

Monday,
6th August, 1956

LOK SABHA DEBATES

VOLUME V, 1956

(16th July to 10th August 1956)



THIRTEENTH SESSION, 1956

LOK SABHA SECRETARIAT
NEW DELHI

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 Abdus Sattar, Shri (Kalna-Karwa).
 Achal Singh, Seth [Agra Distt. (West)].
 Achaju, Shri Sunkam (Nalgonda—Reserved—Sch. Castes).
 Achint Ram, Lala (Hissar).
 Achuthan, Shri K. T. (Crangannur).
 Agarwal, Shri Hoti Lal [Jalaun Distt. *cum* Etawah Distt.—(West) *cum* Jhansi Distt.—(North)].
 Agrawal, Shri Mukund Lal [Pilibhit Distt. *cum* Bareilly Distt.—(East)].
 Ajit Singh, Shri (Kapurthala-Bhatinda—Reserved—Sch. Castes).
 Ajit Singhji, General (Sirohi-Pali).
 Akarpuri, Sardar Teja Singh (Gurdaspur).
 Alagesan, Shri O. V. (Chingleput).
 Altekar, Shri Ganesh Sadashiv (North Satara).
 Alva, Shri Joachim (Kanara).
 Amin, Dr. Indubhai B. (Baroda West).
 Amjad Ali, Shri (Goalpara-Garo Hills).
 Amrit Kaur, Rajkumari (Mandi-Mahasu).
 Anandchand, Shri (Bilaspur).
 Ansari, Dr. Shaukatullah Shah (Bidar).
 Anthony, Shri Frank (Nominated—Anglo-Indians).
 Asthana, Shri Sita Rama (Azamgarh Distt.—West).
 Ayyangar, Shri M. Ananthasayanan (Tirupati).
 Azad, Maulana Abul Kalam (Rampur Distt. *cum* Bareilly Distt.—West).
 Azad, Shri Bhagwat Jha (Purnea *cum* Santhal Parganas).

B

Babunath Singh, Shri [Surguja-Raigarh—Reserved—Sch. Tribes].
 Badam Singh, Chowdhary (Budaun Distt.—West).
 Bagdi, Shri Magan Lal (Mahasamund).
 Bahadur Singh, Shri (Ferozepore-Ludhiana—Reserved—Sch. Castes).
 Balakrishnan, Shri S. C. (Erode—Reserved—Sch. Castes).
 Balasubramaniam, Shri S. (Madurai).
 Baldev Singh, Sardar (Nawan Shahar).
 Balmiki, Shri Kanhaiya Lal (Bulandshah Distt.—Reserved—Sch. Castes).
 Banerjee, Shri Durga Charan (Midnapore-Jhargram).
 Bansal, Shri Ghambani Lal (Jhajjar-Rewari).
 Bansilal, Shri (Jaipur).
 Barman, Shri Upendranath (North Bengal—Reserved—Sch. Castes).
 Barrow, Shri A. E. T. (Nominated—Anglo-Indians).
 Barupal, Shri Panna Lal (Ganganagar-Jhunjhunu—Reserved—Sch. Castes).
 Basappa, Shri C. R. (Tumkur).
 Basu, Shri A. K. (North Bengal).
 Basu, Shri Kamal Kumar (Diamond Harbour).
 Bhagat, Shri B. R. (Patna *cum* Shahabad).
 Bhakt Darshan, Shri [Garhwal Distt.—(East) *cum* Moradabad Distt.—(North-East)]
 Bharati, Shri Goswamiraja Sahdeo (Yeotmal).
 Bhargava, Pandit Mukat Behari Lal (Ajmer South).
 Bhargava, Pandit Thakur Das (Gurgaon).
 Bhartiya, Shri Shaligram Ramchandra (West Khandesh).
 Bhatkar, Shri Laxman Shrawan (Buldana-Akola—Reserved—Sch. Castes).

B—contd.

Bhatt, Shri Chandrashanker (Broach).
 Bhawani Singh, Shri (Barmer-Jalore).
 Bhawanji, Shri (Kutch West).
 Bheekha Bhai, Shri (Banswara—Dungarpur—Reserved—Sch. Tribes).
 Bhonsle, Shri Jagannathrao Krishna Rao (Ratnagiri North).
 Bidari, Shri Ramappa Balappa (Bijapur South).
 Birbal Singh, Shri [Jaunpur Distt.—(East)].
 Biren Dutt, Shri (Tripura West).
 Bogawat, Shri U. R. (Ahmednagar South).
 Boovaraghassamy, Shri V. (Perambalur).
 Borkar, Shrimati Anusayabai (Bhandara—Reserved—Sch. Castes).
 Borooh, Shri Dev Kanta (Nowgong).
 Bose, Shri P. C. (Manbhum North).
 Brajeshwar Prasad, Shri (Gaya East).
 Brohmo-Chaudhury, Shri Sitenath (Goalpara—Garo Hills—Reserved—Sch. Tribes).
 Buchhikotaiah, Shri Sanaka (Masulipatnam).

C

Chakravartty, Shrimati Renu (Basirhat).
 Chaliha, Shri Bimalaprosad (Sibsagar—North-Lakhimpur).
 Chanda, Shri Anil Kumar (Birbhum).
 Chandak, Shri B. L. (Betul).
 Chandrasekhar, Shrimati M. (Tiruvallur—Reserved—Sch. Castes).
 Charak, Th. Lakshman Singh (Jammu and Kashmir).
 Chatterjea, Shri Tushar (Serampore).
 Chatterjee, Dr. Susilranjan (West Dinajpur).
 Chatterjee, Shri N. C. (Hooghly).
 Chattopadhyaya, Shri Harindranath (Vijayavada).
 Chaturvedi, Shri Rohanlal [Etah Distt.—(Central)].
 Chaudhary, Shri Ganeshi Lal [Shahjahanpur Distt.—(North) cum Kheri—(East)—Reserved—Sch. Castes].

Chaudhuri, Shri Tridib Kumar (Berhampore).
 Chavda, Shri Akbar (Banaskantha).
 Chettiar, Shri N. Vr. N. Ar. Nagappa (Ramanathapuram).
 Chettiar, Shri T. S. Avinashilingam (Tiruppur).
 Chowdary, Shri C. R. (Narasaraopet).
 Chowdhury, Shri Nikunja Behari (Ghatal).

D

Dabhi, Shri Fulsinhji B. (Kaira North).
 Damar, Shri Amar Singh Sabji (Jhabua—Reserved—Sch. Tribes).
 Damodaran, Shri G. R. (Pollachi).
 Damodaran, Shri Netrur P. (Tellicherry).
 Das, Dr. Mono Mohon (Burdwan—Reserved—Sch. Castes).
 Das, Shri B. (Jaipur-Keonjhar).
 Das, Shri Basanta Kumar (Contai).
 Das, Shri Beli Ram (Barpeta).
 Das, Shri Bijoy Chandra (Ganjam South).
 Das, Shri Kamal Krishna (Birbhum—Reserved—Sch. Castes).
 Das, Shri Nayan Tara (Monghyr Sadr cum Jamui—Reserved—Sch. Castes).
 Das, Shri Rem Dhani (Gaya East—Reserved—Sch. Castes).
 Das, Shri Ramananda (Barrackpore).
 Das, Shri Sarangadhar (Dhenkanal—Cuttack).
 Das, Shri Shree Narayan (Darbhanga Celina).
 Dasaratha Deb, Shri (Tripura East).
 Datar, Shri Balwan Nagesh (Belgaum North).
 Deb, Shri Suresh Chandra (Cachar—Lushai Hills).
 Deo, H. H. Maharaja Rajendra Narayan Singh (Kalsandi-Bolangir).
 Deogam, Shri Kanhu Ram (Chaiabasa—Reserved—Sch. Tribes).
 Desai, Shri Kanayal Nanabhai (Surat).
 Desai, Shri Khanduthai Kasanji (Halsi).
 Deshmukh, Dr. Panjabrao S. (Amravati East).

D—contd.

Deshmukh, Shri Chintaman Dwarakanath (Kola's).
 Deshmukh, Shri K. G. (Amravati West).
 Deshpande, Shri Govind Hari (Nasik Central).
 Deshpande, Shri Vishnu Ghanashyam (Guna).
 Dholakia, Shri Gulab Shankar Amritlal (Kutch East).
 Dhulekar, Shri R. V. [Jhansi Distt.—(South)].
 Dhusiya, Shri Sohan Lal (Basti Distt.—(Central-East) *cum* Gorakhpur Distt.—(West)—Reserved—Sch. Caste].
 Digambar Singh, Shri (Etah Distt.—(West *cum* Mainpuri Distt.—(West) *cum* Mathura Distt.—(East)].
 Diwan, Shri Raghavendr Rao Srinivas Rao (Osmanabad).
 Dube, Shri Mulchand [Farrukhabad Distt. (North)].
 Dube, Shri Uday Shankar [Basti Distt. (North)].
 Dubey, Shri Rajaram Giridharlal (Bijapur North).
 Dutt, Shri Asim Krishna (Calcutta South-West).
 Dutta, Shri Santosh Kumar (Howrah).
 Dwivedi, Shri Dashrath Prasad (Gorakhpur Distt.—Central).
 Dwivedi, Shri M. L. (Hamirpur Distt.).

E

Echaran, Shri Iyyunni (Ponnani—Reserved—Sch. Castes).
 Elenezer, Dr. S. A. (Vikarabad).
 Elayaperumal, Shri L. (Cuddalore—Reserved—Sch. Castes).

F

Fotedar, Pandit Sheo Narayan (Jammu and Kashmir).

G

Gadgil, Shri Narhar Vishnu (Poona Central)
 Gadilingana Gowd, Shri (Kurnool).

Gami Majludora, Shri (Visakhapatnam—Reserved—Sch. Tribes).
 Gandhi, Shri Feroze [Pratapgarh Distt. (West) *cum* Rae Bareli Distt. (East)].
 Gandhi, Shri Maneklal Maganlal (Panch Mahals *cum* Baroda East).
 Gandhi, Shri V. B. (Bombay City—North).
 Ganga Devi, Shrimati (Lucknow Distt. *cum* Bara Banki Distt.—Reserved—Sch. Castes).
 Ganpati Ram, Shri [Jaunpur Distt. (East)—Reserved—Sch. Castes)].
 Garg, Shri Ram Pratap (Patiala).
 Gautam, Shri C. D. (Balaghat).
 Ghose, Shri Surendra Mohan (Maldia).
 Ghosh, Shri Atulya (Burdwan).
 Ghulam Qader, Shri (Jammu and Kashmir).
 Gidwani, Shri Choithram Partabrai (Thana)
 Giri, Shri V. V. (Pathapetnam).
 Giridhari Bhoi, Shri (Kalahandi-Bolangir)
 Reserved—Sch. Tribes).
 Gohain, Shri Chowkhamoon (Nominated—Assam Tribal Areas).
 Gopalan, Shri A. K. (Cannanore).
 Gopi Ram, Shri (Mandi-Mahasu—Reserved—Sch. Castes).
 Gounder, Shri K. Periaswami (Erode).
 Gounder, Shri K. [Sakthivadivel (Periyakulam)].
 Govind Das, Seth (Mandla-Jabalpur South).
 Guha, Shri Arun Chandra (Santipur).
 Gupta, Shri Badshah (Mainpuri Distt.—East).
 Gupta, Shri Sadhan Chandra (Calcutta—South—East).
 Gurupadaswamy, Shri M. S. (Mysore).

H

Hansda, Shri Benjamin (Purnea *cum* Senta Parganas—Reserved—Sch. Tribes).
 Hari Mohan, Dr. (Manbhum North—Reserved—Sch. Castes).
 Hasda, Shri Subodh (Midnapore-Jhargram—Reserved—Sch. Tribes).

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Hazarika, Shri Jogendra Nath (Dibrugarh).
 Heda, Shri H. C. (Nizamabad).
 Hembrom, Shri Lal (Santal Parganas *cum* Hazaribagh—Reserved—Sch. Tribes).
 Hem Raj, Shri (Kangra).
 Hukam Singh, Sardar (Kapurthala-Bhatinda).
 Hyder Husein, Chaudhri (Gonda Distt.—North).

I

Ibrahim, Shri A. (Ranchi North-East).
 Iqbal Singh, Sardar (Fazilka-Sirsa).
 Islamuddin, Shri Muhammad (Purnea—North-East).
 Iyyunni, Shri C. R. (Trichur).

J

Jagivan Ram, Shri (Shahabad South—Reserved—Sch. Castes).
 Jain, Shri Ajit Prasad (Saharanpur Distt.—West *cum* Muzaffarnagar Distt.—North).
 Jain, Shri Nemi Saran (Bijnor Distt.—South).
 Jaipal Singh, Shri (Ranchi West—Reserved—Sch. Tribes).
 alsoorya, Dr. N. M. (Medak).
 aware, Shri Ramraj (Santal Parganas *cum* Hazaribagh).

Jangde, Shri Resham Lal (Bilaspur—Reserved—Sch. Castes).
 Jatav-vir, Dr. Manik Chand (Bharatpur-Sawai Madhopur—Reserved—Sch. Castes).
 Jayaraman, Shri A. (Tindivanam—Reserved—Sch. Castes).
 Jayashri, Shrimati (Bombay-Suburban).
 Jena, Shri Kanhu Charan (Balasore—Reserved—Sch. Castes).
 Jena, Shri Lakshmidhar (Jaipur-Keonjhar—Reserved—Sch. Castes).
 Jena, Shri Niranjan (Dhenkanal-West Cuttack—Reserved—Sch. Castes).
 ethan, Shri Kherwar (Palamau *cum* Hazaribagh *cum* Ranchi—Reserved—Sch. Tribes).

Jhunjhunwala, Shri Banarsi Prasad (Bhagalpur Central).

Jogendra Singh, Sardar (Bahrach Distt.—West).

Joshi, Shri Anand Chandra (Shahdol-Sidhi).

Joshi, Shri Jethalal Harikrishna (Madhya Saurashtra).

Joshi, Shri Krishnacharya (Yadgir).

Joshi, Shri Liladhar (Shajapur-Rajgarh).

Joshi, Shri Moreshwar Dinkar (Ratnagiri South).

Joshi, Shri Nandlal (Indore).

Joshi, Shrimati Subhadra (Karnal).

Jwala Prashad, Shri (Ajmer North).

K

Kachiroyar, Shri N. D. Govindaswami (Cuddalore).
 Kajrolkar, Shri Narayan Sadoba (Bombay City—North—Reserved—Sch. Castes).
 Kakkan, Shri P. (Madurai—Reserved—Sch. Castes).
 Kale, Shrimati Anasuyabai (Nagpur).
 Kamal Singh, Shri (Shahabad—North-West).
 Kamath, Shri Hari Vishnu (Hoshangabad).
 Kamble, Dr. Devrao Nambevrao (Nanded—Reserved—Sch. Castes).

Kandasamy, Shri S. K. Babie (Tiruchengode).
 Kanungo, Shri Nityanand (Kendrapara).
 Karmarkar, Shri D. P. (Dharwar North).
 Karni Singhji, His Highness Maharaja Shri Bahadur of Bikaner (Bikaner-Churu).
 Kasliwal, Shri Nemi Chandra (Kotah-Jhalsawar).

Katham, Shri Birendranath (North Bengal—Reserved—Sch. Tribes).

Katju, Dr. Kailas Nath (Mandsaur).

Kayal, Shri Pareah Nath (Basirhat—Reserved—Sch. Castes).

Kazmi, Shri Syed Mohammad Ahmad (Sultanpur Distt.—North *cum* Faizabad Distt.—South-West).

Kelappan, Shri K. (Ponnani).

Keshavaiengar, Shri N. (Bangalore North).

K—contd.

Keskar, Dr. B. V. (Sultapur Distt.—South).
 Khan, Shri Sadath Ali (Ibrahimpatnam).
 Khardekar, Shri B. H. (Kolhapur *cum* Satara).
 Khare, Dr. N. B. (Gwalior).
 Khedkar, Shri Gopalrao Bajirao (Buldans. Akola).
 Khongmen, Shrimati B. (Autonomous Distts.—Reserved—Sch. Tribes).
 Khuda Baksh, Shri Muhammed (Murshidabad).
 Kirolikar, Shri Wasudeo Shridhar (Durg).
 Kolay, Shri Jagannath (Bankura).
 Kottukappally, Shri George Thomas (Meena-chil).
 Kripalani, Acharya J. B. (Bhagalpur *cum* Purnea).
 Krishna, Shri M. R. (Karimnagar—Reserved—Sch. Castes).
 Krishna Chandra, Shri (Mathura Distt.—West).
 Krishnamachari, Shri T. T. (Madras).
 Krishnappa, Shri M. V. (Kolar).
 Krishnaswami, Dr. A. (Kancheepuram).
 Kureel, Shri Baij Nath (Pratapgarh Distt.—West *cum* Rae Bareli Distt.—East—Reserved—Sch. Castes).
 Kureel, Shri Piare Lal (Banda Distt. *cum* Fatehpur Distt.—Reserved—Sch. Castes).

L

Lakshmayya, Shri Paidi (Anantapur).
 Lal Singh, Sardar (Ferozepur-Ludhiana).
 Lallanji, Shri (Faizabad Distt.—North-West).
 Laskar, Shri Nibaran Chandra (Cachar-Lushai Hills—Reserved—Sch. Castes).
 Lingam, Shri N. M. (Coimbatore).
 Lotan Ram, Shri (Jalsun Distt. *cum* Etawah Distt.—West *cum* Jhansi Distt.—North—Reserved—Sch. Castes).

M

Madiah Gowda, Shri (Bangalore South).
 Mahapatra, Shri Sibnarayan Singh (Sundar-ga hr—Reserved—Sch. Tribes).

Mahata, Shri Bhajaharf (Manbhumi South *cum* Dhalbhumi).
 Mahodaya, Shri Vaijanath (Nimar).
 Maitra, Shri Mohit Kumar (Culcutta—North West).
 Majhi, Shri Chaitan (Manbhumi—South *cum* Dhalbhumi—Reserved—Sch. Tribes).
 Majhi, Shri Ram Chandra (Mayurbhanj—Reserved—Sch. Tribes).
 Majithia, Sardar Surjit Singh (Taran Taran).
 Malaviya, Shri Keshava Deva (Gonda Distt.—East *cum* Basti Distt.—West).
 Malliah, Shri U. Srinivasa (South Kanara—North).
 Malvia, Shri Bhagub-Nandu (Shajapur-Rajgarh—Reserved—Sch. Castes).
 Malviya, Pandit Chatur Narain (Raisen).
 Malviya, Shri Motilal (Chhatarpur-Datia-Tikamgarh—Reserved—Sch. Castes).
 Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).
 Mascarene, Kumari Annie (Trivandrum).
 Masuodi, Maulana Mohammad Saeed (Jammu and Kashmir).
 Masuriya Din, Shri (Allahabad Distt.—East *cum* Jaunpur Distt.—West—Reserved—Sch. Castes).
 Mathew, Shri C. P. (Kottayam).
 Mathuram, Dr. Edward Paul (Tiruchirapalli).
 Matthen, Shri C. P. (Thiruvellai).
 Mavalankar, Shrimati Sushila (Ahmedabad).
 Maydeo, Shrimati Indira A. (Poona South).
 Mehta, Shri Asoka (Bhandara).
 Mehta, Shri Balwantray Gopaljee (Gohilwad).
 Mehta, Shri Balwant Singh (Udaipur).
 Mehta, Shri Jaswantraj (Jodhpur).
 Menon, Shri K. A. Damodara (Kozhikode).
 Minimata, Shrimati (Bilaspur-Durg-Raipur—Reserved—Sch. Castes).
 Mishra, Pandit Suresh Chandra (Monghyr North-East).
 Mishra, Shri Bibhuti (Saran *cum* Cham-paran).
 Mishra, Shri Lalit Narayan (Darbhanga *cum* Bhagalpur).

M—contd.

Mishra, Shri Lokenath (Puri).
 Mishra, Shri Mathura Prasad (Monghyr—North-West).
 Mishra, Shri Shyam Nandan (Darbhanga—North).
 Misra, Pandit Lingaraj (Khurda).
 Misra, Shri Bhupendra Nath (Bilaspur—Durg-Raipur).
 Misra, Shri Raghubar Dayal (Bulandshahr Distt.).
 Misra, Shri Sarju Prasad (Deoria Distt.—South).
 Missir, Shri Vijineshwar (Gaya North).
 Mohd. Akbar, Sofi (Jammu and Kashmir).
 Mohiuddin, Shri Ahmed (Hyderabad City).
 Morarka, Shri Radheshyam Ramkumar (Ganganagar-Jhunjhunu).
 More, Shri K. L. (Kolhapur *cum* Satara—Reserved—Sch. Castes).
 More, Shri Shankar Shanaram (Sholapur).
 Muchaki Kosa, Shri (Bastar—Reserved—Sch. Tribes).
 Mudaliar, Shri C. Ramaswamy (Kumbakonam).
 Muhammed Shafee, Chaudhuri (Jammu and Kashmir).
 Mukerjee, Shri Harendra Nath (Calcutta—North-East).
 Mukne, Shri Y. M. (Thana—Reserved—Sch. Tribes).
 Muniswamy, Shri N. R. (Wardiwash).
 Muniswamy, Shri V. (Tindivanam).
 Murli Manohar, Shri (Ballia Distt. East).
 Murthy, Shri B. S. (Eluru).
 Musafir, Giani Gurmukh Singh (Amritsar).
 Mushar, Shri Kirsi (Bhagalpur *cum* Purnea—Reserved—Sch. Castes).
 Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

N

Naidu, Shri Nalla Reddi (Rajahmundry).
 Nair, Shri C. Krishnan (Outer Delhi).

Nair, Shri N. Sreekantan (Quilon *cum* Mavelikkara).
 Nambiar, Shri K. Ananda (Mayuram).
 Nanadas, Shri Mangalagiri (Ongole—Reserved—Sch. Castes).
 Nanda, Shri Gulzarilal (Sabarkantha).
 Narasimham, Shri S. V. L. (Guntur).
 Narasimhan, Shri C. R. (Krishnagiri).
 Naskar, Shri Purnendu Sekhar (Diamond Harbour—Reserved—Sch. Castes).
 Natawadkar, Shri Jayantrao Ganpat (West Khandesh—Reserved—Sch. Tribes).
 Nathani, Shri Hari Ram (Bhilwara).
 Nathwani, Shri Narendra P. (Sorath).
 Nayar, Shri V. P. (Chirayinkil).
 Nehru, Shri Jawaharlal (Allahabad Distt.—East *cum* Jaunpur Distt.—West).
 Néhru, Shrimati Shivraj Vati (Lucknow Distt.—Central).
 Nehru, Shrimati Uma (Sitapur Distt. *cum* Kheri Distt.—West).
 Nesamony, Shri A. (Nagercoil).
 Neswi, Shri T. R. (Dharwar—South).
 Nevatia, Shri R. P. (Sahjahanpur Distt.—North *cum* Kheri—East).
 Nijalingappa, Shri S. (Chitaldrug).

P

Palchoudhury, Shrimati Ila (Nabadwip).
 Pande, Shri Badri Dutt (Almora Distt.—North—East).
 Pande, Shri C. D. (Naini Tal Distt. *cum* Almora Distt.—South-West *cum* Bareilly Distt.—North).
 Pandey, Dr. Natabar (Sambalpur).
 Pannalal, Shri (Faizabad Distt.—North-West—Reserved—Sch. Castes).
 Paragi Lal, Chaudhari (Sitapur Distt. *cum* Kheri Distt.—West—Reserved—Sch. Castes).
 Paranjpe, Shri R. G. (Bhir).
 Parekh, Dr. Jayantilal Narbheram (Zalawad).
 Parikh, Shri Shantilal Girdharilal (Mehsana East).

P—contd.

Parmar, Shri Rupaji Bhavji (Panch Mahals *cum* Baroda East—Reserved—Sch. Tribes).
 Pataskar, Shri Hari Vinayak (Jalgaon).
 Patel, Shri Bahadurbhai Kunthabhai (Surat—Reserved—Sch. Tribes).
 Patel, Shri Rajeshwar (Muzaffarpur *cum* Darbhanga).
 Patel, Shrimati Maniben Vallabhbhai (Kaira South).
 Pateria, Shri Sushil Kumar (Jabalpur North).
 Patil, Shri P. R. Kanavade (Ahmednagar North).
 Patil, Shri S. K. (Bombay City—South).
 Patil, Shri Shankargauda Veeranagauda (Belgaum South).
 Patnaik, Shri Uma Charan (Ghumsur).
 Pawar, Shri Vyankatrao Pirajirao (South Satara).
 Pillai, Shri P. T. Thanu (Tirunelveli).
 Pocker Saheb, Shri B. (Malaopuram).
 Prabhakar, Shri Naval (Outer Delhi—Reserved—Sch. Castes).
 Punnoose, Shri P. T. (Allenney).

R

Rachiah, Shri N. (Mysore—Reserved—Sch. Castes).
 Radha Raman, Shri (Delhi City).
 Raghavachari, Shri K. S. (Penukonda).
 Raghavaiah, Shri Pisupati Vekata (On-gole).
 Raghubir Sahai, Shri (Etah Distt.—North-East *cum* Budaun Distt.—East).
 Raghubir Singh, Choudhary (Agra Distt.—East).
 Raghunath Singh, Shri (Banaras Distt.—Central).
 Raghuramaiah, Shri Kotha (Tenali).
 Rahman, Shri M. Hifzur (Moradabad Distt.—Central).
 Raj Bahadur, Shri (Jaipur-Sawai Madhopur).

Rajabhoj, Shri P. N. (Sholapur—Reserved—Sch. Castes).
 Ramachander, Dr. D. (Vellore).
 Ramanand Shastri, Swami (Unnao Distt. *cum* Rae Bareli Distt.—West *cum* Hardoi Distt.—South-East—Reserved—Sch. Castes).
 Ramananda Tirtha, Swami (Gulberga).
 Ramasami, Shri M. D. (Arruppukkottai).
 Ramaseshaiah, Shri N. (Parvathipuram).
 Ramaswamy, Shri P. (Mahbubnagar—Reserved—Sch. Castes).
 Ramaswamy, Shri S. V. (Salem).
 Ram Dass, Shri (Hoshiarpur—Reserved—Sch. Castes).
 Ram Krishan, Shri (Mohindergarh).
 Ramnarayan Singh, Babu (Hazaribagh West).
 Ram Saran, Shri (Moradabad Distt.—West).
 Ram Shankar Lal, Shri (Basti Distt.—Central-East *cum* Gorakhpur Distt.—West).
 Ram Subhag Singh, Dr. (Shahabad South).
 Ranbir Singh, Ch. (Rohrak).
 Randaman Singh, Shri (Shahdol-Sidhi—Reserved—Sch. Tribes).
 Rane, Shri Shivram Rango (Bhusaval).
 Ranjit Singh, Shri (Sangrur).
 Rao, Dr. Ch. V. Rama (Kakinada).
 Rao, Shri B. Rajagopala (Srikakulam).
 Rao, Shri B. Shiva (South Kanara—South).
 Rao, Shri Kadyala Gopala (Gudivada).
 Rao, Shri Kurney Mohana (Rajahmundry—Reserved—Sch. Castes).
 Rao, Shri Kondru Subba (Eluru—Reserved—Sch. Castes).
 Rao, Shri P. Subba (Nowrangpur).
 Rao, Shri Pendyal Raghava (Warangal).
 Rao, Shri Rayasam Sesagiri (Nandyal).
 Rao, Shri T. B. Vittal (Khammam).
 Raut, Shri Bholu (Saran *cum* Champaran—Reserved—Sch. Castes).
 Ray, Shri Birakisor (Cuttack).
 Razmi, Shri Said Ullah Khan (Sehore).

• R—contd.

Reddi, Shri B. Ramachandra (Nellore).

Reddi, Shri C. Madhao (Adilabad).

Reddi, Shri Y. Eswara (Cuddapah).

Reddy, Shri Baddam Yella (Kurnool).

Reddy, Shri K. Janardhan (Mahbubnagar).

Reddy, Shri Ravi Narayan (Nalgonda).

Reddy, Shri T. N. Vishwanatha (Chittoor).

Richardson, Bishop John (Nominated—Andaman and Nicobar Islands).

Rishang Keishing, Shri (Outer Manipur—Reserved—Sch. Tribes).

Roy, Dr. Satyaban (Uluberia).

Roy, Shri Bishwa Nath (Deoria Distt.—West).

Rup Narain, Shri (Mirzapur Distt. *cum* Banaras Distt.—West—Reserved—Sch. Castes).

S

Sahaya, Shri Syamnandan (Muzaffarpur Central).

Sahu, Shri Bhagabat (Balasore).

Sahu, Shri Rameshwar (Muzaffarpur *cum* Darbhanga—Reserved—Sch. Castes).

Saigal, Sardar Amar Singh (Bilaspur).

Saksena, Shri Mohanlal (Lucknow Distt. *cum* Bara Banki Distt.).

Samanta, Shri Satis Chandra (Tamluk).

Sanganna, Shri T. (Rayagada-Phulbani—Reserved—Sch. Tribes).

Sankarapandian, Shri M. (Sankaranayinarkovil).

Sarma, Shri Debendra Nath (Gauhati).

Sarmah, Shri Debeswar (Golaghat-Jorhat).

Satish Chandra, Shri (Bareilly Distt. South).

Satyawadi, Dr. Virendra Kumar (Karnal—Reserved—Sch. Castes).

Sen, Shri Phani Gopal (Purnea Central).

Sen, Shri Raj Chandra (Kotah-Bundi).

Sen, Shrimati Sushama (Bhagalpur South).

Sewal, Shri A. R. (Chamba-Sirmur).

Shah, Her Highness Rajmata Kamlendu Mati (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North.)

Shah, Shri Chimansal Chakubhai (Gohilwad-Sorath).

Shah, Shri Raichand Bhai N. (Chhindwara).

Shahnawaz Khan, Shri (Meerut Distt.—North-East).

Shakuntala Nayar, Shrimati (Gonda Distt.—West).

Sharma, Pandit Balkrishna (Kanpur Distt.—South *cum* Etawah Distt.—East).

Sharma, Pandit Krishna Chandra (Meerut Distt.—South).

Sharma, Shri Diwan Chand (Hoshiarpur).

Sharma, Shri Khushi Ram (Meerut Distt.—West).

Sharma, Shri Nand Lal (Sikar).

Sharma, Shri Radha Charan (Morena-Bhind).

Shastri, Shri Algu Rai (Azamgarh Distt.—East *cum* Ballia Distt.—West).

Shastri, Shri Raja Ram (Kanpur Distt.—Central).

Shivananjappa, Shri M. K. (Mandya).

Shobha Ram, Shri (Alwar).

Shriman Narayan, Shri (Wardha).

Shukla, Pandit Bhagwaticharan (Durg-Bastar).

Siddananjappa, Shri H. (Hassan Chikmagalur).

Singh, Shri C. Sharan (Surguja-Raigarh).

Singh, Shri Digvijaya Narain (Muzaffarpur—North-East).

Singh, Shri Dinesh Pratap (Bhariaich Distt.—East).

Singh, Shri Girraj Saran (Bharatpur-Sawai Madhopur).

Singh, Shri Har Prasad (Ghazipur Distt.—West).

Singh, Shri L. Jogeswar (Inner Manipur).

Singh, Shri Mahendra Nath (Saran Central).

Singh, Shri Ram Nagina (Ghazipur Distt.—East *cum* Ballia Distt.—South-West).

S—contd.

Singh, Shri Tribhuan Narayan (Banaras Distt.—East).
 Singhal, Shri Shri Chand (Aligarh Distt.).
 Sinha, Dr. Satyanarain (Saran East).
 Sinha, Shri Anirudha (Darbhanga East).
 Sinha, Shri Awadheshwar Prasad (Muzaffarpur East).
 Sinha, Shri Banarsi Prasad (Monghyr Sadr cum Jamui).
 Sinha, Shri Gajendra Prasad (Palamau cum Hazaribagh cum Ranchi).
 Sinha, Shri Jhulan (Saran North).
 Sinha, Shri Kailash Pati (Patna Central).
 Sinha, Shri Nageshwar Prasad (Hazaribagh East).
 Sinha, Shri S. (Pataliputra).
 Sinha, Shri Satya Narayan (Samastipur East).
 Sinha, Shri Satyendra Narayan (Gaya West).
 Sinha, Shrimati Tarkeshwari (Patna East).
 Sinha, Thakur Jugal Kishore (Muzaffarpur—North-West).
 Sinhasan Singh, Shri (Gorakhpur Distt.—South).
 Siva, Dr. M. V. Gangadhara (Chittoor—Reserved—Sch. Castes).
 Snatak, Shri Nardeo (Aligarh Distt.—Reserved—Sch. Castes).
 Sodhia, Shri Khub Chand (Sagar).
 Somana, Shri N. (Coorg).
 Somani, Shri G. D. (Nagaur-Pali).
 Subrahmanyam, Shri Kandala (Vizianagaram).
 Subrahmanyam, Shri Tekur (Bellary).
 Subramania Chettiar, Shri (Dharmapuri).
 Sundaram, Dr. Lanka (Visakhapatnam).
 Sunder Lall, Shri (Saharanpur Distt.—West cum Muzaffarnagar Distt.—North—Reserved—Sch. Castes).
 Suresh Chandra, Dr. (Aurangabad).
 Suriya Prashad, Shri (Morena-Bhind—Reserved—Sch. Castes).

Swami, Shri Sivamurthi (Kushtagi).
 Swaminadhan, Shrimati Ammu (Dindigul).
 Syed Mahmud, Dr. (Champaran East).
 T
 Tandon, Shri Purushottamdas [Allahabad Distt. (West)].
 Tek Chand, Shri (Ambala-Simla).
 Telikar, Shri Shankar Rao (Nanded).
 Tewari, Sardar Raj Bhanu Singh (Rewa).
 Thimmaiah, Shri Dodda (Kolar—Reserved—Sch. Castes).
 Thirani, Shri G. D. (Bargarh).
 Thomas, Shri A. M. (Ernakulam).
 Thomas, Shri A. V. (Srivaikuntam).
 Tivary, Shri Venkatesh Narayan (Kanpur Distt.—North cum Farrukhabad Distt.—South).
 Tiwari, Pandit B. L. (Nimar).
 Tiwari, Shri Ram Sahai (Chhatarpur—Datia-Tikamgarh).
 Tiwary, Pandit Dwarka Nath (Saran South).
 Tripathi, Shri Hira Vallabh (Muzaffarnagar Distt.—South).
 Tripathi, Shri Kamakhya Prasad (Darrang).
 Tripathi, Shri Vishwambhar Dayal (Unnao Distt. cum Rae Bareli Distt.—West cum Hardoi Distt.—South-East).
 Trivedi, Shri Umashanker Mulji bha (Chittor).
 Tulsidas Kilachand, Shri (Mehsana West).
 Tyagi, Shri Mahavir (Dehra Dun Distt. cum Bijnor Distt.—North-West cum Saharanpur Distt.—West).
 U
 Uikey, Shri M. G. (Mandla-Jabalpur—South—Reserved—Sch. Tribes).
 Upadhyay, Pandit Munishwar Dutt (Parbatgarh Distt.—East).
 Upadhyay, Shri Shiva Dayal (Banda Distt. cum Fatehpur Distt.).
 Upadhyaya, Shri Shiva Datt (Satna).

V

Vaishnav, Shri Hanamantrao Ganeshrao (Ambad).

Vaishya, Shri Muldas Bhuderdas (Ahmedabad—Reserved—Sch. Castes).

Vallatharas, Shri K. M. (Pudukkottai).

Varma, Shri B. B. (Champanar North).

Varma, Shri Manik Lal (Tonk).

Veeraswamy, Shri V. (Mayuram—Reserved—Sch. Castes).

Velayudhan, Shri R. (Quilon *cum* Mavelikkara—Reserved—Sch. Castes).

Venkstaraman, Shri R. (Tanjore).

Verma, Shri Bulaqi Ram (Hardoi Distt.—North-West *cum* Farrukhabad Distt.—East *cum* Shahjahanpur Distt.—South—Reserved—Sch. Castes).

Verma, Shri Ramji (Deoria Distt.—East).

Vidyalankar, Shri Amarnath (Jullundur).

Vishwanath Prasad, Shri (Azamgarh Distt.—West—Reserved—Sch. Castes).

Vyas, Shri Radhelal (Ujjain).

W

Waghmare, Shri Narayan Rao (Parbhani).

Wilson, Shri J. N. (Mirzapur Distt. *cum* Banaras Distt.—West).

Wodeyar, Shri K. G. (Shimoga).

Z

Zaidi, Col. B. H. (Hardoi Distt.—North-West *cum* Farrukhabad Distt.—East *cum* Shahjahanpur Distt.—South).

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The Deputy-Speaker

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Shri M. L. Dwivedi.

Shri Raghbir Sahai.

Shri Asoka Mehta.

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Shri Nemi Saran Jain.

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Shri Mahendra Nath Singh.
Shri Shivram Rango Rane.
Shri Pulsinhji B. Dabhi.
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Shri Radheshyam Ramkumar Morarka.
Shrimati Ila Palchoudhuri.
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Shri Hirendra Nath Mukerjee.
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 Shri P. Subba Rao.
 Shri P. N. Rajabhoj.
 Shri Vishnu Ghanashyam Deshpande.
 Shri Satyendra Narayan Sinha.
 Pandit Dwarka Nath Tiwary.
 Shri C. R. Narasimhan.
 Shri Raghbir Sahai.
 Pandit Algu Rai Shastri.
 Shri Abdus Sattar.
 Shri Lakshman Singh Charak.
 Shri N. Rachiah.
 Shri Radheshyam Ramkumar Morarka.
 Shri Mangalagiri Nanadas.
 Shri T. B. Vittal Rao.
 Shri Y. Gadilingana Gowd.
 Shri Jaswantraj Mehta.
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 Shri Choithram Partabrai Gidwani.

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 Shrimati Sushama Sen.
 Shri K. S. Raghavachari.
 Shri B. G. Mehta.
 Shri V. B. Gandhi.
 Shri Satya Narayan Sinha.
 Shri N. C. Chatterjee.
 Shri Kotha Raghuramaiah.
 Shri G. S. Altekar.
 Shri U. S. Malliah.
 Shri A. K. Gopalan.
 Shri Tulsidas Kilschand.
 Shri J. B. Kripalani.

Shri Uma Charan Patnaik.
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Shri Digvijaya Narain Singh.
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Shri N. Somana.
Shri Bhupendra Nath Misra.
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Shri Raj Chandra Sen.
Shri K. Ananda Nambiar.
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Shri Bhagwat Jha 'Azad'.
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Shri Diwan Chand Sharma.
Shri Jagan Nath Koley.
Shri G. H. Deshpande.
Shri Nemi Chandra Kasliwal.
Shri N. C. Chatterjee.
Shri P. T. Punnoose.
Shri Asoka Mehta.

Rajya Sabha

Shri H. C. Dasappa.
Shri D. Narayana.
Shri R. P. N. Sinha.
Shrimati Chandravati Lakhpal.
Shri V. K. Dhage.

Library Committee

Lok Sabha

Sardar Hukam Singh. (*Chairman*)
Shri V. N. Tivary.
Shri M. L. Dwivedi.
Shri U. C. Patnaik.
Shri M. D. Joshi.
Shri H. N. Mukerjee.

Rajya Sabha

Shri R. D. 'Dinkar' Sinha.
Shri Theodore Bodra.
Shrimati Lilavati Munshi.

Public Accounts Committee*Lok Sabha*

Shri V. B. Gandhi. (*Chairman*)
 Shri K. G. Deshmukh.
 Shri U. Srinivasa Malliah.
 Shri Diwan Chand Sharma.
 Shri C. D. Pande.
 Shri Kamal Kumar Basu.
 Shri V. Boovaraghassamy.
 Dr. Indubhai B. Amin.
 Shri Nibaran Chandra Laskar.
 Shrimati Tarkeshwari Sinha.
 Shri Tribhuan Narayan Singh.
 Shri Radhelal Vyas.
 Shri C. P. Matthen.
 Shri J. B. Kripalani.
 Shrimati Shakuntala Nayar.

Rajya Sabha

Shri G. Ranga.
 Shri R. M. Deshmukh.
 Shrimati Pushpalata Das.
 Shri Shyam Dhar Misra.
 Shri P. T. Leuva.
 Shri B. C. Ghose.
 Shri J. V. K. Vallabharao.

Rules Committee

Shri M. Ananthasayanam Ayyangar. (*Chairman*)
 Sardar Hukam Singh.
 Pandit Thakur Das Bhargava.
 Shri Satya Narayan Sinha.
 Shri N. Keshavaengar.
 Shri Shivram Rango Rane.
 Shri Ghamandi Lal Bansal.
 Shri Khushi Ram Sharma.
 Shri Kotha Raghuramaiah.
 Shri Satis Chandra Samanta.
 Dr. N. M. Jaisoorya.
 Shri N. C. Chatterjee.
 Shri Bhawani Singh.
 Shri Kamal Kumar Basu.
 Shri K. S. Raghavachari.

GOVERNMENT OF INDIA

Members of the Cabinet

Prime Minister and Minister of External Affairs and also in charge of the Department of Atomic Energy—Shri Jawaharlal Nehru.

Minister of Education and National Resources and Scientific Research—Maulana Abul Kalam Azad.

Minister of Home Affairs—Pandit Govind Ballabh Pant.

Minister of Communications—Shri Jagjivan Ram.

Minister of Health—Rajkumari Amrit Kaur.

Minister of Finance—Shri C. D. Deshmukh.

Minister of Planning and Irrigation and Power—Shri Gulzarilal Nanda.

Minister of Defence—Dr. Kailas Nath Katju.

Minister of Commerce and Industry and Iron and Steel—Shri T. T. Krishnamachari.

Minister of Law and Minority Affairs—Shri C. C. Biswas.

Minister of Railways and Transport—Shri Lal Bahadur Shastri.

Minister of Works, Housing and Supply—Sardar Swaran Singh.

Minister of Production—Shri K. C. Reddy.

Minister of Food and Agriculture—Shri Ajit Prasad Jain.

Minister of Labour—Shri Khandubhai Desai.

Minister without Portfolio—Shri V. K. Krishna Menon.

Ministers of Cabinet Rank (but not members of the Cabinet)

Minister of Parliamentary Affairs—Shri Satya Narayan Sinha.

Minister of Defence Organisation—Shri Mahavir Tyagi.

Minister of Information and Broadcasting—Dr. B. V. Keskar.

Minister of Trade—Shri D. P. Karmarkar.

Minister of Agriculture—Dr. Panjabrao S. Deshmukh.

Minister in the Ministry of External Affairs—Dr. Syed Mahmud.

Minister of Legal Affairs—Shri Hari Vinayak Pataskar.

Minister of Natural Resources—Shri K. D. Malaviya.

Minister of Revenue and Civil Expenditure—Shri M. C. Shah.

Minister of Revenue and Defence Expenditure—Shri Arun Chandra Guha.

Minister of Rehabilitation—Shri Mehr Chand Khanna.

Minister of Consumer Industries—Shri Nityanand Kanungo.

Minister in the Ministry of Communications—Shri Raj Bahadur.

Minister in the Ministry of Home Affairs—Shri B. N. Datar.

Minister of Heavy Industries—Shri M. M. Shah.

Deputy Ministers

Deputy Minister of Defence—Sardar S. S. Majithia.

Deputy Minister of Labour—Shri Abid Ali.

Deputy Minister of Rehabilitation—Shri J. K. Bhonsle.

Deputy Minister of Railways and Transport—Shri O. V. Alagesan.

Deputy Minister of Health—Shrimati M. Chandrasekhar.

