



Friday, April 17, 1953

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE
OFFICIAL REPORT

**PARLIAMENT SECRETARIAT
NEW DELHI**

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

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HOUSE OF THE PEOPLE

Friday, 17th April, 1953

The House met at a Quarter Past Eight
of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

FOREIGN SCHOLARSHIPS

*1378. **Dr. Ram Subhag Singh:** (a) Will the Minister of Education be pleased to state whether the Government of India award any foreign scholarships to students from Part 'C' States or the Andaman and Nicobar Islands?

(b) If so, how many scholarships were awarded during the financial year 1952-53?

(c) How many scholarships are proposed to be awarded in the financial year 1953-54?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes.

(b) One.

(c) One.

Dr. Ram Subhag Singh: For what period would the scholarship which is proposed to be awarded in 1953-54 be tenable and what would be the monthly amount of the scholarship?

Shri K. D. Malaviya: Upto three years. The monthly amount is £30 per month in the U.K. and \$125 in U.S.A.

Dr. Ram Subhag Singh: May I know whether any maximum age-limit has been prescribed for the eligibility for these scholarships?

Shri K. D. Malaviya: Yes, Sir. I think it is 30 years.

Dr. Ram Subhag Singh: Do the Government determine the subject of study, or will it be open to any branch of knowledge?

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Shri K. D. Malaviya: The subject of study is not narrowed down to any group of subjects.

Shri N. Somana: To which State has the scholarship for 1952-53 gone?

Shri K. D. Malaviya: To Delhi.

Shri Radha Raman: How many scholarships were awarded to Delhi residents?

Shri K. D. Malaviya: I said only one; that is the total.

Mr. Speaker: Before we proceed to the next question, I may point out, with reference to Question No. 1377, that the hon. member Mr. B. K. Das has authorised Mr. Samanta to put the question. It will come at the end.

FEDERAL FINANCIAL INTEGRATION

*1379. **Shri M. L. Dwivedi:** Will the Minister of Finance be pleased to state:

(a) the increase in Central Revenues from Part 'B' and Part 'C' States and Part 'A' merged areas only as a result of Federal Financial integration or otherwise since the time of integration or merger of States under the following heads:—

(i) Income-Tax, Super-Tax etc.;

(ii) Excise Duties;

(ii) Customs duties; and

(iv) Other heads; and

(b) what is the annual aid or assistance given by Centre to such areas for their development, progress, or any other scheme or project?

The Deputy Minister of Finance (Shri M. C. Shah): (a) I am afraid it is not possible to furnish the information because the accounts of revenue attributable to each State or Area are not kept separately.

(b) Presumably, the hon. Member refers to the aid or assistance given to Part A States in respect of areas

merged in them. If so, it is not possible to furnish the information as assistance is not given separately in respect of such areas.

Shri M. L. Dwivedi: May I know if any special steps have been taken by Government for the development of those areas which have been merged, or which are now Part B or Part C States and which formerly were Indian States?

Shri M. C. Shah: As I stated, Sir, assistance in the form of Grow More Food, community projects, industrial housing and other statutory grants are given to Part A States, and to Part B States and we give revenue gap grants also. There is no other particular assistance given for the development of these areas except the grants that I have mentioned.

Shri M. L. Dwivedi: Is it a fact that a guarantee was given by Government when the Part B and Part C States were integrated that income-tax and surcharge will be levied only at a later date. But as soon as they were merged in Part A States these taxes began to be levied immediately. May I know if any care has been taken to exempt them from these taxes for some time, or give them some consideration?

Shri M. C. Shah: As far as Part B States are concerned, as I said, revenue gap grants are given. In regard to Part A States some other grants are given. It is the responsibility of those States to consider those cases.

As far as Part B States are concerned, according to the financial integration certain concessions were given with regard to income-tax. With regard to customs or other inter-provincial duties certain agreements were entered into between these States and the Centre and according to them certain concessions are given to them.

Shri M. L. Dwivedi: I want to know whether the agreement entered into between the States and Government were respected in this connection irrespective of the fact that those areas were transferred to other States?

Shri M. C. Shah: I do not follow my hon. friend.

Shri M. L. Dwivedi: There were certain covenants entered into with Part B and C States in which the Central Government gave them certain guarantees. Were those guarantees fulfilled before these States were merged with Part A States?

Shri M. C. Shah: I have no information: I will require notice.

Shri M. S. Gurupadaswamy: May I know whether after the financial integration, the financial position of many of the Part B States has been adversely affected and the grant given by the Centre is very inadequate?

Shri M. C. Shah: I do not know how this question arises.

NON-MUSLIMS IN WEST PAKISTAN CAMP

*1380. **Shri Bahadur Singh:** (a) Will the Minister of Rehabilitation be pleased to state whether there are any non-Muslims in West Pakistan Camps still awaiting to be brought to India?

(b) If so, what is their number and which are those Camps?

The Minister of Rehabilitation (Shri A. P. Jain): (a) and (b). Yes, 59 in D.A.V. College Camp Lahore on the 25th February, 1953.

Shri Bahadur Singh: May I know what are the chief difficulties that have stood in the way of bringing them to India?

Shri A. P. Jain: No difficulties; they are coming all right.

Shri Gidwani: May I know whether there are any Hindus and Sikhs in the Swaminarain Camp who have been evacuated from Karachi?

Shri A. P. Jain: The Swaminarain Camp was a camp maintained by certain persons. Our High Commissioner also used to take some sort of interest in it. Now that camp has been disbanded and only a few rooms are kept. Those who want to come to India may come and stay for a few days.

STANDARD OF UNIVERSITIES

*1381. **Shri V. P. Nayar:** (a) Will the Minister of Education be pleased to state whether Government are aware that the Standards of Education in the various Indian Universities at the graduate and post-graduate levels vary?

(b) If the answer to part (a) above be in the affirmative, what steps, if any, have Government taken in the matter?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) The matter is under consideration.

Shri V. P. Nayar: May I know whether Government are aware that consequent on the differences in

standards of various Indian universities the alumni of various universities experience great difficulty in entering service?

Shri K. D. Malaviya: I have already said that there are differences in standards and Government is considering this matter very actively.

Shri V. P. Nayar: May I know whether in view of the fact that there are differences in the standards set up by various universities, Government have taken any steps to see that people who come from such universities with higher standards do not suffer from any disadvantages in the matter of entering public services?

Shri K. D. Malaviya: We cannot say just now what will be our step to deal with students who come from universities with a higher standard. The whole matter is under consideration and very soon some decision will be taken.

Shri V. P. Nayar: Is it not a fact that several students have so far been prevented from entering service owing to such differences?

Shri K. D. Malaviya: They may have been prevented on account of their low standard of knowledge.

Shri T. S. A. Chettiar: May I know whether in the Conference tomorrow of Vice-Chancellors and representatives of Government this subject will come or only the contemplated Bill of the Government of India will come?

Shri K. D. Malaviya: This question will also be considered.

Shri S. V. Ramaswamy: May I know what is the objective of Government—to level down the standard, or to level it up?

Shri Punnoose: May I know whether Government are thinking in terms of equalising the standard or removing the disadvantages arising out of the inequalities?

Shri K. D. Malaviya: Both these things will be considered.

TRIAL AGEN ' TO LOOK AFTER CASES IN
SUPREME COURT

*1382. **Shri V. P. Nayar:** (a) Will the Minister of Law be pleased to state whether there is a Central Agency in the Ministry of Law to arrange and look after the conduct of cases in the Supreme Court on behalf of the various State Governments?

(b) If the answer to part (a) above be in the affirmative, which are the

States which have agreed to come under this Agency and which are the States keeping away from the said Agency?

(c) Do Government propose to lay on the Table of the House a statement showing the details of contributions of the various State Governments to the Central Agency for the years 1950-1951 and 1952 and the details of payments to Counsels and Agents for the period, by the Central Agency?

The Minister of Law and Minority Affairs (Shri Biswas): (a) Yes, Sir.

(b) All the States except the States of Assam, Uttar Pradesh and West Bengal, joined the Scheme of the Central Agency Section. The State of Madhya Pradesh, ceased to participate in the Scheme from 1st March, 1953.

(c) The desired Statement is laid on the Table of the House. [See Appendix IX, annexure No. 33.]

Shri V. P. Nayar: Is it a fact, Sir, that the Central Government have exerted pressure on the other States Governments to join this?

Shri Biswas: No pressure has been exerted. They were asked if they would join. Most of them have joined. Only these three States did not join; one State has gone out.

Shri V. P. Nayar: May I know what is the reason for those States which had once been in the scheme getting away from it? May I also know what is the special advantage of the scheme to the States?

Shri Biswas: The special advantage is this. The cost is shared between the Centre and the State Governments. That reduces the expenses, so far as the State Governments are concerned. The reasons why these States did not join the scheme are these. The Government of U.P. wrote in 1950 that they do not consider it either convenient or necessary to set up a joint Central agency for the cases in the Supreme Court. The Government of West Bengal have written that they will prefer to work through their own Agent until a clear picture of the work before the Supreme Court can be obtained—I suppose three years have not been sufficient for them to obtain this 'clear picture'. The Government of Assam stated in 1950 that they would not participate in the scheme at the beginning but promised to inform the Government of India later if they found it necessary to do so. We have not heard from them again. As regards Madhya Pradesh they do not give any reasons; they say they will not participate with effect from 1st March 1953.

Shri V. P. Nayar: May I know how this Agency was chosen and also whether all the State Governments conduct all their cases through this Agency?

Shri Biswas: It depends upon the States concerned. As a matter of fact, there is no compulsion. If they choose, they can have the services of the Central Government Agent. That is all. And if they suggest that any particular counsel should be appointed, their wishes are always respected and those counsel are engaged on their behalf and they pay for them.

Shri P. T. Chacko: May I know whether the cases for the States are not being conducted by the Advocates-General of the States and, if so, how is it that the expenses of the States are reduced by paying to the Central Agency when the cases are being conducted by their Advocates-General?

Shri Biswas: Besides fees which have got to be paid to counsel, there are the charges which are required to be paid to the Agents. The participation of the State Governments in this scheme means that they share, between the Centre and themselves, the costs which have to be paid to the Agents. So far as counsel are concerned, their fees are paid by the States where separate counsel are engaged. If they choose to utilise the services of the Attorney-General or the Solicitor-General, then the fees are shared between the two in proportion to the work done.

Shri V. P. Nayar and Shri S. V. Ramaswamy rose—

Mr. Speaker: I am going to the next question. This question has been discussed on the floor of the House a number of times, I believe.

राज्यों में बूढ़ा कर

*१२८५. **सेठ गोविन्द बास:** (क) बिल मंत्री यह बतलाने की कृपा करेंगे कि क्या सरकार को यह विदित है कि कुछ भूतपूर्व देशी राज्यों में "अन्तर-राज्य" पार नयन शुल्क (ट्रांजिट ड्यूटीज) तथा आय कर दोनों लगाये जा रहे हैं ?

(ख) क्या सरकार ने इस बूढ़े कर को हटाने के प्रश्न पर विचार किया है ?

The Deputy Minister of Finance (Shri M. C. Shah): (a) Yes. In certain Part B States inter-State transit duties are being levied. The Indian Income-tax Act now applies to all these States except Jammu and Kashmir.

(b) The Agreement entered into with all these States under Article 308 of the Constitution provides for the abolition of the inter-State transit duties within a maximum period of five years from the commencement of the Constitution in Saurashtra, Rajasthan and Madhya Bharat and four years from the same date in the case of Hyderabad.

As regards income-tax, the old State laws have ceased to have effect from 1st April 1950, and are applicable only to arrear assessments of the pre-integration period. There is thus no double taxation.

Shri M. L. Dwivedi: May I know whether it is a fact that the State of Jammu and Kashmir, which is now a part of India, is still imposing customs duties upon goods coming to India while on the other hand India is not imposing any such duties?

Shri M. C. Shah: I have stated that there is no federal financial integration with Jammu and Kashmir. So the question does not arise.

Prof. D. C. Sharma: May I know what the position of Himachal Pradesh and PEPSU is with regard to these inter-State duties?

Shri M. C. Shah: Himachal Pradesh is a Part C State. There is no question of federal financial integration. And these Acts, the Indian Income-tax Act and the Customs Act, apply to Himachal Pradesh.

सेठ गोविन्द बास : जम्मू और काश्मीर के सम्बन्ध में माननीय मंत्री जी ने कुछ स्पष्ट बात नहीं की। मैं यह जानना चाहता हूँ कि जो सामान यहां से जाता है उस पर कोई टैक्स जम्मू और काश्मीर सरकार लेती है और जम्मू और काश्मीर से जो सामान यहां आता है उस पर भी क्या कोई टैक्स है, उस की क्या स्थिति है ?

مستتر آف ایجوویشن اینڈ

نہجہ رل دسوسہز اینڈ سائیکلڈک

دسرج (مولانا آزاد) : میں اسے صاف

کر دوں۔ بات یہ ہے کہ ابھی تک جموں اور کشمیر اسٹیٹ کے فلانڈھیل انٹی کرپشن کا معاملہ طے نہیں ہوا ہے جموں کشمیر کی آمدنی کا ایک بہت بڑا ذریعہ کسٹم ڈیوٹی ہے۔ اگر اسے ہٹایا جاتا ہے تو سوال پیدا ہوتا ہے کہ ایک کروڑ روپیہ کی آمدنی کا کوئی اور ذریعہ پیدا کیا جائے۔ یہ بات نہیں ہے کہ جموں اور کشمیر کو اس سے الگ کر دیا گیا ہے۔ لیکن اس معاملے کا فیصلہ ابھی تک نہیں ہوا ہے۔

[The Minister of Education, Natural Resources and Scientific Research (Maulana Azad): I would like to clarify it. The fact is that the question of the financial integration of Jammu and Kashmir State has not yet been settled. Customs duty is one of the major sources of revenue for Jammu and Kashmir. If it is abolished, the question arises that some other source which could yield a revenue of one crore of rupees has to be found. It is not that Jammu and Kashmir has no connection with it but this matter has not yet been decided.]

सेठ गीतेश्वर दास : मैं माननीय मंत्री से जानना चाहूंगा कि क्या कोई बात बीच भारत सरकार और जम्मू काश्मीर के प्रतिनिधियों के बीच में चल रही है ताकि कोई निपटारा अविषय में इस सम्बन्ध में हो सके ?

مولانا آزاد : ہاں۔ گفتگو ہو رہی ہے۔

[Maulana Azad: Yes Negotiations are going on.]

CONDITIONS OF HILL TRIBES OF TRIPURA

*1386. Shri Dasaratha Deb: Will the Minister of States be pleased to state whether Government are aware of the social and economic conditions of the Hill Tribes of Tripura and if so, what steps have been taken or are being taken to check the deterioration thereof.

The Minister of Home Affairs and States (Dr. Katju): The Government are alive to the economic conditions and other problems of the tribal people in Tripura. Rs. 3 lakhs were provided for their welfare during 1952-53. A provision of Rs. 5 lakhs has been made in the Budget Estimates for such welfare schemes during 1953-54. A provision of Rs. 10,000 has also been made for the grant of loans to tribal people in Tripura. The Government are also educating these people regarding the evils of Joom cultivation and are encouraging them to adopt terrace cultivation. An amount of Rs. 20,000 was sanctioned during the last financial year for this purpose.

Shri Dasaratha Deb: What is the total number of Joomias in Tripura?

Dr. Katju: Who?

Shri Dasaratha Deb: Joomias, that is peasants. There are two types of peasants.....

Dr. Katju: I want notice.

Shri Dasaratha Deb: May I know whether these Joomia peasants have not been allowed to get any agricultural loan because they have no tilling land?

Dr. Katju: I should like to have notice of this question, because the answer is to the question put and I have given the answer.

Shri Nanadas: What steps have Government taken to provide lands to these tribal people?

Dr. Katju: I wonder—probably my hon. friend must have gone there. There is plenty of land. It is only a question of how to cultivate.

Shri Nambiar: Give them lands.

Mr. Speaker: Order, order. No speaking with the Minister like that.

Shri Nambiar: Without giving them the land how can they cultivate?

Mr. Speaker: I am going to the next question.

SECTION 144 IN TRIPURA

*1387. Shri Dasaratha Deb: Will the Minister of States be pleased to state:

(a) whether an order under section 144 Criminal Procedure Code was promulgated by the District Magistrate of Tripura on the 12th November, 1952 in the area comprising Sadar and Sonamure;

(b) whether the order was challenged in the Court of the same Magistrate by a citizen of Agartala and the

petition of that citizen was rejected by him;

(c) whether the same citizen made an appeal against that order of District Magistrate in the Session Court, Agartala;

(d) whether the Sessions Judge held that there were no material facts justifying the order and that the delay on behalf of the Magistrate in giving verdict was unfortunate; and

(e) if so, what steps do Government propose to take to ensure that such things do not recur?

The Minister of Home Affairs and States (Dr. Katju): (a) Yes.

(b) Yes; the petition was rejected.

(c) Yes.

(d) The Sessions Judge observed that "order of the learned District Magistrate is defective as it does not state the material facts of the case as required by sub-section (1) of section 144 Criminal Procedure Code". The delay on the part of the District Magistrate in passing the order refusing to rescind the order promulgated under section 144, was regarded by the District and Sessions Judge as "unfortunate" who also observed that the District Magistrate had not delayed the order deliberately.

(e) A copy of the judgment of the District and Sessions Judge has been forwarded to the District Magistrate for guidance and it is expected that such defects will not occur in future.

Shri Biren Dutt: May I know whether it is the practice at present that when the Chief Commissioner or the Congress President goes to any meeting, section 144 is promulgated in the area where the meeting takes place?

Dr. Katju: Sir, I did not quite catch the question.

Mr. Speaker: He is asking whether it is the present practice—I am saying in my own words—that wherever any meeting is going to be held, section 144 is applied?

Dr. Katju: I do not think it is the practice.

Shri Biren Dutt: I am asking whether it is the practice that when the Chief Commissioner and the Congress President arranges any meeting, the area is kept under section 144?

Dr. Katju: I do not think that is the practice.

Shri Nambiar: May I know whether there was an instance when the Communist Party wanted to hold a conference, section 144 was issued in the same place and the matter was referred to the hon. Minister and it is not yet removed?

Dr. Katju: Sir, may I submit to you for future guidance and for a general ruling: here is this question relating to one particular matter about a certain area. How can I carry the whole of Tripura in my mind?

Mr. Speaker: The difficulty of the Chair is that until the question is put, the Chair is not in a position to know whether it is allowable or not. I do not think this is allowable, I agree with the hon. Minister.

Shri Nambiar and Shri Punnoose: rose—

Mr. Speaker: There is no scope for any further questions.

TRIBAL WELFARE FUND

*1391. **Shri Biren Dutt:** Will the Minister of States be pleased to state:

(a) the total amount of money granted under Tribal Welfare Fund for Tripura in 1952-53;

(b) what part of it has been spent and under what heads;

(c) whether there is any unofficial body formed for the disbursement of this Fund;

(d) whether it is a fact that the Ganatantrik Nari Samity made a number of representations for the establishment of boarding houses, cottage industry centres and schools for the tribal people from this Tribal Welfare Fund; and

(e) if so, what Government propose to do about that?

The Minister of Home Affairs and States (Dr. Katju): (a) and (b). There is no Tribal Welfare Fund as such but a statement containing the Budget provision made in 1952-53 for welfare of Scheduled Tribes in Tripura and the expenditure incurred is placed on the Table of the House. [See Appendix IX, annexure No. 34.]

(c) No.

(d) and (e). Enquiries are being made.

Shri Biren Dutt: Arising out of the statement given regarding provision for the welfare of scheduled tribes in Tripura, may I know whether this money

has been allotted to some persons who are under trial in criminal cases, like that of kidnapping and murder?

Dr. Katju: I do not think so.

Shri Biren Dutt: Will the Minister inquire into this matter?

Dr. Katju: Yes, certainly.

AUDIO-VISUAL AIDS FOR BASIC AND SOCIAL EDUCATION

***1393. Shri T. S. A. Chettiar:** (a) Will the Minister of Education be pleased to state the programme for the availability of audio-visual aids in the promotion of Basic and Social education in the current year?

(b) What is the amount of money allotted for the purpose?

(c) Are these aids, when available, proposed to be sold for the use of educational institutions?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) to (c). A statement containing the requisite information is placed on the Table of the House. [See Appendix IX, annexure No. 35.]

Shri T. S. A. Chettiar: May I know whether concessional rates to educational institutions will be given?

Shri K. D. Malaviya: Yes, Sir. I think so.

Shri T. S. A. Chettiar: May I know whether they propose to prepare these audio-visual aids themselves or with the co-operation of private institutions?

Shri K. D. Malaviya: Private agencies are also included in our schemes.

Shri T. S. A. Chettiar: May I know whether Government propose to make these films in co-operation with institutions all over India so that there will be a regional touch in them and it would be of interest to them.

Shri K. D. Malaviya: Just now we are proceeding with these schemes but the suggestions given by the hon. Member will also be considered.

Shri S. C. Samanta: How much help is being given by the Central Institute of Education in this respect?

Shri K. D. Malaviya: Help is being given on various items. For instance a sum of Rs. 25,000 is provided for the purchase of documentary films and Rs. 25,000 for helping production of such films. Production of 18 educa-

tional films per year is also contemplated. So these are the different items of the programme.

Shri S. C. Samanta: To what extent is the Central Institute of Education helping in the preparation of this programme?

Shri K. D. Malaviya: I have already said that we have got a scheme and help is contemplated for the different heads under that scheme.

Shri T. S. A. Chettiar: May I know whether all these audio-visual aid films are made by Government themselves or they give aid to private institutions.

Shri K. D. Malaviya: The Government of India is itself taking the initiative in this matter. In certain respects they are negotiating with private firms also to produce some films.

PRE-PARTITION COMPENSATION CLAIMS COMMITTEE

***1394. Shri Badshah Gupta:** Will the Minister of Defence be pleased to state the results achieved so far by the Pre-partition Compensation Claims Committee?

The Deputy Minister of Defence (Sardar Majithia): The Committee was set up to scrutinise and assess pre-partition claims arising from requisitioning of lands and buildings in East Bengal during the War. So far the Committee has scrutinised and assessed 45,525 claims involving a sum of Rs. 1,47,05,086 covering twelve districts of East Bengal.

Shri Badshah Gupta: May I know if any amount has been paid on account of the claims in favour of India?

Sardar Majithia: No amount has been paid so far.

ARMY AND AIR FORCE TRAINING CENTRES IN THE PROPOSED ANDHRA STATE

***1396. Shri Nanadas:** (a) Will the Minister of Defence be pleased to state the principles followed in opening and maintaining Army and Air Force training centres in India?

(b) How many military training centres are there in the proposed Andhra State?

The Minister of Defence Organisation (Shri Tyagi): (a) The following general principles guide the selection of Army and Air Force Training Centres:—

- (i) its central location in relation to the recruiting and training area in which it is situated;

- (ii) availability of good accommodation;
 - (iii) safety from the strategic point of view; and
 - (iv) communication facilities.
- (b) There is none at present.

Shri Nanadas: May I know whether the Government propose to open military training centres and ordnance factories in Andhra in the future?

Shri Tyagi: No, Sir.

Shri Nanadas: May I know whether Government are aware of the fact that there is discontent among the Andhra soldiers that they have no military base near their home and it is also standing in the way of Andhra youths joining the military service.

Mr. Speaker: Order, order. It is argumentative.

Shri Tyagi: It is wrong.

INDIAN CO-OPERATIVE UNION LTD.

*1397. **Shri M. L. Agrawal:** (a) Will the Minister of Rehabilitation be pleased to state the personnel of the directorate of the Indian Co-operative Union Ltd., to which the Faridabad Development Board advanced a loan of 24 lacs of rupees?

(b) What were the terms and object of the loan and when was it advanced?

(c) How much of the loan is accounted for and how much is due from the Union?

(d) What steps have been taken for accounting and realizing the dues from the Union since it closed its activities?

The Minister of Rehabilitation (Shri A. P. Jain): (a) and (b). A statement is laid on the Table of the House. [See Appendix IX, annexure No. 36.]

(c) and (d). A Special Officer is examining the Balance-sheet of the Indian Co-operative Union Ltd., as on 30th June, 1952, and subsequent accounts relating to the loan of Rs. 24 lakhs. His report will be further examined with respect to the available assets of the Union when it closed its activities in Faridabad. Steps will be taken to recover the dues from the Union, if any.

Shri M. L. Agrawal: When the loans were advanced in 1949-50, 1950-51, 1951-52, why have the terms not been

finalised and how do they expect the terms to be finalised?

Shri A. P. Jain: I do not think that question arises from my answers.

Shri M. L. Agrawal: In the statement it is said that detailed terms have not been finalised.

Shri A. P. Jain: Detailed terms have not been finalised. Principal items have been finalised.

Shri M. L. Agrawal: May I know whether, besides this loan, there was another loan of Rs. 24 lakhs from the Prime Minister's Fund to this body?

Shri A. P. Jain: I do not think there was any such loan. At any rate I have no knowledge about it.

Shri M. L. Agrawal: When can we expect the report of the Special Officer?

Shri A. P. Jain: The Special Officer is working with all speed. I cannot say when the report will be submitted.

Shri P. T. Chacko: The hon. Minister said on a former occasion that there were serious irregularities in the financial transactions of this Union, and subsequently the Chief Minister of Delhi who was a Director of this Union repudiated this in the Delhi Assembly. In view of this may I know whether the Government have re-examined this question and what is the position?

Shri A. P. Jain: What I said was that certain serious irregularities had been pointed out by the Accounts and Audit officers. I stand by that statement. If the hon. Member wants, I can read out some of the irregularities which have been pointed out.

Shrimati A. Kale: What are the names of the Members of this Board?

Shri A. P. Jain: It is a long list, which I have laid on the Table of the House.

Dr. Suresh Chandra: Is it not a fact that the Auditor had said that there were no serious irregularities in the accounts?

Shri A. P. Jain: We asked the Auditor to give us a copy of the report. The Auditor did not supply us with a copy of the report. Then, we obtained a copy of the report from the Registrar to whom this report is submitted in the regular course. From that report it is apparent that he did point to certain irregularities, irregularities of a serious type. We wrote to him a letter and the Vice President of the Union also made a representation to that effect. I invited him to see the Administrator

and look into the irregularities pointed out by the Auditor with reference to the report.

Pandit D. N. Tiwary: May I know how much of the loan has been termed as bad loan?

Shri A. P. Jain: That has yet to be determined.

Mr. Speaker: Let us go to the next question.

UNEMPLOYMENT IN ORDNANCE FACTORIES
DEPOTS AND M. E. S. ESTABLISHMENT

*1398. **Shri M. S. Gurupadaswamy:** Will the Minister of Defence be pleased to state:

(a) whether about 5,000 workers in Ordnance Factories, Depots and M.E.S. establishments face unemployment on account of their being declared surplus;

(b) whether any provision has been made by Government to provide alternative employment to these workers; and

(c) whether any proposal has been submitted for the consideration of Government on behalf of the workers' Unions?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). Approximately 3,562 workers, including casual workers, are surplus, but every effort is being made to absorb as many of them as possible in alternative employment.

(c) The proposals made by Works Committee in respect of depots have been examined in detail, but it is regretted that it has not been found possible to accept any of them.

As regards Ordnance Factories, a suggestion has been made that a Committee should be appointed to examine the possibility of utilising the surplus manufacturing capacity of the factories for the production of civilian goods. The Government have already declared their intention on the floor of the House, to appoint a Committee to examine the whole set up of the Ordnance Factories, including how best the entire capacity of the factories can be utilised.

Shri M. S. Gurupadaswamy: May I know whether any notice was served on these workers before finally discharging them from service?

Sardar Majithia: Yes; I have already said that they are found surplus. No notice has been served except on 53 workers of the Metal and Steel factory, Ishapur.

Shri M. S. Gurupadaswamy: May I know whether the workers' representatives were consulted before this declaration of surplus was made?

Sardar Majithia: Yes, Sir.

Shri M. S. Gurupadaswamy: May I know what were the specific proposals put forward by the Workers' union before the concerned authorities?

Sardar Majithia: Every case was examined and it was fully discussed with the Workers' union. It is a question of three pages and I do not intend to take the time of the House by reading all of them. If the hon. Member wants to know about any specific depot or factory, I shall only be too pleased to let him give the details.

Shri K. K. Basu: May I know the provincial break-up of these 3,500 workers?

Sardar Majithia: As I said, Ordnance factories, roughly about 2,000; Depots about 1,362 and about 204 in the M.E.S.

Shri K. K. Basu: In view of the fact that the question of utilising the Ordnance factories for civilian production is under consideration, does the Government propose to discharge these 2,000 workers before it is finally decided?

Sardar Majithia: As I have already said, every attempt is being made to find alternative employment to them. It is expected that very much less than the number that is mentioned possibly will be found surplus. Because there are other depots and we have got a scheme by which we check up the deficiencies and surplus in the particular zones. Every attempt is made to see that the surplus is not thrown away as the Opposition Members think. They are thoroughly examined and every attempt is made to give them alternative employment.

Shri Namblar: May I know whether it is a fact that in Jubbulpore 105 workers were thrown out and 11 out of them have declared a hunger strike and whether that has been brought to the notice of the hon. Minister?

Mr. Speaker: Order, order. I think that does not arise.

Shri Namblar: This Jubbulpore factory is concerned with war transport equipment.

Mr. Speaker: But, the question of hunger strike is an entirely different matter.

Shri Namblar: Is it a fact.....

Mr. Speaker: It may be a fact; but it is not related to this.

Shri Nambar: Let him answer the first part.

Mr. Speaker: The hon. Member by combining many parts, stands to lose the whole thing. I am going to the next question.

RECOMMENDATIONS OF UNIVERSITY COMMISSION

*1399. **Prof. D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) the steps taken to implement the recommendations of the University Commission Report; and

(b) the amount of grant given to the Punjab University for constructing its buildings at Chandigarh?

