

Wednesday, December 7, 1955

LOK SABHA DEBATES

(Part I—Questions and Answers)

VOLUME VII, 1955

(21st November to 23rd December, 1955)



ELEVENTH SESSION, 1955

(Vol. VII contains Nos. 1 to 26)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

Wednesday, 7th December, 1955

The Lok Sabha met at Eleven of
the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

बाङ्गु सम्मेलन

*५८४. श्री एम० एल० द्विवेदी : क्या
प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बाङ्गु सम्मेलन के कुछ
निर्णयों को कार्यान्वित करने प्रयत्न प्रचुर
कार्य को पूरा करने के लिये और एशियाई
और अफ्रीकी देशों में जागृति की भावना को
बनाये रखने के लिए कोई समिति, संस्था
बनाई गई है प्रयत्न अन्य कोई उपाय सोचा
गया है; और

(ख) यदि हां, तो वह क्या है और इस
कार्य की प्रगति में भारत सरकार की नीति
क्या है ?

बैरोशिक-कार्य उपमंत्री (श्री अनिल
के० चन्दा) : (क) और (ख). बाङ्गु में
अप्रैल १९५५ में हुई एशियाई अफ्रीकी कान्फ्रेंस
में कोई कमेटी या ऐसी कोई दूसरी संस्था
नहीं बनाई गई। कान्फ्रेंस ने विश्व शांति
और सहयोग को बढ़ावा देने के लिये, प्राथिक
और सांस्कृतिक क्षेत्रों में एशियाई अफ्रीकी
सहयोग को क्रायम करने के प्रसूलों का ऐलान
जारी किया था। एशियाई अफ्रीकी कान्फ्रेंस
ने सिफारिश की थी कि हिस्सा लेने वाले
मुल्कों के बीच, प्राथिक और सांस्कृतिक

क्षेत्रों में दोतरफा समझौतों के जरिये सहयोग
हासिल किया जा सकता है। भारत सरकार
ने हमेशा ही दूसरे मुल्कों के साथ सांस्कृतिक
और प्राथिक सहयोग बढ़ाने पर महत्व दिया
है और इस तरह राष्ट्रों में सद्भावना को
बढ़ाया है। उन्होंने बाङ्गु में निकट सांस्कृतिक
सहयोग के लिये काम करने के अपने इरादे
को दोहराया है। बाङ्गु सम्मेलन के बाद
एशियाई, अफ्रीकी और दूसरे मुल्कों के साथ
सांस्कृतिक और प्राथिक सहयोग की नीति
को बराबर बढ़ावा दिया गया है।

एशियाई अफ्रीकी मुल्कों पर अस्तर
झालने वाले अहम सवालों में, संयुक्त राष्ट्र
संघ और दूसरी जगहों में, आपसी संपर्क
और बात चीत को और भी बढ़ावा दिया
गया है।

श्री एम० एल० द्विवेदी : जैसा कि
मंत्री महोदय ने अभी बतलाया कि
बाङ्गु सम्मेलन में प्राथिक और सांस्कृतिक
सम्बन्धों के बारे में जो चर्चा चली थी उस
को ध्यान बढ़ाया जायेगा तो मैं जानना
चाहता हूं कि एशिया और अफ्रीका के देशों
में आपस में आदान प्रदान अधिक हो और
प्राथिक सम्बन्ध बढ़ें इसके लिये
भारत सरकार कोई समिति मुक़रर करने
के सवाल पर विचार कर रही है या कोई इस
तरह की समिति नहीं मुक़रर की जायेगी ?

प्रधान मंत्री तथा बैरोशिक कार्य मंत्री
(श्री जवाहरलाल नेहरू) : जी हां, बाङ्गु
में इस पर विचार हुआ था और आम खयाल
यह था कि यह बातें कान्फ्रेंस के जरिये
से नहीं होती हैं, बल्कि और जरियों से।

चुनांचे हमारे शासन ने कई बातें की हैं। बहुत सारे विद्यार्थी बाहर से हमारे यहां आ रहे हैं, इंजीनियर्स आ रहे हैं। मैं अभी वड़की गया था, वहां एक इंटरनेशनल सेंटर खोला गया है एशिया के लिये ताकि हम इंजीनियर्स को तालीम दें। शरज यह कि आपस में दो देश सम्बन्ध कायम करें, ऐसा नहीं था इस में कोई जोड़ की बात नहीं है। कहां इंडोनीशिया, कहां भारत, गोलड कोस्ट और सूडान। एक आधी दुनिया है। इसमें इस तरह से जोड़ मिला कर चलने में कोई खास आसानी नहीं होती।

श्री एम० एल० द्विवेदी : मैं जानना चाहता हूं कि क्या सरकार का ध्यान सीलोन गवर्नमेन्ट के उस वक्तव्य की ओर गया है जिस में कि उन्होंने यह खयाल जाहिर किया है कि बांडुंग की तरह का एशियाई देशों का दूसरा सम्मेलन किया जाय। क्या भारत सरकार ने इस बात पर विचार किया है? यदि हां, तो क्या इस सम्मेलन की सम्भावना है, और है तो कब तक?

श्री जवाहरलाल नेहरू : हां, कुछ इस की चर्चा हुई है और उस पर विचार हो रहा है। लेकिन ऐसे सम्मेलन के होने के पहले काफी तैयारी की जरूरत होती है। खाली वहां लोगों को बुला लेना ही काफ़ी नहीं होता। दूसरे देशों से सलाह मशिवरा भी करना होता है। इसलिये यह कहना कठिन है कि सम्मेलन कब होगा और कहां होगा।

डा० सुरेश चन्द्र : प्रश्न के उत्तर में कहा गया है कि संयुक्त राष्ट्र संघ में बांडुंग कान्फ़ेंस के बाद सहयोग और सम्पर्क हुआ है, तो क्या मैं जान सकता हूं कि गोआ के सवाल पर संयुक्त राष्ट्र संघ में बांडुंग कान्फ़ेंस में भाग लेने वाले जो एशियाई देश हैं, उनमें कोई चर्चा हुई है? और क्या काम इस के बारे में उठाये गये हैं?

श्री जवाहरलाल नेहरू : गोआ का सवाल तो अब तक संयुक्त राष्ट्र में कभी सीधे तौर से उठाया नहीं गया। यों मैं समझता हूं कि वहां आपस में चर्चा जरूर हुई है, और आप देखेंगे कि एक सिलसिले में, जिस का गोआ से बहुत सम्बन्ध है, अभी कल परसों ही वहां कुछ भाषण हुये थे?

Dr. Lanka Sundaram : May I know whether it is a fact that the nucleus of a secretariat has already been assembled to pursue the objectives of the Bandung Conference and, if so, what are its functions up to date and what is the contribution of India in terms of finance?

Shri Jawaharlal Nehru : That is not a fact. There is no secretariat or a nucleus for that purpose.

Shri M. D. Joshi : Is it a fact that some nations which participated in the Bandung Conference are indulging in actions or policies opposed to the spirit of that Conference?

Shri Jawaharlal Nehru : That is our impression and our belief.

विश्व अणुशक्ति एजेंसी

*५८५. **श्री एन० एम० सिंगम :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) अणु शक्ति के शान्तिमय और रचनात्मक उपयोगों के लिये विश्व की एजेंसी स्थापित करने के बारे में क्या प्रगति हुई है ;

(ख) क्या संयुक्त राष्ट्र की राजनीतिक समिति में इसके बारे में कोई संकल्प पास किया गया था ; और

(ग) यदि हां, तो उसकी मुख्य सिफारिशें क्या हैं ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क), (ख) और (ग). २७ अक्टूबर, १९५५ को, संयुक्त राष्ट्र जनरल असेम्बली की राज-

नैतिक समिति द्वारा पास किये गये अणु शक्ति के शांतिमय उपयोगों के प्रस्ताव की मुख्य सिफारिश ये है, (१) अणु शक्ति के शांतिमय उपयोगों के बारे में टेक्नीकल जानकारी के आदान प्रदान के लिये, दो या तीन साल के अरसे में, संयुक्त राष्ट्र संघ की निगरानी में, दूसरा अन्तर्राष्ट्रीय सम्मेलन होना चाहिये, और (२) संयुक्त राष्ट्र संघ के सब सदस्यों का एक सम्मेलन, अन्तर्राष्ट्रीय अणु शक्ति एजेंसी के परिनियम (Statute) के अन्तिम रूप की स्वीकृति के लिये बुलाया जाना चाहिये। इसी दौरान में अमरीका की सरकार ने भारत और दूसरे दस मुल्कों को प्रस्तावित अन्तर्राष्ट्रीय अणु शक्ति एजेंसी के परिनियम (Statute) के मसौदे पर विचार करने के लिये, वाशिंगटन डी० सी० में एक मीटिंग में हिस्सा लेने के लिये बुलावा भेजा। भारत ने बुलावा मंजूर कर लिया और १४ नवम्बर, १९५५ को हुई पहली मीटिंग में हिस्सा भी लिया। अगली बात-चीत करने के बाद, प्रस्तावित अन्तर्राष्ट्रीय सम्मेलन में इस परिनियम पर विचार किया जायेगा।

Shri Matthen : Could we get an English rendering of that answer? It is an important question.

Mr. Speaker : We will just see to it.

Shri Jawaharlal Nehru : If you like, I can give it, Sir.

Mr. Speaker : Yes, it will be better.

Shri N. M. Lingam : May I know how far the efforts of the Government of India to prevent the emergence of an atomic imperialism in any form has been successful?

Shri Jawaharlal Nehru : The question that the hon. Member has put has a certain presumption and certain assumptions behind it. I do not wish to enter into that matter. But the way this matter has been taken up now, I think, is a proper way, in which there is representation of various parts of the world. We want the representation to be on a wider scale still. Thus far there was only an informal meeting, a kind of working party. But the next step, we hope, will be on a wider scale.

Shri N. M. Lingam : May I know whether any details have been indicated with regard to the voting rights of the members, the membership of the proposed agency, and its relationship to the United Nations Organisation?

Shri Jawaharlal Nehru : The main thing for which India has stood is that it should be closely associated with the United Nations. The details have not been worked out for these matters.

Shri Kamath : From the information made available to India in conformity with or rather in pursuance of the Geneva spirit—I refer not to the political summit conference but to the International Atomic Energy Conference held at Geneva where several countries promised to exchange atomic information with India—may I know whether this information would enable the Prime Minister to state as to what extent the U.S.A., the U.K. and the U.S.S.R. are really keen the peaceful and constructive uses of atomic energy. Particularly in view of the receipt biggest yet nuclear test explosion in the U.S.S.R., and the subsequent decision of the U.S.A. not to halt atomic, nuclear tests, and also the reported statement of the British Prime Minister that they will go ahead with the hydrogen bomb as reported in this morning's papers?

Shri Jawaharlal Nehru : I have listened with interest to the hon. Member's speech.

Shri Kamath : Question also.

Shri Jawaharlal Nehru : I have no doubt that every country, big and small, is desirous of developing atomic energy for peaceful purposes. Whether they use that atomic energy for other purposes or not is a question which can hardly be considered in this context, because that raises international issues and fear and suspicion of each other. India's proposal at present, as the hon. Member well knows, is that all further experimentation in regard to atomic energy, that is, exploding experimental nuclear bombs, shall stop, and then this matter may be considered. Well, that proposal has not thus far been accepted by every party, but I think that every country is beginning to realise that some such decision ought to be made sooner or later.

Indians in South Africa.

*586. **Sardar Hukam Singh :** Will the Prime Minister be pleased to state whether India and Pakistan are agreed on the line they should jointly take on the question of the treatment of people of Indian origin in South Africa?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : Yes.

Sardar Hukam Singh : Has there been any fresh exchange of notes between the two countries recently on this subject ?

Shri Sadath Ali Khan : No.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : There has been no exchange of notes as such, but I am speaking from memory—when we sent our last reply to the South African Government we consulted the Pakistan Government and they agreed with the nature of the reply and I think they sent a similar reply.

Sardar Hukam Singh : In pursuance of that agreement, is there any concrete proposal that will be pursued in the U.N.O. shortly ?

Shri Jawaharlal Nehru : That reply was to the South African Government about certain communications which they have sent many months ago, and we agreed on the text of the reply that should be sent. In the U.N.O. the hon. Member knows that the matter comes up regularly in every meeting of the General Assembly, and not only India and Pakistan but a large number of other countries act in unison with each other.

पाकिस्तान में भारतीय हाई कमिश्नर

*५८७. **श्री अमर सिंह डामर :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) पश्चिमी पाकिस्तान में भारतीय हाई कमिश्नर के निवास स्थान पर और पूर्वी पाकिस्तान के ढाका में भारतीय वाणिज्य दूतावास के सामने कुछ मुसलमानों द्वारा घटना दिये जाने के बारे में क्या भारत-सरकार ने पाकिस्तान सरकार को कोई विरोध-पत्र भेजा है; और

(ख) यदि हां, तो उसका क्या परिणाम निकला ?

बैदेशिक-कार्य उपमंत्री (श्री प्रमिल को. चन्दा) : (क) और. (ख) . कराची-पाकिस्तान में भारतीय हाई कमिश्नर के निवास स्थान के सामने या ढाका में भारतीय डिप्टी हाई कमिश्नर के दफ्तर के सामने कोई घटना नहीं दिया गया। कराची में हाई कमिश्नर

के और ढाका में डिप्टी हाई कमिश्नर के दोनों दफ्तरों के सामने बैठे लोगों ने अपने को सत्याग्रही बताते हुए, नारों के फट्टों (Placards) और पाकिस्तानी झंडों से मुजाहरा किया। २८ सितम्बर को पाकिस्तान सरकार को विरोध पत्र भेजा गया और १२ नवम्बर, १९५५ को पाकिस्तान के विदेश मंत्री के साथ यह मामला फिर उठाया गया। ढाका में डिप्टी हाई कमिश्नर के दफ्तर के सामने होने वाला प्रदर्शन हटा लिया गया है लेकिन कराची में हाई कमिश्नर के दफ्तर के सामने यह मुजाहरा फिर भी जारी रहा। लेकिन अभी खबर मिली है कि २४ नवम्बर को प्रदर्शन हटा लिया गया है।

श्री अमर सिंह डामर : क्या मैं जान सकता हूँ कि इस प्रकार के प्रदर्शन के होने का कारण क्या था ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : प्रदर्शन होने का कारण तो बहुत कम मालूम हुआ करता है, जहां तक मेरा खयाल है, चाहे वह पाकिस्तान में हो चाहे हिन्दुस्तान में।

Shri Anil K. Chanda : 'Indians should quit from Kashmir'.

डा० राम सुभग सिंह : नक्शे के बारे में.....

श्री जवाहरलाल नेहरू : नहीं नक्शे का तो भलग मामला था। वह तो महज कह रहे थे कि हिन्दुस्तान को कश्मीर से हट जाना चाहिये।

श्री अमर सिंह डामर : इस से भारत और पाकिस्तान के आपसी सम्बन्धों पर कोई असर पड़ा ?

श्री जवाहरलाल नेहरू : इन छोटी बातों का असर यही होता है कि उससे क्रिज में खलल पड़ जाता है।

डा० राम सुभग सिंह : अभी कश्मीर के नक्शे का जिक्र हुआ। क्या यह सही है

कि उस नक्शे को, जिस में भारत के साथ साथ काश्मीर का नक्शा था, स्टेट बैंक ऑफ इंडिया की काश्मीर की शाखा से हटा दिया गया है, उसी प्रदर्शन के कारण ?

श्री जवाहरलाल नेहरू: मेरा खयाल है कि इसके बारे में एक और सवाल है जिस का फाइनेन्स मिनिस्टर जवाब देंगे, लेकिन आप चाहें तो मैं अभी जवाब दे दूँ। स्टेट बैंक के गवर्नर ने अपने दफ्तर से नक्शे को हटा दिया था, यह समझ कर कि कहीं बैंक के सामने कोई झगड़ा फ़साद न हो। वहाँ कोई डिमान्स्टेशन नहीं हुआ था।

Recent Incident in North Africa

*589. **Shri T. B. Vittal Rao :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that the Government of India expressed to the French Government their concern at the recent happenings in North Africa and impressed upon them the desirability of arriving at a settlement acceptable to nationalist opinion; and

(b) if so, whether any note was sent to Britain also about the recent happenings in Cyprus ?

The Deputy Minister of External Affairs (Shri Anil K. Chanda) : (a) Yes, this was done informally.

(b) No.

Shri T. B. Vittal Rao : May I know what has been the reaction of the French Government to this ?

The Prime Minister and the Minister of External Affairs (Shri Jawaharlal Nehru) : I do not quite understand the "reactions of the French Government". First of all, the French Government changes rather frequently. But there is no doubt that the French Government is greatly concerned with these events. They are in a very difficult position and, as the House might know, in regard to Morocco and Tunisia some considerable progress has been made and some settlements have been arrived at. In regard to Algeria that is not the case, but the matter is no doubt being considered.

Shri Kamath : Arising out of the answer to part (b) of the question considering that India is opposed to colonialism and has championed the right of all nations to self-determination has attitude of India on the Cyprus question been affected to any extent by our association with the British Commonwealth ?

Shri Jawaharlal Nehru : A brief form of answer to part (b) of the question has been given. I would like to say that the attitude India has taken in regard to Cyprus is that there should be self-determination in Cyprus. That is the attitude India has taken up. The complexity of the Cyprus issue has arisen not only because of the British but because of the Turkish population there also. Attempts have been made to arrive at some kind of *modus vivendi* in regard to this matter as between the British, the Greeks and the Turks. We are trying to encourage that in accordance with the wishes of the people of Cyprus a decision should be made. We of course are not in the conference or anything. So, when this conference is actually being held, we thought it best that the matter should be left to the conference to find out a solution rather than that at that particular movement we should request for a decision in the United Nations.

डा० सुरेश चन्द्र : यह जो हिन्दुस्तान ने अपनी राय जाहिर की नार्थ अफ्रीका के बारे में फ्रेंच गवर्नमेंट को, तो क्या इससे हिन्दुस्तान और फ्रांस के बीच में जो समझौते आपस में हो रहे हैं, पांडुचेरी की 'डिप्लोमेट' ट्रांसफर के, क्या उस पर भी इसका कोई असर पड़ा है ?

श्री जवाहरलाल नेहरू: शायद एक और सवाल भी है इसके बारे में, लेकिन यह आपको याद होगा कि अल्जीरिया का मसला एजेंडा में रखा गया था और इसका नतीजा यह हुआ कि फ्रांस का प्रतिनिधि वहाँ से उठ कर चला गया। फिर कुछ दिन बाद एजेंडा से यह चीज हटा दी गई और वह वापस आ गया है। इसे एजेंडे से हटाने में हिन्दुस्तान के प्रतिनिधि ने काफी कोशिश की और मेरी राय में उसका इस तरह की कोशिश करना मुनासिब ही था क्योंकि उस वक्त उस पर बहस नहीं हो सकी। वाक्या ऐसा था कि उस पर बहस भी बन्द हो गई थी और हमारी यह धाशा थी कि अल्जीरिया के सवाल को जहाँ तक मुमकिन हो, एक समझौते से ही तय किया जाये। इस के लिये फ्रेंच हकमत ने अपना शुक्रिया हिन्दुस्तान की हकूमत के पास भेजा है कि जो यू०एन० की० में हमने समझौते से बिलफेल इस बहस को मुत्सवी करवा दिया।

Nekowal Incident

*590. **Dr. Satyawadi** : Will the the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 8 on the 25th July, 1955 and state :

(a) whether any progress has been made in regard to payment of compensation to the victims of the Nekowal Border incident which took place on the 7th May, 1955 ; and

(b) if not, at what stage the matter is ?

The Deputy Minister of External Affairs (Shri Anil K. Chanda) : (a) and (b). No, Sir, The Government of Pakistan have not so far agreed to pay any compensation in connection with the Nekowal incident. The matter is, however, still being pursued with that Government.

डा० सत्यावादी : क्या मैं जान सकता हूँ कि जो बेनमलमकामी दर्शक वहाँ बैठे हुये हैं और जिन्होंने इस मामले की छानबीन के की और उसके बाद उसका जिम्मेवारी की मुताल्लिक अपनी राय दी, तो उस पर पाकिस्तान ने अपने क्या रिएक्शंस जाहिर किये हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : जी हाँ, जाहिर है कि संयुक्त राष्ट्र के जो लोग वहाँ पर जिन्होंने इस मामले की जांच की और अपनी राय दी, और उस राय को पाकिस्तान ने मंजूर नहीं किया है ।

श्री एम० एल० द्विवेदी : क्या यह सच है कि पाकिस्तान ने भारत के उस नोट को मानने से इन्कार कर दिया है जो कि भारत ने इस घटना के सम्बन्ध में पाकिस्तान को भेजा था और जिस के आधार पर कम्पें-सेशन मांगा गया था, यदि हाँ, तो इस सम्बन्ध में अब भारत सरकार क्या करने जा रही है ?

श्री जवाहरलाल नेहरू : आपको याद होगा कि जिस वक्त यह सवाल पेश था उस वक्त पाकिस्तान के प्रधान मंत्री और पाकिस्तान के मैजर जनरल इस्कंदर मिर्जा को इस वक्त गवर्नर जनरल हैं, वे दोनों

वहाँ थे, और उन्होंने यह राय जाहिर की थी कि संयुक्त राष्ट्र के लोगों की जांच का जो नतीजा होगा उस पर वे धमल करेंगे और अगर जरूरी हुआ तो ऐसे लोगों को, जिन्होंने गलती की, सजा भी देंगे । उसके बाद जब रिपोर्ट आई तो हम ने पाकिस्तान को लिखा लेकिन उन्होंने उस बात को स्वीकार नहीं किया और एक लम्बी बहस खड़ी कर दी कि उनका कसूर नहीं था । उसके बाद हमने फिर उनको एक लम्बा जवाब दिया । जिसके उत्तर में उन्होंने हमारे क्लेम को मानने से इन्कार कर दिया । उसके बाद एक तीसरा खत लिखा गया है लेकिन उसका जवाब अभी तक नहीं आया है ।

Rehabilitation of Displaced Persons

*591. **Shri S. C. Samanta** : Will the Minister of Rehabilitation be pleased to refer to the reply given to Starred Question No. 33 on the 25th July, 1955 and state :

(a) how many States have been surveyed and sites chosen up-till now for the rehabilitation of displaced persons from East Pakistan ;

(b) the nature of avocations to be provided to the displaced persons who will be settled in those areas ; and

(c) the precautions taken against desertions from those areas ?

The Minister of Rehabilitation (Shri Mehr Chand Khanna) : (a) The States visited by officers are Hyderabad, Mysore, Andhra, Bihar and Orissa and 15,655 acres of land have been provisionally selected in Bihar and Hyderabad.

(b) The displaced persons will mostly be settled as agriculturists.

(c) It is proposed to set up a follow-up organisation to look after the needs of displaced persons. Social workers will also be associated with the follow-up organisation.

Shri S. C. Samanta : May I know whether 50 square miles of land in Malkanagiri taluk in Orissa has also been taken up ?

Shri Mehr Chand Khanna : It has not been taken up as yet. But that area has also been suggested to us, and it is being surveyed.

Shri S. C. Samanta : May I know how many more schemes are proposed to be taken up in the future ?

Shri Mehr Chand Khanna : I have given the names of the five States which have been visited so far by the team. But we have received offers in all from 12 States, that is, from 7 more State.

Shri S. C. Samanta : May I know what sorts of industries are going to be established there in order to give direct employment to the refugees ?

Shri Mehr Chand Khanna : This question mainly concerns the location of land. But if we find that the lands are not suitable enough to give an economic holding to a displaced person who is going to be settled there, the question of the setting up of industries will also be considered.

Shri Thimmaiah : May I know the acreage of land offered by each of the States which the officers have visited so far ?

Shri Mehr Chand Khanna : The information that I have given is 15,000 and odd acres, 10,000 acres from Bihar and 5,000 acres from Hyderabad.

Shri B. K. Das : May I know by what time it will be possible to send any batch of refugees to any of these places ?

Shri Mehr Chand Khanna : We hope to finalise all these schemes within the next month or two. After that, we are going to have proper surveys. If we are satisfied that the necessary irrigation and other facilities are available, we will send the batches. It is difficult for me to say at the present moment when I shall be in a position to send the first batch.

Shri S. C. Samanta : May I know whether Vindhya Pradesh, Rajasthan and Madhya Pradesh have also been visited by this team of officers ?

Shri Mehr Chand Khanna : No, but these States also have offered lands.

Shri N. B. Choudhury : May I know the approximate number of refugees that might be rehabilitated in the lands already surveyed ?

Shri Mehr Chand Khanna : It will all depend upon the quantum of land that is made available to the Ministry.

Cottage Industries

*592. **Shri Dabhi :** Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 745 on the 16th August, 1955 and state :

(a) the progress made so far by the pilot projects for cottage industries set up in various States ; and

(b) the extent of employment opportunities created through the development of cottage industries ?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) The Community Project Officers (Industries) from 21 States have completed a six-week training at Bombay on the 4th November, 1955, and have reported to their respective areas recently. No progress report on the Pilot Projects has been received for this short period.

(b) Does not arise.

Shri Dabhi : May I know the extent and the nature of the assistance which is likely to be given to these industries with a view to protecting them from the competition of large-scale industries ?

Shri S. N. Mishra : All these lie in the realm of fundamental considerations of which Government are seized at the moment.

The Minister of Planning and Irrigation and Power (Shri Nanda) : May I add that this whole question of protection of cottage and village industries was considered by a committee. We have the report of that committee, and that is being dealt with in the Planning Commission. That report deals with all these relevant questions.

Shri Dabhi : May I know whether khadi also is included in these industries ?

Shri S. N. Mishra : Khadi is included.

Pandit D. N. Tiwary : May I know whether Amber charkha has been included, in order to solve the problem of unemployment or under-employment, in these pilot projects ?

Shri S. N. Mishra : The Amber charkha is not excluded so far.

Shri Bansal : May I know the number of pilot projects for cottage industries, which have been set up ?

Shri S. N. Mishra : 26 pilot projects are intended to be set up.

Portuguese President's Visit to U.K.

*593. **Shri S. L. Saksena :** Will the Prime Minister be pleased to state whether it is a fact that invitations to functions during the Portuguese President's visit to U. K. were declined by the Indian Ambassador in U.K. ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : Yes. The High Commissioner for India, London declined invitations to attend the functions held in connection with the State visit of the President of Portugal to the U.K.

Shri S. L. Saksena : Is it a fact that the British Government could not appreciate the attitude of the Indian High Commissioner and made a protest ?

Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : No. They made no protests what they thought about it, I can not say.

INDIAN IN FOREIGN COUNTRIES

*594. **Shri Krishnacharya Joshi :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that Indians in Kenya, Uganda, Tanganyika, and Zanzibar get certificates for permanent residence after a stay of five years under the new Immigration Law ; and

(b) whether it is a fact that even after getting the certificate for permanent residence their family and children are to leave the place in case of their death or departure to any other place ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) Under the existing regulations governing immigration into British East Africa, Indians in Kenya, Uganda, Tanganyika and Zanzibar are entitled to get certificates of permanent residence after a stay of five years. These certificates are valid for ten years and are renewable thereafter from time to time.

(b) No. In the event of death of a holder of a certificate of permanent residence, his wife and children do not necessarily have to leave British East Africa. However, if a holder of a certificate of permanent residence leaves British East Africa for good, his wife and children cannot thereafter claim to be considered, as of right, permanent residents of the territory concerned.

Shri Krishnacharya Joshi : May I know whether this law of immigration is discriminatory or non-discriminatory ?

Shri Sadath Ali Khan : The immigration laws of British East African territories are non-discriminatory in form. But in practice, however, the local governments are not well disposed to Asians, including Indians.

Shri Krishnacharya Joshi : May I know if any Asian is given any concession ?

Shri Sadath Ali Khan : I have said there are no concessions given to Asians. On the other hand, the entry of Asians, particularly for permanent settlement, and of these belonging to commercial classes and of the dependents of Indian residents there has been made difficult by administrative devices.

Dr. Suresh Chandra : Is it a fact that due to discrimination in these colonies, a large number of Indians are returning to India ?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : Not that we are aware of.

STEAM ROAD ROLLERS

*595. **Shri Jhulan Sinha :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether it is a fact that there was an agreement with a United Kingdom firm for the payment of £ 100 per Steam Road Roller manufactured in this country ; and

(b) if so, whether the agreement is still in force ?

The Minister of Commerce (Shri Karmarkar) : (a) Yes, Sir.

(b) No. Sir.

Shri Jhulan Sinha : May I know the grounds on which this subsidy has been given so long ?

Shri Karmarkar : This matter was taken up as far back as 1946. One contract was completed by August 12, 1951 and the other contract was completed by April 1954. This royalty was given as a part of the contract.

Shri Bansal : What is the name of this firm ?

Shri Karmarkar : The manufacturers were Messrs. Marshal Sons and Co. Ltd., Gainsborough, in respect of steam road rollers, and Messrs. Abeling Barford Ltd., Grantham in respect of diesel road rollers.

Shri Bansal : Who are the Indian counterparts of these firms ?

Shri Karmarkar : A proportion of the steam road roller parts was to be manufactured by the Tata Locomotive and Engineering Co. Ltd., Jamshedpur, and then Messrs. Marshal Sons (India) Ltd., were to assemble and service these rollers. In the case of diesel road rollers, Messrs. Jessop and Co. Ltd., were to make them and Messrs. Greaves Cotton were to be paid Rs. 1,250 per road roller for assembling and servicing. This is all past history.

Shri T. N. Singh : May I know whether it is a fact that in all agreements with foreign concerns for manufacture, they are examined by the Government in regard to their propriety ; if so, whether in this case, when the agreement was entered into by the Indian firm of Marshal Sons, it was examined by Government and their approval given ?

The Minister of Commerce and Industry and Steel (Shri T. T. Krishnamachari) : As my hon. colleague men-

tioned, it is a matter of past history. But in a matter like this, the procedure is that the Finance Ministry, which is in charge of foreign exchange, goes into all these matters and the appropriate Ministry concerned is also consulted.

Shri T. N. Singh : Were they consulted ? That is what I want to know.

Mr. Speaker : Order, order.

Shri Sarangadhar Das : May I know the number of steam road rollers that were manufactured under the first agreement, and why that agreement was terminated ?

Shri Karmarkar : The agreement was for a specific number of road rollers of either variety—steam and diesel. I find that diesel road rollers to be manufactured were to the extent of 475 and steam road rollers to the extent of 950. The agreement was in quantitative terms. After the agreement was fulfilled, as I said, in August 1951 in the case of diesel road rollers and April 1954 in the case of steam road rollers, Government inherited the rights of the "Know-how".

Dr. Lanka Sundaram : May I know the total amount of royalty paid under the three agreements with Marshal and Company.

Shri Karmarkar : I should like to have notice.

मधु-मक्खी पालन

*५६६. श्री भक्त बर्षान : क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) आसाम से काश्मीर तक फैले हुए हिमालय के विस्तृत क्षेत्र में किन-किन स्थानों पर प्रखिल भारतीय खादी और ग्रामोद्योग बोर्ड ने अब तक मधु-मक्खी पालन के केन्द्र खोले हैं; और

(ख) उक्त क्षेत्र में इस व्यवसाय का विकास करने के लिये क्या विशेष कदम उठाये गये हैं ?

उत्पादन मंत्री के सभासचिव (श्री आर० जी० बुबे) : (क) कोई नहीं ।

(ख) काश्मीर, उत्तर प्रदेश तथा पश्चिम-पश्चिमी बंगाल के उपयुक्त क्षेत्रों का परिमाण किया गया है । काश्मीर, उत्तर प्रदेश,

पश्चिमी बंगाल तथा आसाम के हिमालय की तराई वाले प्रत्येक इलाके में एक एक ऐसा केन्द्र खोलने का प्रबन्ध हो रहा है, जिसकी पांच-पांच शाखाएँ होंगी ।

श्री भक्त बर्षान : माननीय मंत्री जी ने अभी बताया कि १५०० मील के लम्बे चौड़े हिमालय के क्षेत्र अभी तक एक भी मधु-मक्खी पालन का आधुनिक केन्द्र नहीं खोला जा सका है । क्या मैं जान सकता हूँ कि वहाँ की राज्य सरकारों ने इसके बारे में कोई सिफारिश ही नहीं की या स्वयं खादी और ग्रामोद्योग बोर्ड ने यह उचित नहीं समझा कि कोई केन्द्र वहाँ खोला जाये ?

श्री आर० जी० बुबे : काश्मीर में कोई स्टैचुरी या बान-आफिशल बाडी फंक्शन नहीं करती लेकिन उत्तर प्रदेश और दूसरे इलाकों में इसके बारे में जैसा कि अभी बताया गया है, परीमाण किया गया है और हमारे जो फ्रील्डमैन हैं वे वहाँ पर भी पहुँचे हैं और फंड्स भी उनके मातहत किये गये हैं ।

श्री भक्त बर्षान : क्या इस तथ्य पर भी विचार किया जा रहा है कि नये ढंग के सिवाय पुराने ढंग से जो शहद निकाला जाता है, जैसे छत्तों से, या गाँवों में दूसरे स्वाभाविक रूप से जो शहद पैदा किया जाता है, उसको जमा करके उसको शुद्ध करने का प्रबन्ध किया जाये ताकि प्रशुद्ध शहद की बिम्बे की भी व्यवस्था हो सके ?

श्री आर० जी० बुबे : इसके बारे में इस तरह की स्कीम है कि हर इलाके में एक एरिया आफिस बनाकर है और उसके मातहत सब-स्टेशन होता है और फिर सोसाइटीज बनाने के बारे में भी कदम उठाये जा रहे हैं । माननीय सदस्य ने जो सजेशन रखा है उसको एरिया आफिसर्स को और कोओपरेटिव सोसाइटीज को पहुँचा दिया जायेगा और वह इस पर गौर कर लेंगी ।

श्री भक्त दर्शन : देर से देर कितने समय के अन्दर यह ग्राहा की जा सकती है कि दो या चार ऐसे केन्द्र जो कि हिमालय की तराई वाले इलाकों में खुलने हैं, खुल जायेंगे ?

श्री आर० जी० बुबे : जल्दी से जल्दी और बहुत कम समय में यह खुल जायेंगे ।

श्री बी० डी० पांडे : क्या मैं जान सकता हूँ कि केन्द्रीय सरकार प्रांतीय सरकारों को इस विषय में कोई सहायता देती है या नहीं देती है ?

श्री आर० जी० बुबे : मैंने पहले ही बता दिया है कि कुछ फंड्स प्रांतीय सरकारों के सुपुर्द कर दिये गये हैं ।

Low-Income Group Housing Scheme

*597. **Pandit D. N. Tiwary :** Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that many of the States have not as yet taken any steps for construction of houses under the Low-Income Group Housing Scheme ; and

(b) whether they have assigned any reasons for this ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : (a) No, Sir.

(b) Does not arise.

Pandit D. N. Tiwary : May I know whether any of the funds allotted to the various State Governments have been spent and what still remains to be spent ?

Sardar Swaran Singh : Out of the total allocation of Rs. 21 crores, Rs. 5.2 crores have been actually taken by the States.

Pandit D. N. Tiwary : May I know whether there is any possibility of the remaining sum being taken by the States in the remaining period ?

Sardar Swaran Singh : That is what the States claim—that they will be able to utilise the amounts that have been allocated to the various States.

Pandit D. N. Tiwary : May I know how many houses up till now have been constructed from this fund ?

Sardar Swaran Singh : There is no information.

Shri Nanadas : May I know if any State Government is implementing any scheme for the low-income groups in the rural areas, such as agricultural labourers ?

Sardar Swaran Singh : I do not think so, because they are tackling those areas where the congestion is the greatest, and congestion is the greatest in urban and industrial areas and not so much in the rural areas.

Shrimati Tarkeshwari Sinha : Just now the hon. Minister stated that there is no information about the number of houses that have been built. May I know whether the Central Government usually have no information about the sums spent and through which houses are being built ?

Sardar Swaran Singh : That does not follow from what I have stated.

Recovery of Abducted Women

*598. **Shri K. P. Sinha :** Will the Prime Minister be pleased to state :

(a) the number of abducted women recovered during the period from January to October, 1955 ; and

(b) the average monthly expenditure of the Government of India over the organisation for the recovery of abducted women ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : (a) number of abducted persons including post abduction born children recovered in India and Pakistan during the period from January to October, 1955 was 1,149 and 328 respectively.

(b) The average monthly expenditure of the Government of India over the recovery organisation is Rs. 83,000.

Shri K. P. Sinha : May I know the number of abducted women recovered last year ?

Sardar Swaran Singh : These figures were given some months ago on the floor of the House. At the moment, I have not got them.

Shri K. P. Sinha : May I know whether the rehabilitation of recovered women has been proceeding satisfactorily ?

Sardar Swaran Singh : I do not know really what the hon. Member means. Recovered women or children are restored to their relatives. Such of them as do not want to go over to the other country are released inside the country and they got

their relations. [There are very few cases of unattached children, and those children are kept in a special home. This is not much of a rehabilitation scheme—this is more of restoration rather than rehabilitation.]

Shrimati Renu Chakravartty : May I know how many of these women are in the homes of either side and whether Pakistan has set up these homes, and if so, the number who are there—that is the place where they are kept during the period when they make up their minds and during which they are questioned without any outside or extraneous influence?

Sardar Swaran Singh : The hon. lady Member is probably referring to the camps where these recovered persons are detained in these countries—transit camps and special camps. There are camps and homes set up in both countries according to the agreement, and recovered persons are kept in Pakistan homes as also in India. These camps are functioning for some time.

श्रीमती कमलेश्वरमति शाह : क्या मैं जान सकती हूँ कि एबडकेट स्त्रियों को कुछ शिक्षा देने का या कुछ काम में लगाने का प्रबन्ध किया जाता है जैसा कि चीन में किया जाता है?

सरदार स्वर्ण सिंह : वह जिस वक्त अपने घरों में जाती हैं तो उनके सखी-बंद या उनके रिश्तेदार उनको शिक्षा दें या जो उनका दिल चाहें करावें। वह परमानेंटली तो सरकार के हाथों पर नहीं रहतीं।

Manufacture of Fencing Wire

*606. **Shri Bibhuti Mishra :** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that India produces fencing wire;

(b) if so, the total production per year;

(c) if not, whether it is imported from abroad; and

(d) the arrangements contemplated to produce it in India?

The Minister of Commerce (Shri Karmarkar) : (a) Presumably the Hon'ble Member is referring to barbed wire, generally used for fencing purposes. If so, the answer is in the affirmative.

(b) About 1750 tons a year on an average.

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

श्री बिभूति मिश्र : हिन्दुस्तान में तार की आवश्यकता को पूरा करने के लिये क्या

सरकार ने कोई योजना बनाई है, और यह आवश्यकता कितने दिनों में पूरी की जा सकेगी।

श्री कर्मकर : अभी जो कांटेदार तार बनाने वाली फैक्टरियाँ हमारे यहाँ हैं वे हमारी आवश्यकता को पूरा करने लायक तार बना रही हैं। और इसलिये हमने उसकी इम्पोर्ट को रोक दिया है।

श्री बिभूति मिश्र : गांवों में आसानी से कांटेदार तार मिल सके और उसके द्वारा किसान अपने खेतों की रक्षा कर सकें क्या इसके लिये सरकार ने इस तरह के तार को गांवों में बेचने का कोई इन्तिजाम किया है।

श्री कर्मकर : उसको गांवों में बेचने की आजादी है।

Pandit D. N. Tiwari : May I know whether we are producing so much barbed wire as to be able to export to other countries?