Deputy Minister of External Affairs—Shri Anil Kumar Chanda.

Deputy Minister of Food and Agriculture—Shri M. V. Krishnappa.

Deputy Minister of Irrigation and Power—Shri Jaisukhlal Hathi.

Deputy Minister of Production—Shri Satish Chandra.

Deputy Minister of Planning—Shri Shyam Nandan Mishra.

Deputy Minister of Education—Dr. K. L. Shrimali.

Deputy Minister of Finance—Shri Bali Ram Bhagat.

Deputy Minister of Education—Dr. Mono Mohon Das.

Parliamentary Secretaries]

Parliamentary Secretary to the Minister of External Affairs—Shrimati Lakshmi N. Menon.
Parliamentary Secretary to the Minister of Railways and Transport—Shri Shahnawaz Khan.
Parliamentary Secretary to the Minister of External Affairs—Shri Jogendra Nath Hazarika.]
Parliamentary Secretary to the Minister of Production—Shri Rajaram Giridharlal Dubey.
Parliamentary Secretary to the Minister of External Affairs—Shri Sadath Ali Khan.
Parliamentary Secretary to the Minister of Information and Broadcasting—Shri G. Rajagopalan.
Parliamentary Secretary to the Minister of Works, Housing and Supply—Shri Purnendu Sekhar Naskar.

Dated 30.3.15 832

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LOK SABHA

Monday, 6th August, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Dr. Salazar's Speech

*722. **Shri Shree Narayan Das:** Will the Prime Minister be pleased to state:

(a) whether Government have received any authentic copy of the speech of Dr. Salazar delivered at the opening session of the Fourth Conference of Portugal's National Union in May, last; and

(b) if so, the steps taken to counteract or refute the false allegations made against India?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) No. Government of India have, however, seen reports of Dr. Salazar's speech in the Press.

(b) The allegations made by Dr. Salazar were refuted publicly by the Prime Minister in a speech made by him at Bombay on the 4th June, 1956.

Shri Shree Narayan Das: May I know whether there are indications available that there has been some change in the attitude of the Government of Portugal with regard to Goa?

Shri Sadath Ali Khan: We are not aware of any such change in that Government's attitude.

Shri Shree Narayan Das: May I know whether during his recent foreign tour the Prime Minister was able to find whether the minds of Catholics all over the world have been disabused of the feeling that India is against them?

Shri Sadath Ali Khan: I do not think that the Prime Minister probed into the minds of the Catholics during his tour.

Dr. Lankha Sundaram: Is it a fact that the Government of India have circulated to our Embassies abroad a number of leaflets or books setting out the real story on Goa, and if so, whether copies of those will be laid on the Table of the House?

Shri Sadath Ali Khan: Yes, we have supplied factual material to Indian Missions abroad to counter the baseless propaganda of Portugal.

Shri D. C. Sharma: Is it not a fact that the policy of repression by Portugal in Goa has been intensified after the speech? If so, can it be attributed directly to that speech?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): There has apparently been an intensification of that policy of repression. Whether that is connected with the speech or not, I cannot say.

Shri T. S. A. Chettiar: May I know whether Government have taken steps to broadcast the opinion of the Pope that this is not a Catholic question but is merely a political question?

Shri Jawaharlal Nehru: In the course of various publications, we have given enough importance to this matter.

Dr. Lankha Sundaram: The second part of my question was not answered. I asked whether the material supplied to Missions abroad about the factual position in Goa would be placed on the Table of the House.

Shri Jawaharlal Nehru: Yes. Such material as has been circulated in a public way would be placed on the Table of the House.

Zinc Smelting Plant

*723. **Shri Balwant Singh Mehta:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1448 on the 14th April, 1956 and state:

(a) whether any plans have been formulated for setting up a zinc smelting plant in the country; and

(b) if so, the details thereof?

The Minister of Heavy Industries (Shri M. M. Shah): (a) No. Sir.

(b) Does not arise.

Shri Balwant Singh Mehta: May I know whether Government are contemplating setting up this industry at some port, outside Rajasthan which is the only source of the mineral concerned, superseding the recommendations of the Committee appointed by Government?

Shri M. M. Shah: No, Sir.

Radio-Activity

***724. Shri Gidwani:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that many of the common vegetables as well as milk, ghee and rice have been found to be radio-active by a team of scientists at the Calcutta University College of Science; and

(b) if so, the effect of these on the human system?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) and (b). According to the report received from the Calcutta University, presence of small amounts of radio-activity in vegetables, grass, milk, etc., available in the neighbourhood of Calcutta has been reported. The nature of the radio activity has, however, not been studied. The levels of radio-activity measured in fall outs at present are not dangerous.

Shri Gidwani: Although the scientists differ as to the degree of harm done to mankind from the increased radio activity in the atmosphere as a result of nuclear test explosions, are they agreed that there is potential harm done not only to the present generation but also to future generations, particularly in their genetic effects due to entry into, and absorption in the body of radio active substances contained in the fall out of test explosions?

Shri Jawaharlal Nehru: The hon. Member has referred to radio activity. I take it he is really referring to nuclear explosions, because radio activity is present in a hundred things including every X-ray photograph that might be taken. So far as nuclear explosions are concerned, everybody agrees that there is an element of danger. As to the measure of it, some people differ, but the probability is that the danger is more serious than is usually imagined. Therefore, it was desirable not to gamble with the whole future of humanity by continuing these nuclear explosions.

Shri Gidwani: Is it a fact that the British Medical Research Council has reported that strontium, the most serious component of radio active substances, has been found in the carcasses of sheep in wells as the result of eating plants which had been radio active? If so, is there not a danger of strontium being accumulated in the bones of human bodies and thereby resulting in the causation of cancer and other diseases?

Mr. Deputy-Speaker: I must bring to the notice of the hon. Member that he usually reads out long statements when putting questions. Questions ought to be brief and concise, and the answer also must come in that form.

Shri Jawaharlal Nehru: If I may, I would refer not only the hon. Member but perhaps others to the book that we have recently issued on nuclear explosions, which is in the Library of the House.

Shri H. N. Mukerjee: There was a Press report a few weeks ago that a professor of radio therapy at the Calcutta Medical College was collecting relevant data and would represent the issue at the International Congress of Radiology to be held at Mexico City from July 21 to 31. May I know what has happened, particularly in view of the statement made at Calcutta by Professor Haldane that the protective elements against radio activity by way of rains and strong construction of houses are absent, to a large extent, in Indian conditions?

Shri Jawaharlal Nehru: I do not quite know. He asked, what has happened to the protective elements. Our view is that these are dangerous and they should be stopped. We have put this before the Disarmament Commission strongly. We have taken the trouble to issue a book which, I believe, is the first attempt at putting all the available material together—I do not think any other country has put it together in that way. We are continuing this, so far as we can, everywhere. I do not quite know about what he said about a professor and the Congress. Probably he is going there, but I cannot say definitely.

Shri Renu Chakravarty: May I know if it has been brought to the notice of Government that Professor Haldane stated that the danger in India was five times as great as in England due to the fall-out of nuclear explosions, and that as yet in India we have had no quantitative data as to the amount that would be dangerous? May I also know whether Government are considering setting up a team of scientists who will be gathering these quantitative data?

Shri Jawaharlal Nehru: I read this morning in the newspapers about a report of what Professor Haldane has stated. Probably the hon. Member refers to that. If we can profit by any suggestions of his, we shall do so.

Shri Kamath: Does the Prime Minister recollect that in the last session of this House, he said answering a question that our scientists had discovered increased radio activity in the Bombay air, and if so, may I ask whether there have been reports from Bombay that vegetables, grass, milk, ghee etc. there too have been affected in the same way as in Calcutta?

Shri Jawaharlal Nehru: The answer I have read out was vetted in Bombay.

Shri Kamath: I did not follow.

Mr. Deputy-Speaker: He said that the answer he read out was vetted in Bombay.

Shri Jawaharlal Nehru: Our chief place where this work is carried on is Bombay.

Shri Kamath: I want to know whether they have been affected in Bombay.

Shri Jawaharlal Nehru: I cannot say whether the vegetables, milk etc. of Bombay were specifically examined. But our chief place for inquiry and investigation in respect of radio activity is Bombay.

Shri Sadhan Gupta: In view of the warnings of danger given by Professor Haldane, have the Government considered the advisability of protesting to Britain against holding nuclear tests in Christmas Islands, because Christmas Islands are much nearer to India than the other venues of tests.

Shri Jawaharlal Nehru: Quite apart from Prof. Haldane's speech, we have done so seriously and on repeated occasions. I am not referring to any particular place. There may be some confusion about the islands. But, about these nuclear explosions, we have been carrying on, if I may use that word, persistent 'agitation'.

Portugal's case before the International Court of Justice

*725. **Shri Kamath:** Will the Prime Minister be pleased to refer to the reply given to supplementaries raised on Starred Question No. 1560 on 18th April, 1956 and state:

(a) whether Government have finally decided to nominate a judge of its choice on the Bench of the Hague Court at the hearing of the case arising out of the complaint lodged by Portugal against India in the International Court; and

(b) if not, how the matter stands?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) and (b). Portugal's case before the International Court of Justice at The Hague regarding her claim for rights of passage across Indian territory is at present under expert legal examination. Until this examination is completed Government is not in a position to decide what further steps are necessary including the nomination of an *ad hoc* judge to the International Court.

Shri Kamath: What date has been fixed by the Hague Court for the submission of India's reply to Portugal's complaint?

Shri Jawaharlal Nehru: I think we have been given six months after Portugal put in its memorial or petition, whatever it is called. I think those six months expire roundabout the end of December.

Shri Kamath: May I ask whether Government has taken at least a decision in respect of one matter and that is the question of *ab initio*—at the outset—contesting the jurisdiction of the International Court at the Hague to entertain this complaint?

Shri Jawaharlal Nehru: I submit we can hardly argue the case here in answer to supplementary questions.

Shri Kamath: I do not want you to argue.

Shri Jawaharlal Nehru: I know. We are acting according to the advice of our eminent Counsel and among the things that we have done is to raise certain preliminary objections.

Shri H. N. Mukerjee: In view of the pertinacity of Portugal's misbehaviour and in view also of recent instances where countries like Czechoslovakia have asked the World Court to take off its files certain complaints against it by other sovereign States, will the Prime Minister tell us if we have in contemplation the idea of asking the World Court to push off its files this complaint?

Mr. Deputy-Speaker: I think it need not be answered.

आजाद हिन्द फौज स्मारक, सिंगापुर

*726. श्री भक्त दर्शन : क्या प्रधान मंत्री ३० मई, १९५६ के तारांकित प्रश्न संख्या २६८२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे :

(क) क्या सिंगापुर में आजाद हिन्द फौज के स्मारक के सम्बन्ध में सभी आवश्यक जानकारी इकट्ठी की जा चुकी है ;

(ख) यदि हाँ, तो इस मामले में क्या निश्चय किया गया है ; और

(ग) यदि नहीं, तो अभी तक कितनी प्रगति हुई है ?

वर्देशिक कार्य मंत्री के सभासचिव (श्री सावत गर्गी जी) : (क) से (ग). मामले पर विचार हो रहा है ।

श्री भक्त वर्षन : क्या यह बतलाने की कृपा की जायेगी कि सूचना एकत्र करने में क्या अड़चन पड़ रही है ?

श्री सावत ग्रसी लां : अड़चन तो कोई लास नहीं है ।

प्रधान मंत्री तथा बैदेशिक कार्य तथा वित्त मंत्री (श्री जवाहरलाल नेहरू) : जाहिर सी बात है कि यह मामले दूसरे मुल्कों के मामले हैं, हमारे मुल्क के मामले नहीं हैं । दूसरे मुल्कों के मामले में हम क्या करें ? हजारों अड़चनें होती हैं, वहां की गवर्नरमेंट क्या राय दे, क्या मुनासिब समझे, क्या नहीं, हम उस पर कोई दबाव तो डाल नहीं सकते ।

श्री भक्त वर्षन : सिंगापुर की सरकार ने इस मामले में क्या अपना सहयोग देने का विचार प्रकट किया है, या कि उस ने कोई उत्तर ही नहीं दिया है ?

श्री जवाहरलाल नेहरू सिंगापुर सरकार के सामने भी बड़े बड़े प्रश्न हैं, यहां तक कि अपनी जिन्दगी का प्रश्न है । इसलिये शायद उन्होंने इस मसले पर उतना ध्यान नहीं दिया है, जितना यहां के मेम्बरान दे रहे हैं ।

Shri Kamath: Has Government cared at least to ascertain whether the desire to which Mr. David Marshall gave expression, I think, on the eve of his resignation in May or June last, is shared by his successor in so far as the erection of this memorial to the I.N.A. in Singapore is concerned ?

Shri Jawaharlal Nehru: I have just said that the Singapore Government is faced with great problems of its own, constitutional and other, and we can only proceed a little cautiously in consulting them. We are doing that; and we do not wish to be aggressive in our consultations or to embarrass them at all.

Shri Kamath: You must be helpful.

Indian Steel Mission

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

(a) whether it is a fact that Government have sent a Steel Mission to Europe;

(b) if so, the purpose for which it has been sent and the names of the countries visited by the Mission;

(c) whether the Steel Mission has submitted its report on return; and

(d) if so, the main features of the report?

The Minister of Heavy Industries (Shri M. M. Shah) : (a) Yes, Sir.

(b) The purpose of the Fact-Finding Mission was to ascertain the quality, suitability and availability of Continental steel to meet Indian demand, with particular reference to Railway requirements. The countries visited were France, West Germany, Holland, Belgium, Luxembourg, the U.K., Austria, Hungary and Yugoslavia.

(c) No, Sir, not yet.

(d) Does not arise.

श्री विभूति मिश्र : यह जो मिशन गया था, क्या उस ने सब जगहों पर घमने के बाद यह बताया है कि कहां का लोहा सस्ता, ज्यादा अच्छा और हिन्दुस्तान की रेलवे के लिये उपयुक्त साबित हुआ है ?

श्री म० म० शाह : जैसा मैं ने बताया उस की रिपोर्ट आने वाली है ।

Shri Bhagwat Jha Azad : Way I know whether during this tour our men have come to any agreement with any country for the import of steel ?

Shri M. M. Shah: These members of the mission had no power or authority to enter into agreements.

Shri Bhagwat Jha Azad: What were the main responsibilities cast upon these men in the course of this tour ?

Shri M. M. Shah : As I have already indicated in my answer, it was to find out the quality, suitability and availability and the price of steel in the different countries.

Partition Council

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

(a) why the Partition Council did not sit after 1st December, 1947;

(b) how the works allotted to the Council have been dealt with; and

(c) whether all the decisions taken by the Council before December 1947, have been implemented ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) There was no need, as the Partition Council had by 1st December, 1947, decided all major issues referred to it.

(b) The issues arising out of the partition are now dealt with as matters between the two Governments.

(c) Most of the decisions have been implemented except a few relating to the allocation of assets and liabilities.

Shri S. C. Samanta: May I know whether the work that was entrusted to the Partition Council was finished early and if so why should not other works be entrusted to them for completion?

Shri Sadath Ali Khan: Sir, the decisions of the Partition Council covered a vast field, for example, the division of personnel, assets and liabilities, Central revenues, currency, coinage, exchange contracts, trade and economic controls etc. It is a fairly wide field.

Shri S. C. Samanta: Is it not a fact that thousands of cases regarding settlement of money in relation to small contracts and others have not yet been settled? Who are dealing with these?

Mr. Deputy-Speaker: It has been answered that these questions are being settled as between two Governments. It has been answered that those that remain are being settled as between Governments.

Newspapers financed by Foreign Sources

*730. **Shri M. L. Agrawal:** Will the Prime Minister be pleased to refer to his speech at Rohtak on the 14th June, 1956 and state whether Government have taken any punitive and preventive action against those newspapers which are being financed from foreign sources?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): It is generally difficult to take legal action as the law at present does not facilitate such action. Even if some proof may be available, it may not be adequate evidence for a law court. Sometimes, warnings are issued or Government advertisements are stopped.

Shri M. L. Agrawal: May I know which are the foreign powers that are subsidising these papers and what are these papers?

Shri Jawaharlal Nehru: May I make it clear if I have not done so? There is no reference to any foreign power at all in any speech that I have made. That is a reference to foreign sources. There is a good deal of difference between a foreign power, which is a Government and a foreign source, which may be anybody.

Shri M. L. Agrawal: May I know which are the countries from which these foreign sources emanate?

Shri Jawaharlal Nehru: Some of them are rather of a mixed origin.

Shri M. S. Gurupadaswamy: May I know to which papers warnings have been issued so far?

Shri Jawaharlal Nehru: I could not straightoff say; I have got a list here. I think it is not desirable for me to say that. But the warnings are some official, some non-official; some are kinds of talks etc. I have no information on this point.

Sardar Iqbal Singh: May I know the number of times when such warnings were issued?

Shri Jawaharlal Nehru: This is usually a State matter; the State Government does it. The Central Government may draw its attention to a particular matter and action is always taken by the State Government.

Shri B. S. Murthy: After the Prime Minister's speech, may I know whether all these papers have ceased receiving help from foreign sources or have they at least expressed regret for their past conduct?

Shri Jawaharlal Nehru: My own information is that we are considered most guilty of proclaiming their innocence.

Shri H. N. Mukerjee: Since the Prime Minister thought it fit, very rightly in my view, to say publicly that there were notorious instances of papers receiving money from foreign sources; may I know why there cannot be a more documented approach to the matter and why even preventive action is not possible to be taken?

Shri Jawaharlal Nehru: There is no 'why' about it. We would gladly take preventive action and we do from time to time take preventive action. I do not know what the hon. Member means by "documented approach". Naturally we document as much as we can.

Shri Kamath: Is it a fact that in the wake of the Prime Minister's speech referring to this matter on the eve of his departure for Europe, the A.I.N.E.C. or some other newspaper editors' body made a protest taking exception to his remark and also made a request to him to clarify the matter, and if so, what was the clarification issued by the Government or by the Prime Minister?

Shri Jawaharlal Nehru: I did receive a communication from this Conference to which I sent a letter in reply, first of all pointing out that whatever I had said

obviously did not apply to all the newspapers of India, many of which are of very high class and high standard, but it applies to some in big cities or small cities, and further making it clear that nothing was said against countries as such but against sources.

Shri Kamath: Is the House to understand that the Prime Minister is not still quite clear in his mind which of the papers are so financed by foreign sources? Is it a vague charge or a specific charge?

Shri Jawaharlal Nehru: If I may say, without saying anything further, I am quite clear about some and I am quite unclear about some others.

Special Steel

*731. **Shri Sadhan Gupta:** Will the Minister of Iron and Steel be pleased to state:

(a) whether the manufacture of special steel though not specifically provided for in the Second Five Year Plan is to be undertaken;

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

(c) the country's requirements of such steel?

The Minister of Heavy Industries (Shri M. M. Shah): (a) and (b): Yes. Sir.

It is proposed to undertake manufacture of special and alloy steels as part of steel production at one of the steel works in the public sector. The project is now at the preliminary stage of planning.

(c) It is difficult to forecast the demand for the different types of special steels. Indications are that they would be more than 10,000 tons for State undertakings alone. There would be a significant demand from other industries.

Shri Sadhan Gupta: May I know which is the steel works in the public sector which will undertake the manufacture of special steels?

Shri M. M. Shah: No decision has been taken on that.

Shrimati Renu Chakravarty: In view of the fact that special steel is very difficult to get for small-scale industries, may I know, when the special steel is manufactured in our country, whether the requirements of small-scale industrialists will also be taken into consideration?

Shri M. M. Shah: It is expected to meet the requirements of all the industries, including the small-scale industries.

Shrimati Tarkeshwari Sinha: The hon. Minister said that he has no idea of the coming demand in the Second Five

Year Plan for special types of steels. In view of the fact may I know how the whole outlay is being planned? What is the basis on which it is planned and what will be the production?

Shri M. M. Shah: We are studying the economics of all the three plants and where it will be found most favourable, this particular plant will be attached to it. I have already indicated the production capacity of the Plant.

Dr. Rama Rao: The Badravati Iron and Steel Works is known to produce high class and special class steels already. Do Government consider the advisability of helping this steel works to produce other varieties of special steels?

Shri M. M. Shah: This question has been considered and it is found that it is better to produce steel from scrap iron rather than from pig iron. That is why this new steel works, particularly alloy steel works, is going to be attached to one of the three new steel plants.

Shri Sadhan Gupta: Has any mission or individual been sent abroad to get training in the technical aspect of the matter, and if so, may I know the name of the person or persons?

Shri M. M. Shah: So far, no person has been sent abroad for this purpose, but the question of training is under consideration. As soon as the plan is finalised, action will be taken.

Shri Bhagwat Jha Azad: May I know whether it has been tentatively decided as to what percentage of our demands would be met by this proposed undertaking of the Government in the public sector?

Shri M. M. Shah: I have already indicated that the plant is going to produce 10,000 to 15,000 tons in a single shift and that is what our anticipated demand is at the end of the Second Plan.

Shri Sadhan Gupta: May I know which are the countries, if any, that have expressed their willingness to give us facilities for training in the manufacture of special steels?

Shri M. M. Shah: Italy, West Germany, East Germany, Britain, U.S.S.R. and United States.

Coir Industry Training School

*732. **Shri Ram Krishna:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the programme for setting up three training schools for training in Coir Industry has been finalised; and

(b) if so, the name of the sites chosen and other features of the Scheme?

The Minister of Consumer Industries (Shri Kanungo): (a) No such programme is under consideration by the Central Government.

(b) Does not arise.

Shri Ram Krishna: May I know whether any centre for munj coir will also be started?

Shri Kanungo: Munj is entirely a different fibre, and I do not think there is any such proposal. But proposals coming from the State Governments are welcome.

Shri B. S. Murthy: May I know whether any State Government has requested for the establishment of such institutes, and if so, the reaction of the Central Government?

Shri Kanungo: No State Government has put up any plan for such training.

Shri Bhagwat Jha Azad: May I know whether it has been brought to the notice of the Government that this being one of our chief industries in the South, there is demand for trained men? If so, what efforts are being made by the Government to meet the demand?

Shri Kanungo: The Coir Board, which is specially charged with this industry, has no proposal for training. Apparently there are enough trained men in the land.

Shri B. S. Murthy: May I know whether the Andhra State has established a school at Kakinada and whether for that school, the Andhra State has asked for technical or financial assistance?

Shri Kanungo: No, Sir.

Export Credit Guarantee Scheme

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

(a) whether the expert committee on the Export Credit Guarantee Scheme has submitted its report; and

(b) if so, the action taken or proposed to be taken thereon?

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

(b) Government are at present examining the report.

Shri Jhulan Sinha: May I enquire if as a result of the appointment of this Committee and its labours, there is any improvement in the export market so far?

Shri Karmarkar: The labours of this Committee are yet to be examined. How can there be any results out of their efforts which have yet to materialise?

रेशम-कृमि पालन

*735. **श्री हुलानार्य जोशी :** क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) विभिन्न राज्यों में दौरा कर के राज्य सरकारों को रेशम-कृमि पालन की उपलति, उस का विकास करने और उस को प्रोत्साहन देने के लिये संगठित कार्यकाही करने में सहायता देने के लिये नियुक्त की गई समिति ने क्या अपनी रिपोर्ट दे दी है; और

(ल) यदि हाँ, तो इस समिति ने क्या सिफारिशों की है?

उत्पादन मंत्री के सभासचिव (श्री रा० गि० दुबे) : (क) जी, हाँ।

(ल) समिति की सिफारिशों की सूची सभा-पटल पर रख दी गई है देखि ये परिविष्ट ४, अनुबन्ध संख्या ३६।

श्री हुलानार्य जोशी : इस सूची से ज्ञात होता है कि बहुत सी सिफारिशों की गई हैं। क्या मैं जान सकता हूँ कि इन में से कितनी सिफारिशों को आचरण में लाया गया है?

श्री रा० गि० दुबे : बहुतेरी सिफारिशों को आचरण में लाया गया है।

श्री हुलानार्य जोशी : भारतवर्ष में इस वक्त कितनी सिल्क मिल्स हैं और क्या द्वितीय पंचवर्षीय योजना में इन को बढ़ाने का कोई विचार है?

श्री रा० गि० दुबे : अभी तो सिर्फ मैसूर में एक सिल्क मिल है और दूसरी पंचवर्षीय योजना के दौरान में बैस्ट बंगल और असाम बीरहा में चार जगहें [सिल्क मिल्स खोलने की योजना है।

श्री हृष्णाचार्य जोशी : इस समिति की जो रिपोर्ट है, क्या इस को छापने का भी विचार किया जा रहा है ?

श्री रा. गि. दुबे : समिति की रिपोर्ट को छापने के बारे में समिति की राय इस के पक्ष में नहीं है क्योंकि जो रिपोर्ट है वह समिति की जो डेट्रूडे एक्टिविटीज़ है, उन में उस का मार्गदर्शन करने के लिये है।

श्री हृष्णाचार्य जोशी : क्या मैं जान सकता हूँ कि समिति के कौन कौन सदस्य थे ?

Shri R. G. Dubey: Shri K. Shamsuddin Khan, Vice Chairman Bangalore; Shri Janakiraman, Secretary, Bombay; Shri Venkatrao, Director, Sericulture Institute, Bangalore; Shri D. P. Manchoudhury, Deputy Director, Industries, West Bengal; and Shri Murarji J. Vaidya of Bombay.

Electric Fans

***736. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state :

- (a) whether it is fact that the production of electric fans in the country has exceeded the demand;
- (b) whether electric fans are being exported; and
- (c) if so, the names of the countries to which these are exported ?

The Minister of Consumer Industries (Shri Kanungo): (a) No, Sir.

(b) Yes, Sir.

(c) A statement is laid on the Table of the House. [See Appendix IV, annexure No. 40].

Shri D. C. Sharma: May I know if the Government is aware that some of the factories have closed down and some are not working to their peak capacity and if so, what is the reason ?

Shri Kanungo: We have no information about any closure. Production is going up from year to year and with the established capacity, there is plenty of room for further increase in production.

Shri D. C. Sharma: What is the value, in terms of rupees, of the fans that are exported to the 34 countries whose names are given in this list ?

Shri Kanungo: The total works out to about Rs. 6,24,000 in the year 1956, from January to May.

Shri D. C. Sharma: In view of the fact that our fans are very much in demand in these 34 countries, is an export promotion council going to be set up to improve their quality ?

Shri Kanungo: There is no necessity of an export promotion council because, as it is, our production is being appreciated in the countries to which it is being exported and the export shows a steady rise.

Shri Bhagwat Jha Azad: What percentage of our production is in excess of our demand ?

Shri Kanungo: We have the production figures and the export figures and the hon. Member can calculate the demand. It is expected that the demand at the end of the five-year period of the Plan will amount 6,00,000.

Shri Bhagwat Jha Azad: Am I to understand that Government works without calculation ?

Indo-Japan Agreement

***737. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 307 on the 28th February 1956 and state :

(a) whether negotiations have since been finalised between India and Japan with regard to a plan which envisages a large export of iron ore to Japan, the development of harbours on the East Coast of India and the laying down of new railway lines in which Japan will also invest; and

(b) if so, the important features of the plan or agreement ?

The Minister of Trade (Shri Karmarkar): (a) No, Sir.

(b) Does not arise.

Sardar Iqbal Singh : May I know whether the negotiations which were going on between India and Japan have been discontinued or are they still going on ?

Shri Karmarkar: They are still going on. There is some agreement so far as Japan is concerned. We are now to discuss the scheme with the U.S.A. because the other aid is to come from the President's special fund.

Sardar Iqbal Singh: May I know the name of the harbour on the east coast in which Japan will invest the fund ?

Shri Karmarkar: The idea is to have two new berths in Vishakapatnam port and some rail tracks also.

Shrimati Tarkehwari Sinha: The hon. Minister has said that Japan is waiting for the USA to agree to the aid. In the meanwhile, what is the Government doing for facilitating the export of iron ore from that port?

Shri Karmarkar: We are certainly interested in the export of iron ore. It is going on. We are not interested in a particular port. This special agreement between Japan and India has to materialise as soon as possible. Apart from this scheme—this is subject to correction—there is no immediate idea of doing something in Visakhapatnam port ourselves by way of expediting the iron ores.

Shri Kasliwal: Will the export of iron ore be through the State Trading Corporation or through private channels?

Shri Karmarkar: In fairness, I should ask my friend to table a separate question.

Sardar Iqbal Singh: Will the Japanese investment be on some specific lines or to the general investment fund of the Indian Railways?

Shri Karmarkar: A part of the burden is borne by Japan. The project visualises the construction of a new line from Samalkot to Titilagarh and doubling of the track between Vijayanagaram and Waltair, the acquisition of 75 new locomotives and over 5,000 wagons. That is the idea and Japan has to supply the locomotives.

Shri B. S. Murthy: What is the total cost of the project?

Shri Karmarkar: The idea is that Japan should give us eight million dollars of aid which will include the cost of 75 locomotives and the remaining 25 million dollars will have to be found as loan from the President's Special fund for Asia's economic development.

Om Exchange Ltd., Delhi

*741. **Shri A. K. Gopalan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the oil merchants of Delhi have represented to Government against recognising the Om Exchange Ltd., Delhi under the Forward Contracts (Regulation) Act; and

(b) if so, the reasons which prompted Government to accept the Om Exchange Ltd.?

The Minister of Trade Shri Karmarkar: (a) Some representations were received.

(b) The Om Exchange was the only one among the applicant associations from Delhi which had devoted itself solely

to trading in oils and oilseeds, and had the largest number of members interested principally in oils and oilseeds.

Shri A. K. Gopalan: May I know whether there has been a representation from the oil merchants of Delhi saying that the Om Exchange Ltd. has not been observing the essential ingredients of non-transferable delivery contracts and thus causing loss to the traders?

Shri Karmarkar: There were complaints to that effect. It was found that there had been a general ignorance of what was precisely prevented by the Forward Commissions Act. We explained the situation and we also found that there was nothing which the firm did in contravention of the law.

Shri A. K. Gopalan: May I know whether it is a fact that the Ministry of Finance deputed their regional director of administration for Company Law to enquire about an Urdu poster containing some information, and if so, what was the result of that enquiry?

Shri Karmarkar: I have no information about the Finance Ministry having gone into the matter. At the moment, I may say that the various points of the complaint were examined by the Forward Markets Commission and were also discussed with the representatives of that firm. It was found that it was all O.K.

Dr. Rama Rao: May I know if the Oil Merchants' Association had sent several telegrams and letters to the Government and has the Government replied to them?

Shri Karmarkar: Yes, Sir. It is our experience that sometimes people send telegrams though it is unnecessary but it is a welcome addition to the income of the Telegraphs Department.

Shri Nambiar: Is not the Ministry concerned perturbed in the least though it adds to the income of the Communications Ministry?

Mr. Deputy-Speaker: That information may not be very useful to him.

Palar Waters Disputes

*742. **Shri Wodeyar:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that there was a Conference between representatives of the Union Government, Madras and Mysore Governments in Bangalore recently on the dispute of the sharing of Palar Waters; and

(b) if so, the results achieved in the Conference?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Sir, the Conference was attended by the Chief Engineers of the Governments of Madras and Mysore and a representative of the Union Government.

(b) The Government of Madras and Mysore have been requested to confirm the decisions taken at the Conference.

Shri Wodeyar: Is it a fact that the claims put forward by the Government of Madras were found to be baseless?

Shri Hathi: It was not actually any claim put forward. There were certain complaints that there was an infringement by the Mysore Government of the agreement of 1892. In some cases it was found that there was no infringement. In one or two cases, further data has to be collected about the actual irrigation. That will be collected and we will be able to know finally whether there has been any infringement in that particular instance.

Shri N. R. Muniswamy: May I know whether this is a long standing dispute and whether any non-official was invited to participate in the conference?

Shri Hathi: The dispute actually referred to the utilisation of more water than the Mysore Government was entitled to. It was a technical matter between the engineers of the two States. The representatives of the Central Water and Power Commission found that there were not extra-withdrawals in some cases. So there was no necessity actually, for that purpose of technical examination, that any non-official should be associated.

Shri N. R. Muniswamy: May I know who presided over this Conference and whether he was authorised to issue any Press statement?

Shri Hathi: No. There was no question of anybody presiding over the Conference. There were two Chief Engineers of the two States and an officer from the Central Water Power Commission. After examination they arrived at certain decisions. The proceedings have been sent to the State Governments for confirmation.

केन्द्रीय मार्केटिंग संगठन

*७४३. श्री लू० चं० सोशिया : क्या बाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) अखिल भारतीय हथकरघा बोर्ड के केन्द्रीय मार्केटिंग संगठन में किस प्रकार का

और कितना विस्तार करने का विचार है ; और

(ख) क्या इस वर्ष के बजट में हथकरघा बोर्ड के प्रचार तथा विज्ञापन विभाग के सर्व में कोई कमी की गई है ?

उपभोग बस्तु उद्योग मंत्री (श्री कानूनगो): (क) अभी और कोई विस्तार करने का प्रस्ताव नहीं है ।

(ख) गत वर्ष किये गये सर्व की तुलना में इस वर्ष के बजट में इस मद में कोई कमी नहीं की गई है ।

श्री लू० चं० सोशिया : क्या यह विस्तार का प्रस्ताव दूसरी पंचवर्षीय योजना में विचाराधीन है ?

श्री कानूनगो : वह तो सारे विस्तार की योजना है । अभी जो तीन रीजनल और १२ सद-रीजनल आकिसर हैं वह काफी समझे जाते हैं ।

Children's Films

*७४६. **Dr. Rama Rao:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the programme of production of films for children during 1956-57;

(b) the names of the languages in which they will be produced; and

(c) the number to be produced in Telugu?

The Minister of Information and Broadcasting (Dr. Keskar): (a) The main work of production of films for children has been entrusted to the Children Film Society which is a registered body and which, though receiving grants from Government, works independently. It is understood that the Society proposes to produce two feature films, a short film and five adaptations of foreign films in the current year. The Films Division of the Government of India proposes to produce during this financial year six children's News Magazines.

(b) and (c). It is understood that the films will be mainly in Hindi.

Dr. Rama Rao: May I know the amounts granted to this organisation to which the hon. Minister referred?

Dr. Keskar : During 1955-56 the Society received a grant of Rs. 2,30,000. A provision has been made now for giving to the Society a grant-in-aid amounting to Rs. 4,00,000 during the current financial year.

Dr. Rama Rao : In view of the fact that the Government have got a well organised Films Division, why should not the Government produce films for children in various languages instead of entrusting the whole matter to one organisation doing the work in only one language?

Dr. Keskar : There are two principal reasons for this. The first reason is that the Films Division of the Government of India is terribly over-worked. The work that we have is so much that our staff is not adequate enough for that purpose. Secondly, we felt that if there was an independent body it would be able to get more artistic talent and also get work done more quickly.

Shrimati Tarkeshwari Sinha : May I know whether some American lady, who has specialised in children's films—how they should be made and all that—was invited by the Government of India and, if so, whether she has given some advice on the subject?

Dr. Keskar : I think there is some misunderstanding. A well-known expert on educational films, not an American lady, but an English lady by name Miss Mary Seton, had come here. She has not helped us in any way. She was invited to deliver a series of lectures and before going she gave a kind of impression of her visit. No doubt it may be very useful to the Children Film Society, but it was not a kind of official invitation for giving guidance.

Dr. Lanka Sundaram : In view of the statement just made by the hon. Minister that the Films Division is already over-worked, may I know whether the Government is prepared to enter into partnership with private agencies which might come forward to produce children's films? May I also know whether any approaches were made so far, particularly from Kanpur, to start a films unit for children's films?

Dr. Keskar : All questions regarding children's films will be dealt with, no doubt, by the Children Film Society. As far as Government is concerned, in answer to a question only last week a statement was placed on the Table of the House wherein Members could have seen that this year out of the films that we are going to produce nearly 50 per cent are going to be produced by private producers.

Shrimati Renu Chakravarty : In view of the fact that in the various languages we have produced some very fine children's films may I know whether the Government have asked the Children Film Society to contact all these producers and to get what Indian talent we can in order to produce these children's films?

Dr. Keskar : That goes without saying. But I am not entirely in agreement with the hon. Member that a large number of very fine children's films have been produced in the country. There are a few, I quite agree, and certainly the Government brought it to the attention of the Society to utilise them. But, as far as I know, the Society itself is hunting for such talent and such films.

Shri B. S. Murthy : Arising out of the answer that all the pictures that are going to be made will be in Hindi, may I know what steps are being taken for producing children's films in the important regional languages?

Dr. Keskar : It would be difficult for me to speak on behalf of the Society. But I understand that the Society felt that, to begin with, they should produce films in Hindi because such films can have the largest circulation. The funds at the disposal of the Society are very limited, but later, no doubt, they will also produce films in the regional languages.

Dr. Rama Rao : One of the reasons advanced by the hon. Minister for entrusting the work to a private firm is that private concerns get better artistic talent. May I know whether the hon. Minister has made any attempts, before making that unfortunate statement, to get artistic talent for any of the films?

Mr. Deputy-Speaker : Why should an adjective be added which could be disputed?

Dr. Lanka Sundaram : The Minister does not protest.

Dr. Keskar : I have not understood the question.

Dr. Rama Rao : I want to know whether the hon. Minister has made any efforts to get artistic talents with a view to produce children's films in the Films Division.

Dr. Keskar : The question of anybody acting in the films or any person participating in the films does not arise. The documentary, which is the main speciality of the Films Division, is something different from feature films where one films scenes and activities are carried on elsewhere and where in technical matters the work is

very much superior to even the work produced by big producers in the country. There is hardly any acting needed there. For taking actors and other personnel concerned, naturally, we would have to set up a new department for that and in that case it is possible that the Society might be able to get such talent easily if they work independently.

श्रीमती कमलेन्द्रमति शाह : श्रीमती गांधी ज्ञानकारी विदेशों से आई है और उन्होंने इस बारे में बहुत सी जानकारी प्राप्त की है। क्या मैं जान सकती हूँ कि उन से भी पूछा गया है कि यह बच्चों की फिल्में किस तरह से बनाई जायें?

डा० केसकर : श्रीमती गांधी सोसाइटी की वाहस प्रेसीडेंट हैं।

Shri V. P. Nayar : I understood from the hon. Minister's reply that on two occasions a sum of over Rs. 6 lakhs has been paid by the Government to this Society. I want to know how many children's films have been produced or are under contemplation by this Society and what are the conditions under which the Government have given the Society this loan?

Dr. Keskar : First of all, this is not a loan, this is a grant-in-aid. Secondly, the Society has produced two films which are adaptations and abbreviations of Indian feature films simplified for children.

They have produced a completely original film. They have also made six adaptations from films from USSR and the U.K. This is the production for last year.

This year, the programme of production is : two original films and a short film ; adaptations of four foreign children's films and adaptations from one individual feature film. This is the present programme.

Industrial Production in Second Five Year Plan

***748. Shri Tulsi das :** Will the Minister of Planning be pleased to state :

(a) whether Government contemplate revising the targets of industrial production laid down in the Second Five Year Plan consequent on the likely rise in internal consumption ; and

(b) if so, what are the commodities in respect of which the question of revision of targets is under consideration ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) Yes, Sir. This subject has been dealt on page 406 in sub-para under para 46 of the Report on the Second Five Year Plan.

(b) The question has not yet been taken up for consideration.

Local Development Works

***749. Shri N. B. Chowdhury :** Will the Minister of Planning be pleased to lay a statement on the Table of the Sabha showing the amounts sanctioned and the amounts actually spent in respect of the Local Development Works in West Bengal during the last three years?

The Deputy Minister of Irrigation and Power (Shri Hathi) : A statement is laid on the Table of the House. [See Appendix IV, annexure No. 41].

Shri N. B. Chowdhury : May I know the reason why, in spite of the deposit of 50 per cent of the public contribution in local treasuries, the district officers are not in a position to provide sufficient money for local development works, and may I know the reasons for the shortfall in expenditure?

Shri Hathi : If the hon. Member looks to the allocation for West Bengal, he will find that the allocation for 1955-56 is Rs. 41.25 lakhs, while the expenditure reported is Rs. 45.187 lakhs. There is no shortfall this year.

Shri N. B. Chowdhury : What about the earlier years?

Shri Hathi : The shortfall is naturally there for the earlier years. We started the programme then and there were some difficulties in granting the sanctions. But so far as the other periods are concerned, the actual procedure is that the payment is made after the actual expenditure is met. So, it is not for any want of sanction that there is any shortfall or delay. It is a question of implementing a particular work. The evaluators have gone into the fact that the district officers were not authorised to sanction, and that is being considered now. Some powers will be given to the district officers to sanction the schemes.

Shri N. B. Chowdhury : What is the reason for reducing the allocation to West Bengal in the current year's budget?

Shri Hathi : There has been no reduction. In 1953-54, the allocation was Rs. 17.4 lakhs ; in 1954-55, it was Rs. 41.25 lakhs and in 1955-56, it was Rs. 41.25 lakhs. There has not been any reduction.

Shri N. B. Chowdhury : I want to know whether there has been any reduction in the current year's budget ? I mean 1956-57.

Shri Hathi : It is Rs. 34 lakhs.

Shri N. B. Chowdhury : For 1955-56 it was Rs. 41 lakhs. For the current year it is only Rs. 34 lakhs. So, the current year's allocation is much less.

Mr. Deputy-Speaker : That inference is evident.

Shri N. B. Chowdhury : I wanted to know the current year's allocation.

Shri Hathi : The amount is distributed on a population basis.

Shri Bhagwat Jha Azad : May I know whether it is a fact that the Government have decided to raise the public contribution to 75 per cent and, if so, whether the Government have assessed the reactions of people in the country ?

Shri Hathi : No, Sir. I do not think the Government have decided to raise it to 75 per cent.

Shri Bhagwat Jha Azad : May I know whether the Government are aware that in some of the districts, the people have been asked to contribute up to 75 per cent in the local development works which have now been stopped in so many cases ?

Shri Hathi : So far as the starting of new works is concerned, that question of policy is under consideration. There is no question of any rise in contribution. The old works are being continued.

Shri Shree Narayan Das : May I know why the Planning Commission is taking so much time to decide as to the commencement of the local development works in the second Five Year Plan period ?

The Minister of Planning and Irrigation and Power (Shri Nanda) : The position is this : Before launching a fresh programme of local development works, it was considered necessary to have a proper scrutiny and assessment of the quality of the work that was being done. It has since been gone through. Recently, the decision has been taken to go ahead with these works.

Shri N. B. Chowdhury : May I know whether Government's attention has been drawn to the fact that in West Bengal, although there is allotment for the districts, certain districts cannot spend the amount allotted to them and as a result, some amounts are saved, but then, the

other districts that want to spend more cannot have the facilities of utilising those amounts that remain unutilised by certain districts ?

Shri Hathi : We have not got the details of each district, because these schemes are being sanctioned by the State Governments.

Shri L. N. Mishra : May I know whether it is a fact that the main difficulty in the implementation of the local works that is experienced by the people in Saharsa district is not want of co-operation or want of subsidy or contribution but is one of lack of building materials like cement, steel, coal, etc. ? Do the Government propose to have some co-ordination with the agencies supplying these materials for expediting the implementation of the schemes ?

Shri Hathi : Really, this is a question for the State Governments, because, after the funds are allotted, it is for the State Governments to see that there is no difficulty experienced by the people in getting cement, steel, etc. In some cases, the difficulties are of course there. Naturally, the Government will try to help the execution of the works as quickly as possible.

