



Tuesday  
27th November, 1956

# PARLIAMENTARY DEBATES

## HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers )

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## LOK SABHA

Tuesday, 27th November, 1956

*The Lok Sabha met at Eleven of the Clock*

[MR. DEPUTY SPEAKER in the Chair]

## ORAL ANSWERS TO QUESTIONS

## Protest Day in Pakistan

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Shri Radha Raman :  
 Shri Bhagwat Jha Azad :  
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 Shri Bibhuti Mishra :  
 Shri Kajrolkar :  
 Shri B. D. Pande :

\*437.

Will the Prime Minister be pleased to state :

(a) whether Indian High Commissioner's office at Karachi was mobbed or damaged on "Protest Day" observed against the publication of the book "Religious Leaders";

(b) if so, whether the Government of India lodged any protest with the Pakistan Government regarding this incident; and

(c) the nature of this protest and the damage in terms of men and money?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda) :** (a) to (c). On the 21st September, 1956, there were demonstrations organised by the Pakistan Muslim League before the Indian High Commission, Karachi. No property was damaged and no member of the mission was injured.

Our High Commission immediately lodged a protest with the Government of Pakistan against these demonstrations. Their reply is still awaited.

**Shri Radha Raman :** May I know whether in this connection the Government of India has received detailed reports of not only this incident which is now narrated but several other incidents which occurred in Pakistan?

**Shri Anil K. Chanda :** Yes, Sir. We have received several reports from the High Commission.

**Shri Radha Raman :** What is the nature of those reports and what are those incidents?

**Shri Anil K. Chanda :** In various towns of West Pakistan as also of East Pakistan, rowdy elements made very ugly demonstrations against India, using filthy language very often and so on.

**Dr. Ram Subhag Singh :** When the Government of Pakistan do not consider it wise to reply to our protest, may I know what consideration weighs with the Government of India to immediately reply to all the communications received from Pakistan?

**Shri Anil K. Chanda :** I cannot say they have refused to reply to it. Up-till now, no reply has been received.

**Shri D. C. Sharma :** May I know if only the Muslim League was involved in these incidents or the Republican Party and the Awami League were also involved?

**Shri Anil K. Chanda :** So far as our information goes, these demonstrations were mostly organised by the Muslim League to discredit the Government recently formed there.

**Shri Krishnacharya Joshi :** May I know whether it is a fact that as a result of these violent demonstrations panic is still prevailing among the minority community people there?

**Shri Anil K. Chanda :** During the months of September and October, some more people of the minority community left West Pakistan than normal. That might be a indication of the conditions there.

**Shri Keshavaiengar :** May I know if the Government of India is promptly replying to the communications from Pakistan, and if so, why not they hold them up pending the reply from Pakistan to our communications?

**Mr. Deputy-Speaker :** That would not be a sound advice.

**Shri Gidwani :** The hon. Minister just now said that there were ugly demonstrations. Are Government aware

that there were not merely ugly demonstrations, but actually the lives and properties of the minorities in Sind and East Pakistan were attacked?

**Shri Anil K. Chanda :** Yes, Sir. In Larkana a few Hindu shops were looted and a Shivalay was also desecrated. Similarly, in another town namely Shadakot, Hindu shops were looted.

**Shri Kasliwal :** Have Government any information as to whether in this connection the Pakistan Government made any arrests?

**Shri Anil K. Chanda :** In West Bengal I know certain arrests were made.

**Shri B. D. Pande :** May I know if the Government intends to write or has written that if these things go on, we cannot have diplomatic relations with Pakistan?

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

**Shri Heda :** The hon. Minister stated that he has not yet received the reply and it seems that he expects to receive a reply. May I know how long he has waited already and how long he will be waiting?

**Shri Anil K. Chanda :** Our protest was formally lodged soon after the 21st September incidents. Uptill now no reply has been received.

**Dr. Ram Subhag Singh :** The hon. Deputy Minister said that these demonstrations were organised by the Muslim League to discredit the Government recently formed there. May I know whether the Minister now agrees with the performance of the Pakistan Government recently?

**Shri Anil K. Chanda :** I do not think this question arises out of this.

**Shri Radha Raman :** May I know whether in connection with these ugly incidents the name of our dear Prime Minister was also quoted, and some language which was not proper was used about him?

**Shri Anil K. Chanda :** Not merely that. I believe his effigy was also burnt.

**Mr. Deputy-Speaker :** That has already been disclosed here.

**Shri D. C. Sharma :** May I know if on account of these ugly incidents there has been increase in the exodus of refugees from West Pakistan and also from East Pakistan?

**Mr. Deputy Speaker :** That has been answered already.

**Shri Krishnacharya Joshi :** May I know whether it is a fact that the

Indian National Flag was dishonoured there and some of the minority community injured?

**Shri Anil K. Chanda :** That is our information, Sir.

#### Small Industries Service Institutes

**\*440. Shri Keshvaiengar :** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether it is a fact that Government have a proposal to locate a branch of Small Industries Service Institute in the Mysore State; and

(b) if so, where it is to be located?

**The Minister of Trade (Shri Karmarkar) :** (a) and (b). One Branch Institute has already been sanctioned for Mysore State and it will be located at Bangalore.

**Shri Keshvaiengar :** May I know when this institute will begin to function? What is the kind of service that is being rendered and how is it being administered?

**Shri Karmarkar :** It has yet to come into being, but the other institutes are administered with the view to give proper technical advice to the small-scale engineering industries in the area concerned. We are waiting for the recruitment of the staff. We have requested the Public Service Commission to give us the necessary staff, namely the Deputy-Directors and Assistant Directors from out of the reserved lists. We hope to get the names of these officers within about a fortnight and then we hope this branch will start functioning by the end of December 1956 if all goes well.

**Shri Keshvaiengar :** Are the services rendered to all people who are engaged in these small-scale industries, or is it open only to those who receive some help from the Central Government?

**Shri Karmarkar :** It is not restricted. The idea is to be of service to all those who are engaged in various sectors of small-scale industries.

**Shri T. S. A. Chettiar :** "Small-scale industries" is a very wide term. I would like to know to what industries they are confining themselves in the matter of practical help being given.

**Shri Karmarkar :** These regional institutes are supposed to be helpful to industries like engineering, leather technology, chemical engineering, carpentry, blacksmithy, heat treatment, foundry, economic investigation, business management etc., in respect of small-scale units.

**Shri Heda :** May I know whether this institute will make a survey of the region and tender advice on its own, or after

being asked, to the prospective industrialists who would like to start small-scale industries, about the facilities available for different types of industries, the capital required, availability of machinery etc.?

**Shri Karmarkar :** The institute is principally meant to help those existing, but if some such quarry comes, we shall be glad to help others also who would like to start fresh industries.

**Shri Keshavaiengar :** May I know if the service rendered is free or any fee is charged?

**Shri Karmarkar :** The service rendered is free.

#### Memorial to Lokmanya Tilak

\*442. { **Shri Gidwani :**  
**Shri Bhakt Darhsan :**

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 2087 on the 12th September, 1956 and state:

(a) whether the Burma Government have given their approval for constructing a class-cum-lecture hall in the Mandalay prison as a memorial to Lokmanya Tilak; and

(b) if so, when the construction work will start?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) and (b). Construction work will start as soon as the formal approval, which is still awaited, is received from the Government of the Union of Burma.

**Shri Gidwani :** What has been the reply from the Government of Burma:

**Shri Anil K. Chanda :** In our preliminary discussions with them on this matter, they have accepted our proposal but only the formal Government sanction has not yet been received. We are trying to expedite the matter.

**श्री भक्त दर्शन :** क्या यह सत्य है कि पिछले दो वर्षों से इस बारे में लिखा पढ़ी की जा रही है और क्या उम्मीद की जाती है कि देर से देर के तक इसका काम शुरू हो जायेगा?

**Shri Anil K. Chanda :** This proposal was first made in 1954, but as it deals with a foreign Government, naturally it takes a little time. We had to consider various proposals in this connection. Finally this is the shape in which this memorial is going to be put up and we expect there will not be any difficulty in getting formal sanction of the Government of Burma soon.

**Shri S. C. Samanta :** May I know whether there is any other proposal also that the names of other persons who were detained there will be inscribed on the walls of the building that will be constructed?

**Shri Anil K. Chanda :** In the Mandalay jail several of our great leaders like Lajpat Rai, Subhas Chandra Bose, Lokmanya Tilak, Sardar Ajit Singh and others had been lodged from time to time. The first proposal was that there should be an inscription on a tablet giving the names of these persons who were there. But the Burmese Government did not quite like the idea because they thought it would be an inconspicuous memorial. Secondly, that might also convey an impression that these persons breathed their last when they were lodged in this jail. Finally, the proposal was that there should be a library cum-lecture hall.

**श्री भक्त दर्शन :** क्या यह बताने की कृपा की जाएगी कि इस मेमोरियल यानी स्मारक पर कुल कितना खर्च लगने का अनुमान है, और उसे भारत सरकार ही बहन करेगी या वर्मा सरकार भी उसमें कुछ हिस्सा बटायेगी?

**Shri Anil K. Chanda :** The Government of India have already sanctioned Rs. 25,000 for this and the local Indian community have also raised some money. Whatever is needed will be paid by the Government of India and we will not approach the Burma Government in this matter.

#### Import and Export Rules

\*443. **Shri Bahadur Singh :** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether certain people have been prosecuted for contravention of import and export rules since January, 1956;

(b) if so, their number and the number of those who have been convicted; and

(c) the nature of punishment awarded to the convicted persons?

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

(b) 3 cases involving 6 persons. All the three cases are pending in Court.

(c) Does not arise.

I should also like to add there were earlier cases and some of them have been disposed of. They have been decided during that period though they were not initiated during that period in terms of the question.

**Shri Bahadur Singh :** May I know whether there were certain people whose cases are still pending and who were repeating the offences?

**Shri Karmarkar :** Does the hon. Member want the names of the people and the nature of the offences?

**Mr. Deputy-Speaker :** The question is that when there were cases pending against certain persons, did these very persons commit fresh offences during the pendency of the cases?

**Shri Karmarkar :** Sir, the names that I have do not show that. I should like to add that it is quite possible that a man who has committed an offence has committed it again.

**Shri V. P. Nayar :** May I know whether the Government of India have investigated a complaint that one of the carbondum companies in Madras is systematically importing machinery direct from their London representatives under a mis-label in order to avoid the incidence of import duty?

**Shri Karmarkar :** In my notes there is a case against one K.C.K. Naicker, export and import trader of Madras. That is a case of getting aluminium stores and a consignment of two paper cutting machines the imports of which were prohibited under the Exports and Imports Act, under cover of documents containing incorrect particulars.

The man has been fined Rs. 350 in default to undergo 3 months' rigorous imprisonment.

**Shri V. P. Nayar :** That is not my question.

**Shri Karmarkar :** I should like to have further details of the case of my hon. friend and I shall look into that.

**Shri V. P. Nayar :** I asked the hon. Minister whether the Finance Ministry has forwarded any letter written by a Member of Parliament with papers supporting this case that the Indian representative of this company was instructing his principals in London to deliberately mis-label the imported articles so that he could avoid the incidence of the import duty in India.

**Shri Karmarkar :** At the moment I am not aware of the facts of the case.

#### Cement Factories in Second Five Year Plan

\*444 { **Shri D. C. Sharma :**  
**Shri Ram Krishan :**

Will the Minister of Heavy Industries be pleased to state:

(a) whether Government have taken any decision regarding the installation of

cement factories in the country during the Second Five Year Plan; and

(b) if so, the nature of the decision?

**The Minister of Heavy Industries (Shri M. M. Shah) :** (a) and (b). The target capacity for cement production set with reference to the Second Five Year Plan is 16 million tons per annum. The existing capacity of the industry is 5.7 million tons. Schemes to increase this capacity to 15.427 million tons have been sanctioned and some others are under consideration.

**Shri D. C. Sharma :** May I know which of the schemes have been sanctioned and which of the schemes are under consideration?

**Shri M. M. Shah :** Out of 33 applications, 29 schemes have been sanctioned and 4 are under consideration.

**Shri D. C. Sharma :** May I know if any decision has been taken with regard to the location of these factories; and, if so, what is the nature of that decision?

**Shri M. M. Shah :** These applications actually come from industrialists and they choose their own location. The existing 28 factories are 2 from Madhya Pradesh, 2 from Rajasthan, 4 from Bombay, 2 from Punjab, 1 from U.P. and about 7 from Bihar, 2 from Andhra, 3 from Mysore, 1 from Kerala, 3 from Madras and 1 from Orissa. The new 29 factories are 3 from Madhya Pradesh, 3 from Rajasthan, 6 from Bombay, 1 from U.P., 1 from Bihar, 1 from Orissa, 2 from Assam, 7 from Andhra, 1 from Madras, 2 from West Bengal, 1 from Pondicherry and 1 from Mysore.

**श्री भक्त दर्शन :** अभी मंत्री जी ने बताया कि एक फैक्ट्री उत्तर प्रदेश में स्थापित की जा रही है। क्या मैं जान सकता हूँ कि यह वही फैक्ट्री है जो अद्विकेष में स्थापित की जा रही है या कोई और प्रोपोजल गवर्नमेंट के विचाराधीन है?

**श्री एम० एम० शाह :** यह प्रोपोजल देहरादून के पास की फैक्ट्री का है, लेकिन अभी उसका फाइनल लोकेशन तय नहीं हुआ है।

**Shri B. S. Murthy :** May I know whether there are 2 applications from Andhra because it has been stated that the applications from the Andhra State have been rejected by the Central Government?

**Shri M. M. Shah :** That is not a fact.

**Shri N. M. Lingam :** May I know whether in dealing with these applications

for new units the need to correct regional disparities in industrial development is borne in mind by the Government?

**Shri M. M. Shah :** It is borne in mind. But, cement is an industry where unless limestone is available, we cannot instal factories.

**Shri V. P. Nayar :** In order to start factories in areas which are under-developed may I know whether any study of the availability of limestone in respect of Malabar has been made?

**Shri M. M. Shah :** A continuous study about the availability of limestone is being made. As a matter of fact, a particular section is working for the analysis of limestone qualities available—quantitatively also in Kerala. Expecting the coastal areas there are not much of large deposits available there.

**Shri T. S. A. Chettiar :** I understand that three proposals from Madras have been sanctioned. What are those proposals?

**Shri M. M. Shah :** These details are generally notified by the Committee. If the hon. Member wants to know, I will find it out.

**Shri Joachim Alva :** Alongside Government's decision to have a State Trading Corporation in the cement business, has Government expedited the scheme of having more factories?

**Shri M. M. Shah :** Yes; that is what I am saying. From 28 factories now, at the end of the Second Five Year Plan—even at the end of the first three years, we shall have 60. As planned today, they will be producing 16 million tons of cement annually.

**Shri Shivananjappa :** May I know whether these schemes include the expansion of existing factories?

**Shri M. M. Shah :** Over and above the 29 factories, practically all the existing factories are either doubling or trebling their capacity.

**Shri D. C. Sharma :** May I know if the target of production aimed at in the Second Five Year Plan will meet the requirements of the country; if not, what will be done?

**Shri M. M. Shah :** That is the present indication. Looking to the demand existing now, it has been estimated that the requirement of the country will not exceed 16 million tons. But there is no reason why we should always aim at self-sufficiency. If the country progresses further than that we have got to face always the scarcity.

**Shri V. P. Nayar :** The hon. Minister said that *prima facie* the evidence was that there is no possibility of getting limestone in the whole of Kerala. Could I know from him when the last geological survey of Malabar was made with a view specifically to find out whether the Malabar formations has limestone in them or not?

**Shri M. M. Shah :** This is not a question of a particular date on which the last survey was made. A continuous survey by the Geological Survey of India is always there and from the study of the survey and geological formations one can always indicate whether there is *prima facie* limestone or not. The present indications are that large deposits of limestone are not available in the State of Kerala.

### Coal Mines

**Mr. Deputy-Speaker:** Question No. 445, Shri Sadhan Gupta.

**Shri P. C. Bose :** May I request that question No. 501 may also be taken up along with this question?

**Mr. Deputy Speaker :** Has the hon. Minister any objection?

**The Deputy-Minister of Labour (Shri Abid Ali) :** No. Sir.

**Mr. Deputy-Speaker:** Both the questions may be taken up together.

**\*445. Shri Sadhan Gupta :** Will the Minister of Labour be pleased to state:

(a) whether the Coal Mines in West Bengal were flooded during the month of September, 1956;

(b) if so, the number of lives lost; and

(c) the compensation paid to the families of the workers who lost their lives?

**The Deputy Minister of Labour (Shri Abid Ali) :** (a) Yes.

(b) 32.

(c) Rs. 2,500 has been disbursed by the Ministry of Labour as *ex-gratia* relief to the dependents of the deceased work persons of the Burra Dhemo Colliery. Information regarding compensation paid is not available.

## Colliery Accident

Shri P. C. Bose :  
 Shri Bhagwat Jha Azad :  
 Shri K. C. Rao :  
 Dr. Ram Subhag Singh :  
 Shri Nageshwar Prasad  
 Sinha :  
 Shrimati Renu  
 Chakravartty :  
 Shri N. B. Chowdhury :  
 Shri Bibhuti Mishra :  
 Shri Kajrolkar :  
 Pandit D. N. Tiwary :

"501

Will the Minister of Labour be pleased to state :

(a) whether any enquiry has been instituted to inquire into the mine disaster of Burra Dhemo Colliery near Asansol which took place on the 26th September, 1956 and if so their findings ; and

(b) what was the total loss of life ?

**The Deputy Minister of Labour (Shri Abid Ali) :** (a) A 'Court of Inquiry' has been set up and its report is awaited.

(b) 28.

**Shri Sadhan Gupta :** May I know whether apart from what the Ministry of Labour has paid *ex gratia*, the mine owners of the mines concerned have paid anything to the families of the workers who lost their lives ?

**Shri Ahid Ali :** Besides the amount paid through the Ministry of Labour, the Mine Welfare Fund has also sanctioned a monthly allowance of Rs. 10 to the widows of the deceased workers for two years and a scholarship of Rs. 5 per month to each of the children of the deceased workers attending schools for a period of three years. The Government of West Bengal have also paid some relief to the dependents of the deceased workers. In regard to the amount to be paid by the employers under the Workmen's Compensation Act, it will take sometime to go through the formalities.

**Shri Veeraswamy :** May I know whether it is not possible to make a permanent arrangement for preventing the flood water flowing into the mines ?

**Shri Abid Ali :** That is exactly the function of the Coal Mines Organisation under the Chief Inspector of Mines. But, accidents do happen sometimes.

**Shri P. C. Bose :** Is it a fact that eleven underground workers were rescued alive after eighteen days of the accident and if so, how did they manage to survive for eighteen days ?

**Shri Abid Ali :** Of course, it was God's grace. A large number of people are coming for their *darshan*.

**Shri P. C. Bose :** May I know.....

**Shri Velayudhan :** rose.

**Mr. Deputy Speaker :** Order, order. I have to bring to the notice of the hon. Members the sequence in which they can speak and this should be borne in mind. The point is whether an hon. Member can speak only when he is called upon to speak or the Chair has to call on an hon. Member who has begun to speak. Sometimes there are two or three standing up and beginning to speak simultaneously. I will request the hon. Members to bear this in mind. One should not speak unless called upon to speak. He should stand up and give that indication and then he will be called upon to speak by turns.

**Shri Velayudhan :** May I know whether the Minister does not agree that the amount of Rs. 10 per month, and that too for two years only, per family is a very meagre and insufficient amount ?

**Mr. Deputy Speaker :** That is a matter of opinion and no information is asked for.

**Shri P. C. Bose :** I was asking whether these eleven workers who remained underground for eighteen days had become incapacitated for work and whether they would get any compensation along with the others ?

**Shri Abid Ali :** That matter is being considered by the Welfare Fund.

**Dr. Ram Subhag Singh :** May I know whether any extra-precautionary steps were taken by the Chief Inspector of Mines after these serious accidents in Ahmedabad and Parasia and if so what are those precautionary steps ?

**Shri Abid Ali :** All that the enquiry committee recommended, is being complied with and implemented.

## House Building Materials

**"446. Shri S. C. Samanta :** Will the Minister of Works, Housing and Supply be pleased to state whether Government have made any attempts to construct houses with non-traditional materials ?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) :** "Traditional Materials" is a relative term and I do not know what materials the Honorable Member has in mind. However, in the present context of scientific develop-

ment, Government have tried, as an experiment, a number of so-called non-traditional materials, such as hollow block cement concrete, hollow clay tiles, and foam concrete panels.

**Shri S. C. Samanta** : May I know whether the National Building Organisation has taken up any experiment for gypsum to be used as a building material?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh)** : Yes, Sir. Experiments on gypsum are being undertaken by them on a theoretical basis and also by the Building Research Institute at Roorkee.

**Shri S. C. Samanta** : We find from the report of 1955-56 that a symposium on housing and building materials was to be held in the month of March 1956. May I know whether it was held and whether any non-traditional materials were accepted there?

**Sardar Swaran Singh** : It was held some months ago but I could not be certain about the date. No exhibition was organised but very important information was exchanged and a number of papers were read. A number of technical people participated in the discussion.

**Shri S. C. Samanta** : May I know whether cinder coal ashes are being used as a building material?

**Sardar Swaran Singh** : I could not say as to whether it is being used on a large scale but pre-stressed cinder is also one of the non-traditional material about which some work is being carried on.

**Shri Kasliwal** : Before cement was used, we knew that lime—called *chuna* in the North India—was the traditional material used as building material. Now, may I know whether cement alone is being used and whether the use of lime has become non-traditional?

**Sardar Swaran Singh** : There is something in what the hon. Member says; that is how tradition changes. What is non-traditional today becomes traditional tomorrow. I am sorry to say that the use of lime has been discouraged. Efforts are being made to encourage the use of this material.

**Shri Joachim Alva** : Is the Government aware of a scheme, in which the West Bengal Government has displayed an interest, initiated by a leading Calcutta industrialist, Shri B.L. Jalan who has propagated the idea of building a million houses of bricks to be made anywhere, without any kind of special material?

**Sardar Swaran Singh** : I could not say; I have not come across any such scheme.

**Mr. Deputy Speaker** : That is information given.

**Shri V. P. Nayar** : What steps have been taken by the Ministry in order to use, in place of conventional varieties of timber like teak, other varieties of timber which, the Forest Research Institute has repeatedly said, would be equal to teak wood in all respects when they are treated?

**Sardar Swaran Singh** : Considerable work has been done by the Forest Research Institute regarding timber and also by certain depots run by the Railway Administration. It is true that other varieties of timber, when suitably seasoned and treated, can be used as building material although they cannot entirely replace wood of the type of teak. In a considerable part of the country, other wood besides teak is also used. For instance, *sal*, *deodar* and *chil* are very much used in the north.

**श्री अमरती कमलेन्द्रमति शाह** : यद्य पर्याप्त दिल्ली के चारों तरफ बहुत बड़ी मात्रा में मकान बना रही है, तो क्या उन घरों में पानी तथा बिजली देने का भी प्रबन्ध किया जा रहा है क्योंकि मैं देखती हूँ कि घर तो बहुत बन गये हैं लेकिन अभी तक वहां पानी तथा बिजली नहीं आई है?

**सरदार स्वराण्य सिंह** : अगर कहाँ पानी बिजली नहीं पहुँचती है तो वहां पहुँचनी चाहिये। मैं कोशिश करूँगा कि हर जगह पानी तथा बिजली पहुँचे और अगर किसी स्वास जगह का नाम बताया जाये जहां नहीं पहुँची है तो कोशिश की जायगी कि वहां भी पहुँचे।

**Shri Velayudhan** : May I know whether the Ministry have received any scheme from anybody in Kerala or the Government of that State concerning the making of bricks from white sea sand and if so, whether it has been accepted by the Ministry?

**Sardar Swaran Singh** : I think making bricks from whites and will be much too costly. Silican sands are used, not as building material, but as some sort of a lining for brick kilns. I do not know if that is what the hon. Member has in mind.

**Shri V. P. Nayar** : The hon. Minister did not quite understand my question. I was asking whether the Government of India, while constructing buildings for the Government were trying to reduce the use of teak wood and conserve it for other purposes by using other types of wood which had been reported to be equally good by the Forest Research Institute, especially with regard to tinsel, strength etc.

**Sardar Swaran Singh** : In some buildings for both the Central and the State Governments, timber other than teak had been used for construction.

### The Taj Mahal

\*447. **Shri Bishwa Nath Roy** : Will the Minister of Information and Broadcasting be pleased to state whether any steps have been taken for filming the Taj Mahal in the near future?

**The Minister of Legal Affairs (Shri Pataskar)** : Yes, Sir. A documentary is under preparation.

**Shri Bishwa Nath Roy** : May I know when the show of the film will start?

**Shri Pataskar** : The script for the film is under preparation and the show will start as soon as it is ready.

**Shri Bishwa Nath Roy** : May I know whether it would be shown in other countries also?

**Shri Pataskar** : Yes, Sir.

**Shri Bishwa Nath Roy** : May I know whether there are proposals under consideration for filming other films of historic importance?

**Shri Pataskar** : It is not under consideration, but it may be considered.

### Aluminium Factory, Travancore-Cochin

\*451. **Shri Velayudhan** : Will the Minister of Heavy Industries be pleased to state :

(a) whether any loan to the Travancore-Cochin Aluminium Factory has been given by the Central or the State Government; and

(b) if so, what is the amount given?

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

(b) Does not arise.

**Shri Velayudhan** : May I know what is the quantity of production in the Aluminium Factory at present?

**Shri M.M. Shah** : Presently it is about 5000 tons per annum in the Alwaye Factory.

**Shri Velayudhan** : May I know whether there was any proposal to expand the factory by adding more machinery?

**Shri M. M. Shah** : That is presently under consideration, but not at Alwaye. It will be at Hirakud, and to the capacity of 10,000 tons per annum.

**Shri Velayudhan** : May I know whether the Government have got any report about the running of this factory to show whether the factory was running satisfactorily in the past and whether there was any complaint about the factory management there?

**Shri M. M. Shah** : We have received no complaints. The factory is run by one of the world's biggest aluminium manufacturers, the Canadian Aluminium Ltd.

**Shri Bansal** : May I know whether Government has been approached by any other aluminium company for a loan?

**Shri M. M. Shah** : So far there is an application from the J. K. Nagar Factory, but that is under consideration.

### आसाम में उर्वरक कारखाना

\*452. **डा० राम सुभग सिंह** : क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आसाम के प्राकृतिक गैस संसाधन को उपयोग में लाकर वहां एक खाद का कारखाना खोलने का विचार ; है और

(ख) यदि हां तो यह मामला किस स्थिति में है ?

**उत्पादन उपमंत्री (श्री सतीश चन्द्र)** :

(क) और (ख). इस समय केवल प्रारम्भिक जांच की जा रही है।

**Shri K. P. Tripathi** : May I know how far this gas will be utilised for gas turbine, which was announced some time back?

**Shri Satish Chandra** : The question relates to Fertilizer Factory in Assam, Sir.

## Inspector of Post Offices, Madras

\*455. **Shri Veeraswamy** : Will the Minister of Communications be pleased to state:

(a) whether it is a fact that the corresponding number of points to be reserved in services for the Scheduled Castes and Scheduled Tribes in a cycle of 40 points fixed by the Home Ministry is 6 and 2 respectively; and

(b) if so, whether this formula was adopted in the recent selection of candidates for appointment as Inspectors of Post Offices in Madras Circle?

**The Minister in the Ministry of Communications (Shri Raj Bahadur)**: (a) and (b) Yes. Two Scheduled Caste candidates were selected as Inspectors of Post Offices in Madras Circle and one vacancy each of Scheduled Castes and Scheduled Tribes has been carried over to the next examination.

**Shri B. S. Murthy** : May I know how many candidates have appeared?

**Shri Raj Bahadur** : I cannot give exactly the number of those who appeared. The question pertains to the number of vacancies reserved and the number filled.

**Shri B. S. Murthy** : May I know whether the quota is being filled by Scheduled Caste candidates every year?

**Shri Raj Bahadur** : With regard to the new 40 point roster system which is now being maintained, as per the Ministry of Home Affairs' instructions, steps are being taken to see that the required quota is filled up according to that roster.

## Rubber Production

\*456. **Shri Punnoose** : Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) what will be the total output of rubber in India including synthetic rubber and natural rubber after the Second Five Year Plan; and

(b) of this how much would be produced in each State?

**The Minister of Trade (Shri Karmarkar)**: (a) Production of raw rubber at the end of the Second Five Year Plan is estimated at 29,000 tons a year. It is not possible to say at this stage whether any synthetic rubber will be produced at the end of the Second Five Year Plan.

(b) State-wise production of natural rubber is expected to be :-

Kerala State	.	.	.	91.3%
Madras State	.	.	.	6.9%
Mysore State	.	.	.	1.7%
Andaman Islands	.	.	.	0.1%

**Shri Punnoose** : It was stated that it is not possible to give the output of synthetic rubber. May I know whether there is going to be one unit or two units for production of synthetic rubber?

**Shri Karmarkar** : At present a proposal is under the consideration of the NIDC to set up one synthetic rubber plant with a capacity of 20,000 tons a year.

**Shri Punnoose** : May I know what will be India's requirement of rubber at the end of the Five Year Plan?

**Shri Karmarkar** : The overall requirements are estimated to be 45,000 tons.

**Shri Velsyudhan** : May I know whether the Government have made any estimate with regard to the possibilities of production of natural rubber in the country?

**Shri Karmarkar** : Sir, I presume that the hon. Member wants to know what are the possibilities envisaged. We have under consideration a scheme, outside the Five Year Plan scheme, for the replantation of 70,000 acres of 'low yielding rubber' spread over a period of ten years. On the completion of the replantation scheme by 1966 the indigenous production is expected to be 32,400 tons a year. We have another scheme under consideration to bring about 50,000 acres of land, fresh land, under cultivation. If that scheme is implemented, then the total production including synthetic rubber might be of the order of 85,000 tons a year by 1975.

**Shri V. P. Nayar** : May I know whether the Government has received any scheme from the Rubber Board for planting another one lakh acres with rubber and if so, what action has Government taken on this specific proposal of the Rubber Board?

**Shri Karmarkar** : I should like to have notice about the latest proposal made, according to my hon. friend.

**Shri Velsyudhan** : May I know whether the Government has investigated the possibility of planting rubber in the Kerala State and if so, how much acreage would be covered in the Second Five Year Plan?

**Shri Karmarker** : My submission at the moment is, a majority of the replanting and fresh planting will be in Kerala but I should like to have notice for specific, figures regarding a particular State.

**Shri Joachim Alva** : Has the Government sent out inspectors to the fertile Malaya rubber regions so that our growers in Kerala may have the benefit of their experience and training there?

**Shri Karmarker** : It is a sort of a delegation to Malaya.

**Shri Joachim Alva** : I meant observers to study the conditions there.

**Shri Karmarker** : Yes, observers, I just put it in another way. My notes do not show any scheme of sending anybody. If the hon. Member pursues the matter and if we find it useful, we might consider it.

**Shri K. P. Tripathi** : May I know why no attempt is being made to plant rubber in North-East India where the climate is similar to that of Travancore-Cochin

**Shri Karmarker** : We rely on experts for this purpose and do not take decisions as laymen. Simply similarity of climate is not enough; similarity of geophysical conditions is also there. If my friend has any specific suggestions to make with regard to North-East Frontier including Assam, and if there are possibilities, we shall consider them.

**Shri Punnoose** : Are Government aware that there is a serious apprehension among the rubber cultivators that the proposal for the production of synthetic rubber might ruin the position of natural rubber and if so, are Government in a position to clarify their policy that the interests of growers of natural rubber will be protected even if they open a factory?

**Shri Karmarker** : There is no ground for such an apprehension because synthetic rubber production is being contemplated with a view to fill in the gap between the possible production and the possible requirements.

### Film Production

\*457. { **Shri A. K. Gopalan** :  
**Sardar Iqbal Singh** :  
**Sardar Akarpuri** :

Will the Minister of Information and Broadcasting be pleased to state:

(a) how many film producing units and studios are working now in India and how many in each province; and

(b) how many cinema theatres are there in India upto date at present?

**The Minister of Legal Affairs (Shri Pataskar)** : (a) There is no legal provision for the registration of producing units for studios and therefore complete and accurate statistics are not available. However, according to the Report of the Film Enquiry Committee, there were 211 film producing units and about 60 studios in 1948. A trade publication bought out in 1956 gives the latest figures as 300 and 65 respectively.

(b) The number of cinemas including touring talkies is about 3,600.

**Shri A. K. Gopalan** : May I know whether the Government of India have considered the recommendations of the Film Enquiry Committee contained in their report of 1951, and if so, what are the decisions arrived at?

**Shri Pataskar** : I think I will require notice to answer that question.

**Sardar Iqbal Singh** : May I know the number of cinemas and the number of touring talkies separately?

**Shri Pataskar** : I have not got those figures separately here with me.

**Sardar Iqbal Singh** : May I know whether the Government has got its own studio for the production of films; if not the centre where it is going to be situated?

**Shri Pataskar** : I would require notice of that, because that is not covered by the main question.

**Dr. Rama Rao** : May I know in what way Government are assisting film producing units in the country?

**Shri Pataskar** : By all means that they could follow.

**Mr. Deputy-Speaker** : I would request the hon. Members to reserve their questions for the future, till the time when the Minister concerned is present here.

**Shri A. K. Gopalan** : When there is an important question like this and when the Minister in charge is not present, I think attempting to answer the question by another Minister who will not be able to meet the questions is not proper.

**Mr. Deputy-Speaker** : Honest attempts are to be made, but if they are not successful to the degree that we expect them, certainly we have to postpone it for some other day, but it cannot be laid down to that no other Minister should attempt an answer. In this matter, it is also significant that the Minister has no deputy to assist him. Therefore, we should proceed. The Minister of Legal Affairs is trying his best.

**Shri A. K. Gopalan** : It may be postponed for another day.

**Shri Pataskar** : I should like to point out that the comment made by the hon. Member is not fair, for the simple reason that the question asked is, "How many film producing units and studios are working now in India?". The answer is given. Again, "How many cinema theatres are there in India upto date at present?" The answer for that also was given.

**Mr. Deputy-Speaker** : I do not agree with the non. Minister there, if he reads the answer and says that this much information alone has been asked. Supplements certainly do relate to the questions that have been tabled and asked. Therefore, we cannot confine only to the main question that has been put. Next question.

#### Indian Made Paper

\*458. **Shri Ramachandra Reddi** : Will the Minister of Heavy Industries be pleased to state :

(a) whether it is a fact that large stocks of certain varieties of Indian made paper are left unsold due to the free import of the same varieties from foreign countries; and

(b) what are the unsold varieties and the value of such stocks?

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

(b) Does not arise.

**Shri B. S. Murthy** : May I know whether the Andhra Paper Mills have made any representation that paper made there to the tune of Rs. 10 lakhs is lying waste and that nobody is there to purchase it because of imports?

**Shri M. M. Shah** : There is a representation received from the Andhra Paper Mills though not from the Andhra State Government which owns the paper factory. The fact of the matter is that the accumulation is not as large as the hon. Member points out. Actually speaking, the Andhra Paper Mills manufacture only five per cent of the craft paper consumed in the country and 95 percent of the craft paper is produced by other mills. None of the producers of the 95 per cent of craft paper has made any complaint as regard the saleability. So obviously, the reason is that the quality of the paper made by the Andhra Paper Mills is rather inferior and that is why a little accumulation has taken place there.

**Shri Ramachandra Reddi** : May I know whether any representations have been received from the traders at Madras who have purchased the craft paper from Andhra Paper Mills and that they have not been able to sell them for the simple reason that imported goods are sold cheaper and at competitive rates? What steps do the Government contemplate to promote the sale of such accumulated stocks?

**The Minister of Trade (Shri Karmarkar)** : Our normal policy is that we take great care to see to it that the indigenous industry does not suffer on account of over-imports, and particularly so in view of the present foreign exchange conditions.

**श्री रमेशन्द्र रेडी** : यहाँ में जान सकती हूँ कि जिस प्रकार कि देश में कागज की जरूरत है उसको देखते हुए उसके बास्ते बांस को जितना ज्यादा हो सके कल्टीवेट किया जाये क्योंकि चाहना और जापान . .

**उंपाध्यक्ष महोदय** : "क्योंकि" को छोड़ दीजिये बाकी सवाल पूछिये।

**Shri M. M. Shah** : Regarding the suggestion of the hon. lady Member, I might say that all efforts are being made to increase the production. As my hon. colleague mentioned, actually, there is a complete restriction of the import of paper weighing more than 39 grammes per square metre and it is only for better and lighter paper that an import of a certain quantity is allowed for the users. As I said, none of the people who manufacture 95 per cent of the paper—the Andhra Paper Mills manufacture only five per cent—have complained about the saleability or about the difficulty in marketing in the country. The Andhra Paper Mills produce only five per cent and that obviously shows that there are more than one reason for the non-sale, and it is not the import policy which alone is responsible.

**Dr. Rama Rao** : May I know whether the Government are going to revise the import policy in view of the fact that this factory—the Andhra Paper Mills—is very seriously affected by this import policy, and is it a fact that the Andhra Paper Mills manufacture?

**Mr. Deputy-Speaker** : Only one question might be put.

**Shri M. M. Shah** : As I have already said, we constantly review the position and if and when necessary, further restrictions are always imposed.

**Shri Ramachandra Reddi :** May I know whether the Government will be pleased to enquire about the unsold stocks in Madras or Andhra State and find out the ways and means of disposing of the stock?

**Shri M. M. Shah :** The matter is under very active consideration.

**Shri B. S. Murthy :** Arising out of that the answer given by the Minister at the quality of the paper made by the Andhra Paper Mills may be inferior.....

**An Hon. Member :** He has not said so.

**Shri B. S. Murthy :** He said so.

**Mr. Deputy Speaker :** If the Minister remembers what he said, the hon. Member may come to the question now.

**Shri B. S. Murthy :** Yes, Sir. May I know whether an attempt is made by the hon. Minister to investigate into this matter because a State is involved in this dispute.

**Shri M. M. Shah :** Several suggestions have been made. Actually, as I said, the Andhra State Government itself, which owns this factory, has not made any direct approach. Even then, the Development Wing of the Ministry is already advising them as to how to improve the quality.

**Shri Heda :** Is it not a fact that all other factories which manufacture craft paper are making very great profits so much so that from the consumers' point of view, the time has come when the tariff restrictions should be loosened?

**Shri M. M. Shah :** I take the information, but actually, they are not related to facts. The production is increasing and much of the profit is being ploughed back in expansion schemes.

अमलाबाद की कोयले की स्थाने

\*४६२. { श्री खू० ख० सोधिया :  
श्री चट्टोपाध्याय :

क्या अम मंत्री यह बताने की कृपा करेंगे कि :

(क) चिकली और अमलाबाद की कोयले की स्थानों के प्रबन्धकों के क्या नाम हैं जिनके विरुद्ध कानूनी कार्यवाही करने के नियम का उल्लेख मंचनालय के १६५५-५६ के प्रतिवेदन में किया गया है;

(ख) क्या वास्तव में कानूनी कार्यवाही की गई है; और

(ग) यदि हां, तो प्रत्येक मामले में क्या परिणाम रहा?

**अम उपमंत्री (श्री आविद अली) :**

(क) प्रबन्धकों के नाम क्रमशः श्री के० एस० माधुर और श्री के० दस हैं।

(ख) जी हां।

(ग) अदालत ने अभी फैसला नहीं दिया है।

**श्री खू० ख० सोधिया :** उनके ऊपर कौनसा चार्ज लगाया गया था?

**श्री आविद अली :** माइन्स एक्ट के लिहाज से उन्होंने लापरवाही की क्योंकि उन्होंने ऐसा प्रबन्ध नहीं किया कि सुरक्षित तरीके से काम हो सके।

**Shri T. B. Vittal Rao :** May I know whether it is a fact that the managers still continue to serve in the colliery though they have been held responsible for the disaster, by the court of enquiry?

**Shri Abid Ali :** We have launched a prosecution against them, and also a court of enquiry has been appointed, under the Mines Act. I do not know what is the present position. If the hon. Member wants to know it, he may give notice of it, and I could get the information and supply it.

**Dr. Rama Rao :** May I know when the legal action was started and at what stage is it now?

**Shri Abid Ali :** A prosecution was launched early this year and also a court of enquiry was appointed during that period. It is for the court of enquiry to suspend the licences. Government cannot do anything in this matter. That point should be made clear.

पाकिस्तान में रोके गये हरिजन।

\*४६३. { डा० राम सुभग सिंह :  
श्री अमर सिंह डामर :

क्या प्रधान मंत्री २८ अगस्त, १९५६ के तारांकित प्रश्न संख्या १४६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

उन हरिजनों के बारे में भारत सरकार ने और आगे क्या कायदेहाती की है जिनको पाकिस्तान से इस बुहाने पर भारत नहीं आने दिया गया था कि वे हिन्दू नहीं हैं ?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda) :** The matter is still being pursued.

**Shri B. S. Murthy :** In view of the fact that this question has been pending for long and there are reports in the papers that the Harijans who want to come over to India are being not only allowed to come but also being persecuted and harassed, may I know what immediate steps are being taken by the Government to relieve the situation ?