The Minister of Rehabilitation (Shri A. P. Jain): (a) Attention is invited to the reply given to Starred Question No. 549 asked by Prof. Ram Saran on 5th March, 1953.

(b) Does not arise.

Prof. D. C. Sharma: May I know what action has been taken with regard to the recommendation of the Commission on examinations?

ملسٹر آف ایجوکیشن ایلند

نیچرل ریسورسز ایلند سائنٹیفک

ریسرچ - (مولانا آزاد) : کئی مرتبہ یہ چیز ہاوس میں صاف کر دی گئی ہے کمیشن نے جو سفارشات کی تھیں وہ تین قسم کی تھیں - کچھ سفارشات ایسی تھیں جن کا ڈائریکٹ تعلق سینٹرل گورنمنٹ سے تھا - کچھ ایسی تھیں جن کا تعلق ہونہور سنگھوں سے تھا - کچھ ایسی تھیں جن کا تعلق اسٹیٹ گورنمنٹوں سے تھا - جن سفارشوں کا تعلق سینٹرل گورنمنٹ سے تھا - گورنمنٹ نے کوشش کی کہ ان پر عمل ہو - چنانچہ کئی بل یہاں پہنچے ہوئے اور منظور ہوئے - جن سفارشوں کا تعلق

ہونہور سنگھوں اور اسٹیٹ گورنمنٹوں سے ہے اس بارے میں ابھی کوئی اقدام نہ کیا گیا ہے - گورنمنٹ یہ خیال کرتی ہے کہ جب تک اس کام کے لئے کوئی ایجنسی نہیں بنائی جائے گی اس وقت تک یہ رفتار نہیں ہو گا - آئریبل ممبر کو معلوم ہے کہ ابھی کل ہی ایک کانفرنس اس معاملے پر شروع کرنے کے لئے بلائی گئی ہے -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): It has been explained many times in the House that the recommendations made by the Commission were of three kinds. Some of the recommendations concerned the Universities, some concerned the Central Government and others concerned the State Governments. Government tried to implement them by introducing some Bills here and getting them passed. No effective step has so far been taken regarding the recommendations which concerned the Universities and the State Governments. Government are of the view that until an agency is formed for this purpose, this reform will not be carried out. The hon. Member is aware that only yesterday a Conference was called to consider this matter.]

Prof. D. C. Sharma: May I know the agency the Government is thinking of setting up in order to collate all the various recommendations with reference to the States, Universities and the Centre, in order to have them implemented?

مولانا آزاد : ہاں - گورنمنٹ کے پیچھے نظر یہی بات ہے ایک ایسی ایجنسی بنائی جائے جو ہونہور سنگھوں، ریفرم کے پورے فیلڈ کو سرورے کرے اور جو ضروری سفارشات کمیشن نے کی ہیں انہیں ہی سامنے رکھے -

[Maulana Azad: Yes, Government have this suggestion in view that an agency should be formed to survey the entire field of Universities reform and to consider the important recommendations made by the Commission.]

श्री एम० एन० दास : क्या केन्द्रीय सरकार ने कभी इस बात का पता लगाने की कोशिश की कि यूनीवरसिटी कमीशन की रिपोर्ट पर मुनासिब कार्यवाही करने के मार्ग में यूनीवरसिटियों के सामने क्या कठिनाइयाँ हैं ?

مولانا آزاد : اب یہ کہنا مشکل ہے کہ ان کے آگے کیا مشکلات ہیں۔ یقیناً مشکلات ہونگی۔ خہال یہ ہے کہ جب تک ایک ایسی ایجنسی نہ ملے جو ان تمام باتوں پر غور کرے اور ان مشکلات کو دیکھے اس وقت تک یہ کام آگے نہیں بڑھ سکتا۔

[Maulana Azad: It is difficult to say what difficulties confront them, but undoubtedly they will be having difficulties. I think that until an agency is formed to consider all these matters and to look into these difficulties, this work cannot progress.]

Shri Barrow: May I know if the recommendation in respect of the University Grants Commission is being implemented?

مولانا آزاد : معاملہ گورنمنٹ

زیر غور ہے۔

[Maulana Azad: The matter is under consideration.]

Prof. D. C. Sharma: May I know if the intention of the Ministry is to have a new Commission to examine the report of this Commission?

مولانا آزاد : نہیں گورنمنٹ اس کی

ضرورت نہیں سمجھتی۔

[Maulana Azad: No. Government thinks there is no need for this.]

REHABILITATION LOAN TO PUNJAB STATE

*1400. Prof. D. C. Sharma: (a) Will the Minister of Rehabilitation be pleased to state whether any rehabilitation loan was sanctioned by the Government of India to the State of Punjab during the year 1952?

(b) Was any particular condition attached to such loan?

The Minister of Rehabilitation (Shri A. P. Jain): (a) Yes, loans aggregating Rs. 1,41,93,000 were sanctioned.

(b) The loans bear interest at 4½ per cent. per annum. Simple interest will be recovered on each of the first three anniversaries on the dates of withdrawal of loans. Thereafter the loans together with interest thereon at the above rate will be recovered in seventeen equated instalments payable on each anniversary of the date of drawing.

Except in the case of loans granted to the Government of Punjab for Chandigarh project, bona fide losses are to be shared in the ratio of 50:50 by the Punjab and Central Governments.

Prof. D. C. Sharma: May I know, Sir, if there was any controversy with regard to the rate of interest between the Punjab State and the Central Ministry of Rehabilitation?

Shri A. P. Jain: No question of any dispute about the rate of interest can arise, because the rate of interest is fixed by the rate at which the Government of India borrows from time to time.

NATIONAL SAMPLE SURVEY

*1401. Shri Morarka: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that although the National Sample Survey was set up three years ago for collecting data for the use of the National Income Committee, no use could so far be made of its data by that Committee;

(b) whether the data collected by the National Sample Survey is based not on any objective measurement but only on opinion survey; and

(c) whether the work of crop cutting surveys which was being done hitherto by the Imperial Council of Agricultural Research has now been transferred to the National Sample Survey and if so, why?

The Deputy Minister of Finance (Shri A. C. Guha): (a) The National Sample Survey was set up to improve the quantity and quality of statistical data relating to production, consumption and other aspects of the economic and social life in India and also to fill the gaps in information required for National Income estimation. Some of the data collected by the National Sample Survey is being utilized by the National Income Committee.

(b) No, Sir. The National Sample Survey adopts objective methods of

measurement in conducting economic surveys and follows a procedure similar to that adopted for such surveys in other countries.

(c) Yes, Sir. In order to have better and more systematic co-ordination it has been decided to develop the National Sample Survey as central focal agency under which all schemes of National Sample Survey may be conducted. In pursuance of this decision, the work of Crop-cutting survey which was being done by the Indian Council of Agricultural Research has been transferred to the National Sample Survey.

Shri Morarka: May I know why the data regarding the production of jute, cotton and sugar are not published by this Department?

Shri A. C. Guha: All the data or reports have not been published yet. The National Income Committee Report came out long before the first provisional report of the National Sample Survey was published. So, it was not possible for the National Income Committee to utilize the data collected by the National Sample Survey. Yet, I can say, some of the unpublished data of the National Sample Survey were utilized by the National Income Committee.

Shri Morarka: My question has not been followed by the hon. Minister.

Shri A. C. Guha: Yes, I have followed. My point is.....

Mr. Speaker: Let him make his submission.

Shri Morarka: My question is why the National Sample Survey Department has not yet published the data regarding cotton, jute and sugar. My question is not why they have not been made use of by the National Income Committee, but why they have not been published.

Shri A. C. Guha: Only the first and provisional report has been published and other reports will be published later on and this may come in the second report. The final report has not yet been published.

Shri Morarka: May I know why the data collected by Prof. Gadgil at the Poona Institute have not yet been published by the Government?

Shri A. C. Guha: This point was raised on a previous occasion and the hon. Finance Minister gave the reply that the data collected by Prof. Gadgil have been permitted to be published by the Poona Institute. So, those data also will be available to the public.

Shri Morarka: I know the permission has been given, but may I know why the Government did not think it proper to publish those data as they have published the other data collected by Prof. Mahalanobis.

Shri A. C. Guha: It is not a question of Prof. Mahalanobis or Prof. Gadgil. There is a committee functioning, and the National Survey Committee has published the data which have been accepted by them. If there have been any remarks or data not accepted by the Committee, that may be published by some other agency, and for that permission has been given.

Shri K. C. Sodhia: How many specialists are there to understand the working of these specialised organisations?

Dr. Suresh Chandra: May I know whether there are also these Sample Survey Departments in the State Governments, and if so, where is the necessity of having a Central National Sample Survey here?

Shri A. C. Guha: I have already stated, Sir, that the idea of the Government is to have a focal agency for all-India sample surveying. I do not know if any State has got any Sample Survey Department;—I do not think so.

Shri S. V. Ramaswamy: What is the method they have adopted? Is it field survey? Do they actually go to the fields, or is it merely by perusing the revenue records?

Shri A. C. Guha: It is field survey—spot survey, to be more accurate.

DAMAGES TO 'I.N. S. RANA' AND 'I.N. S.' DELHI.

*1403. **Sardar A. S. Saigal:** (a) Will the Minister of Defence be pleased to state whether it is a fact that 'I.N.S. Rana' and 'I.N.S. Delhi' were damaged during the Indian Navy's recent staff college cruise off the West Coast of India?

(b) What was the cause of the damage?

(c) What was the loss to the Navy?

(d) What exercises were these ships having at the time when the collision occurred between 'I.N.S. Rana' and 'I.N.S. Delhi'?

The Minister of Defence Organisation (Shri Tyagi): (a) and (c). On the 26th of March 1953, while ships of the Indian Navy were carrying out exercises off the West Coast of India Indian Naval Ships DELHI and RANA had a slight grazing collision causing only superficial damage.

(b) The incident is being investigated by a Board of Inquiry whose findings as to the cause of the accident are awaited.

(d) The ships were carrying out routine torpedo-firing exercises.

Sardar A. S. Saigal: May I know, Sir, how many such accidents occurred in previous years at the time of such staff college cruise?

Shri Tyagi: I have no information on this point, but I might inform the hon. Member that this accident was only a minor affair.

Shri Altekar: What was the extent of loss that was caused by the damage?

Shri Tyagi: No loss of life or any substantial loss of property was caused. It was only the superficial structure of the ship that was slightly damaged.

Shri Joachim Alva: Are the repairs to the minor and major injuries to the ships carried out in our own shipyards or are they carted to England?

Shri Tyagi: The injury caused by this accident will be repaired here in India.

Shri Raghuramalah: May I know how long this enquiry is likely to take, and when the Board is likely to give its report.

Shri Tyagi: May I request the hon. Member not to attach too much importance to this small incident?

Shri Raghuramalah: A Board having been.....

Mr. Speaker: Order, order. I think every accident must be followed by some enquiry. That is the technical rule.

Shri Tyagi: It is for the purpose of finding out as to which of the officers' neglect it was more for the purpose of discipline.

Shri Raghuramalah: I only wanted to know, Sir, if I may, how long this Board is likely to go on with the enquiry and when we can expect the report. It is a very reasonable question, if I may say so, Sir.

Shri Tyagi: The question is quite reasonable, but I have no information just now.

Shri Sarangadhar Das: Is the Minister entitled, instead of answering the question, to deliver panegyrics?

Mr. Speaker: It is a question of opinion as to whether what he said is a panegyric or not.

SILVER REFINERY PROJECT

*1404. **Shri K. C. Sodhia:** (a) Will the Minister of Finance be pleased to state the name of the firm with whom a contract is being entered into for a Silver Refinery Project?

(b) What are the terms of the contract?

(c) What total quantity of silver is going to be refined by this process for payment of the lease-lend silver?

(d) How long will it take to finish this work?

The Deputy Minister of Finance (Shri A. C. Guha): (a) There are two such firms.—(i) Messrs. Demag Electro-Metallurgie, Karlsruhe (Germany) and (ii) Messrs. Sepulchre Brothers (India) Bombay.

(b) Messrs. Demag Electro Metallurgie, with whom the necessary contract has already been executed, are to supply the plant and machinery required for the project on payment in certain agreed instalments of the sum of £385,975 (Subject to price variation). The firm will also be responsible for supervision of the work of erection and putting the plant into service by the other firm namely Messrs. Sepulchre Brothers. Messrs. Demags have guaranteed the proper performance of the said plant and machinery until they are working to the satisfaction of Government and the refinery actually produces silver of the specified fineness with the specified minimum operational loss of silver. I am placing on the Table of the House a copy of the agreement with this firm. [Placed in Library. See No. S-32/53.]

The other firm, viz. Messrs. Sepulchre Brothers (India) will be responsible only for erection, testing and putting into service of the said plant and machinery, including the transport thereof from the port of discharge in India to the site of the Refinery and a separate Agreement in that connection is being entered into with them. The terms of contract with this firm have however yet to be finalised.

(c) The total quantity of quaternary alloy in shape of coins for refining is about 500 million ounces from which about 250 million ounces of pure silver are estimated to be extracted.

(d) On the basis of estimated annual output of 23 million ounces of fine silver, the Refinery will take about 11 years to finish the work of extracting silver from these quaternary coins.

Shri K. C. Sodhia: What is the total quantity of silver that we owe to America?

Shri A. C. Guha: 22½ million ounces.

Shri K. C. Sodhia: What will be the total expenditure incurred on this refinery from the exchequer, due to this extraction?

Shri A. C. Guha: The cost of erection of the entire machinery and plant would be near about Rs. 90 lakhs, and I think the cost of processing and operational cost for getting the refined silver would be Rs. 1.466 per pound of refined silver.

Shri Joachim Alva: May I know whether this Sepulchre Brothers is an Indian or a foreign firm? If it is a foreign firm, has it got Indian capital?

Shri A. C. Guha: I would like to have notice.

Shri S. V. Ramaswamy: Do Sepulchre Brothers undertake anything else?

Shri A. C. Guha: It is only charged with the transport of the machinery to the site and erection of the machinery and such work.

DISTRIBUTION OF MONEY ALLOCATED TO SCHEDULED CASTES ETC.

*1405. **Shri Muniswamy:** Will the Minister of Education be pleased to state the proportion in which the amount of Rs. 40 lakhs allotted for Scholarships in the Budget for 1953-54 will be distributed among Scheduled Castes, Scheduled Tribes and Backward Communities?

The Minister of Rehabilitation (Shri A. P. Jain): The allocation of the amount of Rs. 40 lakhs amongst the Scheduled Castes, Scheduled Tribes and Other Backward Classes for the year 1953-54 will be decided after examining the recommendation of the Board. A meeting of the Scholarships Board is likely to be convened shortly for the purpose.

Shri Muniswamy: May I know whether the Government are aware that the scholarships sanctioned to the States are not properly distributed?

ملسٹر آف ایجوکیشن ایڈ

نہجریل (یسوس) سہز ایڈ سائلنگنگ دیس

(مولانا آزاد): نہیں گورنمنٹ ایسا خیال

نہیں کرتی -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): No. Government do not think so.]

Shri P. N. Rajabhoj: What was the proportion allotted to the Backward Classes, Scheduled Castes and the Scheduled Tribes in the last scholarship distribution?

Shri A. P. Jain: Scheduled Castes: Rs. 14,50,000; Scheduled Tribes: Rs. 5,00,000; Other Backward Classes: Rs. 10,50,000.

Shri Muniswamy: May I know whether Government are contemplating to increase this amount during the current year?

Shri A. P. Jain: Yes.

Shri B. S. Murthy: May I know whether any complaints have been received that the grants now being given to the students are not sufficient to cover their expenses?

Shri A. P. Jain: No.

Shri Nanadas: On what basis is the allocation of moneys made?

Shri A. P. Jain: It is allocated, after taking into account the following factors:

1. The population of the three groups;
2. Educational backwardness of each group; and
3. Number of applications received from each group of candidates.

INDIAN MUSICIANS

*1406. **Shri Muniswamy:** (a) Will the Minister of Education be pleased to state the total expenditure incurred by the Government of India on the recent celebration held at Rashtrapati Bhavan in honour of the Indian Musicians?

(b) Do Government propose to hold such functions every year?

The Minister of Rehabilitation (Shri A. P. Jain): (a) An expenditure of Rs. 7,330/7/- has been incurred by the Government of India for awards to Musicians of the year for 1952-53.

(b) Yes, Sir.

Shri Muniswamy: May I know how the selection of these musicians was made?

ملسدہ آف ایجوکیشن ایلند

نہجہرل دیسورسہز ایلند سائنٹیفک ریسرچ
(مولانا آزاد): ایکڈمی نے سلیکشن
کیا -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): The selection was made by the Academy.]

Shri Muniswamy: May I know whether the same musicians who came this year will be allowed to come next year?

مولانا آزاد: ہر سال نئے آدمیوں

کو سہل دی جائیگی -

[Maulana Azad: Sanads will be given to fresh persons every year.]

अध्यक्ष महोदय: जो लोग पहले प्राइज पा चुके हैं, क्या इस साल उन को बुलायेंगे?

مولانا آزاد: بلانا دوسری بات ہے -

جو اوارڈس دئے جاتے ہیں یہ ہر برس
نئے آدمیوں کو دئے جائیگے -

[Maulana Azad: They might be called. That is a different matter. But the awards will be given to fresh persons every year.]

श्री ए० पी० जैन : कुछ इन में से भी होंगे और कुछ नये भी होंगे ।

GRANTS FOR UNIVERSITIES

*1407. Shri Jhulan Sinha: Will the Minister of Education be pleased to state:

(a) the amount of grants sanctioned for the Banaras and Patna Universities for the year 1952-53; and

(b) the purposes for which those grants were sanctioned?

The Minister of Rehabilitation (Shri A. P. Jain): (a) and (b). A statement is laid on the Table of the House. [See Appendix IX, annexure No. 37.]

Shri Jhulan Sinha: May I know whether the Patna University has made any request for grant for its general and educational expenses? I find from the statement that there was no allotment to Patna University.

ملسدہ آف ایجوکیشن ایلند

نہجہرل دیسورسہز ایلند سائنٹیفک
ریسرچ مولانا آزاد: ابھی میں اس کا
جواب نہیں دے سکتا -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): I cannot answer it just now.]

श्री झूलान सिन्हा: हिन्दू यूनिवर्सिटी को मेंटेनेंस एक्सपेंसेज की कमी को पूरा करने के लिये जो रकम दी गई है वह काफी है या नहीं ?

مولانا آزاد: یہ گورنمنٹ کہے کہ

سکتی ہے - اس کا فیصلہ تو وہی
کرے گی -

[Maulana Azad: How can the Government say? It is to be decided by the University.]

डा० सुरेश चन्द्र : क्या मैं पूछ सकता हूँ कि किस बिना पर यह ग्रांट्स युनिवर्सिटीज को दी जाती हैं ?

مولانا آزاد: عام طور پر سائنٹیفک

اور ٹیکنیکل ایجوکیشن کے لئے گرانٹس
دی جاتی ہیں - ان چار یونیورسٹیوں
کے علاوہ جو کہ سہیلرل یونیورسٹی
ہیں -

[Maulana Azad: Apart from the four Central Universities, the grants are generally given for scientific and technical education.]

श्री एस० एन० बास : चूँकि पटना यूनिवर्सिटी दो यूनिवर्सिटियों में बट गई है, इस लिये उस को सन् ५३, ५४ के लिए जो ग्रांट मिलने वाली है, वह अलग अलग मिलेगी या एक साथ मिलेगी ?

مولانا آزاد: گورنمنٹ اس پر فور

کرے گی -

[Maulana Azad: Government will consider it.]

सेठ गोबिन्द दत्त : क्या इस बात का ख्याल
रक्खा जाता है कि

Mr. Speaker: Let us go to the next question.

RECOMMENDATIONS OF FINANCE COMMISSION

*1408. Shri N. B. Chowdhury: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that some of the States have made any representations on the suggestions of the Finance Commission regarding the distribution of income; and

(b) If so, which States have done so?

The Deputy Minister of Finance (Shri A. C. Guha): (a) and (b). The Government of India have not received any representations from the State Governments on the recommendations of the Finance Commission.

Shri N. B. Chowdhury: May I know whether the Government are aware that the Chief Minister of West Bengal has expressed dissatisfaction with regard to the principle of allocation?

Shri A. C. Guha: In the Budget speech, most of the Finance Ministers of the States have said something or other. It is quite natural when it is the question of money, that every State must have some such dissatisfaction. But we have not received any representation.

Shri P. T. Chacko: May I know whether the Government have received a copy of the Budget speech of the Finance Minister of Travancore-Cochin, wherein he has raised complaints against the recommendations of the Finance Commission, regarding grants under Article 275 of the Constitution, and whether Government have considered this question before taking a decision on the recommendations?

Mr. Speaker: I am afraid this question will have to be raised in respect of every State. There have been complaints from many States. Let us go to the next question.

Shri N. B. Chowdhury: One question, Sir. May I know whether the Government propose to set up another Finance Commission in the near future?

Shri A. C. Guha: That is laid down in the Constitution.

INDIAN INSTITUTE OF TECHNOLOGY, KHARAGPUR

*1409. Shri N. B. Chowdhury: Will the Minister of Education be pleased to state:

(a) how far the work of building houses for the Indian Institute of Technology, Kharagpur, has progressed;

(b) whether the work is proceeding according to the original plan; and

(c) when the construction work is likely to be completed?

The Minister of Rehabilitation (Shri A. P. Jain): (a) All staff quarters and 2 hostels have been completed. Three Wings of the Institute are nearing completion. Work on the 3rd hostel and the rest of the Institute building has been taken in hand.

(b) The work is proceeding according to the plan prepared by the Board of Governors of the Institute.

(c) By 1955.

Shri N. B. Chowdhury: May I know whether the Director of the Institute is connected with the work of supervision of this construction in any way?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): No.

Shri N. B. Chowdhury: May I know whether the Government have received any complaints about the removal of any article from the premises of this Institute?

Shri A. P. Jain: No.

Maulana Azad: No.

Shri N. B. Chowdhury: May I know the total estimate of this construction work?

Shri A. P. Jain: I cannot give the total at the moment, but I shall give the separate figures, which are as follows:

1 Director's Bungalow—Rs.	64,350.
12 'A' Class Bungalows—Rs.	3,70,056
28 'B' Class Bungalows—Rs.	6,43,913
65 'C' type Quarters—Rs.	6,48,802
40 'C-1' type Quarters—Rs.	6,25,070
93 'H' type Quarters—Rs.	6,40,908
4 Blocks—Bachelor quarters—	
	Rs. 9,02,786

Shri K. K. Basu: May I put one short supplementary?

Mr. Speaker: There is only one more minute. If that is put, then it will bar the other question. Next question, No. 1410.

EDUCATIONAL GRANTS

*1410. **Shri S. C. Samanta:** Will the Minister of Education be pleased to state whether Central Grants for education to different States vary according to the population of each State?

The Minister of Rehabilitation (Shri A. P. Jain): No.

श्री एस० सी० सामन्त : क्या मैं माननीय मंत्री जी से जान सकता हूँ कि पिछले साल में जो ग्रांट दी जाती है, उस के सम्बन्ध में कोई रिपोर्ट स्टेट गवर्नमेंट भेजती है या नहीं ?

مستتر آف ایجوکیشن اینڈ
نیشنل ریسورسز اینڈ سائنٹیفک
(مولانا آزاد) : ہاں -

[The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): Yes.]

श्री एस० सी० सामन्त : क्या मैं जान सकता हूँ कि यूनिवर्सिटी कमीशन और यूनिवर्सिटी ग्रांट्स कमीशन ने या दोनों ने पोपुलेशन के बारे में कोई राय दी है ?

مولانا آزاد : نہیں - جہاں تک
کمیशन کا تعلق ہے اس نے کوئی ایسی
سفارش نہیں کی ہے -

[Maulana Azad: No. So far as the Commission is concerned, it has made no such recommendation.]

WRITTEN ANSWERS TO QUESTIONS

UNATTACHED PERSONS IN CAMPS

*1377. **Shri B. K. Das:** Will the Minister of Rehabilitation be pleased to state:

(a) how many of the unattached persons put in Homes or Camps have been able to be self-supporting either

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in those Homes or Camps or outside after completion of their training;

(b) what assistance has been given to them for such purposes; and

(c) what amount has been spent so far in giving them grants or loans?

The Minister of Rehabilitation (Shri A. P. Jain): (a) 2,667.

(b) (i) Financial assistance in the shape of loans and grants for starting work.

(ii) Securing Employment.

(c) Loans—Rs. 15,520.

Grants—Rs. 3,43,905.

REVIEW APPLICATIONS BY LAND ALLOTTEES

*1383. **Shri Madhao Reddi:** Will the Minister of Rehabilitation be pleased to state what procedure, if any, has been laid down by Government for filing review applications by the land allottees in P.E.P.S.U. and Punjab to whom land allotments were made after the amendment to Rule 14 sub-rule (6) of the Administration of the Evacuee Property Act?

The Minister of Rehabilitation (Shri A. P. Jain): The procedure for filing review applications is laid down in Section 26 of the Administration of Evacuee Property Act XXXI of 1951 read with Rule 31 of the Administration of Evacuee Property (Central) Rules, 1950. No special procedure is prescribed for review under Rule 14 sub-rule (6).

कच्चे लोहे सम्बन्धी अनुसंधान

*१३८४. श्री जांगड़े : (क) प्राकृतिक संसाधन तथा वैज्ञानिक अनुसंधान मंत्री यह बतलाने की कृपा करेंगे कि क्या केन्द्रीय सरकार ने कच्चे लोहे के सम्बन्ध में जो विभिन्न राज्यों के विभिन्न क्षेत्रों में पाया गया है, कोई अनुसंधान किया है ?

(ख) पाया गया कच्चा लोहा किस किस्म का था ?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) and (b). A statement giving the information required is laid on the Table of the House. [See Appendix IX, annexure No. 38.]

DOUBLE TAXATION ON TOBACCO PRODUCTS

*1388. **Shri Rajagopala Rao:** (a) Will the Minister of Finance be pleased to state whether Government have received memoranda from tobacco growers of Sompeta, Tekkali and Sri-kakulam in Madras State about the incidence of double taxation—excise levy by the Centre and sales-tax by the State Government—on tobacco products like cheroots and cigars?

(b) If so, have Government considered the points raised in the memoranda and looked into the grievances mentioned therein?

(c) What action is proposed to be taken in the matter?

The Deputy Minister of Finance (**Shri A. C. Guha**): (a) Representations have been received from the Tobacco Merchants' Associations of Sompeta and Sri-kakulam in Madras State, complaining that tobacco products like cheroots and cigars, with effect from the 1st April 1953, were to pay sales tax to the State Government as well as excise duty to the Centre.

(b) and (c). Yes, Sir; The levy of Sales Tax by the State Government is within its rights under item 54 of the Seventh Schedule to the Constitution and the Government of India cannot intervene in the matter.

AGE RELAXATION FOR SCHEDULED CASTE ASSISTANTS

*1389. **Shri Jangde:** (a) Will the Minister of Home Affairs be pleased to state whether it is a fact that Government are considering or have decided to relax the time limit of services from 3 years to 1 year in the case of temporary Assistants belonging to Scheduled Castes for the purpose of considering them for Assistants in Regular Temporary Establishment?

(b) If so, are Government relaxing the time limit of five years service to end on 22nd October, 1948 in case of Scheduled Caste Assistants for considering them for the post of Assistant Superintendent?

(c) Are Government making provision to the effect that for promotion to Assistant-Superintendents the Scheduled Castes Assistants should complete five years service on any date and that the above fixed date will not apply in their case?

The Deputy Minister of Home Affairs (**Shri Datar**): (a) Yes, The relevant instructions provide that

persons who belong to Scheduled Castes and Scheduled Tribes and who have rendered one year's service as Assistant on 1st July 1952 are eligible to be considered for inclusion in the Regular Temporary Establishment of Assistants. The period prescribed in the case of others is 3 years if they are Graduates and 5 years if they are not.

(b) Reference is presumably to the conditions of eligibility for consideration for appointment to Grades I to III of the Central Secretariat Service at its initial constitution. Among others, persons who had rendered five years' service in class II posts in the Secretariat or attached offices on 22nd October 1948 and satisfied certain other conditions were eligible to be considered. Selections for initial appointments in terms of the Scheme have now been completed and there is no question of relaxing the conditions as such for any category of employees. I would add, however, that Ministries were authorised to recommend specially deserving cases of persons who did not satisfy all the conditions prescribed and all cases of Scheduled Caste candidates so recommended were accepted by the Home Ministry and sponsored to the Union Public Service Commission for consideration. A certain number of them have in fact been appointed to the Service.

(c) The date 22nd October 1948 is not relevant in respect of promotions in future which will be made in one of two ways:

- (i) on the basis of seniority of permanent Assistants subject to the rejection of the unfit; and
- (ii) on the results of a Departmental Test confined to Assistants of certain specified service groups.

In laying down the conditions of eligibility for the Departmental Test, it is proposed to make certain concessions for employees belonging to Scheduled Castes.

FACILITIES FOR SPREADING EDUCATION

*1390. **Shri K. Subrahmanyam:** (a) Will the Minister of Home Affairs be pleased to state whether the Government of India is affording any facilities to its employees for spreading education in spare time?

(b) If so, what are those facilities or incentives given to encourage its employees to take up this work?

The Minister of Home Affairs and States (Dr. Katju): (a) and (b). No particular facilities have been asked for by, or granted to, Government servants for the purpose. There is, however, no bar to their engaging in voluntary social service work of the nature referred to, in spare time, provided it does not interfere with the due discharge of their official duties.

PROTECTED MONUMENTS IN MALABAR

***1395. Shri N. P. Damodaran:** (a) Will the Minister of Education be pleased to state the names of 'protected' monuments in the District of Malabar in Madras State?

