlal Nehru: The answer is obvious, if that is done we shall resist and repel.

Shri Nath Pal: Mr. Speaker, a question which we had expected him to reply and which has been exercising the mind of all is what attitude Government is planning to take, intending to take with regard to the treaty with China which is about to lapse in June.

Shri Jawaharlal Nehru: I am glad the hon. Member has drawn my attention to this, because I wanted to mention it myself. Yesterday we received a communication from the Chinese Government pointing out that this treaty is expiring or will expire in a few months and the time for renewal of it ended, I think, day before yesterday, and suggesting that we should try, we should discuss the terms of a new treaty. That is what we received yesterday. We have, naturally, sent no answer to it. Well, in the course of the next few days we shall send an appropriate answer.

Shri Rajendra Singh: What will be that answer?

Shri Jawaharlal Nehru: I can't exactly say that. We have to consider it in our foreign affairs committee and the rest. But it is obvious that when such a request is received—unlike other Chinese communications that we have been receiving this is a

very polite communication expressing the hope that this and that will happen—merely to say that we will not discuss with you, *prima facie* seems rather wrong. Obviously, we cannot just say "yes" and go and discuss it. That too is wrong. Therefore, whatever we may say will have to be conditioned, and on certain conditions being satisfied we may.

Raja Mahendra Pratap: Why not try my peaceful methods?

Mr. Speaker: The hon. Member wants to go to China.

Shri S. M. Banerjee: He has the passport.

Mr. Speaker: If he has, let him go.

13.29 hrs.

CONSTITUTION (ELEVENTH AMENDMENT) BILL

Mr. Speaker: The House will now take up the Constitution (Eleventh Amendment) Bill. Two hours have been allotted for this Bill. It is now 1:30. So this must end at 3:30. Let hon. Members be ready for voting at 3:30, or shall we have it at 4:00?

Some hon. Members: Let it be at 4:00.

Mr. Speaker: All right. Let it be at 4:00. The discussion will go on on this and voting will take place at 4:00.

Shri Tangamani (Madurai): Sir, I rise to a point of order.

Mr. Speaker: It is usual to raise a point of order after the motion is made. Let him make the motion.

The Minister of Law (Shri A. K. Sen): Mr. Speaker, Sir, I beg to move that the Bill further to amend the Constitution of India be taken into consideration. Sir, the object of introducing this Bill has been set out in the Bill itself, particularly in the Statement of Objects and Reasons as

also the notes on the different clauses.

The difficulty relating to the election of the Vice-President arises because of the fact that article 66, clause 1, of the Constitution envisages the calling of a joint meeting of the two Houses for the purpose of electing the Vice-President, a procedure which is different from the election of the President, though it is quite clear that what was intended was that the members of the two Houses should elect the Vice-President, and not that the election should be done through the medium of the joint sitting of the two Houses. There are several difficulties if it is to be done through a joint sitting.

The first difficulty would be that under article 324 of the Constitution all the elections, including the election of the Vice-President, would have to be conducted by the Chief Election Commissioner. Now, if the Chief Election Commissioner is to conduct the elections, then, who is to preside and who is to carry out the proceedings in the joint sitting? That is the first difficulty. How can the Chief Election Commissioner function if a joint sitting involves that for the dignity of the two Houses the requirement of the Speaker having to be in charge of the conduct of the proceedings?

The second difficulty is that it will have to be done in a most formal manner if it is a joint sitting, because the filing of nominations, the scrutiny and withdrawal and various other matters connected with the elections except the actual voting would have to be done outside the House. They cannot be done in a joint sitting. Therefore, having regard to the provisions in regard to the election of the President, it appears that the intention was really that the two Houses should form an electoral college and they should vote for the election of the Vice-President. Therefore, we are trying to make it clear by a verbal amendment. So far, there has been no difficulty because there has been

no contest. The moment there is a contest, this difficulty is bound to arise.

✓ The second provision is with regard to the election of the President. It is well-known that election in some of the difficult areas cannot be completed before the presidential elections are held immediately after the general elections. Because, the electoral college for the purpose of electing the President consists of the members of the two Houses here as also the members of the Legislatures of the States. So, it has to be done after the elections. But the elections, particularly in the snow-bound areas, cannot take place before May and, therefore, the election of the President takes place before these elections in the outlying areas are completed. ✓

A point was raised in the case of Dr. Khare as to whether the election of the President would be valid if it was held before the elections in the remote areas for the assembly constituencies, as also for the parliamentary constituencies, are completed, because that exception is not provided for in the Constitution itself. Though the Supreme Court has not really expressed itself on this, as it thought that it was not necessary, yet the point is a point of substance, and the President himself felt—he was the Chairman of the Constituent Assembly, as is well known—that this difficulty should not be allowed to continue but should be clarified by an appropriate amendment of the Constitution, providing for the election of the President being valid even though all the seats are not filled up.

Now it seems that there is an apprehension in the minds of some hon. Members, particularly in the mind of Shri Narasimhan, who has tabled an amendment, that there is a possibility of the President being elected even though only a minority of the members may be elected; in fact, before the majority of the seats are filled up. It is certainly a theoretical possibility though practically it is impossible to

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conceive that the Chief Election Commissioner would be calling for the election of the President without all the seats being filled up except those which cannot be filled up because of climatic or other reasons. The hon. Member has tabled an amendment, limiting the vacancy to a figure not exceeding two per cent. Two per cent would come to only ten seats in this Parliament. If that apprehension really finds favour with the House, Government is quite prepared to consider an amendment, limiting that vacancy to not exceeding, let us say, it five per cent. Government is prepared to consider it.

Shri Narasimhan (Krishnagiri): It is safer.

Shri A. K. Sen: I have personally no apprehension because, though that theoretical possibility is there, if any Chief Election Commissioner calls for the presidential election before the majority of seats are filled up, he will not be there any more. Let us leave it to common sense.

Shri Tyagi (Dehra Dun): But the President will be there all right.

Shri A. K. Sen: The President is there to correct this; that is quite true. The theoretical possibility is there, but how far this apprehension would be a reality, it is very difficult to conceive. In that case, we might add a proviso like the one suggested by Shri Narasimhan. If the opposition really feels that their apprehension is real and that there is a theoretical possibility of the presidential election being called before the majority of the seats are filled up,—as I said, there is a theoretical possibility though in reality it will never happen—Government is prepared to have this proviso. But if the opposition does not feel any such apprehension, we may proceed with the Bill. I am quite open to have any change if the opposition

demands, because, so far as the majority party is concerned, their members are quite satisfied with the present provision and they do not consider that this theoretical possibility is anything more than theoretical.

Shri Narasimhan: They would be satisfied with this amendment.

Shri A. K. Sen: Naturally.

Shri Narasimhan: A majority of the seats will have to be filled before the elections.

Shri A. K. Sen: We cannot provide for everything in the Constitution. We have to leave these things for conventions.

Shri Hem Raj (Kangra): Even the majority party is having some objection against this provision.

Shri Tyagi: May I point out one thing to the Law Minister? In the Constitution itself it is mentioned that the election of the Vice-President shall be made in the joint sitting of both Houses. Now, about the sittings of the House there is one provision that either House shall have the power to act notwithstanding any vacancy in the membership thereof, provided the quorum is there. So, the fact that there are some vacancies in the House at a particular time shall not affect the power of voting of the House. Therefore, there is no question of fixation of any percentage. The only condition is that the House must have quorum. So long as the quorum is there, the vacancies do not matter. The Law Minister can very well use the same expression here. If the electoral college consists of people who are duly elected and it has quorum then it will be a sitting of the House.

Shri A. K. Sen: I am quite prepared to accept an amendment, limiting the vacancy to five per cent.

Shri Tyagi: I think that will do. Let it be accepted.

Shri A. K. Sen: We shall table an amendment to the amendment of Shri Narasimhan to give effect to this, in which case, clause 3 will read as follows:

"The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him provided that the number of such vacancies does not exceed five per cent of the electoral college."

Shri Tyagi: Of the strength of the electoral college.

Shri Narasimhan: My amendment reads like this.

Shri A. K. Sen: We shall put in that amendment. I have only indicated what the form will be.

So, these are my statements. This is a non-controversial measure and I would beg of the House to adopt it without much objection.

Mr. Speaker: What about the election of the Speaker?

Shri A. K. Sen: Let us not anticipate any difficulty in regard to that. In this case this difficulty has arisen because it was challenged in the Supreme Court.

Mr. Speaker: Only one difficulty occurs to me. For election to the office of the President or the Vice-President anybody who is competent can stand. He need not be a Member of Parliament. Is it not that for Presidentship or Vice-Presidentship anybody can stand? Therefore even a person who is not elected as a Member of Parliament from Himachal Pradesh and wants to be a prospective candidate for the office of President or Vice-President, he can stand notwithstanding the fact that he is not a Member either of this House or of the other House. But if he wants to stand for election as Speaker, he must be a

Member of this House. Is that not so? Therefore perpetually people from Himachal Pradesh would be debarred from becoming Speakers, whereas it is not so with respect to their becoming the President or the Vice-President. In the absence of the Speaker and the Deputy-Speaker the President can appoint somebody to carry on their duties. For how long?

Shri Amjad Ali (Dhubri): Only for one day.

Mr. Speaker: Nowhere it is said 'only for one day'.

Shri Tyagi: I think the election of the Speaker alone should be postponed until the elections to Parliament were complete.

Mr. Speaker: It will mean postponing for a month.

Shri Tyagi: It does not matter. The Deputy-Speaker can carry on.

Shri A. K. Sen: There is no difficulty. Article 93 of the Constitution itself provides for it. It reads:

"The House of the People shall, as soon as may be, choose two members of the House to be respectively Speaker and Deputy Speaker thereof and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose another member to be Speaker or Deputy Speaker, as the case may be."

If it is felt that there should be a Speaker drawn from Himachal Pradesh or from other areas, we can withhold the election for a month or for two months and allow the proceedings to be conducted through another officer.

Mr. Speaker: If the Speaker is not elected, he might say he would like to become the Deputy-Speaker only.

If the Deputy-Speaker's place is kept vacant for him, he might say, "Why should I not stand for election as Speaker?" In the absence of a

[Mr. Speaker]

Speaker, how can there be a Deputy-Speaker?

Shri A. K. Sen: No, Sir, If you take article 93, you will find that the election of both the Speaker and the Deputy-Speaker would be held as soon as may be after the elections. So long as this election of both the Speaker and the Deputy-Speaker is not held, the House shall choose another Member to be the Speaker or Deputy-Speaker. That means that until this election of the Speaker and the Deputy-Speaker takes place, anybody can be chosen for this interim period to act either as the Speaker or as the Deputy-Speaker.

Shri Tyagi: In that case completion of all the elections is called for and a permanent Speaker can be elected unless the elections are over.

Shri A. K. Sen: It may be if the House so chooses.

Shri Naushir Bharucha (East Khadesh): There is no provision for a provisional Speaker.

Mr. Speaker: There is no provision. Whether it is the first election or the second election, he is always permanent. Once a Speaker is elected there is no provisional Speaker.

Shri A. K. Sen: I am not saying 'once a Speaker is elected'. What I am saying is that there is no provision to say that the Speaker or the Deputy-Speaker is to be elected immediately. It only says 'as soon as may be'. During the interim period.....

Shri Tyagi: I do not want to embarrass the Chair, but the Speaker is generally formally re-elected. There is no question of Himachal Pradesh here. You are the Speaker and you come next time also.

Mr. Speaker: The hon. Member is making light of the question.

Shri A. K. Sen: It is not such an easy point.

Shri Tyagi: There is an old convention.

Shri A. K. Sen: What I am saying is that after the election, the question of having an interim Speaker arises.

Mr. Speaker: No; it cannot be. He is not an interim Speaker. Once the office of the Speaker is vacant, as often as it becomes vacant, the Speaker may be elected and he continues for five years.

Shri A. K. Sen: Until the Speaker is elected, the question of having an interim Speaker arises.

Mr. Speaker: Here it says that the President shall appoint somebody until the Speaker is elected.

Shri A. K. Sen: That is what I am saying.

Shri Narasimhan: It says 'appoint a Member'. Therefore that right is lost to them.

Shri A. K. Sen: You will find that until the election takes place there is no vacuum. The election may take place after the elections.

Mr. Speaker: The President must appoint someone and possibly he can go on until a Speaker is elected formally.

Shri Narasimhan: The right to be appointed as Speaker *pro tem* is probably lost to them.

Shri A. K. Sen: I do not know what the difficulty is. Perhaps I have not made myself clear. What I was saying is that the Constitution does not say that the Speaker is to be elected immediately, before the completion of all the elections. Until the election is held the proceedings will be conducted.....

Mr. Speaker: Article 93 says:

"The House of the People shall, as soon as may be....."

Shri A. K. Sen: Article 95 provides for the vacuum.

Mr. Speaker: Article 95 reads:

"While office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker or, if the office of Deputy Speaker is also vacant, by such member of the House of the People as the President may appoint for the purpose."

The President appoints one Member before the election of the Speaker and he would continue for a month or for two months until Himachal Pradesh elections are over.

Shri A. K. Sen: If that is the desire. Himachal Pradesh is not debarred. That must be so. In such a huge country elections cannot be held simultaneously. What else is the answer? You cannot have the elections when the whole place is covered with snow and ice and people cannot move about.

Shri Hem Raj: There is an instance. In 1951 the elections in Himachal Pradesh were held in September and the elections in the rest of the country were held in February—March 1952. Then all the Members partook in the election of the Speaker and the Deputy-Speaker.

Shri Narasimhan: So Himachal Pradesh elections should come before others.

Shri A. K. Sen: Unless the Lok Sabha is dissolved, how can the elections be conducted?

Shri Hem Raj: They were held. There is an instance.

Shri A. K. Sen: It must have been a casual vacancy. This is absolutely 1587 (Ai) LSD—/.

inevitable. As I was telling you, they are not barred.

Mr. Speaker: True. The person who is appointed by the President can continue to be the Speaker.

Shri Supakar (Sambalpur): How can he? The only way out seems to be not to summon the Parliament till all the elections are completed.

Mr. Speaker: No. Under article 95 somebody is appointed by the President on the first day and he acts as the Speaker. Here it only says 'as soon as may be'. That means that it may be after the Himachal Pradesh elections are completed.

Shri A. K. Sen: If the House thinks that it should wait till Himachal Pradesh representatives have come, it will wait; if it thinks it should not it will not.

Mr. Speaker: It is not necessary.

Shri Tangamani: In the matter of the election of the Speaker the House of the People is supreme. That is not a matter which can be raised in the Supreme Court or any other court. There is no provision for that. The provision is also to the effect that if the Speaker or Deputy-Speaker wants to resign, he does not send his resignation to the President; he sends it only to the House. My point of order is a different one altogether.

Mr. Speaker: I shall put the motion to the House and then he may raise his point of order.

Shri Tangamani: I want to raise it before it is put.

Mr. Speaker: Just a minute. What is pointed out to me in answer to my query is this. The point I raised was that it is open to anybody in Himachal Pradesh to stand as Speaker; therefore there will be an inconvenience perpetually to the Himachal Pradesh people who will be prevented from standing for the election of Speaker.

[Mr. Speaker]

Then the only thing is to postpone the election of the Speaker until such time as the Himachal Pradesh elections are over—there is nothing irregular also or, if the House otherwise desires, it can do so at any time. It won't be an illegality, because it is not an election that way. It is only a motion of the House. And under Article 100(2) "Either House of Parliament shall have power to act notwithstanding any vacancy in the membership thereof". It is only a question of propriety, it is not a question of illegality.

Very well. What is Shri Tangamani's point of order?

Shri Tangamani: I raise this point of order on both the points to which amendment is sought.

Shri A. K. Sen: Is he opposing the motion?

Shri Tangamani: I shall formulate my point of order.

Mr. Speaker: This is not the time for that.

Shri Tangamani: The first point is that it is out of order, because....

Mr. Speaker: If it is a question of raising a point of order against my putting the motion itself, that is another matter. But if the hon. Member addresses it to the amendments that may be moved, then when I allow the amendments to be moved immediately before I put them to the House, he can raise the point of order. I am not allowing any amendment.

Shri Tangamani: Sir, I am referring to the amending Bill itself. My submission is this....

Shri A. K. Sen: Sir, may I answer the point of order after he has made it, because I have some appointment at the Prime Minister's place for which I am already late? And I would like to answer the point of order myself.

Mr. Speaker: The point of order may be brief.

Shri A. K. Sen: Shri Tangamani: always raises a good point of order.

Mr. Speaker: If the hon. Minister gives him a certificate, then he cannot answer the point of order.

Shri Tangamani: The attempt to restrict the powers of the Supreme Court is contrary to what has been provided under article 71(1).

Mr. Speaker: Let him state the point of order.

Shri Tangamani: Article 71 confers upon the Supreme Court original jurisdiction in addition to what has been conferred upon the Supreme Court by article 131. Article 131 says:

"Subject to the provision of this Constitution, the Supreme Court shall, to the exclusion of any other court, have original jurisdiction in any dispute—

(a) between the Government of India and one or more States; or

(b) between the Government of India and any State or States on one side and one or more other States on the other; or

(c) between two or more States" etc.

That is an exclusive original jurisdiction conferred upon the Supreme Court. Now, by article 71(1) another original jurisdiction is conferred upon the Supreme Court. Article 71(1) says:

"All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court whose decision shall be final."

Sub-clauses (2) and (3) of the article are safety clauses. The second part says that if any decision has been arrived at which may invalidate the election of the President then it will not operate retrospectively, and the third one confers upon Parliament power to regulate any matter relating to or connected with the election of the President.

As you are aware, article 324(1) provides for the election of the President and the Vice-President. The article says:

"The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution.....shall be vested in a Commission (referred to in this Constitution as the Election Commission)."

The person or the body that conducts the election is the Election Commission. And when this election has taken place, it is exclusively provided that when doubts arise the matter will be referred to the Supreme Court. Doubts did arise, as has been mentioned in one case, viz. Khare versus Election Commission which is reported in 57 Supreme Court Report, 1081.

Mr. Speaker: What have they said?

Shri Tangamani: They referred to this point, and they expressed no opinion on this point as it was not necessary to do so. The very point was raised there.

Having given, in a written Constitution, power to the Supreme Court to deal with the election of the President and Vice-President, and they will not deal with it in a—for want of a better word, may I say—cavalier manner but will consider all aspects of it.....

Mr. Speaker: I have heard him, Does the hon. Member mean to say that it is not open to this House, by way of a Constitutional amendment, to restrict the powers of the Supreme Court?

Shri Tangamani: I am coming to that. Here the Supreme Court is given some powers.

Mr. Speaker: No, we do not want to give.

Shri Tangamani: I was reading article 71(1). It will be *ultra vires* of the Constitution now if we are seeking to amend the very basis of it. We can certainly amend and throw out the Constitution, that is another point. But if we are seeking to amend certain provision in article 71, that article expressly provides . . .

Mr. Speaker: We are amending the Constitution itself. Is it not open to the House to say that the Supreme Court shall have no jurisdiction regarding any elections with respect to the office of President or Vice-President?

Shri Tangamani: It will be open: if we say that we shall delete article 71 itself, that is understandable. But when the Supreme Court is given powers....

Mr. Speaker: Yes, I have heard him on this point. What is his other point?

Shri Tangamani: The second point is on the question of the office of the Vice-President. I will not go into details and shall state the point as concisely as possible. When this question of the office of Vice-President was discussed in the Constituent Assembly, Dr. Ambedkar said:

"The President is head of the State and his power extends to both administration by the Centre as well as the States. Consequently it is necessary that in his

[Shri Tangamani]

election, not only M.Ps. should play their part but the Members of the State Legislatures should also have a voice. But when we come to the Vice-President his normal functions are to preside over the Council of States. It is only on a rare occasion, and that to for a temporary period, that he may be called upon to assume the duties of the President. That being so, it does not seem necessary that the Members of the State Legislatures should also be invited to take part in the election of the Vice-President."

There is a purpose in calling for a joint meeting of Parliament. After all, Lok Sabha is supreme. We have certain rules and regulations as to a joint meeting of both Houses of Parliament. The Lok Sabha will elect the Speaker. In the joint session the Speaker will preside. Then the election is conducted. That point has been mentioned by many speakers at that particular time. After all the Vice-President, except on certain occasion, is only—may I say for want of a better description—a Speaker of the other House. He is being elected by both the Houses.

What is sought to be done is to try to equate the Vice-President with the President, and to have an electoral college. It is an electoral college of the two Houses. I can understand if it is an electoral college where the election has to be held by ballot papers being sent by post and where every Member of the State Legislature has to participate. Differences have been made out between elections in the United States.....

Mr. Speaker: Hon. Member knows that a point of order has only to be stated. If I have any doubts I will hear him. I have no doubt in this. It is only a question of propriety. There is nothing else here, no question of legality.

Shri Tangamani: I will only refer to the article without reading it . . .

Mr. Speaker: There is no purpose.

14 hrs.

Shri Tangamani: . . . article 66 which deals with the election of the Vice-President and article 55 which deals with the election of the President. A reading of these will show the difference between the two things. Now, to convert this election by a Joint Session into an electoral college in the same manner presupposes that even without the Speaker being elected, even without both the Houses being convened jointly, the election of the Vice-President will take place. Unfortunately or fortunately for us, we have never had this election. There has never been a contest. If there is going to be a contest, it is going to be again an electoral college and instead of both the Houses meeting and the Speaker presiding and this election being conducted. That was the position which was visualised by the Constitution makers. That is sought to be taken away. It goes into the very root of the matter. The amendment is not just trying to correct irregularities. In only mentioning some people who may not come there, they are trying to take away the very basis of the elections of Vice-President itself.

Mr. Speaker: I have heard both the points of order. One relates to the election of the President. The clause that is sought to be added to article 71 as clause (4) is in the nature of a proviso:

"The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him."

We are amending the Constitution itself. If it is a separate Act of Parliament, we cannot take away the

powers conferred on the Supreme Court under article 71(1). Shri Tangamani agrees that we are entitled to remove sub-clause (1) altogether. This is short of that. Instead of doing away with the jurisdiction of the Supreme Court wholly, we say, so far as this matter is concerned, it shall not look into the irregularity or throw any doubts upon it and it would not be called upon to hear any doubt. I do not see any point of order whatever may be the propriety of continuing it. On the other hand, this seems to be a proper one.

Coming to Vice-President, the hon. Member wants to have the privilege of a Joint Session to elect the Vice-President. That is not a matter of point of order. Possibly, at that time, it was felt that inasmuch as he discharges those duties, those people must come here. Even there, there is no point of order. We are amending the Constitution.

I will place the motion before the House.

Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

I find there are two amendments tabled. Shri Vajpayee: absent.

Shri Aurobindo Ghosal (Uluberia): There is another amendment, No. 3.

Shri Tangamani: This is Consideration motion.

Shri Bal Raj Madhok (New Delhi): Mr. Speaker, this is a Bill to amend the provision of the Constitution relating to the election of the President and the Vice-President, which has been necessitated by the fact that elections are held at a time when they cannot be completed in some parts of the country, particularly, the snow-bound Himachal Pradesh.

14:04 hrs.

[SHRI JAGANATHA RAO in the Chair]

That is a genuine difficulty. But my submission is, why should we amend the Constitution for that? Why not have such a date for the elections when the elections for the whole country can be completed at the same time? After all, there is nothing binding that the election should be held in February or March, when, some parts of the country are snow-bound. My submission in connection with this Bill is that instead of amending the Constitution, we can shift the date for election. For example, there is the month of September in which elections can be held all over the country. That is a very good time both for Himachal Pradesh and other places. Therefore, I do not see any need for amending the Constitution. In fact, we have been amending the Constitution so often that the sanctity of this organic law of the country is being undermined. Therefore, I am opposed to this Bill. Particularly, the need for it is not great. The purpose that is sought to be achieved can be achieved by the shifting of the dates of election by some two or three months.

Secondly, clause 3, it is said, "vacancy for whatever reason." I would like the hon. Minister to see that that is a very vague clause—vacancy for whatever reason. They may not have conducted elections in some other States also. Some other things may have happened. We must be specific, if the Constitution is to be amended at all. I am personally opposed to the amendment of the Constitution at all. If the Constitution is to be amended at all, this clause is very vague. We should lay down specifically in cases where election cannot be completed because of the weather. We should also keep this in mind that this is not a question of Himachal Pradesh only. Today, we have six Members from the Jammu and Kashmir State. They are not elected. It is very unfortunate. It is a constitutional anomaly in this

[Shri Balraj Madhok]

country that Members from the Jammu and Kashmir State who come to the Lok Sabha are not elected by the people there. They are, in a way, nominated by the ruling party after the Assembly elections are completed. In Kashmir, we know, the Assembly elections will not be held in February, because Kashmir will be snow-bound as Himachal Pradesh. Elections in the Jammu and Kashmir State may be held some time in April. When that Assembly is constituted, it may sit and it may elect Members to the Lok Sabha. Once these Members come to the Lok Sabha, they are as good Members of the Lok Sabha as anybody else. They have as much right to take part in the election of the President. In that case, you have to take into consideration not only the four Members from Himachal Pradesh or the one Member from Kulu and Kangra, you have to take into consideration the six Members from the Jammu and Kashmir State also. If an amendment is needed in the Constitution, it is in respect of article 370 which has given special status to the Jammu and Kashmir State by which the people of that State do not have the constitutional right to send representatives to the Lok Sabha. My submission is that there is no need for this amendment. If the amendment is to be made at all, it should be made very specific, for only those vacancies which result from death—soon after the election, somebody dies or resigns—or which result because of the fact that elections cannot be held in some particular areas, and also particular reference in this Bill should be made to the Jammu and Kashmir State also. I think the time has come when the separate status for the Jammu and Kashmir State in respect of elections to the Lok Sabha is removed and, as the people of that State have been demanding very often, the Members from that State should be elected directly to the Lok Sabha as in the case of other States. That should also be provided if the amendment is to be

made. It should be made for all those areas which are snow-bound in February and March and therefore, the elections cannot be held on that account, for the election of the President and Vice-President. This is needed only if you are bent upon amending the Constitution. I personally am opposed to the amendment at all. There is no need for it. We should not amend the Constitution for small flimsy things. We can change the date of the elections in such a way that elections can be held in the country after some months.

