

Thursday,
28th March, 1957

LOK SABHA DEBATES

VOLUME I, 1957

(19th March to 28th March, 1957)



सत्यमेव जयते



FIFTEENTH SESSION, 1957

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

(Part I—Questions and Answers)

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LOK SABHA

Monday, 28th March, 1957

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Khandwa-Hingoli Rail Link

116 { Shri Krishnacharya Joshi:
Shri T. B. Vittal Rao:

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 869, on the 6th December, 1956 and state:

(a) whether the first phase of the construction of Khandwa-Hingoli Rail Link has been completed; and

(b) if so, the total amount incurred thereon?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) The first phase of the Khandwa-Hingoli construction has been completed only partially.

(b) The total amount incurred so far is Rs. 127 lakhs for the first phase.

Shri Krishnacharya Joshi: May I know when the final construction of this line will be completed?

Shri Shah Nawaz Khan: It depends on the availability of rolling stock that we might have to import. Subject to the availability of materials, we hope that the line would be completed in the year 1959-60.

Shri Krishnacharya Joshi: May I know whether there is a proposal to increase the speed on the newly constructed metre gauge line?

Shri Shah Nawaz Khan: We have to construct the line first and then consider the speed.

Shri T. B. Vittal Rao: It was said during the last session that a section of this rail link would be opened for traffic during 1957. May I know which section will be opened for traffic?

Shri Shah Nawaz Khan: We are at present working on two sections from both ends. The first section is from Khandwa to Gudikeda; up till Piplod we have more or less completed and we hope that by next month those 18 miles nearly would be open to traffic. We have also started from Hingoli up to Kunhargaoon and that too would be open to traffic in the next two or three months.

Shri T. B. Vittal Rao: May I know whether the construction of the major bridges across the two rivers will be taken up immediately or only after the submission of the report of the experts committee which is going into the bridges?

Shri Shah Nawaz Khan: I cannot give the exact time when that work will be taken up. The work on the whole line is going on in various stages.

Import of Foodgrains

*117. Shri Bishwa Nath Roy: Will the Minister of Food and Agriculture be pleased to state whether Government propose to import more foodgrains than previously estimated to provide against eventualities in view of the experience of last year regarding droughts and floods?

The Deputy Minister of Food (Shri M. V. Krishnappa): Government's policy is to import enough foodgrains to meet the demands and also to build up reserves against unforeseen demands due to droughts and floods. The adequacy of the import programme is therefore under constant review. If at any time it is con-

sidered necessary to increase the import programme steps will be taken accordingly.

Shri Bishwa Nath Roy: May I know the quantity which will be imported this year?

Shri M. V. Krishnappa: The Planning Commission had advised us to have 6 million tons of foodgrains in the next five years and we have entered into agreements with America and Burma, according to which this year we intend to import nearly 7 lakh tons of rice and about 2.8 million tons of wheat, if the programme goes all right.

Shri Bishwa Nath Roy: May I know whether the Government have taken into consideration the destruction of crops in many parts of the country in deciding the quantity to be imported?

Shri M. V. Krishnappa: It is only after taking into account the entire crop position in the country and after deducting the damages by droughts and floods that we have made this estimate.

Shri B. D. Pande: May I know the condition of the present crops? Will they be able to cover up the deficit?

The Minister of Food and Agriculture (Shri A. P. Jain): The position of the crops at present has been very good, but the recent hailstorm has adversely affected the crops in some parts, though the damage is not extensive.

Shrimati Ila Palchoudhury: Is the Government aware that after the recent floods in West Bengal, practically a state of emergency exists in the district of Nadiad and have any steps been taken by the Government?

Shri A. P. Jain: All possible steps are being taken to remove the distress of the people. We have large quantities of rice for distribution in the flood-affected areas.

Shri Wodeyar: Has the Government given any aid to the areas where the crops were damaged due to heavy rains to prevent any eventuality,

particularly in Malnad, and if so what aid has been given?

Shri A. P. Jain: Where the crop is injured, there are regular provisions for giving aid. I do not know what particular aid has been given in the Malnad area; but, I do trust that the State must have given the normal aid that is required.

श्री बिभति मिश्र : क्या यह सही है कि सरकार जो गल्ला बाहर से हर साल आयात करती है उस के रखने का समुचित प्रबंध नहीं है और वह गल्ला सड़ जाता है ?

श्री प्र० प्र० जैन : यह बिम्बुन गलत है । बहुत प्रबंध है और गल्ले का जो नुकसान होता है, वह बहुत कम होता है ।

Shri B. S. Murthy: May I know whether the Minister is aware that in spite of all the imports made, the price of rice has not gone down still and is beyond the reach of the common man?

Shri A. P. Jain: It seems to be true that the price of rice is ruling high, but I do trust that we have been able to arrest the upward movement to an extent. We are taking every possible step to arrest the rising of the price and we want to bring it down.

Shri Veeraswamy: May I know whether it is not possible to augment the cultivation by bringing under the plough waste lands throughout the country and produce more grains, so that our country may become self-sufficient, and if not, how long will it take for the country to become really self-sufficient without depending upon other countries for foodgrains?

Shri A. P. Jain: That is one part of our plan, namely, to bring the waste lands under cultivation, as also to increase the production in the lands already under cultivation. So far as the question of self-sufficiency is concerned, the progress may not be very fast, particularly on account of the rise in population and on account of

the better quality of food and more of food which the people are taking. But we are trying to increase our production on the one hand in order to meet the demand; but, it is rather difficult to say when the demand and the supply will be equated.

* Godavari Flood-protection Project

*118. Dr. Rama Rao: Will the Minister of Irrigation and Power be pleased to state:

(a) the amount sanctioned for flood-protection work on Godavari from 1953 to 1956;

(b) the amount spent for the purpose; and

(c) the present flood-protection schemes on Godavari?

The Deputy Minister of Irrigation and Power (Shri Hathl): (a) to (c). A statement is laid on the Table of Lok Sabha. [See Appendix II, annexure No. 34.]

Dr. Rama Rao: The statement says that after the serious floods in Godavari in 1953, only Rs. 2.4 lakhs were sanctioned at that time and only Rs. 18,000 were spent till the end of December, 1956. May I know the reasons for this severe neglect?

Shri Hathl: As the House is perhaps aware, the flood control measures started on a country-wide basis from 1954 only. Before that works were taken up by the States concerned and not on an all-India basis. The Andhra State established the Flood Control Board in 1955; schemes have been received and sanctions made from 1956 or so.

Dr. Rama Rao: The statement shows a number of small schemes put up here and there. Is the Government confident that these small schemes will control the huge floods which come once in a way, or does the Government have some bigger project in view to control the floods permanently?

Shri Hathl: In addition to the smaller schemes, the Andhra Govern-

ment have also under consideration bigger schemes costing about Rs. 3820 lakhs; but the plans and estimates have not yet been received for these bigger schemes. They are considering it.

Shri T. B. Vittal Rao: May I know when the second phase of the Godavari project will be taken up? Will it be taken up during the second Five Year Plan period?

Shri Hathl: This question refers to the flood protection measures only; not the multi-purpose project.

Shri B. S. Murthy: May I know whether it is a fact that in spite of the Andhra Government's request, the Centre has not given sufficient money for attending to the flood protection measures in the Godavari bunds?

Shri Hathl: It is not true; the total cost of the schemes recommended by the Andhra State is Rs. 21 lakhs, out of which Rs. 2 lakhs have been already spent and Rs. 19 lakhs are also being provided. There is no scheme pending with the Central Government for sanction.

Shri Raghavaiah: May I know whether the Central Government does not consider it to be necessary and proper to spend all the amount that has been sanctioned for flood control schemes and for the Godavari project, instead of spending double the amount on the relief measures after the people are attacked by the floods?

Shri Hathl: The idea is that the amount should be spent as speedily as possible so that the benefits may accrue soon. These schemes were sanctioned in March. Therefore it takes time to spend money.

Shri Raghavaiah: How long the Government propose to take to spend all this amount for these flood control measures?

Shri Hathl: These schemes will be completed in a year or two.

Shri B. S. Murthy: It is not a question of the schemes being approved by

the Centre. The question is whether sufficient amounts have been made available to the Andhra State to attend to the schemes already sanctioned.

Shri Hathi: As I said, schemes costing Rs. 21 lakhs have been proposed. This amount is being provided.

Passenger Traffic to and from Kerala

*119. **Shri Matthen:** Will the Minister of Railways be pleased to state:

(a) the extra cost by way of fare the passengers from Kerala have to incur by the diversion of Express, Mail and other trains going up and down from Kerala to Madras and other places through Coimbatore Station instead of running straight through Podanur; and

(b) the approximate total amount the Kerala passengers are losing annually on account of this diversion?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) The extra fare varies from 3 to 5 annas for III class, 5 to 9 annas for II class and 8 annas to Re. 1 for I class.

(b) Approximately Rs. 1,11,000 per annum.

Shri Matthen: May I know if this unnecessary cost to the average passenger cannot be saved if the trains run straight from Podanur without diversion to Coimbatore? There are other trains to Madras, such as the Mattupallyam Mail going through Coimbatore. What justification is there for running these trains via Coimbatore when most of the passengers do not care to go there?

Shri Shah Nawaz Khan: These trains were diverted via Coimbatore only at the request of the public of that area. This was done only in deference to the wishes of the people of that area.

Shri Matthen: This is the request by the public now, not to divert. Will the hon. Minister consider that?

Shri Shah Nawaz Khan: Certainly, we will consider every reasonable request.

Shri Nambiar: May I know whether the local passenger trains which run between Erode and Shoranur will not be affected by the changes that may come in after the request now made?

Mr. Speaker: Both are hypothetical questions. Next question.

Ex-Saurashtra Railway Corruption Cases

*120. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 70 on the 15th November, 1956 and state:

(a) whether the Railway Board have since received any advice from the Union Public Service Commission regarding the action to be taken against the three officers of ex-Saurashtra Railway involved in the embezzlement of Rs. 13 lakhs; and

(b) if so, further action proposed to be taken by the Railway Board in the matter?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) No; but the Commission have recently advised the Board that they are endeavouring to make available their advice as early as possible.

(b) Does not arise.

Train Accident

*121. **Shri Barman:** Will the Minister of Railways be pleased to state:

(a) whether a train accident occurred between Hasimara and Madarihat of North Eastern Railway towards the end of December, 1956; and

(b) if so, the cause of the accident and the extent of loss involved?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) At about 02:35 hours on 25-12-1956, while No. 304 Down Link Express train was running between Hasimara and Madarihat stations on the Alipur Duar-Siliguri Section of the North Eastern Railway, the tender

of the engine and six vehicles behind it derailed at mile 77½.

(b) The provisional finding of the Government Inspector is that the derailment was caused by the tampering of the track by some person or persons unknown. The approximate cost of damage to rolling stock and permanent way was Rs. 17,100.

Shri Barman: Is there any truth in the rumour that this tampering was done by personnel who were serving in the Railway and who were dismissed?

Shri Shahnawaz Khan: We have reported the matter to the local police and the police have not so far submitted their report.

Railway Zones

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

(a) whether Government propose to increase the number of Railway zones for administrative convenience; and

(b) if so, how many?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No, Sir.

(b) Does not arise.

Shri Krishnacharya Joshi: May I know whether the existing zones are functioning successfully?

Shri Shahnawaz Khan: Yes; very successfully.

Shri C. D. Pande: Does the Government realise that some of the regions are geographically not compact and administratively inconvenient? For example, the N.E.R. extending from Agra to Assam; it is not possible for the General Manager at Gorakhpur to look after Agra or Assam.

Mr. Speaker: All these matters were discussed in long debates.

The Minister of Railways and Transport (Shri Jagjivan Ram): Yes, Sir. It is not possible to have railways

exclusively for geographically compact areas. Because, that would create more difficulties.

Shri Nambiar: May I know whether the Government have seen the 19th report of the Estimates Committee where it has been made very specific that a unit of the Railway should not be more than 3000 or 3500 miles. May I know whether the Government had given careful consideration to this and if so, what has been done?

Shri Jagjivan Ram: Even before the recommendations of the Estimates Committee, while the question of regrouping was considered, all these questions were taken into consideration and the matter was decided.

Shri Krishnacharya Joshi: May I know whether there is a proposal to create more divisions in the zones and give more powers to the Managers?

Shri Shahnawaz Khan: These are matters which have to be considered in day to day working. Wherever we find that the work load has increased or in order to make efficiency higher, we will take necessary steps.

Shri Raghavalah: What exactly is the consideration of the Government that made them take such a decision in the formation of these zones when there was the recommendation of the Estimates Committee which has been pointed out by my hon. friend just now?

Shri Jagjivan Ram: I will refer the hon. Member to the proceedings of the House when these questions of zones and regrouping were discussed in great detail.

Mr. Speaker: Whatever policy has been approved during the Budget debates ought not to be brought in during the Question Hour for change of policy. This policy was adopted. There was a long debate when Shri Gopalaswami Ayyangar was in charge of the administration.

Shri Nambiar: I referred to the 19th report of the Estimates Committee.

Mr. Speaker: That has also been taken into consideration; it has been answered.

Shri Kashiwal: Under the metre gauge system, there are two zones, the Western Railway and the Northern Railway. May I know whether the Government have received any representation to the effect that there is difficulty in the working of these two systems?

Shri Jagjivan Ram: At the same time, it is not possible to have all the metre gauge in the same zone.

Cochin Express

*124. **Shri Matthen:** Will the Minister of Railways be pleased to state:

(a) whether Government are aware that the Cochin Express leaving Cochin in the afternoon reaches Madras only after 10-30 a.m. invariably running late, thereby causing great inconvenience to passengers; and

(b) whether it is possible to advance the time of arrival at Madras by at least three hours?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) It is not a fact that Cochin Express scheduled to arrive at Madras Central at 10.30 hours invariably runs late. Its punctuality has substantially improved since 15th February when its Time Table was changed.

(b) No. However, the arrival at Madras will be advanced by about 2 hours with effect from 1-4-1957.

Shri Matthen: I would like to enlighten the hon. Minister. I put the question from my own experience. It has been coming late on the two occasions when I travelled by that recently. Apart from that, it takes 2-1/2 hours from Arkonam to cover 40 miles, because a number of local trains are running. Is it not possible to make the train Cochin Express leave a little earlier from Cochin so that it may come to Madras earlier? Coming to Madras at 11 or 11-30

means that practically the whole day is lost. I suggest the advancing of the time of departure at Cochin so that it may come to Arkonam at about 7 o'clock and then run straight to Madras like the Malabar Express.

Shri Shahnawaz Khan: Yes, Sir. As I just now stated in my reply, from 1st of April, the train will start from Cochin at 1-15 in the afternoon and reach Madras at 8.35 in the morning. I hope that would be convenient.

Mr. Speaker: May I suggest to hon. Members, with respect to details of timings, they are mostly in the hands of the General Managers and the Committees which advise them. Why should not general instructions be issued by the Railway Minister to the General Managers that such representations, particularly from hon. Members of Parliament ought to be attended to? If they are not attended to locally, we can take up the time of the House. How is it possible for any hon. Minister here by way of a supplementary question to remember every little detail?

The Minister of Railways and Transport (Shri Jagjivan Ram): As a matter of fact, there are zonal consultative committees in which these time-tables and all these matters are decided. And any communications from the Members of this House are given proper and due weight by the General Managers and subordinate officers. But, as you, Sir, have remarked, it is not possible for a Minister to carry all these kinds of information with him.

Mr. Speaker: Did the hon. Member write to the General Manager and then not get any reply?

Shri Matthen: I just want to know whether the Minister has realised that Malabar is no longer a part of Madras but a part of Kerala....

Mr. Speaker: I was on a different point. Adjustments in timings, passenger versus goods trains or mail trains etc. are all matters of local

interest which can be better attended to by the General Manager in charge of each railway.

I would, therefore, suggest to all hon. Members to first of all write to the General Manager and then get redress through the consultative committee; or independently also, Members of Parliament can do so. If they do not get any redress, if they are not satisfied with the reply, then they may write to the Minister, and if they are not satisfied even then, then the House as the last resort may be addressed on the matter. Otherwise, we shall be taking away the time of the House.

Pandit Thakur Das Bhargava: Even the General Managers consult the Members of this House. They send circulars to us and ask us what changes of timings we would require. This is done even now.

Shri Feroze Gandhi: I would suggest that today being the last day of the session, you may relax the rules a little in favour of Shri Matthen.

An Hon. Member: He is a retiring Member.

Shri Matthen: Malabar is no longer a part of Madras State but a part of the Kerala State. The capital of the Kerala State is Trivandrum. The people from Malabar who are going towards that side are given priority. But preference should be given to the people from Kottayam and Quilon. Therefore, I would suggest to the hon. Minister the question of having the arrival of the Cochin Express earlier than the Malabar Express.

Shri Jagjivan Ram: That will be brought to the notice of the General Manager.

Shri A. M. Thomas: Apart from the time-tables which mostly are all right, there is the suggestion in the question that the trains invariably run late. Are Government aware

that the Cochin Express arrives invariably late in Cochin, and the trains from Shoranur to Cochin and vice versa are generally called bullock carts because of the slowness of operation?

Shri V. P. Nayar: Only bullocks; no carts.

Shri Shah nawaz Khan: As the hon. Member is probably aware, there are a lot of engineering works going on on that line. It is only because of that that speed restrictions have had to be imposed. Also, recently, owing to very heavy rains, it was found that the track required strengthening. On this ground also, the speeds have had to be restricted.

Electric Trains to Villupuram

*125. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to state:

(a) whether there is any proposal to extend the running of electric trains upto Villupuram, Southern Railway;

(b) if so, when the work will be taken up; and

(c) what is the estimated cost thereof?

The Deputy Minister of Railways and Transport (Shri Shah nawaz Khan): (a) and (b). Yes, Sir. The construction work on this Section is expected to be started in 1958-59.

(c) Rs. 3.68 crores.

Shri T. B. Vittal Rao: From the budget papers, I find that the provision made for this work for the next financial year is very big. Since the extension of the electric trains has been pending for a long time, do Government propose to expedite the work?

Shri Shah nawaz Khan: I just stated that the work would start in 1958-59. If the material is available, we hope that the line would be completed in the year 1959-60. That is early enough.

Shri T. B. Vittal Rao: May I know whether orders have been placed for the stores and machinery required?

Shri Shah Nawaz Khan: We are making preliminary arrangements.

Nagarjuna Sagar Project

*127. **Dr. Rama Rao:** Will the Minister of Irrigation and Power be pleased to lay a statement on the Table of the Sabha showing the progress of work on Nagarjuna Sagar Project and the programme for 1957-58?

The Deputy Minister of Irrigation and Power (Shri Hathhi): A statement is laid on the Table of Lok Sabha. [See Appendix II, annexure No. 35]

Dr. Rama Rao: The statement gives the progress of the work done so far and the programme for 1957-58. But it does not say when the foundation for the dam proper is going to be laid; it does not say whether it will at all be laid in 1957-58. May I know when it is likely to be laid?

Shri Hathhi: In seven years, that is, by 1963.

Dr. Rama Rao: May I know when the foundation will be laid, not when it will be completed?

Shri Hathhi: The excavation for the foundation of the coffer dam which is 40 feet high has already started. The masonry dam is already completed, and about 700 feet of foundation work has been completed.

Dr. Rama Rao: May I know whether any part of the work has been entrusted to the National Construction Co.?

Shri Hathhi: No, not yet.

Shri Raghavaiah: May I know whether Government propose to send periodical reports on the progress of the work in these projects as in the case of the Tungabhadra project?

Shri Hathhi: Periodical reports are received. Perhaps, the hon. Member is aware that the Minister himself meets the Members of Parliament from the different States, and these

reports are supplied to them. If however, they have not been received, I shall send a copy of the monthly reports to any Member who is interested.

Dr. Rama Rao: In view of our experience with the Tungabhadra dam and the canals, may I know whether Government will see that the canals will be completed by the time the dam is completed?

Shri Hathhi: Government are anxious to see that with the completion of the dam, the canals also should be completed. Investigations have already started over a length of 52 miles.

Shri Ramachandra Reddi: May I know whether the equipment and machinery needed for this project have been secured and also how much more is likely to be asked for?

Shri Hathhi: All the machinery have not yet been secured. But to meet the immediate needs, we have transferred from the Hirakud project the batching plant and earth-moving plant. So, there will be no delay on account of shortage of machinery.

Shri Mohluddin: Is it a fact that owing to the restrictions on foreign exchange, the tenders that were invited for import of machinery have not been accepted, and, therefore, there is a likelihood of delay on account of this factor?

Shri Hathhi: No, we had a surplus batching plant at Hirakud and we have transferred that.

Shri Ramachandra Reddi: In regard to the detailed investigation of the right and left bank canals referred to in the statement, may I know whether any arrangement is being made now to take the right bank canal on a higher contour so that a larger area might be covered?

Shri Hathhi: For the time being, we are going up to 108 miles. We have only covered 35 miles. The possibility of extending it further would be known only after we complete the present work.

Railway Freight Structure Enquiry Committee

*128. **Shri Krishnacharya Joshi:** Will the Minister of Railways be pleased to refer to the reply to the supplementary on Starred Question No. 197 on the 20th November, 1956, and state:

(a) whether the Railway Freight Structure Enquiry Committee has since submitted its report; and

(b) if so, what are its main recommendations?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No Sir.

(b) Does not arise.

Shri Krishnacharya Joshi: May I know when the report is likely to be submitted?

Shri Shahnawaz Khan: We hope, by the end of next month.

Shri Krishnacharya Joshi: May I know the reasons for the unusual delay?

Shri Shahnawaz Khan: It is a very big job which has been given to them, and they have to go into the matter very thoroughly.

Shri Namblar: May I know whether Government's attention has been directed to the reports that appeared in the press about the draft recommendations made by this committee?

Shri Shahnawaz Khan: We have not yet received the report officially. So, we cannot go by what has appeared in the press.

Shri Namblar: Has Government's attention been directed to the press reports? If so, have they cared to study them?

Shri Shahnawaz Khan: We would rather wait for the report of the committee itself.

Shri T. B. Vittal Rao: May I know whether the delay in the submission of the report is due to the fact that the chairman and some members of this committee have got international obligations to discharge?

The Minister of Railways and Transport (Shri Jagjivan Ram): I will not impute that thing to the delay. This work is a very complicated one, and the job is very big. So, I shall not say that the committee have taken any abnormally long time.

Railway Workers Union

*129. **Shri T. B. Vittal Rao:** Will the Minister of Railways be pleased to state:

(a) Whether any Union not affiliated to the National Federation of Indian Railwaymen has since been recognised; and

(b) if so, the name of the Union?

The Deputy Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b) The South Eastern Railwaymen's Union and the Western Railway Employees' Union, which were recently granted recognition by the Railway Administrations concerned, are not affiliated to the National Federation of Indian Railwaymen.

Shri T. B. Vittal Rao: Since there has been a revision of the policy in the matter of recognition of unions, may I know at what stage is the consideration of recognition being granted to the Southern Railway Labour Union?

The Minister of Railways and Transport (Shri Jagjivan Ram): The unions are granted recognition on certain conditions, namely, if they have a certain percentage of the workers as their members and also certain other things which the Administration thinks should be observed by the unions. The question of affiliation does not arise.

Price of Rice in Andhra

*131. **Dr. Kanna Rao:** Will the Minister of Food and Agriculture be pleased to state:

(a) the price of rice as on the 1st March, 1957 as compared to the price prevailing on the 1st March, 1955 and

1956 (or any comparable dates) in Vijayawada and Kakinada (Andhra); and

(b) the stock of rice in hand with the Central Government?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) The prices of rice in Andhra which were ruling at about Rs. 17/- to 18/- per maund in January-February, 1954, got unduly depressed in 1955, in sympathy with the fall in prices of other foodgrains and the government had, therefore, to introduce price support scheme to safeguard the interests of the cultivators. 1956 cannot, therefore be considered as a normal year and a comparison of the prices prevailing in 1955 with those in other years may not, therefore, be quite proper. However the whole-sale prices of common rice in Vijayawada and Kakinada if so, what steps have been taken to on 1st March, 1957 compared with the prices prevailing about the same time in 1955 and 1956 are as follows:—

Vijayawada Kakinada

1-3-57	Rs. 20-4-0	Rs. 19-0-0
End Feby. 1956	Rs. 15-0-0	Rs. 14-12-0
End Feby. 1955	Rs. 11-6-0	Rs. 13-8-0

(b) The stock of rice with the Central Government is about 140,000 tons in addition to State Stocks.

Dr. Rama Rao: Are Government aware that the present high price of rice is at least partly due to the heavy loans given by banks on paddy in spite of a few restrictions?

Shri M. V. Krishnappa: It is due to various causes, not only one cause.

Dr. Rama Rao: Is that the main cause?

Mr. Speaker: All the causes were enumerated the other day.

Shri Ramachandra Reddi: How much of the stocks now available with Government has been procured locally in Andhra Pradesh? Are any warehousing facilities provided for storing it?

Shri M. V. Krishnappa: We could not procure in Andhra Pradesh. We wanted to procure and we sent officers in December, when the prices were coming down. But in January there was a support tendency and we decided not to procure any quantities of rice in Andhra Pradesh.

Shri B. S. Murthy: May I know whether Government have any idea as to hoarding of stocks by landlords? If so, what steps have been taken to get them released?

Shri M. V. Krishnappa: Among big agriculturists and merchants, there is some hoarding tendency because of the unsettled conditions in the country. I am sure it is a wrong calculation if they expect that a war would come. They are going to suffer very great loss because Government have got enough stocks. We would open more and more fair price shops.

Shri B. S. Murthy: What steps are being taken to make them realise that their idea is foolish and they are going to suffer?

Shri M. V. Krishnappa: The Reserve Bank has directed scheduled banks to limit the advances that they make on these stocks.

Shri Heda: What are the steps other than the last named that are taken to bring down prices?

The Minister of Food and Agriculture (Shri A. P. Jais): Opening fair price shops, limiting the advances against stocks of paddy and generally improving the efficiency of the fair price shops.

Dr. Rama Rao: Are Govt aware that at Kakinada when the co-operative society started fair price shops, because the quality of rice supplied by the Central Government was bad, the stocks were not lifted, though the price was favourable?

Shri M. V. Krishnappa: That must be very old stock. Now wherever we supply, we give good stock. It so happened in the case of Andhra Pradesh, because they had some old

stock in Hyderabad, and from Hyderabad they sent it to Andhra to be consumed there. But now it is not so. Whatever rice we are getting is good rice.

Shipping Tonnage

*132. **Shri Matthen:** Will the Minister of Transport be pleased to state:

(a) what will be the total quantity of the additional cargo which will have to be imported on Government account during the Second Five Year Plan period; and

(b) what steps are being taken to expand the national tonnage to participate in the carriage of as large a quantity of this additional cargo as possible?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) The information asked for is not readily available. An effort is, however, being made to collect the information.

(b) A statement showing the steps taken generally to expand the national tonnage during the Second Five Year Plan is laid on the Table of Lok Sabha [See Appendix II, annexure No. 36.]

Shri Matthen: Regarding part (a), my information is that the total freight amount in respect of the cargo on government account during the Second Plan may come to Rs. 400 crores. Is the hon. Minister inclined to confirm it as approximate?

The Minister of Railways and Transport (Shri Jagjivan Ram): I will neither confirm it nor deny it. There is no denying the fact that we have to pay a considerable amount in foreign exchange as freight charges. But with our tonnage at present, we cannot think of saving all the foreign exchange that we should on this account.

श्री रघुनाथ सिंह : क्या इसके लिए वर्ल्ड बैंक से लोन लेने का प्रयास बांधूँगे सरकार से किया जाएगा ?

श्री जगजीवन राम : इसका भी प्रयास किया जाएगा। अभी तो डाक्स के लिए प्रयास किया जा रहा है।

Dr. Rama Rao: May I know how much tonnage in shipping the Government expect to acquire for the Rs. 37 crores that have been allotted or ear-marked?

Shri Jagjivan Ram: The answer was given two days earlier in the House.

Shri Shah Nawaz Khan: It is 1.8 lakh tons, to be exact.

Shri Raghavaiah: What exactly is the amount we are paying to foreign countries towards freight charges?

Shri Shah Nawaz Khan: I require notice.

Shri Matthen: From the statement, I understand that the sum of Rs. 37 crores allotted for the development of shipping has already been made use of. My information is that with this we will be able to get about 1,70,000 GRT. The modest target fixed in the Second Plan is 3,00,000 tons. So the shortage, including replacement of 90,000 tons, will come to 2,20,000 tons. Am I correct?

Shri Jagjivan Ram: Yes, there will be a shortage of something like 2,10,000 tons.

Shri Matthen: In view of the fact that we have to pay foreign exchange—the hon. Finance Minister is also here—one of the best ways of earning foreign exchange will be by increasing our overseas shipping tonnage, not coastal shipping. Will the hon. Minister consider seriously the question of availing of the offer made by the World Bank for developing shipping, and make use of it for acquiring additional tonnage?

The Minister of Finance and Iron and Steel (T. T. Krishnamachari): I am grateful to the hon. Member for the suggestion that he has made. But I would like to add that these factors

are under consideration of Government. My hon. colleague is certainly seized of the matter. We know that if we increase our tonnage, we will earn more foreign exchange. But we do not have the foreign exchange to increase our tonnage.

Shri Matthen: I think the Planning Commission and the Transport Ministry have decided on a target of 15 per cent of the overseas trade during the Second Plan. Even assuming that we are getting the targetted tonnage of 3,00,000 GRT, I beg to submit it is not possible to achieve our objective.

Shri Jagjivan Ram: We agree that our present tonnage is not sufficient for our requirements, and the more we increase our tonnage, the more foreign exchange we will save. But, as my hon. colleague has said, the question is wherefrom to get the foreign exchange for the present to increase the tonnage. We are exploring all possibilities of how best we can increase our tonnage.

Shri Matthen rose—

Mr. Speaker: Are we having a debate on this during Question Hour?

Shri Matthen: Only one more question. The foreign exchange necessary for buying the ships can be made up by the ships themselves in four years time.

Shri Jagjivan Ram: That is true. But we want the foreign exchange to purchase the ships before we can earn the foreign exchange.

Shri Kasliwal: May I request that question No. 122 be directed to be answered?

Mr. Speaker: Yes.

Gandhi Sagar Dam

***122. Shri Balwant Sinha Mehta:** Will the Minister of Irrigation and Power be pleased to state:

(a) when the power from Gandhi Sagar dam is likely to be generated; and

(b) whether the work of transmission lines has been taken in hand?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) In 1959-60.

(b) Preliminary surveys in connection with the transmission lines have been taken in hand.

Shri Kasliwal: May I know whether the power generated from the Gandhi Sagar dam will be entirely used in Madhya Pradesh or will be available to Rajasthan also?

Shri Hathi: For both.