Shri Bhagwat Jha Azad : In view of the fact that in many districts like the Santal Parganas, Government have not agreed to contribute 50 per cent after 31st March, for works which have to be completed by June, and in view of the fact that Government are considering the stoppage of all further work now, will the Government consider the relaxation of this rule and give *ad hoc* grants, for such schemes as have been agreed to, of 50 per cent ?

Shri Nanda : A communication is going to the State Governments. We have already written that they are free to go ahead with these programmes.

First Five Year Plan Results

*750. **Shri N. M. Lingam** : Will the Minister of Planning be pleased to state :

(a) whether any final assessment has been made of the results of the First Five Year plan in terms of—

- (i) financial outlays,
- (ii) physical targets achieved, and
- (iii) standard of living of the people, and

(b) if so, whether a statement will be laid on the Table of the Sabha ?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Progress Report for 1955-56 is under preparation. This will be followed by an assessment of the First Five Year Plan as a whole. The necessary material is being obtained.

(b) As soon as the documents are ready, copies will be distributed to Members of Parliament.

Shrimati Tarkeshwari Sinha : May I know what was the target of industrial development in the first Five Year Plan, both in the public sector and in the private sector, and may I also know how far the targets in terms of the percentages have been fulfilled both in the public sector and in the private sector?

Shri Hathi : The hon. Member is confusing this question with question No. 748. This is question No. 750. As I said, the data are being collected. We shall be able to give full particulars after they are made available. That may be available after some time.

Shri Kamath : Is the Minister in a position to state approximately if not accurately, whether there has been an increase in the national income at the end of the First Five Year Plan and, if so, whether that increase in the national income has been equitably distributed among the people or whether it is concentrated in the hands of a few at the top?

The Minister of Planning and Irrigation and Power (Shri Nanda) : There is no doubt at all about the fact that there has been a considerable increase in national income, judged by various indications and also by the statistics that we have collected. As for distribution, we have not got any very precise figures to show how the distribution has occurred as between different sections.

Shri Sadhan Gupta : May I know whether the progress report which is under preparation will disclose also the effect of the First Five Year Plan on the standard of living of the people, because, so far as I know, the progress reports have been silent on this subject?

Shri Nanda : To whatever extent the information is available, it will be given.

Shri Gadgil : May I know whether it is not possible from the income-tax returns to ascertain whether the rich have become richer or not?

Shri Nanda : That is a very narrow part of the whole economic field in the country.

Shri B. S. Murthy : May I know whether a State-wise increase in the national income will also be given in the report?

Shri Nanda : That is not possible at this stage.

Shrimati Tarkeshwari Sinha : May I know how the Government have arrived at this conclusion, namely, that they have been able to achieve nearly 90 per cent of the targets in the First Five Year Plan, when they have no data available?

Shri Nanda : We have been publishing it from year to year; it is now a very near approximation but, precise calculations covering the last year will be available very soon to Members of the House.

Shri U. M. Trivedi : May I point out that the increase in the national income is entirely fictitious in view of the fact that expenditure has also tremendously increased?

Shri Nanda : The hon. Member does not understand the method of calculation. It does not take into account the changes in the price level also.

SHORT NOTICE QUESTION AND ANSWER

Formation of Rupee Company

S. N. Q. No. 6. Shri Sadhan Gupta : Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether any agreement has been reached with the Assam Oil Company regarding the production and refining of oil from the newly found oil deposits in Assam;

(b) if so, the main features of the agreement;

(c) whether any rupee companies are to be floated with a view to exploit the said oil deposits; and

(d) if so, the share of Government in such companies?

The Minister of Natural Resources (Shri K. D. Malaviya):

(a) to (d). No formal agreement has yet been reached with the Assam oil Company regarding the production and refining of oil from the newly found oil deposits in Assam. A preliminary understanding has been reached between the representatives of the Ministry and Assam oil Company for forming one or more Rupee companies with Government participation for exploration, production and transport of oil from the areas whose rights were already conceded to Assam oil company previously and where oil has been discovered. With regard to the refining of oil it has been proposed to establish a refinery under Public Sector with at least 66 2/3% of Government share. The whole matter is still under consideration and yet to receive the approval of the Government.

Shri Sadhan Gupta : May I know where the refinery is to be set up and what would be the size of the refinery?

Shri K. D. Malaviya : Both these questions are still under the active consideration of the Government and the experts of both the parties.

Shri Sadhan Gupta : Is it a fact that the Assam Oil Company has strongly recommended Calcutta as the site of the refinery on economic grounds, and if so, what is the Government's attitude to that recommendation?

Shri K. D. Malaviya : It is a fact that representatives of the Assam Oil Company are tentatively suggesting Calcutta as the site for the new refinery.

Shrimati Tarkeshwari Sinha : May I know whether in deciding the whole issue, the Government will allow the backward areas like Assam to be developed, because there is already overcrowding of industries in Calcutta and if the refinery is situated in Calcutta, it will add to the overcrowding?

Shri K. D. Malaviya : Surely all such considerations are before the Government.

Shri K. P. Tripathi : May I know if it is a fact that Government still think that the refinery can be set up in Assam and whether they are going to refer to independent experts the examination of the question whether it can be established in one place or the other?

Shri K. D. Malaviya : Government have not come to any sort of decision with regard to the site for the location of the refinery, and it is a fact that Government have decided to appoint a committee of experts to go into the entire question of finding out a suitable place for the refinery.

[MR SPEAKER in the chair]

Shri Sadhan Gupta : May I know what percentage of our requirements of refined oil would be satisfied by the refinery that is proposed to be set up?

Shri K. D. Malaviya : If I have understood the hon. Member aright he wants to know something about the capacity of the refinery with regard to the requirements of the country. The proposals, as are being considered are to set up a refinery with a capacity of roughly 1.5 million tons, with the possibility of extending it by another million tons or so. That is only one of the suggestions.

Shri Sadhan Gupta : May I know what would be the annual production of crude oil from the new oil wells which have been discovered in Assam?

Shri K. D. Malaviya : So far the experts of the Assam Oil Company have informed us that they will be able to produce more than a million tons of crude oil every year.

WRITTEN ANSWERS TO QUESTIONS

हज समिति

*७२८. श्री रघुनाथ सिंह : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि जून, १९५६ में हज समिति की बैठक ने हज तीर्थयात्रियों को दी जाने वाली सुविधाओं के सम्बन्ध में क्या सुझाव दिये हैं?

विदेशिक कार्य मंत्री के सभासचिव (श्री सादत अली खान) : ४ जून, १९५६ को बम्बई में हुई केन्द्रीय हज कमेटी की मीटिंग में यह कहा गया था कि तीर्थयात्रियों के जहाजों को वैसी ही सुविधायें मिलनी चाहियें जैसी कि भारत-आफीका यात्री-सेवाओं को दी जाती हैं। इस समय, तीर्थयात्री जहाजों को धेर सभी सुविधायें दी जाती हैं, जिन का उल्लेख भारतीय तीर्थयात्री-जहाज नियमों (इंडियन पिलग्रिम शिप रूल्स) में है। कमेटी चाहती थी कि भारत सरकार इस मामले की और अधिक जांच करे और जल्दी कार्रवाई करे।

जहाजरानी के डायरेक्टर-जनरल से कहा गया है कि वे इस मामले में जांच करें और इस की रिपोर्ट तैयार करें कि भारत आफीका सेवाओं के तीर्थयात्री जहाजों और यात्री जहाजों को, एक दूसरे की तुलना में, कौन सी सुविधायें मिलती हैं। उन की रिपोर्ट आने पर, दूसरी जल्दी कार्रवाईयां की जायेंगी।

Passports

*७३४. Dr. Satyawadi: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 2026 on the 14th May, 1956 and state the decision taken on the Memorandum received from certain organisations in the State of Punjab regarding relaxation of existing restrictions on issue of passports to unskilled workers?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): Government of India have considered the representations carefully. There have recently been many complaints and difficulties have arisen in regard to large numbers of illiterate or semi-literate persons proceeding to the United Kingdom for petty trade or employment. Cases have occurred

of passports being forged and the persons being compelled to return to India. New kinds of social problems are being raised by the influx of large numbers of persons in the United Kingdom. Having given careful consideration to all these aspects, Government have come to the conclusion that it would not be desirable to permit large numbers of such illiterate or semi-literate persons to proceed to the United Kingdom.

While the restrictions on the grant of passports of such persons will continue, Government have given instructions that the policy should be liberalised as far as possible and where there are *bona fide* reasons for a visit to the United Kingdom passports facilities should be granted.

Mysore Iron and Steel Works

***738. Shri Madiah Gowda:** Will the Minister of Iron and Steel be pleased to refer to the reply given to Unstarred Question No. 741 on the 5th April, 1956 and state whether the details of the expansion scheme of the Mysore Iron and Steel Works have now been finalised?

The Minister of Heavy Industries (Shri M. M. Shah): Expansion schemes costing nearly Rs. 6 crores have been included in the Second Five Year Plan. Of these two items had already been sanctioned as part of the First Plan. The rest are under examination.

Steering Committee

***739. Ch. Raghbir Singh:** Will the Prime Minister be pleased to state whether any progress has been made since March, 1955 by the two Steering Committees, set up by the Government of India and Pakistan to devise means to solve long pending issues?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): Steps have been taken by the Governments of India and Pakistan to deal with the outstanding issues between them in accordance with the agreed decisions taken by the Steering Committees in their meetings held in February and March, 1955. The Ministers and the Ministers of the Government of India concerned have been in touch with their opposite numbers in Pakistan in regard to various items assigned to them by the Steering Committees. The Indian High Commission in Karachi has been asked to take up with the Government of Pakistan items to be dealt with at the diplomatic level. The Steering Committees also discussed some of the items at their Delhi meeting on the 11th and 12th March, 1955 and reached agreement on a few of them.

In the absence of any further meeting of the Steering Committees after March, 1955, it has not been possible to review the progress of the negotiations carried on at various levels.

Y.M.C.A. and Y.W.C.A.

***740. Shri Dhusiya:** Will the Minister of Works, Housing and Supply be pleased to state whether it is a fact that Y.M.C.A. and Y.W.C.A. have been granted loans by the Central Government to build hostels at Delhi and other places?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naikar): A loan of Rs. 50,000/- was given to the Y.W.C.A. in April 1953. No loan has been given to the Y.M.C.A. so far.

Textile Exports

***745. { Dr. Ram Subhag Singh : Shri R. P. Garg :**

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

(a) whether there has been any decline in India's textile exports since the beginning of the current financial year;

(b) if so, to what extent; and

(c) the causes thereof?

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

(b) Export of cotton piecegoods during April to June, 1956, was about 184 million yards as compared to 192 million yards for the corresponding months in 1955.

(c) Attention of the hon. Member is invited to the reply given by me to part (c) of the starred question No. 2049 asked by him and Shri Bishwa Nath Roy in the Lok Sabha on the 9th May, 1956.

Automatic Looms

***747. Dr. J. N. Parekh:** Will the Minister of Commerce and Industry be pleased to state the number and location of automatic looms likely to be installed in the Cotton Textile Mills during the next two years?

The Minister of Consumer Industries (Shri Kanungo): It is expected that 14,600 automatic looms intended for export promotion will be installed during this period. No assessment can now be made of the installation of automatic looms by way of normal replacement of ordinary looms. Government are not in a position to give any idea of the location of looms under the export promotion scheme at present.

Low-Income Group Housing Scheme

*751. **Shri Rishang Keishing** : Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the scheme for grant of housing loan to Central Government servants is not of much use to persons drawing less than Rs. 400 or so as the prices of the developed land in close proximity are prohibitive and in colonies at distance of 5 miles or more from the Central Secretariat very high;

(b) if so, whether Government are prepared to develop some areas and to sell it to these low-paid officials at no profit no loss basis; and

(c) what priority has been given in the scheme to the displaced Government servants who were debarred from Rehabilitation accommodation for residing in Government allotted accommodation and need a permanent house?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) The Scheme has not been devised with special reference to Delhi and it may be of advantage if Government servants working in Delhi construct for themselves permanent residences in stations other than Delhi for settling down after retirement, if the high cost of land within reasonable distances from the Secretariat preclude them from building houses in Delhi, particularly as during their period of employment a large number of them will be able to get Government accommodation on rent.

(b) Government hope that co-operative housing societies will come into being for this purpose.

(c) As this scheme is intended to help Government servants as a class who do not own houses, it was not considered necessary to make any special distinction in favour of displaced persons.

Export of Prawns

*752. **Shri Matthen:**
Shri Anirudha Sinha :

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

(a) the present position of the prawn trade between Travancore-Cochin and Burma;

(b) the quantity exported to Burma in 1955-56; and

(c) what has become of the Burmese tender for 10,000 bags of prawns?

The Minister of Trade (Shri Karmarkar) : (a) and (b). Figures of exports of different varieties of fish are not maintained separately in the Sea Borne Trade Accounts. Precise information required is, therefore, not available. Our exports of all varieties of fish to Burma, however, declined from Rs. 1,38 lakhs in 1954-55 to Rs. 57 lakhs in 1955-56.

(c) Government have no information. It is, however, understood that the Burmese Government have recently invited tenders for import of 14,000 bags of prawns from India.

National Anthem

*753. **Shri Chattpadhyaya** : Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the official orchestral score of the National Anthem has been disapproved of by eminent musicians of our country;

(b) whether the opinion of well-known exponents of Rabindra Sangeet consulted before final choice was made; and

(c) whether there is any proposal to improve the orchestration of the National Anth?

The Minister of Information and Broadcasting (Dr. Kaskar) : (a) to (c). The orchestral composition of the National Anthem is mainly for the purpose of Army bands or European type of orchestra. It was prepared in 1949 as there was an urgent necessity for the Army people to play a reliable version of the National Anthem. The score is based on the authentic Visva-Bharati version. The question of consulting exponents of Rabindra Sangeet does not arise as it is meant only for Western type of orchestra or bands.

The All India Radio has prepared a standard choral version and also another one by an Indian orchestra and based on Indian principles. This has been prepared with the help of Visva-Bharati and competent exponents of Rabindra Sangeet. This is also available to the public.

ब्रिटेन और अमरीका को निर्यात

*754. **श्रीमती अनन्तपाली बोरकर** : क्या बीजिंग और उद्दोग मंत्री यह बताने की कृपा करेंगे कि भारत से वर्ष १९५५-५६ में ब्रिटेन और अमरीका को किये गये निर्यात में कमी होने के क्या कारण हैं?

व्यापार मंत्री (श्री करमरकर) :
अपेक्षित जानकारी सदन की मेज पर उपस्थित एक विवरण में दी गई है। [वैस्त्रिये परिशिष्ट ४, अनुबन्ध सं० ४२]।

Minorities in Tripura

***755. Shri Dasaratha Deb :** Will the Prime Minister be pleased to state:

(a) whether it is a fact that minorities (Muslims) are leaving Kamalpur in Tripura for Pakistan at present; and

(b) if so, the reasons thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) and (b). No, Sir. ¶

Coal

***757. Shri S. V. Ramaswamy :** Will the Minister of Production be pleased to state:

(a) the present position of movement of coal to the South;

(b) whether it has improved or worsened; and

(c) the percentage delivered against quotas?

The Minister of Production (Shri K. C. Reddy) : (a) to (c). There has been some improvement in the movement of coal to the South; the percentage delivered against the quota during the first half of 1956 was 63 as against 58 during the first half of 1955.

Test Relief Centres in Tripura

***758. Shri Biren Dutta :** Will the Minister of Rehabilitation be pleased to state:

(a) the places where test relief centres have been opened for the displaced persons in Tripura;

(b) the specific jobs provided to the women on test relief basis in the colonies and outside; and

(c) the total amount spent as relief to the flood-affected displaced persons during July, 1956?

The Minister of Rehabilitation (Shri Mehr Chand Khanna) : (a) to (c). The information is being collected and will be laid on the Table of the Lok Sabha in due course.

Coffee Cultivation

***759. Shri M. Islamuddin :** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1954 on 4th May, 1956 and state the steps that are being taken by Government to exploit the jungle and abandoned areas available in North Canara and Coorg respectively for coffee cultivation?

The Minister of Consumer Industries (Shri Kanungo) : A scheme for increased production of coffee in coffee growing areas including Coorg and North Canara has recently been sanctioned. This provides, *inter alia*, for grant of loans to growers for bringing 16,700 acres under coffee. Growers in Coorg and North Canara holding land which might be suitable for coffee cultivation, should apply to the Coffee Board for assistance.

Hand Pounded Rice

Thakur Jugal Kishore Sinha :
Shri Asthana :
***760. Babu Ramnarayan Singh :**
Shri Deogam :

Will the Minister of Production be pleased to state:

(a) the steps that are being taken in the State of Delhi and Bihar for the production of hand-pounded rice; and

(b) the ratio of production to the requirement of such rice?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : (a) and (b). Information is being collected and will be laid on the Table of the Lok Sabha as soon as possible.

Antarctica

***761. Shri Shree Narayan Das :**
Sardar Akarpuri :
Shri M. S. Gurupadaswamy :

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1423 on the 14th April, 1956 and state:

(a) whether the Government of India have drafted an explanatory memorandum on the question of Antarctica for submission to the United Nations, in pursuance of the move to raise this issue during the next General Assembly;

(b) whether it is a fact that this move has provoked a storm of protests from a number of countries;

(c) the names of countries from where formal protests have been received; and

(d) the scope of the issue to be raised?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (d). The matter is still under consideration.

(b) and (c). Certain objections have been raised by a few interested countries, but it would not be in public interest to discuss the details thereof.

Aluminium Plant

*762. **Shri T. B. Vittal Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the National Industries Development Corporation has formulated any plan to set up a plant for the manufacture of aluminium ingots and sheets during the Second Five Year Plan; and

(b) if so, the details thereof?

The Minister of Heavy Industries (Shri M. M. Shah): (a) and (b). The National Industrial Development Corporation has under consideration a proposal for the establishment of an aluminium plant. Details have not yet been finalised.

Air and Naval Bases in East Pakistan

*763. { **Shri Kamath:**
 { **Shri H. R. Nathan:**

Will the Prime Minister be pleased to state whether it is a fact that with United States aid, Pakistan has built or is building air and naval bases in East Pakistan?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): Pakistan is receiving military aid from the USA. Government of India have no precise information whether any air and naval bases are being built in East Pakistan with this aid.

धर्मदाय संस्थायें

*764. **श्री भक्त दर्शन:** क्या योजना मंत्री ३० मई, १९५६ के तारीख के प्रश्न संख्या २६६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) हिन्दू धर्मदाय संस्थाओं और मन्दिरों की आय का अधिक अच्छा उपयोग करने और उन की व्यवस्था में सुधार करने का जो प्रश्न योजना आयोग के विचाराधीन था, क्या उस पर अन्तिम निर्णय कर लिया गया है; और

(ख) यदि नहीं, तो अब तक इस दिशा में कितनी प्रगति हुई है और अन्तिम निर्णय कब तक होने की आशा है?

सिवाई और विषुव उपर्यात्री (श्री हाथी) : (क) जी नहीं।

(ख) यह विषय आमी भी योजना आयोग के विचाराधीन है।

Bhilai and Durgapur Steel Plants

*765. **Shri Ram Krishan:** Will the Minister of Iron and Steel be pleased to state the present stage of the proposal to set up a structural-cum-machine shop at Bhilai and a structural shop at Durgapur?

The Minister of Heavy Industries (Shri M. M. Shah): Proposals have been submitted by the Indian Steel Works Construction Co. for a fabricating shop at Durgapur. These proposals are now being discussed by the Indian Delegation which is now in London to negotiate the final contract for the Steel Works at Durgapur. It is proposed to review the proposal to have a fabricating shop at Bhilai on the experience gained as a result of the negotiations for the shop at Durgapur.

Silk Industry

*766. **Shri Jhulan Sinha:** Will the Minister of Production be pleased to state the reasons because of which no grants were made to the State of Bihar for development of Silk Industry during 1955-56?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): A sum of Rs. 67,100/- was given as grant to the Government of Bihar for the development of silk industry in that State during the year 1955-56.

Earth Moving Machinery

*767. **Shri Gidwani:** Will the Minister of Irrigation and Power be pleased to state:

(a) the value of earth moving machinery that is imported every year for construction of dams, hydel projects and irrigation works;

(b) whether any final decision has been taken by the Government on plans for the standardisation of machinery and mechanical equipment for Hydro-electric and irrigation projects with a view to economise expenditure; and

(c) if so, what is the decision?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The information is being collected from the State Governments and will be laid on the Table of the House as soon as possible.

(b) Not yet, Sir.
(c) Does not arise.

Fertilizers

*768. **Shri D. C. Sharma:** Will the Minister of Production be pleased to state the steps taken for the expansion of Fertilisers Production?

The Minister of Production (Shri K. C. Reddy): I would like to invite the attention of the hon. member to Chapter I of the Annual Report, 1955-56, of the Ministry of Production which gives the required information. Briefly, the capacity of the Sindri Factory is being increased by 60% and three additional factories at Nangal, Neyveli and Rourkela have been planned for the production of additional nitrogenous fertilizers to meet the expected demand till 1960-61.

Progress of Waterways Communication

*769. **Sardar Iqbal Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) the progress made so far by the Navigation Directorate to develop waterways communication in the country; and

(b) the chief difficulties, if any, confronted with in the further progress?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Statement (Annexure) showing the progress made on the development of waterways communication is placed on the Table of the House. [See Appendix IV, annexure No. 43].

(b) No special difficulty.

Peace Observation Commission

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

(a) the role of India on Peace Observation Commission during 1955;

(b) the main activities of the Commission during the same period; and

(c) whether any report has been submitted to U.N.O. thereon?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). The Commission met only once in 1955 to elect its office-bearers and the representative of India attended this meeting. The Commission transacted no other business in 1955.

(c) No.

Indians in Ceylon

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

(a) the number of Indians living in Ceylon on temporary residence permit, when the Nehru-Kotelawala Pact was signed in Delhi in October, 1954; and

(b) how many of them have so far returned to India as repatriates or otherwise?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) 70,000 approximately.

(b) According to the figures available upto 21-7-56, 9,058 persons have, so far, returned on being served with quit notices. Another 17,468 persons have voluntarily returned to India.

Silk

*772. { **Shri Dhusiya :**
Shri Raghunath Singh :

Will the Minister of Production be pleased to state :

(a) the places from where silk is imported for Banarasi Saries;

(b) whether it is imported on Governmental basis or otherwise; and

(c) the quantity of raw-silk generally demanded by a weaver in a month and how much he is supplied and through what agency?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): (a) China and Japan.

(b) All imports of raw silk are canalised through the Central Silk Board at present.

(c) It is not possible to indicate the demand of raw silk by each weaver every month. The Silk Weaving Industry in Banaras requires, however, per month about 24,000 lbs. of imported raw silk in addition to 17,000 lbs. of indigenous silk. A quantity of 20,000 of lbs. imported silk is at present supplied to them by the Central Silk Board every month through the Uttar Pradesh Industrial Co-operative Association, a nominee of the Government of Uttar Pradesh.

Cyclone in West Bengal

*773. **Shri N. B. Chowdhury:** Will the Minister of Rehabilitation be pleased to state the steps, if any, taken by Government to restore the camps and other temporary structures for displaced persons, affected by the recent cyclone in the districts of Midnapur, 24 Parganas Howrah etc. in West Bengal?

The Minister of Rehabilitation (Shri Mehr Chand Khanna) : The information is being collected and will be laid on the Table of the Lok Sabha in due course.

International Tea Agreement

*774. **Shri N. M. Lingam :** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 466 on the 3rd December, 1955 and state the stage at which the negotiations for concluding a fresh international tea agreement stand at present?

The Minister of Consumer Industries (Shri Kanungo) : The negotiations are almost in the final stages.

Houses for Displaced Persons from Sindh

*775. **Shri S. C. Samanta :** Will the Minister of Rehabilitation be pleased to state :

(a) the number of quarters constructed at Bhavnagar, Palitana and Jamnagar in Saurashtra for Sindh refugees;

(b) whether it is a fact that those quarters are of inferior quality, and far off from the towns and have been given at higher rates of rent;

(c) whether the Chief Settlement Commissioner visited those places recently; and

(d) if so, what are his reactions?

The Minister of Rehabilitation (Shri Mehr Chand Khanna) : (a)

Bhavnagar	987
Palitana	283
Jamnagar	800

(b) No, the quarters are not of inferior quality, they are situated within the Municipal limits and the rents have been fixed at the same rates as in any other State.

(c) No.

(d) Does not arise.

Increase in Coal Prices

*776. **Shri Sadhan Gupta :** Will the Minister of Production be pleased to state :

(a) whether Government have agreed to an increase in the price of coal;

(b) the extent of the increase agreed to; and

(c) the reasons therefor?

The Minister of Production (Shri K. C. Reddy) : (a) Yes.

(b) A statement giving the information is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 44].

(c) An increase in the prices of coal became necessary because of the extra cost of raising coal due to increased emoluments and additional concessions granted to the miners by the Award of the All India Industrial Tribunal (Colliery Disputes).

मधुमक्खी पालन केन्द्र

*777. **Shri Bhakti Dassan :** क्या उत्पादन मंत्री २४ फरवरी, १९५६ के तारांकित प्रदन संस्था २३८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि काश्मीर, उत्तर प्रदेश, पश्चिमी बंगाल और झासाम के हिमालय-झेव में मधुमक्खी पालन केन्द्र और उप-केन्द्र स्थापित करने और उस काम को आगे बढ़ाने में इस बीच कितनी प्रगति हुई है?

उत्पादन मंत्री के सभा-सचिव (श्री राम गिर दुबे) : विवरण सभा-पटल पर रख दिया गया है (वैसिये परिविष्ट ४, अनुबन्ध सं० ४५).

Kachcha Tivu Island

*779. { **Shri Jhulan Sinha :** ;
Sardar Akarpuri :

Will the Prime Minister be pleased to state :

(a) whether it is a fact that a diplomatic representation has been made to Ceylon Government to stop the use of Kachcha Tivu Island in the Palk Strait as a practice bombing and gunnery range until its ownership is established; and

(b) if so, the present position with regard thereto?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) and (b). The Indian High Commissioner in Ceylon requested the Ceylon Government to postpone any decision to use the Island for the purpose until the question of ownership was clarified. The records on the subject are under examination.

Purana Quila Refugee Camp

*780. **Shri D. C. Sharma :** Will the Minister of Rehabilitation be pleased to state :

(a) the time by which the residents of Purana Quila Delhi will be removed from the locality;

(b) whether any representation has been made by the people of the locality and if so, the reaction of the Government thereto ;

(c) the number of persons who will be dislocated and rehabilitated in this respect ; and

(d) the total cost that Government will incur in providing such alternative accommodation ?

The Minister of Rehabilitation (Shri Mehr Chand Khanna) : (a) The matter is still under consideration.

(b) Yes, efforts are being made to find suitable alternative accommodation.

(c) 683 families.

(d) This information will be available only when alternative site has been selected.

A.I.R. External Publicity

*782. **Shri Kamath :** Will the Minister of Information and Broadcasting be pleased to state :

(a) whether the Portuguese unit of External Publicity, All India Radio still functions ; and

(b) if so, the broad details of its programme ?

The Minister of Information and Broadcasting (Dr. Keskar) : (a) Yes, Sir.

(b) Programmes consist of news, talks, commentaries, interviews, discussions, Indian Music including Goan folk music and such other items.

Industrial Estate, Kalyani (West Bengal)

*783. **Shri N. B. Chowdhury :** Will the Minister of Commerce and Industry be pleased to state :

(a) the progress made so far in regard to the Industrial Estate at Kalyani in West Bengal ;

(b) the amount earmarked for the scheme ; and

(c) the time by which the scheme is likely to be completed ?

The Minister of Consumer Industries (Shri Kanungo) : (a) Land for the Industrial Estate has already been acquired and the levelling done. A loan of Rs. 2.4 lakhs representing the cost of the land has already been advanced to the West Bengal Government and further amounts would be advanced as and when required by the State Government.

(b) The total cost of the Scheme is estimated at nearly Rs. 54 lakhs.

(c) It is hoped that the scheme would be completed within a year to 18 months

but it is not possible to give any accurate forecast at present.

Flood Control Works

425. **Shri Ram Krishan :** Will the Minister of Irrigation and Power be pleased to state the total allocation made to various States this year for flood control works in States State-wise ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : During the current financial year, a provision of Rs. 5 crores has been made in the Central Budget for loan assistance to Part 'A' and Part 'B' States to finance their flood control schemes. The tentative allocation State-wise is given below :—

Name of State	Tentative allocation (in lakhs of rupees)
1. Andhra	25.0
2. Assam	75.0
3. Bihar	75.0
4. Jammu & Kashmir	35.0
5. Orissa	40.0
6. Madhya Pradesh	1.0
7. PEPSU	10.0
8. Punjab	19.0
9. Saurashtra	6.0
10. Uttar Pradesh	150.0
11. West Bengal	64.0
TOTAL	500.0

Lack of funds will not however be allowed to stand in the way of the execution of the schemes in the States during the year, if they are sound and feasible. To enable the Central Government to examine this matter, the fullest details from the State Governments have been called for. The quantum of additional funds required will be worked out after a scrutiny of these details.

Development of Village Industries

416. **Shri Ram Krishan :** Will the Minister of Production be pleased to state the names of areas chosen for the development of village industries on an intensive basis during current financial year, State-wise ?

The Minister of Production (Shri K. C. Reddy) : Names of places so far selected for developing Village industries on an intensive basis during the current financial year are :—

Pukharayan	Uttar Pradesh
Khimel	Rajasthan
Kathana	Bombay.
Khirpai	West Bengal.
Lohara	Hyderabad.
Thibgaon	Madhya Bharat.

Districts Plans in First Five Year Plan in States

417. Shri Hem Raj: Will the Minister of Planning be pleased to state :

(a) the amount that was proposed to be spent during the First Five Year Plan period district-wise in the States of Punjab, PEPSU and Himachal Pradesh;

(b) the amount which was actually spent district-wise during the First Five Year Plan period;

(c) the percentage by which it fell short during this period; and

(d) the reasons therefor?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). The information is being collected from the State Governments and will be laid on the Table of the House, when available.

Imports of Tractors

418. Shri Bheekha Bhai: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1567 on the 18th April, 1956 and state:

(a) the number of applications received from importers up till now for the import of small size tractors;

(b) the total number of tractors expected to be imported within the next six months; and

(c) the approximate price for a tractor of ten Horse Power?

The Minister of Heavy Industries (Shri M. M. Shah): (a) None, so far.

(b) and (c). The information will be available when imports are made.

Cottage Industries

419. Shri Debendra Nath Sarma: Will the Minister of Production be pleased to state:

(a) the total amount of grants and loans given to the State Government of Assam by the Central Government for development of Cottage Industries during 1954-55 and 1955-56; and

(b) whether the grants and loans have been spent for the purposes for which they were meant in the specified period?

The Minister of Production (Shri K. C. Reddy): (a) The following amounts were given as grants to the State Government of Assam for development of the Khadi and Village Industries, handicrafts and sericulture:—

Sl. No.	Industry	Year	Grants		Loans
			Rs.	Rs.	
1.	Village Industries— Gur & Khandsari.	1954-55	Nil	Nil	—
		1955-56	25,375	—	
2.	Sericulture	1954-55	1,47,298	—	—
		1955-56	93,000	—	
3.	Khadi.	1954-55	Nil	Nil	12,300
		1955-56	—	—	
4.	Handicrafts	1954-55	Nil	Nil	12,000
		1955-56	3,000	—	

(b) Reports on the utilisation of the amounts are still awaited from the State Government.

D.V.C.

420. Shri N. B. Chowdhury: Will the Minister of Irrigation and Power be pleased to state the progress made so far with regard to the construction of canal under the Damodar Valley Corporation Scheme in the Arambag Sub-division in Hooghly District in West Bengal?

The Deputy Minister of Irrigation and Power (Shri Hathi): The actual construction work has not yet commenced.

It will be taken up after October, 1956 and is scheduled to be completed by June 1957. Water is expected to be available in the area in July, 1957.

75% of the design work has, however, been completed.

Migration from East Pakistan to India and Vice Versa

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

(a) the total number of displaced persons who crossed into India from East Pakistan with immigration certificates during the period beginning

from the 1st of January, 1956 to 30th June, 1956; and

(b) the total number of Muslims who migrated from India to Pakistan West and East, during the same period and in the same manner?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) The total number of Hindus who entered India from East Pakistan with migration certificates during the period January to June, 1956 is 2,08,179.

(b) The total number of Muslims who migrated from India during the same period to West Pakistan is 3,824 and to East Pakistan 177.

Projects in Nepal

422. Shri Bibhuti Mishra: Will the Prime Minister be pleased to state:

(a) the total amount spent in Nepal on various projects; and
 (b) names of those projects which have been completed and also not completed?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) About Rs. 4,52,89,300/- has been spent by the Government of India on projects in Nepal under the Colombo Plan upto the close of the financial year 1955-56.

(b) *Completed:*

- (1) Gaucher Airfield runway :— completed in May, 1955.
- (2) Permanent rapairs of the Link Road (Amlekhganj)—Bhimpedi-Bhainse Road) :—completed in June 1955.
- (3) Clearance of Jhaj River :—completed.

Not Completed:

- (1) Tribhvan Rajpath :—expected to be completed by the end of 1956.
- (2) Terminal Building for Gaucher Airfield.
- (3) Mapping and Triangulation Survey of important areas in Nepal.
- (4) Trisuli Project :—Government of India have agreed to provide assistance for the Trisuli Hydro-electric Project in Nepal.
- (5) Trisuli Road :—The construction of a 28 mile long road in connection with the execution of the Trisuli Hydro-electric Project.
- (6) Irrigation Projects :—
 (i) Mahadeo Khola Irrigation Project :—nearly complete.

(ii) Tika Bhairo Irrigation Project :—nearly complete.

(iii) Vijaipur Khola (lower) Irrigation Project :—not completed.

(iv) Vijaipur Khola (Upper) Irrigation Project :—work not started.

(v) Installing hand pumps for drinking water :—nearly complete.

News-reels Distribution

423. Shri Madiah Gowda: Will the Minister of Information and Broadcasting be pleased to state:

- (a) the procedure adopted for the distribution of news-reels;
- (b) the agencies for this distribution;
- (c) the cost of distribution;
- (d) the conditional laid down for borrowing;
- (e) the amount of money realised as a result of distribution; and
- (f) the gain or loss involved in the distribution for the year 1955-56?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Distribution takes place through centres of the distribution section of Films Division to all cinemas.

(b) Branch Offices of the Films Division located in Bombay, Calcutta, Madras, Nagpur, Lucknow and Vijayawada.

(d) Supply to cinemas is against payment of rentals varying from Rs. 5/- to Rs. 150/- per week. For non-commercial exhibition, news-reels can be had by all non-profit-making bodies free of charge and by others at annas 8 per news-reel.

(c), (e) and (f) Figures of income and expenditure are not maintained separately for documentaries and news-reels. It is therefore not feasible at this stage to compute the gain or loss involved in the distribution.

Trade Delegations

424. Shri Jaipal Singh: Will the Minister of Commerce and Industry be pleased to state:

- (a) the number of Trade Delegations received in India during 1956 so far;
- (b) the number of Trade Pacts concluded with them and their nature; and
- (c) the amount of expenditure incurred by Government on these Delegations?

The Minister of Heavy Industries (Shri M. M. Shah): (a) Four.

(b) Fresh Trade Agreements were concluded with Yugoslavia, Poland

and Bulgaria. Copies of these documents are available in the Library of the House.

(c) Approximately Rs. 7,500/-.

Flood Control Schemes

425. Shri Amjad Ali : Will the Minister of Irrigation and Power be pleased to state :

(a) the number of the flood control schemes forwarded by different States, that have been approved by the Central Flood Control Board in New Delhi;

(b) the approximate cost of each on an average ; and

(c) the amount to be spent on account of these in the Second Plan period ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) The Central Flood Control Board is concerned with approval of schemes, the estimated cost of each of which is Rs. 10 lakhs and above. The number of such schemes approved by the Board so far is 41.

(b) The estimated cost of the schemes varies from Rs. 12.2 lakhs to Rs. 300 lakhs each.

(c) About Rs. 7 1/2 crores.

Atomic Research for Peaceful Uses

426. Sardar Iqbal Singh : Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 178 on the 29th February, 1956 and state the main features of the Agreements which the Government of India have entered into with the Governments of other countries for sharing Atomic Research for peaceful uses ?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : Copies of the agreement with Canada regarding the gift of the Canadian NRX type of reactor under the Colombo Plan were already placed on the Table of the house on 9th May, 1956. As regards the supply of heavy water for this reactor, U.S.A. has agreed and supplied 21 tons of heavy water at the price of \$28 per lb. of heavy water. Similarly, the fuel elements for the swimming pool reactor have been supplied by the United Kingdom. All the agreements, whether formal or informal, are concerned only with the development of the peaceful uses of atomic energy.

South African Immigration Amendment Bill

**427. { Sardar Iqbal Singh :
Sardar Akarpuri :**

Will the Prime Minister be pleased to refer to the reply given to Starred Question

No. 1446 on the 14th April, 1956 and state the steps taken by the Government of India regarding the Immigration Amendment Bill proposed to be enacted by the Government of South Africa ?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : Indians are already 'prohibited immigrants' in South Africa under the South African Immigrants Regulation Act, 1913. The present legislation would not, therefore, add substantially to the existing disabilities of persons of Indian origin in South Africa.

The Government of India have already raised the question of treatment of persons of Indian origin in the Union of South Africa before the U.N. General Assembly. Therefore, the question of their taking separate steps in regard to each legislative measure enacted by the South African Government does not arise.

Inspection of Foreign Missions

428. Sardar Iqbal Singh : Will the Prime Minister be pleased to state :

(a) the number of Foreign Missions inspected so far during the year 1956; and

(b) the number that remains still to be inspected ?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) 21.

(b) 20.

Export Promotion Association

429. Sardar Iqbal Singh : Will the Minister of Production be pleased to state :

(a) whether the Committee set up to work out the details of the Scheme regarding constitution of an Export Promotion Association to stimulate sales of handicrafts abroad has submitted its report; and

(b) The nature of the report and action taken in the matter by Government ?

The Minister of Production (Shri K. C. Reddy) : (a) Not yet.

(b) Does not arise.

Steel Requirements

**430. { Sardar Iqbal Singh :
Sardar Akarpuri :**

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

(a) the total estimated requirements of steel of various Ministries of the Government of India during the Second Five Year Plan period; and

(b) The manner in which they are to be met?

The Minister of Heavy Industries (Shri M. M. Shah): (a) 12.5 million tons approximately, on present calculations.

(b) By augmenting indigenous production capacity and by imports.

Munj Industry Production

431. Sardar Iqbal Singh: Will the Minister of Production be pleased to state:

(a) whether any scheme has been formulated by Government to aid the increase of *Munj* in villages;

(b) if so, the names of States which are given financial aid in the regard; and

(c) the annual production of *Munj* in terms of money and material?

The Minister of Production (Shri K. C. Reddy): (a) No, Sir.

(b) and (c) Do not arise.

Engineering Personnel

432. Shri D. C. Sharma: Will the Minister of Planning be pleased to state:

(a) whether Government have assessed the total requirements of engineers in the Second Five Year Plan; and

(b) If so, what is the number required in different categories?

The Minister of Planning and Irrigation and Power (Shri Nanda): (a) Yes, Sir.

(b) A statement showing the requirements as estimated by the Engineering Personnel Committee, is attached herewith.

STATEMENT

The Engineering Personnel Committee has estimated the following requirements during the Second Five Year Plan:

Graduates:

1. Civil	11,114
2. Mechanical	5,166
3. Electrical	5,473
4. Tele-communications	1,320
5. Mining	469
6. Metallurgical	693
7. Chemical	2,256

Diploma-Holders:

1. Civil	25,705
2. Mechanical	12,041
3. Electrical	10,421
4. Tele-communications	562
5. Mining	692
6. Metallurgical	204
7. Chemical	806

Motor Spirit and Furnace Oil

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

(a) the quantity of surplus motor spirit and furnace oil exported to the neighbouring countries in 1955-56; and

(b) the names of the countries to which these products were exported?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar): (a)

Motor Spirit . 78,800 tons.

Furnace Oil . 1,69,882 tons.

(b) Australia, Burma, Ceylon, East Africa, New Zealand, Pakistan, Philippines and Singapore.

Afghan Jashan Celebrations

434. Ch. Raghubir Singh: Will the Prime Minister be pleased to state:

(a) whether it is fact that the Government of India participated in the Afghan Jashan Celebrations this year;

(b) if so, in what manner; and

(c) the expenditure incurred on this account?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) and (b). The Afghan Jashan celebrations are scheduled to be held in the last week of August, 1956. It has been decided to send two sports teams (one hockey and one football) in response to the invitation of the Afghan Olympic Association.

(c) The Government of India will bear the expenses of the teams from India to Peshawar and back. The estimated expenditure is Rs. 10,000/-.

Pooled Price for Cement

435. Shri Bahadur Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the proposed introduction of a pooled price for cement will effect the cost of Bhakra dam and other irrigation and power projects included in the Second Five Year Plan; and

(b) if so, what will be the percentage of rise in the cost of the dams and irrigation and power projects?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The reply is in the affirmative.

(b) The percentage rise in cost will vary according to the quantity of cement involved. Generally, it may be 1 to 5 per cent.

Rourkela Steel Plant

436. **Shri D. C. Sharma:** Will the Minister of Iron and Steel be pleased to state:

(a) the number of foreigners at present employed on the Rourkela Steel Project;

(b) the salaries paid to each class or category of such employees;

(c) whether there is any discrimination in the matter of salaries paid to Indian and foreign nationals in the same class or category; and

(d) if so, the reasons therefor?

The Minister of Heavy Industries (Shri M. M. Shah): (a) One foreigner is employed as Technical Adviser by the Hindustan Steel (Private) Ltd.

(b) This Technical Adviser is being paid a salary of \$12,500 per annum free of income-tax.

(c) Does not arise, as there is only one post of Technical Adviser in the Project.

(d) Does not arise.

Cement Production

437. **Shri Ram Krishan:** Will the Minister of Commerce and Industry be pleased to state:

(a) the cost per ton of cement manufactured in different cement factories, (factory-wise);

(b) the main reasons for differences between the cost per ton in different factories; and

(c) how it compares with the rates of the cement manufactured in the Government Cement Factory near Mirzapur in Uttar Pradesh?

The Minister of Heavy Industries (Shri M. M. Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 46].

Floods

438. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Meteorological Department had been asked to report the weather conditions before the floods in the different systems of Rivers in the country during the months May, June and July, 1956 by the Central Water and Power Commission; and

(b) if so, what was their report regarding each State before the floods?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The Central Water and Power Commission did not make any such request to the

Indian Meteorological Department. The weather reports (actual weather conditions) are, however, collected and published every day by that Department. These reports include forecast of rainfall during the next 24 or 48 hours in the different areas. Although the reports are not given to river basins, they cover the entire country.

विदेशी फर्में

439. **श्रीमती अनुसूदाबाई शोरकर:** क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि भारत की विदेशी फर्मों में ₹० ३००-४६६ के बेतन समूह में पाकिस्तान से आने वाले गैर-भारतीय कर्मचारियों की संख्या में १६५४ की अपेक्षा १६५५ में अधिक वृद्धि होने के क्या कारण हैं?

