



Friday  
26th March, 1954

# PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers )

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PARLIAMENT SECRETARIAT  
NEW DELHI

**THE**      **Dated** 01.12.2014  
**PARLIAMENTARY DEBATES**  
**(Part I—Questions and Answers)**  
**OFFICIAL REPORT**

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**HOUSE OF THE PEOPLE**

**Friday, the 26th March, 1954**

The House met at Two of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

**ORAL ANSWERS TO QUESTIONS**

**POSTAL BAG CLEANING MACHINE**

\*1315. **Sardar Hukam Singh:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that a bag cleaning machine was installed by the Postal Department in Calcutta last year; and

(b) if so, what is its cost?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) No; intimation has been received that the machine has been shipped from London on 1st March 1954.

(b) Its price is Rs. 39,707 F.O.B. London.

**Sardar Hukam Singh:** When was the machine originally agreed to be delivered, and what is the reason for the delay in its delivery?

**Shri Raj Bahadur:** The indent for the machine was placed with the Director General, Supply and Disposal round about August 1952 and the order was actually placed towards December 1952. The delivery was expected and also stipulated to be effected in twelve months' time. There has been a delay of about three or four months.

11 P.S.D.

**Sardar Hukam Singh:** We have been told in the Annual Report that the delivery had to be delayed by the U.K. firm because some electrical equipment was not there. In view of this, have we taken any steps to see that even after the delivery is effected, when the occasion for repairing the machine arises, the spare parts will be available within a reasonable time should the machine go out of order?

**Shri Raj Bahadur:** It is true that the manufacturing firm could not deliver the machine because they were lacking in certain essential constituent electrical parts. We shall take good care to see that whatever spares we require for the repair of this machine in case of break-down are also made available to us.

**Shri Dabhi:** May I know how much work this machine gives?

**Shri Raj Bahadur:** The cost of the machine is Rs. 39,707. As regards the work, it can clean as many as 1200 bags a day. To give the House an idea, I may say that in Calcutta alone there are about 3,000 to 4,000 bags to be handled every day.

**Shrimati A. Kale:** How many hands will go out of employment as a result of this machine?

**Shri Raj Bahadur:** Not one, because at the moment we have not got any such device by which we can clean these bags. As a matter of fact, it was becoming rather difficult, and dangerous also, for the workers themselves, to handle these unclean bags and so we have taken this new machine.



दिल्ली का नौकरी दफ्तर

\*१३१६. सेठ गोविन्द दास : क्या  
श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के नौकरी दफ्तर का  
पिछला निरीक्षण कब किया गया था ; और

(ख) क्या इस के कार्य में कोई दोष  
पाये गये हैं ?

**The Minister of Labour (Shri V. V. Giri):** (a) June, 1953.

(b) No serious defects were discovered.

**Seth Govind Das:** Have Government received any complaints in writing about this, and has any action been taken upon these complaints?

**Shri V. V. Giri:** A complaint was received from an hon. Member of this House, Shri Prabhakar. He met the authorities and, in conjunction with them, went into various matters relating to these defects, if there were any. I am glad to say that the Ministry is looking into some of these. Some have been rectified; some have not been proved to be correct. I am grateful to the hon. Member for taking so much interest, and I may assure him that if he would like to meet me, I would further discuss with him about any of the defects which he thinks are still there.

**Seth Govind Das:** May I know what kinds of defects were pointed by an hon. Member of this House? Would the hon. Minister be pleased to state them?

**Shri V. V. Giri:** It is a long story, running into ten or twelve pages.

**Shri V. P. Nayar:** Make it short.

**Shri V. V. Giri:** If the Chair will allow me, I shall read those queries.

**Mr. Deputy-Speaker:** There seems to be a committee appointed to go into this question.

**Shri V. V. Giri:** Yes, the Shiva Rao Committee.

**Seth Govind Das:** If the statement is twelve pages long, then will it be placed on the Table of the House, so that Members who are interested in it might be able to see it?

**Shri V. V. Giri:** It is not a report, but certainly if the hon. Members want, we shall place those queries before the House.

**Sardar Hukam Singh:** May I know whether the Central Inspectorate of Employment Exchanges conduct inspections on an *ad hoc* basis and by surprise, or whether there is a regularly arranged inspection of every centre?

**Shri V. V. Giri:** There are certain instructions which have been given—twenty in number—and the Central Exchange officers go from time to time to examine whether those instructions are carried out or not.

**Shri T. B. Vittal Rao:** May I know when the Shiva Rao Committee is likely to submit its report, because it is already more than a year since it was appointed?

**Shri V. V. Giri:** The report is nearly ready, and I hope it will be submitted in the course of a few weeks.

**Shri P. C. Bose:** May I know if the Delhi Exchange has an advisory committee and if the committee meets regularly to conduct business?

**Shri V. V. Giri:** I think it has an advisory committee, but I am not absolutely certain. And I do not know the names of the members.

#### CONDIMENTS AND SPICES (EXPORT)

\*1317. **Shri Jhulan Sinha:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total foreign exchange earned by the export of condiments and spices during 1952-53;

(b) whether it is a fact that a committee has been set up by the Government to examine the question of the production and marketing of condiments and spices and regulating the same on the lines of tea, rubber, and coffee; and

(c) if so, what is the position with regard to the report of the said committee and its implementation?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) Rs. 20,94,58,729 worth of condiments and spices were exported during 1952-53.

(b) Yes.

(c) The Spices Enquiry Committee has submitted its report to the Government of India in the Ministry of Food and Agriculture and the recommendations are being examined. Early steps will be taken to implement the accepted recommendations.

**Shri Jhulan Sinha:** In the mean time, are the producers of these spices left to their own resources and initiative, or are they receiving any aid from the Government?

**Dr. P. S. Deshmukh:** All the recommendations of the Committee, as I said, are under examination, and if there is any recommendation for giving any assistance to producers that would also be considered.

**Shri V. P. Nayar:** May I know what is the share of pepper in the total exchange earned on the export of condiments and spices, and may I also know whether any recommendations have been made by the Spices Enquiry Committee as to the way in which price fluctuation in pepper, which is manipulated by traders, can be directed, so that the pepper growers can be assured of a very steady price?

**Dr. P. S. Deshmukh:** The share of pepper in these exports is the largest. It amounts to Rs. 15,95,91,125 out of about Rs. 20½ crores. So far as the other question is concerned I must ask for notice.

**Shri A. M. Thomas:** May I enquire whether the report has been sent to the State Governments of the principal spice growing areas and if so whether the Central Government has received any remarks from those Governments?

**Dr. P. S. Deshmukh:** I cannot reply to that question off-hand.

**Shri Nanadas:** May I know whether *mirsch*, turmeric and onions are also included under "spices"?

**Dr. P. S. Deshmukh:** Turmeric is. I am not sure about onions, but I do not think onions are included.

**Mr. Deputy-Speaker:** He is interested in *mirsch*.

**Dr. P. S. Deshmukh:** Oh yes, *mirsch* is. I am myself very much interested in *mirsch*. It accounts for Rs. 1,81,56,699.

**Shri V. P. Nayar:** May I know whether Government are aware that the price of pepper is going down according to the whims and fancies of some exporters, and whether Government have asked the Spices Enquiry Committee to report on this aspect of the question?

**Dr. P. S. Deshmukh:** We are aware of the price fluctuations and the misery and loss they cause. But I would like to have notice as to whether this particular problem has been investigated into and to what extent.

**Shri N. Somana:** May I know whether the recommendation is a common recommendation for all the spices or specifically for any item?

**Dr. P. S. Deshmukh:** The definition of "spices" may differ from man to man or from Member to Member. The spices we have touched in the enquiry are betelnuts, cardamoms, chillies, ginger, pepper, turmeric and a few others which are not of much consequence.

**Shri Nambiar:** When is the Enquiry Committee likely to submit its report?

**Dr. P. S. Deshmukh:** It has already been submitted.

**Mr. Deputy-Speaker:** It is being examined. Next question.

WILLINGTON HOSPITAL

\*1318. **Shri S. N. Das:** Will the Minister of Health be pleased to state

whether, and if so, what steps have been taken to settle the question of compensation to the New Delhi Municipal Committee in respect of the Willingdon Hospital?

**The Deputy Minister of Health (Shrimati Chandrasekhar):** Steps have been taken to assess the value of lands, buildings, installations and equipment of the Willingdon Hospital and the question of compensation, if any, to be paid, will be settled by negotiation with the New Delhi Municipal Committee.

**Shri S. N. Das:** May I know whether the New Delhi Municipal Committee has submitted any list of assets that have been taken over in respect of the Willingdon Hospital?

**Shrimati Chandrasekhar:** They have put in a claim for compensation to the tune of Rs. 20.32 lakhs.

**Shri S. N. Das:** May I know whether any principle has been decided on which this compensation would be given, and also whether any joint machinery will be set up consisting of members of the Central Government and members of the Municipality to decide the matter?

**Shrimati Chandrasekhar:** As I said, the matter is under consideration.

**Shri Radha Raman:** May I know whether the New Delhi Municipal Committee is starting any new hospital in New Delhi in place of this, and if so, what is the extent of Government help that will be made available to them?

**The Minister of Health (Rajkumari Amrit Kaur):** So far, no proposal has been received from the New Delhi Municipal Committee about their intention to start another hospital. Since this hospital is going to be extended, I do not know whether there will be any necessity for the New Delhi Municipal Committee to start another hospital.

**Dr. Ram Subhag Singh:** May I know whether with the taking over of this hospital by the Government of India,

any change will be effected in the facilities which have so far been given to the patients, or whether the old system will continue?

**Rajkumari Amrit Kaur:** Not at all; in fact, the hospital side that is for the poor patients is going to be expanded.

**Dr. Rama Rao:** May I know how much expenditure of the Municipal Committee would be saved by the Central Government taking over this hospital?

**Mr. Deputy-Speaker:** The hon. Member wants to know the recurring expenditure.

**Rajkumari Amrit Kaur:** I think—I speak from memory and therefore I am open to correction—it is in the neighbourhood of between Rs. 3 to 4 lakhs every year.

#### RAILWAY CLAIMS

\*1319. **Shri Dabhi:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the total amount of compensation for claims for loss of or damage to goods is on the increase;

(b) if so, what are the reasons therefor; and

(c) what steps Government have taken to reduce the extent of the claims?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) There have been fluctuations in the amount of compensation paid from year to year.

(b) These fluctuations in the amount paid are largely due to the nature and value of the commodities subjected to thefts, losses, damages, etc., during a particular year.

(c) A statement is laid on the Table of the House. [See Appendix IV, annexure No. 81.]

**Shri Dabhi:** May I know what was the total amount of compensation paid by each railway during the years 1951-2, 1952-53 and 1953-54?

**Mr. Deputy-Speaker:** That is all in the paper which was circulated.

**Shri Alagesan:** No, it is not there. The figures are:

1949-50...Rs. 3.67 crores.

1950-51...Rs. 3.11 crores.

1951-52...Rs. 2.91 crores.

So, it has been gradually coming down, but again in 1952-53 it went up to Rs. 3.18 crores.

**Shri Dabhi:** May I know since when the measures mentioned in the statement are being taken?

**Shri Alagesan:** I cannot give the exact time, but we have enforced them since quite a long time.

**Shri S. N. Das:** May I know what percentage of the total loss on account of damage to goods has been paid by Government after realising that from the Government servants involved?

**Mr. Deputy-Speaker:** The hon. Member wants to know what amounts have been recovered, if any, from the persons who have been responsible for the damages or loss.

**Shri Alagesan:** I must have notice for that question.

**Sardar A. S. Saigal:** May I know whether Government are aware that some representation was made by the Merchants Association, Bilaspur on the Eastern Railway, as regards claim for loss of goods?

**Mr. Deputy-Speaker:** How does this question arise? It is only one of thousands of such cases.

**Sardar A. S. Saigal:** But, the representation was made to the Railway department by the Merchants Association.

**Mr. Deputy-Speaker:** Hon. Members must not go into such details. About

Rs. 5 crores is the sum total of thousands of such claims. The hon. Minister cannot lay his finger on the case relating to Bilaspur because Shri Saigal wants it.

**Shri G. P. Sinha:** May I know whether there has been any decrease in the number of thefts on railways?

**Shri Alagesan:** The number of claims has been going down and that is a very satisfactory feature.

**Shri N. L. Joshi:** May I know what are the main causes for loss or damage to goods on railways?

**Shri Alagesan:** Thefts, pilferage and all these things are the main causes.

**Shri Dabhi:** What is the reason for the amount of claims going up during 1952-53?

**Shri Alagesan:** That I cannot say exactly, but as I said in the answer, it may be due to the higher value of the goods lost or damaged.

#### MINOR PORTS

\*1320. **Shri Radha Raman:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that Government are considering a scheme for the improvement of minor ports in India;

(b) the names of the ports that come under this scheme; and

(c) the estimated cost thereof?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes. An agreed programme of improvement of the more important of the minor ports has been drawn up and is being implemented.

(b) A statement giving the information is laid on the Table of the House. [See Appendix IV, annexure No. 82.]

(c) Rs. 224.41 lakhs.

**Shri Radha Raman:** May I know which of the ports mentioned in the statement will be taken up first for improvement?

**Shri Alagesan:** Various State Governments concerned are taking up improvements in all these ports.

**Shri Radha Raman:** May I know if a sufficient number of Indian experts are available to do this job or if some foreign experts will be invited?

**Shri Alagesan:** It is done by Indian experts.

**Shri Velayudhan:** May I know whether any of the minor ports in Travancore-Cochin will be included in this construction programme?

**Shri Alagesan:** Yes. The statement.....

**Mr. Deputy-Speaker:** The hon. Member will kindly look into the statement.

**Shri B. S. Murthy:** May I know whether the Andhra State has pressed.....

**Mr. Deputy-Speaker:** The same thing with Andhra.

**Shri B. S. Murthy:** You wanted me to put the questions clearly, and slowly. I have just begun the question.

**Mr. Deputy-Speaker:** The question is clear. It has been already answered.

**Shri B. S. Murthy:** May I know whether the Andhra State has pressed on the Central Government to take up the Kakinada minor port at an early date and if so what action has been taken?

**Shri Alagesan:** Kakinada and Masulipatnam are included in the programme.

**Shri Nambiar:** May I know whether Tuticorin is included? I had no occasion to see the statement. I do not know whether it is included.

**Mr. Deputy-Speaker:** Why should not the hon. Member go to the Notice Office and find out from the statement?

**Shri C. R. Chowdary:** What is the estimated cost of development of the Kakinada and Masulipatnam ports separately?

**Mr. Deputy-Speaker:** Is cost also given in the statement?

**Shri Alagesan:** I should like to have notice of the question.

**Mr. Deputy-Speaker:** Next question.

**Dr. Ram Subhag Singh:** 1321.

**Mr. Deputy-Speaker:** So far as the previous question is concerned, a number of hon. Members are interested. I suppose no hon. Member whose State is entirely inside the Indian Union will ask for minor ports. So far as the details are concerned, they may ask the hon. Minister and I am sure he will give the particulars.

#### RAILWAY CLAIMS

**\*1321. Dr. Ram Subhag Singh:** Will the Minister of Railways be pleased to state:

(a) whether it has come to the notice of Government that some bogus claims were preferred on blank railway freight receipts which had been lost from a station of the North-Eastern Railway; and

(b) if so, the steps that Government propose to take in the matter?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes, Sir.

(b) The cases were handed over to the Police by the North Eastern Railway, but the Police have since reported that no evidence was found against the men suspected to put them on trial.

**Dr. Ram Subhag Singh:** May I know the name of the Railway station where this incident occurred and the amount of money involved in these bogus claims?

**Shri Alagesan:** The station is Haiya Ghat on the North-Eastern Railway. They preferred claims under three receipts. They were handed over to the police. Nothing was paid.

**Mr. Deputy-Speaker:** What is the total amount of the receipts?

**Shri Alagesan:** I do not have that information.

**Dr. Ram Subhag Singh:** No, no. What is the amount for which bogus claims were preferred?

**Mr. Deputy-Speaker:** That is what I asked for.

**Dr. Ram Subhag Singh:** He has not given the information.

**Mr. Deputy-Speaker:** He has not got the details.

**Dr. Ram Subhag Singh:** That was the question.

**Shri Alagesan:** They were bogus receipts. They were handed over to the police. Nothing was paid.

**Mr. Deputy-Speaker:** The question does not relate to the amount.

**Shri Sinhasan Singh:** The hon. Minister said that the cases were handed over to the police, that no evidence was forthcoming and so cases were not started. May I know whether any departmental action has been taken against the officers?

**Shri Alagesan:** The Station master and the Assistant Station master concerned have been censured.

**Shri Sinhasan Singh:** I could not hear the reply.

**Mr. Deputy-Speaker:** The Station Master and the Assistant Station Master have been warned, is it?

**Shri Alagesan:** Censured.

**Shri Sinhasan Singh:** Do the Government think that censuring was enough punishment for a man who made a bogus claim for money against the Railway authorities?

**Mr. Deputy-Speaker:** It is not the Station master that made the claim.

**Shri Nambiar:** He is not in the picture.

**Shri T. N. Singh:** May I know whether the Government did not know the identity of the person who put in the claim, because the case could not be proceeded with?

**Shri Alagesan:** The claim was made on these forged receipts by some merchants. We handed over the receipts to the police, but they said that they bought it in perfect good faith, and the police did not find any evidence to proceed against them. They might have purchased it from somebody else and the police are not able to trace them.

**Shri G. P. Sinha:** May I know the names of the stations from which these blank receipts were lost, and whether proper information was given by the station authorities concerned?

**Shri Alagesan:** I gave the name of the station. That is Haiya Ghat.

#### PURCHASE OF AIRCRAFT

**\*1322. Th. Lakshman Singh Charak:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that an order for purchase of modern aircrafts has been placed with a foreign firm;

(b) what type of aircrafts are being purchased;

(c) what will be the cost of each aircraft; and

(d) whether any officer of the Government of India has been asked to inspect the aircraft before actual purchase is made?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) to (c). Air India International have placed orders abroad for new aircraft. I lay on the Table a statement giving the information required by the hon. Member. [See Appendix IV, annexure No. 83.]

(d) Under the contracts with the aircraft manufacturing firms, Air India International have made arrangements for inspection by a representative of theirs during the course of manufacture of the aircraft.

**Th. Lakshman Singh Charak:** Which is the country on which we have placed the orders?

**Shri Raj Bahadur:** United States of America.

**Th. Lakshman Singh Charak:** May I know whether, when these aircrafts arrive, we will be able to get spare parts in India, or we will have to depend on them?

**Shri Raj Bahadur:** We get spares also. When we place orders, we place orders for spares also.

**Shri Raghuramaiah:** We have read in the papers recently that the French Minister for Air visited this country in connection with the aircraft sold or proposed to be sold to this country. May I know the exact object of his visit and the scope of the discussion?

**Shri Raj Bahadur:** That question does not pertain to my Ministry.

#### AGRICULTURAL METEOROLOGY

\*1323. **Shri S. C. Samanta:** Will the Minister of Communications be pleased to state:

(a) whether any improvements have been made in the work of Agricultural Meteorology in 1953;

(b) if so, what are they;

(c) how many officers of the agricultural departments of the various States were trained in 1953 in the Agricultural Meteorological Division at Poona; and

(d) how many foreign students received training there and how many of them were conferred doctorate degrees?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Yes.

(b) A scheme of Phenological observations for a period of 5 years was started during 1953. A scheme for developing the techniques for the study of water requirements of crops was also sanctioned for a period of 5 years and is expected to come into operation

in 1954. Investigations on methods of testing resistance of crops to drought and on reclamation of alkali soils were conducted.

(c) Nine.

(d) One, who is still working for a doctorate degree.

**श्री एस० सी० सामन्त :** क्या मैं माननीय मंत्री जी से जान सकता हूँ कि ऐग्रो क्लाइमेटिक रिसर्च के बारे में पूना ग्राजर्वेटरी में क्या क्या काम हुआ है ?

**श्री राज बहादुर :** पूना ग्राजर्वेटरी में जो कार्य इस समय तक हुआ है वह यह है कि भिन्न भिन्न प्रकार की फसलें पानी के अभाव में कैसे उगाई जा सकती हैं और उन के वास्ते कैसा बीज चाहिये जो कि सूखा पड़ने पर भी उग सके ।

**श्री एस० सी० सामन्त :** क्या मैं जान सकता हूँ कि इवैपोरेशन के बारे में कोई रिसर्च हुई है ?

**श्री राज बहादुर :** यह उसी का एक भाग है जो रिसर्च कि वहाँ की जा रही है ।

**श्री एस० सी० सामन्त :** क्या मैं जान सकता हूँ कि दामोदर वैली कारपोरेशन के सीनियर ग्राजर्वेटर्स और साइन्टिफिक असिस्टेन्ट्स को मेटेोरियोलोजी की ट्रेनिंग के लिये पूना ग्राजर्वेटरी में भेजने की जो स्कीम है उसका काम शुरू हो गया है ?

**श्री राज बहादुर :** इस स्कीम के बारे में जो कुछ सूचना मेरे पास है वह यह है कि दामोदर वैली कारपोरेशन के बारे में तो मैं नहीं कह सकता, लेकिन मद्रास स्टेट से दो आदमी, बम्बई से दो आदमी, बिहार से एक, हैदराबाद से एक, सेन्ट्रल टुबैको रिसर्च इन्स्टिट्यूट से एक, सेन्ट्रल कोकोनट रिसर्च इन्स्टिट्यूट से एक और जूट रिसर्च इन्स्टिट्यूट से एक, कुल नौ आदमी अभी तक ट्रेनिंग में आये हैं ।



श्री बेली राम बंसल : आसाम से कोई आदमी आया है या नहीं ?

श्री राज बहादुर : मैं पूरी लिस्ट बता चुका हूँ ।

#### FISHING IN DAMODAR VALLEY DAMS

\*1325. Pandit D. N. Tiwary: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any arrangement for rearing fish has been made in the Damodar Valley Dams;

(b) the estimated cost thereof; and

(c) the estimated annual production?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. At present only the Tilaiya Reservoir has been taken up for stocking.

(b) The expenditure for the years 1952-53 and 1953-54 amounts to Rs. 9,191 and Rs. 25,000 respectively; and a sum of approximately one lakh a year is proposed to be spent during the next 4 years.

(c) The production in the 3 years 1955-56, 1956-57 and 1957-58 is estimated at approximately 120,340 and 435 tons respectively.

Pandit D. N. Tiwary: May I know the agency which is working there?

Dr. P. S. Deshmukh: I would like to have notice.

Pandit D. N. Tiwary: May I know whether this work has been entrusted to any fishermen's co-operative society or to any private individuals?

Dr. P. S. Deshmukh: I believe this is done by the State under their own authority, because we have not had much previous knowledge of how these things will succeed.

Mr. Deputy-Speaker: How does it happen that the hon. Minister has not got all this information? This information seems to be ancillary and relevant. It was stated that arrangements have been made for fishing, and

so much money has been spent so far. The next question that arises is whether there is a Central agency or a State agency in charge of this.

I suppose hereafter the answers will be in full.

सरदार ए० एस० सहस्रल : दामोदर वैली कारपोरेशन के आसामा और किस किस जगह पर और किस किस प्रान्त में इस तरह की व्यवस्था की गई है ?

Dr. P. S. Deshmukh: This whole question relates experiments in these big dams. So far, we have experience only so far as Madras is concerned. In the other places, a beginning has just been made.

Shri V. P. Nayar: May I know whether the plans for the Damodar Valley scheme were finalised after consultation with the experts on fresh water fisheries, and also whether Government have taken care to remove the tree-growth from the water catchment area of these dams before they finalise the schemes on fisheries?

Dr. P. S. Deshmukh: I must ask for notice for this long and involved question.

Mr. Deputy-Speaker: Always, the hon. Member puts two or three questions at one time. He should not have a chance.

Shri V. P. Nayar: But the hon. Minister did not ask for notices, he asked only for notice.

Shri Ramachandra Reddi: May I know whether these estimates have been included in the project estimates?

Dr. P. S. Deshmukh: As I have just read out, it is very small amount, and so it is probably independent of the project estimates.

Shri N. L. Joshi: What would be the value of the fish produced?

Dr. P. S. Deshmukh: I have given it in tons already.



**Mr. Deputy-Speaker:** The hon. Minister has given it in tons. But everyone is anxious to know it in terms of rupees.

**Dr. P. S. Deshmukh:** It is a matter of calculation, which I need not do on the floor of the House.

**Mr. Deputy-Speaker:** I think on a previous occasion, the answer was given in terms of rupees and not tons. Tons of fish may be produced, but they may not be worth anything. When a Member puts down a question, he as also Parliament in general would like to know the expenditure involved, the income obtained, whether it is a profitable or losing concern etc. What is the good of giving two sets of figures which cannot be compared with each other?

**Dr. P. S. Deshmukh:** Unfortunately your attention was not drawn to the fact that these are all estimates for the future.

**Mr. Deputy-Speaker:** True, there must be an estimate for price also.

**Dr. P. S. Deshmukh:** But the prices always vary.

#### NEW TELEGRAPH OFFICES

\*1328. **Shri L. N. Mishra:** Will the Minister of Communications be pleased to refer to the answer given to starred question No. 1041 on the 16th December, 1953 regarding telegraph offices in Bihar and state whether any progress has since been made to open telegraph offices at the places mentioned in the question?

**The Deputy Minister of Communications (Shri Raj Bahadur):** There has been some unforeseen delay in the transportation of necessary stores for the opening of the Telegraph Office at Narpatganj. The work is now being started and is expected to be completed within a couple of months.

Other proposals will be taken up if the guarantee terms are accepted by the Bihar Government which they have not done so far.

**Shri L. N. Mishra:** May I know whether the Government of Bihar have made some recommendations regarding the opening of telegraph offices in the Districts of Darbhanga and Saharsa recently?

**Shri Raj Bahadur:** Certain proposals were made to us, and we have examined these proposals, worked out whether they will prove economical and remunerative or not, and have offered certain guarantee terms, the acceptance of which has not yet come from the Bihar Government.

#### बलिया और सिकन्दरपुर के बीच रेलवे लाइन

\*१३२९. **श्री रघुनाथ सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि बलिया जिला बोर्ड ने बलिया और सिकन्दरपुर के बीच रेलवे लाइन बनाने की योजना बनाई है ;

(ख) यदि हां, तो क्या यह योजना रेलवे बोर्ड के पास स्वीकृति के लिये आई है ;

(ग) क्या रेलवे बोर्ड ने इस योजना की जांच की है ; और

(घ) क्या सरकार का विचार इस योजना को स्वीकार करने का है ?

**श्री आर० एन० सिंह :** इसका उत्तर हिन्दी में दिया जाय ?

**उपाध्यक्ष महोदय:** वह तो अंग्रेजी में ही दे रहे हैं ।

**रेलवे तथा परिवहन उपमंत्री (श्री अल-गेशन) :** (क) और (ख) जी हां ।

(ग) अब तक नहीं ।

(घ) अभी बहुत जल्दी है ।

**Mr. Deputy-Speaker:** Do hon. Members put questions to examine whether the Ministers know Hindi or not or to gather information?

सरदार ए० एस० सहगल : जब कि दूसरी रेलवे कम्पनियों को गवर्नमेंट अपने हाथों में ले रही है तो ऐसी हालत में क्या सरकार बलिया डिस्ट्रिक्ट बोर्ड के पास जो प्लान आई है उसको खुद अपनी तरफ से बनायेगी या डिस्ट्रिक्ट बोर्ड बलिया को अनुमति देगी कि वह बनाये ?

श्री अलगहान : अपनी तरफ से नहीं बना सकता । (Interruptions.)

Mr. Deputy-Speaker: They may understand as much Hindi as he is able to speak. (Interruptions). He has given the answer. I have heard it. His pronunciation may not be good, but it is being developed. (Interruptions.)

Sardar A. S. Saigal: It would be better if he spoke in English.

شکشا و پراکرتک سلسلہ میں

ویگھانک انسداد ہان ملتری (مولانا آزاد):

جب تک پارلیامنت میں انگلش چلائی جا رہی ہے ملستر کو اس کا موقع ہونا چاہیے کہ اگر وہ چاہے تو انگلش ہی میں جواب دے -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): The Minister should be given an opportunity to reply in English as long as English continues to be used in Parliament.]

Mr. Deputy-Speaker: What I would urge upon hon. Members is this. This time is a very valuable time for non-officials. The first hour of the day is a non-official hour, when the Ministers are 'under fire', under cross-examination and information is elicited. We come here for the purpose of eliciting answers. It is not for the purpose of knowing whether a particular Minister knows Hindi or not. Of course, if during the course of 15 years he is not able to answer, that is another matter.

#### CATERING ON SOUTHERN RAILWAY

\*1330. Shri Krishnacharya Joshi: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that on the Southern Railways, catering is managed departmentally while on the other Railways contract system is prevailing; and

(b) if so, the reasons for not changing over to the contract system on the Southern Railway?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Departmental catering is undertaken to a limited extent on the Eastern and Southern Railways. On other Railways, however, all catering is carried out through contractors.

(b) The question of departmental catering versus contract system is at present under examination by the Committee on Catering headed by me, and further action will be taken in the light of the result of this examination.

Shri Krishnacharya Joshi: Have any complaints been received against this catering system?

Shri Alagesan: Catering by private contractors?

Shri Krishnacharya Joshi: No, departmental catering.

Shri Alagesan: No, Sir. On the other hand, departmental catering is very much appreciated; it is superior and much higher.

Shri Krishnacharya Joshi: May I know whether the system of departmental catering is running economically?

Shri Alagesan: Unfortunately, it is not so. We are incurring losses in departmental catering, both on the Eastern and Southern Railways.

Shri B. S. Murthy: If before the report of the Committee under the presidency of the Deputy Minister is ready, any contract has to be terminated, may I know what steps Government

are going to take—whether they will continue the contract or take over the management and run it departmentally?

**Shri Alagesan:** The whole question of catering is under consideration. We are not going into individual contracts.

**Shri B. S. Murthy:** My question was this. Suppose before the deliberations of the Committee are over, a certain contract lapses, what steps Government are going to take? Are they going to continue the contract or is it going to be managed departmentally?

**The Minister of Railways and Transport (Shri L. B. Shastri):** It is rather early. I think the hon. Member might wait for a month or more and then he will be able to know what steps we will take.

**Shrimati Renu Chakravarty:** May I know whether catering by private contractors is more economical or more efficient than departmental catering? Otherwise, what is the reason why it is being sought to be changed?

**Shri Alagesan:** Departmental catering is not economical. It has not been economical so far. But it has been efficient no doubt.

**Shri Nanadas:** In view of the fact that catering by the department is very cheap and also satisfactory, may I know whether the Government are going to extend this system to other regions also?