SHORT NOTICE QUESTION AND ANSWER

Accident to the Engine of Express No. 319 proceeding from Hyderabad to Kazipet

S.N.Q. No. 2. Shri Krishnacharya Joshi: Will the Minister for Railways be pleased to state:

(a) whether it is a fact that on the 19th March, 1957 a serious accident took place when a big wheel of the engine of Express No. 319 proceeding from Hyderabad to Kazipet went off the track while the train was crossing a bridge;

(b) whether this resulted in the detention of the train for six hours at Ghanpur causing great inconvenience to the passengers; and

(c) if so, the details thereof?

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) to (c). At about 23.05 hours on 19-3-1957, while No. 319 Down Hyderabad-Kazipet Express was on the run between Ghanapur and Pendi stations of the Central Railway, the driver noticed something unusual with his engine and brought the train to a stop at mile 193/12. He found that the journal of the left trailing coupled wheel had broken and the wheel had fallen outside.

The train suffered a detention of 5 hours and 25 minutes on this account.

Shri Krishnacharya Joshi: Are Government aware that this state of affairs causes extreme uneasiness and insecurity in the minds of the public?

Shri Shah Nawaz Khan: There are hundreds and hundreds of trains running and it is but natural that minor accidents do take place.

Shri Feroze Gandhi: Some of the wheels do go out.

Shri Krishnacharya Joshi: May I know how such a big defect in the engine was not detected in time, and who is responsible for this negligence?

Shri Shah Nawaz Khan: An enquiry by senior officers has been ordered and the report of that committee is awaited. As soon as that report is received, we will know the exact cause of the accident. I might add that at a small station just a little before the accident took place it was noted that journal was hot or running in a rather warm condition. It was attended to. But, then, after going a short distance the thing broke, probably due to some flaw in the metal or something else.

Shri H. G. Vaishnav: The things can be known at the spot within a few hours. Why are enquiry commissions and committees appointed for such small things?

Mr. Speaker: Through whom is it to be known?

Shri H. G. Vaishnav: Are there no possibilities to know from the officers concerned? Why should there be an enquiry for such a small thing?

Mr. Speaker: That is called enquiry.

Shri Feroze Gandhi: May I know whether it is a fact that in new WB engines which have been imported it has been found on examination that in many cases the journal boxes and the axles are not quite according to specifications?

The Minister of Railways and Transport (Shri Jagjivan Ram): I am afraid I have no information.

Shri Feroze Gandhi: May I know whether the attention of the hon. Minister has been drawn to the report of the Auditor-General in which he has mentioned that axle boxes which were imported for locomotives were found to be totally defective and the amount had to be written off?

Shri Jagjivan Ram: My attention has not been drawn towards that.

Shri Heda: In view of the fact that a major accident took place on this line and quite a few accidents of this nature have been taking place from time to time, do Government feel that there is some defect in the supervisory staff there and, if so, what steps are they taking to remedy that?

Shri Jagjivan Ram: In the first place, I do not agree that quite a number of accidents of this nature have happened. Some accidents have taken place.

Shri Heda: Between Hyderabad and Kazipet, only 90 miles distant.

Shri Jagjivan Ram: I do mean that many accidents of this nature had not happened. It is, perhaps, an accident of its own nature and we will look into it.

Shri T. B. Vittal Rao: Two months before this accident took place an accident of a similar nature between Kazipet and Hyderabad took place. An enquiry must have been ordered into that also and may I know what steps have been taken to prevent such accidents?

Shri Jagjivan Ram: Whenever an accident takes place, an enquiry is held. After the findings of the enquiry are known, we take all possible steps to guard against the recurrence of such accidents. But, here matters of human factor and engine failure are involved. Even after all the possible precautions, there may be cases of engine failure, and the causes of engine failure cannot be removed.

Mr. Speaker: The hon. Member wants to know this. He gives information that about a couple of months

ago, a wheel went off; the same thing. If an enquiry was held into that accident or incident, should not have a lesson been taken, to learn by that to avoid an accident of this nature within 2 months after that? Always an enquiry is being held for the purpose of enabling the administration to avoid similar accidents. What is the result of the previous enquiry if an enquiry had been conducted? The House would like to know that and the hon. Member is right in asking that question.

Shri Feroze Gandhi: I had pointed out to the hon. Railway Minister, the previous Minister, that when I myself was travelling in the Lucknow Express a wheel went off the engine.

Shri Jagjivan Ram: I have not got the full information about the previous accident and the recommendations of the enquiry committee or the steps that have been taken. I shall look into that and see that precautionary measures are taken so that recurrence of accidents of this nature may be avoided.

WRITTEN ANSWERS TO QUESTIONS

National Highway No. 8

*126. **Shri Balwant Sinha Mehta:** Will the Minister of Transport be pleased to state:

(a) the mileage of National Highway No. 8 in Udaipur Division of Rajasthan;

(b) the money so far spent on it in the same division and how much is likely to be spent when it is completed;

(c) the number of culverts and bridges over it;

(d) whether the money has been paid to the owners of the land whose land has been acquired; and

(e) if so, the total amount of money which has been paid so far and the amount which still remains to be paid?

The Deputy Minister of Railways and Transport (Shri Shah Nawas Khan): (a) 192 miles.

(b) to (e). The information is being collected and will be laid on the Table of Lok Sabha as soon as possible.

उदयपुर-हिम्मत नगर रेल मार्ग

*१३०. **श्री बलवंत सिंह मेहता :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार को उदयपुर-हिम्मत नगर रेल मार्ग की ट्रैफिक और इंजीनियरिंग सर्वेक्षण की रिपोर्ट प्राप्त हो गई है;

(ख) इस रिपोर्ट की मुख्य सिफारिशें क्या हैं;

(ग) उक्त रेल मार्ग से कितने प्रतिशत लाभ होने का अनुमान है; और

(घ) इस सम्बन्ध में काम कब तक शुरू होने की सम्भावना है ?

रेलवे तथा परिवहन उपमंत्री (श्री शाहनवाज खां) : (क) अभी नहीं ।

(ख) से (घ) : नवाल नहीं उठता ।

Bridge over Narbada at Barmhan

53. **Shri Kamath:** Will the Minister of Transport be pleased to refer to the reply given to Unstarred Question No. 45 on the 15th November, 1956 and state the progress made so far in connection with the construction of the road-bridge over the Narbada River at Barmhan (Narsinghpur district, Madhya Pradesh)?

The Deputy Minister of Railways and Transport (Shri Shah Nawas Khan): The design plans and the estimate for the work, which were received from the State Government in January 1957, have been technically examined and the orders of the Government of India are expected to be conveyed to the State Government shortly.

Bridge over Narbada at Hoshangabad

54. **Shri Kamath:** Will the Minister of Transport be pleased to refer to the reply given to Unstarred Question No. 156 on the 20th November, 1956 and state the progress made so far in connection with the construction of the road-bridge over the Narbada River at Hoshangabad?

The Deputy Minister of Railways and Transport (Shri Shah Nawas Khan): An estimate for the work, based on the outline design supplied by the Government of India has since been prepared by the Chief Engineer, Madhya Pradesh, and sent to the State Government for transmission to the Government of India for approval. Simultaneously tenders were also invited by the State Public Works Department. The tenders which have just been received are under their consideration.

Shipping Freight

55. **Shri Matthen:** Will the Minister of Transport be pleased to state:

(a) the total amount of freight paid on imports and exports in the overseas trades of India for the year 1955-56, giving separate figures of the freight paid to national ships and non-national ships;

(b) the amount which the national ships contributed to the foreign-exchange pool of the country from their earnings in the overseas trades during the year 1955-56;

(c) the amount which was disbursed in India for the ships of the non-national flags in 1955-56; and

(d) the total quantity of cargo in d.w.t. both imports and exports carried in the overseas trades of India during the year 1955-56, giving separate figures for dry cargo and oil and refined petroleum products, also giving separate figures for the cargo in dead-weight tons carried by national ships and that carried by non-national ships?

The Deputy Minister of Railways and Transport (Shri Shah Nawas Khan): (a) to (d). The information is being collected and will be placed on the Table of Lok Sabha.

Foodgrains Production

56. **Shri S. C. Samanta:** Will the Minister of Food and Agriculture be pleased to state:

(a) the amount of foodgrains produced in India during the years 1947, 1952 and 1956;

(b) the amount of foodgrains imported during 1956;

(c) whether any amount of foodgrains were exported during 1956;

(d) if so, which kinds of foodgrains and how much; and

(e) whether it is a fact that India has become self-sufficient in food?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 1947—425 lakh tons.

1952—429 lakh tons.

1956—534 lakh tons.

(b) 14.2 lakh tons.

(c) and (d). The following quantities of foodgrains were exported during 1956:

	In 1000 tons.
Rice	42.0
Wheat-flour	0.3
Jowar & Bajra	0.2
Maize	1.3
TOTAL	43.8

(e) Both demand and availability are variable factors. With the increase in investment in development projects, the money supply in the country has gone up, increasing the demand for foodgrains. The demand is also going up with the increase in population. The over-all production of foodgrains has also improved considerably during the recent years, though there has been short production of jowar during the last two kharif seasons. During the years of good crop India becomes not only

self-sufficient but even slightly surplus, while in the years of bad crop import of foodgrains may become necessary.

दिल्ली उदयपुर रेल गाड़ियों में भीड़

५७. श्री बलबन्त सिंह मेहता : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उन्होंने उदयपुर की अपनी गत यात्रा के समय रेल-गाड़ियों के डिब्बों में लोगों की भीड़ को देख कर दिल्ली से उदयपुर जाने वाले और डिब्बे लगाने की व्यवस्था करने का आश्वासन प्रदत्त था; और

(ख) यदि हाँ, तो यह आश्वासन कब तक पूरा होने की सम्भावना है ?

रेलवे तथा परिवहन उपमंत्री (श्री वाहनबाज खाँ) : (क) जी नहीं । इस समय उदयपुर और दिल्ली के बीच ४४५ घण्टा/४३२ डाउन/२०४ डाउन और २०३ घण्टा/४३१ घण्टा ४४४ डाउन गाड़ियों में पहले, दूसरे और तीसरे दर्जे का एक मिला-जुला सीना डिब्बा चलता है । उदयपुर और दिल्ली के बीच सीधे डिब्बों की तादाद बढ़ाने के लिए यातायात काफ़ी नहीं है ।

(ख) सवान नहीं उठता ।

DAILY DIGEST

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

1127

LOK SABHA

Thursday, 28th March, 1957.

The Lok Sabha met at Eleven of the Clock.

(MR. SPEAKER in the Chair)

QUESTIONS AND ANSWERS

(See Part I)

11.15 hrs.

PAPERS LAID ON THE TABLE

AMENDMENT TO HIGH COURT JUDGES (PART A STATES) RULES

The Minister in the Ministry of Home Affairs (Shri Datar): Sir, I beg to lay on the Table, under sub-section (3) of Section 24 of the High Court Judges (Conditions of Service) Act, 1954, a copy of the Notification No. 16/3/57—Judl. I(1), dated the 28th February, 1957, making certain amendments to the High Court Judges (Part A States) Rules, 1956. [Placed in Library. See No. S-104/57]

AMENDMENTS TO HIGH COURT JUDGES (PART A STATES) TRAVELLING ALLOWANCE RULES

Shri Datar: Sir, I beg to lay on the Table, under sub-section (3) of Section 24 of the High Court Judges (Conditions of Service) Act, 1954, a copy of the Notification No. 16/3/57—Judl. I (ii), dated the 28th February, 1957, making certain amendments to the High Court Judges (Part A States) Travelling Allowance, Rules, 1956. [Placed in Library. See No. S-105/57]

1128

NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister for Food (Shri M. V. Krishnappa): Sir, I beg to lay on the Table, a copy of each of the following Notifications, under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(1) Notification No. S.R.O. 3447, dated the 20th November, 1954.

(2) Notification No. S.R.O. 271, dated the 21st January, 1957. [Placed in Library. See No. S-106/57]

AMENDMENTS TO INDIAN AIRCRAFT RULES

The Minister of Legal Affairs and Civil Aviation (Shri Pataskar): Sir, I beg to lay on the Table, under sub-section (3) of Section 5 of the Indian Aircraft Act, 1934, a copy of each of the following Notifications, together with the Explanatory Notes, making certain further amendments to the Indian Aircraft Rules, 1937:—

(1) Notification No. AR/1937(23), dated the 8th January, 1957.

(2) Notification No. AR/1937(27), dated the 26th January, 1957. [Placed in Library. See No. S-107/57]

AMENDMENTS TO CENTRAL EXCISE RULES

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): Sir, I beg to lay on the Table, under Section 38 of the Central Excises and Salt Act, 1944, a copy of each of the following Notifications, making certain

[Shri A. C. Guha]

further amendments to the Central Excises Rules, 1944:—

(1) Notification No. S.R.O. 893, dated the 23rd March, 1957.

(2) Notification No. S.R.O. 894, dated the 23rd March, 1957. (Placed in Library. See No. S-108/57)

NOTIFICATIONS ISSUED UNDER SEA CUSTOMS ACT

Shri A. C. Guha: Sir, I beg to lay on the Table, under sub-section (4) of Section 43B of the Sea Customs Act, 1878, as inserted by the Sea Customs (Amendment) Act, 1953, a copy each of the following Customs Notifications:—

(1) Notifications Nos. 35 and 36, dated the 9th March, 1957.

(2) Notifications Nos. 32 and 33, dated the 9th March, 1957. [Placed in Library. See No. S-109/57]

MANAGEMENT OF INDUSTRIAL CONCERNS (POWERS AND DUTIES OF THE DIRECTORS) REGULATIONS

Shri A. C. Guha: Sir, I beg to lay on the Table, under sub-section (3) of Section 43 of the Industrial Finance Corporation Act, 1948, a copy of the Management of Industrial Concerns (Powers and Duties of the Directors) Regulations, 1957, published in the Notification No. 4/57, dated the 28th February, 1957. (Placed in Library. See No. S-110/57)

ALL INDIA SERVICES (OVERSEAS PAY, PASSAGES AND LEAVE SALARY) RULES

Shri Datar: I beg to lay on the Table, under sub-section (2) of Section 3 of the All India Services Act, 1951, a copy of the All India Services (Overseas Pay, Passages and Leave Salary) Rules, 1957, published in the Notification No. S.R.O. 526, dated the 15th February, 1957. [Placed in Library. See No. S-111/57]

KERALA STATE ACTS

Shri Datar: I beg to lay on the Table, under sub-section (3) of Section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1956, a copy of each of the following Acts:—

- (1) The Travancore-Cochin Interpretation and General Clauses (Amendment) Act, 1957 (No. 3 of 1957). [Placed in Library. See No. S-115/57]
- (2) The Kerala Sales-Tax Laws (Amendment) Act, 1957 (No. 4 of 1957). [Placed in Library. See No. S-116/57]
- (3) The Code of Criminal Procedure (Kerala Amendment) Act, 1957 (No. 5 of 1957). [Placed in Library. See No. S-117/57]
- (4) The Kerala Road Transport Services (Validation) Act, 1957 (No. 6 of 1957). [Placed in Library. See No. S-118/57]
- (5) The Kerala Board of Revenue Act, 1957 (No. 7 of 1957). [Placed in Library. See No. S-119/57]
- (6) The Kerala Small Cause Courts Act, 1957 (No. 8 of 1957). [Placed in Library. See No. S-120/57]
- (7) The Kerala Khadi and Village Industries Board Act, 1957 (No. 9 of 1957). [Placed in Library. See No. S-121/57]

REPORT OF MACHINE TOOL COMMITTEE

The Minister of Heavy Industries (Shri Manubhai Shah): I beg to lay on the Table a copy of the Report of the Machine Tool Committee. [Placed in Library. See No. S-123/57]

AMENDMENTS TO DELHI MOTOR VEHICLES RULES

The Deputy Minister of Railways and Transport (Shri Shah Nawaz Khan): I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, a copy of the Notification No. F.

12(136)56-BT & CE, dated the 14th March, 1957, making certain amendments to the Delhi Motor Vehicles Rules, 1940. [Placed in Library. See No. S-112/57]

AMENDMENTS TO TRAVANCORE-COCHIN MOTOR VEHICLES RULES

Shri Shahnawaz Khan: I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, a copy of each of the following Notifications making certain further amendments to the Travancore-Cochin Motor Vehicles Rules, 1952:—

- (1) Notification No. T. (B) 1-10540/55/PWC, dated the 24th January, 1957.
- (2) Notification No. T4-4836/56-PWC, dated the 29th December, 1956. [Placed in Library. See No. S-113/57]

AMENDMENTS TO MADRAS MOTOR VEHICLES RULES

Shri Shahnawaz Khan: I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, a copy of the Notification No. T4-4836/56-PWC dated the 29th December, 1956, making certain further amendments to the Madras Motor Vehicles Rules, 1940. [Placed in Library. See No. S-114/57]

AMENDMENTS TO MADRAS MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) RULES

Shri Shahnawaz Khan: I beg to lay on the Table, under sub-section (5) of Section 16 of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952, a copy of the Notification No. T4-9859/56/PWC, dated the 22nd December, 1956, making certain amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953. [Placed in Library. See No. S-114/57]

REPORT OF HINDI EQUIVALENTS COMMITTEE

Shri Tandon (Allahabad Distt-West): I request you, Sir, to give me permission to speak sitting.

Mr. Speaker: The hon. Member need not rise from his seat; he can speak sitting.

Shri Tandon: I beg to lay on the Table the Report of the Parliamentary Committee to fix Hindi Equivalents for Parliamentary, Legal and Administrative Terms, along with the Glossary. [Placed in Library. See No. S-124/57]

While laying the Report on the Table, I shall, with your permission, Sir, give the House an idea of the work which the Committee had before it. The Committee was appointed by you in consultation with the Chairman of the Rajya Sabha some time in May last, and it began its work in the same month. In all, it held 113 sittings and the office has calculated that the number of hours spent on the work by the Committee was 364½.

The task which was assigned to the Committee was to fix Hindi equivalents for Parliamentary, Legal and Administrative Terms for use by Legislatures and Secretariats thereof and by such other bodies and persons as may like to adopt them. The basis of its work was to be the Glossary of Legal and Administrative Terms commencing with letter D and ending with letter Z, which had been compiled by the Lok Sabha Secretariat in 1954. It contained, according to its Preface, about 21,000 terms. The Glossary commencing with letter A and ending with C had already been finalised by a Committee of experts appointed by your predecessor.

The task before our Committee was of a two-fold character. It had firstly to find out whether Hindi or Sanskrit or other languages of the country had an appropriate equivalent for the English term, and secondly, if no such

[Shri Tandon]

equivalent was available, it had to coin a new term of to give a term already existing a new but closely allied meaning.

The Committee regarded it as essential that the terms relating to Law, Parliament and Administration should, as far as possible, be common to the languages specified in the Eighth Schedule of the Constitution. The Committee has, therefore, in fixing the Hindi equivalents, endeavoured to evolve a terminology which may be assimilated in all the languages of the country.

The Committee has generally tried to fix equivalents which are current in Hindi. At the same time, it has drawn upon the regional languages also for appropriate terms. Terms of long historical standing have sometimes been taken from the Arthashastra of Kautilya, Gupta Inscriptions and Buddhist literature. Some English words which have become current in Hindi have also been retained. In accordance with the directive given in article 351 of the Constitution, we have generally drawn upon Sanskrit for the formation of new terms.

We have tried to make a start with about 20,000 terms. The Committee recommends that these terms may be used by the Secretariats of the Lok Sabha and the Rajya Sabha and also by State Legislatures.

I, as the Chairman of the Committee, hope that the work which we have been able to do may prove fruitful for the future.

MESSAGES FROM RAJYA SABHA

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

(i) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return

herewith the Appropriation Bill, 1957, which was passed by the Lok Sabha at its sitting held on the 23rd March, 1957, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(ii) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 2) Bill, 1957, which was passed by the Lok Sabha at its sitting held on the 23rd March, 1957, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

PUBLIC ACCOUNTS COMMITTEE

TWENTY-THIRD REPORT

Shri V. B. Gandhi (Bombay City—North): I beg to present the Twenty-third Report of the Public Accounts Committee on the Appropriation Accounts (Civil), 1952-53 and Audit Report, 1954—Part II and Audit Report (Civil), 1955—Part I.

12 hrs.

ESTIMATES COMMITTEE

FORTY-SIXTH, FIFTY-THIRD TO FIFTY-FIFTH AND SIXTIETH TO SIXTY-SIXTH REPORTS

Shri B. G. Mehta (Gohilwad): Sir, I beg to present the following Reports of the Estimates Committee.

Mr. Speaker: The hon. Member need not read them. He may say 'Seven Reports as mentioned in the Order Paper'.

Shri B. G. Mehta: There are eleven Reports. I beg to present the following Reports of the Estimates Committee:—

(1) Forty-Sixth Report on the Ministry of Defence Lands and Cantonments.

(2) Fifty-Third Report on the action taken by Government on the recommendations contained in the Seventh Report of the Estimates Committee.

(3) Fifty-Fourth Report on the Ministry of Defence, Ordnance Factories—Organisation and Finance.

(4) Fifty-Fifth Report on the Ministry of Defence, Ordnance Factories—Staff Matters and Training.

(5) Sixtieth Report on the Ministry of Transport—Motor Transport and Miscellaneous.

(6) Sixty-First Report on the Ministry of Transport—Inland Water Transport.

(7) Sixty-Second Report on the Ministry of Transport—Shipping (Part I).

(8) Sixty-Third Report on the Ministry of Defence—Training Institutions.

(9) Sixty-Fourth Report on the Ministry of Defence—Military Dairy Farms.

(10) Sixty-Fifth Report on the Ministry of Transport—Shipping (Part II).

(11) Sixty-Sixth Report on the action taken by the Government on the recommendations contained in the Eleventh Report of the Committee.

COMMITTEE ON PETITIONS

TWELFTH REPORT

Shri P. Subba Rao (Nowrangpur): Sir, I beg to present the Twelfth Report of the Committee on Petitions.

COMMITTEE ON ASSURANCE

FOURTH REPORT

Shri Raghavachari (Penukonda): Sir, I beg to present the Fourth Report of the Committee on Assurances.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

POLICIES WITH FINANCIALLY UNSOUND INSURANCE COMPANIES

Shri Feroz Gandhi Pratapgarh Distt.—West cum Rae Bareilly Distt.—East: Sir, Under Rule 216, I beg to call the attention of the Minister of Finance to the following matter of urgent public importance and I request that he may make a statement thereon:—

“The position of the policyholders in Insurance Companies which were found to be financially unsound and the action that the Insurance Corporation proposes to take in respect of such insurance policies.”

The Minister of Finance and Iron and Steel (**Shri T. T. Krishnamachari**): When the Life Insurance Corporation Bill was before Parliament, it was noticed that a certain number of insurers, whose business would be vested in the Corporation, were not solvent. Their liabilities, including the actuarial reserves under policies in force, were in excess of their assets. The financial position of some of these companies was so difficult that, owing to want of funds, they had not been paying the claims of their policyholders. Accordingly, power was reserved to the Life Insurance Corporation by Section 14 of the Life Insurance Corporation Act, 1956, to reduce the amounts of insurance under contracts of life insurance entered into before January 1956 by such insurers to the extent justified by their respective financial position. The Corporation has been examining the position

[Shri T. T. Krishnamachari]

of such insurers but, while all investigations are not yet complete, a sufficiently clear picture has emerged.

The following 19 companies, viz.,

Crescent.

Hind Benefit.

East & West.

Presidency Life and Provident.

Warden.

Bombay Capital.

Indian Economic.

Inter Provincial Provident.

East End Provident.

Mahaluxmi Provident.

New Bengal Provident.

Bengal Industrial.

Chota Nagpur Provident.

Prabartak.

Rajasthan.

Dominion.

Ideal Mutual.

Kranti Provident.

India Oriol.

were all found to be in deficit, the total extent of insolvency amounting to Rs. 59 lakhs approximately. If policy benefits are reduced to the extent of deficit for each company, such reductions would vary from 3 % to as much as 60% in one case.

In the case of a further group of ten companies, viz.,

Continental Mutual

Free India General

Home Security

Modern Mutual

Peerless

Policemen Provident

Tropical

United Karnatak

Reliance

Commercial Insurance.

while the investigations are not yet complete, there is a *prima facie* un-

covered deficit, which, together with possible deficiency in respect of a few other companies in respect of whom certain facts have since come to light might make it desirable to examine their financial position, is estimated to amount to another Rs. 10 lakhs or so.

The total uncovered deficit of all the above insurers, therefore, is estimated to be in the region of Rs. 70 lakhs. On the appointed day, the business in force of these insurers was about 1,16,000 policies assuring Rs. 16½ crores approximately.

The Corporation has now recommended that Government should agree to its paying the policy-holders of these companies their policy benefits in full, and that Government should itself bear the liability. In the Corporation's view, it would be unfair to make the burden fall on the policy-holders of the solvent companies, which would, in effect, be the case if the consequences of the decision to pay in full the policy-holders of the deficit companies are to be borne by the Corporation. Government consider that the Corporation's recommendation is well-conceived and in the interests of the large number of policy-holders both of the insolvent and of the solvent companies and have, therefore, decided to accept the liability. It is proposed to meet this liability over a period of years out of Government's share of the surplus ensuing at the biennial valuation of the Corporation. I am confident that the House will appreciate the spirit which has prompted Government to take this decision which will benefit policy-holders numbering about a hundred thousand.

Shri T. N. Singh (Banaras Distt.—East): May I make an enquiry?

Mr. Speaker: On... 'calling attention', no enquiries are made.

MOTION FOR ADJOURNMENT

DECISION re CLOSURE OF KALIGHAT— FALTA RAILWAY

Mr. Speaker: I have received notice of an adjournment motion from Shri Sadhan Gupta. I had no time to look into it. It was handed over after I came in and so I am calling it now. It relates to the following subject:

"The sudden decision to close down the Kalighat Falta Railway between Kalighat in Calcutta and Falta in the 24 Parganas which will lead to considerable hardship to the public and unemployment of a section of the staff."

When was that decision taken?

Shri Sadhan Gupta (Calcutta South-East): It is, for the first time, in today's papers.

The Minister of Railways and Transport (Shri Jagjivan Ram): The decision is not a sudden one. As a matter of fact, there was notice of a question on this matter by Shri K. K. Basu on the 25th of this month. I may, therefore, say that this decision is not a sudden one and it is not that the matter has come to the notice of the public only today.

But, I will state the case. It is a small line—26·2 miles of narrow gauge. A private company was running it at a deficit and according to the agreement entered into with that company by the Central Government, we have been paying a subsidy, on an average, of Rs. 3·71 lakhs, from year to year. Therefore, we decided that it will be better to take over this and dismantle it, if adequate facilities are provided for the public. The West Bengal Government also took up the matter with us and they gave an assurance that they would make all possible efforts; they said that the road services would be sufficiently developed in that area to cope with the normal traffic. That is the position so far as the public are concerned.

As regards the staff of the Kalighat—Falta railway, it has been decided by the Government of India to offer fresh employment to such of the staff as are below the age of superannuation and are otherwise found suitable. Detailed instructions in this connection have already issued to the General Managers of the Eastern and the South-Eastern Railways.

So, on both these points, namely, hardship to the public and unemployment to the staff, we have taken measures so that the public will not be put to inconvenience when this line is eventually dismantled and the staff who have not superannuated will be offered alternative employment.

Shri Sadhan Gupta: This closing down of the railway which runs for over 26 miles to the outskirts of Calcutta.....

Mr. Speaker: Order, order. First of all I ask, whoever has tabled an adjournment motion, whether he wants to make any submission. The hon. Member must have risen in his seat and made his submission as to what are the hardships. Then only the hon. Minister would have given his reply. Hon. Members want to have the last word in every matter.

Shri Sadhan Gupta: But the point is that the Minister has made a statement.

Mr. Speaker: The Minister is certainly entitled to do so; he is bound to reply. Why did not the Member come forward first with all that he had to say?

Shri Sadhan Gupta: I cannot anticipate the Minister's statement.

Mr. Speaker: Then he must keep quiet. We cannot allow the Minister to make a statement, then the Member to make a submission, then again the Minister to reply and so on. Therefore, whoever starts with a resolution or a motion must be armed with all the matters that he has to place before the House. Then only I will call upon the Minister to reply and give my decision. Anyway, today

[Mr. Speaker]

being the last day I am allowing the hon. Member to make his submission.

Shri Sadhan Gupta: The Minister said that the railway has been stopped on the assurance of the West Bengal Government that it will take up the development of road services to compensate the stoppage. Obviously, when this railway runs for over 26 miles into the outskirts of Calcutta and conveys a number of people to and from Calcutta it would be very undesirable to close down this railway before the road services are developed, because it will be impossible for the public to come and go out of Calcutta every day as daily passengers before the road services are adequately developed. Considering this hardship, a matter of about Rs. 3 lakhs a year does not seem to be a great sum.

Secondly, I want to know about the staff. What portion of the staff are over the age of superannuation? The notice to them has been very short. They did not expect to be superannuated so soon. Since the notice to them is so short, it will lead to great hardship if this section of the staff, who have attained the age of superannuation suddenly, is thrown out of employment. I request, Sir, that these points may be clarified.

Shri Jagjivan Ram: As I have already said, Sir, we have been losing nearly Rs. 3 lakhs to Rs. 4 lakhs of the taxpayer's money over this railway every year. If we run this line departmentally, the loss will mount up and it will be to the extent of Rs. 5 lakhs.

Shri Sadhan Gupta: Not permanently; till the roads are developed.

Shri V. P. Nayar (Chirayinkil): Roads are not developed overnight.

Shri Jagjivan Ram: It is not a question of roads developing overnight. My friends should not forget that this line is not in jungles; roads are already there in this area.

Shri V. P. Nayar: And transport?

Shri Jagjivan Ram: If the hon. Member does not know it, then I would say that he has not been briefed properly. The roads are there and lorry services are running. It is only a question of putting a few bus services; of course, lorry services also must be there because roads are not meant only for passengers but goods also. So it is a question of widening the roads in certain sections and putting a few more buses. As I have already said—if the hon. Member had understood it he would not have raised this point—if eventually the line is dismantled properly developed bus services will be found there.

As regards staff I have nothing to say. I am not going to absorb in service those who are already superannuated just because the hon. Member has raised the point.

Mr. Speaker: Now, so far as this matter is concerned, it is only a decision that has been taken; it is not as if the line will be dismantled immediately; it will take some time before the dismantlement takes place. The hon. Minister has just now said that already roads are existing in that area, and only bus services have to be introduced. He said that it is only a question of putting a few more buses and lorries and widening the roads here and there. I am sure that no inconvenience will be caused to the general public in the matter of services and sufficient care will be taken, so far as dismantling the line is concerned, to see that these hardships do not occur.