भारी उद्योग मंत्री (श्री म० म० शाह): पाकिस्तानी नागरिकों को नौकर रखने वाली भारत की विदेशी फर्मों से मिले आंकड़े के अनुसार ₹० ३००-४६६ के बेतन समूह में १६५४ के मुकाबले १६५५ में पाकिस्तानियों की संख्या में १३ की वृद्धि हो गई है। यह वृद्धि ६ फर्मों में हुई है। एक फर्म में नीची जगह से ऊंची जगह पर कर्मचारियों को तरकी देने के कारण यह वृद्धि हुई है। एक दूसरी फर्म का पाकिस्तानी नागरिक दरभ्रसल उस की पाकिस्तान वाली शाखा में काम करता है और उसे इन आंकड़ों में शामिल नहीं किया जाना चाहिये था। अन्य फर्मों के बारे में ठीक ठीक कारण उपलब्ध नहीं हैं।

Refugee Colonies

441. **Shri Dasaratha Deb:** Will the Minister of Rehabilitation be pleased to state:

(a) whether any plots of land have been taken over by Government from the local people to establish refugee colonies in Harer Khala, Kalachhari, Manik Bhandar, Methir Mian and Basan Chhar, under Kamalpur Division in Tripura;

(b) if so, whether any compensation in all cases was given to the people whose land has been acquired; and

(c) if not, the reasons thereof?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). The information is being collected and will be laid on the Table of the Lok Sabha in due course.

Industrial Housing Scheme

442. Shri Debendra Nath Sarma: Will the Minister of Works, Housing and Supply be pleased to state the number of applications asking loan under the Subsidised Industrial Housing Scheme from Assam, on which action is yet to be taken?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar): Action is being taken on all applications received from Assam. In six cases, however, it has not been possible to issue sanctions because the applicants have still to submit informa-

tion or clarification required by Government.

Priority Category Claimants

443. Dr. Satyawadi: Will the Minister of Rehabilitation be pleased to state:

(a) the total number of applications received from the priority claimants under each category; and

(b) the number of applications disposed of so far under each category?

The Minister of Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). Separate figures in respect of each category of priority claimants are not readily available. Efforts are, however, being made to collect this information, which will be placed on the Table of the Sabha as soon as it is ready.

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LOK SABHA

Monday, 6th August, 1956.

The Lok Sabha met at Eleven of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS
(See Part I)

[MR. SPEAKER in the Chair]

12-5 P.M.

RE STATEMENT ON SUEZ CANAL ISSUE

Shrimati Renu Chakravarty (Basirhat): May I submit that for a long time we have been putting short notice questions, calling attention notices etc. on the question of Egypt and the nationalisation of the Suez Canal and as yet we have not had any reply? It is time that the Prime Minister takes the House into his confidence, especially when he is making announcements in the public as well as in the discussions in the working committee of his party.

Mr. Speaker: Does the Prime Minister want to say anything?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): I did not hear her completely, but I understand that the hon. Member referred to some announcement about Egypt.

Shrimati Renu Chakravarty: We have been putting a number of questions....

Shri Jawaharlal Nehru: It is true that I have received a number of questions and some notices of motions

under Rule 216. I quite appreciate the anxiety of the House in this matter in the serious situation that has arisen. In fact, it is because the situation is rather a serious one that I did not wish to make a statement here before all the facts were with us; I did not wish to say anything which might perhaps come in the way of such action as we might be taking later. If you will permit me, I will make a statement the day after tomorrow.

Shri Asoka Mehta (Bhandara): I want to know whether the House will get an opportunity to discuss that question. I want the Prime Minister to assure us on that point.

Shri Jawaharlal Nehru: The House is very busy dealing with other matters and there is the question of time being available. Of course, a suitable time may be fixed for its discussion.

Mr. Speaker: I believe the Prime Minister can make his statement first; and, if there are any points for discussion, then the matter may be settled later.

Dr. Rama Rao (Kakinada): Can short notice questions be put after the statement is made?

Mr. Speaker: Hon. Members can always put short notice questions, if they are not satisfied with the statement and if they want further elucidation. The statement can be made first and still if hon. Members are not satisfied, we can have a discussion on some day.

Shri Bansal (Jhajjar-Rewari): I want to raise an alleged question with regard to the manner in which short notice questions are generally handled.....

Mr. Speaker: I am always available in my room; I do not go home before 6 o'clock and I will receive all representations. Some of the short notice questions were put off because the Prime Minister was not here and he made a statement later. Some questions relating to the Naga problem were put over, because the hon. Home Minister promised to make a statement; and, he did. I withheld some of the questions on this subject, because it is still in a fluid stage and I wanted to know what the reaction of the Prime Minister was. We ought not to embarrass ourselves and others; first of all we will see what the statement is and thereafter if there are further questions to be answered, I will admit a further discussion if necessary and I will give time. So far as other matters are concerned, I am always available to hon. Members.

MOTION FOR ADJOURNMENT

FLOODS IN TRIPURA

Mr. Speaker: I have received notice of an adjournment motion from Shri Dasaratha Deb on the following subject:

"The situation arising out of unprecedented floods in Tripura State, particularly in Kailasahar and Kamalpur sub-divisions of the State, dislocating all means of communication and submerging many square miles of the State, and the urgent necessity for rushing relief to the area, as an alarming food scarcity is threatened on the wake of the floods."

Does he want to say anything?

Shri Dasaratha Deb (Tripura East): It appears from P.T.I. reports that an area of about 40 sq. miles of Kailasahar sub-division in Tripura was submerged due to heavy flood. I got a telegram from a responsible person of the affected area. The telegram says that vast areas of Kamalpur and Khowai sub-divisions also have been inundated by the floods. The airports of both Kailasahar and

Kamalpur were completely inundated and planes could not land there for the last one week. It is also reported that due to landslides on the Agartala-Assam road, vehicular traffic between Agartala and Kamalpur has been interrupted for the last one week.

May I also mention, Sir, that on the 3rd August, the hon. Minister told the House in reply to my question that the price of rice at Kamalpur sub-division was from Rs. 50 to Rs. 60 per maund in the last week, that is before the flood. Rice was hardly available even at that high price there. The only remedy was to send rice from Agartala Government godown, but now, as there has been a complete dislocation of communication both by road and by air, an acute food crisis has arisen.

When such a serious situation has been created by flood havoc, I feel that it is absolutely necessary to send immediate relief to the people in distress. This is really a serious matter which affects thousands of people, and I hope you will kindly allow this adjournment motion to be discussed by the House.

The Minister of Planning and Irrigation and Power (Shri Nanda): So far as the flood situation is concerned, very recently a very full and detailed statement was made in the House and also laid on the Table of the House.

Shrimati Renu Chakravarty (Basirhat): This is again a new one.

The Minister of Home Affairs (Pandit G. B. Pant): After that there was a discussion between the Members of the House and the Ministers regarding the situation there. I find from the text of the motion that it refers to the urgent necessity for rushing relief to the area as an alarming food scarcity is threatened. That is a matter regarding which my information is that the necessary action has been taken and is being taken. The details can be given of that also.

Shri Dasaratha Deb: May I submit that the flood havoc has taken place after our discussion? We discussed on the 1st August, but all these places are under water now, since yesterday.

Shri Nambiar (Mayuram): Let the Home Minister reply so that we may know what actually has happened.

Pandit G. B. Pant: I do not know if there had been any floods recently in Tripura. The information that we have indicates that the floods occurred between 31st May and 3rd June and not thereafter.

Shri Biren Dutt (Tripura West): This is a recent flood.

Shri S. S. More (Sholapur): You are behind with the floods!

Pandit G. B. Pant: If there had been any floods recently.....

Shri S. S. More: That is their contention.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Yesterday.

Pandit G. B. Pant: Yesterday? We have no information about that. If there had been floods yesterday we will be getting information, but I should like to know what was the exact extent of rainfall yesterday or the day before in Tripura. Has anybody any information?

Shri Biren Dutt: There is the report of the P.T.I. stating that Kailashgarh and Kamalpur have been completely dislocated.

Pandit G. B. Pant: What we have before us is this. We are not aware of any floods after the 3rd June. The peak of the floods occurred from 31st May to 3rd June. The floods have long ago subsided, that is our information. Immediate relief measures were rushed by the State administration. More than Rs. 3 lakhs have been spent on relief measures. Rice, jowar etc., were distributed to the people in distress and all other relief measures promptly taken. Shortage

of food was reported from the State some months back and all possible steps have been taken to rush rice to the State. Three hundred tons of rice were flown into the State and later several thousand tons of rice have been sent by rail, and thus more than 4,000 tons have already been delivered to the State administration. Ration cards have been issued to more than 4½ lakhs out of 8 lakhs of people in the State. The ration card enables a person to get three seers of rice every week. The rice which has been sent by the Government of India is being sold to the ration card holders at the subsidised rate of Rs. 15 per maund, whereas the free market price is about Rs. 25 per maund. In the adjoining area of East Bengal the free market price of rice is over Rs. 25 per maund. There is no distress at present in any part of the State. Steps are being taken to give advances for agricultural operations including purchase of new seeds, and where necessary cattle. Two thousand maunds of seed paddy have been brought from Assam and West Bengal and distributed to the cultivators at concessional rates.

If there is any hardship anywhere, even now we should certainly like to do all we can to mitigate it and to meet the requirements of the situation.

Shri V. G. Deshpande (Guna): What is the date of the report read out just now because it refers to 3rd June only?

Pandit G. B. Pant: This report has just been prepared out of the papers that we have in our office. We have received no information recently about any floods. I do not know if any person has seen any floods in Tripura recently. If none has, then we wait for further information from the other side or from the official quarters.

Shri Biren Dutt: We will supply the information. What I want to bring to the notice of the House is that this area is now, as the report goes, completely dislocated and there

[Shri Biren Dutt]

is food scarcity. So, the Government must keep it open and send a communication to the Government of Tripura to arrange to air-drop food. As the report goes, people there are almost starving because the price of rice at Kamalpur is Rs. 60 per maund, and due to landslides road communication has been cut off.

Shri A. K. Gopalan (Cannanore): I want to make a statement on the flood; because there is something very serious. In answer to a short notice question about floods, the hon. Minister laid something on the Table of the House, and then the question was raised by one hon. Member that the names of places where some flood relief had been given were not there in that report. The Prime Minister gave some donation for flood relief in Travancore-Cochin, Malabar and South Kanara from the relief fund, but there is no mention in that statement that there had been floods in those areas. Probably the States are not reporting. It may be that flood relief is given through one machinery, while reports about floods come through another, but there is no mention in the report that there had been floods in those parts of the country.

As far as Tripura is concerned, it is said that three four days back there had been some heavy floods, and that the damage was greater than it had been in June. So, the States should be asked to report to the Centre and the Central Government should also find out the names of the places where there had been floods.

Dr. Rama Rao (Kakinada): May I make a submission? He can allow the matter to lie over for two or three days.

Pandit G. B. Pant: There is nothing to be postponed because, as I said, we have no information, and nobody seems to be definite. Someone said there were floods yesterday, some said there had been floods some time ago

but some areas were waterlogged. Whatever it be, I do not know. But ordinarily we receive immediate information from the local governments whenever there is any distress, any flood, any earthquake or other calamity. We shall also enquire telegraphically if there has been any flood and if there is any difficulty or any hardship of any type whatsoever it is our desire that the States should go to the help of the afflicted people and provide them adequate relief.

Mr. Speaker: The adjournment motion is about the serious situation arising out of the unprecedented floods in Tripura State. It says that the means of communication have been cut off and necessary relief has not been given. No particular date is mentioned. These floods started a long time ago and, as indicated to the House by the hon. Home Minister by the statement read by him, necessary flood and other relief measures are being undertaken. Of course, the quantum of it is a matter which can be gone into from time to time. Now, this is more or less a continuing situation in a particular place. Under those circumstances, there is no meaning in spending the time of the House on this matter. Whenever any hon. Member receives any information, immediately he may pass it on to the hon. Home Minister or Irrigation Minister for making the necessary enquiries. They do not have that information. I would also urge upon the Government to get this information,—the situation in the country, week by week.....

An Hon. Member: Day by day.

Mr. Speaker:particularly in those areas where there is the danger of floods and whenever a serious situation arises keep this House informed of the steps that are taken. More than that, all hon. Members can communicate whatever information they have got to the Ministers. In the cir-

circumstances, no further action is called for. Consent is not given.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF DAMODAR VALLEY CORPORATION AND AUDIT REPORT ON ACCOUNTS FOR 1954-55

The Minister of Planning and Irrigation and Power (Shri Nanda): I beg to lay on the Table a copy of the Annual Report of the Damodar Valley Corporation along with the Audit Report on the Accounts of the Corporation for the year 1954-55, under sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1948. [Placed in Library. See No. S-292/56.]

AMENDMENTS TO EMPLOYEES PROVIDENT FUNDS SCHEME

The Minister of Labour (Shri Khandubhai Desai): I beg to lay on the Table, under sub-section (2) of section 7 of the Employees Provident Funds Act, 1952, a copy of the Notification No. S.R.O. 1660, dated the 21st July, 1956, making certain further amendments to the Employees Provident Funds Scheme, 1952. [Placed in Library. See No. S-293/56.]

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES ETC.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various Sessions shown against each:

- (1) Supplementary Statement No. V—Twelfth Session, 1956 of Lok Sabha. [See Appendix IV, Annexure No. 47].
- (2) Supplementary Statement No. VIII—Eleventh Session, 1955 of Lok Sabha. [See Appendix IV, annexure No. 48].

- (3) Supplementary Statement No. XII—Tenth Session, 1955 of Lok Sabha. [See Appendix IV, annexure No. 49].
- (4) Supplementary Statement No. XVIII—Ninth Session, 1955 of Lok Sabha. [See Appendix IV, annexure No. 50].
- (5) Supplementary Statement No. XX—Eighth Session, 1954 of Lok Sabha. [See Appendix IV, annexure No. 51].
- (6) Supplementary Statement No. XXIII—Seventh Session, 1954 of Lok Sabha. [See Appendix IV, annexure No. 52].
- (7) Supplementary Statement No. XXXVI—Fifth Session, 1953 of Lok Sabha. [See Appendix IV, annexure No. 53].

AMENDMENT TO COFFEE RULES

The Minister of Consumer Industries (Shri Kanungo): I beg to lay on the Table, under sub-section (3) of section 48 of the Coffee Act, 1942, a copy of the Notification No. S.R.O. 1674, dated the 28th July, 1956 making certain amendment to the Coffee Rules, 1955. [Placed in Library. See No. S-301/56].

MESSAGE FROM RAJYA SABHA

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

In accordance with the provisions of rule 101 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 2nd August, 1956, agreed to the following amendments made by the Lok Sabha at its sitting held on the 17th July,

[Secretary]

1956, in the Hindu Minority and Guardianship Bill, 1955:

Enacting Formula

1. That at page 1, line 1—

for "Sixth Year" substitute "Seventh Year"

Clause 1

2. That at page 1, line 4—

for "1955" substitute "1956"

Clause 3

3. That at page 1, lines 21 and 22—

for "for which provision is made" substitute "dealt with"

Clause 4

4. That at page 2—

(i) line 26, omit "or"

(ii) line 28, omit "or"; and

(iii) line 29, for "or" substitute "and".

Clause 5

5. That at page 3, line 3—

for "made" substitute "contained".

—
SUPREME COURT (NUMBER OF JUDGES) BILL*

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move for leave to introduce a Bill to provide for an increase in the number of Judges of the Supreme Court, excluding the Chief Justice.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for an increase in the number of Judges of the Supreme Court, excluding the Chief Justice."

The motion was adopted.

Pandit G. B. Pant: I introduce the Bill.

STATES REORGANISATION BILL

Mr. Speaker: The House will now take up further clause-by-clause consideration of the Bill to provide for the reorganisation of the States of India and for matters connected therewith, as reported by the Joint Committee. Out of the time allotted for these clauses the balance is one hour and thirty-five minutes. Then we will take up the other clauses. How long does the hon. Home Minister require for reply?

The Minister of Home Affairs (Pandit G. B. Pant): I made a request before your arrival here that if you allow me I would like to reply tomorrow instead of today.

Mr. Speaker: On both groups of clauses?

Pandit G. B. Pant: All of them.

Shrimati Renu Chakravarty (Basirhat): When will the voting on these clauses take place? The discussion on the first group of clauses is over. That is held over. The discussion on the second group of clauses is also already over. That again is going to be held over! How long are we to wait?

Shri S. S. More (Sholapur): We may postpone the consideration of these clauses, in view of the demand of the hon. Home Minister to reply afterwards, to some definite future date because we are coming daily expecting some reply. The result is that our discussion of the subsequent clauses, which are dependent on the first set of clauses which are very vital, becomes unreal. So, let us adjourn straightway. Let him have his own time.

Pandit G. B. Pant: I think hon. Members will realise that certain important proposals with regard to the clauses that were under discussion last week had been made by very prominent members of this House and those amendments have also the backing of the bulk of the members of this House. Apparently,

*Published in the Gazette of India Extraordinary, Part II, Section II, dated the 6th August, 1956, pp. 651-653.

in those circumstances, it becomes the duty of the Government to consider the proposals and not to rush through matters. I have been anxious throughout to expedite the process of codification of this Bill and I want it to be made into law as soon as possible. But, in my anxiety to see things through, I should not override larger and more important considerations. So, it is out of regard for the views expressed by the House that I am making this request and I hope the House will agree with me that instead of grudging and accepting my request they can wholeheartedly endorse it.

Shri S. S. More: I entirely agree with the hon. Home Minister that the matter should not be rushed through. But the proposals which Government are thinking of accepting should be circulated to the House because some of us are very vitally interested in the bilingual formula. Supposing they want to move another amendment for constitutional reasons? So, let us have beforehand a complete picture of what Government wants to place before this House.

Mr. Speaker: There is no harm in postponing the voting when discussion proceeds from one group of clauses to another group of clauses. They are apparently connected with each other. Regarding the zonal system some people may agree under certain circumstances; others may not agree under other circumstances. In some Parliaments, I know that clauses are gone through and at the end of the week or the next week they agree to accept some of the amendments or agree to differ and in the meanwhile the discussion will go on. Now, we are not following that procedure. Occasionally we do that. Under the circumstances, there is no harm in just finishing discussion on these clauses and reserving the reply of the hon. Home Minister on both groups of clauses till the next day and proceeding with the next group. There won't be any inconvenience. The time of the House is very limited and

we have the Constitution (Ninth Amendment) Bill, the Bihar and West Bengal (Transfer of Territories) Bill and various other Bills. We are hard pressed for time. In the circumstances, we shall go on with the next group of clauses.

So far as the other points are concerned, some amendments, amendment Nos. 462 and 463 were already moved and there was enough discussion on those amendments. If further amendments are tabled, certainly they will be considered.

Shri N. C. Chatterjee (Hooghly): I want to raise a point of order whether under this Bill, as it stands today, that particular amendment is valid.

Mr. Speaker: I shall do whatever is proper under the rules. The discussion on clauses 2 to 15 is over. Only, the reply of the hon. Home Minister is pending. Amendments were moved and they were discussed. Now, when the hon. Home Minister begins to reply, then I shall hear if there is any point of order. Now let us proceed with the discussion. Shall I devote all the time for the discussion on the various clauses? 1 hour and 45 minutes have been allotted for discussion by members as well as for the reply by the hon. Minister

Pandit G. B. Pant: You may allot the whole of the 1 hour and 45 minutes to the hon. Members. If necessary, I can curtail my reply.

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rao Bareli Distt.—East): There is a notice of an amendment, namely amendment No. 512 in the name of Shri V. B. Gandhi, myself and Shri Algu Rai Shastri and one other Member.

Mr. Speaker: Is that amendment to this group of clauses, namely clauses 16 to 49?

Shri Feroze Gandhi: Yes.

Some Hon. Members: No.

Shri H. N. Mukerjee (Calcutta North-East): On a point of order...

Shri Feroze Gandhi: This amendment is to clauses 8 to 10.

Mr. Speaker: I am not taking up clauses 8 to 10 now.

Shri Feroze Gandhi: When can we move this amendment?

Shri S. S. More: Is it not too late to move it now? I think it is too late.

Mr. Speaker: Discussion on clauses 2 to 15 is over, and the Minister has agreed to reply tomorrow. As to what further changes may take place, I do not know. The time of the House will not be spent on clauses 2 to 15 or any amendments relating to them.

We are now on clauses 16 to 49, and I shall allow 1 hour and 45 minutes for the discussion on them. Thereafter, we shall proceed to discuss the other group of clauses. If anything more is to be done, let a representative, we shall proceed to discuss the sitter it later, but not now.

Shri V. B. Gandhi (Bombay City—North) rose—

Mr. Speaker: Is the hon. Member also raising a point of order?

Shri V. B. Gandhi: All that we want to know is this. We have given notice of an amendment to clauses 8 to 10....

Mr. Speaker: When?

Shri V. B. Gandhi: On Saturday last.

Shri Feroze Gandhi: It has been circulated to hon. Members.

Shri V. B. Gandhi: It has been circulated. Will it be taken as moved? We may not have any discussion on that....

Some Hon. Member: No, no.

Mr. Speaker: If an amendment has been sent, of course, it will be brought up for consideration in the appropriate place. When the House will consider clauses 2 to 15 and the reply of....(Interruptions by Shri

S. S. More)....I am not giving any opinions now. Should I not hear the Member at least? Hon. Members are entitled to be heard here, though I am entitled to reserve my judgment. So far as that matter is concerned, if the amendment is in order, and if it can be moved, I shall call him. I shall look into that matter at the appropriate time.

So far as the point of order of Shri H. N. Mukerjee also is concerned, I would like to say that it can be raised when the clauses 2 to 15 are considered. I was given a chit in advance as to whether the point of order can be raised or not. I shall consider the question as to whether the point of order can be raised, along with the other matters.

Now, Shri Sarangadhar Das who was in possession of the House last time, will resume his speech.

Shri Nambiar (Mayuram): On a point of order. You were kind enough to reply to a point of order that is likely to be raised by Shri H. N. Mukerjee. But we do not know what the point of order is. Without knowing it, how can we understand the position? (Interruptions).

Mr. Speaker: Order, order. There must be some decorum in the House. I only said, when Shri H. N. Mukerjee got up—he had sent me a chit in advance—that this is not the proper place to consider it. If I have to say what it is, then I shall be discussing the matter now. Indirectly, hon. Members cannot force me to say it now.

Shri H. N. Mukerjee rose—

Mr. Speaker: Whatever point of order is sought to be raised will be called at the appropriate place and at the appropriate time. The point of order relates to some amendments to clauses 2 to 15. When we come to clauses 2 to 15, I shall consider whether that point of order can be raised at that stage. I shall give an opportunity then.

Shri H. N. Mukerjee: May I submit my position? We can raise a point of order, as you, Sir, know better than all of us do, at any time of the proceedings. And my objection goes to the root of the matter, and I say that certain amendments which have been discussed with a great deal of fanfare in the House are *ab initio* void and *ultra vires* of the Constitution.

Mr. Speaker: I am really sorry that hon. Members are not able to understand properly what is going on in the House. I said definitely that clauses 2 to 15 will not be taken up today. The point of order relates to some amendments relating to clauses 2 to 15. Where is the hurry about it?

Shri H. N. Mukerjee: I understand that very well. But to my way of thinking, that is neither here nor there. We have the agenda here before us, and certain clauses are before us for discussion; if certain clauses which are creating a great deal of feeling in the House are liable to a certain point of order, which you might perhaps be pleased to uphold, then it is much better that we save the time of the House by having this matter thrashed out as soon as possible.

Mr. Speaker: I am not prepared to be guided by the hon. Member's advice in this matter. We are putting off the disposal of clauses 2 to 15 to a later date. If any point of order arises, or if a point of order can be raised at any particular time, we shall consider this matter. Now, we are on clauses 16 to 49. After these are disposed of, or rather, put off for the reply of the Home Minister, I shall take up the other clauses. Until all the clauses are disposed of, any hon. Member who can raise a point of order—if it can be raised—can always raise it. At the appropriate time, I shall call the hon. Member.

Shri H. N. Mukerjee: Let me make one submission, which is this. We know very well that....

Mr. Speaker: We are not on clauses 2 to 15 today. Therefore, I am not prepared to hear any representation relating to clauses 2 to 15.....

Shri H. N. Mukerjee: I hope you will be pleased to hear me....

Mr. Speaker: I have heard the hon. Member enough. Now, I am calling upon Shri Sarangadhar Das.

Shri N. C. Chatterjee: May I point out one thing? I just want to draw your attention... (Interruptions.) I do not understand this kind of attitude on the part of hon. Members.

Mr. Speaker: Has the hon. Member a desire to interrupt the proceedings? I am not attributing anything to the hon. Member.

Shri N. C. Chatterjee: I am pointing out to you kindly to take notice of one thing. If you will kindly look at clause 25, which is the next group, we are now considering, you will find the States are being given a certain representation in the Council of States. The table of seats is given there, and the different States are given certain allocation of seats. If you do not know exactly what the set-up of the States will be, how will you make this allocation?

What I am respectfully pointing out for your decision is that these are interlinked and are interdependent. Therefore, you cannot really discuss the allocation of seats to the different States, unless you know what the set-up of the States will be. Therefore, what I am pointing out is that you will really be putting the cart before the horse, and unless you decide the issue in regard to the previous group of clauses, the discussion on this group of clauses will not be real.

Pandit Thakur Das Bhargava (Gurgaon): This very point was taken up by Dr. Lanka Sundaram two days back. And you were pleased to decide that we could go on with clauses 16 to 49.

Mr. Speaker: So, this matter is not one of new impression. Before clauses 16 to 49 were taken up, this matter was placed before the House. All the same, we thought that we could go on with these clauses. So, there is nothing new. It has been already decided that we could go on with these clauses.

If perchance, all the amendments to those clauses, namely clauses 2 to 15 have already been moved—both in respect of a unilingual State, and in respect of a bilingual State and so on—some small additions may be made here or there.

Under these circumstances, we shall go on with clauses 16 to 49.

Clauses 16 to 49.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): The other day, I was speaking on the zonal councils. And I had moved my amendment No. 503, which seeks to add a new clause 24-A, whereby I have pleased for the setting up of a boundary commission.

When the States Reorganisation Commission was appointed, the whole country was expecting that all boundary disputes arising out of the reorganisation of States would be taken up and finalised, so that this matter could be buried for good. Unfortunately for us, the whole matter was not gone into, either by the Commission or by Government who modified some of the recommendations of the Commission.

We have point out both at the Committee stage as well as on the floor of the House that there are various boundary disputes between one State and another. For instance, there is boundary dispute between Bihar and Orissa, between Madhya Pradesh and Orissa, between Andhra and Madhya Pradesh, between the new States of Maharashtra and Karnataka, and between Gujarat and Maharashtra, and so on.

The Zonal Councils, as they are provided for, are to deal with border disputes, linguistic minorities, inter-State transport etc. I believe they will be very helpful in deciding disputes between States with regard not only to transport but to other development projects. For instance, if the catchment area of a river is in one State while the dam is built in another State, that catchment area needs to be reafforested. The Zonal Council concerned will certainly be very helpful in coming to a decision on this point. But as far as boundary disputes are concerned, when there is an area in one State which is claimed by another State, the policy of the Government has been that there must be agreement between the parties concerned. But we have seen that there has not been any agreement with regard to these disputed areas.

Therefore, it becomes very necessary that these disputes should be decided once for all so that the appropriate authority gives its decision in the matter. There should be no further talk about it. Therefore, I have moved this amendment that whenever in a zone two States or more do not come to an agreement, then one of the States or more than one can apply for the appointment of a Boundary Commission to the Union Government, and the Union Government shall appoint a Boundary Commission consisting of Judges of the Supreme Court or High Courts for investigating into, and adjudicating upon, such representation. The Union Government shall also take necessary steps to implement the award of such Commission.

I feel the same way as Government do in this matter, although I am not as frightened because of these disputes as the Government have been or are now. My suggestion for a Boundary Commission consisting of High Court or Supreme Court Judges is such that when an impartial body like that gives its decision one way or the other, both parties will take it as final and will never talk about it even if either is dissatisfied with the

decision. I visualise that in a case where the disputed territory is not given to the State by demanding it the Boundary Commission, the people residing in that disputed territory will have to adjust themselves, although they are in a minority, with the way of life of the majority in everything. There are such areas, for instance, the Oriya-speaking areas in Madhya Pradesh, where I have had experience some years ago. The people there are quite satisfied with the conditions under which they are living, except that they are not able to cultivate their language and their children do not receive schooling in that language. Otherwise, they have adjusted themselves, and I do not believe they would come to Orissa now.

So in future once a Judicial Commission gives its verdict, that will be accepted by both parties concerned and the people living in the disputed area will have to adjust themselves and consider themselves as citizens of the nation and not of any particular State to which they had wanted to go but they could not go. I, therefore, appeal to the House that at least for the settlement of these disputes, a Boundary Commission should be appointed, and I urge upon Government to realise the necessity of this so that the problem of reorganisation, linguistic distribution and so forth will be buried for ever.

Pandit G. B. Pant: Mr. Speaker, Sir, may I request you to extend the time for the presentation of the Joint Committee on the Bihar and West Bengal (Transfer of Territories) Bill from the 7th to the 10th?

Mr. Speaker: A formal motion can be made tomorrow. It may be included in the agenda for tomorrow. Notice is given today.

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

Shri Boovaraghavan (Perambalur): Mr. Speaker, Sir, I thank you very much for giving me this opportunity to speak.

I had been listening to the heated debate on this issue of States reorganisation and the views expressed from various corners of the House. I was also very anxious to take part in that debate because I am also very much interested in my State of Tamil Nad.

Shri Raghavachari (Penukonda): Madras, not Tamil Nad.

Shri Boovaraghavan (Perambalur): We, Tamilians, want it to be called 'Tamil Nad'. I also wanted to represent the grievances of Tamilians as regards this reorganisation of States.

I regret very much the failure of our Government to name Madras State as 'Tamil Nad'. Having separated Andhra from the previous Madras State and Kerala from the present Madras State, it is now entirely a Tamil-speaking area and naturally, it should be called 'Tamil Nad'. The failure of Government to name Madras State as 'Tamil Nad' is an injustice done by our Government to the Tamils.

Though I have to confine myself to certain clauses of this Bill, as I have not had an opportunity of taking part in the general discussion on this Bill or on the previous group of clauses—only one or two Members from Tamil Nad have taken part in those discussions—I would, with your permission, like to say a few words more, though they are not confined to these clauses. First of all, I should like to bring to the notice of the Government and the House that those Tamil areas which are, according to the Report of the Joint Committee, to be added on to Kerala State and Andhra State, should be properly delimited by appointing a Boundary Commission. You should not have started States reorganisation at all. But once you have started it, you must see whether States are properly arranged on the language basis. Take, for instance, Tamil Nad. A portion of Tamil Nad is added on the one side to Kerala State, and on the other side, to Andhra State. It is not only with regard to Tamil Nad, but also with regard to other States that this incon-

Shri H. N. Mukerjee

venience or injustice has been done by the Government of India. Therefore, this question should be thoroughly and properly attended to by appointing a Boundary Commission.

I should like to say something in detail regarding Tamil Nad. It is an injustice to Tamil Nad not to have added the two taluks of Deviculam and Peermede to it; they are predominantly Tamil speaking areas. The whole taluk of Shencottah should also have been included in Tamil Nad. In Chittoor and Tiruttani also, the majority of the people are Tamil-speaking; and Tirupathi temple also should be added to Tamil Nad.

An Hon. Member: You are welcome to worship there.

Mr. Speaker: Does the hon. Member want the temple alone or the area?

Shri Nambiar: The whole area including your constituency.

Shri Boovaraghavan: The majority of the people here are Tamil-speaking and if a portion of the Tamil-speaking area is added to Andhra State for future administration....(Interruption).

I do not want to be interrupted because I want to put forth all my ideas, as far as possible, within the short time at my disposal. These boundaries should be decided properly by a Boundary Commission and these areas which are added to Andhra should be added to Tamil Nad. It is the desire of the Tamils that a referendum should be taken or a Boundary Commission should be appointed to decide these disputes so that they may not arise in future.

I would like to say a few words regarding water resources. When States are formed on the basis of language, there will be great trouble in the matter of water resources. One State which is having all the rivers may say, 'We are not going to allow our waters'. Because ours is a unitary form of Government, I would suggest that the Centre should take all the

water resources under its control. If the Constitution does not permit it, I would request the Government to amend the Constitution so that we can bring all the water resources under the control of the Central Government and distribute water to all places without any discrimination, as far as possible.

I am also interested in one thing to which many of the hon. Members have referred, namely, Bombay. As many of the hon. Members have said, I also feel that Bombay should legitimately be given to the Maharashtraans.

Mr. Speaker: I am not going to allow it now. I allowed the hon. Member some indulgence because he said he had not partaken in the general discussion. He comes from Madras and he is not concerned with Bombay. So, let him confine his remarks now to clauses 16 to 49, which are under discussion.

Shri Boovaraghavan: I submit that the name of Madras should be changed to Tamil Nad and that a Boundary Commission should be appointed immediately to go into the question of settling border disputes.

श्री शिवमूर्ति स्वामी (कुष्ठगी) : अध्यक्ष महोदय, जब विल पर बहस की पहली स्टेज खत्म होने पर मैं होम मिनिस्टर (गृह मंत्री) साहब का जवाब सुन रहा था तो उन्होंने कहा था कि वार्डर डिस्ट्रूट्स (सीमा विवाद) के जितने भी जगहे हैं उनको जोनल कॉसिलों (प्रादेशिक परिषद्) की तहत रखा जायेगा और उन के द्वारा ही साल्व (सुलझावा) करने की कोशिश की जायेगी, लेकिन जोनल कॉसिल (प्रादेशिक परिषद्) का जहां पर जिक्र है वहां पर वार्डर डिस्ट्रूट्स का कोई भी जिक्र नहीं है कि किस तरीके से उन को साल्व किया जायेगा और उन को साल्व करने के लिये कौन से तत्व का इस्तेमाल किया जायेगा। स्टेट्स रिकार्ड्स-नाइजेरियन (राज्य पुनर्गठन) के सिलसिले

में दो ही बड़े क्षेत्र (प्रश्न) नजर आते हैं, एक तो सब से बड़ा सवाल बांधें के सिलसिले में उठता है। मैं समझता हूँ कि जो भी जोनल सिस्टम (प्रावेशिक प्रणाली) बिल में इंडो-इयूस (पुरास्थापित) किया गया है, उस के अन्दर कोई एकेंटिव पावर (प्रभावी शक्ति) नहीं है। फिर भी अगर म्यूचुअल अन्डर्टॉडिंग (पारस्परिक विनियम) के प्रिसिपल (सिद्धान्त) पर उन को हल किया जाना है तो उस को बिल में शामिल करने की मैं होम मिनिस्टर साहब से अपील करता हूँ।

जब मैं म्यूचुअली (परस्पर) तय करने की बात मुनता हूँ तो मुझे ब्रिटिश गवर्नरेंट की बात याद आ जाती है, जो कि यह कहती थी कि अगर कांग्रेस और मुसलिम लीग दोनों कोई चीज़ तय कर के आ जायें तो हम हन्तुस्तान को इंडेंडेंस (स्वतन्त्रता) दे देंगे। बहरहाल अगर दक्षिण भारत में बांडर डिस्प्यूट्स के सिलसिले में आपस की बात चीत से मामला तय हो सकता है तो हमें कोई उच्च (आपत्ति) नहीं है। जब हम लोग लिंगिस्टिक प्रिसिपल (भाषा सम्बन्धी सिद्धान्त) को छोड़कर रास्ते में इधर उधर भटक जाते हैं तब स्टेट्स रिप्रें-नाइजेशन (राज्य पुनर्गठन) के सिलसिले में मुदिकलात पैदा हो जाती है। लेकिन बहरहाल चूंकि यहां पर म्यूचुअल अन्डर्टॉडिंग की बात कही जाती है, इसलिये हम आंध्र, महाराष्ट्र, और कर्नाटक, इन तीनों रोजन (प्रदेश) के एम० पीज़ (संसद् सदस्य) बेस्टर्न कोर्ट में मिले और यूनिनिमसली (एकमत से) जिस प्रिसिपल को हम ने एकेस्ट (स्वीकार) किया उस को मैं आप के सामने रखना चाहता हूँ। कम से कम आप उनके ऊपर और करके जोनल कौसिल के द्वारा उन मुदिकलात को हल कीजिये मैं आप को इजाजत से जो कुछ बहां तय हुआ उस को पढ़ना चाहता हूँ:—

"Settlement of border disputes.

At a meeting held at the Western Court on the 5th and 6th August, 1956, of the Members of Parliament of all parties and of Andhra, Karnataka, Maharashtra and Hyderabad, it was agreed that the border disputes should be settled on the basis of the following principles:—

- (i) contiguity of the language area;
- (ii) majority of 55 per cent. and over of a particular language-speaking population in the unit as per the latest Census returns;
- (iii) the unit to be a revenue firka or a revenue circle or a group of villages, if less than a firka;
- (iv) even an individual village or villages mutually agreed upon irrespective of any consideration;
- (v) major administrative or economic considerations and the wishes of the people of the unit, village or town.

In pursuance of these agreed principles, committees may be appointed to settle the border disputes immediately with a view to hand over to the Home Minister for adoption.

In cases left unsettled, we urge upon the Central Government to bring about the border settlement based upon the above principles through the adjoining States mutually agreeing within 6 months from the States reorganisation coming into effect. If still certain border disputes remain for settlement by the failure of the States mutually agreeing, the Centre shall provide a proper independent agency to finalise the disputes based upon the above principles."

1 P.M.

इस तरह से जो म्यूचुअली एप्रील प्रिसिपल्स (परस्पर स्वीकृति प्राप्त सिद्धान्त) इन बोंडर डिस्प्यूट्स को तय करने के हम ने तय किये हैं, मैं चाहता हूँ कि इनको मान लिया जाये और इन के आधार पर ही इन

[श्री शिवमूर्ति स्वामी]

डिस्प्लूट्स को हट किया जाये। मैं यह भी बतलाना चाहता हूँ कि इन प्रिसिपल्स को तय करने के लिये कोई प्राफिसर (पदाधिकारी) भी होम मिनिस्टरी (गृह कार्य-मंत्रालय) की तरफ से डिप्टी नहीं किया गया था कि जिस की मदद से हम ऐसा कर सकते और न ही कोई नक्ता हमारे सामने पे। यह बात गलत है कि हर एक आपना आपना हिस्सा लेना चाहता है और उसी की फिल में है। मैं आपको बतलाना चाहता हूँ कि हम लोग लेने के लिये भी तैयार हैं और देने कि लिये भी तैयार हैं। लेकिन यह काम तभी ठीक तरह से हो सकता है जब कोई सेट प्रिसिपल्स तय कर दिये जायें। जो लोग किसी दूसरी स्टेट में जाना चाहते हैं उनकी इच्छा को हमें पूरा करना ही होगा। मैं नहीं चाहता कि दिल्ली में बैठकर बिल्कुल ही अनप्रिसिपल्ड (सिद्धान्तहीन) तरीके से आप इन बोर्डर डिस्प्लूट्स को तय कर दें। जिस तरह से आप माइनरिटीज (अल्प-संस्कृक) के बारे में कुछ प्राविचंस इस बिल में रख रहे हैं और उन को सेफगार्ड देने की बात कर रहे हैं, उसी तरह से आपको इन बोर्डर डिस्प्लूट्स (सीमा विवादों) को भी कम से कम तकनीकी लोगों को दिये, तय करना चाहिये। लिहाजा मैं प्रार्थना करता हूँ कि अगर होम मिनिस्टरी इन डिस्प्लूट्स को बहुत दिनों तक लटकाये नहीं रखना चाहती और ज्यूडिशियल एव्वाइंटमेंट्स (न्यायिक नियुक्तियाँ) करके इनके सेटलमेंट में देर समाना नहीं चाहती तो उसे इन प्रिसिपल्स के आधार पर इनका फैसला कर देना चाहिये।

दूसरी बाँध जो मैं कहना चाहता हूँ वह जोनल काउंसिल्स (प्रावेशिक परिषद) के बारे में है। मैं यह बताना चाहता हूँ कि मैं जोनल काउंसिल्स के बिल्कुल सिलाफ हूँ। इसका कारण यह है कि आपने कांस्टीट्यूशन में इनका कहीं पर भी जिक नहीं किया है। अब आप स्टेट गवर्नर्मेंट्स (राज्य सरकारों) के साथ सलाह करके

आपकी जो प्लानिंग (आयोजन) की स्कीम्स (योजनायें) हैं उनको ठीक तरह से चलाने के लिये इन काउंसिल्स का निर्माण करना चाहते हैं। ये काउंसिल्स एडब्ल्यूआरी (परामर्शदात्री) नेचर (प्रकार) की होंगी। अब जब आप इनको कांस्टीट्यूट (बनाने) करने जा रहे हैं तो मैं समझता हूँ कि आपको इसके बारे में कांस्टीट्यूशन (संविधान) में कोई एमेंडमेंट भी कर देना चाहिये। अभी तक उसमें इसके बारे में कोई जिक नहीं किया गया है। जिस तरह से आप इनको कांस्टीट्यूट करने जा रहे हैं, उससे तो मैं यह समझता हूँ कि ये भी लोकल वाईडोज की तरह से और डिस्ट्रिक्ट बोर्ड्स (जिला बोर्ड) की तरह से इनइकॉनिक्ट (प्रप्रभावी) होंगी।

ज्यादा बहुत न लेते हुये मैं इतना ही कहना चाहता हूँ कि इन बोर्डर डिस्प्लूट्स को आप परमात्मा के लिये खत्म कर दें। अगर आपने इनको अब खत्म न किया तो इसका नतीजा यह होगा कि स्टेट्स की तरफ से म्यूचुअली एक्सीड जीजे आपके पास आयेंगी और फिर आपको उन्हें यहां पर पास करवाना होगा जिससे कि पालियार्मेंट का बहुत सा बहुत खर्च होगा। मैं समझता हूँ कि अब भी बहुत है और इनको सेटल किया जा सकता है। साथ ही साथ मैं चाहता हूँ कि जो प्रिसिपल्स मैंने पढ़ कर सुनाये हैं, उनको मान लिया जाये।

Shri N. P. Nathwani (Sorath): I rise to speak in support of my amendment No. 508, which seeks to provide that the office of Adviser in Kutch shall not disqualify the holder thereof for being elected as a member of the Legislative Assembly of Gujarat. Sub-clause (4) of clause 30 provides that the members of the electoral college for Kutch will have to elect eight persons from amongst themselves to the Legislative Assembly of Gujarat. At present there are two members of the electoral college of Kutch who are-

holding the office of Adviser to the Chief Commissioner for Kutch. If the election of these eight members is to take place and if the Adviser will not be eligible for election as member of the Assembly for Gujarat, these two persons, who have been associated closely with the administration of Kutch since the last five years, will be barred from getting elected as members of the Gujarat Assembly. Under the Prevention of Disqualification Act, the office of Adviser for Kutch is not excluded. Therefore, unless this disqualification is removed, they would not be able to stand as candidates for election as members of the Legislative Assembly of Gujarat. It would be the desire of the people of Kutch that these two persons should be sent to the Legislative Assembly. Nor will it be advisable for them to resign their post as Adviser, because at this juncture their collaboration as Advisers is absolutely necessary. It is, therefore, necessary and just to see that this disqualification is removed and it should not be attached to the office of Adviser for Kutch. With these words I commend my amendment to the House.

Shri Keshavaiengar (Bangalore North): I thank you for having given me an opportunity at this stage to say a few words on this Bill.

I have moved amendment No. 505 relating to the third schedule of the Bill which is printed on page 60. The schedule relates to clause 41 of the Bill and deals with the delimitation of constituencies. This clause allocates the seats in the House of the People and assigns the number of seats in the local Legislative Assemblies of the several States. This schedule has been modified according to the Bill before us. I see from the schedule that the seats in the House of the People are allotted on the strength of the population and on the basis of the seats in the House of the People the seats in the local Legislatures are assigned. I find that several States are given different multiples and proportions. For example, out of the 15 States, including Jammu and Kashmir, one State

has got a multiple of 1:9, two 1:8, eight 1:7, two 1:6 and two 1:5.