Shri Hem Raj: Mr. Chairman, the Constitution Amendment Bill which has been brought forward before this House at this far end of this Parliament is proving to be very unconstitutional so far as the rights of Himalayan constituencies are concerned. This Bill is going to take away some constitutional, legal, fundamental rights which are vouchsafed to the Himalayan constituencies. Because, the Members who hail from the Himalayan constituencies, whether of the Punjab or whether of Himachal Pradesh, are as good Members of this hon. House as the other Members are, and by this amendment of the Constitution, this hon. House will be depriving the Members hailing from those constituencies of a certain right which they themselves enjoy. Therefore, I say that this right which was given to the Members of this House from the Himalayan region should not be taken away. Formerly, in the last election, especially my election took place in the month of June-July and I came over to Delhi on the 27th or 29th of July. I took my seat here in the month of July. By that time, the election of the President and the Vice-President had already taken place, and likewise, the election of the Speaker and the Deputy-Speaker also had taken place.

So, I had moved for consideration here a private Member's Bill; that had secured the ballot and that was

discussed also here. There, I had suggested one remedy, but that was not accepted by the House. All the same, some remarks were made, and certain suggestions were thrown out in this House that instead of accepting that amending Bill of mine, some better method might be found to hold the elections earlier. The suggestion that was made here was that the elections to the House of the People and to the Vidhan Sabha from those constituencies may be held in the month of September, some four or five or six months ahead of the elections in the rest of the country.

But, now, what is going to happen as a result of the present Constitution (eleventh Amendment) Bill? The result will be that we shall be deprived of taking part in the election of the President and the Vice-President as well as of the Speaker and the Deputy-Speaker. At the time when my Bill was discussed here, the Deputy Law Minister had given an undertaking to the following effect:

"Which exactly would be the best method of achieving the object is a matter to which we are giving the greatest possible consideration and we hope before the next elections we shall come to the House with a solution of the problem."

What is the solution to the problem, which he has now brought forward? Instead of inserting an enabling clause, he has put in a disabling clause, so far as we are concerned. By that disabling clause, he is depriving us, not for once only—we would not have grudged that—but permanently. That is why I say that he is depriving us of the constitutional right which was granted to us by the Constitution, by this amendment of the Constitution.

The Deputy Minister of Law (Shri Hajarnavis): My hon. friend is not right in saying that they are going to be permanently deprived, or the people of any other region, from taking part in the Presidential elections. So

far as the next ensuing election is concerned, the Election Commission are quite hopeful of finishing the elections in Himachal Pradesh before the Presidential election would take place.

Shri Hem Raj: My point is this. Formerly, it was only the Members from Himachal Pradesh and myself, who were disenfranchised. Now, the jurisdiction of the Election Commission is being extended to Jammu and Kashmir also; so, the Ladakh area also will come within their jurisdiction. Consequently, those people also will be disenfranchised.

If this amendment is made, then what will be the condition of the people from Himachal Pradesh or the Punjab Hills or Ladakh? Already, there is great dissatisfaction so far as my area is concerned. That area is a border area. That area has been neglected and has remained undeveloped for such a long time. There is frustration that Government are not spending as much money as the Chinese are doing on their border areas. And what is the propaganda that the communists are doing there? The communists are already creating dissatisfaction there. If a legislation like this is passed, then both the Indian communists on our border as well as the Chinese communists on the other side will use this as a handle against Government themselves, and the people will feel frustrated and dissatisfied more and more.

I may quote just one instance, in this connection. In the 1952 elections, the people of Lahaul and Spiti could not vote, and there was a hue and cry, and consequently, an agitation was started then that they did not belong to India but they formed part of the Mongoloid tribe or the Tibetans. That was the agitation that was started at Kulu. It was with very great efforts that that agitation was stopped. It was only after an advisory council was formed there, consisting of the Members from those areas, that

[Shri Hem Raj]

those people could be won over to India.

At the present moment, so far as my areas are concerned, they are the main military recruiting centres for the Indian Army. If this legislation will come to the knowledge of those Dogra *jawans*, then they will certainly feel dissatisfied that their rights, which were vouchsafed to them under the Constitution are being taken away by this House.

Shri Hajarnavis: May I ask one question of the hon. Member? He has suggested that the elections should be held on the 1st of September. I have no doubt that that is a very convenient date, so far as the four constituencies in Himachal Pradesh are concerned. But, so far as my State is concerned, or so far as Bengal is concerned, there can be no elections in that month; probably what is true of West Bengal or Maharashtra may also be true of your own State, Sir.

Shri Narasimhan: Because of rain.

Shri Hajarnavis: Is it the proposal of my hon. friend that the votes of these four Members are more important than those of 496 other Members?

Shri Hem Raj: There is no question of four votes here. The question is where a certain right is granted to every Member of this House, it is sought to be taken away. Does the House want that out of the five hundred odd Members, only 496 Members should enjoy a certain right, and that very right which is granted to those Members should be taken away from the four or six or eight Members who come from these snow-bound constituencies?

Shri Narasimhan: And continuously.

Shri Hem Raj: And that right is being taken away not only for one election but permanently. That is my objection. At the present moment,

the ruling party may think that it has got a majority. But a time can arrive when the parties may be equally balanced when even one vote may count; at that time, whichever party may be the ruling party would have to consider whether those eight Members are necessary or not, whether it be for the election of the Speaker or the Deputy-Speaker, or it be for the election of the President or the Vice-President. When the parties are equally balanced with 250 or so on each side, then the ruling party can come to know what the importance of these eight Members is, who hail from the Himalayan constituencies, either of Punjab or of Himachal Pradesh.

I submit that this way of depriving the Himalayan constituencies of this constitutional right is very much resented by the people of those areas. Under article 14 of the Constitution, everybody is equal before law, and there should be equal protection of laws for all the citizens. But, here, what are you doing? Here, you are going to discriminate between one Member and another Member. So, it is a clear case of discrimination between the Members hailing from the other parts of India and the Members coming from the Himalayan parts which remain snow-bound.

Shri Hajarnavis: The discrimination is made by nature, not by man.

Shri Hem Raj: If it is a discrimination made by nature or by geography, then you can hold the elections in those constituencies much earlier, as the Deputy Law Minister had remarked on the earlier occasion. In 1951-52 elections, what happened was this. In the Himachal Pradesh constituencies,—not in my area, because in my area they did not hold the elections in September—in 1951, they held the elections in September; so far as my area was concerned, in 1952, the elections were held only in the month of February or March. But then, the Lahaul and Spiti people could not vote, and because they could not vote

they started an agitation that they did not belong to India but they formed part of Tibet or China, and, therefore, they should go to Tibet or China, that was the agitation that was started in Kulu, as I have said earlier. Therefore, I say that such an opportunity should not be afforded to those people next time so that this kind of dissatisfaction may not prevail in the border areas. In the border areas, you require a contented people, you require a people who are developed, whose communications are developed, and who are properly fed. The people in these areas are very poor people. If instead of developing them, they are going to be deprived of certain rights which are granted to them under the Constitution, it will not create a good impression either in India or outside.

Therefore, I am going to make three suggestions for Government's consideration. Firstly, let us hold the elections in these constituencies in the months of September or October, when there is no snow there, that is, well ahead of elections in the rest of the country. The second suggestion is that as they are nominating Members for certain territories like Dadra and Nagar Haveli and NEFA, they can nominate Members for these constituencies. My third suggestion is that the date for the election of the President and Vice-President can be extended. If we are going to change the Constitution, why not amend it in another way? Under the Constitution, the first President was elected on the 13th May. Therefore, his term expires on the 12th May. So the election must take place before that date. Why not amend the Constitution to make it June or July? That will be an enabling measure, whereas the proposed amendment is a disabling measure, depriving certain Members of their rights permanently.

So long as the election to the Lok Sabha and the election of the President are co-terminus—both have a term of five years—this disability for the Members from the Himalayan

constituencies will persist permanently. This will create a sort of frustration in those areas which will be detrimental to the interests of India. Therefore, I request Government to devise some other method by which they can keep our rights intact as well as have the elections in a proper and methodical way.

Shri Amjad Ali: I have patiently heard the hon. Member opposite who comes from Kangra and the grievance that he voiced. I should not say that the provisions of article 14 of the Constitution need be invoked for this, but it is certain that this is going to be a permanent feature or is going to result in a permanent injury to a certain section of people living in certain areas of the sub-Himalayan ranges.

During the last ten years, the Constitution has undergone 10 amendments. The Constitution of India has been played with. It is being changed too frequently. Too frequent changes of the Constitution take away the sanctity of the Constitution itself. Why play with it? Whenever they find that it does not suit their purpose, whenever they find that there is something in it which would not agree with what they are doing, they want to change the Constitution. We have seen any number of instances. Again the Constitution is being amended for the eleventh time and by this a permanent injury is sought to be inflicted on a particular section of people. I think the hon. Member was justified in making a grievance of this nature.

Sometime ago this particular point was raised before the Supreme Court of India, and for reasons best known to the Court, they have not given any decision nor any opinion on this. In article 71(1), it is specifically stated:

"All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court whose decision shall be final".

[Shri Amjad Ali]

This particular clause was put in with a particular purpose. If there is any doubt or anomaly or proposition worth going into, the Supreme Court have got powers. But in this case, the Court did not express any opinion on it. It is for the Supreme Court to say why they did not do so. But as a matter of fact, the power is given their. The Constitution-makers must have had a good reason for putting in this particular clause (1) in article 71 of the Constitution, giving the Supreme Court power to deal with this matter.

Now a fourth clause is sought to be added to article 71. By this tinkering, no good purpose is going to be served. The proposed clause says:

"The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him".

The vacancy may arise for whatever reason. This drafting by itself seems to be very clumsy. It has been sought to be set right by the Law Minister by his good gesture in accepting an amendment tabled by an hon. Member opposite. The Minister says that the reason which they envisage is that the House may not be duly constituted by then, and that is the only reason. But there may be other reasons. My hon. friend, Shri Aurobindo Ghosal has pointed out in his amendment that it may be due to death, resignation and so on. This is an omnibus clause which is going to be incorporated into the Constitution, leaving the whole thing very vague.

As it is, they say that it is proposed to amend article 71 so as to make it clear that the election of the President or the Vice-President cannot be challenged on the ground of any vacancy for any reason in the appropriate electoral college. Persons who are otherwise entitled to vote in the

election of the President and Vice-President will be deprived of their right by this process. This will lead to frustration, and this will become a permanent feature when the Constitution is amended to this effect. I hope the point would be very well looked into by the Law Minister.

Shri Hajarnavis: May I suggest that it is not going to be a permanent feature? It does not expressly apply to Himachal Pradesh. All that the Bill seeks to do is to avert a challenge to the presidential election because a vacancy occurs in the electoral college. And that is bound to occur for various reasons including snow in Himachal Pradesh when the election takes place.

Shri Supakar: Mr. Chairman, the previous speakers Shri Bal Raj Madhok and Shri Hem Raj made certain important points on the amendment to the Constitution. I feel, Sir, that there is a good deal in what they said and their points are very reasonable. The point is, is it desirable that before all the Members are elected the President and the Vice-President should be elected? Naturally, the Members who are elected from Himachal Pradesh after the election of the President and the Vice-President have a reasonable grievance. To avoid this feeling I think the elections should be so staggered that election from the Himachal Pradesh and from other parts of the country takes place before the election of the President and Vice-President takes place.

Shri Hajarnavis: That is what exactly we are trying to do at present. How can Lok Sabha be dissolved in parts? That is our difficulty.

Shri Supakar: I am coming to that point. That point was also made by the Law Minister.

Sir, the Law Minister and the Deputy Minister of Law say that the

dissolution of the Lok Sabha takes place by the end of March and this year it is taking place, as was declared by the hon. the Prime Minister, on the 1st or second of April. When the dissolution takes place on the 1st of April . . .

Mr Chairman: On the 31st March.

Shri Supakar: Yes, on the 31st March. Before that the election to the Lok Sabha from the different constituencies takes place in the month of January and February, taking into consideration the procedure of filing of nomination paper, voting and all that. The law is that no notification for election should be made before six months of the dissolution of Parliament. We could as well change that provision in the representation of the People Act to provide for such special cases where it is not possible to hold a particular election within a period of six months before the date of dissolution of Parliament. Instead of changing the Constitution, my submission is that we could have made certain alterations in the Representation of the People Act and that would have served the purpose. I do not say that the Government or the Election Commission should be given the power to hold any or all elections at any time they choose before the dissolution of Parliament. What I mean to say is that where, for very special reasons like the snow-bound nature of a particular constituency, it is not possible to do so, it could be provided that in those cases only the six-month rule should be given a go-by and in all other cases the election should take place immediately before the dissolution of Parliament by the end of March. If that could have been done, it would not have been necessary to amend the Constitution, as it is being done today.

Sir, the next question which is a very vital question is clause 3 of this Bill which says:

"The election of a person as President or Vice-president shall

not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him."

It may be said that because we are a sovereign body we have the right and the authority to amend the Constitution. But how far it is proper from the point of view of propriety is doubtful. Clause (1) of article 71 says:

"All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court whose decision shall be final."

Clause (3) of the same article says:

"Subject to the provisions of this Constitution, Parliament may by law regulate any matter relating to or connected with the election of a President or Vice-President."

I feel that this amendment could have been obviated by providing an amendment to the Representation of the People Act. It is true, as Mr. Amjad Ali pointed out, that frequent amendments to the Constitution makes a bad impression on the people and we must protest against such amendments, we feel that this could easily have been done by amendment to the other Act, instead of tinkering with the Constitution as is being done.

श्री शि० न० रामूल (महाराष्ट्र) :

सभापति महोदय, यह कांस्टीट्यूशन अमेंडमेंट बिल जोकि इस हाउस के सामने गौर करने के लिये उपस्थित है उस से गवर्नमेंट का मुद्दा यह मालूम होता है कि अगर कहीं १, २ कैबुल बैकेंसीज हो जायें तो उन की वजह से प्रेसीडेंट या वाइस प्रेसीडेंट का एलेक्शन स्पगित न हो और गवर्नमेंट अपनी इस मंशा को पूरा करने के लिये इस अमेंडमेंट बिल को लाई है। यूं तो मैं भी सहमत

[श्री शि० न० राणील]

कि इस किस्म की कैंजुएल बैकेंसीज होने की वजह से एलेक्शन न रोके जायें और इस हद तक यह प्रमेंडमेंट कुछ रीजनेबल मालूम हो सकता है। लेकिन जैसेकि इस बिल के क्लॉज ३ की भाषा है कि The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him, तो इस का तो मतलब यह हो सकता है कि स्नो बाउंड एरियाज की जो पार्लियामेंटरी कांस्टीट्यूंसीज हैं, अगर इस का बिलकुल क्लैरीफिकेशन न हो जाय, तो वह हमेशा के लिए प्रेसीडेंट और वाइस प्रेसीडेंट के एलेक्शन के लिए डिबार हो जाती हैं। इस के अलावा बूकि वे इलेक्शन न होने की वजह से हाउस में सम्मिलित नहीं हो सकते हैं, इसलिए वे स्पीकर और डिप्टी स्पीकर के इलेक्शन में हिस्सा लेने से भी वंचित हो जाते हैं। इस के बारे में सभी माननीय सदस्यों ने तफ़्सील के साथ बयान दिये हैं।

डिप्टी ला मिनिस्टर साहब ने फ़रमाया कि एक दो मेम्बरों की गैर-हाज़िरी की वजह से प्रेज़िडेंट और वाइस-प्रेज़िडेंट का इलेक्शन नहीं रुक सकता। यह तो मैं मानने के लिये तैयार हूँ। लेकिन किसी एक यूनिट के, जोकि एक सेंपरेट यूनिट है, तमाम के तमाम मेम्बरान डी-फ़्रैंचाइज हैं, अपने कांस्टीट्यूशनल राइट्स से महकूम हों, यह मेरी समझ में नहीं आता है। उन के राइट्स को सुरक्षित रखा जाना चाहिए।

इस वजह से ला मिनिस्टर साहब से मेरा निवेदन है कि अगर यह प्रमेंडमेंट लाना ज़रूरी हो, तो उस में यह प्राविजन रखकर हो कि अगर किसी खास कुदरती रूकावट की वजह से किसी इलाके में इलेक्शन न हो सकते हों, तो वे इस तारीफ़ में न आयें।

उस इलाके के नुमायंदों का शामिल होना ज़रूरी है।

जैसाकि माननीय सदस्य, श्री हेम राज, ने कहा है कि १९५१ में भारतवर्ष की दूसरी स्टेट्स में इलेक्शन होने से पहले ही हिमाचल प्रदेश में इलेक्शन हो चुके थे। इसलिये या तो तमाम भारतवर्ष के इलेक्शन से पहले ही सितम्बर-अक्टूबर में स्नो बाउंड एरियाज में इलेक्शन हो जायें, ताकि वहां से चुने गये मेम्बर प्रेज़िडेंट वगैरह की इलेक्शन में सम्मिलित हो सकें और अगर किसी वजह से वहां पर इलेक्शन पहले न हों सकें और बाद में हों, तो जब तक वहां से पार्लियामेंट के मेम्बर इलेक्ट हो कर हाउस में शामिल न हो जायें, तब तक प्रेज़िडेंट वगैरह के इलेक्शन नहीं होने चाहियें।

अगर उन इलाकों के लोगों का इस किस्म का राइट बरकरार नहीं रखा जाता है, तो, मैं समझता हूँ, उन को जायज रीवेस हो सकती है और वहां पर इस वजह से जो रीपरकशन होंगे, वे अच्छे साबित नहीं हो सकते।

यही दो तीन पायंट हैं, जिन का तमाम मेम्बर साहबान ने जिक्र किया है। इसलिये मैं ज्यादा विस्तार में न जाते हुए ला मिनिस्टर साहब से निवेदन करूंगा कि स्नो बाउंड एरियाज के या उन एरियाज के, जहां किन्हीं कुदरती वजूहात से ठीक समय पर इलेक्शन न हो सकें, लोगों के राइट्स को सुरक्षित रखा जाय। अगर किसी स्टेट में एक दो मेम्बरों की गैर-हाज़िरी की वजह से वह तरसीम लाना ज़रूरी हो, तब तो उस में कोई एतराज नहीं हो सकता है, लेकिन एक परमनेंट तरीके से एक पूरे यूनिट को डीबार कर देना और उस के राइट्स से उस को वंचित कर देना उचित नहीं होगा। मैं गवर्नमेंट और ला मिनिस्टर साहब

से प्रार्थना करूंगा कि वे इस बात की तरफ़ खास तौर से ध्यान दें ।

पंडित ठकुर दास भागंभ (हिसार) : जनाब चेयरमैन साहब, जो सवाल इस वक्त सदन के सामने है, वह निहायत ही जरूरी सवाल है और यह पहला मौका नहीं है कि जब यह सवाल यहाँ पर आया है । इस से पहले भी यह सवाल चन्द मर्तबा सदन के सामने आ चुका है ।

मैं इस सिलसिले में लीगल क्विबल्ज में नहीं जाना चाहता और न ही कांस्टीट्यूशन के आर्टिकल ७१ पर तबसरा करना चाहता हूँ । मोटी बात यह है कि क्या यह जायज़ है कि सारे कंट्री के लिए एक कांस्टीट्यूशन बना कर हम ने सारे देश को जो राइट दिया है, जोकि मोस्ट इम्पार्टेंट है, किसी एक इलाके को उस राइट से महरूम कर दिया जाये । मेम्बर बनने का राइट बहुत ग्रहम है, लेकिन स्पीकर या डिप्टी स्पीकर बनने का राइट भी किसी तरह से कम नहीं है और इसी तरह से स्पीकर या डिप्टी स्पीकर के इलैक्शन में हिस्सा लेने का राइट भी किसी तरह से कम नहीं है । इस बिल को पास करने का मतलब यह होगा कि जिस इलाके के नुमायंदे चुनाव न होने की वजह से हाउस में शामिल नहीं हो सकेंगे, उन को कहा जायगा कि तुम ऐसे पिछड़े हुए इलाके के हो कि तुम को इस इम्पार्टेंट राइट से महरूम कर दिया गया है और तुम्हारे सारे इलाके में से कोई भी कभी भी स्पीकर या डिप्टी स्पीकर नहीं बन सकता । मैं अर्ज करना चाहता हूँ कि इस तरह कांस्टीट्यूशनल राइट्स के साथ, राइट आफ़ वोटिंग के साथ खेलना वाजिब नहीं है । सारे हाउस के लिए यह मुनासिब नहीं है कि एक इलाके को कहा जाये कि तुम्हारे यहाँ इलैक्शन ऐसे वक्त पर होगा—हालांकि वह किसी और मुनासिब वक्त पर भी हो सकता है—कि तुम स्पीकर और डिप्टी

स्पीकर के इलैक्शन में हिस्सा लेने से वंचित रह जाओगे ।

मैं भी पहले अर्ज कर चुका हूँ और श्री हेम राज भी कह चुके हैं कि इस सिलसिले में कुछ तरकीबें हैं, जिन को अच्छी तरह से देखा जा सकता है । इलाज मौजूद है । अगर इस का कोई इलाज मौजूद न हो, तो यह सवाल पैदा हो सकता है । लेकिन उस तरफ़ कोई ध्यान नहीं दिया गया है ।

यह कहा गया है कि बहुत से कांस्टीट्यूशनल में यह प्राविजन मौजूद है कि एक दो मेम्बरों की गैर-हाज़िरी की वजह से किसी हाउस का इलैक्शन बन्द नहीं किया जाता है, या वह हाउस इल्लीगल नहीं बन जाता है । लेकिन यहाँ पर एक दो वैकेंसीज का सवाल नहीं है । यहाँ पर तो जान-बूझ कर एक सारे इलाके को उस के राइट आफ़ वोटिंग से महरूम किया जा रहा है । वैकेंसी के मायने तो ये हैं कि अनफ़ाटुनेटली किसी एक मेम्बर की डैय हो जाये और वहाँ पर वार्ड-इलैक्शन न हो सके । वह तो मैं समझ सकता हूँ । लेकिन एक तमाम इलाके के लोगों के कांस्टीट्यूशनल राइट्स को कांस्टीट्यूशन के जरिये छीनना उन के डुकू पर बड़ा भारी डाका है । मैं इस बारे में ज्यादा स्ट्रांग वर्ड्स इस्तेमाल नहीं करना चाहता, लेकिन मैं इस बात को इक्वैनिमिटी से नहीं देख सकता कि किसी एक इलाके को उस के कांस्टीट्यूशनल राइट्स से वंचित कर दिया जाये ।

इस सिलसिले में दो बड़े सीधे तरीके हैं । उन में से एक को क्यों नहीं माना जाता है ? एक तरीका तो यह है कि उन इलाकों में इलैक्शन ऐसे वक्त पर किये जायें कि वे मेम्बरान आ कर प्रैजिडेंट और स्पीकर के इलैक्शन में शामिल हो सकें, यानी यह इलैक्शन तब किया जाये, जबकि उन इलाकों समेत सारे कंट्री का इलैक्शन हो चुके ।

[पंडित ठाकुर दास भार्गव]

दूसरा तरीका यह है कि उन इलाकों के इलैक्शन को इस तरह टाइम किया जाये कि वहां के इलैक्शन कंट्री के दूसरे हिस्सों से पहले हो जायें और वहां के मेम्बर अपने हुकूक को इस्तेमाल कर सकें।

जो भी तरीका अख्तियार किया जाये, उन को उन के राइट्स से महकूम करना हरगिज जायज नहीं है और वह हमारे बेसिक उमूलों के बरखिलाफ है, जोकि हमारे कांस्टीट्यूशन के आर्टिकल १४ में मौजूद हैं। यह कहा जा सकता है कि बोटिंग का राइट और इलैक्टल राइट कांस्टीट्यूशन में दर्ज फंडामेंटल राइट्स में शामिल नहीं किया गया है। कांस्टीट्यूट असेम्बली में मैं ने इस बात की कोशिश की थी कि इन राइट्स को फंडामेंटल राइट्स में शामिल कर लिया जाये, लेकिन ऐसा न करने का मतलब यह नहीं है कि ये राइट्स फंडामेंटल राइट्स नहीं रहे। मैं यह अर्ज करना चाहता हूं कि बोटिंग के राइट और इलैक्शन में हिस्सा लेने के राइट से ज्यादा कोई फंडामेंटल राइट नहीं है। यह एक बेसिक राइट है। इस राइट से किसी आदमी को डिप्राइव करना जायज नहीं है, कुजा सारे इलाके को महकूम करना उस के इस सेक्रिड राइट से। इसलिये मैं समझता हूं कि कांस्टीट्यूशन के इस अमेंडमेंट को मन्जूर नहीं करना चाहिये। अगर हम ने इस उमूल को मान लिया, तो मालूम नहीं आईदा हम कहां पहुंचेंगे। इसलिये मैं इस अमेंडमेंट के हक में नहीं हूं। मैं सारे कंट्री, ला मिनिस्टर साहब और गवर्नमेंट से यह अर्ज कर कर्हंगा कि इस मामले को लाइटली नहीं देखना चाहिए। यह उन इलाकों के लोगों के राइट्स के साथ खेलना है और उन को उन के हुकूक से महकूम करना है। जो दो तरकीबें मैं ने अभी अर्ज की हैं, उन में से एक को मान लेना चाहिये।

पिछली दफा जब यह सवाल उठा था, तो ला मिनिस्टर साहब ने फरमाया था कि हम देखेंगे कि इलैक्शन को इस तरह टाइम किया जाये कि वे लोग अपने हुकूक से महकूम न हों। यह जरूरी है कि ऐसा तरीका अख्तियार किया जाये कि वे लोग अपने इस राइट से महकूम न हों। इस बिल को पास करना ईविल में ऐक्वेस करना है, उस को कनडोन करना है, उस पोझीशन को परपेटुएट करना है कि वे न प्रैजिडेंट और न स्पीकर के इलैक्शन में हिस्सा ले सकें।

14:48 hrs

[MR. DEPUTY-SPEAKER in the Chair]

यहां पर यह कहने की जरूरत नहीं है कि किसी भी असेम्बली या पार्लिमेंट में स्पीकर या डिप्टी स्पीकर क्या हिस्सा भ्रदा करता है। स्पीकर और डिप्टी स्पीकर किसी भी असेम्बली की जान होते हैं। वे चाहे जिस तरह किसी डिस्कशन को तोड़ मरोड़ सकते हैं, चाहे जिस तरह हमारे राइट्स को रेगुलेट कर सकते हैं। किसी भी इलाके को स्पीकर और डिप्टी स्पीकर को इलैक्ट करने और उस इलैक्शन में हिस्सा लेने के बेसिक राइट से महकूम करना जायज नहीं है। हम सारी दुनिया में लैक्चरों में यह कहते फिरते हैं कि देखो, हमारे यहां कोई भी इन्सान हिन्दुस्तान का प्रेसिडेंट या स्पीकर बन सकता है। बातें तो हन ऐसी करते हैं, लेकिन जब उन बातों को प्रैक्टिस में लाने का मौका आता है, तो हम ऐसा कानून बनाते हैं, जिस के जरिये हम किसी इलाके को जान-बूझ कर हमेशा के लिये उस के फंडामेंटल राइट्स से महकूम कर देते हैं। अगर कोई बैकसी हो और उसको फिल न किया जा सके, तो वह मजबूरी है और उस मजबूरी को मैं समझ सकता हूं। लेकिन इस तरीके से एक

इलाके के लोगों को हमेशा के लिये उन के फंडामेंटल राइट्स से महरूम करना जायज और दुस्त नहीं है। इस लिये यह गार दी दो जावे कि हिमाचल प्रदेश व पंजाब के बर्फीनो इलाकों में इन्वैक्शन ऐसे किया जायेगा कि वह इस हफ से महरूम न होंगे।

Shri Easwara Iyer (Trivandrum): It is undeniable that any proposed amendment to the Constitution has to be taken very seriously, but I do not subscribe to the view that when practical difficulties face us, we should flinch from finding an amendment to the Constitution. So, the principal question before us is whether the proposed constitutional amendment is necessary.