This is not a matter which has occurred quite recently. The question was put on the 25th. Between 25th and today there were only three days. But, all the same, this must have been in the course of negotiation. The Government is losing and, as a matter of fact, the country is losing to the extent of Rs. 5 lakhs. Under the circumstances, I do not think this is a matter which calls for any particular discussion on the floor of this House. Enough has been said about it. I am sure that the hon. Minister

will see, in conjunction or collaboration with the State Government, that no hardship is done to the public. I am not, therefore, called upon to give my consent to this adjournment motion.

RESIGNATION OF MEMBERS

Mr. Speaker: I have to inform the House that the following two Members have resigned their seats in Lok Sabha with effect from the 26th March, 1957:—

- (1) Shri K. Janardhan Reddy.
- (2) Shri Sohan Lal Dhusiya.

RULES COMMITTEE

NINTH REPORT

Sardar Hukam Singh (Kapurthala—Bhatinda): Sir, I beg to move:

"That this House agrees with the Ninth Report of the Rules Committee laid on the Table on the 26th March, 1957."

Mr. Speaker: The question is:

"That this House agrees with the Ninth Report of the Rules Committee laid on the Table on the 26th March, 1957."

The motion was adopted.

PAPERS LAID ON THE TABLE

FIFTH EDITION OF RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN LOK SABHA

Sardar Hukam Singh (Kapurthala—Bhatinda): Sir, in pursuance of the decisions of the House on the 22nd December, 1956 and 28th March, 1957, on the recommendations of the Rules Committee contained in their Seventh and Ninth Reports, I beg to lay on the Table the Fifth Edition of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. S-125/57.]

SECOND EDITION OF DIRECTIONS ISSUED BY THE SPEAKER

Sardar Hukam Singh: Sir, I beg to lay on the Table a copy of the Second Edition of the Directions issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. S-126/57.]

APPROPRIATION (RAILWAYS) VOTE ON ACCOUNT BILL, 1957.

The Minister of Railways and Transport (Shri Jagjivan Ram): I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of a part of the financial year 1957-58, for the purposes of Railways, be taken into consideration."

Mr. Speaker: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of a part of the financial year 1957-58, for the purposes of Railways, be taken into consideration."

The motion was adopted.

Clause 1 to 3, the Schedule, the Eacting Formula and the Title were added to the Bill.

Shri Jagjivan Ram: I beg to move

"That the Bill be passed."

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

KERALA BUDGET—GENERAL DISCUSSION

Mr. Speaker: The House will now take up further discussion on the Kerala Budget.

Shri V. P. Nayar (Chirayinkil): Mr. Speaker, Sir, I am really glad that on this last day I am getting an opportunity to speak in this House. I do not want to go into the details of the Budget, either with regard to the revenue side or the expenditure side, because this is more a formal discussion than a discussion into the merits or demerits of this Budget.

But I would like to have one point answered. As I went through the budget papers I found that some very important papers have been printed at the last moment in Delhi. You will find, Sir, that the annual financial statement, the explanatory memorandum, the detailed budget estimates of the vote on account have all been printed at the Government Press, New Delhi, while the rest of the papers have been printed in the Government Press, Trivandrum. Why I raise this point is, because a fear has been created, and that fear has been enhanced by the speeches of the leaders in the recent election campaign, more especially by my hon. friend, Shri Datar and the Home Minister Pandit Pant, who in their campaigning in the State created an impression, which is already there amongst a section of the people, that Government by a party in opposition to the Congress in a State would certainly have to meet impediments from the Centre.

Shri A. M. Thomas (Ernakulam): I do not think there is any such fear.

Shri V. P. Nayar: There is. This fear has been enhanced because I find that at the last minute the budget has been revised. Whatever the matter is, I do not know the details, I found to my surprise that certain publications have been printed in Delhi. I have also information—I shall be glad if I am corrected—that the budget has been revised under instructions from

Delhi. The whole team of officers making the budget including the stenographers were summoned to Delhi when the trend of the election became more clearly known. If that be so, I regret that it has been done. I would also request the hon. Minister to clear the misunderstanding in this debate and categorically state that the Central Government will do all that is possible to help the people of Kerala and their Government also.

Whatever might be our criticism,—and in fact you know we have very strong criticisms about the President's rule,—I do not say anything about it now. But all of us, including the Home Minister, are glad that the recent elections have given a very clear verdict and we are also glad that the position has now stabilised after a period of instability, and that there is no more scope for the famous sack-trick of the ex-Chief Minister in getting people over to his side. We are all glad that this House will be spared the detailed discussion which we have had for the last one year on affairs relating to the State of Travancore-Cochin first and then of Kerala.

Mr. Speaker: There will be less number of questions hereafter.

Shri V. P. Nayar: Yes, Sir. We have been forced, in rather unedifying circumstances which the Home Minister was pleased to say so the other day, to take up such things. The State administrative machinery broke down in the State resulting in this House taking up, even at the sacrifice of its own questions, questions relating to the day-to-day administration of the Kerala State. The House must, therefore, be particularly thankful to the people of Kerala in having spared this House another period of such extra work and also thank them for giving a very clear verdict in this election.

I do not want to go into the budget details, but on going through the budget papers, I could not help feeling that it was the product of a bureaucratic administration. There is

no doubt about it. There is no departure from the previous budget we have seen. To my very great surprise, I found that—I do not know whether it is done by the Kerala Government or the Government of India—some of the words and expressions used in the budget ought not to have been there. I would particularly draw the attention of the Minister concerned to the use of the word 'menials' in the budget papers. Wherever an establishment is detailed, you find the word 'menial' is used. It is very regrettable that in an authoritative document of the Government like the budget, when you describe the establishment, when you make a provision for a class of Government employees, the Government themselves call that class as 'menials'. I was not very sure about the meaning contemplated in that word. I find that 'menial' has no other meaning except that it will pertain to a class of service or work. This is what the Oxford Dictionary says: "work of a domestic or service nature or a person of servile disposition; one performing servile work or domestic service". We are making provision for the underpaid employees of the Government of Kerala and stating in the budget that we are providing for the menials. Nothing could be more wrong, and I submit that in future at least the Government should avoid the use of such expressions which are derogatory to the dignity of the human beings who are employed.

Babu Ramnarayan Singh (Hazari-bagh West): Hear, hear.

Shri V. P. Nayar: I shall refer to another point now. My hon. friend, the Minister in the Ministry of Home Affairs is fortunately present here, and he could not deny that when I refer to it now. An impression was definitely created in the States, more so in the Kerala State, during the election campaigning, that in the matter of several concessions and other contacts in respect of the Centre and from the Centre, there will be an administrative impediment. I wish that these were stated only for

the purpose of vote-catching. Now that the elections have very definitely settled matters, I hope that the Government of India will help the people of Kerala and their elected Government.

I would refer in particular to a passage from the speech of the Home Minister which he made on the 29th March, 1956, almost a year ago, when we were discussing the President's rule in the State of Travancore-Cochin. I am reading that only to point out that there has been an open admission by no less a person than the Home Minister that the affairs of Kerala have rather been neglected. He said that to the extent that the hon. Ministers are pleased to take interest in the affairs of the State, it will perhaps have a better deal, and greater consideration and more of sympathy than it would have if it had been carrying on its own affairs separately and in an isolated corner of the country. I grant that we are in an isolated corner of the country. I also agree with the Home Minister that we did not have the place which we ought to have, and the Home Minister himself admits that in the affairs of the States, it will perhaps have a better deal. I ask, where is the scope for a better deal if our deal was not proper. This is an open admission of the Government. I want the Government of India to realise that the Government of India themselves have admitted that we have not been treated properly. Now, after years of instability, when we have chances of a stable Government, I hope and wish that my friends on the other side will help stabilising the administration there. The Government of India should go all out to help our State.

Take, for example, the case of the allocation of funds for the second Five year Plan. Can anyone today say that the State of Kerala has been given proper justice? Can anyone say that what is rightly due to the State and the people there has been given under the second Five Year Plan? What is the amount which we are having? It is around Rs. 95 crores.

[Shri V. P. Nayar]

One can distribute the amount on two bases, or rather, on one of two bases. Either it may be on the per capita basis or on the employment basis. Certain backward States must necessarily get a greater share in the income. You have a distributable surplus from revenues. In the case of Kerala, on either basis, we have a better claim for more funds. I am not at all worried about the Planning Commission allocating or the Government of India giving any fund or any amount of money to any State. What I am keen about is that my State should have what is rightfully due to it.

You know that the new Kerala Government will have to face certain difficult situations. We all know that nowhere in India is unemployment so prevalent. We all know that in Kerala most of the major industries are facing periodical crisis. We also know that the agricultural produce of our country, more especially in the case of our exportable surplus, has been suffering from a regular price-fall. Add to that the colossal unemployment which we have. Add to that the density of population which was commented upon by many people. Add also to that the non-existence of any industry which we can call as a basic industry and which is an employment potential for the development of subsidiary industries. This situation has made it impossible for the Government of that State to develop the State by its own, the more so because, in recent years, after the federal financial integration, the Government of India made a definite incursion into our revenue sources. We have had to surrender so many revenue-yielding sources. You know that our State has a very peculiar economy. This has been said in detail on so many occasions that I do not want to go into details. Make an analysis of the revenue-yielding sources of that State and compare it with that of any other State. We have to depend more upon foreign trade. We were having a higher per capita

income from foreign trade than any other country. In fact, if you remember, I pointed out the other day that about 25 years ago, the per capita average income of a person in Travancore-Cochin in the matter of foreign trade came to about Rs. 55 while today, in the whole of India, in this context, it is only about Rs. 35. All these sources have been taken away from us, and the money which the Government of India is charitable enough to give,—as they say, it is fixed—stands at 3.86 per cent. allocated from certain revenues and distributable surpluses. This is not enough. The Government of India must allow us to tackle our problems, and nothing is possible unless there is some money. I am thankful for what has been given, but that would not at all be sufficient to meet the ends of justice for the people of Kerala.

If you want conditions to stabilise, if you want a good Government to function there, you must also make it possible for that Government to chalk out a programme to develop certain industries to prevent crisis, and certain other industries also. You must also provide for unemployment, and you should approach the entire question from its very basic aspects. If this is not done, the Government of India would be accused, by the people, of deliberately causing impediments in the way of the good governance of that State. I would, therefore, urge with all the emphasis at my command that the Government of India should seriously think about revising the allocations in the second Five Year Plan made from distributable sources of revenue and also helping the State in the matter of establishing at least some of the big industries in that State. The State with such technical skill is going without any factory today. If you can find a factory anywhere in India without a Malayalee, then do not believe what I say. When our people have the necessary technical skill and the necessary educational background, when they can do any work, ours is

perhaps the only State today which cannot claim to have a big industry or project under the second Five Year Plan.

My hon. friend, Shri Matthen, the other day said that one of the rubber companies did not come to Travancore-Cochin because of the labour troubles. I ask him to tell us in which State the Labour trouble is maximum. The Labour Bureau have published several facts and figures and I do not find from them that Kerala is the State where the labour is most revolting. It is certainly not like that; it is a manipulation and an excuse to say that because there is labour trouble, private companies are not coming there. Why should you go to the private individuals? Our State is endowed with very rich mineral resources and the Central Government have assumed the responsibility of developing the mineral resources in the whole country. Why can they not develop our mineral resources? Even in the little way in which the Government have helped our State, I found to my surprise when I visited a place called Varkali, where lignite is available in large quantities, they had set up one drill which does not function. In order to establish the availability of lignite, which is very much in demand in South India due to the shortage of coal, we should have 40 holes to be drilled. Even in this matter when all the records indicate positively the existence of large quantities of lignite, when we have agitated for the exploitation of that lignite continuously for a period of five years, you send us a drill which does not work at all and say that in 18 or 24 months, you will get lignite there. Are we to wait for 24 months to be told that lignite is available in Varkali, when by the modern processes it can be done within a period of 2 to 3 months? After all, a drill is not a very costly thing; it is available for Rs. 75,000 and the Central Government is having many. The other day when I asked whether some of the drills used in the Neivelli lignite project could not be spared for some period for drilling holes in

Varkali, no answer was given. This attitude must be changed. If they are genuine in helping the State of Kerala and seeing that the employment situation is relieved, if they are genuine in their praise for Kerala, they should certainly see that the Government of the State and the Government of India are able to establish certain basic industries there. We have got so many resources; we have got chances for starting so many industries, but none of them have been started. The Planning Commission has completely ignored the absolute and imperative necessity of having certain projects in the State. If this attitude is to be continued, I submit that it is going to create a really very dangerous situation in that State.

I would urge upon the Government that in the matter of allocation of funds, they will certainly have to depart from set principles and rules, because in Kerala there are certain problems which have to be tackled on a different footing. The problem of unemployment there is unparalleled anywhere else in India. If you want the State Government to tackle it, you have to help that Government also. If there is any sincerity in the statement that the Government of India will not create any impediments in the way of a Government that is run by a party in opposition to the party ruling at the Centre, then a categorical statement should be made to that effect and it should be shown in practice; it will at least dispel the fear in the mind of the people, real or imaginary, I do not worry.

Yesterday I was very glad to learn Professor Mathew say—my friend, Shri Sreekantan Nair has also said it today—that they welcome the communist party coming into power. I want to use this occasion to request them to render all possible co-operation for the successful governance of the State of Kerala, where, as everyone knows, instability has been in existence for a period of years, despite the fact that the ruling party once upon a time had such a big majority. The administrative machinery there does require

[Shri V. P. Nayar]

toning up. We are having an administration where corruption has been inherent and has been systematically encouraged for a period of years, an administration whose inefficiency has been ignored for a period of years. This cannot be changed overnight. We realise the difficulties in toning up and gearing the administration to meet the demands of the day. I earnestly hope that the other Members of the House and also the other parties which function in our State will give the party in power the most generous help. I once again request them not to indulge in petty quarrels, but to see that they contribute their best for the best governance of our State and for giving the greatest possible benefit to the people of Kerala. I am very glad that the House has been spared in the coming period from having to discuss every administrative detail of the State of Kerala and I also thank the electorate, the people of Kerala, for having given a very decisive version in the recent elections.

Shri A. M. Thomas: Mr. Speaker, Sir, the Speakers who have preceded me have prefaced their remarks with the situation that has arisen out of the defeat of the Congress Party in Kerala in the polls. I am not going to enter into the reasons of the defeat of the Congress Party or the success of the Communist Party in Kerala. My friend just made a statement that the days of the "sack-trick" are over. I think that the sack-trick is now being adopted. We all know that the Communist Party of Kerala has got a strength of only 60 in a House of 126 and what is it that is now being adopted by offering Speakership or Ministership to the 5 or 6 Independents? We read reports about this every day in the papers. (Interruptions).

Mr. Speaker: Mr. Nayar said something and the hon. Member is answering him.

Shri A. M. Thomas: We need not go into that question; the less we talk

of it the better it would be in view of the present situation.

Shri V. P. Nayar: You concede that your party is defeated.

Shri A. M. Thomas: I may even concede that the Congress Party in my State has not come to expectations. But the difficulties which the Congress Government in Travancore-Cochin had to face when in power seem to have been forgotten. As we all know, the Congress Government in Travancore-Cochin—I believe my hon. friend, Shri V. P. Nayar, will concede that fact—inherited a depleted treasury and we know the difficulties that that Government had encountered. We can take pride in the fact that the foundations of a sound economy in that State have been truly and firmly laid. Not only that; although that Government inherited a depleted treasury, in the report on the President's rule, we have got the statement that when in September, 1956, a loan of Rs. 2 crores was floated, the very next day it was oversubscribed and it came to about Rs. 2,25,00,000. That speaks of the care that has been taken by the Congress Government in Travancore-Cochin when it was in the saddle. It can also be said that several schemes in the First Five Year Plan have been carried out during the Congress regime in Travancore-Cochin. In the preparation of the Second Plan also, the Congress Government has done its work. It is an irony of fate, if I may use that word, that when the fruits of the labours of the Congress Government were about to be reaped, the Communist party has come with its sickle to reap the harvest. That is a very sad situation that has arisen in the State of Kerala. I need not dilate on the achievements of the Congress regime there. I would only say that those are achievements which would compare favourably with the achievements of any State Government in India. I can challenge my friends with regard to that fact. Those achievements, which are to the

credit of the Congress Government, were achieved when my friend's party was carrying subversive activities. Now, it is very good of the Communist Party to ask for co-operation from all parties. But, what was the attitude of this Party when the Congress Government was in power in Travancore-Cochin? My hon. friend knows that they were trying to derail trains, they were attacking police stations, trying to set afoot an armed revolution and to wreck the plan which was being worked by the Congress regime. It is very easy to blame a Government that was in power in these very difficult circumstances.

I am sure that the people of my State are sure to be disillusioned, because they have got the votes on promises such as that they would get Rs. 200 crore Plan allotment from the Centre. I do not know how Rs. 200 crores will be obtained. They have got the votes on the very attractive promise that the unemployment problem would be solved. They have got votes on several other promises. We all know, they also know, that these are promises which could not be carried out. When they are about to form a Government, they are gradually retracing from the positions which they originally took. They say that they will act only slowly, that they will act within the Constitution, that they will work out the Plan laid down by the Congress Government which was being condemned in season and out of season. These are just the beginnings of the great disillusionment that is in store for the people of Kerala. Whatever it be, there is the sporting offer which has been made by the Finance Minister in the Budget speech that aid to every State will be forthcoming which is possible to be given irrespective of the fact whether it is the Congress Government that is in power or any other Government, because, as far as the Congress Party which is in power in the Centre is concerned, our attitude in these things is not governed mainly by party considerations but considerations of the welfare of the people to whatever

part of the country they belong. My friends may rest assured of that fact. However we have found that the attitude of the Communist Party which has come out as the largest single party in Kerala is governed by considerations of the advantages to the party more than anything else.

I just wish to make a few remarks on the Budget also before I close. I am aware of the limited scope of the discussion of this Budget. As the Finance Minister has reminded us, it is only an interim Budget. But, in the present economic set up, I think it would be useful to discuss it and deal with some aspects although this is an interim Budget. My hon. friend Shri V. P. Nayar has referred to the fact that all the major revenue-yielding sources have now gone to the centre. Apart from that, now that we have adopted a planned economy, and a plan which takes in the whole country and which effects the administration upto the panchayat level, it is a matter which we have to countenance that every State Government would lean more and more towards the Centre. A usual feature of the Budget discussions in the State Assemblies would be, the State Finance Ministers would exhibit their helplessness that the Centre is not coming to their aid. The discussions on the Budget would also indicate that the Members complained that more and more aid should be got from the Centre. Even in the Budget on hand, inadequate as the Centre aid is, you would find that the grant from the Centre amounts to Rs. 3.60 crores and out of Rs. 12.65 crores, on account of capital budget, you will find a provision of Rs. 4.72 crores as loans from the Centre, so that it comes to Rs. 8.32 crores. The hon. Finance Minister has, according to me, anticipated criticism on the inadequacy of allotment because he says that the estimates of Plan expenditure have been framed with the concurrence of the Planning Commission. I may say that when compared with the size of the Plan, the allotment for the year in question is quite inadequate.

[Shri A. M. Thomas]

The Plan provision for the State of Travancore-Cochin was roughly Rs. 72 crores. From this there should be a deduction in lieu of the area added to Madras. The Madras Government's agreement for Plan allotment as far as the Malabar district is concerned, at the first stage, was only for Rs. 15 crores. In the speech of the hon. Finance Minister, it is seen that the Plan allotment for the State of Kerala comes to Rs. 87 crores. The present Budget has been framed with this overall figure in mind. Apart from the fact that this sum of Rs. 87 crores is not a proper figure for the entire State of Kerala, even if this sum of Rs. 87 crores is taken into consideration, I have to express disappointment at the Plan expenditure which has been budgeted for the year 1957-58. Provision has been made only for an expenditure of Rs. 15.14 crores as Plan expenditure. Comparing the total outlay of the Plan, I believe that the Central Government would admit that this is an inadequate amount. The tempo of expenditure will be more in the later years of the Plan. In the first year of the Plan itself, according to the estimates in the Travancore-Cochin Budget for 1956-57, Rs. 16 crores have been budgeted for on account of Plan expenditure. I do not know why such a low amount has been shown in this Budget for the second year of the Plan. I understand the anxiety of the hon. Finance Minister that he has to take into consideration the inflationary conditions that are prevailing in the country. He has also to strictly keep in view the priorities. He has referred to that aspect in his Budget speech when he introduced the General Budget of the Government of India. I would like to impress upon the Finance Minister that when we take into consideration this question of priorities we have also to take into consideration the regional balances. There are certain regions which are quite undeveloped, the requirements of which regions are to be given prio-

riety compared with other regions. When we take the overall picture of the country as a whole, and have this sense of priorities in making allotments, I would request the Finance Minister to take into consideration undeveloped regions like Kerala where the problem of unemployment is most acute, where the density of population is the largest.

At the same time, I may also bring to the notice of the Central Government and also of the Government that may be formed in future that the administrative machinery is not geared up properly to spend even the amounts that are provided for in the Budget. That may be one of the reasons why the Finance Minister has only budgeted for a lower amount for the second year of the Plan.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): How does my hon. friend say that it is a lower amount? Does my hon. friend mean that the total allocation should be divided into five and assigned in that way or that it should be done on the basis of the projects that have been taken up and the projects that will be fulfilled during the year? I really cannot understand how he could call it a lower amount, unless he means that the sum of Rs. 80 or 87 crores should be divided by five and that should be available.

That is not our way of planning. In fact, we are spending Rs. 87 crores. It is being phased, and the expenditure might probably reach the peak in the third or fourth year. Certainly it cannot be reaching the peak in the second year. And that is the position in regard to the entire plan. Our Plan expenditure originally was Rs. 4800 crores. Now, we are thinking in terms of Rs. 5300 crores. We are spending this year only Rs. 900 crores. On that basis, the hon. Member will find that the provision that has been made is adequate.

Shri A. M. Thomas: I was taking into consideration the entire allotment for the State, that is, Rs. 87

crores. According to the report on the President's rule, only Rs. 14 crores out of Rs. 87 crores have been spent in the first year of the Plan.

Shri T. T. Krishnamachari: That is what I say.

Shri A. M. Thomas: For the other four years, there are Rs. 73 crores left.

Shri T. T. Krishnamachari: It is quite likely that we have spent only Rs. 775 crores in the first year. We are spending Rs. 900 to 920 crores in the second year. Naturally, the expenditure in the third year might perhaps reach upto Rs. 1200 or 1300 crores. The Plan goes on progressing.

So, there is no point in my hon. friend thinking that I have allotted Rs. 87 crores, and, therefore, the expenditure should be on the basis of one-fifth of that. Actually, that is not the planned expenditure. Very possibly, many of these items for which we have planned in Kerala might demand extra expenditure in the third or fourth year.

I am surprised that, without going into the facts, a competent critic like my hon. friend is making an arithmetical evaluation of the problem and asking me to answer his point.

Shri A. M. Thomas: It is not an arithmetical evaluation. In view of the administrative reorganisation that has been effected, and in view of the fact that the spending capacity is....

Shri T. T. Krishnamachari: May I add that if my hon. friend says that the total Plan provision is inadequate, he is perfectly entitled to do so? But if he says that the allocation on the basis of the total Plan is not adequate, I am afraid I shall have to tell him that that is not correct.

Shri A. M. Thomas: Since the point with regard to the total Plan allocation has been referred to by me on previous occasions, I did not think it was necessary for me to repeat it now. But going by the distribution of population in the Malabar district, I

feel that the allotment of Rs. 16 to 17 crores on account of the Plan expenditure, for Malabar district is quite inadequate. That has been referred to on previous occasions, and, therefore, I did not think it necessary to repeat it. Whatever that might be, I was just basing my arguments on the allotment which has now been provisionally accepted by the Central Government. Anyhow, this is a fact which may be taken into consideration when the final budget is prepared, namely that consistent with the spending capacity of the various administrative departments in that State, it may be possible to make a larger allotment under the Plan.

My only anxiety is that the end of the Second Five Year Plan, even the inadequate allotment of Rs. 87 crores that has now been made should have been spent completely.

Mr. Speaker: The total time allotted for this is 2 hours. How shall we fix the time for the different items, the general discussion, the voting on the Demands for Grants (Vote on Account), etc.

Shri Kamath (Hoshangabad): One hour for this.

Mr. Speaker: We started the general discussion at 12:20 p.m. So, this stage must be over by 1:20 p.m. How long will the Minister take?

The Minister in the Ministry of Home Affairs (Shri Datar): I shall take about ten minutes.

Shri T. T. Krishnamachari: If any other points in regard to finance are raised, I would like you to give me about five minutes.

Mr. Speaker: I shall call Shri Matthen also.

Shri Achuthan (Cranganur): You may give five minutes to each hon. Member.

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): I also want to speak.

Pandit S. C. Mishra (Monghyr North-East): I would also like to speak.

Mr. Speaker: I shall first exhaust the Members from Kerala.

Shri Kamath: Shri Velayudhan is an outgoing Member.

Mr. Speaker: Whether outgoing or in-coming I shall call everyone.

Shri A. M. Thomas: There is a statement in the report on the President's rule that a revised plan for Kerala for Rs. 87 crores is under preparation. In the preparation of that plan, I would request the Finance Minister to take particular care, because my own reading of the situation is that the peculiar circumstances of the State are not being taken into consideration in the preparation of the various industrial schemes in particular.

In spite of the fact that the solution for the acute unemployment problem in Kerala is increased industrialisation, I find that the weakest Department in Kerala is the Industries Department. I do not think that there is any shortage of officers there. I understand there are as many as five Directors of Industries and Mining for that particular State. It is a regrettable phenomenon that in spite of this, the allotment under industries and mining has not been spent in full.

Under the original Second Five Year Plan, the Budget allotment for Travancore-Cochin for the year 1956-57 came to Rs. 201 lakhs. But, according to the report on the President's rule, we find that only Rs. 61.27 lakhs, have been spent inclusive of the amount spent for Kerala. This is a very serious thing. I would request the Central Government to consider this question in particular, because, anxious as the Central Government are to help in the industrial progress of that State and also in the solution of the unemployment problem, even the amounts set apart under the Five

Year Plan are not being spent. When this is the situation, I do not know how industrialisation is possible in that State.

While on this question of industrialisation, I may refer to one other aspect. If we go through the history of industrial development in that State, we shall find that the development that has taken place there has been possible because of substantial State aid, and also because of the fact that entrepreneurs have come from outside that State to invest their money there. These aspects have to be taken into consideration when we plan for the industrial development of that State. If substantial help by way of participation of equity capital or grant of loans and subsidies is not forthcoming from the State Government or the Central Government, for that matter, it is not possible to industrialise that State at all. This aspect may also kindly be borne in mind.

I would also submit that something has to be done in the matter of the reorganisation of the Industries Department there. From the detailed budget estimates, at pages 358 to 415, under item No. 43, I find that several schemes have been mentioned. But many of those schemes had been mentioned also in the previous detailed budget estimates. What happens is that at the end of the year, the amount set apart for the several schemes is very deplorable state of affairs. : usually allowed to lapse. This is a hope this would not be repeated in the future. And I would, therefore, request the Central Government to pay particular attention to this matter.

I would also draw the attention of the Central Government to the fact that the development of industries based on the various produce which are in abundance in my State has not been taken into consideration so far. For instance, there is the scheme for the development of the Nilambur valley, which, according to me, would revolutionise Malabar and effect the

industrialisation of the State of Kerala. There is vast scope for exploiting the resources which are found on either banks of the Chalia river right up to the sea. I understand that some schemes were prepared by the State Government to exploit the resources of the Nilambur valley and they have been submitted to the Central Government, but adequate attention has not been paid to them at all.

13 hrs.

Mr. Speaker: The hon. Member cannot take all the time.

Shri A. M. Thomas: I shall conclude in a minute.

Another remark which I found in this report is that for extension of power to the Malabar area a scheme costing about two odd crores of rupees has been sent to the centre.

"A proposal asking Rs. 217 lakhs from the Centre for extending transmission lines to Malabar area to enable this area being supplied from Kerala grid has been taken up with the Planning Commission."

It is necessary that the Planning Commission gives approval to the scheme as early as possible, because it is a very important project.

With these few words I support the Budget that has been presented in this House by the hon. the Finance Minister.

Shri Matthen (Thiruvellath): Mr. Speaker, Sir, I shall follow the precedent of the previous speakers with a few remarks on the elections. Even though I am not very happy that my friends on the other side have scored a victory, I cannot help congratulating them for the success they have achieved. But one thing I may tell the House for the information of the world. There has not been a sudden spurt of communism in my State. In my constituency, which I know intimately, where I live, in the last elections a candidate, an important candidate, who is now

a Member of the House, Mr. Punnoose stood for the Assembly and against him the Congress candidate was a depressed class Christian. He won and Mr. Punnoose was defeated. Today if the Communists have won the elections, it is due to the complacency of the leadership of the Congress in my State. So, they have to thank themselves for handing over the Government in a platter to the Communists.

I am glad to assure them of whatever cooperation and help I can lend to them, if they follow what they have been preaching of late, that they will work within the Constitution. One of the important Members of Parliament at a meeting said that they believed in the ballot box. So, communism is changing as every other 'ism' is changing. Today they believe in the ballot box and I hope they will continue to believe in the ballot box. If they do so, I am prepared to lend whatever help I can to them. I endorse every word that my hon. friend Mr. Matthew has said, even though I repeat that I am not at all very happy and I shall be glad if the Congress ever takes back the Government.

Another charge levelled against me by my hon. friend Shri Sreekantan Nair was that I was the only Member who advocated President's rule, and that I said, 99 per cent. of the people of the State welcomed it. What I said was that they preferred it to the Ministries' rule, both the PSP and the Congress Ministers. I am sorry that being a Member of the Congress Party, I am not in a position to say more. They were happy that the Ministry rule was changed and some responsible efficient organisation took charge of the State. I did say that Mr. P. S. Rau, at the time I made the remarks, had during the previous five months done more than what the Ministries had done during five years. I still hold I was right.

My hon. friend Shri V. P. Nayar said that I had made some remark that labour was responsible for all the trouble. I did say that I said the labour leaders were not doing the

[Shri Matthen]

correct thing, though I might have said labour. I know of more than one instance from direct knowledge. Some three years ago an American Businessman, an old friend of mine, representing the Continental Loan Corporation, New York, had come and I was able to prevail upon him to start a factory, costing Rs. 10 crores in Chavara where we have valuable sands. We were motoring from Trivandrum to that place. Unfortunately a strike was one and the poor fellow was frightened, and said: "Mr. Matthen, my whole future depends upon this." The poor man is no more. This is an instance I know from direct knowledge.

The Congress leaders have been telling me that they want to help the private sector; they have no idea of disturbing it. They believe that in the developmental economy the private sector's cooperation is very essential. They have asked for my support in getting the private sector's cooperation. This is the clear attitude of the Congress party towards the private sector.

I threw a challenge to my hon. friends some months ago. If my hon. friends can come to an industrial truce say for five years I am sure it will pave the way for greater industrialisation. I am glad they have accepted that challenge and they repeated recently that if I would get the private sector they would talk it over and come to an agreement. If they follow several things which they said they are going to, it will be a good thing for my State that a change of Government has come.