Shri Karmarkar : Not yet.
Indians in South Africa

*601. **Shri Kasliwal :** Will the Prime Minister be pleased to state:

(a) whether the Secretary-General of the U. N. has submitted a report to the General Assembly recording the failure of attempts by the U. N. to help settle the dispute in South Africa over the treatment of people of Indian origin; and

(b) if so, what steps Government propose to take now in this matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) Yes.

(b) It is now for the U. N. General Assembly to decide on the future course of action.

Shri Kasliwal : After our representative at the U. N. had reported to the Secretary-General that there was a breakdown in the negotiations so far as South Africa was concerned, the Secretary-General had designated Senor Louis Faro, the Brazilian delegate to discharge the functions called for by the General Assembly. May I know what steps Senor Louis Faro took to hold tripartite talks on this question?

Shri Sadath Ali Khan : In accordance with the U. N. Resolution dated the 4th December 1954, as the hon. Member said, the U. N. Secretary-General nominated, in June 1955, Senor Louis Faro, the Brazilian Ambassador to the Federal German Republic, to bring the parties together,

but the South African Government was reluctant to see him and said that they could not recognise him in terms of the U. N. Resolution. The Government of India however assured Senor Louis Faro of their wholehearted co-operation in the implementation of the U. N. Resolution. Now this gentlemen has reported his failure to the U. N. Secretary-General, who in turn has reported the matter to the U. N. General Assembly in terms of the Resolution. The matter as I have stated is now before the General Assembly.

Shri Kasliwal : The U. N. Special Committee had decided the continuance of the U. N. Commission on South Africa as also the inclusion of this issue in the agenda of the 1956 General Assembly. From today's report it appears that the U. N. General Assembly has not succeeded in putting this item on the agenda by two thirds majority. May I know how for this information is correct ?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : I think there is some confusion between two matters. One is the South African matter, specially relating to India, and the other matter is about the continuation of the Commission. The voting has been in regard to the latter matter.

Shri Kasliwal : With regard to the question of having this issue included in the agenda for the 1956 General Assembly today's papers, as I said, are very clear and they have even named the countries which have voted and for what subjects. On the subject of having the question relating to the people of Indian origin included in the agenda of the 1956 U. N. General Assembly its has not succeeded.

Dr. Lanka Sundaram : In view of the failure of mediation efforts and the failure of the General Assembly to move forward in the matter, may I know whether there is any proposal on the part of the Government of India to take up this matter in the forthcoming Commonwealth Conference—the South African issue ?

Shri Jawaharlal Nehru : No Sir. We are entirely opposed to that matter being considered in the Commonwealth Conference.

Shri M. S. Gurupadaswamy : In view of the fact that the General Assembly of the U. N. O. had not succeeded to bring about a settlement of this question, may I know from the Prime Minister whether he proposes to take this matter up with the Security Council or with the International Court of Justice ?

Shri Jawaharlal Nehru : The Security Council is not a court of appeal from the General Assembly. The General Assembly of the U. N. O. is a bigger and wider

body and a much more appropriate body than the Security Council. Apart from every thing else, the Security Council is a very small and limited body of certain Great Powers which are not particularly interested in this matter so far as we are concerned, and who, in fact, have normally voted against us. As to the International Court of Justice, so far as I know, that is a matter of a joint approach and an individual approach by one country and the other refusing to appear does not bear any results.

Shrimati Renu Chakravarty : In view of the fact that the question about the Commission has been dropped from the agenda, are we to take it that the Come mission will now no longer exist and also whether this item will be transcribed to the next session ?

Shri Jawaharlal Nehru : I really would like to know the exact facts about this before I can reply to the question. We saw this morning's paper report and we are enquiring further into it. But presumably if that matter has been rejected, the Commission will not function now. What further steps will be taken is another matter.

Rajasthan Salt Deposits

*602. **Shri Bhagwat Jha Azad :** Will the Minister of Production be pleased to state :

(a) whether it is a fact that serious complaints have been received by Government against the cornering of miles of salt deposit in Rajasthan by a jewellery firm;

(b) whether it is also a fact that a large number of petty salt manufacturers residing in the area have been displaced ; and

(c) if so, the action taken by Government in the matter ?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : (a) No. But an article published in a newspaper about this matter has come to Government's notice.

(b) So far as Government are aware, no petty salt manufacturers residing in the area have been displaced.

(c) Does not arise.

Shri Bhagwat Jha Azad : May I know whether in recent times any lease for manufacturing salt in Rajasthan had been given to some firms or not ?

Shri R. G. Dubey : The history of the case is like this. There was salt manufacturing in this particular area right up to 1896. After that there was no manufac-

turing whatsoever so far as the information of the Government is concerned. Then in the year 1951, Dr. Godbole, the then Director of Industries, Rajasthan suggested that the small salt manufacturers may be given 10 acres of land and not more than that. At that time some applications were made to the Rajasthan Government.

Shri Bhagwat Jha Azad : May I know what total acreage is being covered in manufacturing salt by these petty manufacturers ?

Shri R. G. Dubey : In this particular area there are six group functioning. There are 5 persons, 10 persons and so on holding from 50 acres to 100 acres. These applications were in the first instance considered by the Rajasthan Government but when the Salt Commissioner pointed out to the Rajasthan Government that they were not competent to lease out the land then the applications were sent to the Production Ministry and after carefully examining the matter the licences were issued.

Shri Bhagwat Jha Azad : May I know whether it is a fact that there are still areas which are uncovered and they are proposed to be given to firms which have applied for it in the name of almost all the relations ?

Shri R. G. Dubey : There is no information so far as this aspect of the question is concerned.

Mr. Speaker : Next question, Shri M. S. Gurupadaswamy.

Shri M. S. Gurupadaswamy : Question No. 603.

Shri Sarangadhar Das : Sir, I would submit that there is a question No. 614 about Nepa Newsprint Factory which may be answered along with this question.

Mr. Speaker : Is it convenient to the Minister ?

Shri T. T. Krishnamachari : I do not mind though I cannot see its relation with this question. If that is the Chair's direction I shall answer both the questions together.

Paper Mills

*603. **Shri M. S. Gurupadaswamy :** Will the Minister of Commerce and Industry be pleased to state :

(a) the steps taken or proposed to be taken by Government to increase the production of paper in order to meet its increased consumption in the country ;

(b) whether any proposal is under the consideration of Government to start some more paper mills ; and

" (c) if so, whether any project reports have been prepared for this purpose ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) The units now operating in the Paper Industry are owned by private enterprise. However, Government of India review from time to time the country's needs and the progress of production in this field and are giving such encouragement as is possible to increase production in the country. As a result of these efforts the production capacity of paper is expected to increase from 173,700 tons in 1954 to about 211,900 tons in 1955.

(b) and (c). Some applications under Industries (Development and Regulation) Act, 1951, are under the consideration of Government, but final decisions will be taken in the light of the recommendations that may be made by the *ad hoc* Committee recently appointed to examine the supply and availability of cellulosic material to the Paper Industry.

Mr. Speaker : I do not think Question No. 614 may be taken now. It is a distinct question restricted to Nepa Factory.

Shri M. S. Gurupadaswamy : In view of the growing demand for paper in India would the Minister consider taking steps to see that those factories which have already been closed down now will be reopened and if so what assistance would be the Government of India be prepared to give to these factories ?

Shri T. T. Krishnamachari : Well, Sir, the Government are seized of the matter and we hope that by about the end of 1956 the production would go up to 283,000 tons. The licences given already might take us up to 345,000 tons. Every effort is being made to make existing factories work up to capacity and I think during this year out of the 211,000 tons capacity they have they will be able to produce about 200,000 tons. All avenues are being explored to increase the production.

Shri M. S. Gurupadaswamy : My question was : what steps would the Government take to restart the factories which have already been closed down ?

Shri T. T. Krishnamachari : Well, I cannot at the moment say what is the particular nature of the factories that my hon. friend has in mind. The steps that the Government would take would differ from factory to factory. My hon. friend may put down a question and I will be able to answer it.

Price of Automobiles

*604. **Shri Anirudha Sinha** : Will the Minister of Commerce and Industry be pleased to state :

(a) the extent to which, help given by Government has brought down the consumer prices of indigenous automobiles ; and

(b) how their prices compare with those of foreign manufacture ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) The nature of assistance given by Government to automobile manufacturers consists mainly in developing suitable raw materials, organising ancillary industries for the manufacture of proprietary equipment, reducing import duties on components and parts of motor vehicles etc. Government also exercise a certain amount of check on the pricing of the vehicles at the ex-factory stage to ensure that the manufacturer does not do any profiteering. A comparative statement showing the price that prevailed in January 1955 and in October 1955 is laid on the Table of the House. [See Appendix IV, annexure No. 1.]

(b) Information on prices of foreign vehicles is not available as imports are being done only in a completely knocked down condition.

Shri Anirudha Sinha : Is it a fact that in spite of the various concessions granted to the automobile industry the number of cars manufactured in the country has declined considerably ? If so, may I know the reasons thereof and may I also enquire the number of cars manufactured in the country since 1953 year-wise ?

Shri T. T. Krishnamachari : I answered this question on the last occasion when I had the privilege of answering questions in this House. The information that my hon. friend has is not correct. The demand has grown and the number of cars and trucks that have been sold in this country up to the end of November has exceeded beyond the sales in 1954. The extent of increase is roughly about 4,000 units.

Shri Anirudha Sinha : Has the Tariff Commission which was entrusted to enquire into the present conditions of automobile industry submitted their report and if so, what are the main recommendations and what effective steps do Government propose to take for the development of this industry to stand at least price competition in the world market ?

Shri T. T. Krishnamachari : As I said on the last occasion the matter is before the Tariff Commission and I cannot say when the Tariff Commission will submit

its report. Perhaps we might get some idea of what to do in respect of the queries raised by my hon. friend when the report is in our hands.

Shri Matthen : The hon. Minister said on a former occasion that the price of cars manufactured in India has come down by—I do not know how much. But, apparently my information is that the price has gone up. I would like to get some enlightenment on that matter from the hon. Minister.

Shri T. T. Krishnamachari : Well, Sir, I do not know if I can confirm that my hon. friend's impression or information is correct. There is undoubtedly a demand for a price increase. That is why we referred the matter to the Tariff Commission.

Shrimati Tarkeshwari Sinha : Even in spite of the concessions granted by the Government the prohibitive prices of cars have not increased the consumption of cars very much in these recent years. May I know whether the Government has at all studied the possibility of introducing hire-purchasing system in the country to increase the demand of cars ?

Shri T. T. Krishnamachari : I must plead guilty to the charge of not having yet applied my mind to this problem.

U. N. Specialist on Housing

*606. **Shri N. B. Chowdhury** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that Mr. C. A. Doxiadis, a U.N. Specialist in Housing, has had discussions with Government on housing problems in the country ; and

(b) if so, the nature of these discussions ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : (a) and (b). There were some preliminary discussions in connection with a proposal for the establishment, under the auspices of the United Nations, of a Regional Housing Centre for the Hot and Arid Regions of Asia and the Far East.

Shri N. B. Chowdhury : May I know whether the Government propose to set up such an establishment as has been suggested ?

Sardar Swaran Singh : It is in the course of discussion. Obviously Government is interested in the establishment of such a centre but details are being worked out as to what should be the scope of work, what should be the allocation of expenditure between the nations or the participating countries and what would be the help that we can render.

Shri N. B. Chowdhury : May I know whether the expert in question made any specific suggestion towards a solution to India's acute housing problem ?

Sardar Swaran Singh : Certainly, Sir, for hot and arid regions of India. There are hot and arid regions in India as there are in other countries.

Shri N. B. Chowdhury : I wanted to know whether the expert made any specific suggestion with regard to the solution for the acute housing problem in India ?

Sardar Swaran Singh : No. That was not the object of the visit of the expert; it was only to explore the possibility of setting up a research centre and it will take some time before the research is actually utilised.

Shri Raghavaiah : May I know from which country the expert came ?

Mr. Speaker : Order, order. The Question Hour is over.

Short Notice Question Algerian Question

S.N.O. No. 2. Shri Kasliwal : Will the Prime Minister be pleased to state :

(a) whether it is a fact that certain powers together with India have decided to delete the Algeria issue from the agenda of the U.N. General Assembly Session of this year ; and

(b) whether as a result thereof France has signified its assent to return to the U.N. ?

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

(b) Yes.

Shri Kasliwal : In reply to a question earlier, the Prime Minister was pleased to state that steps were taken for getting France back into the U. N. General Assembly. May I know whether this issue of Algeria has only been postponed to the next session or deleted finally ?

Shri Jawaharlal Nehru : No ; I think the idea was not to take it up this session. They decided that in no event could this have been taken up in this session as this was coming in the way of the consideration of many other important problems. Even the problem of Algeria was affected by it in the sense that steps are being taken in other ways for the consideration of the problem between France and Algeria. Unfortunately, the other steps were suddenly stopped and it was considered by not only India, but ultimately by every Asian African country—they

conferred together that it would be better to remove this from the agenda of this session so as to permit or to enable the French representative to return there. Otherwise, no progress will be made in this or other matters.

Shri Kasliwal : There is a growing tendency on the part of these colonial powers to claim colonial areas as parts of their metropolitan areas. For example, France is claiming Algeria; Holland is claiming Surinam as part of Holland, against which our delegation has raised an objection. Similarly, we have seen how Portugal is now claiming Goa as part of metropolitan Portugal. May I know whether this whole question is proposed to be raised before the next session of the U.N. General Assembly ?

Shri Jawaharlal Nehru : Which whole question ?

Shri Kasliwal : The question of the colonial powers claiming colonial areas as parts of metropolitan areas.

Shri Jawaharlal Nehru : One can raise it if it is a separate question. One cannot raise the question of principle that colonial powers are claiming other parts of territory as their metropolitan territory. Naturally, the question has to be raised specifically whether it is Portugal, France or something else. One can raise specific questions ; one cannot have an academic debate on this question in the U. N.

Shri M. S. Gurupadaswamy : When the Algerian issue was deleted from the agenda, was it done because the agenda was very heavy or was it done to please the colonial power, France, so that she may come back to the Assembly ?

Shri Jawaharlal Nehru : It was done specifically to enable this matter to be considered with France back in the Assembly. Therefore, it was done specifically to enable France to come back to the Assembly so that this and other matters may be considered.

WRITTEN ANSWERS TO QUESTIONS

Ex-Criminal Tribes

*588. **Shri Barman :** Will the Minister of Planning be pleased to state :

(a) whether Dr. P. C. Biswas has completed his study of the Ex-criminal Tribes living in Delhi ;

(b) if so, whether it is proposed to publish his reports ; and

(c) the recommendations made therein ?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) Dr. Biswas has completed his investigation and submitted a report;

(b) and (c) The report is being examined and the question of its publication will be considered in due course.

Hindustan Shipyard Ltd.

*599. **Shri D. C. Sharma :** Will the Minister of Production be pleased to state the value of ships built in the Hindustan Shipyard Ltd. and the cost of repair work done there on Government (naval and mercantile separately) ships during 1954-55?

The Minister of Production (Shri K. C. Reddy) : A statement is laid on the table of the Sabha. [See Appendix IV, annexure No. 2.]

Indian Industries Fair

*605. **Shri Amjad Ali :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether any committee was set up to enquire into the causes and the estimate of damage done by fire which broke out in Rumanian pavilion and gutted three other enclosures along with it in the Indian Industries Fair being held in New Delhi; and

(b) if so, the causes of the fire and the estimated extent of damage?

The Minister of Commerce (Shri Karmarkar) : (a) and (b). Yes, Sir. The Committee enquired into the causes of the fire but was unable to determine the exact cause. The Committee did not estimate the damage done by fire.

Offer of help from the German Democratic Republic

*607. **Shri Sadhan Gupta :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether the attention of Government has been drawn to the statement made by Dr. G. Lessing on the 31st October, 1955, that the German Democratic Republic would be prepared to help India in her industrial development; and

(b) if so, whether any advantage is proposed to be taken of this offer?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) and (b). Yes, Sir. Government have seen the statement made by the President of the Chamber of

Foreign Trade in East Germany. No formal proposal or offer has been made. Discussion of an exploratory nature have, however, taken place between the visiting Delegation and different authorities and parties in India.

Shifting of Offices from Delhi *

*608. **Shri Karni Singhji :** Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that there is a proposal for shifting some of the non-Secretariat offices from Delhi to the capitals of the former States in Rajasthan; and

(b) if so, the progress made in the matter?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) :

(a) and (b). The general question of shifting some offices out of Delhi is still under examination. It is not possible at this stage to specify whether any offices will be shifted outside Delhi, and if so, which they will be or where they would be shifted. But when any office is moved out Government would actually consider places, such as Jodhpur and Alwar where both office and residential accommodation facilities are either readily available or could be made available.

Conference of Commonwealth Prime Ministers

*609. **Shri Nageshwar Prasad Sinha :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that Conference of the Commonwealth Prime Ministers is proposed to be held in the near future; and

(b) if so, where and when?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) and (b). It is proposed to hold the Commonwealth Prime Ministers' Conference in London from the 27th June 1956, onwards.

Netaji Subhas Chandra Bose

*610. **Shri Kamath :** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to starred question No. 2364 on the 29th September, 1955, and state :

(a) whether any further attempts have been made to secure the recordings of the speeches of Netaji Subhas Chandra Bose for preservation; and

(b) if so, with what result ?

The Minister of Information and Broadcasting (Dr. Keskar) : (a) and (b). All India Radio is in touch with the relation of Netaji Subhas Chandra Bose in this connection and is trying to find out if any recordings are existent. Other avenues are also being explored.

Vamsadhara River Project

*611. **Shri Sangaana :** Will the Minister of Planning be pleased to refer to the reply given to starred question No. 2350 on the 29th September, 1955, in respect of the Vamsadhara River Project and state :

(a) whether any final reply has been received from the Government of Orissa; and

(b) if so, what it is ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) Not yet, Sir.

(b) Does not arise.

Refugees from Portuguese Pockets

*612. **Dr. Ram Subhag Singh :** Will the Prime Minister be pleased to state : z

(a) whether it is a fact that a large number of refugees from the Portuguese pockets of Goa, Daman and Diu have come over to India since August, 1955;

(b) if so, what is their approximate number; and

(c) whether any help is being rendered to them for their maintenance ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) and (b). Recently 793 fishermen along with their families came over to India from Daman. They brought with them 36 fishing boats complete with fishing tackle. Although they entered India illegally, but on compassionate ground, the Government of India permitted them to stay on in India.

(c) They have been permitted to earn their livelihood through their profession. In addition to this the local congress committee rendered financial assistance.

भारत-भारत व्यापार सम्मेलन

*६१३. श्री रघुनाथ सिंह : क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नवम्बर, १९५५ में कोई

भारत-भारत व्यापार सम्मेलन बम्बई में हुआ था; और

(ख) यदि हाँ, तो उसका क्या निष्कर्ष निकला ?

वाणिज्य मंत्री (श्री करमरकर)

(क) जी, हाँ।

(ख) इस सम्मेलन में जो प्रस्ताव स्वीकार किये गये थे, वे सरकार के विचाराधीन हैं।

Nepa Newsprint Factory

*614. **Shri Sarangadhar Das :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether it is a fact that the Nepa Newsprint Factory in Madhya Pradesh has been producing newsprint papers;

(b) if so, the time when production started;

(c) the quantity produced per month

(d) the cost of production per ton and the price at which it is being marketed; and

(e) whether the quality and the price of its newsprint compare favourably with the imported article?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) to (c). This Mill started trial runs on the 11th January, 1955, and since then it has been producing bleached newsprint at 15 tons a day on the average.

(d) and (e). The product of the Mill is being sold at Rs. 0/5/6 per lb. to registered newspapers and at Rs. 0/6/6 per lb. to other parties. The quality of the product is reported to be good. The price of the Nepa newsprint charged to registered newspapers compares favourably with those of the imported newsprint. I regret, I am unable to disclose information regarding cost of production.

Textile Enquiry Committee

*615. **Shri Gadlingana Gowd :** Will the Minister of Commerce and Industry be pleased to refer to the reply given to starred question No. 2154 on the 26th September, 1955, and state :

(a) whether Government have taken

any decision on the report of the Textile Enquiry Committee;

(b) if so, which of the recommendations of the Committee have been accepted; and

(c) the reasons for not accepting the other recommendations?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a), (b) and (c). The Report is still under consideration.

Mandi Salt Mines

*616. **Shri Hem Raj :** Will the Minister of Production be pleased to refer to the reply given to starred question No. 165 on the 28th July, 1955 and state the amount spent on the core-drilling operations in the Mandi Rock Salt Mines in 1953-54 and 1954-55 and the amount proposed to be spent in 1955-56?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : The amount spent on the core-drilling operations in the Mandi Salt Mines was :—

1953-54	Rs. 47,792/-
1954-55	Rs. 73,348/-
1955-56	Rs. 51,810/- (estimate)

Steel Rolling Mills

*617. **Shri S. V. Ramaswamy :** Will the Minister of Commerce and Industry be pleased to state :

(a) how many mills are there in Madras State for rolling scrap iron and steel; and

(b) whether there is any scheme for starting more rolling mills for converting the large quantity of scrap available in that State into steel?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) Two.

(b) It would not be correct to say that there is a large quantity of scrap available in Madras for new units that might be started. But Government are prepared to consider applications for the starting of Rolling mills to function in 1959 when assured supplies of billets will be available.

Tobacco Stocks

*618. **Shri B. S. Murthy :** Will the Minister of Commerce and Industry be pleased to state :

(a) the amount of stock of tobacco

now lying with the growers in Andhra ready to be exported; and

(b) the steps taken to dispose of the same and the names of the countries which are willing to purchase it?

The Minister of Commerce (Shri Karmarkar) : (a) Precise figures of stocks lying with the growers for export purposes are not available. The unsold stocks of flue-cured virginia tobacco which is our principal export from the country are understood to be negligible.

(b) The answer to first part does not arise. As regards the second part, a statement is laid on the Table of the House. [See Appendix, IV, Annexure No. 3.]

छोटे पैमाने के उद्योग

*६१६. श्री एम० एल० द्विवेदी : क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) समाज कल्याण बोर्ड (सोशल वेलफेयर बोर्ड) के परामर्श से जिन छोटे उद्योगों को समाज कल्याण केन्द्रों में चालू करने की योजना बनाई गई है, उसके अन्तर्गत कौन से छोटे पैमाने के उद्योग धंधे सम्मिलित किये गये हैं ;

(ख) इन उद्योगों की स्थापना के लिये अनुमानतः कितना धन स्वीकृत किया गया है ;

(ग) इस धन राशि में समाज कल्याण बोर्ड और उनके मंत्रालय का कितना अंशदान होगा ;

(घ) क्या इन उद्योगों को सुचारु रूप से चलाने के लिये व्यक्तियों को प्रशिक्षित करने के प्रश्न पर विचार किया गया है ;

(ङ) यदि हां, तो प्रशिक्षण किस प्रकार का होगा ; और

(च) क्या इस योजना की रूपरेखा बताने वाला एक विवरण सभा के टेबल पर रखा जायेगा ?

बारिष्पय मंत्री (श्री करमरकर) :

(क) से (च), सदन की मेज पर एक विवरण प्रस्तुत किया जाता है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या ४]।

Joint Consultative Board of Industry and Labour

***620. Shri Shree Narayan Das :** Will the Minister of Planning be pleased to state :

(a) the important matters considered by the Joint Consultative Board of Industry and Labour during 1955 so far;

(b) the important decisions taken, by the Board; and

(c) which of these recommendations have been accepted and given effect to by Government?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) (i) Progress made in the implementation of recommendation regarding Labour in the First Five-Year Plan.

(ii) Labour Policy for the Second Five-Year Plan.

(iii) Schemes suggested for inclusion in the Second Five Year Plan.

(b) The Board recorded its satisfaction on the implementation of Labour policy and programmes in the First Five Year Plan and made suggestions regarding Labour policy and programmes for the Second Five-Year Plan. The Board also decided to undertake a series of studies regarding (i) remuneration to labour in all its aspects, (ii) Joint consultation and participation of workers in management, and (iii) problems of increasing productivity with specific reference to efficiency and discipline.

(c) The Board's recommendations on the Labour policy and programmes for the Second Five-Year Plan are under examination.

Compensation to Displaced persons

***621. { Sardar Hukam Singh :
Shri Bahadur Singh :
Dr. Satyawadi :
Shri Radha Raman :**

Will the Minister of Rehabilitation be pleased to state :

(a) the number of applications for compensation filed by displaced persons upto the 26th September, 1955;

(b) the number that was expected to be received in respect of verified claims and

(c) the number received subsequently in which the delay was condoned?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsale) : (a) 4,35,385.

(b) 3,90,000.

(c) 5,065.

Indians in Natal and Transvaal

***622. Shri Krishnachary Joshi :** Will the Prime Minister be pleased to state :

(a) whether educational and medical facilities are provided to Indians in Natal and Transvaal; and

(b) whether it is a fact that the economic condition of Indians there is not satisfactory?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) Yes; but these are insufficient to meet their needs.

(b) Yes.

Grants to Bihar

***623. Pandit D. N. Tiwary :** Will the Minister of Planning be pleased to state :

(a) whether grants given to Bihar State in 1954-55 for local development works have been fully utilised; and

(b) if not, the amount that remained unspent?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) Yes, Sir.

(b) Does not arise.

All India Khadi and Village Industries Board

***624. Shri Bibhuti Mishra :** Will the Minister of Production be pleased to state :

(a) whether it is a fact that the programmes of the All India Khadi and Village Industries Board are overlapping in certain areas;

(b) if so, the names of the areas; and

(c) the action taken by Government in the matter?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : (a) No, Sir.

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

Synthetic Oil Plant

- *625. { Shri T. B. Vittal Rao :
 Shri R. N. S. Deo :
 Dr. Ram Subhag Singh :
 Sardar Iqbal Singh :
 Shri M. Islamuddin :

Will the Minister of Production be pleased to refer to the replies given to starred question No. 649 on the 10th August, 1955 and starred question No. 2022 on the 21st September, 1955 and state :

(a) whether the project reports for the installation of a Synthetic Oil Plant have since been received from the three foreign companies;

(b) if so, whether Government have examined them; and

(c) the conclusions that have been arrived at?

The Minister of Production (Shri K. C. Reddy) : (a) Project Reports have so far been received from two firms, viz., Messrs. Heinrich Koppers and Lurgi, both of Germany. The Report from Messrs. M. W. Kellogg of U. S. A. is still awaited.

(b) and (c). The Reports are being examined by the Experts Committee set up by Government under the chairmanship of Dr. J. C. Ghosh. Government will take a decision in the matter on receipt of the Committee's recommendations.

Indo-Czech Trade

*626. Shri Sadhan Gupta : Will the Minister of Commerce and Industry be pleased to state :

(a) whether Government have considered the offer of technical assistance and Technical Training as well as the offer to expand Indo-Czech trade made by Mr. M. E. Admek on the 9th November, 1955; and

(b) if so, with what result?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) and (b) No formal offer or proposal has been made. The Czech Delegation to the Industries Fair has, however, had useful discussions of an exploratory nature with the different authorities and business organisations in India.

आकाशवाणी

*627. श्री एम० एल० द्विवेदी : क्या सूचना और प्रसारण मंत्री २२ सितम्बर, १९५५ को राज्य सभा में दिये गये तारांकित प्रश्न संख्या ५७० के उत्तर के सम्बन्ध में जो उन्होंने आकाशवाणी के सहायक इंजीनियरों के बारे में दिया था, यह बताने की कृपा करेंगे कि आकाशवाणी के लिये इंजीनियरों के प्रशिक्षण का जो प्रबन्ध किया जाने वाला है उसकी मुख्य विशेषतायें क्या हैं ?

सूचना और प्रसारण मंत्री (डा० केशकर) : अखिल भारतीय रेडियो के लिए एक कर्मचारी ट्रेनिंग स्कूल स्थापित करने की योजना को द्वितीय पंचवर्षीय आयोजना में शामिल कर लिया गया है। यह सुझाव इस समय योजना कमीशन के विचाराधीन है। इसके अनुसार और बातों के साथ साथ, रेडियो के इंजीनियरिंग विभाग में भरती हुए नये कर्मचारियों को ट्रेनिंग दी जायेगी और रेडियो में विभिन्न स्तरों पर जो इंजीनियर अभी काम कर रहे हैं, उनकी जानकारी और अनुभव बढ़ाने की व्यवस्था की जायेगी।

Prohibition Enquiry Committee

- { Sardar Hukam Singh :
 Shri Bahadur Singh :
 Shri N. Rachish :
 Shri D. C. Sharma :
 Shri Dabhi :
 *628. { Shri Barman :
 Shri Bhakta Darshan :
 Shri Jhulan Sinha :
 Shri K. P. Sinha :
 Shri Heda :
 Shri Radha Raman :
 Shri Bhagwat Jha Azad :

Will the Minister of Planning be pleased to state :

(a) whether any definite decisions have been taken on the Prohibition Inquiry Committee's proposals for a phased programme of total prohibition in the country; and

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

The Deputy Minister for Planning (Shri S. N. Mishra) : (a) and (b). The Prohibition Enquiry Committee Report is still under consideration of the Planning Commission.

Indo-Ceylon Agreement

*629. { **Shri Krishnacharya Joshi :**
Shri Raghuramiah :

Will the Prime Minister be pleased to state whether the Government of Ceylon have replied to the latest communication of the Prime Minister of India regarding the working of Indo-Ceylon Agreement on Citizenship of persons of Indian origin in Ceylon?

The Deputy Minister of External Affairs (Shri Anil K. Chanda) : No Sir.

Hindustan Shipyard

*630. { **Shri Bibhuti Mishra :**
Shri M. S. Gurupadaswamy :

Will the Minister of Production be pleased to state :

(a) whether under the agreement with the French firm A. C. L. they have to train a certain number of Indian staff at Visakhapatnam every year; and

(b) if so, the number of persons so far trained?

The Minister of Production (Shri K. C. Reddy) : (a) The Agreement provides for training of staff but no particular number is specified for that purpose.

(b) Ten officers have been trained or are being trained in the shipyards of the Consultants in France. As regards the personnel in India, all technical officers and staff and workmen (except unskilled workers) numbering 2,274 are receiving benefit from the presence and guidance of the French teams of experts and workers. In addition there are 217 trade apprentices who are receiving training in the Vizag Shipyard.

Export Credit Guarantee Scheme

*302. **Shri Tulaidas :** Will the Minister of Commerce and Industry be pleased to refer to the reply given to starred question No. 318 on the 16th August, 1955 and state the progress made by Government in connection with the introduction of the Export Credit Guarantee Scheme?

The Minister of Commerce (Shri Karmarkar) : We have since studied the suggestions and comments made by different trade interests and commercial

organisations and have decided to set up an expert Committee to evolve a Scheme of Export Credit Guarantee for India.

U. N. O.

333. **Shri Kamath :** Will the Prime Minister be pleased to state :

(a) the names of countries which have applied for admission to the United Nations and whose applications are pending before the International Organisation;

(b) whether India is supporting the admission of all these countries; and

(c) if no, what countries are not being supported and the reasons therefor?

Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) Albania, Mongolian People's Republic, Italy, Transjordan, Portugal, Ireland, Hungary, Austria, Rumania, Bulgaria, Finland, Ceylon, Libya, Republic of Korea, Nepal, Vietnam, Cambodia, Democratic Republic of Vietnam, Japan, Laos, Democratic Republic of Korea and Spain.

(b) and (c). India is in favour of universality of membership of the United Nations, that is, that every nation which is qualified under the Charter should be admitted. India is at present associating itself and supporting a Canadian Resolution in the United Nations recommending the admission of 18 countries, that is, all the above named countries which have applied, except four applicants, namely, the Democratic Republic of Vietnam, Vietnam, the Republic of Korea and the Democratic Republic of Korea. These applications are from two countries, namely, Vietnam and Korea, which are temporarily divided and whose internal status has not yet been determined.

Conferment of Foreign Honours on Indians

334. **Shri Kamath :** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 2185 on the 26th September, 1955 and state :

(a) the number of cases in which previous permission of Government was obtained by Indian citizens before receiving foreign awards, citations or decorations.

(b) what are the honours for which such permission was necessary; and

(c) why permission was not deemed necessary in other cases?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) In all cases and in respect of all awards, citations and decorations.

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

Airfields in Nepal

335. Shri Kamath : Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 2182 on the 26th September, 1955 and state :

(a) whether improvements to existing airfields at Simra, Bhairawa, Biratnagar and Pokhra have been decided upon;

(b) if so, when the work on the airfields will begin; and

(c) whether the Kathmandu Ganchar airfield satisfies all the safety requirements?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a), (b) & (c). Certain improvements of the landing areas and air traffic and radio communication facilities are under consideration. The work will be taken on hand as soon as the plans have been finalised. The Kathmandu Ganchar airfield satisfies all the safety requirements for Dakota type of aircraft.

Indian Embassies

336. Shri Kamath : Will the Prime Minister be pleased to state :

(a) the total number of Gazetted Officers in our Embassies and Missions abroad;

(b) the breakdown of their figure, according to designation or category;

(c) the total number of non-Gazetted Officers in those Embassies and Missions;

(d) the breakdown of their figure, according to designation or category; and

(e) how many of the Officers as mentioned in parts (a) and (c) above are still temporary?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) to (e). The required information is being collected and will be laid on the table of the House.

Cotton Textiles

**337. { Sardar Hukam Singh :
Shri Bahadur Singh :**

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

there is any increase in the internal consumption of cotton textiles during 1955 as compared to 1954?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : Yes, Sir.

संयुक्त राष्ट्र संघ

३३८. श्री श्री नारायण दास : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) जो भारतीय प्रतिनिधिमंडल इस बार संयुक्त राष्ट्र के साधारण अधिवेशन में भाग लेने गया है उस के सदस्यों को किन विभिन्न समितियों तथा उपसमितियों में काम करने के लिये चुना गया है; और

(ख) इस प्रतिनिधि मंडल के सदस्यों ने अभी तक किन विषयों के विचार विमर्श में भाग लिया है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) जनरल प्रसेम्बली की कई समितियों में बांटे गये भारतीय प्रतिनिधिमंडल के सदस्यों का व्योरा सदन की मेज पर रख दिया है।

(ख) भारतीय प्रतिनिधिमंडल के सदस्यों ने एजन्डा के करीब करीब सभी १६ घाइटों की बहस में हिस्सा लिया है। एजन्डा की एक कापी सदन की मेज पर रख दी है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या ५]।

टाइपराइटर

३३९. श्री एन० एल० द्विवेदी : क्या वाणिज्य और उद्योग मंत्री ७ मार्च १९५५ को दिये गये तारकित प्रश्न संख्या ६२० के उत्तर के सम्बंध में यह बताने की कृपा करेंगे कि :

(क) क्या टाइपराइटर मशीनें भारत में सफलता के साथ बनाई गई हैं ;

(ख) यदि हां, तो टाइपराइटर बनाने के लिये अभी तक कितने कारखाने खोले गये हैं और अभी तक कितने टाइपराइटर बन चुके हैं; और

(ग) क्या भारत में बने टाइपराइटरों की कार्यकुशलता का परीक्षण किया गया है ?

बाणिज्य और उद्योग तथा लोहा और इस्पात मन्त्री (श्री टी० टी० कृष्णामाचारी) :

(क) और (ख). टाइपराइटर मशीनों का क्रमशः निर्माण करने की तीन योजनायें सरकार ने स्वीकार कर ली हैं। दो योजनाओं के अनुसार तो उत्पादन आरम्भ भी हो चुका है। जुलाई से सितम्बर १९५५ तक की अवधि में टाइपराइटर की १५७६ मशीनें इन दोनों योजनाओं के अन्तर्गत बन चुकी हैं।

(ग) जी, हां।

भारतीय दूतावास

३४०. श्री एम० एस० द्विवेदी : क्या प्रधान मन्त्री यह बताने की कृपा करेंगे कि :

(क) विदेश स्थित कितने भारतीय दूतावासों में अभी तक हिन्दी उपविभाग खोले गये हैं ;

(ख) ऐसे उपविभागों में किस प्रकार का काम किया जाता है; और

(ग) निकट भविष्य में कितने दूतावासों में ऐसे उपविभाग खोलने का विचार है ?

प्रधान मन्त्री तथा वैदेशिक कार्य मन्त्री (श्री जवाहरलाल नेहरू) : (क) एक केवल पीकिंग में खोला गया है।

(ख) अपने प्रत्यय पत्र पेश करते वक्त हमारे नये राजदूत का भाषण और अपने प्रत्यागान के बारे में दूसरे राजदूतों

को भेजे गये पत्र, सभी हिन्दी में थे और अंग्रेजी तर्जुमा उनके साथ था। हमारा राजदूत जहां तक मुमकिन होगा, चीन के परराष्ट्र मंत्रालय को, वाजाम्ता नोट बैररह अंग्रेजी तर्जुमे के साथ, हिन्दी में भेजेगा।

राजदूतावास के हिन्दी न जानने वाले कर्मचारियों और उनकी पत्नियों के लिये एक हिन्दी कक्षा चलाने का और हिन्दी सेक्शन के स्टाफ को उनकी मर्जी पर अध्यापक बनाने का विचार है।

(ग) यह अभी विचाराधीन है।

Indian Embassies

341. **Shri S. C. Samanta :** Will the Prime Minister be pleased to state :

(a) whether officers serving in Indian Embassies abroad are allowed to build or buy houses in those countries either in their own names or in the names of their relatives; and

(b) if not, whether any breach of such rules has been reported to Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) Officers serving in our foreign embassies cannot acquire or dispose of any immovable property in the countries in which they are serving or elsewhere without the previous knowledge of Government, or when such transaction is conducted otherwise than through a regular or reputed dealer, without the previous sanction of the Government. This applies both to building or buying houses in an officer's own name or in the name of any members of his family.

(b) A case has recently been brought to the notice of Government in which a Government servant's wife is stated to have purchased immovable property abroad. The case is under enquiry.

Nilokheri Township

342. **Dr. Satyawadi :** Will the Minister of Rehabilitation be pleased to refer to the reply given to Unstarred Question No. 91 on the 28th July, 1955 and state the main items of expenditure incurred on running the Nilokheri Township?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle) : A statement showing the main items of expenditure incurred on running the Rehabilitation

Colony, Nilokheri, during the years 1952-53, 1953-54 and 1954-55 is placed on the Table of the Sabha. [See Appendix IV, annexure No. 6]

Border Incidents

343. Shri D. C. Sharma : Will the Prime Minister be pleased to state :

(a) the number of border incidents officially reported during the period from the 1st July to the 30th November, 1955 on the Indo-Pakistan border of Punjab, Kashmir and Rajasthan;

(b) the nature of the incidents; and

(c) the number of such incidents that have been amicably settled between the two Governments?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a), (b) and (c). During the period from 1-7-1955 to 15-11-1955, no incident was reported to have taken place on the Punjab border.

