

Friday,
10th December, 1954

LOK SABHA DEBATES

VOLUME IX, 1954

(6th to 24th December 1954)



सत्यमेव जयते



EIGHTH SESSION, 1954

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Friday, 10th December, 1954

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

हमीरपुर में डाक के बंले का छीना जाना

*१९७. श्री एम० एल० द्विवेदी : क्या संचार मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या उत्तर प्रदेश के हमीरपुर जिले के भूतपूर्व कलेक्टर, जिन के विरुद्ध डाक के थैले को छीनने और उस में से कुछ पत्र निकालने का आरोप है, के आचरण के सम्बन्ध में कोई जांच की गई है ;

(ख) यदि हां, तो क्या हमीरपुर रोड रेलवे स्टेशन पर डाक के थैले को छीने जाने में डाकखाने अथवा रेलवे के अधिकारियों की स्वीकृति थी ; और

(ग) क्या पत्रों के निकाल लिये जाने के बाद डाक के अधिकारियों को धमकाया गया था और उन्हें थैला वापस लेने को बाध्य किया गया था ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) An enquiry was made into the incident and the matter was brought to the notice of the Government of U.P.

(b) Answer is in the negative.

(c) No compulsion was exercised for acceptance of bags by the Sub-Postmaster and the bags were kept in

537 LSD.

Civil treasury. It has not been possible to establish any threat to the Postmaster.

श्री एम० एल० द्विवेदी : मैं जानना चाहता हूं उस अधिकारी को जिसने यह कार्रवाई की उसको कोई सजा दी गई ?

श्री राज बहादुर : सम्बन्धित अधिकारी जिस ने यह कार्रवाई की वह उत्तर प्रदेश सरकार के अनुशासन में हैं और केन्द्रीय सरकार ने इस सारी घटना की जानकारी उत्तर प्रदेश सरकार को कर दी है और यह आशा की जाती है कि ए० पी० सरकार ने जांच कराए जाने के बाद इस अफसर के प्रति उचित कार्रवाई की होगी ।

श्री एम० एल० द्विवेदी : क्या केन्द्रीय सरकार ने इस की जांच करने के बारे में कोई कार्रवाई की है या करने का विचार कर रही हैं ?

श्री राज बहादुर : मैं ने निवेदन किया कि वह व्यक्ति जिस ने यह कार्रवाई की ए० पी० सरकार के आधीन हैं, केन्द्रीय सरकार के आधीन नहीं ।

श्री एम० एल० द्विवेदी : क्या पोस्टल डिपार्टमेंट के लोगों ने, जिन्होंने इस में सरकार की मदद की, सरकार उन के काम की एप्रीशियेट करती है ?

श्री राज बहादुर : डाक तार विभाग के कर्मचारियों ने अपने कर्तव्य का पालन किया और इसकी एप्रीशियेशन जो भी थी उनको दी गई ।

POST AND TELEGRAPH COMPLAINTS ORGANISATION

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

(a) the number of complaints pending on the 1st December, 1954 with the

Post and Telegraph Complaints Organisation;

(b) the number of complaints received during 1954, so far; and

(c) whether any cases of fraud were also dealt with by this organisation during this period?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 44,586 (Fortyfour thousand, five hundred and eightysix);

(b) 4,35,672 (Four lacs, thirtyfive thousand six hundred and seventy-two).

(c) Yes.

Sardar Hukam Singh: I find from the report that on the 31st December 1953, the number of pending complaints was 26,000. This has increased to 44,000 during this year. May I know whether they could not be disposed of speedily or the number of cases was great?

Shri Raj Bahadur: There has been a reorganisation of the complaints organisation. Formerly this work was done circle-wise. Now, it has been brought under unified control under a Director of Complaints attached to the Directorate. I am giving the total number of complaints all over the country; it is, as I just now said, 4,35,672 from 1-1-54 to 30-11-54. The number of complaints disposed of so far in 1954 is 4,27,838 and the number of cases pending on 1-12-54 is 44,586.

Sardar Hukam Singh: What was the amount of money involved in the fraud cases that were brought to light during this period?

Shri Raj Bahadur: I can give the number of fraud cases. The balance on 31-12-53 was 10,587. I am sorry I will not be able to give the amount involved.

Sardar Hukam Singh: May I know whether postal employees were concerned in the commission of fraud or there were outsiders as well? If outsiders were also involved, could I

know the amount of money for which the postal employees were involved during this year for committing fraud on the postal department?

Shri Raj Bahadur: I do not have the break-up according to the classes of the culprits or the accused. I have only got an analysis about the number of pending cases. The number of pending cases of fraud all over India is 4,139 and the number of cases pending investigation with the department for over 6 months is 1,656.

Sardar Hukam Singh: I had asked for the amount. Anyway, I will ask another question. May I know whether any cases of favouritism to or harassment of, the subordinate staff, by the gazetted officers of the postal and telegraph department have been brought to notice?

Shri Raj Bahadur: The Complaints Organisation deals with public complaints. As a matter of fact, cases of favouritism to or harassment of, subordinate staff by superior officers or officials are departmental cases and dealt with by departmental officers.

LEMON-GRASS

***999. Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have considered the possibility of manufacturing Ionones and of the synthesis of Vitamin A from Lemon grass (*Cymbopogon Flexuosus* and other species); and

(b) if so, what are the estimated annual requirements of Ionones and Vitamin A in India?

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

(b) A statement is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 58.]

Shri V. P. Nayar: In view of the fact that in recent years—in 1952, 1953 and 1954—the export price of lemon grass oil has suffered several falls at

several times, may I know whether Government have considered the desirability of manufacturing articles out of lemon grass oil which we are importing to the tune of several lakhs of rupees?

Dr. P. S. Deshmukh: I am afraid the Commerce and Industry Minister will have to deal with it.

Shri V. P. Nayar: I find in the statement that for fortifying vanaspati alone, according to the standard laid down by Government from the 1st May 1955, the annual requirements of Vitamin A will be about 5 million I.U. May I know whether Government have enquired into the possibility of meeting at least a portion of this enormous requirement of Vitamin A from lemon grass oil, the prices of which suffer and tens of thousands of cultivators and lemon grass oil manufacturers suffer as a result of the fall in prices?

Dr. P. S. Deshmukh: We are trying to encourage the manufacture of Vitamin A and Ionones as much as possible. But it would be for private enterprise to come forward to exploit it fully.

Shri V. P. Nayar: May I know whether Government have so far taken any steps to manufacture Vitamin A which is a very vital requirement for the industrial wealth of the country from indigenous sources like lemon grass oil, and if so, what has been the result? Could we not at least expect that a major portion of the Vitamin A requirement can, and will, be made in India very shortly?

The Minister in the Ministry of Natural Resources and Scientific Research (Shri K. D. Malaviya): May I answer that question? An attempt is being made to produce Vitamin A in our laboratories by the synthetic method from B-ionone of lemon grass oil, because it has been found that synthetic Vitamins are better, and cheaper to produce. So far as Vitamin A from red Palm oil is concerned, the difficult problem is to dispose of the

oil that will remain after the extraction of the active principles of Vitamin A, because there are other cheaper oils available for the manufacturers of soap in this country. Therefore, it is not considered advisable to produce Vitamin A from red Palm oil.

BEGGAR NUISANCE AT RAILWAY STATIONS

*1000. **Shri Krishnacharya Joshi:** Will the Minister of Railways be pleased to state:

(a) whether Railway authorities are aware of the beggar nuisance at Railway Stations; and

(b) if so, what steps have been taken to prevent the same?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) Yes; at a number of stations beggars do gain unauthorised entry and cause inconvenience to passengers.

(b) All station staff including the Watch & Ward and the Travelling Ticket Checking staff already have strict instructions to prevent beggars from entering the Railway Platforms and Trains, eject them when found, and seek Police assistance where necessary. The State Governments have also been requested to give this matter their earnest attention and adopt such suitable measures as may result in a satisfactory solution.

Shri Krishnacharya Joshi: May I know whether these beggars enter running trains to collect alms?

Shri Shah Nawaz Khan: Some of them might be doing that.

Mr. Speaker: It is a matter of general knowledge. Everyone who travels knows it.

बंदिस्त सी० एन० मालवीय : क्या रेलवे मिनिस्ट्री बड़ बड़ जंक्शनों में एअर हाउस खोलने का विचार कर रही हैं जहां इन को रख कर कोई काम सिखाया जाए ?

रेलवे तथा परिवहन मंत्री (श्री एन० बी० शास्त्री): ऐसा ह्याल रेलवे मिनिस्ट्री का तो नहीं

हैं, मगर मैं समझता हूँ कि भोपाल जहाँ से कि आप आए हैं और दूसरी स्टेट गवर्नमेंट्स अगर इस तरफ ध्यान दें तो अच्छा है।

Shri Altekar: May I know how they are allowed to come on the platform without platform tickets at the time of the arrival of trains?

Mr. Speaker: I think we need not pursue that question.

FOOD CONTROLS

*1001. **Shri D. C. Sharma:** Will the Minister of Food and Agriculture be pleased to state:

(a) what restrictions and controls exist still on food; and

(b) when they will be removed?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) and (b). The only major restriction now in force is on the inter-state zonal movement of wheat and wheat products.

As soon as the wheat supply position improves further, the question of removing this restriction also would be considered.

Shri D. C. Sharma: May I know by what time approximately the wheat position will improve?

Shri M. V. Krishnappa: That will be as soon as the prospects of the present standing wheat crop will be known to us. Now we are in the lean months of the wheat year. As soon as the prospects of the present standing crop are known, it will be done.

Shri D. C. Sharma: May I know whether these food control restrictions have been removed in view of the fact that our Government is importing a large amount of these stuffs from abroad and whether these controls will continue if those imports are stopped?

Shri M. V. Krishnappa: We are not importing foodgrains for our local consumption in the country. We are importing one million tons to build up a reserve of 1½ million tons. As I

have already stated, we will import one million tons of foodgrains and we will have, by the end of December, 1½ million tons of foodgrains as reserve.

Shri D. C. Sharma: May I know if reports from State Governments have been invited on the point whether the removal of these controls has not resulted in the increase of prices anywhere?

Shri M. V. Krishnappa: We never expected that the removal of restrictions would raise the prices. In fact, it was to bring down the prices and to bring about normal conditions in the country that we did it.

RECLAMATION COST

*1002. **Shri Dabhi:** Will the Minister of Food and Agriculture be pleased to state the steps taken or proposed to be taken to implement the recommendation of the Estimates Committee contained in para 23 of their Seventh Report about the inquiry to be instituted for the losses due to increase in cost of reclamation of land and the allocation of responsibilities for these losses?

The Minister of Agriculture (Dr. P. S. Deshmukh): The various recommendations on the working of the Central Tractor Organisation made by the Estimates Committee in its 7th Report are still under examination. It is hoped to obtain orders of Government on them within the next few weeks.

Shri Dabhi: May I know whether it is a fact that in the opinion of the Committee the cost of reclamation is about Rs. 65 per acre which is very high?

Dr. P. S. Deshmukh: Yes, Sir. I think it was the view of the Estimates Committee that the reclamation charges were rather high.

हीट कर एन० मासकीय : क्या मैं जान सकता हूँ कि गवर्नमेंट आम किसानों की मांग का ध्यान में रखते हुए उस कीमत को कुछ कम

कर दूंगी, और रिकलेमेशन में वेस्ट्रज की वजह से जो ज्यादा खर्च हुआ है उसको निकाल कर बाकी कीमत किसानों से वसूल करेगी ?

डा० पी० एस० दशमुख : इसमें कीमत काफी कम कर दी गयी है, और मेम्बर साहब का जो यह कहना है कि लासेज की वजह से कीमत बढ़ गयी है, यह ठीक नहीं है ।

Shri T. S. A. Chettiar: May I know, in view of the fact that it is felt to be high and the Government accepts that, whether Government will go into the matter and reduce these costs?

Dr. P. S. Deshmukh: They have already been reduced.

डाक कर्मचारियों में अष्टाचार

*१००५. सेंट गोबिन्द दास : क्या संभार मंत्री यह बताने की कृपा करेंगे कि षत दो वर्षों में डाक कर्मचारियों द्वारा सरकारी धन के दुर्विनियोग के ऐसे कितने मामले हुए (१) जिन की जांच पड़ताल की गई थी (२) जिन में विभाग द्वारा दण्ड दिया गया, और (३) जिन में न्यायालय द्वारा दण्ड दिया गया ?

The Deputy Minister of Communications (Shri Raj Bahadur): 2076 (1012 cases in 1952-53 and 1064 cases in 1953-54).

(i) All cases are investigated, investigation being complete in some cases and in process in respect of others.

(ii) 264 (89 in 1952-53 and 175 in 1953-54.)

(iii) 270 (120 in 1952-53 and 150 in 1953-54.)

सेंट गोबिन्द दास : माननीय मंत्री जी ने अभी जो आंकड़े दिये उनसे यह मालूम होता है कि इन गुनाह करने वालों की संख्या करीब करीब बराबर रही है । इसका क्या कारण है कि हर साल करीब करीब उतने ही लोग यह अपराध करते हैं ?

श्री राज बहादुर : यह प्रकृति का नियम है कि मनुष्य स्वाभाव में कुछ न कुछ दोष होता ही है और इसे कोई बदल नहीं सकता । इसलिए गुनाह करने वालों की गिनती भी बराबर सी बनी रहती है ।

श्री भक्त वरुण : क्या मैं जान सकता हूँ कि कौन से सर्कल में यह बला ज्यादा मात्रा में पायी गयी है ?

श्री राज बहादुर : सब से ज्यादा मुजीरमाँ की तादाद बम्बई में पायी गयी है ।

बरहरिया पुलिस स्टेशन में तार-धर

*१००६. श्री झूलन सिंह : क्या संभार मंत्री ८ अप्रैल, १९५४ को दिये गये तारांकित प्रश्न संख्या १६६० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) बिहार के सारन जिले के बरहरिया पुलिस स्टेशन में एक तारधर खोलने के सम्बन्ध में क्या प्रगति हुई है ; और

(ख) यह तारधर कब से आरम्भ हो जायेगा ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Erection of the line is in progress.

(b) Before 31st March, 1955.

PRICE OF SUGAR CANE

*1007. Shri Gidwani: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a new formula for linking the price of sugar-cane with the earnings of sugar factories has been worked out by Government; and

(b) if so, the nature of the formula evolved?

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

(b) A copy of the formula is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 59.]

Shri Gidwani: Are Government aware that the owners of sugar factories also run their own godowns in big cities for the sale of their sugar and that they show the sale price of sugar at a much lower rate than it is actually sold at these godowns?

Dr. P. S. Deshmukh: We have no specific report on this matter but possibly it might be correct.

Shri Gidwani: What machinery is Government, therefore, going to evolve to ensure that the correct recovery of sugar is shown in the records of the mill owners?

Dr. P. S. Deshmukh: We take all factors into consideration. If the mischief is brought to our notice, we shall pursue the matter.

Shrimati Tarkeshwari Sinha: May I know on what basis different rate of sharing of prices have been fixed for different regions and whether some of the regions have asked for enhanced share of sugar cane prices?

Dr. P. S. Deshmukh: There are no different prices so far as the minimum is concerned; it is the same throughout India.

CESS ON OILS

*1009. **Shri K. C. Sodhia:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Central Oil Seeds Committee made a recommendation for the levy of an additional cess on the production of all oils in the power mills in order to give protection to the Village Oil industry; and

(b) if so, the decision taken thereon?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The proposal for an additional levy on mill oil did not emanate from the Indian Central

Oilseeds Committee. The Planning Commission recommended the levy of an additional cess of annas eight per md. on mill oil under the Indian Oilseeds Committee Act, 1946. The Commission's suggestion was considered by the Indian Central Oilseeds Committee and they recommended the imposition of an additional cess of one anna per md. on mill oil for the first five years and two annas per md. thereafter.

(b) The Government of India propose to set up an expert Committee to go into the entire question of oilseeds crushing industry, crushing by Ghanis as well as by Oil Mills, and to make recommendations to the Government regarding the lines on which the future development of the oilseeds crushing industry should take place. This Committee will also examine, amongst other things, whether there is a case for the levy of an additional cess on mill oil.

Shri Sodhia: How long will Government take to finalise the whole thing?

Dr. P. S. Deshmukh: Sir, the Committee is expected to report in about 2½ months. Thereafter, some time may be necessary to decide.

Shri Sodhia: Is any subsidy being given at present by the Government to the honey industry?

Dr. P. S. Deshmukh: The Khadi and Village Industries Board makes some recommendations and funds are allotted for the purpose of encouraging the honey industry.

Shri Dabhi: May I know the personnel of the Committee?

Dr. P. S. Deshmukh: I am afraid I have not it here.

Mr. Speaker: We shall go to the next question.

Dr. P. S. Deshmukh: Sir, I have got it; may I read it out?

Mr. Speaker: I have already called the next question.

RUSSIAN TRACTORS

*1012. **Shri Gadilingana Gowd:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to starred question No. 1096 on the 17th September, 1954 and state:

(a) whether Government have put the Russian tractors into operation and have tested their usefulness;

(b) if so, the opinion of technical authorities in this regard; and

(c) the procedure to be followed by the agriculturists for their import?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). The four Russian tractors are undergoing test trials at Delhi and Bhopal and the final report about the utility of these tractors under Indian conditions is expected to be submitted to Government shortly.

(c) The procedure for their further import would be decided after the report of test trials is received.

Shri Gadilingana Gowd: When were these tractors received in this country?

Dr. P. S. Deshmukh: They came about three to four months back, at the most.

ARREARS OF TELEPHONE REVENUES

*1013. **Shri Sarangadhar Das:** Will the Minister of Communications be pleased to state:

(a) the amount of arrears of telephone revenues outstanding in the beginning of each financial year from 1947-48 to 1954-55;

(b) the percentage of the outstanding dues from Government Departments, and the percentage from members of the public;

(c) the reasons for such inordinate delay in collections; and

(d) the steps Government propose to take to expedite collection and the target date by which they expect to close this account?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 60.]

(c) The arrears are mainly in respect of Government connections. Recovery in case of Government subscribers is usually made by book adjustment and the transaction is considered as an inter-Departmental or Governmental adjustment. The adjustment of revenue on an inter-Departmental basis without a penalty for non-payment or delay in payment has perhaps resulted in the accumulation of outstandings.

(d) All possible steps are being taken for the realisation of telephone revenue outstandings. An Accounts Officer on Special Duty has been appointed for this purpose. A meeting of the representatives of various Ministries is being convened.

No target date by which these accounts are expected to be closed can be given.

Shri Sarangadhar Das: May I know, if in view of the fact that there is such a big balance outstanding against Government departments, the balance against private people also continues because they feel that if the Government departments are not paying in time, they also need not have to pay?

Shri Raj Bahadur: It is not the same in case of non-government agencies. In case of Government departments it is only a matter of book adjustment and the department can wait in their case. As a matter of fact the revenues earned are shown and we know that this much has been earned by the department for the service rendered to private agencies and users and this much for service to Government departments.

Shri Sarangadhar Das: Does it take then so long to make these book adjustments?

Shri Raj Bahadur: Yes, Sir; because the bills are checked as to whether the calls have been made for strictly government purposes or not. Each department has to satisfy itself about that.

Shri A. M. Thomas: May I enquire whether it has come to the notice of Government that inordinate delay is being caused in the submission of bills, both trunk and ordinary calls, to customers concerned, and if so, what steps Government have taken in this connection? Even bills to Members of Parliament are submitted after three or four months.

Shri Sarangadhar Das: Three or four years.

Shri Raj Bahadur: There have been complaints about delay in the submission of bills; but, we try to see that the bills are accurate. As a matter of fact, formerly there was one central system of telephone revenue accounting, but now we are decentralising it. For example we have bifurcated the Delhi office and a new telephone revenue accounting office has been opened in Nagpur. We propose to open more, so that the work may be distributed.

TELEGRAPH AND TELEPHONE WIRES

***1014. Shrimati Tarkeshwari Sinha:** Will the Minister of Communications be pleased to state:

(a) whether a scheme to replace overhead telegraph and telephone lines with underground cable, has been evolved by Government;

(b) whether this scheme has been executed in any part of the country so far; and

(c) the estimated cost involved in this scheme?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) A scheme is under consideration for laying long distance under-ground cables to connect important cities in the country..

(b) Yes, in a small way.

(c) Approximately Rs. 9.5 crores for the whole scheme covering nearly 2,300 miles of cable length.

Shrimati Tarkeshwari Sinha: May I know what are the places where this scheme has already been under operation?

Shri Raj Bahadur: Bombay-Thana and Calcutta-Asansol. At Bombay-Thana it is complete and at Calcutta-Asansol it is being laid.

Shrimati Tarkeshwari Sinha: May I know, in view of the fact that for most of these under-ground cables we have to depend on foreign countries, whether Government consider it desirable to open a factory to produce these under-ground cables?

Shri Raj Bahadur: We have already established a factory at Mahijan and it has gone into production.

Shrimati Tarkeshwari Sinha: What is the production target fixed for that factory producing these under-ground cables?

Shri Raj Bahadur: I cannot give it from memory as to what is the target, but very soon it will be able to meet our demands.

CATERING ON RAILWAYS

***1017. Shri Dhusiya:** Will the Minister of Railways be pleased to state:

(a) the general policy of giving contract to various contractors to sell sweetmeats, betel-leaf, tea and fruit etc;

(b) whether the auction is conducted in the Head Office or on the various Railway Stations; and

(c) how it is advertised?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) At large stations, including important Junctions and big terminal stations, such contracts are given on licensing system

to suitable professional and experienced caterers of good standing. At other stations these are normally licensed out to local professional men, including experienced displaced caterers or vendors settled in the area. Other things being equal, preference is given to displaced persons and registered Co-operative Societies, and as between these two categories, to the former. The ability to provide service of a high standard is of prime consideration in the award of these contracts.

(b) Auctioning of these contracts is not resorted to, either at stations or in the Head Office. The license fee is predetermined on the basis of vending prospects and the contracts are given on the basis of applications received, each such application being carefully scrutinised to ascertain the applicant's ability to perform the work satisfactorily.

(c) Applications are invited by advertisement in press in the case of more important contracts and by means of notices posted on station premises for the smaller contracts.

Shri Dhusiya: What are the more important contracts and how are they advertised—whether it is done in local papers, or in regional papers or in the office on the notice board?

Shri Shah Nawaz Khan: The more important contracts are contracts at bigger stations like Howrah, Moghul-Sarai and places like Lucknow. The advertisements are given in the local papers as well as in papers of an All India nature.

Shri Dhusiya: My question was: what are the more important articles for which advertisement is made?

Shri Shah Nawaz Khan: It is not a question of articles, it is a matter of important stations.

Kumari Annie Mascarene: May I know what percentage of the gain on contracts is given to the Government?

Shri Shah Nawaz Khan: We do not work out the percentage of profits of the contractors. A certain licence fee is charged keeping in view the net profits of the contractors.

Shri Dhusiya: One question more.....

Mr. Speaker: We will go to the next question.

श्री भक्त वरान : प्रश्नकर्ता ने इस प्रश्न के पूछने का मुझे अधिकार दिया है ।

अध्यक्ष महोदय : यह प्रश्न सबसे बाद में लिया जायगा ।

चित्तरंजन में रेलवे इंजनों का कारखाना

*१०२१. श्री नवल प्रभाकर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि पिछले छे महीनों में चित्तरंजन के रेलवे इंजनों के कारखाने में काम की क्या प्रगति हुई है ?

The Deputy Minister of Railways and Transport (Shri Alagesan): Compared with a target production of 36 locomotives 46 have been completed between 1st April, 1954 to 30th September, 1954 and this outturn compares with a total production of 64 during the whole of 1953-54.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि जो इंजन यहां पर तैयार किये जाते हैं, उनके जो पुर्जे होते हैं उनमें से कितने प्रतिशत बाहर से मंगाये जाते हैं ?

Shri Alagesan: Does he refer to imported items?

Mr. Speaker: Yes; whether it is 80 per cent., 85 per cent. or 90 per cent. and what is the percentage of indigenous manufacture?

Shri Alagesan: I may, say, Sir, that out of a total of 5,335 components as many as 4,475 are manufactured by Chittaranjan and another 760 are procured from indigenous manufacturers. Only 90 items are imported from abroad.

Shri K. C. Sodhia: What is the percentage price of these 90 imported items?

Shri Alagesan: The percentage may be a little more than what the number of items represent. As it is, I am not able to give the actual percentage of cost; it is not much.

Shri T. S. A. Chettiar: How does the cost of engines compare as compared with the imported engines?

Shri Alagesan: As far as indigenous cost is concerned our price has now become almost equal to the imported price. If we increase the manufacture, it is bound to go down.

Shri T. B. Vittal Rao: May I know at what stage is the proposal to step up the production of this Chittaranjan Factory from 120 to 150? May I also know whether we are manufacturing at Chittaranjan only goods locomotives or passenger locomotives as well?

Shri Alagesan: Both locomotives are being manufactured and we are pursuing the question of increasing the production target.

रेलों पर भोजन व्यवस्था

*१०२४. श्री एम० एन० सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सब है कि यात्रियों की, रेलों पर ठेकेदार और भोजन की व्यवस्था करने वाले भिन्न भिन्न स्थानों पर एक सा ही भोजन भिन्न भिन्न दरों पर देते हैं ?

(ख) क्या इन भोजनों के लिये कोई निर्धारित दरें हैं; और यदि हां, तो वे क्या हैं; और

(ग) क्या भोजन की किस्म और मात्रा के सम्बन्ध में कोई विशेष निर्देश है ?

रेलवे तथा परिवहन मंत्री के सभासद (श्री शाहनवाज खां) : (क) से (ग) उपाहार गृहों से दिये गये हिन्दुस्तानी ढंग के भोजन

का स्तर १-६-४४ से एकसा कर दिया गया है। सदन में जो विवरण दिया गया है उसमें भोजन की सूची और उनके दाम दिये गये हैं। [परिशिष्ट ४, अनुबंध संख्या ६१] रस्तोरां, रस्तोरांयान, भोजन-यान या बूफ-यान से दिये जाने वाले भोजन की दर को एक स्तर पर लाने के प्रश्न पर विचार हो रहा है। कुछ मदों को छोड़ कर जिनका ब्याँरा और जिनकी किस्म सूची में दी जाती है, प्रामाणिक भोजन सूची में केवल परसी जाने वाली तश्तारियाँ के नाम दिये जाते हैं। भोजन की किस्म के बारे में कोई बात निर्धारित नहीं की गयी है, लेकिन इस बात का ध्यान रखा जाता है कि किसी विशेष क्षेत्र के लोगों की रुचि के अनुसार अच्छा भोजन देने की व्यवस्था जारी रखी जाय।

श्री भागवत भा आजाद : क्या संसद सचिव को यह मालूम है कि एक ही कीमत पर विभिन्न स्टेशनों पर जो आप के ठेकेदार हैं वह ऐसा भोजन मुसाफिरों को देते हैं जो खान क चांग्य नहीं होता है और उनकी कीमत हर स्टेशन पर एक ही होती है जब कि भोजन में फर्क होता है और अगर ऐसी बात है तो इस को रोकने का कौन सा प्रबन्ध किया है ?

श्री शाहनवाज खां : हमें कभी कभी ऐसी शिकायतें मिलती हैं कि जो भोजन स्टेशनों पर मिलता है वह बहुत अच्छा नहीं होता है। जो जो शिकायत मिलती है उस पर गहरा विचार किया जाता है और मुनासिब कार्यवाही की जाती है। एक स्टैंडर्ड मीनू बनाया गया है जिसमें करीब सारी रेलवेज पर एक ही कीमत पर एक ही किस्म का खाना देने का बन्दोबस्त किया गया है।

श्री टी० बी० बिट्टल राव : मैं यह मालूम करना चाहता हूँ कि जो जलगेशन कमीटी की सिफारिशें थीं वह कहा तक अमल में लाई गई ?

श्री शाहनवाज खां : जलगेशन कमीटी की जो सिफारिशें थीं वह इस वक्त आनरबल मिनिस्टर के जैरें गौर हैं।

RAILWAY WAGONS

*1031. **Shri Amjad Ali:** Will the Minister of Railways be pleased to state:

(a) whether any representation for the allotment of more wagons has been received from the National Chamber of Commerce and Industries, Agra;

(b) whether it is a fact that the movement of *gur* and pulses is receiving a serious set back in Agra due to the shortage of wagons; and

(c) if so, the action taken or proposed to be taken by Government on the above representation?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. A representation dated 26-11-54 was received by the Central Railway complaining of a serious set-back in the movement of pulses.

(b) Due to heavy accumulation of wagons routed to south *via* Bezwada and *viz.* Raichur, restriction had to be imposed on loading for some days in November 1954. This naturally affected the clearance of traffic from Agra.

(c) Restriction was removed from 28th November 1954 and from 29th November, 1954 to 6th December, 1954 as many as 51 wagons were loaded at Agra. The outstanding indents of pulses were 9 wagons. These were registered on or after 3rd December, 1954 and are expected to be cleared in due course.

Shri T. B. Vittal Rao: May I know out of the 11,000 wagons to be procured in the current year, how many we were able to procure from indigenous manufacture up to the end of November 1954?

Shri Alagesan: How does it arise out of this question? I do not see any connection.

Mr. Speaker: A representation was received from the National Chamber of Commerce.

Shri T. B. Vittal Rao: For more wagons.

Mr. Speaker: It may include wagons, or the congestion in the station. I am going to the next question.

INDIAN FARM BOYS

*1032. **Shri Ram Dass:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of Indian Farm Boys who have recently returned from U.S.A.; and

(b) the nature of training they have received in that country?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) 23 Indian Farm Boys have already returned from U.S.A.; 2 more are on their way to India.

(b) They have received training in all the agricultural operations, like ploughing, manuring, harvesting, hay-making etc. They have also studied the structure and working of the various young farmers' organisations, e.g., 4-H Clubs, etc.

श्री राम दास : क्या मैं जान सकता हूँ कि यह किन किन प्रान्तों से लिये गये थे ?

डा० पी० एस० देशमुख : करीब करीब सभी स्त्राँ से यह लड़के लिये गये थे ।

श्रीमती कमलेश्वरी सिन्हा : क्या मैं जान सकती हूँ कि हर साल कितने लड़के भेजे जाते हैं ?

डा० पी० एस० देशमुख : २५ से ३० लड़के तक भेजे जाते हैं ।

श्रीमती तारकेश्वरी सिन्हा : क्या बजह है कि दो वर्षों से लगातार बिहार से कोई लड़का बाहर नहीं भेजा गया और क्या सरकार इस बात को महसूस करती है कि बिहार को भी इतनी गुंजाइश मिलनी चाहिये कि वह अपने लड़के बाहर भेज सके ?

डा० पी० एस० देशमुख : हर एक स्त्राँ के लिये कोई कोटा मुकरर नहीं है । सब मिला कर ३० लड़के यहाँ से रिकमेंड होते हैं । उन में से जो अच्छे होते हैं उन को भेजा जाता है । उस वक़्त

हम इन सब का कुछ ख्याल रखते हैं, लेकिन इतना ज्यादा ख्याल नहीं करते कि अच्छे लड़कों को पीछे रख कर कम काबिलियत का लड़का भेजा जाय।

श्री राम दास : क्या मैं जान सकता हूं कि इन लड़कों को जो ट्रेनिंग दी जाती है उस से फायदा उठाने का क्या तरीका अस्त्यार किया गया है ?

Dr. P. S. Deshmukh: Some effort is made to utilise their honorary services.

Shri Veeraswamy: May I raise a point with your permission? May I request you to suggest to the hon. Minister to reply in English even to the supplementary questions that are put in Hindi, so that we also may understand? We Members coming from the South go without understanding what some hon. Members say in this House. So, I humbly submit to you, who are the custodian of this House, to see that we also understand what is said in the House.

Mr. Speaker: I think I am equally the custodian of the Constitution also. For Hindi being developed, whenever a question is tabled in Hindi, the answer should be in Hindi, and whenever a supplementary question is put in Hindi, the answer is to be in Hindi.

Shri V. P. Nayar: Provided the Minister knows.

Mr. Speaker: He will try to know. The option is given to the Minister to answer in English, but it is better that he answers in Hindi if he possibly can. That is how we are progressing. It may be that out of all the questions that are put and answered, some questions may not be quite intelligible to the Member, but he has to forego it in the interest of advancing the practice of speaking in Hindi. Now I am going to the next question.

Shri Sarangadhar Das: There are Members who do not understand English and it is to their advantage to make some questions put and answered in Hindi. It is to assist the.....

Shri K. K. Basu: They do not understand either English or Hindi.

Mr. Speaker: Whenever a request has been made to me by a non-English knowing Member to have the answer rendered to him in Hindi, I think I have complied with that request.

Now, I am going to the next question

IRRIGATION FACILITIES IN PUNJAB

***1034. Sardar Hukam Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Punjab Government have made a representation to the Centre for providing irrigation facilities to the scarcity districts in the State; and

(b) if so, what irrigation facilities are proposed to be provided for such areas?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). Yes Sir. The representation is for financial assistance towards certain contour surveys in the Gurgaon Distt. with a view to assess the possibilities of developing irrigation in that area. Under the financial rules governing grow more food schemes, such surveys are not normally assisted. The representation of the Punjab Government is, however, still under consideration. The Government of India have, however, sanctioned financial assistance for schemes in scarcity areas of the Punjab as part of the grow more food programme, such as, a loan of Rs. 3 lakhs for repairing 8 bunds in Gurgaon district and a loan of Rs. 6 lakhs for the repair and construction of kuhl in the Kanara and Kulu valley.

Sardar Hukam Singh: May I know whether any plan has been submitted as to how irrigation facilities for these scarcity areas are to be developed or it is left to be decided afterwards whether they want to sink tube-wells or have irrigation by canals?

Dr. P. S. Deshmukh: In every one of these proposals, we expect the State Government to give us more or less

detailed plans, but not very detailed ones, giving us the indication of the expenditure as well as the utility.

Pandit Thakur Das Bhargava: Is it a fact that the hon. Minister of Agriculture, the late Shri Rafi Ahmad Kidwai, was pleased to assure the Punjab Government and some deputationists that Rs. 2 crores will be available for irrigation for Gurgaon District for all areas except Rewari, for which Rs. 50 lakhs were promised, and at the same time the promise was given that in the near future the construction of experimental tube-wells in the Gurgaon District will also be begun in 1954, instead of in 1956?

Dr. P. S. Deshmukh: We will certainly do everything to respect the wishes of or whatever was promised by the late Shri Rafi Ahmed Kidwai, but sometimes there are exaggerated claims on this account.

Shri D. C. Sharma: Is it not a fact that between the sanctioning of the amount for these irrigation facilities in the districts to which the hon. Minister has referred and the time of putting them into effect, there is a very big gap, and that the progress of the works is very very slow? If I may be permitted to say so, nothing has happened so far.

Mr. Speaker: There is no question to be answered.

CASHEWNUIT INDUSTRY

*1036. **Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have set apart any specific amount in 1954 for undertaking developmental measures in the Cashewnut Industry; and

(b) if so, how much?

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

(b) Rs. 2.5 lakhs

Shri V. P. Nayar: May I know whether out of this amount, any amount has been utilised for the development

of raw cashewnuts in the country the production of which, according to the report of the Spices Enquiry Committee, is so low as 25 pounds per tree now?

Dr. P. S. Deshmukh: I am afraid I cannot give the details of these sums.

Shri V. P. Nayar: May I know whether the Government are aware that the industry—the cashew-processing industry—which depends upon raw nut availability has so developed that now it is not possible to meet the requirements by indigenous production and that we have to import about 50 to 60 per cent. of our requirements chiefly because the local production is very, very low? May I know whether Government have taken this fact into account and done anything to increase the production of raw cashewnuts in this country in order that the industry may stand on its own footing?