**Shri Anil K. Chanda :** The Pakistan Government are persisting in their attitude that the same facilities that are given to the Hindus and Sikhs desiring to migrate from Pakistan cannot be given to the Harijans.

**Dr. Ram Subhag Singh :** If the Pakistan Government is persisting in this attitude, namely, that the same facilities should not be given to the Harijans, may I know whether the Government of India will categorically state that the Nehru-Liaquat Pact is dead ?

**Shri Anil K. Chanda :** We are considering our next step in the matter.

**Shri Kasliwal :** The hon. Deputy Minister said that the same living conditions are not applicable to the Harijans as the Hindus. May I know whether any communication has been addressed to the Pakistan Government stating that the living conditions of Harijans must be improved ?

**Shri Anil K. Chanda :** This matter has continually been taken up with the West Punjab Government. As recently as in the month of October, our High Commissioner has seen the Chief Minister of the West Punjab Government on this matter.

**Sardar Iqbal Singh :** May I know the total number of Harijans in West Pakistan and the number of those who want to migrate to India ?

**Shri Anil K. Chanda :** We have no information in this matter. But in the camp there are 138 Harijans still staying.

**Dr. Ram Subhag Singh :** The hon. Deputy Minister said that the position regarding the Nehru-Liaquat agreement was still under consideration. May I know when this will be decided ?

**Shri Anil K. Chanda :** As far as the Nehru-Liaquat agreement is concerned, it refers to East Bengal.

**Shrimati Sushama Sen :** May I know why the Harijans are not given the same facilities as the Hindus and why ?

**Mr. Deputy-Speaker :** Should that be decided by us now ? That is the view that is held by the Pakistan Government. Our Government are not taking that view and they are discussing it with the Pakistan Government.

**Shri Ramachandra Reddi :** May I know whether the Government have made any enquiries whether these Harijans are given any employment by the Pakistan Government and if so, what sort of employment is given to them ?

**Shri Anil K. Chanda :** These particular people are in the camps. There are many more Harijans living in West Pakistan.

**Shri Jaipal Singh :** May I know what reasons have been given by the Pakistan Government for not considering the Harijans as part of the Hindu community ? If they have given any reasons, what are they ?

**Shri Anil K. Chanda :** No theological reasons have been given by them. They hold that the Harijans are distinct from the Hindu community.

#### Export of Shoes to Russia

**\*464. Shri Kajrolkar :** Will the Minister of Commerce and Consumer Industries be pleased to state :

(a) whether it is a fact that an agreement has been reached with the Government of Soviet Russia for the export of a million pairs of shoes ;

(b) if so, the details thereof ;

(c) whether any portion of the orders for the manufacture of the required number of shoes will be fulfilled through hereditary shoemakers and their co-operatives ;

(d) if so, the proportion of such orders to be fulfilled through such shoemakers and their co-operatives ; and

(e) if the answer to part (c) is in the affirmative, whether Government propose to extend financial aid to the persons concerned in order to enable them to fulfil the orders ?

**The Minister of Trade (Shri Karmarkar) (a) to (e) :** An agreement has been made by the State Trading Corporation of India (Private) Limited with the U.S.S.R. for the export of shoes worth Rs. 1,18,05,000. Deliveries will be completed by the end of February, 1957. A major portion of the supplies will be made through National Small Industries Corporation who will execute the orders through

**Cooperative Societies.** Small shoemaking establishments as well as individual shoemakers. Government have given a loan of Rs. 25 lakhs to the Corporation to help it organise production.

**Shri Kajrolkar :** May I know whether any quotas have been laid State-wise and if so, what are they?

**Shri Karmarkar :** I am not aware of the exact process which the National Small Industries Corporation adopted for placing its orders. But, I should think that we do not make any regional distinctions. Anyone is welcome to participate in this production.

**Shri Kajrolkar :** Is it a fact that a branch of the Corporation has been opened in Agra to help the industry? If so, will similar branches be opened in other centres?

**Shri Karmarkar :** Yes, sir; it is a fact that a helping unit has been opened in Agra under the auspices of this organisation. Wherever suitable, as per requirements, the Corporation will consider the particular location in which such a thing is necessary.

**Dr. Rama Rao :** Is it a fact that the lion's share of this order has been placed in a few places like Agra and other places have been neglected?

**Shri Karmarkar :** Normally the lion's share of the order goes to the place where there is the lion's share of production. As my hon. friend very well knows, Agra is the single biggest producing centre in the whole of India and naturally, the bulk of the orders goes there.

**Shri C. R. Chowdary :** May I know whether the State Trading Corporation is placing orders directly with the people or is it placing its orders through some other agencies for the purpose of supply? If so, what is the commission on the basis of which orders have been placed with the private suppliers?

**Shri Karmarkar :** About the commission, the National Small Industries Corporation will be solely guided by the price. It is not in the public interest to disclose the commission that this Corporation or anyone charges. As my hon. friend knows, the National Small Industries Corporation is principally a helping organisation. It is the State Trading Corporation through which all these orders are being canalised.

**Shri C. R. Chowdary** rose—

**Mr. Deputy Speaker :** I just now requested hon. Members to wait till they

are called. I have called [Shrimati Kamla Mati Shah.

**श्री अवलोकन समिति कानूनी समिति वाहू :** क्या मैं आप सकती हूँ कि हमारे मुल्क में काफ़ी चमड़ा नहीं है जो हमें बाहर से मंगाना पड़ता है?

**उपाध्यक्ष महोदय :** यह चमड़ा मंगाने का सबाल नहीं है बल्कि जो है उसके जूँड़ बनाने का सबाल है।

**Shri C. R. Chowdary :** May I know the actual position of the State Trading Corporation? Are they acting as middlemen or are they directly acting for the purpose of making a profit by these orders placed by foreigners?

**Shri Karmarkar :** As I said, these transactions are canalised through the State Trading Corporation; and, for the canalisation, it should not be considered unjust if they charge a small percentage.

**Shri B. S. Murthy :** Arising out of answer given by the hon. Minister, namely, Agra is the centre of the lion's share or production, and therefore it will have to be given the lion's feeding, is it the intention of the Government that the entire trade must be given to Agra to the neglect of other places which are now struggling in the industry?

**Shri Karmarkar :** That was not the intention at all. We have to meet the order within a limited period of time and naturally we go to those areas where we can get the goods readily within that time. The intention is not to help any centre, big or small. Even a single cobbler is welcome to us. It is immaterial whether the supply comes from Agra, Tamil Nadu, Andhra or any other place.

**श्री अवलोकन समिति :** क्या मंत्री महोदय यह बतलाने की कृपा करेंगे कि भारत में बने हुए जूँड़ सोवियट रूस में इतने लोकप्रिय क्यों हो रहे हैं?

**Shri Heda :** In view of the fact that we export hides and skins and also the fact that taking into consideration the quality, the shoes manufactured in India are cheaper than the shoes sold in the markets in Europe or America or Russia. Is our Government trying to explore the possibilities of finding better markets for our shoes in other countries?

**Shri Karmarkar :** As my hon. friend is doubtless aware, already we have an export market. We are trying to develop that in view of the advantages that we have in this matter to the extent possible.

### Unfiltered Water Supply in Delhi

**\*466. Shrimati Kamla Mati Shahs**  
Will the Minister of Works Housing and Supply be pleased to state in view of the increasing population and shortage of unfiltered water in Delhi the steps the Government are taking to increase the supply of the same?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar):** The position of unfiltered water supply in Delhi is satisfactory. Necessary steps to meet the demand of increasing population have been taken.

**श्रीमती कमलेन्द्रमति शाह :** क्या मैं जान सकती हूँ कि फिल्टर्ड वाटर के लिए क्या प्रबन्ध किया जा रहा है?

**Shri P. S. Naskar :** Filtered water is the concern of the Health Ministry.

**श्रीमती कमलेन्द्रमति शाह :** क्या मैं जान सकती हूँ कि जो बस्तियाँ बनी हैं उनके ब्लाक्स बना कर अलग अलग बिजली के कुंये लगा कर क्या उन बस्तियों को पानी पहुँचाने का इरादा है क्योंकि उस हालत में उनको दुःख नहीं पहुँचेगा।

**निर्मला, श्रावास और संभरण मंत्री (सरदार स्वर्ण सिंह):** अगर साफ पानी पीने वालों के मुताबिक आनरेबुल लेडी मेम्बर कहती हैं तो यह जसा कि मेरे कोलीग ने बतलाया है कि यह हेल्प मिनिस्ट्री का काम है। जहां तक अनफिल्टर्ड वाटर का सवाल है, उसमें कोई कमी नहीं है।

**श्रीमती कमलेन्द्रमति शाह :** क्या मंत्री महोदय को पता है कि अनफिल्टर्ड वाटर भी नहीं मिल रहा है?

**सरदार स्वर्ण सिंह :** अगर कोई शिकायत है तो मैं देखूँगा कि किस जगह के मुतालिक शिकायत है।

### WRITTEN ANSWERS TO QUESTIONS Rayon Factories

**\*438. Shri Chattpadhyaya :** Will the Minister of Labour be pleased to state:

(a) whether any survey has been made about the injurious effect on the

health of the workers in Rayon Factories, which use various kinds of acids;

(b) if so, the steps proposed to be taken for the mitigation of deleterious effect; and

(c) the steps taken to protect the atmosphere from pollution by the waste products of the factories?

**The Deputy Minister of Labour (Shri Abid Ali) :** (a) No detailed survey has yet been carried out. It is proposed to carry out a survey shortly.

(b) and (c). These will have to be considered after the survey has been carried out and its results known.

### Payment of Wages Act, 1936

**\*439. Shri T. B. Vittal Rao :** Will the Minister of Labour be pleased to refer to the reply given to Starred Question No. 1444 on the 25th August, 1956 and state what is the present position in regard to the proposal to bring forward an amending Bill in respect of the Payment of Wages Act, 1936?

**The Deputy Minister of Labour (Shri Abid Ali) :** The amending Bill will be introduced soon.

### Cloth Production

**\*441. Shri Bhagwat Jha Azad :** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) what is the present position of cloth production;

(b) whether there was scarcity of cloth on the eve of Dussehra and Diwali; and

(c) if so to what extent the price was increased?

**The Minister of Trade (Shri Karmarkar) :** (a) The total production of mill made cloth during the ten months of 1956 has been of the order of 4371 million yards.

(b) and (c). There has been no report about the scarcity of cloth in any centre on the eve of Dussehra and Diwali or any fundamental increase in the prices of cloth.

### Printing Machinery

**\*448. Shri Ram Krishan :** Will the Minister of Heavy Industries be pleased to refer to the reply given to Starred Question No. 1240 on 20th August, 1956 and state:

(a) whether Government have finalised the scheme for manufacture of printing machinery; and

(b) if so the main features thereof?

**The Minister of Heavy Industries****(Shri M. M. Shah):** (a) Not yet, Sir.

(b) Does not arise.

**Arrears of Pay to P. & T. Employees****\*449. Shri K. S. Rao:** Will the Minister of Communications be pleased to refer to the reply given to Starred Question No. 471 on the 30th July, 1956 and state :

(a) whether the arrears due to ex-State employees in Hyderabad Circle consequent upon the implementation of Central Pay Commission scales of pay from the 1st April, 1940 have since been paid ;

(b) if not, the reasons therefor ;

(c) the number of employees who are still to be paid; and

(d) the steps proposed to be taken to expedite payment of the same ?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) This has been done in the case of 1,628 persons.

(b) The delay is due to the additional work involved in refixing pay preparing pre-audit bill and getting them passed by audit.

(c) 1,051.

(d) All Heads of Divisions in Hyderabad Circle have been instructed by Director, Posts &amp; Telegraphs, Hyderabad to expedite the disposal of all arrear cases and to forward fortnightly statements to his office, to check delay. Additional staff is also being posted, where justified, to cope with additional work.

**Coffee Exports****\*450. Shri R. P. Garg:** Will the Minister of Commerce and Consumer Industries be pleased to state :

(a) whether Government have released for export a further quota of 4000 tons of Coffee out of the 1955-56 stock ;

(b) the total release of Coffee for export during the above period;

(c) whether large surpluses are available for export with the Coffee Board; and

(d) if not, the present position thereof?

**The Minister of Trade ( Shri Karmarkar):** (a) Yes, Sir, in July 1956.

(b) 8100 tons.

(c) No, Sir.

(d) The balance stocks of coffee available with the Board at the end of October 1956 amounted to 9730 tons. This quantity is considered necessary to meet the internal requirements during the next two months and to provide a satisfactory carry-over for 1957 to meet the internal demand until the 1956-57 crop becomes available for release.

**Indian Teachers in Malaya****\*453. Shri Shree Narayan Das:** Will the Prime Minister be pleased to state :

(a) Whether it is a fact that the Malayan Government has imposed some new conditions for the employment of teachers affecting Indian University Graduates; and

(b) if so the nature of such conditions imposed?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) Yes, Sir.

(b) Indian University Graduates are now required to pass a Departmental Post-Graduate Examination, after the probationary period, according to various categories.

**Handloom Industry****\*454. Shri Bibhuti Mishra :** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) the steps taken to finance the handloom industry in various States upto the 31st October, 1956; and

(b) how far the production has increased ?

**The Minister of Trade (Shri Karmarkar):** (a) and (b). Two Statements are placed on the Table of the House. [See Appendix II, Annexure No. 82]**Coal Production and Development Commissioner Office****\*459. Shrimati Renu Chakravarty:** Will the Minister of Production be pleased to state:

(a) the number of employees from the office of the Coal Production and Development Commissioner and Office of the Chief Mining Engineer and the Additional Chief Mining Engineer State Collieries transferred to Ranchi up-to-date ;

(b) whether housing accommodation has been provided for all the staff so transferred; and

(c) whether any extra emoluments have been given to make up for financial loss sustained due to transfer?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) 63.

(b) All the employees have secured private accommodation except 7 Class III staff who have been provided temporary single accommodation in a hostel.

(c) A special compensatory allowance equal to 12½% of the basic pay, subject to a minimum of Rs. 15 for Class III and Rs. 10/- for Class IV staff has been sanctioned for a period of one year. Instructions have also been issued that an advance equal to two months basic pay recoverable in 24 monthly instalments may be given to those who apply.

#### Jamsar Gypsum Mines Strike

\*460. **Shri Bheekha Bhai:** Will the Minister of Labour be pleased to state:

(a) whether any Report has been submitted by the Chief Labour Commissioner (Central) in respect of the Jamsar Gypsum Mines strike; and

(b) if so, whether Government will place on the Table of the Sabha a copy of the Report?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). Relevant extracts from the report dated the 27th July, 1956 received from the Chief Labour Commissioner (Central), on the industrial dispute in Gypsum Mines, Jamsar, are placed on the Table of the Lok Sabha [See Appendix II, annexure No. 83].

#### Destruction of Letters

\*461. **Pandit D. N. Tiwary:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that cases of destruction of ordinary letters by postmen, specially of Extra Departmental Post Offices have been detected in every Postal Circle and that the number of such cases is on the increase; and

(b) if so, the steps taken by Government to check such cases?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) In 1956, 8 such cases were detected, one each in West Bengal, U.P.,

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Andhra, Punjab, Delhi and Hyderabad Circles and two in Bombay Circle. No cases were detected in Bihar, Central, Rajasthan, Madras, Orissa and Assam Circles. Only one of these cases pertained to an extra departmental post office. In 1955, there were nine such cases.

(b) Supervision and precautionary measures to prevent such losses have been considerably tightened up and deterrent disciplinary action, including in certain cases prosecution in a Court of Law, has been taken against delinquent officials.

#### Training in Industrial Management

\*465. **Shri M. R. Krishna:** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether it is a fact that the Ministry has chalked out a scheme to impart training for the Extension Officers working in the Community Projects in industrial management;

(b) when this training will be started and which are the Centres selected to conduct the Training Classes; and

(c) what is the total number of officers going to be trained for the industrial management?

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

(b) The training courses for the first two batches have already been completed in the Regional Institutes at Bombay, Calcutta, Madras and New Delhi. The third course of training has started on the 15th November in these institutes.

(c) 400 officers a year.

#### Uranium

\*467. **Shri H. N. Mukerjee:** Will the Prime Minister be pleased to state what has been the response so far to the effort, if any, made by Government to enlist public interest in the search for Uranium and other atomic minerals?

**The Deputy Minister of External Affairs (Shri Amil K. Chanda):** The response so far from the public to the efforts made by Government to enlist public interest in the search for Uranium and other atomic minerals has been very poor. Efforts are however being continued.

**Beryl**

\*468. { **Thakur Jugal Kishore Sinha** :  
**Shri Asthana** :  
**Babu Ramnarayan Singh** :

Will the Prime Minister be pleased to state the price paid by Government for supply of Beryl and its cost of production per ton?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda)** : A statement showing the prices paid by Government for supply of Beryl ore is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 84]

Since Beryl is produced as a by-product of the mining of mica and other minerals, no exact cost of production per ton of Beryl ore can be given.

**International Law Commission**

\*469. { **Sardar Iqbal Singh** :  
**Sardar Akarpuri** :  
**Shrimati Tarkeshwari Sinha** :

Will the Prime Minister be pleased to state :

(a) whether the Government of India has received the report of the International Law Commission regarding laws relating to sea in peace time;

(b) if so, what are main features of this report; and

(c) the views of the Government of India in regard to the report?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda)** : (a) Yes.

(b) The Commission's final report deals with various aspects of the law of the sea, such as regime of the high seas, the regime of the territorial sea, the Continental Shelf, the Contiguous Zone and the Conservation of the living resources of the sea.

(c) The Government of India have not yet formulated any final views. The report of the International Law Commission is under consideration. It is an item of the agenda in the current session of the U.N. General Assembly and will come up for discussion there.

**Hyderabad Gold Mines**

\*470. **Shri Nambiar** : Will the Minister of Labour be pleased to state :

(a) at what stage is the prosecution launched against the management of the Hyderabad Gold Mines for violation of provisions of Mines Act, 1952 following the fatal accidents in September, 1955;

(b) whether any representation was made to the Government previous to these accidents that the management is not ensuring safety in the mines;

(c) if so, what action has been taken by the Government; and

(d) whether regulations and rules framed under the Mines Act are applicable to these mines?

**The Deputy Minister of Labour (Shri Abid Ali)** : (a) The case is pending.

(b) Yes, to the Chief Inspector of Mines.

(c) Matter was enquired into by a senior officer of the Department of Mines.

(d) Yes.

**Election of Vice-President of U. N. General Assembly**

\*471. { **Shri Shivananjappa** :  
**Shri Wodeyar** :  
**Shri Nettur P. Damodaran** :

Will the Prime Minister be pleased to state whether the Government of India has decided to contest for the post of Vice-President of the U. N. General Assembly this year?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda)** : At the commencement of the current session of the General Assembly India was elected as one of the Vice-Presidents of the General Assembly.

**Cement Shortage**

\*472. **Shri Balakrishnan** : Will the Minister of Heavy Industries be pleased to state :

(a) whether Government is aware of the shortage of cement in Madras State;

(b) if so, what action Government has taken in the matter;

(c) whether the Madras Government has asked the Centre to increase the quota allotted to the State; and

(d) if so, the action taken by the Centre?

**The Minister of Heavy Industries (Shri M. M. Shah)** : (a) and (b). The current year's production of cement is about 5.5 million tons as against 4.5 million tons last year. Also we are importing 7 lakh tons of cement this year. This will increase the availability of cement this year by 1.7 million tons as compared to last year. In spite of

of this, as the demand has gone up considerably during the current year, there is a shortage of cement throughout the country including the State of Madras.

(c) and (d). A request from the Madras Government for increasing the Madras State quota was received some time back. The quota has been increased from 91,500 tons to 99,000 tons during the period October to December 1956.

#### Textile Mill in Assam

\*473. **Shri Debendra Nath Sarma** : Will the Minister of Commerce and Consumer Industries be pleased to state :

(a) whether it is in the contemplation of Government to set up a Textile Mill in Assam; and

(b) if so, whether it will be in the public sector?

**The Minister of Trade (Shri Karmarkar)** : (a) and (b). It is proposed to allot 25,000 spindles for establishing a textile mill by a private party in Assam.

#### British Ship-building Mission

\*474. { **Shri Gadilingana Gowd** : **Shri H. G. Vaishnav** :

Will the Minister of Production be pleased to state:-

(a) whether it is a fact that a British ship-building mission will be visiting India shortly; and

(b) if so, the purpose of the mission?

**The Deputy Minister of Production (Shri Satish Chandra)** : (a) The U.K. Government have offered assistance in the establishment of a Second Shipyard and their proposal to send a small expert mission under the Technical Co-operation Scheme of the Colombo Plan is under consideration.

(b) It has been suggested that the mission after visiting possible sites and studying the data available may prepare a preliminary project report on the layout of the new Shipyard and the equipment required to establish it, together with estimates of capital cost and of the construction costs of the types of ships to be built in the yard.

#### Primary Organic Chemicals

\*475. **Shri V. P. Nayar** : Will the Minister of Heavy Industries be pleased to state :

(a) whether any specific targets have been laid down for achievement in

the Second Five Year Plan for the manufacture of Primary Organic Chemicals like Benzene, Toluene, Xylene, Phenol, Anthracene or Naphthalene; and

(b) the exact developments in this line as contemplated for being worked out in the plan period?

**The Minister of Heavy Industries (Shri M. M. Shah)** : (a) No, Sir. No specific targets have been fixed. But certain tentative targets have, however, been indicated in the Plan for some of the more important organic chemicals.

(b) A statement showing the estimated annual capacity at the end of the Second Plan period for the production of the organic chemicals is laid on the Table of the House. [See Appendix II, annexure No. 85]

#### Oil Refinery at Bhavnagar

\*476. **Shri Chattpadhyaya** : Will the Minister of Production be pleased to state :

(a) whether the private firm have again submitted their proposal for the installation of an Oil Refinery at Bhavnagar in collaboration with a French firm;

(b) if so, whether Government have considered the same; and

(c) the stage at which the matter stands at present?

**The Deputy Minister of Production (Shri Satish Chandra)** : (a) and (b). Yes.

(c) It has been decided to defer further consideration until fuller details about the proposed new refinery to treat Assam crude oil are available.

#### Manganese Workers

\*477. **Shri T. B. Vittal Rao** : Will the Minister of Labour be pleased to state :

(a) whether Government propose to institute a Fund for Manganese workers on the lines of Coal Mines Labour Welfare Fund;

(b) if so, main features of the scheme; and

(c) when the same will be brought into operation?

**The Deputy Minister of Labour (Shri Abid Ali)** : (a) Yes.

(b) The proposal under consideration is to constitute a Fund by imposition of a duty on exports of manganese and utilization of the amount so realized for promotion of welfare activities in manganese mines.

(c) As soon as the necessary legislation is enacted.

#### Youth Employment Service

\*478. { Shri Bhagwat Jha Azad :  
Shri Ram Krishan :  
Shri M. Islamuddin :

Will the Minister of Labour be pleased to state :

(a) whether there is any proposal to start a specialized Youth Employment Service at the Employment Exchanges;

(b) if so, what would be the special features of that service; and

(c) whether any pilot office has been opened for handling the Juveniles?

**The Deputy Minister of Labour (Shri Abid Ali) :** (a) Yes.

(b) The following are the special features of the Youth Employment Service:

(i) to advise young persons regarding possible employment openings to suit their education, abilities and aptitude;

(ii) to provide information regarding facilities for further education in the vocations chosen by the young persons;

(iii) to assist them in securing suitable employment; and

(iv) generally to give them personal guidance regarding employment and training.

(c) Yes, a pilot office has been opened at the headquarters of the Directorate General of Resettlement and Employment, New Delhi.

#### All India Sericultural Training Institute

\*479. **Shri Keshavaiengar :** Will the Minister of Production be pleased to state :

(a) whether Government propose to establish an All India Sericultural Training Institute under the auspices of the Central Silk Board; and

(b) if so, the location thereof?

**The Deputy Minister of Production (Shri Satish Chandra) :**  
(a) Yes, Sir.

(b) The matter is under consideration.

#### Displaced Persons

\*480. **Shri Gidwani :** Will the Minister of Rehabilitation be pleased to state :

(a) whether Government are aware of the fact that in the Bombay State displaced persons are still living in Dharamshallas in some places and have not been provided with any shelter by Government; and

(b) if so, whether Government propose to do anything in the matter?

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

(b) Instructions have been issued to the Bombay Government to allot tenements already lying vacant in that State to these displaced families. Alternatively, the State Government have been advised to acquire land, develop it and sell plots to such displaced persons, at cost, so that they can construct their own houses.

#### Typewriters

\*481. **Shri D. C. Sharma :** Will the Minister of Commerce and Consumer Industries be pleased to state;

(a) the production of typewriters for the last three years; and

(b) the efforts that are being made to step up the production?

**The Minister of Trade (Shri Karmarkar) :** (a) The production of typewriters in India was started only in July 1955. The production during 1955 and the first nine months of 1956 was 4,630 Nos. and 9,712 Nos. respectively.

(b) The manufacturers are being assisted to import the necessary raw materials components, etc., according to the phased manufacturing programmes approved by the Government.

#### Displaced Persons Colonies

\*482. { Shri Sadhan Gupta:  
Shri B. K. Das:

Will the Minister of Rehabilitation be pleased to state:

(a) the number of refugee colonies and camps affected by the floods in West Bengal in September, 1956;

(b) the number of refugees rendered homeless;

(c) the extent of pecuniary damage suffered by them; and

(d) the steps taken to relieve their distress?

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

**Accommodation for Central Government Employees at Calcutta**

\*483. **Shri S. C. Samanta:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) what percentage of shortage of accommodation for Central Government employees at Calcutta has been removed during the First Five Year Plan;

(b) whether there was any proposal to remove the Cattle Market from the Orphangunge Market and construct buildings for Central Government servants in Calcutta;

(c) if so, what has been done in the matter; and

(d) whether Government of West Bengal have agreed to start a new cattle market instead?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar):** (a) A statement showing the demand, availability and percentage shortage of accommodation in Calcutta on 1-4-1951 and at present is placed on the Table of the Lok Sabha. [See Appendix II, annexure No. 86]

(b) Yes, Sir.

(c) and (d). The proposal has since been held in abeyance as the question of transferring this Market to West Bengal Government is under consideration.

**Press Agencies**

\*484. { **Shri K. S. Rao:**  
**Shri Velayudhan:**

Will the Minister of Information and Broadcasting be pleased to state:

(a) the total amount paid to Press Trust of India and United Press of India for the year 1955-56 for the services rendered; and

(b) how it compares with the payments made for the previous year?

**The Minister of Legal Affairs (Shri Patakar):** (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 87]

**UNESCO Conference Building**

\*485. { **Shri Velayudhan:**  
**Shri Ramachandra Reddi:**

Will the Minister of Works, Housing and Supply be pleased to state the amount spent on the construction and furnishing of the building for the U.N.E.S.C.O. Conference in New Delhi?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar):** Rs. 78,81,000/- approximately.

**कारखानों को टैकिनकल परामर्श**

\*486. डा० राम सुभग तिहः : क्या भारी उद्योग मंत्री यह बताने की हृषा करेंगे कि :

(क) क्या यह सच है कि तरहतरह की छोटी मशीनों और उनके पुर्जों का निर्माण करने वाले आगरे के कारखानों को बड़ी कठिनाइयों का सामना करना पड़ रहा है क्योंकि उनको टैकिनकल परामर्श नहीं मिल पाता ; और

(ल) यदि हां, तो क्या सरकार उनको टैकिनकल परामर्श देने की व्यवस्था करना चाहती है ?

भारी उद्योग मंत्री (श्री म० म० शाह):

(क) और (ल). आगरे के इंजीनियरी सामान बनाने वाले कारखानों को सरकार यथासम्बव सभी प्रकार की टैकिनकल सहायता दे रही है। यह सहायता दिल्ली की लघु उद्योग इस्टीट्यूट के टैकिनकल विशेषज्ञों और विदेशी टैकिनकल सहायता कार्यक्रम के अन्तर्गत आये हुये विशेषज्ञों के द्वारा दी जाती है।

**यूनोस्सिविया के साथ व्यापार**

\*487. पंडित डा० ना० तिलारी : क्या बारिगाँव और उपनगर-नस्तु उद्योग

मंत्री यह बताने की कृपा करेंगे कि १९५६-५७ में युगोस्लाविया को भेजे गये माल का मूल्य क्या है ?

**ध्यापार मंत्री (श्री करमरक्षक) :** अप्रैल, १९५६ से सितम्बर, १९५६ तक १३.७ लाख रुपये ।

### मोटर कारों का निर्माण

\*४८८. श्री अमर सिंह डामर : क्या भारी उच्चोग मंत्री यह बताने की कृपा करेंगे कि :

(क) स्वतन्त्रता प्राप्ति के पश्चात् भारत में जब से मोटरों का निर्माण होने लगा तब से अब तक भारत में कितनी मोटरों बनाई जा चुकी हैं; और

(ख) क्या ये कम्पनियां बिल्कुल भारतीय हैं या विदेशी कम्पनियों के साथ में हैं ?

भारी उच्चोग मंत्री (श्री म० म० शाह) : (क) सदन की मेज पर एक विवरण रख दिया गया है । [वित्तीय परिषिष्ट २, अनुबन्ध संख्या ८८]

(ख) जिन ६ निर्माता कारखानों को मंजूरी दी गई है वे सभी भारतीय कम्पनियां हैं । इन में से तीन कम्पनियों की कोई विदेशी पूँजी नहीं है । शेष तीन के साथ जो विदेशी फरमें टैकिनकल सहयोग कर रही हैं उन्होंने भारतीय कम्पनियों में पूँजी लगाई है, लेकिन पूँजी का अधिकांश भाग भारतीय है । इन तीन फरमों की कूल भारतीय पूँजी १२.६८ करोड़ रुपया है और इसमें विदेशी पूँजी सिर्फ ६८ लाख रुपया है ।

### Cables Across Brahmaputra River

\*४९०. श्री H. N. Mukerjee: Will the Minister of Communications be pleased to state :

(a) whether it is a fact that some time in May 1956 attempts were made to lay submarine cables across the Brahmaputra near Goalpara and that large quantities of such cables were washed away;

(b) whether it is a fact that the river was already in spate on account of heavy rain and the cables should not have been laid at that time;

(c) what is the amount of loss ensuing from the said operation;

(d) whether any attempt has been made to locate the responsibility for the loss; and

(e) if so, with what results ?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) and (b). A submarine cable of 5,300 yards was taken up for laying in May, 1956. After laying the first piece of 900 yards, the further operation was postponed due to the increase in the current in the river. The piece laid has been securely tied and buoyed up. The remaining work will be continued during next working season.

(c) to (e). Do not arise.

### U. N. Mission to New Guinea

\*४९१. { Sardar Iqbal Singh: { Sardar Akarpuri:

Will the Prime Minister be pleased to state :

(a) whether the U. N. Mission on New Guinea has submitted its report;

(b) if so, the main features of this report; and

(c) views of the Government of India on this report ?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda) :** (a) Yes, Sir.

(b) The report emphasised that the indigenous people of New Guinea constituted the most favourable feature of the territory, were full of enthusiasm and goodwill, were willing to work hard and learn new ways, and demanded immediate material progress. But if these high hopes do not materialise, the present favourable conditions might change radically. Considering the task formidable, the report urged the Administering Authority to invoke the assistance of the international community, which had a special responsibility towards these people.

(c) We consider it a useful and valuable report.

### Ambar Charkha

\*४९२. श्री Shivananjappa: Will the Minister of Production be pleased to state :

(a) whether it is a fact that Government has decided to manufacture Ambar Charkhas in factories on a limited scale as an interim measure and in deference to the needs of the immediate situation;

(b) if so, how many Charkhas will be manufactured; and  
 (c) the estimated cost of these Charkhas?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) Yes, Sir.

(b) 13,000 charkhas.  
 (c) Rs. 10.28 Lakhs.

**Hill Allowance (P. & T. Employees)**

\*493. *Thakur Jugal Kishore Sinha: Shri Asthana: Babu Ramnarayan Singh:*

Will the Minister of Communications be pleased to state:

(a) whether comparative figures have been collected regarding the payment of hill allowance for Posts and Telegraph Staff in Darjeeling hills and Sikkim; and

(b) whether necessary information has been obtained from the P.W.D. about the places which constitute the Madhopur Circle and action taken thereon for the sanction of compensatory allowance to Posts and Telegraphs Staff?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) This has been done in the case of Darjeeling. Information in case of Sikkim; is still awaited.

(b) Yes. Information in respect of Postal staff employed in the localities where this allowance has been sanctioned for the C.P.W.D. staff has since been received from the Postmaster-General, Ambala. Decision will however be taken on receipt of his further report about the Engineering Staff.

**Extraction of Alkaloids**

\*494. **Shri V. P. Nayar:** Will the Minister of Heavy Industries be pleased to state:

(a) whether Government have any plan for the extraction of the important Alkaloids required for the Pharmaceutical Industry; and

(b) which of the Alkaloids in indigenous production are capable of meeting the country's requirements?

**The Minister of Heavy Industries (Shri M. M. Shah):** (a) Government are taking steps to promote the development of the Pharmaceutical Industry, including the extraction of alkaloids, in the light of the recommendations of the Pharmaceutical Enquiry Committee and of other expert bodies like the Development Council for the Pharmaceutical Industry.

(b) India is self-sufficient in respect of quinine and its salts, alkaloids of opium, viz., morphine and codeine, alkaloids of Rauwolfa Serpentina and strychnine.

**Miners' Diseases**

\*495. *Shrimati Renu Chakravarty: Shri M. Islamuddin:*

Will the Minister of Labour be pleased to state:

(a) whether any investigation has been carried out regarding 'Miners' Diseases' prevalent in India;

(b) the number who die of it annually; and

(c) how many of these diseases have been declared as 'Miners' Diseases' and included under the Schedule for the Workmen's Compensation Act?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes, in regard to Silicosis in mica mining in Bihar.

(b) Information is not available.

(c) Certain State Governments have added Silicosis to Schedule III of the Workmen's Compensation Act in its application to their States.

**Delivery of Express Letters**

\*496. **Shri Kajrolkar:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that a large number of cases have occurred where Express Delivery letters have been delivered after long delays;

(b) if so, the reasons therefor;

(c) whether Government have under consideration any proposal to introduce distinctive coloured envelopes to facilitate sorting out Express Delivery letters from ordinary letters for despatch and delivery; and

(d) the steps Government propose to take to speed up delivery of Express Delivery letters?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) Yes.

(b) The main reasons are:—

1. failure on the part of the public to use red express delivery labels;

2. insufficient addresses given on the covers,

3. irregularities on the part of P & T staff in handling express delivery articles.

(c) Yes.

(d) Government is taking steps to impress on the public the necessity for using express delivery labels and addressing articles fully. Severe action has also been taken against delinquent P & T staff for irregularities committed by them. As an experimental measure Government has also transferred the work of delivery of express delivery articles from 25 telegraph offices to post offices with a view to securing more expeditious deliveries.

#### Coal Output

\*497. { Shri Chattopadhyaya:  
Shri Ram Krishan:

Will the Minister of Production be pleased to state:

(a) how the production of coal upto the end of October, 1956 compares with that of 1955;

(b) whether it has been possible to meet the demand for coal during the current financial year so far; and

(c) the steps Government propose to take for increasing production with a view to achieve the target under the Second Five Year Plan?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) The production of coal upto the end of October, 1956 was 32.4 million tons as against 31.73 million tons for the corresponding period in 1955.

(b) Yes.

(c) A statement explaining the steps taken by Government is laid on the Table of the House. [See Appendix II, annexure No. 89].

#### Singareni Collieries

\*498. Shri T. B. Vittal Rao: Will the Minister of Labour be pleased to refer to the reply given to Starred Question No. 1796 on the 27th April, 1956 and state:

(a) whether any amount has since been sanctioned by the Coal Mines Labour Welfare Organisation Fund to the Singareni Collieries for the construction of a maternity ward; and

(b) if so, whether the amount has been paid to the management of Singareni Collieries?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes; A sum of Rs. 1,34,088/- has been sanctioned.

(b) Not yet. Payment will be made according to the progress of work.

#### International Silk Association

\*499. Shri Keshavaiengar: Will the Minister of Production be pleased to state:

(a) whether the Central Silk Board is going to become a full member of the International Silk Association;

(b) if so, from which date; and

(c) what are the privileges and corresponding obligations of such membership?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) and (b) The matter is under the consideration of the Central Silk Board.

(c) A copy of the statutes of the International Silk Association showing the privileges and obligations of membership has been placed in the Library of Parliament.

#### Cement Production

\*500. Shri D. C. Sharma: Will the Minister of Heavy Industries be pleased to state:

(a) the quantity of cement proposed to be produced in India during 1956-57 and 1957-58; and

(b) the quantity out of it to be allocated to the States (State-wise) ?

**The Minister of Heavy Industries (Shri M. M. Shah):** (a) About 5.5 million tons and 7 million tons respectively.

(b) Cement allocations are made on the quarterly basis. A statement showing the allocations for the quarter October 1956—December 1956 to different States is laid on the Table of the House. [See Appendix II, annexure No. 90]. Further quarterly allocations will be made in due course about two weeks in advance of each quarter.

#### Industrial Estates

\*502. Shri Velayudhan: Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) how many industrial estates have so far been sanctioned for the Travancore-Cochin State; and

(b) how many have started functioning?

**The Minister of Trade (Shri Karmarkar):** (a) Four Industrial Estates were sanctioned for the Travancore-Cochin State.

(b) Construction work has already started in three estates.

### Future Trading

**\*503 Dr. Ram Subhag Singh :** Will the Minister of Commerce and Consumer Industries be pleased to state :

(a) whether Government propose to set up an inspectorate to detect illegal future trading; and

(b) if so, when this inspectorate is likely to be set up?

**The Minister of Trade (Shri Karmarkar) :** (a) and (b). There is already an Inspection Division in the Office of the Forward Markets Commission with a nucleus staff which the Commission intends to expand during the next financial year.

### Migration of Hindus from Sind

**\*504. Shri Gidwani :** Will the Minister of Rehabilitation be pleased to state

(a) whether Government are aware that Hindus from Sind (West Pakistan) have been migrating to India continuously; and

(b) if so, whether any relief and rehabilitation benefits are being given to them?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** (a) Yes; but not in large numbers now.

(b) Yes; they are eligible for various rehabilitation benefits including the issue of free railway credit notes to the place of resettlement.

### निवेली की लिगनाइट की ईंटें

**\*५०५. श्री श्रू. श्रू. सोंधिया :** क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या निवेली की लिगनाइट की ईंटें बनाने की प्रति टन लागत के खर्च का कोई अनुमान लगाया गया है और यदि हाँ, तो प्रति टन अनुमानित लागत कितनी है; और

(ख) इस सम्बन्ध में प्रयोगात्मक परीक्षण कहाँ-कहाँ किय गये हैं, और क्या विशेषज्ञों ने उनका अध्ययन किया है?

**उत्पादन उपभंगी (श्री सतीश चन्द्र) :**

(क) अनुमान है कि निवेली के कच्चे लिगनाइट के गुटकों की लागत ३० रु. प्रति टन होगी।

(ख) फ्यूएल रिसर्च इंस्टीट्यूट, बीलगोरा, निवेली की प्रयोगशाला तथा यू०एस०बूरो आफ माइस्स, डनवर, में प्रयोग किये गये हैं। निवेली लिगनाइट के नमूने जर्मनी की प्रयोगशालाओं तथा प्रयोगात्मक मशीनों द्वारा परीक्षण के लिये भी भेजे गये थे। इन परीक्षणों की विस्तृत व्याख्या अभी तक प्राप्त नहीं हुई है। परन्तु यह निश्चित है कि दक्षिण अकार्ट का लिगनाइट अच्छे किस्म का है और इससे कच्चे और पक्के दोनों प्रकार के अच्छे गुटके बन सकते हैं।

### Import of Canned Foods

**\*506. Shri H. N. Mukerjee :** Will the Minister of Commerce and Consumer Industries be pleased to state :

(a) whether it is a fact that many clubs are getting import licences for tomato juice and ketchup and similar products from abroad; and

(b) if so, whether it is not desirable to ban import of canned foods in view of our foreign exchange needs and also of indigenous production of such foods?

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

(b) These considerations are always taken into account while framing the import policy.

### Indian's Exportable Manufactured Goods

**\*507 Shri S. C. Samanta :** Will the minister of Commerce and Consumer Industries be pleased to state :

(a) whether there is any possibility of organising exhibitions of India's exportable manufactured goods and raw materials in foreign countries in near future;

(b) if so, places where these will be opened up to the end of 1957; and

(c) the number of items proposed to be exhibited?

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

(b) A statement giving the programme of fairs and exhibitions for the year 1956-57 is laid on the Table of the House. [See Appendix II, annexure No. 91]. The programme for the period April to December, 1957, is under consideration.

(c) The number and nature of exhibits depend on the potentialities of the markets served by the exhibition. Speaking generally, apart from handicrafts and handloom products, all exportable products, agricultural, mineral, and industrial, are exhibited. Steps are also taken to display by means of charts, maps, and animated models the industrial and economic progress the country is making from year to year.