(b) Is any information about the historical or archaeological importance of these monuments available to a visitor to these monuments?

(c) Do Government contemplate to bring any more monuments in Malabar under the Protection of Monuments Act?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) A statement is placed on the Table of the House.

(b) Not yet, Sir.

(c) No, Sir.

STATEMENT

Protected Monuments in Malabar

Sl. No.	Locality	Name of the monument
1.	Cannanore	Fort St. Angelo
2.	Cochin	St. Francis Church
3.	Tellicherry	Tellicherry Fort
4.	Yakkara-desam	Palghat Fort
5.	Kidanganadamsam and desam	Jain Temple
6.	Anjengo	The Anjengo Fort
7.	Tangasseri	The remains of old Tangasseri Fort.

PERMISSION TO HOLD MEETINGS AT AGARTALA

1097. Shri Dasaratha Deb: Will the Minister of States be pleased to state:

(a) whether permission was sought by the Communist Party to hold its conference at Agartala on the 14th November, 1952, and permission was refused by the District Magistrate;

(b) how many public meetings were held at Agartala after the promulgation of section 144 (after 12th November, 1952) and in how many cases permission was sought and in how many cases it was given;

(c) whether any permission was given to others; and

(d) whether it is a fact that a case under section 144 was instituted in Judicial Commissioner's Court only four months ago?

The Minister of Home Affairs and States (Dr. Katju): (a) Yes, permission was sought by the Communist Party to hold its conference at Agartala on the 14th November 1952. As a breach of the peace was apprehended the District Magistrate refused permission.

(b) and (c). Permission to hold meeting at Agartala after the 12th November 1952 was sought for on four occasions. In three cases permission was given but in the fourth case permission was not granted for the reasons stated at (a) above.

(d) No case under section 144 Criminal Procedure Code appears to have been instituted in the Court of the Judicial Commissioner, about four months ago.

EXCISE DUTY ON TOBACCO

1098. Shri Dabhi: Will the Minister of Finance be pleased to state:

(a) the rates of excise duty levied on tobacco used for various purposes;

(b) the amount of excise duty on tobacco realized from each district of Bombay State, during the years 1951 and 1952;

(c) the quantity of tobacco exempted from excise duty in the case of producers of tobacco;

(d) the quantity of tobacco produced in each district of Bombay State during the years 1951 and 1952; and

(e) the number of tobacco licences in each district of Bombay State during the years 1951 and 1952?

The Deputy Minister of Finance (Shri A. C. Guha): (a) The rates of Central Excise duty leviable on tobacco under item 9 of the First Schedule to the Central Excises and Salt Act, 1944, are furnished in Statement I laid on the Table of the House. [See Appendix IX, annexure No. 39.]

(b) to (e). Statistics regarding cultivation of tobacco and duty realized thereon in the Bombay State, by districts, are not readily available but figures are shown for Central Excise Circles indicating the corresponding districts covered. Three statements (statements II, III and IV) are placed on the Table of the House. [See Appendix IX, annexure No. 39].

LOANS TO DISPLACED PERSONS BY STATE GOVERNMENTS

1099. { **Sardar Hukum Singh:**
Shri Ajit Singh:

(a) Will the Minister of Rehabilitation be pleased to state the number of displaced persons from whom recovery of the instalments in respect of loans advanced by State Governments for trade, business and industry, was suspended till the payment of the first instalment of recompense in respect of their verified claims?

(b) When is this first instalment likely to be paid?

The Minister of Rehabilitation (Shri A. P. Jain): (a) Out of the 9897 applications received upto the 21st March, 1953, recovery of the un-paid instalments of loans upto one-tenth of the amount of verified claims has been postponed in 1726 cases. In the remaining the recovering authorities have postponed recovery of one instalments.

(b) The scheme for compensation is under the consideration of Government and a decision is likely to be reached soon.

CLAIMS OF DISPLACED PERSONS (GOVERNMENT SERVANTS)

1100. { **Sardar Hukum Singh:**
Shri Ajit Singh:

Will the Minister of Rehabilitation be pleased to state:

(a) the number of claims of displaced Government servants, servants of States and local bodies in respect of their pensions, provident fund, leave salary, security deposits etc., sent to Pakistan for verification upto the 31st December, 1952; and

(b) the number of claims verified by Pakistan upto this date?

The Minister of Rehabilitation (Shri A. P. Jain): (a) 18,941.

(b) 5,261.

RATION PER SOLDIER

1101. **Shri Lakshman Singh Charak:** (a) Will the Minister of Defence be pleased to state the total quantity of ration per soldier issued in India per day giving detail of each item issued?

(b) What is the total quantity of ration per day per soldier issued in the Jammu and Kashmir area?

(c) What are the reasons for increase, if any, in the Jammu and Kashmir area?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). A statement is laid on the Table of the House. [See Appendix IX, annexure No. 40.]

(c) The increase in ration to soldiers in the Jammu and Kashmir area is due to the strenuous conditions prevailing there.

ELECTION PETITIONS

1102. { **Shri Bahadur Singh:**
Sardar Hukum Singh:

Will the Minister of Law be pleased to state how many election petitions have so far been filed on the ground of improper rejection of nomination papers?

The Minister of Law and Minority Affairs (Shri Biswas): 116 election petitions have been filed upto 1st April 1953 on the ground of improper rejection of nomination papers.

DISQUALIFICATIONS UNDER REPRESENTATION OF PEOPLE'S ACT

1103. { **Shri Bahadur Singh:**
Sardar Hukum Singh:

(a) Will the Minister of Law be pleased to state what is the total number of persons who incurred disqualifications under Section 143 of the Representation of People's Act for defaults in making the return of the election expenses in respect of the last General Elections?

(b) What is the number, out of those referred to in part (a) above, whose disqualifications have been removed under Section 144 of the Representation of the People's Act?

The Minister of Law and Minority Affairs (Shri Biswas): (a) 8830;

(b) 2512.

OFFICERS IN ANDAMAN ISLANDS

1104. { **Shri M. L. Dwivedi:**
Shri S. C. Samanta:

(a) Will the Minister of Home Affairs be pleased to lay on the Table of the House a statement containing the following information:

(i) the number of gazetted, non-gazetted officers, in the Andaman Islands with the expenditure on salaries and establishment, department or office-wise;

(ii) the entire revenues and income of the Andaman Islands including incomes, if any, from

State-run enterprises, per annum since 1947;

(iii) the grants of various kinds which Government have made annually since 1947, and all expenses incurred by the Central Government on Andamans since the year mentioned above; and

(iv) the actual area (i) under cultivation or coconut plantation, (ii) under the forest department?

(b) Have Government any agency to supervise the working of administrative machinery in these Islands?

The Minister of Home Affairs and States (Dr. Katju): (a) (i) and (ii). The required information is contained in the attached statements I and II. [See Appendix IX, annexure No. 41.]

(iii) and (iv). Information is being collected and will be laid on the Table of the House in due course.

(b). Yes.

GRANTS-IN-AID FOR EDUCATIONAL INSTITUTIONS

1105. Shri Jasani: Will the Minister of Education be pleased to state:

(a) the amounts of grant-in-aid given to the educational institutions in the year 1951-52; and

(b) the names of the institutions and purpose for which grants were given?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) and (b). A statement giving the required information is placed on the Table of the House. [See Appendix IX, annexure No. 42.]

ARCHAEOLOGICAL EXCAVATIONS

1106. Shri S. N. Das: Will the Minister of Education be pleased to state:

(a) the names and sites of archaeological excavations under operation in the Indian Union during the year 1952-53;

(b) the important discoveries and finds secured as a result of these operations;

(c) the total expenditure incurred in each of these operations; and

(d) the important results of the examination of these finds by experts?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) to (d). A statement giving the requisite information is placed on the Table of the House. [See Appendix IX, annexure No. 43.]

mation is placed on the Table of the House. [See Appendix IX, annexure No. 43.]

FOREIGN VISITORS

1107. Shri Radha Raman: (a) Will the Minister of Home Affairs be pleased to state the total number of foreign visitors who came to India during the year ended 31st December, 1952 and how many of them were Americans and Russians?

(b) How many of these came as tourists and for studies and on diplomatic assignments separately?

The Minister of Home Affairs and States (Dr. Katju): (a) and (b). A statement showing the total number of foreigners and also separately of Americans and Russians who were granted visas for India during the year 1952, is laid on the Table of the House. The statement also shows how many of these were tourists, students and diplomats. Information as to the number of persons who actually arrived in India is not readily available.

STATEMENT

The total number of foreigners, and also separately of Americans and Russians, and the number of tourists, students and diplomats among them, who were granted visas for India during the year 1952.

Nationality	Number	Tourists	Students	Diplomats
All nationalities	15,579	2,359	443	501
Americans	5,579	1,650	80	314
Russians	83	17

URBAN LOANS TO DISPLACED PERSONS TOWNSHIPS

1108. Shri Dasaratha Deb: (a) Will the Minister of Rehabilitation be pleased to state whether Government have approved certain displaced persons townships for grant of urban loans?

(b) If so, which are the townships so approved?

(c) What are the amounts of loans till now sanctioned to these townships?

The Minister of Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) A list indicating such townships is laid on the Table of the House. [See Appendix IX, annexure No. 44.]

(c) Information regarding the amounts of urban loans granted to residence of new townships in the various States is being collected and will be laid on the Table of the House in due course.

SMUGGLING OF *Ganja* FROM MANIPUR

1109. Shri L. J. Singh: Will the Minister of Finance be pleased to state:

(a) the quantity of country *ganja* from Manipur smuggled during 1949-50, 1950-51, and 1951-52;

(b) the quantity detected during the same period;

(c) how many cases of such smuggling were tried during this period and how many smugglers were convicted;

(d) how the detected *ganja*, if any, was disposed of;

(e) how much money was realised from the sale of detected *ganja*; and

(f) the steps so far taken or likely to be taken, to check the smuggling of *ganja*?

The Deputy Minister of Finance (Shri A. C. Guha): (a) and (b). It is not possible to state what quantity has been smuggled; the quantity of country *ganja* detected being smuggled from Manipur during the years 1949-50, 1950-51 and 1951-52 is as under:—

	Mds.	Sr.	Tola
1949-50.	11	37	24
1950-51.	13	25	29
1951-52.	22	19	44

(c) The number of cases of smuggling tried in courts and the number of smugglers convicted during the same period are as follows:—

	No. of cases tried	No. of smugglers convicted
1949-50.	142	112
1950-51.	236	190
1951-52.	373	310

(d) and (e). The entire quantity of *ganja* seized was confiscated and destroyed; the question of any money being realised from the sale of confiscated *ganja*, does not, therefore, arise.

(f) The causes of smuggling of *ganja* from Manipur have been fully investigated by the Government of West Bengal in consultation with the

(i) the possibility of collecting and refining wild *ganja* and then supplying it to other States which needed it should be investigated.

(ii) Preventive measures are to be intensified and the Hill Chiefs encouraged to give all possible assistance.

(iii) Every endeavour should be made to secure deterrent sentences on persons convicted of offences relating to smuggling of *ganja*.

(iv) A list of notorious smugglers of *ganja* is to be prepared for circulation among the three States. Timely information should be supplied so far as possible of the movement of suspects from one State to another.

(v) Preventive staff of the Assam Government at places like Jirighat, Dimapur and Gaunati air port should be strengthened and new preventive posts created at suitable places like Dharamtul.

AGRICULTURAL LOANS TO TRIBAL AGRICULTURISTS OF MANIPUR

1110. Shri Rishang Keishing: Will the Minister of States be pleased to state:

(a) whether Government granted any agricultural loan to the tribal or hill agriculturists of Manipur during the years 1950-51, 1951-52 and 1952-53;

(b) if so, the amount of the loan each year, the number of loanees and the terms and conditions of loans; and

(c) whether there is any standing policy of the Government of India to make special grant of loans to the tribal or hill agriculturists?

The Minister of Home Affairs and States (Dr. Katju): (a) No one was granted any agricultural loan in Manipur.

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

GRANT TO BIHAR FOR BASIC AND SOCIAL EDUCATION

1111. Shri K. P. Sinha: Will the Minister of Education be pleased to state:

(a) the total amount of grant made to the State of Bihar in the years 1951-52 and 1952-53 separately either by way of block grant or for basic and social education;

(b) whether the money under the grant was spent every year; and

(c) if so, the specific work for which the money was spent?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) to (c). A statement is laid on the Table of the House. [See Appendix IX, annexure No. 45.]

PENSIONS APPEAL

1112, Shri S. C. Samanta: Will the Minister of Defence be pleased to state:

(a) the number of cases that came before the Pensions Appeal Tribunals in 1952-53;

(b) how many amongst them have been finally dealt with;

(c) how many from out of those settled cases came before the Central Pensions Appeal Tribunal as second appeals; and

(d) when the Tribunals expect to finish their work?

The Deputy Minister of Defence (Sardar Majithia): (a) 313;

(b) 245;

(c) 28;

(d) There is at present only one Pensions Appeal Tribunal, function-

ing at Jullundur. It decides appeals against decisions of the Government of India relating to:—

(i) rejection of claims to entitlement to disability and family pensions in respect of casualties arising out of war service, i.e. service during World War II (1939—1946);

(ii) imposition of penalties on the awards of pension on the ground of mis-conduct or serious negligence, unreasonable refusal of operation or treatment, etc.

Appeals lie to the Central Appeal Tribunal against the decisions of the Pensions Appeal Tribunal where any points of interpretation are involved.

An individual who is boarded out of service or dies could also have war service to his credit and, consequently, the question whether his disablement or death is due to such past service will remain a live issue. Appeals to the Pensions Appeal Tribunal against Government decisions will, therefore, continue to reach Government and have to be forwarded to the Tribunal for hearing. It cannot, therefore, be anticipated at this stage as to when the Tribunals will finish their work.

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

4415

HOUSE OF THE PEOPLE

Friday, 17th April, 1953.

The House met at a Quarter Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-15 A.M.

BUSINESS OF THE HOUSE

Mr. Speaker: I have to inform the House that the Business Advisory Committee met on the 15th April, 1953, to consider the programme of legislative business before the House.

The Committee were informed that Government considered that the following fifteen Bills should be passed before the current session is concluded: Now, Members may please note carefully the various Bills:

- (1) The Air Corporations Bill,
- (2) The Indian Income-tax (Amendment) Bill.....

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): Is it in order of priority, Sir?

Mr. Speaker: Let me first finish the whole thing. The hon. Member will get a copy of this and then he can make enquiries.

- (3) The Industries (Development and Regulation) Amendment Bill,
- (4) The Tea Bill,
- (5) The Estate Duty Bill,
- (6) PEPSU (Delegation of Powers) Bill,

78 PSD

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- (7) Vindhya Pradesh Legislative Assembly (Prevention of Disqualification) Bill,
- (8) The Comptroller and Auditor-General (Conditions of Service) Bill,
- (9) The Scheduled Areas (Assimilation of Laws) Amendment Bill,
- (10) The Salaries and Allowances of Officers of Parliament Bill,
- (11) The Cinematograph (Amendment) Bill,
- (12) The Indian Lighthouse (Amendment) Bill,
- (13) The Repealing and Amending Bill,
- (14) The Indian Merchant Shipping (Amendment) Bill, and
- (15) The Representation of the People (Amendment) Bill.

Shri K. K. Basu (Diamond Harbour):
rose—

Mr. Speaker: The hon. Member need not be in a hurry. This is what the Government say should be done. Now, let us see what the Business Advisory Committee has to say.

The Committee agreed to the timetable for discussion of the following Bills:

- (1) The Air Corporations Bill—five days (two days for discussion of the motion for reference to a Select Committee and three days for consideration and passing of the Bill as reported by the Select Committee).
- (2) The Indian Income-tax (Amendment) Bill—three days (one day for general discussion and two days for clause by clause consideration and passing of the Bill).
- (3) The Industries (Development and Regulation) Amendment Bill—three days (one day for

[Mr. Speaker]

discussion of the motion for reference to a Select Committee and two days for consideration and passing of the Bill as reported by the Select Committee).

- (4) The Tea Bill—two days for consideration and passing of the Bill as reported by the Select Committee.
- (5) PEPSU Budget—two days.
- (6) PEPSU (Delegation of Powers) Bill—one day.
- (7) As regards the Estate Duty Bill, the Committee considered that the general discussion of the Bill should be concluded during the current session and five days should be allotted for this purpose.

The Committee also suggested that Members should be asked to give notices of amendments which might be considered by the Minister during the inter-session period. He might call an informal conference of Members and thrash out the amendments before the Bill is taken up for clause by clause consideration during the next session. This procedure will save time of the House and give opportunity to Members to place their point of view before the Government.

As regards the other Bills, the Committee has not yet fixed any specific time-table.

The Committee noted that, as sufficient time would not be available to put through all the Bills—that is, all the seven Bills—not fifteen Bills—if the session were to conclude on the 8th May, 1953, as scheduled, the session might be extended by about a week, but considered that the session should not, in any case, go beyond the 15th May, 1953.

Shri S. V. Ramaswamy (Salem): Is it the order that these fifteen Bills shall be passed? Is that mandatory, Sir?

Mr. Speaker: The hon. Member knows well that it is the pleasure of the House to pass or reject a Bill. These should be passed—that is what it means. We are not legislating now; I am making a statement.

Shri T. S. A. Chettiar (Tiruppur): May we have an indication of the order in which these will be taken up?

Mr. Speaker: The Business paper every day will give the order in which the Bills are to be taken up. Hon. Members will note that the Air Corporations Bill and the Income-tax (Amendment) Bill are going to the Select Committee. It is proposed that they should be referred to Select Committee.....

Dr. S. P. Mookerjee (Calcutta South-East): The Income-tax Bill will not go.

Mr. Speaker: I am sorry—the Industries (Development and Regulation) Amendment Bill. These two are going to Select Committee.

Shri T. S. A. Chettiar rose—

Mr. Speaker: Let us first hear what the hon. Member, Shri Chettiar, has to say.

Shri T. S. A. Chettiar: May I take it, Sir, that these will be taken up in the order you have mentioned in the next week?

Mr. Speaker: Subject to the convenience of the House and the business.

Shri S. V. Ramaswamy: We have to arrange the work if priorities are given.

Mr. Speaker: We shall arrange and circulate a list tonight. The idea is that the Bills which are proposed to be referred to Select Committee should be taken up first so that there will be time enough for the Select Committee to consider and then report to the House and time may be left to the House again to pass the Bills clause by clause.

Shri T. S. A. Chettiar: May I suggest that in future on every Friday the work of the next week may be announced?

Mr. Speaker: Will, I hope it will be done.

Shri K. C. Sodhia (Sagar): I have studied this Tea Bill and also the Industries (Development and Regulation) Bill and the Air Corporations Bill. I suggest that the Air Corporations Bill alone will have 100 amendments and all those amendments will have to be considered by the House if it is not going to be an expropriatory measure.

Again, the Industries Bill is a very fearful Bill and therefore, it is very necessary to consider that Bill in every possible detail. These two Bills are likely to take fifteen days of the House.

Mr. Speaker: I can assure the hon. Member and all the other Members of the House that there is no desire to

hush up anything or to stifle any discussion, provided it is legitimate, within bounds and relevant. This programme is fixed by the Business Advisory Committee which is representative of all the sections of this House, after taking into consideration the probabilities about the importance and the length of the discussions that are likely to take place in respect of each Bill. So these are their proposals and we have to accept them, of course willingly, because after all, we must be businesslike. We must talk no doubt, but talk within limits. Therefore, it is the Business Advisory Committee which considers all that.

Dr. Ram Subhag Singh (Shahabad South): But they do not read the Bills, Sir.

Mr. Speaker: I am afraid the hon. Member is making some allegation which is, if not highly, at least partly, defamatory about the Members of the Committee. Anyway, this is the programme.

Shri S. V. Ramaswamy: May I suggest, Sir, that the Tea Bill and the Coffee Bill may be taken together?

Mr. Speaker: Whatever it may be. We may take them together or not.

MESSAGE FROM THE COUNCIL OF STATES

Secretary: Sir, I have to report the following message received from the Secretary of the Council of States:

"In accordance with the provisions of Sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to return herewith the Appropriation (No. 3) Bill, 1953, which was passed by the House of the People at its sitting held on the 8th April, 1953, and transmitted to the Council of States for its recommendations and to state that the Council has no recommendations to make to the House of the People in regard to the said Bill".

RESOLUTION RE SAFEGUARDING OF NATIONAL SECURITY RULES

Mr. Speaker: The House will now proceed with the further discussion of the following Resolution moved by Shri K. Ananda Nambiar on the 10th April, 1953:

"This House is of opinion that the Safeguarding of National Security Rules, 1949 introduced in the Railways, Postal, Defence and all the other Central Government Services to discharge Government employees without recourse to normal

procedure of disciplinary rules be cancelled forthwith and all those discharged or suspended under these rules be reinstated".

Prof. D. C. Sharma (Hoshiarpur). May I submit, Sir, that the time should be divided.

Mr. Speaker: I could not hear the hon. Member properly. What is the idea? Does he want to fix a time limit for each Resolution?

Prof. D. C. Sharma: Sir, there are some Resolutions before the House and I wish that all those Resolutions should be discussed and time should be allotted to all of them. It is no use giving all the time to one Resolution.

Mr. Speaker: I do not think I need enter at this stage into the larger question as to what should be the proper time to be allotted in the case of either a private Bill or a private Resolution. But, if it is the desire of hon. Members that there should be a time limit not only on the speeches but on the discussion in respect of each of these Resolutions, I am entirely in the hands of the House.

Shri H. N. Mukerjee (Calcutta North-East): May I suggest that following the precedent set up in the case of the other non-official Resolution which came up previously, we might decide—I tentatively suggest it for your consideration—to continue the discussion on this Resolution, which is of considerable importance, till about 12-15, leaving one hour for the next Resolution to be moved and discussed.

Mr. Speaker: I have no objection if the House is agreeable to it. The suggestion is that this resolution be carried on up to 12-15....

Hon. Members: No Sir.

Mr. Speaker:.....And then the other Resolution be taken. What is the alternative suggestion?

Prof. D. C. Sharma: I submit, Sir, that this resolution be carried on till 10-15.

Hon. Members: No, no.

Prof. D. C. Sharma: That is my suggestion. I know why the Opposition wants more time for that Resolution.

Mr. Speaker: Let us not go into that.

Prof. D. C. Sharma: I do not want to have any discussion on that. I want to submit in all humility that the first Resolution should be given 60 minutes that is up to 10-15, the second Resolution 60 minutes, the 3rd Resolution 60 minutes and the 4th Resolution also 60

[Prof. D. C. Sharma]

minutes. We are living in a socialistic State and equality of time should be given to all of them.

Mr. Speaker: Now, what is the view? I merely want the voices, I do not want any discussion.

Dr. S. P. Mookerjee (Calcutta South-East): Voices, of course, will be expressed. We want the Resolution to go up to twelve o'clock.

Sardar A. S. Saigal (Bilaspur): Let us have a compromise and have it eleven o'clock.

Mr. Speaker: We cannot go on in this manner.

Now, I think in a spirit of compromise—I am merely suggesting, I am entirely in the hands of the House—let us have two hours from now for this, which will mean till about 11-30.

Shri H. N. Mukerjee: Sir, this is a matter on which the hon. Minister, I am sure, will give an exhaustive reply and the Mover also will have his reply to the discussion and that will take away a good deal of the time. If you can extend the time.....

Dr. S. P. Mookerjee: Excluding these two speeches, it can go up to 11-30.

Mr. Speaker: Hon. Members will see that the other Resolutions are also important.

The Minister of Home Affairs and States (Dr. Katju): I have equal love and attachment for all the Resolutions. But, may I add for your information that this Resolution has already been discussed for about an hour and a half. I think the House will generally agree with me that what was said for about 45 minutes was certainly irrelevant to the Resolution itself. So far as I am concerned, I am going to be strictly relevant and will not take much time of the House unless I am provoked. My friend has got a habit of jumping in.

Shri H. N. Mukerjee: Is it in order for the hon. Minister to make the statement which is absolutely irrelevant?

Mr. Speaker: If any hon. Member feels that the speech of another hon. Member is irrelevant he has the right to express his view but not to charge the other Members with irrelevance, as the Deputy Leader of the Opposition.

This Resolution will finish at 11-30, to meet the wishes of both sides. I am not fixing it as they say.

Dr. Katju: I only wanted to say this much because my hon. friend said

that having regard to the importance of the Resolution, the Minister will probably deliver a most exhaustive speech which will require a lot of time. I do not propose to take more than ten minutes.

Mr. Speaker: That clears the position.

सेठ गोविन्द दास (मंडला—जबलपुर—दक्षिण) : मैं एक सुझाव देता चाहता था ।

अध्यक्ष महोदय : अभी इस की कोई जरूरत नहीं है । इस से तो टाइम कम होता है । यह रिजोल्यूशन ११:३० पर खत्म हो जायेगा ।

It will be put to the vote at 11-30. Now, we start the discussion.

Dr. Katju: Then, it includes time for me also?

Mr. Speaker: Yes.

[MR. DEPUTY-SPEAKER in the Chair]

Shri H. N. Mukerjee: I rise to speak in support of the Resolution moved by my hon. friend Mr. Nambiar. I wish to make three main points in regard to this Resolution. The first point I will seek to make is that the Safeguarding of National Security Rules as applied.....

Mr. Deputy-Speaker: If hon. Members want to go out, they may go out in silence.

Shri H. N. Mukerjee: The first point I would like to make is that the Safeguarding of National Security Rules are, in essence, repugnant to the fundamental rights which include the freedom of association given to every citizen of the Indian Union.

My second point is.....

Mr. Deputy-Speaker: Order, order. There is too much of talk in the House.

Shri H. N. Mukerjee: My second main point would be that already Government possesses in the shape of the Government Servants' Conduct Rules, sufficient safeguards, sufficiently stringent and peremptory safeguards against any subversive activity on the part of Government servants.

My third point, to which I shall devote most of my time, would be the manner in which these Rules have been applied and the nature of the charges specified in some of the charge-sheets, which include and characterise normal Trade Union activity in most objectionable terms. The manner of the application of these rules arouses very grave doubts as to the real object of these Rules. Therefore, I suggest that Government should do away with these Rules which are unnecessary and which are rather injurious as far as the interests of our freedom are concerned.

Mr. Deputy-Speaker: We are not able to hear at all. Order, order. I cannot understand why these *chaprasis* are also making noise here.

Shri V. P. Nayar (Chirayinkil): They follow a bad example.

Shri H. N. Mukerjee: I see the Minister is not interested. He is going to make a peremptory reply. I know it. I have no illusions about it nor have I great expectations from him. But, anyhow, this is a matter which affects us very directly. It affects the basic interests of the country very deeply. I do not want to take much time over the point that this is against the fundamental right of association. I know it shall be brushed aside as an irrelevant factor. But, I do ask the Government to consider this aspect of the matter.

The second point relates to the Government Servants' Conduct Rules, which are there and which Government can invoke at any point of time. The Government are now making use of these additional powers vested in them by the Safeguarding of National Security Rules. My suggestion is that they are absolutely unnecessary.

Now, last time when this Resolution was discussed, my friend Mr. Venkataraman said that there were two kinds of activity among the working classes. There was genuine Trade Union activity and there was spurious agitationism. Quite possibly he implied that those who are fighting for the cause mentioned in the Resolution were spurious agitators. Now, I will not go in to a discussion of this matter. I would leave it to the workers of my country to decide what kind of Trade Unionism they are going to follow. You cannot fool all the people all the time. If our workers form their own Trade Unions and follow particular lines of policy as Trade Unionists, it is because they have realised that to be Trade Unionists means for some that it will perpetuate the present order, that you bring about a sort of reconciliation between capital and labour, and that you perpetuate a system where one class is the exploiter

and the others are the exploited, while for others Trade Unionism is an instrument for eliminating exploitation. Of course it is for the working people of the country to choose as to who are those people who should be in charge of our Trade Union movement. That will be decided by the people of our country. I do not want to go into details of that. But, I would refer to some details regarding the application of the Safeguarding of National Security Rules.

Earlier we have had assurances from people in authority, from the late Mr. Kurshid Lal, for example, who had said that police reports would not form the basis of the application of these Rules. Then again I find that on one occasion in 1952, the Director General of Posts and Telegraphs, in his communication in reply to a representation by the Union of Posts and Telegraphs Workers had said that there was no objection to the re-employment of those officials who were dismissed in connection with the issue of a strike which arose round-about the 9th March, 1949. That was a period when the largest number of instances of the application of these rules happened, and the D.G.P. and T. made it clear in 1952 that Government had no objection to the re-employment of those who were dismissed in connection with the strike issue of 9th March, 1949. I say that this kind of attitude on the part of Government shown from time to time has not really been respected, and that is seen in a large number of cases of absolutely gratuitous and unjustified interference.

For example, there was the case of M. T. Krishnaswami, who was a clerk in the Telephones Department of Bombay. This gentleman had done about 21 or 22 years of service. He was placed on leave without pay. Action was taken against him in September, 1952 and he was given very vague charges. For example, he was told that he was a member of the Communist Party of India, that he had attended a Provincial Conference of the Communist Party of India and that he had visited the office of the Communist Party of India in Bombay. This gentleman replied that he was not a member of the Communist Party of India, that he had not attended the Provincial Conference of the Communist Party of India and that he did not visit the office of the Communist Party of India regularly and that sort of thing. These are such vague charges that you cannot do anything more about them, but on the basis of them, a gentleman with twenty-two years of service was placed on leave without pay. He was not even given

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subsistence allowance. He was working in Bombay and he was told in a letter which was sent to him by the Superintending Engineer, Telephones, Bombay District, on the 13th December 1952, saying:—

"If you wish to be heard in person by the Committee of Advisers, you will have to go to New Delhi and come back at your own expense and no travelling allowance from the Government will be paid to you."

