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PARLIAMENTARY DEBATES

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(Part I- Questions and Answers)

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PARLIAMENT SECRETARIAT
NEW DELHI

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C O N T E N T S

(VOL. IV, Nos. 61-72—15TH MAY TO 30TH MAY 1956.)

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LOK SABHA

Monday, 28th May, 1956.

The Lok Sabha met at Half Past Ten of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

DERAILMENT OF RAJKOT-JAMNAGAR DOWN MAIL

***2572—A. Shri Dabhi :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that more than 15 persons were killed and about 36 others injured—some of them seriously—as a result of Rajkot-Jamnagar Down Mail running off the rails between Hadmatia and Vanthli stations on 19th May, 1956;

(b) if so, the details of the accident;

(c) the causes of the derailment; and

(d) the person or persons responsible for the accident?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) to (d). A statement is laid on the Table of the House [See Appendix XV, annexure No. 1]

Shri Dabhi : May I know whether there is any truth in the newspaper reports that the driver of the train was driving the train at full speed and that was the cause of this accident?

Shri Velayudhan : Sir, this is not the first question on the list.

Mr. Speaker : This question was tabled earlier and then it was put down as question No. 2620-A and I admitted it in the ordinary course.

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But having regard to the importance of this question, where due to the derailment 16 people died, I transposed it and gave it the first place.

Shri L. B. Shastri : We have received no such report. But the matter is still under enquiry and the cause of the accident will be known when the report of the enquiry is submitted.

Shri Dabhi : May I know whether the relatives of the deceased and those who were injured will receive any compensation?

Shri L. B. Shastri : The Claims Commissioner will be appointed soon and he will decide about the question of compensation.

Shri Dabhi : May I know what is the extent of damage done to the train and other properties?

Shri L. B. Shastri : The approximate cost of damage to railway property is about Rs. 1,55,000.

Shri Jethalal Joshi : May I know if there is any speed restriction on that line and, if so, what is the maximum speed permitted? May I also know at what speed the mail train was running at the time of the accident?

Shri L. B. Shastri : All these things should be left to the enquiring officer who is going into that matter.

Dr. J. N. Parekh : May I know if the track was already bad and the lower staff had intimated in writing about it a few months back and, if so, what action was taken on that representation?

Shri L. B. Shastri : The Government has no such information.

Shri Gidwani : May I know whether the Shahnawaz Committee has suggested that a judicial enquiry

should be held into such accidents and, if so, what is the decision of the Government in the matter?

Shri L. B. Shastri : Judicial enquiries are held in serious cases and not in all cases. There is the Government Inspectorate of Railways, which is a statutory organisation under the Communications Ministry—not under the Railways—and they hold enquiries in all the other accidents.

Shri T. B. Vittal Rao : May I know whether any judicial enquiry has been held into any accident during the past ten years?

Shri L. B. Shastri : Ten years, I think so. It has been held, but I can't say exactly when it has been done. During my period, of course, no judicial enquiry has been held.

Shri Jethalal Joshi : May I know when the track has been last renewed, that is, when the sleepers and rails were replaced?

Shri L. B. Shastri : I cannot give that information just at present.

Dr. J. N. Parekh : Is it a fact that the speed limit was raised from 18 to 35 miles even though the track was reported bad?

Shri L. B. Shastri : I cannot go into the details because the enquiry is being held, but hon. Members seem to be labouring under the misapprehension that the accident took place on account of high speed of the train whereas it was due to something else. I cannot say so definitely at the present moment because a statutory enquiry is being held.

RADIO LICENCE FEES

*2573. **Shri Bibhuti Mishra :** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that unserviceable radio sets are charged licence fees; and

(b) if so, the reason therefor?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) and (b). The combined effect of

Section 4 of the Indian Telegraph Act and Section 3 of the Indian Wireless Telegraphy Act is that a licence is required for the possession of a complete wireless set. A "complete wireless set" is defined to mean—

"any apparatus which is capable of being used for transmitting or receiving wireless communications, either by itself or with the addition of electric power, aerials, valves, telephones, loud speakers and similar devices, and includes any apparatus which is temporarily incapable of being so used by reason of a defect in its component parts or in the electric wiring".

A set can always be made serviceable and to grant an exemption to a so-called unserviceable set would lead to great evasion of licence fees. It is open to the owner of a set, who does not wish to make his set serviceable, to get rid of it by sale to a licensed dealer. The question, therefore, of charging fees for unserviceable radios does not arise.

श्री विभूति मिश्र : मंत्री जी ने जो जवाब दिया है, उससे स्थिति स्पष्ट नहीं हुई है। सबान यह है कि जो रेडियो-सेट काम नहीं करता है—अनसर्विसेबल हो गया है—उसके ऊपर फीस चार्ज की जाती है या नहीं और की जाती है, तो क्यों?

श्री राजबहादुर : काम न करने वाले रेडियो दो तरह के होते हैं। एक तो वे रेडियो होते हैं, जो कि थोड़ी बहुत मरम्मत के बाद इस्तेमाल किये जा सकें और दूसरे वे, जो कि बिल्कुल इस्तेमाल न किये जा सकें। जो रेडियो थोड़ी बहुत मरम्मत के बाद काम कर सकें, वे इस परिभाषा में आते हैं और उनसे फीस चार्ज की जाती है। जो बिल्कुल काम नहीं करते हैं, उनके लिए दरखास्त देनी होती है। फिर जांच करने के बाद उसके पुर्वे अलग कर दिये जाते हैं और उनकी फीस माफ कर दी जाती है।

श्री विभूति मिश्र : जब तक कोई व्यक्ति जांच के लिए न जाये और रेडियो अनसर्विसेबल पड़ा रहे तो क्या उस पर फीस चार्ज की जाती है?

श्री राजबहादुर : अगर कोई रेडियो अन्सर्विसेबल पड़ा है और जब तक उसकी एग्जेम्प्लान नहीं मांगी है—यह दरखास्त नहीं दी गई है कि उस की फीस माफ कर दी जाये—और एन्टी-प्राइवेटी स्टाफ जाकर उसको देख नहीं लेता है, तब तक उसकी फीस माफ नहीं की जाती है।

RURAL CREDIT

***2574. Shri Shree Narayan Das :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether it has been possible for the Reserve Bank of India as suggested by the Committee of Direction to devise a suitable machinery which will operate in collaboration with the Central Government, the State Governments and selected co-operative institutions, for recurring investigation, research and check up of the Credit situation in the rural sector; and

(b) if so, the nature and important features of such a machinery?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) The technical experts in the Department of Research and Statistics of the Reserve Bank of India are preparing a plan in this regard and it is yet to be finalised.

(b) Does not arise.

Shri Shree Narayan Das : May I know whether any organisation has been set up at the Centre in the Food and Agriculture Ministry to look after rural credit as recommended by the Committee of Direction?

Dr. P. S. Deshmukh : As the hon. Member knows, we are setting up these Boards for development of co-operatives and warehousing and I am sure this will be one of the functions of these Boards.

Shri Shree Narayan Das : There was a recommendation that in the Food and Agriculture Ministry there should be a special wing which will look specially to rural credit. I wanted to know whether that recommendation has been implemented or not.

Dr. P. S. Deshmukh : That will be dependent upon the opinion of the experts. When the plan is made, if they support this idea, we will set up the wing.

Shri Shree Narayan Das : May I know whether any of the States have taken seriously the recommendations of the Committee of Direction with a view to gearing up their machinery in this respect?

Dr. P. S. Deshmukh : Yes, some of the States have certainly done so. I may mention at least Andhra in this respect.

काम दिलाऊ दफ्तर

***२५७५. श्री के० सी० सोधिया :** क्या अम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या काम दिलाऊ दफ्तरों की संख्या बढ़ाने के लिये द्वितीय पंचवर्षीय योजना में कोई योजना सम्मिलित की गई है;

(ख) यदि हां, तो उस योजना की स्थूल रूप-रेखा क्या है; और

(ग) उस पर कितना अतिरिक्त व्यय होने का अनुमान है?

अम उपमंत्री (श्री प्राविद असी) : (क) जी हां।

(ख) योजना की स्थूल रूप-रेखा सभा की मेज पर रख दी गई है। [वेस्त्रिये परिशिष्ट १५, अनुबन्ध सं० २]

(ग) लगभग ७० लाख रुपये।

श्री के० सी० सोधिया : इस विवरण से जात होता है कि १२५ नये काम दिलाऊ दफ्तर जिलों में खोले जायेंगे। मैं यह जानना चाहता हूँ कि क्या ये दफ्तर केवल शहरों के लिये ही होंगे या इस सम्बन्ध में देहातों की आवश्यकताओं की ओर भी ध्यान दिया जायेगा?

श्री प्राविद असी : ये दफ्तर तो ज्यादातर जिले के मुकाम पर खोले जायेंगे और उनमें देहात और शहर के सब लोग अपना नाम लिखा सकते हैं और उनकी लियाकत के मुताबिक उनको काम दिलाने की कोशिश की जायेगी।

श्री क० सी० सोनिया : क्या जिले में एक एक काम दिलाऊ दफ्तर खोला जायेगा ?

श्री आविद अली : अभी तो नहीं, आगे चल कर ऐसा हो जायेगा ।

Shri Velayudhan : May I know whether the Government has received any complaint regarding the Delhi Employment Exchange? May I also know whether it is a fact that even for getting an introduction card one has to pay Rs. 100 to the clerk or the officer concerned.

Shri Abid Ali : About two years back, a complaint was received. An enquiry was made and then I myself visited the Exchange twice. Since then no particular complaint has been received. Of course, I do visit that Exchange off and on and nobody has complained that there is irregularity in that Exchange.

Shri B. S. Murthy : May I know whether the process of handing over these Exchanges to the State Governments is complete and if it is not complete in some of the States, what are the reasons therefor?

Shri Abid Ali : Some of the States have taken over the *de facto* control of the Exchanges, the *de jure* transfer will be made after two or three months.

श्री भक्त इशन : दूसरी पंचवर्षीय योजना में करीब एक करोड़ नये व्यक्तियों को रोजगार देने की व्यवस्था की जा रही है। क्या माननीय मंत्री जी को विश्वास है कि यह जो १२५ नये रोजगार दिलाने वाले दफ्तर खोले जा रहे हैं इनसे यह समस्या हल की जा सकेगी, यदि नहीं तो क्या इसके लिये प्रतिरक्त धन राशि मंजूर करने पर विचार किया जा रहा है?

श्री आविद अली : अभी तो १३६ काम दिलाऊ दफ्तर काम कर रहे हैं और ५ खोल दिये गये हैं, १२० और खोले जायेंगे। उम्मीद है कि जो काम बढ़ेगा उसको यह दफ्तर निबटा सकेंगे ?

Shri Thimmaiah : May I know whether the officers working in the Employment Exchanges are considered

to be officials of the Central Government or the State Governments?

Shri Abid Ali : At present, they are under the Central cadre. Afterwards, when the Exchanges are transferred to the States, when the *de jure* transfers take place, they will become employees of the State Governments.

AMERICAN BUTTER

***2576. Shri Bheekha Bhai :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that imported American butter is lavishly distributed by the foreign missions among Scheduled Tribes of various States: and

(b) whether it is also a fact that the butter was distributed by some missions in Kushalgarh sub-division of Banswara in Rajasthan?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) : (a) Under the Indo-US Agreement, 1951, gift supplies, including butter and butter oil, are being imported into India by certain recognised Receiving Agencies in India for free distribution throughout the country to the poor and needy persons of all sections of the community irrespective of their race, caste or creed.

(b) Yes, Sir.

श्री भीका भाई : क्या में जान सकता हूँ कि अभी तक कितने पाउंड बटर मंगाया गया है, और क्या इसका वितरण आदिवासी क्षेत्र में धर्म परिवर्तन को प्रोत्साहन देने के लिये किया जा रहा है?

श्री एम० श्री० कृष्णप्पा : लगभग दो लाख टिन बटर आइल अमेरीका से हिन्दुस्तान में आया है। आदिवासी एरिया में और राजस्थान में इसका वितरण हुआ है।

श्री भीका भाई : मिशन्स के अलावा और कौन सी संस्थायें हैं जिनको यह बटर दिया गया है?

श्री एम० श्री० कृष्णप्पा : तीन चार एजेंसीज हैं जो कि इसका वितरण करती हैं।

श्री भीला भाई : क्या सरकार के पास यह शिकायत आयी है कि इस बटर द्वारा अंगोरा, कावेडिया, कुशलगढ़ और अन्य स्थानों में धर्म परिवर्तन किया जा रहा है ?

श्री एम० श्री० कृष्णप्पा : हम तो बांटने वालों से यह शर्त ले लेते हैं कि वे किसी के साथ भेदभाव न करें और सब लोगों को दें ।

श्री भीला भाई : क्या मैं यह उम्मीद करूँ कि मैंने जो स्थान बताये हैं सरकार उनके बारे में जांच करवायेगी ?

Shri Jangde : May I know why the butter is distributed in Adivasi areas and not elsewhere?

Shri M. V. Krishnappa : It is distributed wherever the distributing agencies have got their organisation.

Shri Sadhan Gupta : May I know if any care has been taken to ascertain that the butter being distributed in the Adivasi areas is not utilised to do duty for guns?

Shri M. V. Krishnappa : Those receiving agencies are the Catholic missions and the CARE organisation, and they receive it from America, and they send it wherever there is need and they distribute it. Except insisting that it should be distributed without any discrimination, we have no control over it.

Shri Bhagwat Jha Azad : In view of the repeated opinion of this House and the country that such free gifts should not be asked for and distributed through these missionaries, especially in the Adivasi areas, will the Government consider the question of stopping this ?

Shri M. V. Krishnappa : We do not ask for such gifts. As a gesture of goodwill we also send to various countries gifts from India, just as other countries send gifts here as a gesture of goodwill. Recently, taking into account the opinions expressed by the M. Ps., I appealed to these organisations to pool their goods and give them over to my charge so that I can send—and indeed I sent—one special train-load of gifts worth

Rs. 50 lakhs to the cyclone affected areas of Madras. Only on the 14th May, I despatched another special train with gifts worth Rs. 50 lakhs to the flood-affected areas of Orissa. The poor school-going children, besides other poor people, will get these gifts. The distribution is done by the Collectors.

Shri Bhagwat Jha Azad : Have you the control over this distribution everywhere in the country?

Several Hon. Members rose—

Mr. Speaker : In their enthusiasm to put questions, hon. Members should not forget the proper procedure. They must put the question through the Chair, and they must not directly attack the Minister.

Shri M. V. Krishnappa : If it is the opinion of this House that we should not receive these gifts, we will consider it.

Pandit D. N. Tiwary : May I know whether the Government has received any complaint that the missionaries, when distributing this ghee got from America, do some propaganda work for the change of religion?

Shri M. V. Krishnappa : We had received a number of such complaints and we are enquiring into them.

Shri B. S. Murthy : May I know whether any attempt has been made to find out that these missions, while distributing the ghee in the tribal areas, give it only to the Christians and do not give it to others, and also they give it only to those who are willing to become Christians?

Shri M. V. Krishnappa : That is one of the complaints that we have received. That is why I am diverting all these gifts to the flood-striken areas and they are distributed under the supervision of the local Collectors.

Shri Velayudhan : May I know whether in Travancore-Cochin, the butter and ghee and the milk-powder

are distributed only through the Catholic Christian churches and that they are in fact given only to those people who want to change their religion to Christianity or something like that? Has not any complaint like that has been received?

Shri M. V. Krishnappa : The Catholic Mission is one of the agencies which receive these gifts from America. Naturally the distribution is done through its own agencies inside the country. We insist that they should not make any discrimination in the matter of distribution and that they must distribute it among all the poor people free of cost.

CONSTRUCTION OF GOVERNMENT BUILDINGS

*2577. **Shri Dabhi :** Will the Minister of Communications be pleased to state :

(a) the practical result of the arrangement his Ministry had made with the C.P.W.D. for the expeditious construction of office and housing accommodation; and

(b) the exact nature of arrangement so made?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 3]

Shri Dabhi : In answer to part (b) of the question, item No. (i) of the answer says that separate C.P.W.D. Divisions will be created to attend solely to the construction programme of the Communications Ministry wherever the work-load justifies creation of separate Divisions. May I know when separate divisions are likely to be created?

Shri Raj Bahadur : As I said, the details are being discussed, and we are going to chalk out a plan by which country may be divided into various divisions for purposes of building works.

Shri Dabhi : May I know the criteria or the basis by which the work-load is likely to justify the creation of separate divisions?

Shri Raj Bahadur : They have got a standard of expenditure that is likely to be incurred in each such division. It is perhaps between Rs. 14 lakhs and Rs. 15 lakhs. It may be on that basis.

Shrimati Tarkeshwari Sinha : May I know whether this arrangement has been made because of the fact that the Communications Ministry were under practical difficulties in the construction of buildings and, if so, whether this arrangement is going to be a permanent one or whether the Ministry is going to take up responsibility for the construction of these buildings in the coming years?

Shri Raj Bahadur : This is primarily with a view to expedite the construction work of the post and telegraph buildings and other buildings connected with the Communications Ministry. I hope this arrangement will prove satisfactory.

Shri Thimmaiah : May I know whether the construction of the office buildings and housing accommodation connected therewith, when undertaken under the Communications Ministry in the States, is done only through the C.P.W.D. or through the State P.W.D. concerned?

Shri Raj Bahadur : The work is done through the C.P.W.D.

श्री भद्रत दर्शन : अगली पंचवर्षीय योजना में भवन निर्माण के लिये दस करोड़ की राशि निश्चित की गयी है। क्या गवर्नमेंट को विश्वास है कि यह जो व्यवस्था की जा रही है इससे दस करोड़ के भवन बनाये जा सकेंगे, यदि नहीं तो क्या अपना इंजीनियरिंग विभाग स्थापित करने पर विचार किया जा रहा है?

श्री राजबहादुर : उम्मीद है कि यह जो नई व्यवस्था की जा रही है इसके द्वारा यह राशि लंबे की जा सकेगी और शायद इससे ज्यादा भी लंबे किया जा सके।

यह जो नई व्यवस्था है यह कम्युनिकेशन्स (संचार) विभाग के लिये एक प्रलग सी व्यवस्था ही हो जाती है। मैं समझता हूँ कि इसके अतिरिक्त और कुछ नहीं है।

Shri Bhagwat Jha Azad : In view of the fact that in the First Five Year Plan, due to the inactivity and lethargy of the C.P.W.D., the construction programme fell short, does the Ministry propose to have the works done departmentally?

Shri Raj Bahadur : I will not say lethargy, etc.

Shri Bhagwat Jha Azad : Why did it fall short?

Shri Raj Bahadur : Within the limitations of the procedure that is prescribed for the execution of these works, the C.P.W.D. and the Communications Ministry did their best from year to year to cut down the delays. Under the First Five Year Plan we have spent Rs. 591 lakhs including the sum of Rs. 129 lakhs which is only an estimated figure for 1955-56.

Shri S. C. Samanta : Before the Government establishes the C.P.W.D. division in the Communications Ministry, what interim arrangement has been made about the lapses that are taking place year after year?

Shri Raj Bahadur : It is in order to minimise or eliminate these lapses that this arrangement has been arrived at. Monthly meetings are taking place between officers of the Communications Ministry and the C.P.W.D. The Additional Chief Engineer, C.P.W.D. is now responsible for the execution of the works programmed in the Communications Ministry. They are speeding up the building programmes. Any snags or difficulties that are being confronted are being dealt with suitably.

Shrimati Tarkeshwari Sinha : Out of the total amount allotted for construction programmes in the Budget of 1955-56, (up to March 1956). I want what amount has lapsed?

Shri Raj Bahadur : It is not possible to say at the present moment because the accounts have not yet been compiled.

एटा के लिये रेलवे लाइन

*२४७८. श्री दिग्म्बर सिंह : क्या रेलवे मंत्री २२ नवम्बर, १९५५ के अतारांकित प्रश्न संख्या ४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश में एटा से मिलाने वाली रेलवे लाइन के बिछाने का काम, जिसके लिये आय-व्ययक में धनराशि स्वीकृत हो चुकी है, कब से प्रारम्भ होगा;

(ख) क्या इस सम्बन्ध में कोई निर्णय कर लिया गया है कि स्टेशन कहाँ कहाँ बनाये जायें;

(ग) (ग) यदि हाँ, तो उन स्थानों के नाम क्या हैं; और

(घ) यदि नहीं, तो यह निर्णय कब तक कर लिया जावेगा ?

रेलवे तथा परिवहन मंत्री (श्री एस० बी० शास्त्री) : (क) लाइन किस रास्ते से होकर निकाली जाये, इसका आखिरी सर्वे पूरा हो चुका है और जमीन मिलते ही मिट्टी डालने का काम शुरू हो जायेगा।

(ख) जी हाँ।

(ग) बरहन में जंक्शन से शुरू होकर टीहू, रजानगर, जलेसर, पंडारी, अबागढ़, बसूदरा, जबाहरपुर कमसन और एटा में स्टेशन बनाने का विचार है।

(घ) सवाल नहीं उठता।

श्री दिग्म्बर सिंह : यह पूरा कार्य कब तक समाप्त हो जाने की आशा है ?

श्री एस० बी० शास्त्री : अभी तो शुरू ही हुआ है, समाप्त होने की बात तो बाद में जाकर उठेगी।

श्री दिग्म्बर सिंह : इस वर्ष कितनी धनराशि इसमें व्यय होने की सम्भावना है ?

श्री एस० बी० शास्त्री : इस समय, या कुल इस पर कितना खर्च होने वाला है ?

श्री दिग्मन्दर सिंह : दोनों बतला दीजिये।

श्री एम० बी० शास्त्री : कुल खर्चा तो १ करोड़ २७ लाख रुपये का है जो कि इस पर खर्च होने वाला है, अभी कितना खर्च होगा, वह रकम जरा कम है और अगर माननीय सदस्य उसको न जानें तो अच्छा है।

RAMAGUNDAM-NIZAMABAD RAILWAY LINE

***2579. Shri T. B. Vittal Rao :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1228 on the 6th April, 1956 and state:

(a) whether traffic survey of the Ramagundam-Nizamabad project has since been received; and

(b) if so, when the examination of the same by the Railway Board is likely to conclude and decision taken?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) Not yet.

(b) Does not arise.

Shri T. B. Vittal Rao : During the Budget debate, the Railway Minister said that there were certain impediments in the way of completing the survey and that the survey would be completed very soon. May I know the reasons for the further delay?

Shri L. B. Shastri : There has been some delay. But, the hon. Member was informed on the 6th of April that a comprehensive report is expected to be ready by June 1956. We are still in May. I hope it will be finished by the end of June.

Shri T. B. Vittal Rao : May I know whether there are certain priorities given for taking up new constructions under the Second Five Year Plan wherever there is development of minerals and may I know whether this line will come under that category?

Shri L. B. Shastri : I cannot say definitely. Up till now, this line has not been included. When we review the position after a year or two, it is just possible we may consider this line for being taken up.

Shri B. S. Murthy : May I know whether the Minister is in a position to tell us as to when exactly this survey will be started and what time will be taken to finish it?

Shri L. B. Shastri : The basic survey has already started. I said, it may take one month. It may be completed by the end of June.

Mr. Speaker : Next question.

Shri Raghunath Singh : 2580.

Mr. Speaker : The hon. Minister will kindly resume his seat. They are not able to follow.

Shri Nambiar : Hindi difficulty may be the reason.

Mr. Speaker : That is not the difficulty.

मनीपुर में खाद्यान्नों की कमी

***२५८०. श्री रघुनाथ सिंह :** क्या खाद्य और हृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इम्फाल क्षेत्र में मनीपुर के टेमगलांगड़ डिवीजन में खाद्यान्नों की अत्यन्त कमी हो गई है;

(ख) यदि हां, तो क्या खाद्यान्न वायुयानों से गिराये जा रहे हैं; और

(ग) यदि हां तो अब तक कितनी मात्रा में खाद्यान्न गिराये गये हैं?

खाद्य और हृषि उपर्याप्ति (श्री एम० बी० हृष्टप्पा) : (क) से (ग). फसल काटने के पिछले मौसम में चूहों से चावल की फसल को नुकसान पहुंचने के कारण टेमगलांगड़ सब-डिवीजन में कुछ कमी हो गई थी लेकिन इस क्षेत्र में मजदूरों और हवाई जहाजों द्वारा चावल और धान भेजने का प्रबन्ध कर दिया गया है। अभी तक लगभग ५४० मन धान हवाई जहाजों द्वारा गिराया गया है।

श्री रघुनाथ तिहाँ : क्या में जान सकता हूँ कि इस समय वहाँ अकाल की क्या प्रवस्था है?

श्री एम० बी० कृष्णप्पा : अब वहाँ सब ठीक हो गया है। हमने ५४० मन धान उस इलाके में हवाई जहाजों द्वारा गिराया है और उससे लोगों को खाना मिलने लगा है और अब वहाँ की हालत ठीक हो गई है।

Shrimati Khongmen : May I know whether the Government has received any information about death of people on account of starvation in that area? What steps has the Government taken to supply foodstuffs in that part of the country?

Shri M. V. Krishnappa : We have supplied them enough of rice. They had asked for 500 maunds immediately. We have airlifted 540 maunds. We have arranged carrying of rice by porters in headloads and they are carrying. We have not got any information of people dying for want of food.

Pandit D. N. Tiwary : May I know whether the Government has watched the disturbing trends in prices even in the harvesting season and if so, what action the Government will take?

Shri M. V. Krishnappa : The question is about the valley in Manipur, and scarcity of rice. We have supplied them enough rice. It has nothing to do with the general trend of prices.

Shri Rishang Keishing : Is it a fact that the rice dropped from the air has benefited only the government employees at the headquarters and not the public?

Shri M. V. Krishnappa : We have sent 540 maunds. I do not know how many government employees are there. This is a very small valley having very few people. This rice is intended for all people who are there.

Shri Nambiar : May I know what were the reasons for dropping rice from the air, if the scarcity was not so much and if there were no starvation deaths?

Shri M. V. Krishnappa : Because it is a valley. One has to carry the load for 70 miles. There are no roads, no means of communication. Never did they get rice from outside. They were self-sufficient. It is a small valley. This year, because of rat menace, the crop has been affected. We have sent rice by air because there are no people to carry. There are some people who tell them that it is the duty of the Government to bring the rice to them and they need not carry. Because of that, we have to airlift the rice.

Shri Rishang Keishing : In view of the fact that the purchasing power of the people is extremely low and the people there cannot afford to buy a few seers of rice, will the Government consider free distribution of rice to the affected people?

Shri M. V. Krishnappa : In fact, it virtually amounts to free distribution. We are collecting only the transport charges. We have to spend Rs. 7 per maund for air-lift. We are collecting from the people only that much. It amounts to free distribution almost. And I would request the hon. Member to induce more people to carry it by headload, and we are prepared to send any amount of rice, because people do not come forward to carry rice 70 miles by headloads. If the people who are actually suffering co-operate with us, we are prepared to supply them any amount of rice.

RAILWAY CATERING

***2582. Shri Kamath :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1896 on the 2nd May, 1956 and state:

(a) whether the requisite information has been collected; and

(b) if not, by what date it will be laid on the Table of the House?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) and (b). The requisite information has since been furnished to the Department of Parliamentary Affairs.

A copy is placed on the Table of the Lok Sabha. [See Appendix XV, annexure No. 4].

Shri Kamath : I find from the statement laid on the Table of the Sabha that no cases of subletting were detected on the Central and South-Eastern Railways. The information given is nil. Am I to understand that no complaints of any subletting, particularly in the Central Railway with which I am acquainted, were received by the Ministry or by the Railway Board?

Shri L. B. Shastri : No complaint has been received by the Railway Board.

Shri Kamath : Have the contractors whose contracts have been terminated on account of their subletting, been blacklisted for future contracts?

Shri L. B. Shastri : I cannot say definitely, but I do not think they will be given fresh contracts.

MOTOR VEHICLES TAXATION ENQUIRY COMMITTEE

*2583. **Shri Debendra Nath Sarma :** Will the Minister of Transport be pleased to state:

(a) whether any resolution passed by the Assam Assembly requesting the Union Government to accept the recommendations of the Motor Vehicles Taxation Enquiry Committee on freight and price equalisation of motor spirit has been received from the Government of Assam; and

(b) if so, the decisions taken thereon?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) No, Sir.

(b) Does not arise.

Shri Debendra Nath Sarma : May I know why the recommendations of the Motor Vehicles Taxation Enquiry Committee on the freight and price equalisation of motor spirit have not been given effect to?

Shri L. B. Shastri : This matter was considered by the Transport Advisory Council on which all the States are represented. The Transport Ministers of the States are Members of the Transport Advisory Council. They had said that before taking final action we should await the report of the Taxation Enquiry Commission, and the Taxation Enquiry Commission has not agreed with the views of the Motor Vehicles Taxation Enquiry Committee. Hence we do not propose to take action as suggested by the Motor Vehicles Taxation Enquiry Committee.

Shri Debendra Nath Sarma : Is it because that in that case the price of motor spirit in Assam would be reduced?

Shri L. B. Shastri : I am informed that this matter of reduction in the price of petrol in Assam was taken up by the Works, Housing and Supply Ministry, and they were able to secure a reduction of 2½ annas per gallon. If the Assam Government desires further consideration of this matter, they should perhaps take it up with the Ministry of Works, Housing and Supply.

Shri Debendra Nath Sarma : Is it not a fact that the price of motor spirit in Assam is the highest in spite of its being the producing State?

Shri L. B. Shastri : The fact may or may not be so, but I said if the hon. Member or if the Assam Government desire that the matter should be considered further over the reduction already made, they should take it up with the Ministry concerned.

Mr. Speaker : Shri Velayudhan.

Shri Debendra Nath Sarma : May I know on what consideration.....

Mr. Speaker : I have called Shri Velayudhan.

Shri Velayudhan : Is there any proposal before the Taxation Enquiry Commission to equalise or bring about a uniform rate for motor vehicles all over India?

Shri L. B. Shastri : There was a proposal, but it was not agreed to by the Taxation Enquiry Commission. They have not agreed with that view.

Shri Velayudhan : Why ?

स्टेशन मास्टरों के काम के घंटे

*२५८४. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे के कुछ महाल्पण्डों में स्टेशन मास्टरों को केवल बारह घंटे काम करना पड़ता है और उनको यातायात तथा वाणिज्यिक कार्य एक साथ नहीं करने पड़ते जब कि कुछ महाल्पण्डों के स्टेशनों पर स्टेशन मास्टरों को दोनों तरह के काम करने पड़ते हैं; और

(ख) यदि हां, तो इसके कारण क्या हैं ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : (क) तथा (ख). काम के घंटे और उसकी किसी नियत करते समय यह देखा जाता है कि अमुक स्टेशन कितना बड़ा है और उसकी विशेषता क्या है। अगर परिवहन (transportation) का काम ज्यादा है, तो वाणिज्य के काम (commercial work) के लिए सहायक दिया जाता है और स्टेशन मास्टर पर केवल आम देखभाल की जिम्मेदारी रहती है। छोटे स्टेशनों पर दोनों तरह के काम अकेला स्टेशन मास्टर कर सकता है।

* श्री अमर सिंह डामर : क्या मैं जान सकता हूं कि कौन कौन से स्थानों के स्टेशन मास्टरों से यातायात और वाणिज्य दोनों का काम लिया जाता है ?

श्री एल० बी० शास्त्री : मैं सब स्टेशनों के नाम तो नहीं ले सकता, लेकिन जैसा मैंने कहा, जो बड़े स्टेशन हैं, जहां कि दोनों काम मिल कर बहुत ज्यादा हो जाते हैं, उन स्टेशनों पर अलग अलग सहायक स्टेशन मास्टरों को यह काम दिये जाते हैं।

Shri Nambiar : May I know whether it has not been brought to the notice of Government and have they been requested to see that all the station

masters whether at big or small stations are given eight hours duty in view of the fact that the nature and responsibility of their duty is so high?

Shri L. B. Shastri : The hon. Member, I think, is quite aware of the fact that the station masters have been classified into three categories—intensive, continuous and essentially intermittent. It is continuous if the workload is about six hours in an eight hour shift and intermittent if in a twelve hour shift the period of inaction aggregates six hours or more. So, actually the work that the station masters have to do is not exactly 12 hours. They get an aggregate of six hours or more of rest, the period of inaction being about six hours or more. Hence on small stations it is not considered necessary to put them in the same category as the station masters who have to work at the bigger stations.

Shri Nambiar : May I know if the Government is aware of the I.L.O. convention which makes it incumbent on the Government of India, which is a participating country, that station masters must be given only eight hours duty.

Shri L. B. Shastri : The conditions in different countries are different and we have to act according to the conditions that prevail in our country. If a station master who has got to perform 12 hours duty gets a period of six hours as period of inaction, it means he has to work only for six hours. I personally think that we should advise our staff to work hard and in the present context there is no way out except to do as much work as possible for every one whether he is a station master or he is working anywhere else. But still, in spite of what I have said, sufficient period of rest has been provided for the station masters where they have to perform duty for 12 hours, eight hours or six hours.

Shri B. S. Murthy : May I know whether there is continuous work for 12 hours or not? Is not the station

master on duty for 12 hours and therefore will the Minister consider...

Mr. Speaker : He is arguing this matter.

Shri B. S. Murthy : No, Sir.

Mr. Speaker : What else is it? The hon. Minister has explained that station masters are put in three categories according to the nature of work—continuous, six hours in a period of eight hours, and six hours in a period of twelve hours—having regard to the peculiar circumstances of this country. They have sufficient rest and they are not toiled. This is the answer he was given. The hon. Member wants to pursue it and change it. He must take another opportunity or a different opportunity.

AGRICULTURAL ECONOMICS

*2585. **Shri Sanganna :** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any action has been taken on the research projects in agricultural economics as recommended by Professor John D. Black and Dr. L. Stewart in their report on the Economics of Agriculture in India; and

(b) if so, with what results?

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

(b) The report has been utilised by the Agricultural Economics Committee of the Indian Council of Agricultural Research in the preparation of a comprehensive programme for research in agricultural economics.

Shri Sanganna : May I know the different recommendations made by that team?

Dr. P. S. Deshmukh : It would be difficult to summarise all the recommendations. They fall into three parts: research, education and public administration. Every one of the re-

commendations is being gone through and steps are being taken to implement such of them as are profitable.

Shri Sanganna : May I know the names of research programmes referred to in the recommendations?

Dr. P. S. Deshmukh : There are 24 illustrative projects

Mr. Speaker : Is the hon. Minister going to read all of them?

Dr. P. S. Deshmukh : They are grouped into six different heads. If you like I can mention the groups. They are: production and land use, economics of the farm and average consumption economics of the family, marketing and prices of farm products, rural credit, land tenure and the nation as an economic unit.

Mr. Speaker : If the Minister has no objection, he can place the information on the Table of the House for the benefit of all the Members.

Dr. P. S. Deshmukh : I shall do so

AYURVEDIC COLLEGE, TRIVANDRUM

*2586. **Shri Mathew :** Will the Minister of Health be pleased to state:

(a) the circumstances in which the students of the Ayurvedic College in Trivandrum (Travancore-Cochin State) resorted to a strike of work and the College had to be closed; and

(b) whether it is expected that the College will reopen at the commencement of the next academic year and resume smooth working?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) and (b). The requisite information is being collected and will be laid on the Table of the Lok Sabha in due course.

Shri V. P. Nayar : The Minister has said that the requisite information is being collected. I want to know why it has not been possible for Government, although they had ten days'

notice, to answer the simple question whether there has been a strike in the Ayurvedic College, Trivandrum, or not.

Shrimati Chandrasekhar : We have written to the Government of Travancore-Cochin. We have also sent two telegraphic reminders on the 22nd and 23rd May. We have received a telegraphic message from the State Government, saying that the information is being sent.

Shri V. P. Nayar : Is it a fact that the college has not reopened?

Shrimati Chandrasekhar : That is true. But we have to get the information regarding the question from the State Government officially.

Shri Velayudhan : Should there not be any hurry in this matter? Are Government so helpless that they cannot get the answer in time?

Mr. Speaker : They have sent a telegram, and they are collecting the information.

Dr. Rama Rao : On a point of order. Now, Parliament is in charge of the administration of the Travancore-Cochin State.....

Mr. Speaker : But this information relates to Travancore-Cochin.

Dr. Rama Rao : It is a simple information that is asked for. Though the Central Government are administering the State now.....

Mr. Speaker : The Minister may kindly expedite. The information as to whether there is a strike or not can be easily ascertained.

Shrimati Chandrasekhar : We shall.

Shri V. P. Nayar : May I submit for your consideration that in this session, out of 17 questions asked, 12 questions have been answered in this fashion, namely that the information is being collected. Then, what do we sit for here?

Shri Nambiar : What is the Adviser doing there? Is he doing any work or not?

Mr. Speaker : Where the Central Government have taken charge of the administration, I expect that the Minister should be able to get the information as early as possible, because there is no legislature there.

Shrimati Chandrasekhar : We shall expedite.

Mr. Speaker : Next question.

Shri Velayudhan : May I suggest that Q. No. 2608 also may be taken up along with this, for both deal with the same subject?

Mr. Speaker : Is the Minister willing to answer both together?

Shri L. B. Shastri : Yes.

Mr. Speaker : Then both may be answered together.

DELHI MAIN STATION

*2589. **Shri Velayudhan :** Will the Minister of Railways be pleased to state:

(a) the number of Booking Clerks at the Delhi Main Station;

(b) whether there is a shortage of staff in the same category for the last few months; and

(c) if so, whether it is a fact that the matter was brought to the notice of the authorities but no action has yet been taken?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) 140.

(b) and (c). There was a shortage of 5 but this has now been made good.

BOOKING CLERKS

*2608. **Shri Velayudhan :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that weekly rests of about 400 Booking Clerks of

the Northern Railway have been forfeited during *melas* and other festivals; and

(b) the number of occasions in the past when such cancellation of rest period has taken place?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) To cope with pressure of work during some important *melas* etc. it has been found necessary to temporarily suspend, under the appropriate rules, the weekly rest periods of Booking Clerks on the Northern Railway. The actual number of Booking Clerks affected is being collected and will be laid on the table of the House in due course.

(b) On four occasions in the last two years.

Shri Velayudhan: May I know whether the Commercial Superintendent had submitted a requisition for about 114 clerks, to the General Manager of the Northern Railway?

Shri L. B. Shastri: I could not follow the question. Could the hon. Member kindly repeat the question?

Shri Velayudhan: May I know whether the Commercial Superintendent had asked for more booking clerks for the Delhi Main Station, and if so, why their appointments are still pending?

Shri L. B. Shastri: During these *melas*, so far as the ticket-collectors are concerned, new hands are recruited. But so far as booking clerks are concerned, it is difficult to get the work done by persons who have no experience of that work. Therefore, the booking clerks are generally taken from among those who have already got some experience, and who are in service. It is true that clerks and other staff are being recruited. There has been some delay, but they are being recruited now expeditiously.

Mr. Speaker: Next question.

Shri Velayudhan: I have put only two supplementary questions. I want to put one or two more supplementary.

Mr. Speaker: It does not depend upon the number of questions, but on the importance of the subject. Here, the point is that in the Delhi Main Station, some more clerks must be appointed. Am I to spend all the time on this question merely because it relates to Delhi?

Shri Velayudhan: The question which I want to put now is a general question.

Mr. Speaker: I have allowed two questions already. The hon. Member can go on asking why five more persons were not appointed. Very well. The hon. Member can put his question now.