#### Mr. Chou-En-Lai's Visit to India

**\*508. Shri Shivananjappa:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Prime Minister of China, Mr. Chou-En-Lai, has been invited to visit India;

(b) if so, whether the invitation has been accepted; and

(c) when the visit will take place?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) Yes.

(b) Yes.

(c) On 28th November, 1956.

#### P. & T. Office, Abohar

**\*509. { Sardar Iqbal Singh:  
{ Sardar Akarpuri:**

Will the Minister of Communications be pleased to state:

(a) whether it has been decided to construct a suitable building for the Post and Telegraph and Telephone Exchange Office at Abohar;

(b) when this decision was taken; and

(c) what steps so far have been taken to construct the building?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) to (c) No scheme has been sanctioned for the purpose. A suitable site is being looked for.

#### P. & T. Employees

**346. Shri Ram Krishan:** Will the Minister of Communications be pleased to state:

(a) the number of Posts and Telegraphs employees drawing salaries below Rs. 100/- per month at present; and

(b) the number of Posts and Telegraphs Officers drawing salaries over Rs. 2,000 per month at present?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) 237,352 on the 31-7-56. This figure includes:—

(i) 83,725 Extra Departmental Agents who are part time allowed agents having independent means of livelihood and whose remuneration varies from 20/- to 65/- P.M.; and

(ii) 153,627 Departmental employees. This includes 2,074 Boy Peons in receipt of a minimum pay plus dearness allowance of Rs. 60/- per month; 69,204 employees in receipt of pay plus dearness allowance exceeding Rs. 100/- P.M.; and the rest in receipt of pay plus dearness allowance between Rs. 70 and Rs. 100/-.

(b) II (including 3 Officers on leave) on the same date.

This includes:—

(i) 1 Officer on a pay not over Rs. 2,250/-;

(ii) 4 Officers on a pay not over Rs. 2,500/-;

(iii) 3 Officers on a pay not over Rs. 2,750/-;

(iv) 2 Officers on a pay not over Rs. 3,000/-; and

(v) 1 Officer drawing pay over Rs. 3,000/-.

The emoluments of 5 of these Officers if income tax is deducted, would be less than Rs. 2,000/-.

#### Coal Mine Disasters

**347. Shri Ram Krishan:** Will the Minister of Labour be pleased to state:

(a) the total number of Coal Mines disasters which occurred in India during January, 1956 to October, 1956; and

(b) the total number of persons killed and injured during the same period?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Five.

(b) Killed. 44.

Injured. 3.

#### Khadi Emporia

**348. Shri Ram Krishan:** Will the Minister of Production be pleased to state:

(a) the total number of emporia to be opened in India during the current financial year in order to increase the sale of Khadi; and

(b) the names of places, where these emporia will be located?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) and (b). Besides the two emporia already functioning at Bombay and New Delhi, the All India Khadi and Village Industries Board proposes to open four more emporia during the current year with a view to increasing the sale of Khadi and also establishing these emporia as model for making centres. It is proposed to establish these four emporia at Calcutta, Madras, Bhopal and Bangalore.

#### Houses and Shops

##### Residential

**349. Shri Ram Krishan:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of residential houses and shops constructed for Pepsu persons in the States of Punjab and (District-wise); upto 31st October, 1956 (District-wise); and

(b) the number of houses and shops that are yet to be completed under the Scheme, (District-wise)?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** (a) and (b). A statement containing the required information is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 92].

#### Indians in American Countries

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

(a) the number of Indians in American countries, country-wise; and

(b) the occupation they follow?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) and (b). A statement is laid on the Table of the House. (See Appendix II, annexure No. 93).

#### P.M.'s Visit to U.S.A.

**351.**

<b>Shri Kamath:</b> <b>Shri Bhagwat Jha Azad:</b> <b>Shri Velayudhan:</b> <b>Sardar Iqbal Singh:</b> <b>Sardar Akarpuri:</b> <b>Shri Raghunath Singh:</b> <b>Shri Buchikotaiah:</b> <b>Shri Bibhuti Mishra:</b>
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Will the Prime Minister be pleased to state:

(a) whether the date for his visit to U.S.A. has been settled; and

(b) if so, what it is?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) and (b). Yes. The Prime Minister will leave New Delhi for the United States of America on the 14th of December, 1956.

#### Village Industries in Assam

**352. Shri Debendra Nath Surma:** Will the Minister of Production be pleased to state the names of places chosen for the development of village industries on an intensive basis in Assam during Second Five Year Plan period?

**The Deputy Minister of Production (Shri Satish Chandra):** So far no area in Assam has been selected for the development of village industries on an intensive basis. The question is under examination in consultation with the Assam Khadi & Village Industries Board.

#### Amalgamation of Small Collieries

**353. Shri Chattopadhyaya:** Will the Minister of Production be pleased to refer to the reply given to Starred Question No. 199 on the 24th July, 1956, and state:

(a) whether the Expert Committee appointed under the Chairmanship of Sri Balwantray Gopaljee Mehta to go into the question of amalgamation of small collieries has since submitted its report;

(b) if so, what are the main recommendations;

(c) whether Government have examined the same; and  
 (d) if so, the decision taken thereon?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) Yes.

(b) The main recommendations of the Committee are:—

(1) The collieries producing less than 10,000 tons or having an area of less than 100 acres should be amalgamated.

(2) Central legislation should be undertaken to deal with all aspects of amalgamation.

(3) A statutory Commission should be set up to deal with amalgamation.

(4) A Committee of three technical officers should be appointed to examine proposals for voluntary amalgamation and the appointment of the Commission.

(c) The report is under consideration.

(d) Does not arise.

## Udaipur G.P.O.

**354. Shri Bheekha Bhai:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that the postal staff employed at Udaipur General Post Office is inadequate; and

(b) if so, whether any effort has been made to make up the deficiency?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) and (b). The staff position of Udaipur General Post Office is under review, and as soon as statistics are verified, additional staff as found justified will be sanctioned.

## Border Incidents

**355. { Shri D. C. Sharma:  
Sardar Iqbal Singh:  
Sardar Akarpuri:**

Will the Prime Minister be pleased to state:

(a) the number of border incidents which have occurred during the period from the 1st of August to the end of November, 1956 on the Indo-Pakistan borders of East Pakistan; and

(b) the extent of loss of life and property on the Indian side?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) and (b). From 1st August till 31st October, there were 14 incidents on the borders of Assam, Bihar and Tripura in which property worth Rs. 56 was lost and one Indian national kidnapped.

Information regarding West Bengal is awaited.

Figures for the month of November will be available only after the month is over.

## Wage Board of Working Journalists

**356. { Shri D. C. Sharma:  
Shri Bhakti Darshan:**

Will the Minister of Labour be pleased to state the progress made so far by the Wage Board which was constituted on the 2nd of May, 1956 under the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955?

**The Deputy Minister of Labour (Shri Abid Ali):** The Wage Board issued a questionnaire to about 6,000 Newspaper establishments and Organisations. After analysing the replies received, the Board started taking evidence. It visited Trivandrum, Madras and Delhi for the purpose. Evidence still remains to be taken at Calcutta and Bombay.

## 'De Luxe' Telegrams

**357. Shri Krishnaswamy Joshi:** Will the Minister of Communications be pleased to state:

(a) the total number of 'De Luxe' telegrams received during the year 1956; and

(b) the total amount realised on account of the same?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** (a) and (b). The information is not available as no record is kept of the number of De Luxe telegrams booked, or of the amount realised.

An estimate is now being made and it will be placed on the Table of the Lok Sabha as soon as the necessary statistics become available.

## Messrs. Fertilisers and Chemicals Ltd., Alwaye

**358. Shri Velayudhan:** Will the Minister of Heavy Industries be pleased to state:

(a) whether Government have recommended or given any loan to Messrs. Fertilisers and Chemicals Ltd., Alwaye; and

(b) if so, what is the amount granted?

**The Minister of Heavy Industries (Shri M. M. Shah):** (a) and (b). Yes, Sir. The Industrial Finance Corporation of India has in full consultation with the Government of India decided to grant a loan of Rs. 206 lakhs to M/s Fertilisers and Chemicals, Travancore, Ltd., Alwaye.

## Border Incident

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

(a) whether there has been any correspondence between the Government of Indian and the Government of Pakistan regarding the trespassing of Indian Territory on the Assam Border in the Khasi-Jaintia Hills on the 31st of July, 1956 by 300 Armed Pakistani Civilians; and

(b) if so, what is its result?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) and (b). The Government of Assam had lodged a protest with the Government of East Pakistan. The joint enquiry into the incident could not arrive at an agreed finding.

Seven Pakistani nationals who had been arrested for trespass were tried and sentenced to varying terms of imprison-

ment. The East Pakistan Government have requested the Government of Assam to remit their unexpired portions of the sentences.

Meanwhile the Pakistan High Commission in India has sent a protest to the Government of India, based on the Pakistan side's versions of the incident at the joint enquiry, making a counter-charge against the Assam police for trespassing into Pakistan territory and arresting Pakistani nationals. This is under consideration.

### Bicycles

**360. Shri D. C. Sharma:** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether the raw materials used in the manufacture of bicycles in India are all indigenous; and

(b) if not, from where they are obtained?

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

Some of the raw materials, used in the manufacture of bicycles in India, are obtained indigenously while some others are imported. The imports are mostly from the United Kingdom, Germany and Japan.

### Distribution of Advertisements

**361. Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the considerations the Union Government follow in distributing advertisements; and

(b) whether the Union Government demands any audit report of circulation from the local press for the purpose of distributing advertisements?

**The Minister of Legal Affairs (Shri Pataskar):** (a) The considerations followed in distributing advertisements are effective circulation, regularity in publication, class of readership, adherence to accepted standards of journalistic ethics and other factors such as production standards and the languages and areas intended to be covered.

(b) Yes, as part of the enquiry for determining circulation.

### Development of Handicrafts, Khadi and Village Industries

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

(a) the total amount of grants and loans sanctioned to the Punjab Government by the All India Handicrafts Board during the last year;

(b) how much amount was drawn and spent by the Punjab Government; and

(c) whether the balance, if any, was allowed to be carried over to this year?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) Grants and loans for the development of handicrafts are sanctioned to the State Governments on the recommendation of the All India Handicrafts Board. In 1955-56 a grant of Rs. 6,360 and a loan of Rs. 1,14,800 were sanctioned to the Government of Punjab.

(b) The grant of Rs. 6,360 was credited to the Punjab Government but was surrendered at the end of the financial year as it was not utilised. The amount of loan was not drawn by the State Government.

(c) Out of the loan sanctioned for 1955-56, and not utilised, an amount of Rs. 60,000 has been converted into a grant for utilisation in respect of the two schemes during 1956-57 at the request of the State Government. The other scheme for which a grant of Rs. 6,360 and a loan of Rs. 54,800 had been sanctioned in 1955-56 has since been abandoned by the State Government.

### Television Units

**363. Shri D. C. Sharma:**  
**Shri Ram Krishna:**

Will the Minister of Information and Broadcasting be pleased to state the progress made with regard to the setting up of Television Units in Bombay and Delhi?

**The Minister of Legal Affairs (Shri Pataskar):** Work on the Bombay Television Station is scheduled to commence in 1957-58 and budget provision has accordingly been proposed during the next financial year. Meanwhile surveys are being conducted for the selection of a suitable site at Bombay. Equipment for the purpose of experimental investigation at Delhi has been purchased. Preliminary steps for securing technical advice about standards frequency of operation, etc. in relation to Indian conditions has also been taken.

### International Supervisory Commission in Indo-China

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

(a) the strength of the Indian Military personnel serving in the International Supervisory Committee in Indo-China at present; and

(b) whether it is contemplated to reduce the number?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) The total number of Indian Armed Forces Personnel serving with the International Commission for Supervision & Control in Indo-China on 1st October, 1956 is:—

	National	Inter-national
<b>VIETNAM</b>		—
Officers	45	20
JCOs/WOs	7	17
ORs	81	360
NCsE	—	31
	<u>133</u>	<u>428</u>
<b>LAOS</b>		—
Officers	20	4
JCOs/WOs	2	3
ORs	33	127
NCsE	7	8
	<u>62</u>	<u>142</u>
<b>CAMBODIA</b>		—
Officers	5	3
JCOs/WOs	—	4
ORs	7	60
NCsE	4	4
	<u>16</u>	<u>71</u>
<b>TOTAL</b>	<u>211</u>	<u>641</u>
<b>GRAND TOTAL</b>		<u>852</u>

(b) No.

#### Air Agreement with China

365. { **Shrimati Tarkeshwari Sinha:**  
**Sardar Iqbal Singh:**  
**Sardar Akarpuri:**

Will the Minister of Communications be pleased to state whether any agreement has since been reached with regard to the air-talks between India and China?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):** The matter is still under consideration and it will not be in the public interest to disclose any details on the subject at this juncture.

#### Employment for Displaced Persons in Tripura

366. **Shri Biren Dutt:** Will the Minister of Rehabilitation be pleased to state:

(a) whether any scheme has been sanctioned to provide employment in the colonies of Tripura during 1955-56;

(b) if so, what is the nature of the scheme; and

(c) how many people are expected to get employment?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** (a) (b) and (c). A statement is placed on the Table of the Lok Sabha. [See Appendix II, annexure No. 94].

पठानकोट और श्रीनगर के बीच विमान-सेवा.

367. श्री रघुनाथ सिंह : क्या संचार मंत्री यह उत्तरने की कृपा करेंगे कि :

(क) क्या यह सच है कि पठानकोट और श्रीनगर के बीच विमान-सेवा नियमित रूप से और निर्धारित समय पर नहीं कार्य करती ; और

(ख) यदि हां, तो गत वर्ष कितने दिन विमान न तो समय पर उड़े और न समय पर गत्तव्य स्थान पर पहुंचे ?

संचार मंत्रालय में मंत्री (श्री राज बहादुर) : (क) और (ख) पठानकोट-श्रीनगर सेवा भारतीय विमानवाहिनी निगम (Indian Airlines Corporation) द्वारा असूचित आधार पर चलाई जा रही है और साधारणतया एक निश्चित कार्यक्रम के अनुसार ही चलती है। हां मीसम लाराब हो जाने पर इस में कभी-कभी परिवर्तन अवश्य हो जाता है।

१ अक्टूबर, १९५५ से ले कर ३० सितम्बर, १९५६ तक लाराब मीसम होने की वजह से यह सेवा ८५ दिन नहीं चली। फिर भी ३६६ आयोजित उड़ानों के स्थान पर यातायात की पूर्ति के लिये अतिरिक्त उड़ानों का आयोजन करके उक्त समय में ३७८ उड़ाने की गई।

#### Pitlooms and Framelooms

368. **Shri M. Islamuddin:** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) the number of persons who have received grants for the improvement of pitlooms and for their conversion into framelooms during 1956 so far;

(b) the total amount granted under each head; and

(c) the steps taken by Government to ensure that the loans granted are properly utilised on items for which they are granted?

**The Minister of Trade (Shri Karmarkar):** (a) and (b). A Statement is attached. [See Appendix II, annexure No. 95].

(c) The State Governments who actually implement the schemes look after the proper utilisation of the amount sanctioned.

#### **Khadi Development Loans**

**369. Shri Bheekha Bhai:** Will the Minister of Production be pleased to state:

(a) whether any State has applied for Khadi development loans during 1956-57;

(b) if so, the names of such States; and

(c) the action taken on their applications?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) Yes Sir.

(b) PEPSU, Madras, Mysore, West Bengal, U. P., Punjab and Assam.

(c) Loans have been sanctioned to the Governments of PEPSU, Mysore and West Bengal. The application of the Government of Madras is under consideration. The recommendation of the All India Khadi and Village Industries Board is awaited in respect of the applications of the Governments of U. P. and the Punjab and the State Board of Assam.

#### **Industrial Schemes for North Bihar**

**370. { Thakur Jugal Kishore Sinha: Shri Asthana: Babu Ramnarayan Singh: }**

Will the Minister of Heavy Industries be pleased to state:

(a) the details of the industrial schemes for North Bihar under Second Five Year Plan; and

(b) steps taken so for the implementation of the schemes?

**The Minister of Heavy Industries (Shri M. M. Shah):** (a) and (b). Out of a number of Industrial Schemes included in the public and private sectors of the Bihar State Second Five Year Plan, a Co-operative Sugar Factory is proposed to be established in the North Bihar.

Regarding Village and Small Scale Industries, the Bihar State submitted schemes within the tentative allocation of Rs. 11.40 crores without specifying the locations of the schemes. These schemes are still under the consideration of the State Government and the Planning Commission.

#### **Indian Capital investment in S. East Asian Countries**

**371. { Sardar Iqbal Singh: Sardar Akarpuri: }**

Will the Prime Minister be pleased to state:

(a) the total amount of capital invested by Indians in Industries in Malaya, Burma, Siam and other South-East Asian countries;

(b) whether any restrictions have been imposed on Indian undertakings in these countries; and

(c) if so, the nature of those restrictions and from what date they were imposed?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) to (c). We have asked the Indian Missions in South East Asian countries to furnish us the information. The information will be placed on the Table of the House as soon as it is available.

#### **Indo-Afghan Chamber of Commerce, Delhi**

**372. Shri Raghunath Singh:** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether it is a fact that Indo-Afghan Chamber of Commerce, Delhi has suggested that one check post be established to check whether fruits imported from Afghanistan are fit for human consumption; and

(b) whether they have also suggested that the system of import through an Afghan Company at Amritsar be abolished and trade should be thrown open to competition in the market?

**The Minister of Trade (Shri Karmarkar):** (a) Yes, Sir. Customs check posts are already in existence. The question of extending Customs examination to include examination of the quality of the dry fruits which are being imported into the country is under consideration.

(b) According to the revised instructions recently issued, import licences for import of dry fruits from Afghanistan are issued only to persons or firms who have been engaged in the import trade of these goods between 1945-54, as in the case of imports from other countries. Importers need not effect imports through the Afghan Company at Amritsar.

### Telephone Exchanges

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

Will the Minister of Communications be pleased to state:

(a) whether it has been decided to establish a Departmental Telephone Exchange at (i) Mandi Jalalabad (ii) Guruharshai in Ferozepore District; and

(b) if so, when will they start functioning?

**The Minister in the Ministry of Communications (Shri Raj Bahadur):**

(a) and (b). The demands at the two places do not justify the opening of departmental Telephone Exchanges. The demands for local connections at Mandi Jalalabad are met by providing extensions from the Public Call Office. Similar extensions would be provided at Guruharshai also, if demands are received.

### Consultative Committee

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

Will the Minister of Parliamentary Affairs be pleased to state:

(a) the main recommendations of the Information and Broadcasting Consultative Committee since its formation; and

(b) how far they have been implemented?

**The Minister of Parliamentary Affairs (Shri Satyanarayan Sinha):**

(a) and (b). The Informal Consultative Committees are intended to be informal and are not expected to take any decisions. They are so to say informal forums and were formed on the basis that no formal agenda or record of proceedings were to be kept. The question of their making any recommendations and their implementation does not therefore arise.

### Import of Kraft and Blue Match Paper

376. **Shri Mohana Rao:** Will the Minister of Commerce and Consumer Industries be pleased to state:

(a) whether the Government of India have allowed the import of "kraft and blue match paper" into India;

(b) if so, the total quantity imported in 1954, 1955 and 1956 so far respectively; and

(c) to what extent the Indian paper production (Indian Paper Mills) has been affected due to the imports?

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

(b) A statement is attached. [See Appendix II, annexure No. 96].

(c) Not to any appreciable extent.

### Community Radio Sets

377. **Shri S. V. L. Narasimham:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of village Panchayat Boards in Andhra State which deposited money for Community Radio sets in the years 1955-56 and 1956-57; and

(b) the number supplied and in operation?

**The Minister of Legal Affairs (Shri Pataskar):** (a) The Central Government's subsidy scheme operates in respect of all community listening sets to be installed by a State Government, and separate information about village Panchayat Boards' deposits for that purpose is not required to be furnished and is not, therefore, available.

(b) During 1955-56 against the state Government's requirement of 250 sets; 75 sets were supplied as the State Government communicated their requirement on 16th February, 1956, when it was not possible for manufacturers to supply the required number of sets by 31st March, 1956. For 1956-57, the Andhra State have communicated their requirement of 500 community sets which will be supplied by 31st January, 1957.

### Reserve Bank of India

378. { **Sardar Iqbal Singh:**  
**Sardar Akarpuri:**  
**Thakur Jugal Kishore Sinha:**  
**Shri Veeraswamy:**

Will the Minister of Commerce and Consumer Industries be pleased to refer to the reply given to Starred Question No. 1784 on the 5th September, 1956, and state whether decision has since been taken for the supply of Reserve Bank Credit to weavers at three per cent interest through the Co-operative Banks?

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

### Evacuee Properties in Punjab

379. *Sardar Iqbal Singh: Sardar Akarpuri:*

Will the Minister of Rehabilitation be pleased to state:

(a) whether the evacuee properties in Punjab have been classified as allotable and non-allotable; and

(b) if not, the reasons therefor?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** (a) and (b). Evaluation of evacuee properties in the Punjab is in progress and out of about 1,55,000 urban evacuee properties, nearly 66,000 had been evaluated upto 31st October, 1956. Classification of properties as allotable or non-allotable depends on their value. Delay in valuation is mainly due to the shortage of technical personnel. However efforts are being made to speed up the work.

### Compensation to Displaced Persons

380. *Sardar Iqbal Singh: Sardar Akarpuri:*

Will the Minister of Rehabilitation be pleased to state:

(a) what are considered as urban areas of Bhawalpur for the purpose of grant of compensation to displaced persons;

(b) whether it is a fact that a representation has been received by Government for some additional areas in Bhawalpur being declared as urban areas for purposes of grant of compensation; and

(c) if so, action taken thereon?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** (a) Under the Displaced Persons (Claims Act, 1950) an urban area means any area within the limits of a corporation, a municipality, a municipal committee, a notified area committee, a town area, a small town committee or a cantonment as these limits existed on the 15th day of August, 1947. This definition applies to Bahawalpur as also to other areas in West Pakistan.

(b) Yes.

(c) Such of the places as had a local body of the type mentioned above were treated as urban areas. Other areas not conforming to the definition embodied in the Claims Act could not be declared as urban areas.

### Manufacture of Ghani Oil

381. *Shri Deogam:* Will the Minister of Production be pleased to state:

(a) the specific steps taken in the Bihar State for the development of manufacture of Ghani oil;

(b) the number of oilmen's Co-operative Societies engaged in the manufacture of Ghani oil;

(c) the number of societies which have not been given any assistance technical or otherwise with the result that they have ceased to function; and

(d) the proposal, if any, for running the defunct oilmen's Co-operative Societies?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) (i) Financial assistance has been sanctioned to the State Government for the establishment of a model demonstration centre and for subsidising the introduction of improved ghannis. (2) The All India Khadi and Village Industries Board disbursed funds in Bihar State for setting up eleven demonstration-cum-production centres during 1954-55 and 1955-56 and according to reports received till August, 1956, eight centres had gone into production. Financial assistance is also being extended to Oilmen's Co-operative Societies and other registered institutions in Bihar for purchasing bullocks, stocking oilseeds, introducing improved bullock ghannis, marketing of ghani oil, giving rebate on the sale of ghani oil and training of inspectors, mistics, and clerics.

(b) 152.

(c) No society ceased to function for want of assistance from the Government of Bihar.

(d) Steps are being taken by the Government of Bihar for re-organising Societies which stopped functioning due to other reasons.

### Development of Silk Industries

382. *Shri Deogam:* Will the Minister of Production be pleased to state:

(a) the schemes submitted by the Bihar Government and the amount sanctioned and paid to Bihar State by the Central Silk Board for the development of silk industry during the year 1955-56;

(b) whether schemes have been formulated by the Bihar Government for the development of Tassar Silk in Singhbhum district which is the biggest market for the raw Tassar Silk, and

(c) the amount actually spent by the State and the amount surrendered as lapsed to the Board?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) One scheme relating to re-organisation of Eri Silk Worm Seed Supply Station was received from the Bihar Government for which a sum of Rs. 67,100/- was sanctioned in 1955-56. This amount has not been paid

to the Bihar Government as they could not implement the scheme during that year

(b) Yes, Sir.

(c) Out of the grants totalling Rs. 1,89,600/- paid to the State Government upto 31-3-55, they have spent Rs 57,510/- upto 31-3-56. The balance of Rs. 1,32,090, was surrendered by the State Government

[Tuesday, 27th November, 1956]

## ORAL ANSWERS TO QUESTIONS

## COLUMNS

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Block 'G'  
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Dated 23.03.2011

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### LOK SABHA

Tuesday, 27th November, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

### QUESTIONS AND ANSWERS

(See Part I)

12 hrs.

### PAPERS LAID ON THE TABLE

AMENDMENT TO INDIAN AIRCRAFT RULES

The Minister in the Ministry of Communications (Shri Raj Bahadur): I beg to lay on the Table a copy of the Notification No. AR/1937(23), dated the 11th September, 1956 together with an Explanatory Note, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934, making certain amendments to the Indian Aircraft Rules, 1937.

[Placed in Library. See No. S-495/56]

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES ETC.

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

- (1) Supplementary Statement No. IV. [See Appendix II, annexure No. 97] Thirteenth Session, 1956 of Lok Sabha.
- (2) Supplementary Statement No. X. [See Appendix II, annexure No. 98] Twelfth Session, 1956 of

501 L.S.D.—1.

### Lok Sabha.

- (3) Supplementary Statement No. XII. [See Appendix II, annexure No. 99] Eleventh Session, 1955 of Lok Sabha.
- (4) Supplementary Statement No. XV. [See Appendix II, annexure No. 100] Tenth Session, 1955 of Lok Sabha.
- (5) Supplementary Statement No. XXI. [See Appendix II, annexure No. 101] Ninth Session, 1955 of Lok Sabha.
- (6) Supplementary Statement No. XXIV. [See Appendix II, annexure No. 102] Eighth Session, 1954 of Lok Sabha.
- (7) Supplementary Statement No. XXVI. [See Appendix II, annexure No. 103] Seventh Session, 1954 of Lok Sabha.
- (8) Supplementary Statement No. XXXV. [See Appendix II, annexure No. 104] Sixth Session, 1954 of Lok Sabha.
- (9) Supplementary Statement No. XXXVIII. [See Appendix II, annexure No. 105] Fifth Session, 1953 of Lok Sabha.

### AMENDMENT TO ADMINISTRATION OF EVACUEE PROPERTY (CENTRAL) RULES

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): I beg to lay on the Table under sub-section (4) of section 56 of the Administration of Evacuee Property Act, 1950 a copy of the Notification S.R.O. No. 2183 dated the 29th September, 1956, making certain amendment to the Administration of Evacuee Property (Central Rules, 1950). [Placed in Library. See No. S-496/56]

**AMENDMENTS TO COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES AND FORMS**

**The Deputy Minister of Finance (Shri B. R. Bhagat):** I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, a copy of the Notification No. S.R.O. 2535, dated the 1st November, 1956, making certain amendments to the Companies (Central Government's) General Rules and Forms, 1956. [Placed in Library. See No. S-506/56]

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**

**ELECTION OF A MEMBER TO RAJYA SABHA FROM MANIPUR**

**Shri L. Jogeswar Singh (Inner Manipur):** Mr. Deputy-Speaker, under Rule 216, I beg to call the attention of the Minister of Legal Affairs to the following matter of urgent public importance and I request that he may make a statement thereon.

"The election of a member to Rajya Sabha from Manipur, consequent upon reorganisation of the States."

**The Minister of Legal Affairs (Shri Pataskar):** According to the information of Government, only three members sent letters of resignations to the Election Commission in December, 1954 and April, 1955. Of these three persons, one died in January 1956 and a fourth member of the Electoral College also died in February, 1956. The Government has no information about any member being missing. Casual vacancies have, no doubt, arisen by the death of two members of the Electoral College. In view of the impending general election, the Election Commission decided not to hold bye-elections to fill these two casual vacancies. Under section 27J of the Representation of the People Act, 1950, no election by the members of the Electoral College can be called in question on the ground merely of the existence of any vacancy in the membership of the Electoral College. There

is therefore no legal difficulty in the way of holding the election to Rajya Sabha because of these two vacancies.

As regards the resignations sent to the Election Commission in 1954 and 1955, there is no provision in the Representation of the People Act, 1950, or in other law, for the submission of resignations to any authority or for their acceptance by any authority. The two members who had sent such resignations cannot, therefore, be treated as having ceased to be members of the Electoral College. It may be pointed out that all members of the Electoral College are only voters for the purpose of electing a member to the Rajya Sabha and while a voter may abstain from voting, he cannot be said to have the right to resign.

**Shri L. Jogeswar Singh:** May I point out one thing? Out of thirty members of the Electoral College, four are reported to have resigned. Two members are dead and one was missing in the Naga hills. I ask, in the absence of seven members, is it justifiable to hold elections for the whole of Manipur State? Another point is,.....

**Mr. Deputy-Speaker:** Order, order. The hon. Member had called the attention of the Minister. He wanted a statement to be made thereon. The statement has been made. If he wants to ask further questions, he may resort to other methods of procedure that we have got. There are no questions allowed after that statement has been made here. If he feels that that decision is not proper or he wants to draw the attention of the Minister to certain other aspects which may have any repercussions, he can do so by contacting the Minister or by bringing this fact before Parliament in some other way. Now, there is no time when questions can be put.

**Shri L. Jogeswar Singh:** A new point has been raised that there can be election by the members of the electoral College without having bye-elections for vacancies in Manipur. Supposing in the whole of the Elec-

toral College, of 30 members 20 have died, what would be the position?

**Mr. Deputy-Speaker:** That is what I wanted to explain to the hon. Member; I am sorry I have not succeeded. That point can be taken by the hon. Member with the Minister at some proper place and proper time. Even if he desires to bring it before the House, that can be done by many other ways. This is not the time when these questions can be put.

**Shri Pataskar:** May I suggest....

**Mr. Deputy-Speaker:** I think I have closed this Chapter. I proceed to the next business now.

#### ADMINISTRATION OF EVACUEE PROPERTY (AMENDMENT) BILL

**Mr. Deputy-Speaker:** We take up clause-by-clause consideration of the Administration of Evacuee Property (Amendment) Bill.

The questions is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clause 2 and 3 were added to the Bill.

#### Clause 4— (Amendment of section 10)

**Pandit Thakur Das Bhargava (Gurgaon):** I beg to move:

(i) Page 2, line 14,—

omit "(f), (g), (h)."

(ii) Page 2—

Omit lines 16 to 18.

Sub-clauses (f), (g) and (h) relate to matters of importance and their use may be desirable in the public interests by the authorities concerned to find out certain things. Sub-clause (f) says:

"require any person, notwithstanding anything to the contrary contained in any other law for the time being in force relating to the disclosure of any information by a public servant or any other person, to furnish such returns,

accounts or other information in relation to any property and to produce such documents in his possession as the Custodian considers necessary for the discharge of his duties under this Act;"

My submission is that these words are so wide and unless and until all the applications are disposed of, it is likely that the Custodian will require the use of the provisions contained in sub-clause (f) for the purpose of getting information about properties about which he is enquiring. Similarly, in regard to sub-clause (h) you will be pleased to see that the clause says:

"search any building or place in which the Custodian has reason to believe that any evacuee property or any document tending to show that any person is an evacuee or that any property is evacuee property is being kept or concealed and take possession thereof;"

As long as there are so many applications pending with the Custodian, we cannot say for what purposes or for what particular use the information referred to in sub-clauses (f), (g) and (h) may be required. Four thousand applications are there. They are all of a complicated nature. They may require the use of these powers. What is the hurry for repealing all these sub-clauses? If they are not of any use, *ipso facto*, when the whole Act is abrogated, they will also be abrogated. If you omit them today, difficulties may arise in regard to these matters. I therefore think that it is rather premature to omit sub-clauses (f), (g) and (h).

**Mr. Deputy-Speaker:** Amendments moved:

(i) Page 2, line 14—

omit "(f), (g), (h)."

(ii) Page 2—

Omit lines 16 to 18.

**Shri U. M. Trivedi (Chittor):** I agree with the amendment suggested by my hon. friend Pandit Thakur Das Bhargava. The Evacuee Property Law

[Shri U. M. Trivedi]

itself was a special law, coming into direct conflict with the provisions of the common law. The general law of Transfer of Property was abrogated and set at naught. The ordinary principles of the Constitution were also abrogated to a great extent. Without paying any compensation whatever, properties of other persons were being taken over. All these things were there. Therefore, special provisions were found necessary to have these matters investigated properly if and when an opportunity arose. It is with this end in view that these provisions were made in section 10. I do not know whether these provisions were made use of or not. Some of them were very essential for the purpose of arriving at a decision whether or not a particular transfer was a bona fide transfer or not. You will find that the provision in (f) for example could compel an income-tax officer to give certain information which will otherwise not be available under the ordinary law. Similarly, the provision in (g) was also a very salutary provision which could force a company to disclose certain information which under ordinary circumstances it would not disclose. In the Statement of Objects and Reasons of the Bill the Government has not thought it fit to say why these provisions are required to be omitted. The date 8th April, 1955 has been put down simply because of the last amendment which was made that no property shall be declared to be an evacuee property on or within six month after the commencement of the last amendment which was made. That amendment I think came into being on 8th April. It has been stated in the Statement of Objects and Reasons:

"After April 8, 1955, the judicial work of the Custodians has been largely confined to the disposal of cases pending on that date."

That is true, but at the same time there would be so many cases which will be at the appellate stage which would not be have been completely disposed of, which would still be a

matter of investigation in the High Courts where writ applications have been moved. Therefore, I see no reason whatsoever to do away with this salutary provision. I think no case is made out for the omission of this provision, and it is to the interest of the Government that this provision should remain. I think the hon. Minister may reconsider the position and allow this provision to remain and drop the provision contained in clause 4. I therefore support the amendment of Pandit Thakur Das Bhargava.

पंडित च० ना० मालवीय (रायसेन) : जनाब डिप्टी स्पीकर साहब, मैं जिन हम-डमेंट्स (संशोधनों) को मूव (प्रस्तुत) किया गया है, इनका विरोध करता हूँ। इस प्र०डमेंट एक्ट (प्राधिनियम) को लाने का मकसद यह है कि प्रोसीजर (प्रक्रिया) को हल्का किया जाए उसको सिम्प्लिफाई (सरलीकरण) किया जाये। यह भी सारे हाउस (सभा)ने माना है कि इच्छिकी प्राप्टी ला (निष्कान्त सम्पत्ति नियम) को जल्दी खत्म कर दिया जाना चाहिये और जितनी जल्दी इसको किया जाय उतना ही अच्छा है। हम यह भी देख रहे हैं कि केसिस (मामले) बराबर चलते आ रहे हैं और इन्हें साल गूज़ जाने के बाद जो इनकायरी (जांच) होनी थी, यह माना जाता है कि हो चुकी है अब वह वक्त कब आएगा जब कि इस चौज को हम खत्म कर सकेंगे। एक तरफ अगर हम यह मान लें कि इस चौज को खत्म होना चाहिये और दूसरी तरफ ये केसिस बराबर चलते रहें तो ये दोनों बातें एक ही वक्त में कैसे हो सकती हैं। ये दोनों चीजें एक दूसरे की विरोधी हैं। हमारी जो कोशिश है वह यह है कि केसिस को जल्दी से जल्दी खत्म किया जाये और ऐसा करने के लिय हम प्रोसीजर को कम करना चाहते हैं। ऐसे केसिस जिन की इक्वायरी हो चुकी है और अब भी अगर इस इनकायरी को जारी रखते हैं तो इसका निताजा यह होगा कि एप्लिकेट (प्रार्थी) तो एप्लीकेशन (प्रार्थनापत्र) देता रहेगा और जो कस्टोडियर

(अभिरक्षक) है वह इनकावायरी करता रहेगा और एतराज्ञात उठते रहेंगे जिस का नतीजा यह होगा कि प्रोसीजर लन्चा ही रहेगा और वैसा ही रहेगा जैसा कि अदालती कार्रवाई में होता है। केसिस बराबर चलते रहेंगे और आते रहेंगे।

इस लिए इस एमेंडमेंट बिल को सामने रखते हुए और इसके जो उसूल हैं उनको सामने रखते हुए जो कलाजिज एफ (लंड च) वर्गरह को एमेंड (संशोधित) किया जा रहा है वह सही है और मैं इससे सहमत हूँ। इसके होने से जो प्रोसीजर है वह हल्का ही जायेगा। चूंकि जो एमेंडमेंट पंडित ठाकुर दास जी ने पेश की है वह इस बिल के उसूल के खिलाफ है, इसलिये मैं उसका विरोध करता हूँ।

पुनर्जीव भंडी (श्री भेहर बन्ध खन्ना): जो कुछ मूले कहता था वह तो मेरे मोहतरिम दोस्त मालवीय साहब ने ही कह दिया है। मैं ने कल भी अञ्जन किया था और चूंकि उस बक्त त्रिवेदी साहब यहाँ मौजूद नहीं परं उन्होंने मेरी तकरीर को नहीं सुना और अगर सुन लेते तो बहुत सी बातें जो उन्होंने कही हैं उनको वह न कहते।

इस बिल के दो मकसद हैं। एक तो यह है कि जितनी जल्दी हो सके हम ऐसा तरीका अस्त्यार करें जिस से हमारा जो काम है वह जल्दी खत्म हो जाये, जो हमारे मुत्तलमान नागरिक हैं उनके दिल में भी कुछ इत्तिमान पैदा हो और पूल (संग्रह) में जो कुछ भाना है वह बहुत जल्दी आ जाये। १९४७-४८ में तो शायद ज़रूरत हो कि कस्टोडियन (अधिरक्षक) के पास इस किस्म के अस्त्यारात हों कि वह किसी पब्लिक सर्वेट (लोक सेवक) से, किसी बैंक से यह इत्तिला मांगे कि फलां का क्या हिसाब किताब है, क्या लेना देना है। यही नहीं बल्कि कस्टोडियन को यह भी अस्त्यारात था कि वह किसी भी दर में जा कर अगर वह तलाशी लेना चाहे तो ले ले और अगर वहाँ कोई ऐसे कागजात हैं जो छिपे पड़े हैं उनको निकालने की भी

कोशिश करे। ठीक है, आज से ग्राठ बरस पहले इस अस्त्यार की ज़रूरत हो नहिं किन अब गवर्नरेंट समझती है कि मौजूदा हालात में जब कि ७ मई, १९५५ के बाद कोई नया आदमी निकासी करार नहीं दिया जा सकता, कोई नई जायदाद निकासी करार नहीं दी जा सकती, मासिवाय उन हालात में, उन केसिस में जो कि इस बक्त तक चल रहे हैं जिन की तादाद आज बहुत योड़ी है। तो मैं उन प्राविजस (उपबन्धों) की जो कि पहले ओरिजिनल एक्ट (मूल अधिनियम) में हों जिस को कि मेरे प्रिडिसेसर (पूर्वाधिकारी) ने बनाया और जिन की ज़रूरत उन्होंने महसूस की, आज मैं उसकी ज़रूरत महसूस नहीं करता।

इस लिये मैंने इस तरभीम (संशोधन) को इस बिल में जगह दी है और जो एमेंडमेंट श्री ठाकुर दास जी ने पेश की है, उसकी मैं मखानिकत करता हूँ।

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

Page 2, line 14—

omit "(f), (g), (h)"

The motion was negatived.

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

Page 2—

Omit lines 16 to 18

The motion was negatived.

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

"That clause 4 stand part of the Bill"

The motion was adopted.

Clause 4 was added to the Bill.

**Clause 5—(Amendment of section 11)**

**Pandit Thakur Das Bhargava:** I beg to move:

Page 2, line 26—

omit "in place of the evacuee trustees"

[Pandit Thakur Das Bhargava]

Yesterday I submitted that so far as the general principle of this clause goes, I am in favour of it, but at the same time there are some words there are some words there to which I object. The words are:

“....being in force, to appoint, by general or special order, new trustees in place of the evacuee trustees ....”

My fear is that it may be argued that new trustees can only be appointed if previous trustees existed, whereas I know as a matter of fact that in so far as many of the trusts which are now assumed to be trusts, there were no trustees before. For instance, in regard to places which were existing or in use for the last 50 or 100 years, there were no trustees appointed, and there were many other buildings etc., for which there were previously no trustees which were being used by people for public purposes and which have fallen into disuse now. I want new trustees may be appointed for all places which can be of use, so that people may be able to look after those buildings and manage them. These words “in place of the evacuee trustees” are redundant as a matter of fact, because even where there were no trustees, they will have to be looked after and managed. If these words are taken away, nothing will be lost. On the contrary, powers will be utilised by the hon. Minister ....

**Mr. Deputy-Speaker:** Is it intended to appoint trustees even when there were no trustees before, or only when when there were trustees before partition?

**Shri Mehr Chand Khanna:** The position is that certain trusts existed before partition. There were some trustees who were managing those trusts. Some of them have gone to Pakistan, some are still in our country today. Our intention is to take powers for the appointment of new trustees in place of those trustees who have gone away to Pakistan.