This is the position in which this gentleman has been placed and this is the way in which very vague and frivolous charges are made against people with long records of meritorious service. No allowances are paid to them and they are asked to travel at their own expense if they are going to make any personal representation, even though they have to go to a place as far away as Delhi is from Bombay.

I can show you other instances also. For example, there is the case of Mohan Singh Gowda Singh. He was Installation Sub-Inspector of Telephones in Bombay. He had put in 15 years of service, but action was taken against him under these rules on more or less the same charges. He was told that he was a member of the Communist Party of India. He was also told that he had to prove that he was not a member of the Communist Party of India. A letter came to him from the Superintending Engineer, Telephones, Bombay District, on the 22nd March, saying:

"You have to accept or deny the accuracy of this allegation with facts in support of your statements."

This is the kind of thing that happens. The man is told that he is a member of the Communist Party of India. He says he is not. Government does not place materials to show that he is a member of the Communist Party of India, if that is an offence, which it is not by any computation. Anyhow, this kind of thing goes on all the time. No enquiry was made. No allowances were paid to him from about May, 1952 to January, 1953. No enquiry was held; just an interview was given to this particular employee with 15 years service to his credit.

There was a case, again, of K. P. Sankaralingam, who had put in service since 1926. The charges against him related to speeches made in 1939, and a reference was also made to the fact that he had been arrested under the Defence of India Rules in 1940. He was told

that he was also a member of the Communist Party of India and in the charge-sheet all these references to what he had done in 1939 were mentioned. It was said, for example,—

"You addressed several meetings in 1939 under the Presidentship of Shri S. A. Jhabwala and Shri Zulmiram Chaudhury.

You were arrested on 1st July, 1941 and detained under Rule 28 of the Defence of India Rules."

This is the kind of allegation made against a person who has been in service since 1926. The service is to be terminated in spite of some kind of an assurance given by the hon. Minister of Railways and Transport to a deputation comprising leading Members of the Opposition Parties last year.

I would like to refer to certain other cases which are very revealing. For example, there is the case of an apprentice welder in the Central Railways, Bombay, by name Ratilal Mohanlal. His service was terminated under clause 5. That clause says that the service can be terminated in case of physical unfitness or in case the person is guilty or misconduct or has failed to pass any of the prescribed tests or examinations. No charge was made against him. A letter was issued, in which the only allegation made against him is that they have a report that he was associated with Communist activities. That was the only accusation against him.

There are so many other cases also which show which way the wind is blowing. I would like to refer to what happened in the case of the Vice-President of the Railway Workers Union, Northern Railway. Extremely frivolous charges were made against him. It was more or less the same thing, viz that he was a sympathiser of the Communist Party of India. Hari Krishna Gandhi was his name.

From Calcutta, I find that there is a very large number of cases. Mr. Nambiar has referred to at least some typical Railway cases. I shall refer to some of the cases in the Postal and Telephone service. There is the case of Shri Prushottam Banerjee. He entered the Department in February, 1938. He was a member of the Supreme Council of the Union of Postal and Telegraph Workers. This Supreme Council passed a resolution in Madras in February, 1949 deciding not to launch a strike on the 9th March, 1949. In spite of this decision not to launch a strike certain members of the Supreme Council were arrested, and this gentleman was one of them. Later, a fresh charge-sheet was framed against him, and this time it was said

that he had circulated a pamphlet in which he was alleged to have partaken in subversive activities. The pamphlet was in Bengali and said:

‘‘তেরোই অগস্ট বৃহত্তর সংগ্রামের জন্য
ডাক ও তার শ্রমিকের ऐक्य दिवस पालन
करना’’

It means: On 13th August, observe the Unity Day of Postal and Telegraph Union Workers and prepare for a larger struggle. This word ‘‘sangram’’ has been rendered into ‘‘war’’ and it was said that he was setting up a ‘‘war committee’’. Now, the word ‘‘sangram’’ is used everywhere in connection with Trade Union agitation and for having published this pamphlet as an office-bearer of the organisation concerned, he was charge-sheeted twice and in spite of his service since 1938, he is still out of employment and without any redress.

Then, there is the case of Mani Gopal Basu. He entered the Department in August, 1945, and he was discharged on the 30th June, 1949 with only twenty-four hours notice, which is quite irregular. There are other cases, for instance, the case of Krishna Gopal Bose, who entered the Department in 1941. He is still under suspension for nearly four years now.

There are several instances in the Telephone Department, for instance. Several telephone operators have been discharged from service under this kind of extremely frivolous and irresponsible allegation. There was the very unusual case of Shrimati Anima Munshi, who was a telephone operator and she got a special award as an extremely capable member of the service. She also was removed from service on the ground that she was participating in subversive activities.

Another case has lately come to my notice, and that is the case of Durgesh Chandra Banerjee. Against him the charge is made, among other equally amazing charges, that he was making preparations for the May Day meeting in 1951. Now, May Day is celebrated by all labour organisations in the world. But it seems if you organise May Day meetings you are liable to come under the mischief of the Rules which Government have promulgated. There are so many other instances which I could quote, but I am sorry I have not got the time. But it seems that Government is pursuing a policy which is very dangerous because it is absolutely in contravention

of those freedoms to which our people have a right to feel entitled.

As far as England is concerned, there are of course certain limitations on civil servants entering politics. But lately, a few years ago, there was a Committee, the Masterman Committee, which removed restrictions on civil servants taking part, in some measure, in political activity. Short of standing for Parliament, Civil servants in Great Britain have a great deal of rights. I am quoting from a leading editorial articles in ‘‘The Statesman’’ of the 22nd March, 1953 under the heading ‘Civil servants and politics’, where it is said that in Britain now ‘‘62 per cent. of all civil servants will be freed, as well as a further 22 per cent. (subject to certain conditions). The remaining 16 per cent. (those connected with policy and those whose work deals directly with the citizen in relation to his personal circumstances) are still barred from national political activities but can, with permission, take part in local Government’’.

We are not expecting that in India we shall get this kind of things straightaway. But we do not want the kind of probings and screenings in the manner of hundred per cent. Americanism; that is the kind of thing which Government seems to be trying to do and that is why we must raise our voice against this kind of invasion of the liberties of our people. These cases show, and if Government is ready we are prepared to sit round the table, we are prepared to show Government hundreds of cases of this description where absolutely frivolous charges are made against these people. These charges relate only to Trade Union activity. We see the hand writing on the wall where the Home Ministry sends out a circular that outsiders should not be brought into the Unions. We see also in the ‘‘Eastern Railway Gazette’’, for example, there was a statement—I will give you the date, it was on the 2nd January, 1953—where it was said that even in cases where a legal remedy is admissible, a Government servant who tries to seek a decision on such issues in a court of law should not do so and that would be looked upon as anti-discipline. Then again, it is said that Government servants should not approach Members of Parliament with their grievances. Now, I do not know what is what in this country. But I do know this that sometimes Government servants for the crime of approaching the Members of Parliament have been punished, as happened last year in the case of the Income-tax employees of West Bengal who had the misfortune of inviting to

[Shri H. N. Mukerjee]

a meeting Congress M.P.'s elected from West Bengal as well as non-Congress M.P.'s elected from that State. We see the hand writing on the wall. This is the way in which the Government is functioning. Government is trying to keep these Trade Unions in absolutely subservient conditions. Whoever tries to act in a real Trade Union spirit and tries not only to bring about a temporary amelioration of the condition of the working classes but also to bring about a basic change in the social structure, whoever tries to work as a Trade Unionist because as a complement of democracy, as a real consummation of democracy he wants the elimination of exploitation of these people in present-day society, whoever conducts a Trade Union in a spirit of genuine democracy comes under the Damocles' sword of Government repression. And that is why the application of the Safeguarding of National Security Rules appears in such a lurid light. I say this is against the fundamental rights guaranteed to every citizen under the Constitution. Government, besides, can draw upon the Government Servants Conduct Rules in cases of subversive activity. And I say the application in practice of the Safeguarding of National Security Rules has been such that it is a handle for nothing but abuse—and with a very big A. I challenge Government to say that it has not been abused in a very large number of cases. I challenge Government that in spite of the assurances of sympathetic consideration, that sympathetic consideration has never been given so far. I am prepared to say even now we do not want to push Government into an obstinate corner where opposition would come from that side and we shall also have to shout against Government and a stalemate would arise. Let us meet together, even now at this late stage, let us try to prove to Government, with materials and documentation, that these cases are such that the steps taken should not be proceeded with. And if after that Government still decides that it has got to persist in its present policy of application of these Rules I am sorry for the Government of my country. And that is why I support the Resolution moved by my friend Mr. Nambiar.

Shri K. C. Sodhia (Sagar): I deprecate in very strong terms the introduction of politics in the great body of our Services working in this country. It will be a very bad and sorry day for us if we just try to win them either to the Congress or the Communist or any other side. There are already very strong comments in the country

that discipline in the Government services is diminishing every day. Therefore any attempt on the part of any party or any individual or any leader to that effect must be condemned by the whole people. All Government servants must do their work properly. If they have got any personal political beliefs they may have them at their houses and when they are away from their duty, and that too in such a way as not to set a bad example to other people. It would be a very sad day, even for the Communist Party of India, if they try to encourage people and want them to be a set of idlers. We do not want idlers in this country and we must extract work from all people who are working in the Government. Therefore I say that anything which brings Government servants properly to their duties is in the best interests of the country, and I strongly deprecate and oppose this Resolution.

Shri B. S. Murthy (Eluru): I entirely agree with the previous speaker that no politics should be introduced in the ranks of the Government servants. But this is not a question where Government servants are treated as Government servants. It is a fundamental right of every worker to take part in Trade Union movement and therefore we are now trying to deal with the question on the basis of the Trade Union movement in India, and not affecting the Conduct Rules of Government servants.

There is a genesis for this Safeguarding of National Security Rules. In 1949—I think it was on the 25th of February—a Bill known as the Essential Services (Prevention of Strikes) Bill was introduced in Parliament. Because there was a lot of opposition to the introduction of this Bill, it was ultimately withdrawn on the 5th of March, 1949 and before the withdrawal, the Prime Minister, Pandit Nehru, in the absence of the Home Minister, read out a statement by the Home Minister and also made a speech cataloguing the reasons necessitating the withdrawal of the said Bill. The statement of the Home Minister was to the effect that "a violent and brutal challenge to the State was in existence". Therefore the Government thought of bringing that piece of legislation but subsequently they thought such a necessity was not in existence at that time and therefore they were prepared to withdraw. In withdrawing the said legislation, the Prime Minister said that "it has been stated by some people that the Government was trying to aim a blow at the Trade Union

organisation and their general desire to strike". Well, it is always the most safeguarded right of the worker that his right to strike should never be interfered with. In many a country, both the employers and Governments have tried their best to see that this fundamental right of the worker to strike is not put into force. I am glad that the Trade Union movement has gained strength in all countries and so also in India; but the Safeguarding of National Security Rules, in a way, have affected the fundamental rights of the workers. Many cases have been cited by other speakers including Mr. Nambiar, who has tabled the Resolution, and also Prof. Hiren Mukerjee. If an outsider—granting that person is not a Communist—is invited to preside in a meeting or inaugurate a meeting of the workers, Government have not been giving permission to hold such meetings. I consider that the non-working people may not have any place in the actual running of the Trade Unions but extending invitation to leaders outside the workers should not be a taboo simply because they do not belong to the governing party. When people belonging to the governing party, Congress, whether they have done any work or not, are being invited and taken in procession to lead mass movement of workers, why not other people also be given the same opportunity unless the person in question is one whose antecedents are questionable?

Again, the Prime Minister said at that time that "certain groups are bent not so much on strike but on creating disorder and chaos and indulging in acts of sabotage". These words were uttered in 1949 and now we are in April, 1953. Times have changed. Much water has flown under the bridge and even today to think that these Rules are quite essential to safeguard the security of India and that nearly 400 Central Government servants, who are affected by these Rules, can below up the Government is rather strange if not curious.

Again, the Prime Minister at that time said "I am quite sure that the vast majority of people and workers are not affected by it" meaning the sabotaging of the activities of certain groups of people "and strongly disapproving of it." When a "vast majority of the people" are not affected by these saboteurs what is the necessity for having these Rules still on the Statute Book and the Government taking recourse to these Rules every now and then?

Once again I would like to be permitted to quote the Prime Minister. Concluding his speech he said, "This

Government as a whole is bent not only in improving the general condition of labour.....—that is rather putting it wrongly.—but of giving it a rightful place in the governance of the country".

10 A.M

Again, the Planning Commission have stated that "the worker is the principal instrument in the fulfilment of the targets of the Plan and in the achievement of economic progress generally, his co-operation....."—I want the Home Minister to mark this word 'co-operation',—"will be an essential factor in creating an economic organisation in the country which will best subserve the needs of social justice". I would also like the Home Minister to underline the words "social justice".

An Hon. Member: He has underlined.

Shri B. S. Murthy: If these are the pious expressions of goodwill given by the Government through their spokesman, the Prime Minister, that the worker is the pivot and around him the country is going to build a new social structure. I think cases against certain workers who have now been made to suffer under the Safeguarding of National Security Rules be withdrawn and the Rules also must be abrogated forthwith.

Another point. The persons affected are Government employees. Government have come forward saying that there must be arbitration. The Government have also been saying that there must be conciliation. In these cases where injustice has been done to these workers, no arbitration, no conciliation has taken place and the Government cannot say that they can be the accuser as well as the Judge at the same time. There must be justice done for these people and the fundamental rights guarantee that no person should be victimised. There is this injustice in denying them to know for what reasons they had been sent out of service. Government has been, I think, suffering under a prestige-phobia. I am sorry that the Government has not realised that the rank and file of the whole Trade Union movement of the labouring classes in this country are looking at these Rules with great apprehension and that they consider that these Rules must be abrogated as early as possible and that the Service Rules governing the conduct of Government servants are enough to take care that no activities of sabotage could be indulged in by any person who is anxious to indulge in anti-social activities.

[Shri B. S. Murthy]

Dr. Katju mentioned on the last occasion that Judges also commit mistakes. Therefore he said there is a small Judge and there is a big Judge. Hence, there is also a right of appeal. Now taking that a Government officer is a Judge—he may be a small Judge—what is the harm in having a bigger Judge to see that all these cases, nearly 400, are entrusted to a Judicial Tribunal and then Government officers trying to give all the information available with them to prove that these persons were rightly punished. Why should they fight shy of facing a Judicial Tribunal? If it is proved that a person was really against the security of the country and was working in a treacherous manner affecting the safety of the country, he must be punished. I am not one who is trying to give support to people who betray the interests of this country but in the name of the Safeguarding of National Security Rules, nobody should be denied the fundamental rights guaranteed under the Constitution. It says that everyone should be given a hearing in his own case. But here, no hearing of the cases no charges are openly given and no judgment is passed. If an officer is prejudiced against somebody for certain reasons, he secretly reports to his seniors that such and such a man is considered dangerous. Immediately he will be sent out of the service and then he is forgotten as far as the Government service is concerned. Any kind of appeals from him will be of no avail. This is rather unjust in a free India like ours. As I was stating earlier, only 400 people are now involved either in the Railways or in the Communications. It is rather curious to think that these 400 people will block the country's progress that country's security will be at stake and that the Government machinery will not run, and therefore the Safeguarding of National Security Rules are required to lubricate the governmental machinery. I think this is rather a strange state of affairs. I hope Dr. Katju, the learned, sane and sagacious Home Minister that we are having, will be able to appreciate our point of view. It is not as if we, the Opposition Members, are trying to bring pressure upon the Government as far as these Rules are concerned. The whole country, in particular, the working classes are anxious to see that these rules are withdrawn so that every worker can take pride in trying to improve his Trade Union, thus trying to build a stable and healthy Trade Union movement in this country. I hope the hon. Home Minister will see that some sort

of justice, if not full justice, is done by these people who have been victimised for no fault of theirs.

Shri M. S. Gurupadaswamy (My-sore): These Rules, to my mind, are very draconian in character. They militate against the very spirit of the Constitution and they are against some of the fundamental rights conferred by the Constitution on our citizens. I want to discuss this matter and few other issues, such as how these Rules affect the Trade Union rights of the labourers, how they are out-moded, and how they confer a lot of power on the Railway officers, and how they have been misused and improperly applied.

These Rules were promulgated in the year 1949. According to the provision in the Rules, any employee of the Railways or Posts and Telegraphs or Defence may be discharged from service on mere suspicion that that employee is engaged in some subversive activity. The Rules do not provide for any scope for the employee to be heard. The employee will have no opportunity to prove his innocence. The case will not go before either a Tribunal or any other judiciary. The entire matter is considered by the officers. The officers will act as Judges, jurors as well as prosecutors. No opportunity is given to the employee to cite witnesses, or justify his stand or to tender evidence, or argue his case or prove his innocence. That is why I say that these Rules are very draconian in character. They are not in any way fitted to the new circumstances in which we are living. We have now got a Constitution. The Constitution bestows certain fundamental rights to the people. It is one of the fundamental rights for any one to have recourse to a judicial enquiry, and to legal defence. There are cases which prove that these Rules have been promulgated to subvert the activities of genuine Trade Unionists. I am not a communist; I am not arguing for communism. But, I want to make it clear that this is not the way of condemning subversive activities. By making the Rules rigorous, by enacting such severe draconian Rules, you are encouraging subversive activities indirectly instead of condemning or thwarting subversive activities. The purpose for which these Rules were framed will not be realised. If these Rules are continued for long, then there may be a greater possibility of subversive activities growing as a result of these Rules. So, these Rules do not provide a solution. They rather offer a cause for furthering

subversive activities among labourers. Some interested persons may take the opportunity to exploit the psychology of the workers. They may incite them; they may tell them; here are Rules against you, why should you not oppose these Rules, why should you not organise yourselves, why should you not stage a strike. They may do all this mischief. These Rules, therefore instead of eradicating or suppressing the subversive elements in society, will rather encourage them.

There is an interesting case regarding the abuse of these Rules: *Sambandam versus General Manager, South Indian Railway, Trichinopoly*. In that case, the petitioner went to the High Court of Madras for a writ. The High Court decided that the procedure that has been envisaged in these Rules has not been strictly and fairly followed by the authorities. On that ground, the High Court said that the petitioner should be reinstated. Till now that man has not been reinstated. Though there has been a grave irregularity on the part of the Railway authorities, in regard to the procedure, there has not been any confession of their fault; nor has the injustice been redressed. There are so many other cases of this type. I have no time to quote all these cases. But, I point out that even the minimum safeguards provided by these Rules have not been adhered to nor even followed by the Government. In their zeal to suppress all activities of Trade Unions, they are rather hasty in discharging or dismissing or harming the labourers. They have not even looked into the procedure that is laid down in these Rules. As I said even the limited safeguards have been over-looked in many cases. That shows how the Government is acting in an irresponsible manner. The Rules provide a Committee of Advisers to go into questions of dismissals, suspension, etc. But, this Committee consists only of departmental officers and they are the very officers who discharge or dismiss the employees. These officers cannot be expected to reconsider the cases in which they themselves have passed orders. They will certainly not revise the order; they will stick to their original order even while they sit in the Committee. So, no redress or no relief can be expected as a result of this Committee meeting. So, this provision of a Committee is not doing any favour or giving any help to the employees, and to the victims. So, we cannot justify the Rules on the basis of this ground. Let not the

Minister say: "We have made provision for a Committee. There will be an enquiry and the victim will be heard." It does not give relief that is expected. A tribunal would have been more advisable. In the case of the Preventive Detention Act we have got a tribunal. It is better than this. Even that is not provided by these Rules.

Further, there is no judicial enquiry at all. The victim can go to the High Court for a writ. That is the only way open to him. And it is very costly. So, by taking into consideration all these points, I say that these Rules are very outmoded, they do not fit into the new democratic circumstances, and they will not serve the purpose for which they have been promulgated. I call upon the hon. Minister therefore, to withdraw these Rules immediately, and reinstate all the employees who have been discharged or dismissed from service. So far, nearly 30 people have been reinstated according to the statement by Mr. Lal Bahadur Shastri. But still there are nearly 300 people more remaining in the list. They have not been reinstated, and their families are suffering. They are in a very miserable condition, and they are sending us appeals. But we also are in a helpless condition except to appeal to the hon. Minister that these Rules should be withdrawn immediately and these people who have been dismissed or suspended from service should be reinstated. And that is the only way of removing the misery of these employees. So, I urge upon the Government to look into the question with democratic and liberal spirit. They should not be vindictive, and they should be magnanimous in their attitude.

As a result of these Rules, Trade Union activities have been suppressed in many parts, particularly in Mysore. I would draw the attention of the Minister to the fact that many workers are afraid to engage in any activity at all because they say: "These Safeguarding of National Security Rules have been promulgated and we may be suspected of some bad activity or subversive activity, and we may be punished." In this way they are terribly afraid of the existence of these Rules. Unless you remove these Rules, there is no scope for genuine Trade Union activity. There may be Trade Union activity under the shadow of the Government. That is quite possible, but there cannot be independent Trade Union activity so long as these Rules continue in operation. The whole labour class,

[Shri M. S. Gurupadaswamy.]

is terribly obsessed of these Rules, and the result is they have been paralysed, and they have been condemned to lassitude and inactivity. Many Railway labourers are ignorant and they do not know the real nature of these Rules. I honestly believe that if these Rules are repealed, the labourers will respond to the gesture of the Government, and they will never resort to any subversive activity.

By asking Government to repeal these Rules, I am not in any way encouraging subversive activity. If there are subversive activities, you can deal with them. There are other Rules at hand. These Rules however are not necessary. Even during the British days, these Rules were not there. Only when the Congress came to power, they have promulgated these Rules. What is the reason? When Britishers thought that they could manage the Railway labour without such Rules, why the Congress Government cannot do likewise? There is no justification for the continuance of these Rules. So, I ask the Minister to agree to and appreciate the spirit of this Resolution. It might have come from a Communist Member. But, let him not view it in the light that because it has come from a Communist Member, he must not agree. If he wants any reasonable amendment to this Resolution, we will accept it, but we want him to appreciate the spirit underlying this Resolution. Let him not repeat what he said the other day regarding Sardar Hukam Singh's Resolution. I am making a constructive suggestion. If he wants our genuine co-operation, we will extend it and we will help him in condemning all subversive activities, if there are any. He must take our assurance as genuine and react well to our demand.

With these words, I close.

Shri K. K. Desai (Halar): I had no intention to take part in this debate but the party that has sponsored this Resolution and the way in which the Resolution has been supported creates certain misapprehensions in the minds of the people. I would like to place before this House the circumstances under which these Rules were promulgated in this country.

In the year 1949 there was the danger of a strike in the Railways, and the whole transport was being jeopardised. Immediately after we got

independence, there were certain elements in our country who were out—in my opinion, induced—to jeopardise our very independence by utilizing the discontent there may have been among labour. And under these circumstances these Rules were promulgated.

The All-India Railwaymen's Federation withdrew the strike notice on making a sort of agreement with the Railway Board. The National Railway Workers' Federation also did not want a strike. At that particular moment, certain sections of the community who were taking their inspiration from outside, wanted the strike still to continue, and even when the strike was withdrawn, they called upon the Railwaymen to go on strike. (An Hon. Members: No.) At the same time, the workers in the defence installations, in the postal services and other were also being assiduously asked to help them. Under those circumstances these Rules were promulgated. Now, it is for the Government, in its own discretion, to judge whether the time has now come to modify these Rules so as not to interfere with genuine Trade Union activity. The friends here who say that it will interfere with genuine Trade Union activity are referring to a type of Trade Union activity which is only being conducted with a view to use it for their beloved political purpose. If they declare here and now and genuinely that they have nothing to do with any inspiration from an outside country for conducting their Trade Union activity which is always changing from time to time, then the Government will be well-advised in the interests of the majority to amend or modify those Rules.

Shri Nambiar (Mayuram): It has been repeatedly stated here.

Shri K. K. Desai: I have heard you enough and with patience. You have got to hear me.

Shri Nambiar: That statement has been given.....

Mr. Deputy-Speaker: Order, order. The hon. Member had 41 minutes to speak. He can reply later.

Shri K. K. Desai: But that statement about peaceful and genuine Trade Unionism would have to be judged in action. A simple declaration would not convince an established Government under democracy who will not be simply taken in by such slogans, for they are only slogans and nothing else. The Government have

got a huge responsibility to keep law and order in the country. It has also got the responsibility to put this country on a proper democratic basis. If the Government come to the conclusion that these Rules, if they are withdrawn, would not interfere with the genuine desire of the majority of the people to advance democracy, there will be no difficulty in doing so. But as long as there is doubt and suspicion in the minds of all the genuine democrats that a particular group in this country is determined to subvert our democracy by taking its inspirations from outside, as long as a movement is there in the form of the Cominform Movement which is guiding the international activities of a particular group, I think it will be very unwise to abrogate or withdraw these Rules. That it does not interfere with the genuine Trade Union movement can be established from the fact that after the independence movement, and after the attainment of independence, genuine Trade Union movement all over the country has flourished. It has got more membership today than at any time in the history of the Trade Union movement. I, for one, would not object to any democratic Trade Union movement in its proper sense, even if it flourishes against my own organisation. For instance, there is the Hind Mazdoor Sabha, which is a Trade Union movement, and has flourished. I have got not the slightest doubt in my mind that it will flourish, and I would be prepared to co-operate with that organisation. As you will see within the next day or two, the National Railway Workers' Federation, and the All-India Railwaymen's Federation, whose President is Shri Jai Prakash Narain, and we in the public sector are trying to make a sort of common front for the Trade Union workers. That will happen tomorrow or day after or in the near future.

As far as this particular Resolution is concerned, I oppose the Resolution as such. But at the same time I would like to make an appeal to the hon. the Home Minister in this connection. With the sense of responsibility that he has got, he has to maintain the law and order situation in the country. If he is convinced that the security of the country is safe, then he can modify these Rules in such a way that they may not interfere with genuine Trade Union movement, or for the matter of that, the activities of any genuine political party which has as its basis the democratic set-up of life. This is all that I have to say in this behalf.

Now, it has been stated by Mr. Lal Bahadur Shastri in the course of his answer to one of the questions put on the floor of the House, that 30 people who were dealt with under these Rules have been reinstated. Mr. Gurupadaswamy this morning stated that about 300 people are still awaiting.....

Shri B. S. Murthy: 400.

Shri K. K. Desai: ...a favourable reply from the Railway Ministry. The Committee that has been appointed under these Rules, according to them, serves no useful purpose, because they are themselves, as Mr. Murthy or Mr. Gurupadaswamy would like to say, the judge and the prosecutor.

Shri B. S. Murthy: Yes.

Shri K. K. Desai: One can understand this. After putting these people out for the last four or five years, if there is a genuine grievance—and after all, they committed the mistake in the year 1949, by trying to support a subversive strike that was being contemplated—I would certainly appeal to the Government to judge those cases independently. The Government cannot afford to be vindictive. Why should Government be vindictive against any loyal citizens of this country? If they are loyal, I do not think it will be improper on my part to suggest to the Government to re-examine those 300 or 400 cases, and if they are satisfied that there will be no danger to the security of the country, they can be reinstated, and there is nothing wrong about it. As far as these Safeguarding of National Security Rules are concerned, I am very definitely of the view, that the time has not yet come to entirely abrogate them or withdraw them. But the time has certainly come—because we have established our democracy on a firm footing, and we are trying to establish it still firmer—when it will be in the interests of the country as such, that these Rules may be modified, consistent with the security which we have been able to achieve in spite of the subversive tendencies and activities of a section of the people in this country.

With these few words, I would like to place before the Government what I thought and what I think about these Rules.

Shri Bogawat (Ahmednagar South): Sir, I thank you, for the opportunity given to me. As regards this Resolution, I feel that the time has not yet come for the withdrawal of these

[Shri Bogawat]

Rules. We cannot forget the subversive activities of some groups in our country and the anarchy created by them from time to time. So long as these activities are going on in our country, they are a red signal that our infant democracy is not safe. We cannot forget, as was stated by my hon. friend Mr. Khandubhai Desai, the attempt to foster a strike at a time when the people of Bihar were without food, and food had to be sent to them. A number of such instances can be given. It is the duty of every Government servant to be loyal and to be disciplined. So long as the discipline is maintained, and they are loyal, there would be no harm. But when the Government found that these activities were going on in several departments which are very essential, like the Defence, Posts and Telegraphs, the Railways departments, and when instigations were going on even amongst the Government servants, and some of them were not keeping discipline, it was found necessary to formulate these Rules. My hon. friend Shri Gurupadaswamy said that this Resolution should not be taken lightly simply because it comes from a Communist Member. But in the whole country, we cannot forget the activities of our red friends. We cannot forget how they carried on their activities and how they wanted to create anarchy in several parts of the country, and how they instigated even Government servants. So my humble submission is that so long as our friends take their inspiration from outside countries, and so long as they are not sticking to the principles of democracy or want to interfere with the Government servants, these Rules are quite essential. If they come to their senses, behave properly and non-violently, and make a proper agitation, then certainly these Rules can be modified or even abrogated.

Many points were stated by Mr. Khandubhai Desai,—and I only wanted to place these few points before the House—and I do not want to take up the time of the House by going over them again. But I would only like to submit that if our red friends come to their senses, and carry on their activities in a peaceful and non-violent manner, consistent with security and peace, then these Rules may be modified and even done away with. But so long as they take it into their heads to instigate Government servants, with a view to furthering their political ends, these Rules are quite necessary. That is all my humble submission.

Dr. S. P. Mookerjee: I would appeal to the House to consider this matter dispassionately and not from any party point of view. I believe all sections of the House can agree to certain fundamental principles—it does not matter which party is in charge of the Government for the time being. We are not discussing the general political situation in the country nor the different view points which may be advanced in the political field. We are discussing how far action—drastic action—is justifiable against Government employees for what is called alleged subversive activity, and also if such action is taken, what should be the procedure which should be fair and just in such circumstances.