**Shri Alagesan:** The hon. Member's premises are wrong. I said we are incurring losses in departmental catering.

**Mr. Deputy-Speaker:** I will stop 'departmental catering' at this stage because there is an inquiry going on.

**Shri Radhelal Vyas:** What is the percentage of loss for the whole year?

**Shri L. B. Shastri:** We cannot tell the percentage. It perhaps comes to about Rs. 20 to 22 lakhs.

**Shri Radha Raman rose—**

**Mr. Deputy-Speaker:** There is an enquiry going on.

**Shri L. B. Shastri:** I am very sorry. Sir. The figure I gave was not correct. It is only Rs. 8 lakhs.

AGRICULTURAL RESEARCH STATION,  
KARJAT

\*1331. **Shri Gidwani:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Agricultural Research Station at Karjat, Kolaba District in the Bombay State has evolved new and improved varieties of paddy; and

(b) if so, in what respects the improvement has been achieved?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) Yes.

(b) The improvement has been in respect to yield and quality of grain.

**Shri Gidwani:** What is the percentage of increase in yield?

**Dr. P. S. Deshmukh:** It differs from variety to variety. The maximum yield obtained was with respect to K42, 2,800 lbs. There are some which have yielded 1,900 and 2,300 lbs. and so on.

**Shri Gidwani:** What is the ratio of the increase in expenses to the increase in the yield?

**Dr. P. S. Deshmukh:** I am afraid I have not got these figures.

INDIAN AIR LINES CORPORATION

\*1332. **Shri Bhagwat Jha Azad:** Will the Minister of Communications be pleased to state:

(a) whether the working of the Indian Air Lines Corporation in the first four months after its formation has resulted in a gain or loss;

(b) the extent of loss or gain upto date;

(c) the reasons for losses, if any; and

(d) how it compares with the results of the corresponding months in 1952 before nationalisation?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) The revenue earned by the Indian Airlines Corporation during the first four months of its operation was about Rs. 204.62 lakhs and the expenditure incurred by them during that period Rs. 235.08 lakhs. The deficit was about Rs. 30.44 lakhs.

(b) The revenue earned by the Corporation upto December, 1953 was about Rs. 262 lakhs and the expenditure was about Rs. 298.30 lakhs. The deficit was about Rs. 36.30 lakhs. Figures of income and expenditure from January 1954 onwards are not yet available.

(c) The deficit is attributable partly to fall in miscellaneous revenue, seasonal slackness of traffic during the months of August to October and increase in expenditure on the insurance of aircraft not previously insured and the grant of increments to staff whose increments had been suspended.

(d) It has not been possible to obtain comparable figures for the revenue and expenditure and to work out the losses, of the several private companies for the corresponding months of 1952.

**श्री भागवत झा आजाद:** क्या मैं जान सकता हूँ कि इस घाटे की पूर्ति कैसे की गई, कर्ज लेकर या किसी ग्रांट से ?

**श्री राज बहादुर :** यह प्रोवाइड किया गया था कि इस को चलाने के लिये गवर्न-मेंट लोन देगी । उसके द्वारा यह चीज की गई है ।

**श्री भागवत झा आजाद:** क्या मैं जान सकता हूँ कि भविष्य में ऐसे घाटे को न होने देने के लिये सरकार क्या उपाय कर रही है ?

**श्री राज बहादुर :** जिस समय हवाई उद्योग का राष्ट्रीयकरण किया गया था उस समय ही यह साफ कर दिया गया था कि कुछ भ्रष्टों तक इस में बांटा रहेगा । संसार में कोई भी ऐसा देश नहीं है जहाँ पर कि हवाई उद्योग को कुछ न कुछ आर्थिक सहायता किसी न किसी रूप में सरकार द्वारा न दी जाती हो ।

**Shri G. S. Singh:** May I know whether it is a fact that there are employees in the Air Corporation who are drawing salaries in excess of that paid to the Chairman of the Corporation?

● **Shri Raj Bahadur:** It may be because we have taken them over on their existing terms and conditions of service and rationalisation thereof will come in due course.

**श्री भागवत झा आजाद :** क्या सरकार को यह मासूम है कि ऐसे घाटों का एक कारण यह भी है कि हवाई जहाजों में जगह खाली रहती है लेकिन कह दिया जाता है कि बुक हो गई है । ऐसी ही एक घटना बिहार के एक मंत्री के साथ हुई । उन को जगह नहीं दी गई और वह जगह दिल्ली तक खाली रही ।

**श्री राज बहादुर :** ऐसी एक आध शिकायतें सुनने में आई हैं । मैं आभारी होऊंगा सदस्य महोदय का यदि कोई ऐसी घटना जो उन की जानकारी में आवे उसको वे मेरी या सम्बन्धित एअर कारपोरेशन के चेयरमैन की जानकारी में लावें ।

**Dr. Ram Subhag Singh:** May I know whether there is any connection between the resignation of the Chairman of the Corporation and the losses incurred by the Corporation?

**Shri Raj Bahadur:** This is a very difficult question to attribute losses to individuals. I can only say that for some time he was keeping indifferent

health and he wanted to go on leave for two months. We had to make some arrangement in connection with that.

**Shri T. N. Singh:** May I know, apart from the staff business, if there has been any increase in the operational costs after the taking over?

**Shri Raj Bahadur:** As a matter of fact, a correct idea can be gathered of the working, economic or otherwise, of the Corporation only after a year or so. It is too early; we have worked it only for about 6 months and we have not calculated on the basis of the figures available, what is the cost of operation, and how it compares with the previous costs and so on and so forth. But, I may respectfully submit that the amount of subsidies that were given to the ex-Companies plus the loss in spite of the subsidies so given were quite appreciable and sizable.

**Shrimati Renu Chakravarty:** May I know if it is a fact that the freight services have gone down due to the fact that in Bengal, for instance, the non-scheduled lines which were formerly following devious routes for their trips are being allowed by the D.G.C.A. to run the same routes as are run by the Airlines Corporation themselves and therefore the competition has gone up?

**Shri Raj Bahadur:** It is true that the revenues from freight have fallen, but as we have given an assurance when the Air Corporations Bill was under discussion, that we did not want to starve out the non-scheduled operators and we had to keep them going because that meant employment of so many of our countrymen and this is what has been done by the Director-General of Civil Aviation.

**Shri T. N. Singh:** May I know if the loss shown in the statement is after allowing for normal depreciation on stores, aeroplanes, etc.?

**Shri Raj Bahadur:** That has been shown on the basis of revenue earned and expenditure incurred. Deprecia-

tion and interest will make the figure a little bigger.

**Shri V. P. Nayar:** May I know how much of this loss can be apportioned to the price of aviation fuel of 100 octane value, which is sold in India at far costlier rates than in any other country?

**Shri Raj Bahadur:** So far as I know, not a very appreciable part of the loss can be attributed to it because there has not been any significant change in the price of fuel.

**श्री आर० एन० सिंह :** क्या यह सही है कि जो मंत्री महोदय ने कहा कि जो हवाई जहाज में खाली जगहें रहीं और ऐसी शिकायतें आई हैं, तो क्या उन खाली जगहों को भ्रमसरों ने अपने मित्रों के लिये खाली रखा था ?

**श्री राजबहादुर :** मैं ने बताया कि सुनने में आई है, लेकिन निश्चित रूप से कोई शिकायत सदस्य महोदय की जानकारी में आई है और वह उसे दे सकें तो मैं अत्यंत आभारी होऊंगा ।

**Shri G. S. Singh:** May I know whether it is a fact that the man-hours required for overhauling an engine have increased since the work was taken over by the Corporation?

**Shri Raj Bahadur:** I do not think so.

#### WOMAN VILLAGE-LEVEL-WORKERS

\*1333. **Shri L. Jogeswar Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that woman village-level-workers are to be trained;

(b) the number of such workers who are to be trained in 1954;

(c) what the requisite qualifications of the candidates for the training are; and

(d) the subjects of training?

**The Minister of Agriculture (Dr. P. S. Deshmukh)** (a) Yes.

(b) to (d). A detailed scheme is under formulation.

**Shri L. Jogeswar Singh:** May I know how the allotment of training of woman village-level-workers is done?

**Dr. P. S. Deshmukh:** The idea is to provide for one woman village-level-worker to every Community Project block, and with that end in view, some of the training centres will be selected for giving training to ladies.

**Shrimati Kamalendu Mati Shah:** May I know if these women will be collected from the different States and from the different districts of the States?

**Dr. P. S. Deshmukh:** Yes, that has always been the case as far as possible but we try to look at the needs of the country as a whole and not bind ourselves to every minute considerations.

**Shri Achuthan:** May I know whether Government has fixed a ratio with regard to the training as between men and women?

**Dr. P. S. Deshmukh:** The ratio of targets could be easily worked out because we are trying to provide one woman village-level-worker for each Community Project block for the time being.

**Shri K. C. Sodhia:** How long will it take for the scheme to materialise?

**Dr. P. S. Deshmukh:** It will not take very long.

**Shri Boovaraghasamy:** While selecting candidates, may I know whether any discrimination is made on the basis of political parties?

**Dr. P. S. Deshmukh:** No, there has never been any discrimination of that kind.

**Shri L. Jogeswar Singh:** What is the basis of the selection of the candidates?

**Dr. P. S. Deshmukh:** The basis has yet to be worked out. As I said in my reply, the scheme is under formulation.

#### A RAILWAY LINE, BREACHES

\*1334. **Shri Barman:** (a) Will the Minister of Railways be pleased to state whether there had been a serious breach in the branch line from Domo-hani to Barnes Ghat (N.E. Railway) during the last rainy season caused by the floods in river Tista?

(b) What steps are proposed to be taken to put the line permanently in working order?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) No, Sir, only the toe of the Railway Bank at one or two places had scoured and the traffic had to be suspended for a couple of days.

(b) Protective measures are under consideration in consultation with the State Government authorities.

**Shri Barman:** May I know whether the protective measures now under consideration will be put into execution before the coming rains?

**Shri Alagesan:** Yes, we hope so.

#### ALLOTMENT OF SUGAR

\*1335. **Shri H. S. Prasad:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of sugar of Indian factories allotted to State Governments since June to December 1953; and

(b) the quantity not lifted by the State Governments so far?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) 59,357 tons.

(b) 3,433 tons upto 28th February, 1954.

श्री एच. एस. प्रसाद : क्या मैं जान सकता हूँ कि पश्चिमी बंगाल को कितनी पीनी मिली थी और कितनी उस में से अभी तक नहीं उठ सकी ?

डा० पी० एस० देशमुख : १६, ७६० टन चीनी उन्हें दी थी, उसमें से खाली १, ७७७ टन चीनी अभी अनडिस्टर्ब्ड है।

श्री एच० एस० प्रसाद : क्या मैं जान सकता हूँ कि यह चीनी नहीं उठाये जाने से जो वहाँ के चीनी खाने वाले हैं, उन्हें कितनी परेशानी उठानी पड़ी और ज्यादा कीमत दे कर चीनी लेनी पड़ी ?

डा० पी० एस० देशमुख : यह सब मामला स्टेट गवर्नमेंट के सुपुर्ब है। मैं समझता हूँ कि वह जानती होगी कि लोगों की क्या शिकायतें हैं और क्या दिक्कतें हैं।

**Shri Bhagwat Jha Azad:** May I know, Sir, if Government is in the know of the reasons why the quota has not been lifted by the State Governments?

**Dr. P. S. Deshmukh:** I have not got the details of every State; it would be very difficult to know. But I can assure the House that most of this quota is about to be lifted.

#### PENCH VALLEY COAL-FIELDS

\*1336. **Shri K. C. Sodhia:** (a) Will the Minister of Labour be pleased to state whether the construction of miners' houses at Pench Valley Coal-fields have been taken in hand?

(b) If not, what are the reasons therefor?

**The Minister of Labour (Shri V. V. Giri):** (a) No.

(b) It has not been possible to proceed with the proposal in the absence of an assurance from the mine owners in the Pench Valley coal-fields that they will take over the houses for occupation by their workers. Previous experience has shown that without a firm arrangement with the owners, houses for miners constructed by Government tend to remain unoccupied.

**Shri K. C. Sodhia:** Have Government put any pressure on the employers to accept the scheme and relieve the workers of their difficulties?

**Shri V. V. Giri:** They did.

**Shri K. C. Sodhia:** What were their reactions?

**Shri V. V. Giri:** Not only did we persuade the employers, but we persuaded the Madhya Pradesh Government also to intervene and interfere and try to persuade them to allow construction of houses.

**Shri B. S. Murthy:** What were the reasons given by the employers for not allowing the construction of these houses for workers?

**Shri V. V. Giri:** They will have to put some money in it.

**Shri T. B. Vittal Rao:** May I know if it is in the contemplation of Government to cancel the prospecting and raising of coal by these collieries owned by British because of their refusal to construct quarters for the workers?

**Shri V. V. Giri:** That did not arise.

**Mr. Deputy-Speaker:** That is a suggestion for action.

#### RECLAMATION OF TUNGABHADRA PROJECT AREA

\*1337. **Shri Gadilingana Gowd:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Andhra Government have made a request for the assistance of the Central Tractor Organisation to bring under cultivation lands under Tungabhadra Project area; and

(b) if so, what action Government have taken?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) Yes, Sir.

(b) The request has been received only this month and the Government of Andhra have been informed of the



terms and conditions under which the work can be taken up by the Central Tractor Organisation. Further action in the matter will be taken after the State Government's reply is received and the area is inspected by the C.T.O.'s Engineers.

**Shri Gadlingana Gowd:** Are Government aware that the waters of the Tungabhadra Reservoir were allowed to go to Krishna river, as the lands in the Tungabhadra project are not ready for cultivation? If so, what further action Government has taken to reclaim the lands?

**Dr. P. S. Deshmukh:** It is for the State Government to put things right.

**Shri Raghuramalah:** May I know whether the request also comprised tractors for the Agency Areas in Godavari and Visakhapatnam?

**Dr. P. S. Deshmukh:** I have not got the information.

**Mr. Deputy-Speaker:** Does Tungabhadra flow into Godavari river? This relates to Tungabhadra.

**Shri Raghuramalah:** I want to know whether the Andhra Government have, in the same requisition, also mentioned the necessity of sending tractors to Godavari and Visakhapatnam area?

**Mr. Deputy-Speaker:** This relates only to Tungabhadra project.

**Shri B. S. Murthy:** Tungabhadra waters are being taken into West Godavari.

**Shri Nanadas:** May I know whether the Central Government called for information regarding private lands and State Government lands?

**Dr. P. S. Deshmukh:** No, Sir. We have not gone so deep as that.

**Shri Meghnad Saha:** May I know whether it is a fact that there is a likelihood of there being some time lag between the completion of the dam and starting of the reclamation work?

**Dr. P. S. Deshmukh:** I have no information on that point because we  
11 P.S.D.

are at the present time dealing with what the C.T.O. can do so far as the reclamation work in Andhra is concerned.

#### BETEL-NUTS

\*1339. **Shri Wodeyar:** Will the Minister of Railways be pleased to state:

(a) whether Government are aware that booking of betel-nut in Sagar, Shimoga, Palghat, Hubli and other areas are frequently suspended; and

(b) how many times booking of betel-nut has been suspended from these stations since 1st January, 1951?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) and (b). On occasions when it unavoidably becomes necessary to impose operational restrictions on the movement of traffic generally from the areas concerned, the movement of traffic in betel-nuts is also affected. During the 3 years from 1951 no restriction was imposed for traffic from Palghat, and the movement of traffic including betel-nuts from metre gauge stations on the Mysore Region, which include Sagar and Shimoga, remained restricted on an average per year as follows:—

via Dharmavaram on 3 occasions.

via Guntakal on 7 occasions.

via Gadag & Hubli on 3 occasions.

via Bangalore City on 14 occasions.

The average duration of restriction on each occasion did not exceed a week.

**Shri T. B. Vittal Rao:** I could not follow anything nor could I hear anything. If the hon. Minister cannot talk a bit louder, he could ask somebody else....

**Mr. Deputy-Speaker:** I was able to hear; unfortunately, some times hon. Members are absent-minded.

**Shri Wodeyar:** May I know the number of wagons required for the transport of betel-nuts from these stations and whether all these wagons were supplied in time?



**Shri Alagesan:** The traffic in respect of betel-nuts has been provided with wagons but for the restrictions indicated; but I may say they move in small lots and they do not move in wagon loads.

**Shri Wodeyar:** Has Government received any complaints regarding railway transport difficulties, and if so, what action has Government taken?

**Shri Alagesan:** I am not aware of any such complaints.

#### OCCUPATIONAL DISEASES

\*1340. **Shri K. P. Tripathi:** (a) Will the Minister of Labour be pleased to state whether a survey was conducted in the Storage Battery industry with regard to occupational diseases?

(b) If so, what was the incidence of affection with regard to (i) urine lead values and (ii) blood lead values?

(c) What was the average concentration of lead in workroom atmosphere?

**The Minister of Labour (Shri V. V. Giri):** (a) Yes.

(b) 123 workers (56.5 per cent.) showed urine lead values in excess of 0.1 mg./litre and 84 workers (48.7 per cent.) showed blood lead values in excess of 0.8 mg./100 c.c.

(c) The average concentration of lead in the workroom atmosphere at different operations was far in excess of 1.5 mg. per 10 cubic meters, which is the accepted maximum allowable concentration of lead in an atmosphere where a worker has to spend 8 hours a day.

**Shri K. P. Tripathi:** May I know whether Government consider this occupational disease of workers to the extent of over 50 per cent. as a very high percentage, and if so, what steps do they propose to take?

**Shri V. V. Giri:** The Chief Adviser of Factories has gone into the whole question and has sent directions; a report on it has been circulated to the States.

**Shri K. P. Tripathi:** Is it a fact that this fact came to the notice of the Government in 1951 and that up till now nothing has been done?

**Shri V. V. Giri:** I do not know if nothing has been done but I take the information for the rest of the question from the hon. Member.

**Shri K. P. Tripathi:** Is it a fact that the employers are carrying on publicity that the workers are not performing their part of the work, and in view of such a heavy occupational disease do the Government consider that such a propaganda is wrong and has to be counteracted?

**Shri V. V. Giri:** I take the information from the hon. Member and I shall enquire into it.

**Shri K. P. Tripathi:** May I know whether the Government consider that in view of this some compensation is due to the workers, and if so, whether Government propose to bring forward some such legislation?

**Shri V. V. Giri:** I promise I would go into the matter.

**Shri T. N. Singh:** May I know whether the Government are satisfied that the natural precautions for ventilation and other working conditions are being taken in the factories now-a-days?

**Shri V. V. Giri:** They are being taken. The Factory Inspectors are there.

**Shri P. C. Bose:** Are people suffering from this occupational disease entitled to compensation under the Workmen's Compensation Act?

**Mr. Deputy-Speaker:** It is matter of opinion.

**Shri P. C. Bose:** Does the Act provide for compensation or not?

**Mr. Deputy-Speaker:** He can get a copy of the Act from the Library.

**Shri T. B. Vittal Rao:** When an occupational disease is declared to be so, the workers are entitled to compensation in accordance with the Workmen's Compensation Act. Will

the hon. Minister say whether this disease has been declared as an occupational disease for this particular industry?

**Shri V. V. Giri:** He may put a separate question, and I shall answer.

**Shri B. S. Murthy:** Inasmuch as this matter has been engaging the Central Government's attention since 1951, may I know what steps are being taken to expedite the matter, so that relief would be given to these unfortunate workers?

**Shri V. V. Giri:** I have already said that I shall go into the matter very carefully and try to do what is possible.

**Shri Nambiar:** Is any special allowance like milk allowance or some other such allowance being given to them?

**Shri V. V. Giri:** Notice.

**Shri T. N. Singh:** May I request the hon. Minister to lay a statement on the Table as regards the actual steps taken in this matter, which is a very serious one?

**Shri V. V. Giri:** Yes.

#### P. AND T. SERVICES TO OTHER DEPARTMENTS

\*1341. **Shri T. B. Vittal Rao:** Will the Minister of Communications be pleased to state:

(a) the rates charged by the Post and Telegraph Department on the following service rendered to other departments of Government:

- (i) Sale of Cash and National Savings Certificates,
- (ii) Issue of Radio Licences,
- (iii) Sale of Revenue Stamps, and
- (iv) Sale of Health Seals; and

(b) when these rates were fixed?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) (i) Annas -7/- per transaction (Issue, discharge or transfer).

(ii) Rs. 2 per license issued or renewed.

(iii) Nil.

(iv) Nil.

(b) Sale of Cash and National Savings Certificates:—From 1st April, 1951.

Issue of Radio Licenses:—From 1st October, 1939.

**Shri T. B. Vittal Rao:** Are Government contemplating a revision of these rates in view of the fact that the costs have increased in the P. & T. Department?

**Shri Raj Bahadur:** The rates in respect of the transactions of Cash and National Savings Certificates were revised as late as 1951, and the matter about revision of the rates for licences of radio sets is under consideration.

**Shri T. B. Vittal Rao:** May I know the reasons for exempting from any charge the sales of revenue stamps and health seals?

**Shri Raj Bahadur:** It is simple. It is on the basis of reciprocity. The Government Treasuries keep our stamps, stationery and all that. They do not charge us anything for that purpose, and so we also do not charge them anything.

#### NATIONAL HIGHWAYS

\*1342. **Dr. Nataraj Pandey:** Will the Minister of Transport be pleased to state:

(a) the total mileage of roads that will come under National Highways in Orissa under the Five Year Plan; and

(b) the mileage of roads that have been completed up to the end of 1953 and that is expected to be constructed in 1954?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) and (b). A statement giving the required information is laid on the Table of the House. [See Appendix IV, annexure No. 84.]

**Dr. Natabar Pandey:** May I know whether any progress has been made regarding the existing road of 698 miles of National Highways taken over by the Centre?

**Shri Alagesan:** Yes.

#### INSURED POSTAL BAGS

\*1343. **Shri Ram Dass:** Will the Minister of Communications be pleased to state:

(a) the number of insured postal bags that were stolen from the Agra Fort Railway Station, R.M.S. Office on the 7th March, 1954 at night;

(b) the loss involved therein; and

(c) what is the result of the enquiry, if any?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Seven bags containing insured and uninsured postal articles were stolen on the night of 29th/30th January, 1954 and not on 7th March as indicated by the Hon'ble Member.

(b) Rs. 1,020/8/- as ascertained so far.

(c) The case is still under Police enquiry.

#### दिल्ली का नौकरी दफ्तर

\*१३४४. **सेठ गोविन्द दास :** क्या जय श्री यह बताने की कृपा करेंगे कि:

(क) दिल्ली के नौकरी दफ्तर में १९५३ में, २०० रुपये या अधिक प्रति मास की नौकरियों के लिये कितने व्यक्तियों ने अपने नाम दर्ज कराये ; और

(ख) इन में से कितने व्यक्तियों को नौकरियां मिलीं ?

**The Minister of Labour (Shri V. V. Giri):** (a) 230.

(b) 42.

**Seth Govind Das:** As far as these 42 persons are concerned, in what Department were they employed?

**Shri V. V. Giri:** They were employed in the Central and State Governments. If he wants the list, I can supply it to him.

#### TRAINING OF CO-OPERATIVE PERSONNEL

\*1345. **Shri S. N. Das:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any scheme of training for the personnel of the Co-operative department, and of Co-operative institutions has been formulated and recommended by the Central Committee on Co-operative training for the consideration of Government;

(b) if so, whether the same has been considered by Government; and

(c) the important features of the scheme?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) Yes.

(b) Yes.

(c) The scheme consists of provision of arrangements for the training of (i) higher grade co-operative personnel in the Co-operative College at Poona, (ii) intermediate grade personnel in 5 regional colleges to be established for the purpose and (iii) subordinate personnel by re-organisation and expansion of existing training arrangements in the different States.

**Shri S. N. Das:** What is the decision of Government with regard to this? Have they accepted the scheme, and if so, what is the total expenditure involved?

**Dr. P. S. Deshmukh:** The allotment in the Five Year Plan is Rs. 10,00,000, and the arrangements are likely to come into force very soon.

**Shri Kanungo:** Is there any provision for the training of bank personnel—bank managers, etc.?

**Dr. P. S. Deshmukh:** This is for the Co-operative personnel, and I have already mentioned the categories.

**Shri Kanungo:** For co-operative bank management?

**Dr. P. S. Deshmukh:** No, Sir, not specifically.

## WRITTEN ANSWERS TO QUESTIONS

## RAILWAY PROVIDENT FUND

\*1324. Shri Muniswamy: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the disposal of appeals, and the settlement of the Provident Fund claims of retired employees etc., have been considerably delayed in the Southern Railway after integration;

(b) whether it is a fact that the Provident Fund Account Slips have not been given to employees of the Southern Railway, especially on the ex-South Indian Railway portion, from 1951;

(c) whether this delay has been due to inadequacy of staff; and

(d) if so, whether there is any proposal to speed up the disposal of the appeals and to issue the Provident Fund Slips quickly?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) There have been delays in some cases, particularly where questions of seniority, promotion etc., in the pre-integrated set-up, or transfers of staff from one region to another were involved.

(b) Provident Fund Accounts slips have been given to staff on the ex-M. & S. M. and Mysore Railway portions of the Southern Railway for the year 1951-52, and the work for 1952-53 is nearing completion. On the ex-S. I. Railway portion, however, the issue of Provident Fund slips of 1951-52 is going on and will be completed by the end of this month. The slips of 1952-53 also will be issued by the end of June 1954.

(c) and (d). No, Sir, the arrears dated back to 1943 on the ex-Mysore Railway and to 1949 on the ex-S. I. Railway, and related to the period prior to integration. The position has been improved after regrouping by carrying out a thorough job analysis and posting personnel where they were required.

## INTERNATIONAL CONFERENCE OF OFFICIAL TRAVEL ORGANISATIONS

\*1326. Shri D. C. Sharma: Will the Minister of Transport be pleased to refer to the reply given to starred question No. 556 asked on the 3rd December, 1953 and state:

(a) whether the Indian representative at the Eighth General International Conference and General Assembly of the official Travel Organisations held at Lisbon in the month of October, 1953 has submitted any report; and

(b) if so, the decisions taken thereon?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Yes, and the report is under consideration.

## AGRICULTURAL IMPLEMENTS

\*1327. Shri Gopala Rao: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the programme of redesigning the implements purchased from Messrs. Pashabai Patel and Co. Ltd., Bombay has been completed; and

(b) the estimated cost of redesigning?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The recommendations of the F.A.O. Expert about rehabilitation of the implements have been received and are under examination.

(b) On a rough estimate the cost of redesigning would be about Rs. 3.5 lakhs.

## EMPLOYEES STATE PROVIDENT FUND SCHEME

\*1338. Shri K. K. Basu: Will the Minister of Labour be pleased to state:

(a) how many industrial concerns have asked for exemption from Employees State Provident Fund Scheme in West Bengal; and

(b) how many have been exempted and the number of Jute Mills and engineering concerns among them?

**The Minister of Labour (Shri V. V. Giri):** (a) 251.

(b) (i) Total number of factories provisionally exempted: 199

(ii) Number of Jute Mills provisionally exempted: 100

(iii) Number of engineering concerns provisionally exempted. 58

#### RAILWAY MEDICAL AND HEALTH SERVICES

\*1346. **Shri Muniswamy:** Will the Minister of Railways be pleased to state:

(a) the total amount spent, on Medical and Health Services on the Railways separately during 1952-53; and

(b) the amount spent on the staff?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Medical Services: Rs. 147.48 lakhs.

Health Services: Rs. 171.05 lakhs.

(b) Medical Services: Rs. 104.80 lakhs.

Health Services: Rs. 149.75 lakhs.

#### AIR AGREEMENTS

\*1347. **Dr. Ram Subhag Singh:** Will the Minister of Communications be pleased to state:

(a) the number of countries with which India has revised air agreements providing for the regulation of capacity and carriage of fifth freedom traffic; and

(b) the countries with which air agreements have not yet been revised?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) and (b). I lay on the Table of the House a statement giving the requisite information. [See Appendix IV, annexure No. 85.]

#### JUTE

\*1348. **Shri L. N. Mishra:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any special facilities have been given to the States of West Bengal and Bihar to improve the production of jute in accordance with the recommendation of the Expert Committee on improving the quality of jute; and

(b) if so, what they are?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) and (b). A statement is placed on the Table of the House. [See Appendix IV, annexure No. 86.]

#### UNDERGROUND TELEPHONE CABLES

\*1349. { **Shri Bhagwat Jha Azad:**  
**Shri M. L. Dwivedi:**

(a) Will the Minister of Communications be pleased to state by what time India's first underground trunk telephone cable system will be put into commission?

(b) Which are the places to be linked first?

(c) What would be the approximate cost for such a scheme?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) By the end of 1954.

(b) The cables will be laid between Bombay and Thana and will serve part of the routes from Bombay to Calcutta and to various other cities working direct with Bombay.

(c) Rs. 29 lakhs.

#### RAILWAY AMENITIES COMMITTEE

\*1350. **Shri K. P. Tripathi:** Will the Minister of Railways be pleased to refer to the reply given to the starred question No. 743 asked on the 8th December, 1953, regarding Railway Amenities Committee and state:

(a) which of the recommendations of the Railway Amenities Committee

which recently toured Assam have been accepted; and

(b) what is the programme of action thereon for 1954-55?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Some of the recommendations of the Committee have already been accepted and the others are still under examination.

In fact a sum of Rs. 54 lakhs has been provided for passenger amenity works on the North Eastern Railway, for the year 1954-55.

A special additional allotment of Rs. 5 lakhs has also been made in this year for passenger amenities on the ex-Assam Railway portion of this Railway.

#### SURVEY OF ROAD TRAFFIC

\*1351. Shri Radha Raman: (a) Will the Minister of Transport be pleased to state whether it is a fact that the Ministry of Transport recently carried out a Road Transport Survey in Delhi?

(b) Were similar Surveys carried out in other parts of the country also?

(c) What is the result of the Survey?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Not recently; A Road Transport Survey on Origin and Destination was, however, carried out by the Ministry during January 1954 in New Delhi.

(b) The States of Madras and Bombay have carried out similar surveys, but on a pilot scale only, in selected areas in Madras and Bombay cities. So far as the Central Government are aware, no full-scale Origin-Destination survey has been carried out in other parts of the country.

(c) The results of the Survey will be known only after the data collected have been tabulated and analysed.

#### POST OFFICES IN DELHI

\*1352. Shri T. B. Vittal Rao: Will the Minister of Communications be pleased to state:

(a) how many post offices in Delhi and New Delhi are located in departmental buildings; and

(b) the amount of rent paid annually for the buildings rented by the department?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 9 (Nine).

(b) Rs. 58,300 (approximately) per annum.

#### रेलों के शिकायत-रजिस्टर

\*१३५३. श्री एस० एन० दास : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) विभिन्न रेलों के स्टेशनों पर रखे जाने वाले शिकायत-रजिस्ट्रों में १९५३ में कुल कितनी शिकायतें लिखी गईं ;

(ख) इस काल में कितनी शिकायतों की जांच की गई ; और

(ग) कितने मामलों में ये शिकायतें सच निकलीं ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement giving the required information is laid on the Table of the House. [See Appendix IV, annexure No. 87.]