Shri Velayudhan: Is it a fact that the clerks have not been given rest-time, nor have they been given facilities like chairs and so on, and many of them are sitting on old and broken stools and working for a long time?

Shri Nambiar: This is a regrettable fact.

Shri L. B. Shastri: They are provided as much amenities as possible. Rest is also given. But it is true that they are not granted leave during that period.

Shri Velayudhan: May I know whether the rate-books supplied to them are about twenty to twenty-five years old, and many pages are missing from them, and the whole thing looks like some century-old manuscripts? This rate-book is something which they have to refer to very often.

Shri L. B. Shastri: I shall look into that. If the position is as the hon. Member has stated, we shall certainly try to improve matters.

Mr. Speaker: All the details may be passed on to the Minister. He says he will look into them.

Shri Velayudhan: The details are more important than the other thing.

Mr. Speaker : I agree. But they may be passed on to the Minister, who will look into them. If still, the hon. Member does not get any redress, he may come forward again in the next session.

दिल्ली दूध संभरण योजना

*२५६०. श्री भक्त दर्शन : क्या आप और हृषि मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि द्वितीय पंचवर्षीय योजना में समस्त देश में दूध का उत्पादन बढ़ाने तथा दुग्धशालाओं का विकास करने के लिये बाइस करोड़ रुपये की जो धनराशि नियत की गई है, उसमें से चार करोड़ पचास लाख रुपये की रकम दिल्ली दूध संभरण योजना पर खर्च की जायेगी ?

हृषि मंत्री (डा० पी० एस० देशमुख) : दिल्ली दूध संभरण योजना का असली अनुमानित व्यय ४०५ करोड़ रुपया था, लेकिन इसमें संशोधन होने की संभावना है जिससे राशि में कमी होगी। यह प्रश्न कि यह राशि द्वितीय पंचवर्षीय योजना के आधीन डेरी विकास के लिये निर्धारित २२ करोड़ रुपयों में से प्राप्त हो सकेगी या कि इसके बाहर से, अभी विचाराधीन है।

श्री भक्त दर्शन : दिल्ली में दूध उपलब्धि की जो योजना शुरू की जाने वाली है क्या मंत्री महोदय उसकी मोटी रूपरेखा बतलाने की कृपा करेंगे ?

डा० पी० एस० देशमुख : मोटी बात तो लोगों को दूध पहुंचाने की है। हमारा यह इरादा है कि दूध को इकट्ठा किया जाये उन लोगों से जो देहातों में दूध पैदा करते हैं और साथ ही साथ जहां जिन लोगों के पास दस से ज्यादा जानवर हैं उनको बाहर ले जाया जाये। और यहां उनको अच्छी तरह से रखा जाये। वे जो दूध दें, वह लोगों को उपलब्ध करने का विचार है।

श्री भक्त दर्शन : क्या मंत्री महोदय के ध्यान में यह बात आई है कि इस समय दिल्ली में भैंसों को जो पालने का ढंग है तथा दूध पहुंचाने का जो ढंग है और दूध पीने वालों की जैसी हालत है, वह न केवल दिल्ली सरकार के लिए बल्कि भाग्त सरकार के लिए भी कलंकपूर्ण है? ऐसी स्थिति में क्या सरकार इसके बारे में कोई तत्काल कार्रवाई करेगी ?

डा० पी० एस० देशमुख : यह सच है कि जिस तरह से यहां पर जानवरोंको रखा जाता है वह ठीक नहीं है। यह चीज न केवल जानवरों के लिए ही ठीक है बल्कि जो लोग यहां पर रहते हैं, उनके लिए भी यह ठीक नहीं है। इसी चीज को देखते हुए काफी योजनायें बनाई जा रही हैं। हमें अफसोस है कि हम इनको जल्दी कार्यान्वित नहीं कर सके। अब हम चाहते हैं कि इनको जल्दी कार्यान्वित किया जाये।

Shri Sadhan Gupta : In view of the fact that milk supply in Delhi is better than the supply of milk in many towns like Calcutta, may I know what the reason is for this disproportionate expenditure on the Delhi Milk Supply Scheme ? It is the reason that foreigners who visit the capital should be given an impression that India flows with milk, if not with milk and honey ?

Dr. P. S. Deshmukh : No Sir. The idea is that Delhi is growing, and it is bound to require more milk. Therefore, we do not want to be caught napping and supplying only insufficient quantity of milk. Therefore, the proportionate cost has gone up, since we are bound to supply a larger amount of milk.

श्री सुनामुनबाला : आज तक कितने पश्च इस स्कीम के अंदर लिये गये हैं तथा कितने उनमें से बाहर भेजे गये हैं और कितना दूध सप्लाई होता रहा है ? इस स्कीम के तहत क्या भैंसों को ही रखा जाता है या गायों को भी रखा जाता है ?

डा० पी० एस० देशमुख : अभी तो योजना शुरू नहीं हुई है।

श्री भीमूलि मिश्र : क्या सरकार गाय का दूध सप्लाई करने का भी प्रबन्ध करेगी ? आज कल देखा जाता है कि केवल भैंस का दूध ही सप्लाई किया जाता है और जो लोग अपने बच्चों के लिए गाय का दूध लेना चाहते हैं उनको बहुत दिक्कत का सामना करना पड़ता है।

डा० पी० एस० देशमुख : लोग जिस किसी का दूध चाहते हैं उनको वह दूध देने की कोशिश की जायेगी।

Dr. Rama Rao : Is it that the Government of India cannot see beyond Delhi, and that is why they have allotted Rs. 4½ crores out of Rs. 22 crores for Delhi city only, to the neglect of the rest of the country?

Dr. P. S. Deshmukh : No. We see beyond Delhi also. That is why we have provided for Rs. 22 crores. I have said so already. Probably, my hon. friend did not follow the answer, because I read it out in Hindi.

It is not yet decided whether this amount should come out of the Rs. 22 crores or from outside. That matter is under consideration.

SALEM-BANGALORE RAILWAY LINE

***2591. Shri C. R. Narasimhan :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1051 on the 21st December, 1955 and state the progress made so far in the engineering survey of the proposed Salem-Bangalore metre-gauge link?

The Minister of Railways and Transport (Shri L. B. Shastri) : Approximately 20% of the field work has so far been done.

Shri C. R. Narasimhan : When do Government expect to complete the survey?

Shri L. B. Shastri : In about a year's time.

Shri C. R. Narasimhan : Has the attention of Government been drawn to the fact that this line is a corollary to the Khandwa-Hingoli, a question on which has been put down for answer today, and that the completion of this line will help in removing operational difficulties from north to south?

Shri L. B. Shastri : We attach sufficient importance to this line, but the question is of funds. Unless funds are made available to us, I do not think it would be possible to take up the construction of this new line in the next one or two years.

Shri Nambiar : May I know when the construction of the Bangalore-Salem line is likely to start?

Shri L. B. Shastri : The survey has not been completed so far.

Shri T. B. Vittal Rao : May I know whether a traffic survey is also undertaken along with the engineering survey? Otherwise, another year will pass for that survey.

Shri L. B. Shastri : Generally, engineering survey is taken up after the traffic survey has been completed.

FISHING

***2592. Shri Gidwani :** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any special measures have been adopted to step up India's fish yield under the Second Five Year Plan; and

(b) whether technical assistance from Japan to train Indians in modern technique of fishing has been offered under the Colombo Plan?

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

(b) Yes.

Shri Gidwani : What is the expected rise in yield in the Plan period, and how much money has been allotted for the purpose?

Dr. P. S. Deshmukh : In the Second Five Year Plan, fisheries development schemes of the State Governments are expected to cost Rs. 8.8 crores. Out of this, the Central Government propose to provide financial assistance to the extent of Rs. 5.4 crores. There are also Central fisheries schemes which may cost Rs. 3.73 crores. In addition, a sum of Rs. 25 lakhs is proposed to be set apart for providing financial assistance to State Governments for fisheries research, survey and demonstration. The total provision is about Rs. 12 crores.

Shri Gidwani : May I know whether any foreign experts have been assigned to India for assistance in this work? If so, what is the nature of their assistance?

Dr. P. S. Deshmukh : I would require notice.

Shri V. P. Nayar : May I know whether under the Plan any effort will be made to better the conditions of the several hundred thousand fishermen, which are worse than those of any other section of our people?

Dr. P. S. Deshmukh : Yes. It is one of the cardinal parts of our next Five Year Plan to look into the conditions of the fishermen and try and improve them.

Shri V. P. Nayar : May I know whether Government's plans will include the introduction of artificial rearing of fish, as is now practised in China, side by side with agricultural operations, so that the yield from fresh water fisheries can be considerably increased?

Dr. P. S. Deshmukh : As a result of a suggestion made by the hon. Member himself, we are trying to investigate the possibilities of this matter.

Shri Velayudhan : May I know whether the people who are sent to Japan belong to the fishermen community or to the non-fishermen class?

Dr. P. S. Deshmukh : I have not got information regarding that matter.

Shri Gidwani : May I know whether any special transport arrangements will be made to move fish over long distances before it gets decomposed?

Dr. P. S. Deshmukh : One of the schemes in the Second Five Year Plan refers to increased transport facilities as well as ice and cold storage facilities, and I hope the present conditions, so far as transport is concerned, will be improved.

Shri V. P. Nayar : In answer to a question some days ago, it was said that there was no proposal under the Second Five Year Plan for the commercial exploitation of the Wadge Bank fisheries reserve off the coast of Travancore-Cochin, which is supposed to have a potential of about a

million tons per year. May I know why that scheme has been left out if it is the desire of the Government of India to increase fish yield?

Dr. P. S. Deshmukh : I have not got that information here. I would request my hon. friend to give notice.

Shri A. M. Thomas : May I point out that every time a question about fisheries is put down for answer in the House, there is a supplementary question by Shri V. P. Nayar about the Wadge Bank fish resources? As such, I do not know how the Minister of Agriculture says that he has no information.

Dr. P. S. Deshmukh : At the present moment, I am concerned with a separate question. I cannot have every possible information for all separate questions that may be put.

Shri V. P. Nayar : My question arises out of the answer to part (a). The hon. Minister said that certain definite steps were being taken up. If that is so, without exploiting a fisheries reserve which is estimated to yield about a million tons of fish a year, where is the chance of our increasing the fish yield?

Mr. Speaker : He has not got that information now. Hon. Ministers do not carry all the information at their fingers' ends.

Shri T. B. Vittal Rao : He can pass that information even at leisure.

Mr. Speaker : Hon. Members can write to the Minister.

Shri V. P. Nayar : There was a special debate on this and the hon. Minister was charitable enough to say that he would look into it.

Mr. Speaker : Whenever during the course of any question or Resolution or any other debate suggestions regarding a particular matter are made and hon. Ministers do not have information immediately ready with them, and they have not addressed themselves to that matter, they will

make enquiries. Normally, they are expected to know all broad aspects and outlines of their own subjects, leaving out minor details.

Dr. P. S. Deshmukh : The hon. Members themselves know the reply I gave. So I do not think any supplementary arises.

Shri V. P. Nayar : That was two years back.

LOSS OF COUNTRY CRAFT

***2593. Shri M. D. Joshi :** Will the Minister of Transport be pleased to state :

- (a) whether some sailing vessels (country craft) were lost in the recent storm in the coast of Calicut;
- (b) if so, their number;
- (c) what cargo they were carrying;
- (d) the value of the lost ships and of the cargo they were carrying;
- (e) whether Government have held an enquiry about the accident; and
- (f) if so, the result thereof?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) Yes, Sir.

(b) Eight.

(c) Information is being collected and will be laid on the Table of the Lok Sabha.

(d) The estimated value of the Craft was Rs. 40,000 and of the Cargoes Rs. 1,02,000.

(e) An enquiry into the loss of one of the vessels, the "GANEPASSA", is being held.

(f) The investigating Officer's report is awaited.

Shri M. D. Joshi : May I know whether any warning was given to these ships of the impending storm before they proceeded on their voyage?

Shri L. B. Shastri : The unusual weather conditions and stormy wind

suddenly set in. Therefore, it happened all of a sudden. I do not think any warning could have been given, but I am not quite sure about it.

Shri M. D. Joshi : May I know whether Government will accord any help to those who have suffered from the loss of ships and loss of cargo?

Shri L. B. Shastri : I have no information on that point.

Shri Velayudhan : During every rainy season, there is some loss or the other in the West coast due to loss of country craft or country ships or coastal ships. What steps have been taken to prevent the constant recurrence of these accidents or incidents?

Shri L. B. Shastri : Preventive steps are taken, but in this particular case, as I said, the stormy wind suddenly set in, and in consequence of the increase of the rough weather conditions, these lighters sank.

Short Notice Questions and Answers

RICE AGREEMENT WITH BURMA

S. N. Q. No. 20. (Shri Ramachandra Reddi : Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that negotiations took place last week between the Food Minister of India and the Burmese Trade Minister for a rice deal;

(b) if so, the results thereof;

(c) the terms of the deal arrived at; and

(d) the date from which the agreement will come into force?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) : (a) Yes, Sir.

(b) to (d). It has been agreed to conclude a fresh trade agreement with the Government of Burma with a view to increase the volume of trade between the two countries to the highest practicable level and both Governments have also agreed to accord all possible facilities to promote

exports to and imports from the other country. Pending conclusion of the Trade Agreement, the Government of India have agreed to purchase 2.0 million tons of rice from Burma, spread over a period of 5 years, commencing from 1st June, 1956. This arrangement would provide the necessary means to enable Burma to obtain a large proportion of her requirements from India.

Shri Ramachandra Reddi : May I know at what price per ton rice is going to be imported into India and what the local price would be?

Shri M. V. Krishnappa : The prices at which we are going to import rice would be spread over a period of 5 years. For three years, we have fixed the price. This year, it will be £34 per ton; next year, that is 1957, it will be, £33 and for 1958, it will be £32. After these three years, for 1959 and 1960, we will fix the prices by mutual agreement.

Shri Ramachandra Reddi : What about the local price?

Shri M. V. Krishnappa : At present, this price compares equally with the local prices in some parts of the country. Once this rice comes into the country, the prices in India will collapse and they are bound to come down. But, at present, they are equal to these Burma rice prices.

Shri S. S. More : May I know what the expression 'prices will collapse means; whether it will mean.....

Mr. Speaker : Does the hon. Minister mean that the prices will be reduced or that they will reach uneconomic levels?

Shri M. V. Krishnappa : Our experience, year before last, has been this. When we purchased 9 lakhs of tons of rice from Burma, the prices were very high here and when once the Burma rice started coming in, the prices gradually came down and collapsed. It means that in some parts the prices had gone too high and, in that context, I say they will come to normal or reasonable levels.

Shrimati Tarkeshwari Sinha : May I know what relation this agreement, which relates to a period of five years, will have to the internal production? Suppose, in a particular year, we have a very good crop, will Government be importing from Burma according to the agreement or keep out the imports?

Shri M. V. Krishnappa : According to the present agreement, we have to import rice for 5 years. As the House knows, we have decided to build up a reserve of surplus stock. If internal production is plenty, then, we can export some of this to other countries as we have done in the past. Our rice, the quality being finer, always gets double the price of Burma rice and we can export some of our rice.

Shri Ramachandra Reddi : May I know whether it will be imported in the form of paddy or husked rice?

Shri M. V. Krishnappa : It will be entirely in the form of rice, partly boiled and partly raw.

Shri M. S. Gurupadaswamy : Is it a fact that the internal price of rice in Burma is lower than the price charged under this agreement?

Shri M. V. Krishnappa : No, Sir; it is not a fact. In Burma, there is no free market at all. The Agricultural Marketing Board in Burma has the monopoly of marketing rice there and, at present, rice is selling there at £36 whereas we will be able to purchase at £34, this year, £33 next year and £32 the year after that.

Shri V. P. Nayar : I want to know whether any provision has been made in this agreement stipulating that Burma, for supplying this rice to India, will be obliged to take a definite quantity of dried prawns and, if so, what is the quantity stipulated and the price fixed?

Shri M. V. Krishnappa : The main idea is that we must also export some things to Burma. We are traditional importers of rice from Burma and

Burma has been our traditional customers for a lot of fish, jute, hand-loom cloth and textiles. We want to see that, as far as possible, our balance of trade—between these two countries—is kept by the supply of these prawns and other things.

Shri V. P. Nayar : My question was...

Mr. Speaker : Whatever may be the question, I am proceeding to the next question.

Shrimati Tarkeshwari Sinha : One question, Sir.

Mr. Speaker : I am not going to allow any more questions.

BANNING OF COW SLAUGHTER

S. N. Q. No. 21. Babu Ramnarayan Singh : Will the Minister of Food and Agriculture be pleased to state :

(a) whether the Prime Minister has given assurance to the President of the Bharat Gosewak Samaj that cow slaughter will be totally banned throughout the country in the near future; and

(b) whether in a meeting the Samaj has requested the Prime Minister that an official announcement be made to this effect on the 24th May, 1956 the day of the Buddha Jayanti celebrations; and

(c) if so, whether the announcement is going to be made?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) The Prime Minister has informed us that he has given no such assurance.

(b) and (c). The Prime Minister is not aware of this, but he received a representation from some organisation on the 22nd May in which the suggestion was made that on the particular Buddha Jayanti Day, the 24th May, there should be no slaughter of cattle in India. The answer was that this was a matter for the States to decide and, in any event, it was too late to issue any such instruction for the 24th May.

Shri Kamath : It is a fact that in spite of the constitutional directive—I refer to article 48 of the Constitution—that the States shall endeavour and take steps for prohibiting the slaughter of cows and calves and other milch and draught cattle, in many cities in India, particularly, Bombay, Kanpur, Calcutta and others, cows, calves and other milch cattle are being slaughtered today on a much larger scale than during the British regime?

Dr. P. S. Deshmukh : It is not correct to say that the slaughter has gone up and it is also not correct that we have not taken any steps. It has been repeatedly discussed on the floor of this House and the Central Government and the State Governments are concerned about this and they have taken steps to see that this matter is tackled properly.

Shri Kamath : The Minister was pleased to say in answer to the main question that the States are at liberty to take whatever action they deem fit in this matter, if I heard him aright. Am I to understand that the Government as a whole does not accept *in toto* the Prime Minister's view which he expressed in the House last April—that is 1955 April and not April 1956—I was not a member of the House, but I am reading from the transcript). (*Shri B. S. Murthy :* You were in spirit here.) The Prime said that day that he was prepared to resign his Prime Ministership on this issue, when Seth Govind Das's Bill was being discussed. Is the House to understand that the Government, as a whole, are not in agreement with the Prime Minister's view that whatever action the State Governments may take in this matter of banning cow slaughter is wrong—as the Prime Minister then said that the action of the U.P. Government was wrong?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : Is it customary to have a debate in the shape of a supplementary question? The hon. Member had made a statement which can be countered, which I do not think is correct.

Am I expected to answer in a sentence or two or in a speech? Most of the hon. Members propositions, I do not think, are organic, what he has stated especially in regard to me. Am I to enter into an explanation? First, the question was about the Buddha Jayanti day and we have now gone into the wider sphere of the Constitution.

Shri Kamath : The Minister said that the State Governments are at liberty to take whatever action they deem fit. In view of the Prime Minister's categorical statement last year, that the U.P. State Government's action was wrong, in this matter, can the State Governments take action as they deem fit?

Shri Jawaharlal Nehru : I am prepared to answer, not today but for the whole day. I stand by what I said. That is the right attitude. But, how am I to deal with it in answer to a supplementary question arising out of a question to which answer has been given?

Mr. Speaker : Both the main question and the supplementary questions are intended to elicit answers to get facts and not to explain matters of policy. If any hon. Member wants to have a discussion on a matter of policy, that must be taken up on a resolution and not in a question. Therefore, it is true that the general question does not arise out of the question about Buddha Jayanti. In regard to part (a), that is, whether the Prime Minister gave an assurance to the President of the Bharat Gosewak Samaj that cow slaughter will be totally banned throughout the country, the answer was that no such assurance was given. So, this question does not arise.

Shri Kamath : On a point of order Sir. The Minister stated in reply to part (c) of the question that the State Governments are at liberty to take whatever action they like in this matter, which is a statement of policy.

Shri Jawaharlal Nehru : The question relates to what action should be taken on a particular day, that is, the Buddha Jayanti Day; not a wider question. The answer is that I knew nothing about it. I got some letter about a day before that and in effect I could do nothing then.

Shri Kamath : The answer covers a wider ground.

Mr. Speaker : Any answer that is given must be construed to relate only to the particular question.

Shri Kamath : The answer itself does not relate to the particular question. How can one construe it?

बाबू रामनारायण सिंह : मैंने कोई प्रश्न नहीं किया।

Mr. Speaker : I gave the hon. Member priority. I looked at him, but he allowed Shri Kamath to put the question.

बाबू रामनारायण सिंह : मेरा प्रश्न तो बाकी ही रह गया।

Mr. Speaker : First of all, I am calling the hon. Members in order. He put the question and so I looked at him. He waived his chance and asked Shri Kamath to assist him.....

Shri Kamath : Not assisting, Sir, but on his own.

Mr. Speaker : Now he wants to get up. Anyhow, what is his question?

बाबू रामनारायण सिंह : मेरा प्रश्न यह है कि १६ मई को हिन्दुस्तान टाइम्स में इस तरह का एक सम्बाद प्रकाशित हुआ है कि गो सेवक समाज की एक बैठक हुई, जिसमें प्राइम मिनिस्टर को भूरि-भूरि घन्यवाद दिया गया और उनके प्रति कृतज्ञता प्रकट की गयी कि उन्होंने यह आश्वासन दिया है कि निकट भविष्य में सारे देश में गोवध निषिद्ध कर दिया जायेगा।

Mr. Speaker : That has been denied.

बाबू रामनारायण सिंह : क्या इस सम्बाद की तरफ माननीय प्रधान मंत्री का व्याप्त आकर्षित हुआ है? यह सम्बाद सही है या गलत?

बी जवाहरलाल नेहरू : गो सेवक समाज की ओषणायें मुझ तक पहुंचती नहीं हैं। मैंने इस चीज को देखा नहीं है। लेकिन अगर यह संवाद प्रकाशित हुआ है तो इसमें जो उनकी सद्भावनायें हैं उनको मैं स्वीकार करता हूं, लेकिन यह बाब्या गलत है।

SHORTAGE OF COAL.

S. N. Q. No. 22. (Shri Feroze Gandhi): Will the Minister of Railways be pleased to state :

(a) whether it is a fact that non-availability of coal in Delhi is due to the failure of Railways to run the required quota of wagons into Delhi;

(b) the number of wagons allotted for Delhi for carrying coal in the present quarter; and

(c) the number of wagons that have arrived so far?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 5].

Shri Feroze Gandhi: I have not got the statement.

Mr. Speaker: Has it been laid on the Table?

Shri L. B. Shastri: It has been laid on the Table already. However, if you permit me, I shall read out the statement, which is very small one.

"The number of wagons allotted and loaded with coal for Delhi from January to May, 1956, is as under :—

Month	No. of wagons loaded during the month.
January, 1956	2280
February, 1956	2075
March, 1956	2008
April, 1956	2095
May, 1956 (up to 25th)	2230
TOTAL	10688

The number of wagons loaded with coal which arrived in Delhi is the same as the number loaded.

It will be seen, therefore, that it will not be correct to say that shortage of coal in Delhi is due to failure on the part of Railways."

Shri Feroze Gandhi: My question was about the quota allotted to Delhi, that is, the number of wagons which have arrived in Delhi during the period beginning from 1st April onwards. According to the information at my disposal, the coal wagons which arrived in Delhi on the 31st March, when the six-monthly period closed, was 91 short. There was a short supply of 91 wagons. In the month of April, against 800 wagons to be actual 794, only 617 wagons of coal arrived in Delhi up to the 22nd May.

Mr. Speaker: The hon. Member is giving information.

Shri Feroze Gandhi: What can I do? The figures which the hon. Minister has given do not tally with mine. Either my figures are right or his.

Shri Gadgil: Whatever it is, we are suffering.

Shri Feroze Gandhi: Up to the 22nd May, only 318 wagons arrived in Delhi. I would like to know if these figures are right or not.

Shri L. B. Shastri: I have read out the figure of the total number of wagons that were loaded.

Shri Feroze Gandhi: He is talking of the number of wagons loaded; I am talking of the number that arrived in Delhi.

Shri L. B. Shastri: The figures that I read out show that a total of 10,688 wagons arrived in Delhi. As regards April and May; I gave the figures, that is, 2095 wagons arrived in Delhi in the month of April, and 2230 wagons up to the 25th May.

Shri Feroze Gandhi: May I know the total number of wagons for coal allotted for the period April 1956 to September 1956 for Delhi? The six-monthly period starts from 1st April and closes on the 31st March.

Shri L. B. Shastri: I have not got the figures for September, but I have given the hon. Member the figures for April and May. As far as I can say, a minimum target is fixed by the Production Ministry or by the Coal Controller for the allotment of coal wagons.

Shri Feroze Gandhi: The figures which I read out for April and May were got by me from the Production Ministry. The Minister made a statement on the floor of the House...

Shri L. B. Shastri: I have got my figures verified from the Production Ministry.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Figures may be compared elsewhere and not by taking the time of the House any more on discussion.

Shri Gadgil: May I know whether the normal arrival of coal wagons in Delhi is kept up, or has there been shortage in that? That is just the question we want to know.

Shri L. B. Shastri: As compared to last year, the arrival of wagons has been somewhat less, but for that the Railway Ministry is not responsible. We have allotted them the adequate number of wagons, except for the months of February and March when the position was somewhat difficult because of strikes in that area. But in April and May, the figure has gone up very high. So, the actual allotment to consumers is made by the Production Ministry or the Coal Controller, whereas we are only responsible for supplying the number of wagons asked for.

Shri Feroze Gandhi rose—

Mr. Speaker: I am going to the next item of business—Papers to be laid on the Table.

Shri Feroze Gandhi: Cow slaughter can take more time, but not this.

WRITTEN ANSWERS TO QUESTIONS

JET AIRCRAFT

***2581. Shri R. P. Garg:** Will the Minister of Communications be pleased to state:

(a) whether Government propose to operate a 117 seater Jet Aircraft service to Europe and U.S.A.;

(b) if so, when the first service is proposed to be started;

(c) the speed of the aircraft and the altitude at which it will fly; and

(d) the cost of the aircraft of this model and the number of such aircrafts Government propose to buy for the new service?

The Minister in Ministry of Communications (Shri Raj Bahadur): (a) There is no such proposal at present.

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

RAILWAY LINES IN TRAVANCORE-COCHIN STATE

***2587. Shri Punnoose:** Will the Minister of Railways be pleased to state:

(a) whether Government have received any representation from the Government of Travancore-Cochin State regarding extension of rail line from Mattanchery halt and Quilon via Alleppy; and

(b) if so, the decision taken thereon?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes Sir, for linking Ernakulam or Cochin with Mavelikkara via Alleppy.

(b) Owing to the limited availability of funds in the Second Five Year Plan for the construction of new lines, this line cannot be considered at present.

दिल्ली और श्री गंगानगर के बीच टेलीफोन लाइन

*2545. श्री पी० एल० बास्पाल : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) १५ अप्रैल से ३० अप्रैल १९५६ के दौरान में दिल्ली और श्री गंगानगर के बीच टेलीफोन लाइनें कितनी बार खराब हुँ हैं ;

(ख) उक्त अवधि में दिल्ली से श्री गंगानगर और श्री गंगानगर से दिल्ली को कितने ट्रूक काल बुक कराये गये और इनमें कितने सांचारण और कितने जरूरी थे ; और

(ग) इनमें से कितने काल बाद में रद्द कर दिये गये ?

संचार मंत्रालय में मंत्री (श्री राज बहादुर) :

(क) १५ अप्रैल से ३० अप्रैल, १९५६ तक की अवधि में दिल्ली-श्री गंगानगर का ट्रूक परिवहन (circuit) सात बार खराब हुआ था ।

(ख) आवश्यक दैनिक आंकड़े सुलभ नहीं हैं । इन्हें एकत्रित करना है ।

(ग) यह सूचना भी उपलब्ध नहीं है और इसे भी एकत्रित करना है ।

AGRICULTURAL LOANS TO MANIPUR

*2594. **Shri Rishang Keishing :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that the Government of India have sanctioned annually an amount of Rs. 3 lakhs for Manipur State during the past three years for long and medium term agricultural loans ;

(b) whether it is also a fact that the Government of Manipur, surrendered the entire amount mentioned above every year; and

(c) if so, the reason therefor ?

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

(c) The State Government could not complete the necessary formalities

during 1955-56 although the loan was sanctioned in June, 1955. In 1953-54 and 1954-55, the loan was sanctioned late.

AIR AGREEMENT WITH U.K.

*2595. **Shrimati Tarkeshwari Sinha :** Will the Minister of Communications be pleased to state :

(a) whether it is a fact that a high power Indian delegation went to U.K. to review the operation of Air Service between India and U.K.

(b) whether they have arrived at certain agreements ; and

(c) if so, the nature thereof ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) to (c). A review under the Air Transport Agreement between India and U.K. was held in London recently. The Indian and the U.K. Delegations came to certain conclusions which have been submitted to the respective Governments for confirmation. It will not be in the public interest at this stage to make any statement in regard to the conclusions reached as they are being examined by Government.

EARTH'S OUTER SPACE

*2595-A. **Shri S. V. Ramaswamy :** Will the Minister of Communications be pleased to state :

(a) the provision in the International Civil Aviation Convention regarding sovereignty over air space above the territory of each nation ; and

(b) how this is affected by fast-moving planes, rockets, ballistic missiles etc., which traverse through earth's outer space ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) Article 1 of the Convention on International Civil Aviation makes the following provision :—

"SOVEREIGNTY : The contracting States recognise that

every State has complete and exclusive sovereignty over the air-space above its territory."

(b) I lay on the Table of the Lok Sabha a copy of the Press Release made by the International Civil Aviation Organisation on the 4th April, 1956, relevant to "outer-space". [See Appendix XV, annexure No. 6].

DELHI IMPROVEMENT TRUST

*2596. **Shri A. K. Gopalan**: Will the Minister of Health be pleased to state :

(a) whether Government have received representations to the effect that plots of lands allotted by the Delhi Improvement Trust in Motia Khan Dump area have not been occupied by allottees ;

(b) if so, the number of such cases ; and

(c) the action taken thereon ?

The Minister without Portfolio (Shri V. K. Krishna Menon) : (a) Government of India have not received any such representation.

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

RAJKUMARI SPORTS COACHING SCHEME

*2597. **Dr. Rama Rao** : Will the Minister of Health be pleased to state :

(a) the extent and nature of assistance given to the Andhra State under the Rajkumari Sports Coaching Scheme, in the year 1955-56 ; and

(b) the assistance proposed for 1956-57 ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 7].

MISUSE OF ALARM CHAINS ON RAILWAYS

*2598. **Shri K. C. Jena** : Will the Minister of Railways be pleased to

state the steps Government are taking or propose to take to lessen illegal chain pulling on Railways ?

The Minister of Railways and Transport (Shri L. B. Shastri) : A Statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 8].

NATIONAL HIGHWAYS

*2599. **Dr. J. N. Parekh** : Will the Minister of Transport be pleased to state :

(a) the progress of National Highways in Saurashtra with particular reference to the road connecting Kundla ;

(b) the amount earmarked for the purpose during the current year ; and

(c) when the whole scheme is likely to be completed ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 9].

(b) Rs. 12.50 lakhs.

(c) during the course of the current Five Year Plan period.

BENEDIH COAL MINE ACCIDENT

*2600. **Shri P. C. Bose** : Will the Minister of Labour be pleased to state :

(a) whether it is a fact that two persons were killed by the fall of roof coal while digging coal in Benedih Coal Mine at Giridih on the 11th May, 1956 :

(b) if so, the fact and circumstances of the accident ; and

(c) the precautionary measures taken to prevent the recurrence of such incidents ?

The Deputy Minister of Labour (Shri Abid Ali) : (a) No.

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

FARMERS' FORUM

*2601. { **Thakur Jugal Kishore Sinha : Shri Deogam :**

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 1799 on the 27th April, 1956 and lay a statement on the Table of the Sabha showing the break-up of different items on which the grant of Indian Council of Agricultural Research has been utilized by the Farmers' Forum ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : Although audited Statement of Accounts of the Farmers' Forum are awaited by the Indian Council of Agricultural Research, the information made available by the Secretary of the Forum is placed on the Table of the Lok Sabha. [See Appendix XV, annexure No. 10].

KHANDWA-HINGOLI RAILWAY LINE

*2602. **Mulla Abdullabhai :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 556 on the 6th September, 1954 and state :

(a) the progress made so far in the construction of Khandwa-Hingoli Railway line ; and

(b) when the work is expected to be completed ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) The overall progress so far made on this construction is 10%.

(b) By about April 1959.

BUFFALO-BREEDING FARM

*2603. **Shri Madiah Gowda :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether Government propose to start any experimental Buffalo-breeding Farm during the Second Five Year Plan period ; and

(b) if so, what will be its estimated cost ?

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

(b) Does not arise.

ATTEMPTED DERAILMENT OF JANATA EXPRESS

*2604. **Shri Dabhi :** Will the Minister of Railways be pleased to state :

(a) whether it is a fact that in the last week of January, 1956 an attempt was reported to have been made to derail the Janata Express (Western Railway, Broad Gauge Section) between Pardi and Udvada Stations :

(b) if so, whether the Railway police has registered a complaint under Section 126 of the Indian Railways Act ; and

(c) if the answers to parts (a) and (b) above be in the affirmative, what is the real position in the matter ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) At about 0.25 hours on 22-2-1956 (and not in the last week of January 1956, as stated in the Question), while No. 305 Down Janata Express was on the run between Udvada and Pardi stations on the Bombay Central-Surat, Broad Gauge Section of the Western Railway, the driver of the train heard the noise of an iron piece coming in contact with his engine wheels and stopped the train at mile 116/18.

(b) Yes.

(c) The Railway Police, Bulsar, who registered the case have closed it as undetected. According to them this was a case of mischief by some miscreants.

रेल की पटरी का टूटना

*2605. **Shri Raghunath Singh :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नागपुर के पास मलकापुर और विसवा स्टेशनों के बीच रेल टुर्बटना के बाद रेल की पटरी टूटने (फेंकदा) की घटना का पता चला है ; और

(ल) क्या यह मामला रेल विभागों के पास अन्वेषण के लिये भेज दिया गया है ?

रेलवे तथा परिवहन मंत्री (श्री एस० श० शास्त्री) : (क) तथा (ल) जी, हाँ ।

रेलवे कारखाने

*2606. श्री के० सी० सोधिया : क्या रेलवे मंत्री द अगस्त १९५५ के तारांकित प्रश्न संख्या ५५६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे कारखानों में उत्पादन बढ़ाने की संभावनाओं पर विचार करने के लिये निर्मित कारखाना समीक्षण समिति का प्रतिवेदन सरकार को प्राप्त हो गया है;

(ख) यदि हाँ, तो उस समिति ने कौन-कौन सी मुख्य सिफारिशों की हैं और उनको कार्यान्वित करने के लिये सरकार क्या कारबाई करना चाहती है;

(ग) यदि नहीं, तो यह प्रतिवेदन कब तक मिल जायेगा;

(घ) योजना आयोग से द्वितीय पंच वर्षीय योजना के दौरान में जिन विभिन्न रेलवे कारखानों का विस्तार करने तथा जिनकी स्थापना करने की सिफारिश की गई थी, उनके नाम क्या हैं; और

(ङ) उक्त कारखानों में से आयोग ने किन-किन को बढ़ाने व स्थापित करने की स्वीकृति दे दी है?

रेलवे तथा परिवहन मंत्री (श्री एस० श० शास्त्री) : (क) जी, हाँ।

(ख), (घ) तथा (ङ). एक बयान सभा पटल पर रख दिया गया। [विश्वे परिशिष्ठ १५, अनुबन्ध सं० ११]

(ग) सवाल नहीं उठता।

उज्जैन-इन्हौर रेल सम्पर्क

*2607. श्री अमर सिंह डामर : क्या रेलवे मंत्री द दिसम्बर, १९५५ के तारांकित प्रश्न संख्या ६३३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) देवास होकर उज्जैन और इन्हौर के बीच बड़ी लाइन बिछाने के कार्य में अब तक कितनी प्रगति हो चुकी है; और

(ख) उक्त रेलवे लाइन के लिये अंजित भूमि के लिये किसानों और अन्य व्यक्तियों को क्षतिपूर्ति के रूप में सरकार को कितनी बनराशि देनी पड़ी है?

रेलवे तथा परिवहन मंत्री (श्री एस० श० शास्त्री) : (क) इस रेलवे लाइन के लिये जमीन ले ली गयी है। ६० फीसदी मिट्टी का काम पूरा हो चुका है और दूसरे सहायक कामों में भी प्रगति हो रही है।

(ख) माल-विभाग के अधिकारियों ने अपने फैसले (awards) का एलान अभी तक नहीं किया है। ठीक रकम का पता उसके बाद ही चलेगा।

अन्तर्राष्ट्रीय गेहूं समझौता

*2608. श्री विभूति सिंह : क्या शास्त्र और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) अभी हाल ही में भारत सरकार ने जिस अन्तर्राष्ट्रीय गेहूं समझौते पर हस्ताक्षर किये हैं, उसके अनुसार वह किस दर पर गेहूं खरीदने के लिये सहमत हो गई है;

(ख) यह समझौता कितने समय के लिये है; और

(ग) क्या इस प्रकार से खरीदे गये विदेशी गेहूं से इस देश में पैदा होने वाले गेहूं की कीमत पर बुरा असर पड़ेगा?

कृषि मंत्री (डा० पी० एस० देशमुख) : (क) से (ग). सभा की टेबिल पर एक विवरण रख दिया गया है। [वेत्तिय परिशिष्ठ १५, अनुबन्ध सं० १२]

FREIGHTER TRAFFIC BETWEEN INDIA AND U.K.

*2610. Shrimati Tarkeshwari Sinha : Will the Minister of Communications be pleased to state :

(a) whether it is a fact that at present, for the freighter traffic between India and U.K., only the U.K. has been running services; and

(b) if so, whether Government propose to arrange for the equal share of freighter traffic between the two countries?

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

(b) The operation of freighter services between India and U.K. was one of the items for discussion between the Indian and the U.K. Delegations which met in London recently to review the India-U.K. Air Transport Agreement. The conclusions arrived at between the two Delegations are under consideration of the two Governments.

TRACTORISATION OF LAND

*2611. **Shri Kamath** : Will the Minister of Food and Agriculture be pleased to refer to the reply given to supplementaries raised on Starred Question No. 2224 on the 15th May, 1956 and state :

(a) which State Governments levy interest on land tractorization charges or arrears thereof ; and

(b) which States do not levy such interests?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) and (b). According to information available with the Ministry of Food and Agriculture, Bhopal Government is not charging any interest from the cultivators on the tractorisation charges or the arrears thereof. Madhya Pradesh Government charges such interest. Information about the other States is being collected and will be placed on the Table of the Lok Sabha when received.

DELHI IMPROVEMENT TRUST

*2613. **Shri T. B. Vittal Rao** : Will the Minister of Health be pleased to state :

(a) whether Government have been receiving periodical reports of the working of the Delhi Improvement Trust ; and

(b) if so, whether a copy of the reports for 1954-55 will be placed on the Table of the Sabha ?