Shri Nambiar (Mayuram): So far as industrialists are concerned, they must also change their attitude.

Shri Matthen: Have you changed the attitude you had before? You were obstructing them; you were obstructing them in every place I have not the time; otherwise, I could quote chapter and verse. Let us now turn a new leaf.

Mr. Speaker: Now they won't obstruct because they are in Government.

Shri Achuthan: How long can they continue?

Shri Nambiar: Five years.

Shri Matthen: My hon. friend Shri V. P. Nayar said that the Centre is not giving adequate allotment for the development of industries in my State. Industrialisation is the only solution for this problem State, I admit. But what I am asking is this. I think in the First Five Year Plan they were not able to spend the Rs. 5 crores allotted to them. Why did it lapse? I admit the allotment is inadequate; I admit we are two thousand miles away and we receive no proper attention. But our Ministries were not able to spend even the money allotted to them. Let them try and spend the allotment and ask for more.

I find my hon. friend Shri V. P. Nayar is not in his seat; I hope Mr. Nambiar will take the hint. I have to stress some points for their consideration. One is in regard to the second ship-building yard. I have been working for it for the last three years. Unfortunately, now several other States have come forward with their applications, even though I am satisfied, and even the Production Minister is satisfied that objectively considered, Cochin stands the best chance. My point is that my hon. friends must follow it up. It has tremendous economic and employment potential. It is not the yard only, but the other industries that will have to be started for the development yard that matter.

Number two: The Transport Committee has been trying and the hon. Railway Minister has promised the starting of a Ratings School in Cochin for the merchant navy ratings. When the hon. Shri Lal Bahadur Shastri visited my place a couple of months ago, he formally made an

announcement that the school would be started soon and since then I had occasion to discuss this matter with the Administrator of the Cochin Harbour and he told me that a site has been selected and a board had been put up: "Site for the Rating School." More than that, the Chief Secretary to our Kerala Government told me that they have promised to pay no less than Rs. 1 lakh for the building, if necessary more. In view of that, I thought the school would be started before the elections. But, in reply to a question of mine the other day, the hon. the Railway Minister said that the "matter is under serious consideration." When the Railway and Transport Minister had made a statement that the school would be started soon, I cannot understand what further "serious consideration" is required. Since I will not be here, I hope my friends will take it up. In a rating school, 400 pupils can be trained at a time and a term runs for four months. That means that in one year, 1000 men can be trained. There is no other employment potential like this.

My hon. friend was referring to the proposal for a rubber factory. As regards the old proposal—I do not want to mention the names—they were shied away by labour. Now, there is another proposal made by a big Indian businessman. But the moment he heard that the Communists are coming into power, he told me: 'Matthen, we are inclined to back out'.

Shri V. P. Nayar: We do not want such people.

Shri Matthen: Not you, but I want.

I told them that the Communists promise to be different from what they were. They want to develop the country; so you can count on them. This is what I told them. But whatever that may be, I can tell you that they are less dishonest than our people—I do not like their ideology at all.

Shri Nambiar: Very glad to hear that!

Shri Matthen: Then unemployment is a great problem. I think the only way it can be solved without much finance is to have a large-scale colonisation scheme whereby our people, who are very good agriculturists, can go, and settle in other parts of India. It has been started in Andamans and Bhopal. But that way of starting is no good. We want a large-scale scheme enabling thousands of people to go to other places whose economy can be developed. I would strongly advise my hon. friends on the other side and also the hon. Minister to render all facilities for a large-scale colonisation scheme. Take, for example, Madhya Pradesh. Dr. Katju, the Chief Minister, has been telling me about it. I met him the other day at the President's party. He said: 'Matthen, that offer still stands'. They have got new irrigation schemes; they can take in thousands. Without much finance from the Centre, we can do it. It will help the poor people more than anything else. You know that the people who migrated from the former State to Malabar and Kanara enjoy an economic position a thousand times better than it was at that time.

Mr. Speaker: Possibly they may set up a 'red' colony.

Shri Matthen: No, Sir. The red colour will change the moment economic conditions are better. You know the history of Spain. The moment they got land, conditions changed. That is why I say that there has been no sudden spurt of Communism in my State. There was no reason why the Congress could not be returned this time also.

Shri Nambiar: First, it will be Malayalam colony, then 'red' colony.

Shri Matthen: Red will become white afterwards.

Shri V. P. Nayar: He himself is turning red.

Shri Matthen: Shri V. P. Nayar was mentioning that some of our products were not getting good prices and

[Shri Matthen]

adequate attention. Recently, I was reading from a newspaper that lemon grass oil, which is an important produce of ours, was not fetching any good price these days. This is something which we can supply without much of original investment. It is an agricultural industry of great help to poor people. I would earnestly request the hon. Minister to find out what is the present price and what is the fall and what can be done about it.

As a result of agitation in the Transport Committee—I may claim credit for it—it was decided to develop the inland waterways of Kerala as well. I understand that even though the Buckingham canal and other canals have been taken up, no allotment has been yet made for Kerala. This is what I was told by the Kerala Government. From one end of Kerala to the other, navigation can be developed, and extended. Now it is being silted. I would earnestly request the hon. Minister to my left to find out if it is true that the provision for Kerala for inland water navigation development has not been allotted so far. In fact, I was told that the Kerala Government had a plan for development beginning with the dredging of the canals. But they could not proceed because funds were not forthcoming.

My hon. friend, Shri N. Sreekantan Nair, was remarking yesterday that nothing was done for the water supply scheme between Quilon and Kottayam. It is true the water supply problem is a great problem. It was neglected by the Ministries. But when President's rule was inaugurated, they took it up. I need not tell Shri N. Sreekantan Nair that the water supply scheme started well and they will be able to complete it within a few months.

I do not wish to take up any more time. I support the Demands.

Shri Pocker Saheb (Malappuram):
On this occasion, I would like to say

a few words about some specific problems of the Malabar district.

I submit that the provision for Kerala made in the Second Five Year Plan is, as my Communist friends have pointed out, not only very meagre but really very miserable, when compared to the population and to the demands which require help from the Centre for fulfilment. The allotment of Rs. 87 crores is very poor and it has to be reconsidered, having regard particularly to the fact that this new State, which is really one of the smallest, of States in the whole of India, has the largest density of population and therefore, requires greater attention and more sympathy from the Centre.

Within the short time at my disposal, it is not possible to refer to the details. But I would only appeal to the sense of justice and fair play of the Centre to reconsider the question and allot larger amounts for Kerala. I also submit that the position of Malabar in the Kerala State is particularly pitiable, having regard to the fact that it was faring very badly at the hands of the Madras Government when it was part of the composite Madras State before the formation of Kerala. Therefore, justice has not been done to Malabar by the previous Government, the Madras Government, and this requires special consideration in allotment of funds out of the Second Five Year Plan.

I find in the report on the President's rule that so far as Malabar is concerned, certain items are mentioned. They are of such trivial importance that there is no substantial scheme at all for Malabar in the list. I submit that this kind of treatment of Malabar is really very scandalous. The Centre should consider the requirements of the Malabar area in the context of its background, namely, that it was badly treated by the previous composite Madras Government, and then given special consideration

to it. The petty amounts that are allotted to the Malabar area certainly cannot satisfy its demands, and the situation will go from bad to worse. The necessity of coming to the rescue of Malabar must be more seriously considered by the Central Government.

The problem of unemployment is very acute. In the whole of Kerala, particularly in Malabar. This can only be tackled by industrialisation of Malabar. What are the industries that have been taken up in Malabar for this purpose? Practically none. Therefore, I would appeal to the Government to consider this aspect of the question and realise that it is their duty to consider the development of this very backward area essential and see that proper treatment is given to it by extending industries and also allotting more and larger amounts for the purpose of development under the Second Five Year Plan. This has to be dealt with seriously and sincerely. That is all I can say within the short time at my disposal.

13-12 hrs.

[SHRI BARMAN in the Chair]

There is one important point which I would specially request the Government to take into consideration. The Central Government will have to consider all the resources which are available in Kerala, having regard to the fact that it is a newly formed State and is one of the smallest States. In order to put it on its own legs and to allow it to develop, it is necessary that a good survey is made of the resources of the country. It is not wanting in natural resources. There are ever so many natural resources which have to be tapped and explored. As was pointed out, in the Nilambur valley there is great possibility for the gold industry. I understand that even for lignite, which is now being worked in Neivel, there are sources in certain parts of Malabar; that has also to be explored. I would request the Central Government to have a general survey of all

the sources of Kerala State. Having regard to the fact that it is the smallest State, special attention has to be given in order that it may be able to develop.

There are one or two other matters on which I would like to speak, particularly at the present stage when we have the Communist Party returned to power. On this occasion, I would like to mention particularly the absolute necessity of giving religious instruction in schools, outside school hours inasmuch as it is not allowed as part of the regular course in the State managed schools under the Constitution. But, in so far as the Constitution permits and within the ambit of the Constitution religious instruction should be provided. It is particularly necessary in view of the well-known fact that the Communist Party which is coming into power is really anti-religious in its tenets. Otherwise, people in the country would be deprived of the freedom to practise their religion, which is guaranteed by the Constitution, so far as the Kerala is concerned. Particular precaution should be taken to protect the interests of the people to give religious instruction and also to practise their religion.

Shri N. Sreekantan Nair (Quilon cum Mavelikkara): Do it at home.

Shri Pocker Saheb: Sir, I do not refer to any particular community; but I say that this liberty to practise one own's religion should be protected and all steps should be taken towards that. One of the methods is to provide religious instruction in schools in so far as the Constitution allows. I emphasise this point very much on account of the fact that the party that is coming into power in Kerala is anti-religious. They do not believe in religion and are against religion; that is their creed. I do not know what their creed now is.

Shri Nambiar: The Communist Party never was and never is against religion.

Shri Pocker Sahab: My friend Shri Nambiar will say that. But, look at the literature of his Party which lays down the principles which should guide the party. I have gone through the literature. I say they are not only anti-religious but they treat all religions with contempt. They say that religion is nothing but a method of exploiting the people (*Interruption*). These are well-known facts. I do not think I would be justified in dwelling on these matters at present.

In this connection I would like to mention another point. Even now, before the Communists are coming into power, there are certain very great disabilities so far as the people of Malabar are concerned. Under certain rules framed under a certain Act, in order to construct a mosque previous sanction of the Collector is required. Not only for the construction of a new mosque; but even for the repair of an old mosque which is getting dilapidated and which may prove a source of danger to the lives of people who go there to pray, the sanction is necessary. It is really most problematic to get the sanction of the Collector. This is a very great disability which the people in Malabar, particularly the Muslims are suffering from. This restriction is extended even to the buildings used as *Madrasas*. By *Madrasas* I mean the buildings in which there are institutions where religious instruction is given. Even in the construction and repair of such educational institutions the restrictions are imposed and they cannot be constructed or repaired without the previous sanction of the Collector. So, the people are very much handicapped.

I should just like to mention that I look upon any human being without religion as equivalent to a lower animal. That is my view. I say religion is very important to every individual citizen of this country; and particularly, so far as the Muslims are concerned, religion is more valuable to them than their own lives.

It is because of all these factors I say that all the disabilities and difficulties that exist in the matter of giving religious instruction should be removed. So far as the Communist Party is concerned, in Kerala they have no doubt a precarious majority. Certainly we are entitled to protection under the Constitution. I would only mention that in the matter of developing the country, whatever requirements are necessary will have to be afforded by the Centre. But so far as this party is concerned, I would like to say one word only; this party is a party which has its source and its guidance from outside—Moscow or anywhere else. I submit that the one condition precedent for their taking up the governance of the country under the Constitution is that they have cut themselves absolutely from any outside allegiance.

Shri Nambiar: It has been repeatedly said that we owe no allegiance to any country outside.

Mr. Chairman: But this is not related to the Budget here.

Shri Pocker Sahab: So far as they are concerned, it is a well-known fact that they owe allegiance to an outside country. However, whatever change they have to effect hereafter, I would certainly welcome. It is in order to emphasise the necessity for a change in their attitude that I am mentioning it. The change of attitude must be viewed with their past practices. They have to rid themselves of their past record, which is not at all creditable to them. So far as their past record even in Kerala is concerned, it is most discreditable that it can be.

Shri V. P. Nayar: That is why we have been elected!

Shri Pocker Sahab: There is not one heinous offence listed in the Penal Code which has not been committed by them in order to achieve their ends. They are a party which believes that the end justify the means, and any means is fair according to them. I submit that this is a matter in which we

have to take into account their past record. When they change, they have to change sincerely and show tangible proof of their change of attitude before they take up the reins of government.

One other matter which I would like to mention so far as the Communist Party is concerned is that they have to change their attitude. Their creed is anti-religious and, therefore, in this country, where the Constitution guarantees the practice of religion to all people, they must satisfy that they respect this provision, and allow the people to practise their religions. This particular condition of the Constitution has to be satisfied by them before they fulfil their promise to work the Constitution and carry on the administration within the frame work of the Constitution. Mere words are not enough; they will have to give tangible proof of this change of attitude, particularly with reference to their connection with any outside authorities and with reference to religion. Subject to these conditions being satisfied by them, I wish them success.

Pandit S. C. Mishra: I am glad I am given this opportunity to speak on the last day of this Parliament.

I am glad to find that the southern-most people of our country have got a very big experiment to do and I particularly request the Finance Minister to take note of this fact. I know it is a major experiment in which two opposing methods of experiment, if not two opposing doctrines, are vying with each other, and the theory of co-existence which we have been hearing in the world will be tried in this country. I do not rule out the possibility that each party will try to outmanoeuvre the other. I do hope our communist friends, who have proved their mettle on more than one occasion, will prove it once more. I particularly request the Congress Government and their Ministers to see that they do not behave in any other way with the Communist Government in Tra-

vancore-Cochin but with fortitude and patience and at least with ostensible justice. If they fail to do so, then that will be a sad day for this country, and the other parties in the country will all lose faith in the fact that they can inaugurate some change through democratic methods. These democratic methods have been guaranteed by the Constitution and our great leader who has been advocating it. Now that the Communist Party has captured a State through those very democratic methods, it will be for the Centre to conduct itself in a just manner. Of course, I do not rule out the fact that each party will try to outmanoeuvre the other, but they must do it in a way which does not shake the belief of the nation that we mean what we say—both the Congress Party and the Communist Party. The intermediate parties have gone out of existence in that State. Of course, there are two extreme doctrines, capitalism and communism, vying with each other, but I must say here that the Congress socialism is a liberal socialism and that communism is also a form of socialism, and certainly everybody must accept that these two forms of socialism have come to grips within our own country.

While I congratulate my friends, I would request the Congress friends to be very patient, in particular, the Finance Minister, because everything depends upon the attitude of the Finance Minister. The reason is this: The first thing that the Communist Party will take up is to solve the problem of unemployment, and on that occasion an attitude of sympathy on the part of the Finance Minister will count much for the welfare of the whole of India.

Shri Achuthan: There is not much to speak on this occasion because the President's rule in Kerala is going to come to an end and a new Assembly will come into play there. There is a new set-up that is going to come up, the Communist Party. Though it has not got the absolute majority, it has a working majority and will try its best under the Constitution to carry

[Shri Achuthan]

on the administration though it may not be able to fulfil all the promises made by the party before the electorate. Let us see if it is possible for the Indian Communist Party to change itself and carry on the administration of the State within the framework of the Constitution. In fact, in a way it is good for the country, because there will be a competition amongst all democratic parties in India to work for the good of the country. We do not say that we will be always powerful and there were no defects in the administration by the Congress Party. Even in communist countries, the standard of the people have been raised and employment given after long period. Even now we stick to our election promises but we are not to give false promises. Even in the Second Five Year Plan we have symptoms of inflation to some extent because money is not available from other sources. We must have capital; we must have running expenses; so we cannot give false promises to the people. This is the position of Kerala.

There is the unemployment problem. Industries must come up there. Even for foreign capital, we invite it on reasonable terms without strings. All these questions will have to be tackled by the Communist Party which has come into power there. In a way it is good also that a change of government has taken place there and let us all work for the good of the people.

One thing I can say is that we will co-operate with the party in power better than that party was co-operating while we were in power; it is because we are addicted to the co-operative system of work. We will try our best. As a political party, our attitude will be to see that we come into power. But, in all democratic countries, that attempt is made. We will decide and vote on each issue on merits.

Shri V. P. Nayar was saying that the Home Minister would create all impediments. He is not taking the facts into account. It is a fantastic

statement to make. We have been here; we have been watching the proceedings. He wants to create a bad impression in the minds of the people there. He will say: "Though our party has come into power, the other party is not allowing us to function and so what can we do?" He will say that, even two months before the Government came into being, the Central Government says that it will create impediments. Actually is it so? Such statements create a false impression in the minds of the people there and it is bad. Any party can come to power and so all parties should be responsible. They say that the people's lot will become better if they drive out the land lords. The next day, after the results in some constituencies were announced, they say: "We are not going to do anything with the land lords now; we will deal with the foreigners first". Shri Gopalan made a statement at Calicut and said something. The next day, Shri Govindan Nair says: "No, no. We will be functioning according to the Constitution and doing what is possible under the Constitution". So, they are coming to that. So, they have to think about the administration and administration is not an easy thing.

All people must co-operate to root out corruption. Fifteen years back, we were in the assembly there and we tried our best to root out corruption even from the lowest level. Every sensible party will try to do that. There is nothing new in the Communist Party saying all these things. The common man, the educated unemployed, thought: "They are telling these things for a long time. Let us try them and let us see". What about Telengana? What about West Bengal? It is beyond the competence or means of any party in power to improve all these things in one day. It is not like a magician doing all these things in Kerala. As the leader of the Communist Party there, Shri Nambudripad, was saying, they should not be given false hopes. That is good. The Communist Party should improve and

say: "Under the old time, we were telling all these things. Now, actually, when we have come to facts, it is not possible to do all those things. Just like any other people, we are also moving in the same direction".

Now, coming to the details, it is not proper on my part to dwell those things mentioned there. The assembly will deal with them. It is a problem State. The Finance Minister and the Home Minister should pay more attention and see that more schemes for small and medium industries, handloom, coir, etc. industries are put in operation so that, to some extent, the difficulties of the common man may be relieved. The Congress, Socialist and the Communist Parties should relieve the unemployment situation and the Centre must pay special attention. The Communist Party has said that just like any other party they will carry on the administration. All these things are to be seen. With further diversification and decentralisation and instructions and directions from the Centre, we should see that the Kerala State prospers.

Mr. Chairman: Are there any cut motions?

Shri T. T. Krishnamachari: This is purely General discussion.

Shri V. P. Nayar: But, there are cut motions—about thirty.

Mr. Chairman: Then, I shall call Shri Velayudhan. He should finish in five minutes. I understand that we have to finish the whole Budget by 2-25 p.m.

Shri Velayudhan: Sir, I am very happy to speak on the Kerala Budget just before I vacate this seat. You were a Member of this House, Sir, when I began to fight the battle for the people of the West Coast. My parliamentary battle is over for the time being but my battle in my State is just to begin which I had left because of my activities in this House. I am very happy to say this. About a year ago when the President's Order came here, I had mentioned that I had not much interest in the parliamentary

programme. Nor did I expect something much from the elections that were going to take place in the vast country. One curtain is being taken away but a new curtain has to come immediately and it is my responsibility to speak to you as well as to this House and also to the people. I am not going to compromise with the principles; I did not do so in the past. If I fought the Congress Party in this House, I have hundred times more reasons to fight the Communist Party.

Shri Nambiar: We are discussing the Budget—not the fighting business.

Shri Velayudhan: I know that Shri Nambiar will be put in an inconvenient position. I know that he and his party will be put in a more inconvenient position in my State hereafter. I am pointing out the political and psychological aspects of the problems of my State about which he may not know much. I have not fought this battle in this House, nor have I entered into public life, in order to please Nambiar or Nayar or to put them in power. I speak for the working classes, to put them in their proper places. As the Father of the Nation spoke about ten years ago, the President of the Indian Republic should be a Harijan girl. That is not so here or in my State. The leadership of the Communist Party today is caste-ridden. There is rank communalism in the leadership. My opposition to this will have to be expressed and this is the occasion when I am expressing it.

Mr. Chairman: With all the liberty that one can have in a general discussion, we must keep in view that it is the administration of Kerala during the past two months that is under consideration here. Shri Velayudhan may make a personal explanation even by a statement through the Press. In view of the short time, I request him to finish as early as possible.

Shri Velayudhan: The Communist Party claims that it has got a majority in this election. I tell you that I have no election to win because I contested for a general seat knowing that I

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am going to be in this House. I know communalism was so rampant in this election and I tell you that the Communist Party has won this election through the medium of communal passions created by it and not through any principles.

They are now requesting the other parties to co-operate. They have given a lot of promises which they won't be able to fulfil and they want to project the responsibility on some other party. The people of Kerala will soon be realising where they were and where they are going.

My community, the untouchables, was the most deceived community in this political warfare in our State for the last one decade. Who built this Communist Party in our State? Who gave money for their Press and platform? Millions of Harijan women have contributed to the Press where they employ Raja's sons and others. How can I expect anything good from this Party? I never fought for power, for ministership. In that case I should have been on some other side. What I wanted was that the leadership of workers should come in my State. I wanted that my State should set an example to others. That has not come. The people outside are telling a lot of things about the Communist Party coming into power. I was amused when I heard them. I have seen some of the Communist States—not at the expense of the Communist Party of India—and I have also seen some democratic States. I should like to tell you, Sir, that very soon the international communism or the Communists who believe in democracy will be very easily disillusioned, because in Kerala what is going to happen is a communal leadership. It is very clear from the leadership election and from the election of the office bearers. Who are we? What is our population in the new State of Kerala. The Backward Classes come to about 40 lakhs, and we are about 22 lakhs out of a total of 1,55,00,000. What is our share? In the election of office bearers there is not a single

Harijan, not a single man from the Backward Classes. That is why I say that there will be communal leadership. This leadership was in the Congress before, and they went out of the Congress because of their greed for power.

That is the problem of Kerala. I would request the Treasury Benches, the Prime Minister of India to study the problem of Kerala. There is economic inflation in the country, and I say that there is political inflation in Kerala.

Shri Namblar: Sir, on a point of clarification, I would like to know what the hon. Member means by 'political inflation'.

Shri Velayudhan: This will have to be understood not only by my friends but also by the Prime Minister himself.

Before I conclude, I should like to make it clear that I am not going to accept this alloy, this 14 carat gold.

Shri V. P. Nayar: Still it is gold.

Shri Velayudhan: But it is not pure gold, it is 'rolled gold' like V. P. Nayar. I am sorry I have said this because I was interrupted by him. I never wanted to speak anything about anybody.

I only want to say that we the untouchables, the Backward Classes of India, are not going to surrender to this new political exploitation. Previously there was caste exploitation, communal exploitation and religious exploitation in the State. The people of Kerala who fought against this exploitation first, are they going to submit to this new brand of tyranny that is going to come on them, this political exploitation and political tyranny that is going to come upon them? We will fight it. If this kind of exploitation comes the people of India will have to fight. The millions of workers in this country will then realise where they were and where they are going.

Shri T. T. Krishnamachari: Mr. Chairman, Sir, I do not think any points have been made which have a financial bearing in this discussion. One hon. Member said something about the budget having been revised. Budgets have to be revised. No budget can go without scrutiny, particularly because the responsibility, so far as presenting the budget is concerned, is with the Centre. So far as any particular item in that budget is concerned, our responsibility more or less is confined to those grants and loans that the Centre is making. The rest of the budget is a thing for the new Government, whichever or whatever colour it may be, to make. So, we are not, by anything that we do, binding the hands of that Government. Supposing I had inflated this budget, added on another Rs. 3 crores or Rs. 4 crores and stated that money will be got from public loans, that would be merely a guess. I do not know whether the other Government would be able to get it and thereby I might be embarrassing that Government. So my hon. friend would please understand that there is no intention of presenting any budget which is unrealistic, because we do not want to embarrass the new Government that will come.

Shri V. P. Nayar: That was not the point; please do not isolate the point. I said, because there is already a fear in the minds of a section of the people that the Government of India will place impediments before the Government of a State run by a different party, that fear will be strengthened when people will come to know that the budget has been revised at the last minute without knowing the details. I only wanted the Minister to clarify the position.

Shri T. T. Krishnamachari: Unfortunately, Sir, I am not in a position to accept the implications of what my hon. friend has stated, because they are completely outside my cognizance. So far as this budget is concerned, it is my duty to ask for a vote on account for the administration to be carried on, and it has got to be a

realistic one. I cannot say that we are likely to get revenues from here, there and so on, and therefore inflate the budget. This particular budget has got a very very narrow scope. It may be that the new Government that comes in, may introduce a new budget in 15 days. I am not binding their hands. All that I am bound as Central Government is, if I had promised loans and grants in respect of a planned expenditure, or in respect of a normal expenditure, then I am bound by it. That is the only binding that I can give so far as this budget is concerned to any future Government that comes in. If there is no future Government and I have to carry on, well, the responsibility devolves on me; that is a different question, and I hope that contingency won't arise.

So, the point that my hon. friend tried to make was that the budget was revised. The budget has to be revised if it has to be realistic. The budget was made by somebody in Travancore-Cochin who were just officers. Naturally, if my hon. friend expects that the budget prepared by a superintendent in Travancore-Cochin should get my approval, I think my hon. friend rates my intelligence slightly lower than what it is. It might be pretty low in his view, but it is not as bad as that.

The other point is, I have also a certain amount of conscience. In this matter I should not embarrass a new Government that comes in, to whichever party it may belong; so far as I am concerned I am completely not concerned about the colour of the party which comes into power, it may be one or the other. As Finance Minister preparing a budget in order to obtain a vote on account, these matters do not come within the purview of my knowledge. So I would like to assure my friend so far as any revision that has been made. Of course, any revision that is made is public property. I cannot tell my friend that we made no revision at all. In fact, I make lot of revision in all budgets, because I do not accept

[Shri T. T. Krishnamachari]

responsibility for budgets prepared by anybody else.

Therefore, I would like to tell my hon. friend, so far as I am concerned, I am bound in honour to pay or give such aid as has been indicated here in this budget in respect of loans and grants made by the Central Government either for ordinary purposes or for the purpose of the Plan; beyond that I have no responsibility. I do not bind the hands of any future Government. They can change it. The only thing is, this budget will function until such time as the new Government make a budget themselves, and get the appropriate legislature to approve it. So, there is no question of my tying up the hands of any other Government that comes in, nor am I accepting any liability beyond what I have indicated here. I have to make that point clear. There are no *mala fides* in this matter. It is purely a matter of ordinary financial principle and my own capacity to meet whatever I have indicated there provided I am asked to meet them. If it happens that I have to function as I am doing now, I stand by this budget. If it does not happen, and something else comes in, they can do what they like.

14 hrs.

The other point made by Shri A. M. Thomas was in regard to planned expenditure. That is a matter which has been discussed on some other occasion. I am afraid we will go on discussing this matter of planned expenditure, whether it is correct, whether the planned subventions made by the Centre are correct, etc. It will go on for the next four years. They are capable of being discussed and being adjusted. There is room for argument both ways. So far as I am concerned, all that we have now fixed for this State is about 88 crores or whatever that might be. It is not a question of arithmetical evaluation of what has to be spent in 1957-58. It is a question of what can be spent and what are the schemes and how much money could be spent on the schemes, etc. That does not mean that, as I

have indicated in my opening remarks, if the State could find any additional resources they could not spend money. There is nothing to prevent them to find additional resources and spend. I do hope it will be possible for them to find additional resources. I do hope it will be possible for them to expand the Plan. But, so far as I am concerned, I am committed to this, and so far as the State expenditure is concerned, it may be that this is not the last word. It may be that it will be altered by Rs. 20 lakhs or Rs. 30 lakhs this way or that way, but the present level is the level which we have fixed, and it is the demand of expenditure that will have to be met out of the planned budget. Therefore, I do not think it is really a matter of our doing anything for this State or that State.

I have indicated to the Planning Commission that I shall be giving about Rs. 425 crores for the State Governments during the Plan and I will have to stick to it. The apportionment should be proportionate to the total amount I have allowed. I should like to say to my hon. friends that in doing so, we have not departed from any principle that we have laid down. It may be that the amount differs by Rs. 5 lakhs this way or that way, but that is a matter always of adjustment. Subject to that, the planned expenditure for the period of this budget year, during 1957-58, that I have visualised for Kerala is completely in tune with the total amount of expenditure that has been sanctioned.

Shri Datar: Mr. Chairman, it is not necessary, in view of the changed position, to reply in detail to the various points that have been raised by the hon. Members in the course of this general discussion. But there are certain points on which I should like to reply as briefly as possible. My hon. friend Shri Frank Anthony has raised the question of the nomination of a representative of the Anglo-Indian community to the Kerala Legislative Assembly. That question, as

he is aware, is now under the consideration of the Governor of Kerala, and all that Shri Anthony has pointed out here will be duly taken into account by the Governor of Kerala and I proper nominee duly nominated to the Kerala Legislative Assembly.

It was suggested by certain other hon. Members that the administrative machinery that has been evolved and that has, according to us, improved the matters to a large extent during the President's administration, may not be in a position to cope with the new work that will have to be carried on. My submission is that so far as this administrative machinery is concerned, it has been very considerably and even radically improved as the report itself would point out. It may be noted in this connection that there was, to a certain extent, concentration of power in the Secretariat. That has been taken away and now, all things can be carried on at the lower stages on the principle of decentralisation. A number of other steps have been taken up for improving the tone of administration.

I need not go into details, but I would point out that even during the year of President's administration—about one year—we have been trying our best to see to it that various welfare schemes were taken on hand and implemented, and to see that in all matters, the administrative machinery is such that it could cope with the demands that are likely to be made in the present state of affairs in India, because we are trying to establish—we are not merely trying to carry on the administration—a welfare State. Therefore, when the popular Ministry will take over the administration from the President in the course of the next few days or a week, I am quite confident that they will find that the machinery that has been improved during the President's rule would be of great use to them.

A number of things were said on behalf of the Communist Party and considerable advice was tendered by the hon. Members on all sides to the

Communist Party as to the manner in which they have to carry on the administration. It is entirely a matter for them, but I would point out that so far as the Government of India are concerned, we have to take into account the interests of the whole of India including the very beautiful State of Kerala. I would point out to them that the Government of India would carry on their help to the various States in the same manner in which they have been carrying on now, and it would be perfectly open to the new Government or new Ministry to carry on the administration in very constructive manner, in a very responsible and democratic manner, and to take advantage of the help that the Government of India have been giving to all the States without any discrimination. It is more for them to carry on the administration, as I have said, along proper lines. In that case, they will certainly have the help that the Central Government has to give to the various States. India has to be developed, and Kerala requires a larger amount of attention.