It is common ground—at any rate, it should be common ground—that our civil servants, from the highest to the lowest, must owe complete and undivided allegiance to the State. When I say the State, I do not mean the particular political party which may be ruling the country for the time being. Unfortunately, today the State is equal to the Government Party and that is equal to the Congress. The second is that our civil servants should be able to keep information which they possess in their official capacity to themselves and not divulge such information to the public. That also is certainly a salutary principle. Thirdly, they should not be participants in party politics. Now, if we agree to these three fundamental principles which, I believe, are to be found in existence in every democratic country, then the question arises how far should we allow our civil servants to take interest in political matters outside their office. Now, all of them are voters, and surely they can have their bias for or against particular parties. And it should not bother the Congress today, which is the ruling party, if it is a fact that a large section of the Government employees today for some reason or other are not supporters of the Congress. They may support the Government. So long as the policies are enunciated by the Government, it is certainly expected that every civil servant will give effect to such policies. There is no question of their being disloyal in the matter of carrying out the State policies—there is no doubt about it. But what is the nature of the Rules that we are discussing? We are not discussing the ordinary civil servants' Rules. You have ample provision there to deal with any case where there is any

breach of discipline, as the hon. friend who spoke last said—he referred to prevention of breaches of discipline. Undoubtedly, and there are ample rules framed by our Government as also by other Governments where such breaches of discipline can be adequately and sufficiently dealt with. But these Rules were promulgated at a very special time to which reference was made by Shri Khandubhai Desai—the Railway strike and so forth. But as he appealed to the Minister, so I would appeal to him—if my appeal is of any value—that the whole question should be considered *de novo* at this stage. These Rules have not worked satisfactorily. What is the basis of these Rules? How do you proceed? You mention certain organisations and you say that if anyone is a member of any such organisations or is suspected to be associated with such organisations or is suspected to have sympathy with such organisations, then it is deemed that he is supporting subversive activities. The Rule says that it is sufficient under such circumstances for the notice of discharge to be issued. The Ministry will communicate to different Ministries from time to time a list of organisations which, in the opinion of Government, are engaged in subversive activities and the membership of or association with any of them will be considered a good ground for the issue on a Government servant of the notice referred to in the instructions. And further it is stated that when the charge-sheet is handed over to such a Government employee, it will not disclose the source of information. It is very categorically put down here that care should be taken to avoid any particulars being given which might involve a disclosure of the sources of information. Not only 'non-information' of the sources of information, but not even giving particulars if they lead to the disclosure of the sources of information! Of course, as you know, Sir I have no love for the Communist Party. It is a different matter. They have also no love for me. But the manner in which administration is supposed to be carried on behind the 'Iron Curtain' in this country is sufficiently indicated in the very Rules which our democratic Government have framed. You are dealing with whom? Not with outsiders, but your own employees and you are saying that if they are supposed to have sympathy with certain organisations, which you have mentioned in the Rules, then that is good ground for serving a notice of discharge on them. The Communist Party is one of such organisations: then the RCPI, RSPI, RSS, Muslim

National Guards, Khaksars, and an amendment was recently made to include Marxists Forward Bloc. Now, what is the position with regard to these organisations today? Is any of these organisations banned in the country? Many of these organisations openly put up candidates for election to Legislatures and to Parliament and they succeeded. There is no attempt on the part of the Government to prevent such organisations from functioning legitimately in the country. They are functioning today—openly—whatever their views may be. And you pass certain Rules indicating that if any Government servants are suspected to have sympathy with any such organisations, it is a sufficient reason to turn them out of Government service, not giving them information even, particulars as regards the sources of the charges which are levelled against such individuals.

Sometime ago I gave you, Sir, an instance which I personally knew where gross injustice had been done to a Government servant, and when I appealed to Sardar Patel, an enquiry was made and that officer was reinstated. It looked like a complete cut and dried case, but then when it appeared that the police information was obviously wrong, the man was reinstated. He is even today an important officer serving in the Government of India in Delhi. There have been lots of such cases but the whole approach to the problem is wrong. Your Government servants are there. They are adults, they are citizens of free India. They are certainly entitled to have sympathy with certain organisations which are not banned in the country. You cannot object to it. And, if you try to employ such underhand tactics such behind-the-scene tactics, for the purpose of stabbing your own employees in the back, then you destroy the very foundation of good administration in the country. If you want that certain organisations should be tabooed in the country, do so openly and fairly and face the consequences. But, if you allow those organisations to function as legitimate bodies and then if you say that anyone who is suspected to have sympathy with any such organisation will not be allowed to occupy a post under the Government and they would not even have the chance of proving whether they actually had such sympathy or not, then you proceed on purely party lines. Then your case for national security becomes a mere cloak. The whole matter has to be re-examined and we must have a set of Rules which would be fair and just to all concerned.

[Dr. S. P. Mookerjee]

Now, we have seen that during the elections in Delhi—it was my experience in many areas where there were large sections of Government servants, lower classes, middle classes and so on—what pressure was put upon them by the spokesmen of the Congress party. 'Dare you vote against the Congress, dare you vote in favour of such-and-such a party, you will see what the consequences are.' Mrs. Kripalani was just telling me how they had voted. She was a candidate here in Delhi, and she was successful. In her election about 1500 votes were received through postal ballot. She was just now telling me that out of these 1500 votes 1050 were in her favour. These officers are highly placed Government servants in different parts of the country. They decided to vote against the Congress. I do not know where the Government will be if it allows all the Government servants to vote by postal ballot. Why not try it. It is a very simple way of taking the opinion of the Government servants throughout the country and what they think of the present Government.

Shri K. K. Desai: Do you mean to say that in the opinion of the Government servants the Government should change? Do you mean to say that Government servants should decide what sort of Government they want?

Dr. S. P. Mookerjee: I do not say that. I can appreciate the hon. Member's nervousness. I know fully well that I cannot change the Constitution. The Government servants cannot change the Constitution with their votes. At least that much of intelligence I have got. If this Government is to depend merely upon the votes of the Government employees, to be recorded by ballot, I do not know where this Government will stand, but that is a different matter.

Shri Bogawat: Have they the freedom to choose their own Government?

Dr. S. P. Mookerjee: They have freedom to form and express their views. They are not babies; they are adults; they are citizens of your country. If you try to under-mine their loyalty in this fashion, then you will not help them. If you go on penalising people for suspecting them to have done something which they did not—as was shown by my friend Mr. Mukerjee, and they do not even get a

chance of showing that the allegations brought against them were untrue, that is a serious aspect of the matter. Only two days ago I received a representation from a young man who was convicted four years ago for participating in the R. S. S. *satyagraha*. He was very young; only 16 years of age. After two months he was let off and then he was given employment in a Government concern in Gurgaon. For four and a half years he worked there. The police made an enquiry and there was no complaint from his superiors. Some days ago he received a discharge notice stating that from the next day his services would be dispensed with, because four years ago he was convicted in connection with the R. S. S. *satyagraha*. He gave a certificate by the President of the District Congress Committee that he had nothing to do with any organisation at all; his circumstances are such that he cannot possibly participate in any political work. But, still that family is completely stranded. You are hounding out people like this because they hold certain views which are not acceptable or which are not pleasant to the Government of the day. That will not do. That will just defeat the very purpose you have in view. If you want some enquiry to be made, you have some tribunal, you place all the evidence; you give a chance to the man. That is the normal, elementary right which every citizen has. If you want to take away his job, face him with a charge-sheet. Tell him, even if it is going to be a confidential enquiry, who are his accusers and give him a chance of cross-examining them. If he is proved guilty, by all means deal with him in the way you like.

My point is that I am all for Government having clear-cut, definite Rules preventing any subversive activities which are really subversive—not this sort of camouflage subversive activities—subversive activities which are proved to be subversive in which any Government employee may be implicated. If they abuse their position as Government servants, deal with them, undoubtedly. If they are disloyal in the sense that they are not carrying out the policies of the Government, deal with them, but have a procedure, have a tribunal so that the cases may be placed before it and the people may have a chance of saying what they have to say. From that point of view, I would urge upon the Home Minister and the Railway Minister that all these 400 cases should be re-examined, re-investigated. Why not appoint a High Court Judge, ask him to go into all these cases—place

all your evidence before him—and find out whether they are guilty really of subversive activities—not merely because they were associated with some organisation or another. It is like the story in the Aesop's Fables. When the wolf wanted to eat the lamb, it said "if you did not make the water turbid your grandfather did it; it is sufficient for me to kill and eat you". They are the core of the administration of the country and you must be able to depend upon the complete loyalty of these thousands of people throughout the length and breadth of the country. They must not be hounded out of their office simply because they hold certain political views or they may indulge in certain bona fide Trade Union activities, which may not be liked by the party in power. Think for a moment that the tables may be turned: you may come and sit here, we may go and sit there. You are setting up conventions and traditions which will be sufficient for us, if we have a chance to do so, to remove the whole lot of you. But, we will not follow in your footsteps; we will behave as true democrats. But you are adopting a course which is not justifiable.

Mr. Deputy-Speaker: The hon. Member will address the Chair.

Dr. S. P. Mookerjee: Whatever I am saying I am passing on through you, Sir. You are the shock absorber of anything that we address to the Government. I am appealing to the Government through you, Sir.

I am making this appeal to the Government that in all these matters, all the political parties must be able to come to some fundamental agreement on the basis of which sound and efficient and uncorrupt administration of the country can be carried on. Let us try to build up, let us keep the civil service outside party politics completely. Let us sit together and devise means which all of us will pledge to support both in this House and outside the House. Only then can we build up true democracy.

Dr. Katju: We just now have heard a good deal about the enormity of these Rules. We have not heard anything about figures. The House has had the benefit of hearing about the origin of these Rules from my hon. friend Mr. Desai. We have also heard about the nature of these Rules from one who was collectively responsible for the making of these Rules.....

Dr. S. P. Mookerjee: That is why I want a change.

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Dr. Katju:.....in 1949.

I would beg of you, Sir, because I want to be short, that I should not be interrupted.

Dr. S. P. Mookerjee: You go on.

Dr. Katju: Now, the Rules are there. I shall deal with them. But what are the figures? My hon. friend said that thousands and thousands have been hounded out. (*Interruption.*) Now, listen. In the Central Government, Government employees, minus Railway servants, but including Posts and Telegraphs and civil servants, there are 6,26,070. This is roughly six and a quarter lakhs. The number of people "hounded out" under these Rules in the year 1952 is 1; only one. That man was found to be involved and his services will be terminated. Of course, the results were 100 per cent. In 1951, the following were the figures:

People against whom action was taken—only ten.

Let the House appreciate that it was just TEN.

People recommended for termination of service—six.

People recommended for mere warning that they should behave better in future—three.

People against whom proceedings were dropped completely—one.

In 1950, the figures were as follows:

People against whom proceedings were instituted—seventeen.

People found unfit to be kept in employment—seven.

People given warning only—three.

People against whom proceedings were dropped—seven.

So, during the three years in question, the number of people who were "hounded out" of service according to my hon. friend from Calcutta was seven plus six plus one, making a total of fourteen. So, let us really have a sense of perspective in these matters.

Shri Nambiar: Your figures do not cover the Railways.

Dr. Katju: I am coming to the Railways. The Railway employees

[Dr. Katju]

number approximately nine and a quarter lakhs. We all know what the country owes to these railwaymen. We have just been celebrating the Centenary of the Indian Railways, and you and I have been seeing the wonderful work that these railwaymen have done. They are really the guardian of our national security—not merely internal and external security, but security in the transport of essential commodities like coal, foodgrains etc. In the year 1952, action was taken or rather started—I do not know the result—in only eight cases and no more. But inasmuch as some people were coming from the previous year's cases, no one was retired from the service in the year 1952, and including the previous year's cases, the cases against fourteen persons were dropped. The total number of new cases started was eight. So, once again I say that there must be a sense of perspective in these matters. In the year 1951, the total number of new cases started was 62. People who were compulsorily retired including the previous year's cases numbered 75. The number of people against whom proceedings were dropped was 33.

Now, let me take the figures in another way. If you take the total number of people against whom proceedings were started during the four years from 1949 to 1952, the total number was 365. The House will remember that these rules were framed in the year 1949 when the circumstances were exceptional and therefore the proceedings were started against a larger number of people than in previous years, and even then the number was only 365. Out of this total number, the proceedings against 113 were dropped. The proceedings against 172 terminated in their retirement. That makes a total of 285, and I imagine that the cases against some are still pending. If you look at the total number of employees, namely, nine and a quarter lakhs, and the number dealt with here, nobody can say with any sense of justice or fairness that here was a case of people being "hounded out" of service or of a Damocles' sword hanging over them and making them timid.

These rules are called the Safeguarding of National Security Rules. Let me tell the House quite firmly and clearly that every Government servant, no matter what he is, is a citizen and as a citizen the Constitution guarantees him certain fundamental rights, which include the right to exercise the vote. Now, the vote is secret. He

may go and vote for anybody he likes. That does not matter. But when a citizen becomes a Government servant, he has to "serve"—I am not saying that he should serve the Government only, but he should serve the country—and the service of the country means that he must obey the laws of the country. He must not, by his action, jeopardize the security of the country or the peace of the country. He must not, by his action, behave in such a manner that it may be suspected that he is assisting persons who are going to break the law of the country. Do you mean to say that if there is a political party—I am not naming any particular party—which is out to start campaigns of *satyagraha* or campaigns for deliberately breaking the law, no matter under what pretext or for what noble or ignoble reasons; and if there are Government servants furthering that movement or being a party to that movement, can any Government of the day—no matter what Government it is, i.e. whether it is a Government consisting of people sitting on this side or, on the other side—allow those Government servants to be retained in service?

11 A.M.

Dr. S. P. Mookerjee: That must be independently proved and not done on the basis of a police report. That is the point.

Dr. Katju: It is not a question of independent proof, because I am going to tell the House on what basis the Rules were framed. They were framed on the basis that these people should be "reasonably suspected" of being engaged in subversive activities. The whole thing proceeds on "reasonable suspicion", because no Government can afford to take any risks. That is the important point. How can you say anything definitely? Supposing you Sir, have an officer under you, in whom you have ceased to repose confidence and about whom you suspect that he is passing on secrets from official correspondence, will you retain him? Now, what can happen to him? Only three so-called punishments are provided in these Rules, viz. he may be permitted to rejoin duty if the charge is not proved; he may be debarred from employment in specified categories of posts only; or he may be retired from service on such compensation pension, gratuity or provident fund as may be admissible to him in accordance with the Rules.

Now, my hon. friends were trying to show as if no investigation, nothing,

happened. But I tell you, a Government servant is, under these Rules, given every facility to prove to the satisfaction of an independent tribunal—and I use the words "independent tribunal" deliberately—that no suspicion need attach to him. He is in a position to free himself of suspicion. Let us see the composition of the tribunal. The Government servant may be someone employed, let us say, in the post office, or a railway office, or any other office. The tribunal consists of four persons:

- (1) A representative of the Ministry to whom this particular employee is attached.—Supposing he is a postman. Then, the representative will be from the Ministry of Communications.
- (2) A representative of the Ministry of Law—The Ministry of Law has absolutely nothing to do with the employee. Its representative is a person whose mind is attached to law.
- (3) A representative of the Home Ministry. Generally it is the Home Secretary.
- (4) A representative of the Intelligence Bureau.

These are the four persons. We cannot possibly have an open, fair, judicial enquiry, because we are dealing with matters of national security. Among these four persons, the man who may be said to be interested as the prosecutor is the representative of the Ministry from which the employee hails. The other three are not interested at all. It does not matter at all to the Home Secretary whether the man gets off or clears his character, or he does not. The proceedings are not started by him.

Shri K. K. Basu (Diamond Harbour): What about the man from the Intelligence Bureau?

Dr. Katju: This is a purely Advisory Committee. The order is passed by the Minister himself, and I take it that the Minister will act with a sense of great fairness; will see the papers for himself, and will decide whether this man can be kept or not, consistently with the public interest. That is the rule.

Secondly, what is the so-called punishment? They only say to him: Well, under the circumstances we cannot repose confidence in you; it is not a question of your belonging to this or that or any other party; but the question is whether national security is

safe in your hands, whether it is not a fact that people would say that you are engaged in, or you are sympathetic towards, subversive activities. That being so, they say: You go—not punishing him in any way—you take your pension, provident fund, all the gratuities that are admissible to you. If a man is dismissed for improper conduct or disobedience of the Rules or anything like that, then he may be dismissed and dismissal means no advantage, no pension, no gratuity, no provident fund. But here this man is told: You are very good, but too good for us, please leave us.

My submission is that the Rules are fair. They have been made consistently with article 311 of the Constitution, fair to all parties concerned, fair to the Government servant, fair to the Government. There is an enquiry made by very high officers who, three of them—I would say all the four of them—have got no interest whatsoever in the dismissal of this Government servant the person against whom the enquiry is proceeding. And then the case is finally disposed of by the Minister personally. Can you conceive of a more scrupulous care in seeing that no injustice should be done?

And the figures I have quoted before you, the 1952 figures, would show that there is no question of any victimisation or stoppage of any Trade Union activities. As I said, eight cases related to railway staff and one was outside railway staff. In the whole of 1952 there have been only nine cases and no more.

My hon. friend Dr. Mookerjee said.....

Dr. S. P. Mookerjee: Again you are taking my name!

Dr. Katju: I am sorry. The hon. Member from South-East Calcutta referred to certain cases. Another hon. Member from Calcutta gave a long list. I was rather surprised. Of course every Government servant who has got a grievance is entitled to approach any Member present here. They do. But it was rather remarkable that all the Government servants against whom the charge was that they were members of the Communist Party, went to the hon. Member, the Acting Leader of the Communist Party. They were entitled to do so.

Dr. S. P. Mookerjee: Some came to me also.

Dr. Katju: But he did not refer to them. They were referred to by Prof. Mukerjee.

[Dr. Katju]

The question is if there is any individual case in which injustice has been done I have not the slightest doubt that the Minister concerned would very gladly look into it. Individual cases apart (we are not discussing them), the Resolution says that these Rules should be done away with.

Dr. S. P. Mookerjee: Exactly.

Dr. Katju: And my hon. friend the Acting Leader of the Communist Party says: Well, look at us, how good we are, we are willing to co-operate with you, we are willing to do this and lend a helping hand, and let us better the situation. How can the situation be bettered? In the case of workers in the country to which my hon. friend owes spiritual allegiance, it is not a question of removal, it is a question of liquidation. You liquidate people if you dislike them. Pending the liquidation you may change your mind. That is a different matter. But otherwise the Rules are much more stringent. Here there is no such question. Here a charge-sheet is given, there is a right of personal appearance, and the man is dealt with gently. They say: you better take leave. And the case is decided within a few weeks, probably days. Then they say: We are not satisfied with you, let us part in good grace, take your pension, gratuity, provident fund.

My hon. friend said; well, these Rules should be revised. I say that these Rules were made, in consultation with the hon. Member from Calcutta, as fairly as possible.

Dr. S. P. Mookerjee: Not in consultation.

An Hon. Member: Was he there in the Ministry then?

Dr. S. P. Mookerjee: That is why I know all the misdeeds of the period.

Dr. Katju: You must have been party to them all.

Dr. S. P. Mookerjee: Why not change with me?

Dr. Katju: Therefore, I say there is nothing wrong with the Rules. The object is one which the House shares, namely that national security should not be endangered. And in discussions about national security you cannot let out secrets. It cannot be an open, public, judicial enquiry in a court of law, anybody coming and cross-examining. It is a question whether there is sufficient material to

say that this man cannot be trusted—cannot be trusted as a Government servant. Nobody is going to lock him up or put him in jail. But suppose his political associates are such or his sympathies lie with a particular party which (what shall I say?) preaches *satyagraha*, preaches defiance of the laws, preaches unlawful demonstrations, unlawful strikes, collection of arms, preaches the doctrine that if a person comes to a tenant shoot him and do not pay rent. We know of these cases. It is a different question that policies may be changing from time to time. One day a particular party may say: do not shoot, it is not worth while. Five days later they may say: start shooting again. One day they may say: we are going to call off *satyagraha* or defer the starting of *satyagraha*, we will have it fifteen days later. But it is neither here nor there. The question is can you have a Government servant whose sympathies lie, whose association lies with people of this variety? If he wants, let him come as an ordinary citizen, become a member, vote for them, stand on their behalf. Nobody prevents him from doing so. But the moment he becomes a Government servant, the interests of the country come first and last and come foremost.

And please remember it is not a question of an Advisory Council consisting of Congressmen or Hindu Mahasabha men or others. In this Advisory Council there are only the Service people: a member from the Home Ministry, maybe the Home Secretary himself, then maybe the Secretary of the Law Ministry himself, and maybe the Secretary of his own Ministry, and you get the C.I.D. man. They are all Servicemen and if they are satisfied.....

Dr. S. P. Mookerjee: Satisfied on what? On the basis of C.I.D. reports and without knowing all the particulars or the sources of information?

Dr. Katju: We had a discussion about this when the Preventive Detention Bill was under discussion. It was very much discussed. And the question was whether there should be a right of legal representation, whether a lawyer should be present or not. I ventured to put forward the thesis on that occasion that a right of personal appearance is far better than the right of representation through a lawyer. Here, in a Committee of four officers, this man can come and say what is the matter against him. He can expose himself, so to say, to the fullest possible examination.

Dr. S. P. Mookerjee: All the particulars will not be disclosed. That is in the Rules.

Dr. Katju: They will be disclosed to him so far as he can be trusted. My submission is when there is an independent tribunal consisting of service people and the matter under investigation is of the most secret type, there is no reason to believe that justice could not be done and that the Government is keen in victimising anybody in any way. The cases that I have submitted before you in the year 1952 will go to show that the Government will place its trust upon these Government servants and there ends the matter.

Before I sit down, I should like to refer in two minutes to Trade Union activities. I do not quite follow this. You remember on the last occasion the Trade Union discussion was entirely irrelevant. It has nothing to do with this. We are all dealing with Government servants and the subject matter of enquiry is the possibility or otherwise of the danger to national security. There is no question of Trade Union activities at all. They are all Government servants. I therefore submit that this Resolution really is unnecessary. Ordinarily I would have said that it might be withdrawn but I do not know whether my voice would be heeded. So far as the 1952 figures are concerned, it cannot be said that these Rules are being in any way misused or abused and there is no danger in future to think that the Government would take some very drastic action under these Rules. Any reflection upon the official Enquiry Committee that is always constituted for investigation into any particular case is not deserving.

Lastly I say that if there is any individual case in which any hon. Member thinks that injustice has been done, I would suggest to him to make a representation to the Minister concerned and I have no doubt whatsoever that if there is room really for reconsideration, that will be granted.

Shri Namblar: I have heard the speeches from the other side with interest. Repeatedly they have been putting forth the charge that this situation was created by a particular group or political party and that in 1949 a particular political party wanted to create chaos in the country. I want to answer that point first so that this misunderstanding or this distorted understanding should be ended. I, on behalf of the Communist Party, can

say clearly and with all emphasis at my command that the Communist Party did not want to create any chaos in 1949 and not even today. The Communist Party always has, like other political parties, taken up the cause of the people and the workers. In 1949 the situation was such that the railwaymen, the postal employees and all sorts of employees had their own reasonable genuine grievances and the Communist Party assisted them in redressing those grievances. In 1949 the strike was mooted not by the Communist Party at all. There was a stage when a ballot was taken and the whole railwaymen in this country voted for the strike and that strike did not materialise when the Railway Trade Unions ultimately decided not to strike.

There was a reference here by Mr. Venkataraman that on the South Indian Railway the workers actually went on strike in 1949. I want to correct him also. It is not a fact. In 1949 the workers in the South Indian Railway did not go on a strike. We do not precipitate a situation but there is a situation and unless and until the Government improves the situation by hearing the reasonable demands of the people concerned and try to redress their grievances, there is no way out. Even today we are seeing retrenchment. Everyday we hear stories of mass retrenchment in shipyards, in Defence organisations, in Railway organisations, in Postal Departments. Low wages add to the sufferings of the staff. If today they unite together and say they have got a right to strike and if certain political parties find that it is reasonable on their part to support such men to go on strike, do you consider that it is an anti-national action? Is it against the interests of the security of the country? If it is so, you will have to bring forth the suggestion that no strike under any circumstances in India is possible whether it be right or wrong; or you will have to ban strikes, you will have to stop all activities. Therefore let them not repeat this jargonised thing over and over again saying that the Communist Party or some other political party concerned had to create chaos. Please put an end to this at least from today onwards.

According to the figures of the Home Minister, there were only 365 cases. He says "after all, there are about ten lakhs of workers and only 365 men are involved". Tomorrow if someone is shot dead wrongly, he will say, "After all out of 360 million

[Shri Nambiar]

people, only one is shot dead". I say it is an injustice if one out of 100 or 1000 is discharged without recourse to normal procedure. It requires consideration. In moving my Resolution what I wanted was a sympathetic consideration. I made it clear that my intention in moving this Resolution is not to score a debating point over the Government. My intention was to have a reasonable consideration of these cases. If there is a single atom or iota of injustice, please remove that. They say, "no, there was not a single iota of injustice". They say everything was right because the Government officers were there, the CID officers were there. The CID officers who were responsible for removal of 365 people did not have an iota of injustice! We are asked to believe them, by the hon. Minister for Home Affairs. I would tell him again that it is not a question of controversy between the Communist Party and the Congress in power. It is a question of an injustice done on a certain section of Government servants. Let them see that at least a judicial enquiry be conducted in this case if they are not prepared to reinstate them straightaway and justice meted out. I make an appeal that at least this must be done.

From the talk from the opposite side, from Mr. Khandubhai Desai's own mouth came that if there is injustice done, it must be reconsidered. I welcome this. The point that it was at the inspiration of the Communist Party, all these things happened can be discussed later. I request him to put all his weight on my appeal to the hon. Minister. I appeal to the Railway Minister in particular because the majority comes from the Railways.

There must be a reconsideration of the question whether these Rules are to be retained in the Statute Book. He says in 1952 there was only one case, in 1953, practically no case. If that is so, why do you want a law of this kind? Is it a question of threatening or you want the co-operation, the willing co-operation of the Government servants and other political parties? Do you want it at the point of pistol or at the point of voluntary co-operation? If you think that you will get better co-operation at the point of pistol, then try it or if you want voluntary co-operation for success of your Five Year Plan, then come forth with a gesture which will pave the way for that co-operation. There is no meaning in saying that we will put every such draconian measure on the Statute Book, whether it

be the Preventive Detention Act or Conduct Rules or the Safeguarding of National Security Rules, as a deterrent, to terrorise you, to make you come down. That attitude will not get what you want. That is why I submit to you that you must reconsider whether these Rules should be there.

I have no time to refer to the arguments put forth from the other side. But, I will submit that the Opposition is one here, in making this request to you. The hon. Member Mr. B. S. Murthy from the Praja Socialist party requested you to reconsider. Dr. Syama Prasad Mookerjee requested the same thing. From the Communist side, we request the same thing. Mr. P. N. Raiabhoj wanted to speak. I had talked to him and he wanted to express the same feeling. Every Member from this side, without a single exception, has the same feeling. I have also talked with many of the Independents. They also feel that there is some sort of injustice done in the case of these victimised people and that there must be reconsideration. From the other side also, there is this feeling. There is unanimous consensus of opinion on this issue that there must be reconsideration, judicial consideration at least. See that at least a Judge, retired Judge or a Judge in service goes through these cases. We will place our case; the Trade Unions concerned will place their case; the staff will place their case. There should be reconsideration.

We from our side tried our best to convince the Minister Mr. Lal Bahadur Shastri. I have already stated this in my opening speech. The hon. Deputy Minister for Railway Mr. Alagesan is here. I wrote to him in person. He said, "Mr. Nambiar, you will get a satisfactory reply in this case". I have exhausted all possible methods in this matter. I was trying my best to see that these men were taken back because they are suffering.

The Deputy Minister of Railways and Transport (Shri Alagesan): If I may interrupt, there was only a recent reconsideration of these cases and it was further decided to drop proceedings against 30 more.

Shri Nambiar: That comes to 60 now. What I say is, the remaining...

Shri Alagesan: I am referring to the old cases; let him not add on.

Shri Nambiar: He was saying, again 30 cases.

Mr. Deputy-Speaker: Out of the old cases, 30 have been remitted.

Shri Nambiar: Whatever be the number, I have tried my best. Even after moving this Resolution, I went to Mr. Lal Bahadur Shastri. I said, "I must be given some time for a patient representation of my case. He said, 'you come to me, we will again discuss'". Here it is not a question of Communists at all. They say these men are Communists. If you can bear with me, separately in the Chamber, I can show you every individual case and convince you that out of these 365, there will not be hardly more than half a dozen who are Members of the Communist party.

Mr. Deputy-Speaker: They say, 172

Shri Nambiar: No; there are 365.

Mr. Deputy-Speaker: The case started with 172 discharged.

Shri Nambiar: There are many other cases which do not come under their category. I have got a full list. I can give the list. It is not a question of bringing the Communist bogey everywhere. We will have to speak of the Communist bogey on every issue under the sun in India because on various issues we have difficulties. Whenever you have difficulties, there is no use saying there are the Communists. That will not be a solution of the problem. You will have to reconsider the question. I appeal to you once again. They are not going to accept my Resolution. They are going to vote it down. Let them vote it down. Any how let them carry this appeal from me to reconsider. The whole Opposition will be united in putting our case to them once again. With these words, I press my Resolution.

Mr. Deputy-Speaker: The question is:

"This House is of opinion that the Safeguarding of National Security Rules, 1949 introduced in the Railways, Postal, Defence and all the other Central Government Services to discharge Government employees without recourse to normal procedure of disciplinary rules be cancelled forthwith and all those discharged or suspended under these rules be reinstated."

The motion was negatived.