The Minister without Portfolio (Shri V. K. Krishna Menon) : (a) Yes.

(b) A copy of the report for the year 1954-55 is placed on the Table of the Lok Sabha. [Placed in the Library. See No. S-199/56].

INDIAN MEDICAL ASSOCIATION

2614. { **Shri M. D. Joshi** :
 { **Shri H. N. Mukerjee** :

Will the Minister of Health be pleased to state :

(a) whether the Indian Medical Association had advised the Government of India against the construction of one-room tenements, for the promotion of better health and the prevention of diseases ;

(b) whether Government have agreed to the above suggestion ;

(c) if not, whether Government are proceeding with the construction of one-room tenements as before ;

(d) what other suggestions were made by the Indian Medical Association ; and

(e) which of them have been decided to be acted upon ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) Yes.

(b) No.

(c) Yes.

(d) and (e). A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 13].

FOODGRAINS DEPOT AT KASU BEGU

*2615. **Dr. Rama Rao** : Will the Minister of Food and Agriculture be pleased to state :

(a) whether the employees of foodgrains depot at Kasu Begu near Ferozepore have not received their salaries for the months of March and April 1956 ; and

(b) whether it is also a fact that the Government of Punjab have informed them that they should get their salaries from the Central Government ?

The Minister of Agriculture Dr. P. S. Deshmukh : (a) and (b). The Central Storage Depot at Kasu Begu is managed by the Government of Punjab on behalf of the Central Government. According to the terms of Agreement, all expenditure including

pay of the staff employed by the State Government for this work is initially incurred by the State Government and reimbursed later by the Central Government. The payment of salaries to the employees of the Depot is thus the responsibility of the State Government, and the question of Government of India paying the salaries directly does not arise.

Government of India are not aware whether pay of the employees at this Depot for the months of March and April 1956 was paid or not; or whether they were informed by the State Government that they would get their pay from the Central Government. Necessary information is being called for from the State Government.

TELEPHONE INDUSTRIES

***2616. Mulla Abdullaibhai :** Will the Minister of Communications be pleased to state :

(a) the names of the Telephone Industries in India having foreign financial interest ; and

(b) the extent of financial interest in them ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) :
(a) Indian Telephone Industries Private Ltd., Bangalore.

(b) About 2.5 per cent in the paid-up share capital of Rs. 4 crores.

केन्द्रीय प्रशिक्षण संस्था, कोनी-बिलासपुर

***2617. श्री क० सी० सोबिया :** क्या अमंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार केन्द्रीय प्रशिक्षण संस्था, कोनी-बिलासपुर के प्रशिक्षणार्थियों को कोई आन्वर्ति देती है ;

(ख) यदि हां, तो इस प्रकार कुल कितनी राशि दी जाती है और प्रत्येक आन्वर्ति की राशि कितनी मिलती है ; और

(ग) १६५५-५६ में प्रत्येक भाग में अपने खंड से पढ़ने वाले प्रशिक्षणार्थियों की संख्या कितनी कितनी थी ?

अमंत्री (श्री आविह अस्ती) : (क) जी नहीं ।

(ख) यह सवाल पैदा नहीं होता ।

(ग) सीखने वालों की संख्या २२४ है । ये सब अपना खंड आप उठाते हैं ।

HEAT-WAVE

***2617-A Shri Kamath :** Will the Minister of Communications be pleased to state :

(a) whether the phenomenon of the current heat-wave in certain parts of the country has been investigated by our meteorologists and scientists ; and

(b) if so, results thereof ?

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

(b) The heat-wave was due to the absence of a kind of cyclonic system known as "western disturbances", which travel from west to east across and beyond the northern parts of the country and which, by causing thundershowers and bringing in relatively colder air in their rear, generally cause fall in temperatures. In the absence of these "Western disturbances", the air has a tendency to stagnate somewhat and get warmer and warmer progressively. Heat-waves such as have been experienced this summer are not unprecedented as records show that similar and even more severe heat-waves have occurred in one or the other part of India in many years in the past.

रेलवे लोको रनिंग कर्मचारी बंद

***2618. श्री रघुनाथ तिहाँ :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १० मई, १६५६ को इलाहाबाद में लोको रनिंग कर्मचारियों ने हड्डताल कर दी, क्योंकि इद के मोके पर उनको बेतन नहीं दिया गया और सारी रेलगाड़ियां तीन घंटे तक बंद रहीं ; और

(ल) यदि हो, तो उस घटना का वास्तविक विवरण क्या है ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : (क) तथा (ल). एक बयान सभापत्ति पर रख दिया गया है। [इस्तिये परिशिष्ट १५, अनुबन्ध सं १४]

यात्रियों को सुविधाएँ

*२६१६. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या सरकार को यह मालम है कि बहुत सी रेलगाड़ियों में नौकरों के डिब्बों में शौचालय तथा पख नहीं हैं ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : जी हाँ, कुछ डिब्बों में।

WILLINGDON HOSPITAL

*२६२०. Shri Velayudhan : Will the Minister of Health be pleased to state :

(a) the number of Doctors working in the Willingdon Hospital and Nursing Home ;

(b) the number of dentists among them ; and

(c) the average number of patients being attended daily by the Dental Surgeons ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) 38 including 20 doctors of the Contributory Health Service Scheme.

(b) Three, all under the Contributory Health Service Scheme. One of them, who is for the mobile dental van, was appointed only on the 17th May, 1956.

(c) 36.

SWANG RAILWAY COLLERY

*२७१०. Shri T. B. Vittal Rao : Will the Minister of Labour be pleased to state :

(a) whether any prosecution has been launched against the managers

held responsible by the Court of Inquiry for the accident in the Swang Railway Colliery ;

(b) if so, the result of the prosecution ; and -

(c) if not, the reasons for the delay ?

The Deputy Minister of Labour (Shri Abid Ali) : (a) No.

(b) Does not arise.

(c) It was decided to proceed against the Agent and Manager of the Swang Railway Colliery under provisions of regulation 48 of the Indian Coal Mines Regulations 1926. A Court of Inquiry has already been set up for the purpose.

WARE HOUSING FACILITIES IN ASSAM

*२७११. Shri K. P. Tripathi : Will the Minister of Communications be pleased to state whether there is any proposal under consideration to eliminate port to port clause for bulk rates by providing warehouses in city offices ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : There is no such proposal at present.

RAILWAY SERVICE COMMISSION

*२७१२. Shri Ramananda Das : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that 35 posts for apprentice mechanics were reserved for Scheduled Castes candidates in the Eastern Railways under the Railway Service Commission ;

(b) the number of Scheduled Castes applicants for these posts ;

(c) the number of Scheduled Castes who appeared in written examination and then in *viva voce* tests in April, 1956 ; and

(d) the number actually selected ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) No. Sir. Only 30 posts were reserved for Scheduled Castes.

- (b) 103.
- (c) 35.
- (d) 21.

TELEGRAPHIC FACILITIES IN ORISSA

***2713. Shri Sanganna:** Will the Minister of Communications be pleased to state :

(a) whether Government are aware that the Telegraphic arrangements in Orissa State for the present are inadequate and far below the public demand ; and

(b) if so, the reaction of the Government to it ?

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) and (b). During the last eight years, the number of telegraph offices has been increased from 86 to 170, an increase of 100%. Proposals have already been sanctioned for 125 more offices.

AUSTRALIAN EXPERTS' REPORT ON IRRIGATION PROBLEMS

***2714. { Shri Gidwani :
Shri Bibhuti Mishra :**

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

(a) Whether Shri J. G. Beale, an Irrigation Expert of Australia, has communicated his views regarding the Irrigation problems to Governments :

(b) the suggestions made by him ; and

(c) whether Government have considered them ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Shri J. G. Beale gave a general survey of the irrigation system adopted in Australia for irrigating pasture lands.

(b) He explained that in Australia available water resources are conserved by (i) a system of collecting rain water etc. by constructing a series of bunds and tanks in the catchment areas; (ii) use of a compound available in pellet form to raise a film over the surface of water to minimise loss

by evaporation; (iii) by use of a plastic sheeting which is embedded 6 inches below the bottom of a tank to reduce loss by seepage; and (iv) by adopting sprinkler type of irrigation.

(c) They are under consideration.

EMPLOYMENT EXCHANGES

***2715. Shri R. P. Garg:** Will the Minister of Labour be pleased to state :

(a) the number of vacancies notified to the Employment Exchanges by the public and private sectors separately during the year 1955; and

(b) the number of placements offered to displaced persons during the same year ?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The required information is placed on the Table of the Lok Sabha. [See Appendix XV, annexure No. 15].

रेलवे को हानि

***2716. श्री रघुनाथ सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि जालन्धर में रेलवे को धोखा देकर ५० लाख रुपये पैदा करने वाला १६ आदमियों का एक गिरोह पकड़ा गया है ?

रेलवे तथा परिवहन मंत्री (श्री एल० शॉ शास्त्री) : जी नहीं ।

DELHI IMPROVEMENT TRUST

***2717. Shri A. K. Gopalan:** Will the Minister of Health be pleased to state :

(a) whether any powers have been delegated or vested with Delhi State Government to deal with the Delhi Improvement Trust ;

(b) if so, the nature thereof ;

(c) whether it is a fact that irregular practices have been alleged or found in the working of the Delhi Improvement Trust ;

(d) if so, the nature thereof ; and

(e) the action taken thereon ?

The Minister without Portfolio (Shri V. K. Krishna Menon) : (a) and (b). The Delhi State Government exercise all powers to deal with the Delhi Improvement Trust except that a prior reference to the Government of India shall be made in regard to matters concerning the constitution and composition of the D.I.T., appointments, removal, tenure and other conditions of service of members of the Trust, sanction or modification of improvement schemes, and the constitution appointment and removal of members of the D.I.T. Tribunal.

(c) to (e). A few complaints of inefficiency and corruption against certain Trust employees were received by the Government of India and passed on for necessary action to the Chief Commissioner, Delhi, who is the competent authority to deal with such matters.

TRAIN ACCIDENT

***2718. Shri Ram Dass :** Will the Minister of Railways be pleased to state :

(a) whether a collision took place at Cholang near *Tanda Urmur* in Hoshiarpur district on the Jullundhur-Mukerian Railway line on the 14th May, 1956, when a bullock cart was smashed with all its occupants ; and

(b) the circumstances under which it took place ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) and (b). A statement is laid on the Table of the House. [See Appendix XV, annexure No. 16].

TOURISM

***2719. Shri Hem Raj :** Will the Minister of Transport be pleased to refer to the reply given to Starred Question No. 1627 on the 9th September 1955 and state :

(a) whether the schemes for the development of Tourism in Punjab submitted by the Punjab Government have been approved ; and

(b) if so, the amount proposed to be spent on them during the Second Five Year Plan period ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) and (b). Schemes for the development of tourism in the Punjab as well as those of other States are being considered as part of the Second Five Year Plan for the development of tourism. The details of the Plan are being finalised.

GRAND TRUNK EXPRESS

***2720. Mulla Abdulla bhai :** Will the Minister of Railways be pleased to state :

(a) the number of days on which Grand Trunk Express 15 Up and 16 Down reached late at Nagpur and Delhi Stations during the months of January, 1956 and April, 1956 ; and

(b) the efforts made for right time arrivals and departures of the train ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) and (b). A statement is laid on the Table of the Lok Sabha. (See Appendix XV, annexure No. 17.)

FOODGRAINS

***2721. Shri H. N. Mukherjee :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether he stated recently in Lok Sabha that Government would not purchase wheat and rice for the Government of Jammu and Kashmir and for the Defence Ministry on tender basis, with a view to checking a rise in foodgrains prices and would meet their demand from reserve stock ;

(b) whether his attention has been drawn to a tender notice in the "Tribune", dated the 2nd May, 1956, in the name of the Jammu and Kashmir Government, inviting tenders for supply of wheat ; and

(c) if so, whether any steps have been taken to correct the anomaly ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes, Sir. It has been stated that no further purchases of rice and wheat will be made from internal markets on Government account.

(b) and (c). Yes Sir. The Jammu & Kashmir Government have since cancelled the tenders. The wheat required by the State will be supplied out of Central Reserve Stocks.

PASSENGER AMENITIES

*2722. **Shri Deogam**: Will the Minister of Railways be pleased to state :

(a) whether Government are aware that the vegetable growers within twenty miles around Jamshedpur find it difficult to get into the passenger trains with their garden produce for marketing them in the daily market of Jamshedpur on account of overcrowding ; and

(b) if so, the steps that are contemplated to give amenities to them as the vegetables are perishable ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) No complaint has been received on this specific point. However, out of 3 trains which conveniently serve the vegetable growers, one train viz. No. 323, Howrah-Nagpur Passenger, is known to be overcrowded.

(b) As soon as adequate stock and line capacity become available, the question of running an additional train will be considered.

गेहूं का आयात

*2723. श्री भक्त दर्शन : क्या और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत के साथान्त : आयात कार्यक्रम के अधीन नौ हजार टन गेहूं का एक जहाज, जो बम्बई में उतरने वाला था, पाकिस्तान सरकार के निवेदन व आप्रह पर कराची भेज दिया गया है;

(ख) यदि हां, तो किन परिस्थितियों व दशाओं में यह गेहूं पाकिस्तान को दिया जा रहा है; और

(ग) पाकिस्तान को और कितना गेहूं भेजा जायेगा ?

कृषि मंत्री (डा० पी० एस० देशमुख)
(क) पाकिस्तान सरकार के निवेदन पर एक जहाज फिरा कर कराची भेजा गया । उनका कोई आप्रह नहीं था ।

(ख) गेहूं सम्बन्धी उस देश की आवश्यक मांग की पूर्ति के लिये । यह बदली हमारी इच्छा पर हाल ही में पाकिस्तान से आप्रह पर लिये हुए गेहूं के प्रति समायोजन (adjustments) के अधीन है ।

(ग) आप्रह पर लिये हुए गेहूं की वापिसी के अलावा अब कुछ नहीं ।

HOMOEOPATHY

*2724. **Shri S. C. Samanta** : Will the Minister of Health be pleased to state whether any programme has been chalked out for the development, training etc. of the system of treatment on Homoeopathy during the Second Five Year Plan ?

The Minister without Portfolio (Shri V. K. 'Krishna Menon) : Yes. During the Second Five Year Plan period it is proposed to grant financial assistance for the establishment of research beds, for the upgrading of Homoeopathic Colleges and for the preparation of a Homoeopathic Pharmacopoeia.

OVERCROWDING IN TRAINS

*2725. **Shri M. D. Joshi** : Will the Minister of Railways be pleased to state :

(a) whether Government are aware that excessively heavy rush of passenger traffic prevails on the Kolhapur-Poona Janata Express especially during monsoon—from June to October;

(b) whether the present Janata Express consisting of only 4 or 5 bogies is found quite inadequate to cope with the heavy rush ; and

(c) if So, whether Government propose to augment the Janata Express and make it a full train of 10 to 12 bogies ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 18].

CO-OPERATIVE FARMING

*2726. **Shri Wodeyar** : Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 887 on the 11th April, 1956 and state :

(a) the names of States in which Co-operative farming centres is in vogue during 1955-56; and

(b) whether Government will offer grants to States which wish to embark on this programme now?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) A statement giving the required information is placed on the Table of the Lok Sabha. [See Appendix XV, annexure No. 19].

(b) Yes. Sir.

CATERING ON RAILWAYS

*2727. **Shri B. S. Murthy** : Will the Minister of Railways be pleased to refer to reply given to Starred Question No. 2326 on 18th May, 1956 and state :

(a) the number of contracts terminated as result of sub-letting in Western, Northern and Central Railways;

(b) whether any damages have been claimed from the contractors and vice versa; and

(c) the number of such contracts given to the sub-tees?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) to (c). The information is being collected and will be placed on the Table of the Lok Sabha.

केन्द्रीय पेट्रोल उपकर निधि

*2728. **श्री जांगड़े** : क्या परिवहन मंत्री १६ सितम्बर, १९५५ के तारांकित प्रश्न संस्था १८६२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय पेट्रोल उपकर निधि द्वारा दिये गये अनुदान की सहायता से राजपुर और रायगढ़ जिलों में शिवरीनारायण-सारंगगढ़ सड़क बनवाई जा रही है; और

(ख) यदि हाँ, तो इस सम्बन्ध में कितना काम हो चुका है?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : (क) तथा (ख). इस काम के ऊपर राज्य को दी गई पंजी में से खर्चा किया जा रहा है। इस धन द्वारा किये गये काम की उम्मति के लिये राज्य सरकार पूरी जिम्मेवार है और इसकी सूचना केन्द्रीय परिवहन मंत्रालय को नहीं भेजी जाती है।

RAILWAY EMPLOYEES

*2729. **Shri Kamath** : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that demonstrations took place in October 1955 on the Eastern and South-Eastern Railways, as a result of Government's refusal to grant additional holidays to the Head Office staff of the two Railways; and

(b) if so, under what circumstances the additional holidays were granted by Government?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) Yes, in connection with demands for a continuous spell of Puja holidays for 11 days from 21-10-1955 and for the grant of a Puja advance.

(b) The General Manager Eastern Railway had previously agreed to the grant of additional holidays and he was permitted to work to the decision taken by him and that order was made applicable to the South Eastern Railway also.

TRAINING OF OVERSEERS

*2730. **Shri Ram Saran** : Will the Minister of Labour be pleased to state :

(a) whether it is a fact that the Ministry of Labour decided more than a year ago to revive training facilities for overseers at the D.G.R.E. Centres but have not been able to start classes so far;

(b) if so, the reasons therefor; and

(c) whether in view of a demand of a large number of overseers for the Second Five Year Plan Government are considering to expand the training facilities for them at D.G.R.E. Centres?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Training of overseers was revived in 1955;

(c) Expansion programmes will be decided on the basis of the proposals which the State Governments may formulate.

STUDY GROUP ON TRANSPORT

*2731. **Shri Sanganna:** Will the Minister of Transport be pleased to state:

(a) whether the report made by the Study Group on Transport appointed by the Government of India is under the consideration of Government for implementation; and

(b) if so, with what results?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) and (b). A statement summarising the principal recommendations of the Study Group and indicating the action taken on each of them is laid on the Table of the House. [See Appendix, XV, annexure No. 20].

रेल दुर्घटना

*2732. **श्री रघुनाथ सिंह:** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि बाराबंकी जिले में गोड़ा जाने वाली रेलवे लाइन के बुद्धाई—सीतापुर सेक्षण पर बिसवां और सरेया के स्टेशनों के बीच एक रेल गाड़ी मनूषों से भरी दो बैल गाड़ियों से टकरा गई जिसके परिणाम स्वरूप आठ व्यक्ति मर गये और बहुत से घायल हुये।

रेलवे तथा परिवहन मंत्री (श्री एस० शौ० शास्त्री): १२-५-१६५६ को लगभग १२ बजकर ३० मिनट पर पूर्वोत्तर रेलवे के सीतापुर बुद्धवल शास्त्रा लाइन के बिसवां और सरेया स्टेशनों के बीच ४३४ डाउन सवारी-गाड़ी के इंजन से एक भैसा-गाड़ी (न कि दो बैलगाड़ियों

जैसा कि सवाल में कहा गया है) भील ३३।१८ के समतल पार (लैबल क्रासिंग) पर टकरा गयी जहां कोई चौकीदार नहीं रहता। टक्कर लगने से गाड़ीवान मर गया। कोई दूसरा घायल नहीं हुआ।

दिल्ली-पेरिस बस सेवा

*2734. **श्री भवत दर्शन:** क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि एक फांसीसी फर्म वायजे डुबेइल ने दिल्ली से पेरिस तक की एक प्रारामदेह बस सेवा चालू करने की योजना तैयार की है;

(ख) यदि हां, तो उस योजना की मुख्य बातें क्या हैं,

(ग) क्या उस फर्म ने इस सेवा को चालू करने व सफल बनाने के लिये कोई सहायता मांगी है; और

(घ) यदि हां, तो उस पर क्या निर्णय किया गया है?

रेलवे तथा परिवहन मंत्री (श्री एस० शौ० शास्त्री): (क) तथा (ख). समाचार पत्रों के अलावा भारत सरकार के पास इस तजीबीज के बारे में और कोई सूचना नहीं है।

(ग) जी, नहीं।

(घ) सवाल ही पैदा नहीं होता।

LATE RUNNING OF TRAINS ON CENTRAL RAILWAY

*2735. **Shri M. D. Joshi:** Will the Minister of Railways be pleased to state:

(a) whether Government are aware of the great unpunctuality prevailing in local trains running on the Central Railway in Bombay;

(b) if so, the reasons therefor; and

(c) when strict regularity and punctuality of local trains will be enforced?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) to (c). A statement is laid on the Table of House. [See Appendix XV, annexure No. 21].

भिलाई स्टेशन

*2736. श्री जांगड़े : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) कि भिलाई के गुड्स शेड और शन्टिंग यार्ड के निर्माण में अभी तक कितनी प्रगति हुई है; और

(ख) रायपुर जंक्शन में इस सम्बन्ध में क्या कार्य हो रहा है अथवा होने वाला है ?

रेलवे लघा परिवहन मंत्री (श्री एल० श्री० शास्त्री) : (क) भिलाई में मार्शलिंग यार्ड, इन्टरचेंज यार्ड और नये स्टेशन का व्योरा अभी इस्पात कारखाना योजना के अधिकारियों से मिल कर तय होना बाकी है। लेकिन जो सुविधाएं इसी समय जरूरी हैं उन पर काम हो रहा है।

(ख) सुझाव पर विचार किया जा रहा है।

ASSISTANT COMPLAINTS OFFICERS

*2737. Shri Kamath : Will the Minister of Communications be pleased to state :

(a) When posts of Assistant Complaints Officers in the P & T Complaints Organisation were sanctioned ;

(b) the minimum qualifications prescribed for the aforementioned posts ;

(c) whether the posts were advertised ; and

(d) if not, the reasons therefor ?

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

(a) 1-3-1948.

(b) A University degree.

(c) No.

(d) The posts were ex-cadre posts sanctioned for a limited period.

SPECIAL POST OFFICES

*2738. Shri Sanganna : Will the Minister of Communications be pleased to state :

(a) whether Special Post Offices with Savings Bank facilities have been

opened in the National Extension Service Blocks and Community Projects areas of each State to intensify the National Small Savings Schemes ; and

(b) if so, their number ?

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

(a) and (b). Opening of Post Offices in National Extension Scheme Blocks and Community Projects areas is given priority but vesting these offices with Savings Bank powers depends upon whether

(i) a suitable and financially sound Branch Postmaster is available ;

(ii) suitable arrangements for safe custody of cash and its remittance to and from the Post Office exist ;

(iii) the office is permanent ; and

(iv) there is a demand for the facility.

No special post offices with Savings Bank facilities as such have been opened in the National Extension Service Blocks or Community Project Areas.

MADRAS-RANGOON PASSENGER STEAMER SERVICE

*2739. Shri Kamath : Will the Minister of Transport be pleased to state :

(a) whether it is a fact that the Madras-Rangoon Steamer (passenger) Service was suspended in November, 1955 ;

(b) whether it is a fact that it has not yet been resumed ; and

(c) if so, the reasons therefor ?

The Minister of Railways and Transport (Shri L. B. Shastri) :

(a) and (b). Yes Sir.

(c) The M. V. "Sonavati" which was expected to resume the service by the end of March 1956 has since been declared to be unsuitable and unsafe by the Government of India's Technical Officers for operation on this run. The service could not therefore be resumed with this vessel. It

has not also been possible to make any alternative arrangements for running this service in spite of the best efforts of Government. The question of making long term arrangements is however under the active consideration of the Government.

रामगंगा पर सड़क का लूप

२४१५. श्री राम शरण : क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या द्वितीय पंच वर्षीय योजना में मुरादाबाद शहर के निकट रामगंगा पर एक सड़क का पुल बनाने की योजना सम्मिलित की गयी है; और

(ख) यदि नहीं, तो क्या रेलवे पुल के ऊपर या नीचे एक सड़क का पुल बनाने का विचार है?

रेलवे तथा परिवहन मंत्री (श्री एस० श्री० शास्त्री) : (क) जी, हाँ।

(ख) बर्तमान रेलवे पुल के पास नदी के ऊपर की तरफ एक स्वतन्त्र पुल बाली सड़क बनाने का विचार है। किन्तु अभी तक इन सजबीजों के बारे में अन्तिम फैसला नहीं हुआ है।

CATERING ON GRAND TRUNK EXPRESS

2416. Shri Kamath : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that aerated waters are no longer carried on the Grand Trunk Express, since the catering in the Dining Car was departmentalised towards the end of April, 1956;

(b) if so, the reasons therefor;

(c) whether Government are aware of the enormous discomfort and inconvenience caused to travellers thereby; and

(d) if so, the action proposed to be taken in the matter?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) Aerated waters were not available in the Dining Cars on the G.T. Express from 23-4-56, when the service was

taken over for departmental working, to 15-5-56; but from 16-5-56 their sale has been arranged.

(b) The service had to be taken over for departmental working at short notice on 23-4-56 when the contractors' petition for stay order was dismissed by the Supreme Court and the arrangements for supply of aerated waters took some time to be finalised.

(c) This might have caused some inconvenience to the passengers, but there are adequate arrangements made for the supply of aerated waters at all stations between Delhi and Bezwada where the G.T. Express trains are scheduled to halt.

(d) Does not arise.

JUBBULPORE-ITARSI RAILWAY LINE

2417. Shri Kamath : Will the Minister of Railways be pleased to state :

(a) whether Government propose to double the track on the Jubbulpore-Itarsi Section of the Central Railway during the Second Five Year Plan period; and

(b) if so, the details of the phased programme?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) A proposal for the partial doubling of this section is under examination.

(b) Does not arise.

COTTON

2418. Shri Eswara Reddi : Will the Minister of Food and Agriculture be pleased to state :

(a) the total amount of loans and grants under the scheme for increased production of cotton, sanctioned to Andhra State during 1955-56 and proposed to be sanctioned for 1956-57;

(b) whether the grants and loans for the year 1955-56 have been fully utilised; and

(c) if not, the reasons therefor?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Loans amounting to Rs. 1 lakh and a grant of Rs. 59,242 were sanctioned to the

Andhra Government during 1955-56. A grant of Rs. 41,190 is proposed to be sanctioned during 1956-57. No loan during 1956-57 has been asked for.

(b) Information is being collected from the State Government and will be placed on the Table of the Lok Sabha on receipt.

(c) Does not arise.

DELHI IMPROVEMENT TRUST

2419. { **Shri V. Missir :**
Shri Ramji Verma :
 Will the Minister of Health be pleased to state :

(a) whether it is a fact that suitable lanes have not been provided by the Delhi Improvement Trust in the area bounded by New Rohtak Road and Delhi Sarai Rohilla Station Road ;

(b) whether the houses in the aforesaid area, especially the lane containing Chandiwala Quarters have been built in the recent years to cover the area meant for the street; and

(c) when and what steps do Government propose to take to remove the encroachment on lanes referred to above ?

The Minister without Portfolio (Shri V. K. Krishna Menon) : (a) The Delhi Improvement Trust did not execute any scheme in the area bounded by New Rohtak Road and Delhi Sarai Rohilla Station Road.

(b) and (c). No information is available. As no lay-out has been prepared for the area, the question of any houses coming in an area meant for a street does not arise.

डाक और तार विभाग की हितीय पंच वर्षीय योजना

२४२०. श्री भवत वर्षान : क्या संचार मंत्री २८ अप्रैल, १९५५ के तारांकित प्रश्न संख्या २६६० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या डाक और तार विभाग की हितीय पंच वर्षीय योजना को अन्तिम रूप से तैयार कर लिया गया है;

(ख) यदि हां, तो क्या उसकी एक प्रति टेबल पर रखी जायेगी; और

(ग) यदि नहीं, तो इस सम्बन्ध में अन्तिम निर्णय कब तक हो जाने की आशा है ?

संचार मंत्रालय में मंत्री (श्री राज बहादुर) :
 (क) तथा (ख). डाक-तार विभाग की योजना को अन्तिम रूप में परिणत करने के लिए हितीय पंच वर्षीय योजना की अनुमति प्रतिसिद्ध है।

(ग) यथासम्भव शीघ्र ही।

INTEGRAL COACH FACTORY, PERAMBUR

2421. **Shri Madiah Gowda :** Will the Minister of Railways be pleased to state :

(a) the number of persons undergoing training in the Integral Coach Factory, Perambur ;

(b) the number among them who belong to Madras and to each of the neighbouring States of Madras ;

(c) the qualifications needed for selection ; and

(d) who selects these trainees ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) Improver Chargemen 27; Trade Apprentices ; 725. Total : 752.

(b) This information is not available as the relevant statistics are not maintained.

(c) *Improver Chargemen*.—B. E. (Mechanical) with two years practical experience or L.M.E. with three years practical experience in a good reputable Engineering Firm or Railway Workshop ; or Matriculates who have undergone an apprenticeship course in a leading Engineering Firm or Railway Workshops and have experience for at least three years in supervisory capacity or those with at least eight years practical experience in the trade.

Trade Apprentices, Fitters and Machinists.—Passed IV Form or equivalent examination (i.e., two standards below Matriculation) and must have successfully completed the 18 months' training course in a Government or Govt. recognised Industrial Training School.

or

have completed at least three years of a course of apprenticeship in a well-known Engineering Firm.

or

completed at least 2 years in the L.M.E., L.A.E. or equivalent full time course or 3 years in the L.M.E., L.A.E. or equivalent part-time course.

Trade Apprentice Welder.—Passed IV Form i.e. two years below matriculation but candidates passed III form may be taken as an exception and must have successfully completed the 18 months' training course in the following trade in a Government or Government recognised Industrial Training School :

Welder (Gas and Electric).

or

have completed at least 3 years of a course of apprenticeship in a well-known Engineering Firm in the Welder's trade.

or

have completed at least 2 years in the L.M.E., L.A.E., L.E.E. or equivalent full time course or 3 years in the L.M.E., L.A.E., L.E.E. or equivalent part-time course.

or

completed the Indian Oxygen & Acetylene Company's course at Calcutta in Gas and Electric Welding and put in at least one year's practical experience.

(d) **Improver Chargemen.**—The Railway Service Commission, Madras.

Trade Apperntices.—A Selection Committee set up by the Chief Administrative Officer of the Integral Coach Factory.

TEA GARDEN LABOUR

2422. Shri Sanganna : Will the Minister of Labour be pleased to state :

(a) whether recruitment of Labour is made from Orissa for the Assam Tea gardens every year ;

(b) if so, the strength of labour recruited in each year from Orissa for the years 1953, 1954 and 1955 ; and

(c) the number of labourers repatriated during each of the above years ?

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

(b)	1953	—	760
	1954	—	329
	1955	—	7433
(c)	1953	}	Separate information for Orissa not available.
	1954		
	1955	—	4892

CO-OPERATIVES UNDER FIRST FIVE YEAR PLAN

2422-A. Shri Deogam : Will the Minister of Food and Agriculture be pleased to state :

(a) number of organised Co-operatives set-up with their location, during the First Five Year Plan period as envisaged in para 23, chapter 37 of the plan ; and

(b) the details of work done by these Co-operatives for the uplift of the tribals ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) and (b). The material is being collected and will be placed on the Table of the Lok Sabha as soon as it is received from all the State Governments.

FOOD POSITION IN ORISSA

2423. Shri Sanganna : Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that a meeting of representatives of the Government of Orissa and of the Union

Government was held on 15th May, 1956 in New Delhi to discuss the food position and allied problems of Orissa; and

(b) if so, result thereto?

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

(b) Does not arise.

ग्वालियर में पोस्ट मास्टर जनरल का कार्यालय

२४२४. श्री रघुनाथ सिंह : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने पोस्ट मास्टर जनरल का कार्यालय ग्वालियर में रखने का निश्चय कर लिया है; और

(ख) यदि हाँ, तो किस तारीख से यह कार्यालय कार्य आरम्भ कर देगा?

संचार मंत्रालय से मंत्री (श्री राज बहादुर) :

(क) तथा (ख). यह स्पष्ट नहीं है कि माननीय सदस्य का किस पोस्ट मास्टर जनरल से अभिप्राय है। मध्य भारत राजस्थान परिमण्डल के प्रन्तर्गत है और इसका मुख्यालय जयपुर में है। इस परिमण्डल के मुख्यालय की ग्वालियर से हटा देने का कोई प्रस्ताव नहीं है।

रेलवे स्टेशनों पर शिकायतें

२४२५. श्री. अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १ जनवरी, १९५६ से अब तक पश्चिम रेलवे के कोटा और दोहद के बीच के स्टेशनों पर कितनी शिकायतें दर्ज की गयीं;

(ख) उन शिकायतों को कहाँ तक दूर किया गया;

(ग) क्या अभी हाल में रत्नाम और बामन्या स्टेशनों पर कोई विशेष शिकायतें दर्ज की गयी हैं; और

(घ) यदि हाँ, तो उसका क्या परिणाम निकला?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : (क) १-१-५६ से १५-५-५६ तक ४२ शिकायतें।

(ख) इस अवधि में दर्ज की गयीं कुल ४२ शिकायतों में से ३३ की जांच पूरी हो चुकी है और बाकी जो की जांच अभी हो रही है। जिन ३३ मामलों की जांच हो चुकी है, उनमें से २१ शिकायतें सही सवित हुई और उन्हें दूर करने के लिए उचित कार्यवाही की गयी।

(ग) जी हाँ, एक शिकायत रत्नाम स्टेशन पर दर्ज की गयी है जो ३३ डाउन देहरादून बम्बई सेन्ट्रल एक्सप्रेस में अधिक भीड़ होने के बारे में है और दूसरी बामनियां स्टेशन पर दर्ज की गयी हैं जो पहले और दूसरे दर्जों के प्रतीक्षालय न होने के सम्बन्ध में हैं।

(घ) इन शिकायतों की जांच की जा रही है और जांच के बाद इन पर उचित कार्यवाही की जायेगी।

मालगाड़ी पर आग बुझेंटना

२४२६. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि १३ मई, १९५६ को जबलपुर से ११० मील की दूरी पर मध्य रेलवे के लगरतांव और सतना स्टेशनों के बीच एक मालगाड़ी के इंजन में आग लग गई और दो व्यक्ति मरे और घायल हुये?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : १३-५-५६ को मध्य रेलवे के सतना और लागरगांव स्टेशनों के बीच किसी मालगाड़ी के इंजन में आग नहीं लगी। लेकिन ११-५-५६ को इन्हीं स्टेशनों के बीच एक मालगाड़ी के सी० डब्ल्य० डी० इंजन के फायर बाक्स का क्राउन प्लेट बहुत गरम हो गया। इंजन में काम करने वालों ने बायलर में जरूरत के मूताबिक पानी नहीं रखा था, इसलिये काउन प्लेट टूट गया और बहुत ज्यादा भाप और पानी निकलकर फायरबाक्स के अन्दर और फुट-प्लेट पर खला गया। भाप और गरम पानी से इंजन में काम करने वाले बुरी तरह जल कर घायल हो गये। ड्राइवर और दो फायरमैन, तीनों प्रादमी, बाद में जबलपुर अस्पताल में मर गये।

रेल बुझेंटना

२४२७. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि १४ मई, १९५६ को शिकोहाबाद रेलवे स्टेशन के पास एक रेलवे क्रांसिंग पर एक बैलगाड़ी जिसमें

एक बारात के लोग जा रहे थे एक रेलगाड़ी से टकरा गयी जिसके परिणामस्वरूप ३ व्यक्ति मर गये और ११ घायल हुये ?

रेलवे तथा परिवहन मंत्री (श्री एस० बी० शास्त्री) : ११-५-१६५६ को, न कि १४-५-१६५६ को, जैसा कि सवाल में कहा गया है, लगभग १८ बज कर १० मिनट पर जब उत्तर रेलवे के इलाहाबाद डिवीजन की शिकोहाबाद-फरुखाबाद शाखा-लाइन के निबकरोरी और उगरपुर स्टेशनों के बीच १ एस० एफ० सवारी गाड़ी जा रही थी, उससे एक बारात की बैलगाड़ी भील ८१११३ के समतल-पार (level-crossing) पर टकरा गयी जहां कोई चौकीदार नहीं रहता । टकराये लगने से गाड़ीवान वहाँ मर गया और बैलगाड़ी में बैठे दो आदमियों को चोटें प्राप्ती हुयीं ।

केन्द्रीय गवेषणा संस्था, कसौली

२४२८. श्री भक्त दर्शन : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि केन्द्रीय गवेषणा संस्था, कसौली के डाइरेक्टर का पद बहुत दिनों से खाली है;

(ख) यदि हाँ, तो वह पद वास्तव में कब से खाली है;

(ग) इस बीच के लिये क्या कोई अस्थायी अवस्था कर ली गई है;

(घ) यदि हाँ, तो उस कार्यकारी डाइरेक्टर का नाम, योग्यतायें और गवेषणा सम्बन्धी अनुभव क्या हैं; और

(ङ) डाइरेक्टर के उपर्युक्त खाली स्थान की पूर्ति कब भीर किस प्रकार से की जायेगी ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : (क) से (घ), लेफिनेंट-कर्नल एम० एल० अहूजा ने २० सितम्बर, १६५५ को इस पद का भार छोड़ा । उसी तारीख से केन्द्रीय अनुसंधान संस्था, कसौली के असिस्टेंट डाइरेक्टर डा० सी० बी० डी सिल्वा अपनी निजी डिपूटी के साथ डाइरेक्टर के पद का चालू भार संभाल रहे हैं । वह ६००-११५० रुपये के उच्च बेतनानुक्रम में मेडिकल रिसर्च डिपार्टमेंट के एक स्थायी अफसर हैं । इस संस्था में नियुक्त किये जाने के पहले वह १६३६ से १६४३ तक पास्च्यूर इन्स्टीट्यूट, कूनूर में (Bacteriologist)

रहे और १६४३ से १६४६ तक कौज में । उन्होंने Bacteriology व्याख्यानकर्ता व विभिन्न प्रयोगशालाओं के कार्यभारी अफसर के रूप में कार्य किया और व्याधिविज्ञान (Pathology) में एक विशेषज्ञ की मान्यता प्राप्त की । १६५२ में विश्व स्वास्थ्य संगठन की एक अधिकात्रवृत्ति पर द महीने के लिए उसने फैंच पश्चिमी अफ्रीका व संयुक्त राज्य अमरीका में Bacteriological संस्थाओं का निरीक्षण किया उसने दो पत्रों का स्वतः व ६ पत्रों का संयुक्त प्रकाशन किया है ।

(ड) पद की पूर्ति युनियन पल्किं सर्विस कमिशन के जरिये की जायगी जिसे अर्थात् भेज दी गयी ही ।

अस्पताल

२४२९. श्री रघुमाथ सिंह : क्या स्वास्थ्य मंत्री २६ जुलाई, १६५५ के अतारांकित प्रश्न संस्था १०८ के सम्बन्ध में (जिसका उत्तर ७ मई, १६५६ की सभा पट्ट पर रखा गया था) यह बताने की कृपा करेंगी कि इसाई मिशनरियों द्वारा चलाये जाने वाले इन ३३४ अस्पतालों के लिये केन्द्र द्वारा कितनी सहायता प्रति वर्ष दी जाती है ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : युनियन मिशन टी० बी० सैनिटोरियम, मदनपत्ती, भांध के अतिरिक्त इनमें से किसी भी अस्पताल को वार्षिक आवर्ती सहायता नहीं दी जाती है । १६५५-५६ में इस सैनिटोरियम को ६१,६१३ रुपये की सहायता दी गई थी ।

फसल प्रतियोगिता

२४३०. श्री बाबशहा गुप्त : क्या खाद्य और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) गत सीन बर्षों में देश में विभिन्न राज्य सरकारों ने खाद्य पदार्थों के प्रति एक ही अधिकात्र उत्पादन के लिये किन-किन व्यक्तियों को पारितोषिक दिये हैं; और

(ख) उन खाद्य पदार्थों के नाम क्या हैं ?