My friend, Shri V. P. Nayar, was not right when he put a certain interpretation upon the speech that the Home Minister made about a year ago. There the reference was to the fact that Kerala or the then Travancore-Cochin had not a fair deal. It does not mean that the fair deal was not shown to it by the Government of India. There were a number of circumstances into which it is not necessary for us to go. On account of the variety of circumstances, on account of the irony of the situation, the Kerala State of the former Travancore-Cochin State could not have or could not attain that degree of development that ought to have been attained. But the Home Minister did not state that this want of fair deal was at the instance of the Government of India. The Government of India are prepared to help, and will continue to help, to all possible extent, so far as the development of the Kerala State is concerned. There can be no question of discrimination

[Shri Datar]

on account of the fact that a particular party is going to be in power there.

After all, the question of party is not so material. After the elections are over and when the Governments take charge of their respective spheres of administration, either at the Centre or in the States, all of us, the Members and the Ministries, have to carry on the administration in the interests of the people concerned. Therefore, I am hopeful that the new Ministry that is likely to be formed in the course of the next few days in Kerala will fully take into account the interests of the people and will carry on the administration in such a manner that they will have the confidence of the people. After all, to a large extent, what has been done till now is taken into account and the promises that are given at the time of elections are also relied upon to a certain extent. It is open to the new popular Government that is going to be formed to carry on the administration in as proper and as responsible a manner as possible and the Government of India will try to help them to the fullest extent possible, consistent with their obligations to the other States and also consistent with the manner in which the Kerala Government will be carrying on the administration. Let the Government of Kerala and also other Governments understand that, after all, the interests of the poor people have to be fully taken into account and measures for their betterment have to be evolved as early as possible. With this object in view, all of us are working not only here, but in other States also, where a certain party is in power; and, I am confident that the new party that is taking charge of the Kerala Government will also follow the same recognised principles, so far as good Government is concerned.

Another point was made regarding what is known as the High Court agitation. That agitation was carried

on for certain months; I would not go into the merits or otherwise of the agitation because it has now been suspended. But my friend, Shri V. P. Nayar, raised a question yesterday as to why there were different interpretations of section 51(3) of the States Reorganisation Act. Section 51 deals with the location of High Courts. The first sub-section of section 51 deals with the location of the High Court at the principal place; sub-section (2) deals with permanent benches and sub-section (3) deals with temporary benches. If the hon. Member examines the wording of sub-section (3), he will find that a particular interpretation was placed upon it by the Chief Justice of the Kerala High Court. It is true that other High Courts have placed a different interpretation, but after all, this is a matter which has to be taken into account, so far as the judicial side is concerned. If the Chief Justice of a particular High Court takes a particular judicial view, then there are other avenues for getting that view corrected, if that view is stated to be wrong. It is not necessary for the President to step in, because a judicial decision has been taken by the Chief Justice of that High Court. This House will agree that judicial decisions have to be respected so long as they are not reversed by other higher authorities.

Shri N. Sreekantan Nair: It is an executive decision.

Shri Datar: It is not.

Shri V. P. Nayar: Was a petition heard by the Chief Justice?

Shri Datar: It is not necessary for the Chief Justice to hear a petition he can put a judicial interpretation upon a certain provision of the law.

Shri V. P. Nayar: It is not judicial.

Shri Datar: It is a matter of dispute. This is a matter on which a certain judicial interpretation has been placed by the High Court in Kerala and a different interpretation

by different High Courts. So long as that particular interpretation remains as it is, it would not be proper and appropriate for the Central Government in particular to step in and to see that another interpretation is followed.

Shri N. Sreekantan Nair: Is not article 133 of the Constitution meant for the same purpose? Does it not come under the purview of article 133?

Shri Datar: When the States Reorganisation Act has been passed by this House, naturally its interpretation depends upon the Judges. As the hon. Member will see, the wording of sub-section (3) is that a bench shall sit at such other place or places as the Chief Justice may appoint. This is a question which has to be considered by the various Chief Justices and High Courts. Under those circumstances, it will not be proper and it is likely to be inappropriate if the executive Government or the Government of India steps into the field and takes a particular decision.

An Hon. Member: There should be uniformity.

Shri Datar: Uniformity is an ideal which has to be reached; it does not mean that everything is uniform. Uniformity can be achieved in this way. If the aggrieved party takes the matter to the Supreme Court and if the Supreme Court gives a particular decision one way or the other, that will have to be followed by all the courts. It is open to the aggrieved party to go to the Supreme Court; it would not be proper for us to step in and request the Supreme Court to give a particular decision.

It was pointed out by some hon. Members that certain areas were neglected. One hon. Member said that Malabar was neglected and nothing was done. He will find from the Budget as also from the detailed descriptions given that various schemes have been taken on hand. In fact, there are certain schemes which

are under implementation, so far as Malabar is concerned and I am quite confident that, since Malabar occupies a very large portion of the State, perhaps more than one-third of it, it is quite likely that the new Government would fully take into account the so-called neglected interests of Malabar and do what is necessary. After all, the question of regional development is one of the points on which great stress has been laid by the Planning Commission and I am confident that all those parts which are stated to be neglected will be fully taken into account. After all, all these things have to be done to a certain extent gradually and after certain schemes are over, the other schemes can be taken up.

A very small point was raised by Mr. V. P. Nayar about the expression "menial". He quoted from the dictionary and said there was something offensive in it.

Shri V. P. Nayar: That is how I find out the meanings for English words.

Shri Datar: It is not our word; it is not a word used by the Government of India. We use the words "Class IV". "Menial" was a word used by the Travancore-Cochin Government formerly. They used the expression "menials or last grade servants".

Shri V. P. Nayar: My complaint was that you did not take notice of it and correct it. The hon. Finance Minister said that he was revising the budget.

Shri Datar: That word has been used perhaps in certain parts of India for such a long time that it has lost all its offensive significance. Anyway, we are not responsible for it. Now that his Government is coming, they can change that word and put any expression they like in the reverse order.

So far as the industrialisation is concerned, it would be found that certain amounts have been set apart for the purpose of industrialisation. I need not go into the details, but I am

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informed by the Ministry of Production here that a D.D.T. factory is actually under construction at Alwaye at a cost of about Rs. 45 lakhs and there are other schemes also. I am also told just now that the Ministry would be prepared to help to the fullest extent possible the starting of village industries and giving some attention to khadi, handloom and other industries. Therefore, it is for the new Government to take into account all these things. Now the position has changed to a certain extent. Till now, it was open to the hon. Members opposite, especially of this party, to criticise us as heartily as possible, because they were never aware, except during the last few days, that by an irony of fate they will have to take over the administration and perhaps eat away a number of criticisms which they were levelling on us for so many years. After all, I am quite confident that they will try to carry on the administration properly. Perhaps they will have to undo whatever they have stated to a certain extent, because what is stated by way of criticism or by way of opposition is entirely different from the attitude or policy that one has to adopt when one takes over the Government. I would refer to the change of tone my hon. friend Shri V. P. Nayar. I am accustomed to hearing his speeches. I saw what importance he was giving to that great virtue of self-restraint. He always used to condemn us, criticise us in an un-restrained manner as possible.

Shri V. P. Nayar: I can assure the hon. Minister that it will continue always.

Shri Datar: Let me finish, Sir. I must say to his credit, today I found that he was full of self-restraint and all appeal to all people, to the other parties also. This is what is called the irony of times. Otherwise, these friends were at logger heads with all. They were carrying on criticism in

as understand a manner as possible. In view of the dawn of their own Government, they have developed a sense of great responsibility, at which I rejoice. After all, Kerala is a part of India and a beautiful part of India. It is our duty to help them. But, they have to help themselves by unlearning a number of things, by undoing a number of things. I am quite confident that they would do all this and further the interests of the poor people of Kerala.

DEMANDS FOR GRANTS* ON ACCOUNT—KERALA

Mr. Chairman: Now, we take up the Demands. What about the time limit?

Shri V. P. Nayar (Chirayinkil): I would suggest that all the Demands be taken together, so that the Members who want to speak on the various demands can speak for a few minutes.

Mr. Chairman: I was going to say that the scheduled time is over by 2.25, which is just over. We may finish the whole thing including Appropriation Bill by 3 o'clock. Keeping that in view,...

Shri V. P. Nayar: You may ask for all the cut motions to be moved

Mr. Chairman: All the cut motions may be moved together. I think Shri V. P. Nayar and Shri N. Sreekantan Nair have got cut motions.

Shri V. P. Nayar: Shri Frank Anthony has a cut motion. He has already spoken on it.

Mr. Chairman: How will you adjust the time? I want to know whether any other Member besides the two who have given cut motions wants to speak on this.

Shri Namblar (Mayuram): If there is time.

Mr. Chairman: Half an hour in all

*Moved with the recommendation of the President.

Shri V. P. Nayar: I will not take more than ten minutes.

Shri N. Sreekantan Nair (Quilon cum Mavelikkara): Not more than 5 or 10 minutes.

Shri Velayudhan (Quilon cum
Mavelikkara—Reserved—Sch. Castes):
I should like to say something.

Shri A. M. Thomas (Ernakulam):
Five minutes.

Mr. Chairman: There must be some time for reply. Five minutes for each Member. All the cut motions may be moved after the Demands have been moved.

DEMAND NO. I—AGRICULTURAL IN-
COME TAX AND SALES TAX.

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 4,55,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Agricultural Income Tax and Sales Tax'."

DEMAND NO. II—LAND REVENUE

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 11,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of Land Revenue."

DEMAND No. III—EXCISE

Mr. Chairman: Motion moved:

DEMAND NO. VIII—IRRIGATION**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 4,52,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Irrigation'".

DEMAND NO. IX—HEADS OF STATES, MINISTERS, SECRETARIAT AND ATTACHED OFFICES.**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 10,85,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Heads of States, Ministers, Secretariat and Attached Offices'".

DEMAND NO. X—STATE LEGISLATURE**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 1,44,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'State Legislature'".

DEMAND NO. XI—ELECTIONS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 10,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Elections'".

DEMAND NO. XII—DISTRICT ADMINISTRATION AND MISCELLANEOUS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 12,60,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'District Administration and Miscellaneous'".

DEMAND NO. XIII—ADMINISTRATION OF JUSTICE**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 14,79,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Administration of Justice'".

DEMAND NO. XIV—JAILS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 5,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Jails'".

DEMAND NO. XV—POLICE**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 40,39,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Police'".

**DEMAND No. XVI—SCIENTIFIC
DEPARTMENTS**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 1,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Scientific Departments'".

DEMAND No. XVII—EDUCATION

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 214,29,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Education'".

DEMAND No. XVIII—MEDICAL

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 51,19,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Medical'".

DEMAND No. XIX—PUBLIC HEALTH

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 42,58,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Public Health'".

DEMAND No. XX—AGRICULTURE

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 24,98,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Agriculture'".

DEMAND No. XXI—RURAL DEVELOPMENT

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 18,56,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Rural Development'".

DEMAND No. XXII—VETERINARY

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 4,09,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Veterinary'".

DEMAND No. XXIII—CO-OPERATION

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 5,58,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Co-operation'".

DEMAND No. XXIV—INDUSTRIES**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 47,94,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Industries'".

DEMAND No. XXV—LABOUR AND MISCELLANEOUS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 21,14,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Labour and Miscellaneous'".

DEMAND No. XXVI—CIVIL WORKS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 83,82,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Civil Works'".

DEMAND No. XXVII—ELECTRICITY**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 24,59,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Electricity'".

DEMAND No. XXVIII—PENSIONS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 26,00,000 be granted to the President, on account, out of the

Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Pensions'".

DEMAND No. XXIX—STATIONERY AND PRINTING**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 9,94,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Stationery and Printing'".

DEMAND No. XXX—MISCELLANEOUS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 7,14,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Miscellaneous'".

DEMAND No. XXXI—COMMUNITY DEVELOPMENT PROJECTS**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 24,82,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Community Development Projects'".

DEMAND No. XXXII—TRANSPORT SCHEMES**Mr. Chairman:** Motion moved:

"That a sum not exceeding Rs. 45,53,000 be granted to the President, on account, out of the Consolidated Fund of the State

of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Transport Schemes'".

DEMAND No. XXXIII—CAPITAL OUT-
LAY ON IRRIGATION (COMMERCIAL)

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 31,83,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Irrigation (Commercial)'".

DEMAND No. XXXIV—CAPITAL OUT-
LAY ON IRRIGATION (NON-COMMERCIAL)

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 19,16,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Irrigation (Non-Commercial)'."

DEMAND NO. XXXV—CAPITAL OUT-
LAY ON PUBLIC HEALTH

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 27,08,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Public Health'".

DEMAND NO. XXXVI—CAPITAL OUT-
LAY ON AGRICULTURAL IMPROVEMENT

Mr. Chairman's Motion moved:

"That a sum not exceeding Rs. 19,000 be granted to the

President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Agricultural Improvement'".

DEMAND NO. XXXVII—CAPITAL
OUTLAY ON INDUSTRIAL DEVELOP-
MENT

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 33,56,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Industrial Development'".

DEMAND NO. XXXVIII—CAPITAL
OUTLAY ON CIVIL WORKS

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 67,70,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Civil Works'."

DEMAND NO. XXXIX—CAPITAL OUT-
LAY ON ELECTRICITY SCHEMES

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 77,49,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Electricity Schemes'."

**DEMAND NO. XL—CAPITAL ACCOUNT
OF OTHER WORKS OUTSIDE THE REVENUE
ACCOUNT**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 3,30,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Account of other works outside the Revenue Account'".

**DEMAND NO. XLI—CAPITAL OUTLAY
ON TRANSPORT SCHEMES**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 3,50,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Transport Schemes'".

**DEMAND NO. XLII—COMMUTED
VALUE OF PENSIONS**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 19,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Commuted Value of Pensions'".

**XLIII—CAPITAL OUT-
LAY ON STATE SCHEMES OF GOVERN-
MENT TRADING**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 22,82,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of

payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on State Schemes of Government Trading'".

**DEMAND NO. XLIV—LOANS AND
ADVANCES BY THE STATE GOVERNMENT**

Mr. Chairman: Motion moved:

"That a sum not exceeding Rs. 27,07,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Loans and Advances by the State Government'".

Need to have a Vice-Chancellor knowing the language of the State.

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Education be reduced by Rs. 100."

Need to ensure identical scales of pay for teachers in private colleges and Government colleges.

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Education be reduced by Rs. 100."

Lack of medicines and equipment in hospitals and dispensaries

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Lack of adequate facilities for the students of the Trivandrum Medical College in the matter of their studies

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Necessity to provide more funds to the Leper Asylum at Nooranad, for the benefit of the patients

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Inadequate superintendence by Director of Health Services

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Inadequate salaries of nurses and subordinate staff

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Hardships of contingent employees

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Inadequate provision for soil research

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Agriculture be reduced by Rs. 100."

Inadequate provision for duck farm

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Agriculture be reduced by Rs. 100."

Inadequate attention paid to the important problem of fisheries

Shri V. P. Nayar: I beg to move:

"That the demand for grant on account under the head Agriculture be reduced by Rs. 100."

Necessity of a uniform policy for the whole State on the question of prohibition

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Excise be reduced by Rs. 100."

Top-heavy administration in the State

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Heads of States, Ministers, Secretariat and attached offices be reduced by Rs. 100."

Necessity of implementing the Jail Reforms Committee Report.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Jails be reduced by Rs. 100."

Necessity of providing free education upto Secondary School Leaving Examination

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Education be reduced by Rs. 100."

Necessity of implementing the recommendations of the University Grants Commission in Kerala

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Education be reduced by Rs. 100."

Necessity of enforcing equal pay for the staff of private and governmental educational institutions.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Education be reduced by Rs. 100."

Necessity of providing more medicines to the Hospitals.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Necessity of providing greater amenities to the inmates of the leper asylum.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Medical be reduced by Rs. 100."

Necessity of supplying manure on credit to the peasants.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Agriculture be reduced by Rs. 100."

Necessity of establishing scientific agricultural farms.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Agriculture be reduced by Rs. 100."

Failure to enforce the non-seasonal declaration of the Cashew factories.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Failure to provide relief to the unemployed cashew workers.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Failure to enforce Minimum Wages in the Coir Industry.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Failure to start at least a few cashew factories on co-operative basis.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Necessity of co-ordinating the working of the two Ceramic factories in Kundara.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Failure of the Government owned T.M.C. to meet the statutory obligations as per the Labour laws.

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Industries be reduced by Rs. 100."

Necessity of establishing a Division Bench of the Kerala High Court at Trivandrum

Shri N. Sreekantan Nair: I beg to move:

"That the demand for grant on account under the head Administration of Justice be reduced by Rs. 100."

Mr. Chairman: All these cut motions are before the House.

Shri V. P. Nayar: It is good that you are restricting the scope of the discussion of the cut motions. Otherwise, we should have, I personally would have had to give certain replies which some hon. Members richly deserved. Now, I do not want to go into that.

I want to deal with the cut motion of Shri Frank Anthony. I do not want to say anything about the particular person or type of person to be nominated. But, I want to point out to the House that simultaneously with Shri Frank Anthony's speech here, the Governor of Kerala also made an announcement from the other end of India from Trivandrum,—I reliably understand, subject to contradiction, that the hon. Member Shri Frank Anthony gave a list of two or three names—and made an interpretation of the Constitution like the one....

Mr. Chairman: On that point, the hon. Home Minister has already replied that his statements are all recorded. You also rub the same point.

Shri V. P. Nayar: I only wanted to say that it is quite understandable, the Governor having been in Delhi till day before yesterday, Shri Frank Anthony and the Governor releasing the same type of interpretation of the Constitution. I do not want to make any more comments on that.

I have given some cut motions on the question of fisheries. I know that it is by and large a State subject. But, I want to focus the attention of the Government of India on the paramount need to help the State Government in the matter of finding more funds for the fisheries. They have got a scheme, the Indo-Norwegian scheme. I have had an occasion to study the scheme in detail recently and also to take a trip in one of their motor boats. I find that the whole scheme will be worthless if certain arrangements are not made and made immediately. For example, there is the necessity to have a fishing harbour at least in the place called Neendakara. It must be the Central responsibility to develop that port. It is not good if the State Government is asked to construct a harbour there. Without a fishing harbour, I am afraid, knowing as I do a bit of the problem of fisheries, the Indo-Norwegian scheme itself will go out. I would request the hon. Home

Minister to look to this. It is not a matter pertaining to the administration of the State. The Central Government should immediately send one of their most competent experts and also draw up a scheme by which we shall have a fishing harbour of the modern type at Neendakara.

There is also another question which is not strictly coming within the scope of this. The fishing community has certain problems which, it is not possible for the State Government to tackle. My hon. friend Shri N. Sreekantan Nair, who knows the place well, will, I think, corroborate me when I say that owing to the removal of the much coveted ilmenite sands from the coast of Karunagapally, the sea is making constant incursions into the land making it impossible for the entire fishing community to live there with any sense of safety. That is also a matter in which the Central Government should devise ways and means of preventing erosion by sea. It is not a very simple question, I know. The washings are removed from this place. Perhaps, if you put bunds or breakwaters in the sea, the tidal flow may be different and the sands may be available in some other place. It is a highly technical matter. The point is, hundreds of houses stand in constant danger of being washed away, by sea, because the only bund which stretches from one end of the taluk to the other and even beyond is being slowly corroded by this removal of sand for the purpose of taking ilmenite and monazite. In view of the importance of the material which we gather from there, I want the Government of India immediately to devote special attention to this problem and see that some permanent way is devised by which despite the removal of washings and sand, the people in the first line beach may also live safely there.

We have a leper asylum there. My hon. friend Shri N. Sreekantan Nair has also joined me in giving a cut motion on this. There are 800 or 900 lepers, very unfortunate people, in that asylum. This institution, I gather

[Shri V. P. Nayar]

is the biggest of its kind in India. There are about 400 women. Has the Central Government given one pie by way of special assistance to this institution where there are hundreds of these unfortunate people, who cannot see the world, who have to be looked after with as much care as we can bestow? The Central Government has not chosen to spend one pie on this asylum. I have been there for election campaign and after that, I know that quite a number of things could be done if only they cared.

We know that the State Governments' budgets for this are limited. So, it is necessary that the Central Government should come to the help of this institution, because it is the biggest institution of its kind in the whole of India. Especially in view of the fact that leprosy, as recent investigation shows, is spreading, and a very sizable population of our State is showing symptoms of leprosy. I submit that in the interests of the general health of the State and also in the special interest of the particularly unfortunate patients there, the Government of India should rush and give some special help to this institution.

Shri N. Sreekantan Nair: Since the time at my disposal is very short, I shall skip over the points that have already been referred to my hon. friend Shri V. P. Nayar.

The first cut motion that stands in my name is in regard to the question of prohibition. I would like to state that it is a very foolish policy that is being followed at present in most parts of India. There is an imaginary line beyond which one can drink as much as one liked, but within that line, one cannot drink. That seems to be a foolish thing, according to me. I do, however, concede that drink is an evil, and that has been the source of many family quarrels among the labour classes and the poor people, and has also been the cause of their ruin. So, the drink evil has got to be controlled. For this purpose, some effective

method of controlling it has got to be devised. I hope that the new Communist Government will be able to do it, and the Central Government will render them whatever help they can to control the ludicrous situation that exists in the State at present.

My next cut motion is in regard to the heavy overheads on administration. All unwanted officers from the Madras area have been dumped on the Kerala State. We have had so many officers imported from outside, pensioners and so on and so forth, that the administration there is really becoming very top-heavy; as has been pointed out already by Shri A. M. Thomas, there are five or six heads for every Department. If this is the situation, then how can that poor State function? Our administrative expenses come to about Rs. 18 crores, with the result that there is nothing left for other items of expenditure. This is a matter which has to be looked into.

Regarding the cut motion of Shri Frank Anthony, I have to state that I am very sorry that I have to refute some of the allegations made by him on the floor of this House. I am very sorry that the floor of the House has been utilised to ventilate communal and sectarian passions. I have nothing to do with Mr. Loius, who had been nominated to the previous State Legislature. He was a Congressman, and he belonged to the Congress Party. But I must say, with all due respect to Shri Frank Anthony, that I do not agree that only that person whom Shri Frank Anthony or his organisation accepts is an Anglo-Indian. He claims that there are only 500 members of his organisation. But there are hundreds of thousands of such persons in my part of the country. I do not know much about the definition of an Anglo-Indian; I have heard only a negative definition, which I do not want to repeat in this House. So, let us not speak about *Feringis*, and Anglo-Indians and the subtle distinctions between them. If by *Feringis*, he means people who are Portuguese origin then we do not have anybody

[Shri N. Sreekantan Nair]

ing the elections, there was a declaration that the cashew factories of at least Mr. Thangal Kunju Musaliar were going to be opened again.

An Hon. Member: Vote-catching device.

Shri N. Sreekantan Nair: Perhaps, that was a vote-catching device. But I would urge is that these factories have to be reopened. Government have made a declaration that they are going to start co-operative societies for this purpose. I would urge that the factories should be reopened, these societies started, and the workers re-engaged.

Then, there is the question of enforcing some of the labour measures affording statutory and other rights to the workers, which are being denied to them at present.

14.38 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

If these rights are not restored to them, then the workers will be obliged to resort to other courses of action. Of course, I hope that the new Communist Government that is coming into power would be able to do something to improve their lot, because it is but right and fair to give them these rights, and it is compulsory also under the existing State Laws. I do not want to expatiate on this point any further. But I would only say that if the new Government do not do anything in this regard, then things will have to continue, as Shri Matthen said, as in the Chavara area, where the workers went on strike. As long as the rights of the workers are ignored, the workers have the right to go on strike, and they will go on strike. And we shall fight it out. This is a matter which is the concern of not only the State Government but also of the Central Government. In fact, I have brought to the notice of the Deputy Minister of Labour many of these issues. Indeed, I have personally met him and explained to him the whole

position as to how even the statutory rights have been denied to the workers, and nothing has been done till now in that regard. I am afraid we are heading towards a major strike in the mineral industries also. But since the Communist friends have come to power, I am put in a very awkward position.

Shri T. B. Vittal Rao (Khammam):
Why awkward position?

Shri N. Sreekantan Nair: If I go on strike, the Communist friends will say that I am trying to fight with them. If I go on strike, the Central Government will say, 'You better fight it out with your State Government', though it is a Central subject. So, I am placed in a very delicate predicament. I hope both the Communist Government and the Congress Government at the Centre will look into these matters, for the present situation is one of flagrant violation of the laws enacted by this House. There is nothing more to it. It is statutory rights of the workers which have been denied to them. Whether it is the Congress Government or Communist Government, if they at least do not observe this much of law, the workers have their rights. Even if in order to enforce their rights, they have to be in the wrong, they would rather put themselves in the wrong than in the right.

I commend my cut motion to the House.

Shri A. M. Thomas: Mr. Deputy Speaker, Sir, Shri V. P. Nayar referred to fisheries. This is another department to which proper attention has not been devoted. The remarks that I made about the Industries Department are equally applicable to the Fisheries Department also. According to the 1956-57 budget, the total plan provision for T. C. States for fisheries is Rs. 50.26 lakhs and the budget provision for 1956-57 is Rs 6.82 lakhs. I understand from the Report of the President's rule that the amount that would be spent for

fisheries in Kizhappur is Rs. 4:32 lakhs. This is a very unsatisfactory state of affairs.

Shri V. P. Nayar: Fantastic nonsense.

Shri A. M. Thomas: While on this point, I want to bring to the notice of the Home Minister one fact. There is the Norwegian project. They are using mechanised vessels. I understand that because of the use they put these mechanised vessels to too near the coastline, many poor fishermen in the coastal areas are deprived of their means of livelihood. I understand that a restriction was put that they are entitled to fish only beyond a seven-mile-radius. But actually, on account of their fishing too near the coastline, many poor fishermen are deprived of their means of livelihood. I hope the hon. Minister would look into the matter.

I wish to refer to another matter That relates to the question of scales of pay of University teachers. I understand recently an order has been issued to the effect that all government college teachers would be entitled to the revised scales of pay from the grants being made by the University Grants Commission—that is, 80 per cent of the extra expenditure that would be necessary. I need not dilate upon the demoralisation that would set in among the staff of the private colleges if this benefit is not extended to that class of teachers also.

The other point I wish to mention is about medicines. The question of supply of medicines has been raised by Shri N. Sreekantan Nair. One complaint of the erstwhile Cochin area people when the integration between Travancore and Cochin was effected was that amenities such as supply of medicines to hospitals, which they were enjoying in abundance previous to integration, were not made available to them. The same complaint is going to be repeated as far as the Malabar area is concerned. I understand, inadequate as

the number of hospitals in the Malabar district is, the supply of medicines to the hospitals is really adequate. But if the same standard of supply be being continued in the Travancore-Cochin area is going to be given to the Malabar area also, there will be a great deal of discontent among the people of the Malabar district.

Here I would also invite attention to the inadequate supply of medicines. In an important hospital like the Ernakulam General Hospital—before integration it was enjoying a very good reputation as a first-class hospital in South India, if I may say so—after integration the patients have to go to the hospital even with such primary requirements as Cotton. I do not think it is a desirable state of affairs. I hope the medical department would look into the matter and the complaint of the people of the locality, which I have the privilege to represent here, would be remedied.

My hon. friend, Shri V. P. Nayar, also referred to the Leper Asylum at Noornad. There is another in my constituency, at Varikkoli. There also there are hundreds of patients. It is run by a missionary institution. No help is being rendered by Government to it. There is also another asylum at Adoor. How these asylums are maintained, how are the establishment expenses met—these are questions which the medical department would have to consider, and in deserving cases, to render suitable aid.

The last point is about top-heavy administration. I have collected some figures. Out of a revenue expenditure of 31:1 crores, even according to the statement that is laid before us, the pay of officers and establishment etc. account for 30 per cent. Works take 14:93 per cent. The expenditure of Rs. 31 crores includes Plan expenditure also. Miscellaneous items take 56:17 per cent. I do not know what all is included under this head. As will be seen from pages 114-115 of

[Shri A. M. Thomas]

the budget estimates for 1957-58, out of the total expenditure, a substantial percentage goes to keep up the establishment of the various departments. I concede that officers and staff are necessary, but if such a large percentage is being utilised for meeting the pay of those officers and the staff, it is better that the departments are not run. No substantial amount, would be available to be spent for development works apart from meeting the salaries of officers and staff. This top-heavy expenditure of these departments is a serious matter which has to be considered.

Shri Nambiar: All sides are agreed that Kerala is a problem State. It is a problem State because the population is the thickest in India and it is the least industrialised. Unemployment ratio is at its maximum. Further, it has a food problem. The home production will not be enough for even six months. The administration there is very corrupt.

In this situation, the Government will have to see how the Kerala State can be helped. The new Government will take care of the problems. I do not want to enunciate the policy of the new Government. They are capable of doing it. But I would only say that the help which we ask for from all corners is not asked for for the survival of the new Government. It is for the benefit of the people, because this problem State of Kerala must be helped by Government. The Communist Party got the verdict of the electorate in its favour. Therefore, it will take power. But by the Communist Party's efforts alone, the problems cannot be solved. The problems can be solved only by one and all. It is exactly for this reason that we appeal to the hon. Minister and to the Treasury Benches, as also to other Opposition Members. We ask for their help not because we want to continue in power for five years by their help, but because we want to work for the benefit of the people along with others.

Mr. Deputy-Speaker: Power brings with it responsibility also.

Shri Nambiar: But the responsibility is not to continue in power. Our appeal must not be misunderstood. We do not want to hear: 'Oh, the Communist Party is coming to power. They want to be in power. Therefore, they are asking for help'. It is not in that spirit that we are appealing to others. We appeal because we want to solve the problems of Kerala with the help of all people, because it is a problem State. It was because of the past unsettled conditions there that the people wanted a change of government. Therefore, this should not be misunderstood. The Communist Party will see that it helps to the extent it can but everything cannot be done by the Communist Party alone.

I want to dispel one other misunderstanding that has been created here from the party point of view. It has been said repeatedly here that the Communist Party is anti-religious; and it has been repudiated that the Communist Party is not anti-religious.

An Hon. Member: Nobody said that.

Shri Nambiar: It has been said here; even Shri Pocker Saheb said that and he said that everybody should fight it. I say it is not an anti-religious party; it allows every religion to survive; it allows everyone to carry on his own religious belief. The Communist Party will not interfere with the religious beliefs or activities of any person or section of persons in this country. Therefore, that misunderstanding should be cleared up.

The other charge levelled against the Communist Party is that it encourages communalism. The Communist Party is the last party which would encourage any kind of communalism. It will not be swayed or carried away by communal views. It will not interest itself in communal quarrels. The Communist Party is firm in the matter of looking at the programmes and needs of the people as a whole and it is not swayed by communalism.

Shri Nand Lal Sharma (Sikar): On a point of order, Sir.

Mr. Deputy-Speaker: There is a point of order raised.