Thirty-six incidents were reported to have occurred on the Rajasthan border. Most of these incidents related to lifting of cattle and thefts but some of them were of a serious nature involving decoities and kidnapping. The Rajasthan authorities took up these cases with their Pakistani counter-parts. In a few cases, stolen cattle and property have been restored by the Pakistan authorities. The remaining cases are being pursued with them by the Rajasthan authorities.

The information in regard to the Kashmir border is being collected and will be laid on the Table of the House as soon as possible.

British Army Depot, Lehra

344. Shri S. L. Saksena : Will the Prime Minister be pleased to state :

(a) the function of the British Army Depot in Lehra and Jalapahar in the Gorakhpur District;

(b) whether Gorkha soldiers for the British Army are recruited there even now;

(c) whether there are any other similar depots in India;

(d) if so, where; and

(e) what is their function and how long they will be in existence?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) to (e). There are at present two British Army Depots in India—one at Lehra in the Gorakhpur District of U. P., and the other at Jalapahar in the Darjeeling District of West Bengal. They are not being used as recruiting depots for Gurkha personnel for Nepal. They are merely used as transit centres for collection and staging of parties to Calcutta handling of leave and discharge parties, X-Ray examination, storage of clothing and payment of pensions.

No recruitment of Gurkhas for the British Army is now being made on Indian soil.

The use of these two depots by the U. K. on Indian territory is intended to be temporary and is expected to terminate shortly.

Apartheid Policy

345. Shri Raghunath Singh : Will the Prime Minister be pleased to state how many countries of the world have been supporting in the U. N. O. the Apartheid policy of the Government of the Union of South Africa?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : We are not aware of any such country.

Research in Atomic Energy

**346. { Shri Raghunath Singh :
Shri Krishnacharya Joshi :**

Will the Prime Minister be pleased to state the number of countries which have given any kind of help to India for the progress and research in Atomic Energy for peaceful purposes?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : Attention of the Honourable Member is invited to the reply given to supplementaries to Starred Question No. 36 by Shri N. M. Lingam in the Lok Sabha on the 25th July, 1955 which gave the following information :

"India is in friendly and co-operative relations in this matter with several countries in the world including the United States of America, France, U. K., U. S. S. R., Canada, Yugoslavia, Sweden, Norway, Israel and Egypt."

Subsidised Industrial Housing Scheme

347. **Shri D. C. Sharma** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) the number of houses constructed so far for the industrial and other labourers in the Punjab State under the Subsidised Industrial Housing Scheme; and

(b) the amount spent thereon so far?

The Minister for Works, Housing and Supply (Sardar Swaran Singh) :

(a) & (b). The Scheme applies to the industrial workers and to mine workers except those employed in coal & mica mines. No application for aid has been received for the mine workers. A statement in respect of the industrial workers is laid on the table of the Sabha [See Appendix IV, annexure No. 7].

Cottage Industry Training Centres

348. **Shri D. C. Sharma** : Will the Minister of Production be pleased to state :

(a) the number of Cottage industry Training Centres in India;

(b) where they are located; and

(c) the nature of facilities given to the trainees during the training period?

The Minister of Production (Shri K. C. Reddy) : (a), (b) & (c) The information is being collected and will be laid on the Table of the Sabha in due course.

Indian in Soviet Labour Camp

349. { **Shri Bhagwat Jha Azad** :
Shrimati Ila Palchoudhury :

Will the Prime Minister be pleased to state :

(a) whether an Indian business-man Mr. John Faut is being held at Vorkuta forced labours camp in Arctic Siberia; and

(b) if so, whether Government have moved to the Soviet Government for his release?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) and (b). The Indian Embassy in West Germany, Bonn, informed us in 1952 that, according to certain released prisoners from a Soviet concentration camp, an Indian national was also detained in the Soviet Union. Some of the prisoners named the detained Indian as "Johnny Faut" while other identified him as "Abdul". It is understood that an Indian was released from the Soviet Union in 1954. Our Embassy in Bonn is trying to find out the identity of this person.

Indian Prisoners in Goa

350. **Shri Ibrahim** : Will the Prime Minister be pleased to state :

(a) the number of Indians who were jailed for more than seven years by the Territorial Military Tribunal of Goa; and

(b) how many of them filed appeals against the judgements of the Military Tribunal before the Supreme Military Tribunal in Lisbon?

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

(b) Two

Penicillin

351. **Shri Ibrahim** : Will the Minister of Commerce and Industry be pleased to state :

(a) the quantity and the value of Penicillin phials of different sizes imported during the years 1954 and 1955 (upto the 30th June, 1955);

(b) the countries from which they were imported;

(c) the present requirements of those phials in the country; and

(d) the indigenous production capacity thereof?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) and (b). Statistics of import of Penicillin phials are not available as these are not shown separately in the Foreign Trade Accounts.

(c) About 3 lakhs gross per annum approximately.

(d) 6.25 lakh gross per annum.

Fertilizer Factory at Bhakra-Nangal

352. **Shri D. C. Sharma** : Will the Minister of Production be pleased to state :

(a) the number of families which will be displaced as a result of the construction of the Fertilizer Factory at Bhakra Nangal; and

(b) whether such displaced persons will be given any preference for employment in the construction of the factory?

The Minister of Production (Shri K. C. Reddy) : (a) The Government have not so far taken a final decision regarding the actual site for the location

of the Nangal Fertilizer-Heavy Water factory, and its extent. It is not, therefore, possible to estimate, at this stage, the number of families, if any, that will be displaced as a result of acquisition of land for the factory.

(b) The Government will endeavour to provide suitable employment as far as possible to such displaced persons, if any.

Government Publications

353. Shri S. C. Samanta : Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 218 on the 26th September, 1955 and state :

(a) the names of publications supplied free to Members of Parliament since February, 1952;

(b) the number of these supplied on request;

(c) names of publications supplied at concessional prices; and

(d) whether public institutions are also supplied free or at concessional rates all the journals and publications of the Ministry?

The Minister of Information and Broadcasting (Dr. Keskar) : (a) The magazine "Kurukshetra" is being supplied direct by the Publications Division. In addition, most of the pamphlets dealing with the Five-Year Plan publicity and the monthly magazine "Bhagirath" published by the Division are being supplied free by the Planning Commission and the Central Water and Power Commission respectively.

(b) Other publications, excepting very costly ones which are offered at concessional rates, are supplied free of cost on request. It would be rather difficult to compile a list of such supplies.

(c) (i) "MAHATMA GANDHI"—An album

(ii) "JAWAHARLAL NEHRU'S SPEECHES"

(iii) "INDIA - 1954"

(iv) "INDIA - 1955"

(d) Yes. Copies of the journals and publications, excepting the costly ones, are supplied free of cost on specific requests. But in all cases public institutions are as a rule supplied copies at concessional rates.

Prime Minister's National Relief Fund

354. Shri D. C. Sharma : Will the Prime Minister be pleased to state :

(a) the total amount collected in the Prime Minister's National Relief Fund

from the 1st of September, to the end of November, 1955 : and

(b) the number of beneficiaries from this Fund ?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : (a) The amount received in the Prime Minister's National Relief Fund during the period 1st September 1955 to 30th November, 1955, is Rs. 24,40,636-5-8.

(b) Normally, disbursements from the Prime Minister's National Relief Fund are made to Governors and or Chief Ministers of States, for relief work at their discretion. In certain cases, financial assistance is also given to well known social service organisations for relief work. It is, therefore, not possible to ascertain the number of beneficiaries from the Prime Minister's Fund. However, a sum of Rs. 26,71,824-14-3 has been disbursed from the Prime Minister's National Relief Fund during the period 1st September, 1955, to 30th November 1955.

A.I.R. Light Music Unit

355. Shri Gopala Rao : Will the Minister of Information and Broadcasting be pleased to state :

(a) the strength and scale of pay of Music Producers in charge of Light Music Units of the A.I.R. ; and

(b) their special qualifications, if any, in Music ?

The Minister of Information and Broadcasting (Dr. Keskar) : (a) For the present only three Light Music Units are maintained experimentally and no scales have, therefore, been prescribed.

(b) The persons in charge have been selected for their experience in producing light music.

Women's hostel

356. Shri Gopala Rao : Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that the Y.W.C. A. has handed over the management of the Women's Hostel at Curzon Road, New Delhi; and

(b) if so, the authority that is managing the Hostel at present ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : (a) Yes, Sir.

(b) Delhi State Social Welfare and Rehabilitation Board.

Tea Exports

357. **Shri Heda :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether the duty on the export of Tea has been raised; and

(b) the total quantity of tea exports in the last 3 months?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari : (a) Under the present uab system of export duty on tea, the duty is fixed with reference to the price of tea. Since March 1955, export duty has been levied at the following rates:—

March 1955	.. As. 10/- per lb.
April & May	.. As. 8/- "
June & July	.. As. 4/- "
August & September	.. As. 6/- "
October, November and December.	.. As. 8/- "

(b) The total quantity of tea exported during July-September 1955 was 136.36 million lbs.

Agreement On Indus Waters

358. { **Sardar Hukam Singh:**
Shri D.C. Sharma:
Shri L. N. Mishra:
Shri Raghunath Singh:

Will the Minister of Irrigation and Power be pleased to state :

(a) whether any new *ad hoc* transitional agreement has been entered into between India and Pakistan for the irrigational use of the waters of the Indus system of rivers; and

(b) whether the International Bank has proposed any final and permanent settlement so far in respect of these waters?

The Minister of Planning and Irrigation and Power (Shri Nanda): (a) short term agreement between the Government of India and the Government of Pakistan for a *ad hoc* Transitional Arrangements for Rabi 1955-56 was signed on the 31st October 1955.

(b) No.

Indo-rumanian Trade Agreement

359. **Shri Amjad Ali:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Rumania has evinced a desire to import (i) Coffee, (ii) Tea, (iii) mica, (iv) Shellac, (v) Black pepper, (vi) Timber, and (vii) various kinds of mineral ores from India in increased quantities;

(b) whether any agreement between India and Rumania has recently been signed; and

(c) if so, the terms thereof?

The Minister of Commerce and Industry and Iron and Steel (Shri T.T. Krishnamachari : (a) Government have seen a newspaper report of the statements said to have been made by the trade representative of the Rumanian Peoples Republic at a press conference held in Delhi to the effect that shellac, mica, pepper coffee and tea from India could find a market in Rumania.

(b) and (c). A trade agreement between India and Rumania was signed on 23rd March 1954 and will be in force upto 31st December 1955. Copies of the agreement and the notes exchanged in connection therewith are available in Parliament Library.

Steel

360. **Sardar Hukam Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the demand of Steel for internal consumption has increased during the current year; and

(b) if so, the main items of steel in regard to which this increase is particularly noticeable?

The Minister of Commerce and Industry and Iron and Steel (Shri T.T. Krishnamachari.) (a) Yes Sir.

(b) Structural, Sheets and Bars and Rods.

Steel Imports

361. **Sardar Hukam Singh:** Will the Minister of Commerce and Industry be pleased to state the quantity of steel imported during the current year.

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : 678,544 tons from

January upto 31st October, 1955.

Bhakra Dam

366. **Sardar Hukam Singh :** Will the Minister of Irrigation and power be pleased to state the quantity of steel that would be needed to complete that Bhakra Dam ?

The Minister of Planning and Irrigation and Power (Shri Nanda). 1,000,000 tons.

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(Part II—Proceedings other than Questions and Answers)

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(21st November to 9th December, 1955)



ELEVENTH SESSION, 1955

(Vol. IX contains Nos. 1 to 15)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

Wednesday, 7th December, 1955

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12.05 P.M.

MESSAGES FROM RAJYA SABHA

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

(i) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th December, 1955, agreed without any amendment to the Press and Registration of Books (Amendment) Bill, 1955, which was passed by the Lok Sabha at its sitting held on the 22nd November, 1955."

(ii) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Indian Stamp (Amendment) Bill, 1955, which was passed by the Lok Sabha at its sitting held on the 28th November, 1955, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(iii) "I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Monday, the 5th December, 1955,

passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to prevent undesirable transactions in securities by regulating the business of dealing therein, by prohibiting options and by providing for certain other matters connected therewith. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion.

Motion

That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to prevent undesirable transactions in securities by regulating the business of dealing therein, by prohibiting options and by providing for certain other matters connected therewith, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee: Shri H. C. Dasappa, Shri Shriyans Prasad Jain, Shri T. S. Pattabiraman, Shri A. Dharam Das, Shri Chandulal P. Parikh, Shri D. Y. Pawar, Kazi Karimuddin, Shri M. M. Sur, Shri R. S. Dogar, Shri Bhogilal M. Shah, Prof. A. R. Wadia, Shri T. V. Kamalaswamy, Shri B. C. Ghose, Shri N. D. M. Prasadarao and Shri M. C. Shah."

(iv) "In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Working Journalists (Conditions of Service) and Miscellaneous

[Secretary]

Provisions Bill, 1955, which has been passed by the Rajya Sabha at its sitting held on the 1st December, 1955."

WORKING JOURNALISTS (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS BILL

Secretary: Sir, I lay the Working Journalists (Conditions of Service) and Miscellaneous Provisions Bill, 1955, as passed by Rajya Sabha, on the Table of the House.

**PAPERS LAID ON THE TABLE
NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT**

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): I beg to lay on the Table a copy of each of the following Notifications of the Ministry of Food and Agriculture containing certain Orders, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955:

- (1) Notification No. S.R.O. 2264, dated the 15th October, 1955.
- (2) Notification No. S.R.O. 2210, dated the 8th October, 1955.
- (3) Notification No. S.R.O. 2154, dated the 1st October, 1955.
- (4) Notification No. S.R.O. 1792, dated the 20th August, 1955.
- (5) Notification No. S.R.O. 1793, dated the 20th August, 1955.
- (6) Notification No. S.R.O. 1450, dated the 9th July, 1955.
- (7) Notification No. S.R.O. 1396, dated the 2nd July, 1955.
- (8) Notification No. S.R.O. 3405, dated the 5th November, 1955.

[Placed in Library. See No. S-434/55]

BUSINESS ADVISORY COMMITTEE

THIRTIETH REPORT

Shri M. A. Ayyangar (Tirupati): I beg to present the Thirtieth Report of the Business Advisory Committee.

TWENTY-NINTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee subject to the modification that 7 hours instead of 5 hours be allotted to the Insurance (Amendment) Bill as recommended by the Business Advisory Committee in their Thirtieth Report presented in the House today."

Mr. Speaker: Yesterday the Business Advisory Committee considered the question of the time to be allotted to the Bill that is at present under the discussion of the House, namely, the Bill to amend the Insurance Act, 1938. The consideration motion was being discussed and the Business Advisory Committee thought that there should be an amendment in its recommendation and that 2 hours more should be allotted for this discussion. The motion will, therefore, be slightly amended. I shall place it before the House.

Motion moved:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee subject to the modification that 7 hours instead of 5 hours be allotted to the Insurance (Amendment) Bill as recommended by the Business Advisory Committee in their Thirtieth Report presented in the House to-day."

Shri Kamath (Hoshangabad): I would like to invite your attention to two matters arising out of this Report. I shall refer first to the fifth para. It is an of-told tale that there is shortage of time during a session. I remember before I returned to this Parliament to have read in the papers that you, in your wisdom, had decided that Parliament should sit at least for 7 months in the year to transact its business efficiently. So far as I can see, this year Parliament has met only for about 6 months. I think the Press reported your decision last year that Parliament should sit at least for 7

months. At present, business is brought on the agenda; then it is deleted, and fresh business is brought on the agenda. We do not know what will happen to that also. The Preventive Detention Act item has been on the agenda since the beginning of this session practically and now it is sought to be deleted. What is the reason? It is shortage of time. The last para opens with shortage of time. We are faced with so many shortages and the shortage of time is the biggest shortage. I would request you earnestly to give some consideration to this matter whether Parliament should sit for 6 months or 7 or longer to transact its business efficiently and well, and not postpone business every session due to shortage of time.

The second point is, before you vacate the Chair for the day, I might invite your attention to a Bill which stands on today's Order Paper, that is, Prevention of Disqualification amendment Bill. As regards that, I would like to request you kindly to see that this Bill is sought to be discussed in the House without a copy of the report of the Committee of Parliament. A Parliamentary Committee went into the whole of this affair and has reported. That is what we are told. That report has not been made available in the Library even for reference. Without that report, this Bill has been forced upon us and is sought to be rushed. We do not know what the report is, the Parliamentary Committee has been appointed by you. Indirectly I suppose the rights and privileges of the House are affected. It is a Parliamentary Committee, but without its report being brought before us even for reference, this Bill has been brought on the agenda paper. I must very strongly protest against this procedure being adopted, that this Committee's report is being withheld and yet the Bill is sought to be rushed. I would request you to consider this matter that I have raised and give such ruling as you think proper.

Shri U. M. Trivedi (Chittor): May I make a submission? It has been

decided by the Business Advisory Committee to extend the period for the discussion of the Insurance Amendment Bill to 7 hours. Yesterday, one of the hon. Members took as much as about 110 minutes at the consideration stage and his speech has opened out avenues of discussion far beyond the scope of the Bill. At the same time, it is very essential that it should be discussed—I hold no brief for any capitalist or anything like that—because it becomes very necessary that protection must be granted that the affairs of people in their private life are not to be talked in this House and this House is not to be used for the purpose of raising a debate on that. My submission is that Members should be allowed to have full say over this affair and 7 hours will not be sufficient time, since these 7 hours include not only discussion of the consideration motion, but also discussion clause by clause. I therefore pray that this matter may be considered and time may be extended.

Mr. Speaker: I have not taken notes of the various points raised by the hon. Member Shri Kamath; but I shall try. I think he took three points.

Shri Kamath: Only 2.

Mr. Speaker: Only two; one less. At the outset, I must express and I hope the hon. Member Shri Kamath will not take it in a wrong light, that it is no use attributing motives and using strong language in respect of opinions expressed or decision come to.

Shri Kamath: About what?

Mr. Speaker: He will read what he said and he will find. Let us say absolutely in a moderate manner and place our view points.

Shri Kamath: I do not recollect.

Mr. Speaker: As regards his first point that I have ruled—that is what he said—that Parliament should sit for 7 months in a year.

Shri Kamath: That is my information.

Mr. Speaker: He may better hear rather than pass running comments or replies. The difficulty then is that he misses certain points in what I am saying.

Shri Kamath: You said that I imputed motives. I did not raise such a point at all. Perhaps, you have confused....

Mr. Speaker: He confuses because he goes on talking, because he does not hear. Let him hear.

Shri Kamath: All right; I will hear.

Mr. Speaker: Then, of course, we will see: not that I will give him a chance to speak again on this point.

I have never ruled anywhere in the House. In the course of discussions or even sometimes expressing in the House the desirability of sitting for longer hours or for restricting remarks only to the relevant points or important points, I might have said and I think, I did say that to my mind looking to the business coming before the House and the rush of business,—from the point of view of individual Members this Bill is important or that Bill is important; the sum total is, everything is important—we cannot dispose of all important things at the same time and we must arrange priorities looking to the entire volume of business. The difficulty really is that while individual Members take an individual view of a measure, the Chair has to take an overall picture of the whole thing and adjust. I do feel even today that the House may have to sit longer. It may be 7 months, it may be 8 months. All along, one has to bear in mind that some time in the year has to be left for the purpose of giving the Members sufficient rest to recoup themselves from the exhausting work and come to the House again with a fresher mind. That is one thing. They must also have an opportunity of contacting their constituencies and going round. That means, you must have time between two sessions. I do not know when the Government are calling the next session. Looking to the recommendations made by the General Purposes Committee, they

had suggested that the first session should be the Budget session, lasting about 3 or 3½ months. Then, the next session may be for about 1½ or 2 months, some time in July or August and ending in September. The third session may be for about a month and a week, but must end with Christmas, so that a sufficient time of a month and a week or two is left to the Members to contact their constituencies, to recoup study and all that. That is why a division is made roughly speaking.

But, these dates cannot be fixed dates. They change from time to time. They change according to the Indian calendar that we follow. Deepavali does not come on a fixed date. Deepavali and Pooja holidays change from year to year according to the calendar. There are many other things which come in the way of sticking to an exact programme. This time it was decided that the 23rd of this month is the last date. Necessarily it follows that only such business as can be put through up to the 23rd has to be taken. That does not mean there are no other important measures. There is no desire to shunt anything. If it is possible by any miracle to put through all pending Bills within 1 hour, I am prepared. I am prepared even to accept one second for that: why even one hour? That cannot be done. Therefore, it necessarily follows that priorities have to be settled. Certain important things which must be put through according to the Government and according to the opinion of the Members have to be taken up first and others have to be shunted off. That is my reply to the first question. There is no sanctity in 7 months or 8 months or 6 months. Nothing of the kind. There is no decision of that type. Even what I express today is an expression of my opinion and not a ruling.

Now, I refer to the other point, that is....

Shri Kamath: Consideration of the Bill without even the report of the Parliamentary Committee being before the House.

Mr. Speaker: As regards that, perhaps the hon. Member was either present in the House and was not attending or was not present in the House when the time allotment was read in the House. When half an hour's time was given as the decision of the Business Advisory Committee, I stated to the House clearly that the present Bill is nothing more than a continuance Bill; a mere continuation of the law as it stands. On merits, the report has nothing at present to do with the Bill before the House. But, why is the law being continued? Then, I stated that the question was gone into by a Committee of this House. They have collected a lot of information and they have submitted a report and that too recently. That report has to be studied and considered and in the light of that report the Government will frame a new Bill which will be coming before the House in due course. The new Bill will take some time and therefore it has become necessary to extend the life of the present Act. That is the position. Now, the report may surely be made available at the time the new Bill comes,—I have no doubt on that point. It could have been better if the report could be supplied, but that is not possible, because it will require a number of arrangements for printing and all that kind of thing. Insistence on having the report today will only satisfy the Members about the decision of the Business Advisory Committee as to how far it was justified in allowing continuance of the present Bill, but that is a matter not for the Business Advisory Committee but for the Government, and Government has to be given time to consider the report. I think the report was presented only last month.

Shri Kamath: By your leave I want to know why they want to continue it for two years. That is the point.

Mr. Speaker: Let us take it that the material collected is vast. If he has grievance on the point of two years' extension, he may raise it when the Bill comes for consideration. This is

not the stage for raising that point of objection when the Report of the Business Advisory Committee is considered. I am happy that he has no quarrel with half an hour allotment and he is prepared to put through the Bill in that time. His quarrel is over something different, but that point may be taken up when the Bill comes up. It has no relevancy just now.

These are the two points. I think there is no third point left now.

Shri Kamath: If you will kindly permit me....

Mr. Speaker: Is there any point now?

Shri Kamath: For my own enlightenment, would you kindly let me see you later on?

Mr. Speaker: He can see me. He is welcome to see me at any time convenient to him and me, both.

Shri Kamath: Of course convenient to you.

Mr. Speaker: And not only he, but every Member of this House.

As regards the third point that was raised by Shri Trivedi, he is, I think, on his own statement, if I may use the expression, out of court. His pleading has been: "a lot of things beyond the scope of the Bill was spoken and therefore as they were allowed, I must allow a lot of other things beyond the scope of the Bill. Assuming a mistake was committed, the mistake should be repeated even today at the cost of Parliamentary time—that is the substance of, not what he said, but what it comes to. If, *ex hypothesi* a lot of things beyond the scope of the Bill was spoken, I should firmly say that they should not be allowed to be spoken today, so that the mistake of yesterday need not be repeated today, if at all there was a mistake.

Therefore, in view of the pressure of time the Business Advisory Committee thought it proper to allot two hours more, not with a view to give scope to all sorts of arguments beyond the scope of the Bill, but to

[Mr. Speaker]

make up for the time taken by one hon. Member in his speech, so that others may have an opportunity of speaking, and I trust they will be quite within the scope of the Bill and relevant.

I may make here one position clear. I have not yet read the speech of the hon. Member who is alleged to have made such a long speech, but it has appeared to me from what I heard that a number of things were brought in in discussing the whole business affair of one individual. To my mind the House is sitting for the purposes of deciding as to how far Government should be vested with certain powers. Some things could be referred to by way of illustration, but this is not an inquisition into the affairs or the business matters of one individual concerned, and I do not think Members are right in taking more time for again going into the issues and side issues of that question. Let me apply our mind only to the Bill, the provisions of the Bill, and I think in that light the Business Advisory Committee thought that the time of extension that they are allowing, or rather proposing would be sufficient. That is what I have to say with reference to the objection of Shri Trivedi.

Now, I was just putting the motion....

Shri Kamath: When shall we have from the Minister the order of priorities for the items that are included in the report?

Mr. Speaker: That he will get. He is now at least in possession of what will be taken up in the session. The actual priority will depend upon the time available from day to day. It may be that there may be a change, but I think we shall be able to give a list of priorities at least 24 hours before. I have said yesterday also, and I will repeat that, in case there is any un-

due want of proper notice, I shall consider the question of allowing amendments, by waiving notices in respect of those amendments.

Shrimati Renu Chakravartty (Basirhat): May I submit that just for the convenience of smaller parties it would be better, now that we know exactly the Bills that will come up before the House, if we could have the priorities so that it would save time and we know automatically when the next Bill comes.

Mr. Speaker: That at any rate cannot be done until tomorrow.

The question is:

"That this House agrees with the Twenty-ninth Report of the Business Advisory Committee subject to the modification that 7 hours instead of 5 hours be allotted to the Insurance (Amendment) Bill as recommended by the Business Advisory Committee in their Thirtieth Report presented in the House to-day."

The motion was adopted.

BUSINESS OF THE HOUSE

Shri C. R. Narasimhan (Krishnagiri): Two days ago I gave notice of a motion calling the attention of the Home Minister under rule 216, to the ravage and disaster caused by the cyclone in Madras. May I know when the subject will be taken up.

Mr. Speaker: I may assure the hon. Member that as soon as he gave the notice, it has been forwarded to the hon. Home Minister, and he will, I am sure, in a short time, make a statement. He may perhaps take more time for having complete information and the hon. Member will get more detailed information than what the hon. Minister has been able to give in the other House.

The Minister of Parliamentary Affairs (Shri Satyanarayan Sinha): by tomorrow, I think.

Shri Bansal (Jhajjar-Rewari): Before you take up the discussion of the motion before the House, I would like to raise a small point, that is with regard to the S.R.C. Report. The Report is with us and as we are studying it now for discussion from the 14th onwards, I am finding myself in some difficulty to follow it without a detailed map which is not in the report. I understand such a map is now ready and if you will kindly issue the necessary instructions that the detailed map showing the realignment of States and also shading the portions which are being merged or mixed up, should be supplied, it will be very useful.

Mr. Speaker: I may inform the hon. Member that the Lok Sabha Secretariat has prepared a brochure giving the substance of the recommendations and certain other things. That brochure is designed to include a map also, but it is difficult for me to say what time it will take for the press to give us the printed matter. All steps will be taken to expedite, and as soon as that brochure is ready along with the map, it will be distributed to the Members.

Shri Bansal: Apart from that, I understand the Home Ministry has prepared a detailed map, and if the Home Ministry can be requested to circulate that map to all the Members, that will be of great help.

Mr. Speaker: The hon. Minister of Parliamentary Affairs will convey that request to the Home Minister.

Dr. Lanka Sundaram (Visakhapatnam): May I make a submission? Almost every State Legislature has disposed of the discussion of this report, and it will be a great help to us if the Lok Sabha Secretariat could obtain copies of the proceedings of the various State Legislatures to be placed in the Library for reference purposes.

Mr. Speaker: I may state that this aspect was considered yesterday in the Business Advisory Committee. It was decided to request the Home Minister to get the proceedings, if not in full,

at least to let the House have short summaries of those proceedings. The Home Minister has already been addressed today or will be addressed in the course of the day, and I hope all material that is necessary for a really good debate in an understanding manner will be in possession of, or be available to the Members.

Shri S. V. Ramaswamy (Salem): If possible, the statistical data could also be furnished along with it.

Mr. Speaker: I do not know what it will contain. The report contains all the information, but then, we are at present not on that subject. All I can say is that every attempt will be made by the Lok Sabha Secretariat to give such help and material to the Members as is possible.

Shri M. L. Dwivedi (Hamirpur Distt.): I have to make one submission. There is solar eclipse on the 14th instant from 2 o'clock. I therefore propose that the sitting of the House on that day should be held from 9 a. m. to 1.0 p. m.

Mr. Speaker: That might be considered later on. We need not decide it today.

INSURANCE (AMENDMENT) BILL

Mr. Speaker: The House will now proceed with the further consideration of the following motion, namely:

"That the Bill further to amend the Insurance Act, 1938, be taken into consideration".

Before I call upon Shri D. C. Sharma, I might say that in view of the remarks which I just passed about the scope of the Bill and the relevancy of speeches, I have considered it necessary, in addition to what I have said, to restrict the time-limit for speeches, so I propose half an hour, at the most, for each Member. That is the outside limit. Of course the minimum can be anything within half an hour. I hope the hon. Members will co-operate with the Chair in regulating the debate within the time-limit and within the limits of the amending Bill.

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah): May I know when I will be called upon to reply? I should like to know when the clause-by-clause consideration will start and when the third reading will start.

Mr. Speaker: Was that not decided yesterday?

Shri M. C. Shah: No.

Mr. Speaker: We have about four hours now. Out of seven hours, 2 hours and 57 minutes have been taken till now. I am not talking in terms of minutes, and so, let me say, four hours are left now. How long shall we go on the consideration motion?

An Hon. Member: Half an hour has gone, in the course of these discussions.

Mr. Speaker: That will be excluded. What time should we allot out of these four hours, for consideration, or clause-by-clause discussion, etc.?

Shri N. C. Chatterjee (Hoogly): Three hours.

Mr. Speaker: Will one hour be sufficient for the clause-by-clause consideration? Amendments are there.

Pandit Thakur Das Bhargava (Gurgaon): The amendments are very few.

Mr. Speaker: I am entirely in the hands of the House.

Shri N. C. Chatterjee: We shall also cover the amendments, practically in our general discussion.

Mr. Speaker: Shall I say, three hours for consideration, half an hour for clause-by-clause consideration and the remaining half an hour for the third reading?

Shri Tulsidas (Mehasana West): 45 minutes for the second reading and 15 minutes for the third reading.

Mr. Speaker: Will 15 minutes be sufficient for the third reading?

Shri Asoka Mehta (Bhandara): Only five minutes were allowed for the Citizenship Bill, for the third reading.

Shri Kamath (Hoshangabad): Not allotted but allowed.

Mr. Speaker: If the House agrees, I will put three hours for consideration motion, and the remaining one hour will be divided between clause-by-clause consideration and the third reading. The clause-by-clause consideration may take about 45 minutes and then there will be 15 minutes for the third reading. That means the hon. Minister will be called upon to reply, at 3.30 p. m. How long will he take to reply?

Shri M. C. Shah: About 30 to 40 minutes. There have been long speeches. I shall restrict the time, if the hon. Members so desire, to 30 minutes.

Mr. Speaker: It is for the House to decide, but then, it is not desirable to restrict the Minister from speaking. Perhaps he may have information to give to the Members by way of reply. So, I should reserve, say, 35 minutes to him. Now, Shri D. C. Sharma will begin. At five minutes to three, the Minister will be called upon to reply. Shri D. C. Sharma will, I hope, remember the time-limit which I have placed.

Shri D. C. Sharma (Hoshiarpur): I was saying yesterday that though I welcomed this Bill I thought that this did not go very far to meet the ill of omission and commission for which our joint stock companies in general and insurance companies in particular have been responsible. The only remedy is nationalisation. Sometime back, I read a book by H. G. Wells on the Science of Life in which that

great writer said: "The lesson of biology is adapt or perish". So, today, in the context of our social situation, in the context of the revelations that have been made and in the context of the emotional upheaval that has been caused by those revelations, the only course left open to us is nationalisation. I say, nationalise or perish. There is no other alternative. Therefore, the sooner this nationalisation comes, the better it is.

[MR. DEPUTY-SPEAKER in the Chair]

I should say that my friend Shri Sadhan Gupta yesterday painted a very splendid portrait of the managing director of an insurance company. When I sat listening to him, I said to myself that perhaps even Solomon in his glory was not as great as that managing director of that insurance company. But I would say—not to speak of those directors and managing directors—that even the insurance agents have a roaring time. There is a great deal of unwholesome practices creeping into the insurance business. For instance, the insurance agent comes to you and says to you: "You have your life insured with my company and I will meet the first premium that you are asked to pay". Why does it happen? It happens that there is something fishy in the insurance world and that unwholesomeness is travelling from the top to the bottom downwards. I say that there is greater discontent among the employees of the insurance companies than anywhere else. We receive communications regarding complaints from the employees from different cities every now and then. They have no regular cadres; they have no regular appointments; they have no regular scales of salaries; and they are dismissed on very flimsy grounds.

Mr. Deputy-Speaker: In an amending Bill, the general discussion as to how the insurance law has to be amended, whether there should be nationalisation or not and whether the employees are paid adequately or not are all irrelevant.

Shri D. C. Sharma: It is an amending Bill.

Mr. Deputy-Speaker: It amends only a particular portion of the Act—section 106. Therefore, whatever, is said ought to be relevant to that portion.

Shri D. C. Sharma: We have all learnt relevance at your feet, and I may submit that I am trying to make my point for the nationalisation of insurance industry. And my point is this, namely that this amending Bill does not go far enough.

We have talking about the articles of association. How are these articles of association exploited? Is there anybody to look into them? Yesterday, some articles of association were read out by my hon. friend Shri Feroze Gandhi in regard to the Yogiraj Trust and the Briguraj Trust; they were a jumble of lofty ideals clothing sordid motives. I want to ask you whether this business is going to be conducted in that way.

Again, I would say that there is a lot of unwholesomeness about the transfer of shares. My hon. friend Shri Feroze Gandhi forgot to mention yesterday what happened to the Lahore Electric Supply Company. You may ask now what the relevancy of that is.

Mr. Deputy-Speaker: Hon. Members heard the Hon. Speaker say that the whole time was practically wasted yesterday, and that a lot of irrelevant material had been brought in.

An Hon. Member: You were in the Chair.

Mr. Deputy-Speaker: I was in the Chair no doubt. But the whole House was in such a mood and temper that whenever I had intervened in order to bring in the topic of the Bill and make the speech relevant, and also to ask, how is this relevant and so on, even that was resented to at every point by a number of hon. Members who started whispering, oh, no, no, this is interrupting the speech and so on. Therefore, having regard to the mood of the House, I said all right, and I allowed the flood-gates to be opened.

[Mr. Deputy-Speaker]

Now, I would not allow a single irrelevant matter to be said. The hon. Member must now resume his seat. He has not said a word regarding this amending Bill. He has been going generally into nationalisation, employees' service conditions, the manner in which they must conduct themselves and so on; and now he has gone to the electric supply corporation. All that is irrelevant.

Pandit K. C. Sharma (Meerut Dist.—South): On a point of order. While the speech of an hon. Member is allowed, and the Chair has looked into the relevancy thereof, I think the matter stops there, and all the speech must go in as relevant matter, and should not be questioned later on.

Mr. Deputy-Speaker: Mistakes committed cannot be perpetuated.

Shri D. C. Sharma: I want to know in what way the irrelevancy arises.

Mr. Deputy-Speaker: The case of the electric supply corporation is not relevant. We are now on the Insurance (Amendment) Bill which seeks to clothe the administrator with certain powers. So, let us confine ourselves to that matter. One illustration has been given already, and that was allowed because the matter was an important one, and questions have also been put here; and further, the Finance Minister evidently was also anxious to know some details; the House also appeared to be very anxious to know the whole thing. Under those circumstances, I had to sit here quietly pointing out here and there the question of relevancy, because that had to be brought in at least by the back-door. Now, front-door relevancy is necessary.

Shri D. C. Sharma: I would, therefore, say.....

Mr. Deputy-Speaker: There is no more saying now. Already, five minutes are over.

Shri D. C. Sharma: When we are on the point of clothing the administrator with more powers, I would say that

this amending Bill does not go far enough. I would therefore say that the disease will be cured only to a very slight degree by this Bill.

Shri Tulsidas: I thank you for having called me early. As a matter of fact, I did not want to say much on this Bill, because I consider that this is a welcome measure which Government have brought forward. I only hope that with the powers which Government are taking under this Bill, in future we shall not have to hear anything of the nature that we have been hearing all this time. But I have my doubts. I say so because even under the present Insurance Act and other Acts, Government have ample powers to stop anything which is of the nature of what has happened recently; and therefore, there is no need for giving more and more powers in the hands of Government. For, even yesterday when we were hearing the long speech from the hon. Member, we were told that Government came to know of all these facts about six months or a year back.

Pandit K. C. Sharma: Two years back. They could have taken action under the Indian Penal Code also.

Shri Tulsidas: With the powers that Government had they could have appointed the administrator a year or even two years back.

I do not see why that ordinance was necessary at all, because the money that has been recovered has not been recovered in my opinion on account of the ordinance; it has been recovered because Government came forward and took action. That is why the money has been recovered.

On this occasion, I would like to say that it is no use adopting an extreme tone, because one particular matter has come to light. I would therefore not like to say anything in reply to the points which the hon. Member raised yesterday, because to my mind the whole thing was utterly irrelevant to the Bill that we have before us.

Shri L. N. Mishra (Darbhanga cum Bhagalpur): How was it irrelevant?

Shri Tulsidas: The whole of it was irrelevant.

Shri Bhagwat Jha Azad (Jurnea cum Santal Parganas): It was perfectly relevant.

Mr. Deputy-Speaker: Why quarrel over it? That is his opinion.

Shri Bhagwat Jha Azad: It is no good saying that the speech of the hon. Member was irrelevant, when the whole House was dumb about it. From the beginning, it was allowed also by the Chair. In fact, you yourself were in the Chair yesterday and allowed the whole speech and said it was relevant.

Shri Tulsidas: Any hon. Member is entitled to say that all that another hon. Member has said is absolutely wrong, irrelevant and unnecessary.

Shri L. N. Mishra: He can say it was wrong, but not that it was irrelevant.

Shri Bhagwat Jha Azad: He cannot say that it was completely irrelevant.

Mr. Deputy-Speaker: Let any hon. Member say what he feels about it. After all, hon. Members here are representatives of large sections of the population, highly important each in his own place and in the country at large; therefore, they are not going to be carried away by the hon. Member's statements. So, let each one give his opinion in the House.

Shri Tulsidas: When I say irrelevant, I merely say that it is irrelevant to this Bill, namely the Insurance (Amendment) Bill.

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rae Bareli Distt.—East): I am very grateful.

Shri Tulsidas: And the matter that has been put forward by the hon. Member was in my understanding as a layman the biography or career of a person who has been connected with an insurance company. That is not relevant here. An insurance company

has connection with a number of things. But that does not mean that you can try and bring in the biography of a number of people.

Shri Bhagwat Jha Azad: If what was said yesterday was irrelevant, then how is the hon. Member's remark about that relevant today?

Mr. Deputy-Speaker: Why all this quarrel? Hon. Members will keep their opinions to themselves. If they get an opportunity, they can say that what they want. Otherwise, they must hear.

Shri Tulsidas: I am aware that Government have been compelled to bring forward the amendments to the Insurance Act contained in this Bill because of certain undesirable events. But you will observe that under this Bill Government are taking very wide and extraordinary powers. I do not think in any Act in this country or in any other country Governments have taken such extraordinary powers.