कृषि मंत्री (डा० पी० एस० देशमुख) :

(क) तथा (ख), एक विवरण सभा-पट्ट पर रख दिया गया है [वेत्तिये परिशिष्ट १५ अनुबंध सं० २२]

NATIONAL HIGHWAYS

2431. Shri K. C. Jena : Will the Minister of Transport be pleased to state :

(a) the names of the Highway Works which were sanctioned and have not been yet taken up for execution during 1955-56 in Orissa ;

(b) if so, the reasons thereof ; and

(c) whether there are any Highway Works which are still under execution in that State ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) A list of such works is laid on the Table. [See Appendix XV, annexure No. 23].

(b) Before taking up bridge works, tenders have to be invited and it usually takes some time to select the most suitable tenderer. No progress has been made on works shown at Serial Nos. 1 and 3 of the list as they were sanctioned only towards the end of 1955.

(c) Yes, 23 works estimated to cost Rs. 82.56 lakhs are in progress.

BUS STANDS

2432. { Shri Deogam :

Will the Minister of Transport be pleased to state the steps that are being taken to co-ordinate the rail and road services by allowing the bus stands to be as near as possible to the railways stations for the bus service of certain routes ?

The Minister of Railways and Transport (Shri L. B. Shastri) : As the location of bus stands is a matter which concerns the State Governments solely the Government of India has no information on the subject.

TUBE-WELLS IN KARNAL FARM

2433. Shri Madiah Gowda : Will the Minister of Food and Agriculture be pleased to state :

(a) whether a sanction for completion of three tube-wells in the cattle-cum-Dairy Farm at Karnal was given in 1948 ;

(b) if so, the amount sanctioned for the purpose ;

(c) when the works were completed ; and

(d) if not, the reasons for the delay ?

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

(b) Administrative approval for Rs. 1,70,000 was given.

(c) (i) 28-10-48.

(ii) 30-10-50.

(iii) 18-1-51.

(d) Does not arise.

TRAINING CENTRES

2532. Thakur Jugal Kishore Sinha : Will the Minister of Food and Agriculture be pleased to state :

(a) the particulars of 20 training centres for village artisans, home science training centres, International Farm Youth Exchange with the Location of such centres ; and

(b) the terms and conditions for admission into these training centres as stipulated under the Ford Foundation Scheme ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) statement indicating the particulars of 20 training centres for village artisans and 27 Home Science Centres for training of Gram Sevikas with their locations is laid on the Table of the House. [See Appendix XV, annexure No. 24]. The Farm Youth Exchange Scheme is for sending Farm Youths to U.S.A. and there is no training centre for Farm Youths.

(b) The selection of village artisans is made by the State Govt. concerned. The selected trainees are given a stipend of Rs. 30 p.m. and they are also required to execute a bond that on completion of training, they will set up their own workshops in the villages for the repair and manufacture of agricultural implements for a period of 3 to 5 years.

The selection of Gram Sevikas is made by the Selection Committee. The candidates for admission should be below 35 years and possess a Matriculation or equivalent certificate, good health and rural experience. The trainees are given a stipend of Rs. 50 p.m. They are also required to execute a bond that on completion of training, they will serve as Gram Sevikas for a period of at least five years.

BARRACKPORE HEAD POST OFFICES

2533. Shri Ramananda Das : Will the Minister of Communications be pleased to state :

(a) whether it is a fact that a large number of irregularities are committed in the Barrackpore Head Post Offices of 24 Parganas District of West Bengal leading to embezzlement of many kinds ; and

(b) if so, whether it is due to the posting of staff for a pretty long time at Barrackpore ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) Among other offices in the Presidency Division the incidence of frauds in the Barrackpore Head Post Office has been relatively large. *Prima facie*, the frauds, which are mostly in the Savings Bank branch, were committed by certain members of the staff in collusion with outsiders.

(b) The reply is in the negative.

BARRACKPORE DIVISION POST OFFICES

2534. Shri Ramananda Das : Will the Minister of Communications be pleased to state :

(a) the number of unpaid letters daily received at Belgharia, Titagarh, Barrackpore, Shamnagar, Jagatdal, Naihati, Gorifa, Hazinagar and Kanchrapara Post Offices in Barrackpore Sub-division of 24 Parganas District of West Bengal ;

(b) the kind of check and supervision exercised for proper accounting of all the unpaid letters ; and

(c) Whether it is a fact that only about 25 per cent unpaid letters in all these post offices are accounted for ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) The number of unpaid letters received on an average is furnished in the statement laid on the Table [See Appendix XV, annexure No. 25].

(b) The Postmaster is required to be present to supervise the opening of mail bags. All letters on which postage is due are taken over by the Postmaster who personally gets them taxed and enters the amount due in the register of letter postage and incorporates it in his accounts. His honesty is test-checked by the supervising officers by taking a note of the postage due on articles despatched to the post office and comparing it with the entry in the letter postage account.

(c) No. All the unpaid letters are accounted for.

SULPHATE OF AMMONIA

2535. Shri Eswara Reddi : Will the Minister of Food and Agriculture be pleased to state :

(a) the amounts of short-term loans granted to Andhra State during 1955-56 for the purchase of Sulphate of Ammonia and other manures separately and subsidy, if any, to compensate for the loss on account of heavy transport charges ;

(b) the total consumption of Ammonium Sulphate, Phosphatic manures and fertilizers in Andhra during the above period as compared to 1953-54 and 1954-55 ;

(c) the total quantity of Ammonium Sulphate indented for by Andhra Government for 1955-56 and the actual allocation made ;

(d) the amounts of short-term loans proposed to be granted to Andhra State under the above heading for 1956-57 ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) A short-term loan of Rs. 291.19 lakhs was sanctioned

to the Govt. of Andhra during 1955-56 for the purchase and distribution of Ammonium Sulphate. Besides, a grant of Rs. 0.12 lakh and a long-term loan of Rs. 4.00 lakhs was sanctioned to the State Govts. for their urban compost scheme during the same year. No subsidy was granted to the State Govt. for this purpose.

(b) The total consumption of ammonium Sulphate in Andhra during the year 1955 was 83,800 tons as against 66,700 tons in the years 1953 and the consumption of 57,800 tons and 1954 respectively. Similar information regarding phosphatic manure and fertilisers has been called for from the State Govt. and will be laid on the Table of the Lok Sabha when received.

(c) A total quantity of 90,000 tons of Sulphate of Ammonia was indent-ed by the Government of Andhra for the year 1955 and it was allocated to them during that year.

(d) A short-term loan of Rs. 229.25 lakhs has been agreed to during the discussion of the G.M.F. Programme of the Andhra State for 1956-57. A part from this, a long-term loan of Rs. 3.00 lakhs and a grant of Rs. 0.05 lakh has also been agreed to for the urban compost scheme.

POST OFFICES IN ANDHRA

2536. Shri Eswara Reddi : Will the Minister of Communications be pleased to state the number and names of rural and urban post offices actually opened from 1st January, 1956 to 31st March, 1956 in Cuddapah District (Andhra) ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 26].

POST OFFICES IN CUDDAPAH

2537. Shri Eswara Reddi : Will the Minister of Communications be pleased to state :

the number and names of rural and urban post-offices proposed to be opened in Cuddapah District (Andhra) during the year 1956-57 ?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : A statement is laid on the Table of the Lok Sabha. [See Appendix XV, annexure No. 27].

COCOANUTS AND BETEL-NUTS

2538. Shri Debendra Nath Sarma : Will the Minister of Food and Agriculture be pleased to state whether it is proposed to give grants to Government of Assam for improving cocoanuts and betel-nuts during the current financial year ?

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

Coconut. A provision of Rs. 70,000 for a Coconut nursery scheme and a scheme for the extension of Coconut cultivation in Assam, has been included in the Second Five Year Plan. The amount is to be shared by the Central and the State Governments on a 50:50 basis. Provision has been made for a Central Grant of Rs. 7,000 for these schemes in the current financial year.

...Betel-nut (Areca-nut). A provision of Rupees four lakhs has been made in the Second Five Year Plan for a scheme for the Extension of Areca-nut Cultivation in Assam. The amount is to be shared by the central and State Governments on a 50:50 basis. Provision has been made for a Central Grant of Rs. 40,000 for this Scheme in the Current financial year.

PALLEDARS

2539. Shri Kamath : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that under the Industrial Disputes Act 1947 the wages of palledars employed in the Goods Shed, Allahabad (Northern Railway) were fixed at Rs. 1-12 per diem ;

- (b) whether the wage rate has recently been reduced;
- (c) if so, by how much and since when; and
- (d) the reasons therefor?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) In 1949, pending fixation of wages by the Provincial Government, the wages of paledars employed by the Handling Contractor in the Goods Shed, Allahabad, were provisionally fixed at Rs. 1-8-0 per man per day. On receipt of the recommendations of the Deputy Commissioner Allahabad, the contractor increased the wages to Rs. 1-12-0 per day, with effect from 1-2-1950.

(b) Yes.

(c) The wage rate has been reduced to Rs. 1-4-0 per day with effect from 1-2-1955.

(d) The wages paid are mainly for settlement between the contractor and the labour employed by him and apparently the new contractor who took over the handling contract on and from 1-2-1955, has been able to secure labour at Rs. 1-4-0 per day.

GOODS TRAFFIC IN ASSAM

2540. Shri K. P. Tripathi: Will the Minister of Railways be pleased to state:

(a) the existing tonnage capacity of the Railway wagon and steamers combined for exporting goods into and outside Assam;

(b) What is the total requirement as compared to this;

(c) the estimated increase in tonnage requirements of the imports and export to and from Assam during the Second Plan period; and

(d) the steps being taken now and proposed to be taken during the Second Five Year Plan?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Approximately 2,660 tons per day each way.

(b) According to the latest figures given by the Assam Government their immediate requirement of import is about 2400 tons per day.

(c) The estimated increase of imports to Assam in connection with the Second Five Year Plan as indicated by the Assam Government is about 25% of the immediate requirement, that is about 3000 tons per day. The total requirement for export from Assam is expected to be much less than the capacity available.

(d) The existing capacity by all the routes to Assam is adequate to meet the present demands. Additional facilities would be provided to meet the increased demands indicated by the Planning Commission within the reduced allotment of funds for the Railway during the Second Five Year Plan. One of the main problems to effectively maintain flow of traffic is the maintenance of rail communication throughout the year.

A Technical Committee of experts has been appointed to examine the possibility of ensuring the stability of the Assam Rail Link Route during the rains. On receipt of their report further action will be taken to strengthen or realign the route. Additional rolling stock will also be provided consistent naturally with the availability of funds during the Second Five Year Plan period.

RAILWAY EMPLOYEES

2541. Shri Veeraswamy: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that clerks appointed in 1947 and working in the Accounts Office at Trichinopoly on the Southern Railway have not yet been confirmed; and

(b) if so, the reasons therefor?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) and (b). Out of 76 clerks Class II appointed in the year 1947, 26 have already been confirmed and 12 more

are being confirmed against permanent vacancies. The remaining will be confirmed on the occurrence of permanent vacancies.

बिलासपुर रेलवे अस्पताल

२५४२. श्री जागड़े : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) बिलासपुर रेलवे अस्पताल में उपेक्षा और पक्षपात की कितनी शिकायतें सरकार को मिली हैं; और

(ख) उन पर क्या कार्यवाही की गई है ?

रेलवे तथा परिवहन [मंत्री (श्री एस० बी० शास्त्री)]: (क) कोई नहीं।

(ख) भाग (क) के उत्तर को देखते हुए सवाल नहीं उठता।

“अधिक अम्म उपजाओ आदोलन”

२५४३. श्री के० सी० सोषिया : क्या खाद्य और कृषि मंत्री निम्न आशय का एक विवरण सभा-पटल पर रखने की कृपा करेंगे :

(क) “अधिक अम्म उपजाओ” आन्दोलन के अधीन १९५५-५६ में मध्य प्रदेश सरकार को कुल कितने अनुदान दिये गये; और

(ख) इस योजना की मूल्य मुख्य मदों क्या है; और उन पर उक्त अवधि में कितना व्यय हुआ ?

कृषि मंत्री (डा० पी० एस० देवमुख) : (क) सन् १९५५-५६ में ११,८६,४३१ रुपयों का अनुदान मंजूर किया गया था।

(ख) मूल्य मुख्य मदों की सूचना और प्रत्येक के लिये मंजूर किया हुआ अनुदान निम्न प्रकार है:—

मद का नाम मंजूर किया हुआ अनुदान (रुपय)

१. नये कुम्होंका खोदना .	२,२२,८००
२. पुराने कुम्हों की मरम्मत	२६,०००
३. ग्रामास्थित सिचाई के छोटे तालाबों का निर्माण	
और उनकी मरम्मत .	१,२६,०००

४. सिचाई के लिये बिजली का उपयोग .	६४,८००
५. सिचाई के निमित्त कुम्हों से पानी निकालने के लिये रहटों का वितरण .	२१,२५०
६. शहरी खाद का वितरण	२८,२५०
७. फोस्फेटिक उर्वरकों का वितरण .	१,११,८१५
८. उर्वरक मिश्रण का वितरण .	१७,७५०
९. सुधरे धान बीजों का वितरण .	१,६५,३१५
१०. रेतुआ रोधक गेहूं के बीजों का वितरण .	४८,७८२
११. पौधों का संरक्षण .	७०,४३४
१२. खाद्य उत्पादन आन्दोलन के लिये कर्मचारी	६१,५००
१३. कृषि विस्तार के लिये अतिरिक्त कर्मचारी .	६३,७००
१४. फसल प्रतियोगिता .	४,६०५
१५. मीन-क्षेत्रों का विकास .	२५,४००
१६. मस्त्य संबंधन के सुधारने की सम्भावनाओं को जानने के लिये एक अल्प-कालीन योजना .	१८,०००
१७. अमोनियम सलफेट के वितरण के लिये अतिरिक्त कर्मचारी .	१६,६५०

कुल] . ११,८६,४३१

इन मदों में से हर एक पर राज्य सरकार द्वारा किये हुए वास्तविक व्यय के आंकड़े मध्य प्रदेश के एकाउन्टेंट जनरल द्वारा आंकड़ों की जांच और मिलान हो जाने के बाद चालू वित्त साल के दूसरे आधे भाग में ही प्राप्त होंगे।

रेल दुर्घटनायें

2544. श्री के० सी० सोंदिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५५-५६ में रेल दुर्घटनाओं के लिये मुमालावजे के रूप में कुल कितनी रकम दी गई;

(ख) दावेदारों की संख्या कुल कितनी थी;

(ग) अधिक से अधिक और कम से कम कितना मुमालावा दिया गया;

(घ) कुल कितने दावेदारों के दावे खारिज किये गये; और

(ङ) ऐसी रेल दुर्घटनाओं की संख्या कितनी है, जिनसे क्षतिपूर्ति का प्रश्न सम्बद्ध है ?

रेलवे तथा परिवहन मंत्री (श्री एल० शी० शास्त्री) : (क) से (ङ). सूचना मंगायी जा रही है और सभा-पटल पर रख दी जायेगी।

IRRIGATION UNDER FIRST FIVE YEAR PLAN

2545. श्री T. B. Vittal Rao : Will the Minister of Food and Agriculture be pleased to state :

(a) State-wise figures for 1954-55 of areas (in units of 1000 acres) that got advantage of irrigation under each of the heads in the tabulated statement at page 221 of the First Five Year Plan, viz., for (a) new wells, (b) old wells, (c) tube wells (d) tanks, (e) pumping installations on rivers, (f) pumping installations on wells, (g) Dams, Channels etc. and (h) the total for each of the States and also for the whole of India ; and

(b) similar figures for 1954-55 corresponding to those in statement at page 222 of the First Five Year Plan for areas reclaimed by (a) Central Tractor Organisation, (b) State Tractor Organisation, (c) Private parties with State help, (d) Other means including fallows, (e) Land developed by bunding, and (f) land developed by mechanical cultivation ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). Two statements containing in required information are laid on the Table of

the House. [See Appendix XV, annexure No. 28.]

EMPLOYMENT EXCHANGE

2546. श्री Sanganna : Will the Minister of Labour be pleased to state :

(a) whether the Government of Orissa have been asked to expand their directorate of Employment Exchange in view of industrial potential in the State of Orissa in the course of Five-Year Plans ; and

(b) if so, to what extent and in what manner ?

The Deputy Minister of Labour (Shri Abid Ali) : (a) and (b). It is proposed to expand the Employment Service in Orissa during the Second Five Year Plan and the extent and manner of expansion is under consultation with the State Government.

YAWS DISEASE

2547. श्री Sanganna : Will the Minister of Health be pleased to state :

(a) whether Government are aware of the inter-State Yaws disease control scheme which Government of Orissa have been working out in collaboration with the Government of Andhra and Madhya Pradesh ; and

(b) if so, whether any assistance has been sought for from the Centre ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) Yes. A Plan of Operation for an Anti-Yaws Campaign covering those parts of India where Yaws was known to be prevalent, namely, the States of Madhya Pradesh, Hyderabad, Madras and Orissa, was signed by the Government of India in 1951. The programme envisages a coordinated campaign in all the four States, with the assistance of the World Health Organisation and the UNICEF. The campaign in Orissa was inaugurated in January, 1956 and the field work was actually taken up about the middle of March 1956 in the Malkangiri Taluk of the District of Koraput, where the disease is prevalent especially amongst the Adivasi population.

(b) Yes. A request for a grant-in-aid for the Scheme was received from the Orissa State Government and the grant-in-aid of Rs. 30,000 was sanctioned on the 24th November, 1955.

FIRST AND SECOND CLASS COACHES ON NORTHERN RAILWAY

2548. Shri Hem Raj: Will the Minister of Railways be pleased to state :

(a) the names of the Railway lines of the Northern Railway on which First and Second Class coaches have been discontinued ;

(b) the number of the third class coaches running on the Northern Railway which have been provided with electric fans ; and

(c) whether it is the intention of Government to provide third class coaches with electric fans on lines on which first and second class coaches have been discontinued ?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) None recently. However, on certain branch lines shown in the statement, laid on the Table of the House either the First or the Second Class accommodation is not provided on some trains and this has been the position for some time [See Appendix XV, annexure No. 29].

(b) 428 up to 31-3-56.

(c) Provision of fans in third class coaches is not confined to the trains which have no First & Second class accommodation. They are provided in all trains on a programmed basis, irrespective of whether such trains do not or do provide either First or Second Class accommodation, and the intention is, ultimately, to provide fans in all third class coaches.

LEVEL CROSSINGS

2549. Shri Hem Raj: Will the Minister of Railways be pleased to state :

(a) the number of the new railway crossings proposed to be constructed and old ones proposed to be widened during 1956-57 in the Punjab and Himachal States : and

(b) the names of the places where they are proposed to be constructed and provided ?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) and (b). Such information is normally available only railwaywise.

It is, however, understood that two-level crossings are proposed to be constructed in the Punjab and Himachal Pradesh States in 1956-57 viz. (1) at mile 51 between Bhiwani and Manehru Stations, and (2) at mile 117/13-14 between Bhattu & Adampur.

About 50 old level crossings are also proposed to be widened during 1956-57. The details of these level crossings have not yet been finalised.

FLAG STATION BETWEEN ARAON AND KOSMA

2550. Shri Badshah Gupta: Will the Minister of Railways be pleased to state as to what progress has been made so far regarding the opening of a Flag Station between Araon and Kosma decided upon so long ago ?

The Minister of Railways and Transport (Shri L. B. Shastri): Sanction of the State Government for acquisition of land for the purpose was received only recently by the Railway, and the work of construction of the station will be taken in hand as soon as possession of the land is given to the Railway.

RAILWAY INSPECTORATE

2551. Shri Madiah Gowda: Will the Minister of Communications be pleased to state :

(a) the recommendations made by the Inspectorate of Railway during 1955-56 ; and

(b) the action taken thereon ;

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) and (b). Mention of the recommendations which are made by the Inspectorate from time to time and

also of such of them which are accepted are made in the Annual Report of the Chief Government Inspector of Railways on the working of the Railway Inspectorate. Copies of the Report are also supplied to the Library of the Parliament. The Report for the year 1955-56 is at present under preparation and copies thereof will be placed in the Library of the Parliament as soon as the report is published.

INDIAN DAIRY RESEARCH INSTITUTE

2552. Shri Madiah Gowda : Will the Minister of Food and Agriculture be pleased to state :

(a) whether the results of the research work done at Indian Dairy Research Institute and the Cattle-cum-Dairy Farm at Karual, are made available to the villagers ;

(b) if so, by whom and in what manner ; and

(c) the amount so far spent by the Central Government for this purpose during the last four years, year-wise ?

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

(b) The Institute publishes the results of research in scientific and popular journals. The State Governments select such of the results as are important for their respective areas and make them available to the villagers through their Extension Organisations.

(c) No special expenditure is incurred by the Central Government as this is done as a normal part of its work.

NEW RAILWAY LINES

2553. Dr. J. N. Parekh : Will the Minister of Railways be pleased to state the number of new trains or extension made in Saurashtra since 1952 ?

The Minister of Railways and Transport (Shri L. B. Shastri) : During the period 1952 to 1956 (up to April) 12 new trains have been introduced and runs of 12 existing trains have been extended on the Gondel Region of the Western Railway which includes Saurashtra. Separate figures for Saurashtra are not available.

LOCO SHED AT DUNGUAPOSH

2554. Shri Deogam : Will the Minister of Railways be pleased to state :

(a) the number of employees in Loco Shed at Dunguaposh in S. E. Railway category-wise separately ; and

(b) the number of Scheduled Caste and Scheduled Tribes amongst them category-wise ?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) and (b) A statement is laid on the Table of the House. [See Appendix XV. annexure No. 30].

JUTE AGRICULTURAL RESEARCH INSTITUTE

2555. Shri Debendra Nath Sarma : Will the Minister of Food and Agriculture be pleased to state whether it is proposed to establish a Jute Agricultural Research Institute (i.e. a regional station) in Assam for the development of Jute production in the State ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : It is proposed to establish a Jute Research-Cum-Development Sub-Station in Assam.

MALARIA CONTROL SCHEME

2556. Shri Debendra Nath Sarma : Will the Minister of Health be pleased to state :

(a) whether any work has been done in Assam under the Malaria Control Scheme ; and

(b) the total expenditure incurred on the scheme there during 1954-55 and 1955-56 ?

The Minister without Portfolio (Shri V. K. Krishna Menon) : (a) Yes : 609,220 houses have been sprayed with DDT affording protection to about 3.05 million people, in Gauhati, Kokrajhar, Tezpur, Silchar and Jorhat areas where five Malaria Control units are working.

(b) 1954-55 Rs. 8,47,277.
1955-56 Rs. 15,90,678.

HOMOEOPATHY

2557. Shri S. C. Samanta : Will the Minister of Health be pleased to state the amount of money spent during 1955-56 on Homoeopathy under different heads by the Central Government?

The Minister without Portfolio (Shri V. K. Krishna Menon) : No expenditure was incurred by the Central Government on the development of Homoeopathy during 1955-56.

BIRUR TALGUPPA MAIL

2558. Shri Wodeyar : Will the Minister of Railways be pleased to state:

(a) the number of days between January 1st and April 1st of 1956 the Birur Talguppa Mail and Passenger trains have arrived punctually in Sagara Station (Southern Railway);

(b) the average number of minutes of delay; and

(c) whether Government have received complaints from the public in this behalf?

The Minister of Railways and Transport (Shri L. B. Shastri) : (a) During the period from 1-1-56 to 1-4-56, No. 1118 Birur-Talguppa Passenger train arrived Sagara right time on 17 days and No. 1120 Birur-Talguppa Passenger train right time on 20 days, out of 91 days.

(b) No. 1118 arrived late at Sagara on an average by 30 minutes and No. 1120 on an average by 40 minutes.

(c) No specific complaints have been received from the public with regard to the unpunctuality of the trains in question. Steps are, however, being taken to improve the performance of these trains.

OVERSEAS AIR FLIGHT

2559. Shri R. P. Garg : Will the Minister of Communications be pleased to state:

(a) whether it is a fact that on certain Overseas Air Flight, some senior I.C.S. Officers went abroad free of charges within the last for months:

(b) if so, whether they were accompanied by their families; and

(c) under which policy officials or non-officials are given this privilege of free flight?

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

(a) Yes.

(b) 2 I.C.S. officers besides the General Manager of the Air India International went with their families.

(c) Air India International is a member of the International Air Transport Association. It is customary for the members of the International Air Transport Association to operate inaugural flights when they introduce new services, new halts or new equipment. On such occasions, the airline is permitted by the International Air Transport Association to carry free of charge such invitees as they like. The airlines usually invite representatives of organisations which come in contact with them in their business transactions, representatives of publicity organisations, representatives of Travel Agents, important personages, who would add to the publicity and prestige of the airlines.

On the occasion of the inaugural flights of Air India International to Damascus and Prague and the inauguration of their Super-Constellation on the Indian-Singapore route, some officials including 4 I.C.S. Officers, were among the invitees, whom the Air-India International carried as their guests. Of these, three I.C.S. officers were on duty.

ग्रोद्योगिक और व्यावसायिक प्रशिक्षणकेन्द्र
कोनी

2560. Shri Jangde : क्या अम मंत्री यह बताने की कृपा करेंगे कि :

(क) ग्रोद्योगिक और व्यावसायिक प्रशिक्षण केन्द्र, कोनी (मध्य प्रदेश) की परामर्शदात्री समिति के सदस्यों के नाम क्या हैं;

(ल) इस समिति द्वारा १९५४, १९५५ और १९५६ में क्या काम किया गया;

(ग) १६५१ से १६५६ तक इस केन्द्र में तैयार किये गये सामान की कितनी बिक्री हुई;

(घ) इस केन्द्र से सफल हुए कितने उम्मीदवारों को सरकारी अधिकारी अद्वं सरकारी नौकरियों में अब तक संग्राम गया है, और उनमें से कितने लोग आत्म-निर्भर हुए; और

(ङ) इन उम्मीदवारों को निजी धन्वे चालू करने के लिए कितनी विस्तीर्ण सहायता दी गई?

अम उपमंत्री (श्री आविद शर्मा) : (क) से (ङ). सूचना इकट्ठी की जा रही है, जो प्राप्त होने पर सभा पटल पर रख दी जायेगी।

हरिजनों के लिये प्रशिक्षण केन्द्र

२५६१. श्री जांगड़े : क्या रेलवे मंत्री यह बताने की हृषि करेंगे कि :

(क) रेलवे बोर्ड के हरिजन [सहायता] और कलकों को प्रशिक्षण देने वाले पृष्ठ केन्द्र को कब तक चालू रखा जायेगा;

(ख) प्रशिक्षायियों की परीक्षा कब तक चालू की जायेगी; और

(ग) क्या इस प्रशिक्षण को प्रति वर्ष चालू रखा जायेगा और प्रशिक्षण प्रति वर्ष कितनी अवधि के लिए दिया जायेगा?

रेलवे तथा परिवहन मंत्री (श्री एल० शौष्ठी) : (क) जनवरी १६५६ में आदिवासियों—अनुसूचित जातियों के कलकों के लिए ट्रेनिंग क्लास शुरू की गयी थी जिसे १-३-५६ से दूसरे कलकों की ट्रेनिंग क्लास में मिला दिया गया। यह मिली-जुली क्लास ३१-८-५६ तक चलेगी।

(ख) कोर्स पूरा होने पर कोई परीक्षा लेने का विचार नहीं है लेकिन ट्रेनिंग पाने वालों को हफ्ते में एक टेस्ट देना पड़ता है ताकि उनकी प्रगति का पता लगता रहे।

(ग) कर्मचारियों को दफ्तर की कार्यविभि की समचित जानकारी करने के लिए यह ट्रेनिंग प्रयोग के रूप में शुरू की गयी है।

इसे आगे जारी रखने के बारे में अभी तक कोई फैसला नहीं किया गया है।

राष्ट्रीय राजपथ

२५६२. श्री जांगड़े : क्या परिवहन मंत्री यह बताने की हृषि करेंगे कि :

(क) क्या मध्य प्रदेश सरकार ने अम्बिका पर (सरगुजा जिला) और जगदलपुर (बस्तर जिला) के बीच आदिवासियों में होकर सैकड़ों मीलों तक जाने वाले सीधे सम्बन्ध को स्थापित करने के लिये एक राष्ट्रीय राजपथ बनाने के बारे में कोई सुझाव दिया है; और

(ख) यदि हां, तो क्या भारत सरकार ऐसा राष्ट्रीय राजपथ बनाना चाहती है?

रेलवे तथा परिवहन मंत्री (श्री एल० शौष्ठी) : (क) जी, नहीं।

(ख) जी, नहीं।

अहमदाबाद से हावड़ा के लिये डाक गाड़ी

२५६३. श्री जांगड़े : क्या रेलवे मंत्री यह बताने की हृषि करेंगे कि :

(क) क्या भोपाल, बीना, कटनी और बिलसापुर के मार्ग से अहमदाबाद से हावड़ा तक कोई डाक गाड़ी चलाये जाने का विचार है; और

(ख) क्या इस सम्बन्ध में कोई सुझाव प्राप्त हुआ है?

रेलवे तथा परिवहन मंत्री (एल० शौष्ठी) : (क) जी नहीं।

(ख) जी, हां। लेकिन इस तरह की कोई गाड़ी चलाने के लिये इस समय यातायात काफी नहीं है।

DAILY DIGEST

4501

[Monday, 28th May, 1956]

4502

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[DAILY DIGEST]

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)



LOK SABHA SECRETARIAT
NEW DELHI

SIX ANNAS (INLAND)

TWO SHILLINGS (FOREIGN)

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Acc. No. 25589
Dated 11.3.201

LOK SABHA DEBATES
(Part II—Proceedings other than Questions and Answers.)

9711

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LOK SABHA

Monday, 28th May, 1956. . .

*The Lok Sabha met at Half Past
Ten of the Clock.*

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11.50 P.M.

PAPERS LAID ON THE TABLE

**TREATY OF CESSION OF CERTAIN
FRENCH ESTABLISHMENTS**

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I should like to inform the House that this morning at 10 o'clock, the representatives of the Government of India and the Government of France signed the Treaty of Cession of certain French establishments. I am laying copies of this Treaty on the Table of the House.

[Placed in Library. See Nos. S—200/56 and S—201/56]

The House may remember that it was nearly nineteen months ago, I think on the 21st October 1954, the *de facto* transfer of these French establishments, Pondicherry and other places, took place and they were placed under the control of the Government of India. Since then talks have been taking place in regard to the Treaty of Cession so as to complete the *de jure* transfer. Although it has taken some time, I am glad to say that throughout this period, our conversations, that is, between the Government of India and the Government of France, were of a friendly and co-operative character and I am very happy that they have concluded successfully with the signing of this Treaty today. The necessary ratification, according to the respective Constitutions of the two countries, will take place before long. I take it; so far as we are concerned, it will not take very long. So far as the Gov-

ernment of France is concerned, it will have to follow its constitutional procedures and I do not expect it to take long. Although in a sense this is only something *de jure*, confirming what has actually happened *de facto* nearly nine teen months ago, nevertheless it is a matter of some importance and I am sure the House will be happy to learn that this chapter has concluded successfully resulting in the formal and *de jure* addition of these territories to the Union of India. We have in these past eight or nine years, as the House knows, proceeded with great patience in regard to some of the foreign establishments in this country. That patience has borne results in regard to the French establish ments.

Thus far results have not been achieved in regard to the Portuguese establish ments.

Shri S. S. More (Sholapur): Send a copy to them.

Shri Jawaharlal Nehru: Anyhow the process of completing the political unity of India proceeds apace and I have no doubt that the time may come when it will be my privilege to report to this House that the Portuguese establish ments have also been transferred to the Union of India. I should like to express my high appreciation to the Government of France in this matter. In the past period, the Government of France has had to face big problems and naturally these rather delayed the consideration of this matter. Nevertheless, they have found time to take this up and ultimately to finalise this.

I am placing on the Table of the House these documents. There are two copies, both in the English language and in the French language, of this treaty. We try and usually do draw up treaties, originals, in Hindi also. On this occasion, it became a little difficult. It will delay the matter because of constant reference between Paris and Delhi of each word, coma and full-stop and we do not wish to delay this matter any more. Therefore, the original was signed this morning in the English language and in the French language.

Shri Sadhan Gupta (Calcutta South-East) : May I have a clarification ? As a result of this Treaty will the people of Pondicherry be able to participate in the next general elections as citizens of India? Secondly, what would be the position of Pondicherry in the scheme of States reorganisation ? Has any thought been given to that ?

Shri Jawaharlal Nehru : Firstly, these have to be ratified before they take effect. It may be that the ratification takes place in a month or a few weeks. After that, Pondicherry and other establishments will continue their separate existence in accordance with the Treaty itself and also in accordance with our assurance given to them. We cannot make a change in their status without their own consent—that is, the consent of the people. Therefore, it is not proposed to make any change at this stage. They will continue separately and not be absorbed or merged into any other State. I am talking about the major parts or territories. What exactly will be done to others, I cannot say,—maybe some small part and it is difficult to keep that part. As for the type of Government that may be established there, that is a matter for separate consideration.

Shri Gadgil (Poona Central) : May I ask one question ? Apart from the local administration which may be determined later on, what about the representation of areas in the Lok Sabha ?

Shri Jawaharlal Nehru : These are matters which certainly should be considered. From the population point of view, they are relatively small areas, but, nevertheless, of certain importance. What the hon. Member said deserves consideration.

MINUTES OF Sittings OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Sardar Hukam Singh (Kapurthala-Bhatinda) : I beg to lay on the Table the minutes of the sittings of the Committee on Private Members' Bills and Resolutions (Forty-seventh to Fifty-ninth) held during the Twelfth Session.

AMENDMENTS TO RESERVE BANK OF INDIA (NOTES REFUND RULES)

The Deputy Minister of Finance (Shri B. R. Bhagat) : On behalf of Shri A. C. Guha, I beg to lay on the Table, under the proviso to section 28 of the Reserve Bank of India Act, 1934, a copy of the Reserve Bank of India Notification No.

7, dated the 28th April, 1956, making certain amendments to the Reserve Bank of India (Note Refund) Rules, 1935, together with the Statement showing the relevant rules of the Reserve Bank of India (Note Refund) Rules, 1935, amended by the said Notification. [Placed in Library. See No. S-203/56]

PRESIDENT'S ASSENT TO BILLS

Secretary : I have to inform the House that the following Bills, which were passed by the Houses of Parliament during the current Session, have been assented to by the President :

1. The St. John Ambulance Association (India) Transfer of Funds Bill, 1955.
2. The Indian Red Cross Society (Amendment) Bill, 1955.
3. The Travancore-Cochin Appropriation Bill, 1956.

ESTIMATES COMMITTEE

THIRTY-FIRST REPORT

Shri B. D. Joshi (Mehrauli [गोहिलवाड़]) : श्रीमान्, मैं रेलवे मंत्रालय के सम्बन्ध में एस्टीमेट्स समिति की इकतिसवीं रिपोर्ट पेश करता हूँ।

TRAVANCORE-COCHIN STATE LEGISLATURE (DELEGATION OF POWERS) BILL

The Minister in the Ministry of Home Affairs (Shri Datar) : I beg to move :

"That the Bill to confer on the President the power of the Legislature of the State of Travancore-Cochin to make laws be taken into consideration."

BUSINESS OF THE HOUSE

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rae Bareli Distt.—East) : Under rule 212, I have given notice of a motion to raise a discussion on the situation arising out of the Khargpur incidents day before yesterday. I would like to know if you have allotted any time for it. I had asked for 1½ hours today.

Mr. Speaker : I must refer the matter to the hon. Railway Minister and find out his convenience.

The Minister of Railways and Transport (Shri L. B. Shastri) : I have no objection. The situation in Kharagpur is pretty serious and I shall welcome a debate on that question in the House. If a debate could be held today, I have no objection.

12 NOON

Shri Gadgil (Poona Central) : I would suggest two hours instead of one and a half hours because it will have to deal with two things : the situation as it exists today and the avoidance of repetition of such incidents in the future. These are too terrible things to be true, but they are true. I would, therefore, very respectfully urge you, Sir, to allot half an hour more.

Shri S. S. More (Sholapur) : May I make a submission, Sir ? Before we start the discussion we should be pretty sure about the facts. Will it be possible for the hon. Minister to circulate to us, as early as possible, before we enter on the discussion, the relevant and material facts of the case so that to that extent we can make an economy of time ?

Mr. Speaker : Does the hon. Minister propose to make any statement ?

Shri L. B. Shastri : If you so desire, Sir, I can give the facts in the beginning before the discussion starts. I shall merely give the facts or read out a statement if you so desire.

Mr. Speaker : Now, we must take up this Bill relating to Travancore-Cochin. two hours have been allotted for it. Then there is the Income-tax (Amendment) Bill for which an hour has been allotted. Thereafter, we are to take up the working of the Preventive Detention Act. Is it the desire of the House that this discussion should be taken up before the Preventive Detention Act ?

Some Hon. Members : Yes. It should be taken up before the Preventive Detention Act.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha) : So, we will start this discussion at 2-30 p.m. Now, do hon. Members require two hours for this discussion ?

Mr. Speaker : We are starting the Travancore-Cochin Bill at 12-00. It will go up to 2-00. Then the Income-tax (Amendment) Bill take one hour.

Shri Satya Narayan Sinha : So, till 3-00 p.m. we are scheduled to go with these two Bills.

Mr. Speaker : Shall we take up the Preventive Detention Act at 3-00 p.m. or shall we take up this discussion at 3-00 p.m. ?

Pandit Thakur Das Bhargava (Gurao) : Let us take up this at 3-00 and then after two hours we shall take up the Preventive Detention Act.

Mr. Speaker : All right. Then this discussion under rule 212 sought to be raised by Shri Feroze Gandhi will be taken up at 3-00 p.m. and will be carried on till . . . Is it the desire of the House that two hours must be given for this discussion ?

Some Hon. Members : Yes, two hours.

Mr. Speaker : Very well. It will go on from 3 to 5 and thereafter we will take up the Preventive Detention Act for one hour and another four hours on another day.

TRAVANCORE-COCHIN STATE LEGISLATURE (DELEGATION OF POWERS) BILL

Mr. Speaker : Shri Datar may proceed.

Shri Datar : Mr. Speaker, Sir, the House is aware that on 23-3-1956 a Proclamation was issued and the President took over the administration of the Travancore-Cochin State. Under this Proclamation, the legislature has been dissolved; but under article 357(1) it is open to Parliament to confer the powers of legislation on the President. In accordance with these provisions, this Bill has been brought forward.

As you are aware, Sir, there is considerable congestion of work in Parliament. When the Travancore-Cochin legislature was dissolved and the President took over the administration of the State there were as many as 23 Bills pending before the State legislature. Out of these reports in respect of 5 Bills had been received from the Select Committees and the Bills were ready for final hearing. So far as 9 Bills were concerned—I am referring to official Bills,

[Shri Datar]

Sir—they were pending before Select Committees. In regard to two Bills, they were taken up and were under consideration when the Assembly was dissolved. Thus, so far as official business was concerned, there were 16 Bills that had to be disposed of, or, in other words, that were to become law. So far as non-official bills were concerned, there were 7 Bills before the Legislative Assembly—3 were pending with the Select Committees and 4 had just been introduced.