Shri Nand Lal Sharma: May we know on what particular cut motion the hon. Member is speaking?

Mr. Deputy-Speaker: On all the cut-motions that are coming ahead; he is feeling them.

Shri Nand Lal Sharma: Is he giving a reply to the whole of the debate?

Mr. Deputy-Speaker: Yes. The hon. Member may, perhaps, conclude.

Shri Namblar: Then, with regard to our relations with labour.

Shri Keshavaiengar (Bangalore—North) rose—

Mr. Deputy-Speaker: Perhaps, the hon. Member came too late.

It is the last day and a relaxation has been asked for.

Shri Namblar: The policy of the Communist Party in relation to labour is very clear. Shri Sreekantan Nair raised that point. If there is any labour problem before the Communist Party, he said that he and the party has been able to gather round him and will not hesitate to fight for labour. I will also join hands with him and say that the Communist Party to which I belong will not allow any reasonable demand of labour to suffer. We will certainly stand by labour and if there is any difficulty, the Communist Party, and I hope the leaders in Kerala, those who are in charge of the Government, will seek the help and co-operation from Shri Sreekantan Nair and his party of trade unionists and together we will both settle it and go forward. The Communist Party will not give up the rights of labour and if it does so it is not worth the name. Therefore, we will certainly seek the co-operation of trade unions, the AITUC all the INTUC, and others.

Mr. Deputy-Speaker: These explanations could be made there in the State Assembly.

Is Shri Keshavaiengar very particular to speak on the Kerala Budget?

Shri Keshavaiengar: Just a couple of minutes, Sir.

Mr. Deputy-Speaker: There is another hon. Member from Kerala, Shri Iyyunni and he may be given two minutes.

Shri C. R. Iyyunni (Trichur): Mr. Deputy-Speaker, Sir, since I cannot have any more chance to speak in Parliament, I take this opportunity to wish the Red Party that is coming in our State, well. The reason for wishing it well is this. There has been a general election which was very strongly contested by all the parties in the State and finally the victory has gone to the Communist Party. There is no doubt that in the minds of the voters there must be certain convictions why, they have voted for the communists in large numbers. There is no denying the fact that the administration there was not conducted in a way satisfactory to the people or conducted upto a standard which is desirable.

It is true that the P.S.P. came to power and the Congress also came to power. If the opportunities that were allowed to these two parties were utilised in the way in which they ought to have been utilised, I have not the slightest doubt that the voters would have given the verdict in favour of the Congress or the P.S.P. The reason why they have not given it, in my opinion, is that the administration there was not up to the standard. It is true that in other States also the same conditions prevailed. But, in Travancore-Cochin or the new Kerala State, there is a great deal of difference. There is no State in the whole of India, where in proportion to the area, there are 21 daily newspapers. In Travancore-Cochin alone which is only about 14,000 sq. miles, more than 61 per cent of the population are literate. It is not easy for anybody, however trained, he may be, to go and speak to them in a manner which

[Shri C. R. Iyyunni]

will appeal to them unless it is proved or verified by the situation today. People gloat over the glory of the past. It is good. But what is the present position of Government there? That is what the ordinary man will look at; and the ordinary man knows because he is a man who is always reading newspapers. If Government does not come up to the level he expects, he will give the verdict that has been given now.

I need not say anything as to how the administration has been carried on except to say that it was not up to the standard. As a matter of fact, I come from that part of Kerala which, about 50 years ago, was extolled as a model State of India, Cochin, by no less a person than Lord Curzon who was then the Viceroy. He said that it was a model State. We were being governed under such conditions. But, after integration our position has considerably deteriorated and there is no wonder the Government has been mismanaged.

Mr. Deputy-Speaker: I am afraid this analysis may take long and I am going to ring the bell.

Shri C. R. Iyyunni: I am not going to take much of the time.

Mr. Deputy-Speaker: I have to ring the bell just now.

Shri C. R. Iyyunni: I wish the party that has been given the opportunity to form a government there to conduct itself properly so that people in the country may be benefited.

There are so many points on which I might say something as Shri Thomas told us. For example, we were having plenty of medicines and we had plenty of institutions there. But, now, if a patient goes to the hospital, he must go there with all the medicine that is necessary so that he may get the treatment. That is what is generally being done. The doctor says: you bring such and such a thing; even cotton as Shri Thomas suggested. Certainly, that is very painful.

There are many things which we can bring to the notice of the Government now because there is the President's rule. Otherwise, we will have to make all these appeals there in the local Assembly. So, I would like to request the Government to be formed there that they must be fair to all parties, to all sections and to all areas without showing any sort of discrimination. If they conduct themselves properly, my feeling is they might continue there for some time.

But there is considerable difficulty. It has been suggested that they do not do anything with regard to religious freedom. But that is not correct. If they are not to be guided by what is being done in China or Russia then, certainly, I have no complaint. That may be all right. But if they were to depend on what is being done by Communist Governments elsewhere, then there is a certain amount of.....

Mr. Deputy-Speaker: These declarations and professions as well as the fears need not be stated here.

Shri C. R. Iyyunni: I am thankful to you, Sir, for the opportunity given to me.

Mr. Deputy-Speaker: Does Shri Keshavalengar still want to speak?

Shri Keshavalengar: You have been so indulgent to other hon. Members. I do not think why you should make any exception in my case.

15 hrs.

. It is a very gratifying to note that very recently I have been able to see our communist friends feel delicate for the first time about the position they are placed in. We see the gradual growth of responsibility that is coming in on them.

Even our Constitution envisages a federal government and we were almost having an administration tantamount to a unitary system of government on account of the convenient fact that we had the same

party in power in all the States. I am sure that there is a mixture of both good and bad in this world everywhere, and I feel there is some good in it although the Congress Party has failed and the Communist Party has succeeded in a State. It affords a wonderful opportunity to demonstrate to the whole world that even both these governments can co-exist.

Mr. Deputy-Speaker: We will substantiate the principle of co-existence here!

Shri Keshavalengar: So far as the question of fisheries is concerned—Shri Nayar referred to it, I think—I am sure they will endeavour their utmost to improve the harbour, of course, without detriment to the poor fishermen who have complained about the nearness of the activities of the Norwegian Government. I hope they will try to improve the harbour, catch big fish and distribute it to other parts of India also.

One other matter I would like to refer to is about High Courts and Shri Nambiar has tabled a cut motion No. 29 in regard to this. Even though it may be a little out of place, I would like to have an explanation from the hands of our Minister as to why matters connected with the High Courts of several States are neglected. I may be permitted to state that although months have passed, the appointment of judges to the High Court of Mysore has not been done.

Mr. Deputy-Speaker: Is it for this purpose that the hon. Member wanted some time?

Shri Keshavalengar: I wanted to have this opportunity to snatch an explanation from the hon. Minister on this question.

Mr. Deputy-Speaker: But not when the Kerala Budget is under discussion.

Shri Keshavalengar: That is all I have to say.

The Deputy Minister of Labour (Shri Abid Ali): With your permission, Sir, I wish to give a brief answer to the remarks made by Shri Nair with regard to his three cut motions.

So far as strikes are concerned, we never interfere with them so long as they are peaceful, although they have organised the strikes for so many months together. It is now for the new government, which is soon to come into power in Kerala, to deal with them, and I hope they also will be able to carry out the promises which they have given to the electorate.

About the cashewnut industry and the mineral factories, the hon. Member himself knows that these two matters went to the High Court. The application of the Act to the cashewnut industry has been declared void by the High Court in Travancore-Cochin. Also about the Travancore Mineral Concern, the hon. Member himself went to the High Court in Punjab and the decision given by that High Court was that what the Government did was right and that his contention was not maintainable. Therefore, it is not right on his part to blame us now at least.

About the Minimum Wages Act, it has been already applied to the Travancore-Cochin industry, so far as the coir section also is concerned, as far back as in 1954. Again it was revised, and Assistant Labour Commissioner, Conciliation Officer, Labour Officers and others were appointed and they were specially instructed to see to the strict enforcement of the Act in the coir industry and also to launch prosecutions wherever a breach was noticed.

The Minister in the Ministry of Home Affairs (Shri Datar): I would like to make a very brief reply to the various points made by hon. Members in respect of their cut motions.

The first relates to fisheries. So far as fisheries are concerned, I find that

[Shri Datar]

no inadequate attention is paid to this important problem. The matter is receiving very careful attention, and large sums of money have been provided for in respect of the different items. Loans have been given to the fishermen's co-operative societies. Rs. 14,000 has already been given, and another Rs. 35,000 is going to be given. Fishery requisites are being supplied to them, for which Rs. 75,000 has been provided for. Then, there have been the stocking of ponds with fish, construction of breakwater along the coast, introduction of ice plants and cold storages and also introduction of guide lights.

Lastly something was said about the Indo-Norwegian project. It has made some headway. Under the project, 28 fishing boats were constructed for distribution among the fishermen. They were got trained in mechanisation under the project. I believe, therefore, that so far as fisheries are concerned, they are receiving the best attention possible from the authorities.

So far as the leprosy asyium is concerned, I find that large sums are set apart for developing these centres. In the Budget for 1957-58, a sum of Rs. 1,91,000 has been provided for increasing the number of beds in the leprosy hospital at Koratti and Noornad. In addition, a sum of Rs. 1,50,000 has also been included for works relating to improvements of these two hospitals. I may also point out that treatment for leprosy is being given on a very large scale and health education imparted. Some subsidiary centres, for this purpose have been established in three places, and grants are being given so far as they are concerned. A considerable amount has been set apart for controlling leprosy in the various parts of the State.

Something was stated about inadequate medical equipment in the various hospitals. I may point out

in this connection that the Plan provision under the head 'Medical' in the State Government's Second Five Year Plan is Rs. 3.55 crores, out of which Rs. 74.71 lakhs has been proposed for the budget for 1957-58. I am quite confident that this will provide the full equipment and medicine necessary. I have before me a long list of institutions, especially leprosy, T.B. and other voluntary institutions, to which grants have been made by the State—the total amount comes to Rs. 2,45,000.

Something was stated about the pay of professors in the University. This question was discussed on a former occasion, and it was pointed out that a Pay Commission had been appointed and their recommendations were under consideration. It has been published in yesterday's paper that the pay scales have been revised so far as university professors are concerned. There are private colleges run by non-official or private agencies in Kerala. In fact, I visited two of the biggest colleges in Kerala and I found that they did not receive any grants at all from the Government. That is a matter which has to be looked into by the new Government. I was wondering why in the budget provision has not been made or could not be made for giving some grants to very good private or non-official colleges. In some colleges, the number of students is about 2,000 or 1,800. But it is a question of financial commitment, and I would not like to bind the new Government. That is a question which will be considered, I think, by the new Government.

It will, however, be difficult for the State Government to contribute to the pay of the staff of private institutions. That is a question which should be taken up by the colleges or private institutions with the new Government.

So far as overhead expenditure is concerned, I believe it is within

limits. A complaint was made that there were a large number of officers in Malabar from the Madras State. That is not correct. It will be noted that Malabar, which was formerly in the Madras State, has been taken over into the Kerala State, and that is the reason why a number of officers must have come here. After all, when there is a new Government, sometimes there is a need for taking in very efficient officers so that the whole administration could be placed on a very sound footing. It will not be correct to say that Madras officers are too many in Kerala. In fact, hon. Members will agree that even now, there are a large number of Kerala officers, that is, officers belonging to the Kerala State, who still continue in the Madras State. A similar question was raised and the Chief Minister there, I remember, answered that some of them will continue because, after all, the administration has to be carried on, and officers who remain there are equally efficient like those who have been taken over by the Kerala State.

The hon. Member said something about prohibition. It is enforced in the whole of the Malabar area but in Travancore-Cochin area, it is enforced only in certain taluks. It was the idea to extend it gradually in view of the fact that the Government could not afford to lose the excise revenue which was sizable. The adoption of uniform policy for the whole State is for my hon. friends belonging to the new Government to consider. Prohibition is one of the important points on which all of us ought to agree. There are certain States where prohibition is working; in our opinion, effectively. Some months ago a committee was appointed by the Planning Commission which laid down the stages according to which prohibition has to be put to operation. It is a matter for the new Government to consider whether they would implement it or whether they would, for the sake of some revenue, follow a policy of not having prohibition at all. It is a question to be seriously considered by the Government with a

full sense of responsibility. We have got as one of the Directive Principles that prohibition has to be established. If it is going to be a success anywhere in the world, it must be only in India...

Mr. Deputy-Speaker: Are there many other points?

Shri Datar: One or two. I am finishing. One hon. Member said that the population of the Anglo-Indians was 2,000 in Kerala. It is 15,000.

Shri N. Sreekantan Nair: Shri Frank Anthony said so yesterday.

Mr. Deputy-Speaker: He ignores certain sections.

Shri Datar: According to the census figures, it is 15,000.

Shri Namblar: He excludes Javanais.

Shri Keshavalingar: One word about the Judges.

Shri Datar: I am not called upon to answer on that point.

Mr. Deputy-Speaker: Mysore could not be discussed here just now. No answer could be given to that. Now, have I the permission of the House to put all the cut motions together?

Dr. Rama Rao: Except the ones that had not been moved.

Mr. Deputy-Speaker: Nos. 1 to 21, 12, 13, and 15 to 29 had been moved. I shall put all these cut motions to the vote of the House.

The cut motions were negatived.

Mr. Deputy-Speaker: The question is:

"That the respective sums not exceeding the amounts shown in the third column of the Order Paper, be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of

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payment during the year ending the 31st March, 1958 in respect of the following heads of demands entered in the second column thereof:—

Demands Nos. I to XLIV

The motion was adopted.

[The motions for Demands for Grants on account in respect of the State of Kerala which were adopted by the Lok Sabha are reproduced below—Ed.]

DEMAND NO. I—AGRICULTURAL INCOME TAX AND SALES TAX

"That a sum not exceeding Rs. 4,55,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Agricultural Income Tax and Sales Tax'."

DEMAND NO. II—LAND REVENUE

"That a sum not exceeding Rs. 11,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Land Revenue'."

DEMAND NO. III—EXCISE

"That a sum not exceeding Rs. 4,76,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Excise'."

DEMAND NO. IV—STAMPS

"That a sum not exceeding Rs. 1,02,000 be granted to the President, on account, out of the

Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Stamps'."

DEMAND NO. V—FOREST

"That a sum not exceeding Rs. 25,12,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Forest'."

DEMAND NO. VI—REGISTRATION

"That a sum not exceeding Rs. 5,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Registration'."

DEMAND NO. VII—TAXES ON VEHICLES

"That a sum not exceeding Rs. 3,03,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Taxes on Vehicles'."

DEMAND NO. VIII—IRRIGATION

"That a sum not exceeding Rs. 4,52,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Irrigation'."

**DEMAND No. IX—HEADS OF STATES,
MINISTERS, SECRETARIAT AND ATTACHED
OFFICES**

"That a sum not exceeding Rs. 16,85,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Heads of States, Ministers, Secretariat and Attached Offices'".

DEMAND No. X—STATE LEGISLATURE

"That a sum not exceeding Rs. 1,44,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'State Legislature'".

DEMAND No. XI—ELECTIONS

"That a sum not exceeding Rs. 10,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Elections'".

**DEMAND No. XII—DISTRICT ADMINIS-
TRATION AND MISCELLANEOUS**

"That a sum not exceeding Rs. 12,60,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'District Administration and Miscellaneous'".

**DEMAND No. XIII—ADMINISTRATION
OF JUSTICE**

"That a sum not exceeding Rs. 14,79,000 be granted to the President, on account, out of the Consolidated Fund of the State of

Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Administration of Justice'".

DEMAND No. XIV—JAILS

"That a sum not exceeding Rs. 5,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Jails'".

DEMAND No. XV—POLICE

"That a sum not exceeding Rs. 40,39,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Police'".

**DEMAND No. XVI—SCIENTIFIC
DEPARTMENTS**

"That a sum not exceeding Rs. 1,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Scientific Departments'".

DEMAND No. XVII—EDUCATION

"That a sum not exceeding Rs. 214,29,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Education'".

DEMAND No. XVIII—MEDICAL

"That a sum not exceeding Rs. 51,19,000 be granted to the President, on account, out of the Consolidated Fund of the State of

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Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Medical'".

DEMAND NO. XIX—PUBLIC HEALTH

"That a sum not exceeding Rs. 42,58,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Public Health'".

DEMAND NO. XX—AGRICULTURE

"That a sum not exceeding Rs. 24,98,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Agriculture'".

DEMAND NO. XXI—RURAL DEVELOPMENT

"That a sum not exceeding Rs. 18,56,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Rural Development'".

DEMAND NO. XXII—VETERINARY

"That a sum not exceeding Rs. 4,09,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Veterinary'".

DEMAND NO. XXIII—CO-OPERATION

"That a sum not exceeding Rs. 5,58,000 be granted to the

President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Co-operation'".

DEMAND NO. XXIV—INDUSTRIES

"That a sum not exceeding Rs. 47,94,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Industries'".

DEMAND NO. XXV—LABOUR AND MISCELLANEOUS

"That a sum not exceeding Rs. 21,14,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Labour and Miscellaneous'".

DEMAND NO. XXVI—CIVIL WORKS

"That a sum not exceeding Rs. 83,82,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Civil Works'".

DEMAND NO. XXVII—ELECTRICITY

"That a sum not exceeding Rs. 24,59,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Electricity'".

Kerala

DEMAND NO. XXVIII—PENSIONS

"That a sum not exceeding Rs. 26,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Pensions'".

DEMAND NO. XXIX—STATIONERY AND PRINTING

"That a sum not exceeding Rs. 9,94,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Stationery and Printing'".

DEMAND NO. XXX—MISCELLANEOUS

"That a sum not exceeding Rs. 7,14,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Miscellaneous'".

DEMAND NO. XXXI—COMMUNITY DEVELOPMENT PROJECTS

"That a sum not exceeding Rs. 24,82,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Community Development Projects'".

DEMAND NO. XXXII—TRANSPORT SCHEMES

"That a sum not exceeding Rs. 45,53,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of

payment during the year ending on 31st March, 1958 in respect of 'Transport Schemes'".

DEMAND NO. XXXIII—CAPITAL OUTLAY ON IRRIGATION (COMMERCIAL)

"That a sum not exceeding Rs. 31,83,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Irrigation (Commercial)'".

DEMAND NO. XXXIV—CAPITAL OUTLAY ON IRRIGATION (NON-COMMERCIAL)

"That a sum not exceeding Rs. 19,16,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Irrigation (Non-Commercial)'".

DEMAND NO. XXXV—CAPITAL OUTLAY ON PUBLIC HEALTH

"That a sum not exceeding Rs. 27,08,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Public Health'".

DEMAND NO. XXXVI—CAPITAL OUTLAY ON AGRICULTURAL IMPROVEMENT

"That a sum not exceeding Rs. 19,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Agricultural Improvement'".

DEMAND No. XXXVII—CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT

"That a sum not exceeding Rs. 83,56,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Industrial Development'".

DEMAND No. XXXVIII—CAPITAL OUTLAY ON CIVIL WORKS

"That a sum not exceeding Rs. 67,70,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Civil Works'".

DEMAND No. XXXIX—CAPITAL OUTLAY ON ELECTRICITY SCHEMES

"That a sum not exceeding Rs. 77,49,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Electricity Schemes'".

DEMAND No. XL—CAPITAL ACCOUNT OF OTHER WORKS OUTSIDE THE REVENUE ACCOUNT

"That a sum not exceeding Rs. 3,30,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Account of other works outside the Revenue Account'".

DEMAND No. XLI—CAPITAL OUTLAY ON TRANSPORT SCHEMES

"That a sum not exceeding Rs. 3,50,000 be granted to the

President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on Transport Schemes'".

DEMAND No. XLII—COMMUTED VALUE OF PENSIONS

"That a sum not exceeding Rs. 19,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Commuted Value of Pensions'".

DEMAND No. XLIII—CAPITAL OUTLAY ON STATE SCHEMES OF GOVERNMENT TRADING

"That a sum not exceeding Rs. 22,32,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Capital Outlay on State Schemes of Government Trading'".

DEMAND No. XLIV—LOANS AND ADVANCES BY THE STATE GOVERNMENT

"That a sum not exceeding Rs. 27,07,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala, to defray the charges which will come in course of payment during the year ending on 31st March, 1958 in respect of 'Loans and Advances by the State Government'".

**KERALA APPROPRIATION (VOTE
ON ACCOUNT) BILL,* 1957**

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the service of a part of the financial year, 1957-58.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the Service of a part of the financial year 1957-58."

The motion was adopted.

Shri A. C. Guha: Sir, I beg to introduce** the Bill.

Shri A. C. Guha: I beg to move:***

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the service of a part of the financial year 1957-58, be taken into consideration."

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the service of a part of the financial year 1957-58, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 1 and 3, the Scheduled, the Enacting Formula and the title of the Bill were added to the Bill.

Shri A. C. Guha: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

**PREVENTION OF CORRUPTION
(AMENDMENT) BILL***

The Minister in the Ministry of Home Affairs (Shri Datar): Sir, I beg to move:

"That the Bill further to amend the Prevention of Corruption Act, 1947, as passed by Rajya Sabha, be taken into consideration."

This is a matter which deals with the question of corruption and for this purpose we have been having criticism in the Parliament on a number of occasions. This was taken up some years ago and in 1947 an Act was passed known as the Prevention of Corruption Act. The object of that Act was twofold.

One was to make a new offence known as 'criminal misconduct'. It was a particular offence under which an officer or a Government servant might be habitually indulging in receiving illegal gratifications to do or not to do a certain act in his official capacity. It was considered that, in addition to certain offences which we have in the Indian Penal Code, namely, receiving illegal gratification—now we have also got giving illegal gratification—and offences connected therewith—it would be better to have a new Act known as the Prevention of Corruption Act. As I said, as new offence was created known as the 'criminal misconduct'.

Secondly, by way of rule of evidence, a presumption could be drawn according to which, under certain circumstances, if a Government servant for instance, is found in possession of certain property which could not,

*Published in the Gazette of India Extraordinary Part II—Section 2 dated 28th March 1957, pp. 39-43.

**Introduced with the recommendation of the President.

***Moved with the recommendation of the President.

[Shri Datar]

prima facie, be accountable from the sources of his income, a presumption could be drawn. The court will presume, unless the contrary is proved by the other party, that the particular property has been acquired by means other than legitimate. That is a very important presumption. If a man is found in possession of property which is disproportionate to his means, then certain presumptions could be made under certain circumstances. This presumption has helped the Government in rooting out corruption to a certain extent. As the House is aware, Government is very anxious that the purity of administration should be maintained by the Government servants. They should work in a spirit of service and duty and not out of considerations other than those to which they are entitled to either by way of pay or by way of allowances. Apart from this, while a person is in Government service, he could not take undue advantage of his position. He could not exercise his influence in other than legitimate ways. If he does, naturally, it is a matter which should bring him within the criminal law.

For this purpose, this Act was passed. Government had a machinery. The Central and the State Governments have been taking advantage of these new provisions and, to a certain extent, this corruption has been brought under control. Subsequently, the provisional Parliament considered this question of corruption and a committee was appointed to find out to what extent this law has been effective, and whether any legislative changes are necessary; if so, on what lines. Their report was received by Parliament, and whatever they had stated was accepted to a large extent by Government as a result of which certain changes were made.

When this Act was passed in 1947, the period of this particular new offence remaining in force was first put at three years. Section 5 was the

important provision which dealt with the new offence, namely, criminal misconduct. Then it was stated that that section should be in operation for a period of three years. Afterwards, on the recommendation of the Tek Chand Committee, if I mistake not, the period was extended from time to time until early this month when the Parliament was not in session and the period was to have expired. As I have already stated, the provision regarding the offence as also the provision regarding the prosecution were very important. Therefore, as the Parliament was not in session an Ordinance was issued by the President and now, as the Parliament is meeting, this Bill has been brought forward.

The object of this Bill would be to make this a permanent feature of this Act. It is not sufficient if it remains on the statute-book for three or five years. During the last ten years, it has helped the Government to a very large extent in checking crime, because the circumstances under which this offence can be committed have been laid down and it has been stated that it will amount to criminal misconduct; not merely ordinary misconduct, civil misconduct or retort, but criminal misconduct. Therefore, it has to be properly punished and this has had a very salutary effect.

During the last ten years there has been recourse to the provisions of this Act on a number of occasions, and I find that on the whole these provisions have been of great use. Therefore, it is considered that these provisions, Section 5, should continue for all time to come, so long as this Act, namely, the Prevention of Corruption Act is there. This is the purpose for which this Bill has been brought forward, and if this Bill is passed into law the Prevention of Corruption (Amendment) Ordinance would naturally be repealed.

Sir, I have explained the provisions and I am confident that the hon. Members would accept the provisions that

are already on the statute-book. I am sure they would agree that, if corruption has to be eradicated then the Government must have a machinery, must have certain powers for the purpose of proving in a court of law that a certain officer has committed criminal misconduct.

There are also other steps that the Government have already taken. Whenever it is found that in a particular case the matter cannot be proved or the prosecution cannot be sustained, there are other ways in which the conduct of the Government officer is taken into account; that is by means of departmental proceedings. If the case is strong enough for conviction in a court of law *prima facie*, the matter is taken to a court; otherwise, if it is found that there is an element of moral turpitude, though according to the strict technical interpretation of sections it cannot be proved to amount to an offence, it would be a wrong and then, naturally, the other machinery is used by the Government. The Government in that case avails themselves of the departmental proceedings. As the House is aware the House has already taken a number of steps in that direction. The Government have appointed a new division known as the Administrative Vigilance Division.

श्री सिंहासन सिंह (जिला गोरखपुर, दक्षिण) : जब से यह डिबेटेशन कायम हुआ है तब से करप्शन के कितने केसेज चले हैं ।

Shri Datar: I would invite the hon. Member's attention the report that was placed on the Table of the House. So far as this Administrative Vigilance Division is concerned, it deals not only with the question of punishment or detection of crime, it also deals with the prevention of circumstances under which such crimes can be committed. The environments are taken into account, and Government are taking very strong action so far as vigilance is concerned. Therefore, the House will agree that Government are extremely keen on the complete

removal or eradication of corruption, to the extent that they can do, by such Acts and also by means of the general rules that they have issued so far as departmental proceedings or other actions, are concerned. I am confident, Sir, that this Bill will commend itself to the approval of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Prevention of Corruption Act, 1947, are passed by Rajya Sabha, be taken into consideration."

Mr. Deputy-Speaker: Hon. Members must be aware that the House got only one hour as the limit within which the Bill has to be passed.

Pandit Thakur Das Bhargava (Gurgaon): I am aware of it, and it, and it is only because the time is very inadequate that I have Tabled the first motion. It is the result of my decision that the time allowed for this motion is very inadequate. Since we are adjourning today, there is not enough time to deliberate upon this Bill.

Mr. Deputy-Speaker: It is not only that we are adjourning today, but it is impossible to extend it even by a few minutes. There is another motion by Shri Kamath. That is also, perhaps, very important and of interest to the Members. That has to be discussed for at least half an hour. Then the hon. Speaker wants to make certain observations at 16:30 hours before we part. Therefore, we have to finish this by at least four o'clock.

Pandit Thakur Das Bhargava: That means, instead of one hour we will have only half an hour.

Mr. Deputy-Speaker: The time taken by the Minister must also be included against this Bill.

Pandit Thakur Das Bhargava: So far as I am concerned, I will try my very best to give all the reasons that I can to see that this motion is not taken up today. If the hon.

[Pandit Thakur Das Bhargava]

Minister agrees, I think all other business can very smoothly pass through.

Mr. Deputy-Speaker: If that is the object of the amendment, then I shall have to rule that it is dilatory.

Pandit Thakur Das Bhargava: It is not dilatory.

Mr. Deputy-Speaker: I have not ruled it out, but the hon. Member said that he will give all the reasons so that the motion is not taken up today.

Pandit Thakur Das Bhargava: Because the time is short; if the time was there I would not have brought such a motion. As the hon. Minister himself said, it is an important measure, and the importance of the measure entitles me to appeal to the House that it should consider the Bill fully and on merits. My difficulty is, half an hour is absolutely insufficient for me even to make out a case for full deliberation being bestowed on such a Bill. As a matter of fact, this should be postponed. I am saying this very seriously. I have gone through the proceedings of Rajya Sabha on this Bill and I find that it was not properly considered there. I am very sorry to say that it was passed in a rather hasty way there, and I do not want that this may be said about this House also.

I leave it to you, Sir. I will give all the reasons. If you are satisfied that there is a case then you may allow me to proceed with the other arguments; otherwise you may rule it as dilatory.

Mr. Deputy-Speaker: I am not inclined to rule it out as dilatory, but my difficulty is, how will this motion be made adequately and in a lawful manner when these Members cease to be Members at all. As far as I am aware there will be no Members on the 4th. How will they work on the Select Committee?

Pandit Thakur Das Bhargava: Today they are Members. The House is not going to be dissolved for several days. We have changed our rule and we can certainly go on when the House is not dissolved.

Mr. Deputy-Speaker: That is prorogation and not dissolution. Now the House is going to be dissolved.

Pandit Thakur Das Bhargava: The House will be dissolved after four days. The Select Committee can meet for a day in between and finish the job.

Mr. Deputy-Speaker: Where is the report to be made?

Pandit Thakur Das Bhargava: The report can be made subsequently.

Mr. Deputy-Speaker: By whom?

Pandit Thakur Das Bhargava: My humble submission is that I am really concerned by the action of the Government. The Government have made it impossible for me to move this motion. Therefore, this is another ground on which this Bill should be postponed. It comes to this. This motion cannot be made which is lawful under the law. This, in plain English, means that it is impossible for me to move it. Therefore, there is no other course except to see that this Bill is postponed.

Mr. Deputy-Speaker: That is an argument which the Minister could consider.

Shri Datar: May I point out that Government are considering the general question of having further amendments in the Prevention of Corruption Act. The Government are now actually considering that question. They are preparing a Bill so as to incorporate the other amendments that the Government have in view. They have to consult the State Governments and after considering their views, the Government will place it before the new Parliament. That will be a full and comprehensive Bill.

Mr. Deputy-Speaker: That is quite a distinct and different thing. The objection taken is that the Government are bringing forward a Bill to be considered and passed by this House. There are options for the Members to move certain amendments or motions under this Bill, but the Members find that it is not possible to make them, because we are adjourning today sine die and so far as we know, the House is being dissolved. The hon. Member's objection is that it is lawful for him to move that the Bill be referred to a Select Committee and that it is allowed by our Rules of Procedure. It is impossible for him now to make that motion because, as I pointed out to him, there would be no Select Committee for, there would be no Members of Parliament. He says that he is handicapped to make a motion, which is allowed by law and procedure, that this Bill should not be proceeded with. The Minister should consider this point. I think I have made clear what the objection of the hon. Member is.