Dr. P. S. Deshmukh: Yes; this is one of the objectives of the policy that the Government is pursuing, and that is the reason why Rs. 2.5 lakhs are provided for this industry.

Shri Velayudham: Out of this amount that is spent for the development of the cashewnut industry, how much is spent in the Travancore-Cochin State which is one of the premier cashewnut producing States in India?

Dr. P. S. Deshmukh: I am sure an adequate amount would be spent.

Shri B. K. Das: What areas are being considered in respect of this industry?

Dr. P. S. Deshmukh: We have suggested to the Governments of Travancore-Cochin, Madras, Bombay and Madhya Bharat to submit concrete schemes for the development of cashewnut.

FAMILY PLANNING

*1037. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) the names of the voluntary institutions to which Government aid based on the recommendations of the

Family Planning Research and Programmes Committee is sought to be given in the Punjab;

(b) the amount of aid that will be given to them; and

(c) the other ways in which Family Planning work is being done in the Punjab?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Family Planning Association, Punjab, Simla.

(b) A grant-in-aid of Rs. 17,600/- has already been sanctioned for the current year.

(c) A note containing the information is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 62.]

Shri D. C. Sharma: May I know what is the total amount of grants sanctioned for the whole of India for this purpose and what is the proportion of these grants given to the Punjab and the adjacent States?

Rajkumari Amrit Kaur: According to the approved family planning programmes, a sum of Rs. 30 lakhs has been set aside for the two years, 1954-55 and 1955-56. Out of this, Rs. 4,75,160 has already been sanctioned and Rs. 4,21,421 is now before the Planning Commission on the recommendation of the Committee and will shortly be sanctioned, I hope.

Shri D. C. Sharma: Is it not a fact that the family planning programme is wholly of an academic value and it has not produced any practical results?

Shrimati Sushama Sen: May I know what is the amount sanctioned for Bihar and whether any arrangements have been made there?

Rajkumari Amrit Kaur: I do not find the name of Bihar among the States to which help has been given by the Government of India, and I presume that Bihar has not asked for anything.

Shri K. K. Basu: May I know whether the proportion of the grants made to the respective States is dependent on the fertility of the inhabitants of the respective States?

Rajkumari Amrit Kaur: I do not know on what basis the States asked for these grants, but those States that are anxious to do something and present a scheme that passes muster are given grants.

MESSAGE RATE SYSTEM

***1038. Shri Krishnacharya Joshi:** Will the Minister of Communications be pleased to state whether Government propose to extend the Message Rate System to important cities where this system is not in vogue?

The Deputy Minister of Communications (Shri Raj Bahadur): Yes, gradually in important towns having Auto exchanges.

Shri Krishnacharya Joshi: May I know in how many cities this message rate system has been introduced so far?

Shri Raj Bahadur: 17.

Shri T. B. Vittal Rao: May I know when this message rate system will be introduced in the two cities of Hyderabad and Secunderabad?

Shri Raj Bahadur: In Hyderabad, it is already there, and it is in force since the 16th May, 1954.

CORRUPTION AMONG RAILWAY STAFF

***1039. Shri Dabhi:** Will the Minister of Railways be pleased to refer to the reply given to starred question No. 1242 on the 22nd September, 1954 and state:

(a) whether the report of the Departmental Committee regarding the racket at Sulebhavi Station on the Southern Railway has since been submitted to Government; and

(b) if so, the main findings and recommendations of the Committee?

The Deputy Minister of Railways and Transport (Shri O. V. Alagesan):

(a) The Departmental Committee have submitted their report to the Regional Officers concerned.

(b) The Departmental Committee have found one Guard, one Brakesman, three travelling Hamals, one Driver, First and Second Firemen and Station Masters and Assistant Station Masters of Pachapur and Suldhal Stations, guilty of serious misconduct, but they have not made any recommendations regarding punishment of the staff, which will be decided by the regional officers.

Shri Dabhi: May I know what action is going to be taken against those officers?

Shri Alagesan: The report is before the Regional Officers and they will take suitable action against the staff concerned?

TRAIN ACCI

***1040. Th. Lakshman Singh Charak:** Will the Minister of Railways be pleased to state:

(a) whether a detailed report of the inquiry held into the derailment of 344 down Patna passenger train which took place on the 2nd May, 1954 has since been received by the Railways; and

(b) whether any compensation was paid to the victims?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) There was no derailment of 344 Dn. Tata-nagar-Patna Passenger on 2nd May, 1954.

At about 20-59 hrs. on 11th April, 1954 however, the engine of No. 344 Dn. Tatanagar-Patna Passenger train derailed between Ranchi Road and Chainpur stations on the Barkakana-Gomoh section of the Eastern Railway. An enquiry was held by a Committee of senior officers of the Eastern Railway. Their finding is that the accident was due to the

breakage of the left leading trailing wheel spring of the engine.

(b) The question does not arise as no one was killed or injured.

रेलवे सहकारी आघार पर ट्रॅक्टरों का उपयोग

***१०४१. श्री एम० एल० द्विवेदी :** क्या कृषि तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय और राज्य सरकारों के बीच सहकारी आघार पर ट्रॅक्टरों को उपयोग के लिये चल रही बातचीत को अन्तिम रूप दे दिया गया है; और

(ख) यदि हां, तो इस विषय में क्या निश्चय किये गये हैं ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) Does not arise.

श्री एम० एल० द्विवेदी : मैं पूछना चाहता हूँ कि क्या स्टेट गवर्नमेंट्स के साथ लिखा पढ़ी की गई है कि किसानों में कोऑपरेटिव फार्मिंग को डिवेलप किया जाए ?

डा० पी० एस० दशमुख : जी हां ।

श्री एम० एल० द्विवेदी : क्या कोई कोऑर्डिनेटिव योजना बनाई गई है या बनाई जा रही है कि किस तरह इस पर चला जाएगा ?

डा० पी० एस० दशमुख : ज्यादा प्रगति नहीं हुई ।

श्री एम० एल० द्विवेदी : योजना क्या है ? उसका सारांश बताने की कृपा करें ।

What is the substance of these schemes?

Dr. P. S. Deshmukh: There was a report from the Crops and Soils Wing of the Board of Agriculture and Animal Husbandry made at their meeting at Indore held from 20th to 25th March, 1952, so that the mechanised agriculture may be encouraged on a

co-operative basis. This has been put to the various State Governments, but, as I have already said, the progress is slow.

Shri T. S. A. Chettiar: May I know whether, in order to encourage co-operative agriculture, Government will give concessional rates? *

Dr. P. S. Deshmukh: We have decided what concessions to give. Generally speaking, we have said that we will meet part of the expenditure on administration.

IMMOBILIZATION OF KUTCH DESERT

*1042. **Shri Gidwani:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Government have decided to finance a scheme for the immobilization of Kutch desert and coastal sands of Saurashtra;

(b) the nature of the schemes;

(c) the terms on which the loan has been granted; and

(d) the names of the States to which this grant has been made?

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

(b) The scheme aims at raising plantation and shelter belts of Casurina, Prosopis Juliflora etc. on the coast, on banks of water courses, road sides etc.

(c) The Government of India have approved a loan of Rs. 2,50,000/- for this scheme on the following terms:—

(1) The loan is repayable in 15 annual equated instalments falling due on the first anniversary of the drawal of loan.

(2) During the first five years the Government of India will grant an annual subsidy to the State Government equivalent to the amount of interest accruing on the loan each year, and thereafter, the subsidy will be withdrawn.

(3) The loan will be sanctioned by the Government of India from time to time as and when a request to this effect is received from the State Government.

(d) The Government of Saurashtra.

Shri Gidwani: May I know whether the experiment in Rajasthan proved successful in that respect, and if so, have you been able to stop the march of the desert in that area?

Dr. P. S. Deshmukh: There are various factors concerned with this experiment. Some of them have certainly succeeded and others are bound to succeed because we know that we are acting on some definite knowledge.

Shri Gidwani: May I know whether the plantation of trees will produce more rain and thus, the afforestation will lead to the stoppage of the march of the desert?

Dr. P. S. Deshmukh: There are some scientists who hold that view.

PASHABHAI IMPLEMENTS

*1044. **Shri Sarangadnar Das:** Will the Minister of Food and Agriculture be pleased to state:

(a) the action taken on the findings of Shri Divatia Committee in regard to the purchase and utilisation of agricultural implements from Messrs. Pashabhai Patel and Co.;

(b) the number of Pashabhai Patel Ploughs which have so far been re-conditioned by the F.A.O. Expert;

(c) the number of reconditioned ploughs disposed of; and

(d) how they have been disposed of?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) A statement is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 63.]

(b) Nineteen implements were re-conditioned by the F.A.O. Expert. After the Expert's departure, thirteen

implements have been reconditioned on the lines recommended by him.

(c) and (d). None of the modified implements have so far been disposed of by way of final sale. They have been put to work for determining their suitability under actual field conditions.

Shri Sarangadhar Das: In view of the "manner of execution of the contract, use of unsuitable material, etc." as quoted in the statement, may I know, if the material is unsuitable, how it can be re-conditioned and utilised by the farmers who might take them, and is that the reason why no firm orders have come in?

Dr. P. S. Deshmukh: My hon. friend is probably interpreting the word 'material' too literally. He probably means that the structure or the composite character of the steel or the iron is weak. That is not so. It does not refer to the whole material. It was defective in certain respects, and that was the modification we tried to carry out.

Shri Sarangadhar Das: If no firm orders have come so far and if an arrangement has been entered into between the suppliers and the Government that they would pay Rs. 3,36,000 odd, what is the total loss taking this in view that these implements will never be disposed of?

Dr. P. S. Deshmukh: The money that has been received, or is expected to be received from the firm is not—I say subject to correction—is not on the condition that the implements will be re-conditioned. That is going to be received by Government irrespective of that consideration.

Shri Sarangadhar Das: My question was: taking this amount into consideration, and considering the fact that no firm orders are coming and they are not likely to come, what is the total loss in this transaction?

Dr. P. S. Deshmukh: It is difficult to calculate it.

Mr. Speaker: Does he agree that there will be a loss?

Dr. P. S. Deshmukh: There will be a loss.

Shri M. L. Dwivedi: May I know whether the implements that have been re-conditioned and put to work have been found to be of use in comparison with other implements?

Dr. P. S. Deshmukh: Full trials have to be carried out, but in some places they have been found to be suitable.

Shri Sarangadhar Das: What was the cost of the implements when they were first of all secured from this firm?

Dr. P. S. Deshmukh: I think the total cost was about Rs. 45 lakhs.

गोहं सम्बन्धी अनुसन्धान

*१०४५. श्री नवल प्रभाकर : क्या जाय तबा कृषी मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में ऐसी अनुसन्धान संस्थाएँ कितनी हैं, जिन में बीज के प्रयोगों के लिये गोहं पर अनुसन्धान हो रहा है ?

(ख) गत दो वर्षों में कितने प्रकार के गोहं के बीज तैयार किये गये हैं ; और

(ग) प्रति एकड़ पैदावार की दृष्टि से परिणाम क्या हैं ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) There are five research centres under the Government of India for the improvement of the wheat crop, particularly the production of disease resistant varieties. There are besides four State Centres in Bombay, Madhya Pradesh, Rajasthan and Punjab partially financed by the Indian Council of Agricultural Research.

(b) It takes many years to produce a new variety of wheat. Among the improved wheat varieties that have been released for general

cultivation during the last few years mention may be made of N.P.710, N.P.718, N.P.770, N.P.755 and N.P.761 produced at the I.A.R.I.

(c) During the last two years, however, one variety, namely N.P.809, has been released by the I.A.R.I. as being suitable for cultivation in the hills of Northern India. A yield of about 48 mds. per acre has been recorded in the Northern hills with the new variety, N.P. 809.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि प्रयोगशालाओं में वितरण के लिए भी बीज तैयार किये जाते हैं ? यदि हाँ तो उनके वितरण का क्या तरीका है ?

डा० पी० एस० देशमुख : यह वितरण डोट पेंमाने पर आर्डर ए० आर० आर्डर के मार्फत होता है । मगर ज्यादा एक्सपर्टीसब वितरण के लिए तो स्टेट गवर्नमेंट्स की मदद चाहिए ।

Shri Neswi: May I know whether there are similar Research Stations for other food crops like jowar, bajra, ragi and paddy? If so, where are they established? If not, why not?

Dr. P. S. Deshmukh: There is no independent Research Centre established by the Government of India, but many State Governments have their own research and breeding organisations, and they are doing fairly useful work.

Shri Radhelal Vyas: May I know whether it has been possible to find out any rust resisting variety of wheat and, if so, what progress has been made in this respect?

Dr. P. S. Deshmukh: One of the most creditable achievements of the I.C.A.R. and the Institute is the evolution of a variety which is considerably rust resisting.

INDIAN SHIPPING

*1049. Shrimati Tarkeshwari Sinha: Will the Minister of Transport be pleased to state:

(a) whether the Estimates Committee of India Ship-owners has recommended to Government that with

effect from April, 1955, no foreign chartered vessels should be allowed to operate on the Indian Coast;

(b) if so, what other suggestions the Consultative Committee have put forward; and

(c) how far Government are prepared to implement their recommendations?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, except that existing charters extending beyond 1st April 1955, should be allowed to run out the remaining period of the contract.

(b) and (c). A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 64.]

Shrimati Tarkeshwari Sinha: What was the target in terms of gross registered tonnage fixed for Indian ships by the Shipping Policy Sub-Committee which reported in 1947? And may I know whether that target is expected to be reached in the course of the First Five Year Plan?

Shri Alagesan: That Committee of course reported some years back and they recommended a target of 2 million tons. As the House is aware, we have not been able to reach that target. In fact, the target laid down for the First Five Year Plan was only 6 lakh tons. Now a Sub-Committee of this Consultative Committee is going to know whether that target is expected should be fixed for the next Five Year Plan.

Shrimati Tarkeshwari Sinha: May I know whether some coastal shipping companies have complained that proper co-ordination between the Railways and the shipping companies is not being maintained and, if so, what specific steps Government propose to take to have better co-ordination?

Shri Alagesan: That was one of the subjects discussed in the Committee and a proposal was made which is now under consideration—it is given in the statement itself.

Shrimati Tarkeshwari Sinha: May I know whether that target is expected up its mind so far about reserving for the Indian ships the transport of the Standard Vacuum Oil Refinery product which they will take to the different coastal towns in the country?

Shri Alagesan: In the agreement which was made between the oil companies and the Government there is a provision that this oil can be taken in tankers which are owned by Government or by Corporations in which Government have majority shares. That question is under our consideration and we are trying to procure tankers.

PURCHASE OF SUPER-CONSTELLATION AIRCRAFTS

***1050. Shri K. C. Sodhia:** Will the Minister of Communications be pleased to state:

(a) the names of the countries from which the three super-constellation and two count Mark III aircraft were purchased last year by the Air India International; and

(b) the price of each kind of aircraft and the average ordinary life of the same?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No aircraft were purchased by the Air India International during 1953.

(b) Does not arise.

Shri K. C. Sodhia: May I know what amount was budgeted for the purpose?

Shri Raj Bahadur: A loan was advanced to the Air India International for purchase of two super-constellation aircraft to the tune of Rs. 25 lakhs as loan and Rs. 87 lakhs as capital grant. That was in 1953-54 and we got them in 1954-55. That was for two aircraft.

Then for the three Super-constellation aircraft that we are going to have in the months of January, February and March next year we budgeted in 1953-54 Rs. 26 lakhs as loan, and in 1954-55 Rs. 13 lakhs plus Rs. 315.37

lakhs that is Rs. 354 lakhs as capital grant.

Shri K. C. Sodhia: What is the procedure that is allowed to be followed in making these purchases?

Shri Raj Bahadur: The Air India International Corporation Board take decision in this respect and the sanction of the Government of India is obtained thereupon. So far as the terms are concerned, as regards the two super-constellation aircraft that we got we had to make a deposit of 50 per cent. of the value in stages and the balance of 50 per cent. was paid on delivery. With regard to the other three that we are going to get next year, 25 per cent. has been deposited already and 75 per cent. will be paid on delivery.

Shri K. C. Sodhia: Are any officers sent at the place of purchase?

Shri Raj Bahadur: The officers are also sent if and when necessary.

Mr. Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

RESEARCH IN RAYON

***996. Shri S. N. Das;
Shri S. K. Razmi:**

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that an Indian Research Student specialising in pulp and rayon manufacture in Japan, has successfully experimented in making rayon grade pulp from a mixture of species of Indian bamboo; and

(b) if so, what will be its industrial potentiality?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnaappa): (a) and (b). Government have no other information except what appeared recently in the press regarding Shri Gohel's experiments in Japan on the production of rayon grade pulp from

bamboo. In the absence of any technical details it is not possible to gauge the industrial potentialities of his experiments.

RAILWAY EMPLOYEES

*1003. **Pandit D. N. Tiwary:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that in September 1954 a large number of Railway ministerial staff made a demonstration in front of the Parliament House;

(b) whether he received from the demonstrators a "Charter of demand"; and

(c) whether any assurance was given by him in this regard?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) and (b). Yes, Sir.

(c) No Sir.

CENTRAL RESEARCH INSTITUTES

*1008. **Shri Bhagwat Jha Azad:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Estimates Committee has recommended for the establishment of one or two Research Institutes to co-ordinate the work of the Regional Centres; and

(b) whether this recommendation has been accepted?

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

(b) It is under consideration.

ORDERS FOR ROLLING STOCK

*1010. **Sardar Lal Singh:** Will the Minister of Railways be pleased to state:

(a) whether the Railway Board has concluded or is going to conclude an agreement with a firm in England or other countries for supply of parts required for Chittaranjan Locomotive

Works without calling for tenders from other firms; and

(b) if so, the reasons for dispensing with the usual practice of inviting open tenders?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. An Agreement has been entered into with the North British Locomotive Co., a British firm.

(b) The Agreement is not only for the supply of components, raw materials, machine tools etc., but also for the supply of technical personnel and designs, production planning etc., as may be required by Chittaranjan Locomotive Works. Even in regard to supply of components etc., although open tenders may not be resorted to, arrangement will be made for obtaining the best possible price.

JAPANESE METHOD OF RICE CULTIVATION

*1011. **Shri Bahadur Singh:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to starred question No. 1253 on the 22nd September, 1954 and state:

(a) the estimated area of land under the Japanese method of rice cultivation in the country; and

(b) whether Government have given any assistance to the farmers who have adopted this method of rice cultivation?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Reports received from the State Governments so far indicate that during the first crop season of the year, 545,639 acres have been actually brought under this method. Final estimate for the current year will be known only after the paddy season is over in all the States and final reports are received.

(b) Yes.

**INDIAN TELEPHONE INDUSTRIES, ,
BANGALORE**

***1015. Shri Thimmaiah:** Will the Minister of Communications be pleased to state:

(a) how many retired officers are re-employed in the Telephone Industry, Bangalore; and

(b) what are the special reasons for appointing the retired officers in the said Factory?

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

(b) From July 1948 onwards, the Indian Telephone Industries had to utilise the services of certain retired officers because of their past experience, but they have all been replaced now with the exception of two. One of the two is to be replaced during the course of the next month but the other officer, who is a retired telephone engineer of the Posts and Telegraphs Department, may have to be retained for another year or so because of his special knowledge of automatic telephone components.

HEALTH VISITORS

***1016. Shri Radha Raman:** Will the Minister of Health be pleased to refer to the reply given to starred question No. 489 on the 29th November, 1954 and state:

(a) the names of the States where the scheme for providing training facilities for lady health visitors and midwives has materialized;

(b) the number of lady health visitors trained so far and where they have been appointed; and

(c) the number undergoing training at present?

The Minister of Health (Rajkumari Amrit Kaur): (a) Facilities for training of Lady Health Visitors have been provided in the States of Madhya Pradesh, Madras, Punjab, Uttar Pradesh, West Bengal, Andhra, Hyderabad and Delhi while that for training midwives have been provided in the States of Assam, Madhya

Pradesh, Rajasthan, Hyderabad, Saurashtra and Himachal Pradesh.

(b) None, because there has not been time for the training to be concluded.

(c) 100 (approximately).

UNEMPLOYMENT

***1018. Shri Hem Raj:** Will the Minister of Labour be pleased to state the steps taken by Government for the assessment of employment opportunities for persons of different educational standards?

The Minister of Labour (Shri K. K. Desai): No steps have so far been taken to assess employment opportunities suitable for persons of different educational standards.

FERTILIZERS

***1019. Dr. Ram Subhag Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of (i) phosphatic, and (ii) nitrogenous fertilizers annually consumed in the country during 1952-53 and 1953-54;

(b) whether the consumption of these fertilizers was subsidized by Government; and

(c) if so, to what extent?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (c). A statement is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 65.]

SUGAR CANE

***1020. Pandit Munishwar Datt Upadhyay:** Will the Minister of Food and Agriculture be pleased to state the percentage of India's sugar cane which accounts for white sugar and the percentage which accounts for gur and khandsari?

The Minister of Agriculture (Dr. P. S. Deshmukh): Of the total cane production in the country about 25 per cent. is used for production of crystal sugar, 55 per cent. for gur and 3 per cent. for khandsari.

SUGAR INDUSTRY

*1022. **Th. Jugal Kishore Sinha:** Will the Minister of Labour be pleased to state the names of the States which have declared the sugar industry to be a 'public utility service' during the current crushing season?

The Minister of Labour (Shri K. K. Desai): Under section 2(n) (vi) of the Industrial Disputes Act, 1947 the "appropriate Government" to declare the sugar industry to be a public utility service is the State Government. Information so far received is laid on the Table of the House. [See Appendix IV, annexure No. 66.]

TOURIST TRAFFIC

*1023. **Shri Ganpati Ram:** Will the Minister of Transport be pleased to state the number of foreign tourists who visited Banaras in 1953-54 and during the period from the 1st April to the 31st October, 1954?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): 2818 in 1953-54.

1523 from 1st April to 31st October, 1954. These figures are approximate.

RAILWAY TICKETS

*1025. **Shri S. C. Samanta:** Will the Minister of Railways be pleased to refer to the reply given to starred question No. 2484 on the 13th May, 1954 and state:

(a) whether Government have enquired about the heaping of used tickets on the Railway Stations between Howrah and Kharagpur;

(b) if so, what steps have been taken to avoid the recurrence of such incidents; and

(c) whether it is also a fact that from some Stations used tickets are sent in paper cover which generally tears and tickets get lost en route?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes,

Sir. The enquiries show that there was unusual delay on the part of two stations in sending their tickets for the months of November and December, 1953.

(b) Apart from disciplinary action against the Station Masters of the two Stations where delay took place, attention of all Railways has been drawn to the standing orders on the subject with instructions that they should be strictly followed.

(c) At times, such a practice is resorted to in exceptional circumstances. Instructions, however, have been reiterated to the effect that collected tickets should be sent only in special bags provided for the purpose.

LANDLESS LABOURERS

*1026. **Dr. Satyawadi:** Will the Minister of Food and Agriculture be pleased to refer to the answer given to starred question No. 1059 on the 17th September, 1954 and state:

(a) whether the Punjab Government have submitted any scheme for giving lands to landless labourers; and

(b) if so, the main features of the scheme?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No Sir.

(b) Does not arise.

FERTILIZERS

*1027. **Shri Niranjan Jena:** Will the Minister of Food and Agriculture be pleased to state the kinds of fertilisers produced in India and the quantity of each produced during the year 1953-54?

The Minister of Agriculture (Dr. P. S. Deshmukh): The following quantities of different fertilisers were produced in the country during 1953-54:—

1. Sulphate of Ammonia ..	3,07,170 tons
2. Superphosphate ..	65,651 tons
3. Muriate of Potash ..	200 tons*

*Estimated.

STRIKE IN BENGAL PROVINCIAL RAILWAY

***1029. Shri M. S. Gurupadaswamy.** Will the Minister of Labour be pleased to state:

(a) whether it is a fact that the workers of the Bengal Provincial Railway went on an indefinite strike from the 14th November, 1954;

(b) if so, the reason therefor; and

(c) the action taken or proposed to be taken by Government in the matter?

The Minister of Labour (Shri K. K. Desai): (a) Yes.

(b) Non-fulfilment by the Management of the Bengal Provincial Railway of the demands made by the workers.

(c) As the attempt to bring about a settlement through conciliation could not succeed, Government referred the dispute to an Industrial Tribunal for adjudication on the 22nd November, 1954. An order was also issued on the same day under section 10(3) of the Industrial Disputes Act, 1947, prohibiting the continuance of the strike.

SCARCITY OF WHEAT IN ORISSA

***1033. Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is a scarcity of wheat in the State of Orissa;

(b) if so, whether depots have been opened by Government there;

(c) the nature of the control that the State Government exercises over these depots;

(d) the actual stock position of wheat in the State; and

(e) whether the Government of Orissa have approached for supply of wheat out of the central pool?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). It is true that, while there has been no scarcity of wheat as such in Orissa,

there has been, however, a certain amount of demand being in excess of supply, largely due to causes of an artificial nature. The Central Government maintains two depots—one at Cuttack and the other at Sambalpur from which direct sales are being made to the public.

(c) The State Government of Orissa does not exercise control over these depots.

(d) On 5-12-54, there was a stock of 337 tons in Cuttack and 151 tons at Sambalpur, making a total of 488, to which should be added another 80 tons, which is on its way to Orissa; the normal requirements of the State is roughly 500 tons per month.

(e) No, Sir.

SAKRI STATION

***1035. Shri S. N. Das:** Will the Minister of Railways be pleased to state:

(a) whether Government propose to effect improvements in the Sakri Railway Station on the North Eastern Railway;

(b) if so, what improvements are proposed to be made; and

(c) the total amount that will be allotted for this Station out of the Passenger Amenities Fund?

The Parliamentary Secretary to the Minister of Railways and Transport. (Shri Shah Nawaz Khan): (a) As adequate facilities exist at this station, it is not proposed to undertake any major work at present.

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

PANCHAYATS

***1043. Shri Sanganna:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that a Panchayat Commission has been set up by Government to go into the matter of reviving village self-Government; and

(b) if so, how the matter stands at present?

The Minister of Health (Rajkumari Amrit Kaur): (a) The answer is in the negative.

(b) Does not arise.

CONFERENCE ON POULTRY PRODUCTION

***1046. Shri Ganpati Ram:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a Conference on Poultry Production will be held at Lucknow;

(b) if so, the names of countries participating therein;

(c) whether the expenditure of the conference will be borne by the Central Government; and

(d) whether any amount has been sanctioned for the purpose?

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

(b) The Food and Agriculture Organisation of the United Nations, who have convened the Conference, have invited the following countries to participate:

1. Australia.
2. Burma.
3. Cambodia.
4. Ceylon.
5. France (for Indo-China).
6. India.
7. Indonesia.
8. Japan.
9. Korea.
10. Laos.
11. Nepal.
12. New Zealand.
13. Pakistan.
14. Philippines.
15. Thailand.
16. U.K. (for Malaya).
17. Viet Nam.

(c) and (d). The Conference is being arranged in co-operation with

the U.P. Government and expenditure to be met by the Central Government would be approximately Rs. 7,000/-.

BRIDGES ON NATIONAL HIGHWAYS

***1047. Th. Jugal Kishore Sinha:** Will the Minister of Transport be pleased to lay on the Table of the House a statement showing the list of bridges with estimated cost, State-wise, to be constructed under the Five Year Plan on the National Highways of India and state:

(a) the progress so far made in this connection; and

(b) the reasons for varying measures of progress from State to State?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement giving the required information is laid on the Table of the Lok Sabha. [Placed in the Library. See No. S-481/54.]

(b) The variations in the progress from State to State are due to several reasons chief among them being (1) natural factors like foundation soil etc. (2) size of the bridge (3) availability of skilled labour (4) capacity of the Public Works Department of the State concerned to collect hydraulic data, carry out preliminary investigations and undertake the execution and supervision of the bridge construction.

TRAINING OF INDIANS IN FISHERIES

***1048. Shri S. C. Samanta:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to starred question No. 2362 on the 10th May, 1954 and state:

(a) whether any Indians have been trained abroad in the new techniques propounded by the fishery experts of F.A.O.;

(b) if so, when, and where;

(c) their number; and

(d) who met the expenses of their training?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) to (d). Do not arise.

AGRICULTURAL COLLEGE IN MADHYA PRADISH

***1051. Mulla Abdullahai:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Madhya Pradesh Government have approached the Central Government for any financial assistance for the setting up of an Agricultural College in the State; and

(b) if so, the decision taken in the matter?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) Does not arise.

RAILWAY INSPECTORATE

***1052. Sardar Hukam Singh:** Will the Minister of Communications be pleased to state:

(a) the number of accidents which were investigated by the Railway Inspectorate during 1954 so far; and

(b) what other functions were discharged by the Railway Inspectorate during the period besides investigating these accidents?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 18.

(b) During the period in question, the Railway Inspectorate also discharged all the other functions which devolve on it under Section 4 of the Indian Railways Act, 1890. These functions consist in the main of the periodical inspection of open lines, the inspection of new railway lines prior to their opening to passenger traffic, and the examination of applications for the running of new types of locomotives and rolling stock, the movement of over-dimensional consignments and works involving infringements of the standard dimensions.

CASHEW APPLES

***1053. Shri V. P. Nayar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that over 2 lakh tons of Cashew apples are wasted every year in India; and

(b) whether Government have formulated any schemes to utilise this material for human consumption and if so, what the schemes are?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):

(a) Yes.

(b) No. The Madras Government carried out some work at the Fruit Product Laboratory at Kodur on cashew apples and the methods of preparation of some products were standardised by them. The industry does not appear to have taken up the preparation of the products presumably because there is no demand from the public for the products.

OCCUPATIONAL DISEASES

***1054. Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) whether any pilot survey regarding occupational diseases is being carried out among the coffee plantation labourers;

(b) if so, under whose auspices;

(c) whether the survey has been completed; and

(d) if so, what are the conclusions arrived at?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Government of India have no information.

(b) to (d). Do not arise.

CENTRAL COLLEGE OF AGRICULTURE

***1055. Shri Dabhi:** Will the Minister of Food and Agriculture be pleased to state whether Government have accepted or propose to accept the recommendation of the Estimates Committee contained in para. 54 of their Seventh Report regarding the

closure of the Central College of Agriculture, Delhi?

The Minister of Agriculture (Dr. P. S. Deshmukh): The matter is engaging attention of Government. It is proposed to maintain the Central College of Agriculture as an institution separate from the Indian Agriculture Research Institute.

U. S. A. SURPLUS WHEAT

Shri Gidwani:

***1056. { Shrimati Tarkeshwari Sinha:
 { Shri T. K. Chaudhuri:**

Will the Minister of Food and Agriculture be pleased to refer to the reply given to starred question No. 226 on the 22nd November, 1954 and state the terms on which the Government of United States of America has offered its surplus wheat to India?

The Minister of Agriculture (Dr. P. S. Deshmukh): The Government of the United States of America have offered a Development Assistance of 60.5 million dollars for the year 1954-55. It has been decided by the Government of India to utilise 10 million dollars of it for the purchase of wheat within the next few months. This purchase of wheat will be under the International Wheat Agreement. Half of the wheat has to be carried in U.S. Flag vessels.

AIR FREIGHT RATES FOR NEWSPAPERS

***1057. Shri S. N. Das:** Will the Minister of Communications be pleased to state whether there is any proposal under the consideration of Government for making a reduction in the existing air freight rates for newspapers?

The Deputy Minister of Communications (Shri Raj Bahadur): No, Sir.

CENTRAL RICE RESEARCH STATION, CUTTACK

***1058. Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Central Rice Research Station at Cuttack has branches all over the State of Orissa;

(b) if so, whether the Central Rice Research Sub-station at Jeypore in the District of Koraput (Orissa) is under its jurisdiction; and

(c) what kind of control it exercises over the Sub-station?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

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

PUBLIC CALL-OFFICES IN MIDNAPORE

669. Shri N. B. Chowdhury: Will the Minister of Communications be pleased to state:

(a) the names of the towns in Midnapur district of West Bengal which have been provided with Public Call Offices;

(b) whether there is any scheme to provide such Offices in other subdivisions; and

(c) if so, by what time the scheme is likely to materialise?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) It is presumed that sub-division towns are meant. If so, they are;

(1) Midnapore (2) Jhargram (3) Tamluk.

(b) Yes.

(c) 31-3-1956.

POST OFFICES IN MIDNAPUR

670. Shri N. B. Chowdhury: Will the Minister of Communications be pleased to state the names of new post offices opened in the district of Midnapur in West Bengal during the year 1953-54?

The Deputy Minister of Communications (Shri Raj Bahadur): A list showing the names of places in the Midnapur District where new Post Offices were opened during the year 1953-54 is placed on the Table of the Sabha. [See Tppendix IV, annexure No. 67.]

SEISMO (1A11)

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

(a) whether any Seismographs are installed in any of the States in the country; and

(b) whether any Seismograph is proposed to be installed near Bhakra Dam?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) A statement showing the location of Seismographs in the various States in the country is laid on the Table of the House [See Appendix IV, annexure No. 68.]

(b) Yes, Sir.

RESEARCH SCHEMES ON CASHW NUTS

672. Shri V. P. Nayar: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any aid by way of grants or loans have been given for research schemes on cashewnuts sanctioned by the Indian Council of Agricultural Research;

(b) whether it is a fact that the Governments of Travancore Cochin, Madras and Bombay have not fulfilled their financial obligations so far, with the result that the schemes have not started functioning yet; and

(c) what steps Government propose to take to make these schemes work?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Grants have been given for research schemes on cashewnut in Madras, Travancore-Cochin and Bombay States.

(b) The schemes are functioning in Madras and Travancore-Cochin. The Bombay Government could not take up the work owing to financial stringency.

(c) The results of work conducted at the two stations at Madras and Travancore-Cochin, which are the most important cashewnut growing States,

will be available to the Bombay State also.

EMPLOYMENT EXCHANGES IN PUNJAB

673. Shri D. C. Sharma: Will the Minister of **Labour** be pleased to state:

(a) the total number of ex-Service-men registered in the Employment Exchanges in the Punjab during the last three years; and

(b) the number of persons who secured employment through the Exchanges during the above period?

The Minister of Labour (Shri K. K. Desai): (a) 46,211 ex-Servicemen were registered at Exchanges in the Punjab during the period from October, 1951 to September, 1954.

(b) The number of ex-Servicemen who secured employment through the Exchanges was 7,093.

CATERING ON RAILWAYS

674. Shri S. C. Singhal: Will the Minister of **Railways** be pleased to state:

(a) the terms on which catering contracts are given on Railway Stations and the income derived from such contracts so far during 1954; and

(b) the number of catering contractors who have been punished for breach of contracts and what action has been taken against them during the past three years?

The Deputy Minister of Railways and Transport (Shri Alagesan):

(a) Contracts are given for a fixed period and are renewable from time to time for approved services. Contractors are required to sell articles of good quality at controlled prices fixed by the Administration; and are forbidden to assign, mortgage or sublet the whole or any part of their contracts. The licence fee for the year 1953-54 was approximately Rs. 27,00,000.

(b) The number of contractors who were punished during the last three years was 2610, the punishment of

warning was inflicted in 1210 cases, the punishment of fines in 1258 cases, in 133 cases the contracts of contractors were terminated and in 9 cases contracts were suspended.