#### HOUSE RENT FOR RAILWAY STAFF

\*1354. Shri Muniswamy: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that an exemption has been given in respect of payment of house rent to ex-Company Staff, who either occupied free-rent quarters or enjoyed house rent allowance in lieu thereof prior to the 31st December, 1945;

(b) whether any uniform procedure has been followed in the Railways prior to the introduction of this (new) rent rule, in allotting quarters to Class IV Staff; and

(c) if the answer to part (b) above be in the negative, the reasons for giving exemption on this basis?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Presumably the hon. Member refers to the ex-M. & S.M. and S.I.Co. Railways. The answer is in the affirmative.

(b) On the ex-S.I. Railway, among the Class IV staff there were some who were required to pay rent.

(c) In giving exemption from payment of rent, the object was that when the ex-M. & S.M. and ex-S.I. Railways were taken over by Government, the privileges enjoyed by the staff should be continued to the same extent only.

#### FOREST RANGERS' COURSE

**260. Ch. Raghubir Singh:** (a) Will the Minister of Food and Agriculture be pleased to state whether it is a fact that the Estimates Committee in its Sixth Report for 1953-54 recommended to shift the First Year Class of Rangers' Course from Dehra Dun city to the premises of the Forest Research Institute?

(b) If so, what steps have Government taken so far?

(c) How long would Government take to complete the shifting?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) Yes.

(b) To enable shifting of the First Year Class, the Estimates Committee had also recommended the construction of a new hostel at the Forest Research Institute. This recommendation has been accepted and a building is being constructed.

(c) About 2 years.

#### SUGAR AND Gur

**261. Shri N. B. Chowdhury:** Will the Minister of Food and Agriculture be pleased to state the total quantities of gur and sugar produced during 1953?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** The total production of sugar during the season 1953-54 (upto 7th March, 1954) worked out to 8.46 lakh tons.

The production of gur during 1953-54 season can be estimated only at the end of the season.

#### कोयला-खान श्रमिक कल्याण निधि

२६२. श्री बलबन्त सिंह मल्लतः क्या अन्न मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कोयला-खान श्रमिक कल्याण निधि की एक उप-समिति राजस्थान में बनाई गई है ;

(ख) यदि हां, तो १९५४ में इस की कितनी बैठकें हुईं और कितने निर्णय किये गये ;

(ग) कितने निर्णय कार्यान्वित किये गये ; और

(घ) केन्द्रीय श्रमिक कल्याण निधि में से कितनी राशि दी गई और यह किस प्रकार खर्च की गई ?

**The Minister of Labour (Shri V. V. Giri):** (a) Yes.

(b) to (d). The information is being collected and will be placed on the Table of the House in due course. It may, however, be mentioned that the Rajasthan Coalfields Sub-Committee is purely an advisory body.

#### CIVIL AVIATION DEPARTMENT STAFF

**263. Shri V. P. Nayar:** (a) Will the Minister of Communications be pleased to lay on the Table of the House a statement showing:

(i) the various cadres of the employees in the Civil Aviation Department,

(ii) the strength sanctioned for each cadre, and

(iii) the number employed in each such cadre as on the 1st March, 1954?

(b) What is the ratio of Lower Division Clerks and Upper Division Clerks in the Postal Wing of the Communications Ministry?

(c) Has the Home Ministry stipulated any ratio for these two cadres?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) A statement is being compiled and will be placed on the Table of the House as soon as it is ready.

(b) No precise ratio has been prescribed for the strengths of Lower and Upper Division Clerks, in the Posts and Telegraphs Department. The strengths depend upon actual requirements of work. At present, the number of posts in the Upper Division is less than 50 per cent. of the total number of operative posts in the Upper and Lower Divisions.

(c) No.

#### AERODROMES

**264. Shri V. P. Nayar:** Will the Minister of Communications be pleased to state:

(a) the number of aerodromes in India used for commercial flights in 1946;

(b) the number of aerodromes used for commercial flight as on 1st March, 1954; and

(c) the number of flying hours undertaken for commercial and civil flights under the management of the Civil Aviation Department in 1946 and 1953 separately?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) and (b). The number of civil aerodrome licenced or approved for public use on the 31st December 1946 and 1st March 1954 were 54 and 81 respectively.

(c) The number of hours flown by Indian air transport companies operating scheduled and non-scheduled services during 1946 was 33,900 and that during 1953, 1,45,405.

#### LOCUST INVASION

**265. Shri K. P. Sinha:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total estimated quantity of foodgrains destroyed by locusts during the year 1953;

(b) which part of the country was most affected;

(c) whether the locust invasion extended upto Bihar and Bengal during that year; and

(d) if so, the estimated loss of foodgrains in these two States alone?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) About 650 tons of foodgrains are estimated to have been damaged by locusts during the year 1953.

(b) Bihar.

(c) Swarm movements were observed in Bihar between the 8th and the 30th June 1953 and in West Bengal between the 23rd May to the 2nd June and again from the 27th to the 29th June 1953.

(d) The loss of foodgrains in Bihar was estimated at 400 tons while in West Bengal it was not considerable.

#### RAILWAY STAFF COLLEGES

**266. Shri S. C. Samanta:** Will the Minister of Railways be pleased to state:

(a) the number of staff colleges in Indian Railways;

(b) when these were started.

(c) the number of persons, who completed their courses in those colleges during 1953;

(d) whether Government have any intention to start and more staff college in India; and

(e) if so, when and where?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) One.

(b) 31st January, 1952.

(c) 113. In addition, 50 Senior Officers have attended Special lectures on specialised subjects.

(d) No.

(e) Does not arise.



## TUBE WELLS IN MADRAS

267. **Shri Muniswamy:** Will the Minister of Food and Agriculture be pleased to state the names of places where exploratory tubewells will be sunk in the Madras State?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** The areas provisionally selected for the construction of some 45 exploratory drillings in Madras State are Chingleput, North and South Arcot, Tanjore, Trichinopoly, Puddukotal, Madura and Ramnad.

## ALL-INDIA MEDICAL INSTITUTE

268. **Shri Muniswamy:** Will the Minister of Health be pleased to state:

(a) the number of students for the various courses who will be admitted into the All-India Medical Institute proposed to be established at Safdarjang; and

(b) whether foreign experts are expected to work in this Institute?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) The number of students proposed to be admitted every year to the various courses at the All-India Institute of Medical Sciences will be as follows:—

(i) Under - graduate Medical Course.	50
(ii) Post-graduate Medical Course.	35 to 40
(iii) Dental Course.	25
(iv) B.Sc. (Hons.) Nursing Course.	30
(v) Post - graduate Nursing Courses.	40

(b) As far as possible, the teaching staff will be recruited from within India. It is only when suitable persons are not available in the country that recruitment of foreign experts will be resorted to.

## POST OFFICES IN ASSAM

269. **Shri Amjad Ali:** Will the Minister of Communications be pleased

to state the names of the places in Assam where separate branch and sub-post and telegraph offices have been provided during 1953-54?

**The Deputy Minister of Communications (Shri Raj Bahadur):** A statement is laid on the Table of the House. [See Appendix IV, annexure No. 88.]

## रेल प्रदर्शनी की गाड़ी

२७०. **श्री गणपति राम :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) अब तक रेल प्रदर्शनी गाड़ी पर कितना खर्च हुआ है और उससे कितनी आय हुई है ; और

(ख) यह गाड़ी उत्तर रेलवे तथा पूर्वोत्तर रेलवे के कितने स्टेशनों पर गई है और इस के प्रवेश टिकटों से कितनी आय हुई है ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** Two statements containing the requisite information are here with attached. [See Appendix IV, annexure No. 89.]

## रेलों के फ्री पास

२७१. **श्री राम जी वर्मा :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५३ में भारत की सभी रेलों में कितने फ्री पास दिये गये ;

(ख) प्रत्येक रेल महाखण्ड में तथा प्रत्येक दर्जे के कितने कितने पास दिये गये ; और

(ग) कुल कितनी लागत के पास दिये गये ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) to (c). Information is being collected and will be laid on the Table of the House in due course.

## P. &amp; T. EMPLOYEES

272. **Shri B. N. Kureel:** Will the Minister of Communications be pleased to state:

(a) the total number of employees in the P. & T. Department category-wise in the Lucknow Division; and

(b) the number of Scheduled Caste employees in each of these categories?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) and (b). The information is laid on the Table of the House in the form of a statement. [See Appendix IV, annexure No. 90.]

Scheduled Tribes in Railway  
SERVICES

273. { **Shri Natawadkar:**  
      **Shri Y. M. Mukue:**  
      **Shri B. K. Patel:**

Will the Minister of Railways be pleased to state:

(a) how many Railway Officers belonging to Scheduled Tribes in the I, II, III and IV grades are serving in the Railway Department;

(b) the number of officers and clerks belonging to the Scheduled Tribes appointed in 1951-52, 1952-53 and 1953-54; and

(c) what steps have been taken by Government to reserve vacancies for Scheduled Tribes and to fill them?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) and (b). The information is being collected and will be laid on the Table of the House.

(c) The Scheduled Tribes enjoy a reservation of 5 per cent. of the vacancies filled by direct recruitment

in all Railway Services, Class I, II, III and IV. There has been great paucity of Scheduled Tribes candidates for the reserved vacancies owing to their general backwardness. Response from Scheduled Tribes candidates to Superior Railway Services continue to be very poor but for Class III and IV vacancies the Railway Service Commission and the local recruiting authorities have instructions to give special attention to the recruitment of Scheduled Tribes up to the quota of vacancies reserved for them.

## पाण्डीचेरी के लिये पार्सल

२७४. **श्री एस० एन० दास :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाण्डीचेरी और भारत में अन्य फ्रांसीसी बस्तियों को जान वाले बहुत से पार्सल बहुत दिनों से मद्रास में रुके पड़े हैं ;

(ख) यदि हाँ, तो इस के क्या कारण हैं ; और

(ग) ऐसे पार्सलों की संख्या कितनी है और वे कम से कम और अधिक से अधिक कितने दिनों से रुके पड़े हैं ?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Yes. Only parcels which are delivered through Indian Post Offices in these settlements have been so detained.

(b) The parcels have been held up for completion of customs formalities.

(c) The number at present is estimated to be about 5,000. Some parcels have been lying there for about six months.



# PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part II—Proceedings other than Questions and Answers)

VOLUME III, 1954

(26th March, 1954 to 15th April, 1954)



Sixth Session  
1954

PARLIAMENT SECRETARIAT  
NEW DELHI

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## PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

## OFFICIAL REPORT

3085

3086

## HOUSE OF THE PEOPLE

Friday, 26th March, 1954

The House met at Two of the Clock.

[MR. DEPUTY-SPEAKER in the Chair.]

## QUESTIONS AND ANSWERS

(See Part I)

3 P.M.

## DEMANDS\* FOR GRANTS—Contd.

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OUTLAY.

Mr. Deputy-Speaker: The House will now resume discussion on the Demands for Grants relating to the Ministry of Defence. The time for this discussion will be, today from 3 to 5 P.M. and tomorrow from 1 to 3 P.M.

تھاکر لکشمی سنگھ چارک (جموں و کشمیر): جناب! میں تو ہر سال کا بجٹ جب کہ ڈیفنس کے معاملات پوچھ رہا ہوں۔ ایک خاص اہمیت رکھتا ہے۔ لیکن سال ۱۹۵۴ میں یہ بجٹ ہندوستان کی تواریخ میں ایک خاص اہمیت رکھتا ہے یہ بجٹ اس لئے خاص اہمیت رکھتا ہے کہ ہندوستان برآعظم کی آزادی کے بعد پہلی دفعہ ریاستہائے متحدہ امریکہ نے ہمارے ساتھی ملک پاکستان کو امداد دینے کا فیصلہ کیا ہے اور یہ فیصلہ اس وقت کیا ہے جب ابھی تک ہمارے جو اختلافات پاکستان کے ساتھ تھے وہ ختم نہیں ہوئے۔ ریاست جموں و کشمیر میں سیز فائر ہوا۔ دونوں طرف ہندوستان اور پاکستان کی فوجیں دہرے ڈالے بٹھتی ہیں اور مسئلہ دھیسے کا دھسا ہی ہے۔ باقی معاملات جو پاکستان کے ساتھ فیصلہ طلب تھے وہ ابھی پانچ فیصدی بھی طے نہیں ہوئے۔ اسے موقع پر امریکہ جیسے بڑے ملک کا ہمارے ساتھی پاکستان کو امداد دینا

\*Moved with the previous sanction of the President.

[ تھاکر لکشن سنگھ چارک ]

ضروری طور پر ملک میں ایک نئی فضا پیدا کر دیتا ہے - یہ فضا صرف ٹھیکرہاٹ اور کڑہ کی ہی نہیں ہے بلکہ فوجی نکتہ نگاہ سے فوجی طاقت کا توازن بھی بدل جاتا ہے - اس ماحول میں ہندوستان کی حکومت اور ہندوستان کے لوگوں کے لئے ایک خاص مسئلہ درپیش ہے - وہ مسئلہ یہ ہے کہ ایک طرف تو شمال میں ہمارا اتنا لمبا چوڑا بارڈر ہے جس کی حفاظت ایک بڑا مشکل کام ہے - دوسری طرف یورپ میں آسام اور بنگال کی سرحد کی حفاظت کرنا بھی ہماری ذمہ داری ہے - ان حالات میں ٹیفینس منسٹر صاحب سے یہ امید کی جاتی تھی کہ وہ ٹیفینس پالیسی زیادہ واضح طور پر بیان کرتے تاکہ جو اس ہاؤس میں بحث مباحثہ ہوتا اس میں زیادہ اصرار ہوتی - اس میں کوئی شک نہیں کہ ہمارے ٹیفینس منسٹری کے صاحبان یہ کہتے ہوئے کہ یہ حالات ایسے ہیں جنہیں ملگری سیکریٹس کے نام سے یاد کیا جاتا ہے - لیکن میں - جناب والا - آپ کے ذریعہ سے گورنمنٹ کے نوٹس میں یہ بات لانا چاہتا ہوں کہ اگر انگلستان کے ٹیفینس ٹیمپٹ کا ملاحظہ کیا جائے اور ساتھ ساتھ ریاست متحدہ امریکہ کے ٹیفینس بجٹ کی طرف توجہ کی جائے تو اس میں صاف

ظاہر ہوگا کہ انہوں نے وہاں کے رہنے والوں کو زیادہ تر اس معاملہ میں کانفیڈینس میں لیا - اب بدلے ہوئے حالات میں جب ہندوستان کی آزاد حکومت کام کر رہی ہے - یہ ضروری ہو جاتا ہے کہ لوگوں کی ہمدردی حاصل کرنے کے لئے - لوگوں کو آنے والے خطرات کے لئے تیار کرنے کے لئے اور ممبران کو اپنے خیال کے ساتھ سمجھنے کے لئے ان کو پورے پورے معاملات سے واقف کیا جائے - اور میں امید کرتا ہوں کہ ٹیفینس منسٹر صاحب اب ایلی جوائی تقریر میں اس معاملہ پر زیادہ روشنی ڈالیں گے -

جناب والا! کس ملک کے ٹیفینس کو تیار کرنے کے لئے ہنگامی حالات کے علاوہ بھی یہ لازمی ہو جاتا ہے کہ یہاں کے ریزرو کی طرف زیادہ توجہ کی جائے - ہندوستان آبادی کے لحاظ سے بہت غریب ملک ہے اور ہماری فوج چھوٹی ہے - اور جیسا پچھلے دن حضور پرائم منسٹر صاحب نے یہ کہا کہ ہماری آبادی کے لحاظ سے ہماری فوج بہت کم ہے اور ہماری ذمہ داریاں بہت ہیں - اس فوج کو ہم کسی حالت میں کم نہیں کر سکتے - اور بڑھانے کے لئے ہمارے پاس دولت نہیں ہے - اس لئے "زمی" ہو جانا ہے کہ فرسٹ - سیکنڈ اور تھرڈ لائن آف ٹیفینس کو اور زیادہ

مضبوط کیا جائے - سیکلڈ لائن آف  
 ڈیفینس میں تیز دیریل آرمی کا قصہ  
 آج سے چند برس پہلے اس ایوان  
 میں زیر غور آیا تھا - صحیح تعداد  
 مجھے کو یاد نہیں - لیکن مجھے  
 ایسا یاد آتا ہے کہ جب سوالات پوچھے  
 گئے تھے تو ڈیفینس مینسٹری کی طرف  
 سے یہ جواب دیا گیا تھا کہ یہاں  
 ریست میں یہ مذاہب نہیں کہ  
 صحیح فیکٹس بتائی جائیں - جہاں  
 تک مہدی معاملات \* تعلق ہے  
 - میں آپ کے ذریعہ اس ایوان پر  
 ظر کر دینا چاہتا ہوں کہ پہلے  
 فیکٹس بہت زیادہ تھے اور وہ تاریک  
 ہم پر را نہیں کر سکے - وہ فیکٹس  
 کم گئے گئے - ہم اس تاریکیت کا بوی  
 پورا نہیں کر سکے - اور آج چند دن  
 ہوئے ہمارے ڈیفینس مینسٹر صاحب  
 نے یہ اعلان کیا کہ گورنمنٹ ہلال زین  
 کو اعزازی ٹیریٹوری آرمی کے لئے  
 کانسرپٹ کیا جائے گا - جناب اس  
 اعلان کو سن کر مجھے کسی طرح کی  
 خوشی حاصل نہیں ہوئی - بلکہ اگر آپ  
 مجھے معاف کریں تو یہ میں کہوں  
 گا کہ مجھے یہ سن کر بہت دکھ  
 ہوا - اس ہندوستان میں - جس  
 ہندوستان میں انگریز نے ظلم و ستم  
 کرتے ہوئے بھی ۱۹۴۳-۴۴ میں ۲۵  
 لاکھ کی فوج بنائی - اس ہندوستان  
 میں جب ان نیتوں کے ہاتھ میں  
 حکومت ہے - جو ہر کام پبلک کی  
 مرضی سے کرتے ہیں - انکو کانسرپشن

کرنے کی ضرورت پڑی - اور وہ بھی  
 گورنمنٹ آفسرس کو کانسرپٹ کرنے  
 کی ضرورت کہیں پڑے - یہ کوئی  
 خوشی کی بات نہیں بلکہ افسوس  
 کی بات ہے - دنیا پر یہ ظاہر ہوگا  
 کہ ہندوستان نے گھبراہٹ میں  
 گورنمنٹ آفسرس کا کانسرپشن کر دیا -  
 اور نتیجہ اس کا کوئی خاص نہیں  
 ہوگا - یہ بھی قابل غور بات ہے کہ  
 اس طرح کے کانسرپٹ کئے ہوئے آفسر  
 اور گورنمنٹ ملازمین تسلی کے لحاظ  
 سے اگلے کامیاب ہونگے - اور ملک کی  
 کس قسم کی سہوا کرینگے - کم تو  
 بہت اچھی طرح سے کریں گے - لیکن  
 ضروری مسئلہ ہاؤس کے سامنے یہ آنا  
 ہے کہ آخر وہ واقعات کیا ہیں جن  
 کی وجہ سے ٹیریٹوریل آرمی میں  
 لوگ آنا پسند نہیں کرتے - ہندوستان  
 میں پیٹریارک کی کمی نہیں - ہر  
 ہندوستانی اپنے ملک کی حفاظت  
 کے لئے جان دینا اپنا فرض سمجھتا  
 ہے - لیکن ساتھ ہی یہ ضروری ہوتا ہے  
 کہ گورنمنٹ بھی آفیشل سائڈ میں  
 اس کی طرف بہترین توجہ کرے -  
 آپ کو معلوم ہوگا کہ پچھلے ۷-۹  
 سال کے عرصہ میں پرانی ریاستوں  
 کی فوجیں تیزی گئیں - ان کو  
 انڈین آرمی میں شامل کیا گیا -  
 آفسروں کو برخاست کیا گیا - اور  
 میں یہ کہہ بغیر نہیں رہ سکتا کہ  
 'چلتے آچھے سے آچھے سہاوی تھے - جو  
 آفسر موجود تھے - جنہوں نے سیکلڈ

[تہاگر لکشمی سنگھ چاڑک]

ورلڈ وار میں سادات حاصل کئے -  
تمغات حاصل کئے - ان کو اس  
انٹیگریشن کے پراسیس میں ہٹا دیا  
گیا - ڈیفینس منسٹری کی طرف سے  
مجھے جواب دیا گیا کہ ہمیں ان  
افسروں کی ضرورت نہیں تھی -  
سہاگوں کی ضرورت نہ تھی - ہم  
نے انہیں مناسب پینشن اور انعامات  
دے دیے - لیکن ذرا واقعات کی طرف  
آپ توجہ کیجئے تو آپ کو معلوم  
ہوگا کہ ۸-۱۰-۱۲ سال کی سروس  
کے بعد جن نوجوان آدمیوں کو ریاستوں  
میں کمیشن دینے چاہئیں تھے - جب  
وہ انڈین آرمی کے کلتروں میں آئے تو  
ان کو نکال دیا گیا - آپ خیال  
کیجئے کہ ان جوان دس سال  
نوکری کرنے کے بعد پریپریشن پینشن  
۶۰-۷۰ روپے کی دے کر نکال د

جاتا ہے - اس وقت اس کی عمر  
۳۰ برس کے قریب ہو جاتی ہے اور  
وہ سول سائڈ کی ملازمت کی توقع  
نہیں کر سکتا اور اس کو زندگی بھر  
اسی ۶۰-۷۰ روپے پر زندگی بسر  
کرنی ہوتی ہے -

وہ زمانہ گیا جب کہ پرانا فوجی  
جنگ کے بعد اپنے گھر آیا کرتا تھا اور  
اگر اس کو کوئی تکلیف ہوتی تو وہ  
ڈپٹی کمشنر صاحب پاس جاتا  
تھا اور انکو سلام کرتا تھا - اور ڈپٹی  
کمشنر یہ محسوس کرتا تھا کہ اس  
کا یہ لولین فرض ہے کہ اس جوان

کو جو تکلیف ہے جس کے لئے کہ یہ  
مدد لینے آیا ہے اس تکلیف کو دور  
کرے اور اس نے ساتھ عزت سے پیش  
آوے - کہونکہ خطرے کے وقت اس  
جوان نے اپنے آپ کو قربانی کے لئے  
پیش کیا تھا - اور جناب میں یہ  
کہے بغیر رہ نہیں سکتا کہ جس  
ملک میں ان فوجیوں کی قدر نہ  
کی جائے جنکو کہ جنگ کے وقت  
بلايا جاتا ہے اور جنگ کے بعد ان کو  
بھکسی کی حالت میں چھوڑ دیا  
جائے تو یہ اس ملک کے لئے افسوسناک  
چھوڑ ہوگی - اور اگر خدا نہ خواستہ  
جنگ چھوڑ گئی تو میں آپ کو یقین  
دلاتا ہوں کہ جن آدمیوں کے ساتھ  
آپ نے اچھا سلوک نہیں کیا ہے ان  
سے امید نہ کیجئے کہ وہ دوبارہ آکر  
آپ کی فوج میں بھرتی ہوں -

اور ایک بات میں عرض کروں  
کہ اسٹیمس میں یہ حالت ہوئی کہ  
چھوٹے چھوٹے زمین والے سپاہی فوج  
میں سیکلڈ ورلڈ وار میں نوکری  
کرنے دو آگئے - ان کی کاشت دوسروں  
کے پاس چلی گئی اور جب جنگ  
کے بعد قی موہلانڈیش ہوا اور وہ  
اپنے گھر گئے تو ہندوستان آزاد ہو گیا  
اور اس آزاد ہندوستان میں اس پرانے  
سپاہی کے ساتھ کیا سلوک ہوا - اس  
کو زمیندار کہا گیا - اس کو لینڈلورڈ  
کہا گیا اور اس کی زمین چاہے پانچ  
ایکر ہو اور چاہے ۵۰۰۰ ایکر ہو سب

کو ایک ہی دسی میں باندھ دیا گیا۔ میں آپ سے یہ عرض کرونگا کہ اگر آپ صحیح معنوں میں اپنی قیمنٹس فورسز کو مضبوط کرنا چاہتے ہیں تو یہ لازمی چیز ہونی چاہئے کہ آپ ان پرانے سپاہیوں کی کھوپڑیوں تکلیفوں میں ان کی امداد کرنے کا خیال رکھئے۔ تبھی آپ اپنے ملک کو مضبوط کر سکتے ہیں۔ اگر آپ ہندوستان کے پرانے اتھاس کو دیکھیں تو اس وقت یہ ہوا کرتا تھا کہ ایک طبقے کو ملک کے قیمنٹس کی ذمہ داری دیدی جاتی تھی اور اس کو اس وقت کی زبان میں راجپوت کہا جاتا تھا۔ آجکل وہ فوجی سپاہی کہلاتا ہے اور فوج میں بھرتی ہو کر ملک کی حفاظت کرتا ہے۔ اس طرح پرانے زمانے میں اس کی عزت ہوتی تھی کیونکہ وہ اپنی جان کو قربان کرنے کے لئے تیار رہتا تھا۔ اسی طرح آج بھی اس کی عزت ہونی چاہئے۔ میجرے ساتھی جو کہ مدراس سے یا آسام سے تشریف لائے ہوں وہ یہ خیال کریں کہ یہاں سے بھس ہزار فٹ کی بلندی پر لدانچ کی پہاڑیوں میں سارے چارے بھر جو سپاہی آپے گھر سے دور رہ کر ملک کی حفاظت کرتا ہے کیا وہ عزت کے قابل نہیں ہے۔ اگر اس سپاہی کو 15 برس کی سروس کے بعد تنہا یا چار دو پیہ پیمنٹ دے کر اس کے گھر بھیج دیا گیا اور یہ نہ دیکھا گیا کہ اس

کو کوئی روزگار ملا یا نہیں اور اس کو معمولی بھکاریوں کی فہرست میں رکھا گیا تو یہ امید نہ کیجئے کہ اگر دوبارہ ضرورت ہوئی تو وہ اپنی جان ملک کی قربانی کے لئے پیش کریگا۔

جہاں تک میری معلومات ہیں ہندوستان میں اس وقت تیس چالیس لاکھ پرانے فوجی موجود ہیں جو کہ مختلف قسم کے کام گاجوں میں لگے ہوئے ہیں۔ ان میں سے کچھ بیکار بھی ہیں۔ ان کی حفاظت اور بہتری اور بہبودی کا گورنمنٹ کو خاص خیال رکھنا چاہیے۔ ہمیں یہ سلوک خوشی ہوتی ہے کہ حال ہی میں ایک ایسوسی ایشن اس قسم کا قائم ہوا ہے جس کے پیٹرن ہمارے پرانے منسٹر صاحب ہیں اور اس کے صدر مہاجر جنرل بھونسلے ہیں جو کہ ایک پرانے فوجی افسر ہیں اور جنہوں نے شری سبھاش چندر بھس کی نیشنل آرمی میں بہت نمایاں کام کیا تھا۔ مجھے امید ہے کہ قیمنٹس فورسز کی بہتری اور بہبودی کو خیال میں رکھتے ہوئے گورنمنٹ اس ایسوسی ایشن کی ہر طرح سے امداد کریگی۔

جذاب والا! ایک اور موضوع پر میں آپ کے سامنے عرض کرنا چاہتا ہوں۔ وہ یہ ہے کہ جس علاقے سے فوجی بھرتی کئے جاتے ہوں اس علاقے سے افسر بھی بھرتی کئے جانے چاہیے۔ ملک کی فوج کم کامیاب کرنے کے لئے

[تھا کر لکھن سٹک چارک]

یہ ضروری ہوگا کہ اگر دیہات کے لوگ فوج میں زیادہ تر ہیں تو کوشش کی جانی چاہیے کہ جہاننگ ہو سکے دیہاتی لوگ ہی اس فوج نے افسر بنائے۔ جو آپ نے پہلے سروس کمیشن بنائی ہے اس میں دیہات کے لوگ شہریوں کے مقابلے میں نہیں آتے ہیں۔ اس سے فائدہ اٹھا کر شہری لوگ ہمیشہ زیادہ تعداد میں آ جاتے ہیں۔

جناب! میں ایک بات اور عرض کرنا چاہتا ہوں۔ وہ یہ ہے کہ جب کسی امرجیلسی میں لوگوں کو شارٹ سروس کمیشن پر یا امرجیلسی کمیشن پر بلایا جائے تو جب ان کو رلیز کیا جائے تو ان کی بہبودی کا اور بہتری کا پورا خیال رکھا جائے۔ پچھلے دنوں میں مجھے ہاؤس میں سوالات کے جواب میں بتایا گیا کہ کئی افسران ایسے ہیں جنہوں نے شارٹ سروس کمیشن میں دس سال سے زیادہ خدمات پیسھ کیں۔ اب ان کو رلیز کر دیا گیا۔ ان میں کچھ جوان ہیں مگر کچھ کی عمر ۵۲-۵۳ سال ہے۔ اور وہ کوئی کاروبار نہیں کر سکتے۔ ابھی تک ٹینٹھس منسٹری کی طرف سے ان کے کفالت فیصل نہیں ہوئے ہیں۔ میں عرض کروں گا کہ جلد سے جلد یہ معاملہ طے کر دیا جائے تاکہ ان کی کھراہٹ دور ہو جائے۔

ایک بات اور عرض کرنا چاہتا ہوں۔ کل ایوزیشن کی طرف سے اس بات کی بہت مخالفت کی گئی کہ ہندوستان کی فوج میں انگریز افسر موجود ہیں۔ اس موضوع میں میں آپ کے سامنے یہ عرض کرنا چاہتا ہوں کہ جس وقت سلہ ۲۷ میں ہندوستان کی فوج کی تقسیم ہوئی تو جیسا کہ ہمارے پرائم منسٹر صاحب نے اگلے دن ذکر کیا تھا ۸۰۰۰ انگریز افسر ہمارے پاس موجود تھے۔ اس عرصے میں ہمارے ہندوستانی افسر زیادہ سے زیادہ برگڈیر تک پہنچے تھے۔ پارتیشن ہوگئی۔ ہمارے افسر جو برگڈیر تھے تیس برس کے عرصے میں مہاجر جنرل بن گئے۔ لیکن اس ہاؤس کو یہ یاد رکھنا چاہئے کہ محض بھیج یا ریلک تبدیل کرنے سے کوئی فرق نہیں ہو جاتا۔ ایسا کرنے سے جو ایکسپورت نالچ اور قاباحت ان کو ہونی چاہیے وہ نہیں ہو سکی۔ اور ہم کو برٹش گورنمنٹ کا مشکور ہونا چاہیے کہ انہوں نے ہم کو اپنے افسران کی خدمات دے دیں تاکہ ہم اپنے افسران کو ان کے ذریعے سے ترین کر سکیں اور ہماری فوج دوسرے ملکوں کے مقابلے کی ہو جائے۔ سلہ ۵۰ میں ہمارے پاس ۲۵۰ انگریز افسر تھے اور اس وقت قریب ۱۰۰۰ ہیں۔ اور ان کا ہونا بہت لازمی ہے۔ ان کے بغیر ہمارا کام چل نہیں سکتا۔ اور وہ محض