Here we are dealing with the election of the President and the Vice-President. It is a matter of serious importance which need not be stressed by me. I consider one of the basic principles of the Constitution is the election to the House of the People and the various Legislative Assemblies of States.

If I may refer the hon. Law Minister of article 326 of the Constitution, he will find that the golden principle of adult franchise has been embodied there:

"The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage;

The golden principle is that every representative in our democracy shall be elected by the will of the people on the basis of adult suffrage. That is enshrined in our Constitution. From that we derive this, regarding the highest office in our country, regarding the President, that the election shall be by the elected representatives. In other words, every elected representative, be he from the Legislative Assembly or be he from the House of the People, has got a voice in the selection of the President. He

will have his voice in the selection of the Vice-President. If articles 54 and 66 provide for the election of the President and Vice-President. I take it, it is an indirect means of expressing the will of the people by their elected representatives.

The fact that Himachal Pradesh may be snow-bound so that we may exclude the voice of the Himachal Pradesh people in regard to the election of the President or the Vice-President, goes contrary to the very fundamentals of our Constitution. Tinkering with the Constitution is a thing which is very dangerous.

The Supreme Court of India might not have expressed their opinion in 1957 S.C.R. 1081; that is Mr. Khare's case. But we will have to understand what is the basic principle underlying the elections to the House of the People or the elections to the Legislative Assemblies in order to arrive at a decision as to whether the President could be elected in the absence of the elected representatives of the Himachal Pradesh.

Quite apart from the drafting absurdity of this piece of legislation, which I am presently coming to, I cannot see eye to eye with the proposition that because Himachal Pradesh is bound to become snow-bound, or some parts of Punjab also, the choice of the President or the Vice-President should be left to the majority of the House of the People and the Legislative Assemblies. Supposing there are floods in some States or the elections have to be postponed for some other reason. We are going to hold elections in Kashmir State also. Should we deny the constitutional right of every elected member of the House of the people, who, in turn, represents the voice of the people by means of adult franchise, which has been envisaged in our Constitution, by tinkering with the Constitution and saying that the President and the Vice-President may be chosen in the absence of these elected representatives? We shall not make a mockery of our Con-

[Shri Easwara Iyer]

stitution by saying that the President or the Vice-President shall be elected by some members at their own sweet will and pleasure. Whether it is snow-bound or whether it is the rainy season or whether it is a case of the climate not being conducive enough for the elections to be held, I should say that every citizen of India who is represented by a member here must have his voice heard when the election of the President or the Vice-President is taken up.

Shri Hajarnavis: May I ask a question without interrupting the hon. Member? Supposing, after the elections are held and people from different parts of the country are represented, an elected representative resigns, should the election of the President be postponed?

Shri Easwara Iyer: The hon. Minister should have a little more patience. I would have come to that position also. I had that certainly in my mind.

Shri Hajarnavis: This Bill does not in terms apply to Himachal Pradesh or any other Pradesh. It prescribes merely for a vacancy.....

Shri Easwara Iyer: May I draw the attention of the hon. Minister to the 'Notes on Clauses' supplied by him? Let him bear with me. It says in the last paragraph:—

"It is possible that elections to the two Houses may not always be completed before a President or a Vice-President is elected."

I think I know English. Otherwise, you might not have written your intentions:

"When the notification for the election of the President was issued, elections in certain snow-bound areas in the North had not been completed."

Shri Hajarnavis: Even this time the Election Commission expects to com-

plete the elections before the President is elected.

Mr. Deputy-Speaker: It is all past history. Last time it happened like that. Now, arrangements have been made that even those elections might be completed before the election of the President takes place.

Shri Easwara Iyer: I am at that question.

Shri Tyagi: Could it not be possible for the Election Commission to hold the elections even much earlier than the General Elections, much in advance? The elected representatives may take their seats when the next Parliament comes.

Mr. Deputy-Speaker: Even then the Law Minister says that this provision shall have to be made. Supposing a member from the Rajya Sabha seeks election to the Lok Sabha. As soon as he is elected he shall have to resign from the other place. Such things will continue. Some member may die or resign. Therefore, this provision is necessary.

Shri Easwara Iyer: I am not dealing with a contingency—of what happened before. What is the proposed amendment now? It says:

"The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him".

Supposing in some State the Election Commission thinks that the elections have to be postponed. Whether the election of the President or the Vice-President would come within the mischief of this amendment is a matter for the consideration of this House.

If the elected representative of a particular State is not there and the proposed amendment is carried

through, then it will also come as a vacancy arising in a particular electoral college.

We are at this basic question. I am not at the question whether we have got difficulties to face. In fact, in the case of elections to this House we have got difficulties to face. In fact, we have to prepare a general electoral roll for the entire country. Supposing tomorrow the Election Commission wants an amendment to article 325 and says that in view of the fact that the machinery in a certain State is a delaying one, we may carry on with the old electoral roll. What is this high office of President envisaged in our Constitution? We go about saying that the Constitution is sacrosanct. If the Constitution is such that the office of the President is not an ornament and the President is an elected representative of the elected members of the House of the People and the Legislative Assemblies, I cannot for one moment think that just because there is no election in some States we can go on with the election of the President and still call that President to be the representative of the people. As long as this Constitution is there, it is for us to see that the elections to the House of the People and all the legislative assemblies in all the States and in all the places must be held in order to facilitate the election of the President. It is not an ornamental provision that the Vice-President should be elected by a joint sitting of both the Houses, the House of the People and the Council of States; it is not mere formal provision. That provision has been introduced after careful deliberation. Why should we now tinker with it? No reason has been advanced for that.

15 hrs.

The amendment now proposed reads as follows:

"The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason

among the members of the electoral college electing him".

If I understand the draft here correctly, it means that the existence of more than one vacancies in the electoral college will not affect the election. How is it? The Law Minister can as well put in an amendment saying that the President shall be nominated by the House of the People. We want the President to be the representative of the people in the sense in which the Constitution has put forward and I cannot certainly see eye to eye with these amendments. Going back into the very basis of the Constitution, we have, as in a chain, first provided for election to the House of the People and the legislative assemblies by means of adult suffrage. It will be going against the very basis of adult suffrage if we adopt this amendment which means that the election of President and Vice-President will stand irrespective of the question whether the will of the people has been represented.

Shri Narasimhan: I submit that the Bill as it is drafted is not quite happy.

Mr. Deputy-Speaker: The hon. Member is not happy or the Bill is not happy?

Shri Narasimhan: I am sorry if I had made a mistake. The Bill as it is drafted is not happily worded. The Law Minister himself at the outset stated that theoretically according to the Bill as it is now it was capable of allowing the elections of the President and Vice-President while the majority of the electoral college was vacant. That is to say, if more than fifty per cent. of the electoral college is vacant, still the election of the President and Vice-President can take place. That will not be a creditable situation and we should not have a draft of this nature. That made me move an amendment putting a limit on the vacancies. There will at least be some safeguard if the two per cent. limit was put. The Law Minister who examined the matter thought that two

[Shri Narasimhan]

per cent. was too low and that was made five per cent. That was the burden of his speech when he moved for the consideration of this Bill.... (Interruptions).

Mr. Deputy-Speaker: If there is a controversy among the Members on this side, it can be resolved somewhere else.

Shri Narasimhan: The Law Minister's approach was like this. But when we adopt a Constitution or an amendment to it, we should not imagine that the composition of the bodies that are responsible for things at the present moment, that is, the Lok Sabha, the Election Commission, the executive, etc. would remain as it is at present, permanently. If it is an ordinary law, certainly it is a different matter and rule making powers are vested with the Government or the House can rectify matters. But the basic law of the country should endure many things. As a result of the Supreme Court judgment a certain fear has come in that the election of the President or Vice-President may be invalidated and an attempt has been made to rectify it. But in order to avoid one danger, we are getting into another pitfall. Therefore, I say that drafting is not good. I do not object to the idea of validating the presidential election and indemnifying that election against casual vacancies. But indemnifying it in a legal manner when the vacancy is more than fifty per cent. of the electoral college is not good. I do not think that it was the object of the Government when the Bill was drafted and brought forward here. So, they should come with a better Bill. I do request the Government to think deeply in the matter. No doubt the Law Minister has come out with an assurance. But let him think further in the matter.

Shri A. K. Sen: What I said was that if the Opposition thought that it was necessary they could move an amendment.... (Interruptions).

Shri Narasimhan: I have not said anything contrary to his view.....

Mr. Deputy-Speaker: It should not be left to the Opposition alone but it should be open to the Congress Members also.

Shri A. K. Sen: It is really a concession to the Opposition but they have not moved any amendment.

Shri Ranga: Simply because the Opposition has not given notice of an amendment and the other side thought it fit to do so, is that the reason why it should not be accepted?

Mr. Deputy-Speaker: He is further conceding a privilege to the Opposition. Let them come up with some amendments and he is prepared to agree to them.

Shri Ranga: You have given us only 2½ hours for this Bill and my hon. friend was good enough to give notice of that amendment. Would he be prevented from supporting that amendment?

Mr. Deputy-Speaker: Nobody has asked him to do that.

Shri Ranga: The Law Minister now gives the impression that because it has come from his side, he is not prepared to consider that.

Shri A. K. Sen: I am very happy to see Shri Ranga taking our side.

Shri Tyagi: He is coming nearer us now.

Shri Ranga: That is, when you are right.

Mr. Deputy-Speaker: Let us hear the hon. Member who was speaking now.

Shri Narasimhan: Therefore, another important thing which is missing is, we are not aware of the actual wording of the Supreme Court's judgement which has moved the Government to take this measure. Does the Supreme Court's judgement really create any trouble, or, is it only a vague fear?

Mr. Deputy-Speaker: I thought that the Supreme Court has not given any clear judgement on that.

Shri A. K. Sen: They have just mentioned it.

Shri Narasimhan: If really the Supreme Court has not felt any difficulty or cast any doubt, then there was no necessity at all for a Bill of this nature. This Bill, which is brought forward to avoid one kind of danger will probably land us, as admitted by the Law Minister himself by his expression "theoretical possibility", in another pitfall. That is not a happy situation. So, I appeal to the Government to take great care and utilise better drafting assistance in all these matters.

श्री बजरंग सिंह : (फिरोजाबाद) :
उपाध्यक्ष महोदय, इस विधेयक के उद्देश्यों में, जैसा अभी कानून मंत्री महोदय ने बताया है, सिर्फ यह नहीं आता है कि कोई सदस्य महोदय अपने पद से इस्तीफा दे दें तो उनकी जगह खाली होने को शकल में भी राष्ट्रपति और उप राष्ट्रपति के चुनाव हो सकते हैं, वरन्, इसमें जो शब्द लिखे गये हैं वे तो यहां तक जाते हैं कि यदि असेम्बली या लोकसभा के चुनाव न हो पायें, और यहां तक कि अगर बहुमत सदस्यों का ऐसा हो जो न चुन पाये, तो भी प्रेसीडेंट और वाइस प्रेसीडेंट के चुनाव हो सकते हैं। मैं समझता हूं कि शायद कानून मंत्री महोदय का उद्देश्य ऐसा नहीं, और उद्देश्य ऐसा नहीं है और भाषा से यह प्रकट होता है तो मैं सिर्फ इतना ही कह सकता हूं कि हमारे आज के मंत्री और उनके अधिकांश इतने लापरवाह हो गये हैं कि वे यह तक नहीं जानते कि जो शब्द वे लिख रहे हैं उनका क्या अर्थ होगा।

आखिर सदन के सामने जो बिल आता है उसका मसविदा बहुत होशियारी के साथ बनाना चाहिये। यह न हो कि उनका उद्देश्य तो कुछ है और शब्दों से अर्थ कुछ

और निकलता है। और आज कानून मंत्री महोदय का यह कहना कि इस तरह का कोई संशोधन विरोधी दल के सदस्यों की ओर से आना चाहिये, मैं समझता हूं उचित नहीं है। सरकार को इसी उद्देश्य के लिये इन कुत्सियों पर बिठाया गया है, और जब वह दिन पर दिन ऐसी गलतियां करती है कि ऐसे मसविदे पेश किये जाते हैं जिनमें उनका अपना अर्थ नहीं निकलता, तो मैं समझता हूं कि यह सकार के लिये बहुत बुरी बात है और यह सरकार की ऐसी आलोचना है जो कोई करना नहीं चाहेगा, लेकिन दुर्भाग्यवश करनी पड़ती है।

इस सब से मैं एक ही नतीजे पर पहुंचता हूं कि सरकार के लोग अब अपने कार्य को कर्तव्य की शकल में नहीं ले रहे हैं, उसको बहुत ही ध्यान पूर्वक नहीं ले रहे हैं, और नतीजा यह होता है कि इस तरह की गलतियां हो जाते हैं। अभी तो हिमाचल प्रदेश की तरफ ही ध्यान आकर्षित किया गया है कि हिमाचल प्रदेश में कुछ ऐसे स्थान हैं जहां बर्फ पड़ती है इस लिये चुनाव नहीं हो सकता जिसकी वजह से हमें संविधान में ऐसी कानूनी व्यवस्था करनी चाहिये कि उनके बिना भी हम राष्ट्रपति और उप राष्ट्रपति के चुनाव कर सकें। लेकिन मैं पूछता हूं कि आज नहीं तो कल जम्मू और कश्मीर की जनता भी लोक सभा के सदस्यों को चुनेगी और जो स्थिति हिमाचल प्रदेश के बारे में है वहीं कल से जम्मू और कश्मीर के कुछ हिस्सों के बारे में जरूर होगी। वहां पर भी कुछ सदस्य चुने जा सकेंगे। नतीजा यह होगा कि काफी सदस्य ऐसे हो सकते हैं जो इस अवधि के अन्दर न चुने जा सकें और उनके बिना चुन ही हम प्रेसीडेंट और वाइस प्रेसीडेंट का चुनाव कर लें। मैं नम्र निवेदन करना चाहता हूं कि यह संविधान के सम्पूर्ण सिद्धांतों के खिलाफ है, जो हमने पढ़ति अपनायी है, जनतंत्र पद्धति, उसकी व्यवस्थाओं के खिलाफ है। कोई व्यक्ति जिसको हम अधि-

[श्री ब्रजराज सिंह]

कार देते हैं इत उच्च पद के लिये उसके न होने पर हम चुनाव कर लें यह उचित नहीं है। सरकार का तरफ से जो यह बिल लाया गया है कि राष्ट्रपति और उपराष्ट्रपति के चुनाव होने के समय तक कुछ सदस्यों के चुनाव नहीं होने पायेंगे इसलिये हम संविधान में संशोधन कर लें, मैं समझता हूँ कि यह उचित नहीं है। कोई न कोई ऐसा तरीका निकाला जाना चाहिये कि राष्ट्रपति और उन राष्ट्रपति के चुनाव से पहले सम्पूर्ण सदस्यों के चुनाव हो जायें।

कानून उपमंत्री कहते हैं कि कोई सदस्य इस्तेफा दे दे तब क्या होगा। ऐसे अन्वय हो सकते हैं, लेकिन कानून को भाषा इस तरह की नहीं होना चाहिये। और मैं समझता हूँ कि कानून उपमंत्री महोदय का मंशा यह नहीं है कि अगर कोई लोग इस्तेफा दे दें तो उस स्थिति में इन सिद्धांतों को लागू किया जायेगा। उनका साफ मंशा है कि क्योंकि हिमाचल प्रदेश में चुनाव नहीं पूरे हो सकेंगे और देश के और कुछ हिस्से हो सकते हैं जिनमें उस समय तक चुनाव न हो सकें, उस अवस्था में भी राष्ट्रपति और उपराष्ट्रपति के चुनाव किये जाने चाहिये। मैं समझता हूँ कि संविधान को इतने हलके तौर से संशोधित नहीं किया जाना चाहिये। संविधान हमारे लिये एक पवित्र वस्तु है और उसका इन सब चीजों के लिये संशोधन करना गलत है।

हमें इन्वेक्शन कमीशन को प्रभावित कराना चाहिये कि जो अवधि निर्धारित की हुई है उसमें राष्ट्रपति और उपराष्ट्रपति के चुनाव के पहले सम्पूर्ण देश में सदस्यों के चुनाव पूरे हो जाने चाहियें। मैं नहीं समझता कि इन छोटी बातों के लिये संविधान में संशोधन करना आवश्यक है।

मैं अन्त में कानून मंत्री जी का ध्यान इस चीज की तरफ भी आकर्षित करूँगा

कि जब वह फंस जाते हैं तो कुछ प्रस्तावों को वापस भी ले लेते हैं जैसे कि अभी कुछ दिन पूर्व वह पब्लिक ग्रैंडरटेन्स का प्रस्ताव वापस ले चुके हैं और उस पर वहस नहीं होने दी। मैं समझता हूँ कि वह इत दिल को भी वापस ले लेंगे और संविधान में कोई संशोधन नहीं करेंगे। और जो अधिकार सरकार को इस समय प्राप्त हैं उनसे ही वह चुनावों की व्यवस्था करेंगे। चूंकि देश के हर नागरिक को अपनी राय प्रकट करने का अधिकार है इस लिये हर एक नागरिक को जो चुना जा सकता है उसे राष्ट्रपति और उपराष्ट्रपति के चुनाव में हिस्सा लेने का अधिकार होना चाहिये।

उपाध्यक्ष महोदय : श्री त्यागी।

वही दलीलें बार बार दुहराई जा रही हैं जो कि पहले दो जा चुकी हैं। इसलिये इस पर अब जो कुछ कहना हो वह मुक्तिसर में ही होना चाहिये

Shri Tyagi: Mr. Deputy-Speaker, Sir, I do not think there is much departure from the previous constitutional requirement in respect of the States. The only contingency that may arise is that a seat may be vacant in the case of the election of the President. All members of legislative assemblies of the various States are also voters. In their case, leaving apart Himachal Pradesh, suppose there is a vacancy in the State legislative assemblies for reasons of death, resignation, etc., that will have to be covered. This Bill makes it quite clear.

Shri Hem Raj: That is already covered by another article of the Constitution.

Shri Tyagi: This does not go further. The Bill says:

"The election of a person as President or Vice-President shall not be called in question on the

ground of the existence of any vacancy for whatever reason—

It does not refer only to Himachal Pradesh—

“among members of the electoral college electing him.”

Therefore, it makes it only foolproof. At present also, there may be a vacancy in certain parts of the country in the matter of the election of the President, in respect of the legislative assembly members. Some members are not elected to the legislative assemblies for some reason or other. Therefore, this is only a clarification. It does not do any wrong and no constitutional excess is committed, so to say. Under these circumstances, it is only a pure clarification of what has happened.

There was one guarantee in the Constitution. That is:

“Either House of Parliament shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in Parliament shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise took part in the proceedings.”

So, a vacancy was also provided for in the normal working of the Houses of Parliament. But if there was a vacancy the Parliament was not in any way barred from sitting or acting. In the matter of elections, both the Houses were to meet. But when it is said like that, it is implied that the Houses must meet with some quorum. There was some requirement in respect of quorum. The House cannot meet unless its quorum is full. So, that provision was there.

The only thing which I think is defective to some extent is that a vacancy does not mean a single vacancy. There may be many vacancies. Vacancies are sometimes to such an extent that even the quorum is not full! That is also legally covered by

the provisions, although such a contingency will never arise. Therefore, the provision which my hon. friend has already accepted, namely, five per cent. of the strength should be there, may be accepted.

Shri A. K. Sen: Not accepted; it may be moved.

Shri Tyagi: It does not in any way do any harm to the spirit or the sense of the Act. Why not make it foolproof altogether so that a vacancy may not mean any kind of vacancy? Let there be no chance for criticisms. If the position is that the amendment which may be moved by the Opposition would be accepted, I can tell you this from this side.

Mr. Deputy-Speaker: The Law Minister wants rather to bind the Opposition so that he might be able to say that it was at their instance and they might not object to the amending measure.

Shri Tyagi: Once they demand it, that means their commitment is there. So, they can be fully accommodated without doing any harm to the spirit of this Bill. I would, therefore, suggest that the hon. Law Minister may kindly accept that amendment. Otherwise, there is no departure from the Constitution that I can find in this.

Shri Ranga: Mr. Deputy-Speaker, Sir, many of the points have already been cleared by our friends. First of all, I would like to preface my remarks by saying that I would like the Law Minister to be good enough to give his due consideration to the amendment proposed by my hon. friend, Shri Narasimhan and also that additional amendment which the Minister is credited to be in favour of. Regarding the point made by the Law Minister that he would have liked to give consideration provided the amendment came from the opposition.....

Shri Tyagi: He is the son of the main opposition.

Shri Ranga: I would plead guilty on behalf of the opposition that we were not quick enough to give notice of such an amendment. Since Shri Narasimhan has already given notice of it, I express my gratitude to him and I would like the Law Minister to consider it as if it has come from one of us on the side of the opposition.

This point only makes it very clear how necessary it is for the Government to take the opposition here in the House and if possible the legal luminaries all over India through their Bar Councils into their confidence and consult them before drafting such Bills for amendment of the Constitution. The Constitution is such an important thing and it ought to be treated as a sacred thing also. I am sure on that the Law Minister agrees with me. Therefore, amendment of the Constitution ought not to be thought of in a light-hearted manner nor should it be taken up too frequently. An amendment to the Constitution should be considered only after a tremendous lot of discussion among the lawyers themselves through their Bar Councils and afterwards among the political parties in the country. I would like the Government hereafter at least to be specially careful in regard to such matters and see that adequate consideration is given and adequate time and notice is also given for the discussion of the need for such amendment. After they are formulated by the Law Ministry, opportunity must be given to the Bar Councils, the High Court and the Supreme Court also to express their opinions in an unofficial manner, so that the Law Ministry would be able to take advantage of all that, revise their amendment if necessary, and afterwards bring it before this House.

It is because such precautions had not been taken on earlier occasions that a number of amendments came to be made in our Constitution, to several of which we in the Swatantra Party take special objection and we are trying also....

Mr. Deputy-Speaker: All those amendments are not open here at this moment.

Shri Ranga: I am trying, speaking for myself, to go to the people at the time of elections and persuade them to give us the necessary franchise and the necessary support and sanction to set right some of these amendments and see to it that....

Mr. Deputy-Speaker: Does he require any sanction or permission here?

Shri Ranga: Is it wrong for me to give notice to this House? Surely, it is not wrong on my part; I am going to tell the people.

Mr. Deputy-Speaker: We are not discussing the old amendments that have taken place during the past 10 years in the Constitution.

Shri Ranga: I am not questioning what you have said. But I suppose I have not said anything out of order.

Mr. Deputy-Speaker: I said it was not relevant.

Shri Ranga: But it is not out of order; thank you very much.

These amendments run into a few lines only and in formulating these few lines, an additional amendment has become necessary. What does it show? It shows that the Law Ministry is not as careful as it ought to be and secondly that the Government has not taken the trouble to give that much important consideration as is demanded by the Constitution itself. Thirdly, it also shows that if only the Government had taken care to consult, as I have already suggested, the concerned political parties and also the organisations which make a speciality of studying these constitutional and legal problems, surely it would have been possible for the Government to have taken advantage of their wisdom and suggestions and to have come to this House with a better amendment.

We are discussing the question of elections and the time has come when we will have to be presented with the necessary amending Bill to the Constitution in regard to the powers of the President and the Vice-President. Some time ago, there was some discussion in one of the Houses of Parliament on a Private Member's Bill, which sought to deal with the powers of the President. Some of us also are anxious that the President's position should be made clearer than it has been made and his powers should also be increased in such a manner that it would be possible for him to ensure an impartial, non-political, non-partisan and clean administration in our country.

I hope the Government to come hereafter will give sufficient consideration to these points, place its proposals before the country first of all and thereafter bring forward a well-considered Bill for suitably amending the Constitution.

सरदार अ० सि० सङ्गल (जंजगीर):

उपाध्यक्ष महोदय, इस कांस्टीट्यूट अमेंडमेंट बिल के जरिये हम अपने संविधान के आर्टिकल ६६ और ७१ को तरमीम करने जा रहे हैं।

जहां तक अपने भारतीय संविधान में तरमीम करने का सवाल है आप देखेंगे कि जब से यह लागू हुआ है हमने आवश्यकता पड़ने पर इसमें कई दफा संशोधन किया है और इसको बदला है। अपने संविधान को इतनी जल्दी बदलना कहां तक वाजिब है या गैर-वाजिब यह मैं ठीक तरीके से नहीं कह सकता लेकिन इतना अवश्य कहूंगा कि हर वक्त कानून को बदलते रहना कुछ ठीक नहीं लाता है

आर्टिकल ६६ जिसको हम बदल रहे हैं उसके अनुसार अभी तक पार्लियामेंट के दोनों हाउसेज की ज्वाइंट सिटिंग में मेम्बर्स वाइस प्रेसीडेंट का चुनाव करते थे। अब उस के बजाय हम यह कहते जा रहे हैं कि यह

ज्वाइंट सिटिंग नहीं होनी चाहिये और वाइस प्रेसीडेंट के चुनाव के वास्ते पार्लियामेंट के दोनों हाउसेज के मेम्बर्स को लेकर एक एलेक्टोरल कालिज बनना चाहिये और वाइस प्रेसीडेंट का चुनाव वह एलेक्टोरल कालिज करे।

कांस्टीट्यूशन के आर्टिकल ५४ के बमोजब प्रेसीडेंट का चुनाव पार्लियामेंट के दोनों हाउसेज के एलेक्टड मेम्बर और लेजिसलेटिव असेम्बलीज के मेम्बर्स का एलेक्टोरल कालिज करता है। अब यह हो सकता है कि हिमाचल प्रदेश, पंजाब के कुछ हिस्से में और जम्मू तथा कश्मीर में अर्थात् स्नो बाऊंड एरियाज में प्रेसीडेंट या वाइस प्रेसीडेंट के एलेक्शन से पहले पार्लियामेंटरी एलेक्शन समाप्त न हो पायें यह दिक्कत पैदा सकती है और आयोगी और इसी को मद्देनजर रखते हुये कांस्टीट्यूशन के आर्टिकल ७१ को हम अमेंड कर रहे हैं।

डा० खरे का केस जो कि सुप्रीम कोर्ट में गया वह इसी आधार पर ले जाया गया था कि वैलिड प्रेसीडेंटल एलेक्शन के लिये यह जरूरी है कि पार्लियामेंट के दोनों हाउसेज के तमाम चुनाव प्रेसीडेंट का चुनाव होने से पहले खत्म हो जायें।

"In Narayan Bhaskar Khare vs. the Election Commission of India, 1957, S.C.R. 1081, a point was made that for a valid election of the President, all elections to the two Houses of Parliament should be completed before the date of the Presidential election, as otherwise some members would have been denied the right to take part in the election. But the Supreme Court expressed no opinion on the point as it was not necessary to do so."