OVERCROWDING IN RAILWAYS

675. Shri Krishnacharya Joshi: Will the Minister of Railways be pleased to state:

(a) what concrete steps Government have taken to relieve overcrowding in third class compartments; and

(b) the special amenities provided to third class passengers during 1954?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Measures taken to relieve overcrowding in third class include:

(i) introduction of 130 new train services involving a daily train mileage of 4696;

(ii) augmentation of the strength of and extension of the existing train services; and

(iii) increasing the frequency of certain trains, e.g., conversion of bi-weekly services into tri-weekly services, etc.

(b) Special amenities provided for third class passengers during 1954 include:

(i) introduction of third class sleeping coaches on 8 trains;

(ii) throwing open of dining car and retiring room facilities to third class passengers;

(iii) throwing open of upper class entrances and exist to third class passengers; and

(iv) Provision of:

(a) Accommodation set apart for third class reservation.

(b) Through service coaches for third class passengers.

(c) Enquiry Offices in third class Waiting Halls.

(d) Sanitised latrines and urinals.

(e) Electric fans and lights in third class Waiting Halls.

(f) Electric fans in third class carriages. 2918 fans were provided in the first six months of the year in question.

ADVERTISEMENTS REGARDING AIR FLIGHTS

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

(a) whether the attention of Government has been drawn to advertisements appearing in various daily newspapers regarding the Air India International flight to Hong Kong; and

(b) whether any protests have been received from the public on the theme of these advertisements?

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

(b) No, Sir.

PRODUCTION OF FOODGRAINS

677. Th. Lakshman Singh Charak: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of wheat, rice, bajra and maize respectively produced in the country from January to October, 1954, State-wise;

(b) the quantities of these foodgrains consumed during the same period, State-wise; and

(c) the quantities of these foodgrains imported from different countries during the same period?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) As estimates of production for the different crops are framed for the crop year as a whole, it is not possible to give the required information. However, four statements giving the estimates of the quantity of wheat, rice, bajra and maize produced in the country during the agricultural year July-June 1953-54, State-wise, are placed on the Table of the Lok

Sabha. [See Appendix IV, annexure No. 69.]

(b) The required data are not available as no regular estimates on a State-wise basis are framed regarding the quantities of these food-grains consumed in the country.

(c) There have been no imports of barley and maize into the country for the period from January to October, 1954. As regards wheat and rice, the statement below gives the latest position.

Grains	Quantity imported into India from	
	1-1-54 to 29-9-54†	tons
1. Wheat	87,637	
2. Rice	3,26,630*	

*Includes 22,157 tons of rice received from the Government of Ceylon in exchange for indigenous rice to be supplied to them.

†Later figures are not yet available.

PASHABHAI IMPLEMENTS

678. **Shri Dabhi:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have accepted the recommendation of the Estimates Committee contained in para. 27 of their Seventh Report to the effect that the Pashabhai implements should not be rehabilitated before the various States give orders for the same; and

(b) the number of Pashabhai implements which have not so far been rehabilitated?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. The recommendation has been accepted.

(b) 1,218, out of which 342 are not capable for rehabilitation.

STORES PURCHASE POLICY

679. { **Shri Dabhi:**
Shri Morarka:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have accepted the recommendation of the Estimates Committee contained in para. 17 of their Seventh Report regarding the fixation of the responsibility for the losses due to lack of planning and foresight in the purchase of tractors, surplus parts, stores, unsuitable and uneconomic diesel trucks etc.; and

(b) the action taken against the officers found guilty of irregularities in the purchase of tractors, surplus stores, etc.?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). The various recommendations on the working of the Central Tractor Organisation made by the Estimates Committee in its 7th Report are still under examination. It is hoped to obtain orders of Government on them within the next few weeks.

RADIO LICENCE FEE

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

(a) the amount derived as the Radio Licence Fee during the last three financial years;

(b) the sources of other licence fees collected by Posts and Telegraphs Department during the same period; and

(c) the percentage taken by the Department as collection charges?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Information is furnished in the statement which has been laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 70.]

(b) It is presumed that the hon. Member is referring to the "surcharge" recovered in the event of delay in obtaining licenses. On this assumption the required information

is furnished in the abovementioned statement.

(c) The Indian P. & T. Department at present retains only annas 8 per license on account of issue of these licenses.

MOVEMENTS OF AEROPLANES

681. Shri Bhagwat Jha Azad: Will the Minister of Communications be pleased to state:

(a) the names of the aerodromes in India which are functioning as the centres for the wireless control on the movements of aeroplanes for commercial civil aviation in India;

(b) whether such aerodromes are furnished with up-to-date modern scientific equipments and apparatus;

(c) if so, the total investment made by Government on such air stations;

(d) whether any further improvements are proposed to be introduced; and

(e) if so, at what cost and by what time?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The names of such aerodromes are:

1. Agartala
2. Ahmedabad
3. Akola
4. Allahabad
5. Amritsar
6. Asansol
7. Aurangabad
8. Bagdogra
9. Balurghat
10. Banaras
11. Bangalore
12. Baroda
13. Belgaum
14. Belonia
15. Bhavnagar
16. Bhopal
17. Bhubaneshwar
18. Bhuj

19. Bombay (Juhu)
20. Bombay (Santa Cruz)
21. Calcutta (Barrackpore-IAF)
22. Calcutta (Dum Dum)
23. Chakulia
24. Cochin (Navy/Civil)
25. Coimbatore
26. Delhi (Safdarjung)
27. Delhi (Palam-IAF)
28. Gauhati
29. Gaya
30. Gorakhpur
31. Gwalior
32. Hyderabad (Begumpet)
33. Imphal
34. Jaipur
35. Jammu
36. Jamnagar (IAF-Civil)
37. Jharsuguda
38. Jodhpur (IAF-Civil)
39. Jorhat (IAF)
40. Kailashahar
41. Kamalpur
42. Kanpur (Chakeri-IAF)
43. Keshod
44. Khowai
45. Kotah
46. Kumbhigram
47. Lalitpur
48. Lilabari
49. Lucknow
50. Madras
51. Mangalore
52. Mohanbari
53. Muzaffarpur
54. Nagpur
55. Passighat
56. Pathankot
57. Patna
58. Poona (IAF)
59. Porbandar
60. Raipur
61. Rajkot
62. Ranchi
63. Srinagar (IAF)

64. Tezpur
65. Tiruchirapalli
66. Trivandrum
67. Vijayawada
68. Visakhapatnam
69. Warangal.

(b) Some of the equipment is modern and up-to-date and some is not quite so up-to-date, but the service rendered is in accordance with the standard laid down by the International Civil Aviation Organisation. The equipment which is not up-to-date is being gradually replaced with newer items.

(c) Rs. 192 lakhs.

(d) Yes, Sir.

(e) At a cost of approximately Rs. 252 lakhs for 83 stations by March 1956 and at a cost of approximately Rs. 460 lakhs for about one hundred stations by March 1961.

HOMOEOPATHIC SYSTEM

682. Shri Bhagwat Jha Azad: Will the Minister of Health be pleased to state:

(a) the names of States which have enacted laws regarding the Homoeopathic system of medicine;

(b) the names of the States which have formed Homoeopathic State faculties; and

(c) the names of the States which have registered Homoeopathic practitioners?

The Minister of Health (Rajkumari Amrit Kaur): (a) Bombay, Bihar, Uttar Pradesh, Madhya Pradesh, Hyderabad, Travancore-Cochin and Bhopal.

(b) West Bengal.

(c) Bombay, Uttar Pradesh, Madhya Pradesh, West Bengal and Hyderabad.

ड्रैक्टरों का आयात

६८३. श्री एम० एल० द्विवेदी:

ठाकुर लक्ष्मण सिंह जाड़क: क्या खाद्य तथा इषि मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि गत तीन वर्षों में विदेशों से ११,५७० ड्रैक्टर आयात किये गये थे; और

(ख) यदि हां, तो उन का मूल्य कितना है ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, from 1st April 1951 to 31st March 1954.

(b) Rs. 10,71,17,007.

INDIAN SHIPPING

684. Shri T. B. Vittal Rao: Will the Minister of Transport be pleased to state:

(a) whether it is a fact that Indian shipping companies are placing contracts for ship-building with firms in Germany;

(b) if so, (i) the names of shipping companies which have placed such contracts during the last five years, (ii) the names of firms which undertook to supply the ships, (iii) the number, value and tonnage of ships supplied so far; and

(c) the reasons why it was not possible to supply these requirements from Vizagapatnam Shipyard?

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

(b) A statement giving the required information is attached herewith. [See Appendix IV, annexure No. 71.]

(c) Orders for the ships could not be placed on the Visakhapatnam ship-building yard mainly because the yard was fully booked till about the end of 1956 and the Indian shipping

companies concerned needed additional ships as quickly as possible to enable them to fulfil their commitments in the overseas trade.

नये स्टेशनों का खोला जाना

६८५. श्री झूलन सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्वोत्तर रेलवे की सेवान—गोरखपुर लूप लाइन के सासामूसा और जलालपुर स्टेशनों के बीच नये स्टेशन के खोलने के लिये कोई अभ्यावेदन प्राप्त हुआ है ; और

(ख) यदि हां, तो उस पर क्या कार्य-वाही की गई ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगंशान):
(क) और (ख). सासामूसा और जलालपुर स्टेशनों के बीच एक नया स्टेशन बनाने के प्रस्ताव पर पहले पहल १९४२-४३ में विचार किया गया था, किन्तु वित्तीय औचित्य न होने के कारण इसे रद्द कर दिया गया, हाल ही में इस सम्बन्ध में एक नया आवेदन-पत्र आया है और इस मामले की पुनः जांच की जा रही है ।

GOVERNMENT HYDROGENATION FACTORY AT KOZHIODE

686. Shri Jhulan Sinha: Will the Minister of Food and Agriculture be pleased to state the position with regard to the capacity of and production by the Government Hydrogenation Factory at Kozhikode?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): The factory has not yet started production of Vanaspathi on a commercial basis.

The production capacity of this factory is 10 tons of Vanaspathi per day. In addition to this, it can refine 5 tons of oil per day.

The Madras Government have decided either to sell or lease out the factory. In the meantime the factory is refining groundnut oil required by the Kerala Soap Institute of the Madras Government, in addition to job

orders from private parties for refining vegetable oils.

'VISCOUNTS' AIRCRAFTS

687. Shrimati Tarkeshwari Sinha: Will the Minister of Communications be pleased to state:

(a) the causes of the delay in placing orders for the new aircrafts 'Viscounts' in connection with the replacement of Dakotas by them as recommended by the Indian Airlines Corporation; and

(b) how much time has lapsed since Government received the recommendation of Indian Airlines Corporation for replacing Dakotas by 'Viscounts' for long distance services?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The recommendation of the Indian Airlines Corporation that five Viscount aircraft may be purchased was received by Government in July last. Before coming to a decision Government desired to have a full and careful comparison made of the technical performance, costs of operation and other characteristics of the Viscount and Convair types of aircraft and have accordingly referred the matter to a Committee of three technical experts. This Committee has been examining the data carefully, giving opportunity to representatives of the two manufacturers to represent their cases, and expects to submit its report by about the end of December 1954.

AIR STRIP AT KURNOOL

688. Shri Gadilingana Gowd: Will the Minister of Communications be pleased to state:

(a) whether it is a fact that an air strip will be opened at Kurnool by about the 1st April, 1955; and

(b) if so, whether all the passenger planes flying from Madras via Hyderabad to Delhi will stop at Kurnool?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No, Sir.

(b) Does not arise.

रेल दुर्घटनाएं

६८९. श्री एम० एल० द्विवेदी : क्या रेलवे मंत्री निम्नलिखित बातें बतलाने वाला एक विवरण सभा-पटल पर रखने की कृपा करेंगे :

(क) १९५३ और १९५४ में आज की तिथि तक कितनी रेल दुर्घटनायें हुई ;

(ख) प्रत्येक दुर्घटना किस प्रकार की थी ;

(ग) कितनी दुर्घटनायें मालगाड़ियों की, कितनी सवारी गाड़ियों की, कितनी केवल इंजनों की और अन्य प्रकार की थी ;

(घ) इन दुर्घटनाओं में कितने सवारी डिब्बों, कितने माल डिब्बों, कितने इंजनों और अन्य सामान को क्षति पहुंची ;

(ङ) इस टूटफूट से हुई कुल क्षति का मूल्य कितना है ;

(च) कितने गज रेल की पटरी को क्षति पहुंची और उन्हें फिर से ठीक कराने में कितना व्यय हुआ ;

(छ) इन दुर्घटनाओं के सम्बन्ध में की गई जांचों के द्वारा इन के क्या सामान्य कारण प्रकट हुये ; और

(ज) क्या इन दुर्घटनाओं को कम करने के लिये सरकार ने कोई योजना बनाई है, और यदि हां, तो उसके विवरण क्या हैं ?

रेलवे तथा परिवहन सचमंकी (श्री अन्नमोहन) :

(क) से (ज). आवश्यक जानकारी प्राप्त की जा रही है। सूचना आने पर विस्तृत विवरण सदन में प्रस्तुत किया जायगा।

TRAM CARS IN DELHI

690. Shri Radha Raman: Will the Minister of Transport be pleased to state:

(a) the total number of Tram Cars plying in the city of Delhi;

557 L.S.D.

(b) whether it is a fact that their number is being reduced gradually to ultimate stoppage; and

(c) if so, how many tram cars have been reduced so far?

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

(b) Yes Sir.

(c) Eight.

THEFT OF COAL AT PALEZAGHAT

691. Pandit D. N. Tiwary: Will the Minister of Railways be pleased to state:

(a) whether Government are aware that a large quantity of coal is stolen and sold at Palezaghat (North Eastern Railway); and

(b) whether it is a fact that no step has been taken even after complaints have been lodged with the Railway Authorities?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Government have not received a general complaint of this nature.

(b) No. Enquiries were made immediately on receipt of a complaint, but the charge of pilferage of coal could not be substantiated.

TRAIN BUS COLLISION

692. Dr. Rama Rao: Will the Minister of Railways be pleased to state:

(a) whether a Railway train collided with a bus on a level-crossing at Dalasunur on the Southern Railway on the 22nd October, 1954;

(b) the number of persons who died or who were injured as a result of the accident; and

(c) the circumstances which led to the accident?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) At about 9-20 hours on 21st October, 1954 (not on 22nd October, 1954 as stated in the Question), No. 1180

Down Passenger, while running between Srinivasapur and Dalsanur on the Chickballapur-Bangarapet Narrow gauge section of the Southern Railway, ran into a motor-bus at an unmanned level crossing at mile 22/15-14.

(b) Three persons died and four were injured. All of them were travelling in the bus.

(c) The accident was caused by the driver of the bus crossing the unmanned level crossing in the face of the approaching train.

RAILWAY EMPLOYEES

693. Shri Sanganna: Will the Minister of Railways be pleased to state:

(a) whether any ex-employees of the Civil Supplies Department, Orissa have been absorbed in the Railways; and

(b) If so, the categories of service in which they have been employed?

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

"PAY AFTER-HARVEST" LOANS

694. Shri Sanganna: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the 'Pay-after-harvest' loans for fertilizers have been given to the sugarcane growers in the State of Orissa during the year 1954; and

(b) if so, to what extent?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):

(a) No.

(b) Does not arise.

WORKING OF DELHI TRANSPORT SERVICE

695. Shri G. L. Chaudhary: Will the Minister of Transport be pleased to state:

(a) the number of occasions when the Delhi Transport Bus drivers were

challaned by the Delhi Police during 1954 due to the defects in the buses such as the absence of the head and rear lights and the absence of the speed meter;

(b) the number of drivers punished by the courts; and

(c) the number discharged by the Department due to their punishment by the court?

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

(b) The case against one driver is pending in the court and two others have been fined by the courts.

(c) Nil.

QUARTERS FOR POSTAL EMPLOYEES

696. Shri Hem Raj: Will the Minister of Communications be pleased to state:

(a) the various sums sanctioned for the construction of residential quarters of Postal and Telegraph Department employees for the different places in the suburban areas for the years 1952-53, 1953-54 and 1954-55 in the Kangra and Ambala Postal Divisions; and

(b) the sums actually spent at different places in these years in the said Divisions?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 72.]

COMPENSATORY AND HILL ALLOWANCES TO POSTAL EMPLOYEES

697. Shri Hem Raj: Will the Minister of Communications be pleased to state:

(a) the names of the places where Compensatory and Hill allowances are paid to the Posts and Telegraphs employees in the Kangra and Ambala Postal Divisions; and

(b) the basis on which these allowances are granted to the employees?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) A statement containing information regarding compensatory and (or) Hill allowances in these areas is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 73.]

(b) Compensatory (city) and house rent allowances are generally granted in cities where the population exceeds five lakhs. House rent allowance is generally given for officials on pay not exceeding Rs. 100/- p.m. in cities where population exceeds 1 lakh substantially, that is by about 15 per cent. Allowances are also granted, wherever justified, to compensate for expensiveness in localities with bad climate, for higher cost of living in hill stations, and for expenses incidental to service in remote localities.

DELHI SUBURBAN TRAINS

698. Shri Gidwani: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Northern Railway plans to run Suburban Railway Service between New Delhi and Vinay Nagar;

(b) what will be the stations in between; and

(c) when this service will operate?

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

(b) The location of the intervening stations has not yet been finalised, but halts under consideration are:—

(i) Hazrat Nizam-ud-Din.

(ii) Lajpat Nagar.

(iii) Sewa Nagar.

(iv) Lodi Colony.

(c) It is proposed to introduce this service from 1-1-55.

डीजेल रेल कारें

६९९. श्री जो० एल० चौधरी: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि:

(क) अभी तक इटली से कितनी डीजेल रेल कारें खरीदी गई हैं;

(ख) क्या वे सभी कारें भारत पहुंच गई हैं; और

(ग) इन कारों के मूल्य जापान से खरीदी गई कारों की तुलना में कैसे हैं?

रेलवे तथा परिवहन उपमंत्री (श्री अल्लगेशन):

(क) १२।

(ख) नहीं। मार्च, १९५५ से मिलने लगेंगी।

(ग) इटली से आनेवाली दो रेलकारों की यूनिट पर लगभग ७.५ लाख और जापान से आनेवाली यूनिट पर ५.९ लाख रुपये लागत आती हैं।

CENTRAL TRACTOR ORGANISATION

700. Shri K. C. Sodhia: Will the Minister of Food and Agriculture be pleased to state:

(a) the total area of (i) reclamation work, (ii) jungle clearance work and (iii) any other operations performed by the Central Tractor Organisation during January-June 1954;

(b) the names of the States where this was done;

(c) the cost of ploughing per acre charged in each case;

(d) the number of tractors actually working throughout the season and the number of those which worked only partially; and

(e) the fuel and spare part charges included for calculating the cost of ploughing?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (e). A statement is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 74.]

NAGPUR EMPLOYMENT EXCHANGE

701. Mulla Abdullah: Will the Minister of Labour be pleased to state:

(a) the total number of candidates registered in Nagpur Employment Exchange since the 1st January, 1954 to date;

(b) the number among them for whom employment was secured;

(c) the number of appointments of technical-hands, clerical and others, separately; and

(d) how the figures compare with those of the previous two years?

The Minister of Labour (Shri K. K. Desai): (a) 16,428 registrations were effected during the period, 1st January, 1954 to 31st October, 1954.

(b) and (c). 1,313 placements were effected, of which 417 were in Technical, 158 in clerical and 738 in other occupational categories.

(d) A statement is placed on the Table of the House. [See Appendix IV, annexure No. 75.]

PASSENGER AMENITIES

702. Shri Amjad Ali: Will the Minister of Railways be pleased to state:

(a) the number of third class coaches in which fans have been provided during the current year till the 31st October, 1954;

(b) the basis on which these fans are being fitted;

(c) the total number of fans expected to be fitted in third class coaches during this year;

(d) whether it is a fact that the progress has been slow; and

(e) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 572.

(b) One fan for 9 passengers.

(c) 6144.

(d) No.

(e) Does not arise.

TUBE-WELLS

703. Shri Boovaraghasamy: Will the Minister of Food and Agriculture be pleased to state:

(a) the total number of tube-wells sunk in the various States upto November, 1954;

(b) the amount spent so far, State-wise; and

(c) how many of them proved successful, State-wise?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (c). A statement giving the latest information available is placed on the Table of the Lok Sabha. [See Appendix IV, annexure No. 76.]

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LOK SABHA

Friday, 10th December, 1954

The Lok Sabha met at Eleven of the Clock,

[MR. DEPUTY-SPEAKER in the Chair.]

QUESTIONS AND ANSWERS

(See Part I)

12 Noon

PAPER LAID ON THE TABLE

NOTIFICATION UNDER SEA CUSTOMS ACT

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to lay on the Table a copy of the Customs Notification No. 115, dated the 2nd October, 1954, under sub-section (4) of section 43B of the Sea Customs Act, 1878 as inserted by the Sea Customs (Amendment) Act, 1953. [Placed in Library. See No. S-470/54.]

PREVENTIVE DETENTION (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Dr. Katju yesterday:

"That the Bill further to amend the Preventive Detention Act, 1950, be taken into consideration."

There are amendments also moved to that motion. They will also be taken into consideration along with the main motion.

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Shri A. K. Gopalan (Cannanore): Before speaking about the Act, I have to say that already petitions signed by 7,000 people have been submitted. I have here before me a petition signed by several thousands which I will be submitting before the Petitions Committee. I have also before me two petitions, from the lawyers of Bombay, about 75 of them, and from the lawyers of Calcutta, about 85. These petitions are here. The petitions show that they are all against extension of the Preventive Detention Act. I will be submitting these petitions. My amendment was that the Act should be circulated for eliciting public opinion. These petitions signed by different kinds of people show that the people want that the Preventive Detention Act should not be extended.

Yesterday I pointed out that the Preventive Detention Act, meant to keep persons without trial inside jail, had been before the country in one form or another from 1940 onwards. At that time, it was in the name of the Defence of India Act, the Public Safety Act or the Public Security Act. From 1950, that Act has been functioning as the Preventive Detention Act. Whether it is called the Preventive Detention Act or the Public Safety Act or the Defence of India Act, the purpose of the Act was to keep persons inside the jail without trial. In 1950 and 1951, when the Preventive Detention Act was placed before Parliament, if you look into the proceedings, you will find that the late Sardar Patel, and Shri Rajagopalachari had shown some kind of reluctance. They were apologetic and they said that they were sorry that the circumstances had made them to place such an Act before Par-

[Shri A. K. Gopalan]

liament, and ask Parliament to pass it.

[SHRI BARMAN in the Chair]

They said that it was only for one year and if the circumstances were better, it will not continue. Yesterday, the Home Minister, while placing the Bill before us, not only did not show the same kind of attitude that was there when the Home Ministers placed this Act before the House in 1950 and 1951, but also pooh-pooched the very idea of fundamental liberty. He said that there will be copy book speeches, and other things. We are very sorry that even the fundamental principles of liberty and other things had been pooh-pooched. His expressions while introducing this Bill were quite different from what they were in 1950 and 1951.

This Preventive Detention Act is a lawless Act. This law cuts across all the provisions with regard to fundamental rights, and provisions with regard to solemnity and sacredness of civil liberty and human rights. It makes the common law sterile. This Bill is an instrument of oppression and even of executive error.

I want to quote one para from a judgment given by the Chief Justice of the Supreme Court today. Justice Mahajan said: that no country in the world had a law like this, namely, the Preventive Detention Act, which keeps people confined without trial in times of peace. In fact a Government which requires such a law for governing in times of peace is not a civilised Government. If this had been said by us, it would have been said that it is a copy book recital or something like that. This is what the Chief Justice of the Supreme Court of India, the highest judicial tribunal in this country, said while dealing with the Preventive Detention Act, while locking into the grounds of detention and other things. What is the meaning of that? I do not want to quote the judgments of the other Judges of the Supreme Court and other High Courts.

They have said that the Preventive Detention Act should not be used in times of peace. There have been so many thousands of cases where the detenus were released because they found that on the grounds of detention also, they should not be detained. Not only that. While releasing the people, they also questioned the very principle of the Preventive Detention Act and said that in no civilised country in the world is such an Act used. This is not said by me or by the communists. It was said by the highest judicial tribunals in this country. It was said in 1952.

It is not creditable for a democratic Government to plead inability to govern the people by the ordinary laws. It is deplorable that the Government should fail to understand that democracy is indivisible and that authority cannot violate some of its fundamental principles and simultaneously proclaim its faith in the creed. Laws like the Preventive Detention Act are a gross negation of individual liberty and freedom of expression. It is no argument for invading democratic rights to plead that a particular democracy is still in the making. On the contrary, if faith in democracy is to grow, it becomes all the more necessary that democracy in both spirit and form of a cherished creed are observed. I shall come to that point later about the fundamental rights and under what circumstances they should be curtailed.

The next point that I have to make is this. The very people who were sufferers at the hands of a regime which resorted to detention without trial find it necessary to enact a measure of this description. We have not forgotten how, when the Rowlatt Act was there, from one end of the country to another, we agitated against that Act. We thought that it was something that was against the liberty and rights of the people. There one argument against this: that is, the times have changed. The British power has gone and those who are

governing today are the representatives of the people. But I want to know whether certain things that were bad or which we could not tolerate some time before when the Britishers were here, can become good and tolerable today. It may be that the hand that struck us when we were a subject nation was white. But, certain things which were bad in those days cannot become good or tolerable if the hands that beat us today are brown or black. It is true that there is a change. The action which was taken in those days was bad because of the very principle of cutting the liberty of a man without giving him an opportunity, only on suspicion, on the ground that some individuals reported against him. It is on that basis that a man is arrested and he is convicted and his liberty taken. There is no time-limit for which he is to be kept in prison. Even in the case of an ordinary crime, say murder, a man can come out after 14 years or 15 years. For any other offence, there is a limit. He will understand that he will have his liberty after some years. But, here, the liberty of a man is curtailed, and he cannot appeal. If there are any Advisory Boards and other things like that, it is only when the Board thinks that he can come outside that he will be at liberty.

Then, if the argument of the Home Minister is that there is no longer a foreign power and the representatives of the people are now in power, I would point out to him that there are countries like England, America, France which are not ruled by foreign powers, and in those countries also there is no Preventive Detention Act which is used in times of peace. It is only used in times of war.

Here, I want to quote the judgment of Justice Bose of 7th May, 1951. He said that after close scrutiny and care he could not bring himself to believe that the framers of the Constitution intended that the liberties granted should be illusory and meaningless or that they could be

toyed with by this person or that person. They did not wish to make the people of India a cold, lifeless, inert mass of malleable clay, but created a living organism, breathed life into it and endowed it with purpose and vigour so that it could grow healthily and steadily in the democratic way of life. After all, who framed the Constitution, and for whom? It was framed not just for those in authority nor only for lawyers and dialecticians, but for the common people of India. So, it is very clear that the Constitution has been framed for the common people of India. It is also said in the Constitution that the fundamental rights and liberties can be taken away when there is an emergency, either external or internal. The whole speech of the Home Minister yesterday was to show that there was an emergency, that the situation in the country was such that the Preventive Detention has to be extended—not for another one year, but for another three years. He says that there is such a crisis in the country today that there must be an extension of the Preventive Detention Act, not for one year; the crisis will be over only after three years.

Shrimati Renu Chakravartty (Basirhat): No.

Shri A. K. Gopalan: If the crisis will be over after three years, it is not a crisis of the people but it is some other thing, because after three years there will be a new election and there may be the same Government or a change in the Government. But for the extension for these three years, the Home Minister has not given any reason. He has quoted Karl Marx Manifesto of 1848. The Home Minister says that in 1848 Karl Marx wrote the Communist Manifesto, so in 1954 the Preventive Detention Act must be extended. Is that a reason for extending the Bill?

Shri S. S. More (Sholapur): No period of limitation. Cause of action took place in 1948, the suit is filed now.

Shri A. K. Gopalan: The Communist Manifesto is based on a certain theory.

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He wrote it in 1848. If he had known that in 1954 there would be our Home Minister, the hon. Dr. Katju, he would never have written in that way, he would have written in a stronger way. He did not know that. The Home Minister quoted the Manifesto and said: "Here is a Manifesto written by Marx in which he says so many things. So, Preventive Detention must be extended. I never thought that to extend an Act like the Preventive Detention Act which was there in this country for the last seven years, he would have advanced this argument. There were other Resolutions of the Communist Party with which I am going to deal afterwards. What is the Resolution of the Communist Party? What is the meaning of the Resolution of the Communist Party? Does it warrant that there must be the Preventive Detention Act and it must continue. If it warrants that, then let it not be for three years, let it find a place in the statute-book itself for ever; let it be the common law of the country, if the Resolution of the Communist Party is the reason why the Preventive Detention Act is being extended.

The Minister of Home Affairs and States (Dr. Katju): It is one of the reasons.

Shri A. K. Gopalan: As far as the basis is concerned, it has been very clearly stated by the Home Minister that there are many States where the Government has not found it necessary to detain anybody, and in other States action has been taken, but the number is very small. This statement itself is a confession that the Preventive Detention Act is not at all necessary. Here is a report about the offences committed and the people detained. Looking into the report, one would say that certainly the ordinary law in the country would be enough to deal with them.

Then, what is the situation in the country today? We know that is was

only the other day, about fifteen days back, that our Prime Minister made a speech in which he said that remarkable progress had been made since independence and that it compared favourably with the progress made by other countries; that the country had no doubt been making rapid progress and that those who had the good of the country at heart would counsel patience. This shows that there is rapid progress in the country, there is development in the country, there is peace and prosperity in the country; and when there is peace and prosperity in the country, when the country is developing, when there is no discontent in the country, why is it that the Preventive Detention Act should be extended for three years. Either his statement that there is peace and prosperity in the country is wrong, or, if there is peace and prosperity in the country, the Preventive Detention Act should not continue. Both of them cannot go together. If rapid progress is being made, there will be certainly no chaos, there will be no discontent because the progress is the progress of the people. If it is the progress of the people and if it is rapid, and if there is peace and prosperity in the country, then, five years after the Preventive Detention Act came into force, there is no need to continue it for another three years. So, when you make a statement or when you say that there is peace and prosperity and happiness in the country, and at the same time you come before Parliament and say there must be the Preventive Detention Act because there is an emergency in the country, all the people in the country are against you, the people are revolting, there are strikes, there is violence against the Government today, then, these two cannot go together. If the facts that are stated are correct, certainly there is no need for Preventive Detention, because for any act of violence in the Criminal Procedure Code as well as in the other Codes there are laws by

which the man can certainly be punished. And it was only the other day that we amended the Criminal Procedure Code. We amended it so that there may be more powers to suppress the people. It has been amended in such a way that drastic action can be taken, so that in respect of anything that happens in the country quick action may be taken and speedy trial also may be there. So, when a man has committed an offence, when he is about to commit an offence and when he is inciting or instigating others to commit an offence, for all these things in the ordinary law of the country there are laws, and we have also amended them. If it is necessary, we can amend them also at other times to suit the conditions, but why extend this Preventive Detention Act which has been condemned not only by us, but, as I pointed out in the beginning, even by the Highest Judges in the country who have said that no Government using preventive detention during times of peace is a civilised Government.

Then, the old argument which comes out is that it is better to prevent the mischief than punish a man when he has committed it. If that is so, then all regulatory and punitive laws should be scrapped and preventive detention must be made to include all manner of conceivable offences. There is no need for law at all. All crimes can be prevented by putting people under detention. If a man commits an offence, prosecute him under the existing law and put him up for trial before a Court. If a man commits an offence or attempts to commit an offence or abets the commission of an offence, the ordinary law is there and he will have to face a trial before a Court of Law. How can we know that the man is going to commit an act unless he makes some preparation for it? When he is making some preparation, we proceed on the evidence of spies and informants. That is why in all

civilized countries if a man is arrested, he is put before a Court of law which will consider the evidence against him and come to a decision according to law.

I have pointed out that from 1947 so many charges were given. Grounds of detention were found out. As I said last time when we were debating this Bill in 1952 one of the grounds of detention was that the man had been wearing a red cap and white pajama. After that when the High Court and the Supreme Court said, "the grounds of detention are bad; there is nothing in them which shows that the man should be detained". Now the ground of detention given was that he was preaching violence and was about to act in a particular manner. How is it? Who gave the report? It is on the basis of the report of a policeman who alleged that this man was preaching violence and that he was about to act in a particular manner. When it is on the report of a single individual, why not give the man an opportunity to say whether he has done it. If a man is preaching violence, there are sections in the Criminal Procedure Code under which we can proceed against him. Give him an opportunity and then punish him. Punish him for the first time only under that Act. Here only the charge-sheet is there and there are some grounds given. The charge-sheet says, "in 1953 this man was walking about that mill." The names of some mills are given—"he was around these mills". Then afterwards, it is said, he was preaching violence. The grounds of detention are there. If these are put before a Court of law and if the man is given an opportunity, you will find that there is nothing in the case. He has not done anything. The ground is that a certain person suspects that this man is going to create trouble. The ground of suspicion is based on his own understanding. His understanding may be wrong. So it is necessary to see whether there are laws in this country by which we

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may get him convicted for an offence. That must be the method and not the Preventive Detention Act, which upon the suspicion of a man, upon the will of a certain individual puts the man in Jail. If the words 'violence' or 'preaching violence' are to be put there, everybody can report. A policeman can send a report and say, he is preaching violence.

In 1951, Sri Rajagopalachari said:

"Dealing with the points that have been raised in the course of the discussion, that mere preventive measures of the sort will not solve the problems of all our difficulties, we have to act at both ends. We have to take constructive measures for the amelioration of the conditions of the masses. We have to make people contented and happy. We know that it is the best preventive measure."

The continuation of the Preventive Detention Act for three years has not helped to make the people contented and happy. It is not a constructive measure for the amelioration of the conditions of the people. Sir, the Government cannot stop chaos in the country by the Preventive Detention Act. What is the cause of the unrest of the people and why are the people dissatisfied? It is the economic condition in the country to-day. Until and unless the Government is able to make people understand that they are going in the right path, the position in the country cannot be tackled. To-day for some reason or other, the country is suffering from great frustration. When people think that they are not able to come out of the existing condition, then they become desperate and reckless. People feel distressed and oppressed by the way in which things are moving. What is the Government's solution to this problem? There must be peace and prosperity in India, and if there is to be peace and prosperity, there

should be an understanding of the real situation.

It is said that people are arrested. There is student agitation, kisan agitation, labour agitation and so on. This labour agitation is a real problem. What is the real cause of the kisan agitation and the labour agitation? What is it that the Government has to do? Is it to extend the Preventive Detention Act for another three years? Is it to leave the situation in the country as it is to-day and then say, these people are creating chaos in the country, so use all the other laws and also the Preventive Detention Act?

I will now come to some of the points that had been raised by the hon. Minister yesterday.

He quoted as follows:—

"Even the most hardened liberal would now feel ashamed to maintain, let alone the Communist Party and other democrats and revolutionaries, that this Government and the classes that keep it in power will ever allow us to carry out a fundamental democratic transformation in the country by parliamentary methods alone. Hence, the road that will lead us to freedom and peace, land and bread, as outlined in the Programme of the Party, has to be found elsewhere."

This was quoted yesterday as the policy of the Communist Party and it was said that this was the policy of the Communist Party in 1951. I do not want to go into the details of the policy of the Communist Party to-day, but in 1951 this was written. What is there in it to make the Home Minister say that this policy is bad? It is said in this that the fundamental democratic transformation in the country by parliamentary methods alone cannot be made, because there are several instances to show that.

In the world to-day, we have seen what happened in Spain; what happened in Germany and what happened in British Guiana. What is it that people do there? What is it that people want? What did the ruling class do there? What did the class that was in power do? Did it respect the wishes of the people?