RESOLUTION RE LEGISLATION ON UNTOUCHABILITY

श्रीमती मिनीमाता (बिलासपुर-दुर्ग-रायपुर—रक्षित-अनुसूचित जातियाँ) : मैं प्रस्ताव करती हूँ :

"इस सदन की राय है कि इस उद्देश्य से कि अनुसूचित जातियाँ सामाजिक, नागरिक तथा धार्मिक विषयों में उन्हीं अधिकारों का प्रभावी ढंग से उपभोग कर सकें जो अन्य लोगों को प्राप्त हैं। संसद द्वारा तुरन्त ही एक ऐसा व्यापक विधान बनाया जाय जिसमें छूतछात बरतने पर दंड देने की व्यवस्था हो और जिसमें ऐसे अपराधों के मामले सुनने का अधिकार रखने वाले न्यायालयों द्वारा अनुसरण की जाने वाली प्रक्रिया का तथा अपराधियों को दिये जाने वाले दंड का विशेष रूप से उल्लेख हो "

["This House is of opinion that with a view to enable Scheduled Castes to enjoy effectively the same rights in social, civil and religious matters as are enjoyed by others, a comprehensive law may be enacted forthwith by Parliament for the punishment of the practice of untouchability laying down in particular the procedure to be followed by the Courts having jurisdiction to try such offences and the penalty to be meted out to offenders."]

उपाध्यक्ष महोदय, इस सदन को यह मालूम है कि समाज मनुष्यों का समुदाय है। उत्तर मध्यम काल में समाज के मुखियों ने पेशे के आधार पर कुछ वर्ण बनाये थे परन्तु कालान्तर में यह पौषा एक बड़ा झाड़ बन गया। इस तरह आप मुझ से सहमत जरूर होंगे कि जाति विभाजन मनुष्यों के द्वारा बनायी हुई चीज है। इसके विस्तृत रूप धारण करने से भारत को भूत में किन किन कठिनाइयों का सामना करना पड़ा, वर्तमान में क्या क्या करनी पड़ रही हैं और उससे भारत को क्या क्या क्षति होती जा रही है यह आप सब को मालूम है। स्वर्गीय राष्ट्र पिता महात्मा गांधी जी ने हम सब को एक साथ खाने, एक साथ रहने तथा मनष्य से मनुष्य को छूआ-छूत नहीं मानना चाहिए इस ओर बहुत

[श्रीमती मिनीमाता]

कुछ किया और उन्हें कहां तक सफलता मिली इस सदन को ज्ञात है। उपाध्यक्ष महोदय, जिस तरह एक मां बाप के चार लड़के हैं और उनमें से किसी एक को केवल उसके किसी बात पर गौर न कर अलग कर देने से यदि सब को नहीं तो उसकी मां को अवश्य पीड़ा होती है। ठीक इसी तरह हमारे अन्य हिन्दू भाई हमें अलग रखेंगे तो भारत मां को पीड़ा होगी और इससे वह क्षीण होती जाती है। हम एक भारत मां से सपूत हैं और सब को अपनी मां की पीड़ा दूर करने का प्रयास जरूर करना चाहिये। मैं मानती हूं कि भारत के संविधान के भाग ३ धारा १७ पर छूआछूत निवारण संविधान तैयार किया गया परन्तु यह व्यावहारिक रूप में अमल में नहीं लाया जाता। जिस तरह एक चोर को चोरी करने के अपराध में किस प्रकार की अदालत में उसकी चर्चा होगी और उसे कितने आर्थिक तथा शारीरिक दंड दिया जाता है इसका उल्लेख पूर्ण रूप से भारतीय कानून ताजीरात हिन्दू में पाया जाता है। संसद जानती है कि हमारे नये संविधान के पहले भारत के कुछ राज्यों में छूआछूत निवारण कानून बनाये जा चुके हैं और किन्हीं किन्हीं प्रान्तों में संविधान आने के बाद बनाये गये हैं। ये सब एक से नहीं हैं। यदि इसमें वे कुछ हेर फेर करें संशोधन के रूप में तो उच्च न्यायालयों में उसकी मान्यता शायद नहीं होगी। अर्थात् भारत में एक विशेष विषय पर भिन्न भिन्न कानून बनाये गये हैं यह मेरी निगाहों से ठीक नहीं है। क्योंकि ये सब कानून बार्ड केस नहीं हैं। इस कारण थानेदार इसको अमल में लाने में तनिक परबाह नहीं करते। इससे इस सदन से मेरा अनुरोध कि इसके द्वारा एक विस्तृत कानून बनना चाहिये जो सारे देश में लागू होना चाहिये ऐसे कानून को कौन अदालत सुनेगी और

कितना शारीरिक तथा आर्थिक दंड अवहेलना करने वाले को मिलेगा इन सब बातों का उल्लेख हो आखिर में अब तो यह काम शुरू होना चाहिये। इस कारण हमारे थानेदार को इस कानून को अपनाने के लिये विशेष हिदायतें देनी चाहियें तथा बार्ड केस बनाने के लिये आदेश देने चाहियें। ऐसा विधान बनाने से राज्य के जरिये से बहुत सा काम हो जाता है, इसकी गवाही इतिहास देता है। अध्यक्ष महोदय के ध्यान को मैं इस सिलसिले में लाना चाहती हूं कि छूआछूत के बारे में कई जगह मर्डर केसेज हो रहे हैं और हरिजन काश्तकार अपने घर से डर के मारे नहीं निकलते हैं। हम हरिजनों को गरमी के दिनों में कुएं से पानी भी नहीं भरने देते और पीने भी नहीं देते।

और भी कई कठिनाइयों को हम को सहन करना पड़ता है। क्या हम सदा के लिये ऐसे ही गिरे हुए ही रहेंगे या आगे हम को बढ़ने दिया जायेगा। हमारे विरोधी पार्टी वाले भाई देहातों में जाकर यह प्रोपगेंडा करते हैं कि कांग्रेस सरकार तुम्हारा क्या कर रही है और क्या करेगी। वह कहते हैं कि तुम सब लोग बहुतम देकर कांग्रेस को अधिकार देते हो, और वह तुम हरिजनों को सदा ही नीचे दिखा रही है। यह सब विरोधी लोग जाकर प्रोपगेंडा करते हैं। इसलिये जनता बहुत दुःखित है और हम हरिजन अपना दुःख सदा आप के सामने लाते हैं पर हमारी सरकार हमारी तरफ ध्यान नहीं देती है। इसलिये जरा ध्यान देकर इस रिजोल्यूशन को पास कर के इसी सेशन में इस के अनुसार कानून पास करें।

हां, हम हरिजन एक भी कांग्रेस के खिलाफ नहीं हैं। पर हमारी दशा गिरती ही जा रही है। सरकार के खिलाफ तो हम हरिजन हैं ही नहीं, सदा उनके बन्धन में हैं।

जैसा कहती है वैसे ही करते हैं। हम तो कांग्रेस सरकार को कामधेनु गैया की तरह समझते हैं जिस को पकड़ कर हम हरिजन बैतरणी नदी पार करना चाहते हैं। पर कांग्रेस सरकार हम को बहुत ही गिराना चाहती है।

[SHRIMATI RENU CHAKRAVARTY in the Chair]

Mr. Chairman: Resolution moved:

"This House is of opinion that with a view to enable scheduled Castes to enjoy effectively the same rights in social, civil and religious matters as are enjoyed by others, a comprehensive law may be enacted forthwith by Parliament for the punishment of the practice of untouchability laying down in particular the procedure to be followed by the Courts having jurisdiction to try such offences and the penalty to be meted out of offenders."

Now, there are a number of amendments.

Shri P. T. Chacko (Meenachil): Let us catch your eye.

Mr. Chairman: Let me first finish.

Of the amendments which have been sent in, there is one by Shri S. N. Das and Shri Radha Raman. That is in order.

Shri S. N. Das (Darbhanga Central): I beg to move:

That for the original Resolution, the following be substituted:

"This House is of opinion that a comprehensive law should soon be enacted to ensure that the practice of untouchability and the resultant disabilities are removed immediately leading to equal social status of all the citizens and bringing the offenders in this respect to book in an expeditious manner."

Mr. Chairman: Then, there is amendment No. 3 by Mr. B. S. Murthy. That, of course, is enlarging upon the original Resolution. He wants to include Scheduled Tribes and backward classes. I am afraid that is beyond the scope of this Resolution, and as such, that is out of order.

Does Shri Raghunath Singh want to move his amendment? He is not present.

Amendment No. 4 by Shri B. S. Murthy. Again, this wants to enlarge

upon the original Resolution, and is therefore, out of order.

Amendment No. 5 by Shri P. N. Rajabhoj. The Resolution is only about untouchability. He wants that the Scheduled Tribes also be included. If that had not been included, it would have been in order.

Shri P. N. Rajabhoj (Sholapur—Reserved—Sch. Castes): You can put "Scheduled Castes".

Mr. Chairman: That is amending the amendment. I am afraid that cannot be allowed. He should have looked into it. Now, I shall call upon...

Shri B. S. Murthy (Eluru): You did not understand the purpose of my second amendment.

Mr. Chairman: The second amendment also says that there should be an Advisory Committee for the Scheduled Tribes, i.e., that the original Resolution be expanded to include Scheduled Tribes. The Resolution deals only with untouchability, and the extreme form of the amendment could be to put in "Scheduled Castes" and not "Scheduled Tribes". As such, this is out of order.

Shri B. S. Murthy: May I submit that besides untouchability there are social disabilities that are always standing in the way of the uplift of the backward classes as well as tribal people.

Mr. Chairman: I understand his point, but that is not what he has said in the amendment. If he had said that, it would have been in order.

Shri B. S. Murthy: Please read the whole thing.

Mr. Chairman: I have read the whole thing. I am afraid it cannot be allowed. Now, I will first call upon Shri S. N. Das and Shri Radha Raman, and afterwards, others who catch my eye.

श्री० एस० एन० दास (दरभंगा मध्य):

जो प्रस्ताव अभी सदन के सामने रखा गया है इस प्रस्ताव का महत्व इस सभा के सदस्यों से छिपा हुआ नहीं है और सरकार भी उसके महत्व से अपरिचित नहीं है। इस प्रस्ताव का आशय उन सभी विधान की धाराओं को कार्य रूप में लाने का है जिनके द्वारा संरक्षण या मौलिक अधिकार तथाकथित हरिजनों को दिये गये हैं। इस बात को इस संसद् के

[श्री एस० एन० दास]

सभी सदस्य मानते हैं कि हिन्दुस्तान में बहुत बड़ी तादाद में ऐसे लोग हैं जिन्हें सामाजिक अधिकार सभी नागरिकों को मिलने चाहियें वे उन को प्राप्त नहीं हैं। जबसे हम लोग आजाद हो गये और हम ने अपने विधान का निर्माण कर लिया, उस समय से इस प्रश्न की ओर विशेष ध्यान दिया जाने लगा है, यद्यपि इस से पहले भी महात्मा गांधी के नेतृत्व में और उससे पहले भी हिन्दुस्तान में बहुत से सामाजिक सुधारक हुए हैं जिन्होंने इस विषय के महत्व की ओर हिन्दुस्तान की जनता का विशेष कर तथा कथित उच्च वर्ग के लोगों का ध्यान खींचा है। इस बात को हम सभी मानते हैं कि हिन्दुस्तान के अन्दर जो सामाजिक विषमता है उसकी जड़ में धर्म और जाति का स्थान है। हिन्दुस्तान के अन्दर जो विभिन्न धर्म के मानने वाले हैं उन में विभिन्न विचार और विभिन्न प्रकार की धारणाएँ हैं। लेकिन हिन्दू धर्म के अन्दर किसी भी कारण से हो, इतिहास का पन्ना उलटने की ज़रूरत नहीं है, कि हिन्दुओं में सभी लोगों के साथ जैसा व्यवहार एक नागरिक को दूसरे नागरिक के साथ करना चाहिये वह सामाजिक तौर पर नहीं है। विधान के द्वारा हिन्दुस्तान के करोड़ों लोगों को बिना किसी भेद भाव के, हम ने मतदान का अधिकार दे दिया है। इससे हमारे देश में राजनीतिक न्याय कायम हो चुका है और यह कोई नहीं कह सकता कि राजनैतिक रूप से हिन्दुस्तान में कोई नीचा या ऊँचा है।

लेकिन बावजूद इस बात के कि विधान में हमने मान लिया है कि हम राजनैतिक, सामाजिक और आर्थिक न्याय हर भारतवासी के लिए उपलब्ध करेंगे, फिर भी हम देखते हैं कि आज हिन्दुस्तान का जो समाज है,

उस समाज में बहुत बड़ी तादाद ऐसे लोगों की है जिनको समान सामाजिक अधिकार नहीं मिले हुए हैं। माननीय सदस्य ने इस सदन के सामने जो प्रस्ताव रक्खा है में समझता हूँ कि उस प्रस्ताव का मुख्य मतलब यही है कि हिन्दुस्तान के अन्दर एक ऐसा क़ानून बनाया जाय जिस से देश में अस्पृश्यता न रहे और सभी नागरिकों को समान सामाजिक अधिकार और स्थान प्राप्त हो। ऐसा व्यापक क़ानून बनाना चाहिए जिससे यह अधिकार उन्हें प्राप्त हों और उस क़ानून की अवहेलना करने वालों को उस क़ानून के द्वारा यथोचित सज़ा मिल सके, ताकि इस प्रकार की जो विषमता हमारे समाज के अन्दर है वह जल्द से जल्द दूर हो जाय। और यह बात भी ठीक है कि इस बारे में सरकार और हम संसद् के जो सदस्य हैं उनमें कोई मतभेद नहीं है, लेकिन इतना मानना पड़ेगा कि बावजूद इस बात के कि हमने विधान में इस बात को मान लिया है, हम व्यवहारिक रूप में अपने जीवन में और समाज के जीवन में उसको अमल में नहीं ला सके हैं। इसलिये ज़रूरत इस बात की है कि एक ऐसा क़ानून बनाया जाय जो व्यापक तौर पर सभी राज्यों में एक समान लागू हो और जो राज्य सरकारें आज इसकी तरफ़ पूरा ध्यान नहीं दे रही हैं, इस प्रकार का क़ानून बनने के बाद तमाम राज्य की सरकारें इस बात की ओर विशेष ध्यान दें। यह बात ममानता हूँ कि देश की आज जैसी अवस्था है, उस अवस्था में सिर्फ़ क़ानून बनने से ही यह काम पूरी तौर पर होने वाला नहीं है। दोनों मोर्चों पर काम करने की ज़रूरत है। विधान बना कर या क़ानून बना कर बराबरी का अधिकार देकर उस पर जोर देना एक मोर्चा है। दूसरा मोर्चा यह है कि देश में जितनी भी सामाजिक स्थायें अथवा नागरिक हैं जो विश्वास करते हैं कि समाज के अन्दर सबको बराबर अधिकार मिलने चाहिये

और कुओं तालाबों आदि का सबके द्वारा समान रूप से इस्तेमाल होना चाहिए, वह सामाजिक संस्थाओं के द्वारा या व्यक्तिगत रूप से अपने अपने क्षेत्रों में इसके लिए प्रयत्न करें और प्रचार करें ताकि यह जो कलंक हमारे देश के अन्दर लगा हुआ है, वह मिट जाय और संसार के दूसरे देशों में जो बदनामी होती है, उससे हम बच जायें। इस बात को भी हमें कबूल करना पड़ेगा कि जब हमारे देश के प्रतिनिधि अन्तर्राष्ट्रीय संस्थाओं में जाते हैं और जब हम वर्ण और रंग की बुनियाद पर अफ्रीका आदि देशों में भारतीयों के साथ जो भेदभाव की नीति बरती जाती है उसके विरुद्ध जब वे बोलने खड़े होते हैं, तो विदेशी प्रतिनिधि हमारे देश की ओर इशारा करते हुए कहते हैं कि स्वयं हिन्दुस्तान में भी तो करोड़ों आदमी ऐसे बसते हैं जिनके साथ आज बराबरी का बर्ताव नहीं किया जाता और उस समय हमें उसका कुछ जवाब देते नहीं बन पड़ता और हमारा सिर लज्जा और शर्म से झुक जाता है, यह वास्तव में हमारे लिए बड़े लज्जा और शर्म का विषय है। हमारे देश की सरकार को चलाने वाले जो हमारे कर्णधार हैं, वह भी इस बात को समझते हैं; फिर भी जरूरत इस बात की है कि जल्द से जल्द एक ऐसा कानून बनाया जाय जिस के जरिए भारतीय संविधान में जो हमने मौलिक अधिकार व संरक्षण प्रदान किये हैं, उनको कार्य रूप में लाया जा सके। इसी बात को लेकर मैं इस प्रस्ताव का समर्थन करने खड़ा हुआ हूँ। मैं ने जो संशोधन पेश किया है उस संशोधन की ओर सभानेत्री जी मैं आपको ध्यान खींचना चाहता हूँ, इस प्रस्ताव में जो यह कहा गया है कि :

"This House is of opinion that with a view to enable Scheduled Castes to enjoy effectively the same rights in social, civil and religious matters....."

"Religious matters" अगर इसमें से हटा दिया जाय तो मैं सारे सदन से इस बात की सिफारिश करूंगा कि इस प्रस्ताव को मंजूर करे और मुझे पूरी आशा है और विश्वास है कि इसको सरकार का भी समर्थन प्राप्त होगा। हिन्दू धर्म में वैसे तो इस बात का सिद्धान्त है कि हर हिन्दू धर्म को मानने वाले के साथ समान और बराबरी का बर्ताव किया जाना चाहिए लेकिन जहां तक राज्य और संसद् द्वारा कानून बनाने का सवाल है हम किसी धर्म के मानने वाले को मजबूर नहीं कर सकते हैं कि वह धर्म का किस तरह पालन करे। उनके धर्म के अन्दर हम हस्तक्षेप नहीं कर सकते, इसलिए इस प्रस्ताव में धर्म के मुतालिक जो बातें कही गयी हैं, उनको हटा दिया जाय, तब मैं समझता हूँ कि सरकार अथवा संसद् को इसे स्वीकार करने में कोई आपत्ति नहीं होगी। हर एक धर्म का भिन्न-भिन्न रूप और व्यवहार होता है और मैं समझता हूँ कि संसद् किसी भी धर्म के मानने वाले चाहे वह सलत तरीके से ही उसे क्यों न मानते हों, उसमें हस्तक्षेप नहीं कर सकता है इसलिए मैं समझता हूँ कि जैसा कि हमने विधान में यह मान लिया है कि हिन्दुस्तान में जितने भी लोग बसते हैं और यहां के नागरिक हैं, उनमें किसी सामाजिक, राजनैतिक या आर्थिक बात को लेकर कोई भेद भाव नहीं किया जायगा, इसी को आधार मान कर हमें कानून बनाना चाहिए। जहां शिक्षा संस्थाओं में तथा कथित हरिजनों के साथ कोई भेदभाव नहीं किया जाता है, लेकिन इसका मतलब यह नहीं कि उनकी सभी असुविधायें मिट गई हैं मैं आपको बतलाऊं कि आज एक नहीं सैकड़ों गांव ऐसे मौजूद हैं जहां पर हरिजनों को कुओं का पानी इस्तेमाल करने की स्वतन्त्रता नहीं दी जाती है और जब इस कुप्रथा को बन्द करने के लिये बहुत आग्रह किया जाता है तो यह कहा जाता है कि हम गांव में हरिजनों के लिये अलग कुएं बनवा देंगे आज के दिन भी हिन्दुस्तान के करोड़ों आदिमियों को उनके उचित और न्यायसंगत मानवोचित

[श्री एस० एन० दास]

अधिकारों से वंचित रहना हमारे लिये बड़े कलंक की बात है। एक नहीं, दो नहीं, सैकड़ों ग.व. हिन्दुस्तान में ऐसे मिलेंगे जहाँ पर आज भी हरिजनों के लिए कुएं से पानी पीने का इन्तजाम नहीं है, सरकार की तरफ से अथवा डिस्ट्रिक्ट बोर्ड या म्यूनिसिपल कमेटियों की ओर से हर गांवों में कुएं नहीं बने हुए हैं और वहाँ व्यक्तिगत लोग स्वयं अपनी ओर से कुएं बनवाते हैं और फलस्वरूप हर एक नागरिक को उन कुओं पर पूरा अधिकार नहीं होता है। इसलिए आज इस बात की बहुत जरूरत है कि उन स्थानों पर जहाँ सरकार द्वारा कुएं बनवाये जायें, वहाँ सामाजिक संस्थाएँ इस बात का प्रचार करें कि जो मौलिक अधिकार सभी नागरिकों को विधान के अन्दर मिटे हुए हैं उन का उपयोग सब नागरिक समान रूप से बिना किसी भेद भाव के करें। केन्द्रीय सरकार की रिपोर्ट को देखने से ज्ञात होता है कि केन्द्रीय सरकार ने कई बार इस संसद् के सामने कहा है कि हम इस बात के ऊपर विचार कर रहे हैं लेकिन मालूम नहीं सरकार कब तक उस पर विचार करती रहेगी, मैं यह बात मानता हूँ कि विभिन्न राज्यों में इस हेतु कानून भी बनाये गये हैं जिन में अस्पृश्यता को कानूनन अपराध ठहराया गया है, लेकिन अभी अशुविधाओं को पूरे स्तर पर नहीं दूर किया जा सका है। इस लिए इस बात की जरूरत है कि केन्द्रीय सरकार इस चीज को अपने हाथ में ले और एक आल इंडिया लेविल पर कानून बनाये। केन्द्रीय सरकार को यह काम अपने हाथ में लेना आवश्यक है ताकि यह काम सब जगह ठीक प्रकार से सम्पन्न किया जा सके। मैं समझता हूँ कि मौलिक अधिकार जो हमने अपने विधान में तत्प्राकथित हरिजन भाइयों के लिये रखे हैं, उनको कार्य

रूप में परिणित करने के लिये अगर केन्द्रीय सरकार कोई कानून बनाये, तो उसका अच्छा असर देश पर पड़ने वाला है। इसलिए मैं इन बातों के साथ इस प्रस्ताव का अपने संशोधन के मुताबिक समर्थन करता हूँ और उम्मीद करता हूँ कि माननीय मंत्री इस प्रस्ताव को संशोधित रूप में स्वीकार करेंगे और जल्द से जल्द दूसरे अधिवेशन में एक ऐसा विधेयक इस सभा के सामने रखेंगे ताकि देश के अन्दर यह जो विषमता का कलंक है, वह दूर हो जाय और आज हमारे करोड़ों हरिजन भाइयों के दिल में जो यह ख्याल है कि तत्प्राकथित उच्च वर्ण के लोग उनके साथ उचित व्यवहार नहीं करते हैं, यह ख्याल उनके दिल से दूर हो जाय और देश के सब लोग एक साथ मिल कर बराबरी के दर्जे पर चल कर देश की तरक्की और नवनिर्माण के कार्य में जुट जायें। इसी आशा और विश्वास के साथ मैं इस प्रस्ताव का समर्थन करता हूँ और उम्मीद करता हूँ कि माननीय मंत्री जी इस प्रस्ताव को स्वीकार करेंगे।

Mr. Chairman: Amendment moved:

That for the original Resolution, the following be substituted:

"This House is of opinion that a comprehensive law should soon be enacted to ensure that the practice of untouchability and the resultant disabilities are removed immediately leading to equal social status of all the citizens and bringing the offenders in this respect to book in an expeditious manner."

I should like to say a few words. There is a very large section of people who want to participate in this debate, and I would like to call upon as many Members as possible. So I would request hon. Members, to speak for a short time each, so that we might get the largest participation.

Shri Barman (North Bengal—Reserved—Sch. Castes): May I submit, that this is a very important matter? Fortunately it has come before this august Parliament for the first time. So far as the Scheduled Castes

are concerned, we are very much concerned about this Resolution. In this debate, we would like to hear all parties and all the different sections of the House, and to know what their views are, so far as legislation by this Parliament is concerned. What I would submit is that, so long as the rules of debate are not infringed, you may kindly allow all Members to speak, as we would like to have a thorough debate on this point.

Mr. Chairman: There is absolutely nothing preventing people from participating in this debate fully. But I am just requesting that as far as possible, hon. Members may try to keep their speeches short, so that we might get the views of all the sections of the House. I agree with the hon. Member.

Mr. Rajabhoj.

Shri Nanadas (Ongol—Reserved-Sch. Castes): May I make one submission?

Mr. Chairman: Please do not delay any more.

Shri Nanadas: I would like to make one suggestion.

Mr. Chairman: No more suggestions now. **Mr. Rajabhoj.**

श्री पी० एन० राजभोज (शोलापुर-रक्षित-अनुसूचित जातियाँ) : अध्यक्ष महोदय, पहले तो मैं आपका बहुत आभारी हूँ कि आपने मुझे बोलने का अवसर प्रदान किया। मुझे आज यह देख कर बहुत प्रसन्नता और सन्तोष होता है कि एक कांग्रेसी हरिजन की तरफ से ऐसा प्रस्ताव आया, इस तरह का प्रस्ताव तो आज से बहुत पहले आना चाहिए था। आज हमारे विधान को बने हुए दो, तीन वर्ष व्यतीत हो गये, लेकिन यह नहीं मालूम कि उसमें जो हमारे लिये लिखा है, उस पर अमल कब होगा, सिर्फ रेज्यूलेशन पास कर देने से ही काम नहीं बनने वाला है, यह ठीक है कि यह जरूर पास होना चाहिये और हम लोगों ने भी कई बार सरकार का ध्यान दिलाया था, मिनिस्टर साहब के पास डेपुटेशन ले गये और उन से मिले और कहा कि इस प्रकार का सरकार को कानून शीघ्र बनाना चाहिए। यह तो सत्य है कि इस देश में स्वतन्त्रता आ गयी है, लेकिन हम लोगों को

उस स्वतन्त्रता का तनिक भी आभास नहीं होता और हम उसी तरह परतन्त्रता में अपना जीवन व्यतीत कर रहे हैं, स्वतन्त्रता आने के पश्चात् हमारी दशा में कोई अच्छा सुधार नहीं हुआ है और अछूतों की आज देहातों में हालत बिल्कुल जानवरों कुत्ते, बिल्ली जैसी है। लोग कहते हैं कि कान्स्टीट्यूशन बन गया, एक दिन स्पीकर साहब ने मुझ से कहा कि हिन्दुस्तान में छूतछात का मामला चला गया, कान्स्टीट्यूशन बन गया। यह तो खाली बात की बात है। मैं कहना चाहता हूँ कि जब तक इस के बारे में कोई कानून नहीं होता, जब तक इस के लिये क्रिमिनल अफेन्स नहीं बनाया जाता तब तक कांग्रेस और दूसरे लोगों का दिमाग ठीक नहीं होगा। तब तक हमारी उन्नति मुश्किल है। मैं तो कभी कभी बोलने के लिये खड़ा होता हूँ। लेकिन तब भी जो सवर्ण हिन्दू हैं, कांग्रेस के लोग हैं, मैं नाम नहीं लेना चाहता हूँ, क्योंकि मैं उनको महत्व नहीं देना चाहता, लेकिन वह कहते हैं कि राजभोज साहब हर वक्त पोलिटिकल प्रोगेंडा करते हैं। लेकिन मैं कहना चाहता हूँ कि यह एक बीमारी है, जो तुम लोगों ने इतने हजारों वर्षों से अछूतों को दबाया, गिराया, उस पाप को धोने के लिये यह जरूरी है उस को बदला जाय। जब तक यह पाप खत्म नहीं होगा तब तक हम लोगों को इस के लिये लड़ना ही पड़ेगा। पंडित नेहरू जी कहते हैं कि साउथ अफ्रीका में क्या हो रहा है, वहां के हिन्दुस्तानियों पर जुल्म हो रहा है। लेकिन मुझे कहना यह है कि तुम हिन्दुस्तान को तो देखो, साउथ अफ्रीका यहीं हो रहा है। आज आप लम्बी चौड़ी इन्टरनेशनल बातें करते हैं, लेकिन इस देश में गांव गांव में देहातों देहातों में आप को साउथ अफ्रीका देखने को मिलेगा। आज हिन्दुस्तान के पांच छः करोड़ अछूतों की जो दशा है, उन की अधिक दशा, उन की सामाजिक

[श्री पी० एन० राजभोज]

दशा, और उन की राजनैतिक दशा हिन्दुस्तान में सब से खराब हैं। मैं आप को अपने बम्बई प्रान्त की एक मिसाल बताता हूँ। एक गांव में एक तहसीलदार चला जाता है, और उस तहसीलदार ने वहाँ के एक कामगार से कहा कि तुम जहाँ कहीं मुझे मिलो, वहाँ नमस्कार करो। उस कामगार ने कहा कि जब आफिस में मैं ड्यूटी पर होऊँगा तब आप को जरूर नमस्कार करूँगा। कहने लगे, नहीं नहीं, जहाँ मैं जाऊँगा वहाँ नमस्ते करना होगा। एक दिन तहसीलदार साहब गांव के बाहर पाखाने गये हुये थे, वहाँ जाकर बैठे तो वह कामगार जो अछूत था वहाँ गया और नमस्कार किया। तहसीलदार साहब ने पूछा यहाँ क्यों आया, तो उसने जवाब दिया कि आप ही ने तो कहा था कि जहाँ मिलना वहाँ नमस्कार करना। यह तो हालत है और अन्य प्रकार की हालत थी हमारे बम्बई के देहातों में रहने वालों की। अछूत बिल्कुल गुलाम हैं और इस गुलामी को नष्ट करने के लिये कोई प्रोग्राम नहीं है। पंचवर्षीय योजन बन गई, करोड़ों रुपये की सकीम उस में बता दी गई। लेकिन अछूतों की आर्थिक दशा को सुधारने के लिये अछूतों को छूआछूत को मिटाने के लिये कोई ऐसा प्रोग्राम नहीं जिससे हम लोग हिन्दुस्तान में आजादी से रह सकें। यहाँ के सामाजिक जीवन में हम लोगों की स्थिति इतनी खराब है, इतनी गिरी हुई है कि महात्मा जी ने खुद मुझे एक खत में लिखा था अछूतों के बारे में कि चाहे मैं और अन्य सवर्ण हिन्दू सेवा करते करते मर जायें लेकिन अछूतों की सेवार्थ कभी खत्म नहीं हो सकती। मेरे पास खत इस समय नहीं हैं, नहीं तो मैं पढ़ कर इस को सुनाता। हमारे बाबा साहब अम्बेडकर ने अपना जीवन उन्हीं के कार्य के लिये खर्च कर दिया, गांधी जी ने भी आवाज उठाई है। लेकिन मैं जानता हूँ कि आवाज उठती