इस से यह प्रकट है कि सुप्रीम कोर्ट ने इस पॉइंट पर अपनी राय देना जरूरी नहीं समझा और इस सदन पर छोड़ दिया कि वह

[प्रदर अ० सि० सहगल]

इस बारे में फैला करे। मेरा ख्याल है कि उनके सामने शायद यह बात रही होगी कि प्रेसीडेंट और वाइस प्रेसीडेंट का जो चुनाव होगा, उस को हम कहीं चैलेंज भी कर सकते। मैं समझता हूँ कि हमारा जो इलैक्ट्रल कालेज बनेगा, उस में इस बात का तसफिया कर लिया जाये कि प्रेजिडेंट और वाइस-प्रेसिडेंट का इन्वेक्शन कैसे किया जाये।

कांस्टीट्यूशन का आर्टिकल ७१(३)

इस प्रकार है—

"Subject to the provisions of this Constitution. Parliament may by law regulate any matter relating to or connected with the election of a President or Vice-President."

अर्थात् इस सदन को इस बात का अधिकार है कि वह प्रेसीडेंट या वाइस प्रेसीडेंट के इन्वेक्शन के बारे में किसी भी बात की व्यवस्था कर सकता है और उसमें परिवर्तन कर सकता है। इस परिस्थिति में इस बिल के द्वारा जो तरमोम सामने लाई गई है, वह वक्त को देखते हुये ठीक है। लेकिन मैं ला मिनिस्टर साहब से प्रार्थना करूँगा कि वह इस तरह से संविधान को जल्दी जल्दी बदलने के स्थान पर ठंडे दिमाग से यह सोचें कि हमने इतने कौन कौन सी तरमोम करनी है और उन सब को एक वक्त पर ही ले आयें, बनिस्वत इस के कि छोटी छोटी तरमोमों को ला कर इस हाउस के सामने रखा जाये।

श्री अजराम सिंह : इन का दिमाग जाड़ों में भी गर्म है।

श्री भक्त दर्शन (गढ़वाल) : उपाध्यक्ष महोदय, मैं भी एक मिनट के लिये बोलना चाहता हूँ।

Shri Tangamani: Mr. Deputy-Speaker, Sir, I would like to say a word about the un wisdom and impropriety of Government's asking for frequent amendments of the Constitution in the manner that has now become familiar.

We shall never stand in the way of such amendments as are necessary for fulfilling the country's fundamental objectives stated so beautifully in the Preamble to the Constitution. We have repeatedly shown this in our stand in this House on this matter. If the Supreme Court has made any observation or the Supreme Court has come out with a decision which warrants an amendment of the Constitution we can very well understand that position. In the notes on clauses also they have said that even in Khare's case the Supreme Court has simply referred to this and they have not mentioned this as an important point. But an amendment of this sort must not be very lightly and frivolously undertaken.

Here I would like to say with due respect to the Law Minister that the Law Ministry has often been found in this House to move in a manner that is inept and unconvincing. Only the other day, over the issue of a Standing Committee for Public Undertakings the Law Minister was caught napping, for quite obviously he had not applied his mind to certain implications which occurred at once to the hon. Speaker, whether what has been done by the Estimates Committee could be done by a committee of both the Houses. Many alert Members of this House also pointed it out. Today we were told that this question of having a joint committee has been completely shelved. That only shows the attitude of this Ministry to this House. I do not wish to rub in this point, but over a constitutional amendment of this nature, I surely expect the Law Ministry to mind its steps more carefully. Even

at the time of the first reading when I rose to a point of order the Law Minister was quick enough to say that he was prepared to accept certain amendments. He is coming with an amendment to a certain constitutional provision and he should have come after mature consideration. To treat this House so lightly is something to which I take very serious objection.

The makers of the Constitution had their own reasons for framing articles 66 and 71 in the way that they did. I shall refer to this in some little detail later on. But let me say that article 71 deliberately vests in the Supreme Court the right to inquire into all doubts and disputes relative to the election of the President or Vice-President and make decisions that are to be final. In this light manner the power that has been vested in the Supreme Court is sought to be taken away.

I submit in all seriousness that this is an important issue. We have a written Constitution. Necessarily, the highest judiciary, the Supreme Court, will have to interpret it whenever there are doubts and difficulties.

An Hon. Member: Sir, there is some conference going on.

Mr. Deputy-Speaker: Order, order.

Shri Tangamani: I was referring to the indifference of the Law Minister, and we find that other Ministers are also behaving in the same way.

Mr. Deputy-Speaker: But they should realise that the hon. Minister for Parliamentary Affairs has some very special privilege (*Interruption*). Order, order. Now, I feel that some other Members are also taking up this attitude as is taken by the hon. Minister.

Shri Tangamani: Now, as I have already mentioned, under article 71, the highest judiciary in this country is given these original powers which

they enjoyed exclusively and in no case did we go to a Supreme Court for setting aside a particular election. When the Supreme Court is vested with this power to set aside the election of President or Vice-President, is it proper even to restrict it with 'ifs' and 'buts' or to control the powers of the Supreme Court? I can very well understand if the hon. Member has come forward with an amendment for deleting article 71 itself. Article 71(1) gives these exclusive powers, 71(2) says that even if the election is set aside it will not be with retrospective effect, 71(3) says that the Parliament has got powers to order and frame rules for these elections. Having done these, by having 71(4) you want to say that the Supreme Court shall not go beyond a certain thing. That, I submit, has never been the intention of the framers of the Constitution. I admit that this House is supreme and we can make amendments, but in making amendments of this nature we should be very careful. That is my submission. Now, to ask us to approve of steps depriving the Supreme Court of its right and making questions relating to the election of the President or Vice-President immutable and unchallengeable and supra-legal is too tall an order.

The question is about the Vice-President. The Vice-President is now elected by members of both the Houses of Parliament and not by an electoral college. The concept of electoral college is sought to be introduced here. As many hon. Members have pointed out, the President is elected by an electoral college consisting of the Parliament and also the legislative assemblies (*interruption*).

Mr. Deputy-Speaker: Order, order. I do appreciate that the attendance inside just at present is a forced one, but we should realise that it is not Central Hall.

Shri Tangamani: Unlike the President, the Vice-President has very few powers and his substantive job is to preside over the Rajya Sabha. We now happen to have a great man as our Vice-President who, in his own right, plays a large role; he adorns whatever he touches. But the office of the Vice-President has been placed by the Constitution in a certain context. I am reminded of a saying in the United States in this regard. It seems there was an American family, where one of the sons had gone to sea and the other had become Vice-President—neither had been heard of since! Anyway, in the parliamentary context, the Speaker of Lok Sabha is a much more important person, the symbol of the power of the people's elected representatives. Why the election of the Vice-President should be put in a special category is not particularly intelligible.

A joint meeting of both the Houses is to elect the Vice-President according to article 66 of the Constitution. The joint meeting presupposes the Speaker presiding naturally, this means that the election of the Speaker precedes the joint meeting. This is only fair. Now, Sir, the Speaker is elected when the whole House meets. That is provided in article 93. I believe that some four members are elected from Himachal Pradesh. Suppose one member from Himachal Pradesh wants to become Speaker. He is welcome to do so. The hon. Speaker or hon. Deputy-Speaker can be from Himachal Pradesh.

Mr. Deputy-Speaker: The Deputy-Speaker may be left out.

Shri Tangamani: I am speaking strictly on a constitutional basis. Unlike Canada and the United States, a convention has grown as in U.K. that the seat of the Speaker will not be contested by other parties. So, by that convention, the Speaker will continue to be the Speaker. If that is the position, the Speaker may come and stand from a constituency, say in Himachal Pradesh. It is not a theoret-

tical point. I am visualising a position where we want X as Speaker or Y as Deputy-Speaker from Himachal Pradesh.

Mr. Deputy-Speaker: Why should the hon. Member worry about that?

Shri Tangamani: The hon. Speaker has already mentioned that we represent the whole of this country. It is not as if we raise questions only about our own constituency. This is not like a municipality where we represent our own areas, or a State Legislature where we represent our constituency. Here we represent the whole country. I may say in all seriousness that this particular point was raised when this article was discussed. It is certainly a natural right; still, it is a fundamental right. Why does the Government mismanage matters? Why cannot the election be held earlier than the expiry of the fifth year? Why should the Parliament be dissolved after March? Why should we not dissolve Parliament in November or December? Why should the elections not be held in January so that all these preliminaries are carried out? That is being done in England. It may be that in this view I am with the leaders of some other parties. Now, if the Parliament is dissolved, then there will not be the Ministers and others and the elections will be held strictly under the leadership of the President. That situation may arise and we can get over the constitutional difficulty in that manner. We cannot have the cake and eat it too. We will not dissolve the Parliament till the end of March or April and, at the same time, we would like to take away the powers of the Supreme Court. That, I submit, is not a very laudable proposition at all. I find that the Government is in a difficulty; it is not for us in the opposition always to pull the Government chestnut out of the fire. I do not know how we can agree to the Law Minister coming up with such an amendment. With these words, I submit that the two amendments sought to be introduced in the Con-

stitution by this Constitution (Eleventh Amendment) Bill are not at all welcome and I oppose them.

Shri A. K. Sen: Mr. Deputy-Speaker, I have listened to all the speeches with attention and care, but I am really surprised and a little pained with some of the remarks, especially those coming from Shri Braj Raj Singh and Shri Tangamani. A simple straightforward amendment of the Constitution, necessitated by the very nature of our working and the difficulties which such working has revealed, has been attached on the ground that this has been brought up without mature deliberation in a haphazard manner, and as a part of the general process of amending the Constitution light-heartedly. This matter has been given a good deal of thought. It will be seen that the first time the challenge was made with reference to article 66 in 1957 when the case of Dr. Khare came up for decision before the Supreme Court. We had examined the matter carefully, the Attorney-General has gone into it, the Prime Minister personally and the President himself have gone into it and, after seeing all the difficulties, it was thought that this amendment was absolutely necessary, and that is why we have introduced the amendment before the election of the President and the Vice-President after the general elections.

As you will notice, in the amendment we say:

"In article 66 of the Constitution, in clause (1), for the words 'members of both Houses of Parliament assembled at a joint meeting', the words 'members of an electoral college consisting of the members of both Houses of Parliament' shall be substituted."

This is necessary because, first of all, naturally, all the elections cannot be completed before the election of the Vice-President. Secondly, even if there was one single resignation, that will make the election impossible, and

that is why the second amendment becomes necessary by inserting clause 4, a separate clause. Shri Tangamani says that clause 4 takes away the jurisdiction of the Supreme Court. I do not see how. All that it says is that it shall not be challenged on the ground that there is a vacancy. But that does not take away the jurisdiction of the Supreme Court or any other court. It can be challenged on other grounds, except this specific ground that there is one single member not elected, or one single member has resigned and, therefore, the election is bad. Only that chance will not be available for challenge as a ground for challenge. But that is quite different from taking away the jurisdiction of the court.

Shri Tangamani: In spite of that, the Supreme Court may decide it otherwise, if you leave it to the Supreme Court.

Shri A. K. Sen: What I was endeavouring to point out was that the absence of one ground for challenge is quite different from want of jurisdiction for the courts. The jurisdiction is there. The only difference is that one of the grounds which was so long available for challenge would not be available henceforward. That is why I am saying that there is a little confusion of thought on this matter when the attack was made that we are trying to curb the jurisdiction of the Supreme Court. Of course, it is true in the sense that the litigants will henceforth not be able to challenge the election of the Vice-President only on the ground that one member was not elected or one member had resigned.

With regard to the indication that I gave at the very beginning that if it was felt by the opposition that there was ever this possibility of the election of the President or the Vice-President being carried out without even half of the electoral college being elected, I said that should this theoretical apprehension appear to be real, I would be prepared to consider

[Shri A. K. Sen]

any amendment which may be moved by the opposition. It was an excellent argument of Shri Ranga when he said "I shall not move an amendment but you accept the amendment of one of your own party." The Government, in order to show its flexibility of approach, wanted the opposition to come forward with an amendment. If the opposition has not accepted this responsibility, I am sorry for it. They cannot put the blame on us for that. The reason why we did not put any limit on the vacancy is because supposing some members take it on their head that all of them will resign, at least more than two per cent of the electoral college, to prevent the election of the President or the Vice-President, what will happen? That theoretical possibility is equally there. So, by means of this very process the election of the President or the Vice-President can be stalled for a long time or for all time to come. The amendment refers to two per cent of the electoral college. Two per cent of the present 500 members of this House will mean 10 members. Two per cent of the members of the other House will not mean many members. So, if the requisite number of members coming from the opposition resign just before the presidential election, they can stall the election of the President. We shall be without a President. That is the possibility which I quietly explained to Shri Narasimhan. When the charge is made that we introduce a thing without thinking, it is sometimes profitable to ponder that the amendments possibly are introduced without thinking of what the consequences will be.

This is a simple formal amendment, as I said. We have consulted all the persons who are concerned with this including the Attorney-General. It has become absolutely necessary. The Chief Election Commissioner himself feels that this would be absolutely necessary.

Some point was made about bad drafting device. I do not know what other drafting device was possible.

Somebody said about bad drafting. I would like him to produce a better draft. I will accept it because the draft is the language which expresses the mind. If there was a better language, I would be the first man to accept it. It is no use criticising the draft without producing a better one.

These are my submissions.

Shri Easwara Iyer: They took three years to produce this draft.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

We have to divide because a statutory majority is required. Let the lobbies be cleared. . . Order, order. I hope every hon. Member is in his own proper seat. He must recollect how the machine is to be worked. Both the hands are to be applied to the buttons. Before I call the division, I think all hon. Members will be ready. They are familiar with the working of the machine. They need not be reminded. Mistakes might not be corrected, but any wrong working of the machine will certainly be looked after.

Shri Tyagi: Shall we press the buttons in advance?

Mr. Deputy-Speaker: Yes; they might put their hands in advance on the two buttons.

15.56 hrs.

[MR. SPEAKER in the Chair]

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, the time specified was 4 o'clock.

Mr. Speaker: Hon. Members want to continue the debate, is it?

Some Hon. Members: No, Sir.

Shri Braj Raj Singh: We want the division to take place immediately.

Mr. Speaker: The House stands adjourned to meet again at 4 o'clock.

15.57 hrs.

The Lok Sabha then adjourned and re-assembled at Sixteen hours.

[MR. SPEAKER in the Chair.]

Mr. Speaker: Let the Lobbies be cleared.

The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

I am going to order a division—Division.

The Lok Sabha divided.

Mr. Speaker: Are there any hon. Members who for want of time could not vote?

Shri Satyanarayan Sinha: I wanted to vote 'Aye'.

Shri T. B. Vittal Rao (Khammam): The Deputy-Speaker had ruled that no mistakes will be corrected, but only if the machine goes wrong it will be done.

Mr. Speaker: Rules are made for us. It is a very precious right that any hon. Member exercises. Normally, on prior occasions, I used to stop for some time so that hon. Members might adjust their hands and be ready, lest they should make any mistakes. But this time, because we adjourned and re-assembled, hurriedly I called division. I am not going to take advantage of it. I understand the Prime Minister also did not vote.

Division No. 2]

Abdur Rahman, Maulana
Achar, Shri
Agadi, Shri
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Anjanappa, Shri
Ashanna, Shri
Asthana, Shri Lila Dhar
unna th Singh, Shri

Badan Singh, Ch.
Bahadur Singh, Shri
Bakdival, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bengubi Thakur, Shri
Barman, Shri
Berupal Shri, P. L.
Basappa, Shri

AYES

[16.06 hrs.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I did; but I was suddenly taken unawares by the machine stopping.

Shri Tyagi: His vote is there, Sir. Some one else must have recorded the vote for him then!

Mr. Speaker: He pressed the button all right, but he was under the impression that it did not work.

Any other hon. Members?

The Minister of Defence (Shri Krishna Menon): I did not press the button.

An Hon. Member: Why did he not?

Shri Tyagi: He is at perfect liberty.

Shri Rami Reddy (Cuddapah): I voted for "Noes" by mistake; I wanted to vote for "Ayes".

Shri Satyanarayana (Parvathipuram—Reserved—Sch. Tribes): I recorded my vote for "Ayes", but the machine was not working.

Shri M. C. Jain (Kaithal): My vote has been wrongly recorded; I wanted to vote for "Ayes".

Shri Ganpat Sahai (Sultanpur—U.P.) rose—

Shri S. M. Banerjee (Kanpur): Sir, he is a new Member and he did not know how to operate the machine.

Mr. Speaker: How does he want to vote?

Shri Ganpat Sahai: For "Ayes".

Basumtari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri

AYES—contd

Bist, Shri J. B. S.
 Biswas, Shri Bholanath
 Brahm Prakash, Ch.
 Brajeshwar Prasad, Shri
 Chanda, Shri Anil K.
 Chandak, Shri
 Chandra Shankar Shri
 Chaturvedi, Shri
 Chettiar, Shri Ramanathan
 Chuni Lal, Shri
 Daljit Singh, Shri
 Damani, Shri
 Damar, Shri
 Das, Shri N. T.
 Desappa, Shri
 Datar, Shri
 Desai, Shri Morarji
 Deshmukh, Shri K. G.
 Dinesh Singh, Shri
 Dube, Shri Mulchand
 Dublith, Shri
 Dwivedi, Shri M. L.
 Eacharan, Shri V.
 Bring, Shri D.

Garkwad, Shri Fatesinhrao
 Ganpat Sahai, Shri
 Ganga Devi, Shrimati
 Ganpati Ram, Shri
 Gautam, Shri C. D.
 Ghosh, Shri Atulya
 Ghosh, Shri M. K.
 Govind Das, Dr.
 Guha, Shri A. C.
 Gupta, Shri Ram Krishan
 Hajarnavis, Shri
 Harvani, Shri Anwar
 Hansda, Shri Subodh
 Hathi, Shri
 Heda, Shri
 Hem Raj, Shri
 Hukam Singh, Sardar
 Iqbal Singh, Sardar
 Jagivan Ram, Shri
 Jain, Shri M. C.
 Jamir, Shri Chubatoehi
 Jangde, Shri
 Jedhe, Shri G. K.
 Jhunjhunwala, Shri
 Jinachandran, Shri
 Jogendra Sen, Shri
 Joshi, Shri A. C.
 Joshi, Shri Liladhar
 Jyotishi, Pandit J. P.
 Kalika Singh, Shri
 Kanakasabai, Shri
 Karmakar, Shri
 Kasi Ram, Shri V.
 Kedaria, Shri C. M.
 Keser Kumari, Shrimati
 Keshava, Shri
 Kerkar, Dr.

Khan, Shri Osman 1
 Khan, Shri Shehnawaz
 Khwaja, Shri Jamal
 Kiledar, Shri R. S.
 Kirtaiya, Shri
 Krishna Chandra, Shri
 Krishnappa, Shri M. V.
 Kureel, Shri B. N.
 Lachhi Ram, Shri
 Lachman Singh, Shri
 Lahiri, Shri
 Laxmi Bai, Shrimati
 Mafida Ahmed, Shrimati
 Maiti, Shri N. B.
 Majithia, Sardar
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Malliah, Shri U. S.
 Mallik, Shri D. C.
 Malavia, Shri K. B.
 Mandal, Shri J.
 Maniyangadan, Shri
 Manjula Devi, Shrimati
 Masuriya Din, Shri
 Mathur, Shri Harish Chandra
 Mehdi, Shri S. A.
 Mehta, Shri B. G.
 Mehta, Shrimati Krishna
 Melkote, Dr.
 Menon, Shri Krishna
 Minimata, Shrimati
 Mishra, Shri Bibhutl
 Mishra, Shri L. N.
 Mishra, Shri M. P.
 Mishra, Shri S. N.
 Mishra, Shri B. D.
 Mohammad Akbar, Shaikh
 Mohiuddin, Shri
 Morarka, Shri
 Muniswamy, Shri N. R.
 Murmu, Shri Paika
 Murty, Shri M. S.
 Musafir, Giani G. S.
 Nair, Shri C. K.
 Nair, Shri Kuttikrishnan
 Naldungkar, Shri
 Nanda, Shri
 Nanjappa, Shri
 Narasimhan, Shri
 Narayanasamy, Shri R.
 Naskar, Shri P. S.
 Nathwani, Shri
 Nayak, Shri Mohan
 Nayat, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nehru, Shrimati Uma
 Newi, Shri
 Onkar Lal, Shri
 Oza, Shri
 Padam Dev, Shri
 Pahadia, Shri
 Palchoudhuri, Shrimati Ita

Pandey, Shri K. N.
 Panna Lal, Shri
 Patel, Shri Maniben
 Patel, Shri N. N.
 Patel, Shri Rajeshwar
 Patil, Shri S. K.
 Pillai, Shri Thanu
 Prabhakar, Shri Naval
 Radha Mohan Singh, Shri
 Radha Ramen, Shri
 Raghuraj Sahai, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raju, Shri D. S.
 Ram Saran, Shri
 Ram Shankar Lal, Shri
 Ram Subhag Singh, Dr.
 Ramananda Tirtha, Swami
 Ramaswamy, Shri S. V.
 Ramaul, Shri S. N.
 Ramdhani Das, Shri
 Ramesh Parsad Singh, Shri
 Rampure, Shri M.
 Ranbir Singh, Ch.
 Rene, Shri
 Rangarao, Shri
 Rao, Shri Hanmanth
 Rao, Shri Jaganatha
 Rao, Shri Rameshwar
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddy, Shri Bali
 Reddy, Shri K. C.
 Reddy, Shri Rami
 Roy, Shri Bishwanath
 Rup Narain, Shri
 Sadhu Ram, Shri
 Sahu, Shri Bhagabat
 Sahu, Shri Rameshwar
 Saigal, Sardar A. S.
 Samanta, Shri S. C.
 Samantsinhar, Dr.
 Sanji Rupji, Shri
 Serbadi, Shri Ajit Singh
 Satish Chandra, Shri
 Satyabhama Devi, Shrimati
 Satyanarayana, Shri
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shrimati Jayaben
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shakuntala Devi, Shrimati
 Shankaraiya, Shri
 Sharma, Shri D. C.
 Sharma, Pandit K. C.
 Sharma, Shri R. C.
 Shastri, Shri Lal Bahadur
 Shastri, Swami Ramanand
 Shivananjappa, Shri
 Shobha Ram, Shri

AYES—contd.

Shree Narayan Das, Shri
Siddananappa, Shri
Siddish, Shri
Singh, Shri C. Saran
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Singh, Shri R. P.
Sinha, Shri Anirudh
Sinha, Shri B. P.
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan

Sinha, Shrimati Tarkeshwari
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tantia, Shri Ramchhwar
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thimmiah, Shri

Thomas, Shri A. M.
Tiawari, Shri R. S.
Tiawari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh Shri,
Upadhyaya, Shri Shiv Datt
Varma, Shri B. B.
Varma, Shri M. L.
Vedakumari, Kumari M.
Venkatasubbiah, Shri
Viswanath Prasad, Shri
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wilson, Shri J. N.
Wodeyar, Shri

NOES

Amjad Ali, Shri
Awasthi, Shri Jagdish
Banerjee, Shri S. M.
Barua, Shri Hem
Bharucha, Shri Naushir
Braj Raj Singh, Shri
Das Gupta, Shri B.
Deb, Shri P. G.
Godsora, Shri S. C.
Iyer, Shri Eswara
Jaipal Singh, Shri
Kar, Shri Prabhat

Kodiyan, Shri
Kumbhar, Shri
Majhi, Shri R. C.
Matin, Quzi
Menon, Dr. K. B.
Mukerjee, Shri H. N.
Pandey Shri Sarju
Panigrahi, Shri Chintamani
Parvathi Krishnan, Shrimati
Pillai, Shri Anthony
Rajendra Singh, Shri
Ram Garib, Shri

Ranga, Shri
Rao, Shri T. B. Vittal
Saksena, Shri S. L.
Sampath, Shri
Singh, Shri L. Achaw
Sugandhi, Shri
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Verma, Shri Ramji
Yajnik, Shri

Mr. Speaker: The result of the division is as follows:

Ayes: 266.

Noes: 35.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Mr. Speaker: Now we proceed to the clause-by-clause consideration. Is any hon. Member moving any amendment?

Shri Aurobindo Ghosal: I wish to move my amendment.

I beg to move:

Page 1, line 13,—

for “for whatever reason”
substitute—

“due to delay in election in
snow-bound areas or due to

death, resignation or retirement.” (3)

Mr. Speaker: He has already spoken about it. Amendments do not require that kind of majority. So I will put it to the vote of the House.

The question is:

Page 1, line 13,—

for “for whatever reason” sub-
stitute—

“due to delay in election in
snow-bound areas or due to death,
resignation or retirement.” (3)

The motion was negatived.

Mr. Speaker: All the amendments have been disposed of. I will now put clauses 2 and 3 to the vote of the House, together. The question is:

“That clauses 2 and 3 stand part
of the Bill.”

Let the lobbies be cleared.

Mr. Speaker: Does any hon. Member want me to put clauses 2 and 3 separately?

Some Hon. Members: They can be put together.

Mr. Speaker: With the consent of the House, I am going to put clauses 2 and 3 together to the vote of the House. Before I call Division, hon. Members will apply themselves. I suppose there would be no difficulty.

Shrimati Renu Chakravartty (Basirhat): No mistakes.

Shri Tangamani: Clause 2 may be put separately and clause 3 separately. Clause 2 deals with the electoral college. Clause 3 deals with powers of the Supreme Court.