But as I said, I am not against this Bill. I welcome this Bill. I only hope that with these powers Government will be able to see that the industry functions in a manner which would be in the larger interests of the country. The insurance industry is an industry wherein the small, medium and higher class people who insure themselves put in a large amount of their savings, and therefore it is but right that everyone who is a trustee for these funds should keep them in the most proper and safe manner.

I have no hesitation in saying that I have no sympathy with anyone who has done anything which may be an anti-social act, embezzlement or misfeasance and all that sort of thing. Government can do anything with that person who has chosen to do this sort of thing involving huge amounts invested in the insurance company by large masses of people. I am one with the Government in whatever they do to deal with persons who do wrong here or anywhere else. But I do feel that when we give these powers to the Government, they should utilise them

[Shri Tulsidas]

with care. My hon. friend also yesterday said that some powers which the Government take are meant not for ordinary criminals, but for extraordinary criminals. I hope that that will not again be the case with regard to the powers which Government are now taking. After all, the powers which the Government take are very wide and they can easily see that anything which happens in any insurance can be immediately stopped, so that the industry as a whole will have at least a good name.

Another point which I find recently in speeches is this. Because a few—I would say a microscopic few—people have indulged in this sort of thing, it is said that the entire industry must be nationalised. The implication is that the entire industry consists of nobody else than all sorts of bad people. That is not a correct statement. I cannot say that because a very few persons have done bad, the entire industry has done bad. There are example in every walk of life, in every sector. I do not think any sector can be excluded, and therefore, one cannot lose the perspective. Because of the evil doings of a few, the entire sector is sought to be branded in a particular manner. We have read in the papers about scandals with regard to government services. Recently even the Public Accounts Committee has gone into a number of these scandals. Does it, therefore, mean that the entire government services or the politicals are of that bad character?

Shri U. M. Trivedi (Chittor): Congress politicians?

Shri Tulsidas: I am not here to support the evil doings of anyone in any sector.

Shri Kamath: That is right.

Shri Tulsidas: I do feel that it is no use saying that because of the evil doings of a few—I call it a very small minority,—the entire industry is bad. Let us examine the achievements of

this industry in the last 20 years. I am not going into the merits or demerits of this particular instance. But assuming that after investigation, after proper scrutiny, the matter is found to be of such a nature that Government have to take it over, I am quite prepared to support Government in whatever action they take. But let us examine the different companies in this industry. We have got the Oriental Government Security Life Insurance Company. We have got the New India. There are a number of others. These companies have been built up to the level of an international character. How have they been built up? If you examine the achievements of these companies and compare them with what has been reported recently in the Press, you find that the latter is a very small minority, a microscopic minority. Therefore, it is no use saying that because a certain incident has happened, the entire industry must be nationalised, that everyone in the industry is interested in doing all sorts of bad things. I go further and ask, do you expect that even after the industry is nationalised these things will not happen?

Shri U. M. Trivedi: Worse things will happen.

Shri Tulsidas: We have got examples also in the public sector. Who is there to check them? I would like you to examine this from this point of view.

Shri D. C. Sharma: How is all this relevant, Sir? You said that I am not relevant. Then how is this relevant?

Shri Tulsidas: May I go on?

I would like to explain. The point has been raised that because a certain thing has happened, a Bill has been brought forward. In view of this, a case has been made out here yesterday that because a certain individual has indulged in a particular thing, the entire industry is bad and should be

nationalised. I would, therefore, like to point out to you the achievements of this industry. (Interruptions).

I would like to read to you from a magazine which gives the facts....

Shri Feroze Gandhi: Do not get excited.

Shri Tulsidas: I am not getting excited. I am telling you the exact facts. Excitement only remains on the side of certain people. I am telling the facts.

This is from the Insurance Forum:

"The performance of the Indian insurance industry, both on the life and general sides, has been most commendable. During the 17 year period 1937-53, total life assurance business in force, in India, increased about 3½ times, from Rs. 277 crores to Rs. 962 crores. This compares favourably with the rate of progress in the more advanced countries. For example, the total life business in the U.S. increased a little less than three times during the 17 year period; in Canada, it increased somewhat more than three times; and a little more than twice in the U.K."

Now you can judge by comparison.

"The performance of the Indian insurance industry stands out in vivid contrast to that of the State-managed postal life assurance in the country. The total life business in force in respect of postal life assurance during the decade ended 1952, increased by only 16 per cent. from Rs. 19.9 crores to Rs. 23.2 crores, after remaining stagnant for the greater part of the period. During the same period the total life business in force of insurers in India increased by 21.4 per cent. from Rs. 294 crores to Rs. 922 crores."

Mr. Deputy-Speaker: Are the benefits of postal life insurance available to all the general public?

Shri M. C. Shah: Only to the employees.

Mr. Deputy-Speaker: Is it possible to compare one with the other? So far as life insurance in the private sector is concerned, it does not prevent anybody from insuring except on the ground that the terms and conditions, health, etc. are not fulfilled. So far as postal life insurance is concerned, is it open to all Government servants?

Shri Tulsidas: Yes.

Mr. Deputy-Speaker: They are very few in number compared to the total population.

Shri M. C. Shah: First it was restricted to certain categories of Government servants. Slowly and slowly we are extending it. Now it extends to all the employees.

Shri Tulsidas: May I point out to the hon. Minister that the number of government servants has increased five or ten times compared with what was the number in the beginning. So the percentage has not gone down in that respect. My point is that even government servants insure with insurance companies and not with postal life insurance.

To continue the quotation:

"The new life assurance business in India, in 1954, showed, to judge from available data, a record expansion, most of the companies registering a rise over the 1953 levels, ranging up to 118 per cent, as in the case of the New India. The industry has been in a position to mobilise sizable resources. In this respect, it compares favourably with other financial or similar institutions. Thus the time and demand liabilities (net) of India scheduled banks in India during the period 1948-49 to 1953-54, actually declined by 5 per cent. from Rs. 890 crores to Rs. 848 crores. As against this.....

Shri Mohanlal Saxena (Lucknow Distt. cum Bara Banki Distt.): On a point of order. I want to know now all this that the hon. Member is mentioning is relevant to the Bill before the House.

Mr. Deputy-Speaker: It is only said that the employees under the other insurance are not insuring. So far as nationalisation is concerned, it is not relevant except for this purpose, that here it is in the hands of the administrator. It has to be seen how far he has to go having regard to the way in which they have managed themselves—how it will be relevant or how it will be useful. From that point of view, some suggestions have been made that the administrator is not enough, the entire thing has to be taken over. He is arguing the point that from the one we ought not to judge the others.

Shri Feroze Gandhi: On a point of information. You have said so many things. This Bill has been brought before the House because the funds of insurance companies—one or a few more—have been misused, and it is to prevent the misuse of these funds. So I cannot understand how you have ruled that no Member can refer to the fact of how these funds have been misused. This very amending Bill deals with it.

Mr. Deputy-Speaker: Absolutely not. The hon. Member yesterday went on referring to various things—one can go on for 100 hours with respect to this. I am really surprised that the hon. Member who had so much indulgence should now say how I am going to rule. I never ruled that instances to show that the administrator is necessary and he must have powers are not necessary, but there is a limit to these instances. Shri D. C. Sharma had said, 'I have got an instance; therefore, this kind of power to the administrator is not enough; something else is necessary'. Generally, every hon. Member says this is nothing. The powers given to the administrator are not enough, or the entire administration has to be taken over by the State.

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But from this to go to the general Employee's Provident Fund etc. will be too much and will be beyond the scope of the present Bill. That is all I wanted to say so far as Shri Sharma was concerned. Here and there one or two instances can be given to show how improvement may be made, as Mr. Tulsidas wants to show by saying that one or two instances may be there where, of course such a Bill may be necessary to catch hold of persons. It is for him to show that when an inference is sought to be drawn for general nationalisation that it should not be so. To that extent I will allow him to show that from these one or two instances, whatever care may be taken there is no case made out for a generalisation though that is not the main issue here but incidentally it arises. I have no other intention on my part I allowed the hon. Member to speak for a couple of hours nearly yesterday though he would have noticed that the Speaker himself said that too much of time has been allowed and a number of other things, have been said with respect to this matter.

Shri Feroze Gandhi: I would like to apologise to you. After what you have said, I think I should apologise.

Shri Tulsidas: I have given enough with regard to the achievement of the industry. I would also like to know from the hon. Minister the progress that has been made by the two companies the Empire of India and the Jupiter General, for which administrators have been appointed and which are being run by the administrators. I would like to know the progress made by these companies during the rule of the administrator as compared to the progress made by companies which are managed by other people. There is no use giving merely the figures of progress but that should be in comparison with the progress made, say, by New India which is a sizable company or any other company.

We are talking about the malpractices being practised in the insurance industry. I would also like to know from him whether these are not being practised by these companies. The other day, when I was speaking at the time of the Budget, I have given constructive suggestions as to how these malpractices in the insurance industry can be stopped. I personally feel that I cannot lose sight of the human factor and there should be less chance or scope for people to indulge in something which is considered anti-social or malpractices. I have been carrying on these suggestions to Government for a couple of years as to how these malpractices can be reduced. In England they have got no rigidity in the law or administration of this particular Act and if this rigidity is reduced, there is more free enterprise and there is reduced scope. To that extent, I have not been successful yet in my effort to convince the Government of the fact that this rigidity is unnecessary. However, when we come to the question of the working of the companies, we have always been told that there are a number of malpractices in the insurance companies. I want also to know from the hon. Minister, whether these two companies which are under administrator's management do not also indulge in the same malpractices as those which are run by others.

Shri M. C. Shah: Which methods?

Shri Tulsidas: You know the methods.

Shri Junjhunwala (Bhagalpur Central): Undesirable methods.

Shri Tulsidas: The hon. Finance Minister knows fully well.

Mr. Deputy-Speaker: What I feel is that when this Bill is definitely for clothing the administrator with more powers, I think it is necessary that the House should know how the administrator has failed and, if so, whether the administrator can be

clothed with more powers. It may not be possible for any administrator to carry on properly for want of these powers. If he says these powers sought to be conferred are overmuch, it is necessary for him to show to the House how the administrator has failed, if he has failed. Otherwise, the House has absolutely no predeliction for one thing or the other. The House is naturally interested in seeing that the administration, whether by an administrator or by outsiders, is done well. As for the general policy that these matters should be taken over by the State the hon. Member need not be under the impression that there is any personal axe to grind. If the hon. Member wants to show that there has not been any progress under the administrator and more and more powers should be taken over by the Government or the administrator should be of such and such qualifications etc. that is quite relevant to the Bill.

Shri U. M. Trivedi: As you have suggested, this also may be irrelevant. What we are doing in this Bill is to give certain powers to deal with the delinquents against whom action can be taken under section 106.

Mr. Deputy-Speaker: It won't be irrelevant because we are considering whether these powers are necessary. Possibly, for want of these powers the administrator might not have managed properly.

Shri L. N. Mishra: May I ask from the hon. Member whether it is not a fact that after the Jupiter and the Empire of India came under the administrator, things there have improved?

Shri Tulsidas: That is just what I am asking the hon. Minister to let us know. I would not only like to know the progress that has been made but also the progress as compared to other companies. I also want to know, with regard to certain amount of malpractices which certain hon. Members have explained with regard to

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general insurance business, whether these malpractices are also not being followed by the companies managed by the administrator.

Shri Jhunjhunwala: Why don't you give instances?

Shri Tulsidas: I have told you I want to know from him.

Shri M. C. Shah: May I know whether the hon. Member is supporting or opposing the Bill?

Shri Tulsidas: I have said from the very beginning that I support this Bill.

Mr. Deputy-Speaker: If he welcomes the Bill and says the administrator's administration is not good, what is the suggestion he gives?

Shri Tulsidas: If people do not have patience here, what can I do? I am prepared to give suggestions; people are not prepared to hear. There is no use in my saying all this.

Mr. Deputy-Speaker: The House is impatient with respect to those other matters which the hon. Member has said. He is not saying what are the defects that have come to light during the administrator's regime. The House is not partial to the administrator. The House is certainly anxious to see that this Bill is improved to that extent. The hon. Member is keeping it in his closed fist. Why should he not say what are the major defects in the administration?

Shri Tulsidas: Before I come to that I would like to know.....

Shri N. C. Chatterjee: I think the hon. Member is trying to make his point that if the administrator had been vigilant and had taken necessary steps under the powers he had, the situation would not have developed which has led to this.

Shri M. C. Shah: There was no administrator in the Bharat Company.

Shri N. C. Chatterjee: I mean the Controller of Insurance.

Mr. Deputy-Speaker: Let the hon. Member proceed in his own way.

Shri Tulsidas: I may be allowed to proceed in my own way and go on. Members have no patience, I am sorry I cannot....

Shri U. M. Trivedi: He has already taken 40 minutes.

Shri Tulsidas: May I go on, Sir?

Shri Bansilal (Jaipur): I want to know one thing once for all whether any discussion of the working of the insurance companies is in order or out of order. We do not know certain facts which have not come before the House. Once for all you may be pleased to decide this question whether any reference to the internal working of the insurance companies is in order or not.

Mr. Deputy-Speaker: Normally when discussing any particular matter, we are not discussing it in abstract or making provisions in the abstract. The sponsors of this Bill are the Government and they have brought forward this Bill because they found some defects in the administration outside, that is, by private companies. Therefore, they want to plug all those holes and see that the defects do not persist. One remedy or one method that they have thought of is to have an Administrator and an Administrator was appointed for two companies. Now, evidently, they feel that so far as this company is concerned, the Administrator should have some particular powers also for the attachment of property so as to avoid disposal of it, and ultimately if it should be found that there has been embezzlement, the money may be made good. We are now discussing this matter, and if any particular cases have come to light and authentic administration reports, auditors' reports, Government enquiries or some of the orders of courts of law, are there, they can be drawn upon for the purpose of throwing light

upon this matter as to how this measure can be improved further. If any hon. Member says he has personal experience, that is also relevant and I do not want to shut out that because it is what the hon. Member knows from his personal experience. All other references by way of hearsay will not be relevant. We are not here going into any kind of accusations, but evidence which anybody should accept is relevant for our purpose here, that is, in regard to the powers of the Administrator, the need for the Administrator and so on.

Shri Tulsidas: You put it very well that a particular incident was given in order to show how this measure was necessary. Having brought forward this measure, it is also necessary to understand how the administration of this particular Act will be done, and I am, therefore, requesting the hon. Finance Minister to have a little more patience. I welcome this measure. I have already said this three times and if he requires, I will say against that this is a very good measure.

Shri M. C. Shah: Thank you.

Shri Tulsidas: In the administration of the Act, there must be a lot of vigilance. I have a lot of experience with this particular question of control, rigidity and so on. I very much hope that the Government administration would clear itself from this extreme laxity and lethargy on the one hand and rigid use of the powers vested in it on the other. It might try and find out something bad and certainly go ahead with it with an iron hand. But what happens generally is that the people who are really to be caught are not caught. The administration is rigid with regard to people who may be a little bit lax here and there, who may not understand law. It must be vigilant particularly when large amounts or large funds are involved and the control must be of such a nature that

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in every possible way, wherever anything bad happens, it must be stopped immediately. That is a point which I would like him to appreciate and I feel that with these powers the Administrator will be able to put a stop when there is anything bad. At the same time when we are giving these extraordinary powers, they must not be used for the sake of bringing to book each and every person. As I pointed out in the Company Law Bill, there may be difficulties for a person to clear steer from the infringement of the law and there may be some faults which may not be, particularly, due to any motive behind. At that stage, there must be a certain amount of laxity, and you must now be too rigid. I would like the hon. Finance Minister to please consider that aspect. I merely raised the question of nationalisation today because the House is taking the view that in view of a particular incident that has happened, the only remedy is nationalisation. I say that is not a correct view; I am not however, having any sympathy in this particular incident. My view is that nationalisation is not a remedy; on the contrary it is going to be against the industry and the interests of the country. You know how, when an industry or insurance company is managed by the public sector, the administrator, it has reversed the processes and how it has not been able to make progress.

Shri Bhagwat Jha Azad: What are the facts? Let him say them?

Shri Tulsidas: It is for the hon. Finance Minister to say them when he replies to the debate.

When such extraordinary powers are taken, I would like the Finance Minister to consider whether it would not be proper for the House to know from him how the Controller of Insurance will utilise the powers in future. To my mind, these are very extraordinary powers and this House at least should be in a position to know how these powers will be utilised. I would like some sort of a report every year to be given to this

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House so that we may know how the Government is utilising the powers, whether the Controller has been able to stop the abuses, etc. Even though powers are given to them, it is not necessary that they should be utilised every year. If it is possible for Government to give some annual reports to the House, then we may be able to know how these extraordinary powers are utilised.

I welcome this Bill and I request the hon. Finance Minister to take all these points into consideration.

Shri N. C. Chatterjee: Governmental control or Parliamentary control of insurance companies is not unknown in other countries and sometimes it becomes necessary and expedient. We know that in England Parliament intervened after the failure of two large insurance companies—the Albert Life Insurance Company and the European Assurance Society. Two of the greatest men in English jurisprudence were appointed arbitrators or receivers of the companies. Lord Cairns who was the Lord Chancellor of England later, was appointed arbitrator in charge of the Albert Insurance Company and Lord Westbury, who was later the Lord Chancellor in England, was appointed arbitrator in charge of the European Assurance Society. You will remember that if the private sector had been absolutely perfect in this country, there would have been no necessity even for amending the Insurance Act.

Shri Tulsidas: Has the public sector been perfect?

Pandit K. C. Sharma: That is no defence for a thief when he is caught.

Shri N. C. Chatterjee: I am sorry that Shri Tulsidas is getting unhappy and uncomfortable.

Shri Tulsidas: Uncomfortable?

Mr. Deputy-Speaker: Shri Tulsidas forgets that there is a change-over in the policy. Hereafter everybody should

be able to manage his own house and it is not for the neighbour to come and say "I will manage your house because you are not managing it properly". Each is entitled to manage his own affairs and primarily it is the State and the community which pay. If one was not able to manage his house, some other person was allowed to manage it for him. But now there is a reversal of policy. Hitherto the individual thought that he should be able to manage at the expense of others. Now the community has woke up and then it says: "Let us manage our own affairs collectively and wherever we find it not possible we will ask the individuals. Let not the individual say you have not manage your house and therefore I will manage your house." That is the policy that is now being adopted and therefore there is no good quoting that instance here.

Shri Feroze Gandhi: Now you have widened the scope for discussion.

Shri Tulsidas: In both the policies the common man must be benefited. As long as he is benefited that is all right.

Shri N. C. Chatterjee: If I can convey some assurance to my friend Shri Tulsidas I recognise that life insurance business or insurance business has rendered great service to the community and to the nation at large. At the same time we ought to see that all loopholes are properly plugged. As a matter of fact, the Indian Companies Act had to be amended by Sir N. N. Sircar because some of the companies did not behave properly. And immediately after that was done, the Insurance Act was taken up.

Now, I am very happy, Sir, that this morning the Speaker was good enough to point out the desirability of restricting the ambit of our discussions on the floor of this House. We are a sovereign Parliament who have got the giants strength and who have complete immunity with regard to freedom of speech and expression.

At the same time we should not use that strength like a giant and should not indulge in the denunciation of the entire life of one particular person who is suspected of doing something which is a crime or an offence.

Shri L. N. Mishra: But, if the life of the community is involved there?

Shri N. C. Chatterjee: I know there is a rule here that we should not discuss anything *sub judice* and therefore any reference to anything which is pending decision of a court should be avoided.

Shri Feroze Gandhi: I made no reference about anything pending before a court.

Shri N. C. Chatterjee: I know that language has been used which has a reflection on that. I can only point out, I am sorry the hon. Law Minister is not here, but, if he remembers his own judgment which is reported in 1947 Calcutta—414, '*sub judice*' means:

"It is not necessary that he should be committed for trial or even brought before a High Court or before a Magistrate; it is sufficient if he has been arrested and if he is in custody."

Therefore, nothing should be done to infringe that rule and we should not try to rake up all these issues and be sadistic in our approach in order to have the desirable changes.

The difficulty that I am feeling is this, that you are possibly trespassing beyond the constitutional bounds. I would have been very happy if the hon. Law Minister or the Minister for Legal Affairs was here because I am going to point out certain decisions of the Supreme Court delivered recently but I would request the hon. the Law Ministers to carefully consider what I am going to say.

Pandit K. C. Sharma: Sir, on a point of clarification, may I ask the hon. Member what does he mean by "sadistic approach"?

Shri U. M. Trivedi: Sadistic means "sadistic"; whatever it is.

Shri N. C. Chatterjee: What I pointed out was this, that there should be no attempt to gloat over a particular person's misfortune or rake up his entire life for the purpose of emphasising the desirability of having certain changes in the law. I hope that is what the Speaker had in his mind—and you also, Sir—when he and you warned and cautioned us that we should be strictly relevant and should not go beyond bounds.

Now, coming to this Bill, if you will kindly look at clause 2, there is a new section which is being put in which says:

"52BB (1) If the Administrator is satisfied that any person has rendered himself liable to be proceeded against under section 106, he may, pending the institution of proceedings against such person under that section, by order in writing, prohibit him or any other person from transferring or otherwise disposing of any property which, in the opinion of the Administrator, would be liable to attachment in proceedings under that section."

What is happening, Sir, is that is entirely left to the subjective satisfaction of an executive officer to order that 'X' who may not be at all a member of the insurance company or a servant of the insurance company should be prohibited from transferring or otherwise disposing of any property. In a recent judgment of the Supreme Court it has been held that if you leave something like this entirely to the subjective satisfaction of the executive then it is likely to be struck down. May I read to you, Sir, the judgment of the Supreme Court on *Raghubir Singh vs. Court of Wards* which is reported in A.I.R. 1953 Supreme Court. It says:

"When a law deprives a person of possession of his property for an indefinite period of time merely on the subjective determination of an executive officer, such a law can on no construc-

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tion of the word 'reasonable' be described as coming within that expression, because it completely negatives the fundamental right by making its enjoyment depend on the mere pleasure and discretion of the executive."

Therefore, that law was struck down. That was a case which came from Ajmer but the principle laid down has got a general application.

Now, what I am pointing out is this. Here, what is being made is, if you look at section 106 printed on page 10 of the Bill, you will find:

"If on the application of the Controller or an insurer or any member of an insurance company or any policy-holder or the liquidator of an insurance company (in the event of the insurer being in liquidation) the Court is satisfied that by reason of any contravention of the provisions of this Act the amount of the life insurance fund has been diminished, every person who was at the time of the contravention a director, manager, liquidator or an officer of the insurer shall be deemed in respect of the contravention to have been guilty of misfeasance in relation to the insurer....."

Then there is something "unless" and so on. Now, if you look at section 52BB which is sought to be introduced under clause 2 of this Bill you will find that the Administrator is given wide powers. There it is said:

"If the Administrator is satisfied that any person has rendered himself liable to be proceeded against under section 106 etc. etc."

That means either the director, or the manager, or a liquidator, or an officer of the insurer has done something which brings him under the mischief of section 106. Then he can order not only his property but he can freeze or put an interdict on the property of any other person. What I

submit is this, that you leave it to the subjective determination of the executive and do not allow any appeal even to the court and in a case like this the Supreme Court has said that it is not proper for the executive to assume such powers without giving that person the right to go to a court of law.

Mr. Deputy-Speaker: Is there no appeal within three months?

Shri N. C. Chatterjee: If you look at sub-section (2) of section 52B under clause 2, it is said:

"Any person aggrieved by an order made by the Administrator under sub-section (1) may, within fourteen days from the date on which the order is served on him, appeal against such order to the Central Government, and the Central Government may pass such order thereon as it thinks fit."

Shri M. C. Shah: Then, proceed further.

Mr. Deputy-Speaker: We have got appeal within 3 months.

Shri N. C. Chatterjee: What I am saying is this. That appeal is from the executive to the executive. There is no access to the judiciary there. The sub-section (3) reads like this:

"An order made by the Administrator under sub-section (1) shall, subject to any order made by the Central Government on appeal, be in force for a period of three months from the date of the order unless, before the expiry of the said period, an application is made under sub-section (1) of section 106 to the court competent to exercise jurisdiction under that sub-section, and when such an application is made, the order shall, subject to any order made by that court, continue in force as if it were an order of attachment made by that court in proceedings under that section."

That means it is not the person whose property is attached who will take action but action will be taken only by persons under section 106. That means, supposing X, Y or Z whose properties are attached are neither director, nor manager nor a liquidator nor an officer of the insurance company, they cannot move under section 106. No power is given to them under that section. They have got no *locus standi* to go to a court to say that the order ought not to have been made against them and they may be relieved. Therefore, there is some lacuna. I may tell my hon. friend that I want that this power should be given; I am not saying that this power should not be given. It may be that the Government has thought over the matter. Some power should be given to the Government, but at the same time, that power should be exercised in a human and constitutional manner. Don't leave it to the subjective determination of the executive....

Mr. Deputy-Speaker: The hon. Member is aware that under the Civil Procedure Code, in the execution of a decree on some property on the impression that it belongs to the debtor, such property is liable to be attached. But any person who is effected has got a right to file a petition and have the case summarily disposed of. Then there is the suit and so on. All that the hon. Member says is that there is no provision here for the person who is not directly concerned, but who is indirectly concerned, with the property. Therefore, there must be some opportunity for him to bring it before the court.

Shri N. C. Chatterjee: Yes; ordinarily, if I produce the title deeds and if they are in my name, the Calcutta High Court and invariably the other High Courts also have taken the view that they remove the attachment and it is for the decree-holder to go to a court and establish that.

Mr. Deputy-Speaker: Therefore, section 106 is to be enlarged in view of this power to include not only those persons who are directly responsible,

but others also whose properties have been attached. There is no wrong without a remedy. It is no wrong because it is a statutory obligation and right imposed on the administrator. Otherwise, it will be a wrong. That power ought not to be used when another person's property is attached and another person who is not directly connected with it seeks redress from the courts.

Shri M. C. Shah: We have already provided that the administrator shall have to apply to the court and the court will give its judgment. That is there in section 106. Within three months if it is not done, that order of attachment lapses.

Mr. Deputy-Speaker: Am I to understand that the administrator by himself has to seek the aid of the court to confirm his order?

Shri M. C. Shah: Exactly. There all the parties will be heard by the High Court and if the High Court comes to the conclusion that this attachment should continue, then that shall continue; otherwise, not. As a matter of fact, we have just given the jurisdiction to the High Court.

Mr. Deputy-Speaker: The hon. Minister does not appreciate this point. Under section 106, an opportunity is given to all the persons—insurers, any member of the insurance company and so on—to seek the aid of the court within a period of three months. Therefore, the next day he may go to the court and then get the order vacated. That right is not given to the person who is the aggrieved party. If there is a third person unconnected, he is liable to be proceeded against under the impression that that property also belongs to the insurer. That man has no remedy. He has to wait in any case for three months. Why should there be a difference?

Shri N. C. Chatterjee: Under section 52BB, the administrator will have to act on *ex parte* information and he may act arbitrarily on the information supplied to him. Assuming that he attaches the property of a

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business man summarily, that might paralyse him completely. He cannot carry on the business and it might be disastrous for him. Why do you not give him the ordinary power to move the court? Perhaps I have not made myself clear to the hon. Minister. Under article 19, a man has got certain fundamental rights guaranteed to him, to carry on business, to dispose of property etc. If you want further restrictions on it, they must be reasonable restrictions. Justice Mahajan in that case has said that if you leave it to the subjective determination of the executive and if you do not allow access to the court immediately thereafter, by no stretch of imagination can it be a reasonable restriction. That power itself will strike down. It has also been held in the U.P. case—Coal Control case—which is reported in 1954 Supreme Court, page 224, that if an unrestricted power has been given to a State officer to make a certain order without giving the person the ordinary right to go to the court of law or having a Judicial authority to bear his mind upon it, then that cannot be accepted as reasonable and it must be struck down as infringing the Constitution. It is stated here as follows:

"The provision of Clause 4(3) must be held to be void as imposing an unreasonable restriction upon the freedom of trade and business guaranteed under article 19(1) (g) of the Constitution and not coming within the protection afforded by clause (6) of the article."

Therefore, Clause (6) provides that you can impose only reasonable restrictions. There is another point. Kindly refer to Clause 2(10). It reads as follows:

"(a) no suit or other legal proceeding shall lie in any court to set aside or modify any order of the Administrator or the Central Government made under this section."

Mr. Deputy-Speaker: The same is provided in this section. They want to allow the right of appeal; but it is to be confirmed under sub-rule (3).

Shri N. C. Chatterjee: The Administrator would ordinarily move the court within a period of three months. But you know from your own experience about these misfeasance proceedings; in my High Court—the Calcutta High Court—they have been pending for a long duration. As a matter of fact, in one of the biggest High Courts in India, there are over 30,000 appeals pending. I do not know how this High Court can take up these cases; it drags on for two years, three years and even more. Therefore, it would not be fair to put a disadvantage on a man who is not an official liquidator, manager or director of the company and harass him. Suppose the administrator says to X, Y or Z, "although you are not directors or members of the company, your property shall be frozen"; an order is made and no suit is allowed. That is not fair. I may point out that in *Bella Banerjee's* case, exactly a provision like this was inserted by Dr. Roy's West Bengal Government in a particular Bill and that thing came up before the Calcutta High Court before Chief Justice Harries and Justice Banerjee. Harries C. J. said, "you cannot have a clause like this and strike down section 8B," and the Bengal Government was very much perturbed. That Act was introduced in order to help the refugees from East Bengal. That Act said that if property was acquired by the Government, then market value need not be paid. Compensation shall be paid not on the basis of the market value, but on the basis of the price before the partition. That is, we shall pay not the 1954 or 1953 price, but the price prevailing in 1946 or 1947, I forget the date. That was challenged as illegal. There was a section like this that no suit or legal proceeding shall be instituted challenging that order of Government. Of course, the High Court realised that that was done on humanitarian grounds for the purpose of helping the refugees.

Mr. Deputy-Speaker: Is it not open to the legislature to say that such and such an order shall be final?

Shri N. C. Chatterjee: That is what I am pointing out. The Chief Justice held that that infringes the Constitution and you cannot have such a clause. The Attorney-General and myself argued.....

Mr. Deputy-Speaker: Am I to understand that as the general proposition? Hitherto, from time to time some such expressions have been used saying that the order shall be final. That itself did not mean that no suit could be filed. Later on, they used to say in some statutes, this order shall be final and no suit shall be filed in any court of law. Does it mean that under the present Constitution, all those prohibitions against the filing of a suit are opposed to fundamental rights under the Constitution?

Shri N. C. Chatterjee: If it infringes any of the fundamental rights guaranteed to the citizens by article 19, which means, if you impose unreasonable restrictions, that section has been struck down as *ultra vires* of the Constitution. The Attorney-General and myself tried to induce the Supreme Court to hold that the Calcutta High Court was wrong. But, we failed. The Judgment of the Chief Justice Patanjali Sastri is in 1954 Supreme Court 170 and it is a very reasoned judgment. We had discussed it when the Fourth Constitution amendment Bill was made. When the Fourth Constitution Amendment was promulgated, we tried to whittle down the effect of this with regard to compensation. Now, I am not on the compensation clause. I am pointing out that the Supreme Court upheld the view of Chief Justice Harries of the Calcutta High Court that this section is repugnant to the Constitution because you are taking away not merely the fundamental rights, but the fundamental right of the citizen to go to a court of law. Article 226 gives the right to go to the High Court to get the proper writ, direction or order.

Under article 32, the citizen has the fundamental right to go to the Supreme Court direct for the purpose of getting redress. They say, if there is a clear violation of article 226 or article 32, what is the point in having a fundamental right. Therefore, I am asking humbly my hon. friend to consider.

Would you kindly also see page 3, sub-clause 10 which says:

"(b) no court shall pass any decree, grant any injunction or make any other order which shall have the effect of nullifying or affecting in any way any such order."

That is, if by some process there is a chance of going to a court, from all the High Courts and other courts in India, the power of in any way modify or setting aside the judgment or order of the Administrator, is taken away. They have tried to plug all loopholes and tried to stultify to some extent and nullify the jurisdiction of the courts in India, which I submit with great respect, is not permissible. I think this is an important point, which merits the consideration of the House. My hon. friend Pandit Thakur Das Bhargava has tried to undo it by putting in some clause. I do not know whether it goes far enough. That requires very careful scrutiny.

Mr. Deputy-Speaker: Pandit Thakur Das Bhargava. After Pandit Thakur Das Bhargava, I shall call Shri Matthen.

This matter bristles with questions of law and procedure. In all these matters, may I make a suggestion? It would greatly help if one or the other of the Law Ministers are here and assist the Minister and the House. When points of law are raised here, naturally the House would like to know whether it is so objectionable or not.

Shri M. C. Shah: All these points that were advanced by my hon. friend Shri N. C. Chatterjee were before us. We have already consulted the

[Shri M. C. Shah]

Attorney-General on these points. After Consulting the Attorney-General and the Law Ministry.....

Shri N. C. Chatterjee: I am sorry, I never had a chance before. I was not a Member of any Select Committee.

Shri M. C. Shah: We have just brought the Bill. Where is the question of the Select Committee? There is no Select Committee here.

Shri N. C. Chatterjee: What I am pointing out is, I had never a chance of considering this clause or making my objections or communicating them to anybody.

Pandit K. C. Sharma: There should be no objection to getting the provision re-examined.

Shri M. C. Shah: This is not referred to the Select Committee. It is an Ordinance being replaced by a Bill. What I say is, all the points that were raised by Shri N. C. Chatterjee were before us when we thought of issuing the Ordinance. All these points were very carefully considered and it was the considered opinion of the Attorney-General that all these things are not *ultra vires* of the Constitution.

Mr. Deputy-Speaker: I am afraid the hon. Minister has entirely misunderstood. Nobody says that before a Bill is introduced by a responsible Minister, he would not have consulted the proper persons, legal and otherwise. Their opinions would certainly have been taken. Is it open to the hon. Minister merely to say, I have already consulted, therefore, pass this Bill? This House must know how the objections that are raised are met. If the hon. Minister himself is a lawyer and he may be able to meet all the points. I have no objection. He can do it himself if the Minister is a lawyer. The House is anxious to know from a lawyer who is a Minister what exactly the position is. Where it is opposed to a series of decisions of the Supreme Court, what

is the good of passing legislation in one portion of the House and another portion of the House knocking it down saying that it is *ultra vires*?

Shri T. N. Singh (Banaras Distt—East): Bowing to your ruling, he has come giving up his lunch.

Mr. Deputy-Speaker: Generally, I would request the hon. Minister of Law, one or the other, to be present. These questions of law are raised. We do not know when points of order will arise. Likewise, questions of law can be raised. Formerly, the Leader of the House was the Law Minister himself. There are two Law Ministers. They may consider the possibility or desirability of being here and assisting the House. Some points arise. The hon. Minister will ascertain what points have been raised regarding this Bill. Then, I will give him an opportunity if he wishes to explain to the House.

I think hon. Members have to conclude this by 3 o'clock.

Some Hon. Members: 3:30.

Shri M. C. Shah: I have to reply at 5 minutes to 3 o'clock.

Mr. Deputy-Speaker: There are some persons who are experienced in insurance. There are other lawyer Members. I shall try to distribute the time.

Shri T. N. Singh: What about the layman?

Mr. Deputy-Speaker: The layman is always there.

पंडित ठाकुर दास भार्गव : जनाब डिप्टी स्पीकर साहब, कल जब हाउस के अन्दर हमारे एक ग्लानरेबल मेंबर साहब तकरीर फरमा रहे थे तो मैंने अपने दिल में यह सोचा कि आज

Shri Matthen (Thiruvellah): I would like to follow the speech. Please speak in English, I beg of you.

Pandit Thakur Das Bhargava: The Deputy-Speaker follows Hindi very well. Therefore, I am speaking in Hindi.

Mr. Deputy-Speaker: Some Members want to hear the very valued impressions of the hon. Member. It is open to him to use any language.

An Hon. Member: Deputy-Speaker also.

Pandit Thakur Das Bhargava: I will bow to your suggestion.

I was submitting that when the hon. Member was speaking here, I visualised, Burke was condemning Warren Hastings and bringing all the charges against him, but Warren Hastings was not here. I cannot understand how we can just go over the entire doings or misdoings of any person who is not here, when these matters are not at all relevant so far as the particular Bill is concerned. The only point relevant to the bill was certain securities in Bharat Insurance had disappeared and the administrator is being authorised to recover them in such cases by virtue of prohibitory orders. You yourself were pleased to point out several times and ask what was the interlinking between this transaction and that, and yet up to the very end you could not find the interlinking. I will not attempt to say anything which, as a matter of fact, would question the motives of any hon. Member. I believe that the hon. Member who was speaking was speaking with the best of motives, but at the same time I cannot refrain from saying that after all, the hon. Member has no personal knowledge of those matters. He must have heard from some person, and who that person was he failed to say. If he had said that he had got this knowledge from this or that person, we would have been more satisfied.

There are certain matters which have gone round the whole of India and practically not only that person, but a set of persons who are in that group have been maligned here and they had absolutely no opportunity to reply to any of those matters. Not only that. There were certain allegations which some of us know were perfectly wrong and unfounded. I

am not here replying to those allegations. As a matter of fact, I do not hold any brief for any person in respect of this matter.

Some of the matters which were referred to yesterday are certainly *sub judice*. For instance, one case is pending in the Supreme Court, one case is pending in the High Court, and one case is pending in the court of a magistrate in Delhi. In regard to all these matters, the conduct of the accused or the conduct of those who are concerned in those affairs was brought into question here.

Mr. Deputy-Speaker: I would have been glad if the hon. Member had pointed this out then and there and brought this to the notice of the House and to my notice as to what points are *sub judice*.

Pandit Thakur Das Bhargava: I know you would not have allowed the matter if you knew that it was *sub judice*. Perhaps the hon. Member himself would not have referred to them if he knew that they were *sub judice*.

Shri Matthen: The hon. Minister while introducing the Bill referred to the provocation of this Bill in which that case was mentioned. He explained why the ordinance had to be issued—because in a certain case there had been a big fraud. Naturally, a Member has to say that.

Shri Bhagwat Jha Azad: As already some of them had been referred to in this House by the Finance Minister, there is not question of *sub judice*. The hon. Member, I think, never referred to such things as are *sub judice*. Those firms and names have been already referred to by the hon. Minister while giving the statement. Therefore, there is no question of *sub judice*.

My submission is that even if the hon. Minister referred to *sub judice* matters, he was not authorised to do so. Our rules apply as much to the Ministers as to the Members themselves.

Shri M. C. Shah: When did I do it?

Mr. Deputy-Speaker: Let us be clear on this point. When a matter is *sub judice* on hon. Member ought to refer to it as it will embarrass the fair decision in a court of law. That is the principle. The court is not concerned with either the one side or the other, and it will be embarrassing to an innocent man and to the judge. Therefore, if an hon. Member referred to such a matter, exception should have been taken at that time. If later on it is discovered that it is *sub judice*, it ought not be referred to merely because on an earlier occasion it has been referred to. I was only saying to Pandit Thakur Das Bhargava that he did not raise this matter yesterday. He was sitting here yesterday. If he had raised this matter then and there I would have gone into the matter and found out what exactly was the portion *sub judice*. Therefore, to say now that it is *sub judice* is of no importance or consequence.