Thus the House will find that (16 plus 7) 23 Bills were pending final consideration by the Travancore-Cochin legislature. Out of these, there are certain matters which have to be dealt with immediately because they are of a very urgent nature. Some of them deal with lands. Two Bills have already been referred to the Government of India because they are of a most urgent nature. One is the Travancore-Cochin Irrigation Bill....

Shri Velayudhan (Quilon *cum* Mavelikkara-Reserved-Sch. Castes): What is the name of the Bill?

Shri Datar: I am giving that also. If the hon. Member will just wait for a second he will understand everything.

I was just pointing out that recently two Bills have been referred to the Government of India for immediate legislation. One is the Travancore-Cochin Irrigation Bill and the other is the Travancore-Cochin State Aid to Industries Bill.

So far as the Travancore-Cochin Irrigation Bill is concerned, it seeks to integrate existing laws in force in the Travancore and Cochin areas of the State, relating to construction, maintenance and repairs of irrigation works and the conservation and distribution of water for irrigation purposes. It also provides for the levy of betterment tax. So far as this Bill is concerned, it is a matter which has to be attended to immediately.

There were originally two Bills on this subject. The first was called the Travancore-Cochin Irrigation (Levy of Betterment Contribution and Water Cess) Bill, for the levy of betterment charges and the other, the Travancore-Cochin Irrigation Bill for the purpose of integrating the separate irrigation Acts in force in the Travancore and Cochin portions of the State. These two Bills were referred to Select Committees and the committees suggested that the two Bills might be combined into a single Bill. Accordingly, the two Bills reported by

Select Committees were again referred to another Committee and that Committee has submitted a report on the combined Bill.

As I pointed out, so far as these Bills are concerned, they have to be legislated as early as possible.

There are a number of other Bills—as I pointed out earlier—totalling 23. Some of them are of a fairly urgent nature. So, on the one hand there is the question of urgency of legislation in the interests of the citizens of Travancore-Cochin; and, on the other hand, you are aware that the Parliament has put up a long list of business, Bills and other matters which it might not be possible for it to cope with. This House will be rising in another two days and the other House would be rising in three days. Then in the next session also we have got the States Reorganisation Bill. We have also got the discussion on the report of the Planning Commission. Therefore, it is likely that if all the Bills were to come before the House to be considered in the normal manner and then become law, the matter might be delayed on account of these circumstances. It was, therefore, considered necessary that we should have recourse to article 357(1) of the Constitution and confer on the President power to enact the necessary legislation.

So far as the scheme of this Bill is concerned, you will find that two safeguards have been provided for. One is that before the President makes any Act, he will consult an Advisory Committee consisting of ten hon. Members from this House and five hon. Members from the other House. So the normal procedure, that the President has to follow, except where the President thinks that the matter does not brook any delay, would be to consult this advisory body and, after ascertaining their views, to bring in the piece of legislation. The second safeguard is that after the President has promulgated an Act, within a very short period that Act has to be placed before the House. If either of the two Houses makes any changes or amendments in the said Act and if those changes or amendments are accepted by the other House, Lok Sabha or Rajya Sabha as the case may be, then naturally the President has to introduce the amendments in accordance with or in consonance with the joint wishes of the two Houses of the Parliament. Therefore, we find that though the President's rule is being carried on, and though Parliament's authority is always supreme

in view of the existing conditions and circumstances under which it may not be possible for Parliament to rush through the necessary legislation, the provisions contained in this Bill are absolutely essential for carrying on the administration in as beneficial a manner as possible in respect of the people concerned. When the people's welfare is taken into consideration, it would not be proper to hold up the consideration or the passage of the pending Bill. It is for this purpose that the Government have brought forward this Bill.

As I have pointed out, we have introduced two safeguards—one is a preliminary safeguard and the other is the last safeguard. It is always open to the Parliament at all stages, to give its views and the President will follow those views. Under these circumstances, I commend the provisions of this Bill to the acceptance of the House.

Mr. Speaker : Motion moved :

"That the Bill to confer on the President the power of the Legislature of the State of Travancore-Cochin to make laws, be taken into consideration."

Now, there are a number of amendments to clause 3. I would like to ascertain the views of the hon. Members as to how long we will take for finishing this Bill through all stages. I should like to invite their proposals, in view of the fact that 2 hours have been allotted for this Bill. We have spent ten minutes already.

Shri A. M. Thomas (Ernakulam) : One of the amendments is for circulation and there is another amendment that the Bill may be referred to the Select Committee.

Mr. Speaker : Yes; I shall allow them to be moved. But what is the proposal in regard to the time which the House may wish to spend for all the stages of the Bill?

Shri Kamath (Hoshangabad) : One hour for general discussion may be allowed.

Shri A. M. Thomas : $1\frac{1}{2}$ hours may be allowed for general discussion.

Shri A. K. Gopalan (Cannanore) : $1\frac{1}{2}$ hours for general discussion and half an hour for the clauses.

Mr. Speaker : Yes; $1\frac{1}{2}$ hours for general discussion and half an hour for the clauses. Now, who has tabled the amendment for the circulation of the Bill?

Shri N. Sreekantan Nair (Quilon cum Mavelikkara) : I have tabled that amendment. It is amendment No. 1.

Mr. Speaker : Let him move it.

Shri N. Sreekantan Nair : I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th July, 1956."

Mr. Speaker : Amendment moved :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th July, 1956."

Mr. Speaker : The other amendment is No. 10—given notice of by Shri Velayudhan. But the hon. Member has not given the names of the hon. Members of the Select Committee.

Shri Velayudhan : The names are with me.

Mr. Speaker : Has he ascertained whether they are willing to serve on the Select Committee? Obviously, his amendment falls through.

Shri Velayudhan : No, Sir. On that ground it should not fall through.

Mr. Speaker : He must ascertain whether those Members are willing to serve on the Select Committee. Let him give the names and verify whether they are willing to serve on the Select Committee.

Shri Velayudhan : Yes, Sir. I will mention the names while making the motion.

Mr. Speaker : The hon. Member will verify his list. If any Member does not agree, he might put in some other Member's name—a Member who might agree to serve on the Select Committee. I will treat his amendment as moved after that.

Now, how many hon. Members would like to speak?—There are 11 Members standing. Then the hon. Minister would like to reply. All this will have to be done within the space of one and a half hours. So, I will allow five to ten minutes for each Member. Shri Gopalan will speak now.

Shri A. K. Gopalan : I oppose this Bill. This Bill is known as the Travancore-Cochin State Legislature (Delegation of Powers) Bill, 1956. As there is no time, I won't go into the conditions in which the declaration of emergency

[Shri A. K. Gopalan]

was made and the President's proclamation was issued and power was taken over by Parliament. I only wish to say that it was the first undemocratic action that was carried out. After that, today, when Parliament has the power to exercise the legislative powers of the State legislature of Travancore-Cochin, this Bill provides under Article 357(1) of the Constitution and asks for the power to be given to the President so that he may whenever he considers it practicable, consult a committee and then have the power, to enact the laws. The reason is said to be that Parliament has no time and so this power must be given to the President. I will deal with that aspect afterwards.

There are three provisions in this Bill. One is that whether Parliament is in session or not, the President has the power to enact laws. The second provision is that for enacting any such law, as the Home Minister has said just now, if the President so thinks, he may consult the committee. If he does not think that there must be consultation, then, even if there is a committee, he can enact laws on his own authority. The third provision is this, and the Home Minister has just now referred to that provision also. Within seven days, the law enacted by the President will be placed before Parliament and Parliament, if it thinks it is necessary, may make some modification. But one thing the Minister has not said, and that is, any action taken within those seven days cannot be questioned and that action will be valid. The action taken on the President's enactment will be valid as if a Bill has been enacted. Whatever it is, right or wrong, whether it is for the benefit of the people or not, whether there are some clauses in the enactment which will go against the people or not, when once it is enacted and if within seven days action has been taken under that enactment, that action cannot be questioned. The Minister said that Parliament may make some modifications. But then, those actions already taken may not be modifications suggested by Parliament. So, while Parliament is given the power to make some modifications, at the same time, the power of Parliament is taken away, because within those seven days the Government can do anything and that cannot be questioned. These are the provisions in the Bill.

Unfortunately there have been some precedents as for as this delegation of

powers is concerned. There is not enough time to go into those matters now. I had been reading the debates in relation to the delegation of powers in regard to Punjab, where Pandit Thakur Das Bhargava and others had taken part and they had very strongly opposed that measure in 1951. Then the power was taken over by the President and that power was given to the Governor. In 1953, power was taken by the President in regard to the laws in PEPSU. But there was a committee for consultation. That was an improvement on what was done in 1950. In Andhra, a similar thing was done. Unfortunately, there have been these precedents. But my request is, let not any such precedent be made again, because, times are changing. When there is a Parliament and when the Parliament is in session, let the Parliament see that those powers that are given to it—the powers of law-making for the people of Travancore-Cochin State—are exercised by Parliament. Let not the powers be taken away by the President when the Parliament is in session. So, as far as this Bill in 1956 is concerned. I say, let the precedents that had been followed before not be taken recourse to, because, we are seeing today that there are so many changes taking place. We are going towards a socialist pattern of society. We say it is an experiment in democracy and so, if the Parliament has no time, that is not the reason why this Bill should be brought forward.

The second point is this. It is one of principle. What is proposed by this Bill is, the law-making powers which had been vested in Parliament should be delegated to the President and the President should be given the power, and he may constitute a committee and consult it if he so decides. The implications of this Bill are formidable and the Bill contains some questions of principle. Under the Constitution, the passing of laws in democratic States must be the prerogative of Parliament and when Parliament is in session, it is only Parliament that should undertake the legislation. There is no need to seek power for making legislation otherwise except for the purpose of having absolute powers for the administration of the State through the bureaucracy. I will show that. We say that we have a Parliament elected on adult franchise. We say that this is a great experiment in democratic institutions. But, here, everything is denied to the people of Travancore-Cochin.

Let us analyse what is now happening in Travancore-Cochin? After the Government had been taken over by the President, there is a representative of the President, an Adviser there who is carrying on the work. We have seen that all the powers have been given to the Collector, though there are panchayats and local bodies. Labour, Medical, Education, all these things are under the control of the Collectors. There is the Labour Commissioner. The other day when a question was asked, about a strike, it was not the Labour department or the Labour Commissioner that was dealing with the question; it was the Collector. The bureaucracy has tightened. Even this morning, there was reference about Travancore-Cochin. When Parliament has taken over authority, we put questions: not very difficult questions. Even in ordinary times, we ask questions about Travancore-Cochin: not because we have taken over power. Answers are given. Now, there was a question whether there was any strike in a college. No answer was given. There was another question as to how many colleges were affiliated to the Travancore University. No answer is forthcoming. After 15 days, the answer is given, we are asking for information; information is being collected. Is there no Director of Public Instruction. Even then, we know what would Department there? The Adviser is there. Will it not be possible within 10 days to get this information as to how many colleges are affiliated? There are records. Are there facilities for having phone messages? There was a lock out of 20,000 workers. Even the papers say that. It is said that the strike was declared illegal and the factories were opened. But, when we ask a question in Parliament it is said, we are asking for information. There is something very wrong about it. Even simple information as to how many colleges are affiliated is not got. I want to know, under these circumstances, what will happen to the people of Travancore-Cochin. The people of Travancore-Cochin are the most educated people in the whole of India. There is about 60 per cent. literacy there. They are today under the rule of the Adviser. The Members of the Assembly there have no voice. The Assembly has been dissolved for the people of Travancore-Cochin, they have to depend on Parliament for everything. Questions are put here and I do not want to say anything, as you yourself made some observations

to the Ministers. If in 10 days Government could not get a simple information, then, something should be done about it.

In this Bill, we are asked to give the whole power to the President. Let the President constitute a Committee so that it may go into all matters. Formerly it was said that the Parliament is there, Parliament can question anything and legislate. Even when there is power for Parliament, we see what is happening. We are not able to get answers. What will happen if all the power is taken away? I do not know what the constitutional position is. Can the President enact non-official Bills and Resolutions? After this Bill is passed, is the Parliament in a position to take up non-official Bills and Resolutions? The President can enact a Bill. But, the President cannot take up Non-official Bills and Resolutions. As far as the people of Travancore-Cochin are concerned, their right of moving non-official Bills and Resolutions is there. They have the right of asking questions. Under this Bill, I want to know from the Home Minister whether these powers are taken away. I want an answer from the Home Minister. If that is also taken away, as far as democracy is concerned, there is nothing left for the people of Travancore-Cochin for some months. From our experience in Travancore-Cochin after the Proclamation, and from our experience in Parliament even today in regard to questions, I do not know what will happen to the people of Travancore-Cochin even if this power is taken away from Parliament.

Look at the indifference and negligence of the administration. The President's rule has been enforced. It is the legitimate right of the people of Travancore-Cochin to have justice done to them. That justice can be done to them only if we have the right of putting questions here and discussing matters of importance in the form of non-official Bills and Resolutions, and in other forms. It is said that Parliament has no time. I say the hon. Members of this House will not grudge sitting for 4 or 5 days as far as the Travancore-Cochin Bills are concerned. I have got a copy of the Bills. There are 24 official Bills and 7 non-official Bills. In respect of some Bills, only the third reading remains. As far as the T.C. Compensation for tenants Improvement Bill is concerned, that was introduced on 7th August, 1954. The report of the Select

[Shri A. K. Gopalan]

Committee was presented on 5th October 1955. Clause 2 was under consideration. All the other clauses were passed. As far as the Restriction of Ownership and Possession of Land. Bill was concerned, it was introduced on 7th August 1954 and it was referred to the Select Committee on 4-2-55. The Special Rights in Land Abolition Bill was introduced on 7-8-1954 and it was referred to the Select Committee on 19-3-55. The T.C. Perumpattadar Bill was introduced on 7-8-1954 and it was referred to the Select Committee on 1-2-55. As regards the T.C. Irrigation Bill, the report of the Select Committee was presented on 10-10-55. The second reading of the Bill was completed on 2-3-56 and only the third reading is left. If we get copies of all the discussions, it will be easy for Parliament to discuss these Bills in 4 or 5 days. When the Proclamation came up before this House, it was said that the Parliament is here there are not only people from Travancore-Cochin, but people from the whole of India who will see that the rights of the people of Travancore-Cochin are safe. Now we say we have no time. We are asking the President, don't give us power, take away this power because we want to go away, we have no time to sit. I am sure if the opinion of the Members here is asked, no Member will say, we do not want to sit. Let the Home Minister ask the Members. I am sure, the Members will say, if it is question of 4 or 5 days, we will sit, because here is a question of taking away the rights of not one individual but a part of the country where the rights are being taken away for several months, six or seven.

It is said that there will be a Committee. What are the functions of the Committee? It is specifically stated in the Bill that if the President so chooses, he may consult it. There is nothing to indicate when the President will consult the Committee. If the President thinks that he should consult the Committee on certain occasions, he will consult. Not only that. Look at the clause. It says:

"Every Act enacted by the President under sub-section (2) shall, as soon as may be after enactment, be laid before each House of Parliament.

"Either House of Parliament may, by resolution passed within seven days from the date on which the Act has been laid before it under sub-section (3), direct any modifications to be made in the Act

and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it, such modifications shall be given effect to by the President by enacting an amending Act under sub-section (2) :

Provided that nothing in this sub-section shall affect the validity of the Act or any action taken thereunder before it is so amended."

You can amend it after seven days. But, the President has the right to see that the Act is implemented before seven days. After implementation, it is placed before Parliament. Parliament can amend. It is said, hereafter we will carry out your amendments, but whatever is done before that, cannot be questioned. The Act may be implemented. Suppose there is a land legislation in which something is said about eviction, and then some action is taken after the Bill is passed and it gives you the right of possession or something like that. If within seven days some action like that is taken that cannot be questioned. I say if this power is not taken away from Parliament for making modifications, something good will be done to the people. Therefore I oppose the Bill on principle. We have done it before two or three times, but in the present situation it is not advisable to have it. Power must not be curtailed just because it comes to a question of time, some hours or days.

About the committee I do not say anything now. I shall make my remarks when the amendments come.

As I pointed out neglect and indifference is shown in the administration there. Now, non-official resolutions and Bills cannot be sponsored if this Bill is passed. If this is the functioning of democracy, I have only to say God save democracy and nothing else.

Mr. Speaker: I will now call Shri Sreekantan Nair who has moved for circulation and then Shri Velayudhan who wants to refer the Bill to a Select Committee and thereafter give chance to the other hon. Members. In the meanwhile Shri Velayudhan may give the names.

Shri Velayudhan: I have already given the names.

Shri N. Sreekantan Nair: The arguments advanced by the Deputy Minister were not very convincing.

First of all, you know in our State we are not very happy about the imposition of President's rule; whatever may be the arguments advanced by the interested parties, the fact looms large that the Congress was not in a majority in that State, they were allowed to make good and somehow managed to continue to be in power for some time through a coalition. There was for the first time in the history of India in any State an Opposition party saddled in power for a short time. Its life was cut short. Once again a coalition Ministry of the Congress came, and that had to be liquidated. So, the position in that State is quite distinct and different from the three States where President's rule had been imposed in the past. This difference must be considered by the House and also its reactions and impacts on any legislative measures that we adopt.

Had the legislature of Travancore-Cochin been functioning today, those Bills which are intended to be moved here certainly would have been moved and passed there on much more progress lines that would be passed either in this House or by the President. I say "either in this House" because we all know that where the Congress has a vast majority they can push through any measure they want. But in that State it would have been impossible. The Bill that is to be passed now and the Bill that would have been passed two months back or would be passed after President's rule is over would be entirely on different lines. That is one aspect of the question.

Another aspect of the question is that the Bills which are to be passed now are only temporary measures. They have only a life-time of a maximum of one year after the termination of President's rule. So, to bring in temporary measures on questions of vital importance like land legislation will be very risky, especially when you know that Travancore-Cochin is a problem State. We have got special problems regarding land which cannot be understood by not only the Administrator but by most people in the North.

I may cite an example. There is a land panel composed of the General Secretary of the Congress who is a Member of this House and several other eminent men. They have laid down that an income of Rs. 1,600 should be the basis for a family holding. But that criterion cannot be followed in our State.

If that is imposed, there would be great possibilities of corruption involved in assessing the income of the property. Further, every family has been divided now in anticipation of such Bills, and there are as many portions as there are members. I do not think there will be any land in Travancore-Cochin which could be distributed to the land-hungry peasants if we follow the Rs. 1,600 income-limit. In that State we have to follow the land policy of Kashmir in fixing a physical limit on total area, giving due consideration to the fertility of the soil. The maximum that we can fix in our State will be 20 acres where it is not fertile and 10 to 12 acres in other cases. Such a Bill will not be passed in this House. It cannot be brought before the House. There will be a hue and cry. The Bill that has been presented in the State Legislature was naturally held up because the Planning Commission said it did not correspond with their ideas. The commission does not understand the special problems facing the State. That is why I contend that any land-reform Bill passed by the President would have to be scrapped when the State Legislature is reconstituted.

[MR. DEPUTY-SPEAKER *in the Chair*]

There will be a demand from the landed interests to retain the basic provisions of the President's enactments when the next Government comes to power. You are inviting all sorts of complications, by legislating such temporary measures.

There are only two important Bills. One is for the levy of betterment tax by the Government. It can wait for a few months. I do not see any difficulty in that. The other is in regard to State aid to industries. The industrialists naturally may clamour, but how far it is going to benefit the workers, I must say, is also a problem. I am fundamentally opposed to the private sector being encouraged like this. Apart from that, there is no harm if this is put off for some time. This House can go into the question and study the two Bills in a very short time. But as for delegating the powers to the President the issues involved in it are very serious. We have no time to consult our constituents. So, the Bill may at least be circulated to the people of Travancore-Cochin so that their opinion may be received before the meeting of the next session of Parliament.

[Shri N. Sreekantan Nair]

As regards the provisions of the Bill also, there is a very serious danger that it will be impossible to change any provisions of the Bill that is passed here, because it must be within seven days, and to ask this House to put off other very important business and to take up the Travancore-Cochin Bill will be unfair. Even if it is possible, scant attention will be paid to it, especially when it is a Bill sponsored by the Ministry of Home Affairs with the backing of the President. When it comes before the House, I do not know whether we will even get a chance to suggest an amendment. Suppose the President's enactment is laid before the House, during the discussion of some important business. It becomes urgently necessary to rush through a Bill like the States Reorganisation Bill within the specified time; so that there would not be any time to consider the State affairs. Further, certain provisions in the Bill may be very objectionable to the people of the State, say, for instance, the question of eviction. Thousands of families may be evicted in a few days. We want that provision to be amended; we bring it before the House; the House will have to put off all other business to consider it. At least that much they will have to do, though that would be very inconvenient. Even then, we know what would be the result. In the end all the defects in the Bill will be retained because there is a great majority for Congress in this House. It has not been there in the State, it will not be there in the future. So, this legislation is going to harm us definitely and deliberately. Therefore I oppose this motion.

Even the constitution of the committee is so contemplated that there will be only 10 Members from the twelve Members in this House from Travancore-Cochin. What is the meaning of it? When all the Members have the backing of the people who elected them, why only ten out of twelve from this House and five out of six from the other House should be selected? Who is to be left out and who is to be chosen and why should such people be left out. But suppose we are all included in the committee. Then we will get the odium of having been parties to imposing unwarranted policies on the people, and we have no right to put in a Minute of dissent, nothing of the sort. It is not a committee of this House. So, we go there, blabber something and the will declare

that they had the support of the committee. Such a kind of mockery of democracy should not be committed.

Shri Velayudhan : I have tabled an amendment seeking to refer this Bill to a Select Committee. I have already passed on the names of the Members who are to be on the Select Committee.

Shri Damodara Menon (Kozhikode) : Is it not necessary to read the names?

Shri Kamath : It is a mere formality.

Mr. Deputy-Speaker : The names should be read. May I know whether all those Members have given their consent?

Shri Velayudhan : I have consulted all those Members. They are Shri Nambiar, Shri V. P. Nayar, Shri T. B. Vittal Rao, Shri Kamath, Shri S. S. More, Shri Boovargahasamy and Shri N. Sreekantan Nair.

Mr. Deputy-Speaker : But the motion should be moved formally.

Shri Velayudhan : I have given the names already.

Mr. Deputy-Speaker : We have got it. But the hon. Member also should move the amendment formally.

Shri Velayudhan : I beg to move :

"That the Bill be referred to a Select Committee consisting of Shri N. Sreekantan Nair, Shri K. Ananda Nambiar, Shri V. P. Nayar, Shri H. V. Kamath, Shri T. B. Vittal Rao, Shri S. S. More, Shri V. Boovargahasamy, and the Mover, with instructions to report by...."

In regard to the date, there is a difficulty. I had originally given the date as 28th. But today happens to be 28th.

Mr. Deputy-Speaker : It may be left to the Chair to change it.

Shri Velayudhan : When I had tabled this amendment, I had given this date as this business was to come earlier.

Mr. Deputy-Speaker : Now, does the hon. Member want to modify or alter that date?

Shri Velayudhan : No, I do not want to modify it. (Interruptions)

Mr. Deputy-Speaker : That is all right. The hon. Member says that he does not want to alter the date. So, why should hon. Members object?

Shri Velayudhan : I am not very particular about modifying it; for it may be out of order.

Shri M. S. Gurupadaswamy (Mysore): It is out of order.

Mr. Deputy-Speaker : The hon. Member might modify the amendment in the form he desires, and then the House would see whether it is out of order or not.

Shri Velayudhan : I beg to move:

"That the Bill be referred to a Select Committee consisting of Shri N. Sreekantan Nair, Shri K. Ananda Nambiar, Shri V. P. Nayar, Shri H. V. Kamath, Shri T. B. Vittal Rao, Shri S. S. More, Shri V. Boovaraghansamy, and the Mover, with instructions to report by the 30th May 1956."

An Hon. Member : Is that all? There are only about seven or eight Members on the Select Committee.

Shri Velayudhan : If there is a huge majority, the whole thing will look like a farce.

Shri A. M. Thomas : It is a mockery.

Shri Velayudhan : The hon. Member Shri A. M. Thomas may think that it is a mockery. But this Parliament itself is a mockery, as far as we are concerned.

Mr. Deputy-Speaker : The hon. Member may go on to say what he wants to say.

Amendment moved :

"That the Bill be referred to a Select Committee consisting of Shri N. Sreekantan Nair, Shri K. Ananda Nambiar, Shri V. P. Nayar, Shri H. V. Kamath, Shri T. B. Vittal Rao, Shri S. S. More, Shri V. Boovaraghansamy, and the Mover, with instructions to report by the 30th May 1956."

Shri Velayudhan : At the outset, I would like to say that this is a very important Bill which has been brought before this House by the Treasury Bench for approval. There is a saying in our language that when a murder is committed, more murders will have to be committed by the murderer to justify the first murder. In the same way, the Treasury Benches which were responsible for murdering democracy in Travancore-Cochin where we had the most democratic people in India, are now bringing forward further legislation to justify their first undemocratic action.

I am very sorry to say that this is a measure which not only we on this side of the House will oppose, but which I feel the whole House should oppose, because it practically tarnishes the fair name of parliamentary democracy itself. The Treasury Benches may say that they have got some important legislations to put through, and that is why they have brought forward this Bill. Of course, there were so many Bills pending in the Travancore-Cochin Legislature, which were very useful and important. But I am sorry to say that though we have been sitting here for the last one and a half months, not a single Bill has even been introduced in this House, even though we had enough time to put through some legislation.

The Minister was saying that there are important Bills in regard to land reform. I do not know whether he has included in the list the Bill that was pending before the Select Committee in Travancore-Cochin regarding the fixation of ceilings on land-holdings. I do not think that that Bill will be brought forward before this Parliament, because not only the majority of the Members here but even the Congress Members from the Travancore-Cochin State are definitely opposed to any kind of ceiling on the lands.

Shri Achuthan (Crangannur): Wherefrom has the hon. Member got this information?

Shri Velayudhan : The hon. Member may not personally agree to that, but he shall have to accept the decision of the Congress Party and of Parliament itself. I know that the Congress Party are never going to bring forward any land legislation here, not only for the Travancore-Cochin State but for the whole of India, because only the other day, the Prime Minister himself has evaded this important issue completely. Therefore, I am sure that no land legislation is going to be brought before this House by way of a motion for approval of the Presidential Acts.

Another very important point that I would like to mention is that this is a fantastic piece of legislation. The routine of a parliamentary system of democracy is that when parliament is in session, a Bill should be brought forward before it before any legislation is enacted. That is practically the ABC of parliamentary democracy in every democratic country. But here we are following a peculiar type of democracy tinged with a kind of dictatorship. Otherwise, there would

[**Shri Velayudhan**]
be no point in bringing forward this kind of measure.

In regard to the committees to be constituted, Government are peculiarly and curiously enough silent or vague as to whether the members thereof will be confined to the State of Travancore-Cochin or whether they will be drawn from the other States also. I do not know how they are going to constitute these committees, because they are curiously vague in this as in other matters. My own feeling is that a committee of this nature will only be a show—I am not at all satisfied with it—because it will not be able to reinstate a legislature or restore parliamentary democracy in my State. We have pleaded time and again that the legislature should be restored, even though it has been dissolved by the President's order, but our pleading has been in vain. The committee that will be constituted will only be a show, and it will afford only a forum where the people of that State can express what they feel through their representatives in Parliament.

But I should tell you that that is not going to satisfy the people of Travancore-Cochin. They will never be satisfied with it. They will be satisfied only if there is restoration of responsible government in that State. So, a legislation of this character is not going to be acceptable to the people of Travancore-Cochin.

You may bring forward any kind of ordinances, and you may keep the Travancore-Cochin State under President's rule even after the elections are over. But I should tell you that the people of that State will never support that sort of move on the part of the Centre.

In regard to representation of Scheduled Castes' interests, I do not know whether Government are interested in ensuring that or not. But it is my opinion that practically a kind of political birth-control has been given to democracy in that State. Therefore, I wonder whether Government will think of the various minority interests at all, even while they are going to have a sham committee or a sham advisory council. When we were enacting the legislation regarding the Delimitation Commission last time, I found that there was not a single representative of the Scheduled Caste or Scheduled Tribe interests from

that State, even though all the other interests had been represented. I do not know whether Government will follow the same dictum now also, when they are going to have a new set-up.

With regard to the functions of the advisory council also, Government are very vague. We do not know whether the advisory council will be consulted only in regard to legislation or even in regard to other matters relating to the whole administration of the State. From what we find in the clause, it appears that this advisory council will be consulted only on matters of legislation. I do not know whether that is the main intention of Government. In the past we had passed similar legislations like this, when the PEPSU¹ and Andhra questions had come up before us. There also I was told that there were some advisory councils functioning. Those councils were called not only in connection with enactment of legislation but also for discussing other matters. Whether that policy will be followed in this case or not, I do not know. I see the Minister shaking his head. I do not know whether it is for 'yes' or 'no'; it is for 'no' because from that side always comes 'no'. Whatever it is, we are not having much hope in the Government.

Mr. Deputy-Speaker : It is very dangerous to interpret signals in the House.

Shri Velayudhan : I know. That is why I mentioned that it is very dangerous to see signals also on the other side.

Mr. Deputy-Speaker : Do not take account of signals.

Shri Velayudhan : Yes.

What I feel is that this legislation is totally unacceptable to the people of Travancore-Cochin. Some other Member may think that it is a piece of benevolent legislation because so many Bills are pending and they must be passed. But I should like to know whether any progressive legislation will be included even by the President. That is not going to happen. Take, for example the land legislation which has been pending for the last three years in the legislature of that State. That they are not going to bring into effect. There will be some kind of sham legislation, some kind of formal legislation, and for this they are going to murder democracy here—they have already murdered it in that State.

Shri A. M. Thomas : I support the motion that has been moved by the hon. Minister and oppose the motion for reference to a Select Committee moved by Shri Velayudhan.

A motion for reference to Select Committee is moved by a Member who agrees with the principle of the Bill. I know from the speech of Shri Velayudhan that he does not accept the principle of the Bill. Yet he has moved for reference of the Bill to a Select Committee.

Shri Velayudhan : I said that— even if it comes.

Shri A. M. Thomas : That apart, it has been a regular feature of the debate when similar legislation has come before the House that criticism is made that something undemocratic and reprehensible is being done. The propriety, advisability and desirability of having such a measure has been debated when the Constituent Assembly passed article 357 of the Constitution. Subsequently, three Bills, relating to the Punjab, PEPSU and Andhra, came up for discussion on the floor of the House. It would appear that the speech of Shri A. K. Gopalan indicates that an unconstitutional step is going to be resorted to by the Government.

Shri N. Sreekantha Nair : Only an immoral step.

Shri A. M. Thomas : In the Constituent Assembly, Shri Kamath opposed the provision in articles 356 and 357. He ultimately made a plea to the House. He said :

"I appeal to the House to deliberate coolly, earnestly, seriously, deeply and dispassionately concerning this provision."

After all this cool, deliberate, dispassionate, earnest and serious consideration, the Constituent Assembly in its wisdom enacted articles 356 and 357.

Shri Kamath : It was not my fault that it did so.

Shri A. M. Thomas : Whatever it be.

I would also like to refer this House to another aspect of the debate in the Constituent Assembly. These two articles were debated simultaneously and although some Members were opposed, very seriously opposed, to the imposition of President's rule in any State under circumstances mentioned in article 356—I am referring to some Members including Shri Kamath. However the

second step was not seriously disputed by the Constituent Assembly Members—namely once the President has assumed control, whether Parliament should delegate the legislative powers to the President. That aspect has been specifically referred to by Dr. Ambedkar when he moved for consideration of those articles. He said :

"The second suggestion which article 278—that was the number of the draft article—makes is this : that originally the authority and powers of the legislature were exercisable only by Parliament. It is now provided that this authority may be exercisable by anybody to whom Parliament may delegate its authority. It may be too much of a burden on Parliament to have factual and *de facto* possession of legislative powers of the provincial legislatures which may be suspended, because Parliament may have already so much work that it may not be possible for it to deal with legislation necessary for the provinces whose legislature has been suspended under the Proclamation. In order, therefore, to facilitate legislation, it is now provided that . . . Parliament may authorise under certain conditions and terms and restraints some other authority to carry on the legislation".

This argument of the then Law Minister, Dr. Ambedkar has not been controverted in the Constituent Assembly. I mention this only to indicate that once there has been imposition of President's rule, the next step automatically has to follow.

Shri Raghavachari (Penukonda) : Must follow.

Shri A. M. Thomas : That has been our experience also with regard to the Punjab, PEPSU and Andhra. I wish to bring one fact to the notice of the House, namely, that the present form in which the Bill has been brought forward is the result of successive discussions on the same subject-matter on as many as three previous occasions. I submit the provisions in the Bill represent a compromise, and the shape it has taken is a model one.

Shri A. K. Gopalan, who initiated the discussion on this motion, said that Pandit Thakur Das Bhargava opposed these provisions during the time the Bill relating to the Punjab was discussed on the floor of the House. There has been a notable difference in the Punjab Bill as

[Shri A. M. Thomas]

originally introduced in respect of all the powers contemplated under article 357(1) (a). It was intended to delegate the entire powers to the President according to the Bill and it was further authorised that the President in his turn may delegate the power to some other executive authority.

Shri Achuthan : There is an amendment by Shri Vallatharas.

Shri A. M. Thomas : There were some objectionable features to which Pandit Thakur Das Bhargava rightly raised his voice, and wanted some safeguards. The safeguards were forthcoming during the discussion on the Bill itself.

Mr. Deputy-Speaker : The hon. Member's time is up. The Speaker has put down a limit of five minutes.

Shri Kamath : Five to nine minutes.

Shri A. M. Thomas : Shri A. K. Gopalan spoke for about half an hour. I should be given at least some more time to answer all the points.

Mr. Deputy-Speaker : I am sure the hon. Member does not want to follow the footsteps of Shri A. K. Gopalan.

Shri A. M. Thomas : Anyhow, I will just hurry up.

The present Bill has also been modelled in the light of the experience gained by the Ministry in connection with the Bills regarding Punjab, PEPSU and Andhra. So I do not want to refer further to that aspect at all.

Shri A. K. Gopalan and Shri N. Sreekanth Nair referred to the fact that now we are giving extraordinary powers to the President not only when the House is not sitting but even when the House is in session. That argument would have been good if we were not delegating the powers of legislation. When an Ordinance is promulgated, the President is not acting under power of delegation. It can be done only when the House is not in session and it has to come before this House within a particular time. So that the argument on the provision with regard to the ordinance-making power cannot be made applicable to this case at all.

Two safeguards have been provided in this Bill. One is that before passing any measure, a Committee of ten Members from this House and five Members from the other House would be consulted. I have tabled an amendment to this provision. I want that all the

Members from Travancore-Cochin in this House as well as in the other House may be included in that Committee. The provision about ten Members from this House and five Members from the other House rose in this way: with regard to PEPSU, there were only five Members representing that State in this House.

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In regard to Andhra too the number of Members from that area was large. But in the case of Travancore-Cochin, I would say there must be a provision to enable the Speaker to have all the Members belonging to Travancore-Cochin from this House as well as from the other House on this Committee.

Then there has to be another safeguard. Even if we pass this legislation, it is open to this House to modify it within a particular period. If there is any objectionable feature as has been pointed out by some of the Members here, it can certainly be modified and if the House agrees, the President would enact a further Act providing for that modification. I would say that in the particular circumstances of my State this Bill is absolutely necessary.

The Home Minister referred to one Bill, namely, the Irrigation Bill which it is absolutely necessary to be passed. In his Budget speech the Finance Minister of Travancore-Cochin said: "Revenue however been taken for a revenue of Rs. 50 lakhs from betterment levy for which the necessary legislation is already pending before the House." It is a budget which this House passed and the necessary money to the extent of Rs. 50 lakhs has to come from betterment. So, it is absolutely necessary that they should find a place in the statute-book of Travancore-Cochin as early as possible. My hon. friend Shri Sreekanth Nair said that we can wait for three or four months. How could then the budget estimates be justified? Then estimates has not taken credit for any there is another Bill, namely, State Aid to Industries Bill. For lack of provision as found therein, it has not been possible for several industrialists, and particularly small scale industrialists, to take advantage of the aid that is being given by the Centre as well as by the State.

Mr. Deputy-Speaker : The hon. Member must conclude now.

Shri A. M. Thomas : I shall conclude in two minutes.

My hon. friend Mr. Velayudhan was in fact making an insinuation when he said that the Bill fixing a ceiling on land would never come up before this House. The ceiling Bill and some other Bill, the Verumpattam Bill, were being considered by a Select Committee. The majority of the members of that Committee were non-Congress members, so that the Congress cannot in any way be blamed for delaying that Bill. We would only be too anxious to see....

Shri Velayudhan : Will the Bill be coming here or not?

Shri A. M. Thomas : That matter has to be considered by the Advisory Committee.

There is another measure known as the "stay of Eviction of Tenants Act" according to which eviction of tenants in that State is being stayed for about six months or one year. The necessary Bills have to be passed as early as possible and if it is to be passed according to the convenience of this House, I feel thousands of tenants in my State would be without any remedy and they would have to quite their holdings.

As many Bills as possible, especially those which have been reported on by the Select Committee and those which are pending before Select Committees, have to be taken up by the Advisory Committee and the necessary enactments wherever possible will have to be passed by the President and that will be only to the benefit of the People.

Shri Vallatharas (Pudukkottai) : I support the Bill and I go a step further. Ideas which were obtaining some years back need revision and as a matter of fact some progress must be made. The Republican Constitution of India contains provisions in such a manner that though the department of administration and legislation are kept separate, in conditions when a merger of the two is expected, certain sensible provisions are provided.

I studied very carefully the debates in 1949 over articles 352 and 360. Mr. Kamath was the hero of the occasion and gave his studied views. After seeing all these views, I am convinced that sticking to old views will not be beneficial to us. The six years of the working of the Constitution has given us some intelligent appreciation of its working. Here in India we have got a democratic system; it is no use expecting that the President will grow into an autocrat or a dictator if we give him certain powers. When an emergency

arises the President is given full powers to assume not only the administration but also the defence of the country. It is only in small cases where the legislature in a State is unable to function, in spite of the fact that the legislation may be very intelligent and capable, that the President is given the power to administer the State and the power of legislation is entrusted to Parliament. But Parliament is not an ordinary institution. In recent years the work of Parliament has increased; its scope has increased; the complexity of the problem has increased. All these were anticipated by Dr. Ambedkar and many other Members who were taking interest in the debate in 1949. Now, where has this Parliament the leisure to devote its time to so many things?

Now clause (1) (a) of article 357 specifically says that the President can be conferred with the powers of making legislation by Parliament. Parliament in its turn can delegate these powers, whenever it considers it necessary, to whomever it likes. It is not a question of unconditional delegation. Each situation may deserve the attention of this Parliament as to whether power should be delegated to the President to legislate or not. Of course we can decide and if we do not like we need not delegate. When the President is delegated the power it follows that he can delegate the power to some competent persons.