Mr. Speaker: Unless there is agreement on this, I am bound to put clause by clause separately.

The question is:

"That clause 2 stand part of the Bill."

The Lok Sabha divided.

Ch. Brahm Prakash (Delhi Sadar): My vote is not recorded. I am for 'Ayes'.

The Deputy Minister of Works, Housing and Supply (**Shri Anil K. Chanda**): My vote has not been recorded. I am for 'Ayes'.

Mr. Speaker: Did he record?

Shri Anil K. Chanda: I did press the button for 'Ayes'. It is not recorded at all.

Shri M. L. Varma (Udaipur): "Ayes".

Mr. Speaker: Is it recorded wrongly? Plus one.

Shri H. N. Mukerjee (Calcutta Central): How can a machine make a mistake? It cannot, It is a human mistake.

Mr. Speaker: The hon. Member need not get angry. If there are mistakes, I will correct.

Shri H. N. Mukerjee: There is a limit to humour: not at the expense of the machine.

Shri Tyagi: For the future, we may establish a convention that a Member must suffer his mistake. This cannot go on for ever.

Mr. Speaker: I am not showing any indulgence which has not been the practice in this House. Ever since I came, I have always been noting, before 1947 also, hon. Members went into one lobby instead of going into the other. Some of them went into the 'Noes' Lobby when they had to go to the 'Ayes' Lobby. If that is a mistake, that can be corrected. This is a mistake which can be much more corrected.

Shri H. N. Mukerjee: This is a foolproof system. Before this system was introduced, the Secretariat sent out circulars explaining how the machine is to be operated. Every time a Division is taken, the Chair explains that you have to keep alert. If this is the standard of alertness which Members of Parliament including Ministers show, the sooner we wind up the shop the better.

श्री उमराव सिंह (घोसी) : मेरी मशीन ने काम नहीं किया। मैं "आइज" पर बोट देना चाहता हूँ।

Mr. Speaker: Plus one. for 'Ayes'.

Shri Aurobindo Ghosal: Not recorded. For "Noes".

Mr. Speaker: Has he recorded "Ayes"?

Shri Aurobindo Ghosal: Not recorded at all.

Mr. Speaker: Plus one for 'Noes'.

Shri Ram Krishan Gupta (Mahendragarh): My machine is not working. For "Ayes".

श्रीमती सहोदरा बाई राय (सागर-रजित अनुसूचित जातियाँ) : मैं "आइज" के लिये बोट डालना चाहती हूँ। इस लिये मेरा बोट हरे रंग का होना चाहिये पीले रंग का नहीं।

Division No. 3]

AYES

16.17 hrs.

Abdur Rahman, Maulana
Achar, Shri
Agadi, Shri
Agarwal, Shri Manakbbai
Ajit Singh, Shri
Alva, Shri Joachim
Anjanappa, Shri
Ashanna, Shri
Asthana, Shri Lile Dhar
Babunath Singh, Shri
Badan Singh, Ch.
Bahadur Singh, Shri
Bakliwal, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhogil Bhai, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singbji, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholenath
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chettiar, Shri Ramanathan
Chuni Lal Shri
Daljit Singh, Shri
Damani, Shri
Damar, Shri
Das, Shri N. T.
Dasappa, Shri
Datar, Shri
Desai, Shri Morarji
Dehmuukb, Shri K. G.
Dehmuukh, Dr. P. S.
Dinesh Singh, Shri
Dube, Shri Mulchand
Dubliab, Shri
Dwivedi, Shri M. L.
Echaran, Shri V.
Erang, Shri D.
Geckwad, Shri Foteinhrao
Ganga Devi, Shrimati
Ganpati Ram, Shri

Gautam, Shri C. D.
Ghoosh, Shri Atulya
Ghosh, Shri M. K.
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Ram Krishan
Hajarnavis, Shri
Harvani, Shri Anser
Hansda, Shri Subodh
Hathi, Shri
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Iqbal Singh, Sardar
Jagjivan Ram, Shri
Jain Shri M. C.
Jamir, Shri Chubatoshi
Jangde, Shri
Jedhe, Shri G. K.
Jhuniunhuala, Shri
Jinachandran, Shri
Jogendra Sen, Shri
Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kanakarabai, Shri
Karmarkar, Shri
Kari Ram, Shri V.
Kedaria, Shri C. M.
Kesar Kumari, Shrimati
Keshava Shri
Keskar, Dr.
Khan, Shri Osman Ali
Khan, Shri Shahnewaz
Khawja, Shri Jamal
Kiledar, Shri R. S.
Kistaiya, Shri
Krishna Chandra, Shri
Krishnapa, Shri M. V.
Kureel, Shri B. N.
Lachi Ram, Shri
Lachhman Singh, Shri
Lahiri, Shri
Laxmi Bai, Shrimati
Mafida Ahmed, Shrimati
Maiti, Shri N. B.
Majithia, Sardar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Malik, Shri D. C.
Malvia, Shri K. B.
Mandal Shri J.
Maniyangadan, Shri
Manjula Devi, Shrimati
Masuriya Din, Shri
Mathur, Shri Hariash Chandra
Mehdi, Shri S. A.
Mehta, Shri B. G.

Mehta, Shrimati Krishna
Melkote, Dr.
Menon, Shri Krishna
Minimeta, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri M. P.
Mishra, Shri S. N.
Misra, Shri B. D.
Mohammad Akbar, Shaikh
Mohiuddin, Shri
Morarka, Shri
Muniswamy, Shri N. R.
Murmur, Shri Paika
Murty, Shri B. S.
Murty, Shri M. S.
Musafir, Giani G. S.
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Naldurgkar, Shri
Nanda, Shri
Nanjappa, Shri
Narasimhan, Shri
Narasimhaswamy, Shri R.
Naskar, Shri P. S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Neswi, Shri
Onkar Lal, Shri
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Pandey, Shri K. N.
Panna Lal, Shri
Patel, Shri Maniben
Patel, Shri N. N.
Patel, Shri Rajeshwar
Patil, Shri S. K.
Pillai, Shri Thanu
Prabhakar, Shri Naval
Radha Mohan Singh, Shri
Radhe Ramon Shri
Raghubir Sahai, Shri
Raghuramsaiah, Shri
rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raju, Shri D. S.
Ram Saren, Shri
Ram Shankar Lal, Shri
Ram Subbag Singh, Dr.
Ramananda Tirtha, Swami
Ramaswamy, Shri S. V.
Ramsul, Shri S. N.
Ramdhani Das, Shri
Ramesh Prasad Singh, Shri

AYES—Contd.

Kempure, Shri M.
Ranbir Singh Ch.
Rane, Shri
Rangaroo, Shri
Rao, Shri Hanmanth
Rao, Shri Jagannatha
Rao, Shri Rameshwar
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri Bali
Reddy, Shri K. C.
Reddy, Shri Rami
Roy Shri Bishwanath
Rup Narsin, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sanji Rupji, Shri
Sarhadi, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Sen, Shri A. K.
Sen, Shri P. G.
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shah, Shri Manubhai

Shakuntala Devi, Shrimati
Shankaraiya, Shri
Sharma, Shri D. C.
Sharma, Pandit K. C.
Sharma, Shri R. C.
Shastri, Shri Lal Bahadur
Shastri, Swami Ramanand
Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Siddananjappa, Shri
Siddiah, Shri
Singh, Shri C. Saran
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Singh, Shri R. P.
Sinha, Shri Anirudh
Sinha, Shri B. P.
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha Shri Sarangdhara
Sinha, Shri Stayanarayan
Sinha, Shrimati Tarkeshwari
Snatak, Shri Nardeo
Soman, Shri
Sonavane, Shri

Subarayan, Dr. P.
Subramanyam, Shri T.
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh Sardar
Syed Mahmud, Dr.
Tabir, Shri Mohammed
Tantia, Shri Remeshwar
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Themas, Shri A. M.
Tiwari, Shri R. S.
Tiwari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Vedakumari, Kumari M.
Venkatasubbaiah, Shri
viswanath Prasad, Shri
Vyas, Shri R. C.
Vyasa, Shri Radhelal
Wilson, Shri J. N.
Wodeyar, Shri

NOES

Amjad Ali, Shri
Awasthi, Shri Jagdish
Banerjee, Shri S. M.
Barua, Shri Hem
Bharucha, Shri Neushir
Braj Raj Singh, Shri
Chakravarty, Shrimati Renu
Das Gupta, Shri B.
Deb, Shri P. G.
Ghosal, Shri Aurobindo
Godsora, Shri S. C.
Iyer, Shri Baswara

Kar, Shri Prabhat
Kodiyan, Shri
Kumbhar, Shri
Majhi, Shri R. C.
Matin, Qazi
Menon, Dr. K. B.
Mukerjee, Shri H. N.
Pandey, Shri Sarju
Panigrahi, Shri Chintamani
Parvathi Krishnan, Shrimati
Pillai, Shri Anthony
Rajendra Singh, Shri

Ram Garib, Shri
Ranga, Shri
Reo, Shri T. B. Vittal
Saksena, Shri S. L.
Sampath, Shri
Singh, Shri L. Achaw
Sugandhi, Shri
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Yajnuk, Shri

Mr. Speaker: The result of the Division is as follows:

Ayes: 268; Noes 35.

The Ayes have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 2 was added to the Bill.

My Speaker: I shall now put clause 3 to vote.

The question is:

"That clause 3 stand part of the Bill".

The Lok Sabha divided.

श्री रा० स० तिवारी (खजुराहो) :
मर्शन काम नहीं कर रही है, मैं "आइज"
के लिये वोट डालना चाहता हूँ।

श्रीमती सहोवरा बाई राय (सागर)
रक्षित अनुचित जातियाँ) : मैं भी "आइज"
कहना चाहती हूँ।

Shri Birendra Bhadur Singhji
(Raipur): I wanted to vote for 'Ayes'.

Shri M. L. Varma. My vote has not

been recorded.

Shri Damani: My vote also has not
been recorded.

Division No. 4]

AYES

[16-22 hrs.]

Abdur Rahman, Maulana
Achar, Shri
Agadi, Shri
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Anjanappa, Shri
Ashanna, Shri
Athana, Shri Lila Dhar
Babunath Singh, Shri
Badan Singh, Ch.
Bahadur Singh, Shri
Bakliwal Shri
Bancrji Shri P. B.
Benerji, Dr. R.
Bangahi Thakur, Shri
Barman, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhogji Bhai, Shri
Bldari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Brahm Prakash Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chettiar, Shri Ramenathan
Chuni Lal, Shri
Daljit Singh, Shri
Damani, Shri
Damar, Shri
Das, Shri N. T.
Dasappa, Shri
Datar, Shri
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh Dr^o P. S.
Dinesh Singh, Shri
Dube, Shri Mulchand
Dubliash, Shri
Dwivedi, Shri M. L.
Echazran, Shri V.

Ering, Shri D.
Gackwad, Shri Fatesinhrao
Ganpat Sahai, Shri
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghosh, Shri Atulya
Ghosh, Shri M. K.
Govind Dass, Dr.
Guha, Shri A. C.
Gupta, Shri Ram Krishna
Hajarnavis, Shri
Harvani, Shri Ansar
Hansda, Shri Subodh
Hathi, Shri
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Iqbal Singh, Sardar
Jagjivan Ram, Shri
Jain, Shri M. C.
Jamir Shri Chubatoahi
Jangde, Shri
Jedhe, Shri G. K.
Jhunjhunwala, Shri
Jinachandran, Shri
Jogendra Sen, Shri
Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kalika Singh, Shri
Kanakasabai, Shri
Karmarkar, Shri
Karni Singhji, Shri
Kasi Ram, Shri V.
Kedaria, Shri C. M.
Kesar Kumari, Shrimati
Keshava, Shri
Keskar, Dr.
Khadihar, Shri
Khan, Shri Osman Ali
Khan, Shri Shahnawaz
Khawaja, Shri Jamal
Kiledar, Shri R. S.
Kistaiya, Shri
Krishna Chandra, Shri
Krishnappa, Shri M. V.
Kureel, Shri B. N.
Lachit Ram, Shri
Lachman Singh, Shri
Lahiri, Shri
Laxmi Bai, Shrimati
Mafida Ahmed, Shrimati
Maiti, Shri N. B.

Majithia, Sardar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mallik, Shri D. C.
Malviya, Shri K. B.
Mandal, Shri J.
Maniyangadan, Shri
Manjula Devi, Shrimati
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Mehdi, Shri S. A.
Mehta, Shri B. G.
Mehta, Shrimati Krishna
Melkote, Dr.
Menon, Shri Krishna
Minimata, Shrimati
Mishra Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri M. P.
Mishra, Shri S. N.
Misra, Shri B. D.
Mohammad A
Mohiuddin, Shri
Morarka, Shri
Muniawamy, Shri N. R.
Murnu, Shri Paika
Murthy, Shri B. S.
Murty, Shri M. S.
Musafir Gian G. S.
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Naldurgkar, Shri
Nanda, Shri
Nanjappa, Shri
Narasimhan, Shri
Narayanasaamy, Shri R.
Naskar, Shri P. S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Neswi, Shri
Onkar Lal, Shri
Oza, Shri
Padam Dev, Shri
Pahadia, Shri
Palchoudhuri, Shrimati Ila
Pandey, Shri K. N.
Panna Lal, Shri
Patel, Sushri Maniben
Patel, Shri N. N.
Patel, Shri Rajeshwar

AYES—contd.

Patil, Shri S. K.
 Pillai, Shri Thanu
 Prabhakar, Shri Naval
 Radha Mohan Singh, Shri
 Radha Raman, Shri
 Raghubir Sahai, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raju, Shri D. S.
 Ram Saran, Shri
 Ram Shankar Lal, Shri
 Ram Subhag Singh, Dr.
 Ramananda Tirtha, Swami
 Ramaswamy, Shri S. V.
 Ramaul, Shri S. N.
 Ramdhani Das, Shri
 Ramsh Prasad Singh, Shri
 Rampure, Shri M.
 Ranbir Singh Ch.
 Rane, Shri
 Ranga Rao, Shri
 Rao, Shri Hanmanth
 Rao, Shri Jagannatha
 Rao, Shri Rameshwar
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddy, Shri Bali
 Reddy, Shri K. C.
 Reddy, Shri Rami
 Roy, Shri Bishwanath
 Rup Narsin Shri
 Sadhu Ram, Shri
 Sahu, Shri Bhagat
 Sahu, Shri Rameshwar
 Saigal Sardar A. S.
 Samanta, Shri S. C.

Semantsinhar, Dr.
 Sanji Rupji, Shri
 Sarhadi, Shri Ajit Singh
 Satish Chandra, Shri
 Satyabhama Devi, Shrimati
 Satyanarayana, Shri
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shrimati Jayaben
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shakuntala Devi, Shrimati
 Shankaraiya, Shri
 Sharma, Shri D. C.
 Sharma, Pandit K. C.
 Sharma, Shri R. C.
 Shastri, Shri Lal Bahadur
 Shastri, Swami Ramanand
 Shivananappa, Shri
 Shobha Ram, Shri
 Shree Narayan Das, Shri
 Siddananappa, Shri
 Siddiah, Shri
 Singh, Shri C. Saran
 Singh, Shri D. N.
 Singh, Shri D. P.
 Singh, Shri H. P.
 Singh, Shri K. N.
 Singh, Shri M. N.
 Singh, Shri R. P.
 Sinha, Shri Anirudh
 Sinha, Shri B. P.
 Sinha Shri Gajendra Prasad
 Sinha, Shri Jhulan
 Sinha, Shri K. P.
 Sinha, Shri Sarangdhara

Sinha, Shri Satyanarayan
 Sinha, Shrimati Tarkeshwari
 Snatak, Shri Nardeo
 Somani, Shri
 Sonavane, Shri
 Subbarayan, Dr. P.
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Sunder Lal Shri
 Surya Prasad, Shri
 Swami, Shri V. N.
 Swaran, Singh, Sardar
 Syed Mahmud, Dr.
 Tahir, Shri Mohammed
 Tania, Shri Rameshwar
 Tariq, Shri A. M.
 Tewari, Shri Dwarikanath
 Thimmaiah, Shri
 Thomas, Shri A. M.
 Tiwari, Shri R. S.
 Tiwari, Pandit D. N.
 Tula Ram, Shri
 Tyagi, Shri
 Uike, Shri
 Umrao Singh, Shri
 Upadhyaya, Shri Shiva Datt
 Varma, Shri B. B.
 Varma, Shri M. L.
 Vedakumari, Kumari M.
 Venkatasubbaiah, Shri
 Viswanath Prasad, Shri
 Vyas, Shri R. C.
 Vyas, Shri Radhelal
 Wilson, Shri J. N.
 Wodeyar, Shri

NOES

Amjad Ali, Shri
 Awasthi, Shri Jagdish
 Banerjee, Shri S. M.
 Barua, Shri Hem
 Bharucha, Shri Nauahir
 Braj Raj Singh, Shri
 Chakravarty Shrimati Renu
 Das Gupta, Shri B.
 Deb, Shri P. G.
 Godsoa, Shri S. C.
 Iyer, Shri Eeswara
 Jaipal Singh, Shri
 Kar, Shri Prabhat

Kodiyan Shri
 Kumbhar, Shri
 Majhi Shri R. C.
 Matin, Qazi
 Menon Dr. K. B.
 Mukerjee, Shri H. N.
 Nath Pai, Shri
 Pandey, Shri Sarju
 Panigrahi, Shri Chintamani
 Parvathi Krishnan, Shrimati
 Pillai, Shri Anthony
 Rajendra Singh, Shri

Ram Garib, Shri
 Ranga, Shri
 Rao, Shri T. B. Vittal
 Saksena, Shri S. L.
 Sampath, Shri
 Singh, Shri L. Achaw
 Supakar, Shri
 Tangamani, Shri
 Thakore, Shri M. B.
 Verma, Shri Ramji
 Yajnik, Shri

Mr. Speaker: The result of the division is as follows:

Ayes: 269.

Noes: 37.

The 'Ayes' have it. The motion is carried by a majority of the total

membership of the House and by a majority of not less than two-thirds of the Members present and voting. Clause 3 stands part of the Bill.

The motion was adopted.

Clause 3 was added to the Bill.

Mr. Speaker: The question is:

The Lok Sabha divided.

"That clause 1, the Enacting Formula and the Title stand Part of the Bill.

Shri Ulke (Mandla—Reserved—Sch. Tribes): I wanted to vote for 'Ayes'. My vote has not been recorded.

The motion was adopted.

Clause 1, the Enacting formula and the title were added to the Bill.

Shri M. B. Thakore (Patan): I wanted to vote for 'Noes'. But my vote not been recorded.

Shri A. K. Sen: I beg to move:

Shri Sampath (Namakkal): The total number is increasing every time.

"That the Bill be passed".

Mr. Speaker: Need I clear the Lobby once again?

Several Hon. Members: No.

Mr. Speaker: The question is:

Mr. Speaker: That is because there were two abstentions indicated originally. And those hon. Members have since been changing one side or the other.

"That the Bill be passed".

Division No: 5]

AYES

16.26 hrs.

Abdur Rahman, Maulana.
Achar, Shri
Agadi, Shri
Agarwal, Shri Manakbhai,
Ajit Singh, Shri
Alva, Shri Joschim
Anjanappa, Shri
Bshanna, Shri
Bsthana, Shri Lila Dhar
Aabunath Singh, Shri
Aadan Singh, Ch.
Bahadur Singh, Shri
Bakliwal Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Berman, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhogji, Bhai, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhii, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Brahm Praksab, Ch.
Brajeshwar Prasad, Shri
Brijnaryan "Brajesh" Pandit
Chanda, Shri Anil K.
Chandek, Shri
Chandra Shankara Shri
Chaturvedi, Shri

Chettiar, Shri Ramanathan
Chuni Lal, Shri
Daljit Singh, Shri
Damani Shri
Damar, Shri
Das, Shri N. T.
Dassappa, Shri
Datar, Shri
Desai, Shri Morarji,
Deshmukh, Shri K. G.
Deshmukh Dr. P. S.
Dinesh Singh, Shri
Dube, Shri Mulchand
Dubliish, Shri
Dwivedi, Shri M. L.
Eacharan, Shri V.
Ering, Shri D.
Gackwad, Shri Patesinhrao
Ganga Devi Shrimati
Ganpat Sahai, Shri
Ganapati, Ram, Shri
Geutem, Shri C. D.
Ghosh, Shri Aatulya
Ghosh, Shri M. K.
Gobind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Ramkrishna
Hajarnavis, Shri
Harvani, Shri Anser
Hansda, Shri Subodh
Hathi, Shri
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Iqbal Singh, Sardar
Jaggiwan Ram, Shri
Jain, Shri M. C.
Jaimir Shri Chubatoshi
Jangde, Shri

Jedhe, Shri G. K.
Jhunjunwala, Shri
Jinchandran, Shri
Jogendra Sen, Shri
Joshi, Shri A. C.
Joshi, Shri Liladhar
Jyotishi, Pandit J. P.
Kalika Singh, Shri
Kanakasabai, Shri
Karmarker, Shri
Kasi Ram, Shri V.
Kedaria, Shri C. M.
Kesar Kumari, Shrimati
Keshva, Shri
Kekar, Dr.
Khadikar, Shri
Khan, Shri Osman Ali
Khan, Shri Shahnawaz
Khawaja, Shri Jamal
Kiledar, Shri R. S.
Kistiya, Shri
Krishna Chandra, Shri
Krishnappa, Shri M. V.
Kurel, Shri B. N.
Lachhi Ram, Shri
Lachman Singh, Shri
Lahiri, Shri
Laxmi Bai, Shrimati
Madida Ahmed, Shrimati
Maiti, Shri, N.B.
Majithia, Sardar
Malaviya, Shri K. D.
Malhotra Shri Inder J.
Malliah, Shri U. S.
Malik, Shri D. C.
Malvia, Shri K. B.
Mandal, Shri J.
Maniyangaden, Shri
Manjula Devi, Shrimati

Masuriya Din, Shri
 Mathur, Shri Harish Chandra
 Mehdi, Shri S. A.
 Mehta, Shri B. G.
 Mehta, Shrimati Krishna
 Melkote, Dr.
 Menon, Shri Krishna
 Minimata, Shrimati
 Mishra, Shri Bibhuti
 Mishra, Shri L. N.
 Mishra, Shri M. P.
 Mishra, Shri S. N.
 Mishra, Shri B. D.
 Mohammad Akbar Shaikh
 Mohiuddin, Shri
 Morarka, Shri
 Muniswamy, Shri N. R.
 Murmu, Shri Pajka
 Murthy, Shri B. S.
 Murthy, Shri M. S.
 Musafir, Giani G. S.
 Nair, Shri C. K.
 Nair, Shri Kuttikrishnan
 Naldurgkar, Shri
 Nanda, Shri
 Naniappa, Shri
 Narasimhan, Shri
 Narayanasamy, Shri R.
 Naskar, Shri P. S.
 Nathwani, Shri
 Nayek, Shri Mohan
 Nayar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nehru, Shrimati, Uma
 Neerwi, Shri
 Onkar Lal, Shri
 Oza, Shri
 Padam Dev, Shri
 Pahadia, Shri
 Palchoudhuri, Shrimati Ila
 Pandey, Shri K. N.
 Panna Lal, Shri
 Patel, Sushri Maniben
 Patel, Shri N. N.
 Patel, Shri Rajeshwar
 Patil, Shri S. K.
 Pillai, Shri Thanu
 Prabhakar, Shri Naval
 Radha Mohan Singh, Shri
 Radha Raman, Shri
 Raghubir Sabai, Shri

Raghuramiah, Shri
 Rai, Shrimti Sahodrabai
 Raj Bahadur, Shri
 Reju, Shri D. S.
 Ram Saran, Shri
 Ram Shankar Lal, Shri
 Ram Subhag Singh, Dr.
 Ramananda Tirtha, Swami,
 Ramaswamy, Shri S. V.
 Ramaul, Shri S. N.
 Ramdhan Das, Shri
 Ramesh Prasad Singh, Shri
 Rampure, Shri M.
 Ranbir Singh, Chaudhari
 Rane, Shri
 Rangarao, Shri
 Rao, Shri Hanmanth
 Rao, Shri Jaganatha
 Rao Shri Rameshwar
 Raut, Shri Bhola
 Ray, Shrimti Renuka
 Reddy, Shri Bali
 Reddy, Shri K. C.
 Reddy, Shri Rami
 Roy, Shri Bishwanath
 Rup Narain, Shri
 Sadhu Ram, Shri
 Sahu, Shri Bhagabat
 Sahu, Shri Rameshwar
 Sigal, Sadar A. S.
 Samanta, Shri S. C.
 Samantsinhar, Dr.
 Sanji, Rupji, Shri
 Sarhadi, Shri Ajit Singh
 Satish Chandra, Shri
 Satyabhama Devi, Shrim
 Satyanarayana, Shri
 Sen, Shri A.K.
 Sen, Shri P. G.
 Shah, Shrimati Jayaben
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shakuntala Devi, Shrimti
 Shankaraiya, Shri
 Sharma, Shri D. C.
 Sharma, Pandit K. C.
 Sharma, Shri R. C.
 Shastri, Shri Lal Bahadur
 Shastri, Swami Ramanend
 Shivananjappa, Shri
 Shobha Ram, Shri
 ree Narayan Das, Shri
 Siddananjappa, Shri
 Siddiah, Shri
 Singh, Shri C. Saran
 Singh, Shri D. N.
 Singh, Shri D. P.
 Singh, Shri H. P.
 Singh, Shri K. N.
 Singh, Shri M. N.
 Singh, Shri R. P.
 Sinha, Shri Anirudh
 Sinha, Shri B. P.
 Sinha, Shri Gajendra Prasad
 Sinha, Shri Jhulan
 Sinha, Shri K. P.
 Sinha, Shri Sarangdhar
 Sinha Shri Satyanarayan
 Sinha, Shrimati Tarkeshwari
 Snatak, Shri Nardeo
 Somani, Shri
 Sonavane, Shri
 Subbareyan, Dr. P.
 Subramanyam, Shri T.
 Sumat Prasad Shri
 Sunder Lal, Shri
 Surya Prasad Shri
 Swami, Shri V. N.
 Swaran Singh, Sardar
 Syed Mahmud, Dr.
 Tabir, Shri Mohammed
 Tantis, Shri Rameshwar
 Tariq, Shri A. M.
 Tewari, Shri Dwarikanath
 Thimmaiah, Shri
 Thomas, Shri A. M.
 Tiwari, Shri R. S.
 Tiwari, Pandit D. N.
 Tula Ram, Shri
 Tyagi Shri
 Uike, Shri
 Umrao Singh, Shri
 Upadhyaya, Shri Sihva Datt
 Varma, Shri B. B.
 Varma, Shri M. L.
 Vedakumari, Kumari, M.
 Venkatesubbaiah, Shri
 Viswanath Prasad, Shri
 Vyas, Shri R. C.
 Vyas, Shri Radhelal
 Wilson, Shri J. N.
 Wodeyar, Shri

NOES

Amjad Ali, Shri
 Awasthi, Shri Jagdish
 Banerjee, Shri S. M.
 Barua, Shri Hem
 Bharucha, Shri Naushir
 Braj Raj Singh, Shri
 Chakravartty, Shrimati Renu
 Das Gupta, Shri B.