Shri Datar: All that the hon. Member has in view in that there should be a Select Committee which should go into the merits of such Bills including the present Bill. So far as the general principles laid down in the Prevention of Corruption Act are concerned, I have stated just now that Government are considering amendments and they would bring forward a Bill. When that Bill comes and is placed before Parliament, then, it may be considered by the Select Committee; if my hon. friend desires that it should be considered by a Committee of both the Houses, it could also be done then.

So far as section of the Act is concerned, I submit that if, for example, this Bill is not passed into law, naturally certain difficulties will be created. There are cases pending, and the difficulties will be there, and a presumption cannot be drawn in certain cases by the courts. Therefore, a number of difficulties arise. All that

we desire at present is that section 5 should continue to be a provision in this Act. This is the only thing that we want. I believe that the hon. Member can have full opportunities for considering other amendments including, if necessary, a provision like the present one, and the Select Committee can go through them.

Pandit Thakur Das Bhargava: May I submit a reply? I am quite conscious that the hon. Minister himself is conscious of the fact that this Bill is very defective.

Shri Datar: I have not said so.

Pandit Thakur Das Bhargava: That is the reason why a new Bill is being brought. I have been in the House for a sufficiently long period, and I know it.

Mr. Deputy-Speaker: The hon. Minister has advanced this argument that section 5 is already there. If we do not pass this Bill now we cannot extend its existence and that provision is necessary.

Pandit Thakur Das Bhargava: I am also conscious that so far as section 5 is concerned it may be continued for sometime.

Shri Sinhasan Singh: On a point of order. The hon. Member says that he wants a particular section to continue. An ordinance had been passed and it will lapse, and so a measure was brought into the House to override that difficulty. Now, what is the intention of my hon. friend? Does he want that section to continue or not?

Pandit Thakur Das Bhargava: He only wants to know my intention. It is not a point of order. When an ordinance is there, it continues. Suppose, this Bill is not passed, what happens? The ordinance itself continues. It shall continue for six months. The ordinance does not lapse.

Shri Sinhasan Singh: It lapses.

Pandit Thakur Das Bhargava: No. According to the Constitution, the ordinance shall continue for sometime.

Mr. Deputy-Speaker: If we do not meet and if it expires, then it goes. If the Parliament does not meet, then the ordinance would have gone.

Pandit Thakur Das Bhargava: The ordinance can be made again. What is the difficulty? They have got the powers to make an ordinance again. The Minister has expressed the difficulty that there are some cases which will be affected adversely if this provision in the Act is not allowed to continue. Suppose, some new cases are brought in—

Mr. Deputy-Speaker: I would bring to the notice of the hon. Member one fact. If he agrees to a new ordinance being enacted, then why not he give up his position? Suppose that ordinance is passed or extended and this clause is continued for another period of six months, or whatever he likes, then, perhaps the hon. Minister feels that there is no harm in passing this Bill for the present, and having the continuance of the particular section. Then, he is bringing a comprehensive Bill when all these and other matters can be considered by this House.

Pandit Thakur Das Bhargava: Where is the guarantee that it will be brought within six months or one year? I was a Member of the Committee—the Tek Chand Committee. I am the person who got this amendment made which is the subject matter of this discussion.

Mr. Deputy-Speaker: If the hon. Member gets a sufficient guarantee, then, is he prepared to agree?

Pandit Thakur Das Bhargava: I believe that the Minister says that he will bring a new Bill as soon as possible—perhaps in May or June—during the coming session. But, after all, I do not want that such cases which have to be decided should be decided adversely by the High Court or the Supreme Court on the basis that this law does not exist. I do not want that. If the Minister says that he will bring the new Bill in May or June, I shall not oppose this measure. But, suppose, after a year, he brings in the Bill—

Shri Datar: I am prepared to continue it to months, and not a year. We shall have to consult the State Governments and it will take some time. But I am prepared to give a promise to my hon. friend that at the earliest opportunity, I shall bring the Bill—not early but earliest.

Pandit Thakur Das Bhargava: By 'earliest', I mean May or June, or in the next session.

Shri Datar: I mean it in terms of months and not years.

Pandit Thakur Das Bhargava: In the next session, I mean. If he brings it during the next session, there is no harm. I am agreeable. You may bring the measure in the next session. I shall have no objection.

Shri Datar: I shall try my best to see if we can bring it.

Mr. Deputy-Speaker: Let us leave it now. I would request the hon. Member to have that much guarantee and leave it to the House.

Pandit Thakur Das Bhargava: If the hon. Minister says that he will do his best to bring the new Bill in the next session, I shall accept it. I take it that he will bring it during the next session. Under these circumstances, I do not want to press my amendment.

Pandit S. C. Mishra (Monghy North-East): At least on one occasion, we find ourselves in consonance with the Government, though it be on the last day.

Mr. Deputy-Speaker: It is very unfortunate that it so happens on the last day of the term.

Pandit S. C. Mishra: This is the last day of our existence in this Parliament and my own term here. Therefore, I am glad to support the Government on their introducing this Bill. I was saying that at least on one occasion, Government would take the right decision and we fully appreciate that they have taken this measure.

Mr. Deputy-Speaker: All's well that ends well.

Pandit S. C. Mishra: At least on this point we support the Government, and we hope that Government will take adequate steps in this regard. But I think that even with this law as it stands Government is not taking adequate steps. This law empowers the Government and gives them enough opportunities and powers to haul up all corrupt officers, but even then, the action that the Government takes under the existing law is always lukewarm. They could have checked corruption to a large extent. I do not say that I support this measure fully, but I would impress upon the Government that they should be more energetic towards taking action under this law. With these words, I support the Bill.

श्री नंद लाल शर्मा (सीकर) :

नमोऽस्तु रामाय सलक्ष्मणाय

दध्यं च तस्यै जनकालम्बायै ।

नमोऽस्तु छत्रेन्द्रायमानिलेख्यो

नमोऽस्तु चन्द्रार्कमरुदगणेश्वर्यो ॥

म ननीय उपाध्यक्ष महोदय, ...

Mr. Deputy-Speaker: I may tell the hon. Member that he will have very little time, only 4 or 5 minutes.

Shri Nand Lal Sharma: I shall try to finish within 5 minutes.

Mr. Deputy-Speaker: Otherwise I will have to try.

श्री नंद लाल शर्मा: माननीय उपाध्यक्ष महोदय, भ्रष्टाचार निरोध के सम्बन्ध में यह संशोधन अधिनियम स्वागत का विषय है, इसमें कोई सन्देह नहीं है। हमारी सरकार ने इस और कुछ अधिक कदम उठाये हैं भारतीय दंड विधान की धारा १६१ और १६५ के अतिरिक्त यह जो धारा बनाई गई कि सरकारी कर्मचारियों के द्वारा भ्रष्टाचार करने पर उनके विरुद्ध कोई कदम उठाया जा सके और उसे धारा अधिनियम के साथ नियमित रूप देने का जो प्रयत्न किया जा रहा है, मैं समझता हूँ कि यह भी अधिक उचित है। किन्तु साथ ही जब यह अधिनियम स्वीकृत

किया गया था उस समय भी ये शब्द कहे गये थे और धारा भी वही शब्द कहे गए हैं कि जो धारा ६ है जिस का हैडिंग है: Previous sanction necessary for prosecution.

जिसमें केन्द्रीय सरकार अथवा प्रादेशिक सरकारों में अनमति लेकर ही उस पर केस चलाया जा सकेगा, यह बन्धन जो रखा गया है, मैं समझता हूँ इसके द्वारा एक तो किसी व्यक्ति की हिम्मत भी नहीं होगी कि वह यह काम करे और अगर हिम्मत हो भी गई तो उसे तात्कालिक भाग्य नहीं होगा और बहुत सारे सरकारी कर्मचारी इसी सुरक्षा द्वारा सुरक्षित रह जायेंगे। इतना ही नहीं हम वह भी समझते हैं कि केवल पाश्चात्य ङग से घूस लेना पाप है इतना कह देने से या सरकार द्वारा प्रचार मात्र कर देने से या कार्यालयों में लिख देने से भ्रष्टाचार समाप्त हो जायेगा, यदि आप का ऐसा विचार है तो मैं समझता हूँ कि आप भूल करते हैं और आप सफल नहीं हो सकेंगे। हमारे प्रधान मंत्री जिन का बार बार यह कहना है कि राज्य का धर्म से कोई सम्बन्ध न होगा, उन की सरकार एक सैक्युलर सरकार होगी, उन का ईश्वर से सम्बन्ध न होगा, मैं समझता हूँ भ्रष्टाचार को रोकने में ये सब से बड़ी बाधाएँ हैं और आप कोई भी कानून बना लें, कोई भी संशोधन ले आयें, आप इन में सफलता प्राप्त नहीं कर सकते। सब से बड़ा प्रभाव ईश्वर और सदाचार का होता है। इन दो भावनाओं का प्रभाव पर अच्छा असर पड़ सकता था जिन को धारा हटा दिया गया है। धीरे, धीरे, इस के परिणाम-स्वरूप, हम कांतिप्रिय से कम्युनिज्म की ओर खिसक रहे हैं। दक्षिण से हम ने लाल झंडे को धार्मिक कर लिया है और धर्म शब्द से अधिप्राय मेरा धर्म, या मेरे घर का धर्म या कितना व्यक्ति का धर्म नहीं है। धर्म का अर्थ व्यापक है, धर्म का अधिप्राय परलोक भावना से है जहाँ बुरे और अच्छे कर्म के फल मनुष्य भोगता है, मरने के बाद किसी कर्म का फल भोगने की भावना जानता

[श्री मंत्र लाल शर्मा]

है और यही उस के अन्दर विद्यमान रहता है। यदि यह भावना विद्यमान रहे तो भ्रष्टाचार हट सकता है नहीं तो नहीं। हजार गुना सी० आई० डी० बढ़ाने पर भी आप इस भ्रष्टाचार को रोक नहीं सकेंगे और आज भी रोक नहीं पा रहे हैं। अभी हाल ही में मुझे एक अनुभव हुआ है। बुनावी के दिनों से एक मिनिस्टर ने जो किसी प्रादेशिक सरकार के मिनिस्टर थे, अपने एक विरोधी कैंडिडेट को ६,००० रुपये देने की स्वीकृति दे दी और यह रुपया दे दिया। उसने लिखा कर दे दिया कि मैं ने ६,००० रुपया लिया है। और यह लिखा हुआ हमारे पास मौजूद है। उसने कहा है कि मुझे ६,००० रुपया दे कर के बिठा दिया गया है और उस कांस्टिट्यूएन्सी के लोगों ने उसे कहा कि यदि वह नहीं बैठेगा तो उसे कल कर दिया जायेगा। अगर ईश्वर का भय होता, यदि कोई सदाचार का भय होता, धर्म का भय होता, तब इस तरह की बात नहीं हो सकती थी और सब बातें चल सकती थीं, प्रविष्टता आ सकता थी। इस लिये केवल कानून बना देने से नियम बना देने से अब किस का कौन सा सम्बन्ध है ऐसा सिद्ध करना सम्भव नहीं है। मैं समझता हूँ कि इस के बारे में भी कानूनी कार्यवाही होगी और वह आप के सामने आ जायेगी। आज हमारे सामने यह लिख कर रख दिया जाता है कि बूखोरी करना पाप है लेकिन हम सब देखते हैं कि मैजिस्ट्रेट की नाक के नीचे उस का जो रीडर होता है वह कहता है मेरा हक लाभो।

यह हाल सभी क्षेत्रों में मैंने देखा है। मिलाई स्टील प्रोजेक्ट में १११ करोड़ रुपया खर्च करने का प्रोजेक्ट आप ने रखा था जिसे अब बढ़ा कर १७० करोड़ रुपया कर दिया गया है। वहाँ पर आप एक रुपये के चार बार रुपये कांटेक्टर्स को देने के लिये भी तैयार हैं लेकिन कोई भी वान्ट्रेक्टर कांटेक्ट लेने को तैयार नहीं है। वे कहते हैं कि जहाँ एक एक रुपये के दस दस रुपये देने की बात हो तो

चार गुना पर कौन काम करे। हमारे गृह मंत्री महोदय ने कहा है कि भ्रष्टाचार को दूर करने के लिये उचित संशोधन बहुत सारे हैं। मैं आप को बतलाना चाहता हूँ कि

एषवैवश्वतो राजा सर्वस्य हृदि संस्थितः ।
तेन वेदविवाहस्ते मा गंगा माकुलन गमः ।।

तुम्हारे हृदय के अन्दर यम राजा बैठ जा रहा है। अगर तुम्हारा उस के साथ कोई झगड़ा नहीं है तो तुम गंगा और कुशमे जा कर क्या करोगे, वहाँ तुम्हारा कोई काम नहीं है। मैजिस्ट्रेट के सामने जब आप सत्य बोलने की बात रखते हैं तो बाधा उत्पन्न होती है। आज सत्य की भावना नहीं है। जब मैजिस्ट्रेट में धर्म की भावना नहीं होगी तो लोगों को कोर्ट में विश्वास नहीं होगा और जब ऐसा होगा तो कौन सी बात सत्य है और कौन सी असत्य, इस निर्णय पर आप कैसे पहुँचेंगे। मेरा निवेदन है कि धारा ६ जब विद्यमान है तो धारा ५ का कोई मूल्य नहीं है और धारा ५ से जो आशा की जा रही है कि इस को हम परमानेंट बना देंगे तो इस का इतना ही अर्थ है कि हम बड़े बड़े कर्मचारियों को कुछ न कुछ लाभ पहुँचा सकें। इस वास्ते मेरा गृह मंत्री महोदय से यह निवेदन है कि यदि वह सचमुच यह चाहते हों कि भ्रष्टाचार भारत में से हटे तो उनको धारा ६ के अन्दर वास्तविक संशोधन करना चाहिये। पहले तो उस को हटा देना चाहिये और अगर ऐसा नहीं हो सकता तो वास्तविक संशोधन करना चाहिये। भारतीय राजनीति का एक मात्र दुष्टिकोण सारे विश्व का कल्याण है। यह दुष्टिकोण आज ही नहीं बना है बल्कि आज से पहले भी रहा है और आगे के लिये भी होना चाहिये। इस बात को मैं केवल इस लिये नहीं कह रहा हूँ कि कांग्रेस के साथ हमारा मतभेद है और इस लिये हम उस को झूठा कहते हैं। ऐसी कोई भावना नहीं है। हम चाहते हैं कि कांग्रेसी शासन भी यदि वह धर्मानुसूल शासन होगा, यदि सब भावना से धोत्रप्रोत होगा तो प्रजा का वह

कल्याण करेगा। और यदि ऐसा न हुआ और हम कम्युनिज्म की ओर फिसल गये तो वह अपना भी सर्वनाश करेगी, भारत को भी शानि पहुँचेगी और विश्व को शांति नहीं पहुँच सकेगी।

इसलिये मेरी ईश्वर से प्रार्थना है कि वह हमारे नेताओं को सद्बुद्धि प्रदान करे और हमारे भेतगण ईश्वरीय भावना से प्रेरित हो कर के इस भ्रष्टाचार को रोकने का प्रयत्न करें

राजभाषा कमलम्बुवति शाह (जिला गढ़वाल-पश्चिम व जिला टिहरी गढ़वाल व जिला धिजनार-उत्तर) : 'उपाध्यक्ष महोदय, सबसे पहले तो मैं आप को बहुत-बहुत धन्यवाद देती हूँ कि इतना थोड़ा समय होते हुए भी आपने मुझे बोलने का अवसर प्रदान किया।

मुझे बहुत थोड़ा इस के बारे में कहना है। पहली बात तो मैं यह कहना चाहती हूँ कि यह जो आप ने कानून बनाया कि घूस देने वाला और लेने वाला दोनों ही अपराधी हैं और दोनों को ही सजा मिले यह बहुत गलत बात आप ने की है। इस का नतीजा यह निकल रहा है कि जो घूस देने वाला है उस की बहुत ज्यादा बाधाओं का सामना करना पड़ रहा है और वह यह नहीं बता सकता है कि घूस किस ने ली है और वह क्यों ली है। मैं आप को कई दृष्टान्त दे सकती हूँ कि जहाँ पर जो घूस देने वाला है वह कुछ भी नहीं कर सका है और उस में जबर्दस्ती घुस ली गई है। यह जो चीज आप ने की है यह बहुत ही गलत चीज की है। मैं चाहती हूँ कि घूस देने वाले को कोई सजा नहीं होनी चाहिये। मैं समझती हूँ कि अगर घूस देने वाले को कोई सजा न हो तब जा कर वह घूस लेने वाले को पकड़वाने में सफल हो सकेगा है और घूस लेने वाला पकड़ा जा सकता है।

अभी अभी चुनावों के समय मैं ने देखा है कि बहुत ज्यादा भ्रष्टाचार हुआ है।

गांवों में बोटर्स लिस्ट्स में से बोटर्स के नाम ही उड़ा दिये गये हैं। इस से बहुत ज्यादा मुश्किल का सामना करना पड़ा है। वहाँ पर बोटर्स का घूस दी गई है। इलैक्शन में सरकारी कर्मचारियों ने, बच्चों ने तथा ग्राम्यापकों ने भाग लिया है। वह सब बातों को भी मैं सरकार के सामने लाना चाहती थी। परन्तु जो मैं मूल्यतः सरकार को बतलाना चाहती हूँ वह यह है कि जो घूस देने वाला है उस को सजा न हो और जो लेने वाला है उस को ही सजा हो। जब ऐसा आप करेंगे तभी आप घूसखोरी को रोकने में सफल हो सकेंगे अन्यथा नहीं।

Shri Sadhan Gupta (Calcutta—South-East) : Mr. Deputy-Speaker, while I undoubtedly support this Bill without much reservation, I have something to remark about certain fundamental aspects of this matter. No one would refuse to support the Bill because corruption is so rampant in the country that it needs to be checked with a firm hand, and the extraordinary provisions of the Prevention of Corruption Act are undoubtedly necessary for this purpose. But, to what I want to draw the attention of the House more is the more fundamental problem of putting down corruption through improving the social atmosphere, particularly through improving the tone of the bureaucracy by certain measures. It is undoubtedly true that corruption is rampant. But not very much will be affected by merely enacting penal laws, by merely providing for presumptions or things of this kind. What is necessary today is a radically outlook by which corruption will be eradicated and stamped out wherever it exists. Of course, the best way to do it is to encourage honest officials to come forward with information about corrupt officers, whether they are their inferiors, or let me remind the Government, whether they are their superiors. I emphasise the word superior because by a strange continuance of the bureaucratic heritage which we had inherited from our erstwhile British masters, we think it a crime that an

[Shri Sadhan Gupta]

inferior government servant should report against a superior, however corrupt the superior may be. A very sensational case took place in my State just after Independence, when one gentleman, one officer reported against his immediate superior to the Minister with unimpeachable proof of corruption and he was dismissed on the ground that he did not go through the proper channel. The proper channel was the officer against whom the allegation was made. These things are absurd. I believe this thing still goes on. There is no encouragement given to officers to bring forward or expose the corruption of their superiors. It is quite patent, it is well known that the whole bunch of government officials is not dishonest. There are quite a few honest officers who do not dare to speak out, dare to reveal the corruption because the consequences will be hard on them.

I know in the police service there is a veritable organisation by which all money received by way of bribes is distributed according to a certain proportion. If, in this organisation, an honest officer happens to come in by way of transfer or by way of recruitment, life becomes very difficult for him, because he is suspected by every one interested in making money, gradually, what happens is, false reports are made against him concertedly and he finds it very difficult to continue in service. If he happens to report against any of his superiors, it would go ill against him from the highest to the lowest. Every one would persecute him. That has to be ended. This bureaucratic mentality has to be ended if corruption is to be stamped out. No amount of punishment will stamp out corruption, because if the corrupt officers are protected from disclosures by their underlings who are best able to detect their corruption, however many penal laws you may enact, they may easily be evaded. That is one thing to be kept in mind.

The other thing to be kept in mind is that the Government must take

care that honest officers are not persecuted by their corrupt colleagues in order to secure their corruption. I have drawn attention to many cases where in *prima facie* appeared, in the Customs for example, that certain officers were reported against, their promotions stopped and all that, because they refused to fall in line with their corrupt colleagues, to accept bribes themselves and to facilitate acceptance of bribes or illegal gratification by their superiors. I have made representation in some cases and the reply has been uniform that the case has been carefully considered and after due enquiries it is being found that he was guilty of such and such an offence. Undoubtedly, if you enquire from his superiors all the charges against him would be borne out. But, that is not the way to proceed. Some device must be invented, must be put afoot by which there would be some machinery to investigate corruption cases independently of the officers who are accused of being guilty of corruption. That is very necessary. Unless these things are done, it is useless to enact laws regarding prevention of corruption. It is useless to raise presumptions because corruption itself will not be proved and presumptions will be useless. It is very urgent, it is very necessary that real effort should be made for stamping out corruption because corruption is eating into the vitals of our administration whether at the Centre or in the States. I do not know what amount of money it is responsible for wasting. The poor tax-payer today pays Rs. 23 per head in taxes, at least in Bengal. This is an unbearable burden and it revolts against one's spirit to think that all that money is going to waste. Much of that money is being misappropriated by certain officers or by certain contractors or others, through corruption. To check it, no honest effort is being made. Therefore, I would once again appeal to the Government to undertake and persuade the State Government to undertake radical measures by which the ex-

posure of corruption is encouraged at every level. We need not be afraid of spolling discipline in the officers corps. Corruption is so widespread that we must encourage honest officers to expose corruption, without fear of any loss of discipline. That is the thing I would ask the Government to keep in mind.

Pandit Thakur Das Bhargava rose.

Mr. Deputy-Speaker: I apologise to hon. Members; I hope they would appreciate my difficulty.

Pandit Thakur Das Bhargava: After all, we are finishing at Five. Shri Kamath will only take half an hour.

Mr. Deputy-Speaker: From 4 to 4-30 Shri Kamath will take and from half past four to Five, the hon. Speaker.

Shri Datar: Two points have been raised which require an answer: one by Shri Nand Lal Sharma, who made reference to section 6 of the Prevention of Corruption Act. His contention appears to be that there shall be no sanction of the Government at all. That is one view. The other view also has to be taken into account. Oftentimes allegations are made with a view to blackmail. Oftentimes, if, for example, an immediate action has been taken and prosecution started, it is quite likely that an officer would be subjected to uncalled for or unmerited harassment. That is the reason why even in the Code of Criminal Procedure, as you are aware, we have got section 197 which deals with the need for sanction in respect of certain offences. Similarly also here we are dealing with offences of corruption or criminal misconduct. In such cases, oftentimes, when charges are made without properly having them substantiated or when on *mala fide* grounds, with a view to harass an officer, with a view to prosecute an officer, certain charges or allegations are made it would not be proper to have the matter taken immediately before a court of law. That is the

reason why the preliminary enquiry is there always

Shri Nand Lal Sharma: Section 7 will help him in that respect.

Shri Sinhasan Singh: May I know whether Government have got with them any data to show that false and frivolous prosecution have been launched by individuals against Government servants?

16 hrs.

Shri Datar: Not only are there data, but there are very sufficient data. In a number of cases, we received complaints, and in a large number of these cases, the complaints were unfounded. That is the reason why a preliminary enquiry is always made, when certain allegations are received by Government. I would point out that in all such cases, the enquiry is carried on through an independent agency. If it is found that there is a *prima facie* case for launching a prosecution, then sanction is granted. That is what I would say so far as the first point is concerned.

Shri Sadhan Gupta pointed out that there ought to be a radical outlook in regard to this matter. Government have already got a radical outlook. Government are dealing with this question not only from the point of view of cure but also from the point of view of prevention.

Babu Ramnarayan Singh: (Hazari-bagh West): Doubtful.

Shri Datar: That is the reason why we have got the Administrative Vigilance Division which has been doing very good work for the purpose of preventing all possibilities of corruption; the object is to remove all temptations and to keep up an environment in which it would not be possible for a man to indulge in corruption. That radical outlook is there in Government.

Babu Ramnarayan Singh: No.

Shri Datar: And we are having good results.

I am happy that on the whole this Bill has received the general consensus of opinion in its favour. I am happy also that Pandit Thakur Das Bhargava has agreed not to press his motion for reference to a Select Committee.

Shri Sadhan Gupta: May I ask whether the subordinates may report about the corruption of the superiors without having to go through those superiors?

Mr. Deputy-Speaker: That question might be better answered if we consult the rules and other things.

Now, I shall put the motion before the House.

The question is:

"That the Bill further to amend the Prevention of Corruption Act, 1947, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to the Bill.

The question is:

"That clauses 1 to 3, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 3, the Enacting Formula and the Title were added to the Bill.

Shri Datar: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

DISCUSSION RE: ELECTION OF PRESIDENT AND CONSTITU- TION OF NEW LOK SABHA ETC.

Mr. Deputy-Speaker: The House will now take up the half-an-hour discussion to be raised by Shri Kamath.

Shri Kamath (Hoshangabad): Is it only for half an hour?

Mr. Deputy-Speaker: We have not got more time than that.

The hon. Member may raise the discussion now.

Shri Kamath: I believe I am not guilty of an exaggeration or overstatement when I say that it is in the fitness of things that the last subject to be discussed by this Parliament should be one which is intimately related to Parliament itself, and to the precedents to be set up by this Parliament.

This, as the House is well aware, is the first Parliament elected under the Constitution. Therefore, at the very outset, let me make it clear that anything that was done in connection with the Provincial Parliament will not have correct bearing on the question before us.

The question before us, as has been stated in the notice of the discussion is the proposed election of the President and the constitution of the new Lok Sabha before the general elections have been completed in the country. I am aware that there is a third aspect of the matter also, namely the dissolution of the present Lok Sabha. But I am going to concentrate, for the sake of driving home my argument, on the ~~two~~ two aspects of the matter, that is, the election of the President and the constitution of the new Lok Sabha before the general elections have been completed in the country. But because all these three are links in a chain, the third aspect, namely the dissolution of the new Lok Sabha cannot escape our notice. Therefore, it inevitably forms the third link in

this one chain. So, all these three aspects of the matter should be discussed by this House, as to what exactly should be done in regard to each of these.

The precedent set up by this House will have validity for all time to come, because it is the first Parliament, as I said. I would, therefore, turn my attention to various provisions of the Constitution, which dictate to us—I am using the word 'dictate', because those provisions are mandatory—a particular course of action.

The Minister,—the senior or, the junior Minister; I do not remember who—the other day, in the course of answers to questions, referred to certain provisions in the Representation of the People Act and said that they provided for such and such contingencies. But, may I submit in all humility that no Act of Parliament can override the Constitution? I shall, therefore, dismiss that observation of the Minister in that manner, and I shall take up the Constitution only for the purposes of this discussion.

I shall invite your attention first to Article 54 of the Constitution which lays down the procedure for the election of the President in the following terms:

"The President shall be elected by the members of an electoral college consisting of—

- (a) the elected members of both Houses of Parliament; and
- (b) the elected members of the Legislative Assemblies of the States."

I submit that the electoral college will not be complete till all the territorial constituencies in the country have elected their representatives to Parliament and to the State Legislatures.

16.09 hrs.

[Mr. SPEAKER in the Chair]

It may be argued, as was sought to be done by the Minister the other

day, that there may be certain vacancies, but that will not affect the election of the President. But may I submit again that the Constitution envisages vacancies created only under certain circumstances, which are laid down in article 101 of the Constitution. Article 101 envisages four or five circumstances in which vacancies can occur. One is that a Member is elected to more Houses than one, either in the State or at the Centre. The second is that he may be disqualified on various grounds, one or other of the grounds mentioned in clause (1) of article 102. The third is when the Member resigns his seat. Lastly, a vacancy can arise if a Member is absent for sixty days or more from the sittings of the House; in that case, his seat may be declared vacant. This is clear from article 101. These vacancies which are now pending in the country are a creation of the Government itself. The Government have to blame themselves for the vacancies that have arisen. It is not the people who are responsible for that. Nor are the constituencies to be penalised for this blunder of the Government.

You might remember that in the last general elections, these constituencies elected their representatives in October 1951, and, therefore, the general elections were complete before the presidential election took place in 1952. It may be argued that it was not possible this time to elect representatives from these constituencies earlier, as was done in October 1951, because various factors had arisen, but, Sir, are these constituencies to be penalised for that?

I humbly submit that these constituencies cannot be penalised in this manner, for a blunder committed by the Government themselves. How can we dis-enfranchise these six would be Members from these six constituencies—parliamentary constituencies in Himachal Pradesh and in Kangra? How can they be deprived of their right to take part in the Presidential election?

[Shri Kamath]

The answer given by the Minister is interesting in one respect. He is concerned with people not being deprived of the opportunity to elect their representatives. But should he not be equally concerned, should this House not be equally concerned, should you, Sir, not be equally concerned that the members of Parliament, of the whole Parliament, of the entire country assembled in this Parliament, should not be deprived of their opportunity or right to take part or participate in the election of the President? If we constitute the Lok Sabha to elect the President before elections are held in these six constituencies, we deprive these 6 members of their right, I may almost say, fundamental right, constitutional right, parliamentary right and legal right, to participate in the election of the President.

Then there is another difficulty. That is with regard to the constitution of the Lok Sabha itself. It needs no argument for me to stress this point, no particular argument, because you are aware, and the House is aware, that the business of the Lok Sabha cannot be transacted without a Speaker, before the Speaker is elected. Now, what will happen if the Lok Sabha is constituted before these six elections take place in these half a dozen parliamentary constituencies? What will happen is that 493 Members will have been elected; six will not have been elected to Parliament. While I wish you, Sir, success in the forthcoming election that might take place to the office of Mr. Speaker, you must also realise that if we hold any election to the office of Mr. Speaker before these six Members have taken their seats, we deprive those Members of offering themselves for election to the high office of Mr. Speaker. Every Member of the House is entitled to seek election or to take part in the election to the office of Speakership. So if the election is held before they take their seats, we deprive those six Members of offering themselves for election to the office of Mr. Speaker. Thereby, another blunder, another

constitutional impropriety, another violation of the Constitution, is committed.

Now, may I invite the attention of the House and your attention to two or three other Articles of the Constitution which have a bearing on this matter? Here is article 79 which says clearly:

"There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People".

The Constitution envisages no point of time, no period of time when there is no Parliament in this country. We cannot go to precedents in the U.K. because, as the House is aware, the U.K. has no written Constitution whereas we are here bound—almost hide-bound—by the Constitution. Therefore, we cannot override the provisions of the Constitution. The Constitution says clearly that there shall be a Parliament of the Union and that Parliament is not complete unless there is the President plus the House of the People and the Council of States.

Now, what will happen if this House is dissolved sometime in the near future, next week or a week after that, whenever it comes, and the new Lok Sabha is not convened at all, say, till the first week of May? That means there will be no Parliament in this country during the interregnum. You will see that even in an emergency Parliament is not suspended; Parliament continues to exist, Parliament continues to function. The State legislatures may be suspended, but not Parliament, even in an emergency. Therefore, is it not relevant to say, is it not necessary to say, on this occasion, that if you have an interregnum, a gap, a hiatus, between the dissolution of this Lok Sabha and the constitution of the new Lok Sabha, that will be a clear violation of article 79 of the Constitution which provides that there shall be a Parliament,

because even though one House will be there, the other House will be lacking and, to that extent, there will be no Parliament in this country?