**Mr. Deputy-Speaker:** Simply in those cases?

**Shri Mehr Chand Khanna:** May I proceed further?

Then there are certain trustees who have remained behind in this country. They have been in charge of the property. They know the ins and out of these properties, of these trusts, they have been managing them for quite a number of years. So, if I have understood Pandit Thakur Das Bhargava's amendment, the meaning is that those nationals of India who have remained behind in this country and were trustees may also be eliminated, and power is given to the Government for the appointment of new trustees even in place of the trustees who are still here. My point is that those who are here are here. Why should I disturb them? We are taking powers to appoint new trustees in the vacancies that have been caused on account of the persons who have gone away to Pakistan.

**Mr. Deputy-Speaker:** Only vacancies are to be filled; is it?

**Shri Mehr Chand Khanna:** Yes.

**Pandit Thakur Das Bhargava:** As a matter of fact the difficulty is when we come to the provision. So far as the words are concerned, they are capable of any interpretation. The hon. Minister says that it is not the intention and his intention is this. Who is going to look into the intention? Every court will look to the words used. As the proverb goes, 'The way to Hell is paved with good intentions'. His intentions are very well. We say that in the last amendment about joint family rule 19 and we see it here also. But my submission is that he really puts into my mouth certain things which I did not say or even contemplate.

**Mr. Deputy-Speaker:** I feel there is a difference in approach. The hon. Member wants that the trustees should be appointed by Government whether originally there were certain trustees or not.

**Pandit Thakur Das Bhargava:** Yes.

**Mr. Deputy-Speaker:** But the Minister says that only vacancies are to be filled.

**Pandit Thakur Das Bhargava:** I want that where there are trustees already here and they can work, they may remain and control all these institutions. I go further and submit that if there is any mosque etc. and Mohamedans are living there, I do not want to interfere with any rights—even supposed rights—of the minorities. It is far from me. From the trend of the hon. Minister's speech I understood that he wants to put into my mouth that I want them to be treated in a different way from the nationals of this country. It is exactly the reverse. I want that every Mohamedan in this country should be treated just like a Hindu and there should be absolutely no difference.

**Shri Mehr Chand Khanna:** May I draw the attention of the Chair? The hon. Member is alluding to me. If I may remind him, his name was taken by my friend at my back. He quoted Pandit Thakur Das Bhargava's name more than once bringing to your notice that that appears to be his intention. I did not say so.

**Pandit Thakur Das Bhargava:** Even now it is not my intention.

**Mr. Deputy-Speaker:** I was in the Chair. It was made clear that that was not the purport of his imputation.

**Pandit Thakur Das Bhargava:** I am not criticising him for what he has said. He is entitled to say anything he likes. My skin is too thick. But, at the same time, I should say that when he interpreted this that I want the old trustees to be removed, I could have said that if I wanted to say so. I fully know the meaning of the words, 'it shall be lawful for the Government'. It does not mean that Government is bound to have new trustees.

What I want is that in places where previously there were no trustees existing, in those places, Government

should be authorised to appoint new trustees. I never said that the old trustees should be removed.

**Mr. Deputy-Speaker:** The hon. Minister has made it clear that Government's intention is simply to fill up vacancies caused by the migration of Muslim trustees. It is restricted. In that case, if this Bill is passed, Government shall not appoint trustees for trusts for which originally there were no trustees.

**Pandit Thakur Das Bhargava:** This is exactly my point. I wanted to cover those cases. If the Government do not want that, it is their own lookout. I wanted that in places where there were no previous trustees, the Government should be given power to appoint trustees to keep them in good use.

**Mr. Deputy-Speaker:** Has the Government considered this position where there are properties and there are no trustees! Supposing there are mosques or some other properties and there were no previous trustees. In order to preserve those properties and to efficiently manage them, has Government envisaged that it would have some need to appoint trustees because Mohamedans from those areas would have gone now and the intention of the Government is to preserve those properties intact?

**Shri Mehr Chand Khanna:** You have exactly interpreted the viewpoint of the Government. I was not visualising any properties for which there were no trustees. If there were any properties for which no trustees had been appointed, and if those properties now vest in the Custodian we shall have to take into consideration the preservation of those properties in order to be put to proper use.

**Shri U. M. Trivedi:** May I put one question? If there were no trustees for any property, how could that property become evacuee property? By what process of law can it become evacuee property and how can it vest in the Custodian? Unless and until there is some owner who has evacuat-

[Shri U. M. Trivedi]

ed, there can be no evacuee property. Property which does not belong to anybody or is not vested in anybody does not become evacuee property.

**Mr. Deputy-Speaker:** That is a different question now. That is a legal question and we will not be able to decide it here. The question is whether we can think of any properties for which there were no trustees before partition and now the persons living there or who were in charge have migrated to Pakistan and the properties have to be maintained and to be taken proper care of. Pandit Thakur Das Bhargava is worried about such properties. He wants that trustees should be appointed for those properties also. The words that are there now in the amending Bill cover only those cases where there have been vacancies and which have to be filled up. If I can follow Pandit Thakur Das Bhargava correctly, what he wants to know is what would become of those properties for which there were no trustees before and which we want to preserve. It is for Government to consider whether there would be any necessity for safeguarding those properties. The Minister has given his reactions.

**Pandit Thakur Das Bhargava:** May I submit a word in view of what has fallen from you and from the hon. Minister?

**Shri Mulchand Dube** (Farrukhabad Distt.—North): rose—

**Mr. Deputy-Speaker:** One hon. Member at a time; both are on their legs.

**Pandit Thakur Das Bhargava:** You have interpreted me absolutely correctly. I have put the question. I find the answer from the hon. Minister; it is that Government have such properties also for which there were no trustees previously.

**Shri Mehr Chand Khanna:** I did not say that. It never entered my mind that there were some properties like that, which might have vested in the Custodian.

**Pandit Thakur Das Bhargava:** I would submit for your consideration that in Hissar there are two schools attached to a mosque where previously students used to read. Now, Government is possessed of them. There were no trustees at all previously and the people used those properties. I am only bringing it to the attention of the hon. Minister. • In such cases where the buildings are there no trustees existed previously and there will be no trustees now. I only want that so far as these properties are concerned where there were no previous trustees and where you have taken over the properties there should be trustees to look after them and have them utilised properly. If the hon. Minister is not willing to accept an amendment from me, he may have his own amendment.

**Mr. Deputy-Speaker:** No implication of that kind, that he is not prepared to accept any amendment coming from the hon. Member.

**Pandit Thakur Das Bhargava:** I do not wish that my amendment should be accepted. If the hon. Minister feels the necessity for that let him make a provision.

**Shri Mulchand Dube:** Mr. Deputy-Speaker, there can be no trust except by appointment of trustees and where there are no trustees there can be no trust. A trust is said to be an obligation annexed to the ownership of property and the trustee is deemed to be the owner. If the trustee has migrated to Pakistan, then, another trustee has to be appointed in his place. If there were no trustees from the very beginning, in the first place, there would be no trust; and, in the second place, the District Judge would appoint new trustees and the matter would take its ordinary course.

**Shri U. M. Trivedi:** Sir,.....

**Mr. Deputy-Speaker:** The hon. Member should be brief.

**Shri U. M. Trivedi:** I would try to be very brief in putting my viewpoint.

I have to place my viewpoint before the House.

**Mr. Deputy-Speaker:** I have asked him only to be brief.

**Shri U. M. Trivedi:** I am always brief; I will never dilate upon it.

**Mr. Deputy-Speaker:** He reserves the judgment also to himself?

**Shri U. M. Trivedi:** As this clause is worded today, the difficulty is very patent and the explanation that has now been given on the point raised by Pandit Thakur Das Bhargava creates other difficulties also. In the first place it provides that new trustees in place of the evacuee trustees will be appointed by a special order. That is one aspect; there are certain properties of which they were trustees or they might have been trustees who would have been dead and gone and so they would not become evacuees also. Now they are situated at such places where under the ordinary law people interested in them can only be the persons who can be appointed and such persons do not exist.

Under section 92 of the Civil Procedure Code persons who are interested in public or charitable purposes, cannot be appointed if those persons do not exist. I would ask: What is going to happen to such properties if their position has been taken by the Custodian? It is perhaps on such properties that a reference is made, i.e., that such properties are being used either for schools or for some other purposes. All the arrangements are being upset on account of this provision. So I would like to hear the views of the hon. Minister in this respect.

**बी बेहरान्द छन्ना :** नाब, मैं ने तो अभी यह अर्ज किया था कि ऐसे द्रस्ट (प्रन्यास) भी होंगे जसे कि त्रिनेवी साहब ने बताये हैं। भारत-हस्टोडियन (मिनिरक 5) के पास नहीं हैं और कस्टोडियन ने उनका चार्ट नहीं लिया है, तो जहाँ तक

हमारा और हमारी मिनिस्ट्री (मंत्रालय) का ताल्लुक है, या कस्टोडियन के डिपार्टमेंट का ताल्लुक है, उसमें तो हम पड़ते नहीं। जो गर्मल ला ग्राफ जैंड (नेश की सामाजिक वित्ति) है, उसके मुताबिक वह चलेगा। मेरा ताल्लुक निर्देश उस जायशद या द्रस्ट प्राप्ती (प्रन्यास सम्पत्ति) से है जो लस्टोडियन के कब्जे में आ चुकी है और हम उसकी नियंत्रणी हर रहे हैं। उसके लिये हमारे पास दरखास्त मायेगी, हम उसको देखेंगे। जैसा कि पहले सिलसिला था कि वह सिविल कोटि में आये और डस्ट्रक्ट जञ्च साहब उसे करें, उसके बजाय हनाग इरादा सिर्फ इतना है कि हम उससे मपनी मिनिस्ट्री में जल्दी करने की कोशिश करें और प्रोसी-ज्योर (प्रक्रिया) को सिम्प्ल (सरल) बनावें। हमने सोचा है कि हम मपनी मिनिस्ट्री में एक जूडीशियल आफिसर (न्यायिक अधिकारी) मुकर्रर करें ताकि वह काम जल्दी सत्त्व हो जाये। इस बात को मैंने कल भी कहा था और फिर दोहराना चाहता हूँ। जहाँ पर कोई द्रस्टी पहले नहीं था और जैसा कि ठाकुर दास जी ने कहा, वह चौब द्वितीय द्रस्टी का अधिकारी है, तो जल्दी ही कि उसके लिये नये द्रस्टी मुकर्रर करने पड़ेंगे जहाँ पर वह नहीं है और जहाँ चले गये हैं उनकी जगह तो नये द्रस्टी मुकर्रर करने ही पड़ेंगे। तो जहाँ तक मेरा और ठाकुर दास जी का ताल्लुक है, हमारे कोई इस्तिताफ (विमेद) नज़र नहीं आता। इसके अलावा जो . . .

**उत्तम्यक भाषोदय :** ठोकुर दास जी का यह डर है कि जब यह लफ्ज़ रहेंगे “in place of evacuee trustees” को गवर्नरमेंट को मुट्किल पड़ जायेगी जहाँ द्रस्टी नहीं हैं। नये सिरे से वह तकर्ररी (नियुक्ति) नहीं कर सकेगी। मिर्क इतना वह कहते हैं।

जी मेरह चन्ह जाना : मैं इस चीज़ को एग्जामिन (जांच) करा लूँगा । कोई दिक्षित होगी तो मैं कर आपके सामने आ जाऊँगा ।

**Mr. Deputy-Speaker:** Should I then put the amendment to the House?

**Pandit Thakur Das Bhargava:** Certainly.

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

Page 2, line 26—

omit "in place of the evacuee trustees".

*The motion was negative.*

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

"That clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**Clause 6.—(Amendment of Section 16)**

**Pandit Thakur Das Bhargava:** I beg to move:

(i) Page 3, line 26—

after "this sub-section" insert:

"or any other law".

(ii) Page 3—

after line 29 add:

"(2A) No property shall be restored to any evacuee or his heir except under the provisions of this section."

I am not moving amendment No. 6. You may remember that yesterday I took great pains to explain my point of view, and I do not want to repeat those arguments at least here, because, as a matter of fact, my fears have been aroused by a provision which is coming in the other Bill. I want to foretell and to 'scotch' the views held by the framers of this Bill. There-

fore, I am anxious to see that these words, namely, "No property shall be restored to any evacuee or his heir except under the provisions of this section" should be added, so that if the Government chooses to bring forward such a provision as I referred to yesterday (20A of the other Bill) and it is passed by the House, it may come into clash with this provision. I am anxious that when we have a provision for a particular purpose, it will not turn out to be infructuous but the Government wants to take away all the powers. The purport of my amendment No. 7 is exactly for that purpose. If the hon. Minister thinks like me or wants to make a change in clause 20A of the other Bill and brings it in line with the provisions under section 16, then this amendment will become unnecessary. We want to keep the law about the properties intact. From what fell from the hon. Minister yesterday I understand he does not want to have any new powers and he is himself anxious like me that the evacuee gets the property only when is entitled to the property. This is explained under section 16 and the hon. Minister does not want to give away from the compensating pool. I read out yesterday from the proceedings, dated the 25th of September that that was the intention of the previous Minister and now I understand the purpose of the hon. Minister is also the same, but as long as that provision under clause 20A exists, I am bound to bring to the notice of the Government and the notice of the House that if that thing comes in, then my amendment should be added therein. I waited for the hon. Minister to reply to this part of the Bill, but the hon. Minister gave us lectures and indulged in platitudes, on that touching the real point in issue. I have personally seen in Gurgaon that the properties of the Meos were rightly restored. The refugees were in occupation of the houses and lands for a long time. We gave the Meos other lands and houses and they were taken by them. After 4 or 5 years the original houses and lands could not be restored. In such a case other properties are being

given. I am not objecting to this. No sane person will object to this. What I object to is that we enact a provision in the act and then abrogate it in another Act. I consider that this is wrong. I am as anxious as anybody else that right application under section 16 should be accepted. I have done my very best so far as the Meos of Gurgaon are concerned. I am their duly elected representative. Even when I go to my constituency, I try to find out what persons are there whose properties have not been restored, which ought to have been restored. I brought an amendment in this House and a Tehsildar was appointed and everything was done at that time. Even now I am trying to see that their lands are also restored. So far as the Meos are concerned, I have tried to see that those persons who did not go to Pakistan get their properties here. It is entirely wrong to assume and mischievous to think that I do not want them to get their properties here. At the same time I do not want any sort of leniency or any sort of invalid concessions about which the Health Minister has spoken. That is all that I submit.

So far as this matter is concerned, let the hon. Minister not misunderstand me. What he has proposed in this section is already being done. At the same time if he wants to take away the provision in section 16 by enacting in section 20(b) the words "notwithstanding anything contained in the Evacuee Property Act and this Act", I object to it very seriously. It is these words which I object to very seriously. I hope the hon. Minister will not choose to misunderstand me. Both these amendments are unnecessary if he agrees to the amendment in section 20(b) of the other Act. Otherwise I will press these amendments.

**Mr. Deputy-Speaker:** Amendments moved:

(i) Page 3, line 26—

after "this sub-section" insert:  
"or any other law".

(ii) Page 3—

after line 29 add:

"(2A) No property shall be restored to any evacuee or his heir except under the provisions of this section."

**Shri Mehr Chand Khanna:** I am grateful to Padnit Thakur Dasji for drawing the attention of the Government to a certain lacuna that has occurred. My intention is exactly the same as that of Pandit Thakur Dasji. When we take up the Displaced Persons (Compensation and Rehabilitation) Amendment Bill of 1956, in clause 6 I myself propose to move—and I think that will meet his purpose—that in page 3, in lines 3-4, for the words "has made an application" substitute "is entitled to the restoration of any evacuee property on an application made by him in this behalf".

**Pandit Thakur Das Bhargava:** In view of what has fallen from the hon. Minister, I do not think that these two amendments are necessary.

**Shri Mehr Chand Khanna:** Thank you.

**Mr. Deputy-Speaker:** The hon. Member then wishes to withdraw them, that is, amendments Nos. 7 and 8.

*The amendments were, by leave, withdrawn.*

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

*"That clause 6 stand part of the Bill."*

*The motion was adopted.*

*Clause 6 was added to the Bill.*

**Clauses 7 to 11**

**Mr. Deputy-Speaker:** There are no amendments to clauses 7 to 11, and I shall put them together.

**Shri Mulchand Dube:** There is an amendment to clause 7; I have given notice of it this morning.

**Mr. Deputy-Speaker:** Then that cannot be accepted.

**Shri Mulchand Dube:** If the hon. Minister accepts it, it may be allowed. I have asked for the insertion of the following words:

"Provided that the Custodian-General shall hear the appeals in the State in which the property in question is situate."

**Shri Mehr Chand Khanna:** What actually happened was that after Shri Dube made his speech, when the time for reply came, he was unfortunately not present in the House. I made it clear then that I shall make every possible effort that in case in a State the number of cases require that a Custodian-General should go there himself to hear the appeals, I will have necessary instructions issued. That I said yesterday. But if there are one or two solitary cases, perhaps it may not be in the interests of work. If the Custodian-General, for instance, has to go to Hyderabad, it takes about 8 to 10 days in going and coming and that will hold up other work very seriously. So I said yesterday and I repeat that in the interests of the litigant public, I will try to do my best that instead of asking them to come all the way from long distances to Delhi, if the work requires it, the Custodian-General shall go to those places and hear the appeals on the spot.

**Mr. Deputy-Speaker:** That is all right.

The question is:

"That clauses 7 to 11 stand part of the Bill."

*The motion was adopted.*

*Clauses 7 to 11 were added to the Bill.*

**Clause 12.—(Substitution of new section for section 48**

**Pandit Thakur Das Bhargava:** I beg to move:

(i) Page 4—

*omit lines 26 to 33.*

(ii) Pages 4 and 5—

*omit lines 34 and 35, and 1 and 2 respectively.*

You will be pleased to observe that in clause 12, which relates to section 48 of the previous Bill, which was a very simple one, the original clause ran thus:

"Any sum due to the State Government or to the Custodian under the provisions of this Act may be recovered as it were an arrear of land revenue."

That means, in simple English, that the modes of recovery were given. Arrears of land revenue, as you know, are recoverable in ways which are quite different from those mentioned in relation to execution of decrees. But if there was any sum due, then the mode of recovery was that a person could be dealt with as if they were arrears of revenue. But so far as the question of liability was concerned, so far as the question of limitation was concerned, they were all such as could be decided only by the civil courts.

Now the whole scheme of this Act is that in regard to a very few matters, civil courts have been given authority, and in regard to all other matters the authority is given to executive officers because we feel that the matter might be dealt with expeditiously and rightly.

Yesterday somebody made a complaint without understanding the law that evacuees were not given the right. I may refer to section 16 and other sections in which evacuees were given much more rights than refugees and others or local people because we wanted that because their properties were at stake, their rights should be secured. It was in consequence of that that a particular reference was made in section 16 to the powers of the civil courts, and they could go to the civil courts and in case of any such appeals, the District Judge should hear them. These rights are not given to the local people or to refugees.

The innovation now sought to be made is very serious. Kindly see section 48(2), which says:

"If any question arises whether a sum is payable to the Government or to the Custodian within the meaning of sub-section (1), the Custodian shall, after making such inquiry as he may deem fit, and giving to the person by whom the sum is alleged to be payable an opportunity of being heard, decide the question; and the decision of the Custodian shall, subject to any appeal or revision under this Act, be final and shall not be called in question by any court or other authority."

All the High Courts were agreed that this question shall be decided by the civil court alone. Many persons went to the High Court in this connection and it was decided that as a matter of fact it was the civil courts alone which could decide whether a particular sum is payable to the Government or to the Custodian. Now the Custodian himself becomes the judge, and 'no person can be allowed to become a judge in his own cause' is violated.

Yesterday it was assumed that evacuees would also be proceeded against under this or sub-section (3). As a matter of fact, it is only the refugees who will be the persons affected. I do not know of any rule whereby the law of the land should be abrogated in this manner without violating article 14 of the constitution.

There are two questions, one relating to limitation and the other relating to liability of the person concerned. Now the proposition is that in the interest of Government, in the interest of any persons except those who are liable, the powers may be used by the executive officers. They will themselves say that so much money is due, and they will in addition say that they will decide that the law of limitation will not work or apply to the case and they may ask the man concerned to pay the money

or else the man may be arrested. These questions arise in cases where money is realised as arrears of land revenue. I am loath to arm the Government with these powers. How is the arrear of land revenue collected? You know it better than myself. The man is called. A formal notice is given. And then he is put in jail direct. But in the decrees of civil court relating to money, no person can be arrested. But, here he can be arrested and put in jail. Anything can happen.

Why is the law of limitation abrogated? I waited and waited that the hon. Member would give some argument about the abrogation of the law of limitation which has stood the test of centuries. It is to be found in all civilised countries and in our country also. But in the year 1956, today, the hon. Minister is taking away this law. He does not even give discretion to the officers so that they may discriminate and relieve hardship so far as these refugees are concerned. He is making the plaintiff himself the judge. I need not go into the original principles of the law of limitation. It is absolutely clear that such a long time—five or six years—has elapsed. The position of the defendant has changed and so much time has passed. All his finances are to be looked into. Why had not the Government recovered it before? This power to attach all his properties and put him in the jail should not be there. There must be some emergency or anything of that nature; otherwise, I do not see why the law of limitation should not be enforced and why the plaintiff himself is to be in the place of the judge. In a democracy, the first principle is that the law of the land should prevail. We shall not have unusual laws or emergency laws in times of peace. I take very strong exception to these two provisions being enacted against the refugees, who have of nothing to pay and are impecunious. The hon. Minister knows their position better than myself; he knows their condition, their needs and the amount of belongings. How are they to pay? They lost what-

[Pandit Thakur Das Bhargava]

ever they had before. How the hon. Minister pounces upon them and wants them to pay for things which have become barred. This is unheard of. I very strongly oppose these. There was an emergency when Evacuee Property Act was barred and something was happening then. Nothing is happening now. So, why should we change the ordinary law of the land? It has been said that the Administration of Evacuee Property Law was an unusual law; everybody is complaining about it. Those were the circumstances at that time when we had to pass that law. Why should we pass this law, in times of peace, against those very persons who have come here as refugees? You want to change this law to their detriment and squeeze every pie out of them—the pie that you have not been able to squeeze all these years. There is no justification for changing the ordinary law of the land to their detriment. The protection that the civil courts give to every local man, to the 37 crores of inhabitants of this country, is taken away in the case of these helpless persons? Is it right or is it just? So, I would only ask the hon. Minister to consider what I am saying sympathetically and not to enforce the provisions against the refugees' interest.

**Mr. Deputy-Speaker:** Amendments moved:

(i) Page 4—

omit lines 26 to 33.

(ii) Pages 4 and 5—

omit lines 34 and 35, and 1 and 2 respectively.

**Shri Mulchand Dube:** This question of limitation may be divided into two parts. One relates to the dues that might have been barred before the property was declared as evacuee property and the second part may relate to the dues that had accrued after the property had been declared so. In regard to the second part, there may be some justification because of the default of the Custodian or some other person in failing to recover the dues. In

regard to the first part, that part of the dues which might have become barred before the property was taken over, there does not seem to be any justification for not applying the law of limitation.

**Mr. Deputy-Speaker:** Pandit C. N. Malviya. Enough has been said and so he may be brief.

**पंडित च० ना० भालबीय :** उपाध्याय महोदय, इस में दो सवाल उठाये गये हैं। एक तो यह कि जो भ्रामिट (विलोप) किया गया है उस में अपील और रिवीजन (पुनरीक्षण) का जो प्राविजन (उपबन्ध) है उस को सामने रख कर सिर्फ एक बात की गई है कि

"The decision of the Custodian shall be final and shall be called in question by any court or other authority".

यहां एक तरफ तो गवर्नरमेंट ने यह प्रस्त्यार लिया है कि जो मामलात अभी तक उलझ रहे हैं और जैसा कि कल की तकरीरों से मैं समझा कि इस सामले को अगर हम अदालतों के सुपुर्दं करते रहे और दूसरी तरफ यह भी चाहत रहे कि हम इसका जल्दी फैसला करें। तो इसपें उलझने रद्द सकती है, और इस प्रक्रिया को सामने रखने हूँये कि इन मामलात का जल्दी निपटाना है यह ज़रूरी है कि अदालतों वे जूरिडिक्शन (क्रिएशिकार) को रोककर गवर्नरमेंट ऐसी बातों का फैसला करें। भारी भाहव ने अगर इस में कोई विवाद बताया होता। रु गवर्नरमेंट ऐसी सास हालात के मामलात में अदालतों के जूरिडिक्शन को खत्म कर के खुद प्रस्त्यार ले सकती है, ऐसी चांज अनकार्टिटूयशनल (अमंविधानिक) या ला ग्राफ दि लैड (देश के कानून) के लिलाफ है तो समझ में आ सकता था।

दूसरी बात यह है कि क्या यह पापुलर पैड मारल जस्टिस (लोकप्रिय तथा नैतिक न्याय) के लिलाफ है। मेरे अर्ज करने का मकान यही है कि अगर हम आज की हालत देखें तो माम फ़लिंग (धारणा) यही है कि इस गामले में कोई उलझाव पैदा होता जा रहा है और जितनी जल्दी काम हो जाये उतना

ही अच्छा है। ऐसी सूरत में अदालतों के चक्कर से बचने की आज आम तौर से भावना है, लास तौर से इवैक्वी प्राप्टरी (निष्कास्तसम्पत्ति) के सिलसिले में, और अच्छा है कि जिस तरह से जल्दी फैसला हो सके, हो। मैं नहीं देखता कि इस में कोई चीज ऐसी गलत हो रही है कि हालात के लिहाज से अदालतों के जूरी-जूर्निस्टिक्शन को खत्म कर के गवर्नमेंट इस अस्त्यार को लेती है। इस में इन्वेबायरी (जांच) का भी एक प्राविजन है, अपील और रिवीजन ना भी एक प्राविजन है, इस लिये मेरे अगले में ऐसा अस्त्यार लेना गलत नहीं है।

दूसरी बात लिमिटेशन (परीसीमन) की है। अगर लिमिटेशन का उसूल हम रखते हैं तो किन्हीं हालात को पेशे नजर रखते हैं। किसी मामले को हम एक वर्ष में नहीं तय कर सकते हैं तो दो और तीन वर्षों की मियाद रखते हैं। अगर इसी तरह से जो इवैक्वी प्राप्टरी का मामला चलता है, उन में लास तौर से लिमिटेशन के कानून को लास मकसद के लिये प्रोड़ा सा अमेंड (रांशोवित) कर देते हैं तो क्या इससे डिमाक्रेसी (जनतंत्र) को कोई सदमा पहुंच रहा है? भागेंव साहब की इंग्रीज (भ वण) के बाबनूद यह बात मेरी समझ में नहीं आई। यह ठीक है कि ला (विधि) की सैकिटटी (पवित्रता) होती है, लेकिन ला की सैकिटटी होती है कोट्ट (न्यायालय) म मामला ले जाने के समय। जैसी हालात आज हैं उन को देखते हुये यह चीज होनी चाहूरी है और हम सब ने महसूस किया है कि इस मामले को जल्दी निपटाना है। इस उसूल को सामने रखते हुये यह दोनों प्राविजन विलुप्त चाहूरी है। कहीं यह न हो जाय कि यह प्रमोंडग बिल (संशोधन विधेयक) लाना ही बेकार हो जाये। अगर कानून को इस तरह से ही रखना चाहा तो अमडमेंट लाने की चाहूरत ही क्या थी? इसलिये मैं अमडमेंट्स का विरोध करता हूँ और बहुत जोर से इस बात का समर्थन करता हूँ कि इस विधेयक को स्वीकार किया जाये।

**Shri Gidwani (Thana):** I rise to support these amendments. Particularly the process of recovering the arrears of land revenue is such that it should not be on the statute book. I do not know if, in former times, when there was no popular Government, this kind of a recovery was allowed and rules were made to that effect. But, now the times have changed. In the present circumstances, when we have declared the socialist pattern of society as our objective we should not resort to this process and reduce the person concerned to a deplorable condition. If arrears are to be recovered from the displaced persons by that process, it means a deterioration in their condition. I have known cases where they had not been able to pay rents for their quarters. Their goods have been attached and they were ejected from their houses.

13 hrs.

That is one of the main reasons why Pandit Thakur Das Bharagava has brought this amendment, particularly when he says that the law of limitation should be there and no extraordinary procedure should be adopted. On the contrary by that procedure, further proceedings will not be carried on and the work will stop automatically. I do not know what will be the total amount recovered by that process, but it is likely to create a lot of hardship to the refugees. We should not, therefore, adopt a procedure which will really affect adversely the interest of the displaced persons and cause hardship to them.

Therefore, I support the amendment.

**श्री मेहर बच्चन साहा :** जनाव डिप्टी स्पीकर साहब, आपको याद होगा कि बरस, सवा बरस हुआ है कि हमने कम्पेंसेशन रूल्स (प्रतिकर नियम) इसी हाउस (सदन) में पास (पारित) किये थे। उस कम्पेंसेशन रूल्स में यह हमने फैसला किया था कि जो भी किसी शरणार्थी के बरक्सिलाफ मकान का किराया है, लीज (पट्टा) है, सूद है,

[बी मेहर चन्द खन्ना]

कर्जा है कोई भी चीज़ है, तो उसकी हमने तारीफ के नीचे जो कि हमने पब्लिक ड्यू (सार्वजनिक देय) की है, हमने सेटलमेंट कमिशनर (बन्दोबस्त प्रायुक्त) को अखत्यार दिया है कि जिस ने उसकी अर्जी लेनी है, जिसने उसको इवाजाना डिटरमिन (निश्चित) करना है और पब्लिक डिटरमिन करने के बाद उसने उसका जो बकाया है, उसका कम्पेंसेशन निकलता है, देना है। तो आया यह एक निराली चीज़ है कि आज जज (न्यायधीश) प्रासीक्यूटर (अभियोक्ता) बन जाये प्रासीक्यूटर जज बन जाये यह हम दोनों को वही अखत्यारत दे दें। तो मैं अदब से अर्ज करूँगा कि यह कोई नई चीज़ नहीं है जो कि आज मैं हाउस में लाया हूँ। यह कम्पेंसेशन रूल्स के नीचे इसी हाउस ने उसी सेटलमेंट कमिशनर को यह पावर (शक्ति) दी नहीं दी। अब आप ने यह फैसला कर दिया कि जहां तक क्लेमेंट (दावेदार) शरणार्थी का ताल्लुक है उसका जितना भी बकाया है, पहले काट लो और जो भी उसका बकाया इवाजाना होता है उसको दो। अब मेरे पास इसके अलावा दो किस्म के आदमी रह जाते हैं जो कि निकासी जायदाद में हैं। उसमें शायद वे भी हों जो कि शरणार्थी जरूर हों और उनका क्लेम (दावा) न हो और शायद कुछ शहरी भी हों, यहां के नागरिक हों। अब सब से हम ने जो बकाया हमारा किराया है उसको वसूल करना है आज निकासी जायदाद का इस बक्त जो बकाया किराया है वह तकरीबन ४ करोड़ ८५ लाख रुपया है।

पंडित ठाकुर दास भार्गव : आज तक वसूल क्यों नहीं किया गया?

बी मेहरचन्द खन्ना : आप चाहते हैं इवाजाना जलाई दो। शरणार्थियों ने ८ या ६ बरस इंतजार किया है और बेचारे तकलीज में हैं। तो मैं क्या कर रहा हूँ। मैं सिफ़ यह कर रहा हूँ

पंडित ठाकुर दास भार्गव : जान निकाल रहे हैं।

बी मेहर चन्द खन्ना : मैं ठीक समझता हूँ। असल में बात यह है कि जब आपका मेरा इस्तलाफ राय (मतभेद) हो जाता है तो जिस हद तक आप जा सकते हैं बदकिस्मती से उस हद तक मैं नहीं जाना चाहता। लेकिन मैं यह जरूर कहना चाहता हूँ कि अगर जान निकालने का मेरा इरादा होता तो दो चीज़ों जो मैं ने की हैं वे मैं न करता। एक तो यह है कि हमने जितनी भी हमारी जायदाद है, चाहे वह निकासी है चाहे वह गवर्नरमेंट बिल्ट (सरकार द्वारा निर्मित) है, हमने यह फैसला किया है कि चाहे उसमें क्लेमेंट बैठा है, चाहे उसमें नान-क्लेमेंट (गैर दावेदार) बैठा है, अगर वह उसका मालिक बनना चाहे कम्पेंसेशन रूल्स के मात्रहत तो १ अक्टूबर, १९५५ से उसका किराया नहीं लिया जायेगा। यह सेलेबल प्रापर्टी (विक्रय योग्य सम्पत्ति) को रिफर (निर्देश) नहीं करता, एलाइबल प्रापर्टी (आवंटनीय सम्पत्ति) को करता है। यही नहीं, जनावेदाला, यह भी मैं ने किया है कि जो बकाया है वह अगर यक्षमत अदा नहीं कर सकता है तो १२ किलो में अदा कर सकता है। बल्कि मैं ने एक बयान भी दिया है। वह यह है कि अगर कोई ऐसा भाई है हमारा जो कि देने के नाकाबिल है तो हम उससे नहीं लेंगे। लेकिन जो दे सकता है उससे जनावेदाला क्यों न लिया जाये। अगर आज लम्बे चौड़े मुकदमात लें और जिस शरणार्थी को हमने कम्पेंसेशन है या जिसका हमने हिसाब करना है, यह चीज़ अदालतों में जायें और ये कोसिस (मामले) सिविल जुरिसडिक्शन (न्यायापालिका क्षेत्राधिकार) में हों तो जैसा मालबीय साहब ने कहा, उसमें तो बरसों बरस गुजर जायेंगे और यह चीज़ जल्दी खत्म होने वाली नहीं है। इस चीज़ को हम इसलिये ला रहे हैं कि जो शरणार्थियों

के पूल (संग्रह) में जो पैसा आना है, जायज तरीके से आना है वह जल्दी से जल्दी आये ताकि उस पूल में से जिस शरणार्थी को इवजाना मिलना है हम उसके जितनी जल्दी हो सके, दिला सकें। कोई इरादा हार्डेशिप (कठिनाई) का नहीं है, कोई डिस्ट्रेस (यातना) काज (देने) करने का इरादा नहीं है या किसी को तबाह करने का इरादा नहीं है।

श्री शिवानी : एरियर्ज आफ लैंड रेवन्यू (बकाया लगान) से दिक्कत हो रही है।

श्री मेहर चन्द खन्ना : आप अपने दोस्त की तकरीर (भाषण) जो आपके पास बैठ हुये हैं मुन लेते तो अच्छा होता। उन्होंने सुद कहा कि एरियर्ज आफ लैंड रेवन्यू तो तुम्हारे कानून में पहले ही मौजूद था। यह वह कानून है जो मेरी पैदाइश से पहले, चाहे बड़ीर समझिये, चाहे मैन्वर पालियामेंट समझिये, आप ही के हाउस ने, आपका सुद का मंजूर किया हुआ है। मैं कोई नई चीज़ नहीं ला रहा हूँ या कर रहा हूँ।

पंडित ठाकुर दास भारतीय : यह नई नहीं है, लिमिटेशन (परिसीमा) वाली बिल्कुल नहीं है। आप इसको बढ़ा रहे हैं।

श्री मेहर चन्द खन्ना : मैं इसको नहीं बढ़ा रहा हूँ। जो मेरा काम है और जिस के मुतालिक कल शर्मा साहब कह रहे थे कि तुम तो महकमे बढ़ाये जाते हो आनी मियाद लम्बी करते जाते हो....

Shri D. C. Sharma (Hoshiarpur): Sir, words should not be put into my mouth which I did not say. What I asked him was how long the Department would continue; I do not bother about its continuance.

श्री मेहर चन्द खन्ना : जनाब मेरी कोशिश यह है कि आप मुझे अख्तियारात 501 L.S.D.—2

दीजिये ताकि जितनी जल्दी हो सके, मैं अपना काम निपटाऊं और इस डिपार्टमेंट (विभाग) को खत्म करूँ।

एक चीज़ और है जिसका मैं ज़िक करना चाहता हूँ। दुबे साहब ने कहा कि एक तो वे लोग होंगे जिन के ज़िम्मे ग्रापके ड्यूज़ (देय) होंगे जब से जायदाद निकासी करार हुई और मुमकिन है बाज़ लोग ऐसे हों जिन के ज़िम्मे ड्यूज़ हों निकासी जायदाद करार होने से पहले। जहां तक इस चीज़ का ताल्लुक है हमारा इरादा नहीं है कि हम पास्ट (भूतकाल) को रेक अप (छानबीन) करें। मेरा ताल्लुक सिर्फ उसी चीज़ से है जब से निकासी जायदाद हुई है और जो चीज़ कम्पेंशन पूल (प्रतिकर संग्रह) में आ सकती है।

Pandit Thakur Das Bhargava: May I put one question? Supposing it is the intention of the hon. Minister; the intention will remain with him. Where is it expressed here?

Every day we hear that a particular thing is not the intention, as if every word of his intention is conveyed to every officer, who is not able to read his mind. What is the difficulty in putting his intention on to writing in the measure before us. Even they can be recovered as long as this continues. I would request him kindly to make an exception if he so desires. What is the good of his telling us: "This is not my intention"? His intention remains with him. I would request him to amend it if he wants to do so, but let him make his intention clear in words.

Mr. Deputy-Speaker: I shall now put amendments 9 and 10 to the vote of the House.

The question is :

Page 4—

omit lines 26 to 33.

The motion was negatived.

1153      Administration of      27 NOVEMBER 1956      Displaced Persons      1154  
Evacuee Property  
(Amendment) Bill

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

Pages 5 and 5—

omit lines 34 and 35, and 1 and 2 respectively.

*The motion was negatived.*

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

"That clause 12 stand part of the Bill."

*The motion was adopted.*

Clause 12 was added to the Bill.

Clauses 13 and 14 were added to the Bill.

Clause 15.— (Provision of Section 18 etc.)

**Pandit Thakur Das Bhargava:** Sir, I beg to move:

Page 5, line 32—

after "all appeals" insert:

"pending at end".

I gave my reasons yesterday, I do not want to repeat them. If the hon. Minister has not been impressed by those reasons, I do not think he will be impressed by any reasons that I may advance now. I place my amendment for the acceptance of the hon. Minister and the acceptance of the House. So far as my reasons for the same are concerned, I do not want to add anything.

**Shri Mehr Chand Khanna:** I gave my reply yesterday, Sir.

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

Page 5, line 32—

after "all appeals" insert:

"pending at end".

*The motion was negatived..*

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

"That clause 15 stand part of the Bill."

*The motion was adopted.*

(Compensation and  
Rehabilitation)  
Amendment Bill

Clause 15 was added to the Bill.

Clause 16 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

**Shri Mehr Chand Khanna:** I beg to move:

"That the Bill be passed."

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

"That the Bill be passed."

*The motion was adopted.*

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DISPLACED PERSONS (COMPENSATION AND REHABILITATION)  
AMENDMENT BILL

**Mr. Deputy-Speaker:** Before we take up the next Bill I want to point out that we have already overdrawn our time by about two hours and fifteen minutes. Now we should make an attempt to see that the Bill is finished by three o'clock when we take up the discussion over the railway disaster.

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** Sir, I beg to move:

"That the Bill to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, be taken into consideration."

I have already explained the reasons for which it was necessary to amend the Administration of Evacuee Property Act, 1950. Some of the amendments in that Act have necessitated consequential amendments to the Displaced Persons (Compensation and Rehabilitation) Act, 1954, also. Firstly, in certain cases evictee properties, which are restorable under provisions of Administration of Evacuee Property Act, have already been acquired and allotted to displaced persons. In some cases, it may not be expedient or practicable to restore the whole or any part of such original property. Therefore, it is necessary that some provision should be made to

give alternative property or cash compensation to the evacuee owner; hence the addition of section 20(A), which will enable us to do so.

Secondly, as mentioned already, some doubts had been cast on the powers of the Custodians to recover certain types of dues under section 48 of the Administration of Evacuee Property Act. Section 21 of the Displaced Persons (Compensation and Rehabilitation) Act, which was based on section 48 of Administration of Evacuee Property Act, also has to be amended on the same lines.

We have taken this opportunity to remove certain other difficulties which were being experienced in the implementation of the Compensation Scheme. Coming to section 2(d) (iii), the existing definition of "Public Dues" contained in clause (iii) of sub-section (d) of section 2 of the Act does not cover the dues of a Corporation, or other bodies, or individuals, to whom house building loans were granted by the Ministry of Rehabilitation for construction of houses and who in turn sold these houses to displaced persons. The Sindhu Resettlement Corporation which constructed houses for displaced persons at Gandhi Dham is one such body. By the proposed amendment, it is intended to include the amounts due from displaced persons to these corporations or bodies, in the definition of "Public Dues".