Deb, Shri P. G.
 Ghoshal, Shri Aurobindo
 Godaora, Shri S. C.
 Iyer, Shri Easwara
 Jaipal Singh, Shri
 Kar, Shri Prabhat
 Kadiyan Shri
 Kumbhar, Shri

Majhi, Shri R. C.
 Matin, Qazi
 Menon, Dr. K. B.
 Mukherjee, Shri H. N.
 Pandey, Shri Sarju
 Panigrahi, Shri Chintamani
 parvathi Krishnan, Shrimati
 Pillai, Shri Anthony

Rajendra Singh, Shri
Ram Gerib, Shri
Ranga, Shri
Rao, Shri T. B. Vittal

Saksena, Shri S. L.
Sampath, Shri
Singh, Shri L. Achaw
Sugandhi, Shri

Supakar, Shri
Tangamani, Shri
Thakore, Shri M.B.
Yajnik, Shri

Mr. Speaker: The result of the division is as follows.

Ayes: 269;

Noes: 36.

The 'Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

16.24 hrs.

BUSINESS OF THE HOUSE

Mr. Speaker: Now, the House will take up the next item.

The Minister of Parliamentary Affairs (Shri Satyanarayan Sinha): I would suggest that the unfinished Supplementary Demands for Grants may be taken up first, and after they are disposed of, the discussion on the Kalinga Airlines may be taken up.

Shri Nath Pal (Rajapur): That would not be proper. The normal custom is that when an important matter is scheduled at 4 p.m., that should be taken up.

Mr. Speaker: The discussion on the Kalinga Airlines will not have to go to the other House, but the Supplementary Demands will have to go to the other House. After all, there is no harm.....

Shri T. B. Vittal Rao (Khammam): The other House is sitting till the 15th instant.

Shri Nath Pal: We only brought to your notice the procedure.

Shri Naushir Bharucha (East Khondesh): In understand that one hon.

Member was told that Supplementary Demands for Grants would not be taken up now, and, so, he has gone away. He wanted to speak on the Supplementary Demands.

Mr. Speaker: No hon. Member is entitled to go away under the impression that the Supplementary Demands would not come up.

Shri H. N. Mukerjee (Calcutta Central): I am submitting that when a matter is specially fixed, we should adhere to it. Because the Constitution Amendment Bill was set as the first legislative item in the morning today, I do not see why we should have waited till 4 p.m. after the Deputy-Speaker had asked for the division of the Lobby; we waited till 4 p.m. because you, Sir, had happened to say in the morning that at 4 p.m. the division would be conducted, though we attach a certain importance to what is specially fixed. In the High Court and elsewhere we do so. Here, a matter has been specially fixed, and hon. Members are willing to speak on it. And hon. Members who would naturally want to speak on the Supplementary Demands are not here. It is no good merely saying that they have to be here all the time. Nobody can be here all the time. The ruling party with a majority of two hundred and more can get only 260 Members with difficulty, after whipping everybody. It is no good merely saying that Opposition Members should be here to speak on the Supplementary Demands.

Shri Nath Pal: There is some way of guidance for us. The validity of the Order Paper which is issued under your authority and instruction will cease to exist if we find that the agenda is tampered and changed as it suits Government. So, I would submit that we should stick to the schedule.

Mr. Speaker: I would only appeal to hon. Members not to be too technical.

I have always shown indulgence to the Opposition. I am trying to give them as much opportunity as is possible. The hon. Minister of Parliamentary Affairs told me that this matter would have to go to the other House, and if they make any suggestions, they have to come to this House also; they may not make suggestions, but if they make suggestions requesting this House to do something, then those suggestions will come to us.

Shri T. B. Vittal Rao: How can they make a suggestion? They cannot make any suggestions on this. They can not make recommendations on the Appropriation Bill.

Shri Tyagi (Dehra Dun): On a point of order. How can hon. Members object to an item which is already entered in the Order Paper for the day? The Order Paper clearly contains the following item:

"Further consideration and voting on the Supplementary Demands for Grants in respect of the Budget (General).....".

This item appears in the Order Paper circulated to hon. Members.

Mr. Speaker: There is no point of order in this.

I shall take up Supplementary Demands as the first item tomorrow morning. Let it not be said that hon. Members who wanted to speak have gone away. I do not want any hon. Member to say so.

Now, the House will take up the discussion on a matter of urgent public importance.

Shri Braj Raj Singh (Firozabad): Does it mean that the debate on major railway accidents will not be resumed today?

Mr. Speaker: Let us see. If the House is willing to sit longer, I have no objection.

Shri Naushir Bharucha: Till what time are we sitting?

Mr. Speaker: It largely depends on the House.

16:30 hrs.

DISCUSSION RE: KALINGA AIRLINES

Shri Nath Pai (Rajapur): In raising this discussion, I am hoping that it will be possible to shed some light on the working of the Kalinga Airlines, its activities and its operations, and incidentally perhaps the House will learn how the private sector is progressing in this country, when on our banner we have emblazoned the letter 'Socialistic Pattern of Society'.

I should like to draw your attention to a thing which we have been taught and have been regarding as a very sacred thing to guide our industrial policy and activities in the country. Before I come to my substantive remarks, I would, therefore, like to read this relevant part from the Industrial Policy Resolution which was adopted in this House.

"In the first category will be industries, the future development of which will be the exclusive responsibility of the State."

Then it goes on:

"Industries in the first category have been listed in Scheduled A of this Resolution".

Schedule A gives pride of place to air transport and railway transport. But the Resolution itself very categorically states:

"All new units in these industries, save where their establishment in the private sector has

already been approved, will be set up only by the State....Railways and air transport, arms and ammunition and atomic energy will, however, be developed as Central Government monopolies."

We have been thinking all this time that this is a very sacred article of faith with us and that we will be abiding by it, that nobody will be allowed to whittle down under any subterfuge or excuse this policy of the Government of India. But in practice in many fields, we are finding that whereas a smokescreen is raised to show that we are adhering to this basic policy, statistics can be adduced in support of the fact that we are not making any progress towards the goal of socialism, but it is State capitalism and private capitalism that have been making headway in this country.

The Kalinga Airlines has somehow qualified itself in a manner which puzzles many of us. It shows an enterprise which, it seems, endears itself to the Government, so that the Government thinks it fit to confer favours on this company in defiance and contravention of declared policy. Only last month, we read in the newspapers that the Kalinga Airlines was permitted to operate a scheduled line between Bombay and Baroda. Later on when we raised this matter in the House, the Deputy Minister of Civil Aviation assured this House that this was not a scheduled line, but a non-scheduled line. May I point out that this is a subterfuge, a very clever and very intelligent one, but that actually it is nothing but an attempt to sidetrack the provisions of the Industrial Policy Resolution? Nowhere do we find a definition of the word 'non-scheduled'. The word is used to allow certain private companies so that they do not come within the ambit of this law and its provisions. The law states that only scheduled flights will be carried out by the State enterprise; it does not say anything about non-scheduled flights. So these private companies are to be given permission to operate

non-scheduled flights. I would like to ask the hon. Minister what exactly he means by 'non-scheduled'. If non-scheduled flights are to be operated by private companies under the pretext that the IAC cannot take all the burden, may I know what is the special kind of virtue, what is the special enterprise, they discover times without number in the Kalinga Airlines, so that be it is NEFA be it in the case of this new line between Bombay and Baroda or any other—I am told that soon this company is to be favoured by being allowed to operate droppings between Srinagar and Leh; I hope I am wrong, but information shows that this company is to be favoured—these Airlines are preferred? What has been the record of these Airlines?

My first submission is that this kind of operation, this kind of favour to this company, is *prima facie* a sabotage of the Industrial Policy Resolution of this House and of the Government. But does this company in any way qualify for this kind of favour? May I ask whether before this permission was granted the Air Transport Council was taken into confidence? Also—a small question—when this matter was raised and it became a subject-matter of criticism in a section of the Press, is it true that—though belatedly—the IAC made a complaint, and then of course, the change was made from 'scheduled' to 'non-scheduled'? There was criticism both in this House and in the Press. Suddenly the IAC rushed to take up this matter. Later on, it was announced that the permission was not for 'scheduled' but for 'non-scheduled'. Is this a fact? I would like specific replies to these two questions.

Now, I will be coming to an important matter about this company. This company was involved in a variety of inquiries. It has a very chequered history. The present Deputy Minister of Civil Aviation, in a statement, assured us, that the 'question of taking action against the operator was also considered'. The question was con-

[Shri Nath Pai]

considered for violations of many of the provisions of the Air Regulations, and the provisions of the Industrial Policy Resolution also. But that is a policy matter. The important matter is the provisions of the Air Acts passed by this House.

Here is the hon. Deputy Minister assuring us that the matter was being considered. And what is the product of this consideration? What does come out of it? Not any action, not any disciplinary action, not any measure taken. But the company makes itself worthy of new favours. This is what the Deputy Minister had said:

"The operator was asked to show cause why the permit granted to him should not be cancelled".

The breaches of the provisions and the violations were so gross and so blatant that it was thought necessary to serve a notice on the company. I am going to suggest that this going through the formality of a notice is a farce to convince this House, because there is enough material which I am going to submit to this House to show that far from being shown new favours, what we demanded and what this company richly deserved, was stringent action.

Mr. Speaker: Order, order. All this seems to be irrelevant. I admitted this discussion on the ground that according to the Industrial Policy Resolution, air services are in the public sector. All the air services were taken together and brought under two companies, one for internal and the other for international. Why should there be a deviation from this policy?

Shri Nath Pai: It is the Kalinga Airlines which is involved here.

Mr. Speaker: Kalinga Airlines is not the particular issue.

Shri Nath Pai: Yes.

Mr. Speaker: No, no. It is the Kalinga Airlines that was given the permission. The question was whe-

ther contrary to the rule the Kalinga Airlines have now been given this service from Bombay to Baroda. It is not as if a general discussion on the capacity of Kalinga Airlines to work or not is the issue. That is not the point. Otherwise, I would not have allowed it. The only point was whether it is right that the Industrial Policy Resolution which says that air services must be in the public sector, should be given the go-by and a private person, however good he may be or however important he may be, should be given the licence to run the service. We are not going into further details. The point is not whether it was to be given this man or that man. The only point is whether we can do it, contrary to the Industrial Policy Resolution that we have passed in the House. That is the only topic that will be allowed. Of course, it is a very important point and discussion will proceed on that. We ought not easily to get out of the provisions of the Industrial Policy Resolution. If it does not allow the operation of any private line, a private company cannot be given a licence.

Therefore, let us not go into the merits. Is it the point that if instead of Kalinga it is some other Airline, say, Trilinga, there is no quarrel with it?

Shri Nath Pai: May I in all humility say that we should not be procedurally strict about technicalities? Earlier you had observed that we should not be strict about technicalities but should look to the substance.

This matter originally arose out of an adjournment tabled by me. At that time, I was told that this is a policy matter and could not be brought up like that. I say that we have many things to say about this company.

Mr. Speaker: I am not going to allow that.

Shri Nath Pai: The entire debate arose out of that adjournment motion.

Mr. Speaker: No, no. The question is not whether this company is competent or not. Let us be clear about the two things. Did the hon. Member at any time mean that it might be given to any other company but not to this company? No. On the other hand, the main point was that the old practice of having air services run only under the public sector ought not to be deviated from and there ought not to be a breach in the Industrial Policy Resolution. Otherwise, I would not have given so much of importance to it. Of course, the Government is there to choose this man or that man. It is a different matter whether this man is the right man or not. I think it is beyond the scope of the discussion. It is not a technicality. Merely because something is being brought up here, I am not going to allow its range to be extended and allow other matters which are not relevant to this purpose.

Shrimati Renu Chakravartty (Basirhat): May I point out that the Kalinga Airlines is one of the non-scheduled operators as you say? It is not all the non-scheduled operators. But this particular company has come up in this Parliament on more than one occasion.

Mr. Speaker: Assuming that is so, I am not going to allow it. The main point is whether you can break the Industrial Policy Resolution.

Shrimati Renu Chakravartty: Without specifically mentioning the Kalinga Airlines, how do we illustrate this point? Unless we are able to point out exactly what is being done and how it is against our national interests, how do we make our point?

Shri Nath Pai: May I refer with all humility to the agenda paper which perhaps you have looked into? I should like to draw your attention once again to it. It says:

licence granted to Kalinga Airlines...."

Mr. Speaker: Please read the rest.

Shri Nath Pai: ".... to operate a schedule air service between Bombay and Baroda which is a branch of Industrial Policy Resolution."

So, the Kalinga Airline is also there.

Mr. Speaker: It is only a name. Otherwise, it will be asked: which is the airline? If it is not Kalinga Airlines, it will be some other airlines. The main point is this is a non-scheduled and private service which is allowed to operate a scheduled service between Bombay and Baroda, in breach of the Industrial Policy Resolution. It is exactly because it is a breach of public policy or the resolution we have passed, that I allowed it. It is not as if we are going into the merits of this company. Tomorrow if they bring in another, shall we go into it here? This is not right. I am not going to allow in any manner enlargement of an issue. I allowed it in the public interest for this reason that there should be no breach of the Industrial Policy Resolution which had been passed after so much discussion dividing the industries between the public and private sectors. That is what exactly weighed with me, otherwise I would not have allowed it.

Shri Amjad Ali (Dhubri): May I be allowed to put in a word? The question of licensing has been brought in. As a matter of fact, no airlines can be given a licence to work a scheduled line. That cannot be done. If a certain line is not being worked either by the IAC or any other line, that route can be given to any non-scheduled operator or anybody on a no-objection certificate from the DGCA, and there is no question of giving permission, or for the matter of that, a licence. My hon. friend is agitated as if a licence has been given. No licence has been given, and if I am wrong, the hon. Minister may correct me.

"...to raise a discussion on the

Shri Braj Raj Singh (Firozabad): Could I make a submission? While you admit a motion under rule 193 on a matter of urgent public importance, you ask us to give certain points. On this motion also, I believe certain points must have been given to you for consideration. They were circulated to us. I am sure on this matter of the licence granted to the Kalinga Airlines, there were certain points which we were to discuss here in the House. When we have given notice of that for the admission of this motion, I think it is only proper that this is discussed in the House.

Mr. Speaker: No, no. What does the hon. Minister say?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): The other day I answered a question about the route being operated by a private operator between Bombay and Baroda. I stated clearly that no permission had been given, but under the licence granted, private operators can operate between two points not connected with the IAC. This was my answer, and I added that as you had agreed to a discussion on this point, matters of policy need not be raised in the supplementary. I was also under the impression that so far as this discussion was concerned, it would be a discussion on matters of policy, and not on the matter whether Kalinga Airlines has been given permission of Airways India or any other.

Mr. Speaker: Quite right. Let me define the scope. I was present here. It is I who gave permission. Hon. Members may have their own ideas, but what took place is this. In a question we do not allow matters of policy to be discussed. Two things weighed with me. It was contended on this side that it was contrary to the Industrial Policy Resolution. It was contended on the other by the hon. Deputy Minister, supported by Shri Amjad Ali, that there was nothing in the Resolution against it, that it was open to them and that no licence was necessary. Wherever the

internal airlines do not operate, it is open to the Government or the competent authority to give the routes to any other person. As it was not clear whether the Resolution absolutely prohibited any air service being operated by a private company, I allowed this discussion to make it clear.

Secondly, another point also can be brought up here. The Indian Airlines Corporation have been allowed to operate here. Gradually they can say they are not going to operate here or there, and if the expansion is twice or thrice the present routes, they can be given to private industry. Therefore, I thought hon. Members would ask what the difficulty was, if the IAC was not able to operate the route, why it was given to a private company.

Therefore, to these two points the hon. Members can very effectively address themselves.

The first point is that IAC is in the public sector, that this route ought not to be given away to the private sector. If they say that technically a licence is not necessary, it can be asked why the IAC themselves cannot do it, what the peculiar qualities of this airlines are that it should be given this route in supersession of the IAC.

There is enough material for the hon. Members to address themselves to, instead of going into the inner working of the Kalinga Airlines.

The country and Parliament must be interested in a principle and not in individual cases.

Shri Tyagi (Dehra Dun): These two points do not require any regular discussion. I therefore suggest that the hon. Minister might reply yes or no, and finish the matter.

Shrimati Renu Chakravartty: It does warrant a discussion. As you rightly pointed out, there has been an inroad into the Industrial Policy Resolution, and a large number of permission has been given to various

air companies on many pretexts and interpretations of the Resolution.

Mr. Speaker: It would be absolutely relevant for the hon. Members to say that the IAC is sufficiently competent, that what a private man can do, the IAC can do a hundred fold better, and ask why this should be given to the private party. Instead of going into the working of Kalinga Airlines and saying that an air-ship fell down etc., he can go into this matter.

Shri Nath Pai: May I seek a clarification? I should always like to abide by your guidance. This morning we were discussing China, and in that discussion why did Indonesia come in, why did Indo-China come in? It will be difficult to have such water-tight compartments.

Mr. Speaker: If somebody else was irrelevant, does Shri Nath Pai also want to be irrelevant? He will confine himself to these two points.

Shri Nath Pai: Before this come I was quoting the Industrial Policy Resolution when I made my preliminary remarks.

Mr. Speaker: The hon. Member will kindly resume his seat. Shri Braj Raj Singh referred to the points indicated for discussion. The following points have been indicated by the Member for discussion in the notice.

One is the concession to the Kalinga Airlines, a private company to operate a scheduled line which is a breach of the industrial policy resolution as reported in the *Economic Weekly* dated the 18th November, 1961. That is a matter of policy. Then, the second is that this change in the practice has been without Parliament's knowledge and consent. These are the two items.

What I would say is this. Even the hon. Member Shri Braj Raj Singh wanted to say that particular points must have been mentioned in the

notice. These are the two points. Therefore, both from the original motion and also the points that have been given, the manner in which the motion was to be discussed was understood. I am not going to allow any further discussion. There is ample scope for this discussion whether the Industrial Policy Resolution should be evaded in this or any particular manner. Then the second is, why not the IAC carry on this. Hon. Member may say what he wants on these points. If he has nothing to say I will call another hon. Member.

Shri Nath Pai: I accept it. But having proved that the IAC was competent I will show how this departure is doubly wrong and doubly objectionable. Am I to be prevented from doing that? I was trying to do that.

Mr. Speaker: The two points are, first, the Industrial Policy Resolution and the second is whether the IAC can operate this.

Shri Nath Pai: My first contention was when I incurred your wrath.

Mr. Speaker: No wrath.

Shri Nath Pai: My first contention was that there was a departure and a systematic one from the policy. It is of this nature.

Mr. Speaker: First of all, has he read the Industrial Policy Resolution?

Shri Nath Pai: I read it already, Sir. Somebody disturbed. This is the Industrial Policy Resolution. On page 3 is the first category of industries the future development of which will be the exclusive responsibility of the State. In the first category of Schedule A of this Resolution the industries are listed.

All the units in this industries, save where they are established in the private sector and have already been approved will be set up only by the State."

[Shri Nath Pai]

The Railways, Air Transport, Arms and Ammunition, and Atomic Energy will, however, be developed as Central Government monopolies. The Resolution is very categorical. It says that all the units that had already been permitted may continue but any new undertaking will be the monopoly of the State. That was the meaning.

I was trying to make the point that the Government is trying to side-track in suitable cases this Resolution as I had reason to point out referring to the colliery case. There was a Resolution that coal mining is a State monopoly, and that only areas adjacent to the present collieries were to be operated by the private sector.

Later on, there was a departure and we brought it to your notice and you called upon the Government to give an explanation. If the policy is to be departed from, the consent and knowledge of Parliament must first prevail; and then only can the departure be made.

The reply that is normally given by Government to this criticism is like this—that these are non-scheduled lines. Further, the same Policy talks about the scheduled flights being reserved for Government. The departure is made in a subtle manner.

Mr. Speaker: Is there any reference to S-scheduled and non-Scheduled lines in the policy?

Shri Nath Pai: Yes, Sir. It appears in the Nationalisation Act, of 1953 itself. This publication, 'Civil Aviation In India' proudly claims that nationalisation was the most important event in the history of aviation in India.

What is done is this. This is how the departure is made. It is made by giving permission or licence, whatever it may be, to private operators and they are supposed to be non-

scheduled. I have got documents to show that this is only to side-track the law of Parliament.

Here are some papers circulated by these companies, which, on the top have, 'Not for circulation'. This is only to preserve the sanctity of law, the letter of the law and not the spirit of it. They are circulated; and they give the minutest details about these companies' operations. They give the frequency, the time etc. These companies are bound by law to observe certain regulations. In this particular case the regulations have been observed in the breach. I have got reports about how this is being done. Mr. Speaker, I would like to draw your attention to certain papers which I have in my hand giving details about the Airways frequency, time schedule, freight carried and everything. How does it become non-schedule except the word is there?

Now comes the other criticism. If these companies had been carrying on their activities within the letter and spirit of the law, then, it would have been something. It may be said that whether the flights of the IAC were underdeveloped or inefficient, then, these were called. What we have found is this. Sometimes, it is said that we do not have sufficient aircraft; and, therefore, we are calling upon them.

We have pointed out that these companies do not operate according to law. Even in an emergency nobody is allowed to violate the law. May I point out to you this thing? I will show what happens. This is a report prepared by an official of the Government itself. It may not be widely in circulation. Its contents are generally known. I have a pamphlet which reproduces the contents of that published by people who ought to know about it. This is what that authority found about the operations.

"Thereafter the matter was not investigated in a thorough

manner by the Senior Aircraft Inspector particularly bearing in mind the past history of the irregularities committed by the engineering staff . . ."

I have got the names but I do not want to give them. Then, there are other departures. First they are termed as non-scheduled. Then, this report says:

"The Committee have no reason to doubt that Kalinga Airlines deliberately suppressed any information on the damage for the purpose of avoiding an investigation."

Sir, I am bringing to your notice only the relevant things.

"In the event of any malpractice coming to light, it is apparent that the Company does not hesitate in conveniently losing vital documentation. In the opinion of the Committee, the Company more than any individual, is responsible for such a state of affairs."

Here is another very glaring kind of breach.

Mr. Speaker, Whose report is it?

Shri Nath Pai: This is the report of Mr. Katju who was appointed after an accident in which a plane was involved. The whole purport of the report was that if we are to allow the private companies to operate, at least the regulations and rules made by Parliament and sub-rules made by the Department are strictly adhered to, and that there is no defiance or violation of these rules. Secondly, that there is no danger to life. In one case, they say:—

"The Committee have no reason to doubt that Kalinga Airlines deliberately suppressed any information on the damage for the purpose of avoiding an investigation."

Apart from that, the aircraft was found to be overloaded. The explanation of the Captain was called for and it was found to be not satisfactory. I hope you will permit me to quote from what the official of Government is saying.

"The substance of which—the statement "was that he had not carried out the inhibition"—a technical name for carrying out certain repairs to the plane—"that he had been forced to make those entries by the management of the Kalinga Airlines and that he was told by the management that if he did not acquiesce in this, his salary for the last two months would not be paid."

I have very high regard both for Dr. Subbarayan and his Deputy and they are not a party to this kind of things nor are they conniving at these things. Here we are sitting and watching these things happening.

17 hrs.

Now, Mr. Speaker, we have figures here to show that all these operators, these companies are making a huge profit. You wanted me not to stick to one company. There are other companies and these companies are taking advantage of a fact which is actually a national tragedy. Because of the division of Bengal, the railway lines have been interrupted and the only reliable communications and means of travel are the air services. This is a national emergency and it would not be exploited by one who has qualms of conscience. I would like them to point out to me if I am wrong in saying that fabulous profits have been made by these companies in circumstances which are actually a national emergency.

An Hon. Member. But was it not given to the IAC?

Shri Nath Pai: This is the problem of dropping food supplies to our forces engaged in defence of our borders

[Shri Nath Pai]

in the north. The IAC had done it and had done it very well and all the credit is due to the Ministers and their predecessors for the magnificent manner in which the IAC had done it. Later on, on the ground that there was inadequacy of aircraft with the IAC, the Kalinga Airlines was asked to do it. But before this was done, let us remember that there was a private operator and it was found that he violated the law and broke the rules and so the IAC had taken it up. Then again it was given to a private company. Today we raised this matter in connection with the line in Baroda. It is again a matter of policy and I venture to draw your attention, Mr. Speaker, to the reports that have appeared—they may be wrong but they have appeared—that the same airline has been given this permission too.

Now, here is another damaging thing. Shall we not take note of this? It is there in this report.

Mr. Speaker: How many such airlines are there private companies?

Shri Nath Pai: Actually, Sir, we are never given the figures but I have looked into the affairs and I know five such companies which are doing very lucrative business in the country. I may be wrong. We have to take tremendous effort to collect this material and also use it with all sense of responsibility so that no individual's reputation is damaged.

Mr. Speaker: Whenever permission is given, is there something like the Statement of Objects and Reasons to the Bill? Is such a thing there specifying the grounds on which permission is given for private companies?

Shri Nath Pai: No, Sir.

Shrimati Renu Chakravartty: That is the real snag, Sir.

Shri Nath Pai: I am glad, Sir, that you drew my attention to this point.

In fact the provision in the Act says about special permission. Special permission can be given to a chartered plane for a specific reason. Here we have found that the special permission is made a permanent feature. The licence is renewed year after year and certificate is granted.

Mr. Speaker: Further, when a particular new service is thrown open, is a tender invited from the authorised persons?

Shrimati Renu Chakravartty: No, Sir. It is left to the DGCA.

Shri Nath Pai: Again, may I submit, Sir, that there are some of our own provisions which we have made. The Directorate of Civil Aviation, in its long experience and wisdom has made them. Nothing is done to see that they are observed. No information comes forth till we, with your permission, succeed in raising the matter now and then in the House. Here is a sentence which reads, Sir, like this:

"This gave the company time to forge certain documents so as to prove that the engines had been inhibited."