Then I will briefly refer to article 81. It refers to the constitution of the House of the People, that is, the Lok Sabha, from the representatives of the States and from the Union Territories. I need not read it because the provisions are clear.

I will finally refer to article 100. I have already referred to article 101. There is a provision in article 100 which Government might invoke in this matter:

"Either House of Parliament shall have power to act notwithstanding any vacancy in the membership thereof...."

But vacancy is defined in the very next article, article 101. It defines how vacancies can arise in Parliament. The vacancies that are now to be filled will not be filled till June next, long after the expiry of the tenure of this Parliament. These vacancies have not arisen or will not arise on account of any of the contingencies envisaged in article 101.

May I, therefore, submit that the constitution of the new Lok Sabha and the election of the President before elections have been completed in the country will be a clear violation of the constitutional provisions by which we are bound, and which it is our task as the sovereign legislature of this country, the supreme task, to uphold and to ensure that they are always obeyed and respected by those in power. I therefore submit that the election of the President cannot take place till after the general elections have been completed. The Lok Sabha cannot be constituted till after the general elections have been completed. The elections in these six constituencies have been postponed till the end of June. So the Presidential election cannot take place till the end of June

and the Lok Sabha cannot be summoned or constituted till the end of June or early July.

But there is an article which provides that the term of the President shall be five years and, therefore, the President must be elected at the latest on, perhaps 13th May, if not the 12th May. As I have shown clearly to the House, there is no other course left to Government but to bring in a Bill to amend the Constitution. That should have been done. I do not know what the legal advisers of Government told Government. That should have been done by Government in this session. It could have been done in one day. A Bill to amend the Constitution in this respect, to extend the life of this Parliament or to extend the life of the President beyond 5 years could have been passed. That has not been done. That is a grave lacuna in the action taken by Government in this regard.

I would only appeal to this House to take this matter seriously because the future Parliaments of this country would be bound by what we do today. As the first Parliament, let us consider it seriously and ponder over it and not decide the matter in haste or in a hurry. If necessary—I would not force you to do it—I would certainly appeal to you, if necessary, we might meet for an hour or two tomorrow when the Government might think over the matter and take a decision. The Attorney-General may be summoned to give his views in this matter tomorrow morning. The other House is sitting and I do not see why this House could not also sit tomorrow. This is a question of national importance, overriding importance and constitutional importance and I do not think that even a minute that is spent by this House over this matter would be wasted. I would, therefore, earnestly appeal to this House once again to consider this question carefully and to see that no wrong precedent is set up by this House. Any precedent set up by this House is bound to be an important precedent because

[Shri Kamath]

it is the precedent of the first Parliament. The first Parliament should take care to see, to ensure that correct precedents are set up in this regard and that no violation of the Constitution in any manner takes place with regard to any of these matters. Because there cannot be a hiatus between the constitution of the new Lok Sabha and the dissolution of the present Lok Sabha, I submit that the present Lok Sabha cannot be dissolved till almost the very day on which the new Lok Sabha is summoned. It may not be constituted but the summons by the President must issue on the very day, on the very day this Lok Sabha is dissolved, the new Lok Sabha may be summoned for some future date; but the summons must issue on the very day that the present Lok Sabha is dissolved.

The Minister of Legal Affairs and Civil Aviation (Shri Pataskar): There are two points that have been raised in this discussion by the hon. Member Shri Kamath. One is with respect to the election of the President and the other is with respect to the dissolution of this House.

So far as the question of election of the President is concerned, under the Constitution, as per article 54—

"The President shall be elected by the members of an electoral college consisting of—

- (a) the elected members of both Houses of Parliament; and
- (b) the elected members of the Legislative Assemblies of the States."

What is to be noted in this connection with respect to (a) is this. So far as the other House is concerned, it is a continuing House and so far as the House of the People is concerned, we will have to see that for the purposes of this election it is duly constituted. That is the only thing which is necessary for complying with the provision in the Constitution.

Then, a reference has been made to article 52. It says:

"An election to fill a vacancy caused by the expiration of the term of office of President shall be completed before the expiration of the term."

So, it is laid down that the election of the new President will have to be done before the expiration of the term of office of the present President and it is 12th or 13th May, 1957. Therefore, that election has to be held. What is necessary, therefore, is that for the purposes of that election, there should be a duly constituted House of the People and there should be the Council of States. Then, there would be no difficulty, constitutionally or otherwise so far as this matter is concerned. For that purpose, what are the provisions in the law which we have enacted with respect to these matters in the Representation of the People Act, 1951?

In that connection, I will say this. There is section 14.

"A general election shall be held for the purpose of constituting a new House of the People on the expiration of the duration of the existing House or on its dissolution."

That election has been held. It has not been disputed that the election was to be completed before the 31st March. What has happened in the present case is that the elections are not completed in 6 of the Parliamentary constituencies. So, the simple point is whether the new House could be constituted before the election in these 6 constituencies are held. For that purpose, I will draw your attention to section 73 of the Representation of the People Act, 1951. It reads:

"Where a general election is held for the purpose of constituting a new House of the People or a new State Legislative Assembly, there shall be notified by the appropriate authority in the

Official Gazette, as soon as may be after the date originally fixed for the completion of the election under clause (e) of section 30, the names of the members elected for the various constituencies by that date together with the names of persons, if any, nominated by the President, or Governor to that House or Assembly, as the case may be; and upon the issue of such notification that House or Assembly shall be deemed to be duly constituted."

Therefore, what is necessary for the due constitution of this House is the issue of the notification contemplated in this section. If we only superficially look at the problem, one may say that within the date fixed the election has not been completed with respect to 6 of these constituencies. There is a provision further down in the same Act which says:

"Provided that the issue of such notification shall not be deemed—

- (a) to preclude the completion of the election in any Parliamentary or any Assembly constituency or constituencies for which time has been extended under the provisions of section 153;"

This is section 153. It lays down:

"It shall be competent for the Election Commission for reasons which it considers sufficient, to extend the time for the completion of any election by making necessary amendments in the notification issued by it under section 30 or sub-section (1) of section 39."

As soon as this notification is issued under section 73, naturally, the House will be taken as having been duly constituted in spite of the fact that the election has not been completed in 6 constituencies.

I for myself would have personally liked that if it were possible anybody even from those constituencies

where the elections have not been held should be enabled to exercise his vote in the election of the President. The principle is all right; but, so far as matters go, we are circumscribed, on the one hand, by the date when the President has to be elected and, on the other, by the fact that it is not possible to complete the elections before that date. Naturally, instead of resorting to the method of amending the Constitution, we can take advantage of this section and see that, in spite of the fact that in all these 6 constituencies elections are not held, the new House is constituted duly by the issue of this notification and the election of the President can take place. So, I do not see there is any difficulty so far as the election of the President is concerned.

As regards the dissolution of the House, I think the hon. Mover has not pressed the point.

Shri Kamath: I have pressed it.

Shri Pataskar: Then, so far as that matter is concerned, under the Constitution, the President has got the right to dissolve the Parliament at any time. I believe that so far, no such notification has been issued. I do not know when he will think it fit to issue such a notification. But it is a different matter altogether. It has nothing to do with the question of the election of the President, as I have just explained. I would certainly say that if it were possible, we would certainly have seen that, this being the general election, elections in all the constituencies were completed before the election of the President. I understand that the report is that the elections in those few places would be held before June. But I would like to say this much that although I am as keen and eager as the hon. Mover, I have not examined the position because it is not a matter for the Government, but it is a matter for the Election Commission to decide. So far as the election of the President is concerned, all I can say is that there is nothing wrong in the procedure that is proposed to be followed.

Sardar Hukam Singh: It has been argued that the House would be complete or would be considered as duly constituted as soon as a notification is issued that the House has been constituted. But that would be a risky interpretation if we were to accept it. If the six seats now having not been filled, we can assume that the House is complete and a notification can be issued that the House has been duly constituted, then where is the bar for such a notification being issued if 60 seats have not been filled? Would it be correct then to assume that even when 60 or 100 seats are not filled up, and a notification is issued, that the House is duly constituted? Would it be complete?

Babu Ramnarayan Singh (Hazari-bagh West): No.

Sardar Hukam Singh: We have to consider whether this notification is to issue when all constituencies have been asked to fill up the vacancies and they have done that job, or whether the notification can be issued even earlier. Article 100 is very clear when it speaks of the vacancies that are there. The House can transact its business though there might be certain vacancies. But vacancies can only occur in a body if the body exists. If it has not been even constituted, if it is not completed, then those vacancies are not conceived there. And it has been argued by the hon. Mover as to how those vacancies occur—that is also provided in the Constitution.

I only want to put this point to the hon. Minister of Legal Affairs so that he may consider whether it is safe to accept this interpretation that even if some constituencies have not chosen their representative or cast their votes and the seats have not been filled, be they 6, 60 or 100, a notification can be issued that the House is duly constituted and whether such a notification is warranted by the provisions of law.

Pandit Thakur Das Bhargava (Gurgaon): According to the Constitu-

tion, the President has the right to dissolve the House at any time. It is not only after five years that a dissolution can take place but it can take place also at any time. Suppose the President had dissolved the House in December or November last, is it then contended that as long as all the constituencies in the country do not elect their representatives, no House can be constituted? My submission is that after all, in the Representation of the People Act we have made a provision that a notification to that effect can be issued, and then the House can be taken as duly constituted. This is a practical proposition. Does it mean that because six seats cannot be filled in certain snow covered hilly areas, no House can meet? This is an impossible proposition. That is why, in the Representation of the People Act, the Election Commissioner has been authorised to issue a notification. When we enacted that measure, the question was considered that the general elections cannot take place for the whole of the country at one time....

Shri A. M. Thomas (Ernakulam): But the problem is whether the provision is *intra vires* or *ultra vires*.

Pandit Thakur Das Bhargava: Where is the provision in the Constitution that unless all the general elections take place and all the constituencies elect their representatives, the President should not be elected? The only provision is that the elected Members should be able to elect the President.

Some Hon. Members: No, no.

Pandit Thakur Das Bhargava: This uproar cannot settle the point. We have to look to the Representation of the People Act and to the Constitution and we should read them together. I do not understand this 'No, No'. We have to take both of them together and not half of one thing and half of another.

Sardar Hukam Singh: Would not be the position the same even when 100 seats have not been filled up?

Pandit Thakur Das Bhargava: As a matter of fact, we must take the things in the country as they are. That situation has not arisen, and when such a situation arises, we shall see what we should do too. But it is now a hypothetical question. The only point now is that today elections have not taken place only in certain places which are covered with snow. The Parliament has passed the Representation of the People Act and it is not an extraneous measure and not coming from the heavens. Does the Constitution require that? The answer is that it does not. I will ask the hon. Mover and our friends to point out any provision in the Constitution that the House will be taken as duly constituted if only all the constituencies have sent in their representatives. It is not so. On the contrary, we find in the Act (Representation of the People Act) which was passed by this House, it is provided that after the issue of the notification, the House will be deemed to be as duly constituted. Therefore, my humble submission is that we are making an unwarranted assumption. The Constitution does not say so.

Shri Pataskar: There need not be any heated protests on this question for the simple reason that nobody desired or would desire normally that there should be an election of the President at a time when some of the constituencies have not elected their representatives. I made that already clear. Unfortunately what has happened in this particular case was that some six seats could not be filled yet owing to climatic reasons in those regions. My friend, Sardar Hukam Singh puts the question that even if 60 seats were not filled up, the position would remain the same. If really 60 representatives had yet to be chosen, it was worth while considering.....

Sardar Hukam Singh: Let me put it again to the hon. Minister. Supposing there were two parties, balanced almost, or with a difference of two

or three. Would the party having that small majority be justified in having the House constituted when a number of seats have not been filled up?

Shri Pataskar: I believe hon. Members will give me a patient hearing. The point now is whether there is a duly constituted House under the Constitution until all the seats are filled. In this case, the point is whether in the absence of election to these six seats, it can be said that there has been a House which has been duly constituted. I referred to section 73 of the Representation of the People Act, which makes the position clear. It says:

"Provided that the issue of such notification shall not be deemed—

- (a) to preclude the completion of the election in any Parliamentary or any Assembly constituency or constituencies for which time has been extended under the provisions of section 153;"

The time fixed in this case was 31st March. For reasons which the Election Commissioner thought it necessary, in respect of six constituencies, he has extended that date. Therefore, in spite of the fact that the election has not been concluded it is an unfortunate occurrence—I say that we can duly constitute a new House. That is the legal and constitutional position.

With respect to the point as to whether it is *ultra vires* the Constitution, the point Sardar Hukam Singh suggests, so far as I can find, there is nothing to show in the Constitution. As the hon. Member pointed out, it is necessary that there should be election in every single unit of the constituency before the House is constituted. Normally, we take it for granted. But, in this particular case, owing to different conditions in the country, it was not possible to do and I think there is nothing unconstitu-

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tional in that. Naturally, it would be the desire of everybody that the elections should be held before the President's election. So far as elections are concerned, the Election Commission is the final authority under the Constitution.

Shri Sinhasan Singh (Gorakhpur Distt.-South): Under the articles of our Constitution, the President is elected by an electoral college. That college consists of Members of the House of the People, the Council of States and the members of the local assemblies. Is that electoral college complete or not? Unless that is complete, can the election of the President be held?.... (Interruptions.)

Mr. Speaker: Very well. Half an hour is over.

Shri Kamath: May I invite your attention to rule 338? I have got to reply to the motion. But, I would take only a minute and a half and ask a question about the future arrangements.

Mr. Speaker: There is no question of any motion here.

Shri Kamath: I leave it to you. I will only ask a question. So as to enable the hon. Members to make their future arrangements, I would request you to direct the Government to tell the House as to whether they have taken a decision, tentative or otherwise, about the dissolution of the Lok Sabha and also, if possible, if they can do it today, about the constitution of the new Lok Sabha. At any rate, we should be informed as to when this Lok Sabha is going to be dissolved—on what date—so as to enable us to make future arrangements.

The Prime Minister and Minister of External Affairs and Defence (**Shri Jawaharlal Nehru**): I speak with some diffidence about these legal matters. But, in this matter, it is really not the Government that is responsible

for the dates fixed. It is the Election Commission which does not function under the Government.

Shri Kamath: About dissolution?

Shri Jawaharlal Nehru: I am coming to that. We can of course draw the attention of the Election Commission to any point that deserves consideration. That of course we can do and we shall do. That relates really to the question of the election of the President. It does not relate to the dissolution of the House at all. The dissolution of this House will normally take place early in April.

Shri Kamath: The date is not yet decided?

Shri Jawaharlal Nehru: I do not know the exact date.

An Hon. Member: 4th.

Shri Jawaharlal Nehru: Is it the 4th?

Mr. Speaker: I do not want to participate in this question whether it is ultra vires or not. We pass a legislation and is it proper that we should go on impeaching our own legislation? That is what strikes me. The High Court or the Supreme Court has to decide it. We have passed a legislation expecting such a contingency as this and have made a provision in the Representation of the People Act. We thought that this discretion ought to be exercised in the case of six or six hundred or hundred. It is a matter for the Government. The discretion has been deliberately left by the House in the hands of the Government. It is open to this House to vest the discretion in the hands of the Election Commission. There is no good questioning the right of the Election Commission after discretion has been given under an Act passed by this House. It is open for others to challenge the validity of this legislation as ultra vires the Constitution.

RESIGNATION OF MEMBERS

Mr. Speaker: I have to inform the House that Shri P. Kakkan has resigned his seat in Lok Sabha with effect from the 26th March, 1957.

Another hon. Member has also resigned. I have also to inform the House that Shri Nand Lal Joshi has resigned his seat in Lok Sabha with effect from the 28th March, 1957.

VALEDICTORY REFERENCES

Mr. Speaker: Leader of the House, Leader of the various Groups, and Members of Parliament ! Today's is the last sitting of the Fifteenth Session of the First Parliament under the Republican Constitution. This Parliament which is drawing to a close was elected on the basis of universal adult franchise and came into being on 13th May, 1952. As many as 173 millions of our population were enfranchised and nearly 88 million people went to the polls last time and there was not a single unhappy incident. This in itself is a proof that democracy has taken deep roots in our soil. The working of the first Parliament has reassured our faith in democracy further.

The working of our First Parliament, has earned unanimous acclaim from experienced Indian and foreign observers who have watched its function. They have held that this Parliament deliberates and legislates on questions of national importance in a manner which should characterise a much more mature body than the one which was just five years old. Every Parliament has its parties and is divided into groups. The Opposition usually functions through criticising and opposing proposals of the majority party and it is normal to all Parliaments. But, it is given only to few Parliaments to rise above party considerations in dealing with great issues of national interest and foreign policy. It is a matter of gratification that the parties in the first Parliament of India have on many occasions

subordinated their party considerations to the interest of the nation at large, particularly while debating questions of Parliamentary procedure, foreign policy and constitutional amendments. It is a good augury for the future of democracy and for preservation of the liberty of individual citizens in this country that in our Parliament, respect for the Constitution has not been confined to any one party, but is shared by all the parties and groups.

Among the Members of the first Parliament were men distinguished in law, in science, in Constitutional procedure, in politics, in economics, in agricultural, in social welfare; in short, all subjects that the Parliament of a country may be called upon to consider, deliberate and legislate upon. There were about twenty women Members of the House who have played a prominent role in the activities of the First Parliament, by taking active part not only when social problems were before the House, but also contributing in no small measure to debates on serious political and economic subjects.

The First Parliament has been particularly fortunate in having had a distinguished pilot in the late Speaker, Shri G. V. Mavalankar, who was an outstanding personality and great Speaker acknowledged not only in this country but by experienced parliamentarians in many other countries. He has laid the foundation of many valuable conventions and traditions which are bound to ensure the working of Parliament in which both majority and opposition parties can function with proper safeguards and impartial treatment for all. The most distinguished feature of the First Parliament in India has been the expression of a singularly tolerant and sporting spirit based on the temperament and tradition of the Indian people. Despite heated debates and even during the bitterest attacks on party lines, excellent friendly relations have always existed between the Members of various parties.

[Mr. Speaker]

Although we were faced with natural calamities like famine in South India, floods in Bengal and earthquake in Assam and near war conditions in Kashmir, the Parliament has successfully overcome all these difficulties and has worked the Constitution in a highly democratic manner.

The activities of the Parliament have been diverse and varied. In fact, there has not been any field which has not been touched upon by the Parliament, be it economic, political or social. When the present Parliament came into being, the First Five Year Plan had already been launched about a year before. The primary objective of the Plan was to overcome certain urgent problems such as shortage of food and raw materials and persistent inflationary pressure. A great number of river valley projects and dams were constructed during this period and nearly completed. Millions of acres of land have been brought under plough and there had been significant increase in agricultural production. The yield per acre had also increased considerably, by the use of artificial manures. To meet the needs of artificial manure in the country, fertilizer factories were set up in different parts of the country. A reserve stock of food was also built up to meet future emergent conditions.

Having achieved substantial success in the agricultural sector, attention was turned to the industrial field. A number of industrial plants, both in the public and private sectors, had been set up. Mention may be made of the Chittaranjan Locomotive Works, Integral Coach Factory, Hindustan Machine Tools, Oil Refineries etc. The production of the Hindustan Shipbuilding Yard and the Hindustan Aircraft was stepped up.

The first Parliament discussed in detail both the Plans and has always been keeping a watch over the successful working of the Plan from year to year. I am sure the Second

Five Year Plan, like the First Five Year Plan, would be successfully executed and India would be placed on the industrial map of the world.

During its term, this Parliament inaugurated the socialistic pattern of society and important pieces of legislation have been directed towards this end. The Imperial Bank of India, the largest banking institution in India, was nationalised. Nationalisation of airlines and nationalisation of life insurance business took place during this period. The enactment of the new Company Law and the introduction of decimal system of coinage and metric system of weights and measures were some of the important legislative measures. All these were steps towards economic reconstruction which were undertaken by Parliament during this period.

The most momentous decision of this Parliament is the States Reorganisation Act. By passing this measure together with the Constitution (Seventh Amendment) Act, Parliament has effected a re-drawing of the political map of India.

On the social plane, by far the most important achievement has been the reform of the Hindu Law effected under this Parliament, which now grants women the rights that had been denied to them for ages and recognises for the first time equality of status between the two sexes. The introduction of monogamy among Hindus, the right to divorce, claim to a share in her father's property, equality of right in the matter of adoption, these are some of the highlights of the reforms for which Parliament can take a pride of place. While realising the significant role which legislation can play in achieving the ends of social and economic justice, Parliament has been wary of the new grounds it was treading, and in adopting measures it has taken care to see that legislation in its zeal does not outrun social urges.

In the international field, our foreign policy has been successful.

We can justly be proud of having contributed to the maintenance of world peace in the face of military pacts and alliances.

Among Private Members' Bills, mention can be made to the Parliamentary Proceedings (Protection of Publication) Bill which was enacted into law. In view of the fact that the advantage of publicity to the community outweighs any private injury resulting from the publication of reports of proceedings of Parliament, the Bill was introduced to define by law the privilege available to such publication made in good faith.

In the field of national consolidation, we have been taking active steps among others, to bring into existence an Indian Parliamentary Association to which all the Legislatures in India will be affiliated. The idea was first mooted some years ago at a Conference of Presiding Officers of Legislative Bodies in India. There is now a proposal, which has reached an advanced stage, that an Indian Parliamentary Group has been sending delegations to the Annual Conferences of the Inter-Parliamentary Union since 1949. We have invited the Commonwealth Parliamentary Association to hold its Conference in Delhi in December this year.

The record of work transacted by the Lok Sabha is indeed impressive. The cyclostyled debates of the Lok Sabha covered more than two lakh foolscap pages, containing as many as 6½ crore words. The typed proceedings of Committees covered about 54,000 foolscap pages, containing as many as 1½ crore words. If these pages were pasted one below the other, they will be 54 miles long. Notices of 87,675 questions were received in the Lok Sabha during the 14 sessions held since the present Parliament came into being in May, 1952, and of them 43,562 were asked and answered in Lok Sabha. In the year that has just ended the number of questions reached the peak figure of 22,651. These figures are im-

pressive enough to indicate the significant place that the Question Hour has come to occupy in our parliamentary proceedings.

In order to keep the Members fully informed of the latest developments in all matters coming before Parliament, the Research and Reference Services have been enlarged. Created as a small cell in 1950, the Research and Reference Branch has grown beyond recognition. The achievements of the Branch have been considerable. The work comprises the preparation of bibliographies on important legislative measures, brochures on certain subjects of topical interest, monthly list of selected articles, abstracting service, Digest of Central Acts and the Juridical Digests.

Before I conclude I express my grateful thanks to our beloved Prime Minister and Leader of the House for his kind co-operation and goodwill towards the late Speaker and me throughout the period of the life of this House. He is not only the greatest son of India, but I am sure, everyone will accept that he is the greatest statesman and politician of the world today. His great regard for parliamentary conventions and procedures had been really a source of strength for me and contributed in no small measure to the successful working of parliamentary democracy in this country. I would also like to express my heart-felt thanks to the leaders of the various groups and to all the Members of this House for their kind co-operation in so ungrudging and generous a manner. But for their co-operation and goodwill, it would not have been possible to conduct and guide the deliberations of this House in a manner befitting the reputation of this country. Some Members may not be coming back to this House, some have gone to the other House, some have gone to the State legislatures and some have not stood for election. There are, however, many fields of work in which they can serve the country, not necessarily in Parliament. I am quite

[Mr. Speaker]

confident that their experience in Parliament and talents will be amply availed of in such fields.

I wish you all good-bye and God-speed. Jai Hind!

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): Mr. Speaker, Sir, you have been pleased to say many generous things about the Member of this House and, to my great embarrassment, about me. You have spoken in generosity but, anyhow, so far as I am concerned, I should like to offer you my grateful thanks, and I am sure I speak on behalf of the House also, when I offer you their thanks for your kind words.

It is befitting that on this occasion, when this Parliament stands at the edge of its own dissolution, there should be some valedictory references to our past. Since you have been good enough to make a reference to the work of this Parliament, I am taking the liberty of saying also a few words on this occasion, certainly on my own behalf and possibly reflecting the views and ideas of other Members also here.

We have gone through, during these five years, a tremendous amount of work and, as you have said, speeches have covered, I do not know how many millions of pages; questions have also been asked and, altogether a vast quantity of paper has been consumed. Yet, the historian of the future will probably not pay too much attention to the number of speeches or the hours which the speeches have taken or to the number of questions, but rather to the deeper things that go towards the making of a nation.

17 hrs.

Here, we have sat in this Parliament, the sovereign authority of India, responsible for the governance of India. Surely, there can be no higher responsibility or greater privilege than to be a Member of this sovereign body which is responsible for the fate of the vast number of human beings who

live in this country. All of us, if not always, at any rate from time to time, must have felt this high sense of responsibility and destiny to which we had been called. Whether we were worthy of it or not is another matter. We have functioned, therefore, during these five years not only on the edge of history but sometimes plunging into the processes of making history.

We have lived here, as indeed people have lived all over the world, at a moment of great change, transition, and sometimes of vast upsets and revolutionary processes. We have not only been part of that world drama but we have had our own drama also. And it would be interesting for someone to take a rather distant view of this drama of these five years and more so as not to be lost in the innumerable details which confuse, but rather to see this broad current of history in motion in this country, how far has it moved, what changes has it wrought, how far has it laid stable the foundations of this republic of India which we created, which the people of India created, a few years back. That is the important question; not so much how many speeches we have delivered or how many questions we have asked, important, no doubt, though speeches and questions are as bringing out the method of our working—the parliamentary process to which we are addicted.

We choose this system of parliamentary democracy deliberately; we choose it not only because, to some extent, we had always thought on those lines previously, but because we thought it was in keeping with our own old traditions also; naturally, the old traditions, not as they were, but adjusted to the new conditions and new surroundings. We choose it also—let us give credit where credit is due—because we approved of its functioning in other countries, more especially the United Kingdom.

So, this Parliament, the Lok Sabha, became, to some extent—not entirely, but to a large extent—rather like the

British Parliament or the British House of Commons whether it is in regard to our questions or our rules of procedure or methods of work.

Now, parliamentary democracy demands many things, demands, of course, ability. It demands a certain devotion to work as every work does. But it demands also a large measure of co-operation, of self-discipline, of restraint. It is obvious that a House like this cannot perform any functions without the spirit of co-operation, without a large measure of restraint and self-discipline in each Member and in each group. Parliamentary democracy is not something which can be transplanted in a country by some wand or by some quick process. We talk about it but we know very well that there are not many countries in the world where it functions successfully. I think it may be said without any partiality that it has functioned with a very large measure of success in this country. Why? Not so much because we, the Members of this House, are exemplars of wisdom, but, I do not think, because of the background in our country, and because our people have the spirit of democracy in them.

We have to remember then what parliamentary democracy means. In this world of change and tremendous ferment, more so than in ordinary times, change is essential; change and adaptation to new order. Even when the old order was good, it has to yield place to new lest one good custom should corrupt the world. It has to change. So, change there must be, change there has to be, in a country like India which was more or less changeless for a long time, changeless not only because of the country being a subject country under the imperialist powers,—I do not mean to say that there was no change then, but basically the dynamic aspect of the country was limited, restricted, cabined and confined by foreign domination—changeless also because we had fallen into the ruts of our own making, in mind, in social framework and the rest. So we had to take our souls out

both from the ruts and from the disabilities and restrictions caused by alien rule. We had to make rapid changes in order to catch up. So, change was necessary even for survival and, of course, for progress.

But, while change is necessary, there is another thing that is also necessary; that is, a measure of continuity. There is always a balancing of change and continuity. Not one day is like another. We grow older each day. Yet, there is continuity in us, untrained continuity in the life of a nation. It is in the measure that these processes of change and continuity are balancing that a country grows on solid foundations. If there is no change and only continuity, there is stagnation and decay. If there is change only and no continuity, that means uprooting, and no country and no people can survive for long if they are uprooted from the soil which has nurtured them and given them birth.

Now, this system of parliamentary democracy, therefore, embodies, I think, these principles of change and continuity, both. And it is up to those who function in this system, Parliament, Members of the House and the numerous others who are part of this system, to increase the pace of change, to make it as fast as they like, subject to the principle of continuity, because, the moment that continuity is broken we become rootless and the system of parliamentary democracy breaks down. Parliamentary democracy is a delicate plant and it is a measure of our own success that this plant has become sturdier during these last few years. We have faced grave problems, difficult problems, and solved many of them; but, many remain to be solved. Indeed, there is going to be no end of the problems that will come to us, because problems are inevitable when you grow. It is only those who are stagnant that have few problems, and if there are no problems, that is a sign of death. Only the dead have no problems; the living have problems and they grow with problems, fighting with problems and overcoming them. It is a sign of the growth of this nation

[Shri Jawaharlal Nehru]

that not only we solve problems, but we create new problems to solve.

So, these five years have passed and we are at the end of this chapter of our history; and, the very end suddenly merges into a beginning and we begin afresh, because ends and beginnings are only of our own conception. There is only continuous life of a nation. We may pass out of this House or pass out of our lives, but the nation goes on. Therefore, here when we stand at this end, which is also a beginning, we indulge in retrospect and we indulge in prospect. Again, standing on this edge of the present, we look back on the past, but we look forward even more to the future. We may think of many things that we have to do to carry on the great work that we have undertaken and undertake new labours; but, above all, we have to remember how stable, how deep, are the foundations of this democracy that we have sought to serve and to build up in this country, because ultimately it is on the strength and depths of those roots that we will prosper, not by the number of laws we pass, not by our external activities, but on the strength of character and grit and the capacity of service that we develop in this country.

Parliamentary democracy involves naturally peaceful methods of action, peaceful acceptance of decisions taken

and attempts to change them through peaceful ways again; it is no parliamentary democracy otherwise. It is essential that we, who talk and who believe in the quest of peace so much, should remember that the quest of peace and the quest of democracy can only be made through methods of peace and not through any other. We have a great united country, a country which is dear to us, and of which we are proud. But being proud of it does not mean that we should close our eyes to the grave problems we often have to face in the country and the disruptive tendencies that raise their heads and challenge the democratic process which this Parliament represents. It is in the measure that we put an end even in our thinking to these disruptive tendencies which divide us and which tend to break up the unity of India that we will have strengthened our country and laid sound foundations for the future. So, Sir, I would like to thank you, again.

May I, as Leader of the House, express my respectful thanks to all the Members of this House for the great courtesy and consideration which they have shown me during these past five years.

Mr. Speaker: The House now stands adjourned *sine die*.

17-16 hrs.

The Lok Sabha then adjourned *sine die*.