With regard to the State of Mysore, the proportion or multiple has been reduced from 1:9 to 1:7. I do not understand on what basis this has been done, because in the Bill I do not find a single word as to the necessity for this reduction. I have had some contacts with the Delimitation Commission, and from what little I know, I find that no definite principle or basis is involved in this allocation of seats. Perhaps the only point taken into consideration is the quantum or number of seats in the local Legislature being suited for the efficient administration of the State. So far as Mysore is concerned, we have had the people participating in the administration as far back as 1865; from the days of Rangachari we have had a representative system of government in Mysore. We have had 300 members in the existing State of Mysore. No doubt, the present State of Mysore is going to be doubled when the new State of Mysore is formed. What was one crore population will become two crores and what was 3,600 square miles in area will become 8,000 square miles, but that does not mean that the number of seats in the local Legislature might be reduced. In fact, the Legislature of the State of Mysore has unanimously moved an amendment and passed a resolution requesting that the multiple be maintained at 1:8. I have moved an amendment that the original proportion 1:9 may be maintained for the new State of Mysore. Otherwise, we will be losing to the extent of 52 members of the local Legislature. The people of Mysore being very well accustomed to the representative system of administration, it creates a very great hardship. In fact, I learn that in regard to some portions of the territories coming into the new State of Mysore from Madras, Bombay and Hyderabad, the proportions are 1:5 and 1:7. In Coorg, the proportion is 1:24. But in the present State of Mysore, which forms almost exactly half the entire extent of the new State of Mysore, we

[**Shri Keshavaiengar**]

have the prevailing multiple 1:9. I do not see any reason why we should reduce this ratio from 1:9 to 1:7. I am sure that the demands of the local legislature are justified and we have got to respect their request. I have, therefore, proposed an amendment seeking to raise the number in the Mysore legislature from 182 to 234. I do not think that we should pause or hesitate to accept this amendment for the reason that it might cause any delay in the conduct of elections. I know it for a fact that the Delimitation Commission has already carved out these constitutions in the proportion of 1:7 because the Bill has mentioned this matter. It can easily get the constituencies worked out for the ratios 1:8 and 1:9. The Election Commission will be the last body to come in the way of delay in regard to this matter. They have got the skeleton of the constituencies prepared for all these three kinds of categories.

Then, there is the question of zonal councils. I refer to clause 17(d). If the bilingual State of Bombay and Gujarat is constituted, it will lead to a consequential amendment in clause 17(d). In fact the bilingual State which is likely to be carved out at the request of a large number of Members of this House will certainly eliminate the necessity for clause 17(d). It is a very welcome step and I wholeheartedly support the proposition. That is the best way of solving the problematical problem of Bombay. I would appeal to my friends from Maharashtra and Gujarat to set an example for the whole of India by helping us to bring about this State.

Shri Namkhaiar: I would ask you, Sir, not to have a discussion on that subject.

Shri Keshavaiengar: I would not hesitate to have a Dhakshina Pradesh also.

Shri Namkhaiar: That is a controversial point. I do not object to his referring to the multi-lingual Bombay State or other States but then, every-

one of us may be permitted to deal with that problem.

Shri Keshavaiengar: I crave your indulgence. I had no opportunity at any stage of this Bill to say a few words and having had the opportunity now, I thought of saying a few words.

Mr. Speaker: A number of hon. Members had not had opportunity. We have almost passed clauses 2 to 15; the discussion on them is over.

Shri Keshavaiengar: I am only referring to clause 17 (d) relating to zonal councils. So, I am not out of bounds.

Mr. Speaker: The hon. Member says that instead of this body being for only a particular purpose, there must be a Government for all these zones.

Shri Keshavaiengar: What is sought to be done in clause 17(d) can be done if a bilingual State is accepted. Referring to clause 17(e) I may also say that we can have a Dakshina Pradesh.

Mr. Speaker: Why does he say bilingual 'State' or 'unilingual State'? Instead of these councils acting in an advisory capacity, he may say that they must be there for the purpose of governance also.

Shri Keshavaiengar: So far as the name of Mysore State is concerned, I wish to say a few words. Mysore has built a reputation of its own for tolerance, homogeneous temperament and things of that kind. I do not see any reason why we should hesitate to retain that name. Clause 15 actually provides that in case there is any desire on the part of the local legislature, they have got every authority to change the name. I feel that it would be good to retain the name 'Mysore' for the new State.

It does not matter much. Tamil Nad is known as Madras. There is nothing wrong in Mysore being the name for the new Karnataka State—Karnataka being the popular name and Mysore being the official name.

The Minister in the Ministry of Home Affairs (Shri Datar): The name of the State cannot be changed by the local legislature.

Shri Keshavaiengar: The name, extent and boundaries can be changed.

Shri Datar: The name, extent and boundaries of any district or division can be changed, not those of the State. It has to be done by an amendment in the Constitution. Clause 15 would not allow a change in the name of the State.

Shri Keshavaiengar: Then, none will be more happy than myself. I would like the name to continue as the official name, the popular name being Karnataka.

Mr. Speaker: The matter will be discussed in the Constitution (Amendment) Bill.

Shri Datar: Under the Constitution, only the Parliament can change the name of the States.

Shri Keshavaiengar: I appeal to the Government to accept my amendment No. 505, raising the membership from 182 to 234.

Mr. Speaker: The hon. Minister seems to say that when a State is formed, it ought not to have any other name. Take for instance a particular case. Madhya Pradesh, Madhya Bharat, Vindhya Pradesh and Bhopal are all now merged into one Madhya Pradesh. Is it obligatory for them to choose one of these four names and not call it by a different name?

Shri Datar: No, Sir. If a name has been accepted while passing the Constitution (Amendment) Bill and this Bill, it is no longer open to the State legislature to change the name.

He made a reference to clause 15 dealing with the change in the names of the districts. That is why I pointed out that he could not refer to clause 15 while referring to a change in the name of the State.

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Shri Keshavaiengar: I interpreted clause 15 in a different manner. I shall be grateful if Government could accept my amendment No. 505 and thus provide for a legislature with 234 members instead of 182 as provided at present.

Shri U. M. Trivedi (Chittor): Mr. Speaker, to begin with, I want to point out a little difficulty that is there in the provisions made in clause 49. I do not know whether the Government has applied its mind after notice of my amendments numbers 425 and 426 were given. This clause 49 lays down that, if a particular elector or a voter happens to be in a connected State and then if a new or reorganised State is formed out of it, then he will be entitled to stand for election. That is the provision contained in this clause. In the whole Table that is given in this clause, the name of Rajasthan has been entirely missed. Sironj, a portion of Rajasthan is being given over to Madhya Pradesh. So the people of Sironj will find themselves in difficulty if Rajasthan is not included in the list of that category of States.

Similarly, as against Rajasthan a further mention must be made of the connected State of Bombay, inasmuch as a portion of Bombay is going over to Rajasthan. Therefore, to that extent this amendment will have to be suitably made. To the list of the new or reorganised States the name of Rajasthan must be added as No. 8 in the list, and against serial No. 4—Madhya Pradesh—the name of Rajasthan may be added along with Maharashtra. Then, against No. 8—Rajasthan, which I have suggested to be added as a new or reorganised State, Bombay and Madhya Pradesh may be shown in the second column because a part of this area, Sunel tappa, is being taken over by Rajasthan. Therefore, I suggest that my amendments may be accepted and suitable amendments carried out in the Table.

Sir, I also want to bring to your notice my amendment to clause 18. Clause 18 says:

[Shri U. M. Trivedi]

"The Zonal Council for each zone shall consist of the following members, . . ."

It appears to be only a one-sided affair, although I think the Zonal Councils are merely some sort of councils consisting of Rai Bahadurs, Diwan Bahadurs and others. Anyhow, since the idea behind creating the Zonal Councils is to bring about some sort of a unitary form of government in India and when you want to introduce this with the foundation of a very bona fide object in view, I would suggest that along with the Union Minister and the Chief Ministers who are to be nominated, a member of the largest Opposition Party should be also included among those who will be the advisers in the Zonal Councils. My amendment is to that effect.

In connection with this clause 18 I have also suggested another amendment. The Zonal Council itself is a sort of an advisory body having absolutely no power. Now, to keep other advisers to the advisers in the Zonal Councils is very redundant and the provision looks ludicrous. I would, therefore, suggest that the provision contained in sub-clause (4) of this clause 18, namely, that one person nominated by the Planning Commission, the Development Commissioner or any other officer nominated by the Government of each of the States be included as advisers to assist the Council, may be dropped out. They will be merely drawing unnecessarily dearness allowance and travelling allowance and create a burden on the Government. It is enough that the Chief Secretary to the Government is there who can be consulted in all the matters that may arise.

In clause 19 there is a great deal of lacunae. Even in Company Law, or wherever we have got a body corporate acting in one manner or the other, there is a provision that that body corporate must meet so many times in a year—say, twice, thrice or four times in a year. There must be

some such thing specifically laid down. I, therefore, urge upon you, Sir, to bring it to the notice of the Government, and the Government will do well to look into it, that this clause 19 keeps completely silent over this question as to when—twice, thrice or four times in a year or once in five years—the Zonal Councils shall meet. There should be some indication in the clause itself that the Zonal Councils shall meet so many times in a year. By my amendment I seek to provide that the Zonal Councils shall meet at least twice a year.

Then there is one small amendment which I have suggested to clause 23, sub-clause (2) on page 13 of this Bill. As this Bill stands at present we have a provision that the Zonal Councils may discuss and make recommendations with regard to any matter of common interest in the field of economic and social planning. This is the widest term possible. It may be comprehensive of everything or may not include anything whatever and it may only be mere talk or trash. Therefore, my suggestion is this. Instead of putting "economic and social planning" I want definite words to be put down to show that it would be economic development, some sort of social arrangement or something like that. It should not be kept as vague and as broad as possible. The wider sense must be limited and something definite must be specified as to what should be the object of discussion.

With regard to sub-clause (b) of clause 23(2) I have suggested that inter-State river disputes also should be included along with matters concerning border disputes, linguistic minorities or inter-State transport.

Shri A. M. Thomas (Ernakulam):
For that there is another Bill.

Shri U. M. Trivedi: Let that Bill come. Why not you have it here? You have other Bills for inter-State Transport also. When we are making a provision that there are going

to be some persons who will discuss these disputes, inter-State river disputes are likely to arise. Therefore, such matters also must be given over in the hands of the Zonal Councils. (*Interruptions*). I for one do not like that even these border disputes should carry on. All kinds of disputes must end. Once you form a unitary form of government and make a change-over on the linguistic basis, which is creating all sorts of trouble in our country, we will have no botheration. That apart, once you have to look into this provision that is there, my suggestion is, if the Zonal Councils are to be created, these inter-State river disputes also may be referred to them.

Shri Nambiar: Mr. Speaker, Sir, I have got my amendments numbers 156 and 158 to clauses 17 and 25. My amendments mainly deal with the question of change of the name of Madras into Tamilnad. Sir, in this connection I would like to draw the attention of the House to one point. After the passing of this Bill, Madras State will be confined to the Tamil-speaking areas only. Formerly Madras State meant not only the Tamil-speaking areas but it also included Andhra and Kerala areas. Now it is the desire of the Tamil-speaking people that the remaining area is to be named as Tamilnad. The reason is this. Nowhere in the Tamil literature will you find the word Madras being used. In the days of Britishers they found out this name which was not in the Tamil literature. Sir, you will find that even at present the name Madras is not used by Malayalees; they call it Madirasi. The Telugu people call it Chennaiapatnam and the Tamil people say Chennai. I do not know wherefrom the Government still got the idea that they should call it Madras and that the name, 'Madras,' should be retained still. There is no historical or other reason except that the Britishers coined this word. Today, an overwhelming majority of the people of Tamilnad desire that the name must be changed into Tamilnad. The matter came up in the Madras Legislature during the

discussion of the Bill, but for reasons I do not know, the Congress party did not decide to change the name. Perhaps they thought that by keeping the name as Madras, the prestige of the old Madras State would go to Tamilnad. But we know that at present there is no such prestige remaining for the old Madras State. The ex-Madras State will no more be there, and the State that is coming up is the Tamilnad State, both historically and otherwise. It must only have the name of Tamilnad, the name that the people desire. For no reason whatsoever can the Government retain the name of Madras.

Even in Madras city, the people do not call it Madras. They call it Chennai. There is no word in literature as Madras. Even in the sign-boards in the city and also in all Tamil writings, the word is Chennai. Only the English version is Madras. I know that in Trichinopoly, in Tanjore and as a matter of fact in every district of Madras, the people call it Chennai, whenever they want to refer to Madras. If you ask anybody, "Where are you going?", the reply will be "Chennaikku Pokiren" and not "Madrasukku pokiren" I am not coining a new word as Tamilnad. It is a fact. I request the hon. Minister to apply his mind to this fact. The people desire that the name should be changed to Tamilnad.

I shall now refer to the zonal councils. I say that the zonal councils, as such, would not perform the duties satisfactorily when a certain group of States is involved in the particular zone. The reason is that the zonal councils are not in a position to take any decision by a majority vote. Further, whatever decision they can take by a majority vote, even if it is possible, will not be binding on the States concerned, particularly on the question of border disputes. I do not know how the Government visualise that the border disputes can be settled in a meeting of the zonal council. It is the parties to the dispute that sit in the zonal

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councils—the Chief Secretaries and certain other representatives. They may all discuss the points there but they cannot come to a conclusion unless the matter is referred to the people of the States concerned. Therefore, this question of border disputes will only create still more bitter feelings in the minds of the people there, if it comes over and over again to the zonal councils for discussion. The border disputes cannot be decided at the zonal councils.

Another item that is sought to be solved by the zonal councils is linguistic minorities. The issue of linguistic minorities cannot be satisfactorily dealt with by the zonal councils, because the majority community will have the majority view, and they have got the majority votes, and so they may not agree to the feelings of the minorities. That is exactly why there is a minority problem. The zonal councils, as provided in the Bill, may not do any good to solve the problem. I fear that these zonal councils are there just to create some thinking in terms of a bigger bilingual State for the respective areas and to create what is known as a pradesh, north, east, south or west. If it is the idea of Government to form bigger States through these zonal councils, as is contemplated in the western part of the country or as Dakshin Pradesh as some begin to think in the south—I do not know in what form they propose to form a Dakshin Pradesh as is being ably talked of by Shri Rajagopalachari and others—we can warn the Government that these zonal councils will not be permitted to tackle the issues in such a way as to start or form bilingual States in the shape of Dakshin Pradesh or any other pradesh. We are against such forcible linking up of certain States and bringing out bigger States in the name of Dakshin Pradesh or Paschim Pradesh or Poorva Pradesh, etc. I do not know what is going to happen to the Maharashtra-Gujarat business. We will come to know of it tomorrow.

I say that neither the Maharashtra people nor the Gujarati people will agree to such a merger as is thought of now.

As my friend Shri Keshavaiengar said, there is an idea of bringing in a Dakshin Pradesh. I can say that the people of the south,—Tamilnad, Kerala, Andhra and Karnataka—will all fight till the last against this Dakshin Pradesh. There will be no doubt about it. We do not want any Dakshin Pradesh or any such pradesh. We want linguistic States such as Tamilnad, Kerala, Andhra and Karnataka. I am fully aware of the feelings of the people of Tamilnad. I have come here with the sanction of 15 lakhs of Tamil-speaking people.

Shri Achuthan (Crangannur): Every Member is here, in the same way.

Shri Nambiar: I come from a plural constituency. My constituency is double that of Shri Achuthan.

Shri Kelappan (Ponnani): So is mine. Kerala is for a bilingual state.

Shri Nambiar: Shri Kelappan will have his chance to speak. He will certainly voice the feelings of the Kerala people in the matter of the formation, if any, of Dakshin Pradesh. I am sure—and my hon. friend Shri Kelappan and others also will agree with me—that the people of Kerala do not want a Dakshin Pradesh.

Mr. Speaker: The hon. Member can evidently speak for both Kerala and Tamilnad.

Shri Nambiar: I know the feelings of the Kerala people also in this matter.

Shri Kamath (Hoshangabad): Just as you can speak for Tamilnad and Andhra!

Shri Nambiar: If it is a question of forming any bilingual State and naming the union of States as Dakshin Pradesh or any other pradesh, I say that the Government should put an end to that matter here and now. The people will resist it. Let them learn

a lesson from Bombay; let them learn a lesson from the issue of Bihar and Bengal and the transfer of territories. If the Government still do not have the mind or the intelligence to understand how the wind blows, woe unto them. Let the people be saved, if not the Government. God alone could save it. Please, therefore, do not imagine the formation of Dakshin Pradesh or any other pradesh. It would not be accepted by the people. With these words, I commend my amendments to the acceptance of the House.

Shri R. D. Misra (Bulandshahr Distt.): Does the hon. Member believe in God?

Mr. Speaker: What he feels is that nobody can save him!

Shri M. S. Gurupadaswamy (Mysore): Part III of this Bill dealing with the zonal councils is, I feel, an anachronism. I feel that the formation of the zonal councils is quite foreign to the scheme of reorganisation of the States. It is not only irrelevant to the question of redistribution of States but also extraneous to the Bill that we are discussing. I therefore completely oppose this Part III of the Bill. I feel that this part is unnecessary.

The purpose for which the zonal councils have been brought in is to strengthen the bonds of unity within the country and also to create a proper temper for nationalism in India. If that is the purpose, I feel extremely doubtful whether that purpose could be realised by the functioning of these zonal councils. If you look at the constitution of the zonal councils you will appreciate that there are two or three specific problems in which the zonal councils are expected to take interest, apart from some minor problems. They are firstly, the fields of economic and social planning. In respect of this item, I may say that already the Planning Commission is in charge of national planning, and the Planning Commission is equipped to deal with the question of national planning

very satisfactorily. I am sure that the regional differences and imbalances that operate in the country, the national view and also the regional approach to various questions of planning will all be discussed and adequately tackled by the Planning Commission. So, the Planning Commission is for the whole of India and in view of that, I feel that this function may not be entrusted to the zonal councils. Then, many hon. Members have made it clear that border disputes cannot be adequately and satisfactorily tackled by zonal councils, because the various Ministers who represent their States will come there as contestants and as different parties. I am sure no agreement would be arrived at by the zonal councils in respect of border disputes. I think the ideal way out of this is to appoint boundary commissions for this purpose, or, in the alternative, to have plebiscite in the disputed areas.

Thirdly, the zonal councils will discuss matters of common interest between States and matters relating to linguistic minorities. There are agencies already existing and we will be shortly discussing all the disputes, which will bring down to the minimum the quarrels between States and States in respect of these matters. In regard to linguistic minorities, I am sure it should be the responsibility of the Centre and should not be left to the zonal councils.

Lastly, the matters arising out of reorganisation have to be tackled by the zonal councils. These matters have to be settled once and for all now itself. If we allow these things to continue, if differences of opinion are entertained regarding matters arising out of reorganisation, I feel we will be continuing the sores or wounds. From the point of the unity of India, from the point of view of establishing harmony and good relations between States and States and between the various sections of the community, it is desirable not to rake up these issues afterwards. These matters, which

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would be adequately tackled by other agencies, are not to be dealt with by the zonal councils. So, I feel that zonal councils are not necessary; they are foreign to the scheme of reorganisation. But if my friends are so insistent that zonal councils should find a place in the scheme of reorganisation and exist as a necessary evil, the whole thing may be simplified. Instead of having five zones, you may have three zones—eastern, western and southern zones. I have suggested this in my amendment No. 88. I feel that the matters that are to be dealt with by zonal councils are very very limited and so, a larger area would be more desirable than having smaller zones for this purpose. Moreover, you will be grouping a large number of States in a particular region under one zone; and, even from the point of view of consultation and for the purpose of planning, that region forms one geographic unit. So, I suggest that my amendment may be accepted.

There are a few provisions here which deal with the structure of the zonal councils. One is that there should be an advisory committee. Zonal councils are themselves advisory committees or consultative bodies and I feel it is unnecessary to have another advisory committee. It is redundant and I feel that sub-clause 18 may be deleted. I have suggested another minor amendment stating that there should be only the Chief Minister and not two other Ministers from the various States. There should be only one member from Part C States. If these amendments are accepted, I am sure the structure of the zonal councils will be simplified and they will be more rationalised. Also, the administrative expenses involved will be very much minimised.

Then, I come to the question of legislative councils. I feel that the legislative council has been rather an anachronism in a democratic society. The Bill contemplates the setting up of legislative councils in the four

States of Madras, Maharashtra, Mysore and Punjab; in all the other States there will be no legislative councils after reorganisation. When we can do away with legislative councils in other States, why can we not do away with them in these four States also? What is the extra purpose that these legislative councils will serve in these four States? I feel that from the point of uniformity we should do away with these legislative councils. Even from the point of view of efficacy, I do not think they will serve any useful purpose, except the purpose of getting a few people indirectly into these bodies. I do not see any point, therefore, in retaining these bodies, because the main purpose of the legislative council is carried out by the legislative assembly. Legislative councils are expected to put a check on hasty legislation and nowadays hasty legislation has become a rarity. I feel we have got various kinds of apparatus in the legislative assemblies—clause-by-clause discussion for a long time and so many other ways—for deliberating calmly, fully and dispassionately the various pieces of legislation. The retention of the legislative council, is, therefore, quite unnecessary. I feel it is just a decorative appendage and I also feel it is an anachronism in our society. Moreover, it will be a costly thing. Nowadays we have to deal with very complex types of business; Government business has become very very complicated and we have to pass clauses and other things very quickly. I think the existence of the legislative councils will be a handicap; it will be a sort of legislative bottleneck for passing quick legislation. So, I feel that these legislative councils may be abolished.

My next point is about delimitation. I have moved certain amendments—Nos. 176, 177, 178, 181 and 182. These amendments briefly state that the Delimitation Commission should start its work and the redelimitation should not, as far as

possible, disturb the existing parliamentary and assembly constituencies. Further, I learn that State electoral officers have already sent draft proposals for delimitation. I learn that in certain proposals, there have been violent changes made by the electoral officers. Electoral officers are not expected to send draft proposals. I also learn that these proposals are being drafted under the instructions of the concerned Minister in the State. The Government does not come into the picture of delimitation at all, according to law; they cannot even send draft proposals. I do not know how the Delimitation Commission can entertain such proposals. I say that redelimitation should be done without taking those draft proposals into consideration. Also, redelimitation should be done without unnecessarily disturbing the parliamentary and assembly constituencies as far as possible. In this matter, all the principles in the Delimitation Act should be observed and they should not give a go-by to any provision unless it is warranted.

Another amendment of mine deals with the question of associate members. I have suggested here that instead of five associate members, there should be seven. That was the number that was there originally, when the last delimitation took place. I do not see any reason why this number should be reduced.

Last time there was a lot of complaint from the associate members that their views were not respected. The Delimitation Commission cannot be expected to know the geography of all the places and the associate members are there to guide them, but unfortunately in very many cases their views were not taken into consideration at all although they were very reasonable. And so there was a feeling of bitterness among the associate members. I therefore suggest that if all the associate members are unanimous in respect of the delimitation of a particular constituency, it should be binding on the Delimitation Commission. Of Course, if there is division of opinion, the Commission

may use their discretion but the unanimous opinion of the associate members should not be flouted or disregarded by the Commission. So, I have moved amendment 182 stating that the unanimous opinion of the associate members shall be binding on the Commission, and I commend it to the acceptance of the House.

About the appointment of associate members, I feel that the Speaker should have the authority. According to the Bill, the Government will appoint five associate members, but I feel that the procedure followed previously should be followed even now. The Speaker, after all, is the most impartial person that you can have. We do not suspect his sense of justice and he is capable of holding the scales even. Adequate care has also to be taken to see that Opposition Members are appointed. If the Speaker of this House and the Legislative Assemblies of the States are given that power, I am sure they will exercise it in the right way, and I am sure justice will be done to the Opposition. I therefore feel that the Minister should accept this suggestion.

As far as possible, the old associate members should be appointed.

Shri V. G. Deshpande (Guna): Old in age?

Shri M. S. Gurupadaswamy: I mean the previous members. Of course, in cases where they have changed their party affiliation they need not be appointed, in all other cases the previous members should be continued.

Lastly, the procedure of the Delimitation Commission Act should be followed completely because I find that the Bill contemplates a summary procedure. If there is a summary procedure I feel many people will be dissatisfied, and there may not be proper delimitation. There should be a public hearing of the draft proposals of the Delimitation Commission and the opinion of the public should also be taken into consideration apart from the opinion of the associate members. This is

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very important from the point of view of proper and fair delimitation. I feel this amendment is vital and I appeal to the hon. Minister and the House to accept this so that there may not be any bitterness or heart-burning later on.

I have drafted all these amendments keeping in view their practicability. I hope they will be accepted.

Shri Kamath: May I request that after the hon. colleagues who have given notice of amendments have spoken other Members may be given an opportunity, because we have been away from Delhi and have not been able to table amendments?

Mr. Speaker: I will call him. He did not get up. He was half up and half down.

Shri A. M. Thomas: Till what time will the discussion on this group of clauses continue?

Mr. Speaker: There are a few Members here.

Shri V. P. Nayar (Chirayinkil): That is not the point. We have fixed up a time. He was asking till what time this will continue.

Mr. Speaker: I must have closed this debate at 1.45.

Shri Kamath: I am sure you have got over-all discretion at the stages also to increase the time.

Mr. Speaker: A balance of one hour and 45 minutes remained, but we started at 12.25 or so. Therefore, if a few hon. Members want to speak, I will try to accommodate them.

Shri Anandchand (Bilaspur): I will only take a few minutes. I have moved amendment 502 which concerns election of representatives to the Council of States from the Union

Territories of Bombay, Himachal Pradesh, Delhi and Manipur.

I would like to draw your attention to the report of the Joint Committee on this Bill where they discuss new clause 25. It is mentioned there that in regard to the Part C States it was considered that the representation on the scale of one seat for every million had to be changed because Parliament would be the legislature for these areas. Clause 131 of the Bill as it is before the House now abolishes the legislatures of the Part C States with effect from the appointed date. At the same time, clause 27 as it stands at the moment does not mention the time by which elections to the Rajya Sabha could be expected from the Part C States other than Bombay. So, my suggestion is that in addition to Bombay, the States of Himachal Pradesh, Delhi and Manipur may be added to this clause. I understand that at the present moment the representative who is sitting in the Rajya Sabha representing Manipur and Tripura comes from Tripura. Under the new arrangement when we give one seat to each Part C State, it is Manipur that has to send a representative to the Rajya Sabha for the vacancy that has now occurred.

It is a lacuna that the other three States have not been included in clause 27. I have also given the reason that with the abolition of the State Legislatures, we must have in the Rajya Sabha the representatives of these Part C States as early as possible. There should not be any difficulty in accepting this proposition because the Representation of the People Act 1950 already makes a provision for the setting up of electoral colleges. In Manipur there is already an electoral college which could elect its Members to the Rajya Sabha. The only difficulty might arise with regard to the States of Delhi and Himachal Pradesh. When I was speaking on the Bill on the 27th of last month I made a submis-

sion that it would, to my way of thinking, be correct a democratic procedure to have elections to the Rajya Sabha through electoral colleges in the case of these Part C States. That is direct election and much better than the indirect process whether it is through the panchayats or otherwise. So, if there is a simple amendment to the Representation of the People Act 1950 to include the names of Delhi and Himachal Pradesh for the formation of electoral colleges, I think it would be easy. Very soon after the appointed date these colleges could be formed and the additional seats allotted to these States in the Rajya Sabha could be filled through a process of election through these electoral colleges.

Shri K. L. More (Kolapur cum Satara—Reserved—Sch. Castes): I wholeheartedly welcome this scheme of zones and zonal councils because I feel that these will create a healthy atmosphere in the country. This is the best link between the States and the Union Government and also a healthy link between the States inter se.

2 P.M.

Now I would like to deal particularly with sub-clause (d) of clause 17 which deals with the Western Zone comprising the States of Maharashtra, Gujarat and the Part C State of Bombay. As regards this Western Zone, in view of the desire of many Members of this hon. House and in view of the amendment that has been moved to clauses 8 and 9, let us hope that there will be one State of Maharashtra, Gujarat and the Part C State of Bombay. That amendment is to the effect that there would be a bilingual State of the present Maharashtra, Vidarbha, Gujarat, Saurashtra, etc.

Mr. Speaker: We are not taking up that amendment now.

Shri K. L. More: We are not, but as a reference has been made by my hon. friend Shri Nambiar here I referred to it. If that amendment is accepted, then the Western Zone will

comprise of one State. There will be one State and one Zone and I hope this will be a healthy example to all other Zones. I would say that instead of having so many States, let all those States be merged into one State with one zone and ultimately it would lead to one unitary Government. I do not wish to deal with the other provisions of this Chapter, but I wish to support the principles underlying the idea of zones and Zonal Councils.

श्री बी. घ. देशपांडे : मैं चारा १७ पर अपने संशोधन संस्था २२६, २३०, २३१ और २३२ सदन के सामने प्रस्तुत करता हूँ। जैसा कि सदन को जात ही है, इस चारा के अनुसार देश का विभाजन चार विभागों में—चार जोन्ज में—किया गया है। मेरे विचार में ये जोन्ज अत्यन्त अशास्त्रीय, अभौगोलिक और आर्थिक दृष्टि से भी बिल्कुल गलत हैं। हम देखते हैं कि उत्तर विभाग में—नार्दरन जोन में—उत्तर प्रदेश का कहीं नाम नहीं है। उत्तर प्रदेश को सैटल जोन में रखा गया है। मेरा मत है कि नार्दरन जोन में उत्तर प्रदेश अवश्य होना चाहिये। अगर हम हिन्दुस्तान का चित्र आंखों के सामने लायें, तो हम अनन्भव करेंगे कि जम्मू तथा काश्मीर, हिमाचल प्रदेश, पंजाब, दिल्ली और उत्तर प्रदेश एक ऐसा विभाग बनाते हैं, जो कि भौगोलिक दृष्टि से बिल्कुल कम्पैक्ट विभाग है।

मेरा दूसरा संशोधन यह है कि सैटल जोन में गुजरात, राजस्थान और मध्य प्रदेश होने चाहिये। मध्य भारत के रहने वाले लोग जानते हैं कि मध्य भारत और राजस्थान करीब करीब एक ही विभाग के अंग हैं और चूंकि मध्य भारत को मध्य प्रदेश में सम्मिलित किया गया है, इसलिये मध्य प्रदेश और राजस्थान एक ही जोन में होने चाहिये। इस के अतिरिक्त हमारे मुक्ती गाहूबर्ने ने जिस महागुजरात का स्वप्न अपने घन्थों में चिह्नित किया है। उस में राजस्थान का भी समावेश

(श्री वि० घ० देशपांडे)

किया है। इसलिये मैं समझता हूँ कि भौतिक दृष्टि से और आर्थिक विकास की दृष्टि से यह उचित है कि गुजरात, राजस्थान और मध्य प्रदेश को मध्य विभाग में—सैट्रल (मध्य) जॉन में—रखा जाय।

मेरा तीसरा संशोधन यह है कि वैस्ट्रन (पश्चिमी) जॉन में महाराष्ट्र के साथ आन्ध्र रखा जाना चाहिये। अगर हम हिन्दुस्तान के मानचित्र को देखें, तो हम को जात होगा कि आन्ध्र और महाराष्ट्र पूर्वी समुद्र से पश्चिमी समुद्र तक चले जाते हैं। प्राचीन काल में हमारे राजा महाराजा अपने आप को आनन्दभूत्य कहते थे। उस विभाग का नाम आनन्द-महाराष्ट्र रखा जाय। उन दोनों में कृष्णा और गोदावरी नदियाँ हैं। मेरे विचार में लैनिंग, आर्थिक विकास और उन नदियों की स्थिति की दृष्टि से यह एक बहुत अच्छा विभाग बन जायगा।

इस अवस्था में दक्षिण विभाग में मैसूर, केरल और मद्रास ये तीन प्रदेश आ जायेंगे।

जैसा कि मैंने अभी कहा है, उत्तर विभाग में उत्तर प्रदेश को रख देना चाहिये और राजस्थान को मध्य विभाग में डाल देना चाहिये। अगर हम मानचित्र को देखें, तो हम को जात होगा कि पंजाब से लेकर राजस्थान तक एक बहुत लम्बा प्रदेश बन जाता है। इस को एक विभाग कहना मुश्किल हो जायगा और वह भूगोल के विश्व होगा। मैं अनुनय करूँगा कि यदि मेरे संशोधनों के अनुसार जोन्ड का निर्माण किया गया, तो देश का जोन्ड में विभाजन अधिक अच्छा और लाभदायक होगा।

एक माननीय सदस्य : और ईस्टर्न जॉन ?

श्री वि० घ० देशपांडे : वह जैसा है ऐसा ही रहे। वह बहुत अच्छा है और उन में प्रेम भी बहुत है। उन के एक होने की चर्चा भी चल रही है। इसलिये वह विभाग नेमे दी रखा जाय।

लेजिस्लेटिव कॉसिल्ज (विधान परिषद्) के बारे में मेरा विचार यह है कि जैसे पहले बिल में महाराष्ट्र के लिये लेजिस्लेटिव कॉसिल नहीं रखी गई थी, वसे ही अब भी उसको लेजिस्लेटिव कॉसिल नहीं दी जानी चाहिये। इस के दो कारण हैं—पहला कारण यह है कि मैं किसी भी प्रदेश में अपर चेम्बर रखने के लियाफ हूँ। अब वह कोई रिवाइजिंग बाड़ी नहीं रही है। इस का तो एक ही अर्थ और अभिप्राय है भीर वह यह कि जो हारता है, उस को पैट्रेनेज देने के लिये वहाँ भेज दिया जाता है। मेरा कहना तो यह है कि महाराष्ट्र को लेजिस्लेटिव कॉसिल नहीं मिलनी चाहिये और जो है, वे भी खत्म होनी चाहियें। जो डिमांड मध्य प्रदेश के लिये लेजिस्लेटिव कॉसिल के विषय में की जा रही है, मैं उस का विरोध करता हूँ। बंबई की असेम्बली में एक मत से प्रस्ताव पास किया गया था कि हम को लेजिस्लेटिव कॉसिल न दी जाय और इस विषय में जो संशोधन प्रस्तुत किया गया था, वह बापस ले लिया गया था। इन परिस्थितियों में समझ में नहीं आता कि यह नया ब्रेन-ब्रेव (विचार-परिवर्तन) क्यों आ गया।

श्री गो० घा० खेडकर (बुलडाना-प्रकोला) : आज उनकी डिमांड है।

श्री वि० घ० देशपांडे : यह गलती है। लोग गलतियाँ करते हैं और हम सब देम्बरों को मिल कर, जो कि देश की इस सोबरेन बाड़ी (सम्पूर्ण प्रभुत्व समझ) के अंग हैं, जिस पर देश के कल्याण के लिए असंघय योजनाओं को क्रियान्वित करने की जिम्मेदारी है, उन गलतियों को सुधारना चाहिये।

मध्य प्रदेश में भी लेजिस्लेटिव कॉसिल रखने का जो संशोधन श्री राष्ट्रेलाल व्यास ने रखा है, मैं उस का विरोध करता हूँ—इसलिये नहीं कि मध्य प्रदेश में न हो, बल्कि इसलिये कि किसी भी प्रदेश में न हो ! इस दृष्टि से तो उनका कहना ठोक

ही सकता है कि चुंकि सब जगह लैरात बंट रही है, इसलिये हम को भी कुछ दिया जाय— हम को कुछ क्यों नहीं दिया जाना है, लेकिन सब पूछिये तो उचित यही है कि न उत्तर प्रदेश में और न किसी और प्रदेश में ही लेजिस्लेटिव कॉसिल होनी चाहिये। महाराष्ट्र के लिये भी नहीं होनी चाहिये और मध्य प्रदेश के लिये भी नहीं होनी चाहिये।

Shri Kamath: Mr. Speaker, I shall be very brief, Sir, and I would only invite your attention to clauses 31, 32, 33 and 42. Before I deal with them I would like to say that we are unfortunately handicapped in making useful observations on clauses 17, 25 and one other, because of the fact that the voting on the earlier clauses has been held up, clauses 2 to 15.

It is unfortunate that Government has not been able to make up its mind with regard to these States of Gujarat, Maharashtra and Bombay. The inevitable effect of that has been that the confidence of the people in the country in the ability of Government to take firm decisions has been very badly shaken.

Shri Achuthan: Not at all.

Shri Kamath: Well, you may say so. It is strange that this matter, about which so much has been said and about which the Prime Minister was so firm and, shall I say, so very vigorous and a little angry too both here as also on the Poona Racecourse last week, this matter has been taken up again and is hanging fire. And I wonder whether the Government will be able to make up its mind by tomorrow, as the Home Minister has promised. But let that matter rest where it is.

With regard to clause 31, that is with regard to the elections to the Andhra Pradesh Assembly, I would be happy if the requirements of the Constitution are strictly adhered to. Article 172 of the Constitution provides that every Assembly shall continue for five years, and no longer. And therefore it is incumbent on us, considering particularly that

there is no great difficulty in the way, it is incumbent on us to see that the present Andhra Assembly also dissolved and reconstituted during the next year when the general elections take place—that is to say, the elections to the House of the People and also to the Andhra Assembly, along with the Telengana part of it—and not that this Assembly should become a long Assembly of seven years or longer. There is no reason why we should prolong the life of the present Andhra Assembly at all. And I would support the amendment in that connection moved by my hon. friend that the elections to the Andhra Assembly should be held along with the election to the House of the People during the next general elections, and not that the life of the present Andhra Assembly should be prolonged beyond the constitutional period.

Coming to clauses 32 and 33, it has been a tragedy, as many of us pointed out when the President's Proclamation dissolving the Travancore-Cochin Assembly was discussed in this House, that though it is not required or is not obligatory on the President to dissolve the Travancore-Cochin Assembly he had chosen to do so. Had he not done so, today or rather on the 'appointed day' the Travancore-Cochin Assembly would have been alive to join itself with the Members of Malabar represented today in the Madras Assembly, to sit together and form the new Kerala State Assembly. But it has not been possible to do that. Even so, I would support amendment No. 488 moved by my hon. friend Mr. V. P. Nair in this connection, and I am inclined to support the arguments that he advanced with regard to this amendment. And I think Parliament is perfectly competent, under the Constitution, to make such a provision with regard to the constitution of the new Kerala Assembly, seeking to provide that the members of the old Travancore-Cochin Assembly minus the members representing those talukas which go to Madras or Tamil Nad under the new dispensation, those-

[Shri Kamath]

members plus the members of Malabar District represented in the Madras Assembly shall constitute together the Assembly for the new Kerala State. I am perfectly certain that Parliament is quite competent to do that.

One word about clause 42. Clause 42 deals, in connection with delimitation of constituencies, with the Scheduled Castes and Scheduled Tribes.

Sir, I would ask for at least one ear of the Minister, if not both.

With regard to clause 42, so far as I can recollect a Bill was introduced in this House, which was called the Scheduled Tribes and Scheduled Castes Order Bill. That has not yet figured on the agenda among the pending items of business of this House. I do not know whether that will be taken up and, if so, when. Unless that Bill is taken up and decided and passed by this House, this clause 42, I feel, will be rather difficult to work. I do not know how it can be worked unless that Bill is passed by Parliament. That matter may be examined by the Minister, and in the course of his reply he may later on clarify this point.

Lastly, I would support the amendment moved by my hon. friend Shri M. S. Gurupadaswamy with regard to delimitation and associate members of the Commission in every State. You will recall, Sir, that in the last Parliament it was the Speaker who was empowered under the Act to nominate Members to the Delimitation Committees. I was not present here when the last Commission was appointed. But I understand from my friends that the Speaker was empowered to nominate associate members. I do not know why this departure is sought to be made now. And I am prepared to say that we have certainly far more confidence in you than in the Central Government with regard to this matter. I

suggest that this clause should be so amended as to vest powers in you to nominate the members, so that all the parties in the Parliament, not merely the ruling party but the opposition parties may be represented on it, and not merely in proportion to their numbers but even more than in strict proportion to their numbers. Because, you were pleased to say some time ago, during the Parliamentary Seminar—I need not dwell on it very elaborately—that the opposition should be given more time in the House, should be given more power and more rights and cognate matters, not in proportion to their numbers but even more, for democracy to grow. Sitting in this high Chair, I am sure you still hold those views that you propounded in the Parliamentary Seminar, and I hope that this clause will be so amended as to empower you to nominate the associate members. And in any case I hope that care will be taken to see that the opposition is very well represented on this Delimitation Commission and that adequate number of Members are nominated as associate members of the Commission at every stage.

To illustrate the point of Mr. M. S. Gurupadaswamy I will give only one instance, and I will finish in one minute. He referred to Member crossing the floor and about there being no party loyalties, etc. I will illustrate this with regard to my own State, namely Madhya Pradesh. We were three Members here belonging to my party, the Praja Socialist Party, from the present Madhya Pradesh, namely Shri Asoka Mehta, Shri Magan Lal Bagdi and myself. Now, unfortunately, Shri Magan Lal Bagdi has resigned from my party—I do not know whether he has joined the Congress Party—and Shri Asoka Mehta will under the new dispensation be allotted to Maharashtra and I will be allotted to Madhya Pradesh. So that, though Shri Asoka Mehta was a Member representing Madhya Pradesh (the old State), now in the new dispensation he will be functioning

in the Delimitation Commission of Maharashtra, and I will be in Madhya Pradesh. So that, if the opposition has to be represented in the Delimitation Commissions you will have to see to it....

Sir, I fail to see why the Minister is not listening to the debate even after his attention being drawn to it. It is almost an insult to the House that the Minister should carry on conversation with another Member when the debate is going on. And he is still deaf—the Treasury Benches are deaf, as a rule; I know, I have not complained on that score.

Mr. Speaker: The hon. Member is anxious to catch the hon. Minister's ear, so that he may give a reply.

Shri Datar: I am all attentive so far as Mr. Kamath is concerned.

Shri Kamath: Will you tell me what I was referring to, not the actual words, but what matter I was referring to? It is very strange that Parliament is treated in this cavalier fashion by the Minister. I am sure that you will exercise your power to see that the Minister fulfils his duties to the House. Members on this side of the House as well as the other side must respect Parliament. The Minister should listen to the debates particularly when he is the only Minister in the Treasury bench. There is no other business....

Mr. Speaker: There is a limit to which hon. Members can go. The Minister is present here.

Shri Datar: I am here. I am taking down notes. It is unjust on the part of the hon. Member...

Shri Kamath: I have a right to ask you what points I have raised.

Shri Datar: I refuse to be cross-examined. I have been taking down notes.

Shri Kamath: It is no use arguing. If you are angry, I am more angry.

Shri L. N. Mishra (Darbhanga Bhagalpur): We have nothing but anger.

Mr. Speaker: There is no use of losing temper. The hon. Minister is here and he is taking down points. But every point that an hon. Member urges need not be noted down partly because it is not very important—though, from the point of view of the hon. Member it may be very important—and partly because it has been covered by the statements of other Members. Of course, when some important matter relating to the Bill is under discussion it may be that another hon. Member may come in to have a word with the Minister. Then, his one ear is dedicated to the member who is speaking and the other ear is dedicated to the discussion. Now, therefore, let us carry on discussion on this Bill, which is contentious. There may be really differences of opinion on very vital matters. One Minister or the other is always here and I know that the hon. Minister has always commanded the respect and regard of the House. Whenever he speaks, he tries to satisfy all the sections of the House fully and even his answers are full. In the circumstances, nothing can be said against the Minister at all. He has been hearing and he is particularly attached to Mr. Kamath.