Not only that. In the Travancore-Cochin elections, one of the Ministers said, even if the communists win the elections, we will not allow them to be in power. When such things are said by every one, what can we do? It was only three days back when a Member in the Parliament wanted to raise some point of order, even that was not allowed. So, Sir, parliamentary methods alone could not solve the problem. By experience we know that the party in power will never allow the democratic transformation of the society. That will not be allowed because that is the practice. That is what we find here. So we say that in order to achieve bread and land and freedom and other things, we will have to organise the workers and the kisans. It is said that they fight. What does fight mean? Does it mean that there is agitation? There is the labour agitation. What does labour agitation mean? If the workers and kisans did not agitate, even what they get today will not have been got by them.

So, there must be struggle outside. It was only a week back that there was a threat of strike by bank employees. Bank employees said they would go on strike indefinitely. You know, after that so many changes have taken place. We have taken up this matter in the Parliament. So, there must be struggle outside. When a certain situation arises, when the majority of the people in the country are in trouble and they want something, the Government should do that. That is the reason why there that is the reason why there must not be preventive detention.

It was said yesterday that this Act is not intended against any political party in the country. But among those who are arrested, many are for preaching violence. Among the 261 who are arrested, 74 are communists, 47 are members belonging to other political parties and 8 are students. Of the 290 people detained and classified under 'non-politicals', there are only 2 in Bihar detained for profiteering; the others come under some other description like 'bad behaviour' etc. So, it is certainly political. And what are the reasons given? Here you have said it is because of the kisan agitation, it is because of the labour trouble. Sir, there was a kisan agitation in Uttar Pradesh. We know about that agitation. That was about the increase in the canal water rates. What happened to that agitation? Should there be no agitation? When the peasants understand that they cannot even pay the tax, the increased tax, on the canal water should there be no agitation? It was a very peaceful agitation; it was a *satyagraha*. What did the Government do in that agitation? The police beat them, they used violence. Even this *satyagraha* would not have been there, because my friend, their leader, Acharya Kripalani, said that there would be no *satyagraha* if the Government would appoint a Commission to go into the question, and see what could be done. Why did not the Government do it? If there is agitation in the country, if there are strikes and other things going on in the country, it is because the Government do not respond. What about Manipur? We discussed it the other day. In Manipur, they have elected their own representatives. But there is no Assembly. The representatives of the people could not express their opinion. In Manipur also, instead of taking stock of the situation, instead of calling the elected people in Manipur and then asking them what is to be done and what they want to do, lathis were used, they were beaten. And when they were beaten, students came, and the students were also beaten. In every instance in the country where

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there is a struggle in the *satyagraha* form, you understand that the people are peaceful. Still lathis are used and used to such an extent that after using them, the police and the officers concerned rise to a higher level and there will be shooting and then you can call it as violence and everything else. What is the root cause of all these things? Sir, unless and until the economic situation in the country is changed, unless and until the very minimum things needed by the people are provided, things will not improve. We are not saying that drastic things must be done. I know of instances in Malabar. There are several thousand acres of fallow land in the country. They are in the hands of the Government. In Malabar, there was an agitation for the last two years. I myself have sent petitions to the Government saying that these fallow lands—about 2,000 acres of fallow land—which are lying idle without being cultivated for several years should be cultivated. They were in the hands of a landlord; he had no heir when he died. It came in Government's possession. They have sent petitions session they have sent notices and now they are going to offer *satyagraha*. What happens is that till the persons begin *satyagraha*, nothing will be done. The land will not be given. I can understand if the land belonging to a private zamindar is not given, but what about land belonging to the Government? This agitation is not confined to the Communist Party; it is the agitation of all the Parties together. They say, give us the land, we want to produce more, we want to produce for ourselves, we want to produce for the country. It is not a violent act; it is not an anti-social act; it is an act to help the country; it is a patriotic act. Why do the Government not respond to it? Now, when the *satyagraha* begins, you can understand that there will be lathi charges, there will be firing and a big case will be made that these people, anti-social people, instigating violence and all those things have done that. Instead of conceding

the demand of the people, Government will see that the *satyagraha* is started. Government will then deal with the people in such a way that it will result in firing and killing of so many people, and the responsibility will be placed on some other persons who are not at fault. You do not enact legislation for preventing even such a silly thing as eviction. In Bihar, Madras, West Bengal and other places—I do not want to give the list now—several thousands and lakhs of people are being evicted forcibly. The Prime Minister, when he went to Punjab, said there must be an Ordinance. He knew that the eviction had been so much in Punjab and the people were suffering so much, that an Ordinance was necessary. I say that lakhs and lakhs of people are being evicted. It is only at the last moment that the Government step in and stop the eviction. Why did they not do anything for the last so many years when the people said, 'we are in the land; it is our land; we have worked on the land for several years, we want to improve the land'? When these people are evicted, when these people are thrown away, among those who resist are called the 'anti-social' elements and the other people who are responsible for this are protected.

Mr. Chairman: I would like to remind group leaders that generally the time fixed for them is half an hour. The hon. Member has already taken half an hour.

Shri A. K. Gopalan: I will finish now. The only point that I would emphasise is that it is because of the fact that the Government do not see what the conditions in the country are, it is because of the fact that the Government do not see why there is so much agitation in the country, that there is the kisan strike, there is the labour strike. All these things are there because the minimum, necessary things, required by the people, are not provided.

I do not wish to go into details about how many persons have been arrested and why they had been arrested. Other hon. Members who will speak will deal with them; I have no time to do so. I have only to say this. Yesterday the Home Minister said 'I claim that I represent the public opinion of the whole country'. If he represents public opinion of the whole country, I have only one thing to say. The elections in Andhra are coming in February. Will the Home Minister and the Government be ready to make this the issue? If they are the sole representatives of the people of the whole country, and if the Preventive Detention Act is a very reasonable thing, I ask them, why not make the Preventive Detention Act an issue in the election and get the verdict of the people? That is the best way in which it can be done.

Dr. Katju: Yes.

Shri A. K. Gopalan: If the Preventive Detention Act is a peaceful thing, if it is a reasonable measure and instead of one year, it can be extended to three years, put this before the people and let them say....

Shri S. S. More: Are we to take it as a motion for the adjournment of the consideration of this Bill till the elections are held?

Shri A. K. Gopalan: I have said in my amendment that this Bill must be circulated. So I say, let us put it before the people. Let this be the only issue. That is the best and most peaceful way of doing it—with no violence. On the one hand, let the Government say that the condition of the country is so bad that the Preventive Detention Act is necessary; on the other, let them say there is peace, prosperity and happiness everywhere.

Several times, Dr. Katju says that law and order should be maintained—as if law and order is maintained very well. It is not because there is no Preventive Detention Act. Some of the hon. Members of this House know that in Kozhikode, one month ago, at 12 O'clock, the house of a

Harijan was burnt by the *goondas* of some rich people. It was only after agitation, after the hon. Member, Shri Kelappan, and others held a meeting that something was done. Not only that; a man who was standing, who looked at the place when it was burnt, was beaten by the police. Two months ago in the Charakal taluk of Malabar, there were 8 murder cases. They happened in day-time as well as night-time. If murder is not violence, I do not know what it is. But nothing is traced. People said, 'here are the witnesses; these people are the witnesses; they have seen it'. But nothing has been done. This is not only in one part of the country. I will give a list to the Home Minister. In the country today, a man can be killed; the only thing is that you should have money. Even congressmen are not excepted. In a place called Putoli, 3 miles from Kozhikode, a young man of 25 years, was killed. The village *munsif* himself gave a statement that he was murdered. The doctor also said that he was murdered. But no action has been taken against the murderers. Law and order is to be maintained in this country and for that preventive detention is there; it is not the case. It is only for the next three years because it is only to win the next election. Before three years are over, the next elections will come. In the name of kisan struggle, in the name of labour trouble, in the name of some agitation of the political parties, the opponents, all those whom they want to put inside jail, they are doing this. It is not due to a desire to maintain law and order in this country. If that were so, even the petitions sent by the Members of Parliament—I will show them to the Home Minister—regarding murder cases happening, would have been considered. There are so many instances of burning of houses in the day-time. In not a single case has action been taken. I have written several letters and I have got the reply from the I.G., Madras; nothing is done. Today, as far as my part of the country is concerned, everybody is afraid. There is a river called

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Parok. If any one comes by the 12 O'clock train, he is sure to be killed. There is a dark passage there. If any persons come with money there, the next morning you will see the dead bodies floating in the river. It has been reported and taken to the notice of the I.G. also by the representatives of the people. It is not a question of maintaining law and order. It is only for seeing that those who take up the cause of the people—if they come out with their grievances—those political parties who take up the cause of the people and come forward to help them, are suppressed. Otherwise, people do not want this Preventive Detention Act. We have got thousands of petitions. Let it be put before the country as an election issue; let the opinion of the people be taken whether they want an extension of the Preventive Detention Act or not. Otherwise, let the ordinary law apply and let the life of this Act not be extended.

This is all I have to submit and I very strongly oppose the Bill. Even at the introduction stage I said that it was not necessary and we still say that it will never help the Government in maintaining law and order in this country.

Shri G. H. Deshpande (Nasik—Central): I rise to support the Bill and oppose the amendments. I rise to support the Bill because I sincerely think that in the interests of democracy and the development of the country on peaceful lines, such a measure for a few years is absolutely necessary.

An Hon. Member: No.

Shri G. H. Deshpande: I have listened to the speech of the leader of the Communist Group for the last 40 minutes very carefully. Yesterday also I tried to listen to the speech of the Member of the Socialist Party. I am convinced after these speeches that there is nothing wrong in introducing a Bill of the nature of the one we are having at present.

We have experience of the world. In some countries, there were people who professed themselves to be democrats and who attacked the machine of democracy in the name of democracy. They took undue advantage of the democratic freedom that prevailed in those countries and attacked democracy and they removed democracy from those countries and have established some sort of dictatorship. That is the experience we have from other countries. What is happening today in our country? The hon. Home Minister must have much more information than any ordinary gentleman. But, as one moving amongst the people, I am convinced that even today there are many individuals in our society who do not believe in democracy, who do not believe in peaceful methods. In spite of their public professions and utterances, they do believe in violent methods and they want to undo democracy and they want to establish a sort of dictatorship in this country. For that purpose, they catch hold of students, they catch hold of peasants and any small grievance is taken undue advantage of and an attempt is made to instigate violence. There are individuals who have organised violence and they are organising it by secret methods.

There is calm in the country no doubt. Peaceful work is going on in the country no doubt. A measure of prosperity has been achieved in this country during the last seven years no doubt. All that has been done in spite of the Indian communist, and I would like to tell my communist friends that, they have not helped us in doing this and we have done it in spite of them. But, what is their record? What are they doing? He read out certain resolutions of last year. There were some criticisms in this House about the resolutions that were passed by the Communist Party at Madurai. Some friend has published a book in which he has stated what the real intention behind those resolutions was, what secret decisions were arrived at. And, then, when that book was mentioned in

'his hon. House, they said, 'Oh! it is falsehood'. I thought they would go to a court of law and they would prove that it is falsehood. But the very fact that our communist friends did not choose to go to a court of law proves that the book is true and what is said of the Communist movement in that book is also true.

Shrimati Renu Chakravarty: For everything we are not going to a court of law.

Shri G. H. Deshpande: They may not. Now, it is the turn of others. Communists say, such and such a Minister is attacked many times in the press. Why should he not go to a court of law and get his innocence proved? I ask them that same question. In Marathi, there is a saying:

गेला होता कोर्ट' राधासुता धर्म लेखना कोर्ट' ।

They said so many times in this House that a particular Minister having been attacked in Press a hundred times and not having chosen to go to a court of law, cannot say that he is innocent. So, I say to the hon. lady Member of the Communist Party, and I want to tell the House also, that in view of the fact that a book is published in which it is said that you have passed resolutions which commit yourself and your party to violence and you do not go to a court of law, it shows that the picture depicted in the booklet is perfectly true. (Interruption). I have got nothing to do with that. But, I know that in this country there are individuals who are interested in violent acts. If there is calm today, it is because progress is going on. But, take into consideration the world as it is and not the world as it ought to be. We do not know when this calm may prove to be a calm before a storm. What is the use of digging a well when the house is on fire? We are told that innocent movements are going on; they help the labour, they help the students. Supposing there is a college and the term of the Principal is at an end, and his

services are going to be terminated. The students want that he should get an extension for a couple of years. The students go to the authorities and the authorities say, 'Well, students, we have given you a patient hearing but we think it is not desirable to extend the period of this Principal'.

Shri V. G. Deshpande (Guna): On a point of order, Sir. The matter that is being referred to is the subject of judicial enquiry. Therefore, it was stated yesterday that a reference to the Indore firing should not be made.

Shri G. H. Deshpande: I do not want to refer to the Indore firing. I do not know if my hon. friend has any hand in the movement. I do not want to refer to it. I know that it is sub judice. I am not a new man to such sort of Houses and I do not want to indulge in criticisms of a matter which is sub judice. I want to quote an instance. I say, supposing it is only the question of the extension of the period of the Principal of a college and the students' want to take the law into their own hands and say, 'We are not going to listen to you, we are going to take out a procession', and then, by previous plan some 100 goondas join the procession, some agitators stand in a corner with acid bombs and they are prepared to burn buildings, to destroy property and are prepared to dislocate communications, do you mean to say that all this should be allowed to happen?

Mr. Chairman: I hope he is not describing the same thing that is sub judice, in a round about way.

Shri G. H. Deshpande: No, Sir. I say an argument was advanced that let some things happen and the offence be committed and then we should take action against that offence. I say that prevention is much better than cure. What is the use of going to a court when some dislocation is done and when crores of rupees of damage has been done? Do you mean to say that students, misguided students and

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goondas and people indulging in violence should be allowed to commit these acts first, they should be allowed to dislocate communications first, they should be allowed to burn buildings first and then Government should take action? People do not want that sort of Government. Things of the nature which I described have happened and if this Act will not be there, there will be a repetition of them.

If was said: "Why not punish an offender by an ordinary law?" Ordinary offenders can be dealt with by ordinary law, but for extraordinary offenders some sort of extraordinary measure is absolutely necessary. After all, democracy in this country today is in its infancy. It is only for the last 7 years that we are working. We have recently stepped into the eighth year. The edifice of freedom is being built with the co-operation of the people and we are paying too heavy a price for that. The posterity will blame us if we will allow a few hot-headed people to undo this good work. If we allow people in the name of democracy to attack democracy they will finish democracy in this country. Not only there are individuals in this country who have no faith in democracy, but there are individuals in this country who are acting according to the instructions that they receive from outside. They never take their own decisions. They are intelligent people, no doubt; they have good brains, no doubt; but the brains are completely mortgaged. They never take the initiative. They are not the masters of their actions. They simply follow the instructions that they receive from certain quarters. That thing happened in this country for the last 20 or 25 years and that is happening even today in this country. So, we know not when some instructions will be received from some quarters and what will the consequences of it. We have to take into consideration that factor. There are

some people in this country who are always out to discredit everything that comes from this country.

A reference was made by my hon. friend, my predecessor—the Communist friend. He said: "Oh: in no civilised country there is such a sort of an Act." I hope in his opinion Russia is a civilised country.

Shri A. K. Gopalan: Justice Mahajan said that.

Shri G. H. Deshpande: What sort of freedom is there in Russia? Was there any freedom, Sir, in Russia for Lenin—I am sorry. Trotsky—I mean for Trotsky. Do not laugh; I know much about Russia; much more about Russia than yourself. Sir, he laughs best who laughs last. How was Trotsky treated? Then we were told: "What procedure you have? A fair trial must be there." Was Beria given a fair trial? Is that a model of trial that you place before us? Beria had certain different ideologies. Was he produced before the Court? Here, for our detenus we allow them to come in person before the Court. We allow them to appear before the Court. We give them so many facilities. They can have interviews. They can see their own relatives. Is that allowed in Russia? Was any detenu given a fair trial in Russia?

Shri A. K. Gopalan: Come to me; I will tell you what happens there. You are ignorant.

Shri G. H. Deshpande: I know everything.

Mr. Chairman: Order, order. I think it is not good for us to go into the administration of another country.

Shri G. H. Deshpande: Sir, I do not want to go into the administration of any other country; but it was said that in many civilised countries there are better civil liberties and better individual freedom. I thought that in the opinion of my Communist friend Russia was a civilised country. But,

in Russia there are no civil liberties which can be compared with the civil liberties that are enjoyed here in India by the Indian Communists and everybody else.

What was done by the Act? After all, the Act did not suppress any political party in this country. There was a mention that in such and such a case, such and such a man belonging to such and such a party was detained. But, he was detained for his individual acts of violence. It is not that there was any attempt to suppress the party.

It was said: "Oh, you are having elections and for that you want this Act." We do not want it for the sake of elections. For elections we have our own work before the people. People know us far better and in spite of the fact that an Act which was much more stringent than this, when that Act was on the Statute Book, and when this very party was responsible for that rigorous Act, we went to the polls and we won it because the people have a better sense of realisation. They knew that such an Act was necessary. That is why they have returned us with such a tremendous majority as we have in all parts of the country.

Shrimati Renu Chakravarty: We have also been returned.

Shri G. H. Deshpande: It was said: "Oh! what will happen in Andhra?" We will see what will happen in Andhra. We are not afraid of it and we intend to place this special Act before the people. People know what we are doing. We do not believe in secret movements. Whatever we are doing, we do it openly. We will tell the people of Andhra that there was the necessity for such an Act and so we are passing such an Act and we are prepared to take the results because we think that it is a necessity. We will win the elections or lose the elections; but we will always stand by the right thing. Nobody can bring us down on that matter.

What I want to say is that, in my humble opinion, taking the world as it is and the situation in the country as it prevails, we know not what will happen at a particular moment. So, it is better to have this sort of measure in the armoury of the Government. As far as possible we do not want to use it.

We know from statistics that in the past it was used very sparingly. It was said: "You are extending an Act which is a 'black Act'". It is not a 'black Act'. It is not the Act as it was then that we are extending. There was much improvement made last time. As a matter of fact this Act cannot be said even an "Extraordinary Act". It also provides you with fair trial. It provides you with special appearance before a very high judicial authority. It defines the term of imprisonment. It gives you the exact grounds on which you are detained. And, from the proceedings and from the statistics that we have, we know how fairly it was administered. So, neither the Act is 'black' nor it was used very rigorously. The necessity of the Act is there, no doubt. No doubt, there is prosperity. No doubt, for the present there is peace. We want to continue this prosperity. If we want to continue movements for furtherance of economic advancement, there must be peace in the country. There must be tranquillity in the country. People must not be allowed to break the peace. There must not be acts of violence. We are trying to increase amenities for communications, but there are friends who want to dislocate communications. I do not believe that there is any reason for students, or for the labour, or for the peasants to be afraid of this Act. They can carry on movements. All parties can carry on movements according to their own likes; but the movements must be peaceful. That is the only thing. If you organise yourself in a secret manner; if you collect arms; if you instigate students

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and then take advantage of certain situations to have your programme of violence, we want to prevent you from doing that Act. Is there anything wrong in that? If we do not do it, then we will be failing in our duty.

So, I want to tell the Home Minister that we also, on this side, are moving amongst the people every day. We have got our fingers on the pulse of the people and we say that people are convinced that such an Act for the present is absolutely necessary. Let them say that we are not democrats. People do understand that we are democrats, and it is the Communists who say that we are not democrats. So, I would tell the Government not to go down in history as a weak Government. If we show weakness, if we do not allow a measure of this type to remain on the statute-book, we know not what will happen to this country and all the good work done during the seven years will be undone. Democracy will be destroyed and totalitarian government is likely to come into power. So, for preventing that, we should do things sincerely, and to have a measure of this type is absolutely necessary. I, therefore, support it with all my strength.

Shri Veeraswamy (Mayuram-Reserved—Sch. Castes): It is a shame to the party in power and especially to the Government headed by Pandit Jawaharlal Nehru who is a lover of democracy, to have this measure continuously for more than four years in the statute-book of this country. The Preventive Detention Act has been on the Statute Book for more than four years and the hon. Home Minister still wants to continue it for a further period of three years. If the Home Minister is a lover of democracy, if he has got any confidence in the people and if he wants to work out the Constitution giving the freedoms guaranteed to the people, he would have never dreamt of putting

this obnoxious measure on the Statute Book of this country.

1 P.M.

What is the justification that the hon. Home Minister advances for continuing this obnoxious measure for a further period of three years? Is there any crisis existing in any part of the country? Is there any state of emergency existing in any part of the country? I may tell you that there might have been revolutions of several types in this country especially after Independence; there might have been revolutions from the Scheduled Caste people who have been oppressed and suppressed by the Brahmins and the caste Hindus for thousands of years. The Scheduled Caste people are even today being ill-treated by Brahmins and caste Hindus, but they have been very patient and they are still expecting the caste Hindus to give them their due freedom which is their birth right. If Dr. Ambedkar thinks of creating any trouble, if he thinks of rising in revolt against the social set-up, he will have done it, and even now if he wants, he can do and create a deadlock in the country. There might have been a revolution from the workers. The workers constitute more than 90 per cent. of the population of the country they are manual labourers; they work in the fields, they work in the mills and industries and they work in every field of activity. But the workers have been kept just like slaves in deplorable conditions of living and if they think of revolting against the Government of the day, they can do. There are parties in the country which have been working for the uplift of the workers, for the progress and improvement in the living conditions of the workers; almost all parties have taken to the democratic line of work, and so, they do not want to create troubles or deadlocks and disturb the peace of the country. They expect the party in power to solve the problems of the workers in a peaceful and democratic

manner, and so, they have not revolted or rebelled against the Government.

I may also say that there might have been a rebellion from the oppressed masses, that is, from the low castes against the high castes. We know that in this country there are more than 4,000 castes from Brahmins downwards to panchamas. Among the Scheduled Castes alone, there are about 1,111 castes; among the non-Brahmins there are about 2,500 castes and among the Brahmins also there are about 500 castes, and so, in this country there are more than 4,000 castes. If the low castes think of creating trouble, think of rising in revolt against the Government, which has not abolished the caste system, they can do, but they do not want to create any such trouble and they do not want to put obstacles in the way of peaceful progress of the country.

When almost all parties, including the Communist Party, have taken to the democratic line of work, where is the necessity for the Government to continue the life of this obnoxious Act for a further period of three years? I may also refer to the anti-Hindi agitation in the South. The anti-Hindi agitation has been going on for the past 16 years, and if Periyar Ramaswami, the accredited leader of the Dravidians, thinks of creating deadlocks, he can do so in no time. There are lakhs of workers to rise in revolt against the Government for having imposed Hindi as the national language or official language of India and on the people of the South also. We have been agitating in a very peaceful manner because we are a civilised people and we believe in democracy, we believe in non-violence and in the peaceful way of achieving our object. We do not want to create any troubles in the country and so, the anti-Hindi agitation has been going on for the last 16 years, without doing any harm to anybody and without disturbing the peace of the country. I may also

refer in this connection to the fact that when Police Action was taken against Hyderabad, Periyar Ramaswami at once stopped the anti-Hindi agitation of the South with a view to giving full co-operation to the Government to succeed in their Police Action against Hyderabad.

I would like to refer to the recent settlement of the bank disputes. There was a crisis developing into a great danger so as to disturb the peace of the country and the bank dispute was amicably settled by the co-operation of all the Opposition leaders. When the Opposition leaders, the Communist leaders, the P.S.P. leaders and leaders like Mr. B. Ramachandra Reddi have shown their magnanimity in resolving that crisis, when there is so much co-operation on the part of the Opposition Parties, the party in power, especially the hon. Home Minister, must have come to a decision not to press this measure for the extension of its life by a further period of three years. There is no justification for continuing this measure. All the parties having faith in democracy may unite and decide to defeat the Congress Party in the coming Andhra elections because they may hold out this measure to the people who believe in democracy and canvass their support. The Congress Party can be defeated and I do expect that all the Opposition Parties in Andhra will unite together, will gather their strength against the party in power which has been responsible for the continuance of the measure for more than four years and still wanting to continue it for a further period of three years. If there is any world war and if our country is in danger, the country may require such a measure as the Preventive Detention Act, and nobody here is unpatriotic. I really wonder how the Congress people alone appropriate to themselves patriotism and nationalism. They want to monopolise patriotism, they want to monopolise nationalism, thinking that others are unpatriotic, undemocratic and not nationalistic and that they alone are

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patriots and believe in non-violence, as they say. What about the Congress in 1942? The entire country was plunged in non-violence! They declare to the world that they are believers in non-violence and that they are followers of Mahatma Gandhi, the exponent of peace and non-violence. The world knows and everybody in this House knows only too well that the Congress created a lot of trouble in this country when the country was involved in a world conflagration. To say that the Congress people alone are patriots and that they are alone nationalists is just to mock at nationalism and patriotism.

The last point which I want to put forth in this House is my humble appeal to the Home Minister. Even the Deputy Minister is not here. He is speaking to somebody there.

The Deputy Minister of Home Affairs (Shri Datar): I am following the arguments very closely.

Shri Veeraswamy: Thank you very much. If the party in power, especially if the Home Minister and the Deputy Home Minister have any faith in democracy, if they want to respect the Indian Constitution and if they want to take in the other parties also with them for the reconstruction of this country, they must drop this measure and declare to the people that this measure is dropped. They could have allowed the Preventive Detention Act to expire on the original date of expiry with a view to get the co-operation of the people who have taken to democratic lines. I humbly submit to the House and to the hon. Ministers to consider these few points and to drop this measure and get the goodwill of the people all over the country and especially of the parties which are opposed to the Congress.

Shri Asoka Mehta (Bhandara): I believe there should be a general agreement about the undesirability of this Act. I can understand the supporters of this measure coming forward and

saying that undesirable as this measure is, circumstances in the country are such that it is necessary to extend it or to continue it. But I am surprised to find that there are persons here who are waxing eloquent in favour of this piece of legislation. It is true that our Constitution permits or envisages circumstances in which such a piece of legislation may become necessary, but what it permits it does not command. We have got to make out a case; we have got to analyse the existing situation, the prevailing circumstances and make out a case for such a piece of legislation, that only through such a legislation can the conditions be controlled and improved and that such a piece of legislation will enable the Government to control and improve the prevailing circumstances. I am surprised to find that no effort has been made this time whatsoever to justify the need for the legislation by the mover. In 1952, when he had come forward before this House and supported the continuance of this Act, he had said that there were three conditions that necessitated such a continuance. The world situation demanded some such extraordinary powers; the policy of partial de-control was likely to create a situation wherein it would be necessary to arm the Government with special powers, and there were the activities of parties taking advantage of the religious excitability of the people. These were the three conditions then. Where do they stand today? There is no question of partial de-control now; we have been able to put through a policy of de-control and we are assured that, economically speaking, the conditions of our country is better than ever before. As far as world conditions are concerned, we are told that thanks to the remarkable and shrewd statesmanship of our Prime Minister the world situation is improving very fast and we have been able to establish friendly relations with all countries of world. We seem to be the one bridge, the sole

bridge that joins the two contending power blocks. If we are in such a happy position, why is it necessary to have this piece of legislation? When we analyse the figures that are given here, we find that only three persons—just three persons—were detained in the last one year with a view to preventing them from acting in a manner prejudicial to the defence of India, the relationship of India with foreign powers or the security of India. 12 persons were arrested and detained for acting in a manner prejudicial to the maintenance of supplies and essential services. If you will analyse the table, you will find that the majority of them—perhaps all twelve of them—could have been dealt with under the ordinary law of the land. Eight persons were detained for launching illegal strikes against the Patna Electric Supply Company. If they had launched an illegal strike, I believe there is some legislation which permits the Government to proceed against the men who embark upon or who encourage or who foster illegal strikes. There is that ordinary law of the land. Why is it ignored? Why is it by-passed, and why you must take recourse to this extraordinary piece of legislation?

Then again, it is amazing to find that when this Act was first framed, after the people of India had established for themselves a Republic, that is, in 1950, it was to run for one year. Sardar Vallabhbhai Patel who sponsored this particular piece of legislation was most reluctant that such a Bill should be put on the Statute Book. Not only he was most reluctant but he was most anxious that such a Bill should be removed from the statute-book as early as possible. In those days, when circumstances were really difficult, when a case could be made out—that lion-hearted man could well have made out a case for such a piece of legislation—even then, it was limited to one year alone. Today, we are not told why this piece of legislation is necessary. No kind

of assessment of the prevailing situation is given to us, and we are just told that it should be extended for a period of three years. Why should that be so? When this particular measure was first brought up, the touchstone was provided, the governing criterion was offered to us by Sardar Vallabhbhai Patel. He said:

“When you think of the civil liberties of the extremely small number of persons concerned, let the House also think of the liberties of the millions of people threatened by the activities of individuals whose activities we have curtailed.”

Such a piece of legislation can be brought forward only when there is a danger of a small group of men indulging in activities which would encroach upon or which would destroy the liberties of millions of people. Who are the people who are indulging in such activities? Where is this kind of threat? Is it imminent, is it a certain threat which cannot be met by any other method? No such case has been made out whatsoever. When this particular piece of legislation was put on the Statute Book, when it was continued, what was the threat? Both Sardar Vallabhbhai Patel and Shri Rajagopalachari—Sardar Patel in 1950 and Shri Rajagopalachari in 1951—in justification of this piece of legislation made pointed reference to the Communist Party and it was at that time that Shri Rajagopalachari had said:

“The ‘freedom’ that men who are engaged in subversive activities and their fellow-travellers preach is a ‘freedom’ which they want for destroying freedom. They want to secure the licence which is necessary for them to operate and the scope to exploit the situation. The whole technique is camouflaged and conceived on the assumption that we shall stick to our principles blindfold and be deceived even though expediency requires practical measures...If we do not wish

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to live in a monolithic structure of society but desire the principles of individual freedom and initiative to be in operation along with joint co-operative life, we should present a united front and not betray ourselves to furnish greater scope for the activities of those whose single aim is to destroy freedom."

The whole purpose behind this piece of legislation was to create a united front of the lovers of freedom, of the upholders of democracy, against those whose single aim was to disrupt and destroy freedom and democracy in this country. Has such a united front been created? There has been a united front against Government, of all other political parties here.

I have gone through the debates in the past. I have been listening to the debate that has been going on now. I have gone carefully through this brochure that has been circulated. Fourteen political parties you have ranged against yourselves. The Home Minister finds himself in total isolation.

In the past when this question was brought up here, the late lamented Dr. Syama Prasad Mookerjee, my friend Mr. Chatterjee, Mr. Sarangadhar Das, Sardar Hukam Singh and various other Members pointed out, quoted chapter and verse to show how this particular Act had been used against their political parties and their political activities.

What are you doing? You had put this Act on the statute-book in order to safeguard democracy in order to create a united front of all those who would cherish democracy in this country. That was the purpose for which Sardar Patel and Shri Rajagopalachari had conceived this piece of legislation. And you have renewed this Act in order to break up that united front completely and put yourself in a position of total isolation.

Then again, we are told that this Act is not being used against political parties. But what do we find? In 1953 thirty-two persons belonging to different political parties were detained; in 1954 ninety-three. What is the reason? What happened in 1954? I thought the year was comparatively much better than any previous year. This Act is also used for dealing with anti-social elements, goondas, dacoits. I can understand a piece of legislation which is concerned with curbing the liberties of goondas and dacoits. But why do you club together, why is an effort being made to bundle together goondas and dacoits on the one hand and political workers on the other—workers belonging to all kinds of political parties? Is it proper, is it necessary? One can understand if a case is made out that there should be some kind of a Goonda Act to prevent dacoits from going about and creating disturbances in the country. But should there be an Act wherein the goondas and the dacoits are brought in and wherein respected representatives of the people, respected spokesmen of the people are also caught in?

Shri Rajagopalachari had pointed out at that time:

"I am afraid that while we improve conditions, the enemy, if I may so call the opposing bloc of forces, is also alert and changing his tactics and improving, from his own point of view, his tactics and exploiting the situation as it arises from time to time. With the advanced technique that we have to cope with, we have to start every now and then with fresh defensive technique and the thing is proceeding that way."

If you want to safeguard democracy you must learn to change your technique as Shri Rajagopalachari said. The Communist Party have changed their technique; they are no longer pursuing the technique which they were pursuing during 1948-50. Your

technique then may have helped up to a point; it may have helped the Communist Party too up to a point. If you are of the opinion that they are out to fight democracy and they are using democratic means with a view ultimately to strangle democracy, surely this is not the piece of legislation with which you will be able to meet them. You have to discover new techniques, you have to discover new methods for dealing with the changed technique that the Communist Party have adopted today.

Sardar Patel had suggested—I know he was not in favour of it, I am not in favour of it, the House is not in favour of it, but he had a logical mind, he had a consistent mind and that logical mind had said:

“This is a democratic country now and any party that wants to take advantage of democratic institutions or democratic organisations to come into government by democratic methods is quite free, but it will be an evil day if this Government allow the democratic freedom to go to polls, to people who want to destroy democracy by violence and disruption.”

So Sardar Patel had said that if democracy is going to be disrupted we should—not that we should have this Preventive Detention Act—but we should deny the right to people who want to destroy democracy to take advantage of democratic methods, to take advantage of the polls at all. There are countries in the world where there are such pieces of legislation, namely for the preservation of democracy. But you and I and our fellow Members in this House are determined not to have that kind of legislation. We have faith in our people. We know that the alchemy of democracy is strong enough to change those who are opposed to democracy. Our faith in democracy is so firm and so fundamental that we are prepared to take risks and experiment.

And what do we find? We have come to this conclusion, deliberately and consciously, that we shall not send those with whom we differ fundamentally, whom Shri Rajagopalachari had called “the enemy block”, to concentration camps; we shall permit them to come into the Legislature, into the Parliament. We have this faith and confidence that because of this alchemy of the Parliament we shall be able to discover areas of agreement, we shall be able to discover points of contact and we shall be able to hammer out a point of view which will be in the interests of the country as a whole. It is that approach that is necessary today. Why does not the Home Minister set up a committee here, a committee drawn from Members belonging to different parties? If anywhere any political parties indulge in an activity which is likely to undermine or disrupt democracy or endanger the security of our country, here would be the opinion of the peers that would be available, and it would be impossible for any political party to go against the judgment, not of the Government, not of an official, but the combined opinion of all the peers who are sitting here belonging to all kinds of political parties.

After all, we are as anxious to preserve the foundations of our freedom and to safeguard democracy in our country as anybody can be on the Treasury Benches. But we shall not permit that to be done by the method in which and the manner in which you have been doing so far. Take the recent instance of the contemplated bank strike. What was the approach of the Government? To threaten the bank employees; to denounce all those who were standing by the bank employees in their fight for their legitimate rights and aspirations, as anti-social elements; to denounce the strike as manoeuvred as caused by the Communists. Give a dog a bad name and hang it! Could you have prevented the strike in that

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way? The strike would have come. The police would have set the motor of repression into action or would have arrested people under this particular Act. All kinds of disturbances would have taken place. Our economy would have been disrupted for a while. Instead, what did you find? That every section of this House was anxious to see that such a situation did not arise.

Shri S. S. More: Except the Congress.

Shri Asoka Mehta: Congressmen also. There were distinguished Congressmen who co-operated with us in preventing an ugly situation from arising. But did the Government make any effort? It was my leader, Acharya Kripalani, who had to take the initiative in the matter, not the Prime Minister or the Home Minister or the Labour Minister. They do not think that we count in the country. They do not think that our co-operation would help them to maintain peace and tranquillity in this country. They think only with the baton of the police the bludgeon of the Government, peace and tranquillity can be maintained in this country. It is that attitude of the Government which we shall not accept and which has created against you a united front.