ایڈوائزی کمیٹی میں ہیں - فیصلہ کرنا ہمارے ہاتھ میں ہے - کارروائی کرنا ہمارے ذمہ ہے -

ایک بات اور عرض کرنا چاہتا ہوں - ہمارے دوست نے آرڈیننس فیکٹری کے بارے میں کہا - جس وقت ہندوستان تقسیم ہوا تو سو کے قریب افسر ہمارے پاس تھے - وہ اس کام کے جانکار تھے - اگر ایک آدمی انگریز ہے تو یہ لازمی نہیں ہے کہ جس ملک کی وہ خدمت کرے اس کے خلاف چلتا - اس وقت ہمارے پاس کل ۳۱ انگریز افسر ہیں جو ہماری آرڈیننس فیکٹریز میں کام کرتے ہیں - ان میں سے دس کانٹریکٹ بیس پر ہیں - جو کہ اگلے دو چار سال میں چلے جائیں گے - یہ جو ۳۱ افسر ہیں یہ آزمودہ آدمی ہیں - ان کی نگہداشت کی جاتی ہے اور ان پر بھروسہ کیا جاتا ہے - میں اُمید کرتا ہوں کہ میرے دوست اس بات کو محسوس کریں گے کہ جب تک ایکسپرت نالچ ہمارے پاس نہیں ہوگی اور ہم ان ایکسپرتس کو باہر نکال دیں گے تو ہم ترقی کے دروازوں کو بند کر دیں گے -

ایک بات ایوزیشن کی طرف سے یہ کہی گئی کہ ہمارے افسران انگلیڈ کے ڈیپنس کالج میں کیوں جاتے ہیں - جیسا کہ میں نے فرما کر چکا ہوں یہ لازمی چیز ہے کہ ہم اپنے یہاں کے

افسران کو ٹریننگ کے لئے ایسی جگہ بھیجیں کہ جہاں کے لوگوں کی فوجی معلومات ہم سے زیادہ ہوں - اور یہ ضروری ہوگا کہ ہماری فارن پالیسی اور ان کی فارن پالیسی مختلف ہوں - لیکن ہمارے افسر وہاں فوجی ٹریننگ لینے جاتے ہیں فارن پالیسی کی ٹریننگ لینے نہیں جاتے - ہر ایک فوجی کا پہلا فرض یہ ہے کہ وہ اپنی گورنمنٹ کی فارن پالیسی پر چلے نہ کہ جس ملک میں وہ ٹریننگ حاصل کرتا ہے وہاں کی فارن پالیسی پر چلے - ہمارے فوجی افسران زیادہ سے زیادہ سال میں دس بیس یا پچاس باہر جاتے ہونگے - وہ ماقدرن ٹیکنیکل نالچ حاصل کرنے جاتے ہیں - اور اگر ہم اپنے دوست کی رائے پر عمل کریں تو ان افسران کو بچائے انگلیڈ کے روس میں ٹریننگ کے لئے جانا پڑیگا - ہماری نالچ ابھی اتنی کافی نہیں ہے اور نہ ہماری فارن پالیسی کے مطابق کوئی ایسا ملک ہے کہ جس کے پاس ہم ٹریننگ کے لئے بھیج سکیں - اسلئے ہمارے کو یہ محسوس کرنا چاہئے کہ اگر دوپہ ان لوگوں کو باہر ٹریننگ کے لئے بھیجے پر خرچ کرتے ہیں وہ لازمی ہے اور وہ ٹریننگ بہت ضروری ہے -

(English translation of the above speech)

[Th. Lakshman Singh Charak (Jammu and Kashmir): Sir, the annual Budget has a special importance when the matters of Defence are



[Thakur Lakshman Singh Charak]

being put forth, but this 1954 Budget has a special importance in the history of India. The reason is that the U.S.A. has decided to give aid to our sister nation Pakistan for the first time after the Indian Sub-continent became independent, and that too at the moment when our differences with Pakistan have not ended. Cease-fire took place in Jammu and Kashmir and the forces of India and Pakistan encamped on the line since, but the problem stands where it was. Not even five percent. of other outstanding matters have been decided yet. The aid of so big a country as America to our sister nation Pakistan at such a juncture will only create a strange atmosphere. This atmosphere will not only lead to chaos and fright but will also change the entire balance of power from military point of view. This atmosphere therefore, presents a problem for the Government of India and her people. The problem as it confronts us is that it is a pretty difficult job to protect such a vast border in the north; and then the responsibility of protecting the frontiers of Assam and Bengal also rests on us. Under these circumstances it was expected from the Minister of Defence that he would clarify the Defence Policy here on the floor of the House so that the debate would be more real. There is no doubt that our Defence experts and the officers in the Ministry of Defence may call these circumstances as military secrets, but, Sir, I want to draw the attention of the Government to the fact that when the defence budget was presented in England and America, people there were taken into confidence by those Governments. Now, when the independent Government of India is working in the changed circumstances, it becomes essential that with a view to winning the sympathies of the people, preparing them for the dangers ahead and also seeking the agreement of the Members, they should be made conversant with the matters. I hope

the Defence Minister will throw more light on this matter in his speech.

Sir, more attention towards the Reserve should be given when the defence is put up; revolutionary atmosphere only does not determine it. The army of India is shy in comparison to its huge population. The Prime Minister pointed out to us the other day that many responsibilities lay on us and our army was much less in proportion to our population. We cannot reduce the army in any case nor have we money for increasing it. It becomes essentials, therefore, that the first, second and third lines of Defence are made stronger. The question of raising a Territorial Army under the second line of Defence was discussed on the floor of the House some years ago. I do not remember the accurate number but somehow I recollect that the Minister of Defence said in reply that it was not in public interests to disclose the accurate figures. So far as I know, I would like to express here that the figure was considerably large and we could not reach the target. The figure was reduced but that reduced target even was not reached. Now, only some days back the Defence Minister announced that the Government employees had been conscripted for Auxiliary Territorial Army. Sir, excuse me to say that I was sad at this announcement. The British Government with all its atrocities raised an army of 25 lakhs in 1943-44, and now when the reins of Government have passed on into the hands of our leaders, who do everything with the consent of the public, they felt the need of announcing conscription, and that too of Government officers. This is a very said thing. Outer world will take it in the sense that India announced conscription of Government officers only out of fright. It will not result in anything. This, too, need be considered how successful the employees and officers of the Government will be from the point of

view of discipline and what service they will render to the country. They will work in a very nice way, no doubt, but the important problem before the House is why after all people do not want to join the Territorial Army. India does not lack in patriotism: every Indian thinks it to be his duty to sacrifice his life for the protection of his country. It is very important that the Government pays its utmost attention on the official side. You may be remembering that the armies of Ex-States were demobilised during the last six or seven years and then integrated with the Indian Army. Officers were discharged and the best possible sepoys and army personnel who had won certificates and medals in the Second World War were discharged in this process of integration. I was told by the Minister of Defence that the services of these people were not needed and it was thought proper to grant them pensions and award them medals. If you just look to the events, you will find that young people of eight, ten or twelve years of service were discharged by the Government when they should have been given Commission. It needs a little thought that a *Jawan* is sent out on a proportionate pension of sixty or seventy rupees after a service of ten years. He hardly enters the thirtieth year of his life and cannot then expect to get any service on the civil side. Look to his lot. He has to spend his whole life on this petty pension of sixty or seventy rupees. Those days are gone when a soldier would come back home and report his difficulty to the Deputy Commissioner. He would go to him and salute him. The Deputy Commissioner would take it upon himself to help that *Jawan* out of his difficulty and would treat him in a respectful way because that *Jawan* had offered his services to the last sacrifice in the days of danger. Sir, let me say that it would simply be a sorry commentary on a country not to value the services of those soldiers and help

them whose services it called in the days of war. God forbidding, if a war breaks out, you should never expect those people—whom you did not treat well—coming back to the rank and file of the army.

I would place before you another fact. In States it so happened that soldiers with small landed property went to fight in the Second World War. Their land passed on to others and when they came back home after being demobilised, India became independent. What happened to them was that they were branded as Zamindars and landlords. Men with five or five hundred acres of land were treated alike. Here I would request you to help primarily these old soldiers in their inner matters and remove their difficulties if you really want to make your defence forces strong. This step only can make the country strong. Look to the old history of India. What happened in those days? A particular class was entrusted with all the responsibility of protecting the country and that class in those days was known as Rajputs. Today a man of that class is called a soldier and protects the country by serving in the army. He would be respected only because he would lay his life for his country. Today also the same respect should be shown towards him. My colleagues here from Madras or Assam may please think about those soldiers who are away from their hearths, posted in Ladakh at an altitude of twenty thousand feet in snowy winters and are protecting the country. Do not they deserve our respect? Now, if this very soldier is sent back home on a pension of three or four rupees per month after his long service of fifteen years, and enlisted with other ordinary unemployed people without any attention being paid to his service or means of livelihood, you should not expect from him the same service or sacrifice to his country if a need arises to recall him for service.

[Thakur Lakshman Singh Charak]

So far as my information goes, there are about thirty to forty lakhs of ex-soldiers who are engaged in various activities. Some of them are without work. Government should pay special attention to their protection, betterment and welfare. We have been pleased to hear that an association of this kind has recently been established with our Prime Minister as its patron and Major General Bhonsle, an old army officer with meritorious services in the National Army of Subhash Chandra Bose as its Chairman. I hope that keeping in view the betterment and welfare of the defence forces the Government will render all possible help to this association.

Sir, I would like to make one more request that in the army, officers should be enrolled from the same area wherefrom the soldiers are recruited. To make the army of the country successful it will be essential that as far as possible the officers are appointed from amongst the villagers if they are in majority in that army. Men from rural areas cannot compete with those from urban areas in the recruitments made by the Public Service Commission. This always results in the larger appointments of urban people.

Sir, I would like to submit this much more that when people are called to a Short Service or Emergency Commission, their welfare and betterment should be completely kept in view when they are released. Only some days back I was told in reply to my questions in the House that some Officers who had over ten years' service in Short Service Commission had been released. Some of them are young. There are others who are of fifty-two or fifty-three and cannot do any work. The Ministry of Defence has not yet given its decision on their papers. I would request that their case be decided very early

so that they are not put in a suspense.

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Yesterday the hon. Members on the opposition benches said that British Officers were still in the ranks of Indian army. And they protested to it. I would like to submit in this connection that in 1947 when the army of India was divided, there were 8,000 British Officers, as was mentioned by our Prime Minister the other day. Our Indian Officers had only reached the Brigadiers' ranks by that time. Partition took place. Our Officers, who were Brigadiers, became Major-Generals in one and a half years. The House should know that it makes no difference if the badge or rank is changed. These badges do not add to expert knowledge and ability. We should be grateful to the British Government that they have made available to us the services of their Officers for training our people so that our army can match with that of any other country. We had 250 British Officers in 1950 and now we have about 100 without whom we cannot almost work. It is essential that we have them. They are there in advisory capacity only. We are responsible to making decisions and taking action.

Something more I would like to submit. Our friend referred to Ordnance factory. There were about hundred Britishers at the time of the partition of India who knew this job. It is not necessary that a Britisher should go against the country he serves. We have 31 British Officers in our Ordnance factories at present. Ten of them are on contract basis and will be going away in three or four years. These 31 Officers are well-versed in their jobs. They are being looked after and relied upon. I hope, my friends will realise that we cannot make any progress unless we have people with expert knowledge.

Some Members from the opposition raised an objection why our Officers got education from the Defence College of England. I have already said that it is essential to send the Officers for training to those places where people have more knowledge of military science. Maybe, our foreign policies may differ, but our Officers go there for military training and not for getting training in foreign policy. The first duty of every soldier is to work according to the foreign policy of his Government and not to follow the foreign policy of the country where he is under training. About forty or fifty army Officers, at the most, must be going abroad every year. They go for modern technical knowledge. If it comes to working on the lines suggested by our friend in the opposition our officers shall have to go to Russia and not to England for this training. Our knowledge in this respect is not yet sufficient nor is there any country according to our foreign policy where we can send our Officers for training. The House should realise, therefore, that to spend the money on the training of our men is so very essential.]

**Dr. Jaisooriya (Medak):** It is a rather tricky thing to discuss defence problems in the open. I should have thought it would have been advisable to have, really, a secret session, when vital and essential matters of defence are discussed by this House. It is rather difficult to know where to stop in discussing these matters, and where to remain discreetly silent. That is one aspect of the matter.

I shall take first a non-controversial thing, i.e. our commitments here for civil defence. Shri U. C. Patnaik is very insistent upon it. Now, the country that is driving civil defence to the verge of hysteria is the United States of America. There is this Federal Civil Defence Administration in the U.S.A. and they have issued a pamphlet called 'Interim

Civil Defence Instructions for Schools and Colleges'. There they write:

"...desirable ways of motivating students and faculties to seek and accept civil defence instructions.....and induce the required civil defence behaviour pattern.....".

This has gone to such an extent that they have distributed metal dog-tags for school children to be identified. Elaborate instructions have also been given to adult population. And what has been the result? *The New York Daily Compass*, in November 1951 wrote:

"The very elements in officialdom who exhort the public, including parents, to be calm and unhysterical in these days of crisis and 'emergency' blitz the population with non-stop bar-rages of fear bombs".

The Associated Press of America gave news on the 14th June 1952 of the activities of the Federal Civil Defence Administration of America. It says that the Federal Civil Defence Administration estimated that the average American city would have to bury forty thousand dead within two days, if one atomic bomb were dropped on it. Therefore, it was undertaking extensive preparations, in conjunction with municipal authorities, "committees of clergymen, funeral directors, engineers, health officers and others, for disposal of numerous anticipated dead"! In one single city, it expected forty thousand to die. It had asked the Congress to vote \$2 million to buy one million plastic shrouds. It had a plan to reserve about twenty-acres of ground for mass burial of at least forty thousand anticipated victims of bombing, and for registration of children; and the *New York Herald* announced:

"Funeral directors line up emergency morgue sites". All this had gone so far, that even the former President,

[Dr. Jaisooriya]

Mr. Hoover was forced to declare, on 27th January, 1951 that :

"There is in Europe today no such public alarm as has been fanned up in the United States. None of these nations has declared emergencies or taken measures comparable with ours. They do not propagate war fears or war psychosis such as we get out of Washington. Not one country conducts such exercises in protection from bombs, as we have had in New York."

What was the reason behind all this thing? It was the cold war. Again, the Report for the Business Executive. June 1950, said:

"War scare, if not overdone to make the public immune to fright, can be used to keep the boom rolling almost endlessly. With any slowing, new plans can be trotted out, new alarms sounded, big new appropriations voted"

What is the genesis behind this cold war? Why is it that they are creating a war psychosis deliberately? That is put down very clearly here. *Business Week* (30th September 1950) says :

"Military spending will be the thing above all else that sets a pace for American business".

This is from the *U.S. News and World Report* (October, 6th 1950):

"Armament is a new industry that underwrites the boom. The planners are confident that good times can be assured—with no more than moderate interruption for a long time to come".

The *National City Bank's Newsletter* (January 1950) says :

"Our country's economy is moving more rapidly each month to

make armament its principal business and to subordinate civilian activity and the peacetime way of life".

Here comes the crux. Just keep this in mind.

"Just keep this point in the back of your minds. A peace offensive can break out.....if a real 'peace scare' should now develop, watch out.....the boom would crack".

This is from the *U.S. News and World Report* (4th August 1950).

This, Sir, is the hysteria that is being created. Now, it should be obvious to us that we have no protection, and actually, if you look at it, no city has adequate protection against aerial bombing, especially today with high-speed, high-altitude aeroplane bombing. It has been estimated a single atom bomb today can destroy a city of seven million people. So what is the good of fire fighters and all that? All this is wrong. What we should have is a mental preparedness. Actually what has happened? It is the big cities that will be bombed. Who will run away? We saw in Calcutta when the Japanese were occupying Rangoon that the mercantile class ran away selling all their houses and property for a song. They will be the first to run. What does it matter?

Now, I shall come to the problems of our own defence. It depends upon how you look upon them. If you look at it, we still have got the orthodox style of the army formation. That was a part of the organisation that the British built for imperial purposes. Their idea of the defence of India pre-war, in 1939, was different from our concept today. Their idea was that in the event of a war and India's security being jeopardized when they were here, they could get aid from outside, especially air and navy. In other words, the form and

direction in which they built it up was secondary. Today the position is different. Today our army has to defend India independently. If you look at it exactly, till recently we were toying with the idea of the Commonwealth defence; that in the event of war, the Commonwealth would come to our aid against external aggression. If you look at it now, we shall have to depend more and more upon our own resources, our own strength, in fact, possibly under circumstances with this dear Commonwealth not so much in our favour. Now, we shall have to think what is the possibility and scope of improving the army on orthodox lines. That is number one. Or, we have to see in history whether elsewhere armies that have arisen in poor countries are effective. I will give the examples of the Red Army of Russia and the Red Army of China which, due to historical circumstances, were literally stamped out of earth on very unorthodox lines. Take the Russian Red Army. It had to fight the wars of intervention against Denikin, Koltschack and Wrangel and all the western powers with the poor armament of a defeated country like Russia. It still overcame all that. Similarly, in China it was the peasantry that built up and became the people's army. And it is important to realise that the revolution in China was, essentially, a peasant revolution. It was this peasantry that built up this Army and defeated the highly organised army of Chiang Kai-Shek, with its American-trained battalions, American arms, American ammunition and American money and American officers. So, it also depends in what category we place ourselves. We have got a limited sum of money, we have got enormous border lines, we have got the whole sea coast to be protected. Therefore, we shall have to think of evolving our Army and of re-organising our Army with a specific purpose, because there is the problem of mobility. The problem of mobility

means that we shall have to have things like automotive things and fuel for them. There again it exposes our dependence. In the event of war, we shall have absolutely no petrol, no fuel. That is why I drew your attention last year to what I was reading from the *New York Times* of 1st December 1951, describing the Standard-Vacuum Agreement. It says:

"combining the strategic dispersal of non-communist oil facilities east of the Persian Gulf with the opening of the first avenue of the entry of United States private capital into India on a major scale."

Why did they do that? It says here:

"Granting that India would eventually be on the United States side in the event of another world war, as all Western observers here do—and this agreement is another evidence of it—refineries in India would mean an immense saving in construction, maintenance and man-power for refining facilities that otherwise would have had to be established elsewhere farther from the probable scene of conflict."

That was the position at that time when they wrote it. Now the position has changed. Therefore, you shall have to think that a time will come when your orthodox concept of army organisation may have to change. I am giving only the outline.

The second aspect that I wish to tell you is that till now we were dangling with the idea of standardisation of arms on the Commonwealth pattern that is, the British arms specification—and that is one reason why we were trying to get arms from England, that is the Commonwealth pool. Now, there itself, considerable trouble has arisen because the NATO says that we shall have to adopt the Belgian sub-machine gun of the *Fabrique Nationale du guerre* etc. So, there again, trouble arises.



[Dr. Jaisooriya]

I am trying to draw your attention to one other point. I am surprised to find Rs. 15 crores for capital construction not spent. I am not satisfied with the rate of progress of your machine tool factories. I am not satisfied with the agreements you have entered into with the Swiss. To my knowledge, the Swiss are first class watchmakers. But, I have never heard that they are experts in arms or mass production techniques. There is no reason why, in spite of this slow rate of progress you should still keep up this agreement. There are plenty of others. You have probably heard of Czechoslovakia, of Skoda, of Schnider, of Bren; all these are available if you only make up your mind. I am not satisfied. Therefore, the problem does arise. I am not going into details. There are these basic problems. There are specific problems which can be discussed outside this House but which, I think, are essential because you are not getting the maximum. There is discontent in your ordnance factories; there is discontent in the civilians in ordnance factories. I think you are making a mistake by overdoing direct recruitment. You are not giving a chance to men who have experience and who hoped to get promotion. Their promotion has been reduced to less than 3½ per cent. The second thing that I object to is that you are giving promotions far too fast and the men have not got enough experience. I feel proud of our young officers, but this rapid promotion is very bad. In our younger days, we could not rise above the rank of a Captain before we retired. We should be slow in giving promotions because we want more experience. The third thing that I wish to say is about the orthodox outlook on arms and ammunition and armaments. The Americans, for instance have been spending more than twenty times the amount of ammunition in a single fight as compared to what is necessary. Imagine another opponent with

equal fire-power. Where is your American technique before that? We have got to learn from the Chinese that with small arms and by judicious use of man-power, we can hold our own as we have seen it in Korea. For the first time, the people who believed in mechanised warfare got a shock when they found that small arms and proper and judicious use of man-power and guerilla technique are more than a match for the highly mechanised technique of the Western countries. I do not know how far I am to go into the details, but these are points that I want our army to learn, because some of us come from the old army. Again, I want our army to learn these things and we have a right to learn from those who have evolved these simple methods of warfare; as compared to the countries that use howitzers etc. We should not be afraid at all as we have been the lesson of China in Korea. If our man-power is properly directed with the new technique of guerilla warfare, we need not worry.

Shri S. S. More (Sholapur): I am one of the Opposition Members and I feel rather discouraged to participate in this debate. I may explain my reasons in brief. The Government, with their massive majority, looks like an impenetrable tank and we are not even armed with toy guns. I am entering the field only with a peashooter and, therefore, am extremely doubtful whether my criticism will have any effect, particularly on the Treasury Benches, which are wearing thick-plated armour of indifference and arrogance (*Interruption*). In a discussion on defence problems, some wordy warfare is inevitable. Though we have been brought up in the atmosphere of non-violence, at least when we start to discuss defence problems and matters relating to war, you will permit me and the Members of the Opposition to use some explosive epithets.

Mr. Deputy-Speaker: Can these explosive epithets be used in actual war?

**Shri S. S. More:** When the actual war comes, the Opposition and these epithets will be silenced for good. My first contention is that the Defence organisation, as appears from the various audit reports and comments of the Public Accounts Committee, have been very criminal in dealing with the public money. I am not going to suggest at this critical hour that our expenditure on defence should be reduced. It will not be a wise piece of advice, though I am inclined to entertain that sort of idea. In 1903, when the late Mr. Gokhale was making his speech on the budget, he complained that the budget expenditure, which was to the tune of Rs. 17½ crores from 1880 to 1885, jumped up to Rs. 26½ crores. He thought that it was a serious and alarming increase in the military expenditure. After a period of fifty years we have reached the high level of something like 233 crores of rupees in our military expenditure. None of us here would say that this expenditure should be reduced. But the point is this. Are we getting an equal return? Are we getting sufficient return for every pie that we spend? In his Minute of 3-10-70 Lord Mayo said that for every shilling that we take from the amounts which ought to be used for the moral and material betterment of the people to be spent on military objectives, it is necessary for us to see that that shilling is put to proper use.

As far as our defence expenditure is concerned, there is lot of negligence, criminal negligence, wastage, and—if I may say so, with your permission—there is some ground for entertaining doubts that there is even corruption. In the military many officers receive commissions from the President. Formerly they used to receive commission from the King or the Viceroy. Possibly some of our officers have continued the habit of receiving 'commissions' from contractors and suppliers.

In support of my argument, I shall quote the Audit Report on the Defence Services for 1953. It is a matter of public record and it is unnecessary

for me to quote it. But one of the Deputy Ministers for Defence, Mr. Satish Chandra yesterday in his childlike innocence asked for concrete instances on the basis of which the Defence Ministry could be seriously criticised. I will mention only two or three instances.

Our Defence organisation wanted a hundred mules, mountain mules, for the artillery. They were informed that these mules can be had from Iraq. Possibly, donkeys might be had in abundance here, but as far as mules are concerned, they had to go to Iraq. In 1949 the Legation was asked to make enquiries as to whether these mules would be available. For three years the correspondence went on. On the 7th of January 1952 an order was placed, placed with a firm which was not on our approved list. Then, somehow it was agreed that the mules would be ready for being shipped from Basra. Our Defence Ministry very cautiously said that before we accept delivery of the mules, we shall get them examined by a competent veterinary officer. He was deputed from here to Mosul. And what happened? Because the officers dealing with this transaction in the Defence Organisation did not carry on the correspondence properly the company was not in a position to give delivery of the animals and we had to undergo a huge expenditure to the tune of something like Rs. 21,000.

**Acharya Kripalani** (Bhagalpur cum Purnea): That is all!

**Shri S. S. More:** My hon. friend Kripalani says 'That is all! Since he came into power in Travancore-Cochin he seems to have no regard for public funds, and to him this amount is negligible!

Twenty-one thousand rupees of poor man's money was wasted. Ships were engaged for taking delivery of the mules. But no mules were available and the veterinary doctor had to return. This is criminal negligence of poor man's money.

The other instance related to purchase of ordnance stores manufactured in a foreign country. An order was placed by a Defence officer who



[Shri S. S. More]

went to see and try that weapon—a private order placed on a private firm. The Audit Report points out that if our officer had approached the manufacturing company and had placed order on them without the intervention of the middleman, possibly some amount might have been saved. But that proper procedure was not adopted, with the result that we suffered a heavy loss.

Along with that there is a third instance which I desire to quote because these audit reports are mines of explosive strictures. The other day yourself, myself and other Members had been to see a demonstration. We saw a patch of land with mines underground. This audit report reminds me of that patch of land with mines. The moment we touch it it explodes. My submission is this.

Some fire-wood had to be purchased—something like 1,97,000 maunds. The proper order was not made in time with the result that more than two lakhs of rupees were unnecessarily wasted. In view of the time restrictions I am trying to proceed very fast...

**Mr. Deputy-Speaker:** Hon. Member has got five more minutes.

**Shri S. S. More:** Yes, I know, Sir. My second point of attack is:

If we enter into correspondence with the Ministry we are not receiving proper reply. I had the misfortune to represent the cause of certain clerical staff from Kirkee Ordnance Depot. Their case is hanging fire for nearly two years. One of these unfortunate clerks had written to me a few days back that they are starving and could not go to another employment as their cases are yet pending in their cases some break in service has to be condoned. But this Government is out for concentration of power that even a break in service of a petty clerk could not be condoned by any other officer; all things have to be done in the Army Headquarters and the responsible Ministers, whenever I make any enquiry,

tell me 'Well, we are helpless; the matter is being held up by the Finance Ministry'. The Finance Ministry is becoming a bog where everything sinks; nothing comes out. It is time for the Government to take steps and see that things are given proper impetus...

**Mr. Deputy-Speaker:** 'This is the Defence Ministry.

**Shri S. S. More:** But the Defence Ministry rely for their financial sanctions on the Finance Ministry.

There is another case—the case of a doctor who retired in 1950 and who was raised to the rank of lieutenant—one Dr. P. J. Jadhav from Gwalior. He retired as a lieutenant and he has been pleading for getting some pension. Though he is entitled to pension, the Government is not yet definite whether he has to be given the pension of lieutenant's rank or of the rank in which he was prior to the last promotion. That poor fellow is nearing death without earning any pension though he is entitled to pension—he has put in thirty years of service.

The Prime Minister spoke yesterday and I quite concede he spoke very feelingly, but very unconvincingly. He says that the pattern that we are developing in this country is the British pattern—the British pattern that we have been condemning! If it has become the pattern for the acceptance of this Government, it takes my breath away. Why should we emulate the British Government? Are we going to trust that the Britisher is going to initiate our military officers into the inner secrets? I am not prepared to believe that. Foreign experts are being imported into this country. When we saw the demonstration actually it was very interesting but seeing that demonstration left me sad. The Sherman tanks that we are importing are American; the radar equipment is British; the anti-aircraft guns are American; the trucks are American; the jeeps are American—of course, some are German—; everything worth the name is American.

We were taken round and shown these equipments. We saw what were claimed to be our achievements, namely, the explosives manufactured by us. I asked, "who is responsible for the manufacture of these explosives?" "The Technical Directorate," came the reply. Then I asked, "Is there any foreigner in that Technical Directorate?" The officer to whom I put the question was non-plussed. He began fumbling. I do not know what his instructions were; whether he will be taken to task for disclosing this military secret. But if some foreigner is in charge of the Technical Directorate, I am not prepared to believe that he would tell our people the real secrets of the game. He would visualise that a conflict may arise between the grabbing Western countries and the fighting Asian countries, of whom India may be the leader of the spearhead of attack.

Americans are trooping into this country and our Panditji is very generous. I know, Mr. Deputy-Speaker, that you are looking at the clock; I am also trying to go as fast as I can.

**The Minister of Defence Organisation (Shri Tyagi):** Our Technical Director is an Indian.

**Shri S. S. More:** In spite of the interruption, I would say that I made personal enquiries in the company of so many persons and I was given the reply in plain English. Shri Tyagi will, I think, give me credit for having enough knowledge of English to understand the reply given by that military officer. He said that in that Technical Directorate, there are some foreign experts.

**Shri Tyagi:** Of course, there are some—that is right. They are junior officers.

**Shri S. S. More:** Junior or senior matters very little because even a junior British officer can boss over the seniormost Indian officer. They have been trained to boss over us for ages, and we have been trained to obey white men. That tradition still survives. I am not prepared to trust even Americans, not because I hate them, but because the country's interests

are supreme. Dr. Johnson said, "I am willing to love all mankind except an American." There is some meaning in that. The other day, I was reading a book by an American.

**Mr. Deputy-Speaker:** Dr. Johnson said that one hundred and fifty years ago.

**Shri S. S. More:** We have not changed very much. We have become more gullible and they have become more clever—that is the only difference.

As far as Americans are concerned, their country is vast. There is absolutely no reason why the American experts, with their knowledge, should come to us. Let us have some Indian formula. The Prime Minister said that he proposed to adopt the British pattern for some time for our Defence Forces, but why? Can we not develop in our own Indian style the martial spirit which was there for centuries? I am referring to that martial spirit which was so purposefully and wickedly suppressed by the Britisher. I say, it is for the Indian Government, the national Government, to revive that martial spirit. Therefore, I would say, go to the people.

**Mr. Deputy-Speaker:** He must finish. He has taken more than twenty minutes.

**Shri S. S. More:** Then I sit down.

**Shri Joachim Alva (Kanara):** On a former Defence budget discussion in this House, I said that this House seemed like the old British House of Commons when the India debate was taking place. There were hardly thirty hon. Members present, because they felt that the country was safe in the hands of the Defence Ministry. This is a House elected on popular, universal adult suffrage, and every one of the hon. Members should take an interest in the Defence budget, especially after Pakistan is being armed with U.S. military aid.