An hon. Member pointed out that the President may give it to a revenue inspector or some police constable. Such fantastic things cannot happen now. We have a strong hold over everybody taking part in the administration. The Constitution is a seamless web of discretion and action irrespective of the fact that the various sections of administration are kept separate. Only in cases of emergency do we see the unity that is existing among us. Only in case of great distress do we see the earnestness with which we want to join together and get out of it. We have seen great progress during the last many years. Now, I have not submitted my amendment in any spirit of luxurious irresponsibility. Nowadays so many States go out of normal existence; so many States may also come up; but it does not mean that the entire structure of the Constitution is blown up by one State being placed under the regime of an Adviser.

The President's office has also become more complicated. He has got so many duties to be attended to, in res-

[*Shri Vallathomas*]

pect of twenty-eight States, foreign affairs, defence, etc., that I do not think that the President's Department will be able to manage all these without expanding his staff. In some cases if the President thinks that he can relieve himself of this burden of legislation and supervision, he may delegate it to his Adviser or Rajpramukh. The safeguard for that in our republican democratic system of Government is that everything done by anybody comes to be approved by Parliament in the end. So, Parliament can approve a legislation if it is made by the President or by the persons to whom authority has been delegated and there is no danger of any law coming into force without the knowledge of Parliament. Under these circumstances, I have submitted amendments to the effect that the President may be given the powers of delegation also.

There is a provision in the Bill that even before Parliament has considered it, an Act enunciated by the President will come into force. I submit that that provision is not a conducive one. In an emergency atmosphere, no further emergency can arise in the locality. So, whenever an ordinary law has to be enacted, it has to come leisurely. As a matter of fact, the Bill has to be prepared and it has to be submitted to the President. He may have the final word on it, whether it is proper to be enacted or not. That must be approved by Parliament; and, if it is not approved, none of the provisions can come into force. To give absolute and uncontrolled validity to the provisions of the Act, even before Parliament has considered it would have far-reaching consequences.

My amendment is to the effect that whatever Act may be passed by the President or in pursuance of the delegation given to any other person, that must be approved by Parliament and until so approved, it cannot have any validity at all. Subject to this, the conferment of powers on the President need not be viewed with suspicion or even with any kind of reservation.

Ordinarily, the Constitution has empowered Parliament to delegate its powers to the President. In the present scheme of things, it is not as if the President can enact any law even without consulting the Ministers or without consulting anybody else. On the other hand, he will be too careful because if any mistake is committed in the period

of emergency, then, it will be an occasion for the opposite side to create unfavourable public opinion.

Under these circumstances, I submit that the Bill has to be accepted. But, I would say that the Government should be more resourceful and adventurous in this matter, that ordinarily, the power of delegation must also follow, whenever the power is conferred on the President to legislate.

The committee suggested is too very small. It will consist of 10 plus 5 or 15 members. We have 500 Members here and another 250 Members in Rajya Sabha have to sit in consultation over the matter. So, the numerical strength should be more and that is why I have suggested the number 30, 20 from this House and 10 from the other House. And, it shall be a convention or the declaration of Government that the committee shall be consulted in any circumstances. The President may agree or differ from them; that is a different thing altogether, but consultation must be imperative and the numerical strength shall be increased.

I have seen an amendment that a certain number of Members of Travancore-Cochin should be on the committee. This kind of sectional, provincial or territorial attitude should not be taken. There may be emergencies in different places and Government should have consideration for the entire country. We in this House cannot discriminate between Members. It is not proper that predominance should be given to Members of a particular State. No distinction should be made and there should be a general distribution of the seats among Members from the various States and the committee must be representative of this country. Whenever it declares a certain thing, it must be the opinion of the entire Parliament.

Shri Achuthan : I am glad that the Home Ministry has come forward with this Bill so that, within a few months of the taking over of the administration by the President, there may be reforms there in the State. When the administration was taken over by the President, there were a number of Bills pending before the State Legislature. During the last Assembly in Travancore-Cochin, as was pointed out by the hon. Minister, there were a number of Bills pending and some of them had been sent to the Select Committee and, in certain cases, reports had also been submitted.

Shri Gopalan may take objection to the principle of articles 356 and 357 of the Constitution. There is no other go for this Parliament. It is not only for Travancore-Cochin but for the whole of India. The Parliament has got to delegate power to some competent authority. Otherwise, there would be no sense of proportion. If we say that the Parliament would not value all these things with a sense of proportion, then where is the necessity for any other Legislature? The whole year can be taken up for the work in Parliament. We can be here throughout the year. That is not expected of us. In certain emergency cases—that was what happened in the Punjab, PEPSU and Andhra—it takes up the question and gives the consent. There is nothing unconstitutional or undemocratic in giving powers to the President. The President has not the sole power in this matter. There are provisions to show that first of all he must consult the committee of the Members of Parliament. Afterwards, if both Houses take a different view and some resolutions are passed then, those measures should be amended. Necessarily, the President is compelled to see that they are so amended. On principle, I accept all matters being done so in that particular state of affairs and I do not at all oppose the Bill.

Coming to the provisions actually, I do not know whether there is any necessity for having the words, 'whenever he considers it practicable to do so'. In this case, we are likely to have this President's rule for a few months. We expect that by March 1957, there will be a new Legislature and the powers will be taken over by the majority party in the State concerned. Only for these 9 months, we are giving this power. During these 9 months, Parliament will be sitting in August-September, and November-December and also in February-March. I think, we should not say, 'whenever he considers it practicable. It will raise some doubts in the minds of some Members as to whether that provision is at all necessary. I understand that it is to see that some contingency is covered. There is little scope for that contingency.

Moreover, when a committee is constituted, it must be of the whole of the Members of the State. Suppose this particular measure or Bill is going to be enacted in the Travancore-Cochin Legislature, the whole of the Members would take part in it. So also, in a similar way,

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with regard to Parliament, all the Members of that particular State should form the committee. If the President does not agree with the views of the Committee and he has got views of his own, and if that becomes a law, then it comes before the whole Parliament. Both Houses of Parliament consider it and if they come to the conclusion that such and such a change should be introduced in that law, it has to be introduced. Subsequently also there is this check of the whole Parliament taking seisin of it.

Shri V. P. Nayar (Chirayinkil): How can the Parliament take up the case because the wording is, 'Parliament may'? At the final stage?

Shri Achuthan: Generally, if there is a view taken by Parliament, necessarily, Government will act accordingly.

In Travancore-Cochin there are a number of land laws. Shri Velayudhan said that the present Congress party has not done anything. I ask, where from did he get this information. For the past 13 or 15 years, the Congress party has been there both in Travancore and in Cochin. They have taken many decisions which other States have not taken.

Shri Velayudhan: Fifteen years?

Shri Achuthan: More than 13 years. Shri Velayudhan cannot blame the Congress party.

Shri Velayudhan: When are we going....

Mr. Deputy-Speaker: Now, let the hon. Member proceed; he has to finish his speech by 1-20.

Shri Achuthan: When the Kerala State comes into being, we may have to change the committee. Some members may have to go out of it and some other members will have to come from Malabar side. In these circumstances, if the schedule is kept up, after October when the Kerala State is formed, we formed, we may have to change the members so that the members of the whole of the Kerala State will be there.

I have got an amendment also which has some bearing on clause 3. When the clauses are taken up, I shall move

[**Shri Achuthan**] my amendments at that time. Let me say in a general way that there is a sense of propriety, and there is a sense of duty, in doing this. I wholeheartedly support it.

Shri Datar : My task has been considerably lightened because some hon. Members have answered the questions raised by my hon. friend, **Shri Gopalan**. **Shri Thomas** has answered a number of points, and my hon. friend, **Shri Vallatharas**, has shown how what has been done is only the proper thing under the present circumstances.

It was contended that this Bill is an undemocratic one in the sense that the President is being given certain powers and Parliament is being deprived of them. That is not correct. As I pointed out already, there are a number of Bills which we have actually taken in hand. I might assure the House that we are scanning all these 23 Bills and we shall try to enact as many of them as possible because it is absolutely essential that further progressive legislation should be made and it is necessary to carry on the administration in as progressive a manner as possible.

An hon. friend raised the point as to what is to happen regarding the non-official Bills that were pending before the Travancore-Cochin Legislature. So far as the scope of the present Bill is concerned, it is for the President, with the authority to be vested in him, to make laws, and the President's choice is not confined only to the official Acts or Bills of the then Travancore-Cochin Government, but the President would scan also all private or non-official Members' Bills as well as the official Bills.

Shri A. M. Thomas : And other measures also if necessary.

Shri Datar : Yes, any further measures also. The President's powers are not limited.

Shri A. K. Gopalan : What I wanted to know was only this, namely, whether here in the Parliament we can bring in non-official Bill or resolution concerning Travancore-Cochin State.

Shri Datar : We shall surely look into this matter. I might also point out to the hon. Members that Government are going to accept an amendment moved by **Shri Thomas** regarding the number of the members who will form the advisory committee. It would be possible

for us to take in almost all the Members from Travancore-Cochin, but we do desire that there should be Members from the other States on this committee, because other States have to be interested in Travancore-Cochin, which is one of the most important parts of India. Secondly, whatever is done by the President is under the authority of Parliament, which ultimately has powers to legislate for all the States taken together on the subjects that have been assigned to it, or on the subjects that might go under the President's rule as in the present case. Therefore, I would point out to this House that there is nothing undemocratic here and there is no murder of democracy, as my friend, **Shri Velayudhan** put it. I wish he had not used such unrestrained expressions about what Parliament is doing. We are carrying on in as democratic a manner as possible. Under the circumstances, I am not going to accept any motion for referring this Bill to a Select Committee, or any other delaying motion. Even with regard to that, you will find that the hon. Member, **Shri Velayudhan**, has not been fair even to the Government. Perhaps he has been advised by some friend of his in this matter, but he ought to have been fair to the other party, namely, the Government, who are most concerned in this matter.

Shri V. P. Nayar : He has copied it after them.

Mr. Deputy-Speaker : Will the Government Members give their consent to it?

Shri Datar : If an hon. Member wants to bring a proper motion before the House, he ought to put it in as proper and fair a manner as possible so as to enthuse the other party as well.

Pandit Thakur Das Bhargava (Gurgaon) : Look at his sacrifice, for he has not included his own name in the list of member's of the Select Committee which he read out.

Shri Datar : "The mover" is there. I wish he had bestowed more thought on this.

So far as this measure is concerned, it is a necessary measure, and as **Shri Vallatharas** pointed out, it is absolutely essential. I may point out to my friend, **Shri Gopalan**, that there is no object on the part of the Government to deprive Parliament of its authority, and that is the reason why we have put in two safeguards.

There is also another point which may kindly be noted. Under article 357 of the Constitution, it is open to Parliament to delegate its authority of legislation to the President and also to empower the President to delegate his powers to somebody else. We have not taken any such authority. All that is absolutely required only has been asked for here. Therefore, I would submit to the House that there is no desire to take powers in an autocratic manner.

Certain other matters which are not directly concerned with the question of the delegation of powers were also adverted to by certain hon. Members. I might point out to the hon. Members that so far as this Bill is concerned, the President's rule has been received very well in spite of what hon. Members might say here and there. The President's rule has been received very well and has been welcomed.

Shri V. P. Nayar : Did they take a gallup poll (*Interruption*).

Mr. Deputy-Speaker : Let the hon. Minister proceed without interruptions.

Shri Datar : If certain criticisms have been made, the reply to those criticisms has also to be heard.

Shri Velayudhan : Let them call for an election to find out this. I challenge his statement.

Shri Datar : I repeat that the President's rule in Travancore-Cochin has been welcomed by the people.

Shri Kamath : By the Congress.

Shri Datar : And it has made very good improvement even in the tone of the administration (*Interruption*).

Mr. Deputy-Speaker : There is difference of opinion; let it be there.

Shri A. M. Thomas : May I raise a point of order? It has often been the habit of my hon. friend to beat on the table in front of him. Is it open to any hon. Member to make such noise by beating on the table?

Shri A. K. Gopalan : Can the Home Minister give an answer to this point? Even when notice has been given for 15 days for certain questions, the answers do not come. What is the reason for that? That is the popularity of the State.

Mr. Deputy-Speaker : I have first to answer the point of order raised, though it is not strictly a point of order, but the hon. Member wants to know whether it is permissible here in this House to

thump the tables and do other things. This is not a very good habit, but habits do die hard and we have to suffer them many a time. It is not advisable to continue that or indulge in that. But we cannot say that it is absolutely prohibited. Sometimes one is impelled by his own habits, even without his consciousness, and that can be excused.

Shri V. P. Nayar : Your ruling is that it is not unparliamentary.

Shri Datar : So far as the question raised by Shri Gopalan is concerned, it is a matter with which I am not concerned, but I shall make enquiries as to what the position is. Sometimes it is difficult to collect information in time. Whenever questions are received by the different Ministries

Shri A. K. Gopalan : When there is a University, there is a Director of Public Instruction and cannot he or his department get within 10 days the reply to the question as to how many colleges are affiliated to the University? The Minister says that it takes some time to get that information.

Shri Datar : Let not the difficulty of Government on one point be generalised and let not general conclusions be drawn on that basis.

Shri A. K. Gopalan : Not one, but several.

Shri Datar : I would point out to the hon. Member that so far as this Bill is concerned, we have used the same wording, and in fact we have made improvements, on the Bill in connection with the Punjab. There the power was going to be taken by the President and it could be further delegated by the President. It may be found that on three occasions such a Bill was passed so far as Punjab, Andhra and PEPSU were concerned. In all these cases when laws had to be made, Government always acted on the advice of the members of the advisory committee. (*Interruptions*.) Let the hon. Members hear me. We have heard them patiently, let them not be irritated over the reply to one question.

Here also I would assure this House that as far as possible, except when the exigencies or the urgency of a situation require it, we shall always consult the members of the advisory committee and also take into account the views of the dissolved Travancore-Cochin legislative assembly and the views of the select committee there. In the circumstances, I submit that all the points that have been

[**Shri Datar**]

raised have been answered and therefore, I submit that the motion may be adopted.

Mr. Deputy-Speaker : I shall put the amendment of Shri Sreekantan Nair to the vote of the House.

The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th July 1956."

The motion was negatived.

Mr. Deputy-Speaker : I shall put Shri Velayudhan's amendment to vote.

Pandit Thakur Das Bhargava : May I raise a point of order ? Shri Sreekantan Nair moved an amendment that the Bill be circulated. But in Shri Velayudhan's amendment also, his name appears. I presume his consent was never taken. He could not be a party to both.

Mr. Deputy-Speaker : It is best known to Shri Sreekantan Nair. One hon. Member says that he has got his consent. The hon. Member does not deny. We can only accept the word of one hon. Member when it is not changed by any other hon. Member. So, we shall have to accept it.

Pandit Thakur Das Bhargava : It is not affirmed also by Shri Sreekantan Nair.

Mr. Deputy-Speaker : I do not think that I should put it to him.

The question is :

"That the Bill be referred to a Select Committee consisting of Shri N. Sreekantan Nair, Shri K. Ananda Nambiar, Shri V. P. Nayar, Shri H. V. Kamath, Shri T. B. Vittal Rao, Shri S. S. More, Shri V. Boovaraghavan and the Mover, with instructions to report by the 30th May 1956."

The motion was negatived.

Mr. Deputy-Speaker : The question is :

"That the Bill to confer on the President the power of the Legislature of the State of Travancore-Cochin to make laws, be taken into consideration."

The motion was adopted.

Clause 2—(Definition)

Shri Kamath : All the amendments to the clauses may be taken together.

Mr. Deputy-Speaker : That would be better. They will be treated as moved and taken together. There are a large number of speakers and I could not accommodate all of them in the general discussion. So, hon. Members should exercise some restraint on the time—not exceeding five minutes.

Shri Vallatharas : May I make a submission ? I have given an amendment No. 22 for substituting "twenty members" for ten members and another amendment No. 23 for substituting "ten members" for "five members". They may be taken up separately. The rest of them may go together.

Shri V. P. Nayar : I oppose this Bill. If you see and examine my amendments, you will see why I do so. I have given in these amendments the basis of a scheme and if the amendments are accepted you will understand it. I have chosen to object to the Bill due to this reason.

Mr. Deputy-Speaker : The House has passed this motion that the Bill be taken into consideration and has proceeded to clause-by-clause discussion. Exception could have been taken then. When we have decided that all the clauses be taken together and also the amendments, it is not fair now to say that you oppose the Bill. It is not in our competence now to say. It may be said in the third reading stage. Now, we are dealing with clauses.

There is one other matter to which my attention has just now been invited. There is no amendment to clause 2. So, I shall put clause 2 to the vote of the House. The amendments are all to clause 3.

The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Conferment on the President of the power of the State Legislature)

Shri A. M. Thomas : I beg to move:
Page 1,

for lines 16 to 20, substitute :

"Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a committee consisting of the Minister for Home

Affairs, Government of India and the Members of both Houses of Parliament from Travancore-Cochin. The Minister for Home Affairs shall be the Chairman of such Committee."

Shri Kamath: I beg to move:

Page 1,

line 17, *omit* "whenever he considers it practicable to do so".

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

Page 1,

line 18, *for "ten members" substitute:* "all members of the House from the Travancore-Cochin State and Malabar District of the Madras State and one third their number of members from other States."

Shri Kamath: I beg to move:

Page 2,

for as soon as may be line 2— *after enactment" substitute:*

"within three days from the date of enactment of an Act, or, if an Act is enacted when Parliament is not in session, within three days from the date of commencement of the session immediately following the enactment of the Act."

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

Page 2,

line 3, *add at the end:*

"In such cases the Parliament shall discuss the enactment in the same Session in which the enactment has been so laid before it, provided one third the number of members from Travancore-Cochin State in the House demand a discussion in writing."

Provided that all important enactments affecting land reforms, civil liberties, taxation, working conditions of labour, shall not be passed unless the majority of the members of the committee has concurred."

Shri Kamath: I beg to move:

Page 2,

line 9—

after "before it" insert "or in the subsequent Session".

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

Page 2,

after line 12, add:

"(5) Nothing in this Act shall be deemed to confer any power on the President of India in enacting any measure which will enhance the tax or land revenue, payable by a person whose income is less than Rs. 3,000/- a year."

Shri Achuthan: I beg to move:

Page 1,

line 17—

Omit "whenever he considers it practicable to do so".

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

Page 1,

line 17,—

after "to do so" insert "himself"

Shri Achuthan: I beg to move:

Page 1,

lines 18 to 20—

for "consisting of ten members of the House of the People nominated by the Speaker and five members of the Council of States nominated by the Chairman" substitute:

"consisting of all members of both Houses of Parliament from Travancore-Cochin State"

Shri N. Sreekantan Nair: I beg to move:

Page 1,—

(i) line 18,

for "ten members" substitute "twelve members" and

(ii) line 19,

for "five members" substitute "six Member's"

Shri Achuthan: I beg to move:

Page 2,

line 9—

after "before it" insert "or the Session succeeding"

Shri Velayudhan: I beg to move:

Page 1,

line 19—

[Shri Velayudhan]

after "Speaker" insert :

"which shall include representatives of the Scheduled Castes and Scheduled Tribes of the State."

Shri Vallatharas : I beg to move:

(i) Page 1—

for lines 8 to 11, substitute :

"3. (1) The President is hereby conferred with the power of the Legislature of the State of Travancore-Cochin to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of the Parliament and is also authorised to delegate his powers of making laws to any person whom he may deem fit and competent with conditions, if any needed, imposed on the person upon whom the powers have been so delegated."

(ii) Page 1,

line 12—

after "President" insert :

"or the person upon whom the powers have been delegated by the President"

Shri C. R. Iyyunni (Trichur) : I beg to move :

(i) Page 1,

lines 13 to 15—

for "enact as a President's Act a Bill containing such provisions as he considers necessary" substitute :

"enact any law in respect of any matter which appears to him to be necessary in the interest of the State."

(ii) Page 1—

for lines 16 to 20, substitute :

"Provided that before enacting any such Act, the President shall consult a committee consisting of twelve members of Lok Sabha and six members of Rajya Sabha representing the Travancore-Cochin State in Parliament, except when he considers the enactment to be so emergent that consultation may be dispensed with without detriment to the interest of the State."

Shri Vallatharas : I beg to move :

(i) Page 1,

line 16—

after "President" insert :

"or the person upon whom the powers have been delegated by the President"

(ii) Page 1,

line 18—

for "ten members" substitute : "twenty members"

(iii) Page 1,

line 19—

for "five members" substitute : "ten members"

(iv) Page 2,

line 1—

after "President" insert :

"or the person upon whom the powers have been delegated by the President"

(v) Page 2,

line 5—

for "seven days" substitute : "fifteen days"

Shri C. R. Iyyunni : I beg to move :

Page 2,

line 5—

for "seven days" substitute : "fourteen days"

Shri Kamath : I beg to move :

Page 2,

line 9—

after "before it" insert "or in the Session immediately following".

Shri C. R. Iyyunni : I beg to move :

Page 2,

line 9—

after "before it" insert "or in the succeeding Session"

Shri Vallatharas : I beg to move :

Page 2—

for lines 11 and 12, substitute :

"Provided that nothing in the Act shall be valid and enforceable unless the two Houses of the Parliament have considered the Act under this sub-section."

Shri A. M. Thomas : I beg to move:

(1) Page 1—

line 17—

omit "whenever he considers it practicable to do so"

(2) Page 1—

(i) line 18,
for "ten members" *substitute* :

(ii) line 19,
for "five members" *substitute* :
"seven members"

Mr. Deputy-Speaker : These amendments are before the House.

Shri V. P. Nayar : If the provisions of my amendments are examined it will be found that they refer to the scope and functioning of the committee and that they restrict the powers of the President. I am strengthened in this amendment by an interpretation of Maxwell which is not out of place here. I have said that the President himself should exercise those powers. It is a very important question. I do not want to go into the fundamental principles. He says that wherever the power is delegated by the Parliament—that is the power to legislate and that is a discretionary power—the exercise of that power within the limits of discretion will not be open to challenge in a court of law. Maxwell reproduces this from Lord Tagerton's judgment. I fail to understand this. We are giving a blank cheque to the President. There are no fetters and it is completely left to his discretion. We cannot at all impugn his acts. They may be right or wrong or something which we do not like. So long as it does not offend the Fundamental Rights enshrined in the Constitution, there is no legal remedy.

Why have we given these amendments? We know what the administration is. We do not want the President to exercise this power. As Pandit Bhargava rightly pointed out during the famous debate in 1951, though the President purports to act in his name, he never acts by himself. I do not have the time now to elaborate it. You, Sir, also took part in the debate. When the President delivers his Presidential Address,

one cannot take it that it has come from the President himself. I have given an amendment substituting the word 'himself' I want that the President should not exercise the power in the manner in which it has been exercised so far for the simple reason which I shall presently give.

President's rule in Travancore-Cochin is exercised through one or two representatives called advisers. We happen to know what is the case with regard to that State for the last 1½ months. In this session, after the 1st of May, I myself put seventeen questions out of which twelve questions were on that State. The answer has been "Information not available". What are these questions? They are simple questions. One is: "How many cases are pending in regard to security proceedings?" These cases go before the first class magistrates courts and they are accessible by telegrams. I gave notice: ten days after comes the reply: Information is collected."

There was another question about an ayurvedic college. The Speaker was kind enough to remark this morning that this should not be the attitude. There is a college half a furlong from the secretariat; it has a telephone. The question was so simple: "Is there a strike?". The hon. Deputy Minister says: "No information." She said that they had sent a telegram and were sending reminder telegrams. This is the President's Rule which is supposed to be very impartial. There has been a tourist advisory committee and another committee appointed. The President's representative there has been going about saying that his administration was very impartial and will not be based on political considerations. But I say—and I say with full sense of responsibility—that the President's Advisor there has been functioning as a stooge of a political party—I do not want to name that party. It was only the other day that Shri Abid Ali gave out some figures about the registration of various trade unions. There a Committee has been appointed for fixing the minimum wage, consisting of 12 members representing capital and 12 members representing labour. I was shocked to find that the INTUC which has a membership far less than the AITUC, according to the figures given by Shri Abid Ali, has been given 9 out of 12 seats, while the AITUC has been given only 2 seats and the UTUC which has a verified membership of more than 12,000 has been

[Shri V. P. Nayar]

given one seat. The AITUC has a membership of more than 20,000, according to the figures of Shri Abid Ali, and the INTUC has only 2,000 members. Then, what about the representation in the Tourist Advisory Committee? Not even a single member from any of the opposition parties has been taken in. Is he an impartial man? Is this the man through whom the President will work? Is this the man who will get authority delegated from the President through the Bill which we are now passing?

I should say that there has been the grossest neglect on the part of the Home Ministry, not merely in regard to these problems, but also in regard to many other things. The Home Minister can simply get up and say: "I have verified. The President's Rule is very popular in Travancore-Cochin". Sir, I challenge his statement. Let him come to Travancore-Cochin and let him ask the people when we Members from Travancore-Cochin are present. Let him see then whether at least one per cent. of the people choose to have the President's Rule.

Sir, this has become a very bad thing and the only way of controlling that will be by limiting the powers. I do not want the President to exercise any power. I am not prepared to give a blank cheque to the President so that he can exercise his will, his discretion in any manner he likes. I want that this House should set up a Committee. I also want that when the President acts under this particular (Delegation of Power) Bill, he shall act himself. He shall not delegate powers to anybody else. When he acts he must take the opinion of majority of the members of the committee which I want that the House should set up.

Then I want to tell the hon. Minister another thing, though he may not take it up very seriously. The people of Travancore-Cochin thought that when once the President's rule was enforced and when once this Parliament had the right to go into the questions relating to Travancore-Cochin, even a mere whisper in this House would cause a tremor in the administration of the Travancore-Cochin State. But that has proved otherwise. Even a thunder in this House does not mean anything to the Advisor. He has been going about and telling the people who wait upon him to tell their grievances: "Why do you come to me. You have got 12 Members in the Parliament,

why don't you go to them?" Sir, is this the way we have to be treated? What is our problem? For years and for decades our people have been fighting against the bureaucratic set-up. The administration has been carried on by corrupt, crafty and every other sort of people. That has not been eradicated. There is no time even given by this Parliament which has denied the right of a democratic set-up, to discuss the future of 93 lakhs of people.

I understand that the Advisor—it has been reported in the Press—has started negotiations for arrangement of water facilities. Who asked him to do that? Did he have a mandate from the Government of India? Is he to decide whether we should give water to Tamil Nad? We shall very gladly do it provided it will not harm us. We are always willing to give water which we have in plenty. In such matters, I submit, the Home Minister must understand that we are not prepared to agree and we shall resist it if it comes to that. This is not the way of delegating powers, and we shall not be a party to this, unless the Home Minister agrees that this delegation of powers will be confined to the President acting by himself and not acting through any of his officers. Otherwise, we are not prepared to give, as is desired now, a very broad power so that the President can act through his advisors.

Shri Kamath: Mr. Deputy-Speaker, considering the circumstances in which the Proclamation has been issued by the President, which was opposed by all sections of the House on this side, and considering the manner in which this clause (3) has been drafted and brought before the House, I have no hesitation in opposing this, clause (3), the main clause of this Bill.

Sir, this Bill is a sequel to the Proclamation, which not merely slaughtered democracy in Travancore-Cochin, but also provided for the future liquidation of the M.L.A.'s of the Malabar District of Madras State. In that respect, this Bill stands on an entirely different footing from the other Proclamations issued and Bills passed in the case of Punjab, PEPSU and Andhra. This is the only Proclamation which has provided for the future extinction, for the liquidation of an entire set of M.L.A.'s for no fault of their own who will go out of parliamentary existence on the appointed date.

I would like three of my amendments to be treated as moved : amendments numbers 3, 5—I am not moving amendment No. 8—and amendment No. 27.

Mr. Deputy-Speaker : I will request hon. Members who have got their amendments to this clause to send in chits showing the numbers of amendments they would like to be treated as moved.

Shri V. P. Nayar : All amendments are to be treated as moved.

Mr. Deputy-Speaker : Just now we were listening to one hon. Member saying that he does not want one of his amendments to be moved. But earlier, all amendments have been treated as moved.

Shri Kamath : In the Statement of Objects and Reasons it is said that for want of time for this House to consider the various Bills relating to Travancore-Cochin, this Bill has been brought before this House for consideration and passing. This is a sad state of affairs. I have no hesitation in stressing this aspect of the matter, and requesting my hon. colleagues that in the interests of Travancore-Cochin, where in spite of a large majority of the Members of the Assembly being prepared to shoulder the responsibility of the Government the President issued a Proclamation, they should allot at least half an hour every day in the next session to discuss the affairs of Travancore-Cochin. I am sure the Members here will be in agreement with that. In the next session, for half an hour every day we should not mind sitting and discussing matters of Travancore-Cochin.

I want to point out to you, Sir, and to the House, the state of affairs that prevails in Travancore-Cochin. I will point out only one instance. For want of time I cannot give many instances. But Parliament has time enough to take cognizance of a serious matter. Recently a cycle was advertised to be auctioned. It was a 9 year old cycle.

Shri A. M. Thomas : That was referred to by Shri V. P. Nayar.

Shri Kamath : I am giving the answer that I received. The original price of the cycle was Rs. 160-8-0. Sir, I would say that this sort of bargain between a

State Government and some newspapers is pernicious. The answer of the Ministry is to this effect :

"The State Transport Department entered into a reciprocal arrangement with the managements of certain newspapers."

The names of the newspapers are : *The Hindu*, *The Indian Express*, *The Kaumudi*, *The Malayala Rajyam*, *The Malayala Manorama* and *the Prabhatham*.

"... by which copies of newspapers are carried free in the departmental buses to different places in the State where the Department is operating services. The managements of the newspapers in their turn publish all advertisements relating to the Department free of cost and also give the Department a subsidy."

A subsidy is also given to the State Transport Department.

"The advertisement referred to in the question has therefore been published free of cost. The question of the continuance of this arrangement is under examination."

This is a very discriminatory, an entirely uncalled for and unwanted sort of bargain by the Transport Department with six newspapers in and outside the State. This state of things will go on unless Parliament exercises effective supervision over the affairs of Travancore-Cochin and also the Government's proposed legislation with regard to Travancore-Cochin.

Therefore, my amendment No. 3 seeks to omit a wholly uncalled for, unjustified provision, the words "whenever he considers it practicable to do so." What is meant by this? What does the Minister mean by this "practicable to do so"? In the first place, you have completely taken over all the powers. You have liquidated democracy in Travancore-Cochin. Now, you say that the President shall, whenever he considers it practicable to do so, consult the committee. I say that it must be mandatory, obligatory, for the President to consult this committee in all legislative matters before he enacts an Act.

[**Shri Kamath**]

I would even request at this late hour that the suggestion contained in another amendment—I think it was supported by my friend Shri Thomas also—namely, that all leaders of the various parties in the old Assembly, that is the Assembly that has now been dissolved—must be associated with the committee that is now proposed. As it is, the committee is to consist of some Members of this House and of the Rajya Sabha. I think there were five parties there in all in the old Travancore-Cochin Assembly. They must be associated with this committee so that the committee will be representative of Travancore-Cochin. There will be some Members of this House, some Members of the Rajya Sabha plus the leaders of the parties in that Assembly, the Praja-Socialist party, the Communist party, the Congress party, the R.S.P. and the K.S.P. Those leaders must all be members of this committee. Then I think it will be some sort of amends or expiation or *prayashchitha* for the sin, the crime, that has been committed in Travancore-Cochin by the Government.

Mr. Deputy-Speaker : The hon. Member must finish soon, say, in half a minute.

Shri Kamath : I shall finish soon. The others have spoken before, but I have not spoken.

The next amendment of mine refers to the legislation coming before Parliament. My friend Shri Gopalan fell into a trivial or a slight error when he said that the Bill will be modified or rather can be modified by Parliament within seven days after its enactment by the President. Well, if that were so, that would have been fairly good. But here, there is no provision regarding the time within which the legislation must be laid before Parliament. The President may enact a Bill tomorrow and he may lay it before Parliament 'as soon as may be after enactment', which means it may be 15 days or one month or two months. Nobody knows. Therefore, my amendment says that within 30 days from the date of enactment of an Act, or, if an Act is enacted when Parliament is not in session, within three days from the date of commencement of the session immediately following the enactment of the Act, the enactment must be laid before Parliament. Then it will have some meaning and some validity. Otherwise, the existing provision will fail in its desired objective.

My last amendment to this clause is amendment No. 27. It seeks to empower Parliament to modify the enactment of the President either in the very session in which it is laid before it or, if the session comes to a close, within a few days after its enactment, then in the next session. Supposing, an Act is laid before Parliament today or tomorrow, and then Parliament does not have time to consider it and adjourns. In such circumstances, Parliament must have the power to bring up the enactment in the next session and modify it if necessary.

If these amendments of mine are accepted, I am hopeful that this Bill would work in the interests of the people very considerably, though even then it may not make sufficient amends for the liquidation of democracy in that State.

Pandit Thakur Das Bhargava : My amendment is No. 30. I am glad that it appears to be the same as that given by Shri Kamath as No. 3. My submission is this. So far as this murder of democracy, etc., is concerned, we have heard too much of it and I would say that all those things which had been said here need not have been said. Since we have already passed the Bill concerning the proclamation and the demands for grants for this State, all those points are irrelevant at this stage to my mind.

I am happy to find that I whole heartedly supported these articles when they were enacted. I have now seen my speeches made then. I then said that I congratulated the Steering Committee on the able and adroit manner in which they proposed to enact those articles. After so many years of experience since then, I feel still that I did the right thing in supporting that measure. That was the only right thing that could be done in the circumstances. But that is an old story.

Let me now come to the present Bill. The only question is,—after having appointed a committee,—whether consultation with the committee should remain discretionary on the part of the President or better the Government or not. My submission is, so far as this committee is concerned, the committee is constituted only for a certain purpose in connection with the enactment to be passed by the President. We cannot, here, in Parliament consider all those Acts and Bills because we have not got the time. That is the only consideration.

that has weighed with us to suggest a committee. Otherwise, it is the prerogative and the duty of Parliament to enact these laws. Parliament is the only body which really supersedes the legislature of that State. So, Parliament should not give up its power. Ordinarily, if we had time, we would not have allowed the Executive Government to exercise those powers which are now proposed to be given to the President. Even now, we do not find sufficient time for the proper work of Parliament itself. So, the work that has now come up will be a superimposed work on Parliament and therefore the President is being authorised to look into those affairs. Therefore, my hon. friend the mover of the Bill is quite right in asking Parliament to delegate its powers to the President. He himself rightly pointed out that this power is of an exceptional nature. So far as the latter part of article 357 (2) is concerned, some Members wanted that the President should be given much more powers than even the Government have thought of, meaning thereby that the President should be authorised also to further delegate these powers to some other person. That has not been done and rightly so. Even Shri Vallatharas went to the extent of suggesting the grant of those powers of delegation to the President. The House has not gone to that extent. The Government are not going to that extent and so the question does not arise.

But having given these powers to the Government, I am absolutely anxious that the Government should not bring in any measure, without consulting this committee which the Government themselves in their wisdom propose to bring into existence. The hon. Minister must be able to give an assurance that in no case will he depart from the principle that the committee must be consulted. I think we will have to stick to this amendment, because, as a matter of fact, when Parliament divests itself of some of its powers, the right at least to be consulted must in fairness be insisted upon. The Government may or may not accept the suggestions or decisions of the committee, but if the committee is appointed and if it is not consulted, it is no good. I cannot think of any circumstances in which the committee will not be consulted. The committee has to be consulted. If the House is not in session, the President has got the powers of making an ordinance. He has got the double-power, so to say, because

the power of the Governor is also vested in him. He has got the power of making an ordinance if the House is not sitting. When the Parliament cannot find time, it is necessary that the President should consult this committee which has been proposed to be appointed. I cannot conceive of any circumstances in which it will not be possible for the committee to meet and give its suggestions. When there is an emergency, an ordinance is passed. If there is no emergency, they should consult the committee. Can you say that because the President has got powers of ordinance, he need not consult the committee when legislation has to be passed in respect of that State. Do you mean to say that the members will have no time and they will be sitting in their houses? We cannot be a party to such a proposition. So far as the Government is concerned, the Government must consult the committee. On previous occasions, they say that the power has not been abused and there has been no difficulty. I am not going to give that certificate to any Government whatsoever. There has been good use and there has been abuse of such powers also presently. I need not refer to it in detail. There has been a departure in some cases. All that I am anxious to see is that there should be no departure in future. In all cases the Government should consult this body. What is lost by consultation, after all? When the Government have themselves the power to enact any measure and if the measure is wrong, it can come again before us by resolution.

Now, I do not agree with Shri Kamath when he wants to substitute another provision in the place of "as soon as may be after enactment." At present, the law is that the enactment should be placed before the House as soon as may be. My friend is quite right in saying that the Government may abuse the power, and may lay it after 15 days. I have no such apprehension, because when we look to the Bill, it appears that the Government itself wants that within seven days of the enactment being placed on the Table of the House, the modification must be made. So far as Punjab was concerned, they made certain laws and we moved some resolutions. Ultimately, the resolutions were not pressed. That is of course a different matter. But we had recourse to these provisions.

Shri Kamath : Three days is the maximum period that I have suggested.

Pandit Thakur Das Bhargava : Yes ; it is the maximum according to the amendment. But if the House is not in Session can it be done. The Government for their own reputation's sake, must place the enactment as soon as possible on the Table of the House. It is not necessary to think that the Government will take more than the required number of days to place it on the Table. Again, within seven days, modifications could be made. This was the case previously and I do not think that any alteration is necessary.

So far as the extension of the number of members of committee is concerned, I think an amendment of my hon. friend Shri Thomas will be moved in proper time, asking for the enlargement of the number of members of the committee. I am happy that the hon. mover of the Bill himself has said that he is going to accept it. What I am anxious is that these words should be omitted—"so far as practicable"—or the hon. Minister must give us an assurance that in every possible occasion this Committee will be consulted. The members share the responsibility of enactment with the members and so it is good for the Government also. I think these words should be omitted or an assurance given that the committee will be consulted in all cases.

2 P.M.

Mr. Deputy-Speaker : I seek the guidance of the House. We have exceeded the time that we had allowed for this Bill. It is two o'clock now. The next Bill, the Income-tax (Amendment) Bill, has been allotted one hour. I find that there are no amendments at all regarding it. If the House agrees, we may take 15 minutes from the time for that Bill.

Pandit Thakur Das Bhargava : May I suggest, Sir, that practically that is a non-controversial Bill. There is no amendment. We may not take one hour for it. Some more time may be given to this Bill.

Shri Feroze Gandhi (Pratapgarh Distt.—West, *cum* Rae Bareli Distt.—East) : Half an hour can be made available.

Mr. Deputy-Speaker : That is what I am putting to the House. If the House agrees, we may take some more time for this Bill.

Shri Feroze Gandhi : Half an hour may be given.

Shri C. R. Iyyunni : There are three amendments that I have tabled. The first is not a very serious one. The wording may be "enact any law in respect of any matter which appears to him to be necessary in the interest of the State". That is only a verbal alteration. I do not press it very seriously.

There is another amendment regarding proviso which reads as follows :

"Provided that before enacting any such Act, the President shall consult a committee consisting of twelve members of Lok Sabha and six members of Rajya Sabha representing the Travancore-Cochin State in Parliament, except when he considers the enactment to be so emergent that consultation may be dispensed with without detriment to the interest of the State."