With regard to section 2(e), the land claims of displaced persons from West Punjab and those of Punjabi extraction, were registered under the East Punjab Refugees (Registration of Land Claims) Act, 1948, and under the corresponding Patiala Ordinance and PEPSU Act, and they were allotted agricultural land in Punjab and PEPSU, under the Quasi-permanent Allotment Scheme. These allotments are now being made permanent. Some of these claimants, however, could not be allotted land so far. It is estimated that about 8,000 of such claimants had not been allotted any land, the claims of about

1,000 had been partially satisfied, and in about 4,000 cases lands could not be allotted as the claims were still under verification when the lands were acquired. This will make a total of about 8,000 cases. As all evacuee land in these States has since been acquired under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, no land can be allotted except under that Act and against 'verified claims'. A 'verified claim' means a claim registered under the Central Displaced Persons (Claims) Act, 1950. It is now proposed to include in the definition of a 'verified claim', claims registered on or before the 31st May, 1953, under the said Punjab or PEPSU Acts, and verified as such, which could not be satisfied either wholly or partially, by allotment of evacuee lands under the Quasi-Permanent Allotment Scheme. It is also proposed to allot these 8,000 unsatisfied claimants, lands in Punjab on the same scale as admissible under the Quasi-Permanent Land Allotment Scheme.

Then about section 11(2). The existing sub-section (2) provides that all payments made by the Central Government in respect of maintenance allowance to displaced persons shall be recoverable by the Central Government out of the Compensation Pool. It has since been decided, and I am sure the House would welcome the decision, that all this expenditure which is about Rs. 137 lakhs should be treated as relief expenditure on displaced Persons and should be met out of the general revenues. In other words the Compensation Pool will benefit to that extent. It is proposed to delete sub-section (2).

With regard to section 19, the existing section 19 provides for the cancellation of any allotment for lease of an acquired evacuee property and gives powers to the managing officers to eject one whose allotment or lease has been cancelled. However, he has no such power in respect of Government built property or in respect of an unauthorised occupant or a trespasser. It is necessary to

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evict the trespassers in order to make proper use of the properties according to the Compensation Scheme. Hence this amendment has become necessary.

Then I come to section 20(1)(d); Section 20, sub-section (1), clause (d) provides for the transfer of shares of an evacuee in a company. It restricts such transfer to a displaced person only. There is no such restriction in the case of any other acquired evacuee properties which can be sold freely to any person. It is intended to remove this restriction in the case of the evacuee shares by a suitable amendment of the sub-section.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, be taken into consideration".

Now, there is an amendment by Pandit Thakur Das Bhargava. Does he intend to move it?

**Pandit Thakur Das Bhargava** (Gurgaon): Of course.

**Mr. Deputy-Speaker:** He may proceed.

**Pandit Thakur Das Bhargava:** I beg to move:

"That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravarty, Shri U. M. Trivedi, Babu Ram Narayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh and the Mover, with instructions to report by the 1st December, 1956."

I gave some arguments while I made the same motion with regard to the other Bill, saying that that Bill

should be referred to the Select Committee. That Bill, happily or unhappily, is now finished. So far as this Bill is concerned, I want that, in addition to the arguments I submitted yesterday, I may be allowed to put in some more arguments today on this Bill.

This measure—the Displaced Persons (Compensation and Rehabilitation) Act—was placed on the statute-book in 1954, and it is usual, when an amending Bill comes up, to review the operation of the Act and see how that Act has been fruitful—whether of good results or bad results—and what the defects have been in the administration of that measure. If these defects were pointed out at length, I think much more time than has been allotted to this Bill will be required, and I do not think I will be justified in going into the various defects and the difficulties that we have experienced in regard to that measure which we passed in 1954.

At the time when that enactment was on the anvil, and when the Select Committee was considering it, I, as Chairman of the Select Committee on that Bill pointed out that, as a matter of fact, that Bill was a mere skeleton and the life had to be put into it through the rules. An Advisory Board was appointed to consider those rules and in answer to my submission at that time—I do not wish to repeat all the things—I was assured by the hon. Minister of Rehabilitation that the rules would be passed almost unanimously and that every kind of facility would be afforded to the Members of this House and the general public to see that the rules are such as would be generally acceptable. An Advisory Board was appointed, the rules were framed by the Ministry and then referred to the Board for their advice. The Advisory Board framed certain rules which were submitted to the Ministry in due time. But, I am very sorry to submit that the rules framed by the Advisory

Board were not accepted by the Ministry, and in regard to very fundamental and material things, changes were made by the Ministry at its own will. When the rules were being framed, the Advisory Board took every precaution to see that the will of the Ministry was also given effect to. After all, they have to administer the law. The Advisory Board had not to administer it. The responsibility is that of the Ministry. The Advisory Board could only advise regarding the policy. Therefore, the Advisory Board called the responsible officers of the Ministry and with their consultation, and almost with their consent, enacted many of the rules, and made its report. But even after that, it so happened that many of the fundamental recommendations were not accepted by the Ministry and they made changes in the rules.

The rules were then brought before the House. Some of them were changed here and there or amended, and others were not. But, at the same time, I, as the then Chairman, occupying the chair, submitted for the consideration of the Ministry as well as to House that the rules could be changed as these rules were not in the nature of law of Persia or Medes. Now I understand that some of the rules have been changed and are sought to be changed. Therefore, I am submitting that in a measure of this kind, whatever has been accepted by the Ministry or by the House, or whatever has been made under the rules, are, of course, not sacrosanct, and that as our experience goes and as and when difficulties are revealed, we ought to be enabled to bring the difficulties to the notice of the Ministry and the Ministry should, in their wisdom, accede to popular wishes. After all, this is a matter in which the greatest satisfaction should be given to the refugees.

The Government have said that a sum of Rs. 185 crores worth of property lies in the compensation pool. When this Act of 1954 was on the anvil, a report was made by the Select Committee, in which all the 51 Members including the Minister asked the

Government to be pleased to add to the pool. We wanted that some more money should be given to the pool and when the final speech was being made by the hon. Minister of Rehabilitation at that time, he also said that the doors were not closed and that it would be seen if anything could be done subsequently to add to the part. When the rules were under discussion, I had reminded the hon. Minister of Rehabilitation, who is adorning this Ministry now, to be kind enough to use his efforts with the Government and to get some more money for this pool. I do not know how far he has succeeded. His best wishes and best efforts may or may not succeed. I cannot blame him if he has made his efforts and has not succeeded. But, at the same time, I would request him to join us in our attempt to get more money.

I know that in what I am going to say with regard to the amendments, it is not only he that can deliver the goods. He can only help us and go to the Government with his begging bowl; not only that; he should tell the Government of the real needs of the people, how the refugees are feeling and how, in spite of the Rs. 300 crores that have been spent by the Government by way of relief and rehabilitation, there is so much dissatisfaction among the refugees, not because of the administration only of the Ministry, but because the amount given is so meagre that full justice cannot be meted out to their needs, etc., of the refugees.

I have just prefaced these remarks with a view to ask the hon. Minister to use all his powers and all his determination and all his obstinacy to coerce the Government, to plead with them, to beg of them and do his best to compel them to add to the pool in any manner. If he cannot succeed there, I am afraid that with the best of his intentions, he will not be able to do all that he wishes to.

I am not here to put the entire blame on the Ministry. I know that the Ministry's powers are limited. The Ministry's resources are limited. They cannot do what they like. After all

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the amount given is limited, and they cannot meet all their commitments and all that we wish them to do or they themselves wish to do. If we want that there should be greatest satisfaction among the people, it is absolutely necessary that something should be done by the Government. If they cannot add to the pool, at least let them lend money to the pool. If the money is not lent as desired by the Ministry, I am afraid that the people will have to go to the Government in various ways and beg of the Government to strengthen the hands of the Ministry by lending them more money.

13-29 hrs.

[SHRI BARMAN in the Chair]

In this connection, I would like to refer to the report of the Advisory Board which submitted for consideration of the Ministry that they should make efforts to dovetail a scheme of building houses to the claimants as well as non-claimants on the basis of the low income group scheme. I do not know what the financial commitment of this would be, but, at the same time, if this proposal were accepted, the entire problem of the refugees would have been solved. After all, now, to the ordinary people in the low income house group, 30 instalments are allowed. They are given money on easy terms, whereas for the refugees who are in a helpless situation, who are more helpless, the amount of instalment is so meagre that there is bound to be dissatisfaction. We knew it from the very start. When I consider that not only the resources of the refugees are meagre and they are helpless people, but also that the prices of those properties have been raised to an unconscionable extent, I shudder to think of the consequences. The previous Rehabilitation Minister, Shri A. P. Jain, said in this House during the discussion of the previous Bill of 1954 that he did not want to disturb the possession of any refugee. On many occasions before he had said the Government

had taken the liability and the responsibility of providing every person with a house and gainful employment. In these words the commitments were made. I know that when they started building houses for the refugees, the entire set of houses was meant for the refugees as such, not for claimants or non-claimants, but for both. Now subsequently when the Bill was passed, it may be said that when these houses were made over to the compensation pool, the prices of the houses was to be distributed by way of compensation.

Then, the policy changed. When the houses in Patel Nagar etc. were constructed, easy instalments were given not on the basis of the market value, but on the basis of the construction. Easy instalments were fixed, so that those people may be able to pay those prices and become owners. Those persons themselves built certain parts of the properties. In fact, I may just remind the hon. Minister and the Ministry how things have developed. I hope they will agree with me that this aggravation in the market value has taken place as a result of the habitations that have cropped up as a result of the efforts of the refugees in places which were long uninhabited and which were in a very dirty condition. In 1947, they were places where nobody would dare to go even in the day time. Stray dogs and other wild animals were staying there and the places were in a very bad condition. Now the market value has risen because the refugees have come and built their houses and because the Government has built the properties for them. The market value in 1947 was not the same as in 1956. When you are going to give this compensation in 1956, may I ask on what basis you are giving it? On what basis did you attest those claims for compensation? Not on the value of 1956. Why did you not give the compensation straightaway as soon as the claims were ascertained and verified? I know it was difficult; it was impossible.

I may submit for the consideration of the hon. Minister that when the compensations were appraised on the basis of a different value, then these properties should not be taken at the market value of 1956. In 1954, when the Bill was there before the House, Shri A. P. Jain said, market value has risen a great deal. I do not want to charge the entire aggravated value; I will be content with 8 annas of the rise in value. That was what he said. Even that we did not like. On the contrary, when the Advisory Board made the recommendation, it submitted a formula for the acceptance of the Ministry, as follows: The cost of acquisition of the land, which was practically negligible, plus the cost of construction, and then 10 per cent over that amount *minus* depreciation. If the price had been fixed according to this formula, whatever instalments you might have fixed, people would have been able to take them at this price. It is a concession you have given to the non-claimants that they can own property. Having given this concession, if you put it in a manner in which they cannot avail of the concession, it means you are giving by one hand and taking away by the other. This is not proper.

I am submitting that there is a great agitation at present among the refugees. It was so much that a person was on the verge of death only yesterday. I must congratulate the hon. Minister for his having agreed to save his life by agreeing to have a conference with those people. Nothing is lost by conferences. After all, he can do what he likes and what he thinks proper. But, he has really made a good gesture. I cannot vouch for it, but I understand from the papers that the hunger-strike has been called off, because the hon. Minister agreed to have a conference.

**Shri Mehr Chand Khanna:** Most of what the hon. Member has stated is not correct. I do not want to take his time, but I shall certainly say something about it when the opportunity arises.

**Pandit Thakur Das Bhargava:** My information is based on what I read in the papers. I do not know what has happened. If the hon. Minister has not contradicted me, I would have believed the newspaper report to be correct, because I know the hon. Minister to be a sympathetic person.

**Shri Mehr Chand Khanna:** May I add that some refugee gentlemen came to see me and I told them, "I never refuse to see my refugee brethren. In the morning, I see anybody and everybody who comes to see in my house, subject to my other engagements. To see me in office, appointments have to be made." On Sunday morning, a batch of refugees came to see me. They said they represented a section of the refugee population and a member of the party had gone on hunger-strike. They placed before me their point of view and I placed the Government point of view before them. Then they said, "can we come to see you again?" I said, as long as I happen to hold the portfolio of the Rehabilitation Minister, displaced persons can always come and see me; my doors shall always remain open to them.

**Pandit Thakur Das Bhargava:** I am glad that even this opportunity was taken by the people to give up the hunger-strike. I myself am very much opposed to hunger-strikes. When they came to me, I said that I could not be a party to it, though I knew the Minister would certainly hear what they had to say. But at the same time, it would be rather encouraging those who resort to hunger-strikes. I am dead opposed to it. This sort of pressure on the Government is entirely unjustified. There are other means. We are here to apply all the pressure and the hon. Ministers are here to hear us. Anyhow, I am glad the strike has been called off. If he had died, nobody would have heard me and the hon. Minister. The people will say, these people are very hard-hearted; they do not even agree to a conference.

I have submitted for the consideration of the hon. Minister two amend-

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ments Nos. 14 and 16, wherein I have said that the number of instalments shall not be less than 12 annual instalments. I will revert to it again. As regards clause 2, I have to submit several things to the hon. Minister, and I hope he will agree with me. As a matter of fact, as time passes, it becomes more and more difficult for the Ministry and the hon. Minister to agree to what we are saying and to the inclusion of more claims. We also feel diffident in advancing those claims at a belated hour. But, in these cases where the justice of the claim is so plain or transparent, we cannot but bring it to the notice of the hon. Minister. I have, therefore, confined myself only to three questions. There are many more questions in which the decisions of the Ministry have not been accepted—we have to accept—people were not happy with the decisions. These three matters have been repeated *ad nauseum* and I will repeat them for the consideration of the hon. Minister, because I do not know of a stone which does not melt if you go on pouring water on it. It is in that spirit that I am making my submissions. This is not the first time that I am saying these things.

I would respectfully beg of him, if he could not respect my humble submissions, to look at what the Punjab High Court has said. The latest decision of Justice Khosla of the Punjab High Court is well known to the hon. Minister. I have got the Bill of 1950 in my hand which authorised the Government to indicate the classes of property for which compensation was to be given. I submitted before, and I repeat it, that class of property does not mean the class of persons owning property. At the same time, some of the matters are so clear that I do not think that the Ministry will be well advised in clinging to their decision. What does Justice Khosla say in his judgment? I came across a case in which a Sikh gentleman brought to me his verified claim. He wanted Rs. 130,000 for his properties. Only a sum of Rs. 27,000 was allowed, on the basis that he owned many houses

and out of the many one of them was worth more than Rs. 20,000. He was allowed more than 4 acres of land. Only one house was allowed for compensation and all the other houses of the value of Rs. 103,000 were ignored. I do not know why. Some gentleman in the Ministry made it a rule that only individual property of more than Rs. 20,000 will be taken into consideration, and the rest will be ignored. This was the most tyrannical piece of conduct for any official. I am glad he was not the Minister. A Minister would never be capable of such an atrocious decision. This decision was taken and it was a wrong decision. The Minister did not undo it. The difficulty is, a responsible officer of the Ministry did it, they are experienced officers and they have to be relied upon. They did it in view of the fact that our means are limited and even 15 per cent compensation could not otherwise have been given. The only way in which the amount could be raised to 66 per cent. for claims of Rs. 2000, etc., was because many claims were ignored. How much of property has been ignored, I beg to ask. Pakistan turns round and says, you have got only so much of properties, only Rs. 515 crores. We used to say, the Minister used to say, properties worth Rs. 2000 crores remain there. I believe much more property remains there. Have you considered movable property and the properties which have been ignored by the Ministry? After Justice Khosla's judgment that it was not justifiable not to verify these claims and not to give them compensation for these claims, it is a moot question what the Ministry will do. All these claims should be revived. All those persons who held rural buildings of the value of Rs. 10,000 and who owned four acres of land, properties more than Rs. 20,000 in value and people who held more lands, all these people should be now compensated, if the ruling of the High Court is to be respected. If the ordinary canons of justice are to be applied, I would ask, why should you give compensation to

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a person who owns some property of the value of Rs. 21,000, and why should the rest of properties worth a lakh of rupees, not be taken into consideration? It is not justice. I would therefore beg of the hon. Minister now, to respect the decision of the Punjab High Court and to agree to include all these claims which have been ignored so far. This is not the first time that I have been complaining. I have complained of it before. I think the enormity of the decision is so patent that nobody in his senses could say that it is a right decision. I do not know how the Ministry will give effect to it. I am afraid the Ministry's work will be increased and there will be delay also in these cases. But, so far as these persons are concerned, who owned property like this, they will be too glad and they will congratulate the Minister and the Ministry if they just obey the decision of the Punjab High Court. That is the aspect of the matter.

Today, the hon. Minister is very anxious to satisfy the claims of those people in the Punjab whose claims have not been satisfied wholly or partially. For that purpose, he wants to introduce this change in clause 2 (2). May I call your attention to the number of people who are the victims of the tyranny of this Ministry? When the papers were received, allotments were made on paper. Thousands of persons who got four acres or less were not aware that these allotments had been made. The lands have not so far been given to them. Either they surrendered or they came to the officers and said, we want to get these allotments cancelled. They were cancelled by the officers. Because of the cancellation of these allotments, of their surrendering these allotments, of their being unaware of these allotments, nothing has been given to these people. They are the poorest in the land. Shri Ajit Prasad Jain said in his interim scheme, there are one lakh who never took possession. I beg to ask, what offence have they committed. If any person had a house worth Rs. 50,000 and he is allotted 1/20th of an acre, his claim for

Rs. 50,000 goes away. Is this justice? Is this fair? Should he not be allowed to say, I forego my claim for the land, let me get compensation for the house? The land was said to be allotted under an act which was passed in 1950. The lands were allotted after that. So far this rule is concerned, it came later in point of time so that the persons who got an allotment had no opportunity to choose either to forego the land or the rural houses. The rural houses are worth much more than these lands and the penalty has proved so grievous. I have known cases, I have seen with my own eyes cases, of a person getting 1/4th of an acre of 1/20th of an acre and his claim or her claim for Rs. 10,000, 15,000 has been set aside, has not been verified. These people who voluntarily surrendered their claims or whose claims were cancelled, with what face can the Minister meet? They are the poorest in the land and you do not give them anything. You have raised the compensation ceiling from Rs. 50,000 to 2 lakhs to the rich people. In the case of these people who got no land, on the basis of paper allotment, their compensation claims have been set aside. You still call it justice. In the case of people whose claims have not been satisfied in whole or partially, the hon. Minister feels the qualms of conscience that they have not been paid wholly or partially. But, in the case of people in whose name the paper allotment is still there, and who have not been given anything, he has nothing to say. I have sought to put in an amendment. Even my amendment does not go far enough.

**Mr. Chairman:** May I suggest to the hon. Member one thing? It is an amending Bill. Of course, the hon. Member has tabled amendments practically on all the sections. Only two hours have been allowed for the consideration of this Amending Bill. Instead of mentioning all these points now, if he takes the opportunity while he moves his amendments, that would be better. One or two other Members may be given an opportunity to make-

general observations. He has tabled amendments practically to every section.

**Pandit Thakur Das Bhargava:** I Will accept your advice.

**Mr. Chairman:** Only two hours have been allotted; that is the difficulty.

**Pandit Thakur Das Bhargava:** Sir, You have been too long in the House and you know that it is practically useless to move amendments. Therefore what I do is this. I place my amendments before the Minister, because the reasonableness of the amendment is not the deciding factor. The deciding factor is something else. So, my usual rule now is to place my amendments before the hon. Minister, to make one speech and give all the amendments and then to sit and only take a very few minutes, almost infinitesimal amount of time, while moving my amendments. If you like, I can speak on the amendments as they come.

**Mr. Chairman:** I think that would be better. He can put forward the particular arguments that he wants to place in favour of the amendments.

**Shri Mehr Chand Khanna:** If the Member speaks now—his amendments are the same—then there will not be any speech required on the amendments.

**Mr. Chairman:** What I suggest is that the hon. Member himself has tabled amendments. There may be one or two other Members who want to make some general observations on this Bill. Let them have some opportunity, because only two hours have been allotted.

**Pandit Thakur Das Bhargava:** I was submitting about amendment 4 which wants to insert the words:

"including the claims of allottees of agricultural land who for

any reasons whatever were not given the lands allotted and whose claims to compensation for rural houses were rejected as a result of allotment of agricultural land"

One fine morning 6,500 claims were rejected—they were verified claims—on the plea that some persons were allotted some lands. Many of them were not really allotted. Allotment is defined in one of the Acts as taking possession of land. In these cases the allotment is only on paper, no possession has been given or taken. I am not saying they should be given both these things. That is not for me to say. Much water has flowed under the Ganges, and I cannot propose a thing like that, though it is very just. I only want those persons whose claims have been cancelled, who have nothing absolutely, should be given the rural houses if not land, or land. Something may be given, so that they may not say that the Ministry, though it gave lakhs of rupees to others, did not give anything to them who are the poorest in the land.

Now I come to clause 3. As you have warned me, about lack of time I will not describe the miserable conditions of the Rajasthan, Bharatpur and Alwar refugees. I have been submitting for the consideration of the hon. Minister and also responsible officers of the Ministry off and on, and requested them personally to, at least, go there once and look at the miserable condition and if they are satisfied that they are in a bad condition, it is their duty to see that some relief is given to them. But what has been done to them? The lands were leased out, and the leases were taken as allotments. They were ordered not to file claims because they had been given lands. If any of them did, the claims were rejected because they had been allotted land and now the rules require that they ought to pay another Rs. 450 per acre for the lands allotted. So, they are asked to pay and their

claims were not considered at all and they have not been given any compensation. I want their cases to be considered. On another occasion Shri Khanna was pleased to reply to my request that he would consider the claims of these people. He did consider their case, but my difficulty is he never went there, he never asked any of his officials to go there and look into the conditions. He treated the Ganganagar refugees and these refugees in the same way. He gave 15 allotments to the Ganganagar refugees who have got irrigated lands. It is all right. But so far as these people are concerned, I cannot utilise my time and the time of the House better than by repeating my request and submitting with all the emphasis at my command to Shri Khanna that he should go there himself. That is the best thing. If he goes there or sends Shri Bhonsle, everything will be all right. I have got no fears on that score. Or he may send any responsible officer there. They are all human beings. I have yet got faith in them, they will do the right thing, but unless he does it, I do not think he is competent to decide their cases. Their condition is too miserable for words. Ten thousand families have gone away from there, and the rest are passing their lives in utter misery. I would again repeat my request and say that their claims should be considered. At least they should be allowed to put in their claims, and those claims which have not been brought before the Ministry because of their notifications should be allowed to be filed because you are asking them to pay Rs. 350 per acre. Either you do not charge the price of the land, or ask them to file their claims. You cannot have it both ways. In regard to these three classes of persons I have specifically requested the Minister to consider them when he considers the other claims of the people of the Punjab.

In regard to the claims under clause 2(ii) there is one point which I wish to bring to the notice of the

hon. Minister. I understand from the Statement of Objects and Reasons which he has been pleased to give in this Bill that he wants that claims of these persons should be satisfied out of evacuee agricultural land in the Punjab. If that is so, it is all right. I think it is quite fair. But if he wants to give compensation to these persons outside the Punjab, then other people who live outside the Punjab have got an objection, not I. I do think every person who has a claim must be compensated either from Punjab land or elsewhere. But at the same time, I will not be right in not ventilating before the hon. Minister the ideas of those who want to take objection to this.

**Shri Mehr Chand Khanna:** I have not followed what he said. Will he clarify?

**Pandit Thakur Das Bhargava:** This compensation which will come under clause 2(ii) will be given out of Punjab evacuee lands or from other lands. This is the question. In the Statement of Objects and Reasons you have made it absolutely clear, and there is nothing against it, but there are some persons who have apprehensions. I told them that the Statement of Objects and Reasons is quite sufficient so far as I am concerned. But if the point is made clear, their apprehension would be allayed. So, I take it there can be no objection so far as that is concerned.

**Shri Mehr Chand Khanna:** You have already pointed out about the difficulties of some others. You said: "I want to point out about the difficulties or the criticism of others", not any person who is not of Punjab or of non-Punjabi extraction. You do not want to refer to them?

**Pandit Thakur Das Bhargava:** No, I do not want. As a matter of fact, this only refers to those who are in the Punjab. For the others you have already given a promise to give and they will all get their compensation as usual. In the rules it is quite clear.

[Pandit Thakur Das Bhargava]

Now I come to the question of maintenance. In the original Bill we had a provision about maintenance that it should be recoverable. Now, I find it is to be omitted in clause 3. So far so good. I think previously it was the idea of the Government that this amount of money paid by way of maintenance grant will not be recoverable. Now I find that in regard to Kingsway widows etc., this amount has already been recovered.

**Shri Mehr Chand Khanna:** Am I to understand from the hon. Member that the amounts given as maintenance grants have been treated as public dues under the compensation scheme?

**Pandit Thakur Das Bhargava:** Yes, exactly so.

**Shri Mehr Chand Khanna:** I wish he would send me that case. I would have it looked into.

**Mr. Chairman:** I shall just intervene and tell both the hon. Member and the hon. Minister that while they are making their speeches, they should address the Chair because otherwise there would be difficulty in reporting.

**Pandit Thakur Das Bhargava:** I was referring to maintenance grants. I understand that it is strange information that I have given to the hon. Minister. He thinks that no money has been recovered. If no money has been recovered, the position is quite all right, but if money has been recovered, as I am informed, that amount should be refunded, and I have put in certain amendments to this effect. It is but fair that it should be refunded.

**Shri Mehr Chand Khanna:** It will be refunded.

14 hrs.

**Pandit Thakur Das Bhargava:** Now, so far as 20A is concerned, I do not want to make any further comments since the hon. Minister has been kind enough to accept the principle of the

amendment that I wanted to make. Therefore, many of the amendments go away.

I come to clause 7. As regards clause 7 also, there have been some arguments in this House and it will not be profitable to repeat those arguments. I stand unconvinced by the arguments of the hon. Minister and Malviyaji with reference to the law of limitation, and the right of the Settlement Officer. I will take only two minutes to dispose of the arguments that have been advanced.

In the first place, they say that they want to see that work is expedited. Whether the work will be expedited or whether it will be prolonged will depend upon how the law of limitation is allowed to have its play. If you allow it to come into play much of the work would be reduced and no recovery need be made. No injustice would be there. For several years the things have been going on and at the end of the whole period you now change the law. Previously, they were feeling that they were happy. Now, is it prolonging or curtailing the work? You did not recover any amount before it has become barred by limitation and if you do not apply that now, much of the delay will be eliminated. My friend says, it has happened like this before. It has happened in the Compensation Act. There is a world of difference between the two. There is a world of difference between the case of a person who has to pay something to another person and he charges what is due to him from the proposed amount due to that person and says that he has no more to pay, and a case where you go after a man 7 or 8 years later and dog him wherever he goes and arrest him and get money out of him. This principle has been there all these 7 or 8 years. Why are you changing this at this late hour? There is no justification except that you want to realise the money. This is because you said that these properties were worth 100 crores or rupees and you want to realise that money so as to be able to make up

the amount. This is not going to the coffers of Government or the coffers of the hon. Minister. This is going to the pool. At the same time, look at it from the point of view of the individual against whom you will now proceed. The law of limitation is there and you are keen to seize the opportunity of realising to the last pie whatever is due. I say we should not depart from the general rule of law; it has been the law of the land. We should not depart from that after so many years.

I wish to call the attention of the hon. Minister to another particular matter. Some persons from my constituency came to me and gave me a copy of the judgment of a Settlement Officer. There were some uninhabited properties called the *kholas* in Ballabghar. They were worth about Re. 1/- or Re. 1/8 per yard. They were rented by many people there and some people also raised some structures because there was a paucity of houses. After getting those *kholas* worth about Rs. 100 or Rs. 150, they put up some houses. But, when the question of payment of compensation came up, the question of evaluation of these *kholas* was taken up. Some of these structures were even constructed with the permission of the Custodian; but some were not. But the structure was valued at Rs. 2247/-. The refugees had not spent more than Rs. 1200 or Rs. 1300 on the construction of these houses and the *kholas* were taken for Rs. 100 or Rs. 150/- or were taken on a rental of Re. 1/- or Rs. 2/- per year. It is not only the value of the structure but the enhanced value which is twice the amount spent on it is taken into account when settling compensation. It is valued at Rs. 2247/-.

**Mr. Chairman:** Even if the house has been constructed by him?

**Pandit Thakur Das Bhargava:** Yes. It is great injustice. I want to bring this to the notice of the hon. Minister. I have given notice of amendments in this connection. I say that the value of buildings constructed by the claimants shall not be included. The only

price to be included is the price of the land; but, here even the value of the construction he has made, the enhanced value is taken from him. I submit that I want to have this amended.

I have to submit another thing for your consideration. It is this. I was speaking of instalments and I shall revert to it, with your permission.

**Mr. Chairman:** The hon. Member can speak on the rest of the points when he is moving his amendments. He has already taken about one hour.

**Pandit Thakur Das Bhargava:** About instalments also I have given amendments.

**Mr. Chairman:** The amendments are there and he will have to move them; he can speak then.

**Pandit Thakur Das Bhargava:** I do not want to take much of the time. Two hours for this Bill is too small. Though I am a member of the Business Advisory Committee by which this Bill was given this much time, I was at that time engaged in the discussion on the Harmful Publications Bill. Otherwise, I would have seen that proper time had been allotted to this. What is two hours for a matter of this nature?

I was submitting and I want to submit it for the consideration of the hon. Minister that on account of pressure on the Ministry we should not make concessions to the non-claimants to such a large extent that the paying of compensation may become difficult. There is a note which has been released by the hon. Minister. He has tried to have a proper balance between claimants and non-claimants. I have had the good fortune of reading that also. I am submitting for the consideration of the House one or two points which are very pertinent to that matter.

I submit that all these houses, whether Government built or otherwise, were actually meant for the refugees in general and not for claimants. This was the subsequent policy.

[Pandit Thakur Das Bhargava]

Secondly, the hon. Minister's predecessor and he himself have been telling people that it is the responsibility of the Government to rehabilitate these people. Rehabilitation includes gainful employment and shelter. Therefore, every person is entitled to shelter. Many of these persons have contributed to the making of these houses in certain colonies. The hon. Minister himself is responsible for extending that concession to the non-claimants. If a concession is given it must be given reasonably. It must be given in such a way that people may be able to take advantage of it. I do not claim that I know more of the helplessness of the refugees than the hon. Minister himself. But, at the same time, I also claim to have some knowledge and I can speak on the basis of what I have seen and known. I say, these people, thousands of them, will not be able to take advantage of the concession and they will have to be evicted after 2 years.

Shri Ajit Prasad Jain said that he will not disturb a single person because if he is disturbed then again it will become Government's responsibility. The Government will have to see that they get shelter. Therefore, the only remedy is to go to Government and to ask for more money, though, I understand, the hon. Minister is not so bankrupt as he has made out. After all, he got Rs. 40 crores, on account of his efforts, from the Finance Minister. Rs. 20 crores were given last year and Rs. 20 crores more will be given, even though that may not be enough, I realise. At the same time he knows better than I do that according to the scale, there will be about Rs. 20 or Rs. 30 crores which will remain with the hon. Minister after discharging this. That was the figure that was given. That may be wrong.

Shri Mehr Chand Khanna: That is not correct.

Pandit Thakur Das Bhargava: The figure given was correct, but the fact may or may not be correct. The

money may not be there. Even if the money is not there, is it not for you as the representative and guardian and trustee of these unfortunate people to see that you get these people somehow the help they need. Did you not see what happened yesterday? Yesterday a bridge collapsed in Madras and the hon. Minister concerned had to resign because it was his duty to see that the Railways were safe for travel. It is your duty to see that these helpless people are rehabilitated, and if you do not succeed, you have to resign. You know that Shri Ajit Prasad Jain had to resign because the compensation was not paid. It is your responsibility to see.....

Shri Mehr Chand Khanna: My predecessor was stepped up.

Pandit Thakur Das Bhargava: You will be kept up! The Minister of Rehabilitation is to rehabilitate people. If you find that they cannot be rehabilitated, what is the use of your sitting there? I am only saying these words in order to strengthen your hands, because I am sure that you may be able to say to the Government to "Accept my resignation on this basis. I give my resignation or else you allow me to go on and bring some help to these people." These people want help and you are capable of giving it. It is absolutely true that 90 per cent will not be able to take advantage of this, which means that you are bringing the Government into contumely and contempt. Government are giving them the concessions but they are not able to take advantage of those concessions. The Advisory Board submitted for six instalments and now the times have changed and you have doubled the price of the property and therefore it is submitted that you should at least double the number of instalments, and you must give not less than 12 instalments. This will not involve such a big amount as Rs. 30 or Rs. 40 crores. This may be much less. I am no expert and I do not know. My estimate is Rs. 30 crores and with

that you may be able to relieve them. I do not want to ask for Rs. 30 crores by way of gift; I want them to be given as loan so that you may be able to discharge your responsibility and bring succour to these people who are helpless and who in their desperation know nothing else except to come to you and resort to hunger strike and all that.

There are many other matters which I want to bring to the attention of the Minister. If I get some time more, I will certainly speak and mention the things that have been going on. I have got the priority list with me. If you will kindly give me five minutes more, I will mention them.

**Mr. Chairman:** I hope he will finish within five minutes.

**Pandit Thakur Das Bhargava:** I will certainly finish within that time.

The first thing that I will ask the hon. Minister to do is to kindly revert back to the prices of 1947, and this will rehabilitate the persons greatly.

Secondly, so far as these auctions are concerned, I will request him to publicise all these properties. I will further ask him to bring all Public Dues Officers and Loan Officers in one place, in one building, so that within two days this information could be passed from one to the other.

14-15 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair] Four months should not be taken for finding out what are the loans, etc.

The hon. Minister just promised to us that he would finish all his work within a certain time. That time will pass and ultimately we will have to ask him again to expedite his work. I think at least 10,000 cases per month should be disposed of. They have not been able to rise up to the defence, I do not know the cause. I will only request him to kindly finish them as early as possible.

So far as units are concerned, he has conceded something to the Khan Market people. I do wish that he took

a similar view in regard to the other people. We receive general complaints; we receive letters and letters, we see officers and speak to them, but nothing happens after that. I know of cases in which the men applied through me for a claim. They are in the priority list, and yet those priority claims have not been so far compensated, and even no reply has been given to our letters and complaints.

Even in regard to priorities, where the claimant's age is 65 and above, there were 5,940 cases, and out of them only 397 have been disposed of. Therefore, about 5,400 cases still remain, in which the persons are above 65 years of age, with one foot in the grave. They will get their compensation after the grave has engulfed them. (*Interruption*). I am more than 65; I am not an applicant; now will you give me anything. At the same time I have got friends who really need this compensation. There was a claimant who approached Shri Jhunjhunwala with a long letter of complaint. I advised him to send it to the hon. Minister. He is over 65 and is still waiting for getting this compensation. Perhaps as soon as the compensation comes, he will die. Out of 5,940 cases, you have disposed of 397 cases.

**Mr. Deputy-Speaker:** If he dies now, that will be out of disgust. If he dies then, that will be out of joy.

**Pandit Thakur Das Bhargava:** As regards students having verified claims, we all congratulated him for coming to the help of these students. Out of 91, nine were given help. So, should I take back my congratulations? Kindly give them as soon as possible, because acceleration or expedition is the essence of the matter.

I would wish the hon. Minister to be in a position to give an assurance that all these priority claims will be finished within two months. It will be a great satisfaction to all the refugees in the land.

**Mr. Deputy-Speaker:** Now I must request the hon. Member to conclude.

**Pandit Thakur Das Bhargava:** I thank you and your predecessor for having given me so much time and so I have to curtail my speech now without being able to bring all the facts that I wanted to bring.

**Mr. Deputy-Speaker:** Amendment moved:

"That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravarty, Shri U. M. Trivedi, Babu Ram Narayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh and the Mover with instructions to report by the 1st December, 1956."

**Shri Gidwani (Thana):** I do not want to repeat what my friend, Pandit Thakur Das Bhargava, has said. I endorse every word of his speech.

The purpose of this amending Bill is such that there can be no opposition to it, but on questions of general importance, dealing with the compensation issue, I will not take the time of the House and repeat the same thing. I will mention just three or four points.

One point is about the prices fixed for the Government properties in colonies. If the Government today is realising enhanced prices in auctions from certain properties, should they not also accept the principle that they should accept the marketable price of those houses which are in the different colonies far away from cities? Their value is very little in comparison to the cost which the Government is charging there. I have received a number of complaints. When Shri Bhonsleji visited Ahmedabad, he must have seen some of the houses built there in the colonies. I do not know how they were built. Even now, after 7 or 10 years, they

are in a dilapidated condition, and the prices were fixed very high. I am told, subject to correction, that in the Sardarnagar Colony at Ahmedabad, Rs. 9 per square yard has been calculated as the price of the land, while in the neighbouring Kubernagar Colony, which has been established there for a pretty long time as a local township or village, the value of the land is about Rs. 2 per square yard. This I came to know when we applied for a plot for the school, and then we were told that the land price at the Colony was about Rs. 9 per square yard. I do not know it, but it is a matter for enquiry. This is the general complaint all over that the prices are very heavy and the construction work in most of these colonies is very defective. I do not blame the Government, the Central Government, for this. Work was carried on in many places where they had no control over the construction, but it is very hard on people who are living there to be charged high prices when the value at those places is very low as compared to the prices that they are being charged. It is a matter for thorough enquiry.

In at least one or two colonies—I am aware of it in Nagpur—even Mr. Johnson who had seen those places had appointed some officers and I am told some concessions were given. If some concession was given in Nagpur, it is not a solitary place. I find a number of similar cases and similar concession should be given in respect of these cases also. In distant colonies if you were to auction the houses, you will not get this price. There is a colony called Gandhinagar in Kolhapur and some vacant houses, when auctioned, would not even fetch one-third of the price paid by the Government. Only one principle should be adopted. When I raised this question, Shri A. P. Jain said that they would be sold at the marketable value. If it is to be charged in one place, the same principle should be applied to other places also.

Pandit Bhargava spoke so much about the rural agriculturists. In

regard to non-Punjabis, there are several difficulties. They have not been allotted enough land. Or, a person living in Bombay has been allotted land in Hyderabad and a person at Aligarh has been allotted land in Sultanpur or some far away place. Firstly, they cannot make use of that land. Even if the land has been allotted to them, they are not getting possession, after spending hundreds of rupees and after going there. The kisans refuse to give possession. Is this compensation? On the top of it, the claim for rural property is rejected. A double wrong is done to them and thus they have got practically no compensation.

There is this discrimination between urban claimants and rural claimants. In the case of urban claimants, if they have got land as well as houses, they get compensation for both. The same principle is not applied to the rural claimants. Why? Again, if the urban claimants do not accept any allotable property, their claim is not satisfied to that extent. If the rural agricultural claimants do not accept any allotment for physical reasons, they are treated differently. I know the case of a man aged seventy years getting eight or nine acres of land about 200 miles away from where he resides. He cannot go there to cultivate the land. He has not been able to get possession of the land nor could he make any use of it. His rural property worth a little less than 19,000 is lost. It is very hard and unfair.

We have put certain urban claimants in the priority category. Their number is increasing. I am glad about it. I saw there were people whose sons were getting education in U.K. They must be fairly rich, comparatively. Then, there are people whose sons are studying in the engineering colleges or getting education in the military college as cadets. They are all getting 8,000. But, in the case of rural claimant—a widow or an old man suffering from cancer or TB and if he possesses 18 acres and 4 guntas, such persons are not put in the priority category. I wrote to the

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Minister about this. These persons are not physically in a position to look after their property. Priorities have been fixed on humanitarian grounds. In my opinion, he has gone even beyond that and it is not even mere humanitarian ground. A person whose son is studying in England is getting cash compensation. That has been done for various reasons. But, in the case of these unfortunate widows and old men who had only agricultural land, you will not give them cash up to 18 acres; the rest may be given as you have done in the case of urban property. Why this discrimination? I have not been able to follow or swallow this. I am told that some representations came to him and another priority category was announced. But, why not accept our suggestion? There may be difficulties. He has written to me that we will have to apply the same thing in the case of Punjab. I do not know how many Punjabis will be there. If a Punjabi agriculturist is suffering from TB or cancer—a person holding 19 acres—or some other disability, should he not get that advantage? You are giving cash to so many urban claimants. Why should the claim of an agriculturist, remain satisfied to that extent, even if he did not accept some allotment, while, in the case of the urban claimant, it will be settled sometime afterwards? If that is the spirit in which we give compensation to the rural claimants, I say that it is against the declared objective of the Congress—the establishment of the socialist pattern of society. The rural people who are backward and who cannot look after themselves also deserve our sympathy—not only the urban people. I would, therefore, suggest to the hon. Minister to review the whole question of compensation, having in view Pandit Thakur Das Bhargava's remarks and Shri Khosla's judgment, and to revise the whole policy.

There is another case also.

**Mr. Deputy-Speaker:** I agree with the hon. Members that when the amending Bill is being discussed, the principles in the original Bill relat-

[Mr. Deputy-Speaker]

ing to that, comes under discussion but we should not go into the minutest details and give cases one after another.

**Shri Gidwani:** It is just to show the enormity of the problem. Seventy displaced persons were allotted land in U.P. It was Government waste land; and it was allotted on account of the Grow More Food campaign. They got taccavi loan also. After one year, that land was surrendered. Government took back the land and the Collector very properly and justly converted the rural loans into urban ones. Now, they are not in possession of that land. You will be surprised to know that all their claims for rural houses and property have been rejected though they were verified. The hon. Minister has said that he cannot open this question because the same principle will have to be applied to other cases also. But all these different conditions require sympathetic reconsideration. Otherwise our scheme will fail.