I thought yesterday that this House was very niggardly in its praise of the Indian Custodian Force. The Indian Custodian Force did a wonderful job. This House should send a vote of thanks to Major-General Thimayya and Major-General Thorat and the

[Shri Joachim Alva]

officers and men who did a wonderful job. Their work will be recorded in letters of gold. Perhaps, it will be remembered long after the Korean conflict is over, long after even the work of beautiful Florence Nightingale is forgotten. The Indian Custodian Force did a big job of peace with so few armies. They were ready to be slapped and assaulted. Like the soldiers trained by Mahatma Gandhi, they displayed so much courage, loyalty and devotion. Their work will never be forgotten.

Now, I want to refer to the point about excessive secrecy that surrounds our Defence Forces. In the name of excessive secrecy, a lot of blunders have occurred. Nearly Rs. 3 crores have gone down the drain, because they stated that this was not accounted for and that was not accounted for; these stores were stolen or those stores were destroyed; and so on. There was not enough check in the name of excessive secrecy. For a number of years, the strength of our officers and men has been hidden from this House.

If something is good for the United States of America, if something is good for Britain, if something is good for Japan, if something is good for France, I fail to understand why the same thing should not be good for India. I shall not say anything about the red countries. Some of them have a population of 800 millions. If their total population is 1,000 millions, and if you take ten per cent. of it, you will know the size of their Army. But I am not referring to them.

If you take the American Congressional Record for 1952, there you find that 36,90,605 men were there in the Army; 15,50,000 were there in the Air Force, 8,35,000 were there in the Navy and some 24,000 in the Marines and other Forces. It is open from this to anyone to know what is the armed might of the U.S.A. They may have some 'invisible' battalions, but here are the figures they have openly given.

Now, I come to a news item published in the Hindustan Times regard-

ing the armed strength of France. It says that the French Government intends to increase the strength of the Army from 8,75,000 men in 1953 to 8,90,000 men this year; the strength of the Air Force to 1,33,000; and the strength of the Navy to 70,000.

Even as regards Japan, the figures are available. Now, what is good for Japan must be certainly good for India. That news item says that the defence blue print, which has already been approved, provides for an Army of 200,000 men, a 150,000 ton Navy and an Air Force of 1,000 planes.

I have got three books here—the British Army Estimates; the British Navy Estimates and the British Air Force Estimates—giving the position about the British Armed Forces. We had the pleasure of going on a cruise to Cochin along with the hon. Minister. I handed him one of these books and asked him whether he had read it. He replied in his usual frank manner that he had not seen it. On every page of these books, you find the figures. They say that in 1953-54 they had 1,51,000 officers in their Army; 30,000 officers in the Air Force and 2,70,000 Other Ranks. They have given other figures also. If Britain, America, France and even Japan could give out their figures, what on earth are we afraid of? Are we afraid of China swooping down upon us? We certainly may be afraid of Pakistan but not of Pakistan's armed might.

We must give our figures also, so that we may know what is the strength of our officers and men. We may then see what is their number, and whether they are performing their duty. Then only they can be under the superintendence of this House. We find from the reports of the Estimates Committee that under the garb of secrecy, they are not fulfilling their duty.

As my hon. friend Shri S. S. More pointed out, they are not settling the claims of pensioners and widows. It is scandalous that the Ministry has thousands of officers and yet the claims of these pensioners and widows

are not settled. The Ministry should provide some jobs in the Army even for ex-I.N.A. personnel whose memory we seem to have forgotten.

In the name of secrecy we have known nothing for the past five years, but unless we get the information, how can we judge whether these people have worked in the interests of the country and in the interests of national defence?

The second point I am taking up is in regard to the intelligence forces. I do not know how our intelligence forces are, but I dare say that the intelligence forces of the United States of America, of the United Kingdom, of France and even of certain other second-rate Powers, that are stationed at New Delhi are far superior to the mettle of the intelligence and security forces that we ourselves possess in India. We may say that ours is an open book, that ours is an open land into which every foreigner may come—especially foreign women, who infest our capital, sporting sarees and trying to get our secrets out. I make no secret of it and I am prepared to supply the names of one or two such women to the hon. Minister.

4 P.M.

**Shri Tyagi:** I protest. I know no women. It is wrong for you to accuse.

**Shri Joachim Alva:** I want the hon. Minister to ensure that there is no loop-hole by means of which our security forces and intelligence forces might become vulnerable. When I was studying the Estimates relating to our Army, Navy and Air Force, I looked up to see the figures about our intelligence forces. But I could not find any figure. In the blue-book on Defence expenditure there is no information given about security officers. On the other hand in the British Naval Estimates, for instance, I find that they do not make any secret of these figures. They have given a whole column about Naval intelligence. The British Navy has number of those officers. They have allotted a sum of £ 150,492 for the British Admiralty

Naval Staff, Naval Intelligence Division. They have given even the number of women in the Naval intelligence service. There is a whole page. I want that our Ministry should give enough attention to our intelligence forces. We may have the strongest army, a whole battalion of patriotic men. But by a few spies, by a few foreigners our secrets may go out and our whole defence will practically come to nil, and all our installations may come down the fire by information going to the other side. I want the Minister to give ample attention to this matter. And then I want to ask one question. When the British were here there was an upper crest of the Intelligence Service to which no Indian was allowed to enter. What has happened to that upper crest? They did walk away. Perhaps they are in the offices of the British High Commission, at Cairo or in the Middle East. I want to know whether we have got in the Defence Ministry, in the Army Headquarters or Naval Headquarters or Air Headquarters, a group of Intelligence Security Officers half as good as the upper crest high command that the British had in Delhi. It was Mahatma Gandhi who declared "I will fight the Japs with as much strength as I fight Hitler", and it was his moral force plus the British Intelligence force which helped us to eject the Japanese. But what do we have now? When the Pakistan army is on our border line near Amritsar, when there may be hostile ships on the borders of Goa, the car by which myself and my wife were travelling in Bombay was searched to see if we had any smuggled liquor bottles or smuggled watches in our car! I said I do not take liquor and had no money to purchase those smuggled watches. What is the use of having security staff who will search innocent persons and let go the real enemies of our country? We must have a score of intelligent, clever men who by the mere smell of things can find out from a distance whether a man is an enemy or not. If we have not got those men we shall simply allow all our defence forces to go down on account of their vulnerability.

[Shri Joachim Alva]

I want to emphasise this point. For seven years we have gone about in the most lavish scale of hospitality, friendliness, cordiality, embracing enemies who are really wolves in sheep's clothes. If you do not know to detect them, woe be unto us.

On the point of enlisting women in our Defence Services I wish to say it is time that the Government of India trained up patriotic girls for our Defence Forces. It is high time they picked up the best girls and enlisted them in the Defence Services. In the United Kingdom, for example, they made use of the services of the best patriotic girls who were parachutists and who did great jobs for their country. We have known of a young lady in our country who has been able to fly as high as any man. But such persons are not given the salary or allowance they deserve having regard to the perils they have to undertake. We should know how to utilise the services of patriotic women, not the painted beauties but the real women who will fight to the last with a dagger in hand. The energies and talents of our women should be harnessed both for our intelligence services and our security forces.

In this connection I want to put one question. I want to know whether our telephones are tapped, whether foreign agencies have superior equipment by which our talks are heard. I want the Defence Ministry and the Communications Ministry to put their heads together and see whether superior electronic equipment or radar equipment are there by which they can send messages from the country, or whether the headquarters of the Government of India and the Security Staff can be strong enough.

I have two papers in my hand, published papers. One is the *Evening News* of Bombay and the other the *Free Press Journal* of Jaunpur 5th, 1953. Here is a front page story: "Pak plane lands at Santa Cruz—Engine trouble". I want to know how a Pakistan plane landed right into the Bombay airport. There are so many

installations at Bombay. Bombay is the nerve centre of India.

**Mr. Deputy-Speaker:** When was this?

**Shri Joachim Alva:** In 1953, on January 5th. I want to know why the hon. Minister or the Ministry has not given information to this House. We shall not allow any...

**Mr. Deputy-Speaker:** Has it been brought to the notice of the Ministry?

**Shri Tyagi:** Yes.

**Shri Joachim Alva:** Why should I? Is it my duty to bring to their notice what is in the front pages of newspapers? Why I point this out is for this reason. We shall not allow any foreign planes to land in our country with innocent looking packages and innocent looking persons who want to find out our installations and other defence matters. Only yesterday when I was making this point—I wrote down the point in my paper that if innocent looking air travellers with innocent looking packages are not caught, woe betide the country—as I wrote it down I saw in *The Statesman* of the 25th March the following item:

"Warning by the Federal Bureau of Investigation of U.S.A. about smuggling of atomic devices.

About 50 lb. of uranium or plutonium would be about the size of a grape-fruit. Since both these metals can be coated with other metals or plastics and can be machined into all sorts of shapes, we should be alert regarding any article that is extremely heavy for its size." ●

I want to put these things before the House because I want our people to be careful. I remember when the British Cabinet Mission arrived in this country, we, being editors, were the first people honoured by them. But being a trained and old lawyer as well as a journalist. I spotted the detectives. They said "You are the first man to have found us out as detectives, but yet we cannot give our names". We should build up a secret

service with men who are quite, unassuming, unobtrusive but who shall do their duty, who will not harass Members of Parliament for smuggled goods but who will know who the culprits and the enemies of the country are.

I want to know in this connection why the Atomic Energy Commission is set up near Bombay. Russia removed its installations to the Arctic zone, and all the German might was not able to smash the Russian forces. We have so many factories near Bombay. Bombay can be bombed in no time. It is four hours' flight from Karachi or anywhere else.

The real serious question for us to consider is whether it is wise for us to buy from France the equipment we need for our Hindustan Shipyard when the French have got their leg on our neck and have their pockets in our land. We are telling them: here are crores of rupees, give us equipment. Why should we hand it over to the French men either in regard to the Shipyard or in regard to the Electronics factory. Have the Government gone into Europe and considered Czechs or Germans? After seven years have the French constructed the Hindustan Steel factory? We should not go on granting doles and *bakshish* and enormous money to France or any other country which has pockets in our land.

I want the Ministry to go into another point. I was told that it is provided in the Swiss Constitution that no Swiss shall serve in a foreign land and if he joins a foreign army he will be held up before the military court and jailed. Over a thousand Swiss are serving in Indo-China. Similar is the position with Western Germany, and the West German Minister has protested "Our youths shall not go and slave in other countries". If there is any loophole in our law, the Ministry of Defence should enact such legislation that not a single Indian, whether man, woman or child, as long as the person claims Indian nationality, shall serve foreign nations. We

shall not allow that. Our country today is strong enough and big enough. We are proud of the patriotic character and ability of our young men. If a small country like Switzerland says: "no young man can leave our shores and, join a foreign army, we shall stop it and we shall not allow it", why not we do it?

Sir, I want to know whether our Defence Ministry is aware of a message from the United Press of India dated April 10th, 1952 about the visit of three high-ranking American officials to Pondicherry. The report says:

"the visit of three high-ranking American officials is kept a secret by the French authorities" and "the visit of the American officials to the settlements is considered here as not without any significance."

I want to know why we should not be told or informed about the visit of the American officials to Pondicherry when this House sits and considers the question about Pondicherry.

Again, I give information about a despatch from Karachi, in *New York Times* dated 22nd November 1953. Sir, after the despatch of this news from Karachi, came the denial from the American Government, then from Pakistan Government, till the India Government said "it is not our baby" and finally they said "it is our baby". This is what John P. Collahan writes:

"Actually Pakistan is more inclined to build her military strength as a bargaining factor in dealing with India on the Kashmir issue than as a defence against other countries including the Soviet Union. This is a common admission privately made."

Sir, I want the Defence Ministry to know everything about this so that we need not have any fear of our enemies.

I want to talk about one or two more points and hope, Sir, you will give me some more time. I want to know whether our Air Force can guard our country against an attack



[Shri Joachim Alva]

from air. I want to know whether our Air Force can provide cover for land defence in our country, when our armies are on the move. I want to know whether our Air Force is strong enough as a counter offensive at least against the sea raids which will generally be in the Indian ocean? I want the Government to take a very serious view of the deficiency in our Air Force. If the Indian Air Force has no eyes and ears like the 14th Army that walked into Japan in 1953, we cannot have an Air Force. We shall take care of the rest and not allow indifference. Another foreign paper by name *Sailplane and Glider* of December 1950 says:

"Approximately, 1,400 strong, and rapidly is the Pakistan Air Scout and Glider Corps. Many of these boys have now obtained International 'A', 'B' and 'C' Glider certificates and there are now six gliding schools run by the Royal Pakistan Air Force. It is hoped to publish news of their activities from time to time in *Sailplane*."

I now ask the Minister of Communications as to what encouragement the Government have given to gliding so that there may be a second line of defence. Sir, the dividing line between civil and military Air Force is too narrow. Whatever kind of planes our air lines may supply, unless we prepare our men to use them, we will really not be able to guard our people against danger.

**Mr. Deputy-Speaker:** There are so many other speakers. I will give him only one more minute.

**Shri Joachim Alva:** I only want to point out that the other day our Prime Minister paid a tribute to the Britishers. May I respectfully point out to the Prime Minister that the British Parliament passed legislation making it impossible for Indian ships built in India to operate in trade with other countries. 1857 saw an end to all Indian shipping rights in Indian

waters. We know from history that our navy under the Marathas had routed the French, Portuguese and Dutch and only when the English passed the legislation in the House of Commons that we lost our Naval Force. We had our own Naval Force

If you had given me some more time, Sir, I could have quoted a dozen instances. I am grateful to you for the time that you have already given. I feel that our Ministers should be more serious. I wish that the hon. Deputy Minister for Communications were present here because the Air Force is the weakest part of our defence. It is no use laughing away things when grave issues are at stake. It is no use overestimating our strength when the weakness is so apparent and we should really take a serious view of things.

**Shri Tek Chand (Ambala-Simla):** Sir, I find myself in full accord with the sentiments, hopes and fears expressed by my hon. friend who spoke last. I feel that, to the men who form the armed might of our nation, I must pay a humble tribute, a humble bouquet to all those great people who, with unexcelled fortitude, unmatched courage and un-paralled devotion to duty have been rendering great service to this nation, either within the territorial limits of this country or abroad.

This debate has one happy augury. The atmosphere pervading in this House as well as in the country outside is surcharged with sentiments which pave the way to complete cohesion and complete harmony. The citizens of this country are today feeling like one man in demanding that the armed might of our land should be strengthened so that any aggression from our neighbours or from people far away may be met with courage, with fortitude and, of course, with success. In contrast to this happy atmosphere, there is the attitude of our close neighbours, Pakistan, Portugal or France. In view of the fact that they are showing their fangs, in view of

the gnashing teeth that they are displaying, we have to adopt a certain definite attitude and that attitude, I submit, should be of strengthening the armed might of this country to the limit of our capacity. In this respect I wish to quote something said by a Roman General who lived several centuries before the time of Benito Mussolini: "*Qui desiderat pacem prepaeret bellum*," meaning, 'He who desires peace must prepare himself for war.' The object was not that he should assume an aggressive belligerent attitude, but the object was that the nation should be prepared so that others who are casting an evil eye should beware of its might and strength. Those words said a thousand years ago, are equally true in their applicability to the policy that should be adopted today. I submit that, whereas the Government is justified in making available large sums—not really large having regard to our requirements and exigencies of the occasion—it is also necessary that the Government should devote itself towards training civilians. Trained civilians are the real second line of defence; not only that they would prevent stampede and chaos, manage elements who have not yet got the necessary discipline, but they will also be ready with some organised material which can be requisitioned. I hope that our Ministers, who, I am sure, must be alive to all the exigencies, are also aware of the statute known as the National Service Act of 1947 of England. The year 1947 is important here because when that Act was passed, the war had ended and England, though victorious, was exhausted. But, nevertheless, in 1947 the Government of England thought it proper to place on their statute-book the National Service Act of 1947, the important features of which are two. There are several other matters, but I wish to invite the pointed attention of the hon. Minister of Defence to two provisions. One of them is that every able-bodied person between the ages of 17 and 26 must render military service for a period of two years at a stretch and subsequently for

3½ years in totality, but periodically. That was their feeling that every able-bodied male adult should render military service and be ready for military training according to the statute of England of 1947. The other provision was that employment and education to such a person was absolutely safeguarded and assured. I wish we should have a statute of this type whereby able-bodied young people may be enabled to receive military training and render military service when called. Another thing is that these persons being semi-trained at least, though not trained to the fullest, will readily be dovetailed into the military organisation and therefore such provision is extremely desirable.

I have been reliably informed that all countries who are Members of the North Atlantic Treaty Organisation, otherwise called the NATO, have similar provisions in the respective statutes of their countries modelled on the National Service Act of the United Kingdom. That is why you notice when you go abroad that you do not come across any civilian who does not know the use of arms. The use of arms brings me to another topic; ordnance factories. Whatever they may be doing, I am not anxious to know. I do not desire to know, but I am very anxious and desirous to convey this: are the wheels of this military industry humming properly, regularly, absolutely, day and night? Are the requirements of this nation being met with if not wholly at least substantially, and if not substantially, are ways and methods being planned and devised so that we may be self-sufficient so far as ammunition and other weapons are concerned? I want the authorities that be to be zealously vigilant so far as the output is concerned and so far as other necessities for bringing this industry up to date are concerned.

There is one matter. So far as production of small arms is concerned, that, I think, must be encouraged to a large extent. Today we find that ordinary shot guns are available if at all at a prohibitive price, whereas rifles and other small arms should be



[Shri Tek Chand]

available at very cheap and reasonable prices. No doubt, I do feel that I should not be talking of small arms in an age which has even ceased to be supersonic. Today's age is not supersonic; it is hypersonic where weapons are being devised which have a colossal effect. Therefore, we should not be talking of small arms. Having regard to our exigencies or requirements, and our capacity, there is no reason why what we can easily do should not be commenced and if commenced should not be perfected in the shortest possible time.

Through the kind courtesy and hospitality of the Defence Minister, I was one of these fortunate persons who were invited to a cruise with the naval flotilla. That was to me a great eye-opener, a trip of very great educative value. After seeing what I have seen, I am now in a position to put some limitation upon my ignorance. Now, I can say that there are some bounds to my want of knowledge, after having had an occasion to see our destroyers and flotilla in action. Some criticism has been levelled during the course of the debate that the ships are old and that they have not got the weapons that they ought to have. All that I can say as a layman is that our ships, despite their age, I do not say that they are of great age, they are 10 or 12 years old,—they have been thoroughly renovated—were spick and span and our officers and ratings were absolutely smart and spruce. I noticed the ratings, full of enthusiasm, scoffing over their difficulties which were just a few and I dare say negligible, and fired with the one desire, that is, to serve the land with the last drop of their blood. Such facilities, such amenities that they require and such demands as they have are very small, not of very great significance and if they could be conceded, you will know their happiness knows no bounds. Despite that, they are a supremely happy and satisfied lot. A ship of our Navy is in a way a floating island of our country: a ship of our Navy is almost an epitome of a cross-section of the whole

society. I found people working in absolute harmony, people thoroughly trained and people fully alive to their sense of duty. I hope I will be pardoned for parochial patriotism when I say that though the part of the country from which I come is thousands of miles away from the sea coast, Punjabis were found in very large numbers serving the Navy of this land and serving it in a grand manner. It was a matter of agreeable surprise to me to find people from remote Himalayas, to find people from Himachal Pradesh their conducting themselves as if they were seasoned sailors. This infant among our three Armed Forces is receiving, I have no doubt, a fair and just treatment, but I want this infant to receive a favoured treatment and not simply just teratment, because having regard to the long coastline of this land, having regard to the vulnerability of this land from the point of view of the long coast that we have, the number of ships that we have needs augmentation. Tankers, I submit, are the life-line of the Navy, and I wish we had more tankers than one. Cruisers are absolutely necessary, and I do hope that the Defence Minister will be able to cajole the Finance Minister and find some more money for the sake of the Navy. What I say of the Navy does not mean is not true of our Land Forces and our Air Force, but I do feel that the Navy deserves a special niche in the heart of the Defence Ministry for the time being.

There is one criticism I feel tempted to reply to. It has been said our officers are not getting a square deal in the matter of remuneration and that the disparity between what is being paid to the man as compared to what is being paid to the officer is much too much. I had occasion to go through the comparative table of what is being paid to the officers *pari passu*. In the civilian ranks and the Armed Forces, and all that I can say is that the emoluments in the Armed Forces compare very favourably, officer to officer, man to man, with those on the civilian side. I

wish I could develop this point, but in my own mind I am absolutely satisfied that our men and officers in the Armed Forces are getting a very reasonable, fair and square deal.

4-32 P.M.

**श्री रणदामन सिंह (शाहडोल सिद्धि—रक्षित—अनुसूचित आदिम जातियाँ):** उपाध्यक्ष महोदय, आज जो एक साल बाद आपने मुझे बोलने का मौका दिया है इस के लिए मैं आपकी धन्यवाद देता हूँ।

डिफेंस मिनिस्टरी का जो नया बजट है उसका मैं स्वागत करता हूँ किन्तु साथ ही यह भी भर्त्ता करूंगा कि यह बजट कुल आय का करीब आधा है जो अन्य बजटों पर विशेष घाटे का मबाल पैदा करता है। कुल आमदनी में से २,२३,४७,००,००० रक्षा विभाग में रखे गये हैं बाकी बचे रुपये में से शिक्षा, स्वास्थ्य, समाज सुधार, कृषि उद्योग, व्यापार इत्यादि विभागों का प्रबन्ध करना है। हमारे यहां की आबादी ३६,००,००,००० है। यदि यह रकम प्रत्येक मनुष्य के हिस्से में बराबर बराबर बांटी जाये तो हर मनुष्य की उन्नति पर राष्ट्र केवल ६ रुपये सालाना के करीब खर्च करता है। अब आप यह भली भाँति सोच सकते हैं कि ६ रुपये के व्यय से प्रत्येक भारतीय की उन्नति का कितना प्रबन्ध किया जा सकता है। फिर भी ऐसे महत्वपूर्ण विषय का बजट है। उसमें खास खामियाँ डाल कर बजट को कम करना उचित नहीं है। हाँ यदि मंत्री महोदय कुछ गहराई तक जाने की कोशिश करें तो हो सकता है कि बजट में कुछ कमी आ सकती है।

डिफेंस के बजट में यकायक कमी डाल कर उसकी शक्ति को कमजोर करना भारत के गौरव को गन्तिहीन करना है; जिसकी जिम्मेदारी सारे देश भर में जमन कायम रखना तथा बाहरी हमलों से देश की रक्षा करना और दुश्मन का मुकाबला करना ऐसे महान

कार्य हैं उसके लिये हम सबों का फर्ज है कि डिफेंस के वास्ते उचित खर्च का प्रबन्ध करें, चाहे लड़ाई की कोई सम्भावना हो या न हो, पता नहीं कि देश में किस वक्त क्या आपत्ति आ पड़े। हमें किसी देश से लड़ने के लिये नहीं बल्कि अपने देश की रक्षा के लिये अपने को मजबूत बनाना है क्योंकि फौज ही एक देश का खास अंग है जो देश की मानव सत्ता को बचाने तथा ऊंचा उठाये रखने में समर्थ होती है मिसाल के तौर पर कोरिया में हमारी फौज के जाने के कारण उनके व्यवहार से भारत का महत्व सारी दुनिया में छा गया। गो कि हमारी नीति अहिंसात्मक है किन्तु फिर भी ताकतवर से ही अहिंसा का प्रभाव अन्य देशों में पड़ सकता है। यही बात महात्मा गांधी जी ने भी अपने विचारों में प्रकट की थी। राम राज्य के समय में भी सेना का संगठन अच्छा था, यद्यपि स्वयं रामचन्द्र जी लड़ने के इच्छुक नहीं थे।

मैं माननीय मंत्री जी से यह भी अर्ज करूंगा कि बजट की एक बड़ी रकम को लापरवाही से खर्च न किया जाय, अधिकारी अफसरों की खा सतबज्जह होनी चाहिये कि रकम खान कार्यों में जैसे सिपाहियों की ट्रेनिंग, शिक्षा, स्वास्थ्य व खाना खुराक वगैरा में विशेष रूप से खर्च की जाये और इस पर विशेष ध्यान दिया जाय। और कोशिश की जाय कि सिपाहियों की तनखाह वर्तमान तनखाह से कुछ और बढ़ाई जाय ताकि उनके मोराल व उत्साह को बढ़ाने में अधिक बल मिले। बल्कि ऊँचे दरजे के अफसरों की तनखाह कुछ कम कर दी जाय।

कुछ हद तक फौज का व्यय अनिवार्य सैनिक शिक्षा द्वारा कम किया जा सकता है। मैं यह अर्ज करूंगा कि स्कूलों में फौजी ट्रेनिंग देने की एक समिति बनायी जाय जिस

[श्री रणदमन सिंह]

नौजवान बालक और बालिकायें भी सैनिक शिक्षा प्राप्त कर सकें जिससे देश भविष्य में स्वावलम्बी बन सकें। ट्रेनिंग शुद्ध औरतों को भी फौज में भर्ती किया जाय, जैसे एम० टी०, सिगनल एयरफौर्स, वायरलेस बगैरह में। हमारे देश की औरतों की भी बहादुरी कम नहीं है। झांसी की रानी और चितौड़ की महिलाओं की वीरता किसी से भी छिपी नहीं है। मैं तो कहूंगा कि २१ से २५ वर्ष तक के हर एक नागरिक को अनिवार्य शिक्षा दी जाय ताकि रिजर्व सेना काफी तैयार हो जाय। इसके अलावा संन्द के सभी मैम्बरों को भी फौजी ट्रेनिंग की साधारण शिक्षा दी जाय और उनकी एक टुकड़ी बनाई जाय जिसमें मंत्री महोदय खुद शामिल हों और उसके कमांडर बनकर ट्रेनिंग में भाग लें और भविष्य में देश पर वक्त पड़ने पर आप सब से आगे रहें और अपना त्याग दिखलावें जिसमें आपका त्याग सफल हो क्योंकि आपका नाम श्री महावीर त्यागी है इसलिये यथा नाम तथा गुण होना स्वाभाविक हो। जैसा कि हनुमानजी का नाम महावीर था उसमें त्यागी नाम का शब्द न होने पर भी उन्होंने त्याग का रिकार्ड तोड़ कर रक्षा का महान कार्य किया। इसी लिये वे आज भी पूज्य हैं फिर आपके नाम के आगे तो त्याग शब्द की घंटी लगी हुई है। फिर ऐसे नाम को हमेशा उज्ज्वल रखें ताकि भविष्य में आप भी नारियल और सिन्नी के अधिकारी बन जायें।

आम्स एम्पुनिशन व कई तरह के जंगी हथियारों के लिये हमें दूसरे देशों पर निर्भर रहना पड़ता है। यह सब से नाजुक विषय है जो उन देशों के आश्रित रहना पड़ता है। इतने बड़े महत्वशाली देश के लिए यह कितनी बड़ी मानहानी की बात है हो सकता है कि कभी कोई कारणवश वह देश

भी अस्त्र न दे सकें तब तो हम न इधर के रहे न उधर के। एक देहाती मसल है कि 'गा बाजारी बारहबाट'। इसलिए मैं मंत्री महोदय का इस ओर खास ध्यान दिलाता हूँ कि आप बाहरी विशेषज्ञों से सहायता लेकर अपने देश के अन्दर ही हर तरह की फैक्टरियां खोलें और मुक्तलिफ आवश्यक सामान तैयार करायें गोकि कल हमारे प्रधान मंत्री जी ने कहा कि अभी कुछ ऐसी कठिनाइयां हैं कि जिसको मजबूर होकर हमें अन्य देशों के आश्रित होना पता है और इसी वजह से अपनी आजादी पर कुछ न कुछ घकटा लगता है। मैं चाहता हूँ कि यहां ऐसा सामान तैयार किया जाय जो दूसरे देशों के समकक्ष हो और कभी जरूरत पड़ने पर हमें पीछे न रहना पड़े साथ ही इससे अपना देश स्वावलम्बी बन सकेगा और अपने आदमियों के लिए उद्योग धंधों का क्षेत्र भी बढ़ जायेगा जिससे देश की उन्नति व प्रगति में वृद्धि होगी। जापान एक छोटा सा देश होते हुए भी गत महायुद्ध के समय २५ वर्ष के अन्दर अपने को उन्नतिशील प्रभावित कर दिया था। वह उस वक्त एशिया में एक भारी ताकतवर देश माना जाता था फिर अपने देश में तो सभी साधन वर्तमान हैं, सिर्फ सदुपयोग की जरूरत है।

पड़ोसी मुल्क देश की सरहदों पर बार बार छापे मारते या हमला करते हैं। उनके बाबत भी आपको सतर्क होना चाहिये और उनके साथ उचित व्यवहार करना चाहिये दबी बिल्ली कब तक चूहों से कान कटायेगी मैं यह नहीं कहता कि आप किसी से विरोध खड़ा करें किन्तु अपने महत्व को कायम रखने के लिये इतना दबकू भी न बने। याने इतना भीठे भी न हों कि कोई बाट जाय और इतने तीखे भी न हों कि सब धू धू करने लगें। इसलिये मेरा सुझाव है कि वैदेशिक नीति में बाहर से और अन्दर भारत में भी सुरक्षा के लिए

आपको समर्थ होना चाहिये और इस माफिक प्रभावशाली हों कि सहसा आपके प्रति कोई देश सर न उठा सके।

मुझे एक बात और कहनी है, वह है आदिवासियों के बाबत। देश में कई प्रान्तों के नाम से तथा कई वर्गों के नाम से केन्द्र द्वारा फौजें केन्द्रित हैं, जैसे राजपूत रायफल, जारेजीमेंट, गोरखा रेजीमेंट, बाम्बे, पंजाब रेजीमेंट वगैरह वगैरह। किन्तु देश के किसी भी भाग में आदिवासियों के नाम से कोई फौजी शाखाएं नहीं हैं। क्या मैं जान सकता हूं कि इसका क्या कारण है। क्या इस जाति के लोग बहादुर नहीं होते या लड़ना नहीं जानते। मैं तो कहूंगा कि इस जाति की बहादुरी कहीं छिपी नहीं है। महाराजा शिवाजी के जमाने में खास तौर से आदिवासी सेनाओं ने मुगल सेनाओं से लोहा लिया था और आज भी जंगली और पहाड़ी लड़ाइयों में ये लोग अधिक कुशल होते हैं। किन्तु शिक्षा का अभाव और इनकी आर्थिक कमजोरी व सरकार की भूल से यह जाति पतित हो गयी है। प्रजातांत्रिक शासन में भी इस जाति को ऊंचा उठने का मौका प्राप्त न हुआ तो यह इसकी बदकिस्मती है। मंत्री महोदय से मैं बग़दब अर्ज करूंगा कि आदिवासियों के नाम से भी उन क्षेत्रों तथा प्रान्तों में जहां उनकी आबादी अधिक हो एक एक फौजी टुकड़ियां केन्द्रित की जायं ताकि अधिक संख्या में आदिवासियों को भी इस महत्वपूर्ण विभाग में भाग लेने का मौका मिल सके। इस प्रकार फौज के कार्यों में उनके सम्मिलित होने से वह सामाजिक उन्नति में भी आगे बढ़ सकेंगे।

अब मैं विन्ध्य प्रदेश के बाबत कुछ अर्ज करना चाहता हूं। विन्ध्य प्रदेश की फौज सन् १९५० में केन्द्र द्वारा शासित होने के पश्चात् ही डिस्बैंड कर दी गई, जिससे वहां के हजारों आदमी बेकार और बेरोजगार हो गये। उनके अलावा फौज से सम्बन्धित जनता में भी

घोर बेकारी बढ़ गयी और अब तक उनका कोई इन्तजाम नहीं हो सका। हालत यहां तक है कि बहुत कुछ आदमियों को उन की पेंशन, इनाम व महंगाई वगैरह भी नहीं मिल पाई है, इस कारण वहां की परिस्थिति अत्यन्त शोचनीय है। जैसा कि हमारे माननीय सदस्य श्री लक्ष्मण सिंह चरक ने काश्मीर के बारे में जिस प्रकार के दृष्टिकोण से कहा है, वही विन्ध्य प्रदेश की हालत है। क्या मैं मंत्री महोदय से यह अर्ज कर सकता हूं और आशा कर सकता हूं कि वहां की हालत सुधारने के बारे में आप थोड़ा ध्यान देकर उनकी उलझी हुई समस्याओं को सुलझाने की कृपा करेंगे।

मैं अब अपने वक्तव्य को खत्म करने के साथ यह अर्ज करूंगा कि जहां पर रियासती फौज तोड़ दी गयी हैं और वहां की समस्याएँ इस तरह से उलझी हुई हैं, उनके लिये मंत्री महोदय खास तौर से ध्यान दें और जो मैंने सुझाव दिये हैं, उन सुझावों पर खास तौर के साथ विचार करें। इन सुझावों पर ध्यान देते हुए वह देश और जनता के कल्याण के लिये ऐसे काम करें कि जिन से हमारा देश हमेशा के लिये कल्याणकारी बन सके, क्योंकि डिफेंस में केवल फौज सेही डिफेंस नहीं है, डिफेंस में सभी चीजों का डिफेंस आ जाता है, जैसे मिविल डिफेंस है, सीक्रेट लाइन और यर्ड लाइन वगैरह हैं। जब हमारे देश में इन सभी चीजों की पूर्ति होगी और हमारा देश स्वावलम्बी हो जायगा और किसी दूसरे देश के सहारे नहीं रहेगा, तभी हमारा डिफेंस पूरा पक्का बन सकेगा और तभी हमारे देश का आम दबाव दूसरे देशों पर पड़ सकेगा। इसलिये मैं मंत्री महोदय से यह अर्ज करूंगा कि हर तरह की फ़ैक्टरियां और सामान बनाने के कारखाने खोलें और देश की उन्नति करें। इस उन्नति में वह सामाजिक, शैक्षणिक आर्थिक, हर एक उन्नति पर ध्यान दें ताकि हमारा देश कल्याणकारी बन सके और हम स्वावलम्बी बन सकें।

**The Deputy Minister of Defence (Shri Satish Chandra):** Yesterday, the Prime Minister indicated the broad outlines of our policy and the basic approach to problems relating to the defence of the country. I only want to touch, in the limited time at my disposal, upon some of the points raised by hon. Members, relating to defence industries, and the procurement of stores from abroad.