Shri Matthen: This very Bill is embarrassing, *sub judice*.

Mr. Deputy-Speaker: The hon. Member must make a difference. When there are certain allegations and not yet decided by a court, they are *sub judice*. But Government can say that these allegations have come to their notice and in order to avoid similar things happening they are bringing forward the Bill.

Shri T. N. Singh: There is one point I cannot understand. This Bill deals with the question of inter-mixture of the finances of various companies. When dealing with that, one will have to take the names of various companies the finances of which may be inter-mixed. When we mention the names, our colleague here says that will be something which will amount to a contempt of court. I do not understand what that has to do with mentioning the names of companies or concerns whose finances are inter-mixed or which have occasioned this

Bill itself. Otherwise, we cannot consider even the Bill.

Mr. Deputy-Speaker: I shall answer this point, because it has to be made clear again and again. I need not give a ruling. If a person knows from the accounts etc., that the finances are inter-mixed, or when there is a conviction or decision by a court of law or when a person has personal knowledge the matter can be usefully placed before the House. When once a court has taken cognizance of a particular matter as to whether there has been inter-mixture, whether there has been embezzlement, or using of money contrarily committing an offence, to that extent on those allegations, Government can bring forward a Bill to prevent such things happening. It may be the court may acquit the man. The truth or otherwise need not be ascertained here. Further details need not be given. No doubt, the border line is somewhat very narrow and very thin.

Shri T. N. Singh: I thought it was a question of misfeasance and not inter-mixture.

Mr. Deputy-Speaker: We will assume that a case is pending in a court of law that a particular insurer has misappropriated Rs. 10 crores. Are we to bring a Bill and say this man has done so. This man possibly in the court may be acquitted. If the various representatives here are going to discuss it threadbare, what the witness is going to say, what he is not going to say etc., the witnesses will be terribly afraid, that such eminent persons have said so in Parliament and therefore it may be true. It will be highly embarrassing to the individuals. Instead, it can be said that a case has been launched against X, Y, Z, these are the allegations. There are similar allegations against others. Therefore we want to make this fool-proof and that is why this Bill has been brought.

Shri C. K. Nair (Outer Delhi): The case that is pending in the court is only in regard to embezzlement of

Government securities that were lying with the Bharat Insurance Co., and that was very fortunately never referred to at all yesterday by the hon. Member. Therefore, there is no question of referring to sub judice cases at all here.

Mr. Deputy-Speaker: That is exactly what I was saying. As soon as the points were raised by Shri Gandhi, any hon. Member having some knowledge might have got up and said that that portion ought to be avoided. We had not that assistance yesterday. Therefore, to say now that many matters are sub judice and ought not to have been referred to does not help us in any way.

Shri C. K. Nair: Therefore, nothing sub judice was said.

Pandit Thakur Das Bhargava: I was submitting that perhaps the hon. Member making the speech himself did not know that it was sub judice. I am not accusing you. I am not even thinking of accusing you. If you knew that they were sub judice.

Mr. Deputy-Speaker: May I make a suggestion? Leaving this alone, if any reference once again is made and if an hon. Member feels that that portion is definitely and directly in court, not incidental, then he can raise it. So, let us proceed.

2 P.M.

Shri Sinhasan Singh (Gorakhpur Distt.—South): Shri Trivedi, at the very outset, pointed out that the time must be limited. The Speaker also ruled that because one Member made a certain reference, he will not allow further time of the House to be taken up for contradicting those references. If such references are to be made, it will be waste of time for the House.

Mr. Deputy-Speaker: But the hon. Members were all interested in hearing for two hours the speech of the hon. Member who first spoke. If one Member makes points against various people from his own knowledge, is it not open to another Member, who has also knowledge of those things, to say that what the other hon. Member said

is not right? What is this? Are we here only to take only one side of the matter. I am not allowing any detailed discussion or repetition of what has been said. We are not going to do it.

Pandit Thakur Das Bhargava: To start with, and to clear the air, let me say that I am not adopting the attitude of saying anything in reply to what has been said yesterday. I do not know. As I have submitted, I do not hold any brief for any person, but, at the same time, I am as anxious as any other Member or you yourself to see that this House should not be utilised for the purpose of propaganda or for the purpose of condemning any person unheard or any group unheard.

Pandit Balkrishna Sharma (Kanpur Distt.—South cum Edawah Distt.—East): May I point out that the word 'propaganda' is too profound a thing. Also, apart from the information that we have got, there may be some friends in this very House who might be holding a brief for the man who was referred to yesterday.

Mr. Deputy-Speaker: Let us understand that there are neither friends nor foes. In the interests of the community and in the interests of the nation, facts which are known to Members are placed before the House, and in the House is genuinely interested.

Shri Matthen: He should have avoided the word "Propaganda".

Mr. Deputy-Speaker: Let there be no reference that any person is briefed. In the best interests of the community and in the interests of saving public funds, whatever has been said is being said. That is all.

Pandit Thakur Das Bhargava: May I submit that I have a very strong skin. I do not care what others say even in respect of a person who has been briefed. I do not want to conceal that I hold a brief so far as this Delhi case in magistrate's court is concerned. In the Delhi courts I have been

[Pandit Thakur Das Bhargava]

engaged by Dalmiaji, but, at the same time, I know what is my position in this House. I am not going to do anything which will praise Dalmia or condemn him so far as the present subject is concerned.

Shri U. M. Trivedi: May I suggest that the remark made by Pandit Balkrishna Sharma be withdrawn?

Pandit Balkrishna Sharma: May I know what the charge against me was?

Pandit Thakur Das Bhargava: I do not mind it. He is a friend of mine.

Mr. Deputy-Speaker: I would appeal to both sides of the House to use language in a little more—

Shri T. N. Singh:...restrained way.

Mr. Deputy-Speaker:.....not restrained, but objective way and not in a harsh manner. Nobody need carry on propaganda. The hon. Member also said, "holding a brief". Then it becomes a vicious circle. Both these words may be avoided in future. It is open to an hon. Member, in his private capacity, to take any action, or, in his professional capacity, to take the action in any case.

Pandit K. C. Sharma: Then the floor of this House should not be exploited for that purpose.

Mr. Deputy-Speaker: Let there be no heat in this matter. I am only appealing to the Members to be calm. One thing is, the word propaganda was used. The other thing is, that he was briefed. All hon. Members who come here are trying to proceed with the Bill absolutely dispassionately in the best interests of the country as a whole and the people generally. I am sure that in this regard many hon. Members—not every hon. Member—may have two capacities, and in such cases, they should be able to detach themselves from the personal capacity, when they speak in another capacity. Let us go on with the discussion.

Pandit Thakur Das Bhargava: As always, your appeal goes home, and should go home. In this case, I can assure all hon. Members that I am not going to say a word so far as this particular case is concerned, because I am only concerned with one case. I am not concerned with the entire life of Shri Dalmia, etc. I do not care what others say about him, and others say about him in this House also. It is not in that sense that I used the word propaganda. If it has offended Shri Sharma or any other person, I can assure them that it is far from my mind to use any expression which would wound the susceptibilities of any Member of this House.

I was saying that I have been sufficiently long in this House and I have never seen that any person who is outside the House, be he a public servant or a private person, has been mentioned by name, as has been mentioned in the present case. I have never seen the name of a person being mentioned and his whole biography being brought into the forum of this House. This is my objection. As Shri N. C. Chatterjee put it, this House is a giant body and any aspersion made or anything said here would get a wide publicity. At the same time, things said here may affect the courts also in this case. You know that whenever any person's name is referred to, and whenever a Member wants to say anything against a person who is not present here, such references are not allowed, and whenever I am in the Chair I do not allow any such reference, because the man concerned is not in the House. This is one of our rules or conventions. I was only submitting that aspect of the matter. I do not want to refer to any such matters as are controversial or have any reference to the case in the court. At the same time, I cannot shut my eyes to some of the matters which were said in this House. For instance, it was said about the Dalmia-Jain Airways that they had no aeroplanes and that they were not running any service. People have travelled in

their aircrafts, and two aircrafts have been taken by the Ministry. I am only submitting that whatever my friends have said is not all correct. I would not have referred to this point, but for the fact that there may be some persons who are interested and they may carry stories to the hon. Members and hon. Members, without finding out whether those facts are true or not, should not refer to those matters in this House. In respect of many matters—it was not said against Dalmia but it was very much against the hon. Finance Minister—such references were made, and the hon. Finance Minister stood up twice and asked you to allow the hon. Member to go on because in his view this was the background of the case. It is not as if a person in his seventieth year did something and the last sixty-nine years of his life became the subject matter of discussion as a background and therefore every incident became relevant.

Shri Matthen: The hon. Member referred to the Dalmia-Jain Airways. Dalmia-Jain Airways is one thing and the Dalmia-Jain Aviation is another.

Pandit K. C. Sharma: On a point of order. Is it open to an hon. Member to waste the time of the House in explaining what other Members have said? Is he dealing with the Bill or is he replying to what this Member or that Member said? I would like to know it.

Mr. Deputy-Speaker: I am really sorry that all these interruptions are made. Of course, there was the long speech yesterday and the House seems to have been very much absorbed. The House is naturally interested in knowing what fraud had been committed and what amounts have been involved, and if a string of instances and incidents are given, the House can draw its conclusion from them. But supposing, those incidents are not given, there will be a wrong conclusion. If an hon. Member knows that some of the instances are not right, is it not necessary to point it out? Is it worthwhile to assume that

certain incidents are wrong? One or two incidents based on authentic or personal knowledge may be placed before the House. It is not an inference of X, Y or Z that is placed before the House. The hon. Member who spoke yesterday referred to certain facts and said that he gathered them from Government records, and with regard to certain items he referred to the Finance Minister. He said that all those things would be supported by the Government records and so on. Assuming that two crores have been invested, that aircrafts were purchased, that one was changed into the other, that money has been swallowed, and if an hon. Member places facts regarding these, before the House, is it wrong? What is the harm? (*Interruptions*).

Pandit K. C. Sharma: On a point of order....

Pandit Thakur Das Bhargava: I am in possession of the House. So, let not my hon. friend interfere.

Pandit K. C. Sharma: I am not interfering. I am raising a point of order, and it is this. This morning the hon. Speaker said that a long story has been related before the House and it has gone down in the records, but it was wholly not in the public interest and should not have been allowed in the manner it has come. When one story has gone down the throats of the hon. Members already, is a counter-story to be allowed to go down the throats of the hon. Members? What is all this fun about? (*Interruptions*).

Mr. Deputy-Speaker: Order, order. If all the hon. Members want to talk, I shall give them time. Let us postpone the discussion by half an hour, and let them go on talking like this.

I take exception to Pandit K. C. Sharma getting up like this again and again. He is a lawyer, and he knows very well that he would not be allowed in a court of law to do this sort of thing. So, it was absolutely wrong of him to have done like this. After all, who is taking away whose property

[Mr. Deputy-Speaker]

here? (*Interruptions*) Order, order. What is the hurry? We have spent sufficient time over this. There is no harm if hon. Members wait.

So far as these matters are concerned, let us dispose of them. If a number of things have been said, and the hon. Member says that one or two portions are not correct—I am not going to allow categorical denial of everyone of them, for that is not necessary at all—let us be patient with respect to those portions, and hear the hon. Member.

Shri K. K. Basu (Diamond Harbour): My submission is that if Pandit Thakur Das Bhargava says that the facts given by the hon. Member are wrong, naturally he is entitled to say so. But he has asked, what is the point in going through 69 years of history in respect of something that has been done in the 70th year. That raises the question whether the whole matter can be gone into or not. Yesterday, you ruled that this is an important matter, and therefore it is relevant. I only submit that if Pandit Thakur Das Bhargava says that certain facts as given by the hon. Member are wrong, naturally he is entitled to say so.

Shri T. N. Singh: On a point of order. Are you to regulate the speech or is everyone here going to regulate them?

Mr. Deputy-Speaker: All hon. Members here are sufficiently aged, and more important in their own places and in the country as a whole. Therefore, it is rather embarrassing to me. I sometimes use my extreme powers, but I do not want to use them again and again.

Shri B. S. Murthy (Eluru): Extreme powers of patience.

Mr. Deputy-Speaker: So, I leave it to hon. Members to decide. We conduct many meetings outside, but this is not such a meeting. But even in the meetings outside, nobody gets up on the platform simultaneously and starts talking. Reasonable opportunities are

given to all hon. Members. Therefore, no impatience need be exhibited. We are not only here for ourselves, but the whole country is watching as to how their representatives are working here. Under these circumstances, I would make an appeal to hon. Members that let them regulate the debate here as if they themselves are sitting in the Chair and trying to guide. I am not more competent than any other hon. Member. So, every hon. Member must do this himself, and only in extreme cases ask me to intervene.

Pandit Thakur Das Bhargava: If my colleagues will allow me, I shall not say anything which will occasion any such notion in any person's heart that he may rise up like my hon. friend Pandit K. C. Sharma.

Pandit K. C. Sharma: I take objection to this.

Pandit Thakur Das Bhargava: He should not take objection. He should hear me now. He has stood up twice, and raised points of order, and you have given your ruling already. And yet my hon. friend stood up and said that I need not waste his time. Now, again, he is taking exception. As a matter of fact, in this House, we must remember that the Chair is there to control all of us, and therefore the hon. Member has no right to say that I am wasting the time. He is not only committing contempt of myself, but of the Chair also. I am here to be controlled by.....

Dr. Suresh Chandra (Aurangabad): He must withdraw those words.

Pandit Thakur Das Bhargava: you. If you say that this is irrelevant, I shall not say a word about it. As I have submitted already, I am not here to reply to the hon. Member's points. I do not hold brief for any person. As I told you, if I am a lawyer in a case in the Delhi court, I am not a lawyer for all the things that my hon. friend has said. He can say any num-

ber of things. I do not want to condemn anything. But I know personally that in this Airways, there were aircraft, and in fact, many persons were carried in their aircraft from Delhi to Kashmir, and two of their aircraft have been bought by the Ministry.

Shri Feroze Gandhi: I was referring to the Dalmia Jain Airways. The aircraft were owned by the Dalmia Jain Aviation.

Pandit Thakur Das Bhargava: It is said that there were no aircraft with them. As a matter of fact, we passed a Bill here sometime back, in respect of all the air companies.....

Shri Feroze Gandhi: That was Dalmia Jain Aviation, not Dalmia Jain Airways.

Shri Matthen: That was a fraud. (Interruptions)

Pandit Thakur Das Bhargava: I would beg of you to create an atmosphere in which I may be heard. If my hon. friends go on shouting at my back....

Shri Feroze Gandhi: Your facts are wrong.

Pandit Thakur Das Bhargava: If my facts are wrong, there are other hon. Members who can point it out. We never interfered with you while you were speaking, and it is but fair that you should not

Shri Feroze Gandhi: You are contradicting me. Therefore, I must say that you are wrong.

Mr. Deputy-Speaker: Let the hon. Member state the facts in his possession. We did not verify everyone of the facts which the hon. Member Shri Feroze Gandhi was stating. So, if any hon. Member says anything, let us hear him.

Pandit Balkrishna Sharma: When there is a confusion between Dalmia Jain Airways and Dalmia Jain Aviation, then certainly a Member who has made some allegations is entitled to contradict the member who is making a confusion about it.

Mr. Deputy-Speaker: He has pointed it out already.

Shri V. G. Deshpande (Guna): It is for the House to believe. (interruptions).

Pandit Thakur Das Bhargava: I am not adopting that attitude....

Shri V. G. Deshpande: Just now, an hon. Member has made the remarks....

I want to protest against it. He should not make a propaganda like this.

Shri T. N. Singh: We have not heard that remark at all.

Mr. Deputy-Speaker: Far from suggesting some wholesome measures for preventing frauds in insurance companies, hon. Members are levelling accusations against one another. Something might be said occasionally or whispered from one Member to another hon. Member, but none of us has heard that remark. If anybody has made that remark, then it will be scored out from the proceedings. When every hon. Member is making some remark about every other hon. Member, possibly he takes some more indulgence and privately in the hearing of some other Member whispers something.

Dr. Suresh Chandra: He must withdraw these remarks.

Mr. Deputy-Speaker: Both of them will be expunged from the proceedings, and will not be reported in the press—both the accusation and the reply thereto.

So, these remarks are expunged. Let us now hear the hon. Member who was on his legs.

Pandit Thakur Das Bhargava: If I am wrong in stating what I have said, I take no exception to my hon. friends rising up and correcting me. As a matter of fact, if Shri Feroze Gandhi says something, we all hear him with respect, with love and also with affection. He perhaps does not know how much we love him. He is the beloved of the whole House.

*Expunged as ordered by the Chair.

[Pandit Thakur Das Bhargava]

I was submitting that this ordinance has arisen as a result of the Delhi case. As a matter of fact, leaving all other things aside, the speech made yesterday condemned a group of persons including Dalmia and some others. I have nothing to say against those facts, as I do not personally know how far those facts are correct or wrong. But at the same time, I know this much, and I am certain about it, that this ordinance was as a matter of fact the result of the prosecution which is going on in the Delhi court against Shri Dalmia. In that case, as the House knows, it is said that there is a shortfall of something like Rs. 1·80 crores in some of the securities belonging to the Bharat Insurance Company.

Shri U. M. Trivedi: Are we to discuss that Rs. 1·80 crores now?

Pandit Thakur Das Bhargava: My hon. friend is not allowing me to proceed at all. This fact is well-known. Everybody knows that this is the case. So, why should I not refer to it? It is absolutely something which is admitted already.

Shri Matthen: It was the prior fraud of 1952.

Pandit Thakur Das Bhargava: No. Excuse me. I know something more about that case than what hon. Members of this House know. As I told you already, I am briefed in that case. Since the administrator was appointed, he has been invested with powers to see that if there is such a shortfall or misfeasance etc. then he can pass orders against particular people, including the manager, the servants, and their relations etc. And so far as the properties are concerned, they cannot be transferred.

He is vested with those powers of issuing such orders, which means that the entire case relates today, so far as the administrator is concerned, to those securities. May I humbly ask, what have those securities got to do with how any money was put in,

wherefrom the money was brought by the Bharat Insurance Company, which has put that money in the Government treasury? The fact that a person has got 20,000 tons of spare parts and out of that, he is supposed to have sold 1,000 tons for Rs. 94 lakhs is, in my humble view, absolutely irrelevant.

Shri Feroze Gandhi: The Bharat Insurance Company was a shareholder in that company. Where did the profits go?

Pandit Thakur Das Bhargava: Which company?

Shri Feroze Gandhi: Allen Berrys.

Pandit Thakur Das Bhargava: We are not concerned with Allen Berrys. (Interruptions). We are only concerned with the insurance company to which an administrator has been appointed. In regard to the powers of the administrator, the point is whether he should have a particular kind of powers and whether the court should pursue those properties which were the subject of misappropriation, misfeasance etc. This is the origin.

Mr. Deputy-Speaker: I think the relevancy arose this way. Hon. Members would have heard Shri N. C. Chatterjee raise a point of law. The administrator is now entitled not only to attach the property directly of the insurer but also of other persons to whom the insured money, in the opinion of the administrator, has gone. Therefore, the administrator is bound to take notice of all the ramifications, branches and sub-branches and tributaries through which the money from the fund has flown. Ultimately, the last pie has to be taken care of and for that purpose, he has to attach the various properties. If the Bharat Insurance Company holds shares in Allen Berrys which has purchased property, which has purchased 20,000 tons spare parts and sold 1,000 tons for Rs. 94 lakhs and made a profit, the question is, what has become of that money, if it is not shown in the Bharat Insurance Company's accounts.

In the open market, he purchased from the Disposals. If he makes profit, possibly the contention of Shri Feroze Gandhi is, that the money has not been accounted for. Where has that money gone? If a thousand tons can fetch that amount, why not the rest? Therefore, the transaction relating to Allen Berrys also seems to be relevant. But let us not go into further details. I was asking Shri Feroze Gandhi from time to time the connections between the things he was mentioning and the Bill. Not being a lawyer himself, he placed what ought to be placed first last, and then ultimately it appeared that those string of events were related, not exactly directly, but somewhat remotely.

Pandit Thakur Das Bhargava: The question was that a person purchased 20,000 tons of spare parts and out of that sold 1,000 tons for Rs. 94 lakhs. That was the point. Has this any bearing whatsoever to the point at issue before the House in this Bill?

Pandit Balkrishna Sharma: Every bearing.

Pandit Thakur Das Bhargava: It is a question of fact. I do not know whether this is true or not. I was only giving an example. But so far as this Bill is concerned, we must confine ourselves to the actual matters which have given rise to this Ordinance. That is the point at issue.

Shri Feroze Gandhi: On a point of order. I will just take half a minute and the whole thing will be clarified. At the time that the orders were served on all these persons, and at the time that the orders were withdrawn,—at that time—I stand to be corrected, if I am wrong—this whole lot of people on whom the orders were served were told that in case any further misfeasance was detected, they shall be liable for it.

Mr. Deputy-Speaker: Have orders been issued to Allen Berrys?

Shri Feroze Gandhi: There is a list of 16—some individuals and some companies—on whom the orders were
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served. At the time of the withdrawal of the orders, I think these people were told that if any further misfeasance was detected in the books of accounts of the Bharat Insurance Company, they shall be liable.

Mr. Deputy-Speaker: The hon. Member's case is that most of the funds have been invested in Allen Berrys.

Shri Feroze Gandhi: In various companies.

Mr. Deputy-Speaker: Allen Berrys entered into some transaction.

Pandit Balkrishna Sharma: Not only Allen Berrys, but many other concerns.

Mr. Deputy-Speaker: I am on one point. Whatever is earned by that company, a legitimate share should go to Bharat Insurance Company.

Shri Feroze Gandhi: That is my point.

Mr. Deputy-Speaker: That has not happened. That is the complaint of the hon. Member. We need not go into further details.

Pandit Thakur Das Bhargava: As a matter of fact, I fail to understand how under this Bill we can discuss whether a judicial commission should be appointed against this man or that man. My submission is that this whole indictment was, rightly, against the Government to an extent. The Government are in charge of the Companies Act and of the income-tax department. An investigation tribunal went into all these cases, mentioned by my hon. friend, and Government compromised with these persons at Rs. 1 crore and 8 lakhs.

Shri Matthen: No, no.

Shri M. C. Shah: There is always a provision in the settlement that if other concealed incomes are found later, Government can take notice of them and proceed against them.

Pandit Thakur Das Bhargava: Shri Feroze Gandhi's complaint was perfectly right—against the Government. The Government are to blame in that so far as the Companies Act was concerned, they did not operate it rightly; so far as the income-tax department was concerned, they did not behave rightly; so far as the supervisory functions of the Government were concerned, they were sleeping....

Shri M. C. Shah: To that, I will reply.

Pandit Thakur Das Bhargava: and the hon. Minister has accepted that.

Now, so far as this Bill is concerned, you will be pleased to see that it seeks to amend sections 52 and 106 of the principal Act. If you kindly see the functions of the administrator, you find that ordinary functions are given in section 52B. So far as the courts are concerned, they can pass orders in relation to the properties of private persons. My submission is that in this scheme of things that we have got, the executive have generally no power over the disposal of the property of private citizens. It is the court which decides these matters. Ordinarily, even the police and other executive people do not interfere with the private rights of citizens as regards property. As regards the powers of the administrator, we find that the powers given in section 52B are of an ordinary nature which all executive officers enjoy. But further there are no powers for passing prohibitory orders against private citizens, that they should not alienate their properties in this way or that. These powers are now going to be provided, and these powers are going to be enhanced to such an exceptional degree that, in my humble opinion, they are too excessive. I can understand some kind of power being given, but at the same time, the administrator acts only on mere suspicion, and on suspicion alone he can pass orders. The effect of those orders may be

the absolute ruination of a private citizen. Shri N. C. Chatterjee has just been pleased to point out that for the first three months, the private citizen has got no remedy whatsoever, and even if the matter is brought before the court, it may take several years before he gets a hearing. It means that for years and years those orders will stand and the private citizen will be deprived of his fundamental rights given to him by the Constitution.

Shri Mulchand Dube (Farrukhabad Distt.—North): The Central Government have got the power of revision. They can revise the order.

Pandit Thakur Das Bhargava: That is also an executive power. I do not say that in every case the administrator will not behave rightly, and much less if the administrator does not behave correctly, there is the Central Government to correct it. There is no doubt about it. It is not in this spirit that I complain. On a point of principle, if there is the Central Government, it is after all the executive. Therefore, the first criticism that I wish to make in regard to the proposed amendment is that very large, extraordinary and exceptional powers are being given to the administrator which should not be given if the rights of individuals are to be respected in this country.

Shri Nanadas (Ongole—Reserved—Sch. Castes): What kind of individuals?

Shri N. C. Chatterjee: Citizens of India.

Pandit Thakur Das Bhargava: Individuals like my hon. friend. I am referring to the citizens of India.

Mr. Deputy-Speaker: It won't be wrong if I read here rule 335 to avoid cross-questions. It may take a minute or two.

"When, for the purposes of explanation during discussion or for any other sufficient reason,

any member has occasion to ask a question of another member on any matter then under the consideration of the House, he shall ask the question through the Speaker."

I won't allow this kind of cross-questions hereafter. Whenever as hon. Member wants to ask a question of another hon. Member who is in possession of the House, he will evidently ask through me. If I agree, I will allow or otherwise I will not allow. (*Interruption*) Order, order, please.

Pandit Thakur Das Bhargava: The second point that I want to say is this. In sub-clause (5) of clause 2, you will be pleased to note that the gazette notification has been treated as if the matter of service was concluded by them. The question of service is a very important question. When a prohibitory order is served and the person does not know of the prohibitory order, he may do certain acts which will bring him into the clutches of the law. The exact purpose of the prohibitory order is that matter should be brought to his knowledge.

Therefore, it provides....

As you have rung the bell, I will leave it. But, so far as (5) is concerned, it is very objectionable that this power should be given. The gazette is in the English language and it does not reach a wider circle. Therefore, it is wrong to give this kind of power to a mere notification.

Now, I come to another question which, to my mind, is the most important question. I am referring to sub-clause (6) of clause 4. In regard to private persons who have got nothing to do with a company, if the property of those persons is attached, what is the remedy open to them? This is the most important question to my mind. After all, those persons who are in the service of the company may have something to do with

the misfeasance etc. But, if a private person who has nothing to do with the question of misfeasance etc., has his property attached because it is suspected that he got the property in some way, what is the remedy open to him?

The sub-clause says:

"Any claim to any property attached under this section or any objection to such attachment shall be made by an application to the court, and it shall be for the claimant or objector to adduce evidence to show that the property is not liable to attachment under this section, and the court shall proceed to investigate the claim or objection in a summary manner."

You will be pleased to note that sub-clause (8) says:

"In any proceedings under this section the court shall have full power and exclusive jurisdiction to decide all questions of any nature whatsoever arising thereunder and, in particular, with respect to any property attached under this section, and no other court shall have jurisdiction to decide any such question in any suit or other legal proceeding."

Ordinarily, under the present law, we have a provision like this that all suits are decided regularly after taking evidence of both parties and hearing arguments etc. The objections in attachment proceedings by executing courts are heard in a summary manner. But, it is provided that if a person loses his objection, then, he has got an absolute right to bring a civil suit for the purposes of establishing his claim and getting it declared that the property is not liable to attachment. The same court which decides the matter in a summary manner does not decide the regular suit. In this case, if the case goes to High Court or any court, the principle should be the same. If a person comes to court his case will

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be decided in a summary manner, yet such decision of the High Court will be a judgment in *rem*. He may not be able to bring in a regular suit and he will not be able to establish his claim subsequently. He will have no remedy whatsoever. You will please see that this is against the ordinary principles of law which are well known. But the reply is, it is a kind of special jurisdiction that we are giving. My humble submission is that so far as those persons are concerned who may have something to do with misfeasance in the insurance affair it may be all right. But, a third person's rights should not be curtailed in this manner so that the actual remedy of bringing in a proper suit is not open to him. That means that you are depriving him of the ordinary remedies which are open to every litigant. This is bad. It is said that it is because they are investing the jurisdiction in the High Court. My submission is there is no reason why the High Court should be given all these powers. So far as the District Judge is concerned, he has got unlimited jurisdiction in all other suits. Under the Civil Procedure Code, we know that he has got unlimited jurisdiction. In insolvency matters also, if power is given to him, he decides cases involving crores and crores worth of properties. Then the appeal comes to the High Court and then there is another right of appeal under article 134 to the Supreme Court. If you give these rights to the High Court, you are again depriving the people of the right of appeal because in the Supreme Court only exceptional cases come where the sum is over a particular figure or where there is a question of point of law. Ordinarily not only the District Judges have unlimited jurisdiction but....

Shri A. M. Thomas (Ernakulam): But Company Law jurisdiction is now given to the High Court. It has been taken away from the District Judge.

Dr. Suresh Chandra: You are a neighbour; you should not disturb.

Pandit Thakur Das Bhargava: I do not mind interruption; I have every faith in his *bonafides*.

Mr. Deputy-Speaker: But the interruption should be through me. The hon. Member may finish; I think I must allow others also.

Pandit Thakur Das Bhargava: All right, Sir.

I am submitting that if the District Judge was given the power, then the ordinary litigants will be allowed to have their suits again in some other court because it is wrong that the same judge who tried the thing in a summary manner in the executing court should be given the power to decide it in a regular suit. Therefore, it is objectionable.

Then, again, I wish to submit that so far as the present Bill is concerned, it was not really required for the purpose for which it is claimed to have been brought. As a matter of fact, it is quite wrong to assert that because of this they have recovered any money. They have recovered the money all right. There was no hitch in paying the money. Before that proceedings and negotiations were going on so far as this money is concerned. I am clear in my mind that even if the power is sought to be conferred, this Ordinance and this Bill should not have been brought. You should not bring in an Ordinance and a Bill for a particular case. This is objectionable. My submission is if you want to change the law let us change it by all means, if it is not found to be efficient and sufficient in a number of cases. First of all give a dog a bad name and then hang it. That is not correct. I submit that it is not fair that for all matters we want to have special laws and special jurisdiction. Really, we are really missing the old principles which Dicey gave us. We should behave in the right way. This is our India in

which the ordinary law of the land has got sway in all matters. Now, we are departing from all principles. Whenever a case arises, we want to make special laws. I object to this. Therefore, I submit that though it may be right if it is found in a number of cases that the administrator has not been efficient or able to control certain circumstances of which there is no evidence before us, the executive should not be armed with such extraordinary powers and the powers of the ordinary courts should not also be taken away so that the ordinary litigant is deprived of his remedies which he possesses in regard to all other matters.

The Minister of Legal Affairs (Shri Pataskar): Certain points have been raised not more or less strictly on the basis of their being constitutional or otherwise but on the basis as to whether what we are trying....

Shri U. M. Trivedi: Certain points have been raised and there is one more point. When the hon. Minister of Legal Affairs is going to talk about them, I would like to suggest to him one more point so that.....

Shri Pataskar: I may speak and after that.....

Shri U. M. Trivedi: Only one point, so that he will be able to answer the whole thing.

The question is that the change that is being made is in the terminology of section 106 that the person guilty of such contravention is to be punished with a certain punishment. In other words, it means that certain criminal powers or police powers are being vested in the court. Under our law, we have got a provision in the Constitution that *antelitem* law should not be allowed or *ex post facto* law should not be allowed. This law is to be made to come into force from the 1st November, 1955. Can we make a provision of this nature where punishment is to be meted out for an offence which is not an offence to-

day? That point has also to be answered.

Shri Pataskar: Which clause?

Shri U. M. Trivedi: Clause 106, sub-clause (1) (a) (i) and (a) (ii). Then there is a provision in line 41 at page 4 as follows:

"and to order the person guilty of such contravention to contribute to the fund...."

You are going to find one guilty of offence of this nature, as enumerated here, and then you are going to inflict punishment on him out of the police powers that you are going to exercise for an offence which he might not have committed when the law is not in force. So, you are now making an *ex post facto* law, to which I object. I will speak later about the other points. This I am saying now so that the hon. Minister of Legal Affairs may make the position clear in his speech.

Shri Pataskar: I will not certainly enter into what has been said with regard to several other matters of fact on one side or the other, but the question is of the propriety and constitutionality of the measure which we are going to introduce and what its nature is.

Section 106 of the Insurance Act, as it stands, is a section corresponding to section 235 of the Indian Companies Act, which deals with misfeasance by directors, organisers, managers, etc. Why was it necessary to amend section 106? There is some difference between section 106 as it stands in the present Insurance Act and section 235 of the Indian Companies Act, but all the same, that is a provision which is intended to deal with acts of misfeasance by certain parties—in respect of corporations. We should not always try to apply all the principles which would normally apply to a procedure to be adopted against the acts of any individual. Just as section 235 is a special provision in the Indian Companies Act intended to deal with problems which arise only as a result of the working of certain corporations.

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here in the Insurance Act, there was section 106 which dealt with this question, but it has been found by experience that as a matter of fact it did not serve the purpose for which such a provision was made in the Insurance Act.

With this preface I would like to say what is really being sought to be done so far as this Bill is concerned. So far as section 106 is concerned, we are now trying to substitute the old section 106 by a new section 106, and so far as the propriety of the matter is concerned, it is to be noted that in this case we only lay down in subsection (13) of section 106.

"On and from the commencement of the Insurance (Amendment) Act, 1955, the court entitled to exercise jurisdiction under this section shall be the High Court...."

Naturally my friend, Pandit Thakur Das Bhargava, said: Why is it that we should say that such matters shall be dealt with only by the High Court and by no other court? My friend, Shri Chatterjee, knows when we are discussing the Indian Companies Act, we did come to the conclusion, and that is what the present provision is, that as far as possible in respect of such large transactions it is desirable and necessary that the powers should be with the High Court, both in the interest of the subject as well as the corporation or society as a whole. That is why we have made that provision in the Indian Companies Act and the present provision is more or less of a similar nature. On the contrary, from what I have been hearing here yesterday and today, certain complicated transactions have taken place for which it is desirable that the jurisdiction should be with the highest court in the province concerned. Therefore, section 106 is made to read:

"If on the application of the Controller or an Administrator

appointed under section 52A or an insurer or any policy-holder or any member of an insurance company or the liquidator of an insurance company (in the event of the insurance company being in liquidation), the court is satisfied...."

I will not go into the details and probably the hon. Minister in charge of the Bill has already explained them to the House. That is why this power has been given to the High Court, and I believe that the majority of the Members will agree at any rate that that has been rightly done, that in matters of such vast magnitude and complicated nature, it is desirable that we should leave them to the High Court. Section 106 deals with acts of misfeasance. I think the proceedings regarding misfeasance are more or less proceedings of a civil nature and there have been so many rulings of different High Courts. It is not as if we are trying to make it a criminal offence. The word "guilty" may have been used, but that is a different matter. Misfeasance is more or less a proceeding of a civil nature under the Companies Act and it will continue to be so even under this Act and we have left it to the highest court to decide so far as this point is concerned.

Then I come to clause 52BB. What is it that we are trying to do? Why has it become necessary? It may be that when the Administrator, who has been appointed in certain cases, finds it necessary to issue some prohibitory orders. If such an order is not issued in time, it may be difficult to guard the interests of the policy-holders or those who are interested in company management in a proper way. Therefore, section 52BB says:

"If the Administrator is satisfied that any person has rendered himself liable to be proceeded against under section 106, he may,

pending the institution of proceedings against such person under that section, by order in writing, prohibit him or any other person from transferring or otherwise disposing of any property which, in the opinion of the Administrator, would be liable to attachment in proceedings under that section."

What is proposed to be done is to cloth the Administrator with the power to issue a prohibitory order or an order preventing such person from transferring or disposing of the property. That is what is proposed to be done under sub-section (1) of section 52BB.

A question naturally arises now. If the High Court is going to be given the powers, and as we say under section 106 that it will be open to the Administrator to make an application to that Court, why should not a civil court exercise the powers which are possessed by civil courts for the purpose of attachment of property before judgment? But there is one difference. An attachment before judgment has to satisfy certain conditions and they have been laid down in the Civil procedure Code for a different purpose. It is laid down in the Civil Procedure Code:

"Only when the Court is satisfied that the defendant is about to dispose of his property or move from the jurisdiction of the court with intent to appeal against a decree passed against him..." etc. etc.

Therefore, that is not exactly what we want. We want to prevent something that is being done and I think it is desirable. I think everybody will be satisfied. From what we have heard, whatever may be the truth, merits or demerits or whatever propositions have been laid down, the fact remains that it is necessary to prevent an evil rather than allow it to take place, and then try to institute some proceedings. It is from that point of view that this section

52BB has been inserted. Because a resort to the court for an interim order, prohibitory order or attachment order is governed by the Civil Procedure Code it may not exactly apply or fit in and serve the purpose for which this power is necessary so far as the administration of insurance business is concerned.

Then, I might just point out that scrupulous care has been taken to see that while giving this power nothing has been done which will normally be said to affect any interest of any person whose interests deserve to be legitimately safeguarded. What is tried to be done is that under section 52BB the Administrator is given this power. Then within 14 days of passing of that order there is provision that the person concerned and affected by the order may go to the Central Government. So, there is this safeguard. It is not as if....

Mr. Deputy-Speaker: The point raised was....

Shri Pataskar: I will come to that after examining all these provisions.

Mr. Deputy-Speaker: The point was that there is no right of appeal..

Shri Pataskar: In a few minutes I will come to that.

It is not as if this power stands for all time and the Administrator may go on delaying making application to the High Court. In sub-clause (3) we say:

"An order made by the Administrator under sub-section (1) shall, subject to any order made by the Central Government on appeal, be in force for a period of three months from the date of the order unless, before the expiry of the said period, an application is made under sub-section (1) of section 106 to the court competent to exercise jurisdiction under that sub-section, and when such an application is made, the order shall, subject to any order made by that court, continue in

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force as if it were an order of attachment made by that Court in proceedings under that section."

What is the procedure prescribed? It is said that if he does not take the matters to the court after three months the order will cease to have force and whenever he makes an application to the court under section 106 then the court will say whether that order should continue in force or shall not continue in force. So, that is the safeguard and in the cases contemplated it is quite enough in order that innocent people may not be harassed by the Administrator.

Then, what is the significance of sub-clause (10) of clause 2? There it is said:

"Save as provided in this section or in section 106, and notwithstanding anything contained in any other law for the time being in force,—

(a) no suit or other legal proceeding shall lie in any court to set aside or modify any order of the Administrator or the Central Government made under this section,"

What is prevented is that within this period, when the matter is being investigated by the Administrator and he makes that order, within three months of the passing of that order nobody will be allowed to go to any court and get any prohibitory order or any other order of that kind. It is said: "no suit or other legal proceedings shall lie in any court to set aside or modify any order of the Administrator..." Of course, as soon as he goes to the High Court and files an application within three months only that court has jurisdiction to modify the order or say that it shall continue. It is within that short period and I think everybody will agree that in matters of moment it is desirable from the point of view from which these provisions are made

that we should not allow a man to go to any court. It is not as if the right is taken away for all time to appeal against something decided by the Administrator. Only what is prevented is long drawn out applications and suits in some other courts where probably the matter may not be dealt with as efficiently, as properly and as finally as it can be done by the High Court when ultimately the subject of misfeasance rests with the High Court under section 106.