About the maintenance allowance, I am glad that Pandit Thakur Das Bhargava mentioned that point and Shri Mehr Chand Khanna also agreed that if there are certain cases in which it has been recovered from compensation the amount will be refunded to them. I had also received some complaints previously, but I do not want to say anything more.

Then I want to say something about the pace of work. It is now the end of 1956. We were told that the whole work will be over within three or four years. At the rate at which we are proceeding, I do not know how many more years it is going to take. If the delay is due to inadequacy of staff that must be made up. I know, on account of certain things that happened, the Government has to be very careful. Certain bogus applications were filed and, therefore, the Government has to be very vigilant. I share their view in that. But that does not delay the process. If more staff is needed we must appoint more. As regards money, if nothing else, our Minister is very clever in the art of persuading the Finance Minister to get

more money. After all it will be a sort of a loan. Formerly it was said that the work will be over and, therefore, the Government will not give more money. Now that the East Bengal problem is continuing—and heaven knows when it is going to be over—there is no dearth of money. After all it will be a book entry. If the loan is advanced for that purpose, or even from the general Grant, and the work finishes in two years instead of taking five years, there will be no more expenditure and, on the contrary, there will be some saving.

Sir, I again repeat that instead of rehabilitating these people, who are non-claimants, something should be done to give them relief. When the Government has launched so many schemes—low-income housing scheme and other housing schemes for Government officers—I think the time has come when the Government should give some help to these people by way of loan etc. It will only be a book entry and our Ministry may reimburse the same as soon as they recover the amount, or these houses may be transferred to them. It will be very wise, it will be very prudent and it will also be human if we revised the whole scheme and settle the instalment issue to the satisfaction of those who can afford to pay.

**श्री भेहर चन्द खन्ना :** जनाब वाला, जो बिल (विवेयक) मैं ने अभी पेश किया था वह एक बहुत लिमिटेड नेचर (सीमित प्रकार) का था। जो बिल आज पहले पास हुआ, अमेंडमेंट आक दि इवक्ती प्राप्ती ऐक्ट (नियंत्रण सम्पत्ति प्रविनियम का संशोधन) उस के कुछ कांसिकवैशल बेल्जियम (आनुबंधिक परिवर्तन) थे, जैसा मैं ने अपनी तकरीर में भी कहा था। लेकिन इस बिल के मूल-लिलक तो सिवा इस के कि मेरे दोस्त पंडित ठाकुर दास भार्गव ने यह कहा हो कि इसे सेलेक्ट कमेटी (प्रवर समिति) में ले जाया जाय, बाकी जो तमाम चीज़ जेरे बहस आई वह कम्प्लेक्सन स्कीम (प्रतिकरणोजना) आई। मैं बड़े गौर से सुनता रहा

कि शायद कोई भाई कहे कि साहब, तुम यह गलती कर रहे हो, तुम्हारी यह तरमीम दुर्स्त नहीं है। लेकिन इस का जिक्र नहीं हुआ। जैसा मैं अर्जुन कर चुका हूँ, मुझे खुशी है कि आप इस बक्त कुर्सी सदारत पर बैठे हैं क्योंकि आप इस तमाम प्रावलेम (समस्या) को जानते हैं। अगर मैं गुस्ताखी नहीं करता तो मैं अर्जुन करूँ कि आज की तकरीरों और उन तकरीरों में जो कि पिछले साल सितम्बर के महीने में इसी एवान (सभा) में की गई थीं, शायद कोई कामा या सेमीकोलन का फ़र्क ही होगा कोई और खास फ़र्क नहीं है। जो तरमीमें आज आ रही है और मेरे मोहतरम (सम्मानीय) दोस्त पंडित ठाकुर दास भार्गव ने दी है, उन में से कोई तरमीम ऐसी नहीं है जो कि उन्होंने सितम्बर के महीने में पेश न की हो और इस हाउस में पूरी तौर पर जेरे बहस न आई हो और उस का फ़ैसला न हुआ हो। आज मैं उन तमाम बातों की तरफ़ नहीं जाना चाहता, लेकिन दो तीन चीजें हैं जो कि ज़रूरी हैं और उन के बारे में अर्जुन कर दूँ।

पंडित जी ने कुछ ताना दिया इस बात का कि ऐडवाइजरी बोर्ड (मंत्रणा बोर्ड) की जो सिफारिशात हैं, उन पर आम तौर पर अमल नहीं किया जाता, या उन को माना नहीं जाता। मैं ने पहले भी कहा था और अब भी कहता हूँ कि यह बात दुर्स्त है कि मैं ने उन की बात को १०० फी सदी तो नहीं मानी हो, ७० फी सदी मानी हो, या ७५ फी सदी कहिये, ८० फी सदी कहिये। मैं ने हत्तुल-मक्कूर (यथासम्भव) कोशिश की है कि जो भी उन की सिफारिशात हैं, उन पर अमल करूँ। अब सबाल पैदा होता है कि जो किस्तें हैं, इंस्टालमेंट्स हैं वह थोड़े हैं। चूँकि मेरे मोहतरम दोस्त ने, जो कि खुद ऐडवाइजरी बोर्ड के मेम्बर हैं, बारह बरस की किस्तें का जिक्र किया है, जो कि मैं ने अखबार में पढ़ा है, शायद मेरे पास मिनिस्ट्री में आई हों, लेकिन मुझे देखने का मौका नहीं

मिला। दो तीन रोज़ हुये उनकी मीटिंग हुई।

मैं ने हत्तुलमक्कूर कोशिश की है कि ऐडवाइजरी बोर्ड की जो भी सिफारिशात आई हों, उन के मुतालिक आम तौर पर जिक्र न करूँ, लेकिन चूँकि खुद वह मेम्बर हैं और उन्होंने जिक्र किया है अपनी १२ बरस की नई सिफारिश का, इसलिये मुझे आज कहता पड़ता है कि इसी ऐडवाइजरी बोर्ड ने, जिस के सात मेम्बर हैं, सिवा चेम्बरमैन (सभापति) के, हमारे बख्ती साहब, जो बीमार है, चेम्बरमैन बदला हो, बख्ती साहब की जगह श्री चन्द्र लाल पारील आये हों, बाकी तमाम के तमाम मेम्बर साहबान वही हैं जो थे। उनका नाम पंडित ठाकुर दास भार्गव है, उन का नाम सुचेता कृपालानी है, उन का नाम श्री सिंधवा है, जानी गुस्माल सिंह मसाफिर है, डा० अनूप सिंह है। आप ने एक बरस हुआ सिफारिश की थी कि किस्तें पांच होनी चाहिये। साथ ही यह भी सिफारिश की जो कि जायदाद की ऐलाटेबल लिमिट (शावंतन योग्य सीमा) १०,००० हो, जितनी दूकानें और मार्केट्स (बाजार) शहर में बनी हों, उन को नीलाम कर दिया जाये। मैं ने इस जगह उन की बात नहीं मानी। एक दूसरी जगह ऐडवाइजरी बोर्ड की बात को समझ लीजिये कि ८० फी सदी तक मानी। जहां आप ने पांच बरस कहा, मैं ने चार बरस माना। जो दूकानें कोलोनीज (बस्तियों) के बाहर हैं, उन में, आप चूँकि दिल्ली को जानते हैं, गणकार मार्केट समझिये, खान मार्केट समझिये, भगत सिंह मार्केट समझिये, देशबन्धु गुरु मार्केट समझिये, बहत सी मार्केट्स हैं, हर एक शहर में बनी हैं। मैं ने यह मुनासिब समझा कि जब १०,००० की तमाम जायदाद को हम ऐलाटेबल कर रहे हैं, तो शायद मेरे लिये यह मुश्किल हो कि मैं तमाम दूकानें जो कालोनीज के अन्दर हैं उन को तो ऐलाटेबल कर दूँ और जो दूकानें और मार्केट्स बाहर हों, उन को ऐलाटेबल न करूँ। तो

[श्री महरचन्द खन्ना]

मैं उनकी इस सिफारिश से एक कदम आगे बढ़ा। लेकिन जहां उन की पांच बरस की सिफारिश थी वहां मैं ने चार बरस की मानी। इस हद तक उन की सिफारिश को मैं ने नहीं माना। अब आप ने सिफारिश की है कि बजाय पांच बरस के बारह बरस हो जाये। मैं अब तक चुका हूँ कि मैं ने उन की सिफारिश को नहीं देखा, अबबार मैं पढ़ा है। मुझे नहीं मालूम कि आया गुजिश्ता सितम्बर से लेकर इस साल के दौरान में कौन से नये हालात पैदा हुये हैं जिन हालात ने ऐडवाइजरी बोर्ड को मजबूर किया है कि वह जो उन की पांच बरस की सिफारिश थी, उस को बारह बरस तक बढ़ायें। मुझे उस के रीजन्स (कारण) दिखायें। अगर दरहकीकत कुछ माकूल रीजन्स हैं तो आज तो मेरे लिये कहना मुश्किल है कि मैं क्या कहूँगा, लेकिन ऐडवाइजरी बोर्ड की जो सिफारिश आती है, मैं उस को गीर से देखता हूँ। लेकिन अगर नान-क्लेमेंट (गैर-दोदोरा) आज भीजूद हैं तो नान-क्लेमेंट एक बरस पहले भी भौजूद थे। अगर इवक्तव्यी प्राप्ती पहले थी तो आज भी है।

श्री च० छ० नायर (बाई दिल्ली) : लेकिन पेमेंट (भुगतान) आज करना पड़ रहा है।

श्री महरचन्द खन्ना : जब आपने पिछले साल ये रूल्स पास किये थे उसमें आपने मुझे चार बरस में पेमेंट बमूल करने का अधिकार दिया था। आप उसमें शामिल हैं।

मैं सिफं यह अब तक कर रहा था कि मेरा कसूर सिफं इतना है कि मैं ने पांच के बजाय चार कर दिया और मेरा कुछ कसूर नहीं है। हमने क्या किया है? हमने यह किया है कि जिस की पाकिस्तान में कोई जायदाद नहीं थी, जिसका पाकिस्तान में कोई मकान नहीं था, हमने हिन्दुस्तान में उसे रिजर्व एडवाइस (सुरक्षित मूल्य) पर जिस पर क्लेमेंट

(दावेदार) को जायदाद मिलती है, हमने सहूलियत दी मालिक बनने की। और जनाबा, एक बड़ी सहूलियत और दी है। आज कहा जाता है कि तुम्हारा जो इवैल्युएशन (मूल्य निर्धारण) का तरीका है वह दुरुस्त नहीं है। असल में बात यह है कि दिल्ली हिन्दुस्तान का दारलखिलाफ़ा (राजधानी) है, गोपालन साहब भी यहां बैठते हैं, विवेदी साहब भी यहां बैठते हैं और हुकूमत भी यहीं है। तो दिल्ली के भाई आम तौर पर हमारे लीडर साहिबान को काफी आसानी से मिल सकते हैं।

श्री गिडबानी : उनका असर आप पर होता है लेकिन बाहर वालों की कोई सुनवाई नहीं होती।

श्री महरचन्द खन्ना : जरा मुझ लीजिये। लेकिन जो भाई रिवाड़ी में बैठा है जो पलबल में बैठा है, चाहे हमारे मोहतरिय दोस्त ठाकुर दास जी की कंस्टिट्युएंसी (निर्बाचन क्षेत्र) हो यों न हो, मैं उन से पूछूँगा और उनसे कहूँगा कि आप मुझे अभी नहीं फिर राय दें कि जो आपने कार्मला (सूत्र) बनाया है कि एकचुब्ल कास्ट (वास्तविक लागत) के बेसिस (आधार) पर १० पर सेंट (प्रति शत) तुम ज्यादा लगा लो, आया यह फार्मूला रिवाड़ी पर भी मैं लागू कर दूँ और पलबल पर लागू कर दूँ। वहां तो हालत यह है कि नान-क्लेमेंट्स किसी जायदाद के नजदीक नहीं आना चाहते।

पंडित ठाकुर दास भाईं : क्या यह दुरुस्त नहीं है कि पलबल और गुडगांव में भी कीमतें आपने बहुत ज्यादा कर दी हैं?

श्री महरचन्द खन्ना : यह बिल्कुल दुरुस्त नहीं है।

उपायक महोदय : मैं यह बतला देना चाहता हूँ कि हमने यह फैसला किया है कि तीन बजे तक इस बिल को खत्म कर दिया जाये।

श्री मेहर बन्द खल्ला : मैं पांच मिनट में खत्म कर दूँगा ।

परसों इन्हें फरीदाबाद के भाइयों की बड़ी दाद दी और उनकी बड़ी तारीफ की । चूंकि मैं भी पठान हूँ, मैं भी उठ कर बैठ गया कि आज मेरे भाई ने पठानों के नाम से मेरे सिर पर भी सेहरा बांध दिया । सैर, मैं कहना चाहता हूँ कि आपके हलका नियाबत में जो कीमतें लगाई गई हैं, फरीदाबाद में, उनमें मैं ने आप के फार्मुले के मूलाधिक जो १० पर सेंट लगाना था वह भी नहीं लगाया । हमारी जायदाद है बौद्धर (सीमा) पर । गिडवानी साहब जानते हैं कि ज़्यायड में है, पिपरी में है, कोलहापुर में है और दूसरी जगहों पर है । लेकिन आज वह वहां साली पड़ी है, कोई लेने वाला नहीं है । तो इसलिये मैं बड़े अदब के साथ कहना चाहता हूँ कि आपका जो फार्मुला है उसको मैं स्वीकार नहीं कर सकता क्योंकि मेरे सामने जो सवाल है वह हिन्दुस्तान के शरणार्थियों का सवाल है, इस मिनिस्टरी के सामने जो सवाल है वह उनकी आवादकारी (बसावट) का सवाल है और सिर्फ दिल्ली की योड़ी सी जनता का ही नहीं है । हम कोशिश करते हैं कि इन्साफ हो ।

आपने जिक्र किया कि हम चाहते हैं कि लोग बेदखल न किये जायें । तो जनावे वाला, आपकी इजाजत से मैं इस एवान को अपने बोनाफाइडीस (सद्भाव) की सब से बड़ी दलील यह देना चाहता हूँ कि जहां हमने नान-क्लेमेंट्स के लिये यह फैसला किया है कि उनका ३०० तक कर्जा माफ हो, जहां उनको यह हक है कि जो अच्छी चीज है उसको वे खारीद लें और जो चीज उनको नापसन्द है उसको वे छोड़ दें, यह हक क्लेमेंट्स को नहीं है । जहां उन को यह हक है कि चीप टेनेमेंट्स स्कीम (सस्ती गृह योजना) के नीचे ५०० रुपया जो उनको बतौर ग्रांट मिला है वह माफ कर दिया जाये, क्लेमेंट के लिये नहीं है, वह इसलिये कि वह डिसरप्ट

न हो, इस लिये कि वह यानी नान क्लेमेंट बैठा रहे ।

जनावे वाला, श्री बोडे दिन हुये हमने कहा है कि अगर कोई नान-क्लेमेंट्स किसी फैड (दोस्त) को, किसी रिलेक्शन (रिस्टेंटर) को, किसी भी क्लेमेंट को अपने साथ एसेसियेट (सम्मिलित) करना चाहता है तो हमारी मिनिस्ट्री उसको इजाजत देती है ताकि एक भाई का तो ब्लेम चुकाया हो जाये और दूसरा भाई जो है वह मालिक का मालिक बना रहे । अब वहारे दिन में योहा सा भी यह ख्याल होता कि हमने इससे कोई फायदा उठाना है तो हम ये सहूलियतें नहीं देते ।

यहां पर कस्टोडियन प्राप्टरी का जिक्र भी किया गया है और कहा गया है कि हम नाजायज तौर पर लोगों से कायदा उठा रहे हैं । जनावे वाला, सितम्बर, १९५६, म्यानी दो ही महीने हुये हैं, हमने एक प्रेस नोट निकाला है और उसमें यह साफ तौर पर कहा गया है :

*"It has been decided that no attention should be paid to improvements, etc., in respect of which written permission of the Custodian has not been obtained. Where such permission is forthcoming, the property should be evaluated as a whole as it exists now, and from this should be taken out the value of improvements, additions, etc., to arrive at the correct evaluation of the property."*

इसकी एक कापी में भागंव जी को भी भेज दूँगा ।

सिर्फ एक दो चीजें और हैं जिनका जिक्र करके मैं खत्म कर दूँगा । आप फरमाते हैं कि बेवा बहनों को जिनकी तादाद कोई ५,००० या ६,००० है उनमें से सिर्फ दो सौ या तीन सौ को ही आज तक कम्पेसेशन मिला है और ज्यादा को नहीं मिला है । यह चीज दुरुस्त है । क्यों ज्यादा को नहीं

## [श्री भेहर चन्द लन्ना]

मिला इसको मैं अर्ज कर देना चाहता हूँ। पहले तो हमारी मिनिस्टरी ने इंटरिम स्कीम (अन्तरिम योजना) के नीचे सिर्फ चार या पांच प्रायोरिटीज (प्रायमिकतायें) रखी थी। होते होते उनको १८ कर दिया गया और उसमें टी० बी० के मरीज, कैसर के मरीज, वे भाई भी जिन की दिमागी हालत अच्छी नहीं, वे लड़के भी जो कालेजों में पढ़ते हैं, स्कूलों में पढ़ते हैं, पहले की बेवायें हैं जिन की पहले अस्तियां मंगाई गई थीं इत्यादि को शामिल कर लिया गया। तो प्रायोरिटीज ५ से १८ हो गई। हमने कहा कि देखा जाये कि इनमें ज्यादा बलनरेबल (आक्रम्य) कौन है। तो जनाब वाला, हम ने यह कहा कि १३ या १४ प्रायोरिटीज को मोर (अधिक) बलनरेबल समझा जाये ६५ साल के ऊपर के बूढ़े भी थे और १६५३ से बाद की बेवायें भी थीं।

मैं ने कहा कि १६५३ के पहले की बेवा भी बैसी ही बवा है जैसी कि कल की है। लेकर, जहां तक १०,००० से नीचे के जिन के क्लेम हैं उनके बारे में मुझ से तसल्ली मांगी गई है और जनाब वाला, मैं बड़े अदब के साथ यह एश्योरेस (आश्वासन) देना चाहता हूँ कि जहां तक इन प्रायोरिटीज का ताल्लुक है और उसमें मैं बेवाओं को भी शामिल करता हूँ, उसमें ६५ बरस के जो बूढ़े हैं उनको भी शामिल करता हूँ, उन सब को ३१ मार्च, १६५७ से पहले भासियाव इनमें कुछ रह जायें तो रह जायें, बाकी सब को मैं खत्म कर दूँगा। मैं यह भी कहना चाहता हूँ कि मैं १०,००० की प्रायोरिटी को भी शुरू करने वाला हूँ और उसमें से भी कोशिश करूँगा कि जितने ज्यादा से ज्यादा ऐसे हों जिन को कम्पेन्सेशन मिल सकता हो, मिल जाये।

मैं गिड्डानी साहब को एक चीज कहना चाहता हूँ। अभी उन्होंने चिक किया कि जिन का १८ एकड़ का क्लेम है, उनमें कुछ बेवायें हैं, - कुछ यतीम हैं, उनकी तरफ हमने आज तक

ज्यादा व्यान नहीं दिया है पहले हम इन्हीं प्रायोरिटीज पर चल रहे थे। अब हम ने यह फँसाला किया है कि उस चौथी प्रायोरिटी को भी रख देंगे और कोशिश यह करेंगे कि हमारे उस रूल के मातहत उन को जो मिलना है, उन को भी मिलना शुरू हो जाय।

श्री गिड्डानी : किस रूल के मातहत ?

श्री भेहर चन्द लन्ना : जो रूल बनाया गया है। इस बक्त मुझे याद नहीं है। शायद वह रूल नम्बर ६५ है।

श्री गिड्डानी : रूल में तो यह है कि अगर १८ एकड़ से ज्यादा हो, तो नहीं मिलेगा।

श्री भेहर चन्द लन्ना : पंजाब की क्वासाई-प्रायोरिटी एलाटमेंट स्कीम (अर्ध-स्थायी आवाटन योजना) का जो एक स्केल ७५ पर सेंट तक जाता है, वह तो मैं लेने के लिये तैयार हूँ, लेकिन अगर उस स्कीम से कोई डिस-एडवान्टेज (असुविधा) हो, तो मैं नहीं ले सकता। इस सिलसिले में हम ने दो बातें की हैं। एक तो यह किया है कि पहले पंजाब में कोई कैश (नकद) नहीं था, लेकिन हम ने रुल क्लेम्ज (ग्रामीण दावे) — एग्रोकल्चरल क्लेम्ज (कृषि दावे) — में भी बिडोज (विविधाओं) के लिये कैश रखा है। दूसरा काम हम ने यह किया है कि पंजाब में किसी देहाती को यह इजाजत नहीं कि वह अपने रुल क्लेम के बदले अरबन (नगरीय) जायदाद स्तरीये — वह नहीं खरीद सकता, लेकिन हम ने यह सोच कर कि चूंकि गैर-पंजाबी को आज तक जमीन लेने का मौका नहीं मिला, इसलिये हम ने उस को यह भी सहलियत दी है कि अगर वह शहरी जायदाद स्तरीदाना चाहे, तो खरीद सकता है।

जनाब वाला, चूंकि समय खत्म हो रहा है और पांच मिनट में आप ने इस बिल

को पास कर देना है, इसलिये मैं इस पर ज्यादा बहस नहीं करना चाहता हूँ। सिफे यही कहना चाहता हूँ कि हमारी स्वाहित्य है कि पेस आफ़ वर्क (कार्य की गति) जितना बढ़ा सके, वह बढ़ाया जाय।

श्री ज० ह० नायर : जो नान-क्लेमेंट है वे दो चार साल में पेमेंट नहीं कर सकेंगे। वे क्या करें? उन के लिये कोई रास्ता निकालना चाहिये।

श्री महेश चन्द्र चन्ना : दुनिया में...

**Mr. Deputy-Speaker:** I will now put the amendment for reference to the Select Committee to the vote of the House. The question is:

"That the Bill be referred to a Select Committee consisting of Lala Achint Ram, Shri C. P. Gidwani, Shri N. C. Chatterjee, Shri Mehr Chand Khanna, Shrimati Renu Chakravarthy, Shri U. M. Trivedi, Babu Ram Narayan Singh, Shri D. C. Sharma, Sardar Iqbal Singh, Shri Basanta Kumar Das, Dr. Ram Subhag Singh, Shri M. L. Agrawal, Shri Hem Raj, Sardar T. S. Akarpuri, Shri B. P. Jhunjhunwala, Shri Ranjit Singh, Shri N. C. Kasliwal, Shri Krishnacharya Joshi, Shri J. K. Bhonsle, Shri Bahadur Singh, and the Mover, with instructions to report by the 1st December, 1956."

*The motion was negatived.*

**Mr. Deputy-Speaker:** I will now put the original motion to the vote of the House.

The question is:

"That the Bill to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954, be taken into consideration."

*The motion was adopted.*

**Clause 2.—(Amendment of section 2)**

**Pandit Thakur Das Bhargava:** I beg to move:

(1) Page 2, line 10—

after "has not been" insert "actually"

(2) Page 2—

(i) line 12, after "Act" insert:

"and further includes any such claim registered in respect of property held in trust for a public purpose of a religious or charitable nature"; and

(ii) after line 13 add—

'(iii) in clause (e), the words "but does not include" and part (ii) shall be omitted.'

(3) Page 2, line 12—

after "Act" insert:

"including the claims of allottees of agricultural land who for any reasons whatever were not given the lands allotted and whose claims to compensation for rural houses were rejected as a result of allotment of agricultural land".

(4) Page 2, line 12—

after "Act" insert:

"and further includes the verified claims of the refugees now living in Bharatpur and Alwar areas in Rajasthan to whom evictee lands were leased out but whose claims were rejected on account of allotment of evictee lands as also the claims of all displaced persons in Rajasthan who were not allowed to file their claims for compensation in respect of rural houses on the ground that they were allotted evictee lands for more than four acres after their claims are called and verified".

**Mr. Deputy-Speaker:** These amendments are before the House.

पंडित ठाकुर दास भार्गव : वाकियों के बारे में मैं पहले ही कह चुका हूँ। मैं अपनी अमेंडमेंट नम्बर 2 के बारे में यह कहना चाहता हूँ कि जिस को नहीं मिला है, उस के बाद एक लपत्र “एक्चुअली” (वस्तुतः) रख दिया जाय।

आनंदेन्द्र भिन्निस्टर को याद होगा कि हम ने जो बिल बनाया था, उस में से पब्लिक नेचर (सार्वजनिक प्रकार) के जितने द्रस्ट्स (प्रन्यास) थे, उन को निकाल दिया था। उस बक्त—१९५४ में—गवर्नरमेंट ने सिलेक्ट कमेटी में और बाहर भी यह यकीन दिलाया था कि गवर्नरमेंट द्रस्ट्स को खुब रूपया देगी। इस का जिक्र सिलेक्ट कमेटी की रिपोर्ट में दर्ज है। मैं भौतिक साहब का शुक्रिया अदा करना चाहता हूँ कि खाना साहब ने कालिजों बैराह को मदद देने का जो काम उन के सुपुदं किया था, उन्होंने उस को निहायत खूबी के साथ पूरा किया है। लेकिन मैं अर्ज करना चाहता हूँ कि हमारी इंस्टीच्यूशन्ज (संस्थाओं) को काफी रूपया नहीं दिया गया है। कहां तीन करोड़ रुपये—जिस की मालियत के द्रस्ट रह गये—और कहां पचास लाख रुपये। गवर्नरमेंट ने कहा था कि पूल (संग्रह) में से निकालने से उस में जो कमी होती है, उस को पूरा किया जाय और पूल में और रूपया दिया जायगा। टंडन जी ने हमारी मुख्तालिफत की थी। हम महसूस करते हैं कि जो कुछ उन की शिकायत थी, वह बजा थी। अगर आनंदेन्द्र भिन्निस्टर इस को शामिल नहीं करना चाहते, तो वह हम को एश्वेर (आश्वस्त) करें कि वह आईन्दा गवर्नरमेंट के लजाने के स्ट्रिंग्ज (रस्तियां) चरा दीले करेंगे और इस तरह के द्रस्ट्स को ज्यादा रूपया इनायत फरमायेंगे।

श्री भेहर चन्द खन्ना : जनावे वाला, मैं एक मिनट में इस का जवाब दे देता हूँ। द्रस्ट्स को कम्पेन्सेशन (प्रतिकर) देना है या नहीं, यह लिंगेसी (उत्तराधिकारी)

मेरे पास आई है उस सिलेक्ट कमेटी से, जिस के चेयरमैन पंडित ठाकुर दास भार्गव थे। उन्होंने फैसला किया कि ट्रस्ट प्राप्टरीज (प्रन्यास सम्पत्तियों) को कम्पेन्सेशन स्कीम से खारिज कर दिया जाय।

श्री गिडवानी : वह इसलिये कि पूल (संग्रह) को इफेक्ट (प्रभावित) न किया जाय।

श्री भेहर चन्द खन्ना : मेरे सामने जो कुछ आया, वह मैं आप को बता रहा हूँ। यही चेयरमैन थे, इन्हीं को सिलेक्ट कमेटी थी और इन्होंने फैसला किया था। मेरे हाथ तो बच्चे हुये थे कि मैं किसी ट्रस्ट प्राप्टरी को कम्पेन्सेशन नहीं दे सकता। वहां बात खत्म हो गई। जो कुछ हम कर सकते हैं—और वह हम कर रहे हैं—वह यह है कि जो भी स्कूल, कालिज और अस्पताल बन रहे हैं, उन को पूरी मदद दी जाय। इस सिलसिले में मैं रेफ्यूजी (शरणार्थी) संस्थाओं को एक बड़ा भारी काम्पनीमेंट (समादर) देना चाहता हूँ कि जो काम हम को करना चाहिये था, हमारी भिन्निस्ट्री को करना चाहिये था, उस को वे कर रहे हैं। हम उन के मशकूर हैं और मैं पब्लिको (सार्वजनिक रूप से) अपना ग्रीटीच्यूड (कृतज्ञता) जाहिर करना चाहता हूँ, लेकिन साथ ही मैं यह भी कहना चाहता हूँ कि हम उन को मदद कर रहे हैं। हम ने लाखों रुपये दिये हैं। इस बक्त तक हम एक करोड़ रुपये के करीब रेफ्यूजी संस्थाओं को दे चुके हैं, जिन में श्री गिडवानी के बम्बई में बड़े अच्छे कालिज भी हैं।

श्री गिडवानी : उस के लिये हम शुक्र-गुरुवार हैं। अगर आप अच्छा काम करेंगे, तो हम उस की तारीफ करेंगे ही।

पंडित ठाकुर दास भार्गव : हम आप के मशकूर हैं।

उपाध्यक्ष महोदय : सिर्फ भार्गव साहब और गिडवानी साहब की संस्थाओं को ही न दिया जाय, और संस्थाय भी तो है

श्री भेहर चन्द लला : पिछले दिनों मैं आगरे गया था । वहां मैं ने एक भाई का स्कूल भी देखा था । मैं ने उन से इकरार किया था कि मैं उन की मदद करूँगा । मैं यहां पर उन साहब का नाम नहीं लूँगा । मैं ने उन से कहा था कि इस काम को मेरे छोटे भाई करते हैं, मैं इस को उन के हवाले कर दूँगा । मैं अब जर्जर करना चाहता हूँ कि हमारे पास जितने फंड्ज हैं, उन फंड्ज की लिमिटेशन्ज (परिसीमाओं) में हम इन संस्थाओं की जितनी भी खिदमत कर सकेंगे, वह हम जरूर करेंगे, क्योंकि मैं उन को अपना काम समझता हूँ ।

Mr. Deputy-Speaker: The question is:

Page 2, line 10—

after "has not been" insert "actually".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2—

(i) line 12—

after "Act" insert:

"and further includes any such claim registered in respect of property held in trust for a public purpose of a religious or charitable nature"; and

(ii) after line 13, add—

'(iii) in clause (e) the words "but does not include" and part (ii) shall be omitted.'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 12—

after "Act" insert:

"including the claims of allottees of agricultural land who for

any reasons whatever were not given the lands allotted and whose claims to compensation for rural houses were rejected as a result of allotment of agricultural land."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 12—

after "Act" insert:

"and further includes the verified claims of the refugees now living in Bharatpur and Alwar areas in Rajasthan to whom evictee lands were leased out but whose claims were rejected on account of allotment of evictee lands as also the claims of all displaced persons in Rajasthan who were not allowed to file their claims for compensation in respect of rural houses on the ground that they were allotted evictee lands for more than four acres after their claims are called and verified".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (Amendment of section 11.)

Pandit Thakur Das Bhargava: I am moving amendment No. 6.

Mr. Deputy-Speaker: It is in respect of clause 2. The hon. Member did not move it then. I have passed the clause.

Pandit Thakur Das Bhargava: I missed it due to over-sight.

Mr. Deputy-Speaker: I have every sympathy for the hon. Member and his amendment, but I am helpless. The clause has been voted upon by the

[Mr. Deputy-Speaker]

House. How can I go back to the amendment to that clause? Is the hon. Member moving his amendments Nos. 7 and 8 to clause 3?

**Pandit Thakur Das Bhargava:** Yes, Sir. I beg to move:

(i) Page 2—

for clause 3 substitute:

“3. In section 11 of the principal Act, for sub-section (2), the following shall be substituted, namely:—

“(2) Any sum recovered from the compensation of any claimant in respect of any payment made before or after the commencement of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, in respect of maintenance allowed to displaced persons shall be refunded to the claimants and no such recovery shall be made in future in respect of maintenance allowance paid by the Government.”

(ii) Page 2, line 15—

add at the end:

“and shall be deemed to have always been omitted and if any amounts in respect of payment of maintenance allowance have been recovered from any claimant such amount shall be refunded to him.”

The hon. Minister has agreed to the refund of the maintenance allowance. So, he can choose either of these two amendments for the acceptance of the House.

**Mr. Deputy-Speaker:** These amendments are before the House.

15 hrs.

**श्री महर चन्द खन्ना :** मैं ने तो पहले ही अर्ज किया था कि पहले जो मेनटिनेंस एलाउंस (गुजारा भत्ता) या वह कम्पेन्सेशन पूल (प्रतिकर संग्रह) से जा रहा था। गवर्नरेट ने १३६ लाख रुपया पूल में इजाफा कर दिया, और अब जो मेनटिनेंस एलाउंस है वह बतीर ग्रांट (अनुधन) के तसवुर होता है। तो अगर किसी बहिन या भाई का पूराना मेनटिनेंस

एलाउंस बतौर पब्लिक ड्रू (सार्वजनिक देय) तसवुर हुआ है, और वह उसके कम्पेन्सेशन से काटा गया है, मेरे सामने अगर वह कैसे लाया जाये तो मैं उसको रिफंड करने के लिये तौयार हूँ।

**Pandit Thakur Das Bhargava:** How will he do so? He has no authority. I am giving him the authority. Supposing you do not get the power. How will you refund? you will not be able to refund even if you are minded to refund. Accept any of these amendments and then you will be able to refund.

**Mr. Deputy-Speaker:** If the law requires that maintenance allowance is also one of those debts....

**Shri Mehr Chand Khanna:** No longer it is required. We have got the amendment. I have examined the question. I do not think there will be any difficulty.

**Pandit Thakur Das Bhargava:** When it has been recovered, how can it be refunded?

**Mr. Deputy-Speaker:** He will have the matter looked into and if he requires an amendment of the particular law, he will bring forward one.

**Pandit Thakur Das Bhargava:** When we know that he wants to refund, the money he has taken, I am only arming his hands. How will he be able to refund if he has no power?

**Mr. Deputy-Speaker:** I think he has not examined the point in that light, so far as I can see.

**Pandit Thakur Das Bhargava:** He should have examined.

**Mr. Deputy-Speaker:** Does the hon. Member want me to put these amendments to the House?

**Pandit Thakur Das Bhargava:** Yes.

**Shri Mehr Chand Khanna:** Maintenance money is not covered by the definition of public debt. The question does not arise.

## Amendment Bill

**Pandit Thakur Das Bhargava:** How will you refund unless you have powers? He has recovered. The only way to refund is to take these powers.

**Shri Mehr Chand Khanna:** I have given an assurance as to what the intention of the Government is. If I find myself placed in any difficulty, I shall certainly bring forward an Amending Bill before the House.

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

Page 2—

for clause 3, substitute:

"3. In section 11 of the principle Act, for sub-section (2) the following shall be substituted,— namely:—

"(2) Any sum recovered from the compensation of any claimant in respect of any payment made before or after the commencement of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, in respect of maintenance allowed to displaced persons shall be refunded to the claimants and no such recovery shall be made in future in respect of maintenance allowance paid by the Government."

*The motion was negatived.*

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

Page 2, line 15—

add at the end:

"and shall be deemed to have always been omitted and if any amounts in respect of payment of maintenance allowance have been recovered from any claimant such amount shall be refunded to him."

*The motion was negatived.*

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

"That clause 3 stand part of the Bill."

*The motion was adopted*

**Clause 3 was added to the Bill.**

**Clauses 4 and 5 were added to the Bill.**

**Mr. Deputy-Speaker:** I seek the permission of the House to take another five minutes so that we can finish this and sit after Five for this.

**Clause 6—(Insertion of new section 20A)**

**Shri Mehr Chand Khanna:** During the course of the discussions, it was brought to my notice by Pandit Thakur Das Bhargava that there was some lacuna. I have had the matter examined. I propose an amendment like this. I beg to move:

Page 3, lines 3 and 4—

for "has made an application" substitute: "is entitled to the restoration of any evacuee property on an application made by him in this behalf"

I do not want to make any speech because this matter has been discussed threadbare.

**Pandit Thakur Das Bhargava:** Will these words remain: 'notwithstanding anything contained in the Evacuee Property Act'? If these words remain, the amendment of the hon. Minister, in spite of his best intentions will be infructuous. Remove these words and put in the other words so that it may be effective.

**Shri Mehr Chand Khanna:** I have discussed this with my legal pundits. I have no difficulty.

**Pandit Thakur Das Bhargava:** I hesitated to move all my amendments relating to clause 6. In spite of my persuasion, the hon. Minister has not been able to accept my amendment.

I beg to move:

(i) Page 3, line 3—

before "Where any" insert:

"Subject to the provisions of section 16 of the Administration of Evacuee Property Act, 1950"

[Pandit Thakur Das Bhargava]

(ii) Page 3, lines 10 and 11—

omit "notwithstanding anything contained in the Evacuee Property Act and this Act"

(iii) Page 3, lines 10 and 11—

for "notwithstanding anything contained in the Evacuee Property Act and this Act" substitute "subject to the provisions of the Evacuee Property Act and this Act"

(iv) Page 3, line 12—

add at the end:

"in cases where an order for restoring the property has been passed under section 16 of the Evacuee Property Act or where the Civil Court has held the evacuee or his heir is entitled to the restoration of the property"

(v) Page 3—

omit lines 24 to 30.

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

Page 3, line 3—

before "Where any" insert:

"Subject to the provisions of section 16 of the Administration of Evacuee Property Act, 1950"

*The motion was negatived.*

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

Page 3, lines 10 and 11—

Omit "notwithstanding anything contained in the Evacuee Property Act and this Act"

*The motion was negatived.*

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

Page 3, lines 10 and 11—

for "notwithstanding anything contained in the Evacuee Property Act and this Act" substi-

tute "subject to the provisions of the Evacuee Property Act and this Act"

*The motion was negatived.*

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

Page 3, line 12—

add at the end:

"in cases where an order for restoring the property has been passed under section 16 of the Evacuee Property Act or where the Civil Court has held the evacuee or his heir is entitled to the restoration of the property"

*The motion was negatived.*

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

Page 3—

omit lines 24 to 30.

*The motion was negatived.*

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

Page 3, lines 3 and 4—

for "has made an application" substitute ....

**Pandit Thakur Das Bhargava:** I rise to a point of order. When these amendments have been lost, no amendment on the same point can be accepted.

**Mr. Deputy-Speaker:** These are different amendments.

**Pandit Thakur Das Bhargava:** The same amendment; kindly see.

**Mr. Deputy-Speaker:** I have seen just now, the hon. Member was of the opinion that unless these words are removed, the amendment would not be effective. Now, he says they are identical.

## Amendment Bill

**Pandit Thakur Das Bhargava:** These were identical amendments and not cumulatively which have been affected.

**Mr. Deputy-Speaker:** I do not agree with the hon. Member, I am sorry.

The question is:

Page 3, lines 3 and 4,—

**Pandit Thakur Das Bhargava:** I want to raise another point of order. This point is of vital importance. If you accept the amendment of the hon. Minister, it would mean that the provisions of the other Act which we have just passed will not be effective. After all, I withdrew my amendment there on the supposition that the hon. Minister will move the right amendment. The relevant sections of the Evacuee Property Act can only be effective if these provisions are given effect. It would mean, if you accept this amendment, if the Government is of the view that property should be restored without any enquiry, the property will be restored, if you do not take away these words 'notwithstanding anything contained in the Evacuee Property Act'. This will introduce a change in the law that we do not want to accept unless you give a proper procedure in the Bill. It will not be fair to accept this amendment.

**Mr. Deputy-Speaker:** This is not a point of order. Pandit Thakur Das Bhargava is afraid of the effect that it will have. His complaint is this. He withdrew his previous amendment on the undertaking that an amendment will be brought forward, and that the Government has not kept that promise. That is a different matter.

**Pandit Thakur Das Bhargava:** This amendment has not been circulated. We have not had time to consider this and suggest amendments.

**Mr. Deputy-Speaker:** The hon. Member will realise that I cannot help him in this situation.

**Pandit Thakur Das Bhargava:** The rule is that an amendment given on the same day is not accepted because

Members have no time to suggest amendments to that amendment. What rule is applicable in my case should be applicable in all cases.

**Mr. Deputy-Speaker:** By agreement, we decide to waive that notice. Government said that they will bring forward the amendment and the hon. Member agreed to withdraw that amendment.

**Pandit Thakur Das Bhargava:** I wanted to see a proper amendment.

**Mr. Deputy-Speaker:** That is not possible now.

The question is:

Page 3, lines 3 and 4—

for "has made an application" substitute "is entitled to the restoration of any evacuee property on an application made by him in this behalf"

*The motion was adopted.*

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

"That clause 6, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 6, as amended, was added to the Bill.*

Clause 7.—(Substitution of new section for section 21)

**Pandit Thakur Das Bhargava:** I beg to move:

(i) Page 4—

omit lines 12 to 22.

(ii) Page 4—

omit lines 23 to 26.

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

Page 4—

Omit lines 12 to 22.

*The motion was negatived.*

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

Page 4—

omit lines 23 to 26.

*The motion was negatived.*

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

"That clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

**Mr. Deputy-Speaker:** New amendment No. 16.

**Pandit Thakur Das Bhargava:** I beg to move:

Page 4, after line 26, insert:

"7A. In sub-section (2) of section 40 of the principal Act.

(i) in clause (f), the following words shall be added at the end, namely:

'but in such valuation the value of buildings or part of buildings constructed by the claimants or allottee shall not be included; and

(ii) in clause (j), the following words shall be added at the end, namely:

'including fixation of instalments which shall not be less than twelve annual instalments'."