As far as the basic approach in these matters is concerned, I do not find any difference of opinion between the hon. Members who have spoken so far, and the Government. The objective is identical and common. Many constructive suggestions have been made by hon. Members and I am sure that Government will try to profit by them. There may have been some difference of opinion on details, there may have been greater emphasis on certain aspects, but as far as the basic policy is concerned, there appears to be a fair measure of agreement. It would not be wrong to call it a national policy. I was gratified to note that not a single Member has raised his voice against the budgeted allotment for national defence.

Government fully agree with the views which have been put forward with emphasis during the debate, that we should try to be as self-sufficient as possible by putting up more and more defence industries. I would just like hon. Members to recall to their minds, the state of the defence industries at the time of the transference of power. On 15th August 1947, there were many ordnance factories which were only partially working. In pre-war days, there were only seven or eight ordnance factories, and during the wartime, some new ones were put up. But after the war, these were not working to full capacity, and some of them had been put on a care-and-maintenance basis. At present, there are as many as twenty ordnance factories which are working more or less at full capacity, except for some idle plants here and

there, which we are trying to utilise for the manufacture of civilian goods.

A few more new factories have been established since partition. Hon. Members are aware of the Machine Tool Prototype Factory, which has been put up recently and has provided increased facilities for the manufacture of new types of weapons and equipment, and also the development of original prototypes. The Bharat Electronics Industries, which will manufacture telecommunications, signalling, and radar equipment is in the process of being set up. A few other factories were also put up during this period. The Government are now trying to set up factories for the development of more advanced and complicated equipment. It is rather difficult to go into the details at this stage, but there is a plan to put up new factories for manufacturing new items. There are also about two dozen schemes for augmenting the existing capacity in ordnance factories for the manufacture of new items.

When we took over these factories, they were more or less an appendage of U.K.'s war potential. We were manufacturing in India only some minor equipment; even the major components of that equipment came from U.K. Some minor components were made here and even for the manufacture of those minor components we did not possess the drawings or the designs which were obtained from abroad. Foreign technicians in ordnance factories set the machines and minor components were produced. There has been considerable improvement since then.

Many hon. Members criticise that there should not be any foreign experts in our ordnance factories. Sir, I would only give some figures in support of the fact that the number of foreigners has considerably gone down after the attainment of independence and that a number of Indian officers have taken over their duties. There were 45 senior Indian officers in the ordnance factories in

1947, but now we have about 227 Indian officers who hold key positions in the ordnance factories. The number of Europeans now is only 41. Some of them are employed on contract basis and may be replaced during the next few years. Every effort is made to replace a foreigner by an Indian if a suitable Indian is available for that post. The Director-General of Ordnance Factories is an Indian. Many Factory Superintendents are Indians. A great majority of the Works Managers and Assistant Works Managers are Indians. Some of the foreign experts who are employed on contract basis for a period of three or four years are likely to go on expiry of their terms. Those who were in permanent service before independence and opted to serve this country and did not leave us at a critical moment will continue till they retire in the normal course. They have done their duty with devotion and there is no reason to displace them till they retire in due course.

As regards indigenous production of equipment, there are lakhs and lakhs of items which have to be manufactured for the Defence Services.

**Shrimati Sushama Sen** (Bhagalpur South): What about blankets?

**Shri Satish Chandra:** We do not produce blankets in ordnance factories. I am dealing with ordnance factories at the moment. I do not think that any blankets are normally imported. There is some misunderstanding on this point. There was an old surplus stock of blankets in U.K. which we did purchase a few years back for two or three rupees each. There was some auction and we purchased them to meet an immediate requirement. Otherwise blankets are generally not purchased in foreign countries.

There are lakhs and lakhs of items which have to be developed and produced in this country. The manufacture of all of them cannot be taken up together. But there is a Stores Purchase Screening Committee which scrutinises every indent before it goes out, to see whether a particular arti-

cle can be manufactured within the country or not, either by a private manufacturer or in ordnance factories or other State enterprises. Every indent is carefully scrutinised before orders are placed abroad. The Development Wing of the Ministry of Commerce and Industry is kept in touch; it also scrutinises whether the particular article for which an indent is being placed can be procured in India or not.

Now, Sir, it becomes a question of allotting priorities when we decide to produce new items. There are things which we require in large numbers and are very essential and for which we cannot depend on foreign countries in times of an emergency. There are hundreds of other articles which can be easily stockpiled and it is difficult or uneconomical to manufacture them immediately in this country. So we try to build up such stocks by purchases abroad rather than manufacture them here at least till such time that we make more technical progress and have more industries. There are other articles which we have in plenty at the moment and which are not wasted out easily and quickly. The manufacture of these can also wait. But we try to manufacture ourselves such equipment as is required in large numbers and is very essential for the functioning of the Armed Forces. That is the policy according to which we proceed. During the last few years there has been considerable progress in this field. We are making many items, arms and ammunitions for the Army, Navy and Air Force, which were being imported from abroad.

Sir, I may refer to a point raised yesterday by an hon. Member—Shrimati Renu Chakravartty—about the 20 and 40 mm. project which, she said, had been closed down. According to her, we spent crores of rupees at Khamaria on the 20 and 40 mm. project which has now been closed down. I intervened to say that she had misapprehensions about the matter. I would now say that she has some very incorrect information. The



[Shri Satish Chandra]

20 mm. ammunition is the main ammunition for the Air Force and we have developed its manufacture. The ammunition was actually produced; it was tested; there were of course, some 'teething troubles'. It was also felt that the imported raw material which was being used in the production of the ammunition could be replaced with the raw material available in the country. So there is some time lag and within a few months from now, we should be able to produce 20 mm. ammunition which we require in large quantities. The 40 mm. ammunition is required by the Navy and the Army. The components for that ammunition are being produced at present in various ordnance factories and will be assembled subsequently at Khamaria. There has been no difficulty and the components are in the process of being manufactured in ordnance factories. They will be sent to Khamaria and I think, within a month or two, we should be manufacturing the complete 40 mm. ammunition. Shrimati Renu Chakravarty was probably speaking on the basis of some incorrect information supplied to her.

There is a proposal to produce more components of aircraft. Hon. Members are already aware that we have assembled the Prentice aircraft in the past, as also the Vampires which we are using. We are manufacturing trainer aircraft HT-2. Another advanced trainer is in the process of being developed at the Hindustan Aircraft factory. It would be our endeavour to become as self-sufficient as possible in aircraft equipment. The possibility of manufacturing aero-engines in this country is being explored, though it is in a very initial stage at present.

Sir, there has been criticism about alleged corruption and wastage in the matter of procurement of Defence stores. I may explain here.....

Mr. Deputy-Speaker: How long is the Minister likely to take?

Shri Satish Chandra: I will finish in five or ten minutes.

Mr. Deputy-Speaker: I will give him five minutes, but if he wants to take more time, he may continue tomorrow.

Shri Satish Chandra: I will finish within five minutes.

Mr. Deputy-Speaker: Then we shall sit till 7-35, for five more minutes.

Shri Satish Chandra: I may explain the procedure followed for the procurement of stores from abroad. There is a misunderstanding that the Army officers directly procure these stores or enter into contracts with foreign firms or indigenous firms for the purchase of these stores. That is not correct. What we do is this. We place our indents on the Director-General of Supplies and Disposals in New Delhi if the stores are available in India and on the Director-General, India Stores Department, London, or India Supply Mission in Washington if the supplies are to be procured from Europe or America respectively. All negotiations etc. and the signing of contracts is done by the agencies of the Ministry of Works, Housing and Supply. Only when the amount involved is less than Rs. 2,000 or so, in the case of indigenous stores, and similarly a small amount in the case of foreign supplies, that we make purchases directly through the Military officers. All large-scale purchases are made through the agencies of the Ministry of Works, Housing and Supply. I could not understand the criticism of some hon. Members that our Army officers are not handling these transactions properly. If the stores are to be released by foreign governments, our Military Attaches abroad do negotiate those transactions on a government-to-government basis. But, when transactions are made with the trade or manufacturers—except for very small sums allowed for direct or local purchase—they are always handled through the agencies of the Ministry of Works, Housing and Supply.

I think there is hardly any time left for me. I may say a word about the criticism of Navy and Air Force equipment. Our naval ships, which were

purchased some time ago, may not be as modern and up-to-date as the naval ships of some European countries or of America. But, nonetheless, they are not completely obsolete. Similar types are in use in other Navies. There is however a gradual replacement programme; new ships will be purchased and the present ships kept in reserve for use in emergency. It will take time because a naval ship is a costly affair. But, gradually, all the present ships will be replaced as far as possible with newly constructed ships. Efforts will be made to see that the lighter and less complicated vessels are manufactured within the country. There are some negotiations going on with the Hindustan Shipbuilding Yard in this connection.

**Shri Joachim Alva:** Sir, may I with your permission ask a very pertinent question? In the British Navy Estimates they have got a whole list of the ship-building yards from where they build their ships and warships. I want to know, why not we get our ships directly from them and why should we get through the British Admiralty only second hand ones. Why not we get directly or through the British Admiralty first hand ones from those shipyards, even though the price is very high?

**Mr. Deputy-Speaker:** Is it a question or a speech?

**Shri Joachim Alva:** I am explaining at length because I want a reply, Sir.

**Shri Satish Chandra:** The reply is very simple. All the capacity of those ship-building yards is already booked. Therefore, we must either content ourselves with the old ships, or manufacture them ourselves in this country, or try to depend on the British Admiralty. But, as I said, there is a possibility of our getting new ships gradually and we shall be able to replace our old ships.

## UNEMPLOYMENT RELIEF BILL

**Mr. Deputy-Speaker:** We will now take up non-official business.

**Shri A. K. Gopalan (Cannanore):** I beg to move for leave to introduce a Bill to provide relief to unemployed workers.

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

"That leave be granted to introduce a Bill to provide relief to unemployed workers."

*The motion was adopted.*

**Shri A. K. Gopalan:** I introduce the Bill.

## INDIAN PENAL CODE (AMENDMENT) BILL—Contd.

### (AMENDMENT OF SECTION 302)

**Mr. Deputy-Speaker:** The House will now take up further consideration of the following motion moved by Shri Syed Mohammad Ahmad Kazmi on the 12th March, 1954:

"That the Bill further to amend the Indian Penal Code, 1860 be circulated for the purpose of eliciting opinion thereon by the 15th of May, 1954."

I understand Mr. Venkataraman was in possession of the House. He will continue.

**Shri Venkataraman (Tanjore) rose—**

**Shri Vallatharas (Pudukkottai):** I have submitted an amendment to this circulation motion that, instead of eliciting public opinion, it may be referred to a Select Committee of this House.

**Mr. Deputy-Speaker:** When was that done?

**Shri Vallatharas:** I submitted it yesterday and it has come on the Order Paper.

**Mr. Deputy-Speaker:** I understand the hon. Member has not given the names of the members of the Select Committee.



**Shri Vallatharas:** I have got the names here.

**Mr. Deputy-Speaker:** I will find out. Do the rules provide for the conversion of a motion for circulation into one for reference to Select Committee?

**Shri Vallatharas:** Yes.

**Mr. Deputy-Speaker:** I will see; but let Mr. Venkataraman proceed with his speech.

**Shri Venkataraman:** Sir, I was submitting on the last day that there is certainly a case for penal law reform and that has got to be done, not piecemeal but by a process of systematic examination, by the appointment of a Commission to go into the entire structure of the Indian Penal Code, the crimes in relation to modern times and the punishment therefor. I submitted that when we tinker with one section of the Indian Penal Code and try to reduce the punishment with regard to that particular offence, it is likely that the other sections will have a greater punishment for a lesser offence or a lesser punishment for a greater offence. I was also submitting that so far as offences are concerned, some of them seem to be fairly out of date.

I shall now proceed to deal with another section which I consider cannot very well fit in now, I mean section 124-A. I do not know what would come under the definition of 'sedition' under the section as it now stands. That is also a matter which has got to be thoroughly gone into and then the punishment in that particular section, which is death or transportation for life or imprisonment for 10 years and fine, has also got to be looked into in relation to the punishment which is sought to be amended under section 302. I shall proceed with my more fundamental objection with regard to the Bill. As a matter of procedure—you are an expert and you will guide the House—it appears to me that a bill which says that the words "transportation for life", wherever they occur, shall mean something else, is not the appropriate form of introducing an amendment. The Indian Penal Code must be taken section by

section, and in every place, where the words "transportation for life" occur a new definition must be introduced, and then only it can be said to be a proper bill. It is something very novel to bring before the House a definition that wherever this phrase occurs, it shall mean something else. I shall also proceed to examine how Mr. Kazmi's definition would fit in with the several sections of the Indian Penal Code. My cursory examination of this Bill shows that wherever a sentence of transportation for life or an alternate punishment of imprisonment for 10 years is given, the imprisonment is always coupled with a fine; that is to say, the framers of the Indian Penal Code thought that either the punishment should be transportation for life, or if that sentence is not given the alternate punishment, namely, imprisonment for a term of years, shall always be coupled with a fine. Let me refer to some of the sections. Let us look into section 121, for instance, which deals with waging or attempting to wage war or abetting to wage war against the Government, the punishment is death or transportation for life. If Mr. Kazmi's amendment is accepted, a sentence of even one day can be given, and I do not think it would be a proper punishment for an offence of this character. In the later sections, the punishments are very heavy. Let us take section 121-A (*Interruption*). If the Government says that they are going to reject this Bill, I would not spend a minute over it.

**Shri V. P. Nayar (Chirayinkil):** Has the Government said so?

**Shri Venkataraman:** The Government has not said so, but I understand that the Government has agreed to circulation of the Bill.

**The Minister of Home Affairs and States (Dr. Katju):** Nothing of the kind.

**Shri Venkataraman:** It is a colossal waste of money to circulate the Bill. Under section 121-A, dealing with conspiracy to commit certain offences against the State, the punishment is transportation for life or any shorter

term, or imprisonment of either description which may extend to ten years and fine. The amendment 'and fine' was introduced in 1923, because at that time, Government thought that mere imprisonment will not be equal to the alternate punishment of transportation for life, and, therefore, in order to equate transportation for life with a sentence of imprisonment, they said that the imprisonment must be coupled with fine. If we proceed further, we find in section 122, which deals with collecting arms, etc. for the purpose of waging war, there also we find the punishment of transportation for life or imprisonment of either description for ten years and fine. The House will, therefore, realise that the alternate to transportation for life is imprisonment for a term of years, coupled with fine. If Mr. Kazmi's Bill is accepted by the House, it would mean that 'transportation for life' would mean only imprisonment of either description for a term which may extend to 14 years, but there will be no fine. Therefore, it runs counter to the scheme of punishment under the Indian Penal Code. The scheme of punishment under the Indian Penal Code is that there shall be a sentence of transportation for life or a sentence of imprisonment for a term of 10 years but coupled with fine. As the Bill stands at present, I am afraid it goes against the scheme of punishment and that is another reason why the Bill should be rejected.

**Mr. Deputy-Speaker:** Is transportation, in fact, taking place these days?

**Shri Venkataraman:** No, but under section 55 of the Indian Penal Code, transportation for life has been defined as a term of imprisonment for 14 years. What Mr. Kazmi wants in his Bill is that the term of imprisonment need not necessarily be 14 years, but it may be anything from one day to 14 years. That will interfere with the scheme of punishment envisaged in the Act.

**Shri Nambiar (Mayuram):** Why cannot you leave it for the judge to decide?

**Shri Venkataraman:** I can answer a layman like my friend only by saying that he need not even have a Penal Code and we can leave everything to the judge. Crimes are defined and their relative intensity and the punishment to be inflicted have also got to be defined, but if the entire thing is left to the judge, it is so shifting as the length of the foot of the Lord Chancellor!

If, according to the Bill of Mr. Kazmi, we substitute the words imprisonment of either description for a term which may extend to fourteen years in place of "transportation for life", it does not read sense at all. I shall interpose the definition in one or two places and show you how it would read. Taking section 122, the amendment would read "imprisonment of either description for a term which may extend to 14 years, or imprisonment of either description for a term not exceeding 10 years and fine". The amendment looks ridiculous and on that score it has got to be rejected.

**Shri Raghavachari (Penukonda):** But the amendment is only to section 302 of the Indian Penal Code.

**Shri Venkataraman:** I am sorry but if my hon. friend, a learned lawyer that he is, will read the portion with care, he will notice the words "In section 302 of the Indian Penal Code, 1860 (XLV of 1860) and wherever else the words 'transportation for life' occur in the said Code". My surprise is that a Bill of this kind, which really contradicts the Penal Code and reduces the sentence to absurd limits, should have been brought forward and that Government should have agreed to the circulation of the Bill. It is a colossal waste of money.

**Dr. Katju:** Who said so?

**Shri Venkataraman:** If the hon. Minister stands up and says....

**Dr. Katju:** The hon. Member does not want to sit down, it seems.

**Shri Venkataraman:** It is a privilege of the Private Members of Parliament not to sit down at all, and if I wanted, I could continue to talk on this amendment to the Indian Penal

[Shri Venkataraman]

Code, section 302, till the end of the life of this Parliament.

**Mr. Deputy-Speaker:** In that case, the hon. Member will kill himself also!

**Shri Venkataraman:** I only wanted to give that answer to my friend's interjection. This is a most vital objection and if we actually interpose the definition as given by Mr. Kazmi in the relevant sections of the Indian Penal Code, it leads to absurdities, it leads to contradictions and, therefore, it has got to be rejected. I hope the House will not agree to the circulation of this measure—it means the waste of public money.

**Dr. Katju:** Mr. Deputy-Speaker, I think it might be useful if the House were to know how Government looks at this measure. I am indebted to my hon. friend, Mr. Venkataraman, for pointing out various anomalies which would come into existence if the Bill as it is were to be passed. But there is one factor which, I think, the House ought to know and it is this.

In the various States there are already rules regarding this particular matter, namely, sentences of life imprisonment. So far as actual transportation is concerned, namely transporting a man to the Andamans, that has been discontinued I think for many many long years and the sentence of transportation for life is now construed as a sentence for life imprisonment.

Now, in the various States the position is this. I am talking with some familiarity of the Uttar Pradesh Government. A prisoner under a sentence of transportation for life as soon as he serves a sentence of 14 years,—including remissions, which means generally a sentence of actual imprisonment of 11 years or 10½ years—his case is reviewed and, if there is no objection, there is a recommendation that the man might be released, and the man is released then and there. But, supposing, he was a member of a gang of dacoits, or if he had committed some very horrible murders and so on, then the rule is that that

particular case is postponed and the case is referred to again after the prisoner has served a sentence of 20 years, including remissions, which means a sentence of 14 to 15 years' actual imprisonment. The case is again reviewed and, ordinarily, he is released. But if the case was a very serious one, then the final order is that the case might be put up after he has served 25 years' imprisonment with remissions, which means a sentence of 20 years, and thereafter the man is released altogether.

I would, therefore, suggest to the hon. the Mover that he now puts in a more stringent provision which is open to the objection—very important and very reasonable objection of my hon. friend Mr. Venkataraman. But under the existing rules which are laid down in the Jail Manuals, his object is served, namely, a prisoner serving a sentence of life imprisonment gets a chance of review of his case by the District Magistrate, by the Government itself, at the expiry of 14 years, at the expiry of 20 years and finally at the expiry of 25 years. No one now remains in imprisonment at the outside for more than 20 years.

**Shri N. C. Chatterjee (Hooghly):** May I have a piece of information from the hon. the Home Minister? I understand, Sir, that in the Delhi Jail it is not so. There are different rules prevalent in different States. I was told, when I had the good fortune to be there last year, that people who were given life sentences in Pakistan, were just after independence transferred to India. Those who went to U.P. were governed by the U.P. rules, while those people who came to Delhi Jail were governed under the Punjab rules which are more stringent and they did not get this benefit. They are bitterly complaining about this discrimination, which puts them at a great disadvantage.

**Dr. Katju:** I shall look into this matter.

**Shri N. C. Chatterjee:** Thank you.

**Dr. Katju:** I confined myself to U.P., where there is a review at the end of 14 years, 20 years and 25 years.

Even in the U.P. and maybe in other States, a period of 14 years, including remission, really means 11 years or 10 years and a half. It may be that that minimum limit is not in other States, that is, the rule begins to apply after the expiry of 20 years, including remission. But that matter can be looked into.

Mr. Venkataraman had raised some very important matters which are already engaging the attention of Government. When some eight months ago we had an Amending Bill about the Criminal Procedure Code, I stated to the House that the whole of this question was under our consideration. At that time we had far advanced with the consideration of the Criminal Procedure Code, and, as the House knows, a note was circulated to all the State Governments and opinions of the Judges and various important persons were invited on the question of a thorough amendment of the Criminal Procedure Code. That examination has been completed, a Bill has been published and I expect to introduce it, if possible, this month, or early next month. The House will then be asked at a suitable time to discuss it further with a view to referring it to a Joint Select Committee.

Having done that, we have the Indian Penal Code before us. As Mr. Venkataraman pointed out, this Penal Code really goes back to the time of Macaulay. The first draft of the Penal Code was prepared in 1835 and it was finalised after repeated examinations by several Law Commissions in the year 1852. It has now stood the test of time for somewhere about 94 years and it has served us well. But there can be no gainsaying that in these 94 years there has been a great development in criminology; there have been so many social changes in peoples' customs and outlook on life and it is very necessary that we should have the Penal Code thoroughly examined from beginning to end, so that we might bring it in consonance with the existing conditions, both social, economic and other conditions. For instance, I was very deeply impressed when I read the other day in

a book this very curious state of affairs. If a man strangles a child to death, then he is guilty of murder and he is sentenced to death. But if somebody with a view to making improper profits sells adulterated milk, impure milk, in huge quantities and thus imperils the lives of hundreds of babies in a town—there may be infection and outbreak of an epidemic and dozens of children may die—what is the punishment? He gets three months or a fine of Rs. 500 under the Food Adulteration Act!

Therefore, from that point of view we have got to examine the whole system. Now that examination, if I may say so preliminary examination, is in hand. It has made some progress and I expect to finalise it within the course of a month. The question is whether we should appoint a Law Commission or whether we should approach competent people directly again, with a view to preliminary examination, and let us have their opinions on it—opinion of everybody, the whole of India, particularly Judges. As I said on an earlier occasion this is a non-party matter. This is not a party matter. I expect that some concrete results will be available within a month or two months and then I may be in a position to consult the State Governments and the Judges of the High Court, and the Supreme Court and the Advocate General before we finalise whether the matter should go before a Law Commission or whether we can proceed apace. I do not want that there should be needless delay.

On the one hand, whatever proposals come before this House, they should be thoroughly thrashed out by most competent persons available in the whole of India. At the same time, sometimes I feel that when you appoint commissions and committees, it means avoidable delay of years and years because it goes round and round. We may be able to finalise our proposals in a speedier method.

So far as this Bill is concerned, when we undertake the revision of the whole of the Penal Code, the points which have been made by Mr. Venkataraman will all arise—namely,

[Dr. Katju]

what should be the offence; and secondly, what should be the measure of punishment? As he has pointed out, if you put it in various sections, it may make nonsense, most of it.

As Mr. Deputy-Speaker referred to section 54, the State Government cannot commute the sentence of life imprisonment or transportation for life to a sentence not exceeding fourteen years. Now, under the present Constitution, life imprisonment does not mean that a man is sent to Andamans; it means, in different States, either 14, 20 or 25 years. Therefore, we will have to go into every section of the Penal Code. We may make many offences much more stringent; we may make the punishment provided for them much more stringent, for instance blackmarketing; for instance, profiteering. It may be that a sentence may be seven years. Similarly bribe-giving, bribe-taking—these are all matters for consideration. Also, whether two years is sufficient or not. We may make it more stringent there.

Therefore, I would suggest to the hon. Mover of the Bill that this Bill as drawn up is very imperfect and it may be withdrawn. The opinion that is expressed in this Bill will be borne in mind when we have that larger bill dealing with the whole sphere of criminology so far as it is expressed in the Penal Code. I may also add that the Indian Penal Code, of course is, what you may call, a volume of offences. There are numerous offences which are now described in various Acts. It may be desirable to have them all together in one place so that you may have the whole batch of criminal law in one volume. It may mean 700 sections or 600 sections.

I am not coming to any conclusions. I am only saying that the problem is a vast one. It would be really a fitting task that in this free India we should engage for the first time in a complete and comprehensive examination and review of the whole of the system of our criminal jurisprudence and arrive at satisfactory results keeping in touch with our existing conditions, as

I said, economic, political, social and anything else, and in keeping with the new conception of the State, namely the Welfare State. The Indian Penal Code is really a product of a State which was a police State and therefore they have approached it from that point of view. In a Welfare state, the conception may change. We shall bear in mind the requirements of our own Constitution. I do not want to go into all the details. I would only suggest to my hon. friend, Mr. Kazmi that he may think it suitable to withdraw this Bill after the assurance that I have given, namely, that we will consider the whole of it in one comprehensive measure.

**Mr. Deputy-Speaker:** What does the hon. Mover say?

Several Hon. Members rose.—

**Mr. Deputy-Speaker:** I am requesting Mr. Kazmi what his views are. I see so many hon. Members rising. Let us first see what we have to hear from him.

**Shri Kazmi** (Sultanpur Distt.—North cum Faizabad Distt.—South-West): Before saying finally that I withdraw it, I may just give my explanation about the Bill and of the criticism that has been made on it.

**Mr. Deputy-Speaker:** I am not calling upon the hon. Member to speak. There are a number of hon. Members who want to speak if they get an opportunity. I only want to know whether the hon. Member wants to withdraw the measure; he may say so.

**Shri Kazmi:** I will withdraw it after I have expressed my difficulties as I see them. Everything about the Bill has been misunderstood especially by Mr. Venkataraman. Let me explain the thing and then if the Government are prepared to consider it in that light I will withdraw. It is not a question of merely saying that the hon. Member has accepted the principle of the Bill while he has relied

on the criticism of Mr. Venkataraman and he says that this Bill is unacceptable. I will just try to explain the position and the reason why I have brought this.

This is not the first time; the Government of India has been doing it from 1920 onwards. A perusal of the previous bills and drafts will go to show that the idea of Government has been the very idea that is being expressed today; this was expressed so far back as 1922.

**An Hon. Member:** May I know if the hon. Member wants to reply to the debate?

**Mr. Deputy-Speaker:** Evidently he wants to withdraw; but immediately he wants to make it appear that he is not withdrawing.

**An Hon. Member:** He should briefly state.....

**Shri N. C. Chatterjee:** I think there are certain misunderstandings. I do not think the hon. Home Minister ever said that this Bill ought not to have been brought before this House. We are all obliged to Mr. Kazmi for bringing forward this Bill and focusing our attention. He said that this is a matter which ought to be looked at in a broader perspective and should not be tackled in an isolated manner. I think that Dr. Katju meant to say that all the points that are being put forward are being considered by Dr. Katju and the Government and I think that my friend should not put this Bill at this stage. He was really repeating what the Government does; this matter has been kept pending since 1922. But if the hon. Home Minister assures that Mr. Kazmi's point of view, along with the other points of view put forward, will be considered and the whole question of the law of punishment, the rigour of punishment etc., will be thoroughly and scientifically dealt with on a broader perspective, there is no point in going on with this Bill.

**Shri U. M. Trivedi (Chittor):** There would be one more supporter to the hon. Home Minister. He said that this is not a party matter. This is an all-party matter and he said that he would see to it that this presumption of monopoly of intelligence on the side of the Congress should not be pursued further and that we must make use of all the parties.....

**Mr. Deputy-Speaker:** From what has transpired and from what the hon. Home Minister had said today there need be no inference that there is a monopoly of wisdom on one side. He said that it is not a one-party matter and that he will take all party views...