Mr. Deputy-Speaker: If the High Court does it summarily?

Shri Pataskar: Proceedings under section 106 are not proceedings by way of a suit. Even under the Companies Act proceedings under section 235 are not proceedings by way of suits. Misfeasance proceedings in their very nature have got a peculiar character and they are distinct from the character of suits in which two persons are concerned and they fight in the civil court. Therefore, section 106 makes certain provisions which are sufficient to my mind—I will take some more time if I go into their details—and which more or less correspond to the proceedings—as the hon. Member Shri N. C. Chatterjee knows—which follow under section 235 of the Companies Act. Nobody has uptill now found any wrong done in any High Court because those proceedings cannot drag on in the manner of suits. I have not come to know of any such instance.

Therefore, what I would say is that we should look at the provisions from this broader aspect. It is only from that particular point of view where we want to guard the interests of insurers and that too against specific individuals and on certain specific grounds that during this period when the Administrator goes to the court under section 106 he has been given the right to pass an order on these limited things. It is not as if he can do anything. It is not as if somebody makes an application and the Administrator forms an opinion. In sec-

tion 52BB he has also been given powers to ascertain information in a particular manner. In sub-clause (8) it is said:

"for the purpose of enabling him to institute proceedings under that section, the Administrator may require any person to furnish information on such points or matters..." etc. etc.

All those powers that are necessary have been given to him. So, in a case of the nature now under discussion—I do not go into the merits or importance of the case, that is a different matter—generally it will be seen that it cannot be dealt with by a suit and it can only be dealt with under section 106 or by way of misfeasance proceedings. Therefore, we have tried to put in the proposed section 106 more or less on the lines of misfeasance provision in the Indian Companies Act because the former provision was not found adequate. Then we wanted that in the mean time there should be some power with the Administrator for a limited period to issue a prohibitory order in order that something may not take place and it is from that point of view that this power has been given. I can say for the information of the House that what is intended is to secure recovery of all the money of which the company has been defrauded. We are trying to do it by giving powers to the Administrator subject to the approval of the Central Government to freeze the property in the possession of the persons mentioned in the clause. Therefore, I think, by and large, it will be found that there is not anything like absolute discretion given to an executive officer to do what he likes. In the first place there is appeal to the Central Government; in the second place the period during which this order can operate is also limited and ultimately the matter is to go to the highest court in the land, the High Court. With respect to subjective determination—of course, I do not think I need dilate on that point—I have

looked into that. We are not giving here any power to any person to deprive the property of another man. We are only giving power to issue a temporary prohibitory order contemplated by section 52BB. We might say, it is more or less in the nature of an attachment order as we call it and I think there is nothing here very much in conflict either with a decision of the Supreme Court or anything of that kind. I have carefully tried to go through them and I have found that it is all with regard to deprivation etc. which is altogether a different matter.

I believe hon. Members will find that from the point of view of the problem with which we are dealing and from the point of view of the enormity of the moneys involved and also from the fact that we are not dealing here with a matter between an individual and another individual but with a matter which concerns a big firm or a corporation the provisions made are enough to safeguard the interests of an ordinary innocent man. I think there is nothing wrong in it constitutionally or from the point of view of propriety.

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The power that has been taken is of a very limited nature and is subject to appeal and subject further to the decision of the High Court. The provision that an order made by the Administrator shall be in force for a limited period of three months has been made from the point of view of public interest, so that nobody need be allowed indiscretely to try to interfere with what the Administrator is doing that is in the best interests of the persons concerned.

I hope that the provisions of the Bill will satisfy the wishes of hon. Members.

Pandit Thakur Das Bhargava: I would like to put two questions to the hon. Minister. Firstly, I ask whether the court itself is not authorised to issue prohibitory injunction?

[Pandit Thakur Das Dhargava]

The matter may be at once brought before the court and an interim injunction can be granted by the court itself as soon as the matter is brought before the court. Why should the executive officer be given that power? Secondly, I invite the attention of the hon. Minister to section 53 of the old Transfer of Property Act and also the Companies Act regarding fraudulent transfers. Here, in this case, if an attachment is made by the Administrator, the burden is put on the private person. Then, the case is decided in a summary manner. No regular suit is allowed to establish the right of property and the whole burden is cast upon the private person. That is the real crux of the matter.

Shri Pataskar: The hon. Member must make a distinction between dealing with private individuals and dealing with corporations. In the case of corporations, we have to deal with questions of misfeasance of managers, directors and other persons. That is the basis. If the hon. Member looks at the matter from this point of view, he will find that the provision is sufficiently safeguarding the interests of the persons concerned.

Mr. Deputy-Speaker: I will give 5 minutes to each hon. Member. Mr. Matthen.

Shri Matthen: I may be given ten minutes.

Mr. Deputy-Speaker: We extended the time by 2 hours and still time is not sufficient.

Shri Matthen: I shall confine myself to observation which are not objectionable to my friends here. I support the Bill, not because of the faults alleged to have been committed here, but because in future also they are quite possible. I know from personal knowledge that there are lots of insurance companies, managers etc. who have been misusing the funds of the insurance companies to get controlling shares in other concerns and

other benefits. Therefore, this Bill has not come one day too soon. I support my friend Mr. Gandhi whole-heartedly and say that there should be a judicial investigation into the whole story. I think I have not even seen the famous Dalmia; but I can tell you that from his description given by Mr. Gandhi, everyone in the House will be convinced of the colossal alleged fraud—I don't say fraud—committed not in one year or two years, out in a series of years from the early forties, not in one company, but in a series of companies.

Mr. Deputy-Speaker: The hon. Member is right in saying that in general such things should be avoided. But, when the cases are pending, he cannot say that it is fraud.

Shri Matthen: I still insist on a judicial investigation.

Mr. Deputy-Speaker: That is all right.

Shri Matthen: As my friend, Mr. Chatterjee, pointed out, there is a large number of cases of misfeasance going on for years and years and nothing has been done. We must have a summary procedure in these matters. Fortunately for us, the Law Commission is sitting now and I would most earnestly advise the Finance Minister or this House to refer this and other allied legislation to the Law Commission to report within a month such a procedure by which the law can be applied sooner and more effectively. My friend, the hon. Minister, stated a very cheering news. He said that the Government was able to recover the loss caused to the insurance companies by the Dalmia people. That is very cheering news, but I would like to know whether the Government has recovered the losses incurred in 1952, amounting to Rs. 1,50,00,000 or Rs. 1,60,00,000, by means of three transactions. The first was in December when some property was purchased in Bombay.

Mr. Deputy-Speaker: Is the hon. Member sure there is no suit regarding that?

Shri Matthen: I think Thakur Dasji alleged that there was no suit. You will have noticed, Sir, from Mr. Gandhi's speech that there is one Dalmia Cement and Paper Marketing Company. They were the people to transfer those properties worth more than 40 lakhs of rupees to the Bharat Insurance Company. They were not bankers, but this property was transferred. Again, two months after, there was another deal and for land worth Rs. 41½ lakhs, this company had paid hardly Rs. 10 lakhs. Then, there was a deal in Calcutta for a building on the Convent Road which was again transferred for about Rs. 7½ lakhs properly purchased for 1½ lakhs a few months before.

Mr. Deputy-Speaker: Order, order. In the course of investigation, the hon. Member will pass on a note to the hon. Minister on these cases and let them be looked into. I am not prepared to take things for granted, unless they are supported by judgments or statements made by the man himself. This is not a court of inquiry to look into this matter and whether Rs. 42 lakhs have been advanced, how much was recovered, whether there was sufficient security and so on. The hon. Member has said sufficiently enough on this matter. I will now call upon other hon. Members.

Shri Matthen: I have something more to say.

Shri U. M. Trivedi rose—

Mr. Deputy-Speaker: I will allow those hon. Members who have not had chances so far to speak on the clauses. This has become the practice here. The Speaker says that so much time will be allotted for each item, but that kind of distinction is not being observed. The general consideration comes into clause consideration and the clause consideration comes into the general consideration. We have not been able to keep up the demarcation.

In keeping with what we have been doing, I will allow hon. Members to speak on any matter in the clause by clause discussion and in the third reading also. Therefore, they will bear with patience. The hon. Member must now conclude.

Shri Matthen: Only one elucidation from the Minister. I will not refer to any fraud.

Mr. Deputy-Speaker: No, no. I am not on that.

Shri Matthen: You really ask me, how do you know all these facts. The hon. Finance Minister conducted an enquiry on receipt of the information about this fraud in 1953, in 1953 and he has got authentic documents in his possession. He has got authentic documents in his possession about the Bharat company not having one honest investment. I am saying: let him challenge me. My question is, why the Ministry did not take steps then to appoint an Administrator or bring a Bill like this in which case all these things could have been avoided. I want an explanation from the hon. Finance Minister why they did not take steps then having in their possession all this valuable information and documents from a competent Commissioner appointed by them.

Shri M. C. Shah: I am rather happy and grateful to hon. Members for having given support to this amending Bill. They have also endorsed the action of the Government in issuing the Ordinance which was absolutely necessary at that time to safeguard the interests of the policy holders.

My hon. friend Shri N. C. Chatterjee had raised certain constitutional points. These points have already been answered by the Minister of Legal Affairs. I do not think I should go into those points and take the time of the House.

My hon. friend Pandit Thakur Das Bhargava said that we are taking wide powers, or rather extraordinary powers and he seemed not for giving

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wide powers to the Government. He wanted to have certain safeguards. But, when there are serious diseases, extraordinary remedies are absolutely necessary. We have to keep before our view how best to safeguard the interests of the policy holders. There are lakhs and lakhs of policy holders, who save small moneys every year and invest those small savings in taking out insurance policies, so that, in future, if their policies are limited by a certain number of years, they may get the money in advanced age or in case of death, their widows and children may get the money under the insurance policies. Therefore, it becomes the paramount duty of the Government to safeguard the interests of the policy-holders. In order to safeguard the interests of the policy holders, it becomes absolutely necessary to assume extraordinary powers. I shall soon refer to the background of this legislation.

I am happy and rather grateful to my hon. friend Shri Feroze Gandhi for having given the history of certain transactions, interlocking transactions, and also certain transactions concerning the Bharat Insurance Company Ltd. I am grateful to him for having made this research and having disclosed all these facts to the House though some of the facts are known to the Government, are in possession of the Government and Government are taking action on the information. My hon. friend Shri Tulsidas is not here. He has just stated that such cases are few and far between. He instanced one or two insurance companies which are, no doubt, well managed. But, perhaps, though being in the insurance business, he does not know during the last few years, how many companies have been wound up, how many companies have been taken over by Administrators and in how many cases Government had to take action in order to safeguard the interests of the policy holders. Nearly 25 companies have gone into liquida-

tion, and during the last 4 years, we have taken over 11 companies and Administrators have been appointed. There have been huge swindles of life insurance funds in some of the insurance companies. My hon. friend referred to the Jupiter and Empire Insurance companies. Sometimes, some Members were given the impression by my hon. friend Shri Feroze Gandhi that Government were not very much alive.

Shri A. M. Thomas: That is very clear.

Shri M. C. Shah: I would give the facts from which the House will be assured that the Government are very much alive and that the Government are taking all possible steps, even amendment of the Constitution.

My hon. friend referred to the Jupiter and Empire Insurance companies. There was a swindle to the extent of Rs. 77,50,000 or more. Action was immediately taken by the Government. An Administrator was appointed. Already legal action is being taken, and prosecutions are going on. Shri Shankar Lal, who is now no more, was prosecuted, Shri Damodar Swarup Seth is being prosecuted; Sardar Sardul Singh Cavasheer is being prosecuted. There are certain others who are being prosecuted and they are standing their trial in the sessions court of Bombay. The House will see, whenever we find that a criminal offence has been committed by the management, the manager, director or those who are in the management of these companies, they are not spared.

With regard to this very Bharat Insurance Co., the matter was referred to by my hon. friend Shri Feroze Gandhi and the last speaker.

Shri V. G. Deshpande: May I ask if any property has been attached in the case of Jupiter Insurance Co.?

Shri M. C. Shah: I am coming to that. I shall show why this Ordinance

and this Bill have become necessary. I shall take one after another some of the transactions referred to by my hon. friend Shri Feroze Gandhi and the last speaker Shri Matthen.

We got information in 1952 about certain transactions which have been already described as dubious by the Finance Minister in replying a short notice question. We found that certain properties were purchased by the Bharat Insurance Co. from Bennett Coleman Co., Ltd. and certain properties belonging to the Cement Marketing Co., belonging to the Dalmias, for Rs. 150 lakhs. Rupees 103 lakhs were paid for the Times of India building and Rs. 47 lakhs were paid for some nahu property and other properties. The matter was immediately investigated.

Shri U. M. Trivedi: On a point of order. We are not in full possession of the facts as to what are the things which are now the subject matter of investigation and subject matter of litigation between the Government and that party concerned. This is coming out of the mouth of the hon. Minister. The matter which appeared to have been argued on this question of the repayment of Rs. 180 lakhs or so.....

An Hon. Member: No point of order.

Shri U. M. Trivedi: The point of order is this. You listen to it. The things which are tried to be explained by the Minister are *sub judice*, and as you had also adumbrated it, you cannot try and give a colour to a matter which is *sub judice*, not only *sub judice*....

Some Hon. Members: It is not *sub judice*.

Shri Feroze Gandhi: It is not *sub judice*.

Shri M. C. Shah: I am simply stating the facts. I will not refer to any matter which is *sub judice*.

Mr. Deputy-Speaker: Is there a case pending regarding this matter?

Shri U. M. Trivedi: That is what I am asking.

Shri M. C. Shah: No.

Mr. Deputy-Speaker: He says no.

Shri U. M. Trivedi: If he says no, then it is all right.

Mr. Deputy-Speaker: All the same, these individual cases regarding Dalmia are no longer necessary or useful for this Bill. I will give an opportunity to hon. Members. Of course, I will talk to the Speaker. There may be an appropriate occasion to go into this matter in detail, what further steps have to be taken etc., because all of them are public companies. But does this enhance or increase the chances of the passage of this Bill?

Dr. Suresh Chandra: As the matter has been referred to, he has to reply.

Mr. Deputy-Speaker: He might answer a question as to what happened to an insurance company, but to go on answering with respect to every one of these companies, what are their assets and liabilities, what amount has been recovered—is that the Bill here?

Shri M. C. Shah: I am only referring to Bharat Insurance.

Mr. Deputy-Speaker: I have no objection, but there is the question of time. How can I go on increasing the time?

Dr. Suresh Chandra: This has come up and the whole House is interested in this thing.

Mr. Deputy-Speaker: Let the whole House sit here and allow it. I am not going to allow it.

Shri M. C. Shah: I am not going into the transactions of interlocking of other companies mentioned by my friend Shri Gandhi because about that I will simply say they come under the Company Law Administration. The powers under the Company Law Administration were delegated to the States and the States had to

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administer the company law, and on y recently, a year and a half before, we took over those delegated powers from the States and thereafter because of all these malpractices and abuses, we had to bring a very comprehensive company law by which all such malpractices can be averted. That is all I will say about the interlocking of certain concerns mentioned by my friend Shri Gandhi.

I am only mentioning about the Bharat Insurance Co., and its life fund. I was just saying that Rs. 150 lakhs were used from the life fund of the Bharat Insurance Co., to purchase the building of the Times of India for Rs. 103 lakhs and Rs. 47 lakhs to purchase the nahur and other property of the Cement Marketing Co., which belonged to Dalmias. It was stated that the Government did not take any action and Government can recover only after two years, but I say it is not so, and that I want to explain. The moment we got that information we consulted our legal advisers as to whether there was any civil liability or criminal liability. If we were advised there was any criminal liability, we would have immediately taken action. They said no. Regarding civil liability also we were advised no.

Mr. Deputy-Speaker: Why does he come out with all these secrets here?

Shri M. C. Shah: These are not secrets. These are all facts which the House should know.

Mr. Deputy-Speaker: It is the experience of lawyers that if one set of facts are brought to their notice, they will say "No", but if another small matter which had escaped their notice is also brought to their notice, they will say "Yes". Let not the Government be committed until the money is recovered by the civil court. There is no wrong without a remedy, that is what I have studied in law. Therefore, until the money is recovered, or made good, there must be either civil

or criminal liability. Opinion need not be finally stated as to what passed on between the Government and their lawyers. The lawyer may change, Government may change.

Shri M. C. Shah: I am only replying to the charge that Government have not taken any action. I am just now talking of the action Government took. When we were advised there was no civil liability or criminal liability, we wanted to take action under 52A to appoint an administrator, but then we were advised that would be considered to be *ultra vires* because of the Sholapur Spinning Mills case judgment. Therefore, immediately thereafter when article 31 of the Constitution was to be amended, we brought in section 52A also, so that it cannot be challenged as being *ultra vires*. At that time, as we could not take civil or criminal action or action under section 52A, to safeguard the interests of the policy-holders we forced these people to reverse the deal. Bennett Coleman & Co., agreed to re-purchase that property at that value of Rs. 103 lakhs though some years had passed by and the property had depreciated. We gave them the option to pay in instalments as ready money was not available. At the same time, the property remained in the name of the Bharat Insurance Co., till all the instalments were paid and for the short-fall which may be perhaps a few lakhs machinery and movable costing about Rs. 50 lakhs are pledged to the Bharat Insurance Co. We have already recovered Rs. 10 lakhs, and Rs. 93 lakhs are due, but instalments are regularly paid and we have got ample security because the building stands in the name of the Bharat Insurance Co. The Bharat Insurance Co. will only transfer that to Bennett Coleman & Co. when the entire sum has been paid. We are charging interest at 4 per cent.

With regard to the other property of Rs. 47 lakhs also we have already forced Dalmias to agree to re-pur-

chase, and instalments are to be paid. In order to get that money also secured, he has already pledged 250,000 shares of the value of more than Rs. 25 lakhs to the Bharat Insurance Co., and in the last deal we have taken guarantee from J. Dalmia, Sahu Jain Ltd., and others, to make up the short-fall, if any, though there is no possibility of any short-fall.

Therefore, we had taken all possible action then available to us and we have already safeguarded the interests of policy-holders by getting this Rs. 150 lakhs back. We could not proceed against them because of the legal and constitutional difficulties and in order to avoid them in the Constitution (Amendment) Bill we have already got that section 52A in the Schedule.

Shri Matthen: May I know.....

Mr. Deputy-Speaker: I am not going to allow.

Shri Matthen: On a matter of information.

Mr. Deputy-Speaker: The hon. Minister may go on.

Shri M. C. Shah: With regard to the present case of misfeasance and alleged misappropriation of about Rs. 220 lakhs, perhaps the House will be interested to know that the moment we got information, we started enquiries. Within four or five days we appointed an inspector, and that inspector reported that there was a shortfall of certain securities to the extent of Rs. 220 lakhs or so. Immediately thereafter the Government took the decision to take criminal action and on Sunday the 25th September 1955 the principal officer, Ram Krishna Dalmia was arrested. The House will appreciate that the Government have acted very very swiftly and within the time of ten or twelve days, action was taken. Thereafter, again, we wanted to safeguard the interests of the policy-holders. At that time, some money had been deposited in the Bharat Insurance Company's accounts with the banks, and Rs. 1,80,50,000

remained to be obtained from the delinquent principal officer. Then we found that the properties belonging to the delinquent, either on his own name or in the benamidar's name, also remained. In order to safeguard the interests of the policy-holders and to recover these monies from the delinquent, the benamidar or his nominees, —whatever they may be—we immediately thought about this ordinance and the ordinance was issued. Prohibitory orders were issued to 15 persons and thereafter, as the House well knows, we got Rs. 1,80,50,000 in cash. My friend Shri Sadhan Gupta and some other Members on the other side doubted or rather suspected that because of this voluntary and unconstitutional transfer, something else might come out. I can assure the House that the police investigations are continuing and the matter will be pursued vigorously to bring home the guilt to the delinquent persons. I am trying to explain why this ordinance was necessary and why this amending Bill has been necessary. Because of extraordinary circumstances, extraordinary remedies were absolutely necessary.

Shri Mohanlal Saksena rose—

Mr. Deputy-Speaker: Let the hon. Minister conclude. You may ask questions at the end. Hon. Members will kindly note down whatever they want to ask. After the Minister concludes, they may ask the questions. Why should the thread of his speech be broken now?

Shri M. C. Shah: My friend Shri Iulsidas said that malpractices may be only few and far between. As I said, there are so many malpractices prevalent in the insurance companies that the Government have to take strict action. I have said just now that we have taken over the administration of certain companies, and we will not stop for a minute, the moment it comes to our notice that there has been misuse of the life funds belonging to those poor policy-holders. So, when such things happen, we have to take certain ex-

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traordinary measures. Therefore, in the beginning, when I moved for consideration of the Bill, I said that we were taking wide powers. We are deliberately taking all these wide and extraordinary powers to safeguard the interests of the policy-holders, and I am sure the whole House will support us in taking all these extraordinary measures.

The question of nationalisation of insurance was also incidentally raised. I do not want to touch that topic but my friend Shri Tulsidas tried to defend the private sector in doing that business. Some others said that for these evils, nationalisation is the only remedy. I cannot say anything just now. I have already stated in this House, while answering questions on the subject, that that matter is under active examination of the Government. This question will be decided on merits. You know that the Congress has already accepted the socialist pattern of society, and whatever action Government will take will be to implement that goal of socialist pattern of society. When the Government comes to the conclusion that such and such a step is in the best interests of the country, is going to implement or is going a step further towards the implementation of the socialist pattern of society, this Government will not wait even for a minute to take that step. Therefore, because of this case, the question of nationalisation should not be discussed. The question of nationalisation will be discussed on its merits. I need not go further into that matter.

There was also a reference by Shri Feroze Gandhi to a Judicial Commission of Inquiry. I may inform the House that the Finance Minister has got various reports about the ramifications of these concerns. He is just going through all of them, and if any step is thought necessary, the Finance Minister will take necessary action without a minute's delay. Further than that, I cannot say. I can only assure the House that we

are very much alive to the problem and we want to see that all these malpractices or the doors of these malpractices are brought to book as early as possible.

I shall now refer to another point which perhaps may have created some confusion or some cloud of mystery or secrecy and it is in regard to the two Trusts—Yogiraj and Braghuraj Trusts. Today I have obtained those copies from my friend Shri Feroze Gandhi.

Shri Feroze Gandhi: I obtained them from your registers.

Shri M. C. Shah: As the House is well aware, and as every lawyer knows, you know Sir that charitable trusts are formed all over the country for certain charitable purposes. Those charitable trusts also hold and acquire certain properties for the purpose mentioned in those trust deeds. There is nothing wrong in having these charitable trusts, unless they are fraudulent ones. If they are fraudulent ones, the law should take its own course. But because there is a charitable trust, because certain properties are acquired and because certain persons are associated with those trusts as trustees, I do not think there is anything wrong or objectionable. Hon. Members wanted to know the names of those two persons whose names, my friend did not disclose. I have found from those two trusts that they are two colleagues of mine—Shri Jagjivan Ram and Shri Satya Narayan Sinha. They were taken as trustees in the year 1949. But I have enquired from them and I am glad to say that they have not attended any meeting; they did not know about the administration of those trusts; they know nothing of the management. In the year 1952, they resigned their trusteeships from those trusts. No inference can be drawn from the statement that there were two trustees on those trusts. I do not want to dilate on that matter further, but in order that there may not be any

secrecy which might cause some suspicion, I have made these enquiries and I have thought it fit to mention this to the hon. Members of this House.

Mr. Deputy-Speaker: Am I understanding the hon. Minister correctly? I heard the hon. Minister to say that they resigned so early as 1952. They are no longer trustees. Is that correct?

Shri M. C. Shah: Yes. They are no longer trustees. They resigned in 1952 and they have not attended any meeting. They know nothing about the management and they have no knowledge whatsoever about it.

So, I think the House will agree with me that in order to clothe the administrator with wide powers, such a Bill was absolutely necessary. I may assure the House that it is not the intention of Government to use these powers arbitrarily. But we have taken these powers because at times it becomes difficult to recover the moneys which have been appropriated by those delinquent persons who are in the management of an insurance company. As I said, a sum of Rs. 77,50,000 has been swallowed by those persons who stand trial before the sessions court, and it has become very difficult for us to recover the moneys from them; and we are taking legal opinion as to how to recover those moneys. If we had the powers to attach the properties of those delinquent officers, then we would have been able to recover the moneys.

So, in order to safeguard the interests of the policy-holders, it becomes absolutely necessary that the administrator must be clothed with these extraordinary powers, which will be used only when he is fully satisfied that he should use them. The administrator is appointed only after certain irregularities, or certain misapplication of the funds or misuse of the funds or a diminution of the insurance fund take place. Under section 106 as it stands today, we have got those powers, but we found that those powers were not adequate and sufficient in order to safeguard the inter-

ests of the policy-holders. They are dealing with crores and crores of the moneys of the policy-holders. So, if there is any misapplication or misappropriation of funds, then certainly we must have the powers to attach, before we go to a court under section 106 to recoup the insurance companies with those moneys. Therefore, we have advisedly taken all these powers. We have also provided that when the administrator passes the prohibitory orders, they will remain in force only for three months, and within that period, he must go to the court under section 106 with an application to get those funds back. If he does not go, if he is satisfied that there is no case, then those orders will certainly lapse.

At the same time, we have provided that within 14 days, that person whose property is attached can approach Government in appeal, and Government will certainly take all possible information that is supplied into consideration; and if Government come to the conclusion that the attachment order should not stand, they will pass orders accordingly. But if they come to the conclusion that the attachment order is quite proper, then the court will decide whether that is proper or not.

Because we are taking extraordinary powers, because it is a very complicated matter, and because it requires a very careful scrutiny of the evidence that may be tendered we have given jurisdiction to the High Courts. My hon. friend Pandit Thakur Das Bhargava was advocating that he can go to the district court first, then to the High Court and then to the Supreme Court. If we have this lengthy procedure, I do not know what will be the fate of the poor policy-holders, and whether they will be able to get their moneys when their policies mature. Therefore, I would request the House to be indulgent because of the interests of the poor policy-holders. And they must trust Government when they take these powers will be exercised only for the benefit of the policy-holders. There would be no arbitrary action taken,

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and there will be no harassment. But the delinquent persons who are there must certainly pay the penalty for their actions, criminal or otherwise.

I think I have covered all the points that have been raised, and I hope that the House will now take this Bill into consideration.

Shri Mohanlal Saksena: May I put one question to the hon. Minister? An allegation has been made against Government today. I think about the year 1953 or so, there was a report submitted by the auditor Shri Vaidyanatha Iyer, in which he said that it appeared to him that these securities were not with the Bharat Insurance Company for the last fifteen years. Is it a fact that he had made a report to that effect? Is it a fact that he had also refused to give any certificate? If so, what action, if any, was taken by Government?

Shri M. C. Shah: We have not got that information.

Mr. Deputy-Speaker: There may be many matters with respect to which the Controller of Insurance may have information. I am sure the hon. Minister will kindly forward to the hon. Members any information that they want. Hon. Members may write to the hon. Minister and get all the information.

Shri Matthen: I am relieved to hear that the interests of the policy-holders have been secured. But I want an assurance from the hon. Minister as to whether the life fund of the Bharat Insurance Company, which may come to not less than Rs. 6 crores, has been invested according to statute in Government securities or other safe investments. May I know whether he has completely secured the life fund of the company? That is point No. 1.

Point No. 2 is.....

Mr. Deputy-Speaker: Now, the hon. Member is giving advice to Government, as to how the funds should be invested.

Shri M. C. Shah: One question at a time. Otherwise, I may forget the question.

The life funds of the Bharat Insurance Company come to about Rs. 7 crores. Only about Rs. 1.50 crores will be recovered in instalments spread over a period of ten years. We have already recovered a sum of Rs. 10 lakhs, and those moneys are all secured; other moneys of the life funds will also be invested in the manner prescribed in the Insurance Act.

Shri A. M. Thomas: Some time back in the course of a press statement, the hon. Finance Minister said that the matter of nationalisation of insurance has not been seriously considered yet. But the hon. Minister of Revenue and Civil Expenditure has stated today that it is under the active consideration of Government. May I get an elucidation on this matter?

Shri U. M. Trivedi: It is under active examination.

Shri M. C. Shah: I have stated times without number in the course of the last few months that it is under the active examination of the Government of India.

Shri Punnoose (Alleppey): But not serious.

Mr. Deputy-Speaker: 'Active' is serious, and 'serious' is 'active'.

Shri V. G. Deshpande: The hon. Minister tried to defend the two Ministers whose names appear on this Yogiraj Trust. I want to know whether they resigned before this trust had purchased the shares of the Allen Berrys or any other concerns connected with this.

Shri M. C. Shah: I have already stated that those two Ministers had no knowledge about the administration, they had not attended any of the meetings, and they have no knowledge whatsoever of the investments or the shares or anything of that sort. And they resigned in 1952. There is no question of defending the Ministers. I have stated the facts. I

say that in charitable trusts, there are many prominent people of the country. I know so many prominent people who are trustees on the charitable trusts. So, I say there was nothing objectionable, or there was nothing to which any exception can be taken, in their being trustees on the public charitable trusts.

Shri V. G. Deshpande: We want to have information on this point, but we have not got it.

Shri U. M. Trivedi: There is nothing wrong in the Ministers being trustees on the charitable trusts. I see nothing improper in it. But I would like to know from the hon. Minister whether the trustees who have resigned have obtained discharge from the court.

Shri M. C. Shah: That is a matter for those persons who were the trustees. Why should the House be so concerned about these things?

Mr. Deputy-Speaker: Let us not pursue this matter. It has nothing to do with the Bill.

Shri M. C. Shah: How is it important? I do not understand at all. If there is any liability, it is for them.

Shri K. K. Basu: I want to ask two questions.

Mr. Deputy-Speaker: On this matter?

Shri K. K. Basu: Yes. They are very important.

Mr. Deputy-Speaker: Let me make up mind. Now, this was referred to incidentally. Shri Feroze Gandhi said that a trust had been created on a contribution or subscription or donation of Rs. 10,000 by Dalmia.

Shri Feroze Gandhi: Two trusts.

Mr. Deputy-Speaker: Both of them purchased shares to the extent of Rs. 8 lakhs each. He said that these are all the persons. Dalmia himself is one. Then there is the last man and in between there are some per-

sons whose names he did not want to disclose. Then he said he would pass them on to the hon. Finance Minister so that he may make inquiries and make such use of them as he thought proper, and disclose the same, if necessary. He did not want to take the responsibility on himself. The hon. Finance Minister looked into it. It is usual that trusts are richmen's creation. They may have their own views. There are a number of honest men. There are a number of others, and deliberately they ask some important person or persons to associate their names with it, saying that it is a charitable organisation. Those persons believing it associate themselves with the trust. Subsequently, they get into a corner, and they withdraw. This is the unfortunate position of some great men or many great men in the country. They resigned. They did not take any part. That was in 1952. Then I asked him—is there any evidence that this amount of Rs. 8 lakhs each was subscribed from the funds belonging to Bharat Insurance Company? He said this was a matter for investigation. All that he could say was that some crores of rupees had been got through Allen Berrys. Therefore, that money must have been distributed. Are we to go further? Even that is not proved. These other gentlemen who lent their names subsequently found that they had done a wrong thing and withdrew. Should we once again go into the affairs of some other trust? When once a Bill is introduced, does the whole world become the subject-matter of discussion? Therefore, I think enough has been asked and enough has been said.

Shri K. K. Basu: How can you make up your mind before hearing me? The position is this. Under the normal law of the land, all the trustees are jointly and severally responsible for anything done. He replied that they had resigned. Now, there is an allegation that these trustees had shares in Allen Berrys in which the Bharat Insurance Com-

[Shri K. K. Basu]

pany had some interest. These two trustees purchased a private firm, and there is allegation of misappropriation. My point is this. Has the Minister obtained the opinion of the Attorney-General in regard to the responsibility and liability of the trustees for the period? According to the law of the land, every trustees jointly and severally responsible for all acts done on behalf of the trust. What is the position regarding the liability of these two trustees—whoever they may be, whether they are Ministers or not, I am not concerned—for the action during that period of three years? Has the opinion of the Attorney-General been obtained?

The second point is.....

An Hon. Member: Let the first be answered first.

Shri M. C. Shah rose—

Mr. Deputy-Speaker: What is this examination about?

Shri K. K. Basu: Along with the Bharat Insurance property regarding life fund, securities etc., my hon. friend, Shri Feroze Gandhi, referred to some other insurance companies who are subsidiaries of the holding company—Free India, Hanuman and what not.....

Shri Feroze Gandhi: No, no. They are different. They have nothing to do with this.

Shri K. K. Basu: He referred to Rs. 1 crore and 80 lakhs which they will get in instalments over 15 years. Is it only a personal undertaking or is there any security by way of tangible assets or shares in a company in which Shri Dalmia is not involved?

Shri M. C. Shah: With regard to this Rs. 1 crore and 80 lakhs—actually, it is Rs. 1 crore and 50 lakhs—I have stated it very very clearly—and my hon. friend, who is a very distinguished lawyer of the Calcutta High Court, must have understood all those things I had said—that

Rs. 1 crore and 3 lakhs was the amount by which the Times of India building was purchased by the Bharat Insurance Company. I said the Bharat Insurance Company remains the owner of the Times of India building till all these monies are given back. Now, out of Rs. 103 lakhs, Rs. 10 lakhs have been already paid by instalment. Now, even if the value of the property depreciates by about Rs. 40 lakhs, the money will be safe as Rs. 50 lakhs worth of machinery belonging to Bennet Coleman and Co. Ltd. have been pledged under legal document to the Bharat Insurance Company.

Mr. Deputy-Speaker: In addition to the building?

Shri M. C. Shah: Yes, in addition to the building. As regards Nahur property, even if it depreciates, there too we have already taken 2,50,000 shares belonging to Shri Dalmia of Jaipur Udyog Company Ltd., which will fetch even today, if they are sold, Rs. 27 lakhs or so. That property also remains the property of the Bharat Insurance Company till all these monies are paid. Over and above that, we have taken a guarantee from J. Dalmia, from Sahu Jain Limited and one other that if there is a shortfall after all these vast securities and properties are taken into account, they should make it up.

As regards the second question, we are concerned with the life fund of the Bharat Insurance Company. We are not concerned with the properties of these trusts. Now, the Government will have to follow the life fund of the Bharat Insurance Company, wherever it is located, and if there is any liability by these trusts, then the trustees will take care of them. Why should we bother about that?

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Insurance Act, 1938, be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: The House will now proceed with the clause by clause consideration.

Shri Feroze Gandhi: On a point of order. It concerns me. In view of the hon Minister's speech, certain remarks that were made by the Speaker about what I said yesterday and a little of what you have said today will, I hope, be withdrawn, considering how helpful I have been to the hon. Minister.

Mr. Deputy-Speaker: The House has generally appreciated his remarks all along and the hon. Minister has paid a tribute to him. But it is the unfortunate duty of the Chair to say that notwithstanding the information and all the interesting things said, some portions are not strictly relevant and some are relevant. Therefore, the Minister discharged his duty, the hon. Member did his and both the Speaker and Deputy-Speaker have done theirs.

Clause 2—(Insertion of new section 52BB)

Shri N. B. Chowdhury (Ghatal): I beg to move:

Page 2, line 1—
after "three months" insert:
"or for such further period as the Central Government may decide,"

Mr. Deputy-Speaker: What about Pandit Thakur Das Bhargava's amendment, of which notice has been given just now? Is the Minister accepting it?

Shri M. C. Shah: No.

Mr. Deputy-Speaker: Then no indulgence is necessary.

Amendment moved:

Page 2, line 1—
after "three months" insert:
"or for such further period as the Central Government may decide,"

Shri K. K. Basu: The proposed subsection 52BB empowers the administrator to attach the properties for three months. After that, he must come before the court and obtain the necessary sanction or appeal to the Central Government. The whole point is that within three months the administrator must decide whether he should file a suit before the court. I would say that this period within which he has to investigate misfeasance, malfeasance etc., in which usually the big people are involved—and they have at their disposal the ingenuity of lawyers and what not—is much too short. Therefore, I have moved along with Shri N. B. Chowdhury an amendment to the effect that the Central Government may extend the time if necessary. We had certain interesting facts—I do not know how far they are true or not, because I have no personal knowledge. But you know that today life insurance companies have big investments in different companies and there is interlocking and what not which is being indulged in by these people. Therefore, it is absolutely necessary to find out exactly to what extent this misfeasance has gone on so far as these persons—managing director, director or manager, whoever they are—are concerned.

4 P.M.

We are taking wide powers under 106 where even benamidars can be caught. But we are making this provision of 3 months before the court decides the question of malfeasance or misfeasance. Unfortunately, we have experience of cases in which big persons have indulged in misappropriation of Rs. 40 lakhs and....

Mr. Deputy-Speaker: I am afraid the amendment does not serve the purpose because even if three months is extended to 6 months it is open to the party to prefer an appeal immediately to the High Court.

Shri K. K. Basu: Except under 226. That is a different thing.

Shri U. M. Trivedi: Where is it? It is taken away.

Shri K. K. Basu: We are not bothering about it.

Shri U. M. Trivedi: You are creating a lot of trouble for that man and for the country.

Shri M. C. Shah: We had considered that matter very carefully. Once we had thought that he may have more than three months but then, as has been pointed out here, we would not like to give more time to the administrator because whenever any action has to be taken under 52A we must have all those matters before us before we pass orders to appoint the administrator. Therefore, the administrator will be in a position to know whether there has been any diminution in the life fund or whether there has been any loss caused by misfeasance or otherwise. Therefore, immediately the administrator is appointed he will be in a position, if not immediately, at least within a fortnight to issue those prohibitory orders. Thereafter, within 14 days those parties who are affected will have a right to come to the Government and Government must also give a decision very soon. In order to expedite and in order that the administrator should be vigilant and in order that Government should also be very vigilant in passing orders, we have provided for three months. Otherwise, we would have very much liked to accept this amendment.

Shri K. K. Basu: Of course, the Minister has given this argument. *Prima facie* I would have supported it. Under the normal insurance law there is enough provision and power to see that malfeasance is stopped. But, unfortunately, the facts are otherwise. I know in the case of the Bharat Insurance Company more than a year or so back some of the employees made a representation to Government that there was a possibility of maladministration and that securities were being frittered away. He says that three months is good enough because in this case he knows the facts. By and large, our administration is good but there are cases

where in the case of big people it takes time. The administration comes to know of things after three months. I have not said that as a rule you should make it 6 months. I only say that in those cases in which the Central Government finds that it is a complicated case the period should be extended. In the case of the insurance companies that were taken over, there was the ordinary law of the land and yet they had to take power because there was mismanagement. There is a statutory obligation under the law that every year a report should be submitted. I am told that even in those cases the persons who were there connected with the management of the company were either appointed administrators or were appointed under the administrators as managers. The same person is appointed by the backdoor again. If we stick to the particular provision without the power of extension the result will be that instead of something coming out the whole thing will go away.