In the Bill provision was made to say that the committee may be consulted only to a certain extent, as far as possible. What I say is that the President must exercise his discretion in such a way that he must come to the conclusion that the emergency of the matter is of such a nature that it is not possible to consult the committee at all. As everybody knows, these things are done not directly by the President, but by a certain deputy of his. He makes a suggestion that it is so important and so on. Automatically, the consultation with the committee will be stopped. I say that the President himself must spend some thought over it and come to the conclusion that there is an emergency and in the emergency, it is not possible for the President to consult the committee. Probably, the members of the committee may be spread all over the country and it may not be possible for him to consult the committee. I beg to submit that in the normal circumstances, he will always consult the committee. It is only when an emergent situation has cropped up that he will dispense with it.

There is another amendment with regard to the number of days. After the Bill has been passed by the President, according to the present provision, only seven days are allowed. I beg to submit that seven days is too small a period for the Members of Parliament to find out what exactly are the implications. Therefore, I say that the time of 7 days may be extended to 14 days. Even with 14 days, it may not be possible for the Members to go into the details and come

to conclusions. There is also one matter which the other Members have referred to. If it is not possible for Parliament to come to a conclusion in one sitting, it may be taken up at the next session of Parliament.

The most important thing that I wish to stress is that all the Members of Parliament representing Travancore-Cochin must be consulted. Now, the law that is passed will apply to Travancore-Cochin alone. After the 2nd of October, that is going to be merged with the new Kerala State. The law passed will not apply to them. At that time, the Members in the rest of the portions must be brought into this committee. As a matter of fact, there were 117 or 118 members in the legislature there. They are being replaced by 18 members. I have no objection to a few more people being added as suggested by Shri Kamath. But, it is absolutely necessary that all the Members coming from that State must be members of that committee, so that we may give the proper advice to the President. If a smaller number of people are taken up, one may come from one side and another from another side and they may not be able to give a correct idea with regard to the conditions existing in the various parts. Therefore, our earnest wish is that all the Members of Parliament coming from that State must be included in the committee and there must be a definite decision by the President that there is an emergency and so the committee could not be consulted.

Shri Mathew (Kottayam): I should have thought it not useful at all to go back to the same old basic or fundamental question of the justification of the President's rule. Repeated assertions have been made from the Opposition benches that the President's rule is not welcome to the people. It seems to me that the truth may be stated in a very simple form. The situation which made it necessary for the President to take charge of the administration is in a way deplorable. None of us regards it as desirable. But, when the situation was there, the wisest thing in the circumstances was that the President should take over the administration. A very simple analogy struck me. I do not wish to fall ill. But, if I do fall ill and if I do not recover immediately, I would like to go to a good hospital. If anybody asks me "do you like going as an in-patient to hospital," the answer is an emphatic No. I do not want to fall ill; I do not want to go to a hospital. But, if I fall ill, I do want to go to the hospital.

tal. That is almost an exact analogy. What has happened in the State? There was no party strong enough to form a Ministry. That was deplorable. But, in that situation, the most obvious, reasonable and wise thing was that the President should take over the administration.

With regard to the quality of the Adviser's regime which has only just commenced, several friends in the Opposition parties made very adverse comments. I would only suggest caution before we rush to conclusions. It was pointed out as an instance that so many questions have not been answered on the floor of the House or they have been answered almost invariably—not quite invariably—in the form, "information is being collected." An instance given was a question that I had put. There has been a slight unconscious misrepresentation. My question was not whether there was a strike in the Ayurvedic college. That, every one knows. I asked for the circumstances which led up to the strike. It is not so easy to give an answer to that question in a very off-hand manner—all the circumstances which led up to the strike.

Shri Velayudhan: For two years that strike has been continuing.

Shri A. M. Thomas: That is all the more reason why it takes time.

Shri Mathew: No, It has not been going for two years. This strike has been there for a few months. It is not so easy to answer the question giving all the circumstances that have led up to the strike, as to answer a question whether there is a strike or not.

Shri V. P. Nayar: May I interrupt? This does not require collection of information from all Taluk cutcheries. Is it not available in the secretariat?

Shri Mathew: Nevertheless, it may be a complicated situation. I know that the students put forward certain demands which are not obviously very reasonable. The reactions of the University, and the Government, all these must form part of a satisfactory answer. That is not like answering a question whether there was a strike or not. It has been unduly simplified and almost made ridiculous, unconsciously or partly consciously, as our friends realise now or realised even when they made those comments.

Again, it has been said with regard to the committees that have been recently formed, that they are all very lopsided committees. Here also we should

[Shri Mathew]

look at the facts a little more carefully. I was attending the State Planning Advisory Board last week for the first time after the Adviser took charge. I know that on that Board all the parties are properly represented. There is a very prominent representative of the Communist Party and the same is true of all other parties. I do admit that Board was constituted even before the Adviser took charge, but the same might be true perhaps of some of the other committees referred to here. Though formally they might have been announced only after the Adviser took charge, I have some inkling or suspicion that some of those committees might have been practically formed before the Adviser took charge.

I am sure the Members of the Opposition as well as Members on this side would wish a really successful regime in our State under the Adviser, in the interests of the total population of the country as a whole.

I want to say one word with regard to the composition of the committee envisaged in the Bill. It seems to me that it is but reasonable that all the Members from the Travancore-Cochin State should be represented on it as also some Members from other States, nominated by the Speaker of the House and the Chairman of the Rajya Sabha respectively. The mere enlargement of numbers is not quite adequate unless the hon. Home Minister gives us a practical assurance that all the Members from Travancore-Cochin State will be included. It should be specifically provided in the Bill or at least an assurance given by the Minister.

It has been said that it should be obligatory on the part of the President to consult this committee. The wording is "whenever practicable". The only question is whether there may not be circumstances which would make it impracticable. I do not want to give an explicit answer to that, but I hope the Home Minister will find it possible to give an assurance that it is honestly meant and that unless it is impracticable in a given situation, this committee would be consulted, so that there may be practical agreement on this point.

Shri A. M. Thomas : I just want to move my amendments 2 and 31. There was a joint amendment standing in the name of myself and Pandit Thakur Das Bhargava.

Mr. Deputy-Speaker : Let me make it clear that the rules require that when an amendment stands in the names of more than one Member, only the Speaker can select who will move it, or if it is moved, only one of them can move it; all the others can support it. It cannot be moved again and again.

Shri A. M. Thomas : I am only supporting it. I do not know if the Home Minister would be inclined to accept amendment 2 or 31.

Shri Datar : I am accepting 31.

Shri A. M. Thomas : If he accepts amendment 31, my request to him is this. He has sensed the opinion of the Members who have spoken on the subject, namely that all the Members from Travancore-Cochin should be included in the committee as also some others. So that, the 12 Members from Travancore-Cochin in this House and the six Members in the other House, in all 18 Members, should be included and the Home Minister should see that none of them is omitted. Having regard to the nature of the legislation, these Members are in a position to judge its significance, its propriety and its urgency, so that it is not fair to leave out anybody, and the legislation being of local importance it is necessary that all the Members should be included.

Shri Sreekantan Nair was saying that having regard to the nature of the legislation, the Members coming from other States would not understand it. That is all the more reason why only Members from that State should consider the advisability of the any prospective legislation and not President take up the time of this House.

I do not hold any brief for the Adviser, but I find there is a deliberate attempt in this House by some Members to condemn the Adviser's regime in advance. Shri Mathew has really cautioned us that we should not jump to conclusions. I may state one or two instances in my knowledge. There was a conference to formulate opinions on the S.R.C. Bill. The Adviser invited also leaders of parties other than Congress, the Communist Party, the P.S.P., the R.S.P. and the K.S.P. for consultations. The Congress was in a minority in that Conference and still it is said that the Adviser is acting as a stooge of the Congress Party.

With regard to the meeting of the Planning Board of the State my friend Shri Mathew has just explained that the

Adviser had invited all the leaders of the Opposition groups in the dissolved assembly. So, it is not fair to make such allegations.

Shri V. P. Nayar : But what do you say about the two committees which I mentioned?

Shri A. K. Gopalan : I support amendment 3, as also amendment 4 which I have moved along with Shri V. P. Nayar.

I have moved this amendment because it must represent Parliament and not only Travancore-Cochin State, because Parliament means not only Travancore-Cochin but other States also. But all the Members of Travancore-Cochin must be there. I have not mentioned Malabar because I belong to it. In October or November another drama is going to be enacted, a more serious drama, when Kerala State will be formed. Some Members of Malabar in the Madras Assembly will be asked to go away but there will be no dissolution of the Madras Assembly. What will be their future, and what will be their functions? Since the Assembly to which they belong is not dissolved, their membership is not gone. Will there be another separate Assembly to be formed when President's rule is terminated. Will there be a small Assembly of 21 Members who have lost their seats in the Madras Assembly? I do not know. At least those Members should be on this Committee as also Members of Parliament from Malabar. I would like the hon. Home Minister to tell us today if possible as to what will happen to the Malabar Members in the Madras Assembly.

Shri Datar : I would not like to go into the larger questions that have been raised by my friends.

Shri V. P. Nayar : Why?

Shri Datar : Because so far as the present committee is concerned, it is a parliamentary committee. It is a committee consisting of the Members of this House and the other House and not others to advise the Government. Government would be consulting them whenever necessary.

My hon. friend Pandit Thakur Das Bhargava contended that the words "wherever he considers it practicable to do so" should be omitted. I would point out to this House that on all the three occasions whenever there was President's rule, there was no abuse of power at all. The words are whenever practicable,

not when the President considers it necessary. It imports certain difficulties. It is quite likely that if a meeting of this committee is to be called, the hon. Members who would be the Members of this committee would be at a very great distance, and in some cases, it would not be possible to call a meeting with ten days. That is the reason why the expression 'practicable' has been put in.

Shri Kamath : But the Joint Committee on the States Reorganisation Bill is meeting even in Simla.

Shri Datar : If in the course of the administration of the State, it becomes necessary, it becomes urgent to enact a law immediately, say within a week, then it might be difficult, and it might be impracticable to call a meeting of any such committee. But I want to assure my hon. friend Pandit Thakur Das Bhargava and others that as far as possible, no resort would be taken to this reservation, and we shall be consulting the members of the advisory committee, except where it becomes impracticable to do so.

In all these cases, the House has to trust the President, and the President being a constitutional head acts on the advice of Government. It has been suggested by Shri V. P. Nayar that the President should act more or less in his personal capacity, and he himself should look into all these matters. But the scheme of the Constitution is that the President is the constitutional head, and he acts on the advice of Government. Therefore, it would not be proper to place any other burden on the President than what he can bear as the constitutional head of the Union.

Shri V. P. Nayar : Where is it stated in the Constitution?

Shri Datar : Then, it was said that the other parties also should be consulted. I would not like to go into the other very interesting point that has been raised as to how the Adviser's regime has been going on in that State, because that point has been answered by Shri A. M. Thomas. But I would like to point out that the Adviser has been consulting, whenever such consultations become necessary, the heads of all the parties, and therefore, it would be entirely wrong to say that he is the stooge of this party or that party.

I would not like to read the extract, but I would invite the attention of my hon. friend to what has been stated in

[**Shri Datar**]

the *Hindustan Standard* of the 25th inst. where a correspondent who had gone there and had found out the conditions for himself, has written that the President's rule has not only been welcomed there, but it has introduced improvements all round, and the officials and non-officials have always found the President and his Adviser carrying out their duties in an extremely satisfactory manner. (*Interruptions*).

Shri Velayudhan : Was he not a guest of Government?

Shri V. P. Nayar : On a point of order....

Shri Datar : There is no point of order in what I am saying.

Shri V. P. Nayar : That is not for you to say. It is for the Chair to say.

Mr. Deputy-Speaker : Let us hear the point of order, and listen to what the hon. Member has to say. Is this the way in which the fight should be settled among the Members? At least I have got to be taken into confidence.

Shri V. P. Nayar : I have abundant confidence in you. It is for you, Sir, to say whether there is a point of order or not. It is not open to Shri Datar to say that.

Mr. Deputy-Speaker : I am here in the Chair, and if the hon. Member had addressed me directly, all these difficulties would not have arisen.

Shri V. P. Nayar : The Minister has quoted a certain newspaper report, and he puts it in as a plea that the Adviser's regime has been popular. Is it not necessary that he should also quote from local dailies and paper reports wherein paper representatives and leaders have written against this rule. Should not the House be taken into confidence on those things also?

Mr. Deputy-Speaker : There is no point of order in this. When one hon. Member is arguing, he has to support his case. If another hon. Member has got different reports, he can quote them when he is speaking. The hon. Member, Shri V. P. Nayar could have quoted them when he was speaking. If he has not done so, then he could quote them if he has subsequent opportunities. But where is the point of order? There is no point of order at all. The Minister may proceed with his speech now.

Shri Datar : I was replying to the point made by Shri V. P. Nayar that the Adviser's regime has not been welcomed there, and I was saying that the admi-

nistration has shown very great improvement, and it has been welcomed in all circles.

Shri A. K. Gopalan : When we send you the paper-cuttings, you will know what the position is.

Shri Datar : This is what has been stated in this very important and responsible paper. (*Interruptions*).

An Hon. Member : Who said so?

Shri Datar : Then, my hon. friends had stated something about thunders and tremors. We are accustomed to all these tremors and thunders. Sometimes, these tremors and thunders are what may be called a storm in the tea-cup, or perhaps something less than that. Therefore, the velocity of all these has to be understood, or rather the absence of velocity of all these has to be understood. It would not be proper to bring in these expressions which are more or less in an extravagant manner. We should try to be extremely responsible. As far as we are concerned, we are responsive to the views of the Opposition. Whenever any difficulty has been pointed out, or any grievance has been raised, we look into the matter. I promise hon. Members that if any particular grievance is brought to my notice, and I find that there is substance in it, then I shall look into the matter. But merely because certain allegations are made, and certain extravagant statements are made, I submit that we shall not yield either to tremors or to thunders or to anything else.

Shri Kamath : Wait till the next elections.

Shri Velayudhan : Will you yield to democracy?

Shri Datar : I would like to point out one more thing, and that is that Government are going to accept two amendments, firstly amendment No. 31 so far as the enlargement of the membership of the advisory committee is concerned, and secondly amendment No. 15 by Shri Achuthan.

Shri Vallatharas : I have suggested a membership of thirty. Why should not the Minister accept that?

Shri Datar : Thirty would be a very large number.

Mr. Deputy-Speaker : Now, the Minister is telling us how far he is prepared to go, and what amendments he is prepared to accept.

Shri Datar : In fact, I am told that on all the other occasions, we had accepted a membership of only ten plus

five. But here, with a view to accommodating all the Members from Travancore-Cochin, we have raised the membership, and we are anxious that the Members from other States also should take interest in the affairs of Travancore-Cochin. That is the reason why we are accepting the amendment according to which 14 Members will be from this House, and 7 will be from the other House, so that at least 2 Members from this House, and one from the other House would be from a State other than Travancore-Cochin. That is very necessary, because when this question is before us, it is a matter of national interest and not merely of the interests of a particular State.

Mr. Deputy-Speaker : I shall now put the amendments to vote. It has been conveyed to me by Shri Vallatharas that amendments Nos. 22 and 23....

Shri Vallatharas : I am not pressing.

Mr. Deputy-Speaker : Does the hon. Member want to withdraw?

Shri Vallatharas : Yes.

Mr. Deputy-Speaker : Has the hon. Member leave of the House to withdraw his amendments?

Several Hon. Members : Yes.

The Amendments were by leave withdrawn

Mr. Deputy-Speaker : First, I shall put amendments Nos. 31 and 15, which have been accepted by Government.

The question is:

Page 1,

(i) line 18, for "ten members" substitute : "fourteen members"; and
(ii) line 19, for "five members" substitute : "seven members".

The motion was adopted.

Mr. Deputy-Speaker : The question is:

Page 2,

line 9, after "before it" insert : "or the Session succeeding".

The motion was adopted.

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Mr. Deputy-Speaker : The question is:

Page 1, line 17,

omit "whenever he considers it practicable to do so".

Those in favour may say 'Aye'.

Some Hon. Members : 'Aye'.

Mr. Deputy-Speaker : Those against may say 'No'.

Several Hon. Members : 'No'.

Mr. Deputy-Speaker : The 'Noes' have it, the 'Noes'....

Shri Kamath : The 'Ayes' have it.

Mr. Deputy-Speaker : In that case, I am ordering the division bell to be rung.

Shri V. P. Nayar : It is not yet 2-30 p.m.

Mr. Deputy-Speaker : It is about 2-30 p.m. now.

I shall put amendment No. 3 to the vote of the House.

The question is:

Page 1,
line 17—

omit "whenever he considers it practicable to do so."

Those in favour of this motion will kindly say 'Aye'.

Some Hon. Members : 'Aye'.

Mr. Deputy-Speaker : Those against the motion will kindly say 'No'.

Several Hon. Members : 'No'.

Mr. Deputy-Speaker : The 'Noes' have it; the 'Noes' have it.

Shri Kamath : The 'Ayes' have it.

On a point of order, Sir. In consonance with the practice which has been growing in the House for the last two or three weeks, when a division was claimed by the Opposition, the Speaker has always been pleased to grant a regular division, when the matter involved was a matter of importance or of principle. Here it is a matter of principle in so far as parliamentary rights are being interfered with or tampered with. Members are appointed to a Parliamentary Committee according to this Bill, and it is provided in this Bill that the Committee will not be consulted on every occasion. If this is not a matter of principle, I do not know what else

[**Shri Kamath**]

can be. I would therefore earnestly request you to see that the voting on amendment No. 3 to clause 3 should be decided by a regular division and not by Members merely rising in their seats.

Mr. Deputy-Speaker: Does the hon. Member concede that it is in the power of the Chair to decide whether the division should be by going to the Lobby or by other means?

Shri Kamath: The rules empower you to do so. What can I do?

Shri H. N. Mukerjee (Calcutta North-East): My submission is that irrespective of the importance or otherwise of the subject-matter concerned, it may be necessary to have a record of the way in which voting was done because at least the Opposition might want to have it known to the country as to who voted in which way. If we just stand in our seats, we know what is going to happen, because you will find an overwhelming majority on the other side also standing, and those who are opposing this amendment will not have their names recorded. It is very necessary from the point of view of the Travancore-Cochin electorate to find out who exactly voted in what way. So I would request you to take this point into consideration.

Mr. Deputy-Speaker: The reason, that the hon. Member has given, goaded me exactly to proceed like that, because, as he himself said, he is sure of what is going to happen. Also because we were hard-pressed for time, I thought I could resort to this device, as we are rather trespassing into the time allotted for other business. That was my point. But if the hon. Member wants that the names should be recorded, I think that is in my power. I can call out the names and those names will be recorded.

Shri S. S. More (Sholapur): May I suggest that the course that you propose to follow will consume a larger amount of time than the expeditious procedure of a regular division?

Some Hon. Members: No, no.

Mr. Deputy-Speaker: Those who are in favour of the amendment will kindly rise in their seats. Their names will be recorded.

Shri H. N. Mukerjee: What of those who oppose the amendment?

Mr. Deputy-Speaker: I would appeal to hon. Members not to insist on that, because we are wasting, in my opinion, much of the time of the House. It would be of no use.

Shri S. S. More: How are we to know who voted against it?

Mr. Deputy-Speaker: Those hon. Members who are in favour of the amendment will kindly rise in their seats—I find 26 hon. Members are in favour of the amendment.

Shri V. P. Nayar: What about the names?

Mr. Deputy-Speaker: I have promised that the names will be recorded. Now those in favour may please rise in their seats. The following are the 26 hon. Members who are in favour of the amendment

Shri H. N. Mukerjee, Shri A. K. Gopalan, Shri N. C. Chatterjee, Shri S. S. More, Shri V. P. Nayar, Shri Sadhan Gupta, Shri Kamath, Shri Sarangadhar Das, Babu Ramnarayan Singh, Shri Nambiar, Shrimati Renu Chakravarty, Shri M. S. Gurupadaswamy, Shri Velayudhan, Shri T. B. Vital Rao, Shri N. Sreekantan Nair, Shri Gadilingana Gowd, Shri C. R. Chowdary, Shri N. B. Chowdhury, Shri Vallatharas, Shri Ramji Verma, Shri Rishang Keishing, Shri P. R. Rao, Shri Tushar Chatterjee, Shri Biren Dutt, Shri Dasaratha Deb and Shri V. Missir.

Those who are against the motion will kindly rise in their seats—I find an overwhelming majority against the motion.

The motion was negatived.

Shri Kamath: On a point of order, again, Sir. Under the amended rule 385, count should be taken of both the 'Ayes' and the 'Noes'.

Mr. Deputy-Speaker: That is when a regular division, by going to the Lobby, is there.

Shri Kamath: May I read out the rule?

"Provided that if in the opinion of the Speaker, the division is unnecessarily claimed, he may ask the Members who are for 'Aye' and those for 'No' respectively to rise in their places, and on a count being taken declare the determination of the House."

A count has to be taken. It has not been taken. Count has not been taken of those who are opposed to the amendment.

Mr. Deputy-Speaker : I have relaxed the rule. In such cases, it clearly says, the names of Members shall not be recorded. I have allowed the names of those who were 'for' it to go on record. That is rather a relaxation that was not required.

So, I have to declare that this amendment is lost.

Shri Kamath : The 'Noes' have not been counted.

Mr. Deputy-Speaker : Now, I will put all the other amendments to vote.

The question is :

Page 1—

for lines 16 to 20, substitute :

"Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a committee consisting of the Minister for Home Affairs, Government of India and the Members of both Houses of Parliament from Travancore-Cochin. The Minister for Home Affairs shall be the Chairman of such Committee."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 18—

for "ten members" substitute :

"all members of the House from the Travancore-Cochin State and Malabar District of the Madras State and one third their number of members from other State."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 2—

for "as soon as may be after enactment" substitute .

"within three days from the date of enactment of an Act, or, if an Act is enacted when Parliament is not in session, within three days from the date of commencement

of the session immediately following the enactment of the Act."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 3—

add at the end:

"In such cases the Parliament shall discuss the enactment in the same session in which the enactment has been so laid before it, provided one third the number of members from Travancore-Cochin State in the House demand a discussion in writing.

Provided that all important enactments affecting land reforms, civil liberties, taxation, working conditions of labour, shall not be passed unless the majority of the members of the committee has concurred."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 9—

after "before it" insert "or in the subsequent Session."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2—

after line 12 add :

"(5) Nothing in this Act shall be deemed to confer any power on the President of India in enacting any measure which will enhance the tax or land revenue, payable by a person whose income is less than Rs. 3,000 a year."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 17—

omit "whenever he considers it practicable to do so".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 17—

[Mr. Deputy Speaker]

after "to do so" insert "himself".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

lines 18 to 20—

for "consisting of ten members of the House of the People nominated by the Speaker and five members of the Council of States nominated by the Chairman" substitute :

"consisting of all members of both Houses of Parliament from Travancore-Cochin State."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1—

(i) line 18,

for "ten members" substitute: "twelve members"; and

(ii) line 19,

for "ten members" substitute: "six members"

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 19—

after "Speaker" insert :

"which shall include representatives of the Scheduled Castes and Scheduled Tribes of the State."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1—

for lines 8 to 11, substitute :

"3. (1) The President is hereby conferred with the power of the Legislature of the State of Travancore-Cochin to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of the Parliament and is also authorised to delegate his powers of making laws to any person whom he may deem fit and competent with conditions, if any needed, imposed on the person upon whom the powers have been so delegated."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 12—

after "President" insert :

"or the person upon whom the powers have been delegated by the President"

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

lines 13 to 15—

for "enact as a President's Act a Bill containing such provisions as he considers necessary" substitute :

"enact any law in respect of any matter which appears to him to be necessary in the interest of the State."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1—

for lines 16 to 20, substitute :

"Provided that before enacting any such Act, the President shall consult a committee consisting of twelve members of Lok Sabha and six members of Rajya Sabha representing the Travancore-Cochin State in Parliament, except when he considers the enactment to be so emergent that consultation may be dispensed with without detriment to the interest of the State."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 16—

after "President" insert :

"or the person upon whom the powers have been delegated by the President".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 1—

after "President" insert :

9783 *Travancore-Cochin State Legislature (Delegation of Powers) Bill* 28 MAY 1956 *Indian Income-tax (Amendment) Bill* 9784

"or the person upon whom the powers have been delegated by the President"

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 5—

for "seven days" substitute :
"fifteen days".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 5—

for "seven days" substitute :
"fourteen days"

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 9—

after "before it" insert "or in the Session immediately following".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2,

line 9—

after "before it" insert "or the succeeding Session"

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 2—

for lines 11 and 12, substitute :

"Provided that nothing in the Act shall be valid and enforceable unless the two Houses of the Parliament have considered the Act under this sub-section."

The motion was negatived.

Mr. Deputy-Speaker : The question is:

Page 1,

line 17—

omit "whenever he considers it practicable to do so".

The motion was negatived.

Mr. Deputy-Speaker : The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.
Clause 3, as amended, was added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Datar : I beg to move :

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

INDIAN INCOME-TAX (AMENDMENT) BILL

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah) : I beg to move :

That the Bill further to amend the Indian Income-tax Act, 1922, be taken into consideration."

This is a very short and simple measure. The purpose is to remedy the difficulty created by the decision of the Supreme Court in a recent case to the effect that an order passed by the Central Board of Revenue and the Commissioner of Income-tax under section 5 (7A) transferring the case of an assessee in general terms without reference to any particular year and without limitation as to the time is beyond the competence of those authorities and, therefore, invalid.

The difficulty will be appreciated if I briefly explain the basis on which the jurisdiction for making assessments etc. under the Income-tax Act is conferred on Income-tax officers. Under section 5 (2), the Central Government appoints Commissioners of Income-tax and they exercise their functions in the jurisdictions determined by the Central Board of Revenue. Section 5 (5) enables the Commissioner of Income-tax in his turn to allocate the work in his charge among the income-tax officers dividing the work area-wise or income-wise or person-wise. It often becomes necessary, in the ordinary course of administration of the Income-tax department, to transfer cases from one income-tax officer to another either in the same Commissioner's charge or outside.

[Shri M. C. Shah]

For example, transfers are made on the assessee's own request on grounds of convenience. Complicated cases and cases of fraud requiring prolonged and detailed investigation have to be taken away from their original jurisdiction and allotted to special officers for that purpose. Sometimes, for the sake of facility in disposing of assessments, all cases belonging to a particular group or all cases of persons engaged in a particular trade or industry in a locality have to be dealt with by the same officer and for this purpose also transfer of cases becomes necessary. In order to provide for such contingencies, sub-section (7A) was inserted in section 5 in the year 1940. Under this provision, the Commissioner of Income-tax is empowered to transfer a case from one officer to another within his own charge. And, likewise, the Central Board of Revenue is empowered to transfer a case from one officer to another whether in the same Commissioners' charge or in different Commissioners' charges.

While due regard is always paid by these authorities to the assessee's convenience in making these orders of transfer, the Government have all along been proceeding on the basis that once the case of an assessee is transferred from one income-tax officer to another, there is complete transfer of jurisdiction over the case as a whole. In short, the latter officer steps into the shoes of the former in relation to the person whose case is so transferred and all assessment and other proceeding under the Act, irrespective of the years to which they relate, are to be made by the same officer after the date of such transfer. In this manner, a large number of cases have been transferred from their original jurisdictions since 1940. Special circles have been brought into existence already, and there are certain company circles also. Certain difficult and complicated cases have been transferred in order to bring to bear upon them the specialised experience of certain officers.

A case thus transferred under Section 5 (7A) was taken to the Supreme Court by the assessee, very recently, and the Supreme Court came to the decision that the word 'case' in that sub-section referred only to a pending proceeding for a particular assessment year of that case and, therefore, whenever there is a general order which makes *ad hoc* transfer of a case, the

proceedings taken under that order will be invalid. So, we have brought forward an Explanation to section 5(7A), to say what was meant by Government and what was the meaning of that section 5 (7A). This was made necessary by the judgment of the Supreme Court. We have transferred thousands of cases to special circles, company circles. And, if all those orders are to be held invalid, then, there will be a lot of difficulty. Many cases have already been disposed of and taxes have already been collected and we have also thousands of cases pending. When the Supreme Court decided against the Government with regard to section 5(1) and 5(4) of the Income-tax Investigation Commission Act, all the cases that were pending had to be transferred to a special agency created then. That is a Special Directorate of three Senior Commissioners, and most of these cases are still pending. Some of them have been decided and taxes have been collected. There may be cases belonging to a particular group which may have activities in several parts of the country, and it becomes necessary to group all these cases in one charge in order to facilitate the disposal of these cases by a special officer. So, if we do not amend section 5 (7A), the result will be that all the assessments which were disposed of under the powers given by 5(7A) will be held to be invalid and enormous amounts will have to be refunded and all those proceeding which have still to be disposed of will also be held invalid. Therefore, we consulted the Attorney-General, and as advised by him, we have brought forward this amendment. I hope that the House will agree to this amendment, because it involves revenue to the extent of crores of rupees, and, in addition, the Members are all very keen to see that such cases are investigated very thoroughly. Therefore, it requires very special knowledge of investigation. We cannot expect the ordinary income-tax officers to have that special knowledge. Therefore, we have created some special circles, some company circles. For example, in Bombay and Calcutta we have created a number of company circles where all the assessments of companies located within those areas can be taken over by the company circle officers. If we do not amend the section as is proposed, then naturally we cannot make use of such experienced officers to deal with the complicated and intricate cases, involving a revenue, not in lakhs of rupees but in crores of rupees in some cases. In order to facilitate the

administrative work of the Income-tax Department and at the same time to have very deep investigation into these cases,—there are very many big cases as I already said—this amendment is made so as to have retrospective effect. Unless that is done, the Government will come into unnecessary difficulties in matters which have been disposed of, in matters where tax has been collected, in matters where orders have been passed. Already, thousands of cases are with those officers in charge of those special circles.

Mr. Deputy-Speaker : Motion moved:

"That the Bill further to amend the Indian Income-Tax Act, 1922, be taken into consideration."

I now call upon Shri N. C. Chatterjee. The hon. Member was not present when I mentioned this before. As the time is short, I would request him to be very brief.

Shri N. C. Chatterjee (Hooghly) : I shall be brief, Sir.

I have something to do with those cases in the Supreme Court, and I take it that the hon. Minister was referring to the judgment of Chief Justice Das, Justice Vivian Bose, Justice Bhagwati, Justice Jagannadhdas, and Justice Sinha, delivered on the 20th March this year. I do not know whether you had the opportunity of reading this judgment. A *bidi* merchant who was carrying on his business in Calcutta in the name of Bidi Supply Company had been assessed all along in Calcutta by the Income-tax Officer there. Suddenly, the Central Board of Revenue passed an order whereby he transferred his case from Calcutta to Ranchi, and that transfer was challenged as not proper.

What the Chief Justice said in delivering the judgment of the majority judges was this, namely, that the order of transfer was expressed in general terms without any reference to any particular case, that is, assessment year, and without any limitation as to time, and that was not contemplated by sub-section (7A) of section 5 and was beyond the competence of the Central Board of Revenue. Section 5(7A) contemplates only the transfer of an assessment case for a particular year, actually pending before an income-tax officer. Chief Justice Das never said that you cannot transfer a case. What he said was that you must be very careful so that a general omnibus order of transfer is not involved. For example, the case of a

firm which is carrying on business in Delhi should not be transferred to, say, Travancore-Cochin as it may work as a great hardship to the firm. Therefore, he said that the Central Board of Revenue should apply its mind to the particular facts of the case, and if it is satisfied on certain data before it that the particular case for a particular year should be transferred to another place—it may be that a large number of transactions of a Delhi merchant took place in Travancore-Cochin and that it is necessary to have an investigation—then it could be transferred to a particular officer in Travancore-Cochin. Look at section 64 of the Income-tax Act, which is the cardinal point, and it says that where an assessee carries on business, profession or vocation at any place, he shall be assessed by the income-tax officer of the area in which the place is situated. The Supreme Court has referred to the judgment of Beaumont C. J. and Kania J. Section 64 is conferring a valuable right on a citizen. If you are carrying on business in Punjab and carrying on your profession in Patiala, you have got a right to be assessed by the income-tax officer of the area in which your place of business or profession is situated. In all other cases, under section 64(2), an assessee shall be assessed by the income-tax officer of the area in which he resides. Therefore, the Supreme Court has said that that is a right which can be claimed by a citizen. I am reading the language of the Chief Justice,—the assessee is, therefore, entitled to the benefit of sub-sections (1) and (2) of section 64, and he has the right along with the other merchants to have his assessment proceedings before the income-tax officer of the area in which his place of business is situated. The Supreme Court goes on to say that the order in this case is calculated to inflict considerable inconvenience and harassment to the petitioner. Books of account would have to be produced hundreds of miles away from Calcutta and the principal officers of the firm would have to be away from the head office to comply with the order of the income-tax authorities to whom the transfer is made. Extra expenditure also would have to be incurred on railway fare; such an order is an illegal order as it denies the petitioner equality before the law and it involves an infringement of the fundamental right under article 14 of the Constitution.

I would respectfully point out that if you had read the judgment carefully you would find that the majority judgment

[**Shri N. C. Chatterjee**]

did not say that you cannot at all transfer the case, but you should do it under certain safeguards. The Commissioner of Income-tax or the Central Board of Revenue should apply their mind to the particular facts of the particular case of a particular assessee, and after convincing themselves that that case demands a transfer to an officer outside that area, they should transfer it. The transfer order should not be in this general way. Suppose you are carrying on business at Calcutta and Punjab, and that your case is transferred to Calcutta from Punjab. Two years later, suppose you stop your business in Calcutta because there is no necessity to supply goods there, what will happen to you? That is why the Chief Justice has pointed out that it would be wrong to pass an omnibus order without a limitation as to time. How is the hon. Minister getting rid of this judgment by this kind of amendment if he thinks it is a mischievous judgment? I always deprecate the attempt of the executive acquiring to themselves the power to nullify the judgment of the Supreme Court immediately the Supreme Court, the highest tribunal of the country, passes an order declaring illegal any statute or rule. Justice Bose has declared that the section itself is illegal, but the other Judges have held that even if the section is valid, article 14 of the Constitution can be invoked for discriminatory application of a valid statute. If a statute is on the face of it illegal or discriminatory, it can be struck off. If it is on the face of it not discriminatory, but if the officer in the application of the statute makes a discrimination, that is also illegal. So long as section 64 is there, that gives some kind of a fundamental right to the assessee to be taxed locally, have his books of account locally examined, etc., and I think it would not be right to completely nullify the judgment in that process. Even if this judgment is accepted, I ask hon. Members to consider this point. Even if this explanation is there, would you nullify in any case article 14 of the Constitution? Would it not be still open to the assessee to go to court if this judgment is not respected? If the Central Board of Revenue should assume executive power by executive fiat to send any firm or group of firms from one area to another, say, from Delhi to Travancore-Cochin or Madras, cannot one say that there is discrimination in this? You are doing something

repugnant to the Constitution, which is not right. I would, therefore, say that you must give a clear assurance to the House that the spirit of the judgment will be respected, that you shall not use this power unless the assessee wants such a transfer nobody grudges that but you should not give this power without any restrictions, without laying any standards, without laying any safeguards to the executive; otherwise it will act as it likes, in an unrestricted, unregulated way, without any reference to the assessee, without any reference to our representation, without any notice to him of the transfer of his case to a place which is hundreds of miles away from his place of business. I am not one of those who want to help any tax-evasion. I want that all our tax should be realised in an independent India. It is the duty of the citizens to co-operate with the revenue authorities but we should do it in a fair, just and proper manner. So long as section 64 is there, how can you say that the judgment is improper? Therefore, I submit that this will not really meet the situation.

3 P.M.

I may also submit that the spirit of this judgment should be accepted and respected by the Government and there should be a definite assurance given by the authorities and the hon. Minister that before it is done, notice should be given to the assessee and his representation should be heard.

[**MR. SPEAKER in the Chair**]

Shri Tek Chand (Ambala Simla): I feel that the amendment before the House is rather unhappy and it deserves closer and deeper scrutiny. The judgment of the Supreme Court is, if I may say so, in certain respects very monumental and very weighty considerations prevailed with their Lordships of the Supreme Court. In this connection, this judgment, even on the assumption that the amendment were to be made into law, so far as the weight attached to the dicta is concerned, can in no way be diluted. I particularly wish to invite the attention of the Minister to that passage from the judgment of Mr. Justice Vivian Bose where His Lordship expressed himself in this manner with respect to this particular section:

"In my opinion, section 5 (7) (a) and 64 (5) (b) of the Indian Income-tax are themselves *ultra vires* article 14 of the Constitution."

It is not merely the order of the Central Board of Revenue. That is to

say, these sections themselves are *ultra vires*. The reasons are given a few pages ahead and I wish to present that reason to the hon. Minister with all my earnestness.

"What is the position here? There is no hearing, no reasons are recorded: just peremptory orders transferring the case from one place to another without any warning; and the power given by the Act is to transfer from one end of India to the other; nor is that power unused. We have before us in this Court a case pending in which a transfer has been ordered from Calcutta in West Bengal to Ambala in the Punjab."

Then His Lordship proceeds :

"After all, for whose benefit was the Constitution enacted? What was the point of making all this bother about fundamental rights? I am clear that the Constitution is not for the exclusive benefit of governments and States; it is not only for lawyers and politicians and officials and those highly placed. It also exists for the common man, for the poor and the humble, for those who have business at stake, for the butcher, the baker and the candlestick maker. It lays down for this land a rule of law as understood in the free democracies of the world. It constitutes India into a sovereign *Democratic* Republic and guarantees in every page rights and freedom to the *individual* side by side and consistent with the overriding power of the State to act for the common good of all."

This is the dicta that should have been accepted and amendments should have been made in section 5 (7) (a) in the light of these comments.

So far as these observations are concerned, they are there. But an attempt has been made—I feel, an unhappy and feeble one at that—in order to tighten and almost nullify this. What was the judgment in this case? The retro-activity or the retrospectivity has received the just censure from all High Courts, except in rare cases. But what do you do in this amendment? Not only do you give recognition to the principle of retrospectivity but you do something further. You say that the word 'case' includes all proceedings under this Act which may be commenced after the date of the transfer in respect of any year. To my mind, this is incomprehensible.

The explanation is to section 5 (7) (a) and that section refers to the powers of the Commissioner and the Central Board of Revenue for the purpose of transferring any case. That contemplates that there is a pending case which is sought to be transferred from one income-tax officer to another. You are, however, adding an explanation and say that the word 'case' includes all proceedings under this Act which may be commenced after the date of the transfer in respect of any year. That, to my mind, is a contradiction in terms. This section deals with transfer proceedings of existing case that is being transferred to another tribunal. That is understandable. But, you are putting an explanation wherein you say that this 'case' includes commencement of proceedings in the transferred tribunal. The very words 'commencement of proceedings' mean they began for the first time and when they began for the first time the question of transfer did not arise. So, the moment you are elaborating and including in your explanation a definition which includes proceedings subsequent to the transfer, it becomes a little contradictory. One could have understood the pending proceedings to whichever they may relate, being transferred to another tribunal. But you cannot include those proceedings which are not yet commenced in the transferring court. They go on to the transferee court and they commence there.

If closer attention is paid I have no doubt that the defects as I have humbly indicated will bear conviction with the hon. Minister. Then, you use the expression 'case' in relation to 'any person'. Why should you use the expression 'person'? There is the term 'assessee'. You are transferring the case of an assessee. The term 'assessee' has got a statutory definition. It would be very desirable if, in the explanation, the word 'assessee' were used rather than 'person' because in most of these proceedings, or almost all of them, the party to the litigation is the assessee on the one side and the income-tax department on the other. Therefore, bringing in the word 'person' to my mind will be less precise.