**Dr. Katju:** I will welcome the whole country.

**Mr. Deputy-Speaker:** .....into consideration, in particular the parties that represented here.

**Shri Kazmi:** I have absolutely no objection to the proposal that has been made. Just for a minute, let me have my say. After a serious criticism of the Bill, it is the bounden duty of the proposer to explain as to why he has taken the valuable time of this House in bringing forward the Bill.....

**Mr. Deputy-Speaker:** Nobody denies it.

**Shri Kazmi:** Probably my friend does not know or remember or he has not seen that as far back as 1920 a Bill was introduced in this very House and the Bill was a very small one.

**Mr. Deputy-Speaker:** The hon. Member is an old parliamentarian. When a motion for withdrawal is made in view of the statement of the hon. Minister that he will be bringing a comprehensive Bill including all matters and after ascertaining the views of all parties, all that the Chair expects from the hon. Mover is a statement, "I beg leave to withdraw the Bill". Let us not go into the merits, because there may be other hon. Members who may be for or against the Bill.



**Shri Kazmi:** You have suggested a simple formula, no doubt, but.....

**Shri A. M. Thomas (Ernakulam):** A very handsome compliment has been paid to you by Mr. Chatterjee.

**Shri Kazmi:** It is not for the compliment of either Mr. Chatterjee or the Home Minister that I am withdrawing.

**Shri A. M. Thomas:** You deserve it.

**Shri Kazmi:** These interruptions only take up more time; otherwise, I would have finished by this time. You want me to adopt a simple formula, but unfortunately I am not going to do it when the Bill has already come before the House and been criticised. I only want to explain in a few words my point of view.

**Mr. Deputy-Speaker:** The Statement of Objects and Reasons is sufficiently explanatory.

**Shri Kazmi:** If you would only give me five minutes, everything would be all right.

**Mr. Deputy-Speaker:** I have no objection. It matters to me very little whether this Bill is taken up or some other Bill is taken up. I must sit in the Chair anyhow.

**Shri Kazmi:** I only want to point out that the government Bill of 1922 was only to the effect that transportation would be abolished. There was only one sentence, and there was a schedule attached to the Bill covering several pages, in which the words 'transportation for life' were interpreted into various terms of imprisonment for various offences. The Bill was referred to the Select Committee, which said: "We want an overall review of the whole Indian Penal Code. Under the circumstances, we think the Bill should not be proceeded with. A new Bill should be drafted on these lines." So, so far as that position is concerned, I

am extremely obliged to the Home Minister for undertaking the responsibility which was undertaken once before in 1922.

My main object in bringing this short Bill is to emphasize one point which does not appear to have been appreciated, namely, the presence of the expression 'transportation for life' prevents the courts from interpreting it into any term of imprisonment. The executive authority can very well deal with it as an imprisonment for fourteen, twenty or twenty-five years, but the question is whether it should be left to courts or to executive authority to determine that period. The words 'transportation for life' had their own significance. That expression never meant imprisonment for a number of years. As soon as a man was transported after undergoing hard labour for five, six or more years, he was a free man there. It had a different meaning from transportation for life in jails. That was the reason why this formula was not adopted, because if you want to interpret transportation for life as fourteen years, then it would go to increase and not reduce the hardship. As a matter of fact, therefore, this simple formula that this may be left to executive authority is not proper. With this statement, I want to withdraw my Bill.

**Dr. Katju:** I am grateful to my hon. friend for the information that he has given.

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

"That leave be granted to withdraw the Bill further to amend the Indian Penal Code, 1860".

*The motion was adopted.*

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# INDIAN REGISTRATION (AMENDMENT) BILL

## (AMENDMENT OF SECTION 21)

**Shri S. V. Ramaswamy (Salem):** I beg to move:

"That the Bill further to amend the Indian Registration Act, 1908 be circulated for the purpose of eliciting opinion thereon by the 27th May, 1954."

In moving this motion I cannot begin better than by reading the brief Statement of Objects and Reasons to the Bill:

"A good deal of civil litigation is due to ignorance of law. Often the real nature of a transaction is different from what is apparent from the records, and leads to a lot of perjured oral evidence. Benami transactions, which are a fruitful source of litigation, may be lessened considerably.

This Bill is intended to amend the Indian Registration Act, 1908, so that the volume of litigation may go down and the poor and illiterate people may be saved the money, time and botheration of litigation."

The first reaction to this Bill, not merely from non-lawyer Members but, I am surprised to see, even from lawyer Members of this House was that this Bill has been brought by me to help the legal profession by giving it more work.

[**PANDIT THAKUR DAS BHARGAVA** in the Chair]

I hear a laughter from the opposite side.

**Shri A. M. Thomas (Ernakulam):** That criticism is rather unfair.

**Shri Nambiar (Mayuram):** It is a Lawyers' Employment Bill or something like that!

**Shri S. V. Ramaswamy:** Even if it were brought to help the legal profession, it needs no apology from me.

It has become the fashion of the day to talk of the legal profession as a parasitic one. I for one refuse to too the line of leaders, however great they may be, in the expression of such opinion. The legal profession has got a place in society. Laws, Central and State, and then the Rules and Regulations and By-laws are so complex that it is difficult even for a trained lawyer to follow them up. For the past five years the *Madras Law Journal* has been publishing a volume of the Central Acts, Rules, Regulations and Ordinances, plus the Madras Acts, Rules, Regulations and Ordinances. I found that on an average this volume covers over 1,000 pages of closely printed matter. It would make an ordinary citizen go mad if he were to go through these laws, rules and regulations. The legal profession has got a definite function to perform in that it oils the wheels of society, keeps it away from friction and keeps society moving smoothly. I do not want to pose as a champion of the legal profession. The legal profession has come to stay, and will stay in spite of me and in spite of the several Acts that have been passed. It needs no champion, it will take care of itself.

But the real object is different from what is given out by the first reaction of those who read this Bill. The real object of the Bill, as I have stated in the statement of objects and reasons, is to lessen litigation. It may be that this legislation will help the legal profession, at the start. But ultimately litigation is bound to go down, and it will affect the legal profession. It is this way. Several ways have been thought of helping the common man so far as litigation is concerned. One method is to reduce the cumbersomeness of procedure. For instance, in the draft Bill that the hon. the Home Minister has brought forward with regard to amendment of the Criminal Procedure Code, he has sought to avoid the cumbersomeness of the



[Shri S. V. Ramaswamy]

Criminal procedure. That way litigation too is lessened to a great extent. The other point would be to lessen the opportunities for appeals, revisions and so on, so that delays may be avoided and the dispensation of justice may be expedited, that too at a lesser cost.

I am now thinking in this Bill of a method by which the common man may be helped and for that I go to the very source of litigation. The source of litigation invariably is in the ignorance of the common man. If we want to lessen the quantum of litigation side by side with making the common man more literate, we shall also devise a means by which the ignorance of scribes is not taken advantage of, or persons who are not well conversant with the law do not draft these documents and get them registered. My thesis is briefly that if according to the amendment that I have sought to bring forward in this Bill, the document is prepared by an advocate and a certificate affixed, there will be less chances—I do not claim that that will be completely fool-proof nothing is fool-proof in man-made things—of unnecessary litigation and litigation based on folly and ignorance will, to a large extent, be lessened. It is with this object in view that I have brought forth this Bill.

As you know, documents are drafted by scribes who are not well versed in law; mostly they are not men of status and often they are seen in courts. Many times, even though they write one thing, they do not hesitate to depose in the witness box something else for consideration or otherwise. Now, I will just give you a few statistics. This is only approximate and this may vary from State to State and from place to place according to the particular circumstances in which that State may be placed; but, broadly, these rough estimates are more or less true. Sir, the

original courts of jurisdiction are the munsiff's courts and the subordinate courts for civil litigation. There is a third category, namely, the High Courts in the Presidency towns. I shall not take long to refer to the original jurisdiction of the Presidency towns, but in parenthesis I would like to add that there is an anachronism just like the jurisdiction of Session and High Courts. I am stating this so that the hon. Law Minister may note it. Sir, if in a mofussil district a Sessions Judge can try a murder case, there is no reason why in the Presidency towns the jurisdiction should vest in a High Court Judge.

**Mr. Chairman:** I do not want to interrupt the hon. Member, but I do not see any connection between the two—murder case is a criminal case which has nothing to do with the Bill which the hon. Member wants to get circulated.

**Shri S. V. Ramaswamy:** Similarly, Sir, suits can be instituted in the court of a Subordinate Judge in the mofussil. If that is so, there is no reason why in the Presidency towns High Courts should be vested with original jurisdiction when a Subordinate or District Judge within the area might as well take jurisdiction. As I said, I am stating all these in parenthesis so that these anachronisms may be avoided. Resuming the point about the courts of original jurisdiction, on an average, about 40 per cent. of the civil suits are for recovery of money on either promissory notes or bonds or mortgages.

**Shri Raghavachari (Penukonda):** Those days are gone.

**Shri S. V. Ramaswamy:** I say approximately. It may be a little more here or less there. I cannot give exact figures; nobody can give exact figures.

About 20 per cent. will be dealing with contracts. It all depends upon

the particular place. If it is a business place, suits relating to contracts will be much more. I am giving an overall picture for the whole of India approximately.

**Shri Namblar:** Unfortunately, there is no quorum for this Indian Registration Act!

**Shri S. V. Ramaswamy:** The other forty per cent. will be title suits...

**Mr. Chairman:** I find there is no quorum. Let the bell be rung.

**Shri S. V. Ramaswamy:** Specific performance and similar things will come to 40 per cent. suits dealing with possession, for declaration of title, and rights to property, easement and so on.

**Mr. Chairman:** I do not find there is quorum, still. Unless the quorum is there, the hon. Member cannot proceed.

Yes; there is now quorum; the hon. Member can proceed.

**Shri S. V. Ramaswamy:** It is in the 40 per cent. of suits for title and possession that questions of construction of documents come in. Often-times Judges have remarked that if the documents had been drafted better, with greater care and accuracy, such litigations would not have come.

**The Minister of Law and Minority Affairs (Shri Biswas):** They say the same thing of all enactments!

**Shri S. V. Ramaswamy:** There are certain provisions in the Indian Evidence Act which also give room for such litigation. I have particularly in my mind section 92 of the Indian Evidence Act. A mere reading of that section will show how there is ample scope for oral evidence although the document is registered.

**Shri A. M. Thomas:** How can you get over that by this provision?

**Shri S. V. Ramaswamy:** Please wait; I will tell you. I am reading section 92 of the Evidence Act:

"When the terms of any such contract, grant or other disposition of property, or any matter required by law to be reduced to the form of a document, have been proved according to the last section, no evidence of any oral agreement or statement shall be admitted, as between the parties to any such instrument or their representatives in interest, for the purpose of contradicting, varying, adding to, or subtracting from, its terms."

There are these provisos which do a lot of mischief, in my humble opinion. Proviso (1) says:

"Any fact may be proved which would invalidate any document, or which would entitle any person to any decree or order relating thereto; such as fraud, intimidation, illegality, want of due execution....."

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**Mr. Chairman:** I am sorry to interrupt the argument of the hon. Member. My difficulty is this only relates to a particular matter. So far as the question of documents relating to immovable property, if they are of value of more than Rs. 500, is concerned, the Bill only seeks to see that they are really got executed or prepared by advocates. What has that got to do with section 92 of the Indian Evidence Act which is a substantive provision of law and which will apply to every document relating to immovable property which requires registration or even which does not require registration? It will still apply to them. I think any reference to section 92 is extraneous so far as this Bill is concerned.

**Shri S. V. Ramaswamy:** Let me state my premises before I draw the

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conclusions and show the connection between the two.

**Mr. Chairman:** The premises are quite clear to everybody here because you have either to do away with those provisions, or relate the provisions of this Bill to the provisions of the Indian Evidence Act. Otherwise, those provisions cannot be got over, and they shall apply to every document.

**Shri S. V. Ramaswamy:** The connection will be this. I shall complete proviso (1) and then come to the connection.

".....fraud, intimidation, illegality, want of due execution, want of capacity in any contracting party, want or failure of consideration, or mistake in fact or law."

In view of the point raised, I do not read provisos (2), (3) and (4). They are quite unnecessary.

Oftentimes, as professional men, we have experienced this difficulty. If the document is drafted and written by a scribe and the scribe takes the signatures of certain attestors, there is a chance of these people coming and saying that consideration has not been paid and there was intimidation, or there was want of due execution and so on. Now, the point, as I submitted before, is that if it is prepared by a lawyer—I do not say that these will be completely avoided, but the point is this—a lawyer has a reputation at stake and he will see to it that the things are drafted correctly. He knows the law. He knows what exactly is to be done and what is not to be done. This way it will help the drafting of documents correctly and in accordance with law. This is the connection between the two.

**Mr. Chairman:** These arguments will apply independently of the provisions of section 92. All these arguments will still apply.

**Shri S. V. Ramaswamy:** I was only stating it as an illustration, not that this will abrogate section 92 of the Indian Evidence Act. Not at all. Section 92, for instance, I said, gives room for such oral evidence and for multiplying litigation. If it is prepared by a lawyer, there will be very little chance, because it is not easy for a lawyer who drafted the document to say that the consideration was not paid before him. He cannot say that there was intimidation. All these things will be lessened.

**Shri Nambiar:** Why? That sort of thing can be brought forth any time.

**Shri S. V. Ramaswamy:** You think very lightly of lawyers. They are not so cheap. It is a profession. They have got a dignity and a status and a standing to defend. They have their honour to defend, and you cannot buy them out so cheaply.

**Shri Raghuramalah (Tenali):** Can lawyers be bought off at all?

**Shri S. V. Ramaswamy:** I stand corrected. There may be one or two black-sheep. I do not mind. Therefore, the generality...(Interruption).

**Shri Raghuramalah:** I submit that self-references ought to be avoided.

**Shri S. V. Ramaswamy:** Then also, there is the question of properties. There again, in the course of professional experience you must have come across documents where the description of property is not correct and it leads to a lot of ambiguity, particularly in zamindari areas, and in areas where lands are not surveyed the description of boundaries is by certain notional description of certain regions rather than with reference to survey numbers. All these difficulties lead to the drafting of

documents which ultimately end in some litigation or other. If, as I submit, it is prepared by a lawyer, he would take due care to see that there is no loophole or lacuna either in the description of property or in the necessary points which go to make up a good and correct document. If that is done, a lot of oral evidence will be avoided, and people will not rush to courts so easily, thinking that they can get oral evidence either from the writer or from the attestors.

There is one other point with regard to *benami* transaction. *Benami* transactions, as you know, are a fruitful source of litigation. I shall read only a small portion from Mr. Mulla's book on Hindu Law.

**Mr. Chairman:** Is the hon. Member going to read the definition of *benami* here, in regard to this Bill, from Mr. Mulla's book? What has *benami* got to do with this Bill? So far, the hon. Member has argued that all frauds, intimidation, etc. will be avoided, and that the documents will be better prepared. I can understand all that. But how does *benami* come in here? In regard to *benami* transactions even if those documents are prepared by an advocate, still the litigation etc. in regard to these transactions will continue as before, and there will be no difference whatsoever.

**Shri S. V. Ramaswamy:** I beg to differ from the Chair.

**Mr. Chairman:** Certainly, the hon. Member has a right to differ.

I am only stating that *benami* has nothing to do with this Bill.

**Shri S. V. Ramaswamy:** My submission is that a lawyer will not speak to a false transaction; he will speak only to the correctness of the transaction. *Benami* can be real also, but oftentimes *benami* is meant to cover fraudulent intentions.

**Mr. Chairman:** As the hon. Member has already stated, frauds will be lessened. That argument has already been given. As regards *benami* transactions, how will they be affected by the enactment of a measure like this?

**Shri S. V. Ramaswamy:** I know my mind, and I know why I am referring to it. If you would kindly allow me to read that portion.....

**Shri Raghavachari:** It will ultimately turn out to be something like arguing in a court. The court finds there is no case, but the lawyer still goes on arguing.

**Shri S. V. Ramaswamy:** He laughs best, who laughs last. We find in Mulla's book:

"The practice of putting property into the *fales* name, i.e., the name of a person other than the *benami* is very common in this country. Partly also, the practice is due to a desire to conceal family affairs from public observation. But many transactions originate in fraud and many of them which did not so originate are made use of for a fraudulent purpose, more especially for the purpose of keeping out creditors, who are told when they come to execute a decree, that the property belongs to the fictitious owners and cannot be seized. *Benami* transactions are not confined solely to purchases by one person in the name of another, but they also cover..."

My contention is that if a lawyer were to draft it, it will be difficult to get a lawyer who will write something which is not in conformity with the actual nature of the transaction. The Chair may disagree with me.....

**Mr. Chairman:** My only objection is that the same argument is being repeated. The point has been stressed that a lawyer will not be a party to fraud. So far as that goes, this

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argument is all right. But I do not see further how *benami* is relevant to this.

**Shri A. M. Thomas:** Is the lawyer expected to go behind what the parties say?

**Some Hon. Members:** No.

**Shri S. V. Ramaswamy:** He is expected to be as careful as possible. He has to look as minutely into the details and circumstances of the transaction as possible and see that he is not brought as a witness to the court. That is to his self-interest. He should see that the transaction is correct. That is my thesis.

**Shri N. C. Chatterjee (Hooghly):** There seems to be some difference between Punjab, Madras and Bengal. I thought, Sir, that lawyers were guided by instructions—that a document should be drafted in the name of, say, 'A'. They have to carry it out.

**Shri Biswas:** The lawyer does not give any indemnity.

**Shri S. V. Ramaswamy:** I have suggested that the figure of 500 should be lowered to 250 so that this Bill may cover a larger number of transactions. Some Members have observed that this might lead to a degradation of the legal profession. I beg to differ from them. It would not, because this Bill does not say that the advocates are going to take the place of scribes, to go and appear before Registrars for the purpose of registering; it merely says that they shall affix a certificate. Also, Sir, we may look into the scope of the Bill. It is limited to documents of a non-testamentary character; it does not cover the totality of transactions.

Now, it may be thought that I am introducing a novel thing. It is not so. I shall refer you to Halsbury's

*Laws of England*, Vol. II, page 501. The law in England is this:

"The right to draw or prepare, for or in expectation of any fee or reward, any instrument relating to real or personal estate, or in any proceeding in law or equity is limited to barristers, certificated solicitors, notaries public, special pleaders and draftsmen in equity. The object of the enactment—"

to which I shall presently refer—

"is to confine the practice of drawing such instruments to a class of persons supposed to have a competent knowledge of the subject and to protect the public against the mistakes of inexperienced persons".

Section 44 of the Stamp Act of 1891, on which this law is based, reads thus—I am reading from *Chitty's Statutes*—

"Every person who (not being a barrister, or a duly certificated solicitor, law agent, writer to the signet, notary public, conveyancer special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, or any proceeding in laws or equity, shall incur a fine of fifty pounds".

Lower down it is given that the expression "Instrument" in this section does not include a will or an agreement under hand only and so on. So that what I am seeking to introduce is nothing novel but is in conformity with the law in England. It may be that in other countries the law varies considerably, but in a vast majority of English-speaking countries, I find they have a system called the Torrens system. It was first introduced in Australia; it was then

adopted in Canada and in very many States of the U.S.A. Unfortunately, the conditions in our country are, of course, different that it is not possible to apply that. I think it is worth while seeing how these conditions are different from ours.

"Its object is to make the transfer of landed property as simple and as safe as that of any other property and to do away with the necessity of repeated title examinations. The system is operated through a bureau of registration, in charge of a registrar, and becomes effective on the first transfer of any property after the establishment of the system, all land transactions being registered in this office. A title may be registered as absolute or as possessory. Before registry the title is fully investigated by the registrar, who receives from the owner all the documentary evidences of title, descriptions of boundaries etc. When the registrar is satisfied that the title is perfect, he files away all these old papers and issues to the holder a certificate of ownership, a duplicate of which is filed in the registrar's office. Such certificates bear on their faces notice of all encumbrances on the property.....

This examination and registration of title does not have to be repeated after a certificate has once been issued, the transfer of the certificate with accompanying entry of that fact in the registrar's office completes the transaction. By this method the transfer of a land title certificate becomes as simple and as inexpensive as the transfer of a certificate of stock or of a bank share and the holder of the title is absolutely free from the usual danger of land title transfers, such as flaws in the title, the neglect or obscure future conditions, etc..."

**Mr. Chairman:** I do not want to interrupt the hon. Member, but the difficulty is, he is reading from a book which relates to conditions which are absolutely absent in India.

**Shri S. V. Ramaswamy:** Quite so.

**Mr. Chairman:** In the States previously this was the practice. Before a document was registered, offices enquired into the title and no title passed before an enquiry was successfully completed and reported. This was the practice in some of the States in India previously. But, now the Registrar has nothing to do so far as the enquiry into title is concerned. I would request the hon. Member to quote something which is relevant to the present-day conditions. He is referring to conditions which do not exist in India. This reference has got nothing to do with the Bill.

**Shri S. V. Ramaswamy:** Sir, my point is this. There is ample protection given to the transferee or people who deal in property, in other countries. (*Interruption*).

**Mr. Chairman:** If this Bill sought to give some kind of protection, I would certainly think these remarks relevant. But this deals with matters which have nothing absolutely to do with the conditions relating to the title.

**Shri N. C. Chatterjee:** Nothing to do with title.

**Shri S. V. Ramaswamy:** The point I would urge is that the system is different in different countries, where ample protection is given.....

**Mr. Chairman:** Why should he deal with countries where the conditions are not the same?

**Shri S. V. Ramaswamy:** Where we cannot afford such a system, the least that we can do is to have.....

**Mr. Chairman:** Then he can concentrate on the points which he has

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brought out. He need not refer to those countries where the conditions are absolutely different.

**Shri S. V. Ramaswamy:** Then I could have finished it in two minutes.

**Mr. Chairman:** Yes, the speech could have been finished in two minutes. I expected that it would have been better; unless the hon. Member wants to make any points relevant to the Bill, I will not allow the repetition of irrelevant points.

**Shri S. V. Ramaswamy:** I am developing the point to show how this is relevant and to show how the conditions are such that we must have...

**Mr. Chairman:** I have no doubt that the hon. Member is making an effort in that direction. But, as I have stated, to my mind the point he is making seems to be absolutely irrelevant. I would therefore request the hon. Member to proceed further.

**Shri N. C. Chatterjee:** Not to proceed any more, Sir.

**Shri S. V. Ramaswamy:** Sir, the condition in our country is such that large masses of our people are ignorant and they do not know even to write their names or affix their signatures. Most of them merely touch the pen or affix a thumb mark and even the scribes do not know the law. They pursue some ancient method which has been transmitted to them by their fathers or forefathers. They are not men of status; they have no standing and they do not hesitate to land people in difficulties. By adopting this method, by this amendment to section 21 of the Registration Act, I submit, a great deal of civil litigation which depends upon the drafting of documents and the construction of such documents will go away. I think 40 per cent. of the suits relate to titles and possession and at least 20 per cent. will be avoided. I started originally by saying that initially there may be benefit to the legal profession. Ultimately, if it becomes statutorily

compulsory for the documents to bear the certificate from the advocates, then, I have no manner of doubt that civil litigation will come down and the common man will be benefited.

With these few words, I commend this motion for the acceptance of the House.

**Mr. Chairman:** Motion moved:

"That the Bill further to amend the Indian Registration Act, 1908, be circulated for the purpose of eliciting opinion thereon by the 27th May, 1954."

**Shri Altekar (North Satara):** Let me, first of all, express my admiration for the unbounded enthusiasm and the intense desire to do something good for the society on the part of my hon. friend in bringing this Bill before the House, but what I think is that it may fail to achieve the purpose which it intends to serve, and it may perhaps create more difficulties. Let me look at the amendment that he himself has suggested:

"No non-testamentary document relating to immovable property shall be accepted for registration unless it is certified by an advocate that it has been prepared by him...."

The only certificate that is to be given by the advocate is that he has drafted that particular document. Drafting of a plain or written statement or anything like that is a process which takes place before the paper is presented before the authority. An advocate might have gone into that case as was presented to him and he would do what was needed by the parties that came to him. It is nowhere mentioned in the Bill as to when it is to be presented for registration. A document can be presented for registration within the course of four months or so from the date of execu-



tion. If there is any payment to be made before the Sub-Registrar, it will be made some time later, and even if the payment was made some 10 or 15 days before the date of drafting and it be so recited therein, how can the advocate or the pleader know about it? What is the use of this certificate of draftmanship in deciding as to what actually transpired at the time of the registration of the document? We know that under section 60 of the Registration Act, there is a presumption as regards the endorsement to be affixed by the Registrar; there is a presumption that a certain sum of money stated in the endorsement was so given at the time of the registration. But even in spite of that, litigation comes in the court that it was fraudulently got registered by the party concerned. Though the money was paid before the Registration, it might turn out that as soon as the parties came out of the registration office, the money was taken back again. I do not, therefore, think that the certificate of draftmanship, which is given some time before the actual registration of the document, will help in deciding as to whether what is stated in the document is true or not.

So far as the certificate is concerned, it can only say that it was drafted by a particular advocate as per instructions given to him; but it cannot say that the facts represented to the advocate were correct or otherwise. The parties may come to him and say, "These are the points in the case. Just draft a document for us." So, the advocate cannot guarantee the accuracy of the facts represented to him, but he can simply vouchsafe that the document was drafted by him. My hon. friend has stated that it will avoid litigation as regards *benami* transfers. I fail to see how it can in any way help in that direction. The parties may come before the advocate and say, "This is the document to be drafted; this is the consideration and this is the property to be transferred—it may be a mortgage or a sale". But who can

vouchsafe that party A, who executes the document in favour of party B, is really executing it for B and that B is the real party concerned in the transaction. No such conclusion can be drawn merely from the fact that the document was drafted by an advocate. It will have to be found by a reference to facts in the case. It may be stated that he had got the document executed. But from whom did the consideration proceed? Can there be any indication with regard to that? Ultimately it may so happen that when the transaction took place the money was advanced by altogether a third man. He may come to be in possession of that property and pay taxes with reference to that property. He may be the actual owner of the property. All these are facts which have to be decided according to the circumstances of the case and they will be ascertained subsequent to the registration of the document. Whenever a court comes to the conclusion that a particular document is a *benami* transaction it looks into the circumstances of the case as they appear from the behaviour of the parties subsequent to the execution of the document. How can it be said that simply because the document was prepared or drafted by a pleader, the transaction that was shown to have taken place between the parties was a genuine one? It has got to be searched independently. There is nothing here which can annul or abrogate the provisions of the other Acts, like the Evidence Act, the Civil Procedure Code, etc. I, therefore, submit that such a draft prepared by a pleader, will not shed any light on the nature of the transaction.

Again, take the case of a sale mortgage. The property in connection with which this document has been executed passes from A to B. Whether the nature of the transaction is a sale or mortgage will have to be judged by other facts that will come to light thereafter. They may not be stated when the parties themselves agreed to the execution of the



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deed. They go to the Registrar's office and get it registered as a sale deed. They get the document registered and come back. But the fact whether it is a sale or mortgage emerges only when the litigation starts, from the circumstances of the case. I need not repeat them here. There are certain tests laid down to decide whether a transaction is a sale or mortgage. These are all matters which the court will go into to come to a decision. So, the mere drafting of a document by a pleader will not in any way throw any light on the nature of the transaction.

Then my hon. friend stated that it will prevent fraud, misrepresentation and so on. Even in the case of documents that are drawn by experts and then registered what happens? Even in such cases it is found that a fraud is practised on the executor. I therefore say that a mere certificate of drafting will not be a solution.

**Shri S. V. Ramaswamy:** Chances of such allegations of fraud, misrepresentation, etc., will be greatly lessened.

**Shri Altekar:** My hon. friend is entitled to hold that opinion but I feel that it is not shared by any other Member; I would rather say that it generally does not appeal to common sense. The fact that a document came to be drafted by an eminent expert does not give any great sanctity to it. It is only an assurance that it was done so in order to meet the legal formalities which were necessary to be gone through and observed. It will mean only that and nothing further. The real nature of the transaction cannot in any way be influenced and that is the important point which we have to see here. With respect to certificates, I would like to bring to the notice of this hon. House that this will put the executant to greater costs without proportionate gain. I may point out that if the advocate happens to be a junior, the cost will be somewhat less but the workmanship of the draft will not be very satisfactory. If

it is a senior advocate, he will do it better but the cost will be much higher. What is, after all, the gain? It will only mean this much that it was properly drawn, and nothing further. Therefore, I beg to say that this will be an unnecessary tax upon the executant and it will not do any greater good ultimately.

If we look to our common experience in courts and the number of cases, what do we find? Is it on account of bad drafting that so many cases come to court? If you look to the large number of cases, you will not find that simply because a particular document was not drafted properly the case failed or no proper justice could be done. It may be so in rare cases. Large number of transactions, i.e. over ninety per cent. in connection with documents that are registered, do not come into the courts at all. Those that come there, are in many cases, in connection with transactions of a nature which is behind these documents, and this cannot be helped by mere drafting by an able advocate. The fees to be paid to the advocate will depend upon his own will. Who can say what should be paid to him? Advocates charge fees according to their own status and the demand that they can make. I do not in any way cast any slur on the profession. When they are asked to do a thing they will do it. But the question is whether any such work done by an advocate will be of any great use to the general public from the point of achieving the aims and objects of this Bill. The fact is that in the majority of cases the registered documents which come for execution are conveniently drafted by professional writers—not certainly better than what can be done by an advocate, but for all practical purposes they are being written by them—at cheaper costs. To say that there is a great number of cases and litigation in courts simply because they are drafted by those people is a thing which does not stand to our own experience. Therefore, I think that the particular purpose that is intended to be served by this amendment will not be realised.

Another point which I would like to bring to the notice of the hon. House is this: is there to be any sort of restriction regarding the standing of advocates? There is absolutely no restriction written here. Who is to be the advocate? What should be his qualification? What should be his standing? There is no definition given in this Bill. I think for the purpose of legislation the definition of the advocate should be given. From that point of view also ...

**An Hon. Member:** That is not a fair argument.

**Shri Altekar:** There will be some difficulty, as the term advocate is used differently in different places in this country.

What I ultimately think is that such a measure will not in any way be helpful in removing the difficulties and the great hardships that are felt by the various persons who want to go for registration. It will not be solved in the manner in which my hon. friend has attempted to do it. I therefore think that this Bill is not in any way a helpful step in that direction.

With these words I would like to oppose the motion.

**Shri Namblar:** If the House can have the hon. Minister's opinion we can decide whether to proceed with the Bill or not.

**Mr. Chairman:** If the hon. Minister chooses to take part in the debate at this stage I will certainly call him.

**Shri Raghuramalah:** I agree with Mr. Altekar that Mr. Ramaswamy has claimed too much for this Bill and, I think, in that way has spoiled the little sympathy we could have given him. Mr. Altekar has rightly pointed out the scope of the Bill. I think Mr. Ramaswamy has roamed all over the Evidence Act and what not. Of course we have a good knowledge of his knowledge of law. But I think he could have been a little simpler.