I won't take much time of the House. In the case of some of our banking companies which were liquidated applications were pending which were filed in the year 1949 and which could be heard only in the year 1955. Two or three important persons who were known in the Calcutta market—I do not want to name them—misappropriated Rs. 80 or Rs. 90 lakhs and when applications were brought before the High Court the Judge said that, when they wanted time and gave the assurance that they would not dispose of the property, time should be given. It is not now possible to do anything because the property is in the name of some one else. In these six or seven years the property has been transferred in the name of his son or others. So, this is a very important provision. It is true that they may be arrested. If you see the balance of advantage, these big banks and insurance companies are social concerns. It is no use saying that it is in the private sector. We have seen how these banks and insurance companies own-

ed and controlled by individuals work. We have seen how the administration works. When the axe is laid, it is after the mischief is done. That is why I say that in cases where the Central Government finds that 3 months is not enough they should have the right to extend the period before which the administrator is asked to come to court.

Shri V. G. Deshpande rose—

Mr. Deputy-Speaker: I will give an opportunity to Shri Deshpande in the third reading.

Shri U. M. Trivedi: I will not take a very long time.

Mr. Deputy-Speaker: The point is that within 15 minutes we must finish. At 4.15 we must finish all the clauses and by 4.30 the third reading should also finish.

Shri U. M. Trivedi: If Mr. Basu's idea of this amendment flows from his well-known hatred of capitalists, it might be a good one.

Pandit K. C. Sharma: He has experience of cases.

Shri U. M. Trivedi: Otherwise, the whole position is this. This amendment is made by the Government with a desire to help the administrator or help the nation to escape from the clutches of those fraudulent persons who have defrauded the country, defrauded the policy-holders, but the purpose is not going to be achieved by the law as it is being worded. The best thing that could have been done was that the Government should have pulled up this Controller of Insurance to discharge his duties actively. Hundreds of cases come up and hundreds of complaints are sent day in and day out to the Controller of Insurance. He joins hands with big insurers and insured persons who always commit arson and get payment and run away. People are deprived of their property and legitimate rights. If the Controller had been alive such situations would not have arisen. The situation that has arisen and for which we are making

this Bill is entirely due to the Controller sleeping over the power that has been vested in him. You are giving powers under this 52BB. What are the powers that we are giving? The hon. Minister for Legal Affairs has tried to explain away the position that has been put before us by Shri Chatterjee (*Interruption*). But it does not rationally clear the doubts in the minds of the people. Why is it so? On the one hand you say that you are trying to put fetters on the enjoyment of the property by the provision of 52BB. At the same time you say at page 3 of the Bill, in sub-section (10) (a),—

“no suit or other legal proceeding shall lie in any court to set aside or modify any order of the Administrator or the Central Government made under this section.”

You are saying here that the property will be attached by you and for three months nothing should be done. At the same time you provide that no action should be taken in any court. Are you seriously suggesting that the powers that have been conferred on the High Courts under article 226 of the Constitution are being taken away by these provisions? I think Shri Matthen will allow the hon. Minister to hear what I say.

[SHRIMATI RENU CHAKRAVARTY in the Chair]

You might try to say that under sub-section (3) it is provided—

“An order made by the Administrator under sub-section (1) shall, subject to any order made by the Central Government....”

What is the order that is being made in sub-section (1)? It says “by order in writing prohibit him or any other person from transferring or otherwise disposing of any property which, in the opinion of the Administrator, would be liable to attachment in proceedings under that section.”

Therefore, the powers that you want to vest in the Administrator are absolute; and if the Administrator is not

[Shri U. M. Trivedi]

very honest, what will happen? If he is honest, well and good, but if he is not honest, the whole machinery will be a machinery for squeezing money or for extortion of money. That is why it is necessary that some preliminary enquiry should be made just as you do when you under act 311 when we take action against a decidedly dishonest officer.

Shri M. C. Shah: Is he speaking on any amendment of his?

Shri U. M. Trivedi: I am opposing this whole thing, section 52BB, and it should be ended. My contention is that when you want to give the opportunity under article 311 to an ordinary Government officer whom you presume to be dishonest, whom you know to be dishonest, against whom you have got so much evidence that he is dishonest, why should a similar opportunity not be given here before ordering the attachment of his property and thus paralysing the whole business of the businessmen? Is it the contention of the Government that we should enter upon this presumption—these are the words I had spoken at the time of the Company Law Bill also—that every businessman in our country is dishonest, is a down-right rogue and has got no morals? If we proceed upon that presumption, then this provision 52BB is right; otherwise my submission is that before you make such a stringent provision, you must try and visualise what can be the effect of it on the country as a whole and on the business aspect particularly. A question was put very pertinently and the hon. Minister was very kind enough to say that the Government is actively examining the question of nationalising the whole of insurance. That active consideration or examination may go on for days, months, years or even a century and it will not come to an end. If the Government come out and says that they have decided that this is the method which they are going to follow to force the private sector out—by

some unholy methods—then there is no point in having this Insurance Act. Leave it and no amendment is necessary. Simply say that insurance business shall be conducted by Government. But if you have got still in your mind the idea of encouraging or allowing the private sector to carry on insurance business, then making this law and thereby jeopardising the complete powers of limited insurance concerns from carrying out and discharging their functions and duties is not within the Constitution; it is against the Constitution. The only thing that will come out of this Bill will be that there will be some headache for the Government the moment the High Court is approached and an injunction is obtained against the order and the order set aside. You must have taken legal advice, there is no doubt about it, but the way the explanation that has been given by the Minister of Legal Affairs has carried no conviction with anybody.

It is the same thing with section 106. It is quite true that you have not been able to distinguish between the police powers and the powers of taking away property under the provisions of article 31 (1). Powers under Article 31 (1) and (2) are two different things. If you want to take this right under article 31 (2) and if you want to exercise the police powers, then also this law is bad. Therefore, my submission is this. If you simply want to make a bad law just to tell the public that you are making a law because the lawyers are trying to get out of it, then do not do it please. If you want it only for the purpose of propaganda because one particular wretched person did a particular type of wretched thing in this country, then with all that the ultimate result will be that you will not be able to do anything against the person for whom this law has been made. I hope this law is not made simply because of the eventuality created by a single person in this country. This is being made for all those people who are acting in a fraudulent manner to de-

fraud the monies of the poor people. Therefore, the law must not be aimed at a particular person but must be aimed at a particular person but must be aimed at remedying the evil that exists in the country over this insurance affair. With these words I suggest even now that you take out section 52B.

Shri M. C. Shah: I cannot accept this amendment. I am sorry Shri Trivedi has opposed the entire Bill, but I think he has spoken generally. I do not wish to take up the time of the House. I have already taken up enough time of the House to explain why this Bill is absolutely necessary. I was once a lawyer, but in about 1936, on the advice of Sardar Vallabhai Patel, I had generally to leave that profession and I feel I am happy when I heard Shri Trivedi today. Shri Trivedi has raised so many points that a very eminent lawyer will raise, but as I stated earlier, we want to take action, speedy action and speedier action, and whatever may be the difficulties, we are prepared to surmount them. As I already explained, when section 52A was being challenged and we were advised that it was *ultra vires* of the Constitution, we immediately got that difficulty removed by getting section 52A in the Schedule, in the amended article 31. So my hon. friend need not be afraid on this score. The intention is clear that all the interests of the poor policyholders should be safeguarded and, therefore, we have taken these extraordinary powers. I do not think we can whittle them down. We have deliberately chosen to take these powers under the Insurance (Amendment) Bill.

I cannot accept Shri Basu's amendment. I had already explained to him that because the administration should be vigilant, the Government should be vigilant, we are taking these extraordinary powers and, therefore, the period of three months has been specified here. He has just cited certain instances in support of his amendment, but I can assure him that if he brings

to my notice any instance of misuse, mis-application, or misappropriation of the life funds or other funds of an insurance company, immediate action will be taken by Government and he will be also informed of the action taken.

Mr. Chairman: The question is:

Page 2, line 1—

after "three months" insert:

"or for such further period as the Central Government may decide,"

The motion was negatived

Mr. Chairman: The question is:

"That clause 2 stand part of the Bill."

The motion was negatived

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4.— (Substitution of new section for section 106)

Mr. Chairman: Before I call upon Pandit Thakur Das Bhargava to speak on his amendment I should like to remind him that actually guillotine should have been applied already because the Third Reading has only 15 minutes. But I would like to give him two minutes if he could possibly finish what he has to say so that at least one hon. Member may be able to speak for 5 minutes in the Third Reading.

Pandit Thakur Das Bhargava: I do not propose to take more than two minutes.

I beg to move:

Page 6,—

after line 31, insert:

"(6A) Any person aggrieved by an order under sub-section (6) will be entitled to bring a suit in the Civil Court to establish that the property is not liable to attachment."

[Pandit Thakur Das Bhargava]

Sir, my humble submission is this. In ordinary cases when an objection is made before a court the objector has to give evidence and if his objection is not accepted then in that case he is allowed to bring a regular suit to establish his claim in a civil court. Now, so far as this Bill is concerned it takes away that right. The relevant provision of the Civil Procedure Code is like this: (order 21 and 63)

"Where a claim or an objection is preferred, the party against whom an order is made may institute a suit to establish the right which he claims to the property in dispute, but, subject to the result of such suit, if any, the order shall be conclusive."

My humble submission is that it is not a matter of procedure only. In the first place a third person who may have nothing to do with the company and may be a transferee for good consideration if his property is attached has to prefer an objection and then the burden of proof will be upon him in the first instance. If he does not succeed here when he goes to a regular court of law then the burden of proof shall be upon the other party and not on the third person because ordinarily any person who is the objector but is in possession of the property is in law regarded to be the owner of property and the burden of proof shall be on those who want to establish their case for attachment. But, in this case he is not allowed to have a regular suit. His claim is to be decided in a summary manner. This is taking away the right of a third person who has nothing to do with the company. This is a sort of grave injustice. The hon. Minister has not probably considered this question from this point of view. I can understand his anxiety. I am at one with him to see that the policyholders are safe. At the same time the rights of third persons who have nothing to do with the company, who may have purchased property 10

years before for valuable consideration, their rights got into jeopardy. They are not allowed to bring a suit in a court of law. I think this Bill may be all right in regard to those persons who are delinquents but it is not so far as a third person is concerned. This Bill I submit is absolutely unjustifiable and I, therefore, request the hon. Minister to accept my amendment.

In regard to my other amendments about which I have given notice there is no time to speak and therefore I do not move them.

Mr. Chairman: Amendment moved.

Page 6—

after line 31, insert:

"(6A) Any person aggrieved by an order under sub-section (6) will be entitled to bring a suit in the Civil Court to establish that the property is not liable to attachment."

Shri M. C. Shah: I am afraid I cannot accept the amendment moved by Pandit Thakur Das Bhargava. I have given very careful thought and I have consulted our advisers also. There are so many objections. Perhaps, if you will allow me two or three minutes I shall read out all those objections and hon. Members will be convinced that because of those objections it is not possible for the Government to accept the amendment.

In the first place we have given jurisdiction to the High Courts because, as I explained some time before, this is a very important matter wherein certain rights are to be decided. As the hon. Member said there may be some purchase for valuable consideration and done 10 years before. Then certainly he will have a right to be heard by a High Court Judge. If he wants all the evidence

that he can bring can be placed before the High Court and the High Court Judge will be a better person than a District Judge or a Civil Court Judge to decide the matter. Therefore, it will not be proper to accept the amendment proposed by the hon. Member.

Pandit Thakur Das Bhargava: Are you prepared to allow the High Court itself to entertain such suit. The High Court will decide summarily in first instance.

Shri M. C. Shah: All these questions are to be decided by the High Court of the State where the principal office of the insurer is located. I had mentioned that yesterday when the hon. Member tabled his amendment. So, if the amendment is accepted then if the High Court decides that a particular case is a fraudulent transfer or some property is held by a person in *benami* and if the concerned person goes to the Civil Court in a suit then the Civil Judge has to decide over the decision of the High Court. So, there will be multiplicity and there will be a very disturbing factor. These are very rare cases and it will not be a day to day occurrence. It is only very rarely that cases of this type will come up and which will have to be dealt with under 52BB.

If I go into the various grounds it will take some 10 or 15 minutes and I do not want to take up so much time of the House. This point was fully considered and instead of allowing this matter to be dealt with either by a District Court or a Civil Court we deliberately put jurisdiction of the High Court.

Therefore, I feel that it is not necessary to have this amendment and I cannot accept it.

Mr. Chairman: The question is:

Page 6—

after line 31, insert:

“(6A) Any person aggrieved by an order under sub-section (6) will be entitled to bring a suit in

the Civil Court to establish that the property is not liable to attachment.”

The motion was negatived

Mr. Chairman: The question is:

“That clause 4 stand part of the Bill”.

The motion was adopted.

Clause 4 was added to the Bill.

Shri Bansilal (Jaipur): Sir, I have given notice of an amendment.

Mr. Chairman: I see no other amendment here.

Shri M. C. Shah: I have not accepted the hon. Member's amendment. He gave it only today.

Shri Bansilal: We were assured that we can give our amendments even today.

Mr. Chairman: The position is that the Speaker waived notice of amendments yesterday because of the fact that the agenda was suddenly changed. That position does not stay today. So, the amendments, notices of which have been given today, are not to be considered and therefore the hon. Member is not allowed to move his amendment. It is out of order.

Mr. Chairman: The question is:

“That clause 5 stand part of the Bill.”

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri M. C. Shah: I beg to move:

“That the Bill be passed.”

Mr. Chairman: Motion moved:

“That the Bill be passed.”

Shri V. G. Deshpande: The House will certainly support the Government in any measure which protects the interests of the policy-holders.

[Shri V. G. Deshpande]

But I think the duty of the House ends with that. Once we empower the Government for making an investigation against any case or when the matter goes to the court, the House should not have any interest in the matter. That is my opinion. I certainly want that if any capitalist has committed any crime, then he must be given the severest punishment. But, it is not for us to pronounce the judgment. It will be pronounced by a court of law. We are prepared to clothe the Government with powers which would be extraordinary. My complaint is whether it would be fit for the Government to get the powers so liberally and so generously, as was revealed here. First my hon. friend, Mr. Gandhi, did not reveal it; but our Deputy Minister ultimately revealed it. I say that there is nothing wrong in a Minister being trustee in anybody's trust. So far as Mr. Dalmia is concerned, unless any court gives the verdict, we need not accept him as a guilty man. I have no objection to that. That shows that people occupying the highest position, even persons of Cabinet rank, were associated with Dalmia's concerns. They were receiving help from him.

Shri M. C. Shah: They were charitable grants; not Dalmia's concerns.

Shri V. G. Deshpande: It was alleged by an hon. Member that this trust itself was managing certain business concerns of Mr. Dalmia. I am not making any accusation or allegation. I am only saying that any capitalist is not brought to book until he goes against the party in power. As long as he is with you, you do not go against him. That is why a suspicion is created in our minds that there may be many more capitalists who are not being brought to book on account of this policy of yours. That is why we say that we are prepared to give you even greater powers; but no legal barrier should come in the way of any corrupt man

or criminal being brought to book. That is the view of the House. We want this assurance from the Deputy Minister because their previous conduct does not create that confidence in our minds.

Shri M. C. Shah: Minister, not Deputy-Minister.

Shri V. G. Deshpande: Minister of State, though not of Cabinet rank.

Shri A. M. Thomas: Cabinet rank, but not member of the Cabinet.

Shri V. G. Deshpande: All right; I will call him Minister of Cabinet rank, but not member of the Cabinet. I had asked him a specific question whether any attempts have been made to realise the money due to the Tropical Insurance Company and the Jupiter Insurance Company. Steps have been taken in the case of the Bharat Insurance Company, but the question is whether steps are being taken against the other concerns also.

I have another allegation to make. I have been informed that these Rs. 1,80,00,000 were being offered to the Government, but for a long time that money was not accepted. A very large number of policy-holders must have suffered on account of that. That should have been accepted without prejudice to the criminal liability and investigation. If Mr. Dalmia is found guilty, we have no objection to hanging him; but no policy-holder should suffer on account of any lapses on the part of the Government. We have found that for days together this negotiation was going on. Very specific questions had been asked by us, but they were not answered. Without answering any question, the Minister of Cabinet rank but not a Member of the Cabinet went out of the way and defended the Minister. Therefore, this suspicion is created in us, namely, though this power is intended to detect crime amongst capitalists, it may be exercised for party purposes and the really guilty persons may not be brought to book.

Shri M. C. Shah: I have not much to say, but one thing I must refute. The hon. Member said that we did!

not accept the Rs. 1,80,00,000 for a long period. That is not correct. When the offer was made by Mr. Dalmia for the first time, there was some condition. Before that, there were certain other persons who were not concerned who made the offer. But we could only deal with the person who was the delinquent, and when the offer was conditional, we said that we could not accept it. The moment we got an unconditional and voluntary offer, we accepted it, making it very clear that the criminal liability, if established as a result of the police investigation, would not be affected thereby. Therefore, we have taken the care to see that the interests of policy-holders are safeguarded. If any interest is to be taken, we will do that also. If on further enquiry, the Administrator finds that a certain further sum is due from Mr. Dalmia, that will have to be paid. For that also, we have taken guarantees from three parties, as I have mentioned earlier. Therefore, the charge that the Government rather hesitated to take this money earlier and that the interests of the policy-holders were not safeguarded is absolutely baseless and unfounded. With regard to the Tropical Insurance Company and other companies, whatever funds are to be recovered, all possible efforts will be made to recover those funds that are due to those insurance companies by the delinquent persons. Uptill now there were these difficulties; but now that these difficulties are removed. I can assure the House that wherever there is any lapse, we will remove it with the powers given to us.

[MR DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: I hope there are no amendments to the Bill.

Shri M. C. Shah: No, Sir. This is the third reading.

Mr. Deputy-Speaker: I know it; but I was asking it to decide whether I should say that the Bill as amended be passed. All right.

The question is:

"That the Bill be passed."

The motion was adopted.

DELHI (CONTROL OF BUILDING OPERATIONS) BILL

The Minister of Health (Rajkumari Amrit Kaur): I beg to move:

"That the Bill to provide for the control of building operations in Delhi, be taken into consideration."

In doing so, in view of the fact that six hours have been set aside for the discussion of this Bill and also in view of the nature of the amendments that I have received, I have a feeling that a certain amount of confusion has arisen in the minds of some of the Members as to what this Bill really is. I would like to make it perfectly clear that this Bill is only a very small interim measure to cope with the haphazard construction that has been going on in Delhi and the Health Ministry, in particular, have been viewing it with great alarm. At present there are so many authorities who are concerned with the administration of land in the various sectors of Delhi. The result has been that it has never been possible to take concerted and effective action to tackle the housing problems of Delhi in a methodical manner. There used to be a master plan of Delhi, but that has really been smashed because of the way in which construction has been going on. Therefore, in order that speedy and efficient steps in this matter might be taken. I myself proposed to the Cabinet that there should be a single authority to deal with planning and development of the urban areas of Delhi in place of the existing numerous authorities. The question of the constitution of this authority has been before this House. It has also been accepted in principle by the House and the Bill is now being framed. I plead for understanding of this Bill. In fact, this little Bill for

* Moved with the recommendation of the President.

[Rajkumari Amrit Kaur]

an interim authority actually says that the new Development Authority will come into being on the 1st January, 1957, so that this measure is a short interim measure, as I have said, brought into being simply to stop a large number of haphazard buildings that are spoiling the lay out of Delhi and the proper growth of Delhi.

From the amendments that have been sent to me.....

Mr. Deputy-Speaker: Why is it confined to four months?

Rajkumari Amrit Kaur: Up to 31-12-56.

I would like to make it perfectly clear that only such constructions as are built without obtaining the permission of the Authority after the date of the Controlled Area Notification which was very recent, October, 1955, may be demolished, if anybody breaks the law. The Bill is not going to apply to buildings which already exist and have been completed before the date of the Ordinance, whether those buildings were authorised or even unauthorised. This Bill will not deal with them at all.

The Provisional Authority, contemplated in this Bill, does not develop and will not sell land; nor will it undertake any slum clearance. I think, if these points are made quite clear, the Members who have sent in amendments will realise that the points that they have raised, do not really arise. All these measures will continue to be carried out by the Delhi Improvement Trust or any other Authority to which the land belongs until everything is replaced by the proposed Delhi Development Authority. So I submit that all the points that have today been raised may be brought up when the Bill for appointment of the real Delhi Development Authority comes up before the House. In order not to cramp the hands of this Authority in the matter of anybody disobeying the Ordinance since

it was promulgated the other day, that power naturally cannot be taken away and should not be taken away from the authority.

As far as the fulfilling directly or indirectly the assurances that have been given on a number of occasions is concerned, that question also does not arise. Because, whatever regulations are made by the Delhi Development Provincial Authority, these relate to future developmental construction of buildings and they do not affect or attract any of the assurances that have been given by the Government so far. I think that these points should have been understood if the Bill had been properly read or examined.

The rules regarding actual day to day working of the Authority under clause 19 will provide for any matter as far as notice of 2 months, from the receipt of application and things like that are concerned. This Authority will function up to 31st December, 1956, only. I said, January 1957. Actually it is 31st December 1956. As regards appeals to High Courts, etc., coming into the picture, you know what they mean. They will just fail because in such a short time nothing is going to be done which is going to affect anybody in any adverse manner.

There was one amendment to omit the words 'other apparatus'. I would like to make it clear to the Movers of that amendment that 'other apparatus' refers to things like water meters and things that have not been mentioned definitely. There are water meters, electric meters and various other such operations which sometimes require the carrying out of one type of work or the other. The words 'other apparatus' include these small things and these naturally should be exempted from the operation of this Bill.

There is another amendment that there may come on this Committee two Members of Parliament elected

from amongst themselves. I am perfectly willing to accept that suggestion. If the M.P.s take an interest in Delhi, I shall be only too happy to welcome two Members of the Lok Sabha. Another amendment has also been given by which two representatives, to be elected from amongst themselves by the Members of the Delhi Vidhan Sabha, are to be on the Committee. As a matter of fact, two representatives of the Delhi State Government have already been included, and they have been nominated by the Government. Should this House wish that they should be nominated by the Delhi Vidhan Sabha? I am even willing to accept that: but not in addition to the two representatives of the State Government. Either of these two will have to remain. One of them is a Member of the Lok Sabha and the other is a Minister of the present Delhi State Government. If the House wishes that two Members elected by the Delhi Vidhan Sabha should be brought in, it will be in the place of the two Members that are already there.

I wish to assure the House once again as far as the Delhi Improvement Trust is concerned because, I know that the Members have a feeling that the Improvement Trust has done many things which it should not have done and that it has demolished buildings and not given alternative accommodation etc. We have heard this argument often. While I do not plead that the Improvement Trust has been an absolutely perfect body and that it has not been guilty, as every human being is, of certain sins of omission and commission, I do claim for the Improvement Trust that it has never demolished buildings, it has never gone back on any assurances that have been given and that it has never asked the people in the areas that it has cleared whether they be slum areas or other areas, to leave without giving them alternative accommodation. These assurances, as far as the Improvement Trust is concerned, do still exist and will continue to exist.

In view of what I have said, I hope that this Bill will not, as I have said, take up more than half an hour of the precious time of this House—we have so much to do—and I do sincerely hope that, in view of the fact that this is only an Interim Authority to prevent haphazard constructions, the House will agree to the speedy passage of this Bill.

Shri Gidwani (Thana): Have I rightly understood the hon. Minister that this Bill will not apply to buildings constructed before this?

Rajkumari Amrit Kaur: No. It will apply to future constructions because, if we allow buildings to go on in the haphazard manner in which they are going on,—I make no difference here between Government buildings and private buildings—Delhi will be ruined unless we take matters in hand.

Shri Mohanlal Saksena (Lucknow Distt. cum Bara Banki Distt): Have I understood the hon. Minister correctly to say that even unauthorised buildings which have been constructed so far will not be interfered with?

Rajkumari Amrit Kaur: No. They do not come within the purview of this interim measure. I have accepted two Members of the Lok Sabha on the Committee; the Chairman of the Delhi Municipality is there, the Chairman of the New Delhi Municipality is there, two representatives of Delhi will also be there. I think there will be ample safeguards to see that nothing is done that would upset anybody.

Mr. Deputy-Speaker: Motion moved:

“That the Bill to provide for the control of building operations in Delhi, be taken into consideration.”

Six hours have been allotted under the impression that the scope of the Bill would be very wide. The Bill, as it says, will be alive for a year as a temporary measure. Apart from the Bill, if the Bill is not going to affect any existing buildings, whether

[Mr. Deputy-Speaker]

lawfully erected with or without permission, and only future buildings will be regulated and the regular permanent Authority will be constituted later on, may I ask the House whether we can reduce these six hours to two hours or even less than that?

Shrimati Renu Chakravarty (Basirhat): Once an allotment of time has been made, the convention is that if the discussion falls through, that time is automatically taken over for the next Bill. I think, instead of having a new motion before the House we may continue according to the old convention, that if there are no speakers, it falls through.

Pandit Thakur Das Bhargava (Gurgaon): I submit that the Business Advisory Committee has apportioned time, and it is for the Business Advisory Committee also to reduce that time, unless the discussion collapses here or the House is agreeable by itself to reduce the time: Now, it is very debatable as to what is the scope of the Bill. I will not take the assurance of any Minister so far as the scope of the Bill is concerned. I will go by the words in this Bill.

Mr. Deputy-Speaker: Of course, it is open to the House. Let us watch the debate. In view of the statement that this Bill does not apply to existing buildings, the speeches will naturally be short, and if we save time we do save time. Therefore, it is unnecessary to have an idea regarding this. Before the statement of the hon. Minister I wanted to ascertain the views of the House as to what time should be allotted for general discussion and what time for the amendments and so on. Will hon. Members who would like to participate in this discussion kindly rise in their seats? There are eleven.

Shri Kamath (Hoshangabad): What about absentees.

Mr. Deputy-Speaker: I will make provision for a couple of absentees.

Shri Radha Raman (Delhi City): Several others who are absent will also participate.

Pandit Thakur Das Bhargava: I suggest at least four hours should be given for general discussion and two hours for amendments. These are not the only amendments. Other amendments are also coming. I have given notice of about 17 amendments more already. There are at least 25 amendments.

Mr. Deputy-Speaker: Amendments do generally take time. There is no meaning in hustling. I have been seeing it. We have only six hours in all. If we have half an hour for the third reading and 2½ hours for clause by clause discussion, the general discussion will take up 3 hours.

Shri Radha Raman: 3½.

Mr. Deputy-Speaker: Then, two hours for clause by clause consideration and half an hour for third reading.

Shri Radha Raman: I rise to support this Bill placed before the House by the hon. Health Minister.

Mr. Deputy-Speaker. Hon. Members will have 15 to 20 minutes each.

Shri Radha Raman: For the last so many years Delhi has been developing fast, and it is a matter of great disappointment that this Capital city which has a historic background and is noted for its activities has got slums in all parts of the City, and though the Government has been trying to check the haphazard growth, still there have been agencies here and there which have been doing what they liked. If the Government wanted to improve the conditions in certain slums we have found there are many more places which are created as slums by these agencies. Naturally, therefore, Delhi has been crying that there should be a single authority with powers to control the haphazard constructions that have been going on.

As the hon. Minister just now pointed out, the scope of the Bill is limited, and she wants that there should be

an authority now, that should control the future growth. This Bill has nothing to do with the existing buildings and unauthorised structures and the previous assurances, it is said, will continue to exist. The assurances that have been given before have not been fulfilled by the executive to the entire satisfaction of the people who are living in Delhi, and therefore we have been always feeling that unnecessary hardship is experienced by many of the people who are living in Delhi.

This is an interim measure and it is the desire of the Government that a full-fledged Bill should come after one year. I feel that if this authority is created it will help the natural and healthy growth of the town of Delhi and New Delhi and I certainly wish to welcome the Bill. But I have my own doubts and apprehensions, and they are that the authority which is now being created will not be in any way better than what we have seen and experienced in the case of the Delhi Improvement Trust.

The hon. Health Minister has just now accepted that there have been many acts of omission and commission on the part of the Delhi Improvement Trust. The people of Delhi have been expecting that the recommendations of the Birla Enquiry Committee will be fully implemented but I have to say with disappointment that most of them have not been implemented. Whenever the matter has been brought to the notice of the Health Minister she has said she and the Government are doing their utmost. Still we find there is no relief given to many people who are living here and there.

It is the desire of the Government to control haphazard growth, but unless the Government comes forward with a comprehensive scheme of developing housing in the surrounding areas of Delhi, it will be very difficult to have this Bill properly implemented. I am afraid, therefore, that this authority which is being created will bring more hardships on the growing population of Delhi which desires to have more living space, and

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many more houses of all types, for the poor as well as the middle class and upper class people. I am therefore rightly apprehensive that this authority will serve a check to haphazard growth but at the same time tend to slow down the construction activity in Delhi.

It is suggested that this authority does not bar a person who wants to construct a house to get permission from the Government, but I know that in the ordinary course if a person wants to construct a house even in the outskirts of the City, he has to undergo a lot of formalities and it takes some months or in some cases a year before the plans are returned duly approved. Sometimes, there are technical reasons for which the plans are disapproved and it takes quite a long time to get them approved. You can just imagine when the desire on the part of the people is to get living accommodation what such delays mean.

Mr. Deputy-Speaker: Hon. Members who want to converse may talk a little more slowly. I am afraid there won't be any quorum unless I am a little indulgent. Therefore, let them not talk loudly. Let the speech that is being made be audible. The other talks and speeches need not be audible.

5 P.M.

Shri Radha Raman: I was saying that there will be undue hardship for these common people who desire to construct houses on the plots inside the cities as well as in the outskirts. I have already submitted that in the ordinary course, a plan which is submitted either to the Improvement Trust or to any of the municipal committees has to undergo so many formalities that it takes an unusually long time to get their approval and many a time, the plans are returned for very technical reasons, though they are prepared by a duly approved architect either of the Improvement Trust or the Delhi or the New Delhi Municipal Committee. While it is true that the intention of Government is to see that people

[Shri Radha Raman]

should have better houses, they should live in comfort, and that they should build more actively and speedily so that more buildings may come up, yet I am afraid this Bill will put more impediments in the way of persons who want to construct new houses. I hope the hon. Health Minister will take this factor into account and see that even if some extra expenditure may be incurred, there will be no impediments placed in the way of persons constructing houses in the areas which are declared to be controlled areas.

Although it is said that this is only an interim measure and that a full-fledged measure will come up after one year, yet I somehow feel that the personnel of the Authority is not very happy and is not likely to inspire confidence in the masses. It is provided in this Bill that the Chief Commissioner of Delhi will be the Chairman of this Authority. It has also been provided that there will be three representatives of the Central Government—of course, they will all be officials. Then, there will be two representatives from the Delhi State Government, besides the president of the New Delhi Municipal Committee, the president of the Delhi Municipal Committee, and the Chairman of the Delhi Improvement Trust. I find that all these persons are officials. Even the presidents of the local bodies are more or less under the thumb of Government; and if they want to take an independent attitude on matters which relate to the common people, they are not able to do so, because there is always the fear that Government may like or dislike what they want to do. I therefore feel that there should be more non-official persons on this Authority. And it is my wish.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): Not wish, but demand.

Shri Radha Raman: That the chairman should be a non-official; and that he should be a public man. I also find that there is no representative

from this House on this Authority. I feel that without the representatives of Parliament, this Authority will not carry much weight.

Considering the past experience, and the disappointment which people in Delhi have felt, it is very necessary—though this Bill is only an interim measure—that the Authority should be such as will inspire confidence in the people, and will effectively fulfil the purposes for which it is being created.

In spite of what has been stated by the hon. Minister, I feel that this Bill does not touch the assurances given earlier. I am anxious to know what this Bill will say about certain buildings which were under construction or which were half-constructed, at the time the areas were being notified as controlled areas. I do not know whether they will be allowed to be constructed as scheduled or they will be demolished; in case they are demolished, what will happen to the poor people who own them. We have seen such things earlier also. I can speak from personal knowledge on this matter. Nearabout the cities of Delhi and New Delhi, the Delhi Improvement Trust notified hundreds of acres of land for acquisition purposes twelve or fifteen years ago; and those notifications stand even today. Thousands of buildings existed on those areas then, and thousands more have been constructed on those plots thereafter. Neither the Delhi Improvement Trust nor any authority including the Delhi State has mentioned anything about those areas. The people are putting in their money on construction of buildings in these areas year after year and they do not know what is going to be the future of their buildings. They do not know whether those buildings will be demolished or they will be allowed to remain as they are. In spite of the fact that they have sufficient money with them, they cannot invest it on construction, because they are apprehensive all the time that the notification may be issued any time for acquiring them and the buildings that they construct may have

to be parted with or demolished. So, they have been living in discomfort for the last so many years. But no decision is being taken by the Delhi Improvement Trust in regard to developing these areas. If this Authority comes into existence, and it is notified that such and such areas are controlled areas, then what will happen to such cases? We do not know also whether within the period that Government have in their mind these areas will be open for construction purposes, whether there will be a comprehensive plan to build houses in those areas and so on. All these matters in my opinion require a very thorough consideration from the House.

I fully realise that a Bill of this nature is very necessary, and though it is an interim measure, it should be welcome, because we do not want that this historic city should in any way be disfigured by all kinds of constructions which are going on here and there, and that there should be beauty surrounding this city which is the capital of India. There should be proper construction of buildings, and there should be an authority which will be able to control the haphazard growth all round. At the same time, as I have suggested already, there must be enough place for free and healthy growth of buildings, and there should be no impediments in the way of natural growth, because we are taking in every year nearly 60,000 people from different parts of the country, and the construction in the city either by Government or by private enterprise is not enough to meet the entire requirements. It is therefore necessary that while the control may be there, there should also be a comprehensive plan to enable those people to build new houses and live in comfort in those houses.

[SARDAR HUKAM SINGH in the Chair]

I do not want to take much of the time of the House. I would only say this that I have made certain suggestions, and I hope the hon. Minister will give due consideration to them. I welcome the Bill, though it

is an interim measure. It is stated in the Bill that it shall be deemed to have come into force on the 22nd October 1955, on which date the ordinance came into existence, and shall cease to have effect on 1st January 1957. I believe that January 1957 will be a hot month, because of the prospect of elections throughout the country.

Therefore, I suggest that this limit may be extended either to the middle of 1957, that is, by 6 months, or by a year, that is, till 1958.

The other suggestions I have made will, I hope receive the Minister's serious thought and I am pretty sure that some of them at least will be accepted, in the larger interest of the people of Delhi whose number is 20 lakhs at the present moment, but is increasing every year by at least 50,000 to 60,000. I support this motion.

Shri Mohanlal Saxena: I may frankly tell the hon. Minister that I am not happy at the Bill, for I know that small concessions are inimical to larger reforms. What Delhi requires, what the whole of India requires is a comprehensive housing policy from the Government. There has been haphazard growth in Delhi and round about; it is the Government which is responsible for it. After all, there was an Inquiry Committee appointed by the Government to go into the working of the Improvement Trust which had failed to fulfil the needs of Delhi during the last 15 or 16 years. After laborious efforts, that Committee came to certain conclusions. The report was submitted and recommendations were made therein. Although the Minister has been saying that she had implemented the recommendations, from what I know, most of the recommendations have remained unimplemented, with the result that she had to apologise before the House that whatever the errors of omission an commission of the Improvement Trust, we have to forgive and forget them. How can these persons who have no houses, no shelter to live forgive them? This is their vital need after food and clothing.

[Shri Mohanlal Saksena]

Not only that. What has been the policy of Government? While there has been a socialistic pattern of society, they have a capitalist land policy. You want to control rent; you do not want the rent to rise above a certain fixed limit. All the same, whatever building sites or plots are being auctioned, go to the highest bidder, to the persons who have plenty of money to invest in land. They do not do so for the sake of charging the proper rent. Either they speculated in land or they erect a building and get sufficient return in some form or shape. I have had some experience of this. I have been in correspondence with the Finance Minister and I am sorry to say that he had failed to appreciate the view for a change in this policy of land to the highest bidder. My reply to him was that it might have been the approach of an accountant or banker, but it could not be the approach of a Finance Minister of a Welfare State. After all, we aim to have a socialistic pattern of society. It means that the rent is not to go above a certain fixed limit, beyond the means of the average people. Now, when Government itself sells land to the "highest bidder" that means that that person has to invest more than the value of the land justifies.

The Finance Minister is for a housing programme of Rs. 75 crores. Government would lose something like Rs. 25 crores. Maybe so. But I say even if the Government lost Rs. 25 crores, it is going to save in some other items. If there is no proper housing, you will have to spend more on hospitals you will have to spend much more on jails and courts to keep law and order. When people are living in one room sometimes—more than one family in a room—what can you expect of them? In Delhi. I know there are persons who are spending their time even till midnight in open places during summer. What can you expect of them? They have no place to go. If the Government makes a sample survey of these houses, it will be found that these

houses are accommodating more families than one, more families than they were meant for. They are practically living in slum conditions. A house meant for a family of four or five members is accommodating ten members or more. You remain silent and offer no solution. The Chairman of the Improvement Trust was deputed to go to Europe and study the problem of housing. He came back and submitted a report. That was 18 months ago. It has been lying in government records. What action has been taken on his recommendations? The Chairman of the Improvement Trust recommended that there must be a housing policy and it should be socialised housing. Not only that; he also recommended that we should not have this policy of selling land to the highest bidder; it is altogether opposed to our socialistic pattern of society. This practice is not followed even in a capitalist country like Great Britain or Japan. There land is not sold to the highest bidder. It goes not according to the means, but according to the needs of the man. The basic thing is that he must have land on which a house can be built. He will not run away with the land. You want to make him invest in land. When I had a talk with the Finance Minister, and told him how land was being disposed of in Delhi, he was surprised that land was even more costly in Delhi than in Bombay. So the Government has been silent. The Government has not yet studied the report of the Chairman of the Improvement Trust who was deputed to go and study housing conditions in Germany, Finland, England and other European countries. I have read that report. I shall be glad to know what action has been taken on that. I expect that before the next Five Year Plan passed starts, Government will come out with a comprehensive housing policy, with a land policy which should be socialistic. Land should not be sold to the highest bidder; it will go according to the needs of the people. Because if a person can have a plot of land, I can tell you it is the biggest

incentive for him to build a house. So before setting up this temporary authority, they should have decided all these questions. But no decision has been taken. So I want that something should be done before the next Plan starts.

Now, you say you will stop construction. I am in favour of stopping haphazard construction—I have been pressing for it for the last five years. I have pleaded that land development should be treated as a public utility service. What action has been taken on that? Government sells to the highest bidder. Thereby it raises the price of land. These companies which are now dealing with land development get land cheap and sell it at a considerable profit. After all, these companies, do not invest much money. Why can not the Government act like this? Government can come to an agreement with these landowners. Afterwards, they can develop and sell this land, after making plots. There will be thousands of plots of land to be sold. Why could not the Government do it? So, what I submit is that if you are going to have this temporary authority for only a year, and Shri Radha Raman has pointed out, after that you may have election and you may not have time to bring in a comprehensive legislation till after another year. I would, therefore suggest that if you want to have this Bill, by all means have it but only for five or six months. Before that you must have a comprehensive Bill and that authority will tackle the problem of Delhi in an effective manner.