I have already made my submissions. I would only refer to one point. As we are pressed for time, I do not want to reply to all the arguments made out by the hon. Minister. But, I must say that he has not been fair to the Advisory Board or myself. He will find no reference to this question of twelve instalments there. He has forgotten as a matter of fact that according to our formula, the price of the properties would not have been half as much. We said five annual instalments plus the original six. If the price had not been increased to

this extent, five instalments might probably have been sufficient. With this increased price to an unconscionable extent, to say that the Advisory Board is responsible is....

**Shri Mehr Chand Khanna:** I never said so.

**Pandit Thakur Das Bhargava:** You take the responsibility. I do not want to take the time of the house in replying to the other matters. I shall only say that he ought not to be so hard-hearted towards non-claimants. He ought to consider the question from the correct stand point and see that this amendment is accepted. He has not even given a proper reply in this matter.

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

Page 4—

after line 26, insert:

"7A. In sub-section (2) of section 40 of the principal act—

(i) in clause (f), the following words shall be added at the end, namely:

'but in such valuation the value of buildings or part of buildings constructed by the claimants or allottee shall not be included; and

(ii) in clause (j), the following words shall be added at the end, namely:

'including fixation of instalments which shall not be less than twelve annual instalments'."

*The motion was negatived.*

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

"That clause 8 stand part of the Bill"

*The motion was adopted.*

*Clause 8 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri Mehr Chand Khanna:** I beg to move:

"That the Bill, as amended" be passed"

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

"That the Bill, as amended, be passed"

*The motion was adopted.*

**MADRAS—TUTICORIN      TRAIN  
DISASTER**

**Mr. Deputy-Speaker:** We have got two hours for this. I have already received about half a dozen chits, and I am sure as many more would be anxious to speak. So, we shall have to place a limit on the speeches. I hope 15 minutes for the leader and ten for others will do.

**Shri Frank Anthony (Nominated—Anglo-Indian):** It depends on the contribution they make.

**Shri Vallatharas (Pudukkottai):** Yesterday it was stated.....

**Mr. Deputy-Speaker:** If the House agrees to sit, I have no objection.

**Shri Veeraswamy (Mayuram—Re-served—Schedule Castes):** The House has already consumed 15 minutes.

**Mr. Deputy-Speaker:** Is the House agreeable to sit longer?

**Some Hon. Members:** No, no.

**Mr. Deputy-Speaker:** The sense of the House is that it is not prepared to sit longer.

**Some Hon. Members:** We are prepared to sit longer.

**Mr. Deputy-Speaker:** Let the hon. Member proceed and we will see. I hope he will be able to finish his speech within 15 minutes.

**Shri Vallatharas:** I solicit your permission to initiate the discussion on this topic, namely the situation arising out of the accident to the Tuticorin Express on the morning of the 23rd November, 1956.

First of all, I express my heartfelt feelings of gratitude and indebtedness to the leader of the House for agreeing to a discussion on this matter, and also to the Hon. Speaker who was so kind to have it at the earliest opportunity possible. I am also indebted to this House in the sense that this House was able to appreciate with the greatest sympathy and with due regard the feelings of the people in the South who are immediately affected by this accident.

At the end of four years of our parliamentary life we have reached a very critical stage in which departmental integrity and efficiency have come to be gauged. Difference of opinion in the Cabinet and with the Prime Minister may lead to resignation of Ministers. Political issues of grave importance may also lead to resignation of Ministers, but in this case an incident in which certain lives were lost through an accident to the railway carriages has been the cause for the resignation of a Minister and the creation of an atmosphere in which this House has begun to feel already how to get things repaired and maintained in full utilitarian service to the public in future.

Personally I am not endowed with such efficiency as would suit the situation. In this country everywhere we hear of serious floods in which several villages and masses of people have been swept away over night. In other cases there are incidents and incidents—in the air, for example, and in factories in which lives were lost. There were cases in which the vagaries of Nature which could not be controlled by human agencies were responsible for the havoc done. But I must emphasize the fact that under no circumstances can we ever tolerate the vagaries of human beings or human institutions in which human species are employed as servants to render service to humanity. That is why feelings run high. Our feelings, though great in respect of the devastations on the

[Shri Vallatharas]

bank areas of the Ganges, the Jumna and Brahmaputra, were not so high as in this case. This is a challenge not to the Government, because it is our Government—there can be no challenge to our Government—but to the departmental activities carried on by the Government as put into the responsibility of a particular Minister which is called the Ministry and the Minister's immediate subordinates as well as the subordinate in the locality. I would very well have appreciated the grace and dignity of the constitutional propriety in the resignation of the Railway Minister if the particular Deputy Minister had also tendered his resignation. I do not want any Minister to resign. Whatever may be the number of Ministers that resign, it is no consolation for us. It is only a propriety.

I am so glad that the Deputy Minister was able to be present on the spot at the earliest possible time, on the same evening, and to stay there for two or three days and study the situation. He must have been able to give some consolation to the people there.

As I had already stated here, the Railway administration has been subjected to a bitter humiliation by the events which have happened in the last four years—collisions, derailments, capsizing and collapse of engines on railways and loss of lives in rain-water and floods. The inspectorate have submitted reports in the last four years of the various accidents that have taken place. Of course, accidents will take place. It is neither a geographical nor a historical truth that accidents will not take place, but we being endowed with a sense of responsibility should see that the subordinates who are the limbs of our functioning institutions do carry out the instructions of the authorities at the top or those embodied in the statutes and rules. If they do not do that, there cannot be any scope for any leniency. I have not heard in these four years that an engineer has been punished for corruption, for

incorrect estimating or for mishandling of the situation, or that any District Traffic Superintendent has been administered some sort of censure at least.

There is the regional officer. The country is divided into six regions, and over each is placed a Nawab of the old type called the Manager, a wonderful specimen sitting there who does not know what is taking place. Recently I had a talk with a Manager and I thought he was totally unfit for the job. He did not even have the courtesy did not know his responsibility for the intimate connection that he should establish with a Member of Parliament. If he has not got that capacity and grit, how is he going to traverse one-sixth of this country and see to things? So, I have no hesitation in saying that the present regional officers must be replaced. Each region is too big for them. An officer of the Deputy Minister's grade must be put in charge of that and those Deputy-Ministers must be men known very well for their discipline as well as efficiency. It may be equipped with people in departmental services who may be upgraded to the zonal managers' posts. We want more imagination and mass thinking. We do not want mechanical adherents to these rules and laziness in the chambers. Our Ministers are not highly equipped administrative people, but once they are put in charge, their contact with the masses and their concern for mass welfare vouchsafe for their efficiency not only here, but in foreign affairs of a very extraordinary type. So, I have got confidence in the elected Members of Parliament being placed as Deputy Ministers in charge of various regions. This is a suggestion which the Government may be pleased to consider.

Secondly the Railway Ministry must be divided into two. The Railway Ministry and the Transport Ministry should be two independent institutions. I understand that the Estimates Committee had also been

ased to make a recommendation of this type. I do not know how far the Government have considered that aspect. We want more Deputy Ministers under the Railway Ministry (*Interruption*). I am able to see that some Members feel that the Cabinet is going to be swollen. Whether it swells for its own ends or for the betterment of the country is a thing to be experienced. One Deputy Minister cannot travel throughout the country. I have seen the tour programmes of our Deputy Minister. Can he go to all places and get into touch with important places? I think that in fairness there should be an increment in the number of Deputy Ministers in the Railway Ministry, particularly.

I will emphasise this fact that it is not the chief man at the top who is responsible for everything that is done at lower levels. An institution well built and constructed, grade by grade, by responsible, conscientious and intelligent and disciplined staff is the best thing and it can never be substituted by any man of high intelligence at the top. I quite understand the difficulty of the Railway Minister. I am very sorry for his resignation. We will not be able to find a better man than him under the present circumstances unless there is somebody in the hiding. On the other hand, we are losing a man of great integrity and mass concern. To lose him, of course, is a great tragedy. I would even tolerate this accident with some lenience but I was not able to bear the strain when I heard the news that our Shastri has resigned. Whether he will be reinstated or not is a different thing. A decision once taken is never to be retraced. That is the position of political and administrative efficiency. Anyway, that is left to the Prime Minister and it is his task.

Under the present circumstances, the entire Railway Administration has to be transformed. We thought that the railway system, which had been in existence for some decades under British rule, when it was left to us

after independence, deserved only maintenance, expansion and improvement. There is no originality in laying out the railway system in this country for the present Government. It is only a question of taking over what already existed as a very big institution in this country, with all its scientific and material equipment and our duty had been to run it efficiently and in a fashion peculiarly suited to better the needs and conveniences of our people. In that way there was an integration. But the integration necessarily led to disintegration of discipline at various levels in the entire administration.

The Railway Board seems to assert that it is an autonomous body not responsible to anybody. Is it so? The Railway Board has to be dissolved forth with without any hesitation.

**Shri U. M. Trivedi (Chittor):** It must be done.

**Shri Vallatharas:** It is a great and cumbersome burden and a lethargic institution, of no use to anybody in this country. It is not useful even for the black-market contractors in various parts of the railways.

In the Public Accounts Committee I have got some experience of the Members of the Railway Board and their chief. I have no kind word for them, not personally but as an institution. This Board deserves to be abolished. What does this Board do? One Member is in charge of traffic, another in charge of staff, another in charge of something and so on. May I ask if any one of these Members, during the last 4 years, has ever gone and inspected any appreciably big bridge in any part of this country, at least regionally, and taken notes of the existing defects and passed orders that such defects should be removed? I go to the extent of asking even the Regional Managers whether they have taken any trouble to go and inspect any big bridge during the last two months.

Yesterday the hon. Railway Minister was pleased to tell us that the

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General Manager of the Southern Zone is preparing something about the conditions existing in the present winter season. There is a Tamil proverb which says:—

'Amma theralu munne Ayya sudu-kadu poyiduvar'.

It means that before the girl matures, the husband will go to the grave. Before the Manager's report comes, I do not know what catastrophes we would have to face in South India. Certainly, this is not the way in which we have to deal with these things. Has any Member of the Railway Board taken care to go to the South or any part of any State during these 2 months and seen to the conditions existing there? I am happy that the Deputy Minister has exerted a bit and I feel that his powers are limited or his leisure is limited that he could not bestow much consideration on these matters even in important places.

Another suggestion is this. The labour staff in the Railways is well paid. When an ordinary worker gets only about Rs. 15 to Rs. 30 a month in other departments, an ordinary labourer in the Railways is able to get from Rs. 60 to Rs. 80. In spite of that, the higher pay has never induced these people to feel contented. Many grievances, hundreds in number, have been submitted in various parts of the country. These grievances had not been redressed in time and have not even been considered. The improvement in the pay-scales has gone to the background and in the forefront is the complaint that their grievances have not been considered and redressed by Government, in proper time. I would consider that this sort of reaction on the part of railway workers is also responsible for all this. Whenever an officer has to take some interest he refrains from taking that interest. I have seen many people in many railway stations not taking any care about anything. They do not care because they feel that

their grievances have not been redressed.

I would finish in five minutes. I will come to the details of this particular case. I think our Deputy Minister should be able to enlighten us in a better manner because he had been there and I am here 1600 miles away from the scene of occurrence. In yesterday's paper, *Indian Express* I saw a report that there were still about 200 or more lying buried below, and they have yet to be lifted. I seek some clarification about this. Whether the number is 200 or 300 or more is not the question now. The local Divisional Engineer or the Sub-Divisional Engineer or the Assistant Engineer or the Traffic Superintendent, all of them, in my humble opinion, should be placed under suspension. There is no question of any reconciliation or anything.

I know the bridge to some extent to speak authoritatively as to what the situation is. In 1920 or 1925—I do not exactly remember the year—on the southern side of Trichinopoly, between Trichinopoly and Manapparai on the Madura route, there was an accident at Ayyalur. Now, we have got an accident at Ariyalur—only with a difference of one 'R'. One night, during the rainy season, the train capsized over a certain bridge. It was a full train that capsized and got destroyed and not a case of 3 or 4 coaches left behind. Almost all the passengers died. That shocked the whole of South India. There was then no national contiguous feeling in the country just as we have now. The north Indian never knew about the south and the Southern never knew about the north. Now we are able to feel in all directions, whether in the North, South or the East or the centre. We have now been trained to have a common fellow-feeling. I have heard stories about that disaster, of passengers lying dead and scattered; their jewels being looted because the police *bandobust* was not so adequate at that time. It was the same Railway Department some 20 or 30 years before and it has not changed except

that it has now changed from British hands to Indian hands. This Railway Department has all this sad and melancholy past. That was 15 or 20 miles south of Trichinopoly and this is 15 or 20 miles north of Trichinopoly. That Ayyalur has now become Ariyalur. What is the responsibility of the District Traffic Superintendent? What is the responsibility of Sub-Divisional Engineer or Assistant Engineer? Here the 500-foot bridge is intact. Of course, I should admire the capacity and efficiency of those engineers who constructed this. For 28 or 30 years there was no repair to the bridge and that was borne out by the statement made by the hon. Railway Minister yesterday. There was no bridge accident. It was not a collapse of the bridge, but it was some other thing. All of you know that the length of the bridge is about 480 feet and it is supported by eight piers and on either side of the abutment—the breadth of the bridge may be about 20 feet—there is no flank embankment. The river is flowing in a southward direction, and on the western bund of the river it is loose soil—I am referring to the right side. There is a breach of the bund in the place of the connection of the abutment and the bund. The river is a very deep river. Under the circumstances, there is a depth of 15 feet below the girder. The greatest flood in history had been only up to about 7 feet of water there. It is supplied by a hill stream. The velocity of the flow of water is very great. All these are naked facts, naked truth. If any railway officer having charge of that place pleads ignorance, he does not stand to deserve to occupy any place in this world. These are bare facts, day to day facts, and everybody knows them. The flood has risen to 15 feet and there was an increase of 9 feet, according to the statement of Shri Nambiar, who was there on the spot, there was flood for three days continuously before that. I also know, with my imperfect knowledge of weather charts in the newspapers, that the chances of the flood to continue were there. Rains in that parti-

cular area also could be seen. There was constant rain there for the last 2½ months. For all the loss or scarcity of rains for the past 15 years, nature has got a vengeance in pouring down rain in that area for a continuous period of 2½ months.

When the water rose up to 15 feet, it is common experience that the velocity of the undercurrent at the lowest depth of 6 feet, cannot control itself. All scientists know and we also know that the ocean under current in Bay of Bengal which was going in the direction of Australia, when it diverted its line in a south-westernly direction made an attack injuring the southern part of this peninsula, and baking inroads into the Rameshwaram area. It appeared in the newspapers also. So, current has got a great force, and because the abutment is a concrete and stone building, it could not force its way through it, it could not sack the bridge and it found its way into the alluvial soil by the side. Just as a thief makes a hole in a convenient place, this under-current began to knock against the loose soil and then the earth corroded and in that way the water was able to find its way just immediately after the right side of the abutment.

I believe that this work of corrosion had taken place some hours earlier. It is not as if this whole earth had been upset in a moment. The gap inside has been enlarged and developed by the flood-tide of water and the velocity of the current for the last three days, and all in a sudden the earth above, which was apparently intact settled by sinking down. That was the position at about 5 A. M. or 5-15 A. M. The Assistant Engineer had gone on the track on the 9th November, and carried on the performance of a great adventurous spirit. The linemen, who are servants, had also gone with him. There is a proverb in the South—*potti avvade, thakkol ivvade*—which means that the box is with somebody and the key is with me; what will be the position of the contents?

## [Shri Vallatharas]

The attacking force is outside the bridge and not inside the bridge. An ordinary man of common sense will say that in order to protect the main building, the surrounding elements should be kept safe either by prevention or by check. Had ever the engineer on the spot inspected the river during those days and seen whether the water would find its way over the abutment corroding the earth, which is loose earth? This was not done. If imagination and experience had been shown by the engineer in an intelligent manner, he would have suspected some danger towards the earth and he would have made some preparations. I also understand, subject to correction, of course, by our Deputy Minister who visited the spot, that there is no embankment with either, concrete, cement slabs or stones spiked on the flank in order to save the bridge. The embankments on the flank should be provided for a distance of 10 or 50 or 100 feet as the case may be. Even ordinary culverts are provided with these safeguards all round. But when a bridge of this size is there, if it is not provided with flank embankments, it is deplorable thing. Whenever a bridge is constructed on a river or a rivulet or canal, it should be a part of the estimate of the work that flank embankments must be provided so that for at least 50 or 100 feet the soil would be kept intact and the adjoining soil might not suffer damage.

Cauvery river, I submitted yesterday, stands the same chance of being disrupted. There the soil is more alluvial and loose. But that some people exist in that part has to be exemplified by the fact that the Coleroon and Cauvery bridges stand intact. It is no credit to the Railway Administration that no breaches have occurred in that area. During last November or December, I travelled from Mayavaram to Negapatam when the cyclone had shown its ravage and I saw that all the tunnels and bridges were bad. I was keeping awake for about a distance of 30 miles, the rains

were pouring, the water was very heavy, and the entire area was at a very low level and the train was moving at a snail's pace, at 5 miles per hour. All these were not looked into. What is the net result?

I would not have brought an adjournment motion yesterday but for the fact that I have got a reasonable apprehension, not that all the bridges are going to collapse and people are going to die, but on the other hand the futility of the Railway Administration, as can be demonstrably seen in the area of which I have got some personal idea.

I pleaded that the railway communication might be stopped for a week there so that some engineers, etc., might be rushed to the spot to verify the position at least in three or four days. Under these circumstances there is, of course, a great insecurity in the public in this area particularly, covering about three districts.

Recently in Hyderabad there were two accidents. One was in September 1954 and another was in this September. The first was of a more tragic occurrence. Flood in the river was the cause and 136 dead bodies were recovered. We had no idea of the number of bodies that had gone away with the flood in the river. So also here I have got a great suspicion about the figure 144. Naturally there is a tendency on the part of the official mind to minimise the extent of the damage. There is no good in minimising it. Whatever is actually the position must be stated. About 600 people travelled in the first six or seven carriages and were sleeping at 5 A.M. quietly, and without opening their eyes and making a noise, all of them were immediately buried deep into the bowels of the earth, all of them silently died. There was no attempt at least to calculate the number of passengers that travelled in the carriages. Some bodies had been washed away; they were found four miles away. We do not know how many bodies have gone further. In this

season there is water and water everywhere in that place. It is difficult even to identify the bodies. The House is aware of the seriousness of the incident. There has been victimisation of a particular Ministry.

The hon. Railway Minister has said after the Hyderabad disaster, that he would appoint a committee of experts to enquire into certain things. A judicial enquiry has not been possible. But the experts committee was appointed very late and we do not know what progress has been made.

Lastly, I would submit one thing to the Government. A judicial enquiry has been instituted. I welcome it. I have seen the reports and decisions of the judicial committees and I feel that we would benefit more if they consist of more than one single judge. A judge can be assisted by two Members of Parliament, who will have some local experience there. I would have appreciated it more if a judge of the Madras High Court had been posted. The Judge from the Calcutta High Court does not know Tamil; he cannot understand the ways of life, behaviour, psychology etc. of the people there. They are timid and they would not come forward openly to give evidence. It is better that a man who knows the language and the environments in that particular locality goes into the matter. I would press the Government to associate two Members of Parliament, of whom at least one should know the locality and conditions there, with the Judge, whoever he might be, so that the matter can be thrashed out and all the existing foibles and difficulties can be brought forward and a better understanding of the situation can be had.

**Shri A. K. Gopalan (Cannanore):** We are meeting today under the shadow of a grim tragedy. It is a tragedy all the more painful on account of the fact that, if care and vigilance had been taken, we would have, in my opinion, been able to avoid it. This gives a kind of seriousness to the question that we are discussing today.

Last Friday, when the Railway Minister reported the news of this accident to this House, my friend, Shri Vittal Rao, gravely disturbed, called on the Minister to resign. I am glad to understand that the reaction of my colleague was unpremeditated. His reaction had been found to be correct. I am glad that the Prime Minister and the Railway Minister had realised it. The responsibility for such happenings and the failures have also got to be pinned down to individuals. It is only right and proper that, in such a situation, the Railway Minister tendered his resignation.

But, I must say that the resignation of the Railway Minister is not enough. I do not want to say anything personally about the qualities of the Railway Minister. In spite of his devotion to duty, he was not directly and immediately responsible for the happenings during the last so many months. In recent years also, there have been happenings of such magnitude and the Railway Minister was not immediately concerned with it. So, the resignation of the Railway Minister is not enough, though technically it is correct.

The symbolic resignation of the Minister should be followed by some action against those who are responsible for this thing. I shall read out later to the House some of the editorials that have been written in the newspapers about this tragedy. They show how deep was the feeling of the people in the country about this and similar accidents. I say that the symbolic resignation of the Minister is not enough and that the Railway Administration must be given a real and good shake-up. The members of the Railway Board and the Transportation Member and also the engineers who are directly responsible for the safety of the railway operations should be found out and they have to be suspended. The mood of the country is such—and that of Parliament too—that some top-ranking members of the Railway

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Administration should be sacked. I do not say that they must be sacked. But, I say that those officers who are more or less concerned with this event should be suspended.

I am not making this suggestion light heartedly. How will the country tolerate these things and for how long? I have not got the necessary time but I have got a record of the accidents from February 1954 to September 1956. About 350 people died.

On February 8th, 1954, 22 persons were killed near Benares, in the same year, on March 31st, 31 were killed near New Delhi. 137 were killed on September 20 near Kazipet. Three persons were killed on July 6th, 1955 at Bhairongarh near Bombay and on August 5, four persons were killed between Naupada and Pundi in Andhra. Again, take the events of this year. On August 2nd, at Fatehbad station, two persons were killed; on the 7th January, near Sempur (Bihar) twelve persons were injured. On the 24th of January, near Makapur of Nagpur, one person was killed and on May 19, the Rajkot mail derailed killing twelve persons. On June 18, between Bhilai and Durg, seven persons were killed. On the 1st of September, 121 were killed near Annampalli in Hyderabad. After all these, this tragic incident has happened. My friend who spoke before me has said that besides the number already reported, it is said that as huge a number as 200 are still buried under the debris. Now, we cannot say how many have died.

I am glad that the Minister announced the appointment of a judicial tribunal yesterday to enquire into this accident. It is good that a High Court Judge investigates into this matter. But, I want to know whether real opportunity will be given to the workers and others if they want to give some good suggestions or if they can throw some light on this incident. That is the crux of the matter. It should be an enquiry where not only the railway officers but also others

from the public should be given an opportunity to give their opinion. Then only the enquiry will be fruitful. I want to say this because it is necessary for us to find out certain things. For instance, we should find out not only whether a gangman has covered the track or not. According to the information with me, a patrol man has to cover sixteen miles per day. If that is correct, it may be that he gives a false report sometimes or he does not cover the whole area. We have also to see whether those who are responsible for patrolling the track are able to do their duty, whether there are enough men to do it, whether the gangmen are inadequate comparing the job that is given to them. We should also see whether the technical officers of the railways, whose duty it is to make the track safe for traffic, were negligent or have performed their duty. The Railway Board with its inflated membership is more and more concerned with the administrative and economic aspect than with the tasks of safe and efficient operation. We have our engineers but, if they had been vigilant, this kind of tragedy would not have happened.

We had a tragedy some months ago. It was a great tragedy. A warning was given but it was not cared for. It was said that there were unprecedented rains. As far as the south is concerned, I want to ask whether there was any time in Tamil Nad or Andhra when there was no flood. Rain is always there in some parts of the country. There are unprecedented rains every year. It was not the first warning about rains in the south. Unprecedented rains were there in many places even before. So why was it that this warning was not taken?

I also want to point out another thing. In September, the busiest rail section in India near Moghal Sarai was suspended for as many as four days. Trains running from Calcutta to Delhi were stopped for some days

when there were rains. Why is it that that precedent was not followed when there were rains in the south? Why is it that a section of the rail there was not suspended as it was done in Moghal Sarai? Not only that. We are also told that a trolley was going back and forth and testing the rails. I want to ask why those who are responsible did not send a pilot train before this thing happened. If a pilot train was sent to see whether the track was in order, this tragedy would not have happened. When the danger is clear and the lives of our people were in jeopardy, there was enough reason to send this pilot train. I do not know why this elementary precaution was not taken.

The people in the Railway Board must certainly be identified and those responsible for this must be severely punished.

After the Mehaboobnagar incident we pointed out how the rank and file workers had anticipated the danger and suggested steps. It is also necessary that there is the co-operation of people. It may not always be possible, but if the railway officers take some precautions and do their work carefully the co-operation of the public also must be there for success. What happened at the Mehaboobnagar incident? One man who found the danger stopped the train. It may be a technical offence, but he averted an accident. Even then he was suspended and we are told that efforts will be made to withdraw the suspension. In this case, as the previous speaker said, it is not an accident. The thing was happening for some days. There was erosion. If the people were enthusiastic, they would have gone and reported. But here everybody is afraid to report because they know what happened before. They do not know whether they will get some present or some punishment. In that way you cannot get the co-operation of the people. It is always necessary that there is the enthusiastic co-operation of the people. The people also must understand that it is their duty to report, if there is anything

wrong. If they do report such things, they must be given some rewards and such things must be encouraged.

Then again, even after the Kazipet accident in September, 1954 when 139 passengers were killed, nothing has been done. Then it was said that a survey would be made of the permanent out. But what happened after that? It was done only as far as Hyderabad was concerned. No action was taken as far as the whole south was concerned. Even the action taken was only in regard to bridges. If that action was taken in the whole of the south and not only in Hyderabad, the Ariyalur disaster would not have happened.

**Mr. Deputy-Speaker:** The hon. Member must conclude now.

**Shri A. K. Gopalan:** Please allow me to quote one or two passages from the editorials of some newspapers.

**Mr. Deputy-Speaker:** I have absolutely no objection to allow hon. Members the time they require. But my difficulty is that I shall have to call the hon. Minister for reply at five o'clock. There are as many as twelve names already with me. Therefore, I hope hon. Members will excuse me if I am not able to accommodate everybody.

**Shri A. K. Gopalan:** I only want to quote from two papers. They have written very strongly about this disaster. In one paper it is said—I won't say this because it is very harsh—

"Let the railway authorities take note of the number of the killed. Luckily, however, no Railway Minister or Railway Board member has yet died on a river bed, on account of the collapse of a railway bridge—perhaps if that had happened, it would have done good to the average passenger. In the pride of independence our Ministers spotting their Gandhi caps and their sycophant officers are happy enough, but in a country where

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people die like cattle on the railways how do these people show their face in public?"

Such things are written. I do not want to read the other things.

**An Hon. Member:** It is a Congress paper.

**Shri A. K. Gopalan:** This was given in *Jugantar*, a paper from Calcutta. I do not know whether it is a Congress paper or not.

Sir, I have got certain suggestions to make before I conclude. I demand that persons, whether in the Railway Board or elsewhere, against whom there is a presumption of responsibility for the disaster should forthwith be suspended. I demand the setting up of a High Power Committee to examine the whole matter. I demand that safe conduct is promised to workers who can tell the facts of the disaster to the investigating judge. I demand that immediate attention is paid to safety measures in our railway for the greatest capital a country possesses is the people.

These are the suggestions I have to make. I also want to say that these frequent happenings have made bitter feelings among the people. Those who are directly responsible—it is not only the question of the resignation of the Minister—must be punished. All things that are required must be done immediately to see that such things do not happen in future. The people must be made to understand that necessary precautions are taken so that such things do not happen in future. You will have to create such a confidence in the people. That is all I have to say.

**Shri Frank Anthony:** Mr. Deputy-Speaker, Sir, there have been many occasions in this House when I have had serious differences of opinion with Shastriji. But today I am not only sorry but I am sad at his resignation. He is one of those extraordinarily good people whom we very rarely come across. I can understand, Sir, his motives for

resigning, probably, his high sense of duty, which has set, in one sense, a fine example to ministerial conscience.

**An hon. Member:** For other Ministers to follow.

**Shri Frank Anthony:** I say this with a great deal of respect. I think in the present context his resignation has been misconceived.

Everyone of us must deplore a disaster of this kind. But I feel that, to trace, from such an accident by some dubious process of concatenation, the responsibility to the Minister is to reduce railway working to an absolute absurdity. I know that the Minister has acted under emotional stress. But we are dealing here with a vast concern, with a million or more workers. I feel that, every time a points man sets his points wrongly and precipitates a collision of trains, every time a gang man does not do his work and does not report a sagging track resulting in an accident like this, is that any justification for a Minister to resign? Nobody is suggesting that we should condone negligence. If I was convinced that a general condition of negligence has supervened on the Railways, I would be the first to ask for the Minister's head and for the heads of several other Members.

Now, my friend on my right has indulged in a certain amount of witch-hunting. But I say here, we do not know what the facts are, and I say this with respect to the Minister that he has prejudged the issue, that he has been unfair not only to himself but to his administration. Sir, I would have asked him, if he had not resigned, to use this disaster as an occasion for introspection, because it is here that I always join issue with the Minister for the definite recasting of the approach of the Administration to this human problem which, in the final analysis, is the most important problem in the Railways Administration.

Today, this discussion has necessarily to be of a general character.

16 hrs.

We do not know the reasons which have led to the circumstances that led to the accident. I am very glad that there is to be a judicial enquiry. I think we have set a salutary example in this matter. A judicial enquiry may arrive at certain conclusions or it may not. It may be able to pin-point this accident to negligence. Even then, in the final analysis, all that this judicial enquiry will do will be, as I said, to pin-point sometimes.

I want to use this accident as an occasion for introspection by the railway administration. I say this today, and I have always said that there is a malaise that we must probe into. This is all due to the malaise in the railway administration. When I say this, the Minister may not agree with me. That is my first premise. The efficiency in the railways has fallen; railway efficiency in many sections of the administration has fallen disastrously and it continues to fall. That is my premise. I am not prepared to be guided by any statistics of the railway administration. Statistics can be manipulated to suit not only different but conflicting points of view.

I have toured this very area recently, and I did tour for more than a month all the railway centres in the South. Wherever I have gone, I received a complaint consistently from the officers themselves that efficiency in the railway administration has fallen and continues to fall. No one can presume to give any readymade analysis of the situation. It is there and I very respectfully venture to give my analysis.

I have been a champion of railwaymen and particularly of the railway subordinate class for 20 years. But today I am convinced—it is my conviction which makes me sad—that the main cause for this decline in efficiency is to be found among the Class IV staff. Many of them are members of a union of which I have the honour to be the President. But there has been this progressive deterioration not

only in the sense of responsibility but in the elementary sense of discipline particularly among the Class IV staff.

In this accident, what has happened? I do not know. Somebody said the bridge had collapsed. I was under the impression that only the track had collapsed. I say this too. The Minister may not agree with me when I say this. Everywhere practically, in India, the track has deteriorated. Recently, I was travelling from Howrah to Bezwada. I think it was just a few minutes before Ellore when I experienced this. I was in an air-conditioned compartment which is supposed to be the least exposed to jolting. Literally, without any qualification, I can say that for 20 to 30 minutes, one could stand in that air-conditioned compartment. The track was so terribly bad and the track on the Southern Railway is notoriously bad. What is the reason? Why is the track throughout the country bad and going from bad to worse? It is because of the bad and increasingly bad maintenance of track.

Here, we are concerned with the track, and the collapse of the track. How is the track maintained? I am not an expert in this matter. But I am talking of the officers who are immediately concerned. There is the Divisional Engineer; there are the Assistant Engineers. A Divisional Engineer—I was living with him recently—told me that with a tremendous amount of file work that he has on hand, he cannot expect to do much inspection work. I should imagine that a Divisional Engineer inspects his division once a month. It is an inspection of a flying character. He is not expected to do any detailed check. The Assistant Engineer also does this kind of flying inspection. But the kingpin is your Permanent Way Inspector. What does the P.W.I. do? Talking in terms of gangmen, he has 200 gangmen under him. In the Northern Railway, I think his beat is 50 to 60 miles. When I was in the South, a P.W.I. said that on the Southern Railway, they have a beat of

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100 miles. But what happens? Who is the person finally responsible for the track? There is one section, say, 50 to 60 miles, and the gangmen work at one end of this track for one week, and in the next week, they work at the other end of the track, right away from the scene of the accident. As far as I know, there is also a patrolman responsible for five miles or so. I do not know. With my knowledge of railway working, I know that there are about two gangmen for one mile of track. I would like to be corrected if I am wrong. The ratio works out to the percentage of 2.5. But then, the question is, who is finally responsible for the track? It is the gangman. He is responsible for the detailed, meticulous, on the spot, everyday inspection of the track. He is augmented, to some extent, if the conditions are abnormal. In this particular case, I presume patrolling was done. That is the normal thing. The gangmen are put on the track for patrolling day and night. They are supposed to be there day and night, but they are not.

In this case, what has happened? I do not know. If an engineer was to blame, you will not only suspend him but sack him; if an Assistant Engineer was to blame, you will not only suspend him but sack him. But I am not trying to make out such a case. In the final analysis, the whole railway administration depends on its Class IV staff. What happens? What did the gangmen do in this particular case? I do not know whether there were two or three gangmen for every mile. If the gangmen are on the spot, as they should be, they should have known the position. But, if they go to sleep, as it often happens today, or he is not there and has gone somewhere in order to avoid the rains, who is the person who is going to report the fact that the track is sagging? You come down and see the gangman is not there. I say with a great deal of regret. I have met a lot of P.W.I.s. They all tell me without exception that the average gangman today is not only irresponsible but lazy.

They tell me that the average gangman today is getting three times more than he was getting a few years ago and does only one-third of the amount of work that he did formerly.

Shri U. M. Trivedi: Four and a half times.

Shri Frank Anthony: This is the general complaint. I am saying it with a great deal of regret, but let us face it. What is the reason? I am not exonerating the railway administration. I say that the railway administration is responsible for this thing. It is a fact that if you put an irresponsible points man, he sets the point wrongly. You get a collision. If you put an irresponsible gangman, he sets the track wrongly. If you put an irresponsible fitter, the engine fails. What is the reason? I say that the railway administration is on a basically misconceived policy towards the Class IV staff. You have entirely pampered the Class IV staff. You are pampering them. But I do join issue on this point. You are afraid of the Class IV staff. This nondescript, petty-fogging Class IV organisation—if it begets to abuse, everyone dithers; the General Manager dithers; the engineer dithers. Your officers dither. I do not want to be misunderstood. I have been a champion of the rights of railwaymen. I have been the bitterest critic of the railway administration with regard to the handling of staff problems, and I will continue to do that. I say that you must handle your staff problems with sympathy, with understanding. If you can avoid transferring a man, then do not transfer him. If a man has got leave and applies for it, give it within a week. Do not make him wait for months as is happening at present. If a man has been wrongly punished and if he appeals, do it within a week, and do not keep it in the wastepaper basket for three years as at present. Having done that, having adopted such a policy of understanding and sympathy, which the Railway Administration has not done, then, you can be firm.

With regard to the Class IV staff, today, you must give a clear-cut policy. Where negligence is concerned, where indiscipline is concerned, you cannot tolerate. You have to be firm. I would go further and say that you have got to be ruthless.

There is another vital factor in this connection. First of all, I would say that the Railway Board and the railway administration is frightened with the Class IV staff. Another vital and contributory factor is this. People come and complain, "We cannot get the work done. Nobody is working." I blame the railway administration for that. The Class IV staff were emasculating the supervisory staff. They are the linchpin of the railway administration. They have got to work and they have to maintain the discipline. Today, do they maintain discipline? A P.W.I. came and told me, "This is what is happening. Formerly, I could dismiss the gangmen; not only the gangmen, but their mate, the head of the gangmen. But today, I cannot even warn them. They all laugh at my face". The position is the same on the loco side. You blame your drivers. What can the drivers do? They say, nobody bothers to carry out the maintenance properly. Why are your locomotives falling to pieces prematurely? It is because your maintenance of locomotives is not being done. When I ask any person in charge, he says, "I have been emasculated; I do not have the powers to punish the Class IV staff; I cannot even warn them. The Class IV staff; laugh in my face." That is the condition of your supervisory cadre, with the result that today with all your emasculation of the supervisory staff, with your being afraid of your Class IV staff, there is a complete absence of a sense of responsibility among people on whom in the final analysis, the responsibility for the railway administration rests. You have got this peculiar imbalance. I am not wanting to give a single encouragement to the railway administration. There is a dormant colonial complex in the railway administration

and I do not want to give the slightest encouragement.

I have been dubbed as a critic of the railway administration for the last so many years. As far as the supervisory staff is concerned, they are people with a sense of responsibility. They are educated and very largely they do not join unions; but they are too terrorised. You give them no justice. A man is suspended without any charge and if he puts in an appeal, nobody listens. I think you practise terrorism against your responsible staff and for some unaccountable reason, you allow the Class IV staff to practise terrorism against you.

Now I come to the question of track. I do not know whether the Minister will agree with me, but his most senior officers have told me privately, of course, that they do not inspect the track half as much as they did a few years ago. I was with a senior engineer and he told me, "I am buried under the files; I cannot inspect the track. My P.W.I.s cannot inspect the track." The whole administration has been babu-ised; they are snarled. Men who are intended to inspect the track spend all their time at the desk. One of the reasons is you do not recruit the correct type of people for these posts which require physical capacity and love of out-door work. You will insist on graduates, spectacled, round-shouldered people, who are just wedded to their desks, with the result that they do not go out and do the inspection work.

I am not minimising the part played by Class I officers and the sort of responsibility they bear. This is something which you cannot avoid. Today you promote to the post of a Divisional Engineer—a Class I officer—a man with just four years service. Formerly to reach that rank, one must have 20 years experience as a Class I officer. Naturally, they do not have the necessary experience of the work.

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Coming again to the terrible menace and the lack of a sense of responsibility among your Class IV staff, here again it is the result of a basically misconceived policy on the part of the railway administration. I have said this repeatedly—in the past you had a corps of hard workers in the railways. That was because a certain proportion of the railwaymen were recruited from the children who were reared in traditions of loyalty to the railway service and love of railway work. Now you do not do it. Railwaymen come and tell me, "I have a son; but, they refuse to take him in the railways." You do not bother to take men who have been reared in the atmosphere of traditional loyalty to railway service; you go to the tag-rag and bobtail. You say, the Constitution does not allow it. I am a lawyer and I know it. The Constitution does allow it. I do not mind your giving money to the refugees. But here is a basic problem. You should come down to this problem and tackle it. Unless you tackle it, you will never solve it and you will continue to have points men setting the points wrongly; you will continue to have irresponsible gangmen and your tracks will continue to sag.

**Shri B. S. Murthy** (Eluru): I rise to speak with a deep sense of sorrow for the tragedy that has taken place on the 23rd of this month in Ariyalur and for the resignation of the Minister-in-charge, which, I feel, is a great calamity. When the Mehboobnagar accident took place, there was some justification for the railway administration to say that they did not know the history of the bridge, the strength and the utility of the bridge, because it was under the Nizam's railway administration. But about this accident near Trichinopoly, I do not think any excuse could be given by any officer concerned. I consider that there is a lot of lethargy, indifference and a sort of "do nothing" spirit amongst the officers.

I am sorry Mr. Frank Anthony has taken a bureaucratic attitude towards the Class IV staff. It has been said

that Shakespeare's Anthony was not frank; but, even Frank Anthony is not frank, because the boot is on the other leg. It is my experience that the administration as a whole is not regularly co-ordinated. As has been said by Mr. Vallatharas, from the General Manager down to the gangmen, there is no co-ordination. Each does not feel that he is a shaft in the wheel and if one shaft goes, the wheel will be destroyed. Taking the analogy of Mr. Frank Anthony, supposing the gangman has reported the matter to the P.W.I., whom Mr. Frank Anthony is anxious to protect, what will happen if the P.W.I. does not take any cognizance of the report? Therefore, it is a matter for the Railway Board as a whole to see that there is a sense of responsibility inculcated in every employee of the railway administration. It does not matter whether it is a Railway Board member or a gangman; each man should be responsible. I must say that responsibility is not found today because of the manner in which the higher officers behave towards their juniors. This is the crux of the problem.

Abraham Lincoln has stated, "Wisdom is born out of mortal wounds". This tragedy is a mortal wound not only to the railway administration, but also to the nation. It is out of this mortal wound that wisdom must dawn on the Railway Board, who are mainly responsible for the administration.

I have a few suggestions to make.

**Shri V. P. Nayar** (Chirayinkil): Songs.

**Shri B. S. Murthy**: It is not a song. It must be a dirge or an elegy.

**Shri V. P. Nayar**: The same thing.

**Shri B. S. Murthy**: If my hon. Communist friend does not understand the difference between a dirge and a song, he must wait. Let him come to the lobby; I shall tell him.

**Mr. Deputy-Speaker**: Let not the hon. Member prolong; he may come to his suggestions.

**Shri B. S. Murthy:** Usually, all these accidents take a heavy toll of lives. Either in Mehboobnagar or in Ariyalur, it is heavy downpour and continuous flood that must be the cause of this tragedy. Therefore, I want to ask what special precautionary steps have been taken by the officers concerned on the particular spot to see that no untoward accidents take place. No doubt, we may not have any control over the elements. We cannot stop rains and floods. But, man is trying to see that he has control over even elements. Here is a case where if more intelligent effort and a more sympathetic effort had been made by the officers concerned, this great tragedy could have been averted. I suggest that during the rainy season, there must be round the clock patrol, efficient patrol. This work should not be left only to the gangmen and inferior officers. There must be responsible highly placed officers who must really take cognisance of the situation. If such a thing is done, I am sure many accidents could be averted.