Do not think that we are a whit less interested in the preservation of our freedom and democracy. But the method you are pursuing will never enable you to weaken the Communists or to create in this country the climate that is favourable for the preservation of freedom and democracy. Therefore my suggestion and my appeal is, try to create parliamentary opinion, public opinion, to restrain political parties from misbehaving if they are doing so. Do not make use of this kind of legislation which only results in dividing the forces of freedom and democracy, which only results in creating a united front against the Government.

Shri Rajagopalchari had assured us that if this particular piece of legislation is mis-used anywhere, stringent action would be taken.

He had gone to the extent of saying:

"I can give another more important assurance and I must give it at once....You may rest assured that the Government will take the most serious view of such conduct and will treat every such abuse of powers as disloyalty to the State, nothing less."

This is the important assurance which he had given. Many cases have been brought on the floor of the House where it has been proved to the hilt that these powers have been mis-used. But, not in one single case has any action been taken. That is the reason why we felt that when assurances are not honoured, it is not proper or desirable that such a legislation should be permitted to continue on the Statute Book.

There is one part of the Bill which is particularly obnoxious; that is the amendment which seeks to remove Jammu and Kashmir from the purview of this Act completely. This Act is bad enough. If Jammu and Kashmir is removed, the people there will be completely at the mercy of the Jammu and Kashmir Government. The Jammu and Kashmir Preventive Detention Act is more obnoxious, is more undesirable than the Act that we are discussing here this afternoon, in five ways. Firstly, under that Act, any officer other than the District Magistrate, Additional District Magistrate and Sub-Divisional Magistrate, may be a Superintendent of Police also, can arrest and issue a detention order. Secondly, in the Advisory Boards, the Chairman need not necessarily be a person who is or has been a Judge of the High Court. Thirdly, the maximum period of detention

under that Act is five years, as against one year under our Act.

[MR. DEPUTY-SPEAKER in the Chair]

Then, there is no obligation under the Jammu and Kashmir State Act to obtain the opinion of the Advisory Board even in the case of detention for five years, where a person is detained to prevent him from acting in a manner prejudicial to the security of the State or the maintenance of public safety or public order. Lastly, a person can be re-arrested and re-detained if the Government or the officer, as the case may be, is satisfied that the grounds on which the original order was made still exist and the order of release does not bar the making of a fresh order of detention. These are the five improvements that we had carried out in our original Act. The original Act was bad. It was sought to be improved. It was liberalised as the Home Minister said. Suddenly the process of liberalisation has been stopped. For three years we are called upon to enact this piece of legislation as it stands. This time no opportunity has been given to us to find out whether this Act can be improved in any further manner or not. But, apart from that, a far more obnoxious Act is to be in operation in the Jammu and Kashmir. I do not know why this decision has been taken.

I have been one of those who have been taking a keen interest in the conditions prevailing in the State of Jammu and Kashmir. I can speak with some amount of personal experience also. What do I find? The people there, particularly in Kashmir, are profoundly interested in this problem of detention, because they feel that some of those whom they revere and respect are today in detention. They feel that something should be done about that. Whether they are entitled to think in that way or not, is another matter. But, there is that profound and widespread feeling which cannot be denied. Instead of taking that feeling into consideration, you are permitting the Jammu and

Kashmir Government to clamp down upon the people of that State a piece of legislation which is far more obnoxious than this Act. We want the people of Jammu and Kashmir to be drawn closer to India. They are experiencing today the twilight of liberty. They feel that they do not enjoy the civil liberties that the people in the rest of India enjoy. Whether that is true or not is a different matter. But, here, they will be able to say that as far as that State is concerned, there is to be an Act which is far more obnoxious than an Act that is to govern the rest of India. What have the people of Jammu and Kashmir done? Do you think that their goodwill and co-operation with the rest of India could be obtained by forging fetters of oppression and repression? Is that the way in which you are going to win the goodwill of those people? Is that the way in which you will ultimately be able to get their co-operation and support and win their confidence? If this Act is bad, let it be uniformly be applied everywhere. You are not excluding any part of India from the operation of this Act. There are certain States where no person has been arrested in the last year. I could have understood if those States were excluded from the operation of this Act. No such exclusion takes place. There is only one exclusion and that is the Jammu and Kashmir State. That exclusion is for the purpose of bringing the people of that State under the operation of a far more obnoxious and a far more objectionable Act than the one we are discussing.

I was surprised to find that the Home Minister, while moving his motion, made no effort to explain why this particular Act should continue. He made no effort to explain why this Act should continue for three years and not one year at a time as Sardar Patel and Shri Rajagopalachari, under entirely different circumstances, far more difficult circumstances, had asked the House to do. Lastly, he had not a word to say as to why Jammu and Kashmir is sought to be excluded from the operation of this Act. There, the people

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are being thrown to the tender mercies of a far more objectionable and obnoxious Act than the one prevailing here. I hope and trust that even the Home Minister, will not respond to our appeal and withdraw the measure, at least, he will try to take the House and the country seriously and explain to us why he has made these proposals and carry conviction to us and will not merely get this Bill passed with the strength of a majority because such legislations, where you want the co-operation of all concerned, can never be passed and should never be passed merely by the majority of a particular party.

श्री एस० पी० मिश्र (मुंगेर उत्तर परीचम) : मुझे इस बात की बड़ी खुशी है कि पिछले दो सालों में, और खास कर पिछले साल १९५४ में सार्वं दश में नजरबन्दी के इस कानून को हमारी प्रान्तीय सरकारों ने बड़ी सावधानी के साथ इस्तेमाल किया है। सावधानी ही नहीं, मैं ने जो लिस्ट देखी है उस में देखा है कि कई प्रान्तों ने, कई राज्यों ने, कई राज्यों की सरकारों ने, इस कानून का कोई भी इस्तेमाल नहीं किया। मुझे इस बात की बड़ी खुशी है और मैं उन राज्यों को इस बात पर धन्यवाद देना चाहता हूं।

इस विशेष कानून का जो इस सावधानी के साथ इस्तेमाल हुआ इस का श्रेय, इस का धन्यवाद, इस पार्लियामेंट को है जिस ने बहुत सावधानी के साथ इस कानून को बनाया था और उस में इतने प्रतिबन्ध, इतनी रोक, रख दी थी कि कोई भी सरकार, या पुलिस के अधिकारी अथवा मैजिस्ट्रेट इस का बजा इस्तेमाल नहीं कर सकता है। लेकिन, जब मैं ने सरकारी रिपोर्ट को बड़े गौर के साथ देखा तो मेरी समझ में नहीं आया कि जब इतनी कम गिरफ्तारियां की गई हैं,—सिर्फ २५०—तब इस कानून के रखने की क्या जरूरत है और गिरफ्तार लोगों में भी मैं ने देखा है कि तरह तरह के लोग हैं, यहां तक कि मैं ने कुछ कांग्रेसमनों के नाम भी देखे हैं जिन को डिटेन किया गया है, नजरबन्द किया गया है और लिस्ट दिया गया है कि 'क्रिमिनल एक्टिविटीज के कारण।

श्री कांग्रेस (अहमदनगर वीक्षण) : मेरे हिस्ट्रिक्ट में भी कांग्रेस वर्कर डीटेन किया गया है

श्री एस० पी० मिश्र : गुंडों, डकैतों और तरह तरह के लोगों को इस कानून में पकड़ा गया है। मैं समझता हूं और ला मिनिस्टर और होम मिनिस्टर भी इस बात को मानेंगे कि देश के जो साधारण कानून हैं उन कानूनों में बहुत जगह है, बहुत गुंजाइश है कि ऐसे आदिमियों को मुकदमा चला कर जेलों में डाला जाय। और अगर देश के साधारण कानून में ऐसी कोई व्यवस्था नहीं है जिस के जरिये उस आदमी पर मुकदमा चलाया जाय, उस को जेल में रक्खा जाय, उस को सजा दी जाय जो डकैतों को अपने यहां जगह देता है या जो और तरह के बंजा दुर्म समाज के प्रति करता है, तो मैं समझता हूं कि सब से पहले जरूरी है कि देश के उन साधारण कानून में सुधार किया जाय और उस में ऐसी बातें लाई जायें, ऐसे कानून बनाय जायें कि जो आदमी डकैतों को अपने घर में जगह देता है उन पर मुकदमे चलाये जा सकें और उन को जेल भेजा जा सके, उन को सख्त से सख्त सजा दी जा सके। लेकिन अगर उन के लिये इस कानून के इस्तेमाल किये बिना काम न चलता हो तो मैं समझता हूं कि तब और सार्व कानूनों को छोड़ दिया जाय, क्रिमिनल प्रोसीजर को हटाया जाय और प्रिवीन्टिव डिटेन्शन से ही काम लिया जाय।

इस लिये मैं कहता हूं कि यह कानून-विशेष है। और मुझे याद है कि १९५० में जब सरदार वल्लभ भाई पटेल ने पहले पहल इस कानून को सदन के सामने रक्खा था, उस को पेश करते हुए पहले दिन कहा था कि मुझे दो दिन और दो रात नींद नहीं आई और मैं बराबर इस कानून को बनाने की ही बात सोचता रहा। हमें मालूम है कि कलकत्ता हाई कोर्ट ने उस वक्त एक फैसला दिया था और उस फैसले की रू से कम्युनिस्ट पार्टी के करीब करीब २०० या ४०० आदमी छूट जाने वाले थे। उस वक्त कम्युनिस्ट पार्टी रणदिब के नीबल में थी और बम्ब, गोंड और तरह तरह की खतरनाक चीजें तैयार कर रही

थी। हम एक बहुत खतरनाक हालत से गुजर रहे थे और यह कानून जरूरी सा हो गया था। इतना होने पर भी सरकार बर्टल को इतनी फिक्र थी, लोकतन्त्र की उन्हें इतनी चिन्ता थी कि दो रात तक उन्हें नींद नहीं आई। आज मुझे खुशी होती है यह सुन कर कि श्री गोपालन कहते हैं कि कम्युनिस्ट घोषणा प्रब सौ वर्ष पुराना है। और उसे इस कानून का आधार नहीं माना जायें। क्या वह कहने का तैयार हैं कि कम्युनिस्ट पार्टी ने उस रास्ते को छोड़ दिया है और लोकतन्त्रीय रास्ता अपना लिया है? लेकिन ऐसी बात नहीं है। यह तो सिर्फ बातें ही बातें हैं। १९४५ में जो घोषण पत्र कार्ल मार्क्स ने लिखा था उस पर अब भी यह लोग कायम हैं और उसको बदलने के लिए तैयार नहीं हैं। असल जड़ तो वही है।

एक माननीय सदस्य : आप भी तो मानते हैं।

श्री एम० पी० मिश्र : मैं नहीं मानता। तां कम्युनिस्ट पार्टी अब भी उन्हीं तरीकों पर चलती है। उनके बुनियादी सिद्धान्तों में कोई फर्क नहीं आया है आज भी ये लोग अपने हाथों में पिस्तौल, बम्ब इत्यादि ले कर अपने आबजैक्ट्स को, अपने लक्ष्य को प्राप्त करने में विश्वास रखते हैं। मैं फिर कहता हूँ कि उन्होंने ने अपने मौलिक रास्ते नहीं बदले हैं। और उनके जो बुनियादी रास्ते और तरीके हैं वे सभी लोगों को मालूम हैं। वे जो बातें करते हैं सिर्फ जनता को भ्रम में डालने के लिये करते हैं। लेकिन इस बात के बारे में सरकार को या किसी भी दूसरे आदमी को, जो प्रजातन्त्र में विश्वास रखता है और जिस को आजादी से प्यार है कोई शक नहीं है कि इनकी बुनियादी नीतियां वही हैं जो पहले हुआ करती थी और उन में कोई अन्तर नहीं आया है। वे तो सरकार को उखाड़ फेंकना चाहते हैं। सरकार को बदलने के लिए हिन्दुस्तान में कई पार्टियां हैं जैसे प्रजा सोशलिस्ट पार्टी और हर एक को वैधानिक तरीकों से सरकार को बदलने का हक भी है। हमारे संविधान ने उन्हें यह हक दे रखा है। लेकिन कम्युनिस्ट सरकार

को बदलने में विश्वास नहीं करते वे तो राज्य को बदलने में विश्वास करते हैं। राज्य और सरकार में बहुत बड़ा अन्तर है। और कम्युनिस्टों को हमारी सरकार क्या, इस राज्य में विश्वास नहीं है, वे तो इस राज्य को किसी न किसी तरह से उखाड़ फेंकना चाहते हैं। वे राज्य के प्रति वफादार नहीं, उनकी वफादारी तो किसी और ही के प्रति है। उन का बुनियादी रास्ता साफ है और इस में कोई भी शक नहीं है। वे तो कहते हैं कि हम रणदिवं वाले रास्ते से हट गए हैं और जोशी साहब वाला रास्ता भी हम ने त्याग दिया है। लेकिन ये सब गलत हैं। कम्युनिस्टों की नीति है लोगों को भड़काने की और देश में असन्तोष पैदा करने की। वे तो हड़तालों में विश्वास रखते हैं और हमेशा चाहते हैं किसी न किसी तरह हड़ताल करवाएं और लोगों में असन्तोष पैदा करें। मरं दोस्तों ने कहा कि इस कानून का उन हड़तालियों के खिलाफ इस्तेमाल किया जाएगा और इसी तरह दूसरों के खिलाफ भी इस्तेमाल किया जाएगा। मैं उन को बता देना चाहता हूँ कि हड़ताल के बारे में तो दूसरा कानून है जिस के जरिये से कि एक हड़ताल गैर कानूनी ठहराई जा सकती है और उसमें इस कानून का इस्तेमाल नहीं किया जा सकता। अभी हाल ही में बैंक कर्मचारियों की हड़ताल होने वाली थी और इसको गैर कानूनी घोषित करने के लिए दूसरा कानून काम में लाया जाने वाला था। कम्युनिस्टों का एक अन्तर्राष्ट्रीय संघटन है। अभी कल ही मैं अखबार में पढ़ रहा था कि एक पैम्फलेट मास्को से निकला है उस में बताया गया है कि को-एग्जिस्टेंस को, सह-अस्तित्व को कम्युनिस्ट क्या समझते हैं और हम लोग उससे क्या अर्थ निकालते हैं। मैं इसका एक अंश पढ़कर सुनाता हूँ, इस में लिखा है :

“Emphasising and explaining the meaning of peaceful co-existence, that book which has been published in Moscow, says.....”

An Hon. Member: What is that you are reading from?

Shri M. P. Mishra: Indian Nation published in Patna, a daily.

[Shri M. P. Mishra]

".....that it is the inevitable consequence of the fact that world-wide victory of communism is to come in stages".

तो कम्युनिस्टों का ध्येय दर्शों पर कब्जा करना है। लेकिन अभी एंटम बम्ब का खतरा है, लड़ाई छिड़ जाने का खतरा है, इस लिये वे धीरे-धीरे काम कर के संसार पर कब्जा करेंगे। उनके मुताबिक को-ऑर्डिनेट्स के ये मानी हैं। तो इस में किसी को शक नहीं होना चाहिए और यह बात बिल्कुल साफ है कि इनका एक अन्तर्राष्ट्रीय संघटन है और ये जिस दश में रहते हैं उसके बफादार नहीं हैं। इनकी पालिसी यहां पर नहीं बनती ये तो कहीं और से ही डिक्टेट की जाती हैं। ये राज्य को उखाड़ फेंकना चाहते हैं और उसकी जगह अपनी सरकार, अपनी तबीयत की सरकार, जिस में प्रजातंत्र न रहे, स्थापित करना चाहते हैं। क्योंकि उनका जब राज होगा तो वहां पर प्रजातंत्र का नाम नहीं रहेगा। आज रात को आदमी सो रहा होगा तो कल जेल भेज दिया जाएगा। और उसको इस बात की खबर तक नहीं दी जाएगी। उस पर कोई मुकदमा नहीं चलाया जाएगा। हड़ताल की ही मिसाल ले लीजिए। मैं पूछना चाहता हूं कि किस कम्युनिस्ट दश में हड़ताल जायज है, कहीं भी नहीं। वहां पर तो मजदूर हड़ताल कर ही नहीं सकते। यहां हड़ताल करना भी एक फंडमेंटल राइट है जो कि मजदूरों को दिया गया है, यह इनका बुनियादी हक है। लेकिन कम्युनिस्ट दर्शों में हड़तालें नहीं होती हैं क्योंकि वहां उनका यह हक तसलीम ही नहीं किया गया है।

इस एक्ट के मातहत एक आदमी को ज्यादा से ज्यादा एक साल के लिए जेल में रखा जा सकता है और इस दौरान में उसके कंस की बाकायदा तौर पर एक ट्रिब्यूनल के बीरये जांच भी की जाती है। अगर कोई एमरजेंसी आ जाए, भगवान न कर कि वह आए, तो हमें कांस्टीट्यूशन को स्थापित करना पड़ेगा और सरकार को भी विशेष अधिकार देने पड़ेंगे और पार्लियामेंट को भी बन्द कर देना पड़ेगा।

राष्ट्रीय स्वयं सेवक संघ और भारतीय जन संघ भी इस दर्श में दो खतरनाक संस्थाएं हैं जिन का हमें ध्यान रखना होगा। हिन्दू महासभा के कुछ लोगों के नाम तो दर्शन में आते हैं जिन को इस एक्ट के मातहत बन्द रखा गया है। लेकिन इन दो संस्थाओं में से किसी का नाम दर्शन में नहीं आता। ये दोनों संस्थाओं का भी लोकतन्त्रात्मक तरीकों में विश्वास नहीं है। ये दर्श में एक ऐसा राज कायम करना चाहती हैं जैसा कि चार पांच हजार साल पहले हुआ करता था और जिसमें एक ही जाति के लोग रहेंगे। ऐसे राज्य में किसी दूसरी जाति के लोगों के लिए कोई स्थान नहीं होगा और न ही ऐसे राज्य को हम लोक राज्य कह सकेंगे।

श्री बी० जी० पृथ्वीपांडे : यह आप किस तरह से कह सकते हैं ?

श्री बांगरत : यह उनकी अपनी राय है।

श्री एम० पी० मिश्र : मैं आप की पालिसी को भी समझता हूं। आप भी प्रजातन्त्र में विश्वास नहीं करते। यह भी मैं जानता हूं कि राष्ट्रीय स्वयं सेवक संघ क्या कर रहा है और किन सिद्धान्तों में वह विश्वास रखता है। मैं ने श्री गोलवलकर से भी इस बारे में बातचीत की है और मैं जानता हूं कि उनके दिमाग में क्या है। वे भी कम्युनिस्टों की तरह इस बात में विश्वास रखते हैं कि

We have to find our way elsewhere.

तो मैं एक बात कहना चाहता हूं कि कोई भी सरकार डंड के जोर से हकूमत नहीं कर सकती। हमारी एक प्रजावादी और लोकवादी सरकार है और जो कुछ भी यह कर रही है लोगों के हित के लिए कर रही है। दर्श में आज कांग्रेस का राज है और जनता कांग्रेस के पीछे है। जनता ने उसे वोट दिया है। कल अगर जनता कांग्रेस के साथ नहीं रहेगी तो कांग्रेस हट जायगी। तो हमें अपने विरोधियों से राजनीतिक मोर्चे पर लड़ना चाहिए। कम्युनिस्ट यूनीवर्सिटियों में जाते हैं, वहां अपनी सेलें बनाते हैं। उनके संगठन के इमेजा दो रूप रहते हैं, एक कानूनी और दूसरा गैरकानूनी। वह सांसाइटियां बनाते हैं, वह प्रचार करते हैं और

उनका प्रचार बढ़े पैमाने पर होता है। इस प्रचार का आप कैसे रोक सकते हैं। आप रूसी साहित्य का कैसे रोक सकते हैं? वे लिंग भाषण दते हैं उनको आप कैसे रोक सकते हैं? थोड़ा छोटी छोटी लड़ाइयां लड़ने से आप उनको कैसे रोक सकते हैं। जो भी दृश में विरोधी दल हैं उनसे लड़ने का एक ही तरीका हो सकता है कि हम उनसे जनता के बीच में लड़ें, हम उनसे उन मोर्चों पर लड़ें जिन पर कि वह हमसे लड़ते हैं। अगर कोई जैसे कानून बना दिया जायगा तो इससे तो पुलिस को आसानी हो जायगी। जो दल भी लड़ना चाहेगा उसको आसानी हो जायगी। वह यह समझेगा कि पुलिस हमारी तरफ से लड़ लेगी हमको क्या करना है। इसलिए यह गलत चीज है। हमको तो इन सब दलों से राजनीतिक मोर्चों पर ही लड़ना चाहिए। ऐसा हो सकता है कि बहुत खतरनाक वक्त आ जाय और इस तरह के कानून की आवश्यकता पड़ जाय। हो सकता है कि अन्तर्राष्ट्रीय स्थिति में कोई ऐसा परिवर्तन हो जाय कि इससे भी सख्त कानून की आवश्यकता पड़ जाय। तो उस परिस्थिति के लिए यह चीज ठीक हो सकती है। लेकिन अभी जो रिपोर्ट सरकार ने पेश की हैं उसके अनुसार तो अधिकांश चोर और डकैतों के विरुद्ध यह कानून काम में लाया गया है, जिनके लिए कि पुलिस के पास काफी ताकत है। आपको पुलिस विभाग के अधिकारियों से इसके लिए पूछना चाहिए कि वे क्यों नहीं इन लोगों पर मुकदमा चला सकते। क्या जो लोग डकैतों को अपने घर में रखते हैं उनके लिए भी प्रिवेंटिव डिटेन्शन एक्ट की जरूरत है। इनका प्रबन्ध तो पुलिस साधारण कानून के अन्तर्गत ही कर सकती है। मैं समझता हूँ कि अब इस कानून की आवश्यकता नहीं है और वह समय चला गया जब कि इसकी जरूरत दृश को थी। इसको पांच बरस हो गये हैं। अब इसको फिर तीन बरस के लिए जारी करने की बात कही जाती है, यह मेरी समझ में नहीं आती।

श्री श्री० जी० बृंशपांडे : हमारे माननीय

गृहमंत्री जी ने यह प्रस्ताव सदन के सम्मुख रख कर मेरी समझ में बढ़ा अन्याय किया है। जिस पद पर वह आये हैं उसके प्रति अन्याय किया है, और जिस संविधान की हम शपथ लेकर आये हैं उसके साथ भी अन्याय किया है। मैं ने दंखा है कि जब यहां के भूतपूर्व गृहमंत्री और भारत के लॉ एग्रेसिव पुरुष, सरदार बल्लभभाई पटेल, प्रतिबन्धक स्थानबद्धता विधेयक सदन के सम्मुख लाये थे, तो उन्होंने कहा था कि मुझे दो दिन तक नींद नहीं आयी। उन्होंने यह भी कहा था कि वह इमरजेंसी की वजह से उसको लाये थे। लेकिन हमारे आज के गृहमंत्री कहते हैं कि यह इमरजेंसी मंजूर नहीं है, बल्कि यह हमेशा के लिए रहने वाला विधान है। यदि यह हमेशा के लिए रहने वाला विधान है तो हम यह पूछना चाहते हैं कि आप इसको एक साल के लिए, फिर दो साल के लिए और फिर तीन साल के लिए, इस तरह से अस्थायित्वपूर्ण प्रांगेशन में क्यों बढ़ाना चाहते हैं। जिस प्रकार से आप क्रिमिनल प्रोसीज्योर अमेंडमेंट बिल लाये हैं उसी प्रकार से इस प्रोसीज्योर के बिल को भी ले आइये, जहां कि न दलील होगी, न अपील होगी और न वकील होगा।

यह कहा गया कि हमारे संविधान के तीसरे प्रकरण में जिसमें कि मूल अधिकारों का जिक्र किया गया है उसी में प्रतिबन्धक स्थान बद्धता कानून का भी जिक्र है। मंत्री एक मित्र ने कहा कि यह संविधान में एक कलंक है। कहा गया कि ऐसा कहना संविधान की निन्दा करना है। लेकिन ऐसा नहीं है।

एक ही दोषी गुण सन्निपाते।

निमज्जति किरणोष्णकः ॥

जैसे कि जब कोई यह कहता है कि चन्द्रमा में जो श्यामता है इससे उसकी शोभा बढ़ती है तो यह निन्दा नहीं है। परन्तु मैं कलंक न-

[श्री वी० जी० दंडपांडे]

कहते हुए भी वह कहंगा कि इसका यह अर्थ नहीं है कि इसका दुरुपयोग किया जाये । संविधान ने आपको यह अधिकार दिया है कि यदि कोई विशेष परिस्थिति उत्पन्न हो जाये तो आप व्यक्ति के अधिकारों का संकोच कर सकते हैं । इसका यह अर्थ है कि आपको इस अधिकार का सदुपयोग करना चाहिए । यह अधिकार इसलिए नहीं दिया गया है कि चाहे विशेष परिस्थिति हो या न हो आप इसका दुरुपयोग कर सकते हैं । दुनिया में अगर सबसे शक्ति पूर्ण पार्लियामेंट कहीं की है तो वह इंग्लैंड की है । जब हम कालेज में पढ़ते थे तो उस पार्लियामेंट की सावरीनटी के बारे में यह कहा जाता था कि सिवाय आदमी को ऑरर और ऑरर को आदमी बनाने के इंग्लैंड की पार्लियामेंट और सब कुछ कर सकती है ।

उपाध्यक्ष महोदय : अब तो डाक्टर लोग वैसे भी कर दते हैं ।

श्री वी० जी० दंडपांडे : तो इस प्रकार की सर्व प्रभुत्व सम्पन्न इंग्लैंड की पार्लियामेंट ने भी इस प्रकार का विधान केवल महायुद्ध के समय चलाया था । लेकिन यहाँ पर आप उसका उपयोग करते हैं चाहे कोई विशेष परिस्थिति हो या न हो । जब सरदार पटेल यहाँ पर इस प्रकार के विधेयक को लाये थे उस समय भी कोई विशेष परिस्थिति थी यह मैं मानने के लिए तैयार नहीं हूँ । परन्तु कम से कम सरदार पटेल यह जानते थे कि इस प्रकार का कानून लाना बुरा है । जब वह इस कानून को लाये थे तो उनका दिल उनको सा रहा था ।

With a guilty conscience, he had come before the House.

लेकिन अब गृहमंत्री का कांशंस इतना ब्लण्ट हो गया है कि वह कहते हैं कि विशेष परिस्थिति की कोई जरूरत नहीं है । हमको यह अधिकार कानून ने दिया है । लेकिन मैं कहता हूँ कि आपको संविधान ने जो अधिकार

दिया है उसका उपयोग केवल विशेष परिस्थिति में ही करना चाहिए ।

इसके आगे आपने एक बड़ी विचित्र दलील दी है । लोग कहते हैं कि कोई भयानक परिस्थिति हो तो इस प्रकार का कानून लाना चाहिए । लेकिन वह कहते हैं कि परिस्थिति बहुत अच्छी है, देश में बड़ी शान्ति है, इसलिए यह विधेयक रहना चाहिए, क्योंकि इसी के कारण यह अच्छी स्थिति है ।

It served as a healthy check.

तां मतलब यह है कि इस कानून को हर हालत में रखा जाना चाहिए । अगर परिस्थिति भयानक है तो इसकी आवश्यकता है उसका सामना करने के लिए, अगर देश में शान्ति है तो इसकी आवश्यकता है उसे कायम रखने के लिए । अभी मेरे एक काँग्रेस के मित्र ने जो भाषण दिया है, मैं समझता हूँ कि वह उससे कुछ सीखेंगे । अब उनके दिल वाले भी उनके विरुद्ध जा रहे हैं । हम तो यह देख रहे हैं कि भयानक परिस्थिति को ठीक करने के लिए यह कानून काम में नहीं आता है परन्तु यह विरोधी दिल वालों के विरुद्ध काम में आता है और ऐसी जगह काम में आता है जहाँ न आना चाहिए । मैं एक उदाहरण देना चाहता हूँ । चूंकि मामला विचाराधीन है इसलिए मैं नाम तो नहीं लूंगा, पर मैं सिर्फ यही कहूंगा कि एक जगह लड़के एक जल्स निकालते हैं, हार्ड कोर्ट को जलाते हैं लेकिन उनको रोकने का कोई प्रयत्न नहीं किया जाता । मंत्री अपने कमरे में बैठे रहते हैं । बाद में जब हार्डकोर्ट जला दिया जाता है तो पुलिस बन्दूकें लेकर निकलती हैं और गोली चलाती हैं जिसमें १०-१२ निरपराध लोग मारे जाते हैं । इस प्रकार की घटना को यह कानून किस प्रकार से बचा सकता है यह तो मेरी समझ में आता नहीं है । भयानक परिस्थिति में इसका उपयोग होता नहीं है । अच्छी परिस्थिति में इसकी आवश्यकता नहीं है । अतः एक ही कनक्लूजन इससे निकलता है कि यह विरोधी दिलों के दमन के लिए काम में लाया जाता है ।

In spite of protests from the Home Minister, I have no doubt in saying that this measure is meant for suppressing the political parties in the country.

कलं हमार गृहमंत्री ने कहा कि एक भी ऐसा उदाहरण दिया जाय कि जिसमें इसका ऐसा उपयोग हुआ हो। आप कहते हैं 'any instance' बताइये, मैं कहता हूँ 'any' क्यों मैं 'many instances' बता सकता हूँ। बहुत से उदाहरण दूँ सकता हूँ परन्तु मैं इस समय केवल एक ही उदाहरण दूँगा। मध्यभारत में जुलाई १९५२ में होने वाले निर्वाचन के सिलसिले में मध्यभारत की हिन्दू सभा के प्रधान पीडित बृजेश जी ने मध्यभारत के दो दफा के हार हुए प्रधान मंत्री के विरुद्ध भाषण दिये। रिजल्ट निकलने पर मालूम हुआ कि दोनों जगह पर कांग्रेस की हार हुई। इसके उपरान्त श्री बृजेश जी को इस प्रिवेंटिव डिटेंशन एक्ट के अन्तर्गत गिरफ्तार कर लिया गया। उनका यही अपराध था कि उन्होंने भाषण दिये थे। आप समझ सकते हैं कि मीत्रियों का क्रोध कैसा होता है छः महीने तक उनको डिटेंशन किया गया। उसीके पश्चात् जब हाईकोर्ट के सामने हॉबियस कॉर्पस की याचिका पेश करने के लिए हमारे मित्र निर्मल चन्द्र जी चटर्जी वहां गये तो सरकार ने यह समझ कर कि हाईकोर्ट उनको छोड़ देगी पहले ही से उनको छोड़ दिया। और एक पत्रक निकाल दिया कि उन्होंने यह अस्वास्थ्य दूँ दिया है कि हम अगे एंसे भाषण नहीं देंगे। इसलिए उनको छोड़ दिया गया है। इस पर श्री बृजेश जी ने वक्तव्य दिया कि मैंने जो जो भाषण दिये हैं मैंने उनको फिर दूँगा, मैंने कोई ऐसा अस्वास्थ्य नहीं दिया। तो मैं यह कहता हूँ कि इस प्रकार पॉलीटिकल विरोधियों को दबाने के लिए इस विधेयक का दुरुपयोग किया जाता है। हम ये बातें अपने गृहमंत्री के आगे रख रहे हैं। इस विधेयक के विरुद्ध फॉसले हाई कोर्ट ने और सर्वोच्च न्यायालय ने दिये हैं। हमारे गृहमंत्री ने एक बड़े वकील होने के कारण यहां पर जो इन्फारमेशन दी है

उससे कोई खास इन्फारमेशन नहीं मिलती है। उन्होंने जो आंकड़े दिये हैं उनको देखकर वह मालूम होता है कि यह एक गिमती की किताब है। परन्तु वह पढ़ने के पश्चात् कई कन्वीनिअंट बातें आपने छोड़ दी हैं, जैसे यह बतलाया गया है कि :

Detenus whose cases of detention orders were upheld by the Advisory Board.....

Number of persons ordered to be released by Advisory Boards.....65.

फिर आगे उसमें ऐसा दिया हुआ है।

Number of detenus released by High Courts.....11.

Number of detenus released by the Supreme Court.....3.