Shri Kamath: I never insisted that the Minister should note down everything, just as we also do not care to listen to everything that the Minister says. But important points should be noted down.

Shri Datar: Happily, he does not mean what he says. Sometimes he uses harsh expressions. But I never feel wounded. I have a soft corner for him.

Shri Kamath: I am not fond of your soft corner.

Shri D. C. Sharma (Hoshiarpur): May I know why this favour has been shown to Mr. Kamath?

Shri Kamath: The remark is not at all audible. So I will not trouble to reply.

Shri K. K. Basu (Diamond Harbour): You are not to answer to that point.

Shri Kamath: Sub-clause (3) of clause 48 reads as follows:—

"As soon as may be after the said Order is received by the Central Government or a State Government, it shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State."

I was out of Delhi due to circumstances beyond my control and so I could not move any amendment to this sub-clause. I do not know whether any amendments have been moved by my other colleagues. This order must be subject to modification by the House. That is not expressly provided in the section. We have accepted the formula in almost every Bill that has lately come before the House that any order laid before the House by the Government will be subject to modification within a certain period—15 days or one month. I hope that this formula will be accepted in this clause also. We must provide that "the Order so laid before the House of the People shall be subject to modification by the House".

Mr. Speaker: We have had enough of discussion in this matter. Actually, the time has been exceeded by half an hour. We will now proceed with the next group of clauses. So far as the reply to these clauses, clauses 16 to 49 are concerned, that will stand over till tomorrow. The House will now take up clauses 50 to 70 of the States Reorganisation Bill, for which 20 hours have been allotted. Hon. Members who wish to move amendments to these clauses will kindly hand over the amendments to the Secretary within 15 minutes.

Pandit Thakur Das Bhargava: May I just point out one thing? You were pleased to say that clauses 50 to 70 will be taken up now. What about clauses 49A, 49B, 49C and 49D?

Shri U. M. Trivedi: They are new clauses which have been moved by Pandit Thakur Das Bhargava.

Mr. Speaker: Is the hon. Member referring to them?

Pandit Thakur Das Bhargava: I have given notice of amendments to clauses 49A, 49B, 49C and 49D.

Shri Datar: Is it a new amendment by the hon. Member?

Pandit Thakur Das Bhargava: I propose to move them.

Mr. Speaker: Whenever hon. Members want to move amendments to make additions to the existing clauses, they may state so before we proceed to the next group of clauses. Then we will dispose of all the amendments. At any rate, we may put those amendments to the vote of the House along with the other amendments, later on, when they are put to the vote of the House. Now, before we take up clauses 50 to 70, we might have discussion on those amendments. I would, therefore, suggest that for future let this be the rule. Now we are taking up clauses 50 to 70. In between, if hon. Members have tabled amendments for additions of particular clauses, new clauses, in between from clauses 50 to 70 both inclusive, we may discuss them now. They may be treated as moved and hon. Members who want to speak may speak. Therefore, let there be no separate discussion of this matter. Let them all be taken up in a group together. That is what I think was done already. There is no need to refer to it now.

Pandit Thakur Das Bhargava: As a matter of fact, it so happens that these four amendments, clauses 49A, 49B, 49C and 49D have got no relation whatsoever to clauses 50 to 70. They are on a different subject.

Mr. Speaker: Do they have no connection with clauses 16 to 49? We have put all the clauses into groups.

Pandit Thakur Das Bhargava: They have absolutely no connection with clauses 50 to 70.

Mr. Speaker: If they have no connection with clauses 50 to 70, have they no connection with clauses 16 to 49, the preceding clauses?

Pandit Thakur Das Bhargava: They have no connection not even with the preceding clauses.

Mr. Speaker: Then is it a new Bill?

Pandit Thakur Das Bhargava: I am going to move them with your permission.

Mr. Speaker: Without going into any detail, I will allow all the new clauses, which are connected with one or the other of the clauses which are consequential or otherwise, in groups. Let all those amendments be treated as moved and let them all be disposed of along with the other group. If they do not fit in, it is a matter of argument when they can be fitted into the Bill.

Pandit Thakur Das Bhargava: As a matter of fact, these amendments do not have any sort of relation to any of the clauses in the Bill.

Mr. Speaker: Then how is it relevant?

Pandit Thakur Das Bhargava: It is a question of reorganisation of States. This is very much connected with the reorganisation of States.

Mr. Speaker: What I have already been doing is this and the hon. Member is also aware of this practice. If any hon. Member wants to have his amendment treated as moved, he sends his chit to the Table and then those amendments are discussed.

Pandit Thakur Das Bhargava: Just as you order. But my point is that I do not want to move these amendments without bringing this matter to your notice. As a matter of fact, it is a debatable question whether these amendments should be here or in the other Bill, namely the Constitution

(Ninth Amendment) Bill. According to me, they can be moved in both the places. But still I want your guidance. If you say that they are relevant here, I shall move them here.

Sardar Hukam Singh (Kapurthala-Bhatinda): There is no mention of any allied provision here in the States Reorganisation Bill. As a matter of fact, my hon. friend himself had complained of the fact that the regional formula in regard to Punjab had not been incorporated here. The amendments of my hon. friend relate to the regional formula. That regional formula is an appendix to the Constitution (Ninth Amendment) Bill as reported by the Joint Committee.

As Pandit Thakur Das Bhargava himself has stated now, those amendments can be moved there also. In my opinion, they are more relevant there, because even if these provisions are put as an appendix there, yet my hon. friend can have the justification for moving these amendments under some clause or other there. But here, I think, they will have no connection with any of the clauses that we have under discussion, so far as this Bill is concerned. So, it would be better if the hon. Member defers his amendments to the second Bill, namely, the Constitution (Ninth Amendment) Bill.

Pandit Thakur Das Bhargava: I quite admit that as a matter of fact, these amendments have got no relation to any of the clauses of this Bill, as stated by Sardar Hukam Singh. At the same time, I maintain that they are a proper part of the States Reorganisation Bill also. I shall be guided by you and Sardar Hukam Singh. If you like, I can move these amendments there.

Mr. Speaker: To which amendments is the hon. Member referring?

Pandit Thakur Das Bhargava: I am referring to amendments Nos. 490 and 491.

So far as the safeguards to linguistic minorities are concerned, I know

[Pandit Thakur Das Bhargava]

there is some mention in the other Bill. At the same time, since the Joint Committee on this Bill have referred to all these matters, and have made a report about these matters, and since in fact, the States Reorganisation Bill itself is based on that Committee's report which deals with all these matters, I submit they are the proper subject-matters of this Bill. It is not that they are not relevant to this Bill. They can be regarded as relevant. But if this is the wish of the House, of you and of Sardar Hukam Singh, I shall respect it. For, after all, I want that the provisions should be put somewhere.

I am not anxious that they should be only here or only there. But I am anxious that they may be put in somewhere. I do not want that so far as Punjab is concerned, especially when those persons who are satisfied with the regional formula want that it should be made a part of some Bill or some statute, the matter should not be kept only in an appendix, which is no part of the Bill at all. In fact, even the appendix is not referred to in clause 22 of the Constitution (Ninth Amendment) Bill. I am anxious that wherever you may put it, it must form a part of the statute of this country and not be relegated to an appendix which is not a part of the Bill at all.

Mr. Speaker: How do these amendments fit in and where? Is there any reference to minorities anywhere in this Bill?

Pandit Thakur Das Bhargava: Minorities are not referred to in amendment No. 490. That amendment deals only with the regional committees. It is only in amendment No. 491 that there is a reference to safeguards to linguistic minorities.

In the Bill, I agree that there is no clause regarding the minorities. But the Bill refers to Punjab, and these regional committees form a part of the Punjab scheme. If there is a

reference to Punjab in this Bill, then insertion of all those matters that relate to the regional committees of Punjab is quite consistent with the object of this Bill.

Shri U. M. Trivedi: But what has that got to do with the reorganisation question?

Pandit Thakur Das Bhargava: For, it will refer to PEPSU also. After all, PEPSU and Punjab are amalgamated, and this matter refers to both.

Shri U. M. Trivedi: My respectful submission to my hon. friend would be that this regional formula is merely to give certain powers to the legislature to carry on and conduct its business in a particular manner. That has nothing to do with the reorganisation of States as such.

The amendment of my hon. friend would be quite a good amendment if it is brought forward in connection with the Constitution (Ninth Amendment) Bill, where at least the regional formula and the regional committees are mentioned. There, there might be scope for the deliberation of the regional formula as such, and this amendment might be fitted in there. But here, as the hon. Member himself admits, he is himself in doubt about that amendment being appropriate to this Bill which deals with matters of reorganisation. I would, therefore, suggest that this amendment can be relegated to the place where it rightfully belongs.

Shri V. P. Nayar: Give the benefit of doubt in favour of the Constitution (Ninth Amendment) Bill.

Pandit Thakur Das Bhargava: So far as this matter is concerned, I am not in any doubt, though I want your guidance and that of the House. I am not in doubt at all, so far as this matter is concerned. So far as reorganisation is concerned, there is a mention of the different States in the Bill, and therefore, all matters

relating to reorganisation whether they refer to particular portions of Punjab or the whole of Punjab itself, are perfectly relevant in this Bill. And they are perfectly relevant in the other Bill also. That being the position, I cannot understand my hon. friend's objection at all.

Shri V. P. Nayar: In that case, the hon. Member can have provisions relating to the detailed administration of the various States.

Pandit Thakur Das Bhargava: As a matter of fact, this point was made by Shri R. D. Misra, and it was said that when the question crops up, there should be occasion for arguing the case over again.

At the same time, this is not my attitude. My attitude is quite different. I want the guidance of the Chair and the House. If the House is so pleased, I shall bring up these amendments in the other Bill. But it is my submission that these amendments are perfectly relevant here also. I want your guidance on this matter.

Shri Bansal (Jhajjar-Rewari): Other Members who are interested in this may also be given opportunities.

Mr. Speaker: We are deciding now not on the merits but on the issue whether these amendments ought to be allowed to be moved here in this Bill or be held over till the other Bill is taken up.

Shri Bansal: I want to express my views on this very subject as to whether those amendments should be here or in the other Bill.

Mr. Speaker: I shall hear the hon. Member afterwards. Now, I am calling upon Shri Datar.

Shri Datar: I would like to invite your attention to clause 22 of the Constitution (Ninth Amendment) Bill, as reported by the Joint Committee.

The hon. Member's amendment deals with the regional formula, so far as the Punjab State is concerned. That has been provided for in the other Bill. Clause 22 of that Bill reads:

For article 371 of the Constitution, the following article shall be substituted, namely:—

"371(1). Notwithstanding anything in this Constitution, the President may, by order made with respect to the State of Andhra Pradesh or Punjab, provide for the constitution and functions of regional committees of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees."

What the hon. Member desires is to have a clarification, so far as the rules are concerned. In the light of this provision in clause 22 of the other Bill, I would submit that so far as these particular amendments of my hon. friend are concerned, they have no rightful place in the States Reorganisation Bill, or even in clause 22 of the Constitution (Ninth Amendment) Bill. They are matters on the basis of which certain rules will be framed, and those rules will relate mostly to the rules of business of the government.

Therefore, I submit that my hon. friend's amendments have no reference either to this Bill or to the other Bill.

Shri R. D. Misra: May I point out one more thing? Part IV of this Bill is entitled 'Representation in the Legislatures'. So, this Part refers to representation only. Hence, the regional formula which is being brought up by Pandit Thakur Das Bhargava is outside the scope of Part IV, and hence his amendments in this regard cannot be moved here.

Their proper place is in the Constitution (Ninth Amendment) Bill.

Shri Datar: Not even there.

Shri Bansal: I am surprised at the statement of the hon. Minister that these amendments can find a place

[Shri Bansal]

neither in the S. R. Bill nor in the Constitution (Ninth Amendment) Bill. I say so because this regional formula, in our opinion, is the corner-stone of the reorganisation of the State of Punjab, and unless this finds some statutory recognition, either here or in the other Bill, I do not think the Government will be honouring the word that they have given to the people of the Haryana prant.

I am grateful to Pandit Thakur Das Bhargava for bringing in these amendments at this stage. I do not think that their proper place is in the Constitution (Ninth Amendment) Bill. The right place for these amendments is in this Bill which we are discussing now, because when we are discussing the whole question of reorganisation of States, readjustment of the boundaries—what arrangements are made within two regions of a particular State—is a subject-matter thereof.

There is one constitutional difficulty which I have in accepting the proposition that perhaps the right place for moving these amendments will be in the Constitution (Ninth Amendment) Bill. When we discuss Constitution Amendment Bills, we have to have a majority of two-thirds. It is surprising that while all these questions relating to reorganisation are being decided by a bare majority, this regional formula relating to Punjab should alone be decided by a two-thirds majority.

Shri U. M. Trivedi: On a point of order. I do not know wherefrom my hon. friend got this idea. We have not decided it. Are we going to decide an amendment of the Constitution by a bare majority?

Shri Bansal: Not at all. But this amendment of Pandit Thakur Das Bhargava does not purport to amend the Constitution at all. It seeks to incorporate a valid arrangement that has been already arrived at in the S. R. Bill. Those of us who represent the Haryana prant and who have

persuaded our people to accept this regional formula, will find it absolutely difficult to persuade our people that Government have done the right thing by us. I think this must be taken into consideration while you give your ruling.

Shri Datar: May I clarify the position? Government stand by all that they have done so far as the regional formula is concerned. There is no desire to go out of, or to go behind, them. The only difficulty is whether it can be brought in either in the Constitution amendment Bill or in the S. R. Bill. That was the reason why I pointed out that when this question was considered, it was made clear. Article 371 itself, as accepted by the Joint Committee, says that the President shall provide for the constitution and functions of regional committee of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State. I would submit to this House in all humility that the rules of business that would be made in this respect would be as important as the provisions of the Constitution or the provisions of the Bill. It is only for technical or procedural reasons that they have put it in that way.

I would again assure my hon. friend that we attach great importance to what has been very wisely decided. Even though according to procedural convenience or constitutional matters, they would assume the form of rules, or as you might decide whether they can come under the S. R. Bill or in the Constitution Amendment Bill, wherever they are, they would be surely accepted and implemented.

Pandit K. C. Sharma (Meerut Distt.-South): He means to say that the matter would be dealt with in the rules?

Shri Datar: Yes. It would be in the rules

Shri V. P. Nayar: I understood the hon. Minister as saying that the amendments of Pandit Thakur Das Bhargava would not be quite relevant to the Bill before us.

Shri Datar: May not be according to the procedure.

Shri V. P. Nayar: But I want him to look at the Title of the Bill which says:

"A Bill to provide for the reorganisation of the States of India and for matters connected therewith".

Pandit Thakur Das Bhargava's amendments, on reading, will suggest that they relate to certain matters connected with reorganisation of States. Therefore, it becomes quite in keeping with the provisions of this Bill and it becomes relevant also to the discussion now proceeding. I do not see how we can exclude discussion of these amendments on the ground that they do not fit in with the scheme of this Bill.

Shri Datar: There is no question of exclusion. If necessary, we shall again consult the Law Ministry. All that we desire is that it should be given a proper form and a proper place.

Shri V. P. Nayar: Then he should not have added the words 'and for matters connected therewith'.

Pandit Thakur Das Bhargava: As regards Shri R. D. Misra's objection, that my amendments have nothing to do with Part IV, I beg to submit that they need not come under Part IV. My amendments come under Part IVA, as I have indicated. So that objection is disposed of.

Then the question is whether these amendments should form part of this Bill or the Constitution Amendment Bill. I do maintain that so far as the Constitution is concerned, these amendments certainly pertain to the

Constitution Amendment Bill also. But to see whether these amendments are relevant to the Bill under consideration, you cannot go to another Bill. We do not know whether the other Bill will be proceeded with. You cannot say that because there is another Bill, therefore it cannot be included here. This is not the way in which it should properly be seen.

The question is whether this is a matter connected with the States Reorganisation Bill or not. As part of the States Reorganisation affair, they called the Punjabis and came to a decision that they will divide the Punjab into two regions. Then the question is whether this will be part of the statute relating to States reorganisation or not. The question relating to Constitution is a different matter. The States are being reorganised under the S. R. Bill. We are entitled to say here that you put in all the provisions and guarantees that you have given to us, in this Bill. There they say it will be as an appendix and it will be in the rules. They want to make the Punjab still the old regulation province. I am anxious that whatever you decide with regard to the constitution of the Punjab must be put in this Bill which is the reorganisation Bill for the whole of India.

The second point is this. Suppose I come to this House and submit that you give these guarantees so far as a particular region is concerned. Then these guarantees still form part of the S. R. Bill. It need not come within the scope of the Constitution which is sacrosanct and can only be amended by a two-thirds majority. Here we want that so far as the formula is concerned, we should be given an opportunity to formally move amendments to improve it. But you want to keep it secret. You want nobody to know anything about it. I think this sort of thing should not be allowed.

Shri U. M. Trivedi: The formula should go.

Pandit Thakur Das Bhargava: Why should we not stand by the formula? At the same time, I want that the formula should be sanctified by being made part of this Bill which is for the whole of India. Tomorrow the question of boundaries may be decided. This is a question of boundaries also—the Hindi-speaking region and the Punjabi-speaking region. Are you not fixing boundaries and does this not come under that category also? If for the whole of India you are going to treat boundary matters in one way, you cannot deny to me the same treatment in respect of our boundaries.

Then again, my submission is that the question of whether safeguards for minorities should come here or there is very doubtful. In my submission, both are proper places for such inclusion. A Member can insist that it can be put in either place. When you look into my amendment relating to clause 49B, you will see that I want to put this as a guarantee and want it to be a liability on the Punjab Government. I have already given you a history of the Hindi speaking area. I am very glad that Sardar Hukam Singh also agrees that we have been exploited for such a long time. I want that in this Bill it may be written that we shall be brought on to equality with our fellow-citizens.

Sardar Hukam Singh: I agree with the hon. Member.

Pandit Thakur Das Bhargava: We all agree.

Now, the point is this. The States Reorganisation Bill is the proper place for these. Supposing the Constitution Amendment Bill is defeated; what will happen? If it is not accepted and you do not get the three-fourths majority, where shall we go? We will not be able to take advantage of the promises of Government. I am talking for the entire Punjab and we want that whatever is agreed to should be made a part of the statute.

Shri U. M. Trivedi: Does the hon. Member want a constitutional guarantee? Certainly, it cannot be given here.

Pandit Thakur Das Bhargava: I do not know what my friend means by saying a constitutional guarantee. I want this House should secure to me that these Regional Councils are formed. If the Constitution Amendment Bill is not passed, then, where else shall I go? (*Interruption*). I submit that we are concerned with the Regional Committees.

I will refer you to clause 2 of the Constitution (Ninth Amendment) Bill. It mentions the States in the same terms as in the States Reorganisation Bill. So, as a matter of fact, so far as boundaries are concerned, so far as the Regional Committees are concerned, they will have to be in both Bills, because they relate to the same thing. In sub-clause (2) of clause 2 of that Bill, the entire States are given there. When you put up the States you should put up also the Regional Committees. I am afraid of one thing, which I should submit for your consideration and on which I want your ruling help and guidance.

The hon. Minister has been pleased to point out to me that in that Bill also I will have no place. In that Bill also he says only amendments to the rules of Government etc. can be allowed. So, I am afraid I may not be able to get the guarantee. I may not be able to say what the Regional formula should consist of. My friend puts me out there also. So far as Punjab is concerned, he says that he will knock out the Punjabis from both these Bills. If the proper place is here, I certainly want that it may be put in here. But, if your view is that we should agitate it again there in the other Bill, then, there will be two difficulties.

I know, according to article 4, three-fourths majority is not required and a bare majority will be enough because the Constitution of regional committees is not a matter, so far as

the Constitution is concerned, for the amendment of the Constitution. It is doubtful as to what will be your ruling. I may not be able to procure the three-fourths majority. My submission to you is that I would be in a worse position there, though, according to article 4 and according to me, three-fourths majority is not required because it is not a matter of the amendment of the Constitution.

Shri U. M. Trivedi: That is amending the Constitution. These Regional Committees can be put in with the Legislatures etc. in the Constitution.

Pandit Thakur Das Bhargava: He says, mention it there; you cannot put it in this Bill. If this is the point, according to me, this is also the place where they can be put.

Shri U. M. Trivedi: I am sorry I have not been properly understood.

Mr. Speaker: Let us not argue it here.

Pandit Thakur Das Bhargava: From the point of view of the whole of Punjab, kindly let us move these amendments both here and there.

So far as the question of safeguards for the minorities in the whole of India is concerned, that is a doubtful question. You may be pleased to put it here or in the Constitution Amendment, as you think fit. But my submission is that it is part of the reorganisation of the States; it is a part of the Report of the three gentlemen whose Report is the basis of this Bill. I am perfectly within my rights to bring this matter here.

Mr. Speaker: So far as these matters are concerned, these amendments are certainly amendments of the Constitution, but amendments of the Constitution which arise out of the reorganisation of the States as contemplated in article 3, putting two States together, forming a new State or adding territories to a State or taking away territories from an existing State etc. If any such thing is contemplated and provision is made in a Bill, consequential amendments will have to be put into the Constitution and all the steps that have to

be taken for an amendment of the Constitution with a particular special majority etc. have to be adopted. But, in cases where they arise out of amendments to delimitation etc. raised under article 3, such of those things, notwithstanding the fact that they are amendments of the Constitution will be brought under article 4 and a special majority is not necessary.

The only point, therefore, is whether these amendments for the addition of the new clauses relating to safeguards etc. flow out of the reorganisation, the adding to or subtracting from the territories of States. If it is so, the hon. Member has got the benefit of getting it through in this Bill itself without a special majority; but, otherwise, he will have to go there to the other Bill and seek the special majority. That he will be put to difficulty is not the consideration which should weigh with this House in putting it in this Bill. But if it can come under article 4, surely he can get rid of it. But, if it is not so, he will have to undertake the trouble.

Let us read article 4. It says:

"Any law referred to in article 2 or article 3 shall contain such provisions for the amendment of the First Schedule and the Fourth Schedule as may be necessary to give effect to the provisions of the law and may also contain such supplemental, incidental and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State or States affected by such law) as Parliament may deem necessary."

These safeguards relating to minorities as envisaged here are the regional safeguards etc. and do not come

Pandit Thakur Das Bhargava: But they are supplemental and incidental.

Mr. Speaker: The point is, it is for us to say or decide whether it is incidental thereto. (*Interruption*). In my humble opinion it is not incidental. The hon. Member says that it will

[Mr. Speaker]

not come under the Constitution Amendment Bill. I do not agree that this may not arise out of it. It may be moved; it is for the House to accept it or not. Anything relating to the manner in which we decide in this House the destinies of the country or regulate it by any law can come under the Constitution. This is, for the time being *obiter dictum*. I will consider it when this amendment is brought before the House in the Constitution Amendment Bill. As at present advised, I think, it may properly be brought there and not here.

Shri V. P. Nayar: If you kindly read article 4(2) also

Mr. Speaker: I agree that though this is a constitutional amendment this does not require a special majority. If this is an amendment flowing as incidental, supplemental, consequential etc., I do not think this should be relegated to the other one. We can get it through here. I do not agree that it flows out of this. Therefore, I am sorry I have to disallow these amendments here. These amendments may be brought in there. Then it will be time for us to consider.

One other matter that was raised here is that such important matters as safeguards shall not be relegated to the rules. If the House thinks that they ought not to be relegated to the rules, they may make special provisions for the safeguards as the Tenth Schedule or the Eleventh Schedule. Anything can be done. Under those circumstances, even that question does not stand in the way. They need not accept clause 22 as provided for in the Bill.

Shri Datar: Anyhow we shall consider it then.

Mr. Speaker: When we come to the Constitution Amendment Bill, we shall consider that. These amendments are not proper here in this Bill and, therefore, we shall now proceed with the other group of clauses, clauses 50 to 70.

Those hon. Members who have not yet taken part will be given the opportunity.

Shri U. M. Trivedi: There are some important amendments.
3 P.M.

Mr. Speaker: I am coming to that.

Clauses 50 to 70

Shri Nesamony (Nagercoil): My amendment is No. 209 to clause 67. It is intended to make good an omission, and perhaps through oversight the Joint Committee failed to make any provision. It relates to the advocates practising in the territories that are now proposed to be transferred to the State of Madras. Provision has been made in clause 54 for advocates in the new States and under clause 66 for the advocates of Hyderabad. In clause 68, there is a provision for advocates to appear in the Madras High Court in any proceedings in which the advocate has already been engaged. But there is no similar provision in respect of the advocates practising in the territories that are proposed to be transferred from Travancore-Cochin to Madras. Therefore, my amendment is in line with the proviso to clause 54 and clause 66. The proviso to clause 54 states:

"Provided that, subject to any rule made or direction given by the High Court for a new State in exercise of the power conferred by this section, any person who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act in any such High Court or Judicial Commissioner's Court as may be specified in this behalf by the Chief Justice of the High Court for the new State, shall be recognised as an advocate or an attorney entitled to practise or to act, as the case may be, in the High Court for the new State."

Sub-clause (4) of clause 66 states:

"Any person who, immediately before the appointed day is an advocate entitled to practise in the High Court of Hyderabad shall, as from the appointed day,

be recognised as an advocate entitled to practise in the High Court of Andhra Pradesh:"

Clause 67 deals with High Courts for the areas added to Madras, and in that clause there is absolutely no provision for the advocates who are now advocates in the High Court of Travancore-Cochin and practising in the areas now sought to be transferred from Travancore-Cochin to Madras. That is why I have moved this amendment, which reads:

"Any person in the territories transferred from Travancore-Cochin to Madras who immediately before the appointed day is an advocate entitled to practise in the High Court of Travancore-Cochin shall as from the appointed day be recognised as an advocate entitled to practise in the High Court of Madras."

This is only a provision in consonance with the provisions in respect of other portions of transferred territories which have been made in the Bill. I hope that this amendment will be accepted.

Shri V. P. Nayar: I wish to ask the hon. Member whether at present there is no provision in the Madras High Court Rules under which an advocate of the Travancore-Cochin State can also appear in the Madras High Court.

Shri Nesamony: To my knowledge, no.

Shri V. P. Nayar: Then the amendment is relevant.

Shri Nesamony: I hope that my amendment will be accepted.

Mr. Speaker: I think there seems to be some lacuna as the hon. Member points out.

Shri Datar: I will take into it, Sir.

Shri U. M. Trivedi: My amendments are Nos. 111, 112 and 114 to clauses 50, 51 and 52 respectively.

I have failed to understand the implications contained in clause 50 of the Bill which provides—

"The High Courts exercising immediately before the appointed day jurisdiction in relation to the existing States of Madhya Pradesh and Punjab shall, as from the appointed day, be deemed to be the High Courts for the new States of Madhya Pradesh and Punjab, respectively."

I do not know why Madhya Pradesh and Punjab only have been chosen as there would be some other reorganised States also which will come into existence. In sub-clause (3) of clause 50, it is provided:

"As from the appointed day, there shall be established a High Court for each of the new States of Kerala, Mysore and Rajasthan."

And in the same breath, further on it is stated that the original High Courts of these three States shall stand abolished.

Mr. Speaker: They are *pucca* High Courts according to them.

Shri U. M. Trivedi: I am not concerned whether they are *pucca* High Courts or *kutcha* High Courts.

Mr. Speaker: This is not a matter for laughter. Those three States are 'B' Class States at present, while Madhya Pradesh is an A Class State and Punjab also is an A Class State. Sub-clause (3) relates to Kerala, Mysore and Rajasthan which are B Class States. Evidently they want to make a distinction between these two sets of States.

Shri U. M. Trivedi: All our High Courts have been working under the various Acts of the High Courts, under the Letters Patent or under the Charter. Though the old things have disappeared, there is nothing to indi-

[Shri U. M. Trivedi]

cate that a ruling of the High Court of Rajasthan or of Travancore-Cochin or of Mysore is not to be given equal weight with the rulings of the various High Courts in the so called A Class States. There is nothing in the law to suggest that the High Courts of B Class States were in any manner inferior to the High Courts of A Class States. So far as the appointment of the Chief Justice is concerned in each of the States, practically the Chief Justices were drawing the same salaries. The only question was about the smaller salaries being paid to the Puisne Judges of B Class States. If the principle has now been agreed, as stated by the States Reorganisation Commission, that this invidious distinction between the salaries of the Puisne Judges of B Class States and those of the Puisne Judges of A Class States should be done away with and that they should be put on a par with the Judges of A Class States, then the suggestion that these High Courts will be abolished and new High Courts will be created in their place has created a suspicion in the minds of the people that the Judges of these High Courts will have some sort of screening, that these very persons who are acting as Judges today will not be the Judges who will be again appointed to the newly created High Courts and that some new appointments will be made, which means that some old Judges will go away. That is to say that the constitutional guarantee that has been given to one and all Judges so far appointed under the Constitution will disappear by this provision of the States Reorganisation Bill. In other words, an amendment of the Constitution takes place by virtue of this provision of Law. My humble submission is that this is not a proper proposition as has been put forward. Where is the necessity of abolishing one High Court and creating a High Court of the same name in the same State without making any difference? If the Government says "All right, we have decided to re-appoint all those Judges who are already there", then there is no need

to abolish the High Court. Of course, you are creating a new State of Rajasthan and making it into an A Class State instead of a B Class State. The High Court Act of any State does not mention at any place that this High Court is the High Court of a Part A State or that this High Court is the High Court of a Part B State. The High Courts are High Courts. There is absolutely no distinction laid down in our Constitution or in the various Acts of the High Courts.

I have sought to insert the words "Mysore and Rajasthan" after the word "Punjab". That is my amendment. In the case of Kerala the name is being changed. The name previously was Travancore-Cochin; it is now changed. But, there could be no difference between the High Courts of Kerala, Mysore and Rajasthan.

I had some conversation in the lobby here. Some friends were speaking. A suggestion was made that in some of these B States—perhaps it might have been discussed in the Joint Committee also, I do not know—very small people were appointed as Judges. They were not very learned persons.

An Hon. Member: In Rajasthan?

Shri U. M. Trivedi: It may be Rajasthan, Madhya Bharat, PEPSU or any other place. I am not concerned.

Sardar Hukam Singh: Leave aside PEPSU.

Shri U. M. Trivedi: No, Sir, I cannot. That is part and parcel of India. When these Judges were appointed, we appointed them after observing a regular procedure that was laid down in the Constitution: that is to say, on the recommendation of the Chief Justice of India and the Chief Justice of the High Court to which the appointments were made. If it is said that legal luminaries were not forthcoming for appointment there, that might be due to the remuneration being not of the order available in Part A State. I cannot refrain from saying this.

Mr. Speaker: Where has been the hon. Member practising?

Shri U. M. Trivedi: I am practising in various High Courts. (Interruptions) I am a senior advocate of the Supreme Court and therefore, I need not be afraid of these things. I am very much above such distinctions.

Mr. Speaker: One may feel that there is something, some halo attached to the Judges of such High Courts as Calcutta, Bombay and Madras and not to High Courts in Mysore and other places. But, in all the native States, the royal rulers have had their High Courts also and they modified and adopted the laws that were passed here. Evidently, that background should be there.

Shri U. M. Trivedi: From 1950 to 1956, we have the Rajasthan High Court working. All the appointments are practically new. The same is the case with Madhya Bharat High Court; all were barrister Judges. So, there was no question of one High Court having a certain halo which was not there in the Madhya Bharat High Court or some such High Court.

Mr. Speaker: I am afraid the hon. Member is labouring the point a little too much.

Shri U. M. Trivedi: Why should this duplication be allowed? First you abolish the High Court and then create a High Court. It is for the same place. It is the same High Court. Thus, difficulties are created for the poor advocates who have been enrolled on the rolls of these High Courts.

3.15 P.M.

[MR. DEPUTY SPEAKER in the Chair]

There is a consequential amendment. Clause 54 says that the High Court for a new State shall have the like power to approve, admit, enrol, remove and suspend advocates and attorneys, and to make rules with respect to advocates and attorneys as are, under the law in force immediately before the appointed day, exercisable by the

High Court for the corresponding State. New enrolment will take place; new admissions will have to be made. Then, there are the High Court Acts also. Difficulties will arise in the way of administration of these Courts. My submission, therefore, is this. If my amendment is accepted it will remove these difficulties to a great extent.

During the debate at the consideration stage Pandit Bhargava had said that there is nothing to suggest that these persons who are already acting as Judges will not be continued as High Court Judges. At that time, when interrupted, I had said that I would like an unequivocal statement from the Government that those persons would again be appointed. Unfortunately, that statement is not forthcoming. There is a doubt in the mind of the judiciary that there is something behind and God alone knows how they will be dealt with.

Pandit Thakur Das Bhargava: How will the seniority of Judges be regulated?

Shri U. M. Trivedi: The whole thing will come like this. Therefore, if the question of general seniority for the whole of India has to be considered, it must be considered from the date of the appointment of the Judges. There may be some formula. But it is not necessary that all these Judges of the Part B States, wherever they may be, should be dubbed down as juniors to those who have been appointed in Allahabad, Bihar and other places. What type of people they are, I do not want to say; I do not want to criticise them.

There is one more amendment standing in my name to clause 65. That will be a consequential amendment. If the High Court is not abolished in Rajasthan and the old High Court is continued, there will be no need to say "the High Court of the existing State of Rajasthan." It will be, "The High Court of Rajasthan." This consequential amendment may be made.

Dr. Rama Rao (Kakinada): May I speak on my amendment?

Mr. Deputy-Speaker: I have to make an announcement.

The following further amendments to clauses 16 to 49 and Schedules I to III and clauses 50 to 70 of the States Reorganisation Bill have been indicated by Members to be moved subject to their being otherwise admissible:

Clause No.	No. of Amendment
17	28, 156, 229, 230, 231, 232.
18	91, 92, 93.
19	94.
23	96, 97.
24A (New)	503.
25	158.
27	502.
30	508.
49	425, 426.
Third Schedule	505.
50	9, 225, 111, 313, (same as 111)
51	112, 314 (same as 112)
52	114, 315 (same as 114)
54	468
62	409
66	256
67	209

Clause 17—Establishment of Zonal Councils)

Shri U. M. Trivedi: My amendment No. 28 is the same as amendment No. 304 moved by Shri N. R. Muniswamy on the 3rd August.

Shri Nambiar: I beg to move:

Page 10, line 22—for "Madras" substitute "Tamilnad"

Shri V. G. Deshpande: I beg to move:

(i) Page 10, line 12—for "Rajasthan" Substitute "Uttar Pradesh"

(ii) Page 10—for lines 14 and 15 substitute:

"(b) the Central Zone, comprising of Gujarat, Rajasthan and Madhya Pradesh."

(iii) Page 10, line 20—for "Gujarat" substitute "Andhra"

(iv) Page 10, lines 21 and 22—omit "Andhra Pradesh"

Clause 18—(Composition of the Councils)

Shri U. M. Trivedi: I beg to move:

Page 10—after line 37, add:

"(e) a member of the biggest opposition party of each of the States included in the zone."

My amendments Nos. 92 and 93 are the same as Nos. 307 and 308 already moved by Shri N. R. Muniswamy.

Clause 19—(Meetings of the Council)

Shri U. M. Trivedi: My amendment No. 94 is the same as amendment No. 309 already moved by Shri N. R. Muniswamy.

Clause 23—Functions of the Councils)

Shri U. M. Trivedi: My amendment Nos. 96 and 97 are the same as Nos. 310 and 311 already moved by Shri N. R. Muniswamy.

New Clause 24A.

Shri Sarangadhar Das: I beg to move:

Page 13—after line 24, insert:

"24A. Notwithstanding the foregoing provisions if any State is dissatisfied with the recommendations of the Zonal Council in regard to border disputes and represents to the Union Government for appointment of a Boundary Commission, the Union Government shall appoint a Boundary Commission consisting of Judges of the Supreme Court or High Courts for investigating into and adjudicating upon such representation, and the Union Government shall take necessary steps to implement the award of such Commission."

Clause 25—(Amendment of the Fourth Schedule to the Constitution)

Shri Nambiar: I beg to move:

Page 14, line 1—for “Madras” substitute “Tamilnad.”

Clause 27—(By-elections to fill vacancies)

Shri Anandchand: I beg to move:

Page 15, line 40—for “State of Bombay” substitute:

“States of Bombay, Delhi, Himachal Pradesh and Manipur”.

Clause 30—(Changes in composition etc.)

Shri N. P. Nathwani: I beg to move:

Page 17—after line 3, add:

“Provided that the office of Adviser in Kutch, under the Government of Part C States Act, 1951, shall not disqualify, and shall be deemed never to have disqualified the holder thereof for being elected as, or for being a member of the Legislative Assembly of Gujarat.”

Clause 49—(Special provision as to certain elections)

Shri U. M. Trivedi: I beg to move:

(i) Page 25, line 5—for “and Bombay” substitute “Bombay and Rajasthan”

(ii) Page 25, line 7—after “Maharashtra” add “and Rajasthan”

Third Schedule

Shri Keshavaiengar: I beg to move:

Page 60, line 21—for “182” substitute—“234”

Clause 50—(High Courts for the new States)

Dr. Rama Rao: I beg to move:
Page 25—

(i) lines 17 and 18, for “the States of Gujarat and Maharashtra and for the Part C State of Bombay” substitute:

“the State of Maharashtra”; and

(ii) after line 18, insert:

“(1A) A new High Court for the State of Gujarat shall be constituted as from the appointed day.”

Shri Gadilingana Gowd: I beg to move:

Page 25, line 18—omit “and for the Part C State of ‘Bombay’”;

Shri U. M. Trivedi: I beg to move:

Page 25—

(i) line 21, after “Punjab” insert “Mysore and Rajasthan”;

(ii) line 22, after “Punjab” insert “Mysore and Rajasthan”; and

(iii) line 25, for “for each of the new States of Kerala, Mysore and Rajasthan” substitute: “for the new State of Kerala”.

Shri N. R. Muniswamy (Wandiwash): My amendment No. 313 is the same as amendment No. 111 moved by Shri U. M. Trivedi.

Clause 51—(Abolition of certain Courts)

Shri U. M. Trivedi: I beg to move:
Page 25—for lines 26 to 29 substitute:

“51. (1) As from the appointed day, the Courts of the Judicial Commissioner for Ajmer, Bhopal, Kutch and Vindhya Pradesh and the High Courts of Madhya Bharat, Saurashtra, Travancore-Cochin, Patiala and East Punjab States Union and Hyderabad shall cease to function and are hereby abolished.”

Shri N. R. Muniswamy: My amendment No. 314 is the same as amendment No. 112 moved by Shri U. M. Trivedi:

Clause 52—(Principal Seat and other places etc.)

Shri U. M. Trivedi: I beg to move:

Page 26—for lines 1 to 6, substitute:

"(2) The President may, after consultation with the Chief Justice of India and the Chief Justice of the High Court for that State, by notified order, provide for the establishment of a permanent bench of that High Court at one more place within the State other than the principal seat of the High Court and for any matter connected therewith."

Shri N. R. Muniswamy: My amendment No. 315 is the same as amendment No. 114 moved by Shri U. M. Trivedi:

Clause 54—(Power to enrol advocates etc.)

Shri N. R. Muniswamy: I beg to move:

Page 26—after line 35, add:

"(3) Notwithstanding anything contained in the provisions of this Part and save as hereinafter specifically provided, the advocates practising in or attorneys acting in the Courts situated within the territories transferred to other States by the provisions of Part II of this Act shall be deemed to have been recognised as such in the High Courts of the States to which the territories are transferred, unless the advocates and attorneys, within a period of 12 months, from the appointed day, elect, by appropriate applications, to practise or act in the High Courts, new or existing, as the case may be, in which they were originally enrolled."

Clause 62—(Transfer of proceedings to Madhya Pradesh High Court)

Shri U. M. Trivedi: I beg to move:

Page 29, line 21 omit "existing."

Clause 66—(High Court of Andhra Pradesh)

Shri Y. Gadilingana Gowd (Kurnool): I beg to move:

Page 32, line 4—add at the end "and Mysore".

Clause 67—(High Court for the areas added to Madras)

Shri Nesamony: I beg to move:

Page 33—after line 23, add:

"(5) Any person in the territories transferred from Travancore-Cochin to Madras who immediately before the appointed day is an Advocate entitled to practise in the High Court of Travancore-Cochin shall as from the appointed day be recognised as an Advocate entitled to practise in the High Court of Madras."

Mr. Deputy-Speaker: All these amendments are now before the House.

Shrimati Renu Chakravarty: Am I to understand that certain new amendments have been allowed to clauses 2 to 15? I did not quite follow.

Mr. Deputy-Speaker: No. It is not that. These are to the other clauses that we have discussed. Certain amendments had been given notice of and they were selected for being moved and notice was sent to the office as well. But they could not be announced in time and so they could not go into the records. That is the only difference that has been made; otherwise, no new amendments have been allowed.

Shrimati Renu Chakravarty: I just wanted to know whether, after the discussion on a group of clauses, any new amendment to that group of clauses can be moved. That is the only point I wanted to make clear.

Mr. Deputy-Speaker: When the discussion is closed, no new amendments can be moved.

Shrimati Renu Chakravarty: I take it that chits regarding these amendments were given before and only they were not announced. Also, I take it that generally amendments are announced before discussion on a group of clauses is closed.

Mr. Deputy-Speaker: I will just find out from the Office and then inform the House about the correct position.

Dr. Rama Rao: Mr. Deputy-Speaker, I have moved my amendment No. 9 to clause 50. In substance it is like this. Clause 50 proposes a common High Court for the State of Maharashtra, the State of Gujarat and the Part C State of Bombay. My amendment is to the effect that the present High Court of Bombay should be the High Court for the State of Maharashtra because, by my previous amendments I have sought to include Bombay in the State of Maharashtra.

Again, I have proposed another amendment by which a new High Court for the State of Gujarat shall be constituted as from the appointed day.

Now, my proposal to have two separate High Courts, one for Gujarat and one for Maharashtra, is all the more significant now, in view of the present proposal that is going round. You know, Sir, some of our friends have picked up a dead mouse and turned it into a ferocious tiger by bringing back to life the dead bilingual proposal. In view of that proposal, which is being canvassed very

heavily in spite of the opposition of the people to have Gujarat and Maharashtra, my amendment is very significant. Our friends who want to by-pass the wishes of the people by a new proposal are not faithful to the people. The people of Gujarat have got Maha Gujarat according to the Bill and they are satisfied. They would be very glad to have a separate High Court for them, because I believe every linguistic State must have its own High Court. Today's *Times of India* has summarised the reaction of the people of Gujarat to the present bilingual proposal which shows that all Gujarati papers of importance are vehemently opposed to the proposal of having a bilingual State. They want the Maha Gujarat as proposed in the Bill. Therefore, my proposal supplements that Maha Gujarat proposal by giving a separate High Court also to Gujarat. According to me, they can have it at Ahmedabad or any other place they choose.

According to my previous amendments, the State of Maharashtra includes Bombay City also. We have not yet taken votes over those amendments. Therefore, I suggest that there should be two separate High Courts, one for Maharashtra including Bombay City and the other for Gujarat.

In proposing a common High Court we are not doing any justice to the people in the two States.

Then, I want to say one word about Andhra. I support the proposal as it is in the Bill. There have been some suggestions that there should be a separate Bench at Guntur.

An Hon. Member: No, no.