है लेकिन उस पर अमल नहीं किया जाता है। हमारे अफसर सब तरह की तें सुन लेते हैं, लेकिन अमल में नहीं लाते, इस वास्ते मेरी प्रार्थना यह है कि जो अछूतों का आर्थिक सवाल है, उनके छूतछात का मामला है, उनको सुधारने के लिये कानून की आवश्यकता है। हम नहीं चाहते हैं कि वह लोग हमेशा अछूत बने रहें। हम लोगों का समानता का अधिकार है, जैसा कान्स्टीट्यूशन में लिखा है कि सब को बराबरी का अधिकार है, वह हम को मिलना चाहिये। हमारी नौकरी के बारे में, हमारी आर्थिक दशा के सुधारन के बारे में और हम लोग जो देहातों में बिल्कुल गिरी हुई स्थिति में हैं उन को उठाने के बारे में फौरन विचार होना चाहिये और इन सब को ठीक करने के लिये हमें फ्री लीगल एड मिलनी चाहिये। देहातों में अछूतों की आर्थिक दशा इतनी खराब है कि

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उनको भर पेट अनाज नहीं मिलता, किसी के पास कड़ा नहीं, किसी के पास मकान नहीं। दिल्ली में इतने फारेनर्स आते हैं वह लोग इसको देखेंगे तो कहेंगे कि यह देश आज द है या अभी तक पराधीन है? मैं तो कहता हूँ कि देश आलाद हो गया, ठीक हुआ, मैं इस से नाराज नहीं, लेकिन साथ ही हिन्दुस्तान में हम लोगों की भी स्वतन्त्रता देने की पूरी तरह से कोशिश करनी चाहिये। स्वामी दयानन्द जी, स्वामी श्रद्धानन्द जी म० फुले, सावरकर क० कोल्हा-पुर छत्रपति, बड़ौदा गायकवाड महाराजा, और हमारी पार्टी के लीडरों ने कुछ न कुछ कोशिश की है और अब भी कर रहे हैं। लेकिन जब हमारी तरफ से आवाज उठती है, तमाम विरोधी पार्टी की तरफ से जब मांग की जाती है तो सरकार उस पर कुछ ध्यान नहीं देती। जब कभी हम कुछ कहते हैं तो वह होम डिपार्टमेंट के पास जाता है,

उसके बाद सेन्ट्री के पास जाता है और वहां से निगेटिव रिप्लाई आ जाता है। हम लोग मिनिस्टर से मिलते हैं तो वह कहते हैं कि बड़ा अच्छा काम है, हम इसको देखेंगे कि क्या किया जा सकता है। लेकिन सेन्ट्री के पास जाता है तो उसका निगेटिव रिप्लाई ही मिलता है। नौकरियों के बारे में जब चलेक्टर्स, डिप्टी चलेक्टर्स, तहसीलदारों के पास जब हम जाते हैं, तो वे ध्यान नहीं देते और भी कास्ट रेस्ट्रिक्शन रहते हैं। कोई सफेद टोपी वाला गया तो उसका काम जल्दी हो जायेगा, लेकिन अगर कोई काला टोप वाला, सूट बूट में होगा तो कहेंगे कि अरे, आप तो अम्बेडकर पार्टी के आदमी हैं, (Interruption). इसे तरह के डिस्टिंग्शन्स जो हमारी अथॉरिटीज हैं उनके दिमाग में हैं। इसी लिये मैं कहता हूँ कि वह देश के सच्चे नागरिक नहीं हैं। वह तो अपने देश के साथ बेईमानी करते हैं। जो सरकारी नौकर हैं उन के दिमाग में तो यह होना चाहिये कि अछूत लोग भी हमारे भाई हैं, हमारे देश के लोग हैं, इन का उद्धार ही दृष्टियों से होना चाहिये। हम को सब प्रकार का छूतछात खत्म करना चाहिये। लेकिन आज कल हालत यह है कि: रघुपति राघव राजा राम, बिरला टाटा सब एकहि नाम, सबको परमिट दे भगवान् यह हो रहा है क्या यही अछूतों का उद्धार हो रहा है। जब कोई बोलने के लिये खड़ा होता है लोगों को बड़ा गुस्सा आता है, कहते हैं कि राजभोज बड़ा खतरनाक है। यहां नान बायोलेन्स, नान बायोलेन्स की बहुत आवाज सुनाई पड़ती है, लेकिन अभी जब हमारी देवी जी बोलने के लिये खड़ी हुईं तो एक सवर्ण हिन्दू आदमी धीरे से कहता है कि कांग्रेस के खिलाफ मत बोलो। अगर यही था तो यह रेज्योल्यूशन क्यों लाने दिया? जब कांग्रेस के खिलाफ रेज्योल्यूशन लाये हो तो देवी जी तो बेचारी

सद्भावना से लाई हैं, पर आप क्यों उन को बोलने से रोकते हैं? मैं उन का नाम नहीं लेना चाहता हूँ, लेकिन उनके पास एक सहाब बैठे हैं वह कहते हैं ऐसे बोलो। जब तुम्हारी ऐसी प्रवृत्ति है तब कैसे काम चल सकता है। जो हमारे नौजवान भाई हैं, जो हरिजन भाई हैं उनको अब पता हो गया है और अब तुम्हारे हाथ में वह नहीं रहेंगे। उन लोगों में एक ऐसी जायति पैदा हो गई है कि आज तो आप के हाथ में ७२ हरिजन हैं, लेकिन पांच वर्ष अब खत्म होने वाले हैं, पांच वर्ष के बाद तुम लोगों को कोई नहीं पूछेगा। क्योंकि जितने तुम लोग आये हो वह हिन्दू के नाम से आये हो। डा० अम्बेडकर ने कान्स्टिट्यूशन बनाया, उसी अम्बेडकर को गिराने के लिये हिन्दू लोगों ने कोशिश की। रघुपति राघव राजाराम बोलने वाले लोग जो हैं, गांधी जी का नाम लेने वाले जो लोग हैं उन में बड़ी गन्दगी है! बगल में छुरी और मुंह में राम है। यह हालत हो रही है, उन का दिल सच्चा नहीं है। मैं चाहता हूँ कि तुम सच्चे दिल से काम करो। आज जिन हरिजनों को आप ने अपने साथ पकड़ रक्खा है, जो कांग्रेस के हरिजन हैं वही आवाज उठावेंगे। सभानेत्री जी, जब मैं बोलने लगता हूँ तभी घंटी बज जाती है। यह क्या है? मैं जानता हूँ कि मैं माइनारिटी में हूँ इसलिये यह किया जाता है, लेकिन अगर आप आज्ञा देंगी तो मैं कुछ सजेशनन्स रखूंगा।

Mr. Chairman: Why are you wasting your time? ? दो तीन मिनट में सजेशनन्स दे दीजिये।

श्री पी० एन० राजभोज: जब मैं बोलता हूँ तो बहुत से मेम्बर बिल्ली की तरह चूँ चूँ करते हैं। मेरी प्रार्थना है सभापति महोदय कि मेरे कुछ पाइंट्स हैं.....

Mr. Chairman: Order, order. I think we should allow the non-Member to proceed.

Shri Namdhari (Fazilka-Sirsa): If the hon. Member wants to proceed uninterrupted he should not talk like this.

Mr. Chairman: The hon. Member will please speak in order.

श्री पी० एन० राजभोज: यह जो नामधारी है यह एक बड़ा जमींदार है। क्या इसके भी एक दिल है।

Shri Bhagwat Jha (Purnea cum Santal Parganas): On a point of order; may I know if the hon. Member can speak. 'Tum nahin janta hai'. I want to know whether it is parliamentary to say, 'Namdhari ek aisa admi hai'? He does not know what is parliamentary and what is not. I do not want the hon. Member to speak in that tone.

Mr. Chairman: I should think the hon. Member should not use the word, 'Tum'; he should use the word 'Ap'.

श्री पी० एन० राजभोज: मेरी मातृ-भाषा हिन्दी नहीं है। मैं यह कह रहा था कि यह जो दाढ़ी वाले नामधारी साहब हैं वह एक जमींदार हैं जो कि हरिजनों की जड़े काटने वाले हैं। यह अंचेर नगरी और चौपट राज्य है। ऐसे लोग हरिजनों को बरबाद कर रहे हैं। मेरा कहना यह है कि जब तक हमारा शिड्यूल्ड कास्ट का अफसर नहीं होगा तब तक हमारा काम नहीं होगा। काका कालेलकर को शिड्यूल्ड कास्ट कमीशन का चेयरमैन बनाया गया है। शिड्यूल्ड कास्ट वालों के लिये तो किसी शिड्यूल्ड कास्ट के अफसर को रखना चाहिये था। आप उनकी आर्थिक कठिनाइयों को दूर कीजिये। उनको नौकरी दिलाने का प्रयत्न करना चाहिये। पब्लिक सर्विस कमीशन में एक शिड्यूल्ड कास्ट का मेम्बर होना चाहिये। जब हम लोग कुछ बोलते हैं तो हिन्दू लोग कहते हैं कि हम उनके शास्त्रों के विरुद्ध बोलते हैं। हम लोगों को जब नौकरी देने की बात आती है तो अफसर लोग ऊपर नीचे देखते हैं और हमारे साथ अन्याय होता है। मैं गवर्नमेंट से अपील करना चाहता हूँ कि जब

तक वह हमारे लिये प्रयत्न नहीं करेगी तब तक हमारा उद्धार नहीं हो सकता। हम लोकतन्त्र से काम करना चाहते हैं। अभी तक हम कम्युनिस्ट नहीं बने हैं। जब हम कम्युनिस्ट बन जायेंगे तो तुम लोगों को यहां बैठना मुश्किल हो जायगा। हम लोकतन्त्र को मानते हैं। लेकिन जो काम हो वह जल्दी होना चाहिये यह मेरी अपील है।

श्री पी० एल० बारुपाल (गंगानगर झुझनूर-रक्षित-अनुसूचित जातियाँ): सभापति महोदय, सदन के सामने जो हरिजन अयोग्यता निवारण का प्रस्ताव है मैं उसका समर्थन करने के लिये खड़ा हुआ हूँ। आज भारत को स्वतंत्र हुए करीबन ६ साल हो गए हैं और जो हमारा संविधान बना है उसके अन्दर भी ऐसी व्यवस्था की गयी है कि हरिजनों को बराबर का अधिकार दिया जाय। लेकिन हमें दुःख के साथ कहना पड़ता है कि वह कानून सिर्फ तिजोरियों के अन्दर पड़ा हुआ है। आज हमारी अवस्था में कोई फर्क नहीं पड़ा है। मैं आपको बताऊँ कि आज हम इस स्वतन्त्र भारत में एक नारकीय जीवन बिता रहे हैं, नर्क कुण्ड के कीड़ों का सा जीवन बिता रहे हैं। कहने के लिये तो हमारी सरकार बहुत कुछ कहती है, बड़े बड़े डिपार्टमेंट भी खोले हैं लेकिन जो पैसा उन डिपार्टमेंट्स पर खर्च होता है वह हरिजनों के पास नहीं पहुँचता है। जो अधिकारी हैं वह अपने बड़े बड़े टी० ए० बिल्स बना देते हैं और सारा रुपया उसमें चला जाता है। केवल नाम के लिये यह कहा जाता है कि हम तुम्हारे लिये ये कर रहे हैं वह कर रहे हैं। कहने का मतलब यह है कि आज भी हमारी अवस्था ज्यों की त्यों बनी हुई है। मैं तो यहां तक कहने के लिये तैयार हूँ कि पहले से भी हालत खराब हो गयी है। आज हमारे ऊपर गांवों में वह जुल्म हो रहे हैं जो पहले कभी नहीं हुए थे।

हरिजनों के अपने कुएं नहीं हैं। जब वह कुओं पर पानी भरने जाते हैं तो उनको उनके पास आने नहीं दिया जाता। उनको गड़बों का पानी पीने को मिलता है। हरिजनों के कुओं के अन्दर जानवरों की हड्डियां डाल दी जाती हैं। सारी बातें तो मैं आपको नहीं बता सकता। अभी २३ सितम्बर को मैं बीकानेर गया था एक सिनेमा में जो कि सरकारी है। एक मित्र श्री धर्मपाल जी एम० एल० ए० राजस्थान के थे। हमने चाय का एक गिलास मांगा और जब चाय पीकर हम गिलास वापस देने लगे तो उन गिलासों को ठुकरा दिया गया। हम से कहा गया कि अगर तुम एम० पी० हो तो दिल्ली में हो वहां पर जो चाहो सो करना, यहां पर तो बीकानेर है। यहां पर यह व्यवस्था नहीं है। जबकि एक एम० पी० का यह हाल है तो छोटे लोगों का क्या हाल होता होगा यह आप अनुमान कर सकते हैं। मेरे कहने का मतलब यह है कि हरिजनों को मंदिरों व होटलों में नहीं जाने दिया जाता, पानी नहीं भरने दिया जाता, नाई उनकी हजामत नहीं बनाते, घोबी कपड़े नहीं धोते, कुओं पर और जो भी सामाजिक अधिकार हैं उससे हरिजन वंचित हैं। हरिजनों में उठने की भावना नहीं रही है, उनका जीवन मृतप्राय सा है, उनमें कोई ऐसी भावना नहीं है कि वह अपने आप को उठा सकें, वह बुराईयों के शिकार होते जा रहे हैं। वह समाज से हमेशा दूर रहे हैं और समाज ने हमेशा उनका बहिष्कार किया है। अगर आप हमें सहूलियतें दे रहे हैं तो यह कोई हमारे साथ दया नहीं है। अगर कोई समाज किसी व्यक्ति को पंगू बना दे, उसके हाथ पैर तोड़ दे और फिर मरहम पट्टी करे तो यह दया नहीं है, यह तो पाप का प्रायश्चित्त है। हम को हिन्दू समाज ने हमेशा दबाया है और कुचला है। इसलिये अब वह जो भी

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सहूलियतें हम को दें वह थोड़ी हैं। हम को स्वतन्त्र हुए पांच साल से ज्यादा हो चुके हैं। हम से कहा जाता है कि दस बरस के अन्दर सब के समान अधिकार हो जायेंगे। मैं नहीं समझ सकता कि पांच साल के अन्दर आप यह कैसे कर सकेंगे। पांच वर्ष से ज्यादा तो बीत गए हमारे जो बड़े बड़े कांग्रेस के भक्त बने हुए हैं पूज्य बापू का गीत गाते हैं, और जो बड़े बड़े पदों पर हैं उनका भी हृदय परिवर्तन नहीं हुआ है। वह भी हरिजनों के हाथ का पानी पीना पसन्द नहीं करते हैं। यह बड़ी लज्जा की बात है। ऐसे लोगों को तो संस्था से निकाल देना चाहिए। अगर सरकारी कर्मचारी हैं तो नौकरी से हटा दिया जाये इसी प्रकार से हम हरिजनों की संस्था की बात है। अगर ईमानदारी से देखा जाय तो हिन्दुस्तान में हरिजनों की संस्था दस करोड़ से कम नहीं है। लेकिन बहुतों से कह दिया जाता है कि तुम शिड्यूल्ड कास्ट में नहीं हो। इस तरह से उनकी संस्था कम करके उनको वंचित किया जाता है। इसका मतलब तो यह है कि यह एक चाल है और यह इसलिए चली जाती है कि उनके ऊपर ज्यादा पैसा न खर्च करना पड़े। हरिजनों के साथ ऐसा व्यवहार किया जाता है जैसे कि एक पत्थर की मूर्ति के आगे भोजन रख कर उठा लिया जाता है और उसको अंगूठा दिखा दिया जाता है। इसी प्रकार हमारे नाम से यह भक्त फायदा उठाते हैं। आज हरिजनों के साथ यही बरताव हो रहा है। अगर गवर्न-मेंट को वास्तव में ईमानदारी से हरिजनों की उन्नति करनी है तो उनको शिड्यूल्ड कास्ट वालों के लिये एक केन्द्रीय कानून बनाना चाहिये और जो उसकी अवहेलना करे उसको सख्त सजा देनी चाहिए और जो कर्मचारी इस काम को करने में आनाकानी करें उनको मुअ्तिल कर दिया जाय। और

[श्री पी० एल० बारपाल]

सजा दी जाये। इसी प्रकार का कानून पास करें जो देश व्यापी हो। इसकी क्या धारायें होनी चाहियें यह दूसरे बोलने वाले बतायेंगे। मैं इतना और कहना चाहता हूँ कि राजस्थान में बीकानेर व जोधपुर का ऐसा इलाका है कि जहां पर जो बलाई हैं, मेघवाल भांभी वगैरह हैं वह सब चमार हैं लेकिन उनको शिड्यूल्ड कास्ट का नहीं माना जाता। अगर उनको शिड्यूल्ड कास्ट का गिना जायगा तो सरकार को उनके बच्चों को वजीफा देना पड़ेगा उनके बच्चों को पढ़ाना पड़ेगा और उनके लिये सीटें रिजर्व करनी पड़ेंगी और उनको सहूलियतें देनी पड़ें इसलिये इस काम में आना कानी की जाती है। उनको नौकरियां नहीं दी जाती हैं। अगर वह बेचारे किसी की सिफारिश से या लड़ झगड़ कर पहुंच जाते हैं तो जो लोग ऊंचे अधिकारी होते हैं वह उनको तंग करते हैं और उनको अनेक यातनायें देते हैं और उनके विरुद्ध षड्यन्त्र रचते हैं और उसको ऐसी मुश्किल में डाल देते हैं कि उसको तंग आकर नौकरी छोड़ आना पड़ता है। सच्ची घटना है—एक हरिजन नौकरी करने गया। पहले तो उसको लिया नहीं गया और कहा गया कि तुम शिड्यूल्ड कास्ट का सरटीफिकेट लाओ। जब उसने सरटीफिकेट दिया तो नौकरी मिली। लेकिन उससे कहा गया कि तुमको इस जगह पर नहीं रखा जा सकता क्योंकि तुम हरिजन हो कोई तुम्हारे हाथ का पानी नहीं पीता। जब उसने शिकायत की और उसकी जांच हुई तो उससे कहा गया कि तुम झूठ मूठ यह कह दो कि ऐसी बात नहीं हुई। जब उसने दस्तखत करने से इंकार कर दिया तो मारने के लिये पिस्तौल लेकर उस के सामने आया कि तुम को मार दूंगा। मैं तो इसका सबूत दे सकता हूँ और बता सकता हूँ कि कैसी यह बात है। लेकिन कुछ होता नहीं कौन

सुनते हैं इसमें आप परिवर्तन कीजिये। समाज के हृदय बदलने की बात कही जाती है हिन्दू समाज के हृदय नहीं है। उनका हृदय पत्थर है। अगर हृदय होता तो कितनी सदियों से हरिजन आपकी सेवा करते आये हैं, आप ने उन के लिये क्या किया। आप के बच्चे सर्दी के दिनों में ऐश आराम करते हैं। आप के बच्चे गदेलों पर सोते रहते हैं। हमारे पास कोई अलाम करने नहीं होता, कोई व्हिसल नहीं होती, कोई जगाने नहीं आता, पर ठिठुरती हुई सर्दी में हम और हमारी बहनें और माताएं उठती हैं और आप का मंला उठाने जाती हैं। भला बताइये कि इससे ज्यादा क्या सेवायें हो सकती हैं।

तो सभापति महोदया, ऐसी हमारी हालत है। आप देखें कि जो परिश्रम करते हैं वह नीच और जो मांग कर खाएं निकम्मे, ऐश आराम में पड़े सोते रहते हैं वह ऊंचे। जो अच्छा काम करे वह नीचा और जो बुरा काक करे वह ऊंचा। आप ही इस में ईसाई कीजिये कि यह हमारे साथ क्या हो रहा है। (इस समय घंटी बजी।) तो मुझे कहना तो बहुत था। लेकिन मेरे दूसरे हरिजन भाई भी बहुत हैं, उनको भी बोलना है। इस प्रस्ताव में भी हमारे साथ एक चाल चली जा रही है कि इस को विद्वज्ञ कर लिया जाय। पर यह नहीं होना चाहिये और आप इस प्रस्ताव को निर्विरोध पास करियेगा। अब मैं अधिक नहीं कहता। मुझे पूर्ण आशा है कि सदन इसे पास करेगा।

Shri B. S. Murthy: When I look at those Treasury benches, I see the amount of interest which the Congress Government is taking in Harijan uplift. There is only one solitary representative of the Government. I pity him. I also thank him.

An Hon. Member: He represents the Government.

Shri B. S. Murthy: Government is represented in the woods outside.

I want to ask one straight question. Does the Government think that the Harijan problem can be relegated to the future? Has it forgotten that Mahatma Gandhi staked his life to find a solution for this problem? Is it oblivious of the potentialities of the strength of the Harijan problem? Does it want a revolution in this country? Does it want the Harijans to revolt against this apathy? The Harijan youth today is having a volcano in his heart, and that volcano will burst any time. So, please do think seriously of this problem. We are not asking for crores of rupees. We are not asking you to come and serve us in any political field. We want a comprehensive legislation to fulfil the assurance you have given to us in the Constitution. You have said there that untouchability will be removed lock, stock and barrel. So many years have passed. Where is the comprehensive legislation? Mr. Pannalal has just given you an instance of even an M.L.A. and an M.P. being subjected to inhuman treatment by some of the caste Hindus in the *mofussil* districts. Please recall to mind a recent happening in Hyderabad, where a Minister belonging to the Harijan community wanted to enter the temple, and the priest locked the temple, put the key somewhere and walked away. He did not want the Harijan Minister to enter the temple. The Minister had some courage and broke open the doors and performed *pūja* after entering the temple. I do not know whether the god was there or whether the *pūjari* had taken the god also with him. You may laugh, but these things are making Harijans more and more bitter. Let this bitterness not turn into rage.

The Resolution under consideration makes a simple request, namely, a comprehensive law for the punishment of the practice of untouchability. Do you want untouchability to live? Perhaps, you do. Gandhiji said, "If you want me to live, untouchability must die; if you want untouchability to live, I must die." You have killed Gandhiji; therefore, untouchability seems to be having its own day. For God's sake, open your hearts. Think of the problem. It is not merely one that concerns the Harijans. It concerns the safety, security, progress and advancement of India as a whole. It is not a labour problem. For the sake of refugees, Committees are being organised and any amount of deliberation is carried on but when a few more lakhs of

rupees are asked for for Harijan scholarships, when a committee for the welfare of Harijans is asked for, or when a few questions for elucidation are put, you laugh, deride and jeer. Perhaps you consider the Harijan as unimportant in this *Ram Rajya*. Do not illtreat us. You have done so far long. For centuries, India has had the caste system. For centuries, untouchability has been perpetrated and foisted on us. For centuries, you have treated us as the lepers of society. The day may not be far when we ourselves will come into power. Let not our bitterness today make us treat you as the niggers and lepers of society. This caste-ridden society will not have its heyday for ever. See history. See what happened in Russia, China, Japan, France or England. "The old order changeth, yielding place to new," says a poet. (Prof. D. C. Sharma: Tennyson.) I am much obliged. The hon. Member is a Professor of English, but I want him to be a Professor of Sociology or Social Service. I want his help, not intellectual, but help from the heart. Gandhiji insisted on a change of heart. It is visible now, but the change is for the worse. Power has intoxicated the Congress. I was a Congressman once and went to jails. I need not repeat that. You should not abuse power and grind the poor man more and more. I am really sorry that neither the Prime Minister nor the Home Minister is here. Perhaps, they have been kidnapped by the capitalist forces outside.

Shri Nambiar (Mayuram): They are very busy outside.

Shri B. S. Murthy: I want the Government to bring forward a comprehensive legislation and fulfil its obligations and assurances. There must be legal assistance provided to Harijans to fight for their rights. In Madras, three pieces of legislation have been passed, e.g. temple entry, removal of social disabilities and one other. But all that is a dead letter. So, most of us forced that Government to give legal assistance to Harijans. Harijans are refused entry in schools, coffee hotels, cinema halls etc. The police will not register a case and the Harijan will not be able to file a suit. Therefore, not only should legislation be brought forward, but legal assistance should be given to Harijans to fight for their social rights. I commend this Resolution. I hope it will meet with a better fate than other Resolutions. I think the fate of this Resolution will tell India and especially the Harijans whether or not

[Shri B. S. Murthy]

the Government are serious in fulfilling the promises they have made long ago and the assurances which Mahatma Gandhi has, with his life, given

Shri Namdhari: I think it is a sin against God to treat any human being less than on an equal status because in the eyes of the Almighty all persons are alike.

So far as Harijans are concerned I do not think anybody in the country has done better than Mahatmaji himself. I once came from Rawalpindi to recite a *Hari Kirtan* before Bapu and I asked: where is he staying? I was told: he is staying in the *bhang* colony. I had the honour of reciting *Ram Nam* and *Hari Kirtan* before him. We should remember how much work has been done by him, temple entry and all that. I think as true Congressmen it is the duty of every one of us to follow in the footsteps of Bapu and to work in this cause. I appeal to the Government to accept this Resolution with full affection and I welcome this move to treat our brothers on an equal footing.

But I warn my Harijan brothers against those who want to make political capital out of this. I appeal to my Harijan friends that we are their own kith and kin. I know there are certain hon. Members of Parliament who are not Harijans, in the Congress Group, who have the honour of having married in Harijan families—what to talk of talking food with them and all that. We are practical people. It is only people who say that we have not done anything for the Harijans, who are the agents of some individuals or professional exploiters who want to make capital of this by poisoning the Harijan's mind. I would ask my Harijan brothers to be careful and not to fall into this trap which will be detrimental to their interests.

As far as the Backward Classes Commission is concerned, Government have acted wisely. It is not a Scheduled Castes Commission. It is a Backward Classes Commission. Still there are three Harijan Members there. They have to see to the interests of the whole backward classes, not only of the Scheduled Castes. My hon. friend should understand that this Backward Classes Commission is not a Scheduled Castes Commission. But still every sort of community is represented there.

I would like to honour my Opposition friends to the fullest capacity. I know some are very fine intellectuals. Some are very good actors, and all that. Now, the hon. Member said that when he speaks the Members do "choo, choo" like cats. I do not want to say that anybody behaves like a monkey or a cat. I would say that they are like angels and we will salute them. Whatever a man sees, it comes from out of his mouth. We have the fullest regard for them. I would request them that they must behave in a proper way according to the dignity of this Parliament. Outside they can say monkey, cat or anything. We do not mind. My submission is that the hon. Member should not have started with such remarks, though unintentionally.

So far as Harijans are concerned my submission is that, whether they are on the Congress benches or there, I know that in secular India we have the right of vote to every individual, Harijan or non-Harijan. There is no question of any step-motherly treatment being given to Harijans. Harijans should rest assured that Mahatma Gandhi's true disciple will be true to those ideals, that we will stand shoulder to shoulder with them and that the Government will do their best in the matter. But I would again warn them not to fall into the trap of professional exploiters or individual Harijans who only want to make political capital out of this.

Shri Nambiar: What about the Resolution?

Mr. Chairman: Shri Nanadas.

Shri Nanadas: Congress, as usual, boasts of their services to the Harijans and I have seen in the book supplied by this Parliament—short biographies of the Members—every alternate Member has stated under "Special interests", Harijan uplift but one must wonder whether their actions are true to their preachings. I must say their actions belie their preachings and in this way the Congress, from the beginning, has been duping all my people for their political ends. There is no use shedding crocodile tears. You must speak from the bottom of your heart. I ask: "Are hon. Members of this House really sincere for the cause of the Harijans or they are speaking from their lips to gain their own ends?" This resolution is a standing truth to their failure and to their insincerity for the cause of the Harijans. A Congress Member has moved this Resolution in this House. In the Constitu-

tion (art. 17) the observance of untouchability has been abolished by law. That article is there. It is a dead letter there. What has been the Congress doing all these years? Why could not they bring about a comprehensive law to ameliorate the lot of the Harijans if they are really sincere in the cause of the Harijan uplift. What is the use of bringing in Gandhiji's name now and then? It is no use talking or bringing Gandhiji's name or anybody's name in. Your actions must prove that you are for the uplift of the Harijans. That is lacking. I thought the Congress Government was sincere but they are duping my people for their political ends.

Shri Balakrishnan (Erode—Reserved—Sch. Castes): I want to ask for a personal information from the hon. Member.

Mr. Chairman: No interruption.

Shri Nanadas: My people are not going to tolerate the injustice done to my community. We are young people among the Scheduled Castes and as Mr. B. S. Murthy said the volcano will burst and the only salvation for the Scheduled Caste people is by a revolution. It is not by a dictatorship of an individual, it is not by the dictatorship of a group of people, that the problem of Scheduled Caste can be solved. Only a working class dictatorship can solve the problem of Scheduled Castes.

We are not afraid of bad laws but we are afraid of all the bad people executing those laws. In this country, the majority of the executors of law, the Judges—all are caste Hindus, the so-called caste Hindus. It is Brahman dominated. It is a privileged class; service is the privilege of a certain class. As long as this secular Government tolerates this kind of Brahman domination, there cannot be any salvation for my people and so I request the Government that while appointing people to services, they must give due share to my community. I am not insinuating or criticising Brahmans as such. I am criticising the bad people among the Brahmans. There are good people among them who have fought for the cause of Harijans. I really appreciate their work.