2 P.M.

हम देखने लगे कि वहां हाईकोर्ट्स में कितनी एंटीकॉन्स प्रीवेंटिव डिटेंशन एक्ट के खिलाफ आई और हाईकोर्ट्स ने कितनों का डिटेंशन अपहोल्ड किया, इसके भी फीगर उसमें हैं लेकिन चूंकि उससे उनको बल नहीं मिलता इसलिए उस फीगर को नहीं दिया गया। लेकिन मैं जानता हूँ और मैंने यहां एक दफा सवाल भी पूछा था कि दिल्ली के अन्दर सुप्रीम कोर्ट ने डिटेंशन एक्ट के सिलसिले में जितनी हॉबिस कारपस पेटिंशंस आई थीं उनमें से कितने छूट गये और कितनों का प्रीवेंटिव डिटेंशन एक्ट के मातहत डिटेंशन अपहोल्ड किया गया और यहां जबाब में बतलाया गया कि अपहोल्ड होने वाले केस तो एक आध हो होंगे और हमने देखा है कि सुप्रीम कोर्ट के सामने जितने एंसे केसेज जाते हैं तो सुप्रीम कोर्ट उन पर निर्णय करते समय इस बात को ध्यान में रखता है कि व्यक्तिगतों के स्वातंत्र्य पर जब इस प्रकार का आघात होता है तो न्यायालय को यह देखना होता है कि डिटेंशन की गारण्ड्स जो दी गयी हैं वह ठीक हैं या नहीं, वेग तो नहीं हैं। मुझे स्वयं अपना केस स्मरण है कि जब मुझे एक दफा जालन्धर में गिरफ्तार करने के पश्चात् दिल्ली में लाया

[श्री बी० जी० इंचपाई]

गया और यह मेरा बड़ा भारी सौभाग्य है कि, डाक्टर काटजू का जो वह तथाकथित व्यक्ति की स्वतंत्रता की रक्षा करने वाला यह विधान है उस विधान के अन्तर्गत पार्लियामेंट का सदस्य होने के पश्चात् मुझे भी तीन दफा इस प्रीवीन्टिव डिटेंशन एक्ट में जेल में जाना पड़ा और स्वतंत्रता प्राप्ति के पश्चात् से आज तक मुझे ६ मर्तबा इस प्रीवीन्टिव डिटेंशन एक्ट में जेल में जाना पड़ा है और मेरे केस में न्यायालय ने सीलिसिटर जनरल को कहा है कि आपके सरकारी अफसर लोग इस प्रकार की बंग गाउन्ड्स लिखते हैं जो कि काफी नहीं हैं। यह चीज गवर्नमेंट के नोटिस में लायी गयी है लेकिन इसके पश्चात् भी हम देखते हैं कि बड़ी लाइटली लोगों की लिबर्टी के साथ आप खेलते हो। श्री राजगोपालाचार्य ने भी कहा था कि अगर इस प्रकार की बंकायदगी कोई अफसर करता पाया जायगा तो वेरी सीरियस नोटिस विल बी टर्कन आफ हिम। और उसका ऐसा कार्य स्टेट और राज्य के खिलाफ उसने अपराध किया है, ऐसा समझा जायगा, लेकिन इस प्रीवीन्टिव डिटेंशन एक्ट के चार वर्ष के एर इतिहास में एक भी अधिकारी को कहीं इसके लिये सजा दी गयी हो, यह हमारे देखने में नहीं आया। इस प्रकार की बातें जब प्रीवीन्टिव डिटेंशन एक्ट में चलती हैं तब कम्युनिस्ट पार्टी का भी बड़ा नाम लिया जाता है और यह कहा जाता है कि कम्युनिस्ट पार्टी ने यह किया वह किया और मार्क्स का नाम लिया जाता है, मैं आपसे बतलाना चाहता हूँ कि मुझे तो कभी कभी बड़ा आश्चर्य होता है। मैं कम्युनिस्ट पार्टी का बड़ा प्रेमी नहीं हूँ, बल्कि विरोधक हूँ, मेरा उनके साथ विरोध है लेकिन कांग्रेस पार्टी समय असमय उनको गाली दे, ऐसी कोई बात मार्क्स में है, ऐसा मैं समझता नहीं। मार्क्स के बहुत से सिद्धान्त काफी अच्छे हैं और कांग्रेस वाले तो उनको बहुत अच्छा मानते हैं और उन सिद्धान्तों के बहुत बड़े प्रशंसक हैं। मैं कांग्रेस में और कम्युनिस्ट पार्टी में उतना ही फर्क समझता हूँ जितना फर्क एक

कॉन्ट्रिपलर और बटरफ्लाई में होता है, जितना फर्क इन दोनों में होता है उतना ही फर्क मैं कांग्रेस पार्टी और कम्युनिस्ट पार्टी में समझता हूँ। उनकी ही अन्तर्राष्ट्रीय और आर्थिक नीति के कारण कम्युनिस्ट पार्टी को रोज बल मिल रहा है। हमारे शासक गण अन्तर्राष्ट्रीय दृष्टि से रोज आधे दिन कम्युनिस्ट पार्टी की स्तुति सी करते दिखते हैं, केवल यह जां यहां पन्ध्र बीस आदमी बैठे हुए हैं वे खराब हैं, बाकी जितना तत्वज्ञान है वह उनका अच्छा है और कम्युनिज्म के सिद्धान्तों को आप अच्छा मानते हो और कहते हो कि कम्युनिज्म अच्छा है लेकिन यहां हम देखते हैं कि आप उनका घर में विरोध करते हो तो हमारी समझ में तो यह आता है कि यह दल की नीति आपकी चल रही है। इस कानून को जारी रखने के लिये नाम तो दंगे और बगावत का लिया जाता है लेकिन इस कानून का सरकार द्वारा प्रयोग किये जाने में हमने देखा है कि पार्लियामेंट के अन्दर या स्टेट को उखाड़ने वाले डाक्टर श्यामप्रसाद मुखर्जी समझे गये, स्टेट का नाश करने वाले श्री एन० सी० चटर्जी और हमारे श्री नन्द लाल शर्मा समझे गये ये और इसी प्रकार के लोग इस प्रतिबंधक स्थान बढ़ता विधेयक के अन्तर्गत पकड़े गये, किसी कम्युनिस्ट पार्टी के भाई को इस एक्ट के मातहत पकड़ना चाहिये यह मेरा कहना नहीं है, यह तो कहने का एक ढंग है। मैं तो समझता हूँ कि यह शस्त्र उन्होंने अपने हाथ में इस आशय से ले रक्खा है कि जो कोई उनके खिलाफ होगा, जो कोई राजनीतिक दृष्टि से उनका विरोध करेगा, उनका विरोध करने के लिये और दबाने के लिये इस शस्त्र का उपयोग किया जायगा।

अन्त में मैं एक ही विषय पर और बोलना चाहता हूँ और वह जम्मू और काश्मीर के सम्बन्ध में है। जम्मू और काश्मीर हिन्दुस्तान का एक अविभाज्य भाग है। यह प्रीवीन्टिव डिटेंशन एक्ट आपने पहले थोड़े हिस्सों के लिये लगाया था।

जम्मू और काश्मीर के डिटेन्शन एक्ट के अन्दर हमारे सर्वोच्च न्यायलय को उस पर अधिकार नहीं था और उसके कारण हमने देखा कि हिन्दुस्तान का एक महान् सुपुत्र डाक्टर श्यामप्रसाद मुखर्जी जम्मू और काश्मीर के प्रतिबंधक स्थानबद्धता विधेयक के अन्दर वहाँ कड़े किये गये और वहाँ पर उनकी मृत्यु हो गयी और इस चीज को हम कभी भूल नहीं सकते हैं परन्तु मैं यह बताना चाहता हूँ कि आज जिनके नाम की मर मित्र श्री अशोक मेहता दुहाई द रहे थे और कह रहे थे कि वहाँ की जनता उनके लिये अपने हृदय में एक बड़ा आदर का भाव रखती हैं वे लोग आज स्थानबद्ध हैं, मेरी उनके साथ इस सम्बन्ध में बिलकुल सहानुभूति नहीं है, क्योंकि ये वही लोग हैं जो काश्मीर और हिन्दुस्तान एक न हो, इसके लिये आन्दोलन कर रहे थे। जम्मू और काश्मीर को हम सब हिन्दुस्तान का एक भाग बनाना चाहते हैं और ऐसी भावना रखते हुए उसे इस विधान के अधिकार क्षेत्र से बाहर रखना ठीक न होगा।

आखिर मैं मुझे एक ही बात कहनी है और वह यह है कि इस विधान के सम्बन्ध में जो फीगर्स हैं वह भी बराबर हैं या नहीं, इसके बारे में मुझे शक है क्योंकि मध्य भारत में जितने स्थानबद्ध लोगों की मर पास रिपोर्ट है उतनी संख्या इसमें नहीं मिल रही है और इन सब को भाषणों के लिये कड़े किया है और उनके डिटेन्शन के सम्बन्ध में इन्फारमेशन दते वक्त ये बातें बतलायी गयी हैं :

'Indulging in such activities or preaching violence.'

उसमें उन्होंने यह कहा कि इन भाषणों में उन्होंने वायलेंस का प्रचार किया था। आप इस कानून का इस तौर पर उपयोग कर रहे हैं और मेरा तो कहना है कि इतनी थोड़ी आवश्यकता जब आपको इसके उपयोग की पड़ी है और देश के अन्दर जो उदाहरण आपने दिये हैं कि घर जलाये गये, दुकानें जलायी गयीं और बाकी बातें हुई, उन बातों को रोकने के लिये प्रीवीन्टिव डिटेन्शन एक्ट का उपयोग नहीं हुआ

तो फिर मेरी समझ में नहीं आता कि इसको रखने की क्या आवश्यकता है ? जैसे कि आपने उदाहरण दिया कि हाईकोर्ट जलाया गया, मैं एह्म् कि जलाने के पहले कितने लोगों को आपने इस प्रीवीन्टिव डिटेन्शन एक्ट में कड़े करके रक्खा, उसका उपयोग उन बातों में नहीं हो सका। आपकी सरकार में न न्याय है और न अधिकार ज़मता है, आर्थिक स्थिति लोगों की अच्छी नहीं है और इस कारण यह प्रीवीन्टिव डिटेन्शन एक्ट इस देश के ऊपर और डेमोक्रेसी के ऊपर एक महान् कलंक है कि यह शस्त्र सरकार अपने हाथ में केवल इसीलिये रखना चाहती है कि जो उसके राजनीतिक विरोधी हैं उनको कुचलने के लिये दबाने के लिये और देश में एक डिक्टेटोरशिप पैदा हो इसके लिये इस एक्ट का उपयोग हो रहा है और इस कारण से मैं इसका विरोध करना चाहता हूँ।

Shri Tek Chand (Ambala-Simla): If a question were to be put to me whether I liked the Preventive Detention Act, without any compunction, without any mental reservation, I would make bold to say, 'I loath it'.

Dr. N. B. Khare (Gwalior): But he will vote for it.

Shri Tek Chand: If I were asked, 'Do you consider it to be necessary?', my answer would be in the affirmative, it is, painful as it is, a painful necessity. Democracy in my country today is a sapling. It has not yet risen to the strength or height of a sturdy oak. The number of weeds and vermins is legion. There are also rats with sharp teeth.....

Dr. N. B. Khare: Why not white ants also?

Shri Tek Chand: This sapling has to be protected against rats, against vermins too.

Shri V. G. Deshpande: White ants also.

Shri Tek Chand: If democracy were thriving under Utopian conditions any such provision would be styled as a stigma, as a stain and as a blot. If

[Shri Tek Chand]

the conditions prevailing in our country were ideological, I would be the first to raise my voice in protest against the retention of such a measure.

An Hon. Member: You won't do it.

Shri Tek Chand: But, when I turn round and see that the people of this country are capable of being guilty of espionage, they can conduct themselves in a manner not only subversive of law, not only in a manner subversive of peace but also in a manner subversive of the stability of the State, I feel that against such people the retention of such a weapon in the administrative armoury of the State is absolutely imperative. Therefore, the circumstances leading up to the retention of such a measure have two aspects—the silvery and the seamy. I see that this Act has been enforced with a certain amount of circumspection, with a certain amount of laudable moderation and, I have no doubt, in counselling the Government that a certain amount of vigilance is absolutely necessary not only when you are exercising the powers under the Act but even after those powers have been exercised, in order to make sure, as a result of reconsideration and review and a certain sifting of the facts and reports to make as certain as is humanly possible that the wrong man has not been put behind the bars.

But, one thing curious, one thing amazing that I notice today is, that during the course of this debate, democracy has found curious champions. I am indebted to my hon. friend who the other day said, referring to some of his friends on the right, that they were the hangmen of democracy, the executioners of freedom. They are today the champions of freedom and democracy. That is a little paradoxical. Her Satanic Majesty is sitting to cite scriptures. And, one is really bewildered that those who do not swear by democracy, but who swear at democracy are shedding copious crocodile tears that democracy is being hurt, democracy is being pained and injured

by the enactment of those laws. The pretensions of such people are too patent and too obvious to require further examination and scrutiny. Therefore, so long as in this country there is the possibility of a single spy committing the most outrageous offence known to law, of espionage, such a person deserves no pity, deserves no sympathy. But, what does the hon. Home Minister do? He says, "All right, if you are prepared to behave in this manner, I will not treat you in this manner in which Beria was treated, I am not going to deprive you of your life, I am not going to launch you into eternity with the assistance of the firing squad....."

Mr. Deputy-Speaker: Who is Beria?

Shri Tek Chand: But, Sir, Beria is buried; but the manner in which.....

Mr. Deputy-Speaker: Buried alive?

Shri Tek Chand: He was buried and his burial is a noticeable fact of history. All that this Act enacts is that such an anti-social person who forfeits the right of even breathing and living in a country from which certain of the hon. friends derive their mental manna, sustenance and inspiration today, should be detained. They say that such an Act ought not to besmirch the statute-book of this country. So long as their violent propensities, so long as their violent predilections cannot be curbed, cannot be prevented, democracy has to live and democracy has to be protected, democracy has to be sustained despite them and despite their endeavours.

Dr. N. B. Khare: Hypocrisy has also to live.

Mr. Deputy-Speaker: The hon. Member is exhausting his right of speech.

Dr. N. B. Khare: *Obiter dicta*; nothing else.

Shri Tek Chand: There are certain people who have to be protected from themselves and the last interjection was from that category. There are people who are incapable of acting in

a manner guaranteeing sufficient safety unto themselves. Even they have to be protected. But there is one thing. No doubt, a measure like this is almost like a surgeon's knife, it cuts but to cure. The surgeon hurts to heal. But, I will submit with all the emphasis at my command, exercise your powers after a good deal of close circumspection. I have no doubt you do exercise these powers in cases where you are driven to do so. After you have done so, see that your administration checks those instances where such a power has been exercised in order to make sure that they have committed no mistakes. Mistakes in a case like that are extremely painful, extremely improper and we should see that in the operation of this Act, as far as is humanly possible, there is no injustice. With these cautionary suggestions, I commend this Bill for the acceptance of this House.

Shri N. M. Lingam (Coimbatore): I have been listening to the speeches from some of the Members opposite very attentively.....

Acharya Kripalani (Bhogalpur cum Purnea): The last speaker was not from the side opposite.

Shri N. M. Lingam: I have heard him also but I feel that Members have not gone into the crux of the matter.

Hon. Members have referred to the genesis of the Bill. Repeated references were made to Sardar Patel and **Shri C. Rajagopalachari** who conceived the Bill in the beginning and explained how it should be worked. It was contended that circumstances that obtained in the country then are no longer present today and, therefore, there is no need for the Bill.

Again, one hon. Member said that we are having peace and prosperity in the country.

Acharya Kripalani: Government was saying that.

Shri N. M. Lingam: And **Shri Asoka Mehta** agreed with the Government. So, on this ground also they say that there is no need for a measure of this

kind. But, I would, with all respect, point out the background that necessitated the continuation of a measure of this kind.

It is true that this measure is obnoxious in the abstract. But, we have to face realities. We have to take into consideration the backgrounds in which we are enacting this measure. Our country, the House knows, has passed through, and is, perhaps, still passing through a great upheaval and upheaval which is rarely witnessed in the world. Whenever there is an upheaval it releases in its wake great forces. It is like swollen rivers. It releases the energy of the people and unless these tremendous energies released are canalised, it will cause devastation in its course. To give an analogy, we have the turbulent rivers. If the rivers are harnessed, if they are tamed, they bring prosperity and peace. They give light and they give life. But, if these rivers are not tamed, they cause destruction.

We are in a similar situation. The energy released in the country after the attainment of independence is so great that we have to be careful in seeing that this energy is harnessed to the welfare of the country. It was thought in the beginning when a measure of this kind was introduced that the necessity of it would be short-lived. It is true to say that the original sponsors of the Bill did not envisage continuation of this measure indefinitely. But, experience has shown that a measure of this kind is still necessary.

Criticisms have been levelled that the measure is extended till the year 1957 so that the party in power may avail of this Bill to come back to power once again after the next elections. But, I would point out, Sir, that we, on this side of the House, accept the challenge thrown by the hon. Leader of the Communist Party when he said that this must be made an issue in the coming elections in Andhra. I would go one step further and say that the Members opposite have an opportunity to make this an issue not

[Shri N. M. Lingam]

only in Andhra, but throughout the country in the next general elections.

Shrimati Renu Chakravarty: We will do it; don't forget.

Shri N. M. Lingam: After all, in the last analysis, it is the decision of the party in power. We have felt the necessity of this Bill and we are prepared to stand by the verdict of the people which will be known after the next general elections throughout the country.

I would only go into a few aspects of the question before I conclude my speech.

Shri Nand Lal Sharma (Sikar): So, you need Preventive Detention Act for the next general elections?

Shri N. M. Lingam: I do not propose to be interrupted like this.

The Members opposite have been saying that democracy is at peril and the party that has brought forward this measure does not speak for the country. I should like to point out that a paper which is not particularly friendly to the Congress Party has described the techniques of the Communist Party in the following terms— I refer to the *Blitz*:

"At the same time, Communists cannot be absolved of provocations which seem to us as futile as they are unwarranted in the present national and international context. Having repudiated the violence of Telengana which at any rate had a goal before it and a purpose behind, they have since resorted to violent and absolutely sterile phrase-mongering and wordy-warfare by way of a sop to their frustrated Marxist-revolutionary conscience.

Prejudiced as Nehru undoubtedly is against the Communist Party, his criticism is not wholly off the mark. It is true, for example, that Indian Communists stick to theories and slogans of

19th-century Europe which bear no relation to India'.

Lest our hide-bound (or shall we say Marx-bound!) Reds dismiss this as reactionary balderdash, we must remind them that a very similar warning was put in more vigorous language by Mao Tse-tung, the world's greatest Communist leader and theoretician today, to his Chinese comrades, when he told them that '*dogma was worse than cow-dung because dung at least has its uses.*'

We offer the same advice in all sincerity to our Communist friends. The time has come for them to face facts of the history of their own country, appreciate and even invite positive criticism, undogmatic controversy and a realistic revaluation of their policy and strategy."

This is what a paper, which, if anything, was pro-Communist, says about the techniques of the Communist Party which opposes this Bill tooth and nail. So, I appeal to them to review their position. It is true, in a Parliament—in a House—like this, it is natural for the Party opposite to exploit a Bill like this for political purposes and to direct their guns against, what they consider, this most vulnerable part of the Government. But, I would ask them to go deeper. I would appeal to them to change their ways.

Shri Asoka Mehta was saying that there were other techniques by which Government should tackle this problem of the opposition which does not see eye to eye with the Government. But, unfortunately, he did not say what exactly the technique was. He failed to mention any alternative to the present Bill before the House. He referred to points of contact, common points of view and the areas of agreement. But, he did not say how a common front could be evolved out of this; what other technique the Government should have brought forward

or applied to meet the situation which is obtaining in the country today.

I have a tendency to go to fundamentals and I would say to my friends opposite that their attempt to change the course of the country is doomed to failure. We have a national life of 5000 years. The experience of 300 million people for 5000 years cannot be set at naught. So, the sooner our friends realise this and understand the national ideals, the better for the country. We, on this side, assure them that it is not our intention to impose a Bill of this kind in the teeth of opposition, but we are firmly convinced that our young democracy should be protected by a fence of this kind. Unless this is done, we will lose our feet and will be lost in the great forest of ideologies and ideas in which the country sometimes finds itself engulfed.

Another reason why we should be wary of the situation in the country is that we are engaged in an era of construction on a grand scale. We want peace and tranquillity in the country. It is common knowledge that everywhere there is unrest. In the kisan world, in the student world and in the industrial field, strikes are on the increase.

An Hon. Member: Why?

Shri N. M. Lingam: Communalism raises its ugly head periodically. So, it is of the utmost importance that we do not allow the national energies to be dissipated.

Acharya Kripalani: Chatterjee has no ugly head.

Shri N. M. Lingam: Let me not be misunderstood. I realise that hon. Members are as great patriots as anyone here claims to be.

Dr. Khare: Thank you for the courtesy.

Shri N. M. Lingam: But, I would, with all respect, point out to them that their ways are not conducive to the good of the country. They may try to win debating points; they may

try to strengthen the political parties, but their ways are not going to help in contributing to the consolidation of peace that we have recently secured. They are not going to help in the consolidation of freedom. We are passing still through a stage of transition. Independence, which was ushered in the year 1947, though a major factor in itself, was not all that we had to contend with. The whole world was, and still is, in the midst of a cataclysmic change and we had several internal problems also, like the problem of the refugees and the problem of controls. I would ask my friends opposite to view this problem in its proper perspective. We will not keep this Bill on the Statute Book a day longer than is necessary, but it looks as if the transitional stage will be a fairly long one, and, at worst, it will be a lesser evil if we continue a measure of this kind, lest we should, in our enthusiasm for democratic processes and for building up democratic traditions, cast away all precautions or steps that are necessary to safeguard our freedom.

I have a few words more before I sit down.

Mr. Deputy-Speaker: Then, the hon. Member may continue on some other day.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS FIFTEENTH REPORT

Mr. Deputy-Speaker: The House will now proceed with the Private Members' business. As the House is aware, the consideration of the Fifteenth Report of the Committee on Private Members' Bills and Resolutions was postponed on the 26th November, 1954 so as to enable hon. Members to table amendments to the Report if they so desired. Only one amendment to the Report has been received from Sardar Amar Singh Saigal.

Sardar Saigal is absent and therefore that amendment cannot be moved. The discussion was over on that day itself.

[Mr. Deputy-Speaker]

We shall proceed with the voting of the motion.

The question is:

"That this House agrees with the Fifteenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 25th November, 1954."

The motion was adopted.

SEVENTEENTH REPORT

Shri Altekhar (North Satara): I beg to move:

"That this House agrees with the Seventeenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 8th December, 1954."

In connection with the time allotment, there is one statement to be clarified and that is in connection with the time that is allotted to the Prohibition of Manufacture and Sale of Vanaspati Bill that had been discussed last time. The Report at that time was not passed. The debate continued and it is still continuing. When the Committee considered the matter subsequently, it allotted half an hour more for the whole process of the Vanaspati Bill being discussed and finished. With respect to the rest of the Bills, the time is stated, and further classification of the Bills is also given in the appendices attached.

I recommend that the motion be passed.

Mr. Deputy-Speaker: The Report was presented two days ago to enable hon. Members to table amendments. No amendment has been received. The question is:

"That this House agrees with the Seventeenth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 8th December, 1954."

The motion was adopted.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Insertion of new section 109A)

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure 1898.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure 1898."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

ARMY (AMENDMENT) BILL

(Insertion of new section 142A)

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Army Act, 1950.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Army Act, 1950."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

PROHIBITION OF MANUFACTURE AND SALE OF VANASPATI BILL

Mr. Deputy-Speaker: The House will now resume further discussion of the Prohibition of Manufacture and sale of Vanaspati Bill the motion for consideration of which was moved by Shri Jhulan Sinha on the 17th September 1954. Further discussion on the Bill continued on the 26th November 1954.

The Mover and seven other Members have already spoken and concluded their speeches. Shri Fulsinha

B. Dabhi had not concluded his speech on the 26th November, 1954, when the House adjourned for the day.

The total time taken so far on the consideration of this Bill is two hours and 48 minutes. Half an hour is available for its further discussion.

Shri Dabhi (Kaira North): On the last occasion, I showed, by quoting facts and figures, that vanaspati was far inferior to ghee, that it was not even superior to ordinary groundnut oil or ordinary raw oil, that adulteration of ghee with vanaspati was going on on a very extensive scale in the country, that adulteration of ghee with vanaspati destroys the vitamin content of ghee itself, that the *vanaspati-walas* are making about Rs. 26 crores a year by charging prices higher than the ordinary oil prices though it was not superior to ordinary oil and by the adulteration of ghee with Vanaspati, and that it was not at all necessary to solidify vanaspati, because it was used only in liquid form. I also stated that if Government were not prepared to prohibit the manufacture and sale of vanaspati, they should at least prohibit *vanaspati-walas* from solidifying it and they should only allow it in a purified form, that is, it should be refined. I stated that if Government were not prepared even to do that, they should at least make colourisation of vanaspati compulsory, and ask the *vanaspati-walas* to find out a suitable colour within a particular period or close their factories.

Before I conclude, I want to touch very briefly on one or two points which were left out by me at that time. Last time I stated that even vanaspati was being adulterated with inferior stuff and I gave an example of a Calcutta case in which the manufacturer of vanaspati was convicted for adulterating vanaspati with inferior stuff.

Now, I have come across still another instance where vanaspati was being adulterated with inferior stuff. In the last week of this month, one merchant friend of mine who had come here to attend the meeting of

the Import Advisory Committee told me that the animal fat which was being imported from foreign countries for the purpose of manufacturing soap was being used for adulterating it with vanaspati.

Then, I would like to quote a few lines only to show what kind of people the *vanaspati-walas* are. I shall read only a few lines from the *Harijan* dated 25th July, 1953, from an article by the late M. P. T. Acharya under the caption, "A Vicious Circle". The learned author says:

"I was in the erection of a Vanaspati factory. It was employing hundreds of people during erection, but on the day of the opening of the factory, the proprietor discharged hundreds of men. But on the day, the gate had a cloth stretched on which was inscribed: Industry abolishes unemployment! The proprietor of the factory advertised: 'Use no ghee, use only Vanaspati, for ghee contains microbes bad for health. Vanaspati is untouched by hand'. (I told him to add: Touched only by Brahmin hands!)

I asked the boss if what he advertised was true, did he use Vanaspati? He said: 'Never, I use only ghee'."

Then, I want to bring to your notice.....

Mr. Deputy-Speaker: I was told that the hon. Member would take only one minute.

Shri Dabhi: I am finishing.

Mr. Deputy-Speaker: I am afraid I cannot allow you to go on.

Shri Dabhi: I shall finish in one or two minutes. I have never said I would finish it in one minute.

Mr. Deputy-Speaker: I have to finish the whole story in about half an hour from now. That is the only time now available for the House.

Shri Dabhi: I shall finish soon.

Lastly, I want to bring to the notice of the Government the resolution passed by the All-India Congress Committee at its meeting held in Ahmedabad on 31st May, 1951. The resolution asked the Government "to put a ban on the manufacture and sale of vanaspati or hydrogenated oil as it causes the deterioration of public morals, is injurious to public health, makes pure ghee unavailable in the market and adversely affects the cattle wealth of the country". So, taking into consideration all the facts and circumstances which I have narrated, I appeal to Government to support this Bill and prohibit the manufacture and sale of vanaspati which is destroying the health and wealth and morals of millions of people. If the Government is not prepared to do this, I appeal to them to see that at least the colouration of vanaspati is made compulsory. Lastly, I say that they should not take upon themselves the task of finding out a suitable colour for vanaspati. Let the Government ask the vanaspati makers themselves to find out a suitable colour for vanaspati or to close their factories. I hope Government would at least accept one of these alternatives.

The Minister of Agriculture (Dr. P. S. Deshmukh): This subject is not new to the House. There was a similar Bill that was introduced by my friend Pandit Thakur Das Bhargava in 1949, and even at that time, the attitude of Government was not favourable. It opposed the Bill, and I am sorry to have to do the same on this occasion also. As a result of the efforts of my friend Pandit Thakur Das Bhargava, Government had appointed some years back a Ghee Adulteration Committee, and that Committee made three recommendations. The first recommendation was that it should be made compulsory for the vanaspati factories to add sesamum oil so that the Baudouin test may be applied for the purpose of detecting whether ghee was adulterated with vanaspati. This recommenda-

tion of the Ghee Adulteration Committee was fully accepted by Government and almost fully acted upon. The second recommendation was that orange colour, by using carotene oil concentrates should be given. On this recommendation there was difference of opinion among the members of the Committee. The reason for Government not accepting this recommendation was that firstly, the colour was unstable; the colour would go away not only after it is heated, but even if it is kept for a few weeks or months, the colour would disappear. Secondly, this oil was not available in India and we would have had to import it on a very large scale, costing us nearly one crore of rupees per annum. This was, therefore, not considered a practical proposition. The third recommendation was that vanaspati should be fortified with synthetic vitamin A in order to increase its nutritive value. This recommendation was also accepted and given effect to.

Now, I think it is obvious to every hon. Member of this House that it is too much to ask that all Vanaspati factories should be closed and that vanaspati should be banned altogether. As a matter of fact, if we analyse the supporters of the Bill, we will find that most of them have really urged for colourisation, and I have no doubt that 99 per cent. of them would be fully satisfied if the Government could evolve a colour by which it would be possible to detect the adulteration. So far as this point is concerned, we have made many attempts. As was mentioned in the course of the debate during the last session by Rajkumari Amrit Kaur, no colour could be decided upon. She said that when she went to the United Kingdom she tried to find out if the British people have evolved any colour by which margarine could be distinguished from butter and her enquiries brought her to the conclusion that there was no such colour that was evolved there.

Shrimati A. Kale (Nagpur): Margarine is yellow in colour. It has that colour.

Dr. P. S. Deshmukh: As a matter of fact, margarine has the same colour as butter. We want a colour by which it would be distinguishable both from ghee as well as butter.

Shrimati A. Kale: It is distinguishable from the real butter.

Shri Tek Chand (Ambala—Simla): Margarine is indistinguishable.

Dr. P. S. Deshmukh: He is more correct.

Mr. Deputy-Speaker: Is vanaspati the only thing which is mixed with ghee, or is passed off as ghee? Cannot other kinds of fat be mixed with ghee? Can the hon. Minister enlighten the House?

Dr. P. S. Deshmukh: There are many other fats, and so it is not possible to stop adulteration by merely stopping vanaspati.

Mr. Deputy-Speaker: Are those fats and other things which are mixed with ghee better than vanaspati or worse than vanaspati?

Pandit Thakur Das Bhargava (Gurgaon): Vanaspati is the best adulterant and 90 per cent. of adulteration is done with vanaspati alone.

Mr. Deputy-Speaker: Has the hon. Minister got any information to give to the House, as to what other kinds of articles are added to ghee and whether vanaspati is not much better than those articles?

Dr. P. S. Deshmukh: Vanaspati is much better as has been claimed by the vanaspati-walas. It is untouched by hand.

Mr. Deputy-Speaker: If anything is going to be mixed with ghee, it is better to have vanaspati than cobra fat.

Shri Sarangadhar Das (Dhenkanal—West Cuttack): With regard to the colouring matter to colour a substance that is white so that it can be coloured and distinguished from, say, butter, for instance, I remember that during the first world war, groundnut oil was deodorised and hydrogenated in

America and used as a substitute for butter. But because it deceived the people, it was made compulsory, by the Pure Foods and Drugs Act, that some kind of yellow liquid in a little globule that came with the carton containing the groundnut oil, should be used. So I think the Ministry is wrong in saying that there is no colouring matter in the world. There used to be many years ago, and there must be many more now.

Dr. P. S. Deshmukh: This is an allegation made by some other hon. Members also. But I would like to assure the House that so far as colourisation is concerned the Ministry is as keen as anybody else, just for the purpose of seeing that this adulteration is minimised, and I am quite open for any group of Members or individual Members to make suggestions in this respect—practical, feasible suggestions, not like the one we had from this Ghee Adulteration Committee—and if they can draw our attention to some colourisation which will be feasible we will be quite willing to take it up.

Pandit Thakur Das Bhargava: It is not correct. I was a Member of that Committee. That Committee did not make a full effort to find out a colour. The Bombay and Punjab Governments and scientists sent a colour to the Committee. But the Committee turned it down, on wrong grounds. Even now many colours can be found. In a week the colour will be found if the burden is put on the vanaspati manufacturers.

Dr. P. S. Deshmukh: It is open for any society, any group of persons to suggest that certain colourisation is possible. The remedy suggested by my friend and others is, put the burden on the vanaspati industry and force them to evolve a colour by which it will be possible to distinguish it. I do not think this is the right solution, because I can assure the House once more that so far as the Government is concerned it is not tied down to any particular colour, it does not have any partial view that it should turn down any reasonable suggestion so far as colourisation is concerned. I again

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assure every Member of the House that if there is any colour which is feasible we will take it up. It is no good merely saying 'this Government evolved this colour and that'. These are all in the air.

Pandit Thakur Das Bhargava: They sent a particular proposal. But that was not accepted, on wrong grounds.

Dr. P. S. Deshmukh: It must not be one which lasts and which will not go away by heating. If these tests are satisfied we are quite prepared to take up the colourisation.

Some of the Members went so far as to say that the vanaspati industry is so strong, as if they are in a position to bribe every scientist in India. Although adulteration is probably practised on a very large scale in our country than elsewhere, and there are things which make us ashamed of the morals of our people so far as adulteration and other things are concerned, I do not think either the purse of the vanaspati manufacturers is so long or that every scientist is so corrupt that he is amenable to the influence of those people.

So far as colourisation is concerned, Government is anxious that this should be done. That late Shri Rafi Ahmad Kidwai was anxious and keen on that. To that extent what Pandit Thakur Das Bhargava has said is correct. But in spite of his anxiety it is not possible to say that we have discovered any colour. As I have said once before, I am prepared to receive any suggestion from anybody.

Pandit Thakur Das Bhargava: The suggestions were from none other than the scientists of the Bombay Government and the Punjab Government. But they were turned down on the ground that the colour was cancer-producing. Nobody made any experiment.

Shri Dabhi: The Bombay Government was prepared to colourise. But there was a letter from the Central

Government to the Bombay Government not to hasten.

Dr. P. S. Deshmukh: If my friend can even now give me the basis of any good scientist whose word can be taken as reliable and which can stand the proof of test I am prepared to accept it. I do not think there is any truth in the allegations, and in their enthusiasm they are prepared to believe anything that is said.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): If this House lays down that vanaspati should be coloured, is it a correct answer for the Minister to say "you suggest, you give me the information"? Your research department will have to do it.

Mr. Deputy-Speaker: I understand the hon. Minister only to say that they have tried their best and they have not been able to find a colour.

Shri Bhagwat Jha Azad: Then let them accept their failure.

Mr. Deputy-Speaker: There is no challenge on the floor of the House. Is it a wrestling match?

Shri Bhagwat Jha Azad: I do not challenge. (Interruption).

Mr. Deputy-Speaker: Order, order. I am sorry. Should not the hon. Minister reply? I am not going to allow cross-questions at all. Each hon. Member came with his suggestion. In the end the hon. Minister is winding up. If they are impatient what can be done? He is expected to answer all the important points that have been raised on the floor of the House during the debate. If he is not able to answer, hon. Members will accept it. He says he tried his best but he is not able to obtain a colour. The mere statement of hon. Members who are laymen, he is not prepared to accept. He wants it to stand the proof of test. He is asking Members to send information on the basis of the opinion of any scientists in whom they have confidence so that they may go by their word. It is not a challenge by the hon.

Minister, nor should there be any huge controversy raised over the matter. The hon. Minister may go on.

Shri Raghavachari (Penukonda): May I make one point? When the hon. Minister said that there was no such colour, a Member of the Committee said that a colour was sent by a particular Government for inspection and so on. The Committee must have left some records.

Mr. Deputy-Speaker: A committee was appointed for examining these colours. Colours were sent. Ultimately they were not accepted, which means they were rejected. What is the meaning of going step by step as if it is a class lesson?

Dr. P. S. Deshmukh: There is also one clarification I would like to make. There are some colours which are of a coal-tar type, like Sudan MP and Orange SS. They are found to be of a toxic nature and not suitable to be mixed with any foodstuffs. So far as Ratan-jot, Chlorophyll, Curcumin and Majeeth are concerned they are unstable and do not retain themselves after heating.

This is all the information I have got. I do not say that it is the responsibility of any Member to give me the colour. All that I say is if any Member feels that a certain thing has not been sufficiently tried, I want to give an assurance that I am prepared to do that if there is any basis. Because as regards the rest of the information said to have been supplied or the experiment done by the Bombay Government and the Punjab Government, all these things have been attended to and none of them has been found to be satisfactory.

So I think that there is hardly any basis for a measure like this. Most of my friends wanted really the colourisation with which we are not in disagreement. But it is the practical nature of the thing that has got to be taken into account.

Now, there are also certain misconceptions from which many hon. Members are suffering. One such misconception is in regard to hydrogenated oil. 'Better allow people to eat it in the oily condition' they say, since hydrogenation does not add to the food value. The second important argument, on which both Mr. Jhulan Sinha and Mr. Dabhi waxed rather eloquent, is that these vanaspathi manufacturers deprive the people of a large amount by taking these oils through these processes which do not benefit in any way. The facts are quite otherwise. If we take into account the prices, according to some Members vanaspathi is said to be twice as costly as raw oil. This is not correct. For instance a 35 lb. tin of refined groundnut oil at present in Delhi is being sold at Rs. 20-8-0 as against a 36 lb. tin of vanaspathi No. 1 manufactured by Messrs. Ganesh Flour Mills for Rs. 23-12-0 and of Rath brand vanaspathi for Rs. 22-12-0. The cost of the vanaspathi tin includes an excise duty of Rs. 2-4-0. It will be found that these are gross exaggerations to say that vanaspathi is sold at twice the rate at which ordinary oil is sold.

3 P.M.

Shri Dabhi: I said it was only 25 per cent.

Dr. P. S. Deshmukh: Even that is not correct. If we take into account the average of ex-factory prices, the price of vanaspathi in Bombay during 1953-54 was Rs. 2227 per ton, while that of raw groundnut oil which forms more than 90 per cent. of the oils used in the manufacture of vanaspathi was Rs. 1,733 per ton. The difference between the two figures is Rs. 494. Even if we assume that it is Rs. 500 per ton, it includes an excise duty of Rs. 140 per ton and the cost of containers comes to Rs. 100 per ton, leaving Rs. 250 per ton towards not only margin of profit but also the cost of manufacture. It will be seen that many Members are labouring under a misconception with regard to the exploitation that they think that vanaspathi factories are causing.

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One other argument that has been advanced is that mineral oils and other oils are utilised in the manufacture of vanaspati. That is absolutely incorrect because of the precautions that we have taken and the inspections that we have arranged. Vanaspati manufacture is limited only to three oils. No fourth oil can be used. We allow vanaspati manufacture only out of groundnut oil, sesame oil and cotton seed oil. These are the only three oils. So, I do not think that there is any truth in saying that other oils are used in this manufacture.