But, on the reasons which happen to be the basis of the Judgment in the Bidi case, I wish that amendment were real and respect were paid not only to the language but also to the spirit of the judgment, maintaining and upholding the constitutional rights of the citizens.

Pandit Thakur Das Bhargava : So far as this Bill is concerned, when I first studied it I thought it was a very ordinary measure and deserved our support, because, as a matter of fact, when cases are transferred from one income-tax officer to another, it is generally on the application of the assessee. If the assessee thinks that he will not get justice from an income-tax officer or any other high officer, then he goes to the highest authority and gets his case transferred. So far so good. In the case of an assessee, if one case is transferred from one officer or some higher officer, I should think that all cases should be transferred because an application is made on the basis that he has got an apprehension that he will not get justice. So, ordinarily, in the case of an assessee this would work well and for his benefit.

But, I find that, as a matter of fact, the line taken in this reported case is absolutely different. As you know, Sir, and the entire House knows, in the Civil Procedure Code, a suit can be brought against a defendant if he resides in a particular place, carries on business there, if contact is made there and cause of action wholly or partly arises there. In this case, the comparative section 64 says that the assessee shall be assessed in the place where he ordinarily resides or has his business. That means in the interests of the assessee the law has made a sort of a provision in his favour that jurisdiction will be exercised by those officers only in whose jurisdiction he resides. So if he lives in Punjab, his case is not transferred to any other place like Bihar or Calcutta. In such cases, it should be the right of the assessee, according to section 64, to insist that his case should be decided in his place. But what do we find here? On the contrary, powers are given to the highest income-tax officer to transfer cases. I can understand that in some special cases, about which my friend the hon. Minister has spoken, in which crores and crores are involved, which has got many ramifications where a firm is there which has got 20 branches. In such cases it is better that the cases are decided by those big tribunals etc. But so far as ordinary income-tax assessees are concerned, they will be harassed for all time, if for any reason except their own complaint their cases are transferred from one place to another.

I am rather surprised to hear from the hon. Minister that when once a case is transferred for all time the

jurisdiction is transferred. I can never think of a rule like this. He has just been pleased to say that as soon as the case is transferred, even on the application of the assessee—suppose I am not satisfied with my income-tax officer and I get transferred my particular case—then for all times the jurisdiction is transferred and future cases in respect of that assessee will be decided in another place. That means section 64 will be abrogated. To my mind this is not fair.

As a matter of fact, I should think that the difficulty can be got over very easily. So far as CSR is concerned, they can pass orders in all pending cases. Section 5 (7) is there. Instead of passing orders in one case they can pass orders in all the pending cases and thus the difficulty will be overcome. But, at the same time this right of the assessee to be assessed in a particular place, according to section 64 should be there. Just look at the Civil Procedure Code. You are taking away the rights of all defendants in this manner. Supposing you bring an innovation in the Civil Procedure Code that all cases will be decided at any place where the hon. Minister wants them to be decided, nobody will agree to that. This is a case going into the root of the matter. My hon. friend Shri Tek Chand has just read out the judgment of the Supreme Court by Justice Bose. We find that this involves a question of great principle. It is not a question of section 14 only from which some extracts have been just read out. It is a very important question. Supposing there are 20 persons whose cases can be decided in Hissar, why should 19 of them be taken to Ambala, Jodhpur or any other place? This is a question of principle. I should think that this practically means that we are abrogating section 64. I am not in favour of abrogating this section at all. This gives a sort of right to every citizen that his case should be decided by a court having jurisdiction. I am sorry, Sir, I cannot support this Bill in this way. I should say, the hon. Minister should think twice before taking away this very cherished right of every citizen by this simple looking Bill.

Shri M. C. Shah : Mr. Speaker, Sir, there is some misapprehension in the minds of some of the Members. It is not the intention of the Central Govt. to transfer all those cases which are to be assessed at the place of residence or at the place where the business is carried on. I have already indicated that wherever the transferee's convenience is

concerned, that will be taken into account first. But, there are certain very complicated cases and where the business activities are spread all over the country by one group in various names. Then it becomes necessary to transfer all the cases of that group at a particular place. Therefore, whenever there is a complicated case, the Central Board of Revenue applies its mind as to whether it will be in the interest of the revenues to entrust that case to an officer who has great experience in handling such cases. For example, as I indicated while introducing the Bill, the Supreme Court held *ultra vires* section 5 (1) of the Income-tax Investigation Commission Act. Then they held *ultra vires* section 5 (4) of the Income-tax Investigation Commission Act. There were about 1,200 cases pending disposal. Some of the cases were already disposed of and even moneys were collected but still all those cases which were disposed of by the Income-tax Investigation Commission after the 26th January, 1950, were held to be invalid. Therefore, we had to have this 34 (1) A inserted in the Income-tax Amending Bill and that was agreed to by both the Houses of Parliament. All those cases have been transferred to a special directorate consisting of three senior Income-tax Commissioners. What do we do with all those cases? If we accept the judgment as it stands, that means all those orders will be held to be invalid. So, those cases which have been disposed of even after the amendment of the Income-tax Act by inserting 34(1) A all those orders will be held invalid because those cases relate not only to one year but to a number of years and there are several proceedings pending in respect of them. There are very many groups, very big business people having their business activities not only in Bombay, Calcutta, Madras and Kanpur, but in various other places in the country. They are all interdependent and inter-linked. At the same time those cases require special consideration by the income-tax officers who have to go very deep and find out where evasion has occurred, whether the income-tax returns are correct and so on. As a matter of fact, the House is very much concerned with regard to the evasion of income-tax. It has been stated that evasion to the extent of crores and crores of rupees has been there. In order to find out all this concealed income we have to entrust all those cases to those officers who have got special knowledge of probing into the details of those cases. Therefore, it

becomes necessary for the Central Board of Revenue to transfer those cases to certain special circles we have created.

We have created special circles in Bombay and in Calcutta and also in other important places in the country where business activities are being carried on. Therefore, it becomes absolutely necessary for the Government, for the convenience of administration of the Income-tax Department, to transfer all those cases to certain places. In view of all this, this explanation should be there as contained in the Bill.

Then again, special knowledge is required to go into the accounts of companies and find out whether there has been evasion of income-tax, whether the returns have been filed correctly by the companies and whether there are other items which can be found out to represent income. Therefore, we had to form company circles. This process goes on since the year 1940. An amendment was made in the year 1940 empowering the Central Board of Revenue to transfer such complicated cases to certain special circles which were then opened. Thereafter also we have had a Directorate of Inspection and Investigation. There also we have certain circles. Whenever we find that there is a huge sum of evasion of tax or concealed income, we always entrust that case to that special directorate.

Therefore, it becomes absolutely necessary to have these powers under (7A) but the judgment says, they can just have it for a particular assessment year. We know that in such cases it takes years and years. Before we finalise the assessment for one year, some two, three or four years pass because from our experience we find that these persons or companies file their returns always when they are near being time-barred. One after the other, they are just dodging in order to lengthen the proceedings, and therefore from 1940, it has been found necessary that all such special circles should be there, and all such important and complicated cases should be sent to those circles where we have got very, very experienced officers who can give deep and careful consideration on these matters and find out the evaded incomes.

Shri Tek Chand has referred to a minority judgment of Justice Vivian Bose.

Shri Tek Chand : It was not a minority judgment. It was a separate judgment.

Shri M. C. Shah : All right. It was a separate judgment. There is no contradiction in terms. Once a case of such a nature is transferred, then naturally all those proceedings coming thereafter must be dealt with by that officer to whom that case has been transferred. My friend Pandit Thakur Das Bhargava need not have any apprehension with regard to the ordinary income-tax payers. It is not a pleasure for the Commissioners of Income-tax and the Central Board of Revenue to transfer ordinary cases in their charge. It is only when the cases are complicated, when it is found that a case requires a very thorough investigation and should be gone through deeply, such case or cases are transferred to those special circles. Therefore, it has become necessary to amend this law because of the judgment of the Supreme Court where they have said that the transfer refers only to the particular assessment year. Hence, we have used the word 'proceedings' very advisedly. Also the word 'person' has been used, because there are various assessees and groups. So, in the interests of the public, it is most important that we should amend the Act as we have suggested. I hope that the House will agree to this amendment and adopt the motion for consideration of the Bill.

Mr. Speaker : The question is :

"That the Bill further to amend the Indian Income-tax Act, 1922, be taken into consideration."

The motion was adopted.

Clauses 1 and 2, the Enacting Formula and the Title were added to the Bill.

Shri M. C. Shah : I beg to move :

"That the Bill be passed".

Mr. Speaker : The question is :

"That the Bill be passed".

The motion was adopted.

STRIKE SITUATION IN KHARAGPUR

Mr. Speaker : The House will now proceed with the discussion *re* strike situation in Kharagpur, which has been given notice of under rule 212 by Shri Feroze Gandhi. First the Minister.

The Minister of Railways and Transport (Shri L. B. Shastri): In the statement made by me on the 23rd May, 1956, I had stated that a stay-in-strike

in the Kharagpur workshops started on 8-5-1956 and no reason had been given by the workers for going on strike either before or immediately after the stoppage of work nor was any notice served by them on the administration.

The stay-in-strike in the Kharagpur workshops subsequently spread to electric shops, general stores, signal shops and the locoshed. At the worst phase of the strike the total number of men working in the workshops, general stores and electric shops declined to about 476 out of a normal attendance of 12,000.

It was alleged that the strike was in sympathy with the stay-in-strike of brush-hand painters of the same workshop which had been going on since 1st March, 1956. These brush-hand painters numbering about 100 had commenced their strike without notice, the demand being that their work of marking rolling stock with stencils should be considered as a 'skilled work'. This demand was unwarranted and could not be agreed to.

From the very beginning of this strike the workers who wanted to attend to the work had been subjected to intimidation, molestation and assault by the strikers in spite of whatever police protection could be afforded. There had been a large number of cases of assault involving injuries ranging from minor ones to serious ones, including 5 fractures and one case of stabbing of a worker. The total number of cases recorded between 11th May and 27th May were 87. Not only the workers who wanted to work were attacked with lathis, stones and brickbats resulting in serious injuries and an Assistant Commandant of West Bengal Armed Police Force also received serious injuries along with 10 other police staff, but even the families of the loyal workers, while their men-folk had gone to work, were threatened and intimidated by the strikers, so much so that one day workers had to leave their work and were allowed to go back to look after their families.

As the attendance of workers in the Workshops increased from 729 on 23rd May to 3,362 on the 25th May, the strikers resorted to more violent methods by picketing and intimidation, and in order to keep themselves in the background, crowds of women and children helped by other rowdy elements, assembled outside time office gate on 26th morning and started pelting stones at the loyal workers trying to enter the

Workshop. The same morning, at about 6-40 hours, the train from Midnapore halted near the outer Signal, Kharagpur, to entrain workshop employees, the strikers forcibly pulled out the locomotive crew, manhandled them and opened the steam regulator and set the train in motion without the engine crew. As a result the train entered the platform, dashed against the buffer and mounted the platform causing damage to the station building. I regret to inform the House that a total of 63 persons were injured of which 14 are reported to be serious. It was lucky in this case the station was close by and the train had not gathered sufficient momentum and went against a buffer; otherwise it might have been a very serious disaster.

The Working Committee of the South-Eastern Railway Union have advised the workers to call off the strike.

I shall not quote the resolution here, but it is a pity that there is not a word of regret in the long resolution they have passed, in spite of serious violence and so much suffering caused to the people and to the co-workers.

Today, 11,942 workers have reported for duty against a total of 14,000 workers on roll. I do not wish to say anything more at present. If at all any thing is necessary, I may say a few words at the end.

Shri Frank Anthony (Nominated—Anglo-Indians): May I seek a clarification on two points?

Mr. Speaker: I hope the hon. Member wants to participate in the discussion that will follow.

Shri Frank Anthony: Yes, but I think it is necessary to have two small points cleared even now.

Mr. Speaker: Yes.

Shri Frank Anthony: The hon. Minister mentioned that out of 12,000 workers, 476 was the number that was found working at the worst phase of the strike. Can he give us the break-up or the breakdown showing how many belonged to Class III and how many to Class IV staff. How many Class IV people were predominantly involved and how many in Class III?

Shri L. B. Shastri: I cannot give that breakdown of the figures. Many belonged to Class III and Class IV. But mostly

they were workers working in the workshop. Of course, among them there are Class III and Class IV staff also but I cannot give you the exact figures.

Shri Frank Anthony: Is the South-Eastern Railway Union a recognised union?

Shri L. B. Shastri: No, Sir. That is not a recognised union.

Mr. Speaker: We have two hours for this subject. I shall allow Shri Feroze Gandhi 15 minutes. There are 16 Members who want to participate in the discussion. The Railway Minister will reply. The hon. Prime Minister also—I have received intimation—would like to intervene at a particular stage. Therefore, except for the mover, the Minister of Railways and the hon. Prime Minister all the other hon. Members will have five to seven minutes each. Of course, I shall select the hon. Members, and I shall give 10 minutes to the spokesmen of particular parties.

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rae Bareli Distt.—East): Sir, my intention in raising this discussion is to draw the attention of the House and especially the Government to the near chaotic conditions prevailing at Kharagpur and the lawlessness which rules there.

I was shocked to read the description in yesterday's newspapers of the incidents which took place at Kharagpur on Saturday. For quite some time I could not believe what I was reading. What has happened at Kharagpur on Saturday and a few days before it, I think, a disgrace to the trade union movement in India and has done considerable harm to the cause of railway workers in particular. Never in the history of Railways has an incident of this magnitude taken place. The hon. Minister has given us details of the incident and I do not want to repeat that.

I was looking forward to a torrent of adjournment motions today to discuss the grave situation at Kharagpur and I must confess to a sense of disappointment when I discovered that none turned up. The Railways employ over 1 million people. Grievances are bound to arise from time to time. A machinery exists for the solution of these disputes from the lowest to the highest level and this machinery has got to be made use of. The hon. Minister has just revealed that the Railway Administration had no knowledge of why this

[Shri Feroze Gandhi]

strike had taken place. At Kharagpur, workers go on strike, women and children go and sit on the track. The same thing happens in Allahabad. Workers go and sit on the track. They take their women and children along with them and demand that the next morning their salaries have got to be paid. At Kanpur, there is trouble in the locoshed and the workers decide that the only way that they have got for getting their grievances solved is to hold up trains, goods trains and other trains at the Kanpur locoshed. The incidents which are taking place at Kharagpur require, I think, the immediate attention of the House. I would like the House to direct the Government to take the strongest possible measures to suppress this hooliganism and lawlessness.

Incidents like this are likely to shake the confidence of the people in the ability of the Government to assure safe travel and movement of goods in the country. This must never be allowed to happen. I call upon the Government to deal with the situation with an iron hand and severely punish those who have indulged in these criminal and terroristic activities. Sixtythree persons, the hon. Minister has revealed, have been injured. Fourteen have been injured seriously. A locomotive has been dashed into pieces. Coaches have been destroyed and the station has been damaged. Lawlessness reigns at Kharagpur. The nation's property has been destroyed and damaged. This has to be compensated for and I demand the immediate imposition of a collective fine on those who have participated in this vandalism and recover from them the cost of the locomotive, and the coaches and the expenditure incurred in repairs to the station. Let the Government make it clear that there shall be no negotiation and no assurance will be given unless and until this illegal strike is called off unconditionally. The Railway administration, for a long time, has patiently stood the strain at Kazipet, Kanpur, Allahabad, Kharagpur and some other places. My request to the Railway administration is, adopt strong measures, because the measures that you have adopted have failed and therefore, stronger measures are called for.

The Railways belong to the nation. They are run by the nation, for the nation. This Parliament has the right to demand from the Government an assurance that every possible measure will

be taken to safeguard the nation's property. I have been worried since yesterday when I came to know about this particular incident. We have heard of strikes, we have heard of labour troubles. But, this I think is the limit. If the crew of an engine can be dragged out and the railway workers could start a train and let it go and dash into a railway station, that, I think, is the limit and calls for the strongest action possible from the Government and the Railway administration in particular. I think the time has also come when all sections of the people should be clear in their minds whether they stand for orderly progress by democratic methods or are they out to destroy and murder democracy only to encourage chaos and anarchy. The Railway Minister has just mentioned that the South Eastern Railwaymen's Union has passed some resolution as a result of which the strike has been called off. My suggestion to the hon. Minister is this. He has just now mentioned, that there is no word of regret for what has happened in Kharagpur. Unless this Union expresses its regret, there should be no negotiation and if it is a recognised union, the union's recognition must be withdrawn, no matter what the consequences.

I was reading yesterday's papers and linking with it what the hon. Minister has now said. I would like to read four lines from Yesterday's *Statesman*. Its New Delhi special representative writes :

"Another 13 people were injured when the strikers threw stones. The strikers it is believed are being led by some agitators from Calcutta."

I hope that if you have found the agitators, you will deal with them in a proper manner and also deal with every one of these people who has indulged in this strike, indulged in this vandalism at Kharagpur severely and strongly and that you will not hesitate, if it is necessary, to dismiss them summarily from railway service, because people like these are a disgrace to our Railways.

Mr. Speaker : Shri Venkataraman.

Shri Venkataraman (Tanjore) : I thought I could speak after Shri Nambari. I think that we might hear the other side, if you will kindly permit.

Shri Nambiar (Mayuram) : We all are sorry to hear the most distressing news of the railway incident that occurred in Kharagpur. If the report is true, it makes us feel all the more concerned. But, in this matter, I request the House to view the situation most dispassionately. Nothing will be achieved by condemning the railwaymen wholesale.

I have got authentic reports of the situation that led to the strike and the happenings till the incident. In the application made by the General Secretary of the South Eastern Railwaymen's Union on 10th May, 1956, under sub-section (2) of section 10 of the Industrial Disputes Act, for referring the matter to adjudication which I quoted the other day during the discussion of the adjournment motion, every detail of the cause of the strike and efforts made by the Union to settle it were given. I am quoting two paragraphs of it here :

"Statement required under rule 3 of the Industrial Disputes Central Rules, 1947, to accompany the form of application prescribed under sub-section (2) of section (10) of the Industrial Disputes Act, 1947.

(a) Parties to the dispute. The workmen employed as painters in the wagon section of the South-Eastern Railway Workshop, Kharagpur, and the management of the workshop.

(b) Specific matters in dispute : 112 painters of the wagon section of Kharagpur Workshop are on illegal lock-out since 1-2-1956. Thirty-one out of these 112 were skilled hands originally but have been downgraded to semi-skilled on the eve of implementation of the Classification Tribunals Award. The rest 80 men are in the semi-skilled category.

2. The lock-out which is an enforced absence is primarily due to the insistence of the Railway Administration asking these men to do the job of stencilers. The men are not agreeable to do this job which is quite different from that of a Brush Hand Painter which is the correct designation of these 112 men."

In this long statement they have given the full details of the strike, the reasons for the strike and they have quoted

the efforts that they have made to settle the dispute under the existing law in force in the country. It is wrong to say that the strikers or the union did not at any stage inform the Railway Ministry about their grievances. Here is a copy. I am prepared to place it on the Table of the House. I have got this copy signed by the General Secretary of the Union before he was arrested and I lay it on the Table of the House.

Shri L. B. Shastri : Will the hon. Member give the date ?

Shri Nambiar : It was 10th.

Shri Feroze Gandhi : After the strike.

Shri L. B. Shastri : It was after the strike.

Shri Nambiar : The Railway Minister just now in his statement stated that no statement of grievances was placed before the Minister before or immediately after the strike.

Some Hon. Members : No, no.

Shri Nambiar : This is what he actually stated. The facts are there.

Shri Gadgil : (Poona Central) : Will you tell us the date ?

Shri Nambiar : That is what I have said. It was dated 10th May. The strike was started on the 8th May.

Subsequent to this, the Union's Working Committee has passed the following resolution, dated the 20th May, 1956, a copy of which was sent to all concerned. I have got it here. It runs like this.

"Southern Eastern Railwaymen's
Union

Dated 21-5-1956

To

- (1) The General Manager,
S.E. Rly., Calcutta.
- (2) The District Magistrate,
Midnapore.
- (3) The Regional Labour Commissioner (Central), Calcutta.
- (4) The Chief Labour Commissioner (Central), New Delhi.
- (5) The Secretary, Ministry of Railways, New Delhi.

[Shri Nambiar]

(6) The Secretary, Ministry of Labour, New Delhi.

Re : Kharagpur strike since 8-5 1956."

In this they have given three or four paragraphs of the reasons which led to the strike.

Shri Feroze Gandhi : Was the strike notice served on the railways ?

Shri Nambiar : The question is very clear. It was not a strike which was started after giving strike notice by the union or the workers. It was a spontaneous strike which the union started. It is not unknown in the trade union history of this country. Strikes used to start spontaneously. History shows that there used to be spontaneous strikes and the union to back them and also to intervene at the proper time. This is not new. There is not much grouse to work upon that point. In that resolution it is said :

"The Working Committee expresses its emphatic opinion that the cause for which there is stoppage of work in Kharagpur is just and the demand for adjudication of the relative claims is proper, as the best way for ending the present deadlock. This Committee urges upon the Government to ensure maintenance of industrial peace by providing for automatic adjudication on the request of either of the parties in case of failure of negotiations in a trade dispute as the best method of avoidance of strikes and lock-outs."

Then it goes on to say :

"In view of the failure of the management to afford necessary guarantees against the victimisation for participation in the strike in support of a *bona fide* trade dispute, this Committee requests the President of the Union to hold consultations with Shri V. V. Giri and move the Ministry of Railways and Labour, Government of India by proceeding to Delhi immediately and report the result to the Union with a view to enabling it to tender proper advice to those on strike."

This clearly shows that the strikers had no intention to create confusion. Whenever a situation arose, the union intervened properly and tried to negotiate and settle it. They never wanted

to create trouble for the Government or to stop the railway transport. These things are evident. I can give official copies sent by the General Secretary and you can go through them.

Subsequent to this, the General Secretary and other office-bearers of the union and many prominent members, numbering about 150 were arrested on the 22nd May. The union office was raided and ransacked. I am quoting a telegram which was sent to you, Sir, as the Speaker, dated 23rd May :

"Hon. Speaker, Lok Sabha New Delhi Police atrocities indiscriminate arrest including Subramanyam General Secretary let loose section 144 promulgated workshop protected area and lock-out against 17,000 peaceful and lawful satyagrahis railwaymen....

Some Hon. Members : Satyagrahis ?

Shri Nambiar : Satyagrahis railwaymen.

An Hon. Member : A new term.

Shri Nambiar : This is the telegram sent on behalf of the General Secretary....

Shri Gadgil : Let us not create the Kharagpur situation here.

Shri Nambiar :to the Speaker of the Lok Sabha, with copy to so many others. It goes on :

"....union central office raided valuable documents forcibly taken away by police solicit intervention and settlement trade dispute.

Copy to Railway, Home and Labour Ministers, Government of India, New Delhi, Shri V. V. Giri, A. K. Gopalan, Asoka Mehta, K. P. Tripathy, D. C. Banerjee, K. A. Nambiar, Laka Sundaram and Bhupesh Gupta, MPs. Lok Sabha New Delhi...."

Here is the copy. This was given on 23rd May, three days prior to the incident. This shows how far the railwaymen were prepared to settle the matter.

After referring the matter to adjudication, I sought an assurance of non-victimisation on the floor of the House which was stoutly refused. I met the hon. Minister in his chamber and begged of him to give at least a promise to me that there would be no victimisation so as to help those who were trying their utmost to settle the matter.

but the hon. Minister still persisted in his attitude. I also represented the matter to the Labour Minister and appealed to him to take a reasonable view of the matter and find out a solution before it went out of hand. He also expressed his helplessness in fetching an assurance of no victimisation.

I understand that Shri Guruswamy, the President of the Union, called upon Shri Lal Bahadur Shastri to make a representation. Nobody knows what transpired between them. I also heard that Shri Guruswamy contacted the General Manager at Calcutta and negotiated for a settlement, but this also did not materialise. Any amount of persuasion did not have any effect on the Railway Minister and the local authorities, Railways or police. In the absence of the leaders of the union some mischief-makers utilised the occasion and made the matter worse.

All the above facts show that there was enough ground for the workers to go on strike,—the main trouble started when 112 painters in the wagon shop were locked out of work—that the union did its best to bring about a settlement, that the attitude of the Railway Minister and the authorities was mainly responsible for the continuation of the strike, that the police zooloom and the indiscriminate attack on the railwaymen, women and children in their quarters had created serious bitterness among the workers and that an opportunity was created for undesirable elements to intervene in the absence of the leaders of the strike in jail. Under the circumstances I strongly demand that a judicial enquiry be conducted into the incident....

Some Hon. Members : No, no.

Shri Nambiar:....and the reasons that led to the strike so that Parliament and the country could know who are responsible for such a situation and suitable steps may be taken to avoid recurrence.

It is not a small matter that over 15,000 workers go on strike suddenly and continue the same for twenty days. No one can imagine that such a thing could happen without reasonable grounds. No single person or group of persons can provoke such a large number of employees to go into a concerted action in such a short time unless the railway authorities created a situation for it and mounting grievances were existing. The country will be anxiously

waiting to know the reasons that led to the strike. Let not the railwaymen be hanged for no fault of theirs.

Shri Gadgil : May I ask one question? Assuming what you say to be true, do you justify the action of some of the strikers in pulling out the crew?

Shri Nambiar: Never. I said it in my first sentence. I shall read it again. We are all sorry to hear the most distressing news of the railway incident that occurred in Kharagpur.

Shri Frank Anthony : May we know when they resorted to acts of violence? This notice was given on the 10th inst. May we know when the acts of violence were first resorted to?

Shri L. B. Shastri : I think the news regarding the assaults etc., came to us, or rather started coming to us, immediately after the strike started,—I think a day at the most. I cannot exactly give it, but perhaps it was a day later.

Shri Frank Anthony : That was on the 9th?

Shri L. B. Shastri : Yes, on the 9th. There were some cases of violence.

I would also like to inform hon. Members that the figure of 476 which I gave includes class III and class IV workers, but not supervisors, who number almost 528, and who were present in addition all along.

I should like to correct what I said earlier in regard to the total cases recorded. The total number of those who were injured is as follows:

11th May	..	5
14th May	..	1
17th May	..	2
22nd May	..	8
24th May	..	1
25th May	..	1
26th May	..	68
27th May	..	1

Shri Venkataraman: I am afraid that my hon. friend Shri Nambiar, by justifying the strike, has done a great harm to the railwaymen, and to the peaceful settlement of their problems. While we all agree in condemning the disastrous accident that has occurred as a result of vandalism on the part of a few persons, we should endeavour at the same time

[Shri Venkataraman]

to see that the normal relationship between the employee and employer is restored, and there is no recurrence of a strike of this nature in the future.

My hon. friend Shri Nambiar said that an application under section 10(2) of the Industrial Disputes Act was presented. My hon. friend is a fairly well-informed trade unionist, and he should know that under section 10(2) of the Industrial Disputes Act, joint applications are made by employees and employers for reference of disputes to adjudication.

Shri N. Sreekantan Nair (Quilon cum Mavelikkara) : Either jointly or separately.

Shri Venkataraman: No. The hon. Member may kindly read the section better. A joint application ought to be made, but the application may only be presented either jointly or separately.

But under section 10(1) of the Industrial Disputes Act, applications for reference of disputes to an industrial tribunal are made, where one party wants a dispute to be so referred. So, the normal thing, if my hon. friend Shri Nambiar wanted to show that they were right, is to show that the employees or the workmen did present an application under section 10(1) to the authority concerned for reference of such a dispute to the industrial tribunal. Therefore, his flashing a few papers here and saying that they presented an application under section 10(2) is largely intended to somewhat mislead the House and the public.

Then, my hon. friend also knows that this is a public utility under the definition given in the Industrial Disputes Act. Under section 22, it is illegal for any union to declare a strike, or for any employee to go on strike, without giving notice under that Act. Obviously, a strike which is illegal has been started by some persons who want now to shirk the responsibility for it, and throw the blame on somebody else.

Now, let us take the grievances. Is it worth sacrificing sixty to seventy lives for the sake of the grievances of a few hundred and odd brush painters who paint the words 'III class', 'Ladies Compartment', 'Reserved' and so on, and who have not been classified as skilled workers? They have been classified as semi-skilled workers by an award of the tribunal in 1948, to which one of the representatives of the

all India Railwaymen's Federation was a party.

A matter which has been settled by a tribunal and in which their classification was upgraded from that of an unskilled worker to that of a semi-skilled worker is now being raised, as if a great dispute has been in existence, and the entire labour in the South-Eastern Railway is agitated over it. The whole world will agree that neither the grievance nor the number of persons involved is sufficient to justify the vandalism which was practised at Kharagpur.

Shri Nambiar then said that this is a stupendous strike. We all have led strikes. A strike is a cessation of work. But does a strike include also throwing of stones, squatting on railway lines and doing all sorts of things? That is no strike at all. It is just indulgence in violence, and nobody, and certainly not this House, will be prepared to countenance such a sort of activity on the part of labour.

Shri Feroze Gandhi : It is holding the country to ransom.

Shri Venkataraman : My hon. friend has very cleverly withheld one very important fact, namely that the real cause of the dispute is the anxiety and rivalry amongst the various railwaymen's unions to show that they command a large strength, a large support and a large following among various people. In order to show that, it is very unfortunate that poor uninformed workers are being made the scape-goats and then they are told that if they resorted to these activities, they would create such a confusion that they will be able to bring down the great administration to its knees. This certainly is against the spirit of trade unionism. A trade union always tries to negotiate a settlement, and failing that, it gives notice and then goes on strike. Nobody says that the right to strike should be taken away. Every trade unionist will agree that it should be resorted to after exhausting all the remedies available, all the procedures that have been prescribed and after giving due notice.

Here, there is absolutely no justification for the strike. In fact, the brush-painters have been made the instrument for trying to stage a show, and trying to bring down the prestige of the administration in order to enhance the prestige of the trade union which is not recognised. I say this with a full sense of responsibility that the trade union which has not been recognised, and

which has been asking for recognition for some time, and which is now trying to capture the All India Railways Federation is resorting to a series of activities like this all over the country in order to strengthen its organisation. This should be condemned outright, and certainly steps should be taken to see that there is no recurrence.

At the same time, I would make a fervent appeal to the Labour Minister that in dealing with the men, he should be very sympathetic. After all, they are misled; they are not the persons who have organised these acts of violence and vandalism. They are misled into such activities by the so-called leaders who appear on the scene and suddenly disappear under-ground. There have been very many instances in which leaders of trade union movement have come as heroes at the top of the unrest when the movement is at its height, and then when it is going wrong, have suddenly disappeared out of sight, leaving these poor people in the lurch. I would appeal to the Railway Minister that in dealing with this matter, he would take a very sympathetic view of the rank and file of the workers involved, and that, while I cannot endorse the suggestions made by Shri Feroze Gandhi that a punitive collective fine should be imposed, their mere apologies should be acceptable to Government....

Some Hon. Members : No.

Shri Venkataaraman :and peace should be restored.

Shri Gadgil : I am interested in this whole business as a citizen of this great Republic. When I read the account two days ago, and when I had some discussion with my hon. friend Shri Feroze Gandhi, I thought that it was necessary that a statement of some fundamental principle should be made from the floor of this House not only by one party but by the House as a whole.

4 P.M.

I do not think that any Member of this hon. House is interested directly or indirectly in creating conditions which we are now meeting at Kharagpur. So far as this question is concerned, there are two aspects. One is the present situation as it has developed, and the other—and far more important—is how to prevent recurrence of such things in the future. In the latter aspect, the entire country is greatly interested.

So far as the first aspect is concerned, I think we must assure the hon. Minister of Railways that the entire House will be behind him in whatever effective steps he takes in order to meet the situation. For the last four years, the history of the railways is a history of accidents, strikes and overcrowding. Our Minister is doing his level best, and if he has not succeeded to the expectation or to the measure which we hoped, it is no fault of his. When we find people pulling down or pulling out the screw of a locomotive in motion, it is difficult to believe that they were not conscious of the certain consequences that would follow an action of that kind. We have, therefore, to view the whole thing in the proper perspective, whether these men are merely the victims of somebody's abetment or instigation or whether there is something radically wrong about it. If they are victims of abetment or instigation, there is one remedy for it. But have our people gone so basically wrong that they have no consideration for human life whatsoever? If that is so, it is a sad day for this country.

It is no doubt true that after independence, the full significance of the responsibility of a citizen of a free country is not realised by the people at large. Therefore, so far as the second aspect of the situation is concerned, I am not so much interested in the machinery of conciliation and settlement, this, that and the other. All those things ought to be there. We have guidance from other countries. We have precedents in this country also. All that must be done. At the same time, it is absolutely necessary, in my humble opinion, that our citizens must be educated in the way in which they ought to discharge their duties as citizens, and in this connection a greater responsibility rests with the Members of this House, in fact on all legislators. Whatever happens in this country, more or less an echo is found here; expressions are used and their grievances are ventilated here. Therefore, let us not do anything which will encourage whatever section of the people may be concerned for the time being; let us not think that simply because we have access to the legislatures in this country or to Members of Parliament, they are justified in doing whatever they like. It is our responsibility to tell them that this House stands for a fair and square deal to every citizen in this country, to every section of the population, but this House will not tolerate anything that will hold the community to ransom.

[Shri Gadgil]

My humble submission is this. Let us take one view with respect to the situation as it has developed. I entirely agree that there should be no negotiation. When a mild man like the Minister of Railways and Transport said what he said with respect to the strike of firemen at Hyderabad a few days ago, when a mild man like him is driven to that attitude, one must conclude that there is something very much seriously wrong in it. Therefore, I repeat that he will have the full support of every Member of this House in taking adequate steps, in bringing order out of chaos. The maintenance of the law and order aspect must be dealt with sternly, effectively and expeditiously, and in that he will have our full support. At the same time, let those who have real grievances—I do not know whether, and to what extent, they are real; I do not think that the strike was justified—have the benefit of having the matter referred to some judicial authority or to some adjudicator. I have nothing to say against that. But while everybody must be encouraged to ventilate his grievances in the lawful, legal and constitutional manner, there should be no obstacle put in the way and no consideration of prestige should come in the way; at the same time, let everyone realise that any departure from this will not be tolerated by any section of the House, and certainly not by the Government.

I am, therefore, making this appeal to every Member of this House. Whether the act is done by people who are under the influence of this party or that party, this is a question which transcends the normal consideration of party affiliation. Everyone of us is interested in the peaceful progress of this country. We cannot economically advance if our great system of transport fails us at the critical time. I do not think that any Member, of whatever party affiliation, will have anything but this consideration in his heart. I am, therefore, appealing to every Member of this House that instead of bringing heat into the argument, he should make some constructive suggestions to the hon. Minister of Railways and Transport as to how to deal with such situations if they arise in future, or better still how to prevent such a situation arising in future.

Some one referred to a trade union being responsible for this. Honest trade unionism is not responsible for this. But somehow or other, we have still a hang-over of what we had experienced in

the pre-independence days when every political party tried to enlist the sympathy of the organised workers for the purpose of the nation's political advancement. Now, that is not necessary, because there is universal franchise, and wide democracy and everyone is pledged to follow democratic principles.

Therefore, let us consider this question not as members of one party or the other, but as a question in which everyone of us is interested. Some may be interested in it for the benefit and advancement of the worker, but the great community is interested in having safe travel and in having convenient travel as much as possible in the present circumstances, I have nothing more to say.

Shri H. N. Mukerjee (Calcutta North-East): You will permit me, Mr. Speaker, to preface my remarks this afternoon with a reference to the Railway Minister himself. Sir, I consider it significant that while earlier we have had Railway Ministers selected for reasons that I consider accidental, our present Railway Minister has been General Secretary of the All India Congress Committee, and I pay him the credit of assuming that he is serious about the ideology propounded by his organisation. And that is why I suggest that in considering a matter of the sort that is now before us, he should reflect very seriously on the implications of whatever steps he has in contemplation and whatever pronouncements he proposes to make here and in the future.

I need not say, but I think it is necessary for me to repeat, that everybody in this House—ourselves certainly included—is unanimous in deeply deplored the incident which happened at Kharagpur. There is not the slightest suggestion of a question about it, we have seen also reports—I have here a Calcutta paper about Shri Guruswamy and other railwaymen's representatives expressing their deep perturbation at the news of the accident from Kharagpur. I want also to say that whatever was done by those responsible for letting go of that train, whoever was responsible for that kind of perpetration has been an enemy of the working class movement. And, I say it because of our experience of the trade union movement. I am sure Shri Venkataraman would agree with me that there have been agents provocateur, mischievous elements planted by the employer among the workers to damage their cause. (Interruption). I do not say for a moment

that the Railway Minister sent instructions that this kind of thing should be done. But, it has happened when a certain movement which is of considerable strength appeared—to judge from the reports given by the Minister himself—when that movement is going on strong, —to damage it, to defame it, and to sabotage it certain steps are taken by those whose interest it is to do so.

Shri Feroze Gandhi: There were several thousands workers when the train was stopped; not one or two.

Shri H. N. Mukerjee: I put it here as a categorical statement that an incident has happened which we all condemn. About that incident we have our suspicions. And, that is why we say that there should be an enquiry into the circumstances in which that incident happened. I beseech this House and I am happy the Prime Minister is here (*Interruption*). Do not let us rust to conclusions. Even when firing takes place and people die, you very often give the benefit of the doubt to the Government. Here is a case where you are going to damn the working class altogether. And, that is why I suggest, an incident has happened which we repeatedly declare we all condemn, which we all deplore and say, at the same time, that this kind of incident has happened before in trade union history when *agents provocateur* have appeared in the picture and it is necessary that there is an enquiry. I am very happy at the long deferred parliamentary activism of my friend Shri Feroze Gandhi and I am glad he has brought out this question. I am glad that he has brought this....

Shri Feroze Gandhi: Why did you bring in an adjournment motion if you are keen on it?

Shri H. N. Mukerjee: You want the head of the working class on a charge, but it will recoil upon you.

My hon. friend the Labour Minister is there and he knows how one should behave when masses of people are concerned. You must have the psychological approach about which the Prime Minister tells us so often in grappling with the task. I am sorry to have to say that I do not see instances of the successful application of that type of approach.

I read very carefully the proceedings of the 23rd of this month when my hon. friend the Railway Minister made certain statements. I regret to have to say that he had showed an adamantine

attitude, which I did not expect of him. I have said in this House before, that somehow I do consider our Railway Minister to be a person who takes his job very seriously and who, if he knows of certain facts, makes up his mind in regard to what he considers to be real justice. In this case I found him saying, 'Of course, I know there are grievances and there will be grievances. There they are today and they will be there in future because you are dealing with human beings and there are millions of people working on the railways.' He said that. And little later, when my friend, Shri Nambiar, interjected that victimisation was the main thing and asked: 'Can't you give us some little assurance even in an indirect way?' The Minister replied: 'I shall not be prepared to consider even an iota of those demands'.

Legally you may be right, as far as the legality of it is concerned. But here is a strike which is illegal, which is unauthorised by the unions concerned and therefore you say, 'I am not going to touch these people with a pair of tongs'. What actually happened? If you refer to the history of trade union movement—I do not know much about the actual working of it; I am not a leader of railwaymen and because I am here I happen to help railwaymen's cause from