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As Mr. Altekar pointed out, the scope of this Bill is very narrow, very limited. The object is to prevent the numerous documents which are of great value at times from being drafted by touts, private persons and all kinds of semi-professional people who have hardly any precise knowledge of the latest developments in law. They are a set of people who neither originally read any law, nor do they attempt to follow the latest law. To them the profession is one of heredity. They are solely guided by catch phrases and catch expressions.

**Shri Vallatharas (Pudukkottai):** On a point of order.

**Shri Raghuramalah:** I am talking of some touts, not you.

**Shri Vallatharas:** I submit that observations insinuating the character, efficiency and equipment of an hon. Member in an indirect form, casting some reflections may not be allowed.

**Mr. Chairman:** Order, order. There is no insinuation whatsoever. The hon. Member is now making an insinuation. There is no point of order involved.

**Shri Raghuramalah:** I was going to compliment the lawyer Members of this House. My friend should have had a little more patience, because I was going to say that the moment we remove this drafting from people who have very limited knowledge or no knowledge of law and leave it to members of the honourable and great profession the representatives of which are to be found in a very large number here, there would be less litigation in the country.

The interpretation of documents have given room to so much litigation in this country, and the object of the Bill, if I understood Mr. Ramaswamy and interpret him correctly—though I must confess that I got a little confused by his very elaborate treatise on so many things—is to bring down litigation, to ensure that the documents are properly and well drafted, so that there would

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be less room for interpretation or mis-interpretation, as the case may be. And in this particular case he has, I think rightly, given a margin of five hundred rupees. We know it is not the intention to drive every small man or every small transaction to go to an advocate and get a certificate. Really, documents involving higher amounts, bigger properties etc., should be carefully drafted and when it is certified by an advocate there is an assurance that he has looked into it. The moment an advocate takes responsibility for a document, there is an implied assurance that the advocate has gone through it very carefully and that the document is properly drafted. Of course, as Mr. Altekar said, in the initial stages it may cost a little more, because, even the Bill as it is drafted does not prevent the original draft being prepared by somebody else. What happens is that someone who is more intimately connected with the transaction will probably put up a draft, it will then go to the advocate who will go through it and modify where necessary. The responsibility of the man who actually drafts it is not taken away but what is ensured is supervision by a man who knows law. Therefore, I think it is a healthy measure. As a matter of fact, the scope for people who are not actually holders of any degree or diploma in Law is not entirely taken away; up to Rs. 500 the present practice can continue and only beyond Rs. 500 we need the certificate of an advocate. In this country where illiteracy is so very great, where there are so many cases being built up every day, where few people besides advocates have an opportunity of following the latest decisions of courts, I think we should encourage a measure of this nature.

I agree with Mr. Altekar on one point, that Mr. Ramaswamy has been very partial to 'advocates'. The word is not defined. I do not know whether it would be proper to construe it as implying the pleaders and vakils who are also equally qualified. Probably that is his intention. I am sure when

the time comes he will have no objection to enlarge the word 'advocate' to include the pleaders and vakils.

In any event the Motion before the House is very simple; it is only for circulation of the Bill for eliciting public opinion. There is no harm in allowing this. If we find the vast majority of the people are against this and they want the present state of affairs to continue, probably, Mr. Ramaswamy will be the first man to drop it. So, I would earnestly urge that a chance to elicit public opinion in respect of this Bill should be given.

**Shri A. M. Thomas:** Mr. Chairman, I do not want to assume an air of patronage as has been done by my hon. friend Shri Raghuramaiah; at the same time I regret my inability to support the Bill that Mr. Ramaswamy has brought before the House. I would submit that in several law lectures to apprentices and students of law, several experienced lawyers have said that it would be better to build up a system of family lawyers and that it would be very desirable to consult a lawyer in drafting documents for executing sale deeds, mortgages, settlement deeds, wills etc. In this respect it would be better to create public opinion and it is not possible to have that object fulfilled by the Bill that my hon. friend has brought before the House. Of course, the object that he has mentioned in the Bill is quite laudable. His object is, as he says in the Bill:

"This Bill is intended to amend the Indian Registration Act, 1908 (XVI of 1908), so that the volume of litigation may go down and the poor and illiterate people may be saved the money, time and both-eration of litigation."

I submit that the objective with which this Bill has been brought would never be fulfilled by the enactment of a legislation of this kind. As has been mentioned by my friends Shri Altekar

and Shri Raghuramaiah, our country is a very vast country with a population which we do not meet with in other countries. We have got a population of 36 crores. It will not at all be possible to enforce this Bill. You will be putting up needless difficulties in the way of poor people entering into transactions. To ask a poor man in this country, who has got property worth only Rs. 250 or 500, and who wants to deal with that property, to go to a lawyer for drafting the document and to pay him the fee that is to be stipulated by him, will be a great hardship.

My hon. friend Shri S. V. Ramaswamy referred to the system of licensing obtaining in the United Kingdom. That is an enabling provision and there is no harm in introducing such a licensing system in our country also. People can go to such people and get their documents drawn up by them. But, I do not think that there is any element of compulsion even in England that to have a document registered, it should have been drawn up or certified by a lawyer. I do not think that such a restriction obtains in any country for that matter.

**Shri Tek Chand (Ambala-Simla):** They are always drawn up by lawyers there.

**Shri A. M. Thomas:** My hon. friend was rather apologetic when he said that it was not at all his intention, and that it was not with any motive to help the lawyers that he has brought this Bill. We do not question his motive at all. I would submit that if we introduce such a provision now, it will be degrading the profession of lawyers. Just as my hon. friend Shri Altekar pointed out, if you ask an advocate to draw up a document in which the property involved is worth only Rs. 250 or 300, what will be the fee that he will have to levy? When we prescribe that a document, to be registered should be certified by a lawyer, there is also a corresponding duty to see that the fee payable to the lawyer or advocate as the case may be, is also fixed. I do not think that my hon. friend Shri S. V. Ramaswamy

ever contemplates the fixation of any fees for the drawing up or certifying of such documents. It is left to the sweet will and pleasure of the advocate or lawyer to fix his own fee or also to underestimate the work that he has done. You know, Sir, that there is very keen competition in the profession now. It is desirable that the morale of the profession is kept up. If such provisions are introduced, I would submit that it will lead to a great abuse among the legal profession.

Not only that. My hon. friend said that if the document is certified by a lawyer or if it is drawn up by him, it will be a safety valve to avoid litigation. I would submit that there is absolutely no such safety in having a document drafted by an advocate. Of course, to comply with the legal formalities, it would be advisable for people to consult lawyers and have their documents drawn up by them. But, because a document has been drawn up by a lawyer, I do not think any premium has to be put upon that document. I would submit that if such a document comes up before the court, the court is even likely to view that document with some suspicion.

**Some Hon. Members:** Why?

**Shri A. M. Thomas:** It may even say that it does not import the true intention of the parties and that to comply with the legal formalities, the lawyer would have substituted his own intention into the document. I am sorry I cannot agree with my hon. friend's contention that by having a document drawn up by a lawyer, we will be safeguarding the interests of the parties. It will be putting up endless difficulties in the way of freedom of contract between the parties, and I do not think that we need such a legislation in the present state of things.

**Shri Tek Chand:** I heard with the utmost care the last three speeches which have criticised the objectives of the Bill and the speech of the author. I think the criticism has not been very fair either to the author or to the Bill.

[Shri Tek Chand]

So far as the objectives of the Bill are concerned, they are fairly clear. The object of the Bill is that so far as draftsmanship of legal documents is concerned, it should be in competent hands, and it should not be left to quacks, viz., the deed writers or the *Vistga-nawis*, that they should not draft the documents and land people into difficulties and troubles later. It is very much better that a competent lawyer is engaged. He knows the law. He knows what are required for purposes of compliance having regard to the nature of the document. He drafts the document, and then the document is presented for registration. The result will be that a lot of litigation will be saved, unnecessary expense will be saved, and this class of deed writers who are innocent of law, innocent of procedure, will be eliminated.

I would, however, like to say one thing. It is very desirable as it is in England that there should really be a class of conveyancing lawyers. This is a work done by conveyancing lawyers, people adept or expert in the art of conveyancing, a very difficult thing. There may not be very many lawyers who would readily undertake to execute a complicated document, and that is why in England there is this class of lawyers called conveyancers or conveyancing lawyers. Therefore, it would be in the fitness of things that, before putting a premium on ignorance, before these deed writers are let loose on the poor litigants, there should be available the services of a competent lawyer who may be able to guide them.

There was another criticism that "advocates" have not been defined, and therefore the Bill is bad—as if the expression "advocate" is unknown to law or the statute-book. We have only to turn to the Legal Practitioners Act to find the definition. This is not a fair criticism of Mr. Ramaswamy's Bill.

One thing may be said, that instead of having that the figure should ex-

ceed Rs. 500, because the people are poor, let it exceed Rs. 1,000. That is understandable. There can be difference of opinion on that, but it is very desirable that now that we are churning up so much law, so much legislation, that the guidance of proper lawyers should be available.

The law of registration, like other branches of law, is a veritable trap and the result is that a lot of money is wasted because things are handed over to the deed writers and not given to the lawyers. A little money spent on a competent lawyer will save a lot of worry and a lot of litigation. I wish I could say a good deal more in support of the Bill, but since a very important Bill is awaiting—Mr. Patnaik's Bill—I would rather that that Bill comes up, and should not talk more on this Bill.

**Shri Raghavachari:** I rise to oppose this Bill. I have also been a lawyer, and my considered opinion, after listening to the speeches of the mover and of those in favour and those against, is that so far as this Bill and its scope are concerned, it defeats the purpose with which it is brought. It is ill-conceived, ill-drafted and will simply result in being more burdensome and inconvenient to the people whom my friend wishes to serve.

Unfortunately, the notion is that we too should have a fine society where law and its practice might be better ordered; this is not available in India. It is no use thinking of other countries. These conditions might be available in Malaya, in England; they may be available everywhere in the world, but what are the conditions in India? My friend concedes our people are illiterate, they cannot touch the pen even and they are ignorant and they must go to somebody or other for help. And we know Sub-Registrar's offices are located in almost every nook and corner of the country, and my friend wants a certificate from an advocate to be produced before a Sub-Registrar's office. The man has first to travel 150 to 200 miles to the headquarters where

an advocate or a lawyer can be found. You must consult him and then you must pay him. Now, the question will be simply this. Will this drafting by a lawyer bring about the avoidance of all the ills which are now there, as the hon. Mover of the Bill thinks?

**Shri Achuthan (Cranganur):** Not all the ills, but some of them.

**Shri Raghavachari:** The whole point is that after all, the person who is to draft these things has to do it on the basis of the information that he gets from the ignorant man. Many lawyers are even now drafting plaints, written statements and cases, and yet, how many of them have not failed in the courts, on account of wrong drafting? It might not be the experience of people who are practising in the Supreme Court or the High Court, because many of these things are nipped in the bud in the District Courts or the Munsif's Courts. So, the main question here is that the drafting has to be based on the information which the ignorant party gives.

As you rightly pointed out, Sir, *benami* transactions have no place here at all; so also frauds etc. arising out of *benami* transactions do not come into the picture, in regard to this Bill. It simply results in creating a situation, where the poor and ignorant man is asked to cross two or three hurdles before getting a document registered. I would like to ask my hon. friend how many documents have been registered in the country, and how many of them have been the subject of litigation. What is the percentage of documents that have been the subject of litigation? Such documents are there, when people purposely create such documents. The lawyer is there, but he is not to be a moralist diving deep into things, and then advise his client, do this, do that etc.; he will only ask the client, what is the purpose for which you have come, and if the client says, these are the difficulties, the lawyer will only suggest ways and means to serve the purpose for which the client has come to him.

**Shri Nambiar:** To the extent of the fees given!

**Shri Raghavachari:** No doubt, the lawyer may give advice to his client to do this or that, but ultimately it is all left to the party. So, the question of avoiding fraud and other things does not come in here at all. The other party can always start the thing, and it is difficult then for the client to avoid the litigation.

The other point that my hon. friend wants is this. He wants that all documents relating to immovable property should be registered. You know that there are only certain documents which require to be registered; not every document relating to immovable property is expected to be registered. But my hon. friend here wants that every document relating to immovable property should be accompanied by a lawyer's certificate. Documents involving a transfer for valuable consideration etc. are to be registered,—we all know well. But here every document relating to immovable property is expected to be accompanied by a certificate. Supposing I take the lease of a house, that does not require to be registered. But according to this Bill, I am expected to have it registered. That is why I am submitting that this measure is ill-drafted.

**Shri S. V. Ramaswamy:** On a point of order. I am not introducing anything new here. Kindly read section 21 (1) of the Act. It reads:

"No testamentary document....."

**Mr. Chairman:** Order, order. The hon. Member is trying to make a speech again.

**Shri Raghavachari:** My next point is this. Is this a country where there is a body of lawyers who have made it their profession to do conveyancing business? That kind of practice is not to be found here at all. This is even unknown to many in the mofussil. Only Mr. Justice Mack of the Madras High Court has been very fond of popularising this idea. Wherever he



[Shri Raghavachari]

went, he has been saying, oh, lawyers, you had better organise yourselves in different mofussil or tahsil headquarters, and do the business of conveyancing, and thereby save the country and serve the country, besides solving the unemployment problem. This is what he has been doing all along and that is the proper way of bringing about the wholesome practice, and not by drafting a measure of this nature, and driving everybody and compelling every person to go to a lawyer and get his certificate.

My own fear is this. If any document unfortunately goes to court, and along with it, the lawyer who drafted it will also have to go into the witness-box, I shudder to think what will be the position that he has to occupy there. After all, he acts on information given to him by the party. So, why should his name be brought in anywhere? If a lawyer drafts a document, is it anywhere said that he is liable for damages to the party? There is nothing of the kind.

7 P.M.

Therefore, Sir, without taking much time, as my friends request, because the next more important Bill is there, I will say this. There is one argument. What does it harm if it is circulated for eliciting opinion? Now, with regard to eliciting public opinion, it is not an easy matter; it is a costly matter. Mr. Ramaswamy says that every document before it is registered should have a certificate of a lawyer attached to it after paying some fees. Similarly, if every Bill, irrespective of whether it is patently needed by the country or not, is to be circulated for eliciting public opinion, public funds will be wasted. It is not desirable that public funds should be wasted for eliciting opinion on Bills of this kind. Therefore, I stoutly oppose this Bill and say that this Bill is not at all a thing which requires further consideration.

Shri Achuthan rose—

Mr. Chairman: This Bill has been sufficiently discussed. Let us hear the hon. the Law Minister.

Shri Biswas: Sir, I thought first that I should not speak on this Bill. It has been discussed at great length from different sections of the House and the bulk of the opinion is against the Bill and against its circulation. So far as I am concerned, personally I do not think any useful purpose would be served by circulation because the points of view which would be elicited by circulation have already found expression on the floor of the House. I do not think anything new can be added by way of circulation. At the same time, having regard to the fact that my hon. friend here has taken so much pains over this Bill—he has travelled over the whole legal world to find out what is the law in this country, in Canada, in Australia, in England, in America and so on—I think at least for his sake the House may be willing to send the Bill.....

Some Hon. Members: No, no.

Shri Biswas:.....for obtaining opinion, to see if any new light is thrown. The object which he has in view, as has been pointed out, is very good. He wants to discourage litigation, to put a stop to frivolous litigation.

Shri N. C. Chatterjee: But never do it by this measure.

Shri Biswas: The point which he has overlooked—if I may say so with due respect to him—is this: what does he seek to cure by this measure? If a document is ill-drafted, it gives rise to questions, difficult questions, of interpretation. Now, in how many cases, does the question of interpretation arise? As a matter of fact, he was speaking about checking fraudulent transactions. The Registration Act strikes at documents; it does not strike at transactions. If the transaction is fraudulent or otherwise it is untenable, that is, not maintainable in a court of law, well, that does not depend upon the drafting of the document. Suppose the document is drafted by the highest legal luminary available, that does not protect it from onslaught when the matter comes before the

court. Take the classical instance of the case which went up to the Privy Council—the will of Prasanna Kumar Tagore. That was drafted by men possessed of the highest legal talent.

**Shri N. C. Chatterjee:** Chief Justice of the High Court!

**Shri Biswas:** That will was simply torn to pieces by the Privy Council.

**Shri S. V. Ramaswamy:** I am sorry to interrupt. This Bill deals with non-testamentary documents.

**Shri Biswas:** I am only pointing out that drafting is not the panacea for all ills. A will dealing with property worth crores of rupees is certainly more important than a non-testamentary document relating to property worth Rs. 500. Even such a document executed with the assistance of the highest legal talent available did not escape not merely criticism but destruction when it turned up before the highest court. That is the position. Now even taking a document, a deed of transfer, relating to property worth above Rs. 500, how do you save it from attack because of a certificate of a lawyer, say, of an advocate of one year's standing? Even an advocate of one month's standing will satisfy the requirements of this Bill; what importance will you attach to the opinion of such an advocate? You say that it must be accompanied by a certificate from a lawyer, from an advocate. Will the lawyer be prepared to give a certificate that he has himself verified his instructions and then drawn up the document? Somebody comes to him after the document has been actually drawn up. It is presented to the advocate. It depends on the advocate—good or bad, I do not say. The advocate may take my word and sign the certificate. What is the value of the certificate?

**Shri N. C. Chatterjee:** 'Medical certificate'!

**Shri Biswas:** A medical certificate granted by a medical practitioner—you know what it is worth. When it is produced before the appointing

authority or before the head of the department, it is rejected, unless it is by a registered medical practitioner and so on. So what is the value of the certificate? Can it be said that drafting is all that is necessary, and that if the drafting is above criticism, above reproach, there is a guarantee that the court, as soon as it sees the signature of a lawyer at the bottom of the document, will accept it as conclusive as to the contents and as to the interpretation which is to be put on particular words? It is absolutely futile. This will certainly not achieve the purpose my hon. friend has in view; that is my personal opinion. But, I will not object to circulation if the House thinks that he ought to be given a chance. If it goes for circulation, it means that you are giving the Mover a chance to drop the Bill. Because, I am sure, when the opinions come, he will himself get up and say, 'I do not wish to proceed with this matter'. I will not stand in his way if the House thinks that this is a matter in which public opinion ought to be elicited.

**Shri Raghuramaiah:** On a point of clarification, Sir. It is very important. The hon. Minister said that this is not a matter which, according to him, requires any eliciting of public opinion. But, as a special concession to our hon. friend, he is willing to have it circulated. I would like to know whether it is the policy of the Government that in case where a Bill is prepared seriously and canvassed elaborately, there should be circulation.

**Shri Biswas:** I think my hon. friend has sense enough to understand from what point of view I made that suggestion.

**Mr. Chairman:** Does the hon. Member want to reply?

**Shri S. V. Ramaswamy:** I will be very brief, Sir. I will first answer Mr. Raghavachari. He said the language was defective. I have copied the language of section 21(1). My subsection (5) reads thus:

"No non-testamentary document relating to immovable property



[Shri S. V. Ramaswamy]

shall be accepted for registration unless it is certified by an advocate that it has been prepared by him, if the value of the property covered by the document exceeds rupees five hundred."

I have not introduced any ambiguous language at all.

**Shri Mulchand Dube** (Farrukhabad Distt.—North): The kind of documents to which section 21 relates are specified in the section itself.

**Shri S. V. Ramaswamy:** By the rules of construction of statutes, whatever applies to the previous sub-section will apply to the succeeding one. So, there is no difficulty about that.

The other point is about Mr. A. M. Thomas shedding tears for the common man. He said that it will be a burden on the executant. He will have to pay more and so on. Evidently, my friend does not know how the *shambhog*, the village *karnam* or the scribe squeezes the people for writing the document, with no certainty or no finality about the documents written by him. I would rather instead of the man going to somebody else he goes to a professional man and gets it done. The professional man has something at stake and he will do it carefully and correctly. I know of cases where the village *karnam* charges 5 to 10 per cent. of the value of the property. Even the *karnam* takes Rs. 1,000, Rs. 2,000 and more for writing documents, which have only ended in ruinous litigation. We know that parties have entered into transactions without the knowledge or help of the advocate and I do not claim that if lawyers write up this document, there will not be litigation. That would be an absurd claim to make. All that I am saying is that the difficulties will be minimised, because they have got something at stake. They cannot easily stake their reputation. If a lawyer affixes his signature and then the document ends disastrously to the party, the lawyer is ruined for ever and he is an example for the others.

So, a professional man will be particularly careful to see that the document evidences the truth of the transaction and will not lend himself easily to documents of a dubious nature or documents which will be questioned subsequently in a court of law. It is to prevent documents of that nature being created that I brought forward this measure. If the drafting is done by the village writer or scribe, he has not that amount of professional integrity or reputation at stake to stick to something which is true. We have often come across cases, in our professional work, where this type of delinquency happens. In order to prevent as far as possible, in order to keep down, in order to minimise such types of mischief, I have brought forward this measure. The hon. Law Minister was pleased to say that he has no objection to the Bill being circulated because he was sure the opinion will be such that I will drop the Bill. I beg to differ from him. In an earlier bill, which was accepted by the House ultimately, I am told that prior to its circulation it was expected that the whole country was opposed to it. Even the hon. Law Minister said that the jury system must remain and it was a worthy institution, but the opinion elicited from the country was that 80 to 85 per cent. was against the jury system.

**Shri Biswas:** I only said that my experience in Bengal was that jury trial was a success, at least 50 per cent.

**Shri S. V. Ramaswamy:** Even so, I am confident, as confident that I am alive while speaking, that if this Bill is circulated for eliciting public opinion, I am dead certain that 80 to 85 per cent. of the opinions will be in favour of it. I therefore commend the Bill for the acceptance of the House.

**Mr. Chairman:** The question is:

"That the Bill further to amend the Indian Registration Act, 1908 be circulated for the purpose of eliciting opinion thereon by the 27th May, 1954."

*The motion was negatived.*

# CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(OMISSION OF SECTIONS 268, 284 AND 309 AND AMENDMENT OF SECTION 286 ETC.)

**Shri K. C. Sodhia** (Sagar): I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

I submit this Bill of mine for the consideration of the House. I will simply read out the Statement of Objects and Reasons of the Bill, and then offer my views regarding it in short.

"Trials before a Court of Sessions with the aid of assessors have outlived their utility. They are now a source of trouble to persons acting as assessors and of embarrassment to the Judge. In view of the growing complexity of the law, the mere advisory character of the opinions of the assessors and the general unwillingness of qualified persons to act as such it is expedient to abolish the trial of sessions cases with the aid of assessors. It is with this object that this amending Bill is introduced."

**Mr. Chairman:** Before the hon. Member proceeds I would like to hear the reactions of the hon. Minister. On a previous occasion there was a Bill by Shri Ramaswamy on a similar subject. On that Bill the hon. Home Minister stated that the Bill of Shri Ramaswamy is tacked on to the Bill which is coming before the House. This Bill has got similar provisions. In fact, the subject-matter of all the three Bills is the same. I would, therefore, like the position to be explained by the hon. the Home Minister.

**The Deputy Minister of Home Affairs (Shri Datar):** M. Chairman, so far as 59 PSD

Government are concerned, they are fully in favour of the principle of this Bill, but they desire that this question should not be considered piecemeal. They have already accepted the principle that the assessors system is not working well and has to be repealed. Government have taken a decision on this point and have included this very matter in the Criminal Procedure Code (Amendment) Bill which has already been published in the Gazette and which will be introduced in the House probably in the course of the next fortnight.

It may also be noted that so far as the question of trial by assessors is concerned, there was a Private Member's Bill by Shri Ramaswamy. That Bill related both to the question of trial by jury and trial with the aid of assessors. When the matter came up for consideration here, Government's position was explained and it has been agreed that that Bill also should be taken into consideration along with the Government Criminal Procedure (Amendment) Bill. Government are prepared to accept the same principle, and if the hon. Member agrees, this Bill also can be considered along with the Government Bill.

**Mr. Chairman:** May I know the reaction of the hon. Member?

**Shri K. C. Sodhia:** In view of the assurance of the hon. Minister, I have no objection to consideration of my Bill being postponed.

**Mr. Chairman:** I will now put the motion to the House.

The question is:

"That the debate on the Bill be adjourned."

The motion was adopted.

# INDIAN ARMS (AMENDMENT) BILL

(AMENDMENT OF SECTIONS 1 AND 26 AND  
INSERTION OF NEW SECTIONS 17A AND  
34.)

**Shri U. C. Patnaik** (Ghumsur): I beg to move:

"That the Bill further to amend the Indian Arms Act, 1878, be taken into consideration."

I thank you for the opportunity given to me for moving this Bill which is one of the most important Bills, not in my opinion only, but also in the opinion of many hon. friends here, who have all expressed a desire in their speeches to cut short discussion on the other Bills to give an opportunity for this Bill to come up before the House. I am very grateful to friends on both sides of the House who have taken this view and who have been waiting here to participate in the discussion on this Bill to amend the arms law, at least to some extent, to fit in with modern times.

It is also a matter for congratulation that a Resolution for helping the rifle organisations in this country, for promoting the spirit of rifle training in India, has been accepted by the hon. the Minister for Home Affairs in his speech on the 4th March and passed by this House. It was my hon. friend, Mr. Reddi's motion; notice had been given by about sixty Members and we are glad that it has come out in the name of my hon. friend here and it was accepted by the Government and by this House.

The importance of the present Bill lies in this that it is a proposal to relax some of the reactionary provisions of the Indian Arms Act. The provisions of that Act are known to one and all; the history of its origin is also fairly well known and traceable from about 1860. After the first War of India's Independence—what the foreign historians called the Sepoy Mutiny—the then Government of India tried various methods, on the one hand to kill the fighting spirit of

the martial people in this country by de-militarising the entire nation, and secondly, by disarming our entire civil population in the country. The main purpose of the military reorganisation of 1859-60, after the Eden Committee Report, was to divide India into different categories as martial and non-martial races, martial and non-martial areas and so on, with a view to see that people with some amount of political education and political views did not get an opportunity to get into military service.

After the Eden Committee's Report which was accepted at about that time, there was a regular attempt to see that there was no opportunity for Indians, particularly for those who were likely to hold advanced views, to get into the Armed Forces or to contaminate others with their political opinions.

Similarly, on the civilian side, there was a regular attempt to see that India was de-militarised and disarmed so that the martial spirit in this country whether of the military personnel or of the civilian population was suppressed once and for all time. That was the aim of the administration at that time and that was the purpose behind the Indian Arms Act (Act XXXI of 1860). A few years later, in 1878, the Indian Arms Act was revised; the old Act of 1860 was repealed by the new Act XI of 1878. And that Act of 1878 is today the law still continuing, in spite of so many decades which have passed by: there has been no change even after freedom.

In 1919 and 1949 there were some minor changes but I need not take the time of the hon. House by stating all the minor changes. One change provided for adaptations due to the advent of aviation which had come into existence and provided an additional transport for imports and exports. The amendment of 1919 was another thing although that also was not very important. Some Rules had been formulated just before that amendment

which withdrew exemptions from certain persons and the amendments provided how they should deposit their arms in the police stations or with the licensed vendors.

There were one or two other changes also that took place, not in the Act itself but under the Rules. One of the changes in the Rules was that certain classes of weapons which formerly, that is before the Second World War, were available to every licensee, were treated as prohibited and licence would not be given to any one so far as those arms were concerned.

Then there was a privilege that Members of the Central and State Assemblies were to have free licences. This provision relating to free licence was taken away by an Order No.15/108-45 Police, dated 28th April, 1950. Later on, when rules were framed in 1951 there were certain classes or persons exempted under the provisions of the Act. There are those within that exempted class, including the servants of Rulers, carrying arms but not accompanying the Rulers entitled to salutes, etc. There was also another schedule for persons who were not required to pay licence fees. Various classes have come in. Volunteers of 1869 and other categories are there on whom no licence fee is to be levied. But there has been no provision in the Act or Rules for exempting certain classes of persons as, for instance, representatives of the people in the Central and State Legislatures, officers of Government occupying high ranks, for instance gazetted officers and so on.

I would like here to compare the arms laws in our country with those in other countries; for instance countries where it is considered not merely a right but also a duty on the part of citizens to bear certain types of arms. I shall presently compare those laws with the laws prevailing in our country.

I have brought in this Bill to amend the Arms laws as a first step only to a certain extent. I am not pleading for a repeal of the Arms Act, nor do

I ask exemption for everybody; I have suggested that, to begin with, an exemption be given to certain classes of persons.

**Shri S. S. More (Sholapur):** Are Members of Parliament there?

**Shri U. C. Patnaik:** Yes, I have proposed that in Section 1 of the principal Act, after clause (b) the following clause be added, namely:—

“(c) a member of any State Legislature or a member of either House of Parliament, an officer of the gazetted rank, or a member of a rifle club recognised by Government or an officer of the Home Guards, Territorial Army, Civil Defence Organisation or of the Cadet forces possessing private weapons, subject to such restrictions as the Central Government may, from time to time impose, for limiting the number of such private weapons.”

And I propose the addition of a new section 17A, namely:—

“Power to make rules relating to the registration of weapons.—The Central Government may, from time to time, by notification in the Official Gazette, make rules to require the registration of all arms purchased or possessed by persons under clause (c) of section 1 or under section 27.”

I propose the addition of a proviso to section 26 of the principal Act namely:

“To section 26 of the principal Act, the following proviso shall be added: Provided that all arms so seized shall, without delay, be produced before a District Magistrate or a Sub-Divisional Magistrate or a Magistrate of the First Class who may, if he is satisfied, order the immediate return of the arms to the licensee.”

I also propose that there should be a provision that all rules framed or exemptions granted by the Central Government in exercise of the powers conferred by sections 10, 17, 17A and

[Shri U. C. Patnaik]

27 of this Act shall be laid on the Tables of the Houses of Parliament.

**An Hon. Member:** It is half past seven.

**Shri U. C. Patnaik:** I may be taking some more time, Sir.

**Mr. Chairman:** The House shall sit till 7-35 because five minutes of this time had been taken away, by the discussion on Defence.

**The Minister of Home Affairs and States (Dr. Katju):** Where is the necessity for it, the hon. Member has already finished.

**Mr. Chairman:** If the hon. Member wants to sit down, then I will adjourn the House.

**Shri U. C. Patnaik:** No, Sir, I am going on.

**Shri S. S. More:** He can continue next time.

**Mr. Chairman:** But the Deputy-Speaker has passed orders that the House shall sit till 7-35.

**Shri U. C. Patnaik:** Sir, I will explain the provisions of the Act.

**Dr. Katju:** Even if the hon. Member goes on up to 7-35 he will not be able to conclude.

**Several Hon. Members:** He can continue next time.

**Mr. Chairman:** It appears it is the desire of the House to adjourn.

*The House then adjourned till One of the Clock on Saturday, the 27th March, 1954.*

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