There may be some adulteration of vanaspati also. That is one of the arguments made here. That also we tried to prevent by insisting that sales should be in small packages so as to make it absolutely impossible and difficult for any manufacturers to indulge in it. Government are convinced that there cannot be much adulteration. The rest of the stuff is sold to hotels, defence forces and larger establishments etc., where bigger quantities are taken by them. They are the purchasers of large quantities and I am sure they take every precaution to see that there is no adulteration.

It is also claimed that people give vanaspati and other vegetable oil to buffaloes and other animals so as to increase the fat content. I do not think that this can be correct because it cannot be very economical for the people to do so; and also because, cotton seeds or even groundnut cake will yield much better results. I submit that although we have much sympathy so far as the use of vanaspati as an adulterant of ghee is concerned and I am in some agreement with my hon. friend Pandit Thakur Das Bhargava that it does affect ghee producers, especially those who produce pure ghee, I am afraid the remedy is not stopping the manufacture of vanaspati. This is the poor man's food. Probably, like the manufactures of vanaspati most of the Members who speak here also do not touch vanaspati. Therefore,

to that extent, they are disqualified from speaking about vanaspati and its uses. In any case, this contention that it has any bad effect on health is also hopelessly incorrect. It has been established beyond doubt by all our institutions, all our scientists who have made experiments on human beings. I am prepared to read a list of the institutions; Nutrition Research Laboratories, Coonoor of which Shri V. N. Patwardhan is the Director; Indian Institute of Science, Bangalore, under Dr. V. Subramanian, Aryan Orphanage, Daryaganj, under Dr. K. N. Mitra, Assistant Director General of Medical Services, David Sassoon Industrial School, Bombay, under Dr. M. V. Radhakrishna Rao, St. Philomena's Orphanage, Mysore under Dr. V. Subramanian.

Sri D. C. Sharma (Hoshiarpur): May I suggest that this vanaspati should be sent to foreign doctors and scientists for examination?

Dr. P. S. Deshmukh: It is not necessary to do so. Foreign people have been taking this for ages. Margarine is a product of vegetable oil. It is nothing different. The British people are eating it for ages. There is also vegetable oil being eaten all over America. They are not the persons who will tolerate any adulteration or bad effects on life. I am sure that would have been banned if it had any such effect. It is merely a prejudice created in the minds of certain people that it has bad effects. I can assure the House that so far as the information that I have been able to obtain goes,—I have obtained it afresh when this Bill was to come up before the House—I have no ground to say that any authority has suggested that. Experiments have shown that it has no bad effect.

Pandit Thakur Das Bhargava: This is hardly correct. Even the report of the Ghee Adulteration Committee, on which the entire thesis is based says that in respect of the poor food, which

is used by Bengalis and Orissa people, the continued use of *vanaspati* has got a very bad effect.

Dr. P. S. Deshmukh: If that is my friend's view we must agree to differ. I do not think I have very much more time to say anything. I have almost exhausted the arguments also. The main arguments were really two that the *vanaspati* manufacturers derive undue profit, and without benefitting the consumer in any way, they merely make money. As has been stated by me, it has now been fortified with vitamin 'A' which has increased the nutritive value. We have taken other steps to make detection of adulteration easy. I am also agreeable to try to see if colourisation is possible.

Pandit Thakur Das Bhargava: Will you kindly re-examine this question of colours?

Dr. P. S. Deshmukh: Yes. As a result of the addition of sesame oil, detection of adulteration has become quite easy.

Pandit Thakur Das Bhargava: In laboratories only.

Dr. P. S. Deshmukh: No laboratory is necessary. There are Inspectors. There are laboratories where this can be detected. There is no much difficulty so far as this is concerned.

Mr. Deputy-Speaker: What happens if sesamum oil is added?

Dr. P. S. Deshmukh: Sesamum oil is added at the time of manufacture. As a result of it, the baudouin test is easy and detection is also easy. The process of detection is so easy that it could be done without difficulty. All the municipalities have been informed of this and they have been requested to see whether there is any adulteration. I think the Government has done everything in its power. To suggest that it should be legally banned by the Government is too much.

Pandit Thakur Das Bhargava: With your permission, may I be allowed to

put one question? The Punjab Government and the Bombay Government sent colours. The scientists, I think, said that these colours tend to produce cancer. No experiment on human beings has been made. I would request the Government to re-examine this question of colours.

Dr. P. S. Deshmukh: I am prepared to make that enquiry.

Shri Sarangadhar Das: I have not taken part in the discussion.

Mr. Deputy-Speaker: The hon. Member is making a speech. I would not allow any hon. Member to make a speech. He can only put a question and get an answer.

Shri Sarangadhar Das: May I ask whether the hon. Minister has gone into this question that the system of manufacture of *vanaspati* in India may be different from that in America and Europe, that would result in some disorder in the human body, as it does?

Dr. P. S. Deshmukh: I am not sure whether we have done this. We have the manufactured product and we have examined the manufacture product. I do not think that it is necessary to go through all the processes that are employed so long as the product is such that it does not spoil the human health.

Shri Nageshwar Prasad Sinha (Hazaribagh East): Sir, I have an amendment.

Mr. Deputy-Speaker: I have disallowed it as it is a dilatory one. The Bill was taken up long before. The hon. Member now wants to move the amendment that it may be circulated for eliciting public opinion. At an early stage I would have put this motion also to the House, even then only if I considered that it was not a dilatory motion. Even that does not arise now. I rule it out of order.

What is the attitude of the Mover of the Bill?

Shri Jhulan Sinha (Seran North): I will reply.

Mr. Deputy-Speaker: There is no question of replying. If the hon. Member wants me to put it to the House, I shall do so.

Shri Jhulan Sinha: Only a few words.

Mr. Deputy-Speaker: What for? Withdrawing?

Shri Jhulan Sinha: No, I am not withdrawing.

Mr. Deputy-Speaker: All right, then I will put it to the House.

Shri Jhulan Sinha: I may be allowed just to make my position clear. The Bill was not intended to get vanaspati coloured. It is there to get it banned altogether.

Mr. Deputy-Speaker: That is all right. I cannot allow any speech at this stage. There is no right of reply.

What is the attitude of the Minister?

Dr. P. S. Deshpande: I am against it.

Mr. Deputy-Speaker: All right.

The question is:

"That the Bill to provide for the prohibition of manufacture and sale of Vanaspati in India, be taken into consideration."

Those in favour will say "Aye".

Some Hon. Members: Aye.

Mr. Deputy-Speaker: Those against will say "No".

Some Hon. Members: No.

Mr. Deputy-Speaker: The "Noes" have it.

Some Hon. Members: The "Ayes" have it.

Mr. Deputy-Speaker: Will the hon. Members who are in favour kindly rise in their seats? There are 49 for the motion.

Now, those against will kindly rise in their seats. Those against are 52. The motion is lost.

The motion was negatived.

INDIAN ARMS (AMENDMENT) BILL

(Amendment of sections 1 and 26 etc.)

Shri U. C. Patnaik (Ghumsur): I beg to move:

"That the Bill further to amend the Indian Arms Act, 1878, be referred to a Select Committee consisting of Dr. Kailas Nath Katju, Shri Balwant Nagesh Datar, Shri Narhar Vishnu Gadgil, Shrimati Uma Nehru, Shri Satish Chandra Samanta, Shri Nemi Chandra Kasiwal, Shri Nageshwar Prasad Sinha, Shri Kotha Raghuramaiah, Shri Tek Chand, Shri N. C. Chatterjee, Shri Sadhan Chandra Gupta, Shri B. Ramachandra Reddi, Pandit Thakur Das Bhargava, His Highness Maharaja Sri Karni Singhji Bahadur of Bikaner, Shrimati Ila Palchoudhuri, Shri U. R. Bogawat, Shri N. Keshavaingar, Shri K. S. Raghavachari, Shri Shankar Shantaram More, Dr. Ram Subhag Singh, Shri N. Somana, Shri K. G. Wodeyar, Sardar Hukam Singh, Sardar Amar Singh Saigal, Shri Sitanath Brohmo-Chaudhury, Shri U. M. Trivedi, Shri Bhagwat Jha 'Azad', Shri Lakshman Singh Charak, Shri Radha Raman, Shrimati Tarkeshwari Sinha, Shri Basanta Kumar Das, Shri Joachim Alva, Shri S. V. Ramaswamy, Shri R. Venkataraman, Shri Nardeo Snatak, Shri Dodda Thimmaiah, Shri Digambar Singh, Shri Rameshwar Sahu, Choudhary Raghubir Singh, Shri Jagannaath Kolay, Shri Panna Lal, Shri Y. Gadilingana Gowd, Shri Girraj Saran Singh, Shri M. L. Dwivedi, and the Mover, with instructions to report by the last week of the next session."

In moving this motion, I beg to recapitulate the circumstances in which the Bill has reached the present stage. The Bill was introduced on the 27th November, 1953. The motion for its consideration was discussed on the 27th March, 1954 and the 9th April, 1954. Thirteen hon. Members

of this House took an active part in the discussion and made very valuable contributions. The hon. Minister himself admitted that the Indian Arms Act is a continuation of the traditions of the British Government and he agreed that he would see that the entire Bill from A to Z is reconsidered and revised. He also stated that he would address the State Governments to give their opinions not only on the Bill as moved by me, but on the entire Act from the beginning till the end. Replying to the hon. Member from Tenali, he promised to write to State Governments not to confine themselves only to the limited scope of this Bill, but to go over the whole topic from A to Z.

Opinions were received by the Lok Sabha Secretariat and were permitted by the hon. Speaker to be placed on the Table of the House. Seven sets of opinions have been placed on the Table of the Lok Sabha. In addition to these opinions there were also some valuable information coming from the National Rifle Association, Ahmedabad, who could not give their opinion officially, because they were not asked by the State Governments either of Delhi or of Bombay. So, they gave their opinions separately and we were intimated by the Secretary that they had been placed in the library and were available to the Members.

The opinions that have been received may be classified into different classes—opinions of non-officials including bar associations, local bodies and other organisations and private individuals and well-known jurists. That is one set. Another set is from officials, High Court Judges, Ministers, Chief Minister of a State and other officials from different parts of India. The third set with which the Government is mostly concerned consists of opinions received from the State Governments, which represent perhaps the reactions of the Senior Civilian Officials.

As regards the nature of opinions submitted to Parliament, I would state that most of the opinions coming from non-official quarters from Bar associations, from Ministers of different Governments, from the Chief Minister of one State, from the majority of High Court Judges and others have all been in favour of the Bill and in fact, several of the opinions wanted that we should go much beyond the scope of the Bill and see that the entire Act is amended and the provisions of the Arms Act relaxed in regard to its severity. The same is the opinion of many of the officials most of whom are in favour of the Bill. Some of them go also beyond the scope of the Bill and have given certain suggestions. I want to characterise the opinions of some of the officials and of a few major State Governments where the Senior Civilian officials are extremely bureaucratic in their outlook, as being based upon the traditions of the administration to which they were accustomed during British rule. Some of them are not very favourable; they think that the purpose of the Bill can be served not by a statutory change, but by a change in the approach of the administrative machinery, by departmental instructions, by action under section 27 and so on.

There are several officers of very high eminence and well-known jurists who could not give their opinion on this Bill because of the difficulty that opinions had been called for through State Governments; if the concerned State Government does not ask for somebody's opinion or does not forward certain opinions, then we have no access to them. For instance, I do not find the opinion of any Supreme Court Judge or ex-Judge of the Supreme Court or of various High Courts, probably because neither the State Governments nor the Central Government approached them. We also do not have the opinion of several others. That is the very difficulty which was experienced in the case of the National Rifle Association. They were not asked by the Delhi or Bombay State Govern-

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ments to give their opinion. They wanted to send their opinion direct, but they were told that opinions cannot be sent direct but should come up through the State Government concerned, with the result that they were forced to take the trouble of printing and sending their opinion in the form of a brochure to hon. Members. I believe most of the hon. Members have got it. They have also sent typed copies of the law prevailing in other countries and how far they do not tally with the corresponding laws in this country.

I would submit that those opinions that have been authoritatively called for or received from the concerned State Governments are fairly useful and are of help to us in studying this subject and approaching it from the correct perspective. Regarding the opinions of the State Governments, I will very briefly summarise them, because there have been certain reports that the opinions are against the Bill in many cases whereas the opinions are really not so. In classifying the opinions of the State Governments, I would like to do so under three major heads:

Most of the State Governments have objected to the amendment envisaged in clause 4, namely:

"Provided that all arms so seized shall without delay be produced before a District Magistrate or a Sub-Divisional Magistrate or a Magistrate of the First Class who may, if he is satisfied, order the immediate return of the arms, to the licensee."

To this, the majority of State Governments have objected.

But the main issue is that there may be relaxation of the Arms Act as regards certain categories of persons. On that issue the State Governments are divided in their opinions and the arguments advanced by those who are against are based upon certain principles which have to be taken into consideration.

Thirdly, we have the opinions relating to the placing on the Table of the House rules framed under the Act. The majority of State Governments, except one or two State Governments have no objection. Almost all the States have stated that they have no objection to the laying of the rules on the Table of the House. In fact, some of the State Governments have gone further and stated that it would be desirable to lay the rules on the Table of the House because it would give the House an opportunity to discuss the same and to make further suggestions. That is a very important point raised by one or two of the State Governments and the majority of State Governments have agreed to that part of it.

As regards the other part, namely, exemption to certain classes of persons from the purview of this Act by amending section 1 of the Act, I had suggested that there should be a clause (c) that—

"a member of the State legislature or a member of either House of Parliament, an officer of the gazetted rank or a member of the Rifle Club recognised by Government or an officer of the Home Guards, Territorial Army, Civil Defence Organisation or of the Cadet forces possessing private weapons, subject to such restrictions as the Central Government may from time to time impose, for limiting the number of such private weapons."

I had asked certain categories to be given exemption under the Arms Act as a first step towards liberalisation of arms. I also suggest that the Central Government may from time to time, by notification in the official gazette, make rules to require the registration of all arms purchased or possessed by persons either under clause (c) of section 1 or under section 27. As regards this latter clause, many of the State Governments are agreeable to have the second part of it, namely,

registration of arms under section 27. But some of the States are against both parts taken together, namely exemption and registration. Their argument mostly is that section 27 of the Act provides for certain exemptions. I would point out here that many of the States have suggested that the amendments can be accepted; those few who have objected have done so on the ground that already there is section 27 and Government could suitably extend the provisions, exercise the powers under that section 27 and grant exemption in certain cases if they like.

Some say it is not desirable to have this classification. They say that there should be no distinction between Parliament Members, officials and others on the one hand and the rest of the public on the other; this, they say, would be discrimination. I would just draw the attention of the House to the opinions that have been received in this context. I will briefly summarise them, because there have been press reports that the majority of the States have given an adverse opinion. I would point out that it is not so.

In Paper No. I, Bilaspur has no comments on either of the proposals. Bhopal has no comments. (*Interruption*). These are the views that have been received which I am summarising.

Mr. Deputy-Speaker: Why does not the hon. Member start with the major States?

Shri U. C. Patnaik: I am proceeding, if I may be permitted, according to the papers that have been received and placed on the Table of the House. Kutch is against it.

Mr. Deputy-Speaker: I think at this rate the whole allotted time of one hour will be taken by the hon. Member himself.

Shri U. C. Patnaik: I will finish in ten minutes.

Kutch says it is inexpedient. Uttar Pradesh opposes it—it is a major State. Bihar does not oppose clause 5, that is, laying on the Table of the

House, but does not see any necessity for granting exemptions. Regarding members of legislatures, Bihar says that recent instructions issued to licence granting authorities are that they should grant licences to these members of legislatures whenever they apply except in exceptional cases....

The Minister of Home Affairs and States (Dr. Katju): May I suggest that all hon. Members are expected to read these papers?

Shri U. C. Patnaik: There are a number of papers. I am just summarising them very briefly. Then it says that the practice prevailing in the State, namely, freer grant of licences to all these categories, would serve the purpose. Manipur supports the Bill in toto.

Paper No. II: Mysore supports the Bill in toto, and says that the proposed amendments are reasonable and the Government is in entire agreement with them. PEPSU says that it is agreeable to clause 5, namely, laying on the Table, but as far as clause 2 is concerned, it says that it requires a tightening of the provisions of administration. West Bengal is opposed, but it says further that though it does not accept the proposed amendments, as moved by me, the system of licensing arms, as it stands, should be maintained, but in view of the changed conditions of the country, the granting of arms should be on a most liberal scale as long as the person whom a licence is granted conforms to two criteria, namely, security of the State and fitness of the particular individual.

Then I go to Paper No. III. Vindhya Pradesh supports both and says that the proposed amendments appear to be quite reasonable and the State Government has no further suggestions to make. Hyderabad does not say anything on clause 5, but opposes clauses 2 to 4. Ajmer supports both. Paper No. IV: Himachal Pradesh says that clause 2 does not seem to be necessary because section 27, if properly exercised, would serve the purpose, but it supports the other clauses.

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Andhra is opposed to clause 2 on the same ground, but it is not opposed to the insertion of clause 5. Rajasthan has given very nice suggestions in regard to other sections of the Act, that the definition of 'arms' should exclude spear, knife and other things and, muzzle loading guns are not to be licensed but registered. It supports clause 5 as it would enable Parliament to discuss the rules. As regards the other thing, it says that it wants that persons described may be granted exemptions under section 27 and supports registration for persons under section 25. Tripura supports both. Andaman and Nicobar Islands support both. Travancore-Cochin supports clause 5, but says that there is no necessity for granting statutory exemption, as the Central Government have powers under section 27 to grant exemptions. The Jammu and Kashmir Government opposes the amendments. Paper No. V: Saurashtra supports clause 5, but welcomes registration under section 27. But it says that the relaxation under clause 2 at present may prove unwise. Coorg says that there should not be complete exemption, but that members of the legislatures and others mentioned in clause 2(c) should be able to obtain licences as a matter of course without being charged any fee, and that licence to any person may be refused only in exceptional cases. Madhya Pradesh is not in favour of the provisions except the insertion of clause 5.

Then I deal with paper No. VI: Assam opposes clauses 2 to 4, but has no objection to clause 5. Punjab says that clause 5 is desirable and may be adopted, but opposes clauses 2 to 4. Madhya Bharat opposes clause 4, and in regard to clause 2 says it is unnecessary to have it as the present law is sufficient to make this facility available to the legislators at the option of the Government of India, and so on. Then it is said the securing of exemption by way of an amendment to the statutory rules is not necessary, but some instructions from

Government may serve the purpose. Madhya Bharat also suggests that the definition of 'arms' be confined only to fire-arms and not to spears, knives and other things which may come under arms. Madras has no particular objection to clause 5, nor does it see any particular necessity, but as regards clauses 2, 3 and 4, it thinks that they are unnecessary. Bombay has no objection to the insertion of the new section 34, i.e. clause 5, but says the time is not ripe to liberalise the provisions of the Act. It would be more appropriate to grant exemptions under section 27.

Paper No. VII: Orissa is not in favour of the amendments as proposed in the Bill, but says that the time has come when there must be a change in the approach with regard to the Arms Act. Delhi opposes the limited scope of the proposed amendments and goes further; the opinion No. 30, the last paper received, is from headquarters. It says that a beginning may be made by issuing instructions to the effect that licences should be granted, irrespective of considerations of financial status, to all persons who are good citizens and who are not suspected of participation in any anti-social activities, and suggests that a more liberal policy be adopted by executive instructions rather than by any drastic change in the existing Indian Arms Act. But the Chief Minister goes further and supports the amendments in toto. So also the Ministers of some other States and the majority of High Court Judges—they have supported it.

I would therefore submit that this is a fit case where the provisions should be reconsidered, revised and redrafted. The hon. the Home Minister has been very sympathetic to our proposals to revise the Arms Act; he has been very sympathetic to the grant of weapons to all districts for training purposes and we have been told that 6 weapons have been sanctioned for each district for practice

purposes along with ammunition, provided the State Government accepted the responsibility of running the training schemes. So I am happy to announce that the majority of the Members of this House feel that in this particular matter, our Home Ministry has been favourable to our demands. We are anxious that it should be expedited and a new Bill should be there. I am not very particular that my Bill, as it is, should ultimately emerge out of the legislature. I am anxious to set the law in motion, to see that an examination of the subject is made to ensure that the entire Act is reoriented so that our arms law comes into line with the arms laws of other free countries.

For instance, in other countries, "fire-arms" come under the purview of the Arms laws: and that too, not all fire-arms but those of dangerous types only and in certain places. For example, in U.K., you do not require a licence to have a weapon in your house; you require it only when you go out to shoot birds, and you get licenses or registration certificates from the Post Office by making a certain payment. Unless there is any objection to any individual applying for arms because he comes under certain categories and may not, therefore, be considered desirable to hold the arm, his registration stands.

So also in America. There is no licence fee for breach-loading guns or for .22 bore guns or for revolvers and rifles, pistols etc. It is only for what are called "gangster weapons" that the restrictions come in: where a rifle is cut to a certain size so that it can be concealed, taken out unnoticed and used as a gangster weapon. To that they object and try to see that such weapons are not very freely in use because they lead to gangsterism. Otherwise, there is no difficulty about having weapons of certain types, for practice rifles, for .22 bore guns or .12 guns and so on.

Here, in our country, it is an offence even to have a useless and broken

piece of a weapon. In fact, the Madras Government wanted us to reconsider that question. Even an unserviceable part of a weapon has been considered by some courts to be an offence to possess and by others not as an offence. They want this to be revised. We are still at a stage when outmoded, unserviceable and useless things which cannot be used at all are classed as "arms"; even a dagger or a knife may be a weapon. Some of these have to be considered and I would appeal to the hon. Home Minister to see that there is a new Act and that he is associated with a new Act to do away with the existing provisions of the Arms Act and to revise it. As far as I am concerned, I am not very particular of my moving this motion for Select Committee because I want that Government should also take this matter up. It would be better for Government to accept this motion to have a Select Committee or to introduce another Bill and to agree to this Bill being taken up.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Indian Arms Act, 1878, be referred to a Select Committee consisting of Dr. Kailas Nath Katju, Shri Balwant Nagesh Datar, Shri Narhar Vishnu Gadgil, Shrimati Uma Nehru, Shri Satish Chandra Samanta, Shri Nemi Chandra Kasliwal, Shri Nageshwar Prasad Sinha, Shri Kotha Raghuramaiah, Shri Tek Chand, Shri N. C. Chatterjee, Shri Sadhan Chandra Gupta, Shri B. Ramachandra Reddi, Pandit Thakur Das Bhargava, His Highness Maharaja Sri Karni Singhji Bahadur of Bikaner, Shrimati Ila Palchoudhuri, Shri U. R. Bogawat, Shri N. Keshavalingar, Shri K. S. Raghavachari, Shri Shankar Shantaram More, Dr. Ram Subhag Singh, Shri N. Somana, Shri K. G. Wodeyar, Sardar Hukam Singh, Sardar Amar Singh Saigal, Shri Sitanath Brohmo-Chaudhury, Shri U. M. Trivedi, Shri Bhagwat Jha 'Azad', Shri Lakshman Singh

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Charak, Shri Radha Raman, Shri-mati Tarkeshwari Sinha, Shri Basanta Kumar Das, Shri Joachim Alva, Shri S. V. Ramaswamy, Shri R. Venkataraman, Shri Nardeo Snatak, Shri Dodda Thimmaiah, Shri Digambar Singh, Shri Rameshwar Sahu, Choudhary Raghubir Singh, Shri Jagannath Kolay, Shri Panna Lal, Shri Y. Gadilingana Gowd, Shri Girraj Saran Singh, Shri M. L. Dwivedi, and the Mover, with instructions to report by the last week of the next session."

Last week of the next session is very indefinite. Therefore, the hon. Member may change it to 31st March, 1955.

Shri U. C. Patnaik I accept it, Sir.

Dr. Katju: Sir, may I just intervene to say that we have all heard the speech with great interest. The opinions received from the State Governments are very varied and will require careful consideration. The whole matter is being very actively considered by Government and I do hope that within a month or two some precise and definite decision will be reached and, if possible, a Bill might be introduced. I would, therefore, suggest to my hon. friend that he had better adjourn this motion and agree to its adjournment and it might be taken up in the first week of March for further consideration. By that time, I hope, Government will be able to come to some definite conclusion and will, if possible, introduce a Bill of its own and both the Bills may be combined together and that will save public time. If my friend is satisfied with the Government Bill, he may then withdraw his Bill as he indicated, or both the Bills may be combined together.

Mr. Deputy-Speaker: Is the hon. Member willing?

Shri U. C. Patnaik: I think the Business Advisory Committee has allotted one hour for this Bill. Some seventeen minutes are still left. Some hon. Members may contribute to the

debate. I may be permitted at the end to offer my views. There is time for one or two Members at least to speak.

Shrimati Ila Palchoudhury (Nabadwip): I welcome Shri Patnaik's Bill wholeheartedly because I think that not to have an amendment of the Arms Act is a blot on free India today. This Arms Act is really a legacy of the British times when they were afraid to let us have arms. Now that condition cannot exist. I do not think, although so many aspersions are cast on this Government, that, our Government has any reason to be frightened to let the people, by and large, have arms if they so desire. Arms are needed mainly for two purposes, for protection and sport. Neither of these two reasons can be gainsaid. If we want it for protection, surely there can be no objection! If it is for sport, it will certainly develop the physique of our youths and infuse enthusiasm wherever training is imparted, like the National Cadet Corps etc. In schools, and in various training centres boys have to be trained with sticks or whatever is available, because firearms in adequate numbers are unavailable. It does not really create enthusiasm! From that point of view alone, licences should be easy to come by. On the other hand, I would say that it is quite right, for licences to be scrutinised so that people of unsound mind or those who are criminally-minded are prevented from getting them. That undoubtedly is the job of the Licensing Officer.

There are two categories of firearms that are used, firearms that can be used individually and firearms that have to be used in a mechanised way by the defence forces for the protection of the country. Let there be close restriction on things like bombs, hand grenades and such like arms by all means. As for firearms getting into the hands of undesirable people, that, I think, can hardly be entirely controlled. Everybody knows that the devious ways by which dacoits, criminals,

terrorists and so forth, get their guns, has always remained a source of mystery! It was quite beyond the scope of the police to control that entirely. even in British times with all their vigilance.

I support this Bill because it will create enthusiasm amongst our young people to protect the country and to form a second line of defence whenever it will be needed. We should have a network of rifle clubs where our youths can be trained to use fire-arms properly. Along with these there should also be places for training in the use of the sword, dagger, lathi and instruction given in ji-jitsu and wrestling. That will enhance unity and create a stronger India.

If you look back to 1945, 1946 and 1947 to what happened in Bengal. Who in Bengal can ever forget those years! Under foreign rule, administered through channels that were unsympathetic what utter misery was let loose! The dire calamity that happened could have been avoided then had we had adequate fire-arms. Those years are written in fire on the mind of Bengal; Let us not have a repetition of that, should any occasion arise. We must have fire-arms in a free country to be used for the good of the community and to strengthen our hands. If our youths today have fire-arms and are trained, it will improve their health, it will give them confidence and, above all, they will at least learn to shoot right, to shoot straight and to shoot fairly.

تھاکر لکشمی سنگھ چارک (جمن)
و کشمیر) جو یہ بل پٹنایک صاحب
نے اس ہاؤس کے سامنے پیش کیا
ہے اس کی تائید کرتے ہوئے میں
چند خیالات آپ کے سامنے رکھتا
چاہتا ہوں۔ ہندوستان سنہ ۱۹۴۷
میں آزاد ہوا اور آزادی کے بعد بہت
551 LSD

مرحباں سے گذر کر اب ہم ایسی
پوزیشن میں آ گئے ہیں جہاں اب
یہ ضروری معلوم ہوتا ہے کہ وہ آرمز
ایکٹ جو انگریزوں نے اس ہندوستان
کو غلام اور ہندوستانیوں کو کمزور اور
تربوک بنانے کے لئے استعمال کیا تھا۔
اب اس میں ترمیم کر دی جائے۔
اس وقت یہ کہنا کہ اس آرمز ایکٹ
کو بالکل ہی ختم کر دیا جائے یا
آرمز رکھنے کی کھلی آزادی دے
دی جائے درست نہ ہو گا میرے
دوست پٹنایک صاحب نے انگلستان
اور امریکہ کی مثالیں ہمارے سامنے
رکھی ہیں۔ ان ملکوں کی کچھ
واقفیت مجھے بھی ہے۔ اور اس
سلسلہ میں میں یہ عرض کرنا
چاہتا ہوں جہاں ہر ہندوستانی
نوجوان آرمز کے استعمال کی
ٹریلنگ لے۔ اور ان کو چلانے کا
صحیح اور درست طریقہ جانے۔
اور اس قابل ہو جائے کہ ان آرمز
کو لے کر وہ ملک کی حفاظت کے
لئے۔ اپنی حفاظت یا شکار کے لئے
استعمال کرے۔ وہاں میں یہ بھی
چاہتا ہوں کہ یہ آرمز اتنے آزادانہ
طور پر نہیں دئے جائے چاہیئے جس
سے کہ ان کا غلط استعمال شروع ہو
جائے۔ امریکہ میں سنہ ۱۹۳۳ میں
لوگوں کو اپنے اپنے پستول یا اور ہتھیار
رکھنے کی عام اجازت تھی اس کا
نتیجہ یہ ہوا کہ وہاں پر gangsters

[اٹھار لکشمین سنگھ چارک]

(ڈاکوؤں) نے ایک پیریلل گورنمنٹ قائم ہونے کا خطوہ پیدا کر دیا۔ اور پریزیڈنٹ روزویلٹ کو سالہ ۱۹۳۵ میں اس قانون کو امینڈ کرنا پڑا تھا۔ تاکہ ان آرمس کا صحیح اور درست استعمال ہو سکے۔ ہمارے سامنے ہندوستان کی بھی مثالیں موجود ہیں کہ تلگانہ میں کیا ہوا۔ اور راجستھان میں ڈاکوؤں نے ان ہتھیاروں کا کٹلا غلط استعمال کیا۔ لیکن اس کا یہ مطلب نہیں ہے کہ اگر کوئی اچھا شہری لائسنس کے لئے درخواست دے تو اس کو لائسنس ملنے میں جو تکلیف ہونی ہے اس کو دور نہ کیا جائے۔ آج کل حالت یہ ہے کہ اگر کوئی پارلیامنٹ کا ممبر بھی اگر لائسنس کے لئے درخواست دیتا ہے تو ریڈ ٹھپیڑ کی وجہ سے اس کو ۱۱ - ۱۲ مہینے لائسنس ملنے میں لگ جاتے ہیں۔ لائسنس دینے کا طریقہ بہت لمبا ہے۔ پہلے قیٹی کمشنر کے پاس درخواست دینی پڑتی ہے۔ اس کے بعد وہ انکوائری کے لئے سب انسپیکٹروں کے پاس جاتی ہے۔ وہ اس کو کانسٹیبل کو دیتا ہے۔ جو کہ گاؤں میں جا کر تحقیقات کرتا ہے۔ اور اس میں بہت وقت لگ جاتا ہے۔ اس لئے میں محسوس کرتا ہوں کہ اس ایکٹ میں ترمیم ہونا لازمی ہے۔ آج ہم مسٹر صاحب نے ہاؤس کے سامنے

اپنے خیالات کا اظہار کیا ہے اور یقین دالیا ہے کہ وہ جلد ہی ایک ترمیمی بل اس ہاؤس کے سامنے پیش کریں گے۔ اس سلسلہ میں میں ان سے درخواست کرتا ہوں کہ وہ بل بلاتے وقت جو باتیں میں نے کہی ہیں ان کا خیال رکھیں۔ اور جہاں شہریوں کو آرمس خریدنے میں کڑی رکاوٹ نہ ہو وہاں وہ قانون انڈا لبرل بھی نہ ہو کہ ہر ایک آدمی اس کا ناچائز فائدہ اٹھائے اور ان آرمس کا غلط استعمال کر کے سوسائٹی کے لئے خطوہ ہو جائیں۔

(English translation of the above speech.)

Th. Lakshman Singh Charak (Jammu and Kashmir): While supporting the Bill that has been brought before the House by Shri Patnaik I wish to say a few words.

India got freedom in 1947. Since then we have passed through various stages and are now in a position when the Arms Act that had enacted by the British with a view to keeping India in bondage and turning the Indians into a weak and timid people should be amended. It will not be proper at the present moment to say that the Arms Act should be scrapped altogether or that there should be complete freedom for the keeping of arms. My friend, Shri Patnaik, has cited the instances of England and America. I too have some experience of these countries. I am of the view that it is desirable for every Indian youngman to receive training in the use of arms and to be able to handle them effectively so that he may be in

a position to use them for the defence of his country or for self-defence or for sport, but, at the same time, I feel that the arms should not be made so freely available that they might come to be misused. In America there was general freedom to keep pistols and other arms in 1933, with the result that the country came to be faced with the danger of a parallel Government being set up by gangsters. Accordingly, President Roosevelt had to amend the law in 1935, so that arms could be put to right and proper use. Examples may also be cited from nearer home. We know about the happenings in Telangana and also how these arms were misused in Rajasthan. All that does not mean, however, that we should not remove the difficulties which a good citizen has to face in obtaining a gun licence. The position at the present moment is such that even if a member of the Parliament applies for a licence it takes him 11 to 12 months in getting the same, thanks to red-tapism. The procedure for the grant of a licence is a very lengthy one. An application has to be submitted to the Deputy Commissioner who forwards it to a Sub Inspector for enquiry who, in his turn, passes it on to a Constable who goes to the village and makes an on the spot enquiry. All this takes considerable time. Hence, I feel that this Act must be amended. In expressing his views before the House today the Home Minister has assured us that he would soon bring forth an amending Bill. Accordingly, I would request him to keep in view, in doing so, what I have just stated, so that while law-abiding citizens should not have any difficulty in acquiring arms the law should not at the same time be so liberal as to be susceptible of misuse and of creating a dangerous situation for the society.

Shri Kanavade Patil (Ahmednagar North): The present proposed amendment to the Indian Arms Act of 1878 is indeed a very important amendment. For want of time I do not want to deal with the subject

exhaustively, but I very humbly submit that this Act of 1878 has put very serious restrictions on the grant of licences to the citizens of this country. There is a historical background for that. After the war of independence in the year 1858 under the leadership of the Queen of Jhansi, the British people thought that it was to their interest in order to continue their hold in this country, to disarm the whole population. So, with that view in mind the British people from time to time enacted several Indian Arms Acts and ultimately they enacted the Indian Arms Act of 1878.

Now, to stick to that Act under the conditions of freedom will be certainly injustice against the citizens of this country. I do not propose to make any exhaustive speech on this point, but I would certainly submit, looking to the definition given under this Act, that it is for the Government now to reconsider the whole Act, or as my hon. friends have suggested, enact some other new Act regarding the granting of arms.

Looking to the definitions given under this Act clause (4)—“arms” and “ammunitions”—I can say that they are not definitions as such, but they are simply descriptions. It says, that “arms” includes fire-arms, bayonets, swords, daggers, spears, bows and arrows, cannons, parts of arms, machinery for manufacture etc. etc. So, looking to this description of arms I can say, that any relic of old weapon comes under the description given in this Act of 1878. Similarly, the description of “ammunitions” is also very curious, highly illogical and surprising. So, I very humbly submit, look to the provisions of that Act, the time has come for the Government of India to revise the whole Act.