This is the worst and damaging criticism. It is of no use to me in damaging anybody's reputation and we will be glad if these things did not happen. I am therefore very careful in quoting these observations.

Now, Mr. Speaker, how do these companies operate? There is a load schedule. On the freight planes no passengers must be taken. Some very senior officer has found out that the schedule for load is more often broken than observed. The report says that this particular company has broken it.....

Mr. Speaker: What action has been taken on this report?

Shri S. M. Banerjee (Kanpur): It is in cold storage, Sir. They have been the favourites.

Shri Nath Pai: I have a pamphlet here and I am quoting from that. It reads:

"It would appear from this that the instructions contained in Notice No. 33 of 1949 are being honoured more in the breach than in the observance."

You will pardon me, Mr. Speaker, if I venture to quote this because this is the very finding of an official who was specifically charged by the Ministry to go and look into the affairs. Why? Because they have to depend upon them to a certain extent. When this dependence becomes inevitable, it is being exploited by somebody.

I have cited so many examples. The company never maintained any kind of a record of its stores. It is necessary under the provisions of the Act. There is a particular type of material which alone can be used under the provisions of our law for carrying out repairs. The same report points out that there is enough evidence to show that these provisions are also being flouted. These are flagrant violations of the provision by this company and I can point out that the other companies follow the same tactics. Very little regard to human life is given, or to the provisions. They do not hesitate to forge documents. The House would be shocked to know that a signature was perpetrated to have been made by a pilot and later on it was found that the pilot was already dead and he could not have signed. Even if we are in an emergency, can we make a departure from the policy? When we make this departure, can it be made in favour of people who have completely forfeited our confidence? May I now quote the hon. Deputy Minister about this? I have great regard for his integrity. But we are puzzled, intrigued and sometimes disturbed by these hap-

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penings. This is what he has said in reply:

"After a careful examination of the explanation submitted by him, it was decided to keep a close watch over the operations instead of imposing a penalty. According to the conditions governing the grant of permit for non-scheduled operation, the only penalty that could be imposed is cancellation of the permit."

There are other serious lapses and I do not want to take the time of the House by quoting more from this document. But there is one thing very disturbing carrying passengers on freight planes. This report refers to it.

Shri Mohiuddin: May I submit that the hon. Member is bringing all those points without mentioning the names, which you had kindly excluded from the debate.

Shri T. B. Vitta Rao (Khammam): Why does he get nervous on that?

Mr. Speaker: I thought that all the attack was against one single airline. What I said was this. Their point seems to be this. Private operators were operating somewhere there in the north east and it was found to be defective. The IAC themselves took it up but they gave it subsequently to somebody against whom the Government itself appointed somebody to examine and that very person has said these things. It is not as if there is anything about that particular person. They want to suggest that this report should be adopted in spirit and not merely in letter. There is an emergency. If there is an emergency and if the IAC could not have done it, these are not the persons who should have been given this work in view of the manner in which they were doing it previously. Therefore, he wants to say that the IAC themselves should do this.

[Mr. Speaker]

I myself would like to hear as to why the Indian Airlines cannot take up these things, when the Industrial Policy resolution seems to be that in future, for expansion, etc., the Indian work and so on.

Shri Joachim Alva (Kanara): There are a large number of unemployed pilots.

Mr. Speaker: There were a number of airlines, different airlines, on different routes serving different places, and run by different individuals. All of them were thrown out from their occupation, and then the Government took it up as a monopoly. Now, one would like to know why they are reversing this policy practically, by saying that there is an emergency and that an exception will be made and so on. The exception is shown, much more than the rule. That is exactly what they want to prove.

Shri Nath Pai: I am very grateful to you. Mr. Speaker, for throwing light on our point. I was trying to show how this dangerous practice is being followed. It is a common practice. The load sheets of cargo manifests were filed by the operator with the control tower, Mohanbari, before the departure of the aircraft on 3rd August, 1959. This plane met later on with an accident. According to the load-sheet, the aircraft carried 8,260 lb of freight and four crew. Later on, during the next day, the revised load-sheet gave the weight of the freight as 7,260 lb., and showed four crew and two passengers. The documents submitted by the company prior to the flight showed that the aircraft was being operated as a freighter. The revised load-sheet and cargo manifest showed that it was being operated as a passenger aircraft. Only freight planes are to be employed by the company. Very often, this work is given to the private companies. Maybe that permission or licence is given to them in good faith, for bona fide purposes. But the freight plane is meant only

for carrying cargo; yet, passengers were carried and the load was exceeded.

Mr. Speaker: The hon. Member's time is up.

Shri Nath Pai: I will be concluding in a couple of minutes. The tragedy of it is that an incorrect entry in regard to it was deliberately made so as to preclude the engineer who signed the engine change schedule from being held responsible for not ensuring that the oil sump plug had been tightened. False entries, forged signatures, and defiance of the regulations have been indulged in, and ultimately, it is found that on a cargo plane passengers were being carried. This has been the record of the company.

Do they justify this kind of thing? May we, therefore, plead with you that, even at this late stage, they should look very carefully into the record of this company. We have enough documents and enough evidence to show that they have not justified this. Far from giving them new licences, new permissions to operate new lines, we in this House sanction funds to buy more aircraft for the IAC which has been doing a magnificent job. I do not suggest that there are no shortcomings, that there are no weaknesses even under the able stewardship of Dr. Subbarayan; there remain some kinds of shortcomings which, one can say, should be cured and remedied by the Minister. But we would basically like to see that there is not this kind of concealed, whittling down of the Industrial Policy Resolution.

If the Government wants a change, let it come and seek the consent and permission of Parliament, and in any case, in view of the magnificent success in this field, it is time that the IAC became a little more venturesome, a little more courageous and keeps the activities in the field in this country, to itself rather than give them to those who should forfeit our

confidence, and rather than to be rewarded with fresh operations.

Shri Jaganatha Rao (Koraput): Mr. Speaker, Sir, my hon. friend, Shri Nath Pai, means to suggest that the granting of licence to the Kalinga Airlines to run the service between Bombay and Baroda is a violation of the Industrial Policy Resolution. He forgets that there are other private operators in this country. There are four other operators in the country besides the Kalinga Airlines. These operators were in existence when the Indian Airlines Corporation Act was passed in 1953. These operators were operating on certain non-scheduled routes when the Industrial Policy Resolution was adopted. My hon. friend read out extracts from the Industrial Policy Resolution where it is stated thus:

"All new units in these industries, save where their establishment in the private sector has already been approved, will be set up only by the State."

Therefore, on these routes the private operators are operating. They have been operating since 1953.

Mr. Speaker: On the Bombay Baroda route? What I understand is, except the routes which were operated when the Act was passed, the others are new routes. Bombay Baroda is a new route.

Shri Jaganatha Rao: The IAC is not in a position to operate any new line. (*Interruptions*). My point is, where the people in a locality want a line to be operated, where the IAC feels the necessity to have an air service in that particular route to cater to the needs of the local people and where the IAC is not in a position to take up that route, is there any objection to give the licence to a private owner? Private operators are chosen only where the IAC is not able to keep up the existing scheduled routes

and where new routes are sought to be opened. Kalinga Airlines is not the only private operator. There are four other private operators. If my friend says that because Kalinga Airlines has been given this licence to operate on this non-Scheduled route between Bombay and Baroda, the Industrial Policy Resolution is violated, what has he to say about the other four companies that are allowed to operate on other routes?

I am one with my friend that IAC should take over all the routes and there should be no discrimination in favour of any private operator. But

Mr. Speaker: Under the Act IAC has no right to take over the existing routes; that is clear.

Some Hon. Members: IAC can take over the existing routes.

Mr. Speaker: If they can nationalise even the existing routes, then why should new routes be given to a private company? It is not as if Kalinga Airlines is asked to explain here. The Minister is asked to explain.

Shri Mohiuddin: May I clarify the point, so that there is no further misunderstanding about it? Under the Industrial Policy Resolution,—the word is not "route", but it is "unit"—the old companies that were operating before the nationalisation, were and will be allowed to continue.

Shrimati Renu Chakravartty: Where is it stated?

Mr. Speaker: Let him finish. The hon. Member will have an opportunity.

Shri Mohiuddin: Apart from the existing units which have been approved, new units will be formed by the State. That is the word there.

The second point is, under the licence given to the private operators, they are prohibited from operating on

[Shri Mohiuddin]

the routes which are served by the IAC. If there are routes which are not served by the IAC, they are allowed to operate.

Shrimati Rennu Chakravartty: By which section?

Shri Mohiuddin: Under the Aircraft Act and the Aircraft Rules, they are allowed to operate. (*Interruptions*).

Shri Nath Pai: Only in the case of national interest. Let him not mislead the House.

Shri Mohiuddin: As soon as the IAC wishes to take over a route, it can take it over without any notice. That is the practice prevailing for the last 10 years.

Some Hon. Members rose—

Mr. Speaker: I will allow opportunities to hon. Members; of course, not everyone of them; let them choose a leader.

Shri Jaganatha Rao: The question is, firstly is the IAC in a position to nationalise the existing non-scheduled routes?

Shri Nath Pai: They can do it.

Shri Jaganatha Rao: By all means let them do it tomorrow.

Mr. Speaker: We are not on that point. The only point is, why should a new route be given to any person other than the IAC?

Shri Jaganatha Rao: My answer to it is, I understand that the IAC is not in a position to operate any new route.

Shri T. B. Vittal Rao: Because they have got into a muddle.

Shri Jaganatha Rao: I do not say that. Financially they are not in a position to take up any new route.

Shri T. B. Vittal Rao: The Government is there to give loans.

Shri Jaganatha Rao: So, if a licence is granted to a private operator who has been operating from 1953 or even earlier, where is the objection. My hon. friend has referred to certain irregularities, which these airlines are stated to have committed. But my information is that certain officers, pilots and engineers who were responsible for the irregularities were removed from service. It is not the case of my hon. friend here that the Kalinga Airlines are still today committing the same irregularities which they are alleged to have committed sometime ago (*Interruption*). So the Government, the Director General of Civil Aviation is certainly entitled to grant them a licence. It is only an *ad hoc* arrangement. Let the IAC take over the new route. I understand that there will be the Ahmedabad-Bombay service with a halt at Baroda, in which case this licence will be cancelled. I am one with all hon. Members that the IAC should take over all non-scheduled routes. There is no point in arguing that the Kalinga Airlines should not have been granted a licence, and it is against the Industrial Policy resolution.

I am not pleading for the Kalinga Airlines at all. The only point is that the IAC is not a position to do it. The IAC is not in a position to take up any new route, much less nationalise the existing scheduled lines in the private sector. Therefore, there is no point in my hon. friend, Shri Nath Pai discriminating against the Kalinga Airlines and saying nothing about the other four routes.

Shri Joachim Alva: Mr. Speaker, Sir, my hon. friend's argument saying that private operators will run as long as IAC does not cover all routes, reminds me of the argument of the British in the old days, "until India is fit to attain self-government we shall run India". So when my hon. friend says that there are no routes which the Indian Airlines is fit to govern, he means that others shall run those routes. My hon. friend was not here

in the early days, in the first Parliament, when this Parliament passed after very great discussion the Indian Corporations Act by which we formed the IAC and also took over the Air-India. Happily, Sir, the Air-India International and the Indian Airlines Corporation are the pride of our public sector. The IAC has improved beyond recognition. The private operators who were running the airlines were running them as they liked.** I remember I once went with a begging bowl before the directors of a private company when two sons of a father crashed as pilots on the Assam line and he got a paltry sum.** You know what happened in Kashmir during the crisis. You know how the companies were fleecing the public, panicky stricken passengers. You know how the companies extorted any amount of money from ordinary passengers. You know how one of the companies came to grief, and I think Sardar Patel in the Home Ministry ordered the prosecution of one of such operators.** I mentioned to you the case of a helpless father who lost his two sons, both of whom were pilots, in plane crashes. These two sons were pilots on a particular airline and they were given very little compensation, or no compensation at all.

You, Sir, raised a very vital question as to why the Indian Airlines Corporation cannot take over all the lines. Today the IAC is run by one of our ablest executives, who came over from the IAF, one of the most valuable officers of the IAF lent to the IAC. If he cannot run it, we shall ask him and the Minister here questions why they cannot run it and why they could not take over other routes. It was in the spirit of the Act that we passed that we should take over every line, that we should leave no line untapped, that we should leave no line unexploited. Several speakers, as well as you, Sir, have pointed out that the rules can also be circumvented, rules in regard to pilots, regulations, licences and

so on. Now accusations are made that the private airlines prepare false documents, which is a very serious matter. Now, under the rules, a pilot can throw out valuable cargo from an aeroplane, if it is in danger, and he himself can successfully bale out or relieve the load of the plane if the life of the passengers is in great danger. But there have been cases where the private operators and non-scheduled operators have done whatever they have liked. There are specific rules in the matter of taking passengers, in the matter of taking freights, in the matter of disposing of freight, etc. If a pilot goes against the rules, strict action must be taken against him and he has to be sacked. If the company directors or the private operators are abetting such offences, they ought to be hauled up. In the IAC if they do any such things, they can be hauled up and removed because they all come under the scrutiny of Parliament.

I want to know why the IAC cannot operate in Baroda and in so many other lines yet unoperated. If you give one small line to a company today—I would not mention names; let it be A, B or C—tomorrow there would be half a dozen companies standing in the queue, saying “give me the Puri route” or “give me the Calicut route” or some other route. It shall be the right of the IAC to operate in all the lines and the IAC has to fulfil all its duties as soon as possible.

The hon. Minister told us the other day that we have nearly 50 unemployed pilots. We have spent more than 30,000 on each pilot and what happened to the poor pilots?

Shri S. M. Banerjee: We have spent Rs. 70,000.

Shri Joachim Alva: I understand that it was Rs. 70,000. Apart from spending valuable money, what about the valuable lives of these pilots? You talk of these non-scheduled operators being unemployed in the sense of not

**Expunged, as ordered by the Chair.

[Shri Joachim Alva]

having enough scope for their planes. What about these pilots? We are bringing frustration in their lives. Their lives are very valuable and, therefore, we must utilise them in the proper way. But, on the other hand, we are throwing them into the dust-bin. According to my way of thinking, their lives are more valuable than even those of Members of Parliament, because they fly very high in the air at tremendous risk, apart from the responsibility of looking after the life of the passengers. So, we have to give proper encouragement and appreciation of their service.

When I was at the Farnborough air show I met an Indian pilot, who was one of the ace pilots in IAC. When I asked him his age, he said that he was 35. When I asked him whether he was married, he replied "how can I marry? I am a pilot. If I die in an accident, who will take care of my wife? So, if I am to marry, I must marry a teacher or some professional woman." These are the words coming from an ace pilot of the Indian Air Force. He says that if he dies, no compensation will be paid to his widow. At the most, his widow will get Rs. 100 which is not enough to live even in a village. This is the state of affairs and we are not able to pay our pilots well. At the same time, the private operators are coming forward and saying: हमको बख्शीश दे दो हम चलायेंगे। This is a very serious matter. Even the Air India International has made its own arrangement for carrying freight. We want the IAC also to carry cargo.

If the private operators are not able to pay substantially or handsomely to the pilots and their widows, we must take care of them. I feel that one pilot is equal to a battalion in view of our present crisis. We cannot overlook the danger of the civil air arm being neglected or the military air arm being neglected. Both are equally important and the day we ignore the interests of the civil air arm we shall

suffer in the military air arm also, because the civil air arm helps the military air arm.

We must do everything in our power to increase the fleet of the IAC so that they can carry all the cargo. They must be in a position to carry all the extra cargo. We shall not allow it to go to the private operators. Why should not the IAC carry it? We have every confidence in the Minister. The Deputy Minister has taken great interest in aviation even before the present veteran Minister came into the field.

We are very happy with their combination. We like them. But Ministers come and go, whereas the Airlines has to go on for ever. The Airlines has to be run by men of efficiency, character and integrity. If the pilots are not cared for, if the officials in the Ministry do not have strict control and supervision as some of the operators do, what is going to happen to our country?

You know, Sir, that very valuable foreign exchange has been lost. We have not got enough of planes. We have got enough time to co-ordinate the different units which are trying; to produce planes for the country. One is the military and the other is the civil aviation. There are three. Today we are not even co-ordinating such efforts. All this co-ordination can be done if only you put right things in the right way. In the name of private enterprise and in the name of private operators we are trying to give away little by little. It is going to be the story of the people's or the cheapest car. Parliament is going home. The Parliament will adjourn and this Parliament will be over. What has been the story of the cheap car? We have broken our heads for five years about it. It has been gone into by the Planning Commission, this commission and that commission. The fate of the people's car is such now that it has gone into the dust-bin. It will come up in the next Parliament if somebody raises the matter. It is a matter which can

be settled in five minutes or in five hours or in five months. Why should we have to wait for five years? This is the thin end of the wedge.

Mr. Speaker: We are discussing the airways and not the roadways.

Shri Joachim Alva: We should not allow this Act of Parliament which was passed in a grave and solemn manner to be tampered with in this fashion. I remember, Sir, I was the last speaker on the Air Corporations Bill in 1953. I remember then my hon. and learned friend, Shri Kaushik, was here. He was associated with a private operator's concern. He used to sit behind me. I am sorry that he perished within 12 hours after that Bill was passed in that great plane disaster at Palam in 1953. On that occasion, I also said that we did not want the British pilots to lay down their lives in our land in that manner because there was a BOAC crash in Calcutta. We do care very much for British pilots and for the international pilots and air hostesses of all countries. They are great and noble beings. They go right up in the air to sacrifice their lives for you and me. So also our pilots. There is nobody here to champion their cause. You and I are their guardians. We shall say to the private operators, "Good bye, there is plenty of scope for the private sector, go ahead and exploit, but do not come in the airlines". The airlines are very precious. The life of every pilot and of every man is precious. This Parliament is responsible for the life and safety of every passenger in a plane as also for every pound of luggage. We cannot overlook that. Even the pilot cannot take liberty with his life when he knows that he can bale out successfully.

Mr. Speaker: Shrimati Renu Chakravartty. I intend closing this discussion at 6 o'clock.

Shrimati Renu Chakravartty: Sir, as I have very little time at my disposal, I just want to quote from the Industrial Policy Resolution, 1956 and

I would like the hon. Minister to listen to this. It reads:

"Industries in the first category have been listed in Schedule A of this Resolution. All new units in these industries, save where their establishment in the private sector has already been approved, will be set up only by the State."

This is the sentence behind which the hon. Minister is taking shelter. But see what the Industrial Policy Resolution further says. It says:

"This does not preclude the expansion of the existing privately-owned units, or the possibility of the State securing the co-operation of private enterprise in the establishment of new units when the national interests so require."

This is regarding all the industries in Schedule A. Then there is a very important sentence specially put in which puts these three or four categories completely separate from the preceding sentences. It says:

"Railways and air transport, arms and ammunition and atomic energy will, however, be developed as Central Government monopolies."

That word 'however' is very important in this background. What the hon. Minister is trying to do is to say that because of the preceding sentences railways and air transport, arms and ammunition and atomic energy may, if so desired or if the national interests so required, also be given over to privately owned companies, if they existed as private sector companies prior to the passing of the Resolution.

This is totally wrong, because of the special mention in that sentence which says:

"Railways and Air Transport, Arms and Ammunition and Atomic Energy will, however, be developed as Central Government monopolies."

[Shrimati Renu Chakravartty]

Therefore, I think that this is a very very wrong way of trying to interpret what is very clearly laid down in the Industrial Policy Resolution and as far as the Act goes.

I will answer some of the points which have been, quite relevantly, raised. What is it that is being done under the term "non-schedule"? "Non-scheduled operation", according to my interpretation of the rules, is that none except the Indian Airlines Corporation, that is, the nationalised sector, can take up non-scheduled operations. The IAC can take up non-scheduled programmes. It has scheduled routes; it can also have non-scheduled routes. There is nothing clearly laid down as to what is "non-scheduled operation". And how do these private operators operate? They operate under this term "special permission". The provision relating to "special permission" reads as under:

"No Air Transport service other than a Scheduled Air Transport service or an Air Transport service to which the provisions of sub-rule (1) or (2) apply, shall be operated except with the special permission of the Central Government."

This special permission has been interpreted arbitrarily to mean non-scheduled permits to be utilised by private companies.

What has happened? This special permit issued under sub-rule (3) does not hold the mandate of a licence and is not renewable for a period of two or three years constantly, as is being done by the D.G.C.A. Special permission can be given for a particular type or for a special occasion, and the speciality will have to be considered and condoned by the Government. But what is happening under the term "special permission" is that for years on end it is being renewed as if it is a licence, as the D.G.C.A. is doing.

Therefore, we say that this is an illegal position. Not only is it corro-

ing what is laid down very clearly in the Industrial Policy Resolution, but to my mind it is a clearly illegal position. Because, section 18 of the Air Corporations Act, as we have passed, says:

"After the appointed date, it shall not be lawful for any person other than the Corporations or their Associates..."

—please note the word "Associates"; this is another terminology which they use in order, again, to corrode the Industrial Policy Resolution.

Shri Jaganatha Rao: The Act has since been amended in the Rajya Sabha.

Shri Nath Pai: Only to give it a retrospective effect.

Shrimati Renu Chakravartty: In order to give legality to what has been done illegally. The rule says further:

"Provided that nothing in this section shall restrict the right of any person"—

and then it gives under what conditions the special permission may be given—

- "(a) for the purpose of any Air Transport undertaking of which the principal place of business is in any country outside India;
- (b) to carry passengers for the sole purpose of instructing them in flying or on duties of aircrews;
- (c) to carry passengers or goods for the sole purpose of providing an air ambulance service, etc.
- (d) to carry passengers for the sole purpose of providing joy rides, etc."

Outside these there is no such thing as scheduled air transport service

except what has been stated in section 2(viii) of the Air Corporations Act.

This reads:

" 'Scheduled Air Transport service' means an Air Transport service undertaken between the same two or more places and operated according to a published timetable or with flights so regular or frequent that they constitute a recognisably systematic series, each flight being open to use by members of the public".

My hon. friend, Shri Nath Pai, has already pointed out this. What is supposed to be a non-scheduled operator? They have published time-tables, given rates and timings. They are regularly flying. In what way are they other than scheduled operators? There is no difference between scheduled operator and non-scheduled operator. It is called 'non-scheduled'. There is nothing to explain what is "non-scheduled operator". In fact, by using the word "associates" and by using the words "non-scheduled" and "special permission" all that is being done is to illegally permit the corroding of the Industrial Policy Resolution.

I wish to take up one or two other points in answer to some point made by Shri Jaganatha Rao and also the hon. Minister and the hon. Deputy Minister on an earlier occasion. We are told, "We have not got the aircraft, we have not got the foreign exchange; if we had these, certainly we would do it." As a matter of fact, the hon. Minister, last year, in reply to a question or a discussion which I raised—no, it was not in answer to a question, it was over an amendment to the Aircraft Rules—told us that the policy of the Government remained the same and we shall not allow any change in the Industrial policy resolution. He said, we are hard pressed, we have no foreign exchange, we have no aircraft. I want to say this. I have often said it earlier and again I repeat it. I.A.C.'s freighter service operate as charter services of

the freight and passenger booking agents for some lengths of time.

We are short of aircraft. But, our I.A.C. aircraft, from time to time has been used by these companies on charter for freight service.

Shri Mohiuddin: Which companies?

Shrimati Renu Chakravartty: If you like, we will give you the whole list. We can give the whole thing if you like. We will give you many. The point is, at that very time, you are detaining luggage cargo for want of space in I.A.C. aircraft. The I.A.C. has failed not only to act on business principles, but we have felt at times and we frankly state that there are some people within the D.G., C.A., and may be within the Ministry who are interested in the private air companies. I may tell you, some of the freight agents and passenger booking agents have joined the managements of the private air operations.

Many of the private air fields in North Bengal are licensed to the freight and passenger booking agents by the Government. You know, according to the rules, every time the D.G., C.A. has to say that it is okay for them to land and take off. It means this has been done continuously and this is being with the full knowledge and permission of the D. G., C. A.

Regarding the question of lack of air transport and lack of foreign exchange, I would like to ask, is it not a fact that Kalinga Airlines has been provided with foreign exchange to procure aircraft for its own use.

Shri T. B. Vittal Rao: How is that done?

Shrimati Renu Chakravartty: For this I want an answer. I am not sure about this.

Mr. Speaker: When was that?

Shrimati Renu Chakravartty: I want to know.

Shri Joachim Alva: The D.G.C.A. won't permit such a thing.

Shrimati Renu Chakravartty: The I.A.C. is in great difficulty for lack of aircraft; yet, at the same time, we are permitting this. Why not be in the two or three months when we have been in a very tight position. Prior to that, in the eastern sector, there has been corrosion of the Industrial Policy Resolution and so many of these private companies are functioning. Do you know that the I.A.C. freighter services refused to carry a huge volume of cargo? Here is a cutting from the Hindustan Standard of June 23, 1960. It says over there:

"The Government of India had instructed all its Ministries to make use of I.A.C. freighter services and although a huge volume of cargo are offered for transport, the I.A.C. seemed to be unwilling to carry the bulk of it and the goods are flown to the destination by private operated companies. On a number of occasions goods offered to the I.A.C. for transportation to Tripura were refused on the ground of not having "back load" on return flights. The I.A.C. gets about Rs. 40,000 every year from Tripura for carrying goods. The privately-operated companies, known as associates of the I.A.C.—see how they get over the legal position—

Shri Joachim Alva: A very respectable name.

Shrimati Renu Chakravartty: . . . operates 30 to 50 flights from 30 to 50 flights from Calcutta to Tripura daily while the I.A.C. operates only one or two flights. The associates, it appears, do not have difficulty in getting goods on return flights."

Then, they have given the example of how a number of pigs were flown from Aligarh to Calcutta to be flown to Agartala at a cost of about Rs. 5000 for the development of a piggery in the tribal areas. At first, the I.A.C.

agreed to carry the livestock, but later the pigs were off-loaded and had to be kept at a Veterinary college and later on all these were transported by non-scheduled operators.

Then, this year, on the 15th of September, 50 plane-loads of goods awaited transshipment, cloth bales for Assam, and there was dearth of I.A.C. aircraft. We have been pressing that freight service is very important from the point of view of earning money. It is true, we have a lot of passengers and we have to carry them. We have also to work this out: how we are going to carry the freighter service. I come from a part of the country where it is very difficult for us to have any direct communication by rail. Tripura has no connection. If you want to go to Assam, if you want to go to Manipur, if you want to go to Upper Assam or North Bengal, you have to use it. Most of this is being done by the privately owned companies. As I pointed out, even our own aircraft has been loaned out to them on charter from time to time.