Shri Balakrishnan: Is your Communist Party working for the removal of untouchability?

Shri Nanadas: This country is ruled by village officers and *tehsildars*. Unless in these key posts the

Harijans are placed, the Harijan problem cannot be solved. In the Madras State particularly, there are standing orders that waste lands must be given to Harijans. But, as a rule, the people who execute these laws, being caste Hindus, who are against the interests of the Scheduled Castes and Harijans, do not implement these laws. They are implementing these laws to their own interest at the expense of the Harijans. This traditional system of appointing village officers and *tehsildars* must be done away with. I am sorry, I have not finished even one point. You must give me sufficient time.

Mr. Chairman: The hon. Member must hurry up. He has two minutes more.

Shri Nanadas: Many States have passed Acts, Temple Entry Acts, Removal of Disabilities Acts. The Congress Government must stop all this nonsense at an early date. There is no use of speaking about Temple Entry Bills. The Harijans are not worried about temple entries. We are worried about our 'khana'; we are worried about our food. You are not solving that problem. You are side-tracking the problem and are speaking nonsensical things in the name of Temple Entry Bill, Removal of Disabilities Bill, etc. You have no sincerity to implement these things even.

Some more points regarding marriages. This problem of untouchability cannot be solved unless you encourage inter-caste marriages. What has this Congress Government done all these six years in this? How many inter-caste marriages have taken place? How many Congress-walas have married Harijans? (*Interruption*). Why do you then speak all this rot and nonsense?

Shri Bogawat (Ahmednagar South): How many Mahar Harijans have given their daughters in marriage to Mang Harijans?

Shri Nanadas: True, the Hindu Code Bill has been introduced in this House. What is the fate of the Hindu Code Bill? Who are against the Hindu Code Bill? The orthodox caste Hindus are against the Hindu Code Bill. Unless this privileged class is rooted out and deprived of all privileges, there is no salvation for this country. You cannot go on with the Hindu Code Bill when you are indirectly encouraging the orthodox privileged classes, Brahmans in the temples and landlords in the villages. You must abolish them. Then only you can solve the problem.

One more minute, Madam.

Mr. Chairman: No. Swami Ramanand Shastri.

Swami Ramanand Shastri rose—

Hon. Members: Come forward. “आगे आ जाइये” (Interruption).

Mr. Chairman: I do not think you should give orders to him since I am in the Chair.

स्वामी रामानन्द शास्त्री (जिला उन्नाव व जिला रायबरेली—पश्चिम व जिला हरदोई—दक्षिण पूर्व—रक्षित—अनुसूचित जातियाँ), माननीया स्थानापन्न अध्यक्ष महोदया : यद्यपि आज मुझे बोलना नहीं था लेकिन चूंकि यह शुभ अवसर है और आज बहुत दिनों के बाद मैं आपको यह दिन देखने के लिये मिला है। आज हमारे भारत के मनुष्य करोड़ों की संख्या में मानवोचित अधिकारों से वंचित हैं और आज अस्पृश्यता निवारण के लिये जो प्रस्ताव आया है उसको हाउस बड़े हर्ष के साथ पास करने जा रहा है। मैं आपको वेद का प्रमाण देकर बतलाऊंगा कि यह चीज हमारी भारतीय संस्कृति के अन्दर बहुत प्राचीन नहीं है। हमारे बहुत से भाई धर्म की गवाही देते हैं और कहते हैं कि यह जाति पाति और यह छूआछूत वैदिक काल से है। अथर्व वेद में एक मन्त्र आता है :

समानी प्रभा सहवो अन्नपायः समाने
योक्त्रे सहयो युनज्मि ।

सम्पञ्चोर्गेन समर्थतारा० नामि
मिवाभितः ॥

अ० का० ३-सू-३०-मं-६

अथर्व वेद इस बात को कहता है कि संसार के मनुष्यों के लिये, प्रत्येक मनुष्य के लिये एक प्याऊ होना चाहिये। एक साथ मिल कर सब लोग रहें इस सृष्टि में प्रत्येक मानव मानवता के साथ बर्ताव करे।

संगच्छध्वं संवदध्वं सं त्र्यो मनांसि जानताम् ।

देवा भागं यथा पूर्वं संजानाना उपासते ॥

ऋग्वेद मं० १०-सू० १९०

यह ऋग्वेद का मंत्र है। इसमें कहा गया है कि सब एक साथ मिल कर विचार करो, एक साथ मिल कर बड़ो तुम्हारा एक मन हो, संसार में जितने भी मनुष्य हैं, इस भगवान् की, इस खुदा की सृष्टि में जितना भी मानव समाज है वह सब एक साथ मिल कर बैठे। यह प्राचीन काल में हमें मिलता है। लेकिन बीच के काल में एक ऐसे समाज के हाथ में हमारी सुरक्षा व्यवस्था की बागडोर आई जिन्होंने इस बात को कहा कि ब्रह्म वाक्य जनार्दन। पहले तो ब्राह्मणों ने यह सूत्र दिया, इस के बाद उन्होंने दूसरा सूत्र बताया :

श्रवणाध्ययनार्थं प्रतिषेधात् स्मृतेश्च ।

(अथशूद्राधिकार ९- सू-३८ ।

शांकर भाष्य निर्णयसागर पृष्ठ १३६-
१३८ तक देखो ।

“अथास्य वेदमुप श्रुण्वतस्त्रपुजतुभ्यां
श्रोत्रपरिपूरणमिति” ।

आगे “वेदीच्चारणे जिह्वाच्छेदो घारणे
शरीरभेद इति” ।

इसी सूत्र के आधार पर स्वामी शंकराचार्य ने जो संसार में अवतार माने जाते हैं, उन्होंने भी इस सूत्र की व्याख्या की वेदान्त दर्शन के अन्दर कि यदि शूद्र के कान में वेद पड़ जायें तो उसके कान के अन्दर सीसा डाला जाय और यदि वह वेद पड़ जायें तो उनकी जिह्वा काट लेनी चाहिये ।

Shri Nand Lal Sharma (Sikar): On a point of order. This quotation is misquoted from Shankaracharya. This has never been said by Shankaracharya.

Mr. Chairman: Let the hon. Member continue. If it is misquoted, well, it will be put down in the minutes as misquoted.

स्वामी रामानन्द शास्त्री : अभी हमारे शास्त्री जी ने कहा है कि यह उदाहरण शंकराचार्य का नहीं है। मुझे इस बात का दुःख है कि वह खुद ही शंकराचार्य के वेदान्त को पढ़ते हैं और ऐसी बात कहते हैं। यदि इस

सम्बन्ध में यहाँ पुस्तक वेदान्त की होती तो अभी बतला देता। इस समय में बहुत कहना नहीं चाहता, मनुस्मृति में, अध्याय ४—श्लोक ८— मनु जी ने भी यह कहा है : “न शूद्राय मतिं दद्यान् नोच्छेष्टं न हविष्कृतम्।” और इस प्रकार की बहुत सी बातें हैं। खैर।

वेद के अन्दर यह भी आया है : “यथेमां वाचं कत्याणीमावदानि जन्मेभ्यः । शूद्राय चाशुय चारणाय च । इत्यादि वेद मन्त्र सर्वे अमृतस्य पुत्राः ।”

भगवान् कहते हैं कि ब्राह्मण, क्षत्रिय, वैश्य, शूद्र, आत्मज नौकर आदि, वेद पढ़ो। यह भी अक्सर कहा जाता है कि शूद्र यज्ञ कराने के अधिकारी नहीं हैं, लेकिन मैं कहूँगा कि वेद में भी यह कहा गया है कि :

“तदस्य वाचः प्रथमं मंसीय येनासुरां अभि देवा असाम । उर्जाद उत यज्ञियासः पञ्चजना मम होत्रं जुषध्वम् ॥ ऋग्वेद मं० १०—सुक्त ५३—४ मंत्र ।

“व्याख्या पञ्चजना—गन्धर्वाः पितरो, देवा, असुरा रक्षासीत्येके चत्वारि वर्णः निषाद पञ्चम पत्न्यौपमन्यवः ।” जैसे यज्ञ इत्यादि कराने का अधिकार ब्राह्मण को है वैसे ही शूद्र और अति शूद्र, जो पांचवां अंग है, जो अस्पृश्य माना जाता है, वह भी वैदिक क्रियाओं में, अर्थात् यज्ञ आदि में सहयोग दे सकता है, लकड़ी और पानी आदि ला कर। इसलिये मैं कहना चाहता हूँ कि अगर सुबह का भूला शाम को घर आ जाये तो ठीक है। यह हमारी प्राचीन चीज है और आज स्वतन्त्र भारत में हम इसी प्राचीन चीज को लाना चाहते हैं। इस का सब से बड़ा श्रेय मैं स्वर्गीय पूजनीय और वन्दनीय महात्मा गांधी जी को देता हूँ। संसार में और भारतवर्ष में गुरु नानक और दूसरे बहुत बड़े बड़े महात्मा हुये हैं, उन्होंने भी इस छूआछूत को

मिटाने के लिये लौकिक भाषा में बहुत से उपदेश दिये हैं, लेकिन उसको एक राष्ट्रीय रूप देना और उसके बाद स्वतन्त्र भारत में कानूनन इस चीज को हटाने का श्रेय इस वक्त की वर्तमान सरकार को ही है। यदि मैं देहात की वर्तमान स्थिति को आपके सामने रखूँ तो बहुत समय लगेगा और मुझे इस का अनुभव है कि सब छोड़ इस को जानते हैं। वास्तव में, शहरों के अन्दर तो का.डी. छूआ-छूत मिट गई है, लेकिन देहातों की स्थिति बहुत खराब है। इतनी ही खराब है जैसे हमारे बाह्मण जी ने कहा था और पिछले सेशन में मैं ने भी कहा था। हमारे कन्हैया लाल जी बाल्मीकि ने तो कहा था कि नाई उन की हजामत नहीं बनाता है। अब मैं अपना भी उदाहरण देना चाहता हूँ। दुर्भाग्य से कहिये या सौभाग्य से बचपन से मैं ने वेद पढ़े हैं। मैं बीड़ी नहीं पीता, पान तक नहीं खाता, लेकिन जो आदमी हड्डी चाट जाते हैं और मांस के लोथड़े के लोथड़े खा जाते हैं वह मुझ से छूत करते हैं क्योंकि मैं एक अमुक जाति में पैदा हुआ हूँ। मैं तो उनकी छाया लेना भी पसन्द नहीं करता। यह रुढ़िवाद है जिसको बीच के काल में धर्म के ठेकेदार ब्राह्मणों ने पैदा किया है। उन्होंने इस प्रकार के अपने धर्मग्रन्थ लिखे हैं जिनके बारे में मैं ज्यादा नहीं कहना चाहता। बात यह है कि यह चीज एक पार्टी ने पैदा की और वह पार्टी भारत वर्ष को एक गर्त में ले गयी और मानवता से परे ले गयी। मैं कुछ विशेष नहीं कहना चाहता हूँ। मेरा सिर्फ एक मिन्ट रह गया है और उस एक मिन्ट में मुझे इतना ही कह देना है कि आप इस को हृदय से पास करें तथा अमल में भी लावें। यह छूतछात गांवों में बहुत ज्यादा है। आपको कड़ाई से काम लेना चाहिये। अगर आप केवल पुलिस पर छोड़ देंगे तो पुलिस रिस्वत लेकर छोड़ देगी। मेरा मतलब तो यह है कि भारतवर्ष

[स्वामी रामानन्द शास्त्री]

में मनुष्य मनुष्य के साथ मानवता का बर्ताव करें और इस प्रकार जो यह हिन्दू जाति का कोड़ है छूतछात के रूप में, यह जो अस्पृश्यता-रूपी महान् कलंक है उसको जब तक आप अविलम्ब नहीं हटायेंगे और जब तक आप इस कोड़ को समाजरूपी शरीर से आपरेशन द्वारा शीघ्रता से नहीं हटायेंगे तब तक आप की पंचवर्षीय योजना भी सफल नहीं होगी। पंचवर्षीय योजना के लिये करोड़ों रुपया रखा गया है लेकिन इस छूतछात को दूर करने के लिये इस से आधा रुपया भी नहीं रखा गया है। एक ओर हरिजन लोग करोड़ों की सख्या में बेकार हैं और दूसरी ओर आप अरबों रुपये की बड़ी बड़ी मशीनरी खरीद रहे हैं। इस चीज पर कोई ध्यान नहीं दिया जाता है, इससे मुझे मालूम होता है कि कांग्रेस में भी कुछ पक्षपात है। मुझे आशा है कि सरकार इस चीज पर ध्यान देगी और जो बेकारी फैली हुई है और यह जो छूतछात का मसला है यह वास्तव में आर्थिक मसला है। यदि यह हमारा आर्थिक मसला हल हो जाता है तो हम छूतछात के मसले को भी हल कर सकते हैं। इन शब्दों के साथ मैं अपना स्थान लेता हूँ और अध्यक्ष महोदय को धन्यवाद देता हूँ।

Shri Bahadur Singh (Ferozepur-Ludhiana—Reserved—Sch. Castes): The speaker from the Congress side (*Interruption*). Excuse me....

Mr. Chairman: Order, order. Let the hon. Member continue.

Shri Bahadur Singh: The hon. Member from the Congress side—who is not there, who is not so small as not to be seen, who is quite a big personality—Shri Namdhari, talked something about the behaviour and conduct, and some statements made by Mr. P. N. Rajabhoj, but anybody who saw him speaking can well understand how he behaved. It is true that he does not belong to the Scheduled Castes. It is true that he is a big landlord, and it is also true

that it is his main profession to exploit the backward classes. But he talked in a somewhat humanitarian way. That is all hypocrisy, which I hate.

Regarding this Resolution, I may say that it serves no purpose, if Resolutions are passed, and even if legislation is passed, unless we are sincere about them, and implement them in the proper way, it is no use putting such legislation on the Statute Book. It seems that the Government are not sincere about banishing untouchability from this country. So many years have passed. Had the Government been sincere about removing untouchability from this country, it would have come with such legislation much earlier. This shows how eager, how keen the Government is in removing untouchability and improving the economic condition of the Scheduled Castes and other backward classes in this country! No doubt, I am in favour of passing such a Resolution. Let us hope that at some time the Government may think it proper to implement it because the situation in this country is such that it is just like a volcano and it may erupt at any time, as Mr. Murthy has said.

I want to say another thing. There is a set of people in this country in whose brain and mind the very notion of untouchability is deep-rooted. Some kind of a diagnosis is needed to remove that. I would request the Home Minister to look into this so that by social organizations and other means we may be able to remove such deep-rooted notions from the minds of these people. It is no good citing some instances regarding untouchability as it prevails in this country. About three or four months ago in Gwalior some Scheduled Caste persons were killed, their houses were looted and burnt. Such things are happening in this country. I do not want to take much time of the House and go on citing such instances, because everybody knows about them. But I would beg of the Home Minister that this legislation should be passed and it should be made effective. It should be implemented in a proper way. It would be better if we banish untouchability at the earliest and if we are able to raise the economic standards of the Scheduled Castes.

Shri Elayaperumal (Cuddalore—Reserved—Sch. Castes): I rise to support this Resolution. It is a very important Resolution, not for the Scheduled caste people only but for the whole people of India.

I want to point out some instances of how the caste-Hindus treat the Scheduled Castes in South Madras. The Harijans are not allowed to take water from the public wells or tanks in villages of South Madras State. Not only that, but in some villages the Harijans and Scheduled Caste people are not allowed to wear shirts and shoes. And in some villages they were not allowed to enter the caste Hindu streets also. In the year 1950 in Chidambaram taluk. Ellannangore village, Scheduled Caste people were ordered not to wear full shirts and white dhoties. At that time the Harijans refused to obey the order. On that account, two Harijans named Tirupathi and Samahanna were murdered by the Caste Hindus. An inquiry was made by the police officer, but no one came forward to give evidence. The accused were acquitted, and it is a cognizable case. Article 17 of the Constitution says that untouchability is abolished. But it exists everywhere in India—not only in the South but in the North also. Some days ago we, some Members of Parliament, went to a village named Nilothi to inquire into the conditions of the Scheduled Castes people. There one Scheduled Caste woman told us that they were not allowed to take water from the public tank or well. In the year 1950 in Vriddhachalam taluk and Cuddalore taluk in Kullakkudy village Harijans were not allowed to wear full-sleeved shirts. In the year 1948, in Chidambaram taluk, in Puliyangudi village, the Harijans were ordered not to have moustaches on their faces, because they were Harijans. They did not obey. It may wonder in this House but it is true. A case was registered and no one was there to come forward and give evidence. So, the accused were acquitted. Not only that but compromise was made by R.D.O. One Harijan Vadamatai who is now working in the military, when he refused, was tied to a tree with ropes and was beaten by the whole villagers. I do not want to take much time of the House. The Scheduled Castes form one-sixth of the population of India. Their children are not allowed to attend schools in some villages. There is no use in making laws unless they are enforced. So, I request all the hon. Members of this House to support this Resolution and it must be enforced. I request the Home Minister also to do the needful for the people of the scheduled castes.

Shri Veeraswamy (Mayuram—Reserved—Sch. Castes): Madam, I thank you very much for having called upon me to speak on this important occasion. It is really a misfortune

that the Prime Minister of India is not an Abraham Lincoln, or a Stalin, or a Mao Tse Tung or a Kemal Pasha or a Periyar E. V. Ramaswamy. Pandit Jawaharlal Nehru has been the Prime Minister of India for the past six years and he has been the head of the Congress Party which has been in power. The Congress Party has been in existence for the past 65 years and more. It has outlived its purpose and it is too old to live. The Congress Party, as I said last time, is the most reactionary party not only in this country but also in the whole world.

An Hon. Member: What about your party?

Shri Veeraswamy: It cannot at any time abolish any evils or ills such as untouchability or casteism in this country, because the Congress Party has been dominated by Brahmins and orthodox caste Hindus. The Congress Party has failed to eradicate untouchability from the face of this country. As I said, it has been dominated by the Brahmins and caste Hindus, who are not at all interested in the welfare of the Scheduled Castes and who are not at all interested in the annihilation of castes or in the abolition of untouchability. Because Dr. Ambedkar, the leader of eight crores of Scheduled Castes was the Chairman of the Indian Constitution Drafting Committee, in the Indian Constitution we have the clause on the abolition of untouchability and observance of it is forbidden. But the Government has not seen to it that this is put into operation throughout this country. Mahatma Gandhi said in 1938—if I remember aright, and I do hope many of the Members of this House would remember—that untouchability would be abolished as soon as India got freedom. Mahatma Gandhi said: if independence came to India at twelve o' clock, then untouchability would be abolished at one o' clock. What has the Congress Party done to abolish untouchability?

[MR. DEPUTY-SPEAKER in the Chair]

1 P.M.

If the Congress Party is really interested in the abolition of untouchability, it should do certain things. For instance, it should abolish all castes. There should be no Brahmins, no Adidravidas or Scheduled Castes. There should be no other intermediary high caste Hindus. There should be no *cheri* in this country. The place where scheduled castes live is called a *cheri* and the place where Brahmins live is called an *agraharam*. Why is there this

[Shri Veeraswamy]

difference? We say that after partition, the Muslims have gone to Pakistan, but in the six lakh villages of India we have Brahminists. Brahmins live separately from others. The Scheduled Castes cannot enter their streets. They cannot step into their houses. Even pigs and cattle can, but not the Scheduled Castes, who have been the backbone of this country. Why should there be this untouchability existing even after several years of independence? We are told that the economic condition of the people has improved and people are living happily. One Member on that side said that with a stroke of the pen, the Congress has abolished untouchability. I ask him: Where has it been abolished? Has it been abolished in his village?

And then, land reforms should be carried out. Otherwise, the economic problem of the Scheduled Castes is not going to be solved. Their inter-marriage should be encouraged. Not only that. A law should be brought for such marriages. Without inter-marriage, the caste system will not go.

Mr. Deputy-Speaker: Should there be punishment if nobody inter-marries?

Shri Veeraswamy: We must mete out punishment to those who do not obey the law of the land. Mr. Nana-das said that we are not interested in temple entry, but we want economic improvement. Temple entry was first introduced in Madras. Some of the big temples were thrown open, but as soon as the Ministers left the temple after opening ceremony, the doors were shut to the Scheduled Castes. Even now, the Scheduled Castes are prohibited from entering the temples and worshipping the so-called gods and goddesses and perform pujas to them. As many of the hon. Members from the South know, the Dravidian Federation has been doing a lot of work for the eradication of untouchability in that part of the country. If the Congress Party can join hands with it and take the help of Periyar, E. V. Ramaswamy. I can boldly say that untouchability can be removed, as Mahatma Gandhi said, within one hour in Madras State.

Mr. Deputy-Speaker: He must conclude now.

Shri Veeraswamy: I shall finish now, Sir. A revolution is bound to come one day or other in this country. It must come. By revolution, I mean no revolution by violence no destruction of property or killing

of persons, but a revolution in thought, in action and in everything else.

Dr. Jataw-vir (Bharatpur-Sawal Madhopur—Reserved—Sch. Castes): And in matrimony.

Shri Veeraswamy: A revolution is bound to come and the existing social order will be completely changed, as Dr. Ambedkar has said. My only request to the Government is to carry out now at least the constitutional provisions regarding the economic problems and social conditions of the Scheduled Castes.

The Deputy Minister of Home Affairs (Shri Datar): We had a very long and exhaustive discussion. (Hon. Members: No. no.) Unfortunately some Members of the Opposition indulged in certain expressions which are far from true and which are almost unparliamentary. It was extremely unfortunate that certain allegations and charges were made to the effect that the Congress had not done anything at all so far as the eradication of untouchability was concerned. I may point out here that during the last six or seven years...

श्रीमती विनीमता : मंत्री महोदय,
कृपा कर के हिन्दी में बोलिये ।

श्री बातार : हिन्दी मुझे अच्छी नहीं
आती है इसलिये मुझे उस के लिये क्षमा
किया जाये । मैं उस में ठीक तरह अपने
को एक्सप्रेस नहीं कर पाऊंगा ।

It was therefore entirely wrong on the part of Members opposite to have stated that the Congress had not done anything so far as the removal of untouchability was concerned. I may point out here that for the first time when the Congress came into power in the States in 1936, ameliorative as also legislative measures were undertaken in all the various Provinces. And I shall point out to you, Sir, that in a number of States today we have got Acts which have dealt with this very question in the way in which it is contemplated by the Members opposite. A number of Acts have been passed and in most of the Acts the offence of untouchability is a cognizable offence. It was contemplated by some that our progress was slow. The progress is bound to be slow, because the problem is a centuries old problem. For the last five thou-

sand years the problem has been facing us. And thanks to India and thanks to humanity. Gandhiji took up this question and we are solving this question in as expeditious a way as possible. Therefore it would not be right to say that the Governments either at the Centre or in the Provinces have not done anything at all.

In the course of their remarks so far as the main question was concerned.....

Shri P. N. Rajabhoj: Is it coming in the action?

Mr. Deputy-Speaker: Let him proceed. The hon. Member says it is not coming in action and he says it is coming in action.

Shri Datar:certain irrelevant statements were made and I have to make reference to them only for the purpose of removing the misapprehensions. In the course of his speech the hon. Member Mr. Rajabhoj stated something which is entirely wrong, which had absolutely nothing to do with this.....

श्री पी० एन० राजभोज : क्या बोला,
मझे बताइये ।

Mr. Deputy-Speaker: Order, order. I will not allow the hon. Member to interrupt like that. Evidently he has spoken already. Is it not open to the Minister to say 'the hon. Member said this and it is not true'—the explanation, and so on? Otherwise, he need not have spoken, for in that case he would not have referred to him at all. If the hon. Member objects to it I shall note it for the future and not call upon the hon. Member to speak.

श्री पी० एन० राजभोज : मैं बोला हूँ
और मुझे उस का जवाब मांगने का
अधिकार है ।

उपाध्यक्ष महोदय : आप को अधिकार
नहीं है ।

Shri Datar: It had absolutely nothing to do, so far as the present discussion was concerned, to bring in the Backward Classes Commission and to make certain unwarranted remarks so far as the Chairman or the hon. Member of that Commission and the hon. Member of this House is concerned. The country is extremely happy in having Shri Kaka Kalelkar as the Chairman of this Commission (**Shri P. N. Rajabhoj:** No.) I know that my friend Mr. Namdhari and others said that the choice has been excellent,

it has been received very well and the Backward Classes Commission are already doing their work.....

Shri P. N. Rajabhoj: Kaka Kalelkar is a Brahmin.

Shri Datar: They are already carrying on their work which is extremely promising and therefore, it was wrong on the part of these Members to have belittled what the Congress has done and to have imported into the discussion certain irrelevant and highly extraneous matters.

Shri P. N. Rajabhoj: No.

Shri Datar: Coming back to the main question. I am happy to inform this House that the Government are accepting this Resolution as amended by the amendment of Shri Das. It is true that this Resolution has been rather widely worded. There are certain expressions which have not been properly explained by the hon. Mover of this Resolution and therefore keeping to ourselves the right to have a proper Act, I here accept the Resolution and I tell the House that this Parliament as also the various State Governments are carrying on their work already on these lines.

Then a statement was made that there were no Acts and that wherever there were Acts, they were not properly worked. So far as this question is concerned, I should like to inform the House that Untouchability Acts have been passed after 1937 in almost all the States except three where the problem is not keen.

Dr. M. M. Das (Burdwan—Reserved—Sch. Castes): What has been the progress made?

Shri Datar: I may point out that. You allow me to speak.

Mr. Deputy-Speaker: Let the Minister say what he has to say.

Shri Datar: There are no statutes relating to disabilities of untouchables in Assam, Pepsu, Rajasthan, Manipur and Andaman Islands and there, we are informed, the question is not very keen at all.

An Hon. Member: What about Manipur?

Shri Datar: Of these, Assam, Manipur and Andaman Islands have reported that untouchability as a problem is not existing in these States at all.

An Hon. Member: Rajasthan?

Shri Datar: In Rajasthan it does. I am coming to that shortly. Now, as a result of these Acts, which have been passed in various States, I may point out to the House that proper steps are being taken to see.....

An Hon. Member: No, no.

Shri Datar:... that the provisions,—the penal provisions of the Act—are being enforced.

Then we have also to take into account one very important circumstance. It is unfortunately true that untouchability was in India for nearly 4,000 or 5,000 years and it has numerous aspects of a very ghastly nature. But untouchability has to be removed by private effort and I think also by legislation, only to a small extent. Social reform has to be obtained, has to be enforced through legislation but that too only to a small extent and wherever it is necessary, the present popular Governments are prepared to carry on, are prepared to take steps. In fact I may inform this House that steps have already been taken by us to have the principle laid down so far as the proposed all-India legislation is concerned and after taking legal advice of the Law Ministry, we are going to draft a Bill and send that Bill for the opinion of all the State Governments. This is a matter which concerns States most because ultimately it is they who have to carry on the work. Therefore, after taking in the information, after consulting all the States, we shall bring before the Parliament, before this august House, a Bill which will deal, on an all-India basis, with all aspects, penal and otherwise, so far as removal of untouchability by enactment is concerned. Therefore, I am happy to inform the House that we accept the principle of this Resolution.

Shri P. N. Rajabhoj: Next year?

Shri Datar: So far as the time limit is concerned, it depends upon the way in which the State Governments send down their replies to us. I think we will be able to do it this year at the latest, if possible in the July Session. If not, at least in the November Session. We shall bring forward this Bill and show to our friends that the Government has been extremely keen on the removal of untouchability in all its forms as laid down in the Indian Constitution. I myself will not be satisfied merely by getting this Bill sponsored here, and getting this Bill enacted in this House.

Because, ultimately we require the co-operation of all the citizens of India. Certain provisions have been laid down which deal with the disabilities of these unfortunate brethren of ours. These legal disabilities have to be removed. But, ultimately, we have to depend upon the co-operation of all the people concerned. Here, I should like to appeal to the whole House to treat this question with the greatest amount of sincerity. I should like to point out to my young friend, the hon. Member who brought in certain ideas about communal and other things, that he can work for the amelioration of the untouchables without necessarily allowing his mind to be embittered in the way that, unfortunately, he has done. Ultimately, this is a question which is absolutely non-controversial. This is a question in which you and I shall always co-operate, and the effect of this co-operation would be the complete removal of all the disabilities as early as possible, and placing the untouchables or Scheduled Castes on the same footing as others.

So far as the last question is concerned, you will also agree that there are certain problems which are common to all of us. Reference was made to the Backward Classes Commission. I was surprised to find that the number of backward class people is as large as 15 crores. That is a measure of our shame. Therefore, unless all the 35 crores of Indians come up to the same level of social justice, same level of economic justice, India as such can have no future at all. Therefore, I request the Scheduled Caste Members and the workers among Scheduled Castes to take into account these other aspects also which are more important, though this aspect also requires consideration.

Therefore, with the blessings of all of you, we desire to pilot this Bill as early as possible in this House and we hope that it will have extremely beneficial effects and would go a great way in placing the Scheduled Castes on the same footing in all respects as the non-scheduled castes.

Mr. Deputy-Speaker: I shall put Mr. Das's amendment to the House. The question is:

That for the original Resolution, the following be substituted:

"This House is of opinion that a comprehensive law should soon be enacted to ensure that the practice of untouchability and

the resultant disabilities are removed immediately leading to equal social status of all the citizens and bringing the offenders in this respect to book in an expeditious manner."

The motion was adopted.

Mr. Deputy-Speaker: This stands for the original Resolution. The House will now stand adjourned to meet again at 8-15 tomorrow.

The House then adjourned till a Quarter Past Eight of the Clock on Saturday, the 18th April, 1953.