One more point which I want to suggest is this. Looking to the conditions of lawlessness prevailing in certain parts of the country, it is really very important that Government should issue licences liberally to the citizens and they should form

[Shri Kanavade Patil]

volunteer groups and train them in the use of arms. As we all know, recently, rifle clubs, as in Delhi have been started under the patronage of certain good friends. I would like to submit very humbly in the interest of peace that conditions in the country even today, in spite of the best and strenuous efforts of our Home Ministries to maintain law and order, have not improved to the extent that they were before 1942 or 1943. I come from the rural areas and I know what sort of conditions exist there. The villagers are to keep vigilance throughout the whole night. I know hundreds of such villages not only in Maharashtra but in several parts of India. They have to keep vigilance throughout the night. They have no arms to defend themselves and they keep vigilance in the expectancy that they would be looted or the village would be invaded by dacoits at any time. Even two fire-arms can frighten the whole village of a population of one thousand or even more. That condition must change. If we liberally grant arms to the civilians, at least to the good citizens after making a thorough examination about their integrity and character, and train young men in the villages in the use of arms, I am sure, there would be peaceful conditions existing in the villages. I know that there are certain villages which have been raided by the dacoits from 9 P. M. up to 5 A. M. in the morning as there was no resistance—even some four dacoits can raid a village of a population of about 400 to 500 as the village cannot resist without arms. They raid every house and still there is no resistance. There is nothing to resist with, and people are harassed like anything. Therefore, Sir, in view of so many circumstances prevailing in the country, it would be a wise thing to issue arms to the people.

When we know that we have been elected here by our own people—the citizens of the country—to arm them liberally, we are not obliging them in any way. It is a part—and

a very sacred part—of the duty of this Parliament the safety of persons and property in the villages. I know we have got police and a number of them have got arms. But, police always go to the scene of offence after the offence has been committed. As it has been suggested here by certain friends, police do not check offence. They do not learn about offences beforehand. They go to the scene only after the crimes have been committed. Therefore, to create a sort of terror in the minds of these criminals and to check the increasing crimes in the country, it is but natural that this Parliament, as part of its duty should pass a new liberalising the grant of licences.

I may submit, Sir, may be, that after we have armed people thoroughly, it would be a second line of defence also in this country. Therefore, my humble submission is, so far as each district is concerned, there should be at least 500 to 1,000 or 2,000 people who should be granted licences in the villages and they should be asked to form volunteer groups. They should be asked to keep the peace in the villages by resisting the miscreants, criminals and the dacoits.

With these words I think I should not take time of the House any further. But looking to the amendments of my hon. friend Shri Patnaik, I am tempted to say that the amendments for the present are quite sufficient and they may be accepted by the Government.

Mr. Deputy-Speaker: The hon. Minister can make the motion for adjournment.

The Deputy Minister of Home Affairs (Shri Datar): I beg to move:

"That further consideration of this Bill be postponed till the third week of March, 1955."

Mr. Deputy-Speaker: Thereafter any Bill that comes must take its chance in the ballot. The motion has to be moved.

Shri Raghavachari (Penukonda): Sir, once or twice on previous occasions of discussion on Bills when

the Government was prepared to accept the principle and said that they themselves would bring a Bill to the same effect, the discussion was adjourned *sine die* so that they may be taken up along with the Bill which the Government would bring.

Shri Datar: I have no objection.

Mr. Deputy-Speaker: The question is:

"That further discussion on this Bill be adjourned *sine die*."

The motion was adopted.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL

Shrimati Uma Nehru (Sitapur Distt. cum Kheri Distt.-West): I beg to move:

"That the Bill to regulate and licence institutions caring for women and children, be taken into consideration."

यह बिल पहले भी इस हाउस में आ चुका है। वह बिल जो मेरे नाम से आया मैं सोच में पड़ गयी कि यह बिल जो मेरी बहिन मणिबेन के नाम से भी आया था और इसके लिए गर्बर्नमेंट ने कहा भी था कि हम बहुत जल्द हाउस में ऐसा बिल लायेंगे।

मुझे इस बिल के बारे में ज्यादा कुछ नहीं कहना है क्योंकि मैं जानती हूँ कि मैं जो यह बिल लायी हूँ यह उस अत्याचार को रोकने के लिए है जो कि समाज में हो रहा है। और सब लोग भी इस बात को समझते हैं। इस बिल को लाने में मेरा यह विचार था कि इससे गर्बर्नमेंट बहुत जल्द इन इन्स्टीट्यूशन्स को अपने हाथ में ले लेंगी और उनमें कुछ परिवर्तन होगा। लेकिन मैं यह दिस रही हूँ कि जब मणिबेन का बिल आया था तो उनसे कहा गया था...

The Minister in the Ministry of Law (Shri Pataskar): May I intervene for five minutes? A Bill almost identical...

Mr. Deputy-Speaker: Let her finish her speech.

Shri Pataskar: She referred to it and, therefore, I wanted to intervene.

Mr. Deputy-Speaker: After the motion is placed before the House, the hon. Minister say what he likes.

[SHRIMATI KHONGMEN in the Chair]

श्रीमती उमा नेहरू : आठ महीने हुए जब वह बिल इस हाउस में आया था और उस पर चर्चा हुई थी। आज जो हमारी औरतों और बच्चों की हालत है और जो हमारे आरफनेंजेज की हालत है उसको देखते हुए यह जरूरी है कि ऐसा बिल लाया जाय और इसी लिए मैं यह बिल लायी हूँ।

असल बात यह है कि यह जो संस्थाएँ होती हैं यह सरकार की होनी चाहिए। मैं इस बिल को इस लिए लायी हूँ कि इस पर अच्छी तरह से चर्चा हो और यहाँ इस विषय पर व्याख्यान भी हो।

इसके पहले भी डावरी बिल मेरे नाम से आया था और मैंने उसको बड़े दुःख के साथ वापस लिया था जब कि मुझे यकीन दिलाया गया कि सरकार बहुत जल्द डावरी बिल लावेगी। लेकिन एक अर्सा हो गया उसका नामां निशान भी नहीं दिखायी देता। न मालूम उसका क्या हुआ। उसी के साथ ही एक सप्रेषन आफ इम्मारल ट्रैफिक बिल भी आया था। उसकी भी वही गति हुई है। न मालूम उसमें क्या हो रहा है।

मैं ज्यादा न कहकर अपने भाई और बहिनों से कहूँगी कि वे इस पर बोलें। आज हाउस में परिवर्तन करने की बहुत जरूरत है और ये चीजें जो यहाँ आती हैं इसी लिए लायी जाती हैं। हम इसी लिए इन चीजों को गर्बर्नमेंट के सामने रखते हैं कि समाज में परिवर्तन किया जाय। मैं और ज्यादा न कह कर इस बिल को रेश करती हूँ और मैं समझती हूँ कि इस पर मेरे भाई और बहिन बोलेंगी।

Mr. Chairman: Motion moved:

"That the Bill to regulate and licence institutions caring for women and children; be taken into consideration."

Shri Pataskar: I might intervene at this stage to bring to the notice of the hon. Members of the House certain facts. A Bill identical to the Bill now moved was discussed at the instance of Shrimati Maniben Patel. I think it was discussed on the 3rd April and 3rd September 1954 for about three hours, and the Home Minister then intervened and explained as to what the position was, which I will again clarify as the matter stands at present. That Bill was adjourned *sine die* after discussion for about three hours. The position at the present moment is that with respect to children—the Bill relates to children and women—a Bill was already introduced by Government in the Rajya Sabha and has been passed by them. I think it has come to this House, but it has not been discussed so far as this House is concerned. I think that was also the state of things at the time when the Home Minister intervened last time on the 3rd September 1954.

As regards the other Bill for suppression of immoral traffic in women and girls,—these are the two counterparts—it has been sent to the Lok Sabha Secretariat. It was sent some time back for being published, but on enquiry, I learn today that it is not yet published for the technical reason that when the House is in session, they would not like to publish it without the permission of the House. Therefore, I propose that Government—either myself or the Home Minister—will introduce a Bill before the end of this session with respect to the other part of this measure. It is desirable, therefore, that when these two Bills are brought forward in the House, that is, both for children as well as for women, I think the matter would be in a better position than it stands at present.

As stated, one Bill is now being brought. Because there are so many technical questions involved, I think when these two Bills are before the House, it is much better so that the whole thing can be discussed in a proper perspective. The Government is in full sympathy with the object underlying it, and if there has been delay, I may say that it has been due to the fact that probably there was some doubt as to whether such a legislation comes in the Concurrent List or the State List. But so far as the Government is concerned, it has taken a decision and now that Bill also will be introduced in this House. The opinions of the various State Governments were invited. In fact, with regard to children, in Bombay there is some provision already made. In view of these things and the fact that already the Bill relating to children has been passed by the other House, I assure the House that the Bill will be introduced in this House before the end of this session. The Bill is already there, it has been even sent to the Lok Sabha Secretariat, but now that the House is in session, naturally the Speaker would not like to publish it without leave being granted for that purpose. That Bill, I have ascertained the intention of the Government, will be introduced in this House before the end of this session.

Mr. Chairman: In view of what the hon. Minister has said, what does the hon. Mover of the motion want to say?

Shrimati Uma Nehru: I would like it to continue, and I do not intend to withdraw the Bill.

Shri Pataskar: There is one more thing which I would like to bring to the notice of the hon. Members. Many of the lady Members have given notice of certain Bills. The Children's Bill only relates to Part C States, and as I said, it was thought at one time that the Central Government, or, rather, the Union Parliament can legislate only for Part C States and not to other States. It was doubtful

whether this subject was in the concurrent list. Now, so far as this Government is concerned, when that Bill comes before us, we will examine it. I think the Government is now inclined the view that Parliament can make legislation on that subject. They have ascertained the views of several States, and with the exception of one or two perhaps, most of the States have agreed, that the Centre could legislate. The present view, as I find, appears to be that we can legislate. Therefore, as I said, at the time when the Children's Bill comes before this House, suitable amendments can be moved and Government can examine the question. We also want that there must be one uniform law applicable to women and children throughout India.

Shrimati Sushama Sen (Bhagalpur South): I had introduced the Children's Protection Bill, and it was accepted by the Education Ministry, but after that, I find that it has been absolutely shelved. The Bill that was brought forward by Government was meant only for part C States it will not apply to other States. This Bill which has been brought up now, is really somewhat like my Bill, and it seeks to regulate and license children's homes, etc. So, I do not see why the private Members' Bills should not be taken into consideration. Each time a private Member's Bill comes up, it is shelved. I have a bit of complaint regarding this procedure. I say that private Members' Bill should be considered and my Bill about protection for children should also come in.

Shri D. C. Sharma (Hoshiarpur): The ballot has been favourable to the other lady Member and not to you.

Shrimati Jayashri (Bombay-Suburban): Last time I had an opportunity to express my views on this Bill. At that time also, I had said that the Children's Bill should have included in its scope the other children also, besides delinquents. But it has restricted its scope only to delinquents. This Bill which is now before the House intends to ask the Government

to give licence to those Homes which are genuine. We want to protect the children from being exploited by bogus Homes. This Bill includes the children of other description, besides the delinquent children, while the Children's Bill is restricted and gives protection only to those children who are delinquents and who will be brought before the juvenile courts. So, I would like to ask the Minister to make it clear. While speaking on that Bill in the Rajya Sabha, I think it was Mrs. Sita Paramanand who had drawn the attention of the Minister to this fact. But I do not think that this question was discussed in the Rajya Sabha. So, I would like the Minister to make it clear whether the scope will be widened in the Children's Bill and whether the licensing of other Homes also will be included in the Children's Bill.

Shri Pataskar: In the circumstances, I have no desire that discussion should be avoided. It can go on.

Mr. Chairman: I think the Mover as well as other Members are very keen that there should be discussion. So, I think we could discuss the Bill.

Shrimati A. Kale (Nagpur): I would like to say a few words with regard to the Bill that has been sponsored by Shrimati Uma Nehru. This Bill seems to license the institutions which are meant for women and children. I would like to go a step further and suggest that all such institutions should be taken over by Government and properly conducted because, there was a bad case in my State where to all intents and purposes, in the House which was run for the protection of destitute women the women were freely being used for immoral purposes. The police found it out and now the institution is under Government care. But why should we wait till such cases are found out. In order that the Homes are run properly, my suggestion is that wherever those Homes are situated, they should all be controlled and conducted by Government so that there will be

[Shrimati A. Kale]

regular supervision and these poor women will not be made use of for immoral purposes.

So is the case for children's institutions also. Many of the elder children that infest the streets and all sorts of localities are sent as agents by some people who regularly trade in this business, and those people are making huge tons of money while they do not afford any facilities for the education and improvement of children. So, if Government takes over all these institutions, I think law and order could be more secure and this longstanding blot on our society will also be removed. After all, in the Constitution, we have our fundamental rights guaranteed. It is guaranteed to all the citizens, and the citizens include women and children, but the destitute women have no freedom of action or behaviour and they lead a life of shame and misery. The Homes do not take any care of them and they do not see that they get education so that they may improve in the years to come. Therefore, all these inequalities that obtain in society have got to be removed. I would, therefore, request the Minister of Law to be more sympathetic and be more prone to improve the lot of these people for whom there is nobody to speak. I would request the Minister not to indulge in dilly-dally measures as, I am afraid, he is indulging in, and allow this measure to be passed. The Homes should be immediately taken over by Government so that the lot of the women can be improved.

Shrimati Maydeo (Poona South): I should like to say a few words. When this Bill is brought forward in this House, the Government have come forward to say that they are bringing in such Bills very soon and so we should take back this Bill. But I would like to point out that in Delhi there is a institution of moral and social hygiene and on behalf of that institution Shrimati Rameshwari Nehru is trying for a very long time to persuade the Government to do

something to improve that institution. When she found it impossible to move Government further, she just asked us to move in this matter here. The House will see that almost all the women Members of this House have taken up the same Bill to impress upon the Government that this disease of society is a very serious one and it has been there for a very long time. So, it is the duty of the Government to do something in the matter as women and children are very important assets to society. Therefore, it is the duty of the Government to look into this matter as early as possible. The Law Minister said just now that in Bombay State a law of this nature has already been passed for children; but it does not cover the whole of the State, it only relates to some big cities. And the reason shown that Government has not got enough funds to apply it to all the small places in the Bombay State. What I feel is that Government should first give money to such things as are most important and then bring their attention to other things which are less necessary in the State.

Shrimati Kale just now pointed out that there are so many institutions which pretend that they are doing some social work in the society but which actually exploit the women and children in the society and use them for immoral purposes. It will not be possible for Government to take over all such institutions but at least Government should license these institutions so that they cannot carry on such immoral activities.

I feel therefore that in this case at least the Government should give the privilege to a non-official Member to move this Bill and get it passed.

Shrimati Sushama Sen: I would like to point out the very great necessity of the Women's and Children's Institutions Licensing Bill to come up before the Government, because, as we have just now heard from Shrimati

Bill

Kale and also from the last speaker, women are at a very great disadvantage and we do need some sort of licensing of children's and women's institutions in order to give them their rightful place and in order that they should have more facilities regarding their welfare. As regards children I can say that it is of the greatest necessity at the present moment to have something for this purpose for looking after their welfare.

Shri N. M. Lingam (Coimbatore): On a point of order, Madam. There seems to be no quorum in the House.

Mr. Chairman: We have almost come to the end of the day. Let the bell be rung.

Shrimati Sushama Sen: So I fully support this Bill and I do think that Government should consider that this sort of Bill brought up by private Members should have some place and should be passed by the whole House.

Shri Keshavalingar (Bangalore North): I do not think it is in any way out of place for me also to participate in the debate on this Bill. (Some Hon. Members: Not at all). I am one of those who feel that the children and the youth of our country are a sacred trust, and anything that we do by way of taking care of that trust is weighed by the manner in which we ensure the freedom that we have acquired at very great cost. I am sure if only we take particular care of the children and women in particular, it will speak very nicely of us, and we will not be doing anything extraordinary but only discharging an obligatory duty cast upon us.

I congratulate my colleague who has been pleased to place before the House this Bill, and I really cannot understand the unwillingness or the hesitancy of the Government in accepting the principles of this Bill and in placing before the House at the earliest possible stage if they so desire, another Bill incorporating the same reliefs that are sought for in this Bill. If the relief that is sought for in this Bill is the issuing of

licences for the institutions that care for women and children, if the issue of licences will get a thorough control over all these institutions, it is very necessary in the present conditions of our country that we should bring these institutions under our control. As such it is very necessary that this House gives its wholehearted consent to this Bill.

Shrimati Ha Palchoudhury (Nabadwip): I am warmly in accord with this Bill which has been brought by Shrimati Uma Nehru. That some such Bill should come into force quickly is certainly very desirable. It is a great shame that a private Member should have had to bring forward such a Bill or bring this matter to the notice of the Government. There should have been such an Act working a long time ago. That is my opinion, because it is vitally important that children and women must be cared for above all things. Children are the citizens of the future and anything that can be done for them is not too much; any trouble taken for them is an investment for the future.

There are one or two points that this Bill has not perhaps considered. That is, once you license these homes or institutions that are going to take care of women and children there should be scope for the inmates to be able to communicate with such relatives as they want to. Of course that is a two-edged thing. When you bring them, the inmates should have facility to communicate with such relatives as they may have. On the other hand, when you have these licensed institutions, the inspection and the looking after of them must be very thorough. Anybody coming to these institutions and claiming a child saying "I am the child's uncle or aunt, I want to take the child away" should not be allowed to do so, until there has been very careful investigation. If one only knew in towns what happens to hundreds of unfortunate children! It does not bear thinking about! There are various communities of beggars who go around, who deform children, people with such warped minds that

[Shrimati Ila Palchoudhury]

nothing is too obnoxious for them to do, when they take the children away from these homes. What happens to girls and women can well be imagined! These institutions very often, because they have not enough funds, are willing to let their inmates go! It is one less mouth to feed—one less to clothe and look after!

So the first object of Government must be to give aid to these institutions, license them, look after them properly so that the requirement of the Constitution in regard to children is carried out. According to our Constitution "the State shall, in particular, direct its policy towards securing that childhood and youth are protected against exploitation and against moral and material abandonment". In Free India this requirement of the Constitution should be carried out to the full, and all children should get the love and care in a welfare State which is their birth-right. I hope Government will bring a Bill like this soon and not leave it only to private Members to consider the welfare of the children of India.

Shri D. C. Sharma: I think there are two reasons why I rise to speak this afternoon on this Bill. The first is the reason prompted by my sense of chivalry. This Bill had been put forward by my respected sister Shrimati Uma Nehru.

Mr. Chairman: I think the hon. Member should take it as a responsibility.

Shri D. C. Sharma: First I am chivalrous, then I am responsible.

Pandit K. C. Sharma (Meerut Distt.—South): He is chivalrously responsible.

Shri D. C. Sharma: I have found that most of the persons who have supported this Bill are ladies. Only one gentleman came forward to support this Bill. I therefore think that we should try to support this Bill which is very necessary.

Shrimati Uma Nehru has done something which is in keeping with the directive principles of our State policy which say that children and young men and young ladies should not be exploited. It is also said that they will be looked after in the material field as well as in the moral field. I am very sorry that our State which, in terms of years, is very young, has not had the time to implement this directive principle of State policy as it has not been able to implement many other necessary and indispensable principles of the State policy. For instance, we have not been able to give the people free and compulsory education which is also one of the directive principles of the Constitution. But, the fact of the matter is that our talk about the Welfare State will sound almost hollow unless we do something in both these fields, in the field of education and in the field to which Shrimati Uma Nehru has referred in her Bill. Of course, when we progress further, we will have Homes for old men, Poor Houses, Houses for beggars, Houses for labour. To begin with, I think that this is a thing which is most needed.

Why is this most needed? It is for this reason. In our country you find orphanages all over; in small towns, in big towns, you find what are called Children's Homes or orphanages. At the same time, you find in these big towns institutions which are called Women's Homes. What do they mean? I remember the wife of the Director General of Police in Delhi once made a surprise inspection of these so-called Homes for women. It was done some time back. She took with her a large number of policemen. What did she find? Hundreds of girls were being forced into an immoral life by the so-called managers, governors of these women's institutions. These girls were interrogated. It was discovered that most of them wanted to go back to a respectable life. They had been enticed into these Homes under false promises and false pretences. They had been made to lead a life of degradation and humiliation under lure of

one kind or other. If that could happen in the city of Delhi, which is the capital of India, under the very nose of the biggest officials, police and others, who assemble here, you can understand what could happen in big towns and small towns. This condition is not peculiar to Delhi. Every town in India has a similar tale to tell. Banaras has got a tale to tell. Our holy places, I am sorry to say, have a bad name, for this kind of thing. There are so many places in this country where this kind of thing is going on. Our women are driven into, if I may use that expression, moral slavery. I think that is a stigma upon our society and upon our social system. That is a blot on our social structure. I think Shrimati Uma Nehru has done the right thing by focussing our attention upon this point.

It is not only the women that want relief. Reference was also made to Children's Houses and orphanages. These orphanages are homes of sweat-labour, I should say. These orphanages are training grounds for beggars. Some time back, I read a novel of Dickens. I forget the name of that novel. In that, we are told how a young boy is taken to a Home like this, a Children's Home and how he is trained in the glorious art of pick-pocketing. I do not know whether these Homes train these young children in that art: God forbid that they should do so. I can tell you that they train them to be parasites on society, to be genteel beggars, beggars of a kind, which I think is not desirable to a society, that has had such glorious traditions in the past. Some time back, I saw a picture. In that picture we were told about Children's Homes. When a child goes to that Home, what does he get there? Does he get education? Does he get any civic training? Does he get any kind of moral instruction? Nothing of the kind. He is given a uniform and he is asked to parade in the streets. He sings a hymn. What is that hymn about? He asks in that hymn of the passersby, "give me one pice, or two pice or one anna". We are living in

free India. We tolerated all these things in those days when we were not free. Just now, a lady Member said that the children are the sacred trust of a nation. I agree with her. Children are the most precious treasure of a nation. I agree with her. I say that if the State cannot undertake to look after all the children of this description and all the women of this description, at least the State should see to it that the Homes and institutions are properly regulated, properly inspected and properly looked after. I hope you won't mind if I refer to my experience in Turkey. At Istanbul, we were taken to a Children's home. It was three or four miles away from Istanbul. We saw children from three months and six months to 5 years, 10 years and 12 years. We saw that that home was very well built and it had all the modern conveniences. It was being looked after by highly educated ladies. One of them spoke French and some of us did not know that language. It was being looked after by the whole State. The State has taken upon itself to look after those children who are left destitute. I would therefore say that something should be done in this direction.

Of course, the hon. Minister has said that he is in sympathy with this Bill. He has said also that he is also bringing another Bill. Now, I may tell you I have yet to find a Bill with which our Government is not in sympathy, and yet, I must say in all humility and with due respect, that mere sympathy cannot carry us very far. Legislation, especially social legislation, I am sorry to say, is very slow in coming and very slow in maturing. I do not say other kinds of legislation should not come forward. I am not comparing one type of legislation with another type of legislation. There are some types of legislation which are necessitated by the exigencies of our State's needs, I do not deny that. But I say that the history of social legislation in this Parliament is a very sorry tale. Our Government does not show that kind of eagerness to tackle social problems which it should, because, after all, the Government has

[Shri D. C. Sharma]

got to be the social conscience of the whole people of India. And here, Shrimati Uma Nehru has done something which is in consonance with the social conscience of the entire country, and I do not see any reason why this Bill should not be accepted by the Government here and now. Of course, you may say that the Bill will have to be re-drafted. Well, it can be re-drafted. But, I would say that there is nothing in this Bill—I have read this Bill from beginning to end—to which any objection can be taken. The definitions are all right. They do not raise any problems, unless my learned friend Pandit Thakur Das Bhargava finds some defects in them. The terms for licensing are perfectly clear. Even a layman like me can understand them. And the machinery for inspection and other things are made perfectly clear. So, I would say that this Bill should be accepted by Government here and now, so that this piece of social legislation can be put on the statute-book as early as possible.

Shri T. S. A. Chettiar (Tiruppur): I have great pleasure in expressing my fullest sympathies with the objects of this Bill.

We who are conversant with social institutions in this country know how many of these children's Homes are abused. I know, I have read them in stories and I have heard of experiences where children are taken to Homes where they are deformed, want only deformed for purposes of exciting the sympathies of people, so that they can be developed as means of earning a livelihood, earning money through begging. We also know of lots of Homes—they are called Homes—where women, adolescent girls, are brought and kept and they are used as brothels. Nobody can prevent them, because under the Brothel Act you know how difficult it is to prove these things. So, it is very necessary that some sort of licensing authority may be established in all States so that

the people who run these Homes may be approved in a way.

We know that even in the establishment of elementary schools, of high schools and day schools in which the responsibility that is shouldered by the management is small, even in these we—at least in the State which I have the honour to come from—insist upon registered managements. We refuse individuals to take up the running of the schools. We also insist upon endowments to be provided so that there will be security and continuity in the running of these institutions. If that can be so even for day schools, these homes which are supposed to shelter them, which are supposed to provide boarding for them, which are supposed to give them all the training that is necessary for human life, it is much more necessary that we must go into the facts as to who manages these Homes and as to how they are managed. I think there cannot be any two opinions on this matter that we should have regulations to guide these Homes, regulations which will provide for the better management of these homes.

In this matter I have got only two or three points to say. and one of them is this, that constitutionally it may be objected to. Item No. 4 in the State List under the Seventh Schedule of the Constitution reads as follows:

“Prisons, reformatories, Borstal institutions and other institutions of alike nature, and persons detained therein; arrangements with other States for the use of prisons and other institutions.”

These come under the State List. It may be argued that, with this subject coming under the State List, a Bill like this can be brought in only for Part C States for which we have the right to legislate, that for the other States for which we have no right to legislate under Lists which are particularly their own, it may

not be possible for us under the Constitution to enact a legislation like this.

Shri Pataskar: May I tell the hon. Member that it is exactly for this reason that the Children's Bill which was introduced in the Rajya Sabha was confined only to children's and such institutions in Part C States? Was the hon. Member not here?

Pandit Thakur Das Bhargava (Gurgaon): We have not been able to follow what fell from the hon. Minister.

Shri Pataskar: I will explain that. When I intervened at an earlier stage, I said that there was a Children's Bill which was introduced in the Rajya Sabha which has been passed by them, and which will come here. Now, it relates only to Part C States because it was thought that so far as this House, or Parliament, was concerned, it was competent to enact such legislation for such institutions only in Part C States. With regard to A and B States, that ought to be done, in view of the provision in article 4 of the Constitution, by the States themselves, and I take this opportunity of explaining any misunderstanding that may exist. We also approached the State Governments and most of them have agreed that after this Bill is passed, they would introduce in their own State Legislatures uniform Bills so that any constitutional difficulty will not remain and there will be uniform provision for all children throughout all States. It is not a question of any desire on the part of the Government to evade the issue, but there is a constitutional difficulty which they will try to overcome by the proposed measure. That is what they are doing.

Shri Tek Chand (Ambala-Simla): When?

Shri T. S. A. Chettiar: May I point out another provision in the same Seventh Schedule under the Concurrent List? That is item No. 28 which says that charities and charitable

institutions, charitable and religious endowments and religious institutions are in the Concurrent List. I think it is a matter for legal opinion whether all these Homes that are being run and that are proposed to be run are not charitable institutions.

Shri Pataskar: They may or may not be charitable.

Shri T. S. A. Chettiar: I believe all these Homes are run as charitable institutions. And if they are charitable institutions, they come under the Concurrent List under the item which I just now read out. I do not think that things are very clear that because of item No. 4 in the State List in the Seventh Schedule, these things are entirely barred from Central direction and management. I think it is up to the Government of India to take legal opinion in this matter and see whether it does not come under 28 of the concurrent list which I read just now—Charities and Charitable Institutions.

I would like to say one thing more. Even presuming that Government finds a constitutional difficulty in this matter, I think there may not be any difficulty in accepting it at least so far as Part C States are concerned. In this matter I think we will be doing well in giving the lead to the State Governments, knowing the evils as we do, knowing the abuses as we do and knowing that in every big city, the so-called homes are the most abused institutions except where they are managed by enlightened people.

Somebody said here that "the children of the nation are a sacred trust of this House and of this country". There is no truer statement than that. The future of the nation lies in the children of this great country. I see many of them going about in the streets without self-respect and without any semblance of decency. Many of them are put in 'Homes' and they are exploited and abused, and there is no kind of regulation existing for them. I am very unhappy about this.

[Shri T. S. A. Chettiar]

We know that wherever people want to get Government grants, some sort of control is there. In the State from which I come, there is considerable control over institutions which want to get Government grants— orphanages and the like. I do not refer to these institutions. These institutions which want to get Government aid are under control; they are under inspection and some sort of enquiry by Government. But I want to refer to the numerous institutions which do not come under this category, which are not recognised by Government, and which do not get Government grant. Still many of them are run in the country and are being abused by exploiters. This, I think, is a matter which must be taken up.

I do believe that Government will give a sympathetic hearing and a sympathetic reception to this suggestion. I do not know whether there are any other objections to this Bill. But certainly there cannot be any objection to the suggestions underlying this Bill. I would like Government to take up the matter of bringing about a comprehensive Bill, if necessary, which will involve the application of the principles involved in this Bill. So that that will begin a new chapter in our national life, and we can take care of the children of this great country.

श्री धुलेकर (बिला भांसी दक्षिण) : यह जो बिल आपके सामने उपस्थित किया गया है, इसका मैं अनुमोदन करता हूँ। अभी जब हमारे विधिमन्त्री ने यह बात कही कि एक बिल पार्ट 'सी' स्टैंडर्स के लिये राज्य सभा में पास हो गया है और वह यहाँ पर आने वाला है और उसके बाद हम स्टैंड गवर्नमेंटों से बातचीत करेंगे और उनको हम ने कहा भी है कि वह इस प्रकार का एक बिल लावे। तो यह तो एक बहुत लम्बी सी बात हुई कि पहले वह बिल यहाँ पर पेश होगा, पास होगा फिर तमाम जितनी स्टैंडर्स हैं उनको लिखा जायगा। सारी स्टैंडर्स इस बात को

कहेंगी। कोई कहेंगे कि हमारे पास फाइनेंस नहीं है, कोई कहेंगे कि हम ने यह बात ठीक समझी नहीं और कोई स्टैंड कहेंगी कि हमारे यहाँ इसकी जरूरत नहीं है। हम इस बात को देखते हैं कि जितने इस प्रकार के बिल जो कि प्राइवेट मेम्बर्स रखते हैं यहाँ पर इस सदन में, वह किसी न किसी बहाने से गवर्नमेंट के द्वारा हमेशा यहाँ से टाल दिये जाते हैं। अभी कुछ समय पहले सेठ गोविन्द दास का एक बिल आया था जिसमें उन्होंने एक मामूली बात रखी थी कि भारतवर्ष के लोग इस बात को चाहते हैं कि गाय और दूसरे दूध देने वाले जानवरों को उनकी रक्षा की जाय, उसके लिये भी यह कहा गया कि आप इसको छोड़ा हटा लें, आगे इस विषय में एक बिल सरकार लाने वाली है। जो चीज तब कही गयी वही चीज इस बिल के सम्बन्ध में भी कही जाती है। इसी प्रकार से इस बिल के सम्बन्ध में भी कहा जाता है। मुझे नहीं मालूम है कि इस के लिये कितना समय लिया जायेगा और कितना विचार इस पर किया जायेगा। मैं इस बात को जानता हूँ, और हमारे जितने साथी हैं वह इस बात को जानते हैं कि हर एक शहर में बहुत से स्थायी लोग, कुछ लोग तो स्वयम् और कुछ संस्थाएँ बनाये हुए, ऐसे हैं जो कि उन बच्चों और स्त्रियों के ज़रिये हजारों रुपये कमा रहे हैं। संस्था का नाम अनाथालय या वनिताश्रम होता है जो कि उस के दरवाजे पर लिखा रहता है, किन्तु उस में जो बातें की जाती हैं और देखी जाती हैं, उस से हमारा समाज बहुत कलंकित होता है।

श्रीमती जी, आप इस बात को जानती होंगी कि बड़े बड़े शहरों में वनिताश्रम के नाम पर सैकड़ों स्त्रियाँ रात दिन भगाई जाती हैं। जिलों में इन वनिताश्रमों के एजेंट फिरा करत हैं, स्त्रियाँ फिरा करती हैं, चूड़ी बालियाँ फिरा करती हैं और जिस समय पुरुष लोग दफ्तर चल जाते हैं उस समय १० और ४ बजे के बीच में बहुत सी स्त्रियाँ गोटा बचने आती हैं, कोई और

जेजें बचने आती हैं, कोई बरतन बचने आती हैं, कोई औरतें कपड़े ले कर उन स्त्रियों को बरतन देती हैं और इस के जरिये से वह घरों में घुस जाती हैं और स्त्रियों को बहकाती हैं और इस तरह से बहुत सी दहात की स्त्रियां भगाई जाती हैं। फिर वनिताश्रम में दो, चार, दस दिन रक्खी जाती हैं, उस के बाद बहुत से दलाल लग रहते हैं जिन के जरिये से वह स्त्रियां दूसरी दूसरी जगहों पर रुपया ले कर के बेची जाती हैं।

इसी प्रकार से, श्रीमती जी, आप दीखिये कि इकाई पर बच्चे अनाथालय के नाम पर घुमा रहते हैं, ऐसे मांगते हुए घरों में घुस जाते हैं, गिड़ियों में चलते हैं, कहीं पर बांसुरी बजाते हैं, वहीं ढोल बजाते हैं, यहां पर भी आप दीखिये कि जो पार्लियामेंट के मंत्रियों के बंगले हैं वहां अक्सर इस तरह के बच्चे और स्त्रियां आती हैं और कोई खत दिखा कर के कहती हैं, बच्चे खत दिखा कर कहते हैं, उस पर मोहर भी मी होती है, वह कहते हैं कि हम अनाथालय आये हैं और इस प्रकार से वह सहायता मांगते हैं। यह चीजें आज इतनी स्पष्ट हैं कि मैं उन को दोहराना नहीं चाहता, किन्तु अपने ला मिनस्टर साहब से मैं इस बात की प्रार्थना करना चाहता हूं कि जिस प्रकार से अभी उन्होंने एक नोट पेश किया है कि हम ने ऐसा ऐसा काम किया है। मैं समझता हूं कि वह इस नोट को दोहरावेंगे और फिर उस के बाद अपनी राय को कायम करेंगे। मैं तो यही प्रार्थना करूंगा कि उन्होंने अपनी जो राय पेश की है उस को जरूर दोहराने की कोशिश करें और ऐसा कि हमारे मित्र ने बताया कि यह बिल

कान्करेंट लिस्ट में आता है और जितने इस प्रकार के चैरिटेबल इंस्टीट्यूशन्स हैं उन के लिये इस प्रकार का कायदा यहां बनाया जा सकता है। मैं तो यह कहने वाला था कि गवर्नमेंट को इस में कोई बाधा नहीं होनी चाहिये थी कि जिस समय यह बिल आया उसी वक्त गवर्नमेंट की तरफ से एक सुझाव आता कि हम इस के बारे में दोनों हाउसेज की एक ज्वाइंट कमिटी बनाते हैं और इस में जो कुछ खामियां हैं उन को दूर करते हैं।

5 P.M.

Mr. Chairman: Order, order. The hon. Member can continue the next day.

ELECTRICITY (SUPPLY) AMENDMENT BILL

(Amendment of section 77 etc.)

Shrimati Renu Chakravartty (Basirhat): I beg to move for leave to introduce a Bill further to amend the Electricity (Supply) Act, 1948.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Electricity (Supply) Act, 1948."

The motion was adopted.

Shrimati Renu Chakravartty: I introduce the Bill.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 11th December, 1954.