Lastly, I want the hon. Minister to tell us one thing about the NEFA air dropping operations. I would like him to tell us whether this is true, because the NEFA supply dropping operation has become a scandal. Originally, the privately operated companies like Jamair Co. and the Indamer Co. were doing it, and we had raised this matter on the floor of the House, when there was an accident. Shri Humayun Kabir was the Minister in charge at that time. He told us in answer to a starred question that Indamer's licence was not renewed. After that, the IAC was called upon by the NEFA authorities to do the supply dropping operations for the area, and the IAC rushed with all its available resources to meet the supply dropping operations. The IAC carried this out successfully; of course, they had to keep within the rules and all the obligations laid down by us by law. But after that, what happened? I do not quite know. But

somebody on behalf of the Kalinga Airlines, which was the successor to the Indamer Co. and under the same management—I think there is a European person also in it—was trying hard to revive the supply dropping operations by the Kalinga Airlines, and we found ultimately....

Shri Amjad Ali: The IAC failed.

Shri Nath Pai: Why did it fail?

Shrimati Renu Chakravartty: There was only one occasion when that happened, when there was some difficulty. We have discussed this on more than one occasion on the floor of this House. There was only one occasion when there was some difficulty between the pilots and the Government on the NEFA supply dropping operations. That was much earlier. Later on, the IAC took over, and then, they suddenly stopped; then, we found that the Kalinga Airlines had come into the picture, and they had started supply dropping operations in that area in the month of May, 1960. And the I. A. C. was withdrawn from the supply dropping operations from 20th June, 1960. So, from May to June, the Kalinga Airlines and the IAC were joint operators in the NEFA supply dropping operations.

Then, I am told that the IAC was charging much less per hour of flying than the Kalinga Airlines. Is that true?

Shri Nath Pai: Yes.

Shrimati Renu Chakravartty: In the case of the Kalinga Airlines, calculations of all amounts were done on a different basis and not on the basis of the hours of flights. I would also like to know one other thing in this connection. I am told that this was probably done by the Assam Government. But I would like to know whether there was any consultation with our Ministry or our Deputy Minister prior to this.

I want to point out also another thing. It is not a question only of business. It is a question of safety and security also. Some of these private operators are foreigners, and some of them are in collaboration with our own Indians. But there have been certain cases which we have brought up on the floor of this House. For instance, there is the case of the Air Survey Co., which is, still, I think, a foreign owned company to the extent of 40 per cent. They were doing these air surveys. They were doing air surveys for Pakistan. When we found, and I think our agents in Sikkim reported, that they were flying over there, one of the aircraft was grounded, and the aircraft was sealed also. Of course, we have never got satisfactory replies from the Deputy Minister on all these points. We have raised this point again and again.

You know, Sir, that even in the NEFA area, one of the European correspondents was flown by one of these private operators to go and meet Mr. Phizo. We have to take into consideration all these things. It is not only a question of rupees, annas and pies. It is a question of the security of the country; that is why I again maintain what I have stated earlier that all airlines should be nationalised. I am surprised that the Deputy Minister pleads that on the basis of the Industrial Policy Resolution in spite of the special sentence that has been put in. Arms, ammunitions, atomic energy, railways and air transport have been put in an absolutely separate category, different from anything else. Therefore, I again plead—I have raised this question again and again and I think that this is about the tenth time that I am raising it—that we should definitely stop and preclude all private operations from operating.

It is no good saying that our IAC cannot function on all the routes. Take, for instance, the Tata route, namely the Jamshedpur-Calcutta route, where a non-scheduled service

[Shrimati Renu Chakravartty]

was functioning. You know, Sir, that it was one of the most paying propositions. Now, the service has been extended to Ranchi, and the IAC has taken it over. Why could the IAC not have started with it in the beginning? They always start by saying that it is not paying.

I would also plead that air transport is a public utility service also, and, therefore, if necessary, for the public sector, we must cut down the costs. There is no doubt about it that the non-scheduled operators find some sympathy amongst the public because their rates and fares, and their rates of freight are lower than those of the IAC. Air transport should be in the hands of the public sector. It should be totally nationalised, as it has been very clearly laid down in the Industrial Policy Resolution, and nobody should be permitted to subvert it under any excuse whatsoever, calling them non-scheduled operators of calling them by any other name. I say that the amendment to the Air Corporation Act which is being brought here through the Rajya Sabha is to legalise an illegal act, which they have been doing as a subterfuge.

Shri Braj Raj Singh rose—

Mr. Speaker: The hon. Minister. Enough has been said. We should close the discussion today.

Shri Mohiuddin: I entirely agree with the proposal that the whole of the air services in India should be nationalised.

Shri S. M. Banerjee: Including Ministers.

Shri Mohiuddin: I entirely agree with the sentiment and the principle and we have stated on many occasions that the policy, as far as nationalisation of air services is concerned, is that whenever possible in future, they should be and will be nationalised.

Now the problem here is different.

Shri S. M. Banerjee: Chief Ministers should be nationalised.

Shri Mohiuddin: I shall refer to the speech by the then Minister of Transport and Communications, Shri Jagjivan Ram, when the nationalisation Bill was discussed in this House. He said:

"It is only practical considerations by which for sometimes to come we may permit non-scheduled operators to operate in certain parts of the country where the Corporation may feel that it is not feasible for the Corporation to run the services at present".

Some Members of Parliament insisted that not only the 8 companies should be nationalised, but the rest of the companies should also be nationalised.

Shri Joachim Alva: Even after 8 years, Government have not overcome the difficulty.

Shri Mohiuddin: I will come to that. It is not a matter of 8 years. I doubt if it could be done in 12 years.

Shri Joachim Alva: By this time, Gagarin would have reached the Moon.

Shri Mohiuddin: The policy of allowing non-scheduled—I shall not use that word because it causes some offence.....

Shri Nath Pai: It is a subterfuge.

Shri Mohiuddin: Yes. The private operators were deliberately allowed, in the knowledge of the House, to continue.

Shrimati Renu Chakravartty: I say we objected to that.

Shri Mohiuddin: Many people objected. Even I objected at that time as a private Member.

Shri Braj Raj Singh: Let him come to the Resolution of 1956 now.

Shri Mohiuddin: The Estimates Committee in their Report in 1957 had this to say:

"The Committee feel, therefore, that a liberal attitude should be followed towards independent operators and that if an independent operator satisfies the Government of his capacity to operate a service on a route on which the nationalised Corporations are not in a position to extend their services, there should be no objection to grant a permit to the independent operator over that route".

This was the recommendation of the Estimates Committee.

Shri Braj Raj Singh: Which he conveniently borrowed.

Shri Mohiuddin: The Report of the Estimates Committee was placed on the Table of the House. Then in December 1960, I made a policy statement in this House.

Shri S. M. Banerjee: Polishing statement!

Shri Mohiuddin: I also said that considering the fact that the few non-scheduled operators who are now in the field do not materially divert traffic from the services of the two Corporations and as the non-scheduled operators have scope for developing the traffic market, there is a case for their continued existence if the benefits of travel are to be extended to areas hitherto not served or are not likely to be served in the near future by the two Corporations. What is the occasion now? —I am really puzzled. I have read out the various statements that were made.

Shrimati Renu Chakravartty: This is all illegal.

Mr. Speaker: Order. order. Let him go on.

Shri Mohiuddin: Hon. Members have discussed the function of the private operates on many occasions in this House.

Shri Braj Raj Singh: Their failures.

Shri Mohiuddin: We have repeatedly stated in this House that there has been no change in the basic policy of the Government. Shri Humayun Kabir, when he was Minister of Civil Aviation, also said the same thing.

Shri Nath Pai: They say the same thing, but do the contrary.

Shri Mohiuddin: I am just saying that this is not a new problem as far as we are concerned. Shri Kabir said:

"I visualise that the independent operators have a definite function to perform."

Shri Braj Raj Singh: When did he say this?

Shri Mohiuddin: On 6th August, 1957, after the Industrial Policy Resolution had been passed.

Shrimati Renu Chakravartty: I have raised those points.

Shri Mohiuddin: He added:

"They can serve as pioneers and open out new routes, and because of the greater flexibility which such operators enjoy, they can operate in conditions where it may be more difficult for public enterprises to function, because a public enterprise is subject to public audit and many other regulations according to the public standards."

Shrimati Renu Chakravartty: But why was the operation taken back from that IAC? It is not a new route, It was taken back from the Corporation and given to Kalinga.

Shri Mohiuddin: It was not taken back. I definitely state that the IAC

[Shri Mohiuddin]

is not running a service between Bombay and Baroda.

Shri Nath Pai: We mean in NEFA.

Shri Mohiuddin: That is quite a different problem.

As I stated, these policy statements have been made from time to time. The Estimate Committee's report, Shri Kabir's statement in Parliament, the policy statement made here in 1960—all these facts are well known to hon. Members. What is the reason that now this question has been raised?

Mr. Speaker: Do these private airlines pay anything to the exchequer?

Shri Mohiuddin: They pay the taxes, that is income-tax.

Mr. Speaker: They pay income-tax like any other, but do they pay any special tax as the motor transport pays?

Shri Mohiuddin: No special tax is levied. They pay the landing fees, garaging and other fees that are charged to the aircraft.

Shri Nath Pai: Compared to their profits, these are very minor.

Shri T. B. Vittal Rao: No licence fee is collected from them?

Shrimati Renu Chakravartty: They cannot run on a licence. It is on permission.

Shri Mohiuddin: Hon. Members have accused us of sabotage of the Industrial Policy Resolution. . .

Shri Braj Raj Singh: That is what you are doing.

Shri Mohiuddin: They accuse us of violating the provisions of the Industrial Policy Resolution. And they have done this in December, 1961, . . .

Shrimati Renu Chakravartty: No, no. We have been doing it from 1956.

Shri Mohiuddin: . . while all along, from 1957 onwards, we have been making statements in this House that there was no change in the basic policy laid down at the time the Nationalisation Bill was passed.

My hon. friend, Shri Alva asked me, 'What have you done all these 8 or 10 years?'. The traffic that is offering is growing at a much faster rate than the capacity we can provide.

18.00 hrs.

Shri T. B. Vittal Rao: Was not Baroda paying? The Gujarat Refinery will be there?

Shri Mohiuddin: I was saying that the traffic was growing faster than the capacity we can provide.

Shrimati Renu Chakravartty: What about chartering?

Shri Mohiuddin: I will explain the charter business also.

The problem is that unless the IAC can acquire more planes by paying foreign exchange to foreign manufacturers or when we have our own planes—fortunately there are chances of our own manufactured aeroplanes coming in—unless we can provide sufficient number of aircraft required for the purpose, if we disallow or cancel the licences of the private operators, there will be considerable disruption in traffic and there may be complaints even from hon. Members opposite. They will say, 'Why not allow the private operations to come in because the traffic is not being handled by the IAC as it has not got the capacity?'.

There seems to be some misunderstanding. Shrimati Renu Chakravartty has referred to chartering. I have not really read the pamphlets

which the hon. Members have produced suddenly in this House.

Shri Nath Pai: I have sent you a copy already.

Shri Mohiuddin: I have not been able to read them.

Shrimati Renu Chakravartty: You do not seem to have anything. The charter rates etc. are given there.

Shri Mohiuddin: I stand subject to correction. The practice in Calcutta is that the booking agents take a plane on charter. That is to say they guarantee to the IAC that they will provide 10,000 or 9,000 lbs of goods, whatever the carrying capacity of the aircraft is. They say that on such and such a date cargo to the extent of so many thousand pounds would be guaranteed. That is, they are responsible to pay the whole charges for the aircraft from one place to another and that no goods can be accepted from any other party for that particular aircraft. This is called charter. But it is the IAC that runs the aircraft. It is not the Kalinga Airlines or other people. It is a system of working cargo traffic.

Shrimati Renu Chakravartty: Is it not a fact that the freight rates from Gauhati to Calcutta charged by the non-scheduled operators is about 20 nP. and it is 60 nP. by the IAC. You charter it out at the lower rate. Why not run a regular service on the line?

Shri Mohiuddin: I am not sure; I cannot reply this. But, it is unfortunately true that the IAC expenditure is very high, the overheads are high and the rates have gone up. *(Interruption).*

You might remember that I had placed on the Table of the House a report of a committee that we appointed on the cost structure of the IAC. They had recommended that the cost structure should be brought down by a certain percentage, every

year. But, unfortunately, that has been possible for them to do because other costs have gone up. The wages have gone up; and the IAC is paying about Rs. 80 lakhs this year in salary and wages.

Shrimati Renu Chakravartty: May I just ask one question of the hon. Minister? We have about 54 or 55 Dakotas—I think more—and the non-scheduled operators are having Dakotas. We are going to get rid of these Dakotas. We are going to have new aircraft for passenger traffic. Why not we use them for freight?

Shri Mohiuddin: But we have not got better aircraft; we have got only five new Fokkers. We have got ten viscounts.

Shrimati Renu Chakravartty: How many Dakotas?

Shri Mohiuddin: 54 or 57. They are all running except those grounded for technical purposes. In about a week's time, in the next few days a statement will be made in the House as to how many are grounded. *(An Hon. Member: How many).* A statement will come. The fact is that we have not got sufficient foreign exchange even to import spares.

Shri Nath Pai: How do they buy then?

Shri Mohiuddin: The number of aircraft with the private operators is about 17 and for these they may have got some old stock with them.

Shri Nath Pai: How do they get foreign exchange?

Shri Mohiuddin: Some foreign exchange is provided for them certainly because the Government has decided that the private operator should continue to operate at the present moment....*(Interruptions.)* That is a definite statement that I am making.

Shri S. M. Banerjee: So far as Kalinga airline is concerned, the IAC has become IOU.

Shri Mohiuddin: The hon. Members are importing a good deal of emotion in this debate regarding the private and public sector.

Shri Nath Pai: It was at your direction, Mr. Speaker, that we tried to keep it on that line, private versus public sector. He is accusing us for following your direction.

Shri Mohiuddin: If we all consider it from an impartial point of view the position is this that in spite of the intentions of the Government to take over all the sectors of operation, we are not in a position and we have not been able to do so far.

Shri Nath Pai: Tell us something about the Baroda line.

Shri Mohiuddin: As far as Baroda line is concerned, I answered the question other day in this House that according to the aircraft rules and the permit given to the private operators they can run a service between two points not served by I.A.C. There is a permit. Now, to tell you frankly, I did not know that the private operator is going to operate from Bombay to Baroda.

Shri T. B. Vittal Rao: Look at this. This is a very serious thing.... (Interruptions.)

Shri Mohiuddin: I made a statement on this subject. Why is it serious now? No permission has been given and I made that statement.

Mr. Speaker: How does he operate?

Shri Mohiuddin: Because they are entitled under the permit to operate between two points where the IAC does not operate.

Mr. Speaker: Anywhere in India?

Shrimati Renu Chakravartty: You please tell us the relevant section or rule.

Shri Mohiuddin: As far as legal complexities are concerned, let us leave them aside.

Shri Braj Raj Singh: How can we leave them aside?

Mr. Speaker: It is for the Government to see or for the IAC to complain to the Government. A foreigner comes and operates there? Can he operate? How can they operate unless they are authorised? They will be committing an illegal act.

Shri Nath Pai: That was the point we have raised.

Mr. Speaker: If the permit contained such a clause that they can operate anywhere in India in the non-scheduled area, where there is no scheduled service, then all of them can go and fight that they want to operate. Now, there are 17 air transport companies in the private sector. If each permit contains a clause that wherever they like, in India, without the intervention of either the IAC or the Government, they could, of their own accord, have flights, say, from Bombay to Baroda and back—leave alone the IAC—is not a regulation necessary in regard to this? Will there not be chaos and will they not be fighting with each other?

Shri Mohiuddin: I do not think they are foolish enough to do that.

Mr. Speaker: That was said only for the purpose of showing the extent to which such an absurdity could go. That was for the purpose of showing that there must be some reason and guidance. If any of them wants to operate, without your knowledge, and if any of them operates like that, and if passengers come in, they might pull the passengers and say, "Come to my service, come to this service," and so on. If that is so, what will happen?

Shri Mohiuddin: It has not happened so far. But I am only stating the facts. You may say that the rules should be changed. But I am only stating the facts as they are.

Mr. Speaker: Is there a particular clause? Let him read it.

Shri Nath Pai: You yourself asked the question. He says that even the IAC did not know. If permission was given even without the IAC knowing it, who did it and how was it done?

Mr. Speaker: The hon. Member does not perhaps follow the hon. Minister. The hon. Minister said that no separate permit is required. Under the existing permission, it is open to the private operator to make the flights. There are 17 air companies. But then, can all of them run like that? There must be some regulation. How can they do so without the IAC's knowledge? Let him read the clause in the permit.

Shri Mohiuddin: The relevant clause is clause 16 which says as follows:

"This permit shall not entitle the carriage of traffic between any aerodromes served by a scheduled air transport service except when the scheduled operator is unable to carry the same and issues a no objection certificate to that effect."

Shrimati Renu Chakravartty: This is something laid down by the DGCA by an executive order. It goes contrary to section 18 of the Air Corporation Act. That is why they are bringing in an amendment. It is an illegal position.

Shri Rane (Buldana): We are not discussing the question of legality here.

Mr. Speaker: Hon. Members are unnecessarily importing heat into this matter. The hon. Minister has read out the clause in the permit wherein it is stated that the private

operator cannot run the service unless the IAC has authorised it.

Shri Mohiuddin: This permit shall not entitle the carriage of traffic between any aerodromes served by a scheduled air transport service.

Mr. Speaker: Please read the latter portion.

Shri Mohiuddin: The latter portion comes in for the aerodromes which are served by the scheduled services. The clause says that this permit shall not entitle the carriage of traffic between any aerodrome served by a scheduled air transport service except when the scheduled operator is unable to carry the same—that is where the scheduled services are run—and issues a no objection certificate to that effect. This certificate comes in only for the aerodromes to which the scheduled operator operates.

Shrimati Renu Chakravartty: It is absolutely wrong.

Mr. Speaker: When the scheduled operator is not able to operate between the two stations, where he can but is not able to do so, he may give the permission to the non-scheduled operator to run it. That seems to be the meaning.

Shri Mohiuddin: That is the present position.

Mr. Speaker: He should, therefore, get permission from the IAC. Did the Kalinga Operators get permission under this permit from the IAC?

Shri Mohiuddin: I do not think so.

Shri S. M. Banerjee: This is the route of the I.A.C. When they cannot operate, how can the others operate?

Mr. Speaker: Let him go on. The Government does not know; the IAC does not know.

Shri T. B. Vittal Rao: The aerodromes are under the Civil Aviation Department. How can they say that they do not know?

Shri Mohiuddin: The DGCA did know about it. I can inform the House that the DGCA did know about it. He was asked to give instructions to the Controller of Aerodromes to give them the flight permit, to allow them to take off and land. That permission was given.

Shri T. B. Vittal Rao: Then, how does he say that the Government does not know?

Shri Braj Raj Singh: If the Minister has no knowledge about it, he can reply tomorrow.

Mr. Speaker: If the hon. Member is unwilling to sit, he may go.

Shri Nath Pai: We are willing to sit provided he answers all the points.

Shri Mohiuddin: I have answered as far as possible the points raised in regard to policy. I have also stated the limitations under which the IAC is now operating. They are not in a position to take over the services which are now operated by the private operators.

You might remember and Shrimati Renu Chakravartty also quoted now that during the puja holidays, the IAC could not carry the traffic.

Shrimati Renu Chakravartty: That is during this puja. All these years you have not been able to carry.

Shri Mohiuddin: During the puja holidays, IAC could not carry the traffic because they have not got the aircraft.

Shri Nath Pai: Take the aircraft from them.

Mr. Speaker: Let the hon. Deputy Minister proceed and finish.

Shri Mohiuddin: They could not carry the whole cargo. They keep a certain number of Dakotas at Calcutta—I do not know exactly—five, six or seven for regular daily operations. When suddenly the puja demand comes in, they increase it by one or two aircraft if they possibly can spare. Otherwise, they cannot give more aircraft. There are other demands on the I.A.C. There are Dakota routes in the south, in Bhopal, Gwalior and other places. They cannot take the aircraft away from these routes and bring them to Calcutta for the purpose of the puja demands. That is the reason why they gave permission to the private operators. They give no objection certificate liberally under Rule 16 to carry cargo from Calcutta to other places in Assam.

Shri Nath Pai: They have sold aircraft to private operators. *(Interruption)*.

Shri Mohiuddin: During the last four or five years, they have not sold any plane to the private operators. In the expectation, that we will be able to get some Viscounts, we have sold two planes to a foreign country with the permission of the Ministry concerned. We have not sold it to private operator. I have stated our foreign exchange position is very critical. *(Interruptions)*.

Mr. Speaker: It is not right to go on interrupting like this.

Shri Braj Raj Singh: They gave some foreign exchange to the Kalinga Airlines. May I know how much amount was given to the Kalinga Airlines for developing their aircraft?

Shri S. M. Banerjee: If a committee is appointed to go into the whole question, it will be found that huge amounts of money flown into the veins of many people.

Shri Mohiuddin: I do not remember the figures for Kalinga Airlines.

Shri Braj Raj Singh: As Deputy Minister, you should remember.

Shri Mohiuddin: How can I carry all the figures in my head? For the IAC, it is about Rs. 1 crore for a certain period. This time, we had only Rs. 60 lakhs or Rs. 70 lakhs of foreign exchange. I do not carry the figures for private operators in my head. Some amount might have been given to them.

Now, Sir, I have dealt with almost all the points. I have dealt with the policy matter. I have dealt with the question of capacity of the IAC. As far as the policy is concerned, these statements have been made since 1953 onwards about the desirability of continuing the private operators to operate because they fulfil certain necessary demands of the public.

Shri Braj Raj Singh: Can these statements of the Ministers made at various times change the policy resolution passed by this House?

Mr. Speaker: Order, order. Hon. Members must have been following the line of argument of the hon. Minister. His argument is that this is not inconsistent with the policy resolution, and therefore it is also the policy of the Government consistent with the policy resolution that the private operators must also be encouraged to operate without prejudice

to the IAC taking over and as and when it is competent to take them over it will do so. The IAC's overhead charges unfortunately seems to be a little high and that is why the IAC is not able to take over. If the IAC wants money they will certainly divert it. This is the present position.

Shri Mohiuddin: Not only cost, Sir, but because they have not more aircraft.

Mr. Speaker: All right. Has he finished?

Shri Mohiuddin: Yes.

Shri Nath Pai: Does it mean that because of this sick part of the same sentence "railway, air and armaments", where we do not have resources for starting a railway line private companies will be allowed to start?

Shri S. M. Banerjee: If the hon. Deputy Minister's contention is accepted, it will not be socialism but "private socialism limited" in the country.

Mr. Speaker: The House will now stand adjourned to meet again at 11.00 A.M. tomorrow.

18.23 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, 6 December, 1961/Agrahayana 15, 1883 (Saka).

[Tuesday, December 5, 1961/Agrahayana 14, 1883 (Saka)]

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CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE

Shri S. M. Banerjee called the attention of the Minister of Steel, Mines and Fuel to the retrenchment of about ten thousand workers of the Rajhara and Nandini mines under the Bhilai Steel Project.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh) laid on the Table a statement in regard thereto.

PAPERS LAID ON THE
TABLE

3226-27

(1) A copy each of the following papers :—

(i) (a) Annual Report of the Singareni Collieries Company Limited, Hyderabad, for the year 1960 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government of the working of the above Company.

(ii) (a) Annual Report of the National Coal Development Corporation Limited, Ranchi for the year 1960-61 along with the Audited Accounts and the comments of the Comptroller and

PAPERS LAID ON THE
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Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government of the working of the above Corporation.

(iii) (a) Annual Report of the Neyveli Lignite Corporation Limited, Neyveli (Madras) for the year 1960-61, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government of the working of the above Corporation.

(2) A copy of the certified Accounts of the Indian Institute of Technology, Kharagpur for the year 1959-60 along with the Audit Report thereon, under sub-section (4) of section 23 of the Indian Institute of Technology (Kharagpur) Act, 1956.

(3) A copy of Notification No. S.O. 2791 dated the 24th November, 1961 making certain amendment to the Registration of Electors Rules, 1960, under sub-section (3) of section 28 of the Representation of the People Act, 1950.

(4) A copy each of the following papers :—

(a) Annual Report of the Film Finance Corporation Limited, Bombay, for the period from the 25th March, 1960 to 31st March, 1961 along with the Audit Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government of the working of the above Corporation.

COLUMNS

STATEMENT BY MINISTER

3233-34

The Deputy Minister of Defence (Sardar Majithia) made a statement in respect of the reply given on the 23rd November, 1961 to Starred Question No. 147 by Shri P. K. Deo, Shrimati Ila Palchoudhuri and Shri B. C. Mullick regarding dropping operations in Orissa.

BILLS PASSED

3236,
3266—3352

(1) The Minister of Railways (Shri Jagjivan Ram) moved for the consideration of the Appropriation (Railways) No. 4 Bill, 1961. The motion was adopted and after clause-by-clause consideration, the Bill was passed.

(2) The Minister of Law (Shri A. K. Sen) moved for the consideration of the Constitution (Eleventh Amendment) Bill, 1961. The House divided on the motion for consideration : Ayes 266 ; Noes 35. The motion was adopted by a majority of total membership of the House and by a majority of not less than two-thirds of the members present and voting. Clause-by-clause consideration was taken up and the House divided on Clauses 2 (Ayes 268 ; Noes 35) and 3 (Ayes 269 ; Noes 37) and the motion for adoption of the clauses was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting. The House also divided on the motion to pass (Ayes 269 ;

BILLS PASSED—Contd.

Noes 36) which was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting and the Bill was passed.

DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE

3237-66
3354—3408

(i) The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) replied to the discussion on the latest Chinese incursions into Indian territory, and also laid on the Table a copy of Note dated the 30th November, 1961, from the Ministry of Foreign Affairs of the People's Republic of China.

(ii) Shri Nath Pai raised a discussion on the licence granted to the Kalinga Airlines to operate a Scheduled air service between Bombay and Baroda which is a breach of Industrial Policy Resolution. The Deputy Minister of Civil Aviation (Shri Ahmed Mohiuddin) replied to the discussion.

AGENDA FOR THURSDAY, DECEMBER 6, 1961/AGRAHAYANA 15, 1883 (SAKA).

Consideration and passing of Appropriation (No. 5) Bill, 1961 ; Indian Tariff (Amendment) Bill, 1961 ; Viswa-Bharati (Amendment) Bill, 1961 and Delhi University (Amendment) Bill, 1961. Also consideration of Resolution *re.* export duty on lac and shellac.