Dr. Rama Rao: I am glad it has been opposed. Anyway, though it is not in the Bill, I have to express my opinion, which is supported by many others, that, as far as possible, all Benches should be at one place—I am not commenting about other places—and Hyderabad is the proper place to

[Dr. Rama Rao]

have the Andhra High Court and that should be the only one place.

Mr. Deputy-Speaker: Now, I have ascertained the facts about the amendments I announced just now. These amendments relate to clauses 16 to 49, and not clauses 2 to 15, discussion on which was continued even today. Notices of these amendments were received on Friday and Saturday and chits showing the intention of Members to move them were also received on Friday and this morning. The announcement ought to have been made in the morning, but that was not done. There is nothing new that we are allowing just now. As I said before, when the discussion has been closed no new amendments can be received.

Shri Achuthan: Mr. Deputy-Speaker, in fact, I do not agree with the view expressed by Dr. Rama Rao that each State must have a separate High Court. I do not know whether he would go to the extent of saying that all Judges in a High Court must be from that State. Thank God, he has not expressed that desire. The next stage would then be that all States must be independent of other States.

With regard to Kerala High Court, even though there is a provision in this Bill, as amended by the Joint Committee, that the previous High Courts are all abolished and all High Courts would be of the same cadre and same level, there is some apprehension. Even though the Part B State High Courts are not inferior, the Judges there may be drawing a lower salary and so their judgments may not have so much weight or authenticity as that of the Judges in the High Courts of States like Madras, Bombay and Calcutta, I am very glad the distinction has been done away with. But my only apprehension is, as was expressed by my friend Shri U. M. Trivedi, that, because the Part B High Courts were having Judges who were drawing lesser pay, when the question of screening or

selecting comes in, the Judges from other High Courts may be taken on the ground that they were drawing higher pay and they will be posted in these new High Courts as senior Judges thereby overlooking the regular claims of those Judges in the Part B States. That is the suspicion that I have got. I do not say that it is correct or reliable. But that suspicion must be cleared. Even now many responsible people have got that suspicion. They may have their own valid grounds. According to me it is immaterial whether the Judges of Bombay, Calcutta or Madras High Court were drawing a higher pay. I do not think by that they are in any way superior to other High Court Judges of Part B States.

Coming to my State—Travancore-Cochin—there cannot be any ground for any apprehension to be felt by the Judges of the Travancore-Cochin High Court that because of their lower pay they are inferior to the Judges of Madras High Court or of other States in view of the fact that a portion of Madras State—Malabar—is now being added to Travancore-Cochin State....

An Hon. Member: Let us have one High Court for both the States.

Mr. Deputy-Speaker: Order, order. There should be no such private conversation.

Shri Achuthan: Practically there is no difficulty. At that time it was thought that while there will be more work we will be able to cope with that work, if we have separate High Courts. Because some parts of Hyderabad and other present are taken together under the present Bill, the Bombay High Court is to have jurisdiction over other States. Therefore, the suspicion has to be removed by making it clear in this House that practically there will be no difficulty or room for any apprehension on the part of those Judges.

Sir, according to me there are other valuable provisions here. It is left to the discretion of the President, after consulting the respective Governments concerned, to have more Benches of the High Courts. Even now we have got a Bench in Trivandrum. Most probably, when Malabar is tagged on to Travancore-Cochin, the people of that area will raise the question that it will be convenient to have a Bench there. I do not see any unreasonableness in that desire. I do not say that every taluka must have a Bench, but we must see that people are not put to difficulty, they are not made to incur any additional expenditure due to the fact that all must go to one place for getting justice meted out to them. I wholeheartedly support the provisions of this Bill. I am sure that all the Members would support me when I say that the judges in the new High Courts should not be at any disadvantage compared to the judges of the High Courts of Part A States and that there should not be any valid claim for the judges of the Part A High Courts for being appointed to the High Courts of the erstwhile Part B States merely on the ground that they were drawing higher salaries and that therefore they are superior to the judges of the Part B State High Courts.

Shri A. M. Thomas: Sir, Having heard the two speakers who have preceded me, I feel that I should also contribute something to the discussion on these clauses. I am glad that the Joint Committee in its wisdom has introduced uniformity in the matter of the scales of pay for the judges of the various High Courts. When this matter was discussed in this House as well as in the Rajya Sabha, every Member who had occasion to speak about the High Courts was of the opinion that this distinction should not be continued and that it is not at all justified. The hon. Home Minister then answered that if the respective Governments, that is, Mysore, Travancore-Cochin and Rajasthan, were inclined to accept the opinion of the House or, if the Mem-

bers hailing from these respective States whose High Court Judges could be getting lower scales of pay were of the opinion that there should be uniformity, he would be only too glad to accept that proposal. In the Joint Committee, the matter was discussed and it was unanimously decided that there should not be any distinction, and the lower scales of pay that had been prescribed in the Bill for the High Court Judges of Mysore, Travancore-Cochin and Rajasthan have been done away with.

But along with the abolition of the lower scales of pay, another step, which is said to be a consequential step, has been taken by the Joint Committee, namely, the abolition of all Part B State High Courts. I do not feel that it is a consequential step. However, the Joint Committee was of the opinion that in view of the fact that uniform scales of pay are being introduced for the High Court Judges of both Part A and Part B States, the Part B State High Courts should be abolished and that the President must have the occasion, in consultation with the Chief Justice of India, to make fresh appointments to the new High Courts. In this matter, I have also to voice the fear that has been expressed by my friend Shri Achuthan. Though under the Constitution, all the High Courts,—both of Part A and Part B States—are on an equal footing, because of the disparity in the scales of pay it is a well-known fact that the Part B State High Courts were not being treated in the same way as High Courts of Part 'A' States. There have been many appointments to the Supreme Court after the Constitution came into force, and those appointments have all been from the High Courts in India but you will notice that not a single judge of any of the Part B State High Court was taken to the Supreme Court. With my experience of the decisions of the various High Courts, both of Part A and Part B States, I am in a position to state—and I think many other lawyer Members of this House will also be in a position to

[Shri A. M. Thomas]

state—that there are good and bad judges in every High Court and that no discrimination should be made against a judge on the ground that he belongs to that High Court of a Part B State. I would say that some of the judgements of judges of High Courts of Part B States are far superior to those of Part A States. All the same, human nature being such, the High Court Judges of Part B States were held in a sort of inferior status because of the lower scales of pay they were drawing. Not a single judge from the High Court of any Part B State was raised to the Supreme Court. So, it is good that this distinction in the matter of scales of pay has now been abolished. Although there has not been any difference with regard to the Constitutional status of the judges of High Courts whether of Part A or of Part B States, there has been the discrimination in regard to the scales of pay, and this discriminatory treatment has been rightly done away with.

At the same time, I would invite the attention of the Government to one important aspect of the matter. If you are going to adopt a process of screening and then drop some of the Judges of High Courts of Part B States and prefer some High Court Judges of Part A States, that may not be a step which would do justice to the Part B State High Courts. As the Bill originally stood, we had necessarily to abolish certain High Courts, namely, those of Hyderabad, Saurashtra and Madhya Bharat, because the territories in which they were located are being merged into altogether different States. If they had not been abolished, it would have resulted in two or three High Courts in one and the same new State, and it would have led to a ludicrous state of affairs. So, the Bill, as it originally stood provided for the abolition of the High Courts of Part B States, such as Hyderabad, Saurashtra and Madhya Bharat. But the Bill did not provide for the abolition of the High Courts in those Part B States

wherein there was no chance of two High Courts functioning with the implementation of the scheme of reorganisation. As far as the Travancore-Cochin High Court was concerned, the Kerala High Court was to be the successor High Court. Similar is the case with Mysore and Rajasthan High Courts. So, there was no necessity to abolish these High Courts. Since there was no legal necessity to abolish them, I find it very difficult to support the provision that has been introduced by the Joint Committee, namely, the abolition of the High Courts of Part B States.

The argument appears to be that because the scales of pay of the High Court judges of Part B States have been upgraded to those of the High Court judges of Part A States, automatically, the Part B High Courts should be abolished. But I cannot understand this logic. That is an argument which I find is very difficult to follow. I realise the necessity of abolition of certain High Courts by a constitutional provision, because there is a guarantee under the Constitution that no judge can be removed except under article 217. The provision now made has been adopted as a sort of short cut. Anyway, I feel that it is rather unfair to lightly interfere with the guarantee given under the Constitution in this fashion, and thus get rid of the constitutional difficulty.

Anyway, now that the Part B State High Courts in Mysore, Travancore-Cochin and Rajasthan have been abolished, my request would only be this. Because of the fact that the High Court judges of Part A States were drawing higher salaries, preference should not be given to them when it comes to a question of the appointment of new High Court judges on the formation of the new High Courts. That would be hard and that would be nullifying the constitutional guarantees that the High Court judges of Rajasthan, Mysore and Travancore-Cochin were enjoying. So,

I would again emphasise the necessity of treating those judges on a par with the High Court Judges of Part A States.

I would also bring to the notice of the House another fact. When High Courts of Part B States were formed on the integration of States, the President appointed only those judges who were at that time found fit and proper to occupy those positions. So, there was some screening at that time. As far as my own State is concerned, three judges were dropped. Subsequently all other appointments were made by the President in consultation with the Chief Justice of the Supreme Court as well as the Chief Justices of the various High Courts. So, the judges of all the existing High Courts in India are judges who have been confirmed by the President at a particular stage on the integration of States or judges who have been appointed by the President himself; and, it is unfair to treat them on a different footing because they were drawing lower scales of pay.

I would request the Home Ministry to bear all these points in mind and do justice to the judges who are occupying that position at present.

Shri N. R. Muniswamy: I shall press only one or two points. Let me deal with a point which I have already mentioned during the first reading of the Bill. As a result of the territorial changes, some territories are added to the new States and some territories are taken away from the existing States. The point which I want to insist is that advocates who were permanently practising in these territories which will now be transferred to some other State must be given the same facility to be recognised as such in the new State or the State that comes into existence as a result of the territorial changes. I have given notice of an amendment to this effect—No. 468—which reads as follows:

"Notwithstanding anything contained in the provisions of this Part and save as hereinafter speci-

fically provided, the advocates practising in or attorneys acting in the Courts situated within the territories transferred to other States by the provisions of Part II of this Act shall be deemed to have been recognised as such in the High Courts of the States to which the territories are transferred, unless the advocates and attorneys, within a period of 12 months, from the appointed day, elect, by appropriate applications, to practise or act in the High Courts, new or existing, as the case may be, in which they were originally enrolled."

This is a point which, I think, the Joint Committee have not taken into consideration. According to the provision in the Bill as at present, those advocates will have to pay separate fees and apply for recognition as advocates, as per the rules of the new States that come into existence. So, I have suggested that those advocates who are practising in particular territories now transferred to a new State must automatically be regarded as advocates in the new State, unless in the meantime they choose to be in the High Courts in which they were originally enrolled.

The other point raised by the previous speakers is with regard to the abolition of the High Courts as well as the emoluments and reappointment of judges. There is an apprehension—I do not know how far it is true—that those judges, whose services will be discontinued on the abolition of the High Courts in Rajasthan, Mysore, Travancore-Cochin and other places, are not likely to be reappointed.

Shri A. M. Thomas: They may be superseded.

Shri N. R. Muniswamy: It is quite possible that their services may not be required again. I want the Home Minister to just give an assurance that in the case of the abolition of the existing High Courts, the judges would

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be reappointed automatically. As I said, that is what I am told, but it may be false also.

Shri Namblar: There should not be any retrenchment.

Shri R. N. Muniswamy: I am not dealing with the policy of retrenchment that may be made applicable to all the High Courts. I only want that an assurance should be given that those judges now acting in the various High Courts would be reappointed, when some of the High Courts are abolished. The Minister should assure that they need not have any such fear or he may clearly say that they will certainly be reappointed. If that is done, the apprehension in the minds of some of the Members here would be removed.

With these words, I commend my amendments to the acceptance of the House.

Pandit M. B. Bhargava (Ajmer South): I want to make a few remarks on clause 52. Under that clause, it is the President who has the power to determine the location of the High Court in any new State. I want to submit that there is a distinction between sub-clauses (1) and (2) of clause 52. So far as the location of the permanent benches of the High Courts, in addition to the seats of the High Courts, are concerned, the President will be bound to consult the Governor of the State as also the Chief Justice of the High Court. But, so far as the location of the seat of the High Court itself is concerned, according to sub-clause (1), it will be under the sole jurisdiction of the President.

The State of Ajmer is being merged with the State of Rajasthan now. The question of the location of the capital is hanging fire and no decision has been taken. As I have said during the course of the general discussion, it is primarily the responsibility of the Central Government—the Ministry of Home Affairs—to get

the matter settled with the leaders in Rajasthan, because it was the Central Government which was responsible for the non-integration of Ajmer at the time when the peoples of Ajmer and Rajasthan wanted simultaneous merger and the location of the capital at Ajmer. But so far the Ministry of Home Affairs has not taken any interest and has not seen the justice of the case.

Shri U. M. Trivedi: On a point of order, Sir. There is no quorum in the House.

Mr. Deputy-Speaker: The bell is being rung.—Now there is quorum. The hon. Member, Pandit Bhargava, may continue.

Pandit M. B. Bhargava: I was saying that in view of the fact that it may be said that the Central Government cannot exert its influence on the Rajasthan Government in respect of the location of the capital because it is primarily a provincial matter, still it cannot be said in respect of the location of the seat of the High Court in Ajmer. My respectful submission is that looking to the fact that it is situated at the centre and in the heart of Rajasthan and that it is equally accessible from all the main centres, it will be not only be in the interest of the people of Ajmer but in the interest of the people of the entire State of Rajasthan that the High Court should be located here, because the entire litigating public will have free access to the place at lesser expense. For example, people from Udaipur, Kotah and Bundi have to pass through Ajmer while going to Jaipur or even when they go to Jodhpur where there is a Bench of the High Court. Consequently, from the point of view not only of the people of Ajmer but the larger interests of the people of Rajasthan it is essential that justice should be done to Ajmer and the main seat of the High Court should be located in Ajmer in place of Jaipur where it is at present.

In respect of sub-clause (2), my respectful submission is that unless there are very exceptional circumstances, the practice of having a number of Benches of the same High Court at different places is not at all in keeping with justice, because if the litigation is not very high, there is absolutely no justification for locating permanent Benches at different places simply to satisfy the whims and caprices of the people of that particular locality. If the litigation is of such a volume as to justify having Benches at different places, that may be a different matter, but so far as Rajasthan is concerned, I respectfully submit that the number of cases does not justify the setting up of different Benches of the High Court. Looking to the justice of the case, looking to its central position and looking to the fact that it is the Central Government's responsibility to preserve the importance of Ajmer and that it was on account of the Central Government that Ajmer was deprived of its rightful and honoured place as Capital of Rajasthan, I would respectfully submit that it is essential that the Central Government should take a decision that the seat of the High Court of the new State of Rajasthan will be located in the City of Ajmer.

Shri Datar: Two or three points have been raised in connection with the provisions of the Bill regarding the High Courts.

Shri Sinhasan Singh: (Gorakhpur Distt.—South): Before he replies, I want to submit one thing.

Mr. Deputy-Speaker: What is it?

Mr. Sinhasan Singh: I find in part IV of the Bill there is a discrepancy.

Mr. Deputy-Speaker: After I have called the hon. Minister the hon. Member gets up and begins a speech. May I know whether it is a point of order?

Shri Sinhasan Singh: I want to submit something. There is a discrepancy between this Bill and the Con-

stitution Amendment Bill which has come from the Joint Committee.

Mr. Deputy-Speaker: But why was the hon. Member so late? When I was looking round for any Member to stand up and speak, he did not stand up and when I have called the Minister and he has begun to speak, he now starts.

Shri V. P. Nayar: He regrets his error.

Shri Sinhasan Singh: I was comparing the number with the Constitution Amendment Bill.

Mr. Deputy-Speaker: But he began very late and he ought not to be entitled to interrupt now.

Shri Datar: The question has been raised that all the High Courts have to be put on the same footing, that the pay scales also ought to be the same and that the Joint Committee ought not to have allowed the abolition of the High Courts in Part B States.

In regard to the High Courts in Part B States we have to take into account their gradual evolution. In Part B States formerly there were numerous States and in each of these until recent years there was a High Court, and in some cases formerly the Ruler had absolute sovereign powers even in respect of the dispensation of justice but subsequently on the advice of the then Viceroy, High Courts were established in the different States. Subsequently, when this integration of States came about and Part B States were formed, the question arose whether new High Courts should be established for each of these zones and if so on what terms. As some hon. Member has stated, the work of the High Court judges was taken into account. I would not like to use the expression "screening". It is not a very good expression. I would rather use the other expression which the Joint Committee has used, namely that the work of the High Court Judges in the numerous States was considered. A certain

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number of them was selected and appointed to be the Judges in the various High Courts in the Part B States. That was the first step.

We have also to take into account the fact that the pay scales were extremely low in most of the Indian States. Even in respect of Mysore I find that before integration the pay scales were: Rs. 1,500 for an ordinary or puisne High Court Judge and Rs. 2,000 for the Chief Justice. In Part A States you are aware that before the Constitution came into force, the pay was Rs. 4,000 for ordinary Judges and Rs. 4,500 for the Chief Justices. Ever since the integration and formation or establishment of High Courts in Part B States, we have been trying to bring about uniformity in the pay scales as far as possible, though on account, naturally, of the difficulties which the State Governments had, they did not agree that the pay scales of the High Court Judges in Part B States should be on the same footing with the Part A States. Therefore, when this question arose even recently when the States Reorganisation Commission's report was before us, we had to take into account this disparity in scales.

I would point out to the hon. Members that so far as Part A States are concerned, the pay of the Chief Justice is Rs. 4,000 and the pay of the other Judges is Rs. 3,500 per month in respect of all the High Courts, but in the case of Part B States there is no uniformity. In the Rajasthan, Hyderabad, Madhya Bharat and PEPSU High Courts, the Chief Justice gets Rs. 3,000 and the other Judges get Rs. 2,500 per month. In Saurashtra, the Chief Justice gets Rs. 3,000 and the other Judges get Rs. 2,000. In Mysore and Travancore-Cochin, the Chief Justice gets Rs. 2,500 and the other Judges get Rs. 2,000 per month. So, you will find even now there is a disparity so far as the pay scales of the Part B States High Courts and Part A States High Courts are concerned.

When this Bill had to be drafted there were two alternatives before the Government. One was not to raise the pay scales to the same level. That was the view of some of the State Governments as well. I would request the House to note that it is the State Governments that have to pay the various Judges including the Chief Justice, and therefore they are entitled to have a material say about the pay scales.

Then the question arose as to whether these pay scales should be raised to the scales of Rs. 4,000 for Chief Justice and Rs. 3,000 for the other Judges. If you take the Mysore or Travancore-Cochin or Saurashtra High Court, there an ordinary Judge draws Rs. 2,000 per mensem. Now, if the pay scales were to be made uniform, then he would get Rs. 3,500. That means an immediate increase of Rs. 1,500 per mensem. So far as the Chief Justices are concerned, they will also get about Rs. 1,500 more. The Mysore and Travancore-Cochin High Court Chief Justices get Rs. 2,500 per mensem, while the Chief Justices of High Courts of Part A States get Rs. 4,000. Therefore, the question arose as to whether we should, with a view to bringing them on the same footing, raise the pay scales so substantially as to cast an additional financial burden on the various States. When we consulted the various State Governments, some of the State Governments, especially three State Governments, namely Rajasthan, Mysore and Travancore-Cochin, were of the view that the pay scales should not be increased at all. And hon. Members will also understand that there was considerable reasoning behind it. They stated that if they were to raise the pay scales from Rs. 2,000 to Rs. 3,500 in case of other High Court Judges, and from Rs. 2,500 to Rs. 4,000 so far as the Chief Justices were concerned, then it would, naturally, lead to various claims especially so far as government servants at lower levels were concerned. And therefore they were anxious that the pay scales should not be interfered.

with and should be kept as they were. So this particular objection, especially on financial grounds, was fairly strong.

Shri V. P. Nayar: May I ask the hon. Minister a question? I understand the argument. But it happens that in the States mentioned by him, namely Mysore, Travancore-Cochin and other States, apart from the question of High Court Judges being paid more the State Governments meet the expenses incurred on the disbursement of salaries of officers of the I.A.S. and the I.P.S. I shall illustrate my point by saying that a D.S.P.

Mr. Deputy-Speaker: A question should be in the form of a question!

Shri V. P. Nayar: I shall clarify it.

Shri Datar: I know the argument he wants to put forward. He has put that argument to me in a number of cases whenever he puts supplementary questions. I know it and I am prepared to reply to it.

So far as the question of pay scales of I.A.S. and I.P.S. officers is concerned, that matter is entirely different. There, what we desire is, these are All-India Services, and so far as All-India Services are concerned, the pay scales ought to be rationalised; they ought to be the same. That is the reason why so far as I.A.S. and I.P.S. officers are concerned, they are drawing the same pay scales wherever they go, even though in some States like Travancore-Cochin—I sympathise with the position that he has put—when the work is done by an I.A.S. officer he gets more and when the work is done by a Provincial Service officer he gets far less. I know there is great disparity in this respect. But so far as All India Services are concerned, it is our duty to see to it that they maintain the all-India character of the services. And that is the reason why we have put in the same pay scales so far as the High Court Judges are concerned, and we are going to have, if the House passes this Bill, a uniformity of scales. It would be the same whether the High

Court is here or there, whether it was formerly a Part A State or a Part B State. So we have accepted the same position or the reasoning under which we had the same pay scale for All India Service officers. Therefore, that meets the objection that the hon. Member raised. I sympathise with the objection, but the difficulties are there.

Coming back to the main point, when this financial objection was raised before us, there were two alternatives open. One was to raise the pay scales to a common level; the other was to treat certain High Courts on a scale by themselves or in a position by themselves. That is the reason why when the Constitution (Ninth Amendment) Bill was introduced in the Lok Sabha, in clause 22 we stated that so far as the pay scales of all other High Courts were concerned, the Chief Justice would be drawing Rs. 4,000 and the other Judges would be drawing Rs. 3,500. But we made an exception, namely, that in the case of the High Courts of Kerala, Mysore and Rajasthan, the Chief Justices would draw Rs. 3,000 and any other Judge would draw Rs. 2,500. That was what we had originally proposed. Now, if this position was kept, then all the Judges in these three High Courts would naturally have continued, because the High Courts would have continued and their pay scales would have also continued. That was one view. But the Joint Committee considered that the better view, and the more advisable view on principle, was that inasmuch as this classification of Part A States and Part B States was going to be abolished and all the High Courts were going to be put on the same footing, there ought to be no disparity in the pay scales so far as Judges in this High Court or that High Court were concerned. And ultimately this great principle was accepted by the Joint Committee.

Now, when it was accepted by the Joint Committee, Government had to consider the whole position so far as the High Courts in Part B States

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were concerned. As I have pointed out just now as to how there was an evolution even in respect of the High Courts so far as Part B States were concerned and therefore on account of the historical association as was stated by an hon. friend, and on account of a selection then made, certain persons were not continued as High Court Judges while others were continued as High Court Judges—but mind—on pay scales which were far lower than the pay scales which are prevailing in Part A States. The House is also aware that according to the Constitution, as also according to an Act which has been passed by Parliament about two years ago, namely the Part A States High Court Judges Act, it would not be open to us to consider the question either of removing the Judges or of looking into their work. That is the reason why we had to take the step of abolishing these High Courts altogether. Here I would like to say that so far as the Judges in all the High Courts, including the Part B States High Courts, are concerned they are carrying on a very important piece of work and they are carrying it on well. But the question is whether we can equate the work of all these Judges—the Judges of the High Courts in Part A States, the Judges of High Courts in Part B States, with the historical evolution that I have pointed out. If, for example, the Joint Committee has accepted—as it has already done—if it has accepted this position that there ought to be no disparity between the pay scales of various High Court Judges, we ought to have an opportunity of finding out whether all these Judges have come up to the same level. Not that their work is unsatisfactory. I am not stating so. I am prepared to state here quite categorically that all the Judges in the High Courts of Part A States and Part B States are carrying on their work very satisfactorily.

Shri N. C. Chatterjee: May I have one clarification? So far as I remember, the hon. the Home Minister,

Pandit Pant, made it perfectly clear that the intention was to continue all these Judges, subject only to one condition, namely approval by the Chief Justice. I hope that is continuing.

Shri Datar: I am coming to that very question.

When, for example, this uniformity of scales was accepted or when the parity of position was accepted, Government naturally had to consider as to what would be the position after the abolition of these High Courts. The abolition of these High Courts in Part B States was a necessary step in view of the fact that parity had to be brought about. All the Judges are to be put on the same footing.

Shri N. C. Chatterjee: Equality among the judges.

Shri Datar: But the question is whether we can place all the judges in Part B States on the same footing as Judges in Part A States. The Joint Committee's report is extremely eloquent in this respect and I would request hon. Members to read page vii of that report. It reads:

"The Committee are of the view that it would not be desirable to introduce this distinction when all the States are being placed on the same constitutional level and that the creation of two classes of High Courts in this manner would make it difficult to bring up the level of 'B class' High Courts to that of the 'A class' High Courts. It will also be difficult to justify any disparity in pay-scales when the area and population of these States are compared with those of some of the other States. The Committee therefore propose that the Judges of all High Courts should receive the same salaries and, in order to facilitate the selection and appointment of Judges."

These words may kindly be noted: "in order to facilitate the selection

and appointment of Judges". The Joint Committee has very wisely used the term "selection and appointment of judges in the High Courts".

"....the selection and appointment of Judges in the High Courts which will replace the High Courts of Part B States, the latter should all be abolished."

That is the reason why all the High Courts have been abolished. Otherwise, it would not be possible for us to make any changes. I am speaking only so far as the principle is concerned. Therefore, the High Courts had to be abolished. It does not mean that merely because the High Courts are abolished, therefore the conditions of service would be entirely changed to their disadvantage or that all the judges will have to go out altogether or will be retrenched. That is not the view of the Government at all. Government are anxious to keep as many of the judges as possible, subject naturally to the question of the principles on which the selection would be made. Naturally, this selection will be made by Government in consultation with the Chief Justice of India and other authorities. Therefore, ordinarily, I might convey a general assurance, not a specific assurance in every case, that it is not the desire of Government that all the judges who have been carrying on their work satisfactorily should immediately be retrenched. That is not our view at all. We propose to absorb as many of the judges as possible in consultation with the Chief Justice and that is the reason why the expression "selection" has been used. If in a particular case the Government and the Chief Justice come to the conclusion that taking into account the desirability of having judges of very high calibre and competency in view of the establishment of a common position so far as all the High Courts are concerned, then, in some cases, it is inevitable that certain judges will have to go. There also, if for example they cannot be appointed as High Court

judges, we are trying our best to see whether they can be appointed to some other fairly good positions. Therefore, I am prepared to give this general assurance that generally all these people will be taken, subject to the right to find out how their work is and subject also to our right to select them on proper principles. If, for example, they cannot be absorbed then naturally we shall try our best to see that some suitable appointments, which are suitable to the work that they are carrying on, can be offered to them. So, you will see that there is no desire to do any injustice to the Justices, as my hon. friend had put it. Our judges are dispensing justice in a very even and satisfactory manner and, therefore, it would not be proper on our part to do injustice to our Justices. Therefore, we shall take particular care to see that no injustice is done, nothing is done, to affect their position, to the extent we can. So, if these two principles are taken into account, then you would agree that what the Joint Committee has done was proper—it abolished all the High Courts in Part B States and made it possible for Government and the Chief Justice of India to select such of them as come up to the standards required of High Court Judges because all the High Courts are now placed on the same footing.

I would also agree that the question of pay is not very material so far as the work is concerned. But when there is such a great disparity—and the disparity, as I have pointed out, is Rs. 1,500/- per mensem so far as the Chief Justice and other judges are concerned—and when we are going to give these people Rs. 1500/- more per mensem, should we not have a right to find out what kind of work they have done and to subject them to a process of selection? I would not use the other expression, I would say "process of selection". The House will agree that the principles that have been laid down by the Joint Committee are perfectly sound ones and that is the reason why the High Court had to be abolished with a view to

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facilitate, as it has been stated, the selection and appointment of judges in the High Courts in the present Part B States. But afterwards they would be placed on the same footing. I am happy that the Joint Committee has accepted this position because if there was this disparity of pay scales, then naturally it would have affected their position also and, as the House is aware, the Constitution makes it possible to transfer judges from one High Court to the other. If, for example, there are High Courts where the judges are drawing a lesser scale of pay, then it may be difficult to transfer them to other High Courts. Therefore, what the Joint Committee has done is a proper one; the abolition also was a proper one and the right given to us to select is also a proper one and I would assure the House that the right given to us would be used very scrupulously and we will be very fair to all the parties concerned. This is so far as High Courts are concerned.

Then, my friend Mr. Nesamony raised one objection.

Shri B. D. Pande: (Almora Distt.-North-East): I want to put a question to the hon. Minister. Will there be an all India cadre for all the judges and will they be liable to transfer from one place to another?

Shri Datar: That is an entirely different question. So far as the formation of an all India Judicial Service is concerned—that is what the hon. Member has in view—it is a question which concerns the State Governments. Just as we have all India Administrative Service, all India Police Services etc., similarly, the suggestion is that we should have an all India Judicial Service. But this is a question on which we must have the opinion of the State Government and I may inform the hon. Member that the State Governments are generally not in favour of this proposal at all. Now, unless they come round and agree that we ought to institute a new service, it will be

very difficult for the Centre to take any action in this respect.

Now I come to the amendment No. 209, moved by my friend Mr. Nesamony. It says:

"Any person in the territories transferred from Travancore-Cochin to Madras who immediately before the appointed day is an Advocate entitled to practise in the High Court of Travancore-Cochin shall as from the appointed day be recognised as an Advocate entitled to practise in the High Court of Madras."

So far as this is concerned, I would invite his attention to clause 68. It reads:

"Any person who immediately before the appointed day is an advocate entitled to practise, or an attorney entitled to act, in the High Court for an existing State and was authorised to appear or to act in any proceedings transferred from that High Court to any other High Court under any of the foregoing provisions of this Part shall have the right to appear or to act, as the case may be, in the other High Court in relation to those proceedings."

This so far as pending proceedings are concerned. Then I would like to invite his attention to clause 54, the proviso of which is in general terms. And it would give the advocates practising in one High Court a right to practise in the other High Courts, so far as such transferred territories are concerned.

Shri Nesamony: But does not that clause relate only to new States and not to existing States?

Shri Datar: The wording of clause 54 is fairly comprehensive, so as to cover the case that my hon. friend has in view.

The proviso to clause 54(2) reads:

"Provided that subject to any rule made or direction given by

the High Court for a new State...."

—that is, the Madras State—

"in exercise of the power conferred by this section, any person, who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act in any such High Court or Judicial Commissioner's Court as may be specified in this behalf by the Chief Justice of the High Court for the new State shall be recognised as an advocate or an attorney entitled to practise or to act, as the case may be, in the High Court for the new State."

Shri Nesamony: That relates only to new States, and not to existing States.

Shri Datar: I realise the difficulty of the hon. Member. I shall put his case quite properly.

His difficulty is this. So far as the Hyderabad High Court is concerned, we have made a special provision, and that provision is contained in clause 66(4), which reads:

"Any person who, immediately before the appointed day is an advocate entitled to practise in the High Court of Hyderabad shall, as from the appointed day, be recognised as an advocate entitled to practise in the High Court of Andhra Pradesh :"

But here, there is no such provision. So far as this matter is concerned, I am examining the whole question. If, so far as the Travancore-Cochin advocates are concerned, any change is at all necessary, I shall either accept the amendment of my hon. friend, or put in a new amendment.

So, I would request you not to put this clause to vote, for, I have no desire to cause any inconveniences to the advocates, so far as the transferred territories are concerned.

Shri U. M. Trivedi: Will there be a similar provision in regard to the advocates of the Rajasthan and Madhya Bharat High Courts?

Shri Datar: Is there any difficulty in their respect? I presume there is no difficulty.

Shri U. M. Trivedi: Yes, there is difficulty.

Mr. Deputy-Speaker: That also may be examined. I am not putting these clauses to vote today.

Shri Datar: I would examine the whole thing, and if there is any difficulty, I shall certainly remove it.

Shri N. R. Muniswamy: There may be an omnibus rule.

Shri Datar: The point raised by Dr. Rama Rao deals with a question of policy, regarding the bilingual State, for which so many hon. Members have been working hard and enthusiastically during the last four or five days. I would not express any opinion, so far as this question is concerned.

But I would point out that the position should be either we have a High Court for all the three areas, namely Maharashtra, Gujarat and the Bombay territory, or we have separate judicial arrangements, for these three States. I do not understand how my hon. friend wants to bring in Maharashtra and Bombay city under the jurisdiction of the Bombay High Court, and deprive Gujarat of remaining under its jurisdiction.

Dr. Rama Rao: My amendment seeks to have a separate High Court for Gujarat, the present Bombay High Court having jurisdiction over Maharashtra, including Bombay.

Shri Datar: Ultimately, it comes to the same thing.

Mr. Deputy-Speaker: The point is that the hon. Member has favoured a separate High Court for Gujarat only, and not for Maharashtra.

Shri B. V. Reddy (Karimnagar): He is favouring Gujarat, by providing for a separate High Court for Gujarat.

Shri Datar: I have followed the point, but I am not able to appreciate the reasoning behind it. Either, we have a common High Court, as proposed in the Bill in respect of the States of Maharashtra, Gujarat and the territory of Bombay, or we have separate judicial arrangements in the sense that so far as Gujarat and Maharashtra are concerned, we shall have separate High Courts and so far as Bombay is concerned, the question will have to be considered whether there should be a High Court or a Judicial Commissioner's court. That is, however, an entirely different matter.

But I cannot understand the distinction that the hon. Member seeks to make between Maharashtra High Court and Gujarat High Court. Why should not Bombay and Gujarat be kept together, so far as judicial work is concerned?

Dr. Rama Rao: As I have pointed out already, my previous amendments, which have not been voted upon so far, want that Bombay city should be part of Maharashtra. So, when I say that the Bombay High Court should be the High Court of Maharashtra, Maharashtra includes Bombay city.

Shri Datar: Anyway, so far as this point is concerned, as I stated earlier, it involves a question of larger policy regarding the future of Bombay. The two are interdependent. Therefore, I would request that the hon. Member should not press this particular amendment at this stage. Let us see what comes out tomorrow, let us hope, for the best.

Shri K. K. Basu: Is tomorrow the last day?

Shri Datar: I am not going to say anything on this at all at this stage. I would counsel patience, so far as this matter is concerned.

Shri K. K. Basu: It is really strange.

Shri Datar: So far as this particular question is concerned, these are the three points that have been raised, and I have answered all of them.

Shri Namblar: If this is the position, then how can the voting take place?

Mr. Deputy-Speaker: I accede to the wishes of the hon. Member, and defer the voting till tomorrow.

Clauses 71 to 114 and Schedules IV to VI

Mr. Deputy-Speaker: The House will now take up clauses 71 to 114 and Schedules IV to VI of the States Reorganisation Bill, 1956, for which 4 hours have been allotted. Hon. Members who wish to move their amendments to these clauses will kindly hand over the numbers of their amendments specifying the clauses and Schedules to which they relate, to the Secretary at the Table within 15 minutes.

Shri Nesamony: First, I shall deal with amendment No. 417 to clause 113. That amendment seeks to abolish a certain tax that exists over the territories sought to be transferred from Travancore-Cochin to Madras.

The PSP Government had introduced seven Bills on land reforms in the Travancore-Cochin Legislative Assembly. One of these Bills was entitled the Special Rights in Lands (Abolition) Bill. That Bill contained three parts, one dealing with *Edavagai*, another dealing with *Sreepandaravagai* and the third dealing with *Sreepadam* properties.

Just before the Congress Ministry went out of office, they took up part I relating to *Edavagai* and they passed an Act called the *Edavagai Act*, under which the tenants were directed to pay $8 \frac{1}{3}$ of the annual rent as consolidated compensation to the chieftains of these *Edavagais*, and the rights of the *Edavagai* chieftains were abolished on these lands.

But so far the *Sreepandaravagai* properties belonging to the Sree Padmanabhaswamy Temple and the *Sreepadam* properties belonging to the palace were concerned, the Congress Government did not enact any legislation, though these were also dealt with as parts of the same Bill.

I would like to bring this to the notice of the Minister that this question was gone into in 1952 by a committee constituted by the Travancore-Cochin Government, who recommended that these dues may be abolished on payment of 16½ of the net rent due from the tenant, and all rights of the temple as also of the palace and the chieftains may be abolished. It is on the basis of this report that the Government there took action. It so happened that that Government did not find time to enact the other two parts of that Bill into law. That is why I have moved this amendment.

So far as the *Devaswoms*, that are being transferred from Travancore-Cochin to Madras State are concerned, the division of assets and liabilities has been settled, and the amount that has to be paid for the maintenance of the *Devaswoms* in this area has also been settled as Rs. 13.7 lakhs.

Now, this amendment seeks to extinguish the right of the Sree Padmanabhaswamy Temple as recommended by the Select Committee and as recommended by the Commission that was instituted for the purpose. Though they recommended 16½ consolidated compensation to be paid so far as the *Edvakai* land is concerned, the Travancore-Cochin Government accepted only 8 1/3 as the consolidated compensation that has to be paid in lieu of the dues on the *Edvakai* lands. So in consonance with the Act that has been passed by the Travancore-Cochin legislature so far as the *Edvakai* Act is concerned, I have moved this amendment that on and after the appointed day the Sree Padmanabhaswamy Temple at Trivandrum

shall not have any right, claim or interest in respect of any holding in the territories transferred under section 4 except to 8-1/3 times the net aggregate of rent as compensation which shall be collected by the State of Madras from the respective landholders and paid to the Sree Padmanabhaswamy Temple. The compensation shall be determined by compensation officers appointed by the State of Madras.

My amendment includes only the operative portions of the Bill that has been submitted to the Travancore-Cochin Legislative Assembly and which passed through a Select Committee. Therefore, I request that at this time when these territories are being transferred, lest there be any inter-State litigation or dispute over this matter, about the passing of this Bill which has been before the Travancore-Cochin Legislative Assembly, the Home Ministry should take action and accept this amendment.

The other four amendments have been tabled because I find on going through the provisions of the Bill that special provision has not been made for matters mentioned therein. Amendment No. 410 to clause 72 relates to the transfer of the amount that has been budgeted for the execution of public works in the transferred territories. A sum of Rs. 13.8 lakhs were provided in the budget for the execution of public works in the territories now being transferred from Travancore-Cochin to Madras. Though six months have elapsed, not a single pie out of this amount has been spent and orders have been issued by heads of departments not to execute any public works. It so happens that miles of metal that have been stacked on the road side are still lying idle because road rollers have been removed out of this area. Money has not been spent though this is the season for metal-rolling. In other respects also, no maintenance work has been done. We are paying the tax. Tax is being collected in a very coercive manner.

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at the present moment. Now that we are getting away, we are entitled to see that at least half the amount is spent in these territories which are proposed to be transferred. If that is not done, that amount should form part of the assets that are to go on our account to Madras. Though there is provision made in the Bill for the appropriation of moneys that have been sanctioned out of the Consolidated Fund of Madras State, I submit, it takes time to put things right, so far as these transferred territories are concerned. If this amount accrues to us, it will be possible for the works to be carried through in time in the proper manner.

It also means that whatever stores remain within the territories that are now proposed to be transferred to the Madras State, on the 31st March, 1956 for use in those territories, must still continue there, though they have not been issued, because the word used in the clause so far as stores are concerned is 'unissued'. Though they have not been 'issued' in that sense, they have been issued long ago for use in these territories and so they must continue to be the property of the Madras State and an asset of those transferred areas.

My amendment No. 411 to clause 77 relates to the normal supply of stores for institutions, like hospitals, dispensaries, veterinary hospitals, educational institutions and so on, so that the institutions may not suffer on that account. I am putting this forward because though we have taken up the matter with the present Adviser to the Rajpramukh, nothing has been done. Instances have been brought to their notice that indents made by these institutions on the 31st March have not been honoured up to the present moment so that these institutions are mostly empty at the present moment. That is why I have moved this amendment that indents that have been made on the 31st March for the normal supply of drugs, furniture

etc. to these institutions must be supplied before the appointed day.

My amendment No. 412 relates to a nationalised concern. Clause 82 of the Bill deals with nationalised concerns. Here are two instances of nationalised concerns which are partly in the territories which are to be transferred and partly in the territories which form part of the proposed Kerala State. One such concern is the Travancore Minerals Company. One part of it is in the transferred territories, that is, in Manavalakurichi, and the other part is in Chevara, in Kerala territory. This nationalised concern which is in the transferred territories should pass on to the Madras State as a nationalised concern and the management and exploitation of minerals should be done by the Madras State.

The other concern is the State transport. Within the territories to be transferred, the Travancore-Cochin Government runs State transport buses. We are entitled to a proportionate share of the vehicles of all categories which should be handed over to the Madras State as our asset, to be worked by the Madras State. That shall form part of the nationalised concern within these territories which are to pass on to the Madras State.

I submit these things lest it be stated that it is the nationalised concern of another State and difficulties might crop up subsequently in the application of the Motor Vehicles Regulation or rules regarding the nationalised concern. These must be separated on the appointed day and handed over as our assets to the Madras State.

The other amendment is No. 413 to clause 87, relating to the exploitation of forests. It so happens that just before this Bill was introduced, in the contracts to exploit timber from the forests of these areas, a condition seems to have been put in that the timber shall be removed outside these territories to Trivandrum. Usually, the timber was removed to the depot

in Nagercoil, within the transferred territories. So large quantities of timber which ought naturally to be stacked in the depot at Nagercoil are now being stacked in Trivandrum. That being an asset or property exploited out of the forests in the transferred territories, we are entitled to the timber that has been removed from those territories. After the appointed day, any agreement by which timber can be transferred into Kerala shall be void and the timber shall be transferred to the Nagercoil depot within the transferred territories. Account shall be taken of such timber and it shall be deemed to be the asset of the transferred territories.

Shri B. S. Murthy (Eulru): What will be the value of the timber?

Shri Nesamony: Several lakhs of rupees.

I have moved these amendments because I find there is no adequate provision made for the contingencies I have referred to in the clauses that I referred to. Again this matter having been taken up with the Travancore-Cochin Government, we had not a reply that would satisfy the questions that have been raised by us. That is why these clauses are to be made statutory in the Bill now before us. So I hope that these amendments would be accepted and the Home Ministry would look into this matter.

Shri U. M. Trivedi: Mr. Deputy-Speaker, I have moved certain amendments, particularly relating to clause 102. There is a purpose behind my moving this amendment. It is provided in clause 102 that:

"As from the appointed day, the Financial Corporations established under the State Financial Corporations Act, 1951 for the existing States of Madhya Bharat, Punjab, Rajasthan, Saurashtra and Travancore-Cochin shall be deemed to be the Financial Corporations established under the Said Act for the new States of Madhya Pradesh,

Punjab, Rajasthan, Gujarat and Kerala, respectively."

I suggest that these Financial Corporations which were established by these various States must be abolished, and new ones may be established.

There was, to begin with, no justification for the abolition of the High Courts while establishing High Courts for these States; but they are being abolished by the provisions of clause 50. But there is every justification for the abolition of these Financial Corporations which have been established in these various States, where money has been given without any thought of propriety. The money that has been given has been given only to those people who were sycophants or persons who could promise votes. All these liabilities that have been created must not be made to fall on the heads of the new States that are to be created.

Mr. Deputy-Speaker: Would the formation of new Corporations help in any way?