Another suggestion is, every bridge in India should have its history recorded, as to when it was constructed, how long it could stand, when was it repaired and what is the present strength, and when again it should be attended to. All these things must be available in a moment's notice. I do not know whether such a history of these bridges is available. It does not matter whether it is over a river or a canal.

**An hon. Member:** It is available.

**Shri B. S. Murthy:** It is not available. A record like this is essential. If a history like this is maintained and regularly used, I do not think that many of these accidents would have taken place. I am glad that the Minister has said that a high power technical Expert Committee has been appointed to go into the question of the bridges. What I am anxious is that this report should be in the hands of the Government at an early date. If a single committee has to tour all over the country and see some of the

major bridges and take evidence regarding them both from the public and the officers, it will take a long time. Therefore, I would like Zonal Committees to be appointed and the work speeded up so as to make the information available to the Government early and so that they can take early action and see that no more of these unhappy accidents take place.

There are certain rules that during the monsoon, and during times of heavy floods when the Railway department considers necessary that the trains should not go in full speed. I am sure most of these rules are not being enforced. The driver may be thinking of going slow. As has been said, it may be 5 miles an hour. He may speed up half a mile more which may result in an accident. Therefore, all the rules as regards slow running of trains during the monsoons, whenever they suspect some accident, or if the track be not safe for a high speed, should be put into force strictly and any one who does not act in conformity with these rules must be made to suffer for that.

In respect of bus transport, there is a sort of a third party insurance by means of which a man travelling in a public transport, if he is injured or if his life is lost, is paid to the tune of Rs. 2000 by the Transport authority. My suggestion is hereafter, the Ministry should consider whether or not a similar insurance fee, should be introduced so that it may cover the loss that the Government may sustain. It should not be optional. It must be collected by the Railway department.

As I have already said, there must be a spirit of camaraderie between all the cadres of officials in the Railway department. That is lacking. If public co-operation also is sought, I am sure we can avoid all these accidents and our railways will be the safest to travel.

**Shri Thanu Pillai (Tirunelveli):** Mr. Deputy-Speaker, We are meeting under the shadow of a great distress, grave and unprecedented, not only an account of loss of life, but also that

[Shri Thanu Pillai]

we have lost the services of a very able Minister: not only an able Minister, but an amiable Minister who is free from the stiff neck which often goes with people in high positions.

This is an accident which has taken about 150 lives. The final figure is not yet known. Also the reasons are not yet known. It is anybody's conjecture as to why and how this accident occurred. The hon. Member Shri A. K. Gopalan said that the responsibility should be pinned on same individual whosoever is responsible. Three or four trains had gone a couple of hours before the accident and the Engineer or the Inspector, whosoever it may be, is not expected to sleep there. A sudden onrush of flood could have devastated the embankment of the strongest newly built concrete structures. Therefore, it is not that we can here and now, till the enquiry is over, attribute this responsibility to any individual. If it is to be understood that the track was bad and so it gave way, it has not been deteriorating, it has been something sudden. Who is responsible? The gangman, or Inspector or the patrol man, whoever it is, he has got a general responsibility and immediate pinning down of responsibility cannot be done now. The patrol man may have slept somewhere and he might have given the report that he was there at 4 o'clock and nothing had happened. There was no machinery to check whether he was there or not.

If we analyse the speeches, we see that my hon. friend Shri Frank Anthony and Shri B. S. Murthy have crossed each other. But, both the opinions are not correct in my view. There has been a system of Nawab Darbar of the P.W.I. dismissing the gangmen at will. That was once upon a time, it is true, but today the gangmen are the dismissing authority of the inspectors through the trade unions. People who talk of class war and class hatred, who taught them to go slow and become irresponsible are the people most responsible in this connection. May I pin down the responsibility to these people that

teach hatred, violence and irresponsibility to the workers of this country? Have we not heard here that six annas work is to be done for one rupee worth of wages? Have we not heard of the Kharagpur incident? Why should it be on Shastriji or anybody? I am pained because the hon. Minister has resigned at a very inappropriate time where you cannot trace and pin down the person who is responsible for it immediately. If he had done it after the enquiry is over, if he found his department to be bad and therefore resigned, I would endorse it. He resigned in the case of Mehbubnagar also and the Prime Minister did not accept it. I am sorry to say that the hon. Minister acted on sentimental reasons, in emotion. A man who is the embodiment of humility that he is, he wanted to quit, but the hon. Prime Minister should not have accepted it now because it is most inappropriate. Perhaps he was too sad and too emotional and accepted it. I do not know whether it can be retraced or not, but I am sorry to say that it has been accepted in a very inappropriate way and at an inappropriate time. So much has been said against the railway administration, that there is deterioration etc. A considerable part of it is true. If now it is proved that it is not the responsibility of anybody, if the railway administration say that it is Nature's vagary and that it is not responsible, the objective of our Minister's resignation and the force of it will be lost on the administration and they will not understand it. If after proving that there was negligence the Minister had to take this extreme step of laying down his office and his services to the nation, I can understand that position. Therefore, I would only plead that those that are responsible and talk in the name of the nation should have an introspection—not on the Government side, but on the other side, those that go about telling the labourers what to do and what not to do.

The other day there was some discussion about the pay commission and all that, and when I objected to it

there was some abuse let off by some railwaymen who were workers. But relatively the railwaymen are better paid. Relatively the gangman is a better paid man than a graduate of our university. With all that, even if there is grievance, the method of redress is.....

**Shri Veeraswamy:** So, the hon. Member recommends to the Government reduction in the pay of the gangmen?

**Mr. Deputy-Speaker:** That is not the inference.

**Shri Thanthu Pillai:** I know the arguments of communalists and communists go hand in glove in attacking us, but it is not that I am suggesting reduction. Only, the relative merit of the responsibility is lost in spite of relatively better pay. The hon. Member himself is a trade unionist and secretary. What has he done? Let him have an introspection himself. Let him say whether at any time he has reprimanded a worker for wrong doing. I ask the trade unionists whether there is a trade unionist among them who in his life—Shri Veeraswamy was a secretary, I do not know whether he is now—knowing that the worker was in the wrong has ever reprimanded him, or even in a discussion or at a conference table has ever accepted that the worker is in the wrong. I am yet to see such a trade unionist. You want simply to instigate people to wrong doing and then go and be safe in the chairs of these organisations and not be responsible to anybody; you then come here and for the press and for the public say things which are most irresponsibility and immediate pinning down of sable and incite many to wrong action. Therefore, if anybody is to be pinned down, it is these people who are responsible.

**Shri Veeraswamy:** This does not help the discussion.

**Shri Thanthu Pillai:** It will help.

**Mr. Deputy-Speaker:** Order, order. The hon. Member might continue.

**Shri Thanthu Pillai:** The hon. Member feels disturbed because I believe he has a conscience. His guilty conscience is pricking.

**Mr. Deputy-Speaker:** The hon. Member should be conscious that his time is running out.

**Shri Thanthu Pillai:** My time is yet to come. Though old, I am yet young.

**Mr. Deputy-Speaker:** Order, order.

**Shri Thanthu Pillai:** One hon. Member, Shri Vallatharas said, and some other hon. Members of the Corruption Enquiry Committee also said that the Railway Board had said that they are an autonomous body and that the Ministry has nothing to do with it. If that is the attitude of the highest placed officials of the Railway Board, we are sorry to say that that requires enquiry and correction immediately. This Administration, which is the most important administration of our public sector should not be left in the hands of few such people who are not responsible to the nation or to anybody. If the Minister goes wrong, we can question him. But, if an autonomous body goes wrong—and we have too many of them, these autonomous Rajas, who are responsible to nobody—it is time now, not only in the Railway Administration but in the general administration also, that these autonomous bodies and their authorities have to be controlled and co-ordinated and a new atmosphere and a new spirit created. A national awakening should be given to the people and the workers. I appeal to those in Opposition to co-operate with us in this and see that we are able to do better than what we have been doing before.

**Shri Karni Singhji (Bikaner-Churu):** Mr. Deputy-Speaker, Sir, it is not very easy or very pleasant to speak on such a distressing subject as Railway accidents. In such a short space of time we have had so many tragic accidents; and, combined with this, we feel the loss by the resignation of our dear Minister, Shri Lal Bahadur Shastri.

[Shri Karni Singhji]

I have had personal experience of railway accidents. There was one four years ago very near Bikaner. I can assure you that it is a very messy terrible and gruesome sight. It is up to the Administration to see that these accidents are somehow or other put an end to. Of course, accidents will happen but we have to cut down the rate of accidents.

It is a matter of great happiness and gratification to us that the Prime Minister has been pleased to institute a judicial enquiry. But what is going to come out of this enquiry? If it is found to be a mistake, as Shri Anthony said, perhaps, a couple of people would be punished. But, what next? The main thing that we have got to do now is this. Our brother Indian citizens have got to realise their responsibility to the country and to their work. We cannot all the time blame the Government. It is our fault; the fault of the people of India. We the people of India, must be prepared to put our 8 hours of honest work, to put the interests of the country before everything else and the interests of our brother citizens first and foremost.

The Government must also arm itself with slightly more powers whereby, in cases of bad indiscipline and disobedience, they can deal with the situation more ruthlessly as Shri Anthony has pointed out.

**Shri M. K. Moitra** (Calcutta North-West): They have sufficient powers.

**An Hon. Member:** Not sufficient powers.

**Shri Karni Singhji:** A large number of suggestions have been made by hon. Members. But, as time is running short, I shall not go into them. But I do feel having had a certain amount of experience that there is a good deal of regional feelings that has come into the Railways and other government services. I find that people, particularly officers—I shall speak of my own State of Rajasthan—

are all the time dominated by the feeling of their States, from which they come. Some of them have a pro-Punjab feeling, some have a pro-South feeling and so on and so forth (interruption).

It is imperative that appointments are so made that we should begin to feel that India is one country and not in terms of regions because this cancer of regionalism is going to destroy the essence of democracy.

Another thing is the rapid transfers that take place in the Railways. An officer is hardly a year or two in one place before he is shifted to another place. He hardly gets the opportunity to know his place and his work. You should realise that one officer may have several hundreds of miles of permanent way and what not to look after. He must get to know the people and the place properly before he can do his job. I hope that the Government will also take into consideration the slowing down of the transfers a bit.

Perhaps a possible way of inculcating responsibilities in the minds of the citizens of our country and among the young men, in particular, is to take films of these gruesome tragedies and show them to the school boys so that an impression is made upon their minds.

**Some Hon. Members:** Horror comics.

**Shri Karni Singhji:**....pointing out how our mistakes caused these tragedies. You cannot blame the Administration or the hon. Minister for this. A great deal of these mistakes are our own because we fail to look after and teach our children the right things and the right responsibilities.

Shastriji's resignation came as a great blow to his friends, and I feel that a large section of the House feels the loss of so dear a friend. Shastriji

has been, in his quite and unassuming way, one of the most hard-working members of the cabinet. I have had the pleasure of knowing him, and in my short association with him, I found him a man of action. He was no doubt quite, but as far as integrity and honesty were concerned, he was giant.

May I point out, as you know, that India is a newly freed country? We are a new democracy and in such a short time as 9 years India has been able to make a name throughout the world, and that has only been possible because we have got some of our top men of the country at the helm of affairs. Now is it advisable that we should be prepared to lose one of our best Cabinet Ministers?

I have no doubt that most of us here will be agreed on this point that we should request Shastriji to withdraw his resignation in the interest of the Indian Railways and in the interest of the nation, and also persuade our Prime Minister to see that he prevents this double tragedy, firstly the tragic accident and secondly the resignation of Shastriji.

**Shri Ramachandra Reddi (Nellore):** A discussion on this very sad incident has given opportunity to the House to deal with several other points which amount to a discussion on the Railway Budget. No doubt very good suggestions have been made how such accidents could have been avoided.

Everybody knows that the Railway Administration is the biggest nationalised industry in the country. In a big country like this, there are likely to be some faults here and there. To accuse the hon. Minister or the Deputy Ministers or the Railway Board for accidents of this type is very unfortunate. It has to be observed that the fault lies elsewhere, not in the staff itself, especially of the lower staff. If there are any defects in the supervision by the lower grade people naturally it has to be bucked up.

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I join the chorus of opinion that has been expressed on the floor of the House this afternoon about Shri Lal Bahadur Shastri's resignation. We all in this House feel that it will be a great loss to the Administration, and perhaps in the minds of certain people like myself, that will be a major disaster, more than the disaster that we have witnessed recently. It is the unanimous, I hope, request of the entire House that he should not resign and the hon. Prime Minister must be in a position to persuade him to withdraw his resignation.

**Shri M. K. Moitra:** Sorry, it is a grand strategy to cover up all past sins of commission and omission.

**Shri Ramachandra Reddi:** I am not concered with strategy....

**Mr. Deputy-Speaker:** But tragedy.

**Shri Ramachandra Reddi:**....I am only concerned with facts and actualities. If, at the end of this discussion, a vote of confidence is taken, a confidence or no-confidence vote in the Ministry or the Minister, Shri Lal Bahadur Shastri, I am sure will win with a thumping majority a vote of confidence.

It had been announced by the Ministry the other day that committees are being appointed from time to time. When the last accident took place in Hyderabad State, a committee was appointed. But, the committees do seem to be a bit slow and I do think, as suggested by Shri Murthy, that for immediate and quick action more committees than one should be appointed with a view to look into the conditions of the permanent way as well as the bridges.

In fact, this particular accident seems to have been caused by the vagaries of nature. Certain divine actions are so peculiar that we cannot comprehend them in advance and if all the accidents that have taken place on the railways are of the same type, I should think that we have to blame the divine powe-

[Shri Ramachandra Reddi]

rather than our own capacity to work this administration. We cannot easily forget the fact that the divine vagaries are so much that we are often put to this trouble, especially in the East Coast of India, which is subject to the periodical North-East monsoon ravages. More care has to be taken and I am sure that sufficient care is being taken from time to time. I would not, for a single moment, think that by removing a Minister and putting another, or by reconstituting the Railway Board, divine actions can be thwarted. At any rate sufficient precautions have to be taken to safeguard the interest of the railway passengers. Especially during the North-East monsoon on the East Coast, special precautions must be taken to see that the permanent way is properly watched and guarded.

The equipment that is given to the gangmen or the people who patrol is so bad that they cannot be asked to discharge their duties better than what they are doing today. I do not know whether the hon. Ministers or the members of the Railway Board have ever seen the equipment that is given to them. In very heavy rainy seasons, they are not given a proper cover and in such seasons, it is much better if they are provided with rain-coats. Again, I am sure that, if they had seen the lights or lanterns that they are given to go over the track in the night, they would have condemned it long ago. They could not see their way with the aid of light for more than a couple of yards. If they have to see whether the track or the bridge is in good condition or whether there is very swift current, they must have better lighting facilities in their hands so that they may discover where the trouble arises.

It would be very good if in such a rainy season like the North-East monsoon season before every passenger train a pilot engine is sent so that the strength of the bridges and the track is properly assessed and

there will be greater safety for the following passenger trains to go through the track.

It is often said that the destinies of a nation are dependent upon the fortunes of the ruler. If the destiny of India should be blamed, probably the fortunes of the rulers also will have to be blamed. If accidents do occur like this, and if they are actually dependent upon the vagaries of nature, nobody can account for them. But in a case like this one would like to say that the hon. Prime Minister of India and his destiny would be responsible for all such accidents in the country. At the same time, we are in a democratic country and the destinies of a particular ruler of the country cannot be accountable for any disasters. Even if it should be that the hon. Prime Minister has to be displaced, I am sure that the country will be a loser than a gainer.

There are a few more suggestions that I would like to make. But as there is no time left I will close my speech. I only want to suggest to the hon. Prime Minister, as well as to the President of India, that the resignation should not be accepted and the hon. Minister for Railways should be persuaded to withdraw the resignation. I am sure the Congress Party would like to have his services elsewhere, because for a proper organisation of the Congress Party his services would be more needed. But I am sure that his services to the country in this particular aspect are more useful and more urgent than the services to the Congress Party.

**Shri G. H. Deshpande** (Nasik Central): Mr. Deputy-Speaker, Sir, it is really our ill luck that we are required to face the repetition of such a big tragedy in such a short time. The feeling amongst the people was not about the resignation of the Minister because every responsible man in the public knows that most

of the execution is left to the Railway Board. I do not want to indulge myself in wholesome condemnation of the good work that is being done by the present Railway Board. But, at the same time, this very fact, a repetition of this tragedy in such a short time, goes to show that there is something wrong somewhere in the working of the present Railway Board. That is the general feeling in the minds of the public outside and it requires to be examined.

Sir, the entire House should take into consideration whether it is necessary in the interest of the Railway Administration to have some change in the present set-up of its Administration. That also the House must take into consideration. It is no use treating this as an accident. We must see whether everything that was possible to avoid this accident was done or not. We cannot blame anybody, that I know. But even in the case of ordinary bridges, at present when there are floods much care is being taken in respect of them. Often an ordinary policeman goes and prevents traffic over a bridge under which water is flowing with full swing. And, if the Railway engineers had not taken adequate care—I cannot say they did not, because I do not know the facts—then they have to be blamed. In view of the heavy floods this season the engineers had to be more dutiful.

Sir, I was pained to listen to a remark that passed through the lips of an hon. Member from the Communist benches. He said: "this resignation is a strategy to shield the sins of commission and omission". I would like to tell my hon. friend, the Communist, that this is not the Congress way. Nobody in India would say that that is the way by which Shri Lal Bahadur Shastri can be inspired to act. Sir the Communist mind is never appreciative of anything good being done by those who differ from them. At the same time, everybody in India must take care to see that the present attempt at spreading dissatisfaction amongst

our services and especially among the workers is checked. It must be realised that it is a very dangerous game to be played. For the development of the country, everybody must take this factor into consideration.

What I have to suggest is, we must see whether some change in the railway administration is necessary or not. I would like to say that the Minister should have more control over the railway administration than what he has at present. The House also should be in a position to see that, through the hon. Minister, they are also in a better position to control the railway administration. Many improvements are necessary; there is no doubt about it. A thorough enquiry is going to be made, and that is a good thing. But unless and until the public is convinced that everything humanly possible was done to avoid this accident—accidents are there in spite of human efforts—and if this accident falls under that category, nobody will blame anybody in this country. But the people are eager to know what steps were taken after the first tragedy and before the happening of this tragedy so that we may take care to see that such accidents do not recur in the future. With these words, I resume my seat.

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): Mr. Deputy-Speaker, this latest accident has indeed been very unfortunate. I do not want to deal with it just at present as I have already made a statement yesterday, giving the details to which I have very little to add. I should only like to inform the House on some points, especially regarding the deaths as Shri Vallatharas had some doubts. In fact, he said yesterday that there were still 200 people somewhere in the debris and that their bodies have not been extricated so far. I would like to inform him as well as the House that there are no more dead bodies to be extricated. To make this doubly sure, an intensive search of the area has been arranged in conjunction with the civil and police authorities

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I might also inform him that the removal of the debris is not the sole responsibility of the railways. He is under the misapprehension that as we are perhaps doing that work, and that therefore we might try to hide the true facts. But that work is also the responsibility of the civil authorities. The District Magistrate and the police are also there and he will perhaps accept the fact that they are not interested in anyway in suppressing facts.

Shri Vallatharas also said—I was surprised to hear it from him—that there should have been a judge of the Madras High Court appointed for this enquiry. I do not understand the logic of it. Recently, in Hyderabad, when that accident occurred, we got into touch with the Bombay Government, and they were good enough to give us Justice Desai for holding that enquiry. He will be starting his enquiry very soon. We have not been able to start it earlier and I am very sorry for it. But the reason is that the Government Inspector of Railways carried on his enquiry for a little more than a month. I had to inform this House last time that the judicial enquiry would start immediately after the Government Inspector of Railways submitted his report.

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I remember that the House agreed with that. I made it also quite plain that it would perhaps be not desirable to hold a simultaneous enquiry. Now we have very recently received the draft report of the Government Inspector of Railways regarding the Mehbobnagar accident and when final report is received it will be handed over to Justice Desai of the Bombay High Court who will go into that matter as quickly as possible. But as regards the judge, it is perhaps better in some respects to have a High Court Judge from another State. It is not absolutely essential, but it is not wrong and I think in some respects it is better to have a Judge from outside the province. I did not

hesitate for a single moment to decide about this matter. I got into touch with the Chief Minister of Bengal. He immediately got into touch with the Chief Justice of the Calcutta High Court and he was good enough to telephone to me that the Chief Justice had agreed to his holding this enquiry. The next day, of course, I made the statement and announced it in the House.

As regards the language problem, Mr. Vallatharas said that because the Judge does not come from the South, he may not know the language. I have informed the House the other day that there will be two technical assessors with the Judge, of whom one will be a non-railway engineer. We are in touch with the General Manager of the Southern Railway and also with the State Government. I am just now informed by the Deputy Minister that one of the retired Madras Chief Engineer has agreed to serve on that committee. Therefore, the question of the language difficulty does not arise.

It is an old story and I do not want to go into that. Two points have always been pressed very often in this House. About that young gentleman who pulled the chain, I have made the position clear before and I am surprised that it was raised again. The chain-pulling did not take place on the same day on which the Mehbobnagar accident occurred. This is always confused and I do not know why. The chain-pulling took place the day before the accident took place. As normally the police takes up such cases, The police chalanned that gentleman. As I have said, I was very much unwilling to agree to the prosecution of this young man, but it was done in the normal course by the police. I have already submitted to the Andhra Government my view; it is for that Government or the magistracy there to take the necessary steps.

Shri C. K. Nair (Outer Delhi): Then samething happened the next day. What he had to say....

**Shri Lal Bahadur Shastri:** I do not want to go into that matter again. The hon. Member was absent when I explained everything about that in the House.

**Dr. Rama Rao (Kakinada):** When that gentleman was prosecuted, he said that the bridge was unsafe. He gave a warning to the railway authorities.

**Shri Lal Bahadur Shastri:** He never said that the bridge was damaged or was in a bad condition. He has made some other statement and that statement is recorded. But as I said before, I cannot go into that matter just now. The same gentleman will charge me of having given out what he has said, because he has to appear before a High Court Judge. I do not want to go into those matters. As I said, he never said that the bridge was unsafe. That was the information I got there. As a matter of fact, he had some vague doubts as it was heavily raining. But, there was nothing positive, nothing definite.

About the Expert committee also, Shri Vallatharas said that the Expert Committee is not working or that it has not been appointed. That also is not correct. That Expert committee has been appointed—I mean the Expert committee of Engineers—and it has already started its work.

**Shri Vallatharas:** What is the date on which it began its work?

**Shri Lal Bahadur Shastri:** I cannot tell you the exact date. But, I have received a report in the last week that it had started its work.

As regards the track to which Shri Frank Anthony referred, I am not prepared to say that the track throughout the country is in a safe condition. But, in a general way, we are trying to keep it as safe as possible. No one is more aware of our difficulties than Shri Frank Anthony and the enormous rehabilitation work that the Railways have to do. Side by side, they have to carry on new developmental work. Our problem

today is not only to put up new projects or construct new lines. Our problem, side by side, is to rehabilitate the old railways which were in a very very bad condition when we took over in 1947. I do not deny that we have to do a lot. May I inform the House that we have provided about Rs. 100 crores for re-laying of the track in the Second Five Year Plan period? They are laying the utmost emphasis on that work. We do want that this work should be done as quickly as possible. But, Shri Frank Anthony is aware that these things take time.

Not only that. It means the slowing down the speed of the trains. That is, restrictions on movement are to be imposed. On the one hand, there are various Ministries who have to carry their goods from one place to another. The Railway Ministry has to carry the imported goods from one place to another. They want speed. They want things to be carried to the destination as quickly as possible. We have, on the other hand, to re-lay the track or replace the track and we have to do so many things which means more restrictions and slowing down the speed of the trains. These things have to borne in mind. I entirely agree that we must pay special attention to this. We will be doing things very quickly and in a very prompt manner. But, it would not all be finalised in a day or finish in a very short period.

I agree with my hon. friend Shri Frank Anthony to some extent that discipline is lacking amongst the railwaymen. I have tried to handle them in a different way. I have tried, as far as possible, to ask the Railway officers to deal with them with a different attitude altogether. I wanted to introduce a new approach amongst the officers. I wanted the railway workers to realise their own responsibility, not merely to work under threat of punishment. That is the only way possible today. But, even Shri Frank Anthony knows that if there is a slight punishment given,

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there is some kind of agitation and if any other action is taken by the Railway against them, Members of the Opposition will stand up in the House and condemn the Railway administration. It has happened. I entirely agree that it has become difficult to take action against any railwaymen because—if the recognised unions come forward, we can understand—all kinds of unions are there and they will approach the highest authority and try to bring about pressure. It has become very difficult to take any action. I am sorry, I may be wrong. But I am not prepared to admit that the discipline is in any way worse in the Railways than what it is in other departments, either in the Government of India or in the States. Because, that is the general problem. The problem of indiscipline is a general problem today—for the country, not only for the Government. I would like to say that the responsibility of the Opposition is much bigger than that of the Government. And if the Opposition is not going to help the Government in that matter, there is no hope. It is not possible; we cannot go on using the police always. Are we going to inflict lathi charges always; are we going always to order firing against demonstrators; are we going to put everybody in jail? Is that possible? We are working under a democratic system.

It has been said that the Railway Board should be dismissed. Why should they be dismissed, and how? Are they not government servants? Have they not got certain rights? Are not certain procedures fixed for them? How can you take action against a Member of the Railway Board for the accident which took place at Mehboobnagar or Jalgaon? The High Court Judge is sitting, let him decide. If he apportions the responsibility, if he says the Chairman of the Railway Board was responsible, then the Chairman of the Railway Board will have to go. But we have to function within certain

rules and regulations, certain traditions. They have also their feelings. I am not going to defend the Members of the Railway Board in and out, but we should not be unfair and unjust to them.

It is true the indiscipline is there. But we have to tackle it. And I would like to tell the House that if the Members of the Opposition co-operated with us even to a very small extent, that would help. I say, they may carry on their propaganda. Of course, they have also to fight their elections, and they would like to take advantage of things. I do not mind. But there should be some co-operation at least forthcoming from them. And if it does not come, it becomes very difficult.

**Shri Vallatharas:** What kind of co-operation do you want?

**Shri Lal Bahadur Shastri:** The co-operation is, let the administration function; at least let them not come and interfere in the day-to-day administration, in the working of the administration. It is very important. Suppose a particular person is punished; suppose a class IV, class III or class II employee is punished. Why should another gentleman who has nothing to do with that, why should he but in and interfere? (Shri V. P. Nayar: To do justice). Let him pass it to the proper channel. If the officer does an injustice to the employee and does not deal with the case in a fair manner, the person has got the opportunity, he can approach the highest authority in the land. And if he also is not able to give him a fair deal, well, it is for the people to turn him out, it is for the people not to vote for him. But so long as he—whether it is the Railway Minister or the Defence Minister, whosoever it is—is here, he is responsible to the people; he is the representative of the people; he has certain responsibilities to discharge. And, therefore, if a person working in the government departments is entitled to

approach the highest authority, there is an end of the matter. There are unions, federations of recognised unions; I entirely agree; they can take up certain cases if they feel that victimisation has been done. That is not denied. In fact, I welcome that. But, as I said, that is the general position.

And the House knows the attitude I have taken, except for a few months when I had kept quiet, in so far as these lightning strikes were concerned. I kept quiet because I thought they would realise their mistakes. And whenever there was a lightning strike, even such an able and sound gentleman like Shri Mukerjee—he generally does not put many questions—but on every such occasion he always came up with questions and supplementaries and he went on putting them; and the result, of course, of this was—they (the workers) thought that they were getting the support of Parliament or a member of the Opposition or the Deputy Leader of the Opposition—it went on and ultimately it resulted in the Kharagpur tragedy.

**Dr. Rama Rao:** What has this to do with that?

**Shri Lal Bahadur Shastri:** The hon. Member must remember what Mr. Anthony said.

**Mr. Deputy-Speaker:** Discipline has deteriorated.

**Shri Lal Bahadur Shastri:** Since then, since the Kharagpur incident, the House knows the attitude that I adopted and it was, as far as I know, greatly appreciated by a large number of workers. They themselves felt that they have committed a mistake and since then this kind of lightning strike has stopped. Of course, it has recently happened in Howrah because the workers themselves were assaulted by the public. So, we had been managing things. Of course, at times we have to be firm and at times we must be kind and also good as we have to deal with human beings. It

is not an easy matter to handle one million people spread over the whole country. Just only the use of the *danda* is not going to solve the problem. Therefore, when we are kind or good, you will say, well, the administration is lax. When we are a bit hard, you will say, there are tyrannical and all kinds of things. So, that is the difficulty in which the Government finds itself sometimes. But while agreeing that the discipline should improve, I am not prepared to accept that the discipline in the railways is very bad. The workers may have made mistakes. But they have done pretty good work during this period. I can say with an amount of confidence that during the First Five Year Plan period they have done very good work indeed. It would not have been possible to spend all the money or to complete all the plans of the First Five Year Plan if we had not received enough co-operation from the workers. They have exceeded all past targets. I know the position in Moghalsara. There you can see the number for loading and unloading for the present as also for the last 3, 4 or 5 years. In fact I decided that they should be rewarded with Rs. 5,000. I also said that they should be given a set of additional passes. But I do not want to go further into that. I simply wanted to give this House my mind as to how I wanted, or we wanted, to handle the labour problem and I personally think that, in spite of various defects, here and there, on the whole the position has not been so bad.

I shall not go into other details and I will finish in five or ten minutes. One hon. Member, perhaps, said that the Board should be abolished. Well, I am not very much enamoured of this present set-up. But I don't think the House has ever said or ever agreed that the present set-up of the Board or the railway administration at the top should be changed. If the House so desires, well, they have to decide about it and I am no body to stand in the way of the wishes of the House because it will be incumbent upon me to accept the decision of the House.

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But it is not only here in this country but even in the United Kingdom, as far as I know, they have got a transport executive with one Chairman and about 5 members; and recently when some of our officers went to the United Kingdom, the railway authorities there discussed about the organisational set up of the railways and they compared notes between their country and this country and, well, I do not know if they said so only in order to please us, they expressed the opinion categorically that they may have to go over to the set-up or pattern which India has got. That is, having a Board of this kind with these powers. They have got more or less a similar organisation, but the powers etc., that our Board has got were in fact liked by them. So, that kind of organisation is there. In other countries there are different organisations according to their conditions. But if the House so desires, of course any change can be brought about.

As regards the accidents in general, I should merely like to say a few words. I entirely agree that we should do the maximum in the matter of making travel safe and the responsibility of the railways is very heavy in this regard. Therefore, every effort should be made to prevent accidents, but if the House will excuse me, I might point out a few facts which I hope the Members would like to consider and weigh carefully. Railway accidents are nothing uncommon in our country. In fact, when I took over this portfolio, I was myself amazed to note the number of accidents occurring here. I must say that constant efforts have been made to reduce or stop them. We have achieved some success also in this regard. It was very easy for Shri Gopalan to have read out a number of accidents which took place during the last two months. I can give him a larger figure. It does not look good to me or I do not feel quite happy over comparing figures of accidents with other countries, because I do not

want to defend the Railway Board or myself on that account, but if you see the figures of other countries like the U.S.A. or the U.K. you will be simply surprised. I should not like to quote those figures here, but the figures are enormous. In the efforts that we have made since 1951-52 you will find that sufficient progress has been made in so far as reduction in the number of accidents is concerned.

I might tell the House that the statistics since 1951-52 are being compiled in line with international practice and it would appear that during the period 1951-54 on the U.S. railways there has been a decrease of 32 per cent in the number of accidents; on the British railways over the same period there has been a decrease of 22 per cent, while on the Indian railways there has been a decrease of 39 per cent. I have got figures about the men killed and injured, but I shall not go into that. I have given these figures only to show that.....

**Shri T. B. Vittal Rao (Khammam):** Are these figures of serious accidents or minor accidents?

**Shri Lal Bahadur Shastri:** I can only say that these are comparable figures. I cannot say whether they are major or minor. It is not major, minor or in between. When statistics of accidents are collected, all the accidents are included in them.

**Shri T. B. Vittal Rao:** According to the report of the Government Inspector, the serious accidents coming under section 83 are increasing.

**Shri Lal Bahadur Shastri:** I am comparing it with other countries, and between major accidents and minor accidents I am not making a distinction just at present. But the effort made has produced results, I do not say I am quite satisfied with it. I do not deny that there should be a full enquiry but in other countries

they perhaps see things in another perspective. There was an instance in which 250 people were killed. The enquiry was held by an Inspector of Railways and not a word was to be heard here or there. But, I do not say that the House should not say anything. In fact, the House should speak about these things and speak vehemently and criticise us. We learn by it. But things should be seen in their correct perspective. That is my request to the House.

**Shri M. K. Mehta:** What is the mileage of railways in the United States?

**Shri Lal Bahadur Shastri:** I say the figures are comparable and when I say that it means that we have taken consideration of the mileage and other things.

I would like to say that the hon. Members have to keep another factor in mind that we are far behind these countries in the matter of providing safety equipment. Though we are at present going ahead with our schemes of interlocking etc. we are still very far from our targets and we have to do a good lot.

Recently, the pressure on the railway lines has increased considerably. Everyone of us is aware of that. As I said just now, I do not want you to soften the severity of your criticism or railway accidents. But, I hope that the House will take into consideration the other side of the picture also.

I shall not mention one fact but I think it would be desirable to do so. There are two very important elements in these accidents. If there is a mistake on the part of any officer it should be condemned. But, what can we do if a human being is there? He makes a mistake; the driver makes a mistake; the station master makes a mistake; or the guard makes a mistake. The rules and regulations are there. The

warning is there, and yet the driver passes through a signal which is against the warning. What can anybody do? Of course, if that poor man is killed, there is an end of the matter. If not, he suffers; he is punished. He is removed; he is prosecuted. In many of these cases, the human element is very important. Sometimes I feel pity for them. After 5 or 6 years the driver comes and says that he is starving and something should be done for him. I have told him in a harsh way that it is a very bad case and I cannot take a lenient view of the matter. But, it does not satisfy me; it does not please me. Anyhow serious action is taken. But the human element cannot be ignored in all these matters.

Sometimes the calamity is such that we have to face such accidents. I am not mentioning anything about the recent accident because it will be for the judicial body to give its verdict. But, I know of cases where it was impossible to prevent the accident because Nature was much against us and nobody could help to prevent that accident.

The House should not understand that I mean to say that Railwaymen should not be alert and watchful. In fact, I entirely agree with some of the remarks which hon. Members have just now made that we have to be alert and careful. I should also think that the possibility of improvement is there. It is wrong to think that the Railways are functioning for over a hundred years and almost everything has been thought of and provided for. We can think of and take new steps which might prove useful and effective and I am sure the Railways would always be giving full consideration to this aspect. Some steps are already being taken and others are being examined by the Railway Board.

Suggestions would also be forthcoming from the two enquiry committees of judges and the expert committee of engineers. I can assure the House that both the Board and the

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Railways would not be found lacking in implementing them promptly.

If you will permit me, I shall say a word in connection with my resignation before I sit down. It is really unfortunate that my resignation has created an adverse impression against the Railway Board. They are no doubt top administrators on the Railways. These accidents have greatly disturbed them, and my resignation has put them further in a very difficult situation. They do not want to shirk their responsibility in this regard. I cannot mention in the House, but I was deeply touched when I got a letter from the Railway Board about two hours before in which they had said something in regard to my resignation (Interruption) and as to what they are expected to do. I did not want even to mention that, but I have mentioned it only to tell the House that after all, they are responsible people, and they are very responsible officers and they are Indians; they have also some feelings for the country and it is not that they are just hard-hearted machines sitting there. It is true, whether he is a doctor or a lawyer or a railwayman or any other officer, that wherever you put him in his own sphere, he becomes somewhat rigid. But as I said, I was deeply touched with their communication and I must say that I shall be playing false to myself if I do not unreservedly pay compliments to the Railway Board. I know the House might not agree with me, but as I said, I am speaking for the last time in connection with Railways and it will not be fair or just on my part not to express my feelings about the Railway Board. It is wrong to suggest, as some Members suggested, that they have been there for quite a long time. This Board was reconstituted only two years before in 1954, and the amount of work done during the last two years by the Board, you will permit me to say this, is something significant. The problem of transportation of goods which had assumed

serious proportions has been tackled very successfully during this short period. The civil engineering works of either new construction or doubling, extension and expansion of marshalling yards are in full swing. The improvement and expansion of railway workshops and the setting up of new ones in the big programme is being implemented. The self-sufficiency achieved in the matter of rolling stock has been a great success. The financial position has also become much more stable and sound. I need not refer to the amenities provided in different shapes and forms. But I shall be very sorry indeed if instead of blaming me, any blame is thrown on them.

I hope the House will expect that I can afford to speak objectively at the present moment—I am not out of office altogether yet—and I must say that the present Board is the best that I could have.

Perhaps due to my being small in size and soft in tongue people are apt to believe that I am not able to be very firm with them. Though not physically strong, I think I am internally not so weak. There are different ways of doing things. As I said before, I have often seen some officers considered to be very hard, strong and all that, but they have proved on occasions miserable failures. What is required, if I may say so, is a happy synthesis. I did not want to frighten them but I did try to evoke in them a new confidence and self-reliance. I developed an affinity with them and they have responded to it very well indeed. I claim—it is not usual with me and I greatly hesitate to do so—that the railways have achievements to their credit in every branch which are by no means insignificant. My resignation is due to the intense distress that I felt over the recent accident. As a non-official representative of the people and as one responsible to this House, I thought it fit to take this step. The

permanent service cannot act in this way. There are procedures laid and stringent regulations devised for inflicting penalties on them for their failings; it should not be done in an arbitrary manner.

It is in this context that I would like the House to consider the resignation I have offered and if my resignation is found to be good and useful in any other respect to the adminis-

tration, I shall surely feel very happy. I would in the end sincerely thank the hon. Members for the kind sentiments they have expressed. May I once again express my gratefulness to all of them?

17-38 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 28th November, 1956.*

[Tuesday, 27th November, 1956]

## COLUMNS

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## PAPERS LAID ON THE TABLE 1119-21

The following papers were laid on the Table:

- (i) A copy of the Notification No. AR/1957(23), dated the 11th September, 1956 together with an Explanatory Note, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934, making certain amendments to the Indian Aircraft Rules, 1937.
- (2) A copy of each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:
- (i) Supplementary Thirteenth Session, Statement No. IV. 1956 of Lok Sabha.
- (ii) Supplementary Twelfth Session, Statement No. X. 1955 of Lok Sabha.
- (iii) Supplementary Eleventh Session, Statement No. XII. 1955 of Lok Sabha.
- (iv) Supplementary Tenth Session, 1955 Statement No. XV. of Lok Sabha.
- (v) Supplementary Ninth Session, 1955 Statement No. XXI. of Lok Sabha.
- (vi) Supplementary Eighth Session, 1954 Statement No. of Lok Sabha. XXIV.
- (vii) Supplementary Seventh Session, 1954 Statement No. of Lok Sabha. XXVI.
- (viii) Supplementary Sixth Session, 1954 Statement No. of Lok Sabha. XXXV.
- (ix) Supplementary Fifth Session, 1953 Statement No. of Lok Sabha. XXVIII.
- (3) A copy of the Notification S.R.O. No. 3183, dated the 29th September, 1956 under sub-section (4) of section 56 of the Administration of Evacuee Property Act, 1950, making certain amendment to the Administration of Evacuee Property (Central) Rules, 1950.
- (4) A copy of the Notification No. S.R.O. 2535, dated the

1st November, 1956, under sub-section (3) of Section 642 of the Companies Act, 1956 making certain amendments to the Companies (Central Government's) General Rules and Forms, 1956.

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 1121-23

Shri L. Jogeswar Singh called the attention of the Minister of Legal Affairs to the election of a member to Rajya Sabha from Manipur, consequent upon reorganisation of the States

The Minister of Legal Affairs made a statement in regard thereto.

## BILLS PASSED 1123-121

- (1) Clause-by-clause consideration of the Administration of Evacuee Property (Amendment) Bill commenced. After clause-by-clause consideration the Bill was passed 1123-54
- (2) The Minister of Rehabilitation (Shri Mehr Chand Khanna) moved for consideration of the Displaced Persons (Compensation and Rehabilitation) Amendment Bill. The motion was adopted. After the clause-by-clause consideration the Bill was passed as amended 1154-121

1123-54

## DISCUSSION RE MADRAS-TUTICORIN TRAIN DISASTER 1211-68

Shri Vallatharas raised a discussion on the accident to the Tuticorin Express. The Minister of Railways and Transport (Shri Lal Bahadur Shastri) replied to the debate and the discussion was concluded.

## AGENDA FOR WEDNESDAY, 28TH NOVEMBER, 1956-

Consideration of the Motor Vehicles (Amendment) Bill, as reported by the Joint Committee