As to obtaining permits for building, I know how much money people have to spend for securing the permission from municipal boards and other authorities. How much time they have to waste. A doctor, who is my family doctor, told me he had to spend Rs. 500. Why should he have to spend? Why cannot those municipal boards and Improvement Trusts have model plans? They can choose say—these are A. B. C. and D plans. In such and such places

A type buildings can be put up. If somebody wants to make a variation or to have another plan, let him spend money over it. But this will not be done because there are vested interests. Even if the Chairman or somebody else wants it, it cannot be done. I know and it must be within the knowledge of other Members who are in touch with the people of Delhi who must be coming and telling them how these building permits are being delayed considerably in Delhi.

For some time I have repeatedly made suggestions why should not we have double storeyed building in New Delhi. After all, when New Delhi was built it was as a town it was meant only for a few lakhs of persons. The population was only about 5 or 6 lakhs. New Delhi used to be a deserted town during summer. But, since then what has happened. We have got about 20 lakhs. There might have been some justification for having these big buildings, big bungalows and extensive lawns whose rent does not even cover the maintenance of the bungalow. I have said that more than once and I am not yet had satisfactory response. Not only that. Now, the Government have allowed one bungalow to 2, something like that. Why should you have such extensive lawns for these bungalows when we know that there are thousands of persons who have no place to live in? You say, why not go and live on the outskirts of the city? But, what about transport, what about business? What about schools? These facilities will not be provided. So, when this authority comes into being, I am afraid, they will say erect some houses here and some there or something like that. But, are people going to erect houses like that? My own suggestion is this. In Old Delhi and New Delhi you have got plots of land which can be utilised.

I may tell you that in 1950 a foreign architect had made a suggestion. He submitted a proposal that he could develop land from Jumna Bridge to Rajghat just like the Bombay Marine

[Shri Mohanlal Saksena]

Drive area. He said that he did not want anything and was prepared to pay what Government may charge for about 200 bighas of land. He was prepared to pay at the rate of Rs. 5000 per bigha, by way of *nazrana* and he said he would develop it into a garden town. I have not heard anything about that proposal. It was sent to the Prime Minister and I think he must have sent it to some Ministry. This area was reserved as a green belt. I do not know how Government is going to have a green belt and who is going to pay for its maintenance. Why not we build that up? Even if the State Governments were given land from Rajghat to that place, they would have erected their own buildings for the Ministers of those Governments who have to come and stay here. Therefore, instead of the Government of India taking the responsibility for developing and maintaining that land, the burden would have fallen on the State Governments. But nothing is being done. I am sorry, I am pained, I am ashamed that during the last 5 years notwithstanding the fact that we have a Housing Ministry, a Health Ministry, and we have had many speeches, promises and assurances from them and others but nothing has come out.

So, Sir, I feel like not supporting the Bill, but I will support it because I have to support. I am not supporting it with the whole of my heart. I would like this Bill to be limited only to 31st March, 1956, so that the Government may be compelled to bring in a comprehensive Bill. After all, this Ordinance which was passed could have been passed even earlier. Why was it not passed earlier? This Bill was introduced only last Saturday. I was under the impression that the Bill is going to come in the next session. I was not even prepared for it. The Health Minister says that it is a non-controversial Bill and it will take ten minutes. Go to these places. You will see that they have built houses there because they want-

ed to build some shelter somewhere. If you can give them land in Delhi they would have built there. There are owners of these slums who would have developed them if they were given some plan. You are following a dog in the manger policy. You are not developing yourself and you are putting restrictions in the way of others. I would make a suggestion that there should be zoning. If you make rules that no land which has not got a sewer, which has not got electricity and water services can be developed, I think it is wrong. I wish to have all these services but you must know that there are towns and cities where there are no sewers today. Even in big towns they are not. So, we must know what we have, what we want to have and what are our means. So, it would be much better if we divide the whole of Delhi into zones and say such and such zones will be A class, such and such will be B class and they will have such and such services, some will have all the services and some will have a few. There is no use issuing instructions that you must have all these services; otherwise, you will not be allowed to develop. Of course, they won't develop. But, what will happen? How are the persons who need houses to be accommodated? Therefore, my suggestion is that this authority should be instructed that they must not expect that the whole area will be developed like New Delhi. It might be developed like smaller towns. But, we must have different zones and definite instructions that there should be different services for different zones. If you can have all the service, well and good. But, will this be within the means of those persons who are going to build houses? This is a question which you will have to consider.

You are not only going to frame rules but you are going to give power to the authority to frame rules. In the first instance, the Government of India will frame the rules; later on, the authority will frame the rules. But, I would like that the rules should

be placed before Parliament as in other cases. If there is anything which the people feel undesirable they can be altered and it should be laid on the Table of the House immediately after they are made.

Another suggestion, why not have all Members of Parliament from Delhi State in this authority? After all, they are not going to be paid Members. Let us just know the views of the people. You are having two Members of Parliament; why not have all the Members? After all, Parliament is passing this enactment. It is given power to make rules. Why not have all the 5 or 6 Members of Delhi who are with us. They should be ex-officio members like the Chairman of Improvement Trust or the Chairman of Municipal Boards. They will be better able to represent the views of the people as well as the wishes of the Members of Parliament here.

I think I have taken much time of the House but on a question like this I have been feeling most. What has hurt me most is the sight that people here in Delhi should be so living—two families in a house which is meant only for one family. You know what it means. It affects the health and morality. Our talk of socialistic State means nothing to them. Even in Japan you know you can have two rooms. But, if you want to have more you will have to pay additional tax. Similarly, in England if a person has got a house, he will not be allowed to build even a small hut. But, here if your purse is long you can build any number of houses, you may build even swimming pools and everything. What is this I ask? You should not allow a person who has one house to build another house. You must have a policy like that. Otherwise, you come in the way of others who want to build houses. If a person who has got one or two buildings wants to build a third house, then he is not only having land which might have been available for others but he is using building material which is

scarce. Therefore, we must have a comprehensive Bill if we want to remove this shortage of houses and to solve this housing problem. Unless we do that, I think, we shall not have made Delhi what we want it to be.

Dr. Suresh Chandra (Aurangabad): I entirely share the feelings and sentiments expressed by the hon. Member who has just spoken, but unfortunately I do not entirely agree with what he said because this is not the proper time to express all the sentiments. The present Bill seeks to enact the provisions of an ordinance, which was promulgated some time ago, as an Act of Parliament. As the hon. Health Minister has said previously, the object of the Bill is to constitute an authority for checking and regulating the large number of buildings which are being put up in a haphazard way. I feel that it is high time that such an authority should be constituted. I, however, differ from the Health Minister that by introducing a Bill as an interim measure, the purpose for which this Bill is being introduced in the House is not going to be served. Those of us who live nearly seven months in Delhi and have the time to move about and observe things in and around Delhi find that a really large number of buildings are being put up in a very haphazard manner, and the result is that a large number of slums are created in the capital of this great country. If the purpose of the Bill, as the Health Minister has pointed out, is to check and regulate the construction of these buildings, it is very important that within a few months, she should bring forward a comprehensive measure by which we will be able to check completely this haphazard way of constructing buildings and also solve the problem of housing. Simply by constituting a Development Authority, I do not think that matters will improve much because we know that an Improvement Trust exists here already and a lot of money has been spent on the Chairman who went abroad and visited Germany and other countries, but I do not know

[Dr. Suresh Chandra]

what happened as a result of his visit to Germany and other countries. We would have very much liked that the reports on his visit should have been placed on the Table of the House so that we may be able to judge the results of his research on this question in other countries. Unfortunately, nothing has been done. If we want another authority on the lines of the Improvement Trust, it is not going to solve any problem.

Though the object of the Bill is limited, in the Statement of Objects and Reasons it is stated:

"With a view to the speedy and efficient handling of the land and housing problem in Delhi, it is proposed that there should be a single Authority to deal with the planning and development of the urban area of Delhi instead of the existing multiple authorities operating in the field."

That raises a bigger problem of housing. I feel that there has been no method for constructing buildings and the master plan, which was there, was also smashed and so I do not understand why there should be an interim measure like this.

Mr. Chairman: I hear subdued noise all round and I find some hon. Members have their backs turned to the Chair, which is objectionable. If they have something important to talk, they can go out to the lobbies.

An Hon. Member: Then there will be no quorum at all.

Mr. Chairman: The bell is being rung.—Now there is quorum and the hon. Member may continue.

Dr. Suresh Chandra: Before a comprehensive measure is introduced in this House by the Health Minister, I would suggest that when this Development Authority is constituted, they should see to it that no harassment is caused to these people who want to construct houses not in a

haphazard manner, in view of the acute shortage of housing in Delhi.

Another point which has been raised by my friend who spoke before me is about the land in New Delhi which already exists and which is the privilege of only a few people. He mentioned the existence of very big bungalows in certain areas of New Delhi and I entirely associate myself with the views he has expressed about them and there is absolutely no ground or reason for anybody in this country to have a big bungalow when a large number of people have to share one room. Where is the need for a small family to have a big bungalow while a big family has to share one room in this country. I would suggest that, while this Bill is being introduced the Government should go into the question of housing in Delhi and come to some concrete suggestions which can be implemented.

Mr. Chairman: Again I would request hon. Members to be silent as it is difficult to follow the speaker when so many voices are audible.

Shri D. C. Sharma (Hoshiarpur): I heard only one voice and that was Dr. Suresh Chandra's.

Dr. Suresh Chandra: If the hon. Member's voice was a little less, my voice could be better heard.

Mr. Chairman: Let the hon. Member continue without exchanging remarks.

Dr. Suresh Chandra: I was suggesting that in view of the acute shortage of accommodation in Delhi, no harassment should be caused to those people who want to construct houses which will not be haphazard construction.

I whole heartedly support the view expressed by Shri Radha Raman that the Chairman of the Board should be a non-official and I would go even further and say that if a Member from this House belonging to Delhi is associated with it, it would be better.

With these remarks I would again request the Government to go into the question of housing in Delhi and to bring a comprehensive measure as soon as possible so that the whole question may be solved and the city of Delhi which is now a city of tombs and a city of slums may not remain a city of tombs and a city of slums but become a city of beauty, pomp and pleasure.

श्री नंबलाल शर्मा (सीकर) :

नमोस्तु रामाय सलक्षमणाय,

देव्यै च तस्यै जनकालजाय ।

नमोस्तु रुद्रान्द्र यमानिलेम्ब्यो,

नमोस्तु चन्द्रार्कमरुद्गणेश्यः ॥

भवन निर्माण नियंत्रण विधेयक के उद्देश्यों से मैं सर्वथा सहमत हूँ । माननीया स्वास्थ्य मंत्रिणी महोदया ने जिस दृष्टिकोण से जनता के स्वास्थ्य को ध्यान में रख कर आगे वाले विधेयक को उपस्थित किया है उस दृष्टिकोण से पूर्णतया सहमत होते हुये भी मेरा विश्वास है कि इस विधेयक के द्वारा विशेष लाभ होने वाला नहीं है । इसके कारण यह है । पहली बात जो हमें इस विधेयक के स्टेटमेंट आफ आबजेक्ट्स एंड रीजन्स (उद्देश्य तथा कारणों के विवरण) में बतलायी गयी है वह है एक तंत्र शासन स्थापित करना है । इस समय दिल्ली नगरपालिका नई दिल्ली नगर पालिका, इम्प्रूवमेंट ट्रस्ट (सुधार न्यास) और कई कमेटियाँ (समितियाँ) काम कर रही हैं, उन सब के कार्यों को एक तंत्र में बाँधने के लिये प्रावीजनल आथारिटी (अस्थायी प्राधिकारी) एक अस्थायी संस्था, नियुक्त करने का प्रयत्न किया जा रहा है । मेरा विश्वास है कि यह प्रावीजनल आथारिटी कोई नई चीज नहीं है । इसमें वही सारे के सारे मिलकर इकट्ठे होंगे, और वह आपस में मीटिंग करके कुछ थोड़ा बहुत एलाउंस और जनता के ऊपर डाल

देंगे । और वह कोई लाभ पहुंचाने वाले नहीं है ।

दूसरे मुझे इस बात से भी खेद हुआ कि सिवाय भवन निर्माण के इस संस्था को और कोई अधिकार नहीं दिया गया है । यदि केवल भवन निर्माण का ही कार्य इसको देना था तो, मुझे स्वास्थ्य मंत्रिणी महोदया क्षमा करेंगी, मैं समझता हूँ कि वह कार्य उनके क्षेत्र का नहीं था, वह तो हमारे सरदार जी का काम था जिनका विभाग ही भवन निर्माण का है । मंत्रिणी जी का कार्य तो इसके अतिरिक्त जनता के स्वास्थ्य के विषय के और कार्यों को देखने का था । या इस संस्था को वह कार्य करने को दे दिया जाता जिसको कि ये सारी संस्थाएँ, दिल्ली नगर पालिका, नई दिल्ली नगर पालिका इम्प्रूवमेंट ट्रस्ट इत्यादि करने में समर्थ नहीं हैं ।

हम लोग दिल्ली में आते हैं और यहां रहते हैं और जनता के बीच में घूम कर देखते हैं कि यहां जनता के स्वास्थ्य के प्रबन्ध की कितनी दुर्दशा है । यह भारत की राजधानी है और इस कारण यह और भी लज्जा की बात है कि स्वास्थ्य सेवाओं की यहां इतनी उपेक्षा की जाती है । कहीं पर नालियों का प्रबन्ध नहीं है, कहीं पर ड्रेनेज (जलोत्सारण) का प्रबन्ध नहीं है, कहीं पर जल का प्रबन्ध नहीं है, स्वास्थ्य विभाग की ओर से कोई सफाई का प्रबन्ध नहीं है, और फिर आप यह आशा करते हैं कि केवल हैप्टेजार्ड बिल्डिंग (अनापोजित भवन) रुक जायें, देवता । आपने कम से कम दस बारह लाख रिफ्यूजीज (शरणार्थी)

Mr. Chairman: Is the hon. Member addressing the Chair or somebody else?

श्री नंबलाल शर्मा : यह तो एक अच्छा शब्द है ।

Mr. Chairman: I would be glad to receive this compliment but I thought it was being addressed to somebody else.

Shri Nandlal Sharma: I hope it is not unparliamentary?

Mr. Chairman: No, no. I have no objection; rather I wanted it to be addressed to myself.

Shri Kamath: It is heavenly, Sir.

श्री नंदलाल शर्मा : संस्कृत में "देवता" शब्द स्त्रीलिंग होता है।

Mr. Chairman: Therefore, I raised the objection that the hon. Member should address the Chair.

Shri Nandlal Sharma: I suppose you knew that.

श्री डी० सी० शर्मा : "देवता" शब्द स्त्रीलिंग नहीं है पुलिग है।

श्री नंदलाल शर्मा : इस सम्बन्ध में शर्मा जी को हठ नहीं करना चाहिये। संस्कृत मेरा विषय है।

Mr. Chairman: Let there be no discussion on this question. The hon. Member may continue his speech.

श्री नंदलाल शर्मा : संस्कृत में "देवता" शब्द स्त्रीलिंग है।

Mr. Chairman: That is not the moot point now.

श्री नंदलाल शर्मा तो मैं कह रहा था कि जिस समय वे उत्पीड़ित भारत में आये, अखंड भारत से खंडित भारत में इन्होंने प्रवेश किया और उनमें से अधिक संख्या को दिल्ली में पुनर्वासि विभाग की ओर से मकान दिये गये। और जैसा कि श्री राधाधरमण जी ने और सक्सेना जी ने कहा, उनको इनके लिये बहुत बहुत कीमतेँ चुकानी पड़ी। हमें तो यह कहने में बड़ी लज्जा आती है कि इन शरणार्थियों से दो दो सौ और सत्तर सत्तर गज जमीनों के लिये १७ हजार से ३० हजार तक रुपये

प्राप्त किये गये। अब उनसे आशा की जाती है कि वे उन जमीनों पर इमारत न बनावें। जिस आदमी से गवर्नमेंट ने ७० गज जमीन के लिये १७ हजार और २० हजार रुपये ले लिया है, अगर अब उससे कहा जाय कि तुम इस जमीन पर इमारत मत बनाओ, तो यह उसका सर्वनाश है या नहीं?

इसी प्रकार पिछले दिनों हमारे सामने और भी प्रश्न उपस्थित थे। जितनी शरणार्थी वस्तियाँ बनायी गयी हैं, चाहे वह तिलक नगर हो, भयवा लाजपत नगर हो, या जो वस्ती शंकर रोड पर बनी हुई वह हो, उनमें न जल का प्रबन्ध है, न सफाई का प्रबन्ध है, न नालियों का प्रबन्ध है। मैं ने स्वास्थ्य मंत्रिणी महोदया के विभाग को इस बारे में कई बार प्रार्थना की, लेकिन मुझे उत्तर मिला कि दो वर्ष से पहले वहाँ नालियाँ नहीं बन सकतीं, इसलिये पानी नहीं मिल सकता। यह भी कोई उत्तर है जनता के लिये, खास कर उन वस्तियों की जनता के लिये जिनको गवर्नमेंट की ओर से बनाया गया है, किसी प्राइवेट आदमी की ओर से नहीं बनाया गया है। उन मकानों में आज कोई प्रबन्ध नहीं है। इसलिये मेरा निवेदन है कि यदि आप इस अस्थायी संस्था को जो कि नियुक्त की जाने वाली है यह कार्य सौंप देते तो मैं समझता हूँ कि कुछ उचित होता। पर उसके बदले केवल यह कह देना कि आगे की बिल्डिंग्स (भवनों) को रोकने का इसका काम होगा, यह तो मेरी समझ में नहीं आता।

कुछ ऐसी इमारतें हैं जिनका आधा काम हो चुका है। हमने सुना है कि कुछ जमीनें यमुना के तट पर बिकी थीं। उनको गवर्नमेंट ने ३५ रु० प्रति गज के हिसाब से बेचा और उसके बाद प्राइवेट ठेकेदारों ने उनको फिर नीलाम किया। उन जमीनों को लोगों ने खरीद लिया है। आज उनसे जा कर कोई भीवरसियर कहता है कि तुम

यहां पर इमारत न बनाओ, इस जमीन के लिये तो गवर्नमेंट की स्कीम बनेगी । जब वे लोग इम्प्रूवमेंट ट्रस्ट (सुधारन्यास) के पास जाते हैं और पूछते हैं तो उनसे कहा जाता है हमारी तरफ से तो ऐसा कोई आर्डर (आदेश) नहीं है इसलिये तुम मकान बना सकते हो और उनसे कहा जाता है कि तुम हमको इतनी फीस और दे दो हम तुमको प्लान की डुपलीकेट (नक्शे की प्रतिलिपि) कापी दे दें, और तुम मकान बनाओ । अब ऐसा मालूम होता है कि महा दिल्ली के लिये कोई नई योजना बनायी जा रही है । हो सकता है कि इस योजना के अनुसार गवर्नमेंट उनके मकानों और जमीनों को फिर एक्वायर (अर्जित) करे और उनको कम्पेन्सेशन (प्रतिकर) दे । मैं पूछता हूं कि क्या अनिश्चितता की भी कोई सीमा है । मैं कहना चाहता हूं कि जनता के धैर्य की भी एक सीमा है । मैं इस बात के पक्ष में नहीं हूं कि दिल्ली के निर्माण के लिये कोई योजनाबद्ध कार्यक्रम नहीं होना चाहिये । मेरा तो स्वयं यह कहना है कि योजनाबद्ध कार्यक्रम होना चाहिये । परन्तु यह कार्य ६ महीने या साल भर के लिये एक अस्थायी संस्था बनाकर करने के बजाय यह ज्यादा अच्छा होता यदि स्वास्थ्य मंत्राणि जी स्वयं एक विधेयक उपस्थित करतीं जिसमें पुनः परिवर्तन की बात न होती ।

तीसरी बात यह है कि इस संस्था की गवर्नमेंटल नामिनेटेड बाडीया (सरकारी नाम-निर्देशित विकाय) बनने जा रहा है । इस के सभी सदस्य नामिनेटेड (नामनिर्दिष्ट) होंगे । इस में कोई निर्वाचित सदस्य नहीं होंगे । स्वास्थ्य मंत्रिणी महोदया की ओर से एक सुझाव आया है कि इसमें लोक सभा के भी दो सदस्य रखे जायेंगे, लेकिन उसके बारे में भी आपने सुन लिया । आप यह समझ लें कि चीफ कमिश्नर (उच्च-आयुक्त) से लेकर जितने भी चेयरमैन इत्यादि

इसमें होंगे सब गवर्नमेंट के पिटू हैं और जो गवर्नमेंट चाहेगी उसको वे जनता के हित की चिन्ता किये बिना कर देंगे । यह संस्था संतोषजनक कार्य नहीं कर सकती जब तक इसमें जनता का कोई निर्वाचित सदस्य नहीं होगा ।

इसलिये मेरा निवेदन है कि यह नामिनेशन (नामनिर्देशन) का अंश अंग्रेजी साम्राज्य काल से सब से बड़ा कलंक दिल्ली के लिये चला आ रहा है क्योंकि अंग्रेजी साम्राज्य काल में या स्वतंत्रता के पहले दिल्ली में सेल्फ गवर्नमेंट (स्वायत्त शासन) का अंश भी नहीं आया था । अब जब हमारा अपना राज्य हो गया, राष्ट्रीय सरकार बन चुकी है, उस के बाद भी जनता को स्वयम् अपने विचार उपस्थित करने का अधिकार न हो, जनता के निर्वाचित व्यक्ति न जायें, यह बड़ी दुर्भाग्यपूर्ण चीज होगी, जिस की ओर मैं माननीया मंत्रिणी जी का ध्यान दिलाऊंगा । इस के साथ ही मैं यह निवेदन करूंगा कि इस विधेयक के स्थान पर विधिवत एक दूसरा विधेयक उपस्थित किया जाय जिस विधेयक में कि जनता की बुराई की भावना न हो ।

श्री नवल प्रभाकर (वाह्य दिल्ली-रक्षित-अनुसूचित जातियां) : यह जो बिल उपस्थित है मैं उसका स्वागत करता हूं । पर जो यह नई सत्ता बनने जा रही है, उसके लिये मैं कुछ सुझाव देना चाहता हूं और वह सुझाव बहुत आवश्यक हैं ।

जितने भी स्लमएरिया (गंदे क्षेत्र) हैं यानी गन्दी बस्तियां हैं उन में अधिकांशतः हरिजन रहते हैं । इस लिये मैं इस अध्या-रिटी से निवेदन करना चाहता हूं कि वह उनकी तरफ अधिक से अधिक ध्यान दें । उदाहरण के लिये मैं आपको बतलाना चाहता हूं कि करौलबाग इलाके में रेहगड़पुरा

[श्री नवल प्रभाकर]

एक जगह है। वहां इम्प्रूवमेन्ट ट्रस्ट (सुधार सभा) ने प्लाट्स वगैरह बनाये और लोगों को दिये। लेकिन उस समय इम्प्रूवमेन्ट ट्रस्ट या जो भी सत्ता उस समय थी वह भूल गई कि जो हरिजन वहां रहते हैं उनको पार्क (उद्यान) भी चाहिये, उन को और सुख सुविधाओं की भी आवश्यकता है, हास्पिटल भी वहां पर होने चाहिये। आज आप वहां जा कर देखिये तो वहां आप को एक भी पार्क नजर नहीं आयेगा, वहां पर पार्क के लिये कोई स्थान छोड़ा ही नहीं गया है। मैं इस अथारिटी से कहना चाहता हूं कि जिन प्लाट्स को पिछले दिनों इम्प्रूवमेन्ट ट्रस्ट ने बेचना शुरू किया था उनमें से जो अब भी बाकी पड़े हैं उन को पार्कों के लिये सुरक्षित कर दिया जाय ताकि उन में गरीबों के बच्चे खेल सकें जो वहां रहते हैं और अच्छी हवा के अन्दर और अच्छे वातावरण के अन्दर रह सकें।

मैं ने आज से लगभग दो वर्ष पहले माननीय मंत्रिणी जी की सेवा में निवेदन किया था, पत्र लिख कर सूचित किया था कि इस इलाके के अन्दर चमड़े के कारखाने हैं। दिल्ली म्यूनिसिपल कमेटी (नगर-पालिका) ने एक प्रस्ताव पास करके सन् १९५० या १९५१ में कहा था कि चूंकि दिल्ली बहुत बढ़ गई है और पहले यह कारखाने दिल्ली से बाहर थे लेकिन अब दिल्ली की आबादी बढ़ती हुई यहां तक चली आ रही है इसलिये जो अस्वास्थ्यकर कारखाने हैं उनको हटा देना चाहिये। दिल्ली इम्प्रूवमेन्ट ट्रस्ट भी इस बात को चाहता है कि यहां से यह कारखाने हटा दिये जायें, दिल्ली म्यूनिसिपल कमेटी भी यह चाहती है कि यह कारखाने यहां से हटा दिये जायें और दूसरी जगह चले जायें, मेरी समझ में नहीं आता है कि इस में क्या हिच है जिस की वजह से इन अस्वास्थ्यकर कारखानों को वहां से नहीं हटाया जाता। उस रेजोल्यूशन

(संकल्प) के अन्दर यह भी दिया गया था कि इस तरह की जो चीजें हैं उन को हटा देना चाहिये। उस में पिगरीज (सुअर-खाना) के सम्बन्ध में भी कहा गया था कि उन को यहां से हटा देना चाहिये। वर्षों से इस तरह की बातें चलती रही हैं, लेकिन उन पर कोई अमल नहीं हो पाता है। मैं निवेदन करना चाहता हूं कि जो यह उच्च अधिकार समिति है उस को अपने अधिकारों का उपयोग करना चाहिये। मैं आशा करता हूं कि वह इन सब बातों को ध्यान में रख कर और अपने अधिकारों का उपयोग कर के उचित कार्रवाई करेगी।

मैं एक सुझाव और देना चाहता हूं कि जिस को इस अथारिटी (प्राधिकारी) को ध्यान में रखना चाहिये। जैसा अभी कहा गया कि नक्शे वगैरह बनाये जायेंगे, लेकिन अभी नक्शे बनाने का काम रोक दिया गया है। जो बेचारे गरीब आदमी वहां पर हैं अगर वह किसी प्लाट पर मकान बनवाना चाहते हैं तो उन को ४०, ५० रुपया नक्शे वगैरह बनवाने के लिये खर्च करने पड़ते हैं, इस के अलावा म्यूनिसिपल कमेटी (नगरपालिका समिति) के लोगों को भी कुछ पे करना पड़ता है, इम्प्रूवमेन्ट ट्रस्ट के लोगों को कुछ पे (वेना) करना पड़ता है या नहीं, यह मैं नहीं जानता, लेकिन म्यूनिसिपल कमेटी के लोगों को जरूर पे करना पड़ता है।

Pandit Thakur Das Bhargava: Corruption is rampant there also.

श्री नवल प्रभाकर : उस के बाद जब नक्शा पास हो कर आ जाता है तो उस के बनाने में भी बड़ी अड़चन आती है पहले तो उसके पास होने में महीनों लग जाते हैं फिर दूसरी खानापूरी में और समय लगता है। मैं चाहूंगा कि इम्प्रूवमेन्ट ट्रस्ट कुछ

आदर्श नक्शों तैयार कराये और उनकी किताबें छाप दे। अगर नक्शे बन कर तैयार रहेंगे तो जिस के पास जैसा प्लॉट है उसके अनुसार उस को नक्शे दिखायें जायें कि उस को कौन सा नक्शा पसन्द है। जो उस को पसन्द आये वह उस को दे दिया जाय ताकि वह उस के अनुसार जल्दी से जल्दी मकान बनवा सके। मान लीजिये कि किसी के पास २०० गज का प्लॉट है तो उस को २०० गज के प्लॉट्स के नक्शे दिखाये जायें, उन में एक दो कमरों का ही फेर बदल हो, उनको तुरन्त मंजूर कर दिया जाय ताकि वह जल्दी से जल्दी मकान बनवा सके और इम्प्रूवमेन्ट ट्रस्ट और म्यूनिसिपल कमेटी में जो दिक्कतें पेश आती हैं उन से वह बच सके।

मैं नई कालोनीज (बस्तियों) के सम्बन्ध में भी दो एक शब्द कहना चाहता हूँ। आज कल दिल्ली में एक बड़ा सी फैली हुई है। रोज नई नई कालोनियाँ (बस्तियाँ) बनती चली जा रही हैं। वह कालोनीज लोगों को ठगने का आधार हैं। उन को प्लॉट्स दिखाकर लोगों से बड़े बड़े पैसे वसूल किये जाते हैं। पैसे वसूल करने के लिये उन को बड़े बड़े सब्ज बाग दिखाये जाते हैं कि यहां जमींदोज नालियां होंगी, बिजली लगेगी, ड्रेनेज सिस्टम (जलौत्सारण-व्यवस्था) होगी, पार्क होगा, स्कूल के लिये जगह होगी और उन के सामने एक स्वर्ग का नक्शा उपस्थित किया जाता है। किन्तु जब लोग उन प्लॉट्स को खरीद लेते हैं तो वह कम्पनी खत्म हो जाती है। सारी स्कीमें कागज पर ही रह जाती हैं और कम्पनी खत्म कर दी जाती है। मैं मिसाल के तौर पर आप को एक अर्द्ध सरकारी संस्था के सम्बन्ध में बताना चाहता हूँ। रिहैबिलिटेशन हाउसिंग कारपोरेशन (पुनर्वास आवास निगम) सरकार ने बनाया जिस में ८० प्रति शत शेयर (अंश) भारत सरकार के हैं। यह रिहै-

बिलिटेशन हाउसिंग कारपोरेशन प्लॉट्स बेचता है। लेकिन उनको बिके हुये दो साल हो गये हैं वहां नाम का भी इम्प्रूवमेन्ट नहीं है सिवा इस के कि कुछ प्लॉट्स वहां बना दिये गये क्योंकि इसके बिना उन को कोई लेता नहीं है। लोगों को बताया जाता है कि वहां पर जमींदोज नालियां होंगी, बिजली होगी, यहां पर अच्छी अच्छी सड़कें होंगी, लेकिन वहां के जो प्लॉट होल्डर्स (प्लॉट अधिकारी) हैं वह इधर उधर मारे मारे फिरते हैं। प्लॉट सरकार के हैं, इम्प्रूवमेन्ट का नाम आज तक वहां नहीं है। लोगों ने पूरा पैसा दे दिया है लेकिन उस सब के बावजूद भी उनको सेल डीड (बिक्री विलेख) नहीं मिलता है जिसकी वजह से उन को लो कास्ट हाउसिंग स्कीम (सस्ता आवास योजना) के मतहत पैसा नहीं मिल रहा है। मैं अयारिटी (प्राधिकारी) से निवेदन करना चाहता हूँ कि जो जो इस तरह की नई नई कालोनीज हैं उनकी ओर विशेष ध्यान दे कुछ व्यक्तिगत कालोनीज हैं और उन में क्या होता है। कुछ कालोनीज ऐसी हैं कि जिन में बिजली के खम्भे गड़े हुये हैं, जमींदोज नालियां हैं, लेकिन वह सब बिल्कुल टेम्पोरेरी (अस्थायी) होती हैं और जब तक प्लॉट्स बिकते हैं तब तक उन की भी समाप्ति हो जाती है यह भी गवर्नमेंट के लिये एक सरदर्द होने वाला है। मैं समझता हूँ कि आप इन सब बातों की तरफ ध्यान देंगे और ध्यान दे कर के सस्ते कदम उठायेंगे।

जहां तक अयारिटी के प्रतिनिधित्व का ताल्लुक है, उस के सम्बन्ध में मैं यह कहना चाहता हूँ कि आपने दिल्ली म्यूनिसिपल कमेटी (नगरपालिका समिति) के प्रधान को लिया, आपने नई दिल्ली म्यूनिसिपल कमेटी के प्रधान को लिया इस के अलावा जो इम्प्रूवमेन्ट ट्रस्ट (सुधारन्यास) के चेयरमैन (सभापति) हैं उन को लिया, दो सदस्य आपने दिल्ली राज्य से मांगे हैं। इस के अलावा चीफ कमिश्नर (मुख्य आयुक्त)

[श्री नवल प्रभाकर]

साहब भी होंगे। जैसा अभी राधा रमण जी ने कहा कि इसमें इस सदन के भी कुछ सदस्य होने चाहियें, मेरी आप से मांग है कि इस सदन के कम से कम तीन सदस्य होने चाहियें। साथ ही जी राज्य सरकार की ओर से प्रतिनिधि नामजद हों उन में बजाय दो के तीन सदस्य हों जिन में से कम से कम एक हरिजन हो। इस अधारिटी के अन्दर एक हरिजन सदस्य का होना परमावश्यक है क्योंकि जहाँ तक गन्दी बस्तियों का ताल्लुक है उनमें अधिकतर हरिजन ही रहते हैं और उन की समस्याओं को एक हरिजन ही अच्छी तरह समझ सकता है। इस लिये मेरा अनुरोध है कि इस अधारिटी में एक हरिजन सदस्य जरूर होना चाहिये।

6 P.M.

इसके अलावा यह जो एक रिपोर्ट है जो कि दिल्ली इम्प्रूवमेन्ट ट्रस्ट इन्वारी कमिटी (पूछताछ समिति) की है, इसके अन्दर दिया हुआ है कि दिल्ली के अन्दर कोई ६ लाख आदमियों के लिये मकानों की आवश्यकता है लेकिन जिस वक्त यह रिपोर्ट (प्रतिवेदन) बनी थी, उस वक्त उस में कहा गया है कि दिल्ली की आबादी १५ लाख १० हजार के करीब थी लेकिन आज दिल्ली की आबादी बढ़कर तकरीबन २० लाख हो गई है। मैं समझता हूं अब जिन लोगों को मकानों की आवश्यकता है उनकी तादाद कोई १० या ११ लाख के करीब होगी। मैं इस अधारिटी (प्राधिकारी) से निवेदन करना चाहता हूं कि वह एक मास्टर प्लान (बड़ा नक्शा) तैयार करे जिस में कि गरीब आदमियों के लिये जगह का बन्दोबस्त करे। इस रिपोर्ट में कहा गया है कि अपर मिडल क्लास (उच्च मध्य वर्ग) के १० परसेंट (प्रतिशत) आदमी हैं, मिडिल क्लास (मध्य वर्ग) के १० परसेंट हैं, लोअर मिडल क्लास (निम्न मध्यवर्ग)

के २० परसेंट हैं, पूअर क्लास (दरिद्र वर्ग) के ३० परसेंट हैं और प्रेस्ट क्लास के ३० परसेंट हैं और उन्होंने यह मुझाव दिया है कि अपर क्लास वालों के लिये २०० गज फिर १५० गज और फिर ७० गज वगैरह के प्लोट्स इन को दिये जाने चाहिये। तो गरीब आदमियों के लिये जिनकी तादाद पहले कोई ६ लाख थी और आज जिनकी आबादी तकरीबन ११ लाख तक पहुंच गई है, इस अधारिटी को मकान मुहैया करने के लिये तजवीज (प्रस्ताव) पेश करनी चाहिये और यह भी तय करना चाहिये कि इन को क्या क्या सुख सुविधायें दी जायें और इन सुख सुविधाओं के देने का बन्दोबस्त करना चाहिये।

तो मैं यह निवेदन कर रहा था कि उन गन्दी बस्तियों का जिन में कि गरीब लोग रह रहे हैं सर्वे होना चाहिये और सर्वे होने के बाद उनके लिये मकानों का बन्दोबस्त होना चाहिये।

An. Hon. Member: It is already past Six.

Mr. Chairman: We rise at 6-05.

श्री नवल प्रभाकर : जैसा कि सक्सेना साहब ने कहा कि यमुना का पानी गर्मियों में नीचे जला जाता है और इस कारण से पानी की दिक्कत हो जाती है। इस अधारिटी को कोई ऐसी स्कीम बनानी चाहिये कि जो यमुना का पानी है वह एक बड़ी झील की तरह हो जाय ताकि वहाँ पर पानी की दिक्कत महसूस न हो और दिल्ली में बराबर पानी मिलता रहे। पानी की खपत बहुत बढ़ गई है और इसका कारण यह भी है कि दिल्ली का क्षेत्र जो पहले बहुत छोटा था वह आज बहुत बढ़ गया है। दिल्ली आज इधर नजफगढ़ के पास, उधर नांगलोई के पास और महरौली के पास तक फैल गई है। आज इन २० लाख व्यक्तियों के लिये पानी मुहैया

करने का भी सवाल है। इसके लिए यह जरूरी हो जाता है कि यमुना का पानी इस तरह से रोक कर रखा जाए कि दिल्ली को सारा साल पानी मिल सके। इसके साथ ही जैसा कि सक्सेना साहब ने कहा यहाँ पर मैरिन ड्राइव की तरह से भी होना चाहिये।

आपने अजमेरी गेट के पास जो जगह को डिवेलप (विकसित) किया, उससे आपको काफी पैसा प्राप्त हुआ है। इसी तरह से मैं यह भी चाहता हूँ कि आप और जगहों को भी डिवेलप करें और जो रुपया आप गरीब आदमियों के ऊपर खर्च करेंगे उससे कहीं

अधिक रुपया आपको इन जमीनों से प्राप्त हो जायेगा।

अन्त में मैं माननीय मंत्राली जो से और इस आयोगीटी से निवेदन करूंगा कि इन सब बातों का ध्यान रखें और इनको अमल में लाने का प्रयत्न करें और खास तौर से जो स्लम एरियाज हैं और उनमें जो हरिजन रहते हैं उनकी ओर विशेष ध्यान दें।

6-05 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 8th December, 1955.

DAILY DIGEST

[Wednesday, 7th December, 1955]

MESSAGES FROM RAJYA SABHA

COLUMNS.
1589—91

Secretary reported the following messages from Rajya Sabha:

- (i) That at its sitting held on the 5th December, 1955, Rajya Sabha had agreed without any amendment to the Press and Registration of Books (Amendment) Bill, passed by Lok Sabha on the 22nd November, 1955 . *
- (ii) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Indian Stamp (Amendment) Bill, passed by Lok Sabha on the 28th November, 1955 .
- (iii) That Rajya Sabha at its sitting held on the 5th December, 1955 concurred with the recommendation of Lok Sabha that Rajya Sabha do join in the Joint Committee of the Houses on the Securities Contracts (Regulation) Bill; and
- (iv) That at its sitting held on the 1st December, 1955, Rajya Sabha had passed the Working Journalists (Conditions of Service) and Miscellaneous Provisions Bill

BILL PASSED BY RAJYA SABHA—LAID ON THE TABLE

COLUMNS.
1591

Secretary laid on the Table the Working Journalists (Conditions of Service) Bill, as passed by Rajya Sabha .

PAPERS LAID ON THE TABLE

1591

A copy of each of the notifications of the Ministry of Food and Agriculture containing S.R.Os. Nos. 2264, 2210, 2154, 1792, 1793, 1450, 1396 and 3495 under sub-section (6) of section 3 of the Essential Commodities Act, 1955 .

REPORTS OF BUSINESS ADVISORY COMMITTEE 1591—1600

- (i) Thirtieth Report was presented
- (ii) Twenty-ninth Report was adopted subject to the modification that 7 hours instead of 5 hours be allotted to the Insurance (Amendment) Bill.

BILL PASSED 1602—1710

Insurance (Amendment) Bill was further considered. Clauses 1 to 6 were adopted and the Bill was passed.

CONSIDERATION OF BILL 1710—46

Motion to consider Delhi (Control of Building Operations) Bill was Moved. Discussion was not concluded