Shri U. M. Trivedi: Yes; because when the new Legislatures are coming into being, new blood will be infused and new Corporations will also have new blood. When the new Legislatures are going to be elected, it is not likely that we will have 99 per cent Congressmen. They are going to be changes. All things will not be the same as they are today. Whatever goodwill has been created has been done by giving money to every Tom, Dick and Harry. I know that in Madhya Bharat and Rajasthan, bankrupts, cheats and others have been given Rs. 5000, Rs. 2000 Rs. 50,000 and so on, to secure votes. Therefore it is essential that this liability which has been created by these disbursements of money should not be put on the heads of the new States. These moneys have been distributed as if they were somebody's money. They were the hard earned money of the taxpayers and they have been utilised like this. These Corporations have been the creations of those States:

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where the Congress was not an organised body and anybody who wanted to come into the picture, who simply got up as mushroom growth, became a Minister overnight. Therefore, we should be watchful of their activities and at one stroke we should be able to do away with the provisions of those Financial Corporation Acts so that

Mr. Deputy-Speaker: And write off the advances as well!

Shri U. M. Trivedi: We can always get them. I am not suggesting that the advances that have been made will not be recovered from them. I should say that they should be more rigorously recovered, not only from societies but from individuals also; let those advances be recovered as public debt.

Mr. Deputy-Speaker: If they can be recovered, then they are good debts.

Shri U. M. Trivedi: Let there be process, all right. Let them not be recovered later on. They may be put as bad debts later on. But that would be enough lesson for people who have done all this, let them be exposed. That is the reason for my amendment.

Shri Achuthan: Strong feelings have been expressed over this division of assets and liabilities. For instance, Shri Nesamony, while speaking on his amendments, was particularly strong when he said that timber worth lakhs of rupees have been taken away from a particular territory to Trivandrum. I do not know where from he has got his figures and how far he is correct. (*Interruption*). In fact there cannot be any political game in Travancore-Cochin because it is under President's rule and Parliament has got control over it. That cannot be. Unless Shri Nesamony brings out facts and figures to substantiate his statement that timber worth so many lakhs has been cut from the Nagercoil region and sent to the depot at Trivandrum, the place of Shri Nayar I do not know how much value can be attached to that statement of his by this House. According to me, there cannot be any

such thing. Because, in fact, the Government is now run by the President with the Adviser there to look after these matters.

I do not know whether he has raised this question because Shri A. K. Gopalan, the leader of the Communist Party, once said that timber and elephants are removed from the Malabar region to the Coimbatore region and the Madras Government spokesman said that it was not correct. So, I think, in answer to that statement of Shri Gopalan, Shri Nesamony has moved this amendment and spoke about timber. I want to impress upon the hon. Members of this House who do not know these things that they should not be carried away by such statements. (*Interruption*).

Coming to Pandaravagai and other Bills. I am sorry they were not able to pass those measures through. In fact, the Bill had passed the Select Committee stage, but it so happened that the Legislature had to be dissolved. I do not know how far he could introduce those particular provisions for a particular region that has come from or coming from the present State of Travancore-Cochin to Madras. The Madras Government is there; the Legislature is there and when the region goes to that State, they can bring in legislation after considering all relevant matters; not only for that particular region but for other regions also. It is preposterous for him to say that when they are parting from Travancore-Cochin, they must have this benefit also while it is not given to other regions still remaining in that State. He is not fair in bringing this amendment and saying that it should find a place in this Bill here.

He was then stating something about the expenditure not made to be considered as items of assets. He mentioned if half the amount has not been spent by the Public Works Department it should be considered as assets. Here also, I think, he has the animus in him, the animus against—if I cannot say animus, I will say the feelings he had against our Govern-

ment there and the Travancore Congress and it is increasing in intensity. That may be the reason why he has said that if half the money has not been spent by the Public Works Department, then that money has to be included in the assets and should go to the Madras Government with regard to the particular region.

It is a little too much for him to say that all these details—Rs. 10/- not being spent here, or so much of timber being exported or removed to Trivandrum or so many buses running in such and such an area—should be incorporated in this Bill. These are details to be worked out by the concerned Governments. If at all there are any complaints with regard to the principles in coming to a conclusion, the Central Government will interfere in those matters.

When the Andhra Bill was being discussed, I distinctly remember that hon. Members did not attach so much importance to these things and did not raise questions. They only said that they must be fair and all that. But, Shri Nesamony has been demanding all these. He even goes on to say that all these details should find a place in this Reorganisation Bill.

So, I do not find any justice or propriety in supporting these amendments.

Shri Gadilingana Gowd: My amendments are Nos. 255 and 256. Amendment No. 255 deals with the deletion of Bombay from the list of C Class States. Bombay, as I have already submitted on a previous occasion, justly belongs to Maharashtra. The majority of the Members who have spoken here have expressed their view in favour of Bombay going to Maharashtra. I have, therefore, given this amendment.

Amendment No. 256 deals with the deletion of the word "Mysore" and substitution of "Karnatak" in place of "Mysore". Karnatak has got its own culture for the last thousand years or so.....

Mr. Deputy-Speaker: The hon. Member is speaking about his amendments to clauses 50 and 66, but we have already disposed of that group of clauses.

Shri Gadilingana Gowd: Then I will go on with the Industrial Finance Corporation. I entirely agree with what my hon. friend Shri Trivedi has said. I know that in Andhra State, some of the industrial concerns that have borrowed loans from the Corporation have gone into liquidation. I submit that the Corporations Act should be repealed.

With regard to the High Courts....

Mr. Deputy-Speaker: That again is already disposed of.

Shri Gadilingana Gowd: We are in favour of only one High Court. I have nothing more to say.

Shri A. M. Thomas: Mr. Deputy-Speaker, Sir, my amendments are Nos. 513, 514, 515 and 516 to clause 75 of the Bill. They are amendments which relate to the States of Travancore-Cochin, which will become Kerala State, Mysore and Gujarat. Gujarat comes in because of the merger of the State of Saurashtra with Gujarat.

I may just state to the House the genesis of clause 75. According to article 270, the income-tax collected by the Centre has to be divided between the various States in the proportion that would be settled later on. So also according to article 272, the excise duties which are being collected by the Centre are to be distributed according to the formula that would be settled later on both to be done on the recommendation of a Finance Commission.

Another item of grant that is permissible is under article 275, namely such grants-in-aid or revenues which may be made to the State as has been decided by Parliament.

According to the original Bill, sub-clause (2) of clause 75 was not there, so that the Central Government was

[Shri A. M. Thomas]

not under any statutory obligation to honour the agreements that have been entered into by the Centre with the States of Travancore-Cochin, Saurashtra and Mysore. After the integration, when the income-tax revenues as well as excise revenues, which were being collected by the States were taken over by the Centre, an agreement was entered into on the recommendation of the Indian States Finances Enquiry Committee, presided over by Shri V. T. Krishnamachari, that for a particular period some States have to be treated on a different footing from the erstwhile provisions. If a preferential treatment is not given, and only that percentage of income-tax revenue as well as Central excise revenue that is being given to the Provinces is given also to the States, these States may not be in a position to exist as viable units and may not be in a position to meet the obligations enjoined on them under the Constitution. The Indian States Finances Enquiry Committee, therefore, suggested that for a period of five years, whatever may be the percentage that may be due to these particular States if they are treated on par with the Part A States, the Centre would have to pay these particular amounts, that is whichever be the higher, to those States. If on a percentage basis it is calculated that the amount becomes higher, then that higher amount has to be paid. If on the percentage basis it does not reach the figure mentioned then whatever is the higher amount would have to be paid to the States. So, under the agreement entered into between these three States and the Centre, an amount of Rs. 275 lakhs had to be paid to the State of Saurashtra. At that time, if calculated on a percentage basis, the amount would not have come to Rs. 275 lakhs. So also, as far as Travancore-Cochin is concerned, it was decided that it must be given an amount of Rs. 252.9 lakhs plus Rs. 26.6 lakhs—Rs. 279.5 lakhs that should be the minimum payment. As far as the State of Mysore is concerned, it must get Rs. 345 lakhs.

The Indian States Finances Enquiry Committee also recommended that after 1955—it was for a period of five years after the coming into force of the Constitution, that is, up till 1955—till 1960, that is for a period of five years, a little difference has to be made in the matter of these payments; that is, the minimum amount that has to be paid. There should be a tapering down of the amount gradually so as to reach a particular amount in the year 1960. According to the Indian States Finances Enquiry Committee, the net loss to the State of Travancore-Cochin would be Rs. 330 lakhs on the basis of the figures for their financial year 1123, Malayalam Era. On page 41, they say:

5 P.M.

"The net revenue loss to the T. C. State, taken together, upon federal financial integration (on the basis of figures for their financial year 1123 M.E.—Malayalam Era) would be Rs. 330 lakhs, this includes net loss of Rs. 100 lakhs by abolition of internal Customs Duties in Travancore State.

We recommend that—

(a) the loss resulting from the immediate abolition of internal Customs Duties of Travancore must be borne by the State Government;

(b) as regards the residual net "Central" Revenue-Gap of the two States taken together (Rs. 230 lakhs), there should be a guaranteed reimbursement by the Central Government to the following extent during a transitional period:

From the date of federal financial integration Rs. 230 lakhs per annum to 31st March, 1955.

From 1st April 1955 to 31st March 1960, the residual net Revenue-Gap of Travancore in full (i.e. Rs. 127 lakhs) plus a gradually reducing part of the

Cochin net Revenue-Gap of Rs. 103 lakhs so as to work it down to sixty per cent thereof in 1959-60.

The amount payable in 1959-60 will continue to be paid as a guaranteed reimbursement for a further period of five years, if the Constituent Assembly should accept an extension of the transitional period to fifteen years."

Similar recommendations have been made in the case of Saurashtra as well as Mysore. It was recommended that the Constituent Assembly should decide whether this payment should continue after 1960. It has been stated that if the Constituent Assembly should accept, the amount has to be continued to be paid even after 1960. But, unfortunately, the Constituent Assembly did not make any provision which would enable the payment of the same grant as on 1960 for a subsequent period of five years. So, according to the decision of the Constituent Assembly, this recommendation of the Indian States Finance Enquiry Committee has not been accepted. But, the other recommendation has been accepted in toto and it has also been entered into in the agreement with the three States concerned. If the Joint Committee has not introduced this sub-clause in clause 75, the position would have been that this guaranteed revenue gap payment would have been paid only till the end of the financial year 1957 and the agreements that were entered into with these three States by the Centre would have been nullified as far as this particular provision was concerned.

Shri U. M. Trivedi: Is there any formula by which clauses 75(2)(a), 75(2)(b), etc. have been put down?

Shri A. M. Thomas: Yes. That finds a place in the agreement which has been entered into by the Centre with the States.

Shri U. M. Trivedi: There may be a formula. But, what I cannot understand is this. Most of the money

bags, in the words of Shri C. D. Deshmukh, are in Gujarat. It is these money bags who give you the greatest amount of money. It appears that in distributing these moneys to the various States, as provided for in this clause, the Maharashtra State has been given 11.85 per cent. and Gujarat only 6 per cent. So, the owner of the money has been given less and the other exploiter is given 11.85 per cent.

Mr. Deputy-Speaker: Money bags are to be emptied.

Shri A. M. Thomas: That is the basis of the division of the income-tax as well as excise revenue. There is no exploitation or anything like that.

Shri U. M. Trivedi: What you say is laid down in the Fourth Schedule, Table II. There you have got the excise duties. But, I am talking of the income-tax percentage. The money bags pay more income-tax. The State whose people pay more should get more than those who do not pay.

Mr. Deputy-Speaker: The answer to that would be given by the hon. Minister.

Shri A. M. Thomas: I shall continue my speech with regard to my amendment. If we go by the letter of the agreement that had been entered into with the three States, the provision contained in clause 75 is correct. But, my submission is that the principle that has been adopted by the Central Government for the year 1956-57 must be adopted for the subsequent years ending with the financial year 1960.

From the Schedule to this Bill, it will be found that it has been provided to pay from the Consolidated Fund of India various amounts to Mysore, Saurashtra and Travancore-Cochin, for the first half of the financial year 1956-57 and for the second half of the financial year under clause (b) certain further amounts.

If we have taken into consideration the recommendation of the In-

[Shri A. M. Thomas]

dian States Finances Enquiry Committee and the agreements that had been entered into, these three States would have been entitled only for a lesser amount for the financial year 1956-57. But, the Centre has put the finances in these three States on a different footing and decided that because of the Five Year Plan and the difficult financial position of these States as reported by that Committee, it will not be proper to reduce any amount. That is to say, the tapering down of this revenue gap amount from 1956-57 has not been given effect to in this Bill. My only submission is this. The very same principle that has been adopted for the financial year 1956-57 may also be adopted for the subsequent years ending the financial year 1960. In short, my request to this House is that there should not be any tapering down for the subsequent period.

The principles followed by that Committee were as under:

"Our reviews of the finances of States have convinced us that the integration of their federal finances with the Centre, if unaccompanied by appropriate financial adjustments over a transitional period, will in most cases cause dislocation of their finances and lowering of standards of administration which will cause discontent."

Then at another portion they say:

"We are satisfied that the individual schemes prepared by us for the States, following the plan already described, provide the only practical approach to the problem in a manner which would cause the least dislocation during the transitional period and meet the variety of financial situations arising in the different States as a result of federal financial integration."

They further state that on adoption of any method the finances of these States should not be dislocated.

Now, the Government of India has accepted the position. For the year 1955-56 the tapering down was not given effect to and for the current year 1956-57 the States Reorganisation Bill itself contains the unreduced grants for the whole year—that is, Rs. 275 lakhs for the State of Saurashtra and other amounts for the States of Travancore-Cochin and Mysore. My request at this stage is that that very same principle should be adopted for the subsequent period also. If the principle which has been adopted for the year 1956-57 is to be followed, the amounts due will be the amounts that I have shown in the amendments 513 to 516 which I have already moved. This is a matter of serious concern to these three States and I am sure all the Members, irrespective of party considerations, coming from these three States will support my amendments.

There was some difficulty for the Joint Committee to make any violent departure from the provision in the Bill, because of the fact that in the agreements entered into only the tapering down amounts are shown. But, considering the particular circumstances of these States and the fact that the Centre itself, irrespective of the fact that it was only bound to pay the tapered amount, has paid the amount without any reduction for the financial year 1955-56 as well as provided for the year 1956-57, I submit that the reason behind my amendments has been accepted by the Government. My only request is that the House should give effect to it.

I said it was a little difficult for the Joint Committee to make any violent departure because it would be going beyond its purview and making recommendations with regard to certain grants about which it was not asked to decide since the original Bill did not contain any such provisions. Now, since the House is reviewing the entire field and providing for grants for the subsequent

years also, my submission is that justice must be done to these three States, especially in view of the fact that these States have launched upon heavy investment plans under the Second Five Year Plan depending upon the assumption that the same grant would continue to be paid. I submit that these three Governments should not be disappointed in the calculations that they have made in arriving at the resources for the Second Five Year Plan also.

Now, the grant to the State of Saurashtra since its merger with Gujarat has to be paid to Gujarat. The grant due to Travancore-Cochin has to be paid to Kerala as well as to Madras, because a portion goes to Madras. That is why I have stated in my amendment that Rs. 26.6 lakhs has to go to Madras instead of Rs. 24.65 lakhs. Then, because the State of Mysore comes in the enlarged Mysore State, the sum of Rs. 345 lakhs has to be paid to the enlarged Mysore State. I submit that the Home Ministry should persuade itself to accept these amendments. I do not think the Finance Ministry would have any serious objection because it has already adopted the principle and no reduced amount has been provided for the year 1956-57. This is all I have to say about my amendments that I have moved to clause 75.

With regard to the complaints that my friend Shri Nesamony raised, such complaints and counter complaints have been appearing in the local Press and in the Press outside also. Some of the leading men of Kerala were complaining that the elephants that were in Malabar, which area would now come to Kerala, are being removed to Madras State and some machinery in Fort Cochin, which is an enclave in my constituency, is being removed to Madras territory. They say that forests in Malabar district are being denuded and timber is being cut down indiscriminately and removed. Such complaints are there. We have also been seeing denials on the part of

both the Travancore-Cochin and the Madras Governments with regard to these complaints. Sir, I purposely do not want to ventilate these complaints here because of the fear that it may affect the good relations between the two States that have to move together.

Shri Nesamony: I want to know how many sections of the various departments have been abolished during the last two months. The Kodayar Extension Project Section, the National Water-supply Section and various other planning sections have been abolished. Does the hon. Member know anything about that?

Shri A. M. Thomas: There has been a Press Note issued by the Travancore-Cochin Government to the effect that all the projects that have to be worked under the Budget of 1956-57 are being worked out now and no discrimination at all is being shown. I do not know from where my friend has got the information.

Shri Nesamony: Does the hon. Member know.....

Mr. Deputy-Speaker: Order, order. The hon. Member had his say. There cannot be more than one speech by any Member on one point.

Shri Nesamony: I am bringing to the notice of the hon. Member certain facts which he does not know.

Mr. Deputy-Speaker: It may be. Nobody can know everything.

Shri A. M. Thomas: That is why I said in regard to the complaints and counter-complaints that, since I am not in a position to assert one way or the other, it is better we do not ventilate these complaints here. Of course, if any specific instances are brought to the notice of the Home Ministry I am sure the Home Ministry would take the necessary action. I, as a matter of fact, know that the Home Ministry has issued instructions that no room should be given for such complaints. By ventilating these things on the floor of this House I am afraid the good relationship

[**Shri A. M. Thomas**]

that exists between the two Governments may be embittered. My friend Shri Nesamony knows that, if at all any party has got legitimate grounds for complaints, it is more for the Travancore-Cochin Government.....

Shri Nesamony: If it does not attend to them?

Shri A. M. Thomas: I purposely did not want to refer to these matters like removal of elephants, clearance of forests etc.

Sir, one other fact to which I wish to refer is about clause 113. Clause 113 has been incorporated in this Bill because of the reason given in paragraph 49 of the report of the Joint Committee which runs thus:

"This clause provides for the division of the Devaswom Surplus Fund which belongs to the Travancore Devaswom Board, which is a statutory body. It is proposed that a corresponding Fund should be established in Madras and that the Surplus Fund should be divided in the ratio of 37·5: 18·5, on the basis of an agreement reached between the two State Governments"

So, this provision has been made on the basis of an agreement that has been reached between the Travancore-Cochin Government and the Madras Government. I would request the Home Ministry to use its influence with the Madras Government and if possible get the Madras Government to agree for a more legal and equitable distribution of the surplus fund of the Travancore Devaswom Board. It is good that we know something about the genesis of the fund itself to that this House may be in a position to judge what should be the proper proportion by which this fund should be divided between the Board within the residuary State of Travancore-Cochin and the Madras Government.

The temples in Travancore owned immovable properties and when Col.

Munroe was the Dewan of Travancore, these properties were all taken over by the State and the temples were maintained at the expense of the State in lieu of the income that would be derived from the properties that have been taken over from the temples by the States. At the time when the Travancore and Cochin States were integrated, it was provided in the covenant that an amount of Rs. 45 lakhs should be paid to a body which was to be constituted, namely, the Travancore Devaswom Board, in lieu of the income that would be obtained from the properties that have been taken over from the temples by the States. Rs. 6 lakhs was calculated as a reasonable income of the properties that had been taken from Sri Padmanabha-swami temple by the State, so that adding both the amounts, namely, Rs. 45 lakhs and Rs. 6 lakhs, a total of Rs. 51 lakhs was to be given to the Devaswom Board in lieu or by way of compensation for taking over the properties belonging to the temples by the State. So, the genesis was this, and Rs. 51 lakhs was arrived at this way.

It was not also possible to distinguish Devaswom from the State property; because these properties were mingled in such a way that it was not possible to distinguish one from the other. However, it was thought that 40 per cent of the landed property belonged to the Devaswom and 60 per cent belonged to the State. On this basis, the land tax that would be due from the entire Travancore State was calculated, and 40 per cent of it was considered to be a reasonable compensation in lieu of the amounts which the temples were deprived of. So, it was provided that Rs. 51 lakhs should be given over to the Devaswom Board which was a statutory body.

Now, when the temples in the four taluks which go to Madras have to be separated from the jurisdiction of the Travancore Devaswom Board,

fund has to be found for maintenance of those temples.

Shri Nesamony: On a point of order. While the House is considering the Bill clause by clause, is a Member who has not sent in any amendment to a clause entitled to speak on the clause or any other amendment to it?

Mr. Deputy-Speaker: When the clauses are discussed, he can support or oppose a clause, or he can support or oppose any amendments moved to any clause.

Shri A. M. Thomas: In the original Bill, the reason behind the provision for giving Rs. 46.5 lakhs to the Travancore Devaswom Board and the remaining Rs. 4.5 lakhs to the Madras State was this, namely, if one goes by the income derived, which was the basis of this payment of Rs. 51 lakhs, the properties in the portion that goes to Madras would have fetched only that portion of the income. But, when the matter was considered subsequently by the Madras and the Tranvancore-Cochin Governments, after the Government of Travancore-Cochin was taken over by the President, the accounts were gone into and it was found that on an average for the last three years, about Rs. 13.5 lakhs were being spent on the temples in South Travancore which are to be given over to Madras. It was thought that it was only fair that Rs. 13.5 lakhs should be provided for the maintenance of those temples by the Madras State and that it would be deducted from the Rs. 51 lakhs.

If one goes by the basis of expenditure, I concede that there is some justification for making such an allotment. But, as I have already said, if one goes by the genesis of this fund, and if one adopts the basis of division of the assets and liabilities, it would not be proper. If the expenditure basis is to be adopted it should be adopted for the temples in the residuary State of Travancore-Cochin also. I understand that during the

last three years, the expenditure came to an average of Rs. 40 lakhs and odd. If that is so, instead of Rs. 37.5 lakhs, the Travancore Devaswom Board would have been entitled to Rs. 40 lakhs and odd for the maintenance of temples in the residuary State. I advance this argument just to show that the basis of expenditure cannot be adopted as a safe or proper guide alone. I understand the difficulty of the Central Government in ignoring the agreement that has been entered into between the T.C. Government and the Madras Government because, although they have got lands yielding a revenue of Rs. 4.5 lakhs for the maintenance of those temples, they would have to spend another Rs. 9 lakhs more if they have to maintain the temples in the same order as is being done today. So, it was thought only fair that that basis should be adopted also for the division of the surplus fund.

[**SHRI BARMAN** in the Chair.]

5-31 P.M.

My submission is that the very same principle that we have adopted for the division of the Devaswom Fund, namely, Rs. 45.6 lakhs out of Rs. 51 lakhs, should also be adopted for the division of the surplus fund, because it may not be proper or legal if we adopt any other standard for the division of this surplus fund. As I said, the difficulty of the Central Government is also there, because the Madras Government has taken upon itself the responsibility more than what it was really bound to take up; it is giving Rs. 9 lakhs more. I submit it would be improper if the same principle is not adopted for the division of the surplus fund also. If we divide the surplus fund on the basis of expenditure, since these lands were giving only Rs. 4.5 lakhs, there cannot be any right to the surplus.

Shri Nesamony: May I know what is the basis for this calculation of Rs. 45.6 lakhs?

Shri A. M. Thomas: According to the original Bill, it has been like that—Rs. 45.6 lakhs. I would request the Home Minister to get the consent of the Madras Government to divide the surplus fund also in the very same ratio in which we divide the Devaswom fund for the coming years. That is only a fair principle. That is all I have to say on clause 113.

This group of clauses is a very important one. We have generally adopted the principles we have adopted in the Andhra Bill for incorporating the necessary provisions here also; but, in one material fact, we have departed from the Andhra Bill. In the Schedule to the Andhra Act, it has been provided that a particular amount should be given to the State of Andhra on account of its being deprived of the benefits of the city of Madras and for the shortage of buildings in the Andhra area. You would find that Malabar has also contributed to the growth of the Madras city and it has to be paid some amount by the Madras State in lieu of the fact that it is now losing all rights on that city. It may be argued that as far as South Travancore is concerned, it is losing all rights on the capital of Trivandrum; but, there is no comparison between the two States. If the Government is prepared to adopt any equitable principle, I have no objection to the Kerala Government paying something to the Madras Government on account of that portion being deprived of the benefits of the capital of the T.C. State, namely, Trivandrum.

I have only one word to say. According to article 275, an ad hoc grant is to be paid to T. C. State. We have provided in the Bill for payment during 1956-57 Rs. 22½ lakhs for the first half-year; Rs. 20½ lakhs during the second half-year and Rs. 2½ lakhs to the Madras State for the South Travancore territory. One fact I want to mention at this juncture is this. At the Joint Committee stage, arguments were advanced that in the matter of division of assets and liabilities and in the matter of

allocation of funds, some consideration would have to be shown to the backward areas. It was pointed, for instance, that Malabar, which is coming to T. C., is an undeveloped area and the expenditure on that part of the area would be less compared to the expenditure incurred by the Madras State in other parts of the State. It would be a big burden on the future Kerala State to develop Malabar to the same extent as the other areas in T. C.; it would be a great strain on the finances of the future Kerala State. So, it was urged that a suitable allocation should be made, but it was pointed out by the Minister that these matters would be taken into consideration by the Finance Commission that would be appointed. The backwardness of any particular area or the requirements of any particular State will be taken into consideration by them and suitable provisions will be made in the matter of the allocation of the income-tax as well as excise revenue and also in the matter of providing for the payment of Central grants. In the light of that assurance, it was not proper to press any of the amendments for making any allocation for the needs of the backward areas. My only request at this stage is that the Home Ministry should bear this fact in mind and see that the Finance Commission takes note of all these considerations while making its final recommendations.

Mr. Chairman: The following amendments to clauses 71 to 114 and Schedules IV to VI of the State Reorganisation Bill have been indicated by Members to be moved subject to their being otherwise admissible:

Clause No.	Amendment No.
72	410
75	513, 514, 515, 516
77	411
82	412
87	413
102	414, 415, 416
113	417 and 517

Clause 72.—(Appropriation of moneys for expenditure etc.)

Shri Nesamony: I beg to move:

Page 34—

after line 31, add:

"(3) In the territories transferred from Travancore-Cochin to the State of Madras, if half the amount provided in the Budget for execution of public works has not been spent the balance of any such amount shall be transferred to the State of Madras on the appointed day."

Clause 75.—(Distribution of Revenues

Shri A. M. Thomas: I beg to move:

- (i) Page 35, line 27—
for "248·04" substitute "275".
- (ii) Page 35, line 31—
for "232·38" substitute "252·90".
- (iii) Page 35, line 35—
for "24·65" substitute "26·60".
- (iv) Page 35 line 39—
for 289·80" substitute "345".

Clause 77.—(Land and Goods)

Shri Nesamony: I beg to move:

Page 38—

after line 31, insert:

"(2A) The normal indent of supplies made before the 31st of March, 1956 by the hospitals and other institutions in the territories of Travancore-Cochin transferred to State of Madras shall be met by the Government of Travancore-Cochin before the appointed day. All sections of the departments in the transferred territory which have been abolished since 31st March, 1956 shall be restored with their personnel and stores before the appointed day."

Clause 82.—(Assets and liabilities of State undertakings)

Shri Nesamony: I beg to move:

Page 38—

after line 12, add:

"(3) The Travancore Minerals Company in the territory trans-

ferred from Travancore-Cochin to the State of Madras shall from the appointed day pass to the State of Madras.

(4) On and from the appointed day such number of vehicles of all categories of the State Transport Department of Travancore-Cochin plying in the territories transferred to State of Madras shall pass to the State of Madras along with all garages, workshops, waiting sheds and offices and the Madras State shall operate those vehicles."

Clause 87.—(Contracts)

Shri Nesamony: I beg to move:

Page 40—

after line 27, insert:

"(2A) On and from the appointed day any contract for the exploitation of timber from the territories transferred to the State of Madras from Travancore-Cochin stipulating for the removal of timber to any depot outside the said territories shall be void and any such timber removed after the 2nd day of May 1956 or its value thereof shall pass to the State of Madras."

Clause 102.—(Provisions as to certain State Financial Corporations)

Shri U. M. Trivedi: I beg to move:

- (i) Pages 43 and 44, line 43 and lines 1 and 2 respectively—

for "shall be deemed to be the Financial Corporations established under the said Act for the new States of Madhya Pradesh, Punjab, Rajasthan, Gujarat and Kerala, respectively."

substitute "shall be abolished".

- (ii) Page 44—

omit lines 3 to 9.

[Shri U. M. Trivedi]

(iii) Page 44—

omit lines 31 to 35.

Clause 113.— (Provision as to the Devaswom Surplus Fund of Travancore)

Shri Nesamony: I beg to move:

Page 52—

after line 19, add:

"(3) On and after the appointed day the Shree Padmanabha-swamy Temple at Trivandrum shall not have any right, claim or interest in respect of any holding in the territories transferred under section 4 except to 8-1/3 (eight and one-third) times the net aggregate of rent as compensation which shall be collected by State of Madras from the respective landholders and paid to the Shree Padmanabha-swamy Temple. The compensation shall be determined by compensation officers appointed by the State of Madras."

Shri Achuthan: I beg to move:

Page 52, line 17—

for "37·5 to 13·5" substitute "46·5 to 4·5".

Mr. Chairman: These amendments are now before the House.

Shri U. M. Trivedi: There is no quorum.

Shri Nambiar: This is the second time.

Mr. Chairman: The quorum bell is being rung.—Now there is quorum, Shri V. P. Nayar.

Shri V. P. Nayar: I am in agreement with the spirit of the amendment moved by Shri Nesamony, amendment 412, but I do not agree with amendment 413.

If you read clause 82 you will see that it is quite possible that there could be a difference in interpretation. As it reads now, the clause does not cover industrial or commercial undertakings which are

spread out in areas which will fall within the areas of two States. The clause reads:

"The asset; and liabilities relating to any commercial or industrial undertaking of an existing State shall pass to the successor State in which the undertaking is located."

There is some force in what Shri Nesamony says because there are certain industrial and commercial undertakings of the type I have mentioned. Especially in the case of the Travancore-Cochin State Transport Department which operates several bus routes in the area which will be transferred from the present Travancore-Cochin State to the future Madras State, I am afraid the clause as it is worded today is bound to create some confusion. Similar will be the case in respect of the mineral factory at Manavalakurichi. This is not a peculiarity of Travancore-Cochin alone. In Madras State there is the shark liver oil factory which is located in Malabar. The head office may be in Madras City. It is a commercial undertaking run by the Government. So that, I would very much like the hon. Minister to consider re-drafting this particular clause in such a way that such amendments will not be necessary.

As regards the amendment itself, I am not in favour of its being put in here because clause 82 is a general clause, and what is sought by amendment 412 is a particular provision in respect of a commercial undertaking run by a particular State. I submit there should be a general proviso.

The re-drafted clause should also contain a provision by which a commercial or industrial undertaking taken over by one State as a result of transfer of territories will continue to be run as a State undertaking. I am pressing this point because I have been told by many of the transport workers of Travancore-Cochin and even by the union representa-

tives that rumours are afloat that the Madras Government is thinking already in terms of entrusting this undertaking to a private agency. It is very likely also because we know that the present State transport undertaking of Madras is limited to Madras City and its surroundings. This particular area which will go to Madras from Travancore-Cochin is about 400 miles away from Madras City, and in between there is no State transport undertaking. Further, around this particular area in the present Madras State, road transport is almost in the monopolistic grip of a firm known as Southern Roadways.

Shri Nambiar: T.V.S.

Shri V. P. Nayar: Whatever it is, I am not interested in the name.

Shri U. M. Trivedi: What is the name?

Shri V. P. Nayar: T.V.S. They have one main company and several subsidiaries. So that, unless you provide definitely in this particular clause that a State undertaking or a commercial undertaking run by the State, on being taken over by another State, shall continue to be run as a State undertaking, it will create some trouble. Whatever be the nature of the credit or the prestige of a private employer, we know that service conditions under a private employer are definitely worse than under Government. There may be so many short comings in Government service. The facilities provided to the transport employees of Travancore-Cochin State may be very inadequate too. All the same, after having served for a period of years in a Government undertaking it will be very hard to ask them to go and serve a private employer. And unless we provide for it by statute, there is a grave danger because there are already rumours afloat as I said, that it will be transferred for reasons of convenience as it will be difficult for the Government of Madras to run the undertaking in a remote area of the State. Such a step I think is

bound to create heart-burning among the workers.

There must be a reasonable distribution of the assets of the Transport Department. Shri Nesamony said motor vehicles of all types should be given. I do not stop there. I go to the extent of saying not merely the motor vehicles, but the garages, the waiting sheds, all structures etc. of the Transport Department as it is operated today must be given to the Madras Government on the basis of an equitable distribution. I am not at all against that.

Shri U. M. Trivedi: May I ask one question of the Minister? It is stated in the clause that the commercial or industrial undertaking shall pass to the successor State in which the undertaking is located. What is the meaning of this word "located". Is it the place where the head office is located or the whole of the undertaking exists?

Shri V. P. Nayar: My hon. friend will remember that I started by saying that the wording of clause 82 as it stands today is rather unhappy and is open to different types of interpretation. Location, as I pointed out, may be the location of the works or the location of the head office. This has to be cleared by redrafting the clause in such a way that there will only one interpretation which will decide the issue.

I was referring to the State undertakings. There is the case of the other State undertaking as pointed out by Shri Nesamony which is controlled by an office which will fall within the Kerala State, but one of the factories will be in the area which goes to Madras. There also I am not against what he said, I am at one with him in raising my voice for giving that factory with all the appurtenances and the share in the capital if it be necessary, based on the calculations of dividing the assets, to Madras State. But in this also there is a danger. In Madras State as it is today I do not think there is

[Shri V. P. Nayar.]

any State undertaking which runs a factory like the monazite factory at Manavalankurichi. In such a case there should be no argument by the successor State at a later stage that they do not have the competent personnel or the convenience, or that the distance is a problem for them. It may be a problem because it is 550 miles away from the seat of the Madras Government. None of these arguments should prevail and the State undertaking whether it is commercial or industrial which passes on to the other State must be necessarily run by that State so that the employees may derive the full benefit of working in a State undertaking. We must provide for this very definitely in this clause.

Then, Sir, I do not agree with amendment No. 413 moved by Mr. Nesamony. As you know, without knowing that the States will be redistributed on the basis which we have now or according to the provisions of the State Reorganisation Commission Report, certain contracts have been entered into. What is a contract? A contract, as all of us know, is nothing but an agreement enforceable at law. If a certain party had entered into a contract with a lawfully constituted government existing at that time, it is not his fault. And if the contractor has not fulfilled his obligations, there are ever so many clauses under the contract under which you can penalise him. The rights of the government can be taken over by the successor government also. But to say, as categorically as Mr. Nesamony seeks in his amendment, that all contracts in regard to forest matters entered into shall be void, is not proper. He says that "on and from the appointed day any contract for the exploitation of timber"—appointed day is 1st October, let us hope it will be changed to 1st November or something like that—"on and from the appointed day any contract for the exploitation of timber from the territories transferred to the State of Madras

from Travancore-Cochin stipulating for the removal of timber to any depot outside the said territories shall be void and any such timber removed after the 2nd day of May 1956 or its value thereof shall pass to the State of Madras." Even if he argues that from the appointed date the contract shall be deemed to be null and void, one could have understood. But he goes to the extent of giving retrospective effect to it. He says from the 2nd of May, 1956. Thank God he did not say 'from last year'! From 2nd May what little timber has been transported from that place to this territory or that territory, we do not know. We have no records. The timber which was being exploited in his region of Travancore-Cochin State may have come to the Trivandrum depot, it may have gone through Arampalli Aramboly Pass to other places also.

Shri Nesamony: That amendment is based upon the information supplied by the Secretary of the Travancore-Cochin Planning Committee to me.

Shri V. P. Nayar: It would have been very much better had the hon. Member appended a note that this information was granted from the Planning Committee, in which case I would not have argued about it.

But that is not the point. We can also say very many small things about which the local press has also made much of. For example, it has been repeatedly reported in the press that from the Malabar forests large quantities of timber are being systematically removed. May be some quantities have been removed, removed to the Madras State to which the area now rightfully belongs, under the existing contract. We know when there is going to be a change in the set-up and in the areas of certain States, it is quite natural that a contractor with a particular State will have some sort of a fear that after the constitution of a new State there may be some administrative difficulties: so that, a contractor

who has entered into a standing contract with a Government for removing timber from a forest might have stepped up his work and might have removed some timber. I do not go into the merits: It can be on either side. Let us not wash any dirty linen in this House. But to say that even contracts which have been entered into with a Government which is lawfully constituted as at present should be void with retrospective effect from 2nd May, 1956, I submit, is something very hard and we should throw out this amendment because it does not merit our consideration.

I would also like to submit that Mr. Nesamony will use his influence with the people whom he represents and also see that misapprehensions about removal of two logs of timber from his forest to our depot and things of that sort are completely dispelled. It is also his duty to do that. And all of us should strive together in seeing that small things are not taken advantage of in creating a rancour among people who have to live in adjoining States.

With these words I support the spirit of amendment No. 42, but very strongly oppose amendment No. 413.

Shri U. M. Trivedi: There are certain points which require some sort of elucidation from the hon. the Home Minister. The language of a Bill of such a comprehensive nature must be very specific; and where a question governs, as it does in Part VII, the apportionment of assets and liabilities of certain Part A and Part B States—that is to say, contractual relations *inter se* the States and contractual relation between the States and outside—if these provisions are going to govern those contractual relations, then it would be necessary that the language ought to be of a very specific nature.

Mr. Chairman: The hon. Member has spoken already. Is he explaining something?

Shri U. M. Trivedi: Certain points I want to explain. But if anybody wants to speak, I will not stand in the way.

Mr. Chairman: I find there is no one who wants to speak. So he may go on.

Shri U. M. Trivedi: In the definition clause we have only got definition of "successor State", and we have got no other definition. For "existing State" or "corresponding State" or "corresponding new State" we have got a definition, but I do not find any definition of "principal successor State". For example, in clause 80 the words "principal successor State" have been used. These words have again been used in clause 87(1)(c) where it is said:

"if there be two or more successor States and the purposes of the contract are, as from that day, not exclusively purposes of any of them,—of the principal successor State;"

Mr. Chairman: We shall finish the discussion on this group of clauses by six.

Shri U. M. Trivedi: Six hours are allotted for this.

Mr. Chairman: But there is no other Member willing to speak on this, and you have already spoken. The discussion on this will close today and the hon. Minister will reply tomorrow.

Shri U. M. Trivedi: There are six hours....

Mr. Chairman: That is all right. But if any other Member had not spoken and is willing to speak, certainly this time-limit allotment would have been quite valid. But when no other Member is willing to speak, I think the discussion on this group of clauses should close today.

Shri A. M. Thomas: We will get some time for Third Reading.

Shri U. M. Trivedi: As I was pointing out, the definition of "principal successor State" must be provided somewhere, as to what exactly is understood by principal successor State, under what condition, out of two succeeding States which would be considered principal successor State and which not.

Similarly, as I was pointing out, and as was pointed out by Mr. V. P. Nayar also, in clause 82 the word used is very wide—the word 'located'. In clause 82 it is said that "the assets and liabilities relating to any commercial or industrial undertaking of an existing State shall pass to the successor State in which the undertaking is located". Now, in some cases I remember instances where the registered office of a particular co-operative society was not in the State, it was in another State, namely in Madhya Pradesh at Khandwa, and yet all its working was in Madhya Bharat. So, if there is such an undertaking, then the word 'located' must be defined, whether located means the head office or only the undertaking. The undertaking may be at one place and the location of the head office may be at another place. Therefore, when the question of the division of assets and liabilities is considered, the word "location" must be specifically defined. What does "location" mean? Does it mean the place where the work is being

carried out or does it mean the place where the organisation is functioning?

6 P.M.

The other matter on which I have put a question and to which I have not been able to get an answer is: how the distribution provided in the Fourth Schedule has been arrived at? There ought to be some justification for putting a figure like this, as provided at page 63. Originally, Bombay was assigned 17.50 per cent. of the taxes. But when Bombay is divided, when it becomes a Part C State and when Maharashtra and Gujarat are carved out of it, Maharashtra has been allotted 11.85 per cent, and Gujarat has been allotted only 6.02 per cent. On what basis has it been allotted? What is the criterion? Is it the population? Or is the criterion to be judged from the fact that it is the Gujaratis that are contributing more to the wealth of that area?

Shri A. M. Thomas: Population.

Shri U. M. Trivedi: Then what will happen in the collection of estate duty will be a problem.

Mr. Chairman: The House will now stand adjourned till 11 A.M. tomorrow.

6-02 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 7th August, 1956.

[Monday, 6th August, 1956]

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MOTION FOR ADJOURNMENT 2221-27

In view of the statement made by the Minister of Home Affairs Pandit G. B. Pant, the Speaker withheld his consent to the moving of an adjournment motion given notice of by Shri Dasaratha Deb and Shri Biren Dutt regarding the situation alleged to have arisen as a result of floods in Tripura State.

PAPERS LAID ON THE TABLE 2227-28

The following papers were laid on the Table :

(1) A copy of the Annual Report of the Damodar Valley Corporation along with the Audit Report on Accounts of the Corporation for the year 1954-55, under sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1948.

(2) A copy of the Notification No. S. R. O. 1660 dated the 21st July, 1956, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, making certain further amendments to the Employees' Provident Funds Schemes, 1952.

(3) A copy of each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various Sessions shown against each :—

(i) Supplementary Statement No. V. Session, 1956 of Lok Sabha.

(ii) Supplementary Statement No. VIII. Session, 1955 of Lok Sabha.

(iii) Supplementary Statement No. XII. Tenth Session, 1955 of Lok Sabha.

(iv) Supplementary Statement No. XVIII. Ninth Session, 1955 of Lok Sabha.

(v) Supplementary Statement No. XX. Eighth Session, 1954 of Lok Sabha.

(vi) Supplementary Statement No. XXIII. Seventh Session, 1954 of Lok Sabha.

(vii) Supplementary Statement No. XXXVI. Fifth Session, 1953 of Lok Sabha.

(4) A copy of the Notification No. S. R. O. 1674, dated the 28th July, 1956, under sub-section (3) of section 48 of the Coffee Act, 1942, making certain amendment to the Coffee Rules, 1955.

MESSAGE FROM RAJYA SABHA 2228-29

Secretary reported a message from Rajya Sabha that Rajya Sabha had agreed to the amendments made by Lok Sabha on the 17th July, 1956, in the Hindu Minority and Guardianship Bill, 1955.

BILL INTRODUCED 2229

Supreme Court (Number of Judges) Bill, 1956 was introduced

BILL UNDER CONSIDERATION 2230-231

Further consideration of Clauses of the States Re-organisation Bill, as reported by the Joint Committee was continued—

The reply by the Minister of Home Affairs to the discussion on clauses 2 to 15 of the Bill and the voting thereon were further postponed with the consent of the House, till Tuesday, the 7th August, 1956.

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The discussion on Clauses 16 to 49 and the Schedules I, II and III was concluded.

The reply by the Minister of Home Affairs to the discussion on this group of Clauses and Schedules and the voting thereon were also postponed with the consent of the House till Tuesday, the 7th August, 1956.

The discussion on Clauses 50 to 70 was also concluded.

After the Minister in the Ministry of Home Affairs, (Shri Datar), had replied, the vo-

ting on this group of Clauses was also postponed with the consent of the House till Tuesday the 7th August, 1956.

Consideration of Clauses 71 to 114 and the Schedules IV, V and VI was taken up and not concluded.

AGENDA FOR TUESDAY,
7TH AUGUST, 1956—

Further consideration of Clauses of the States Reorganisation Bill, as reported by the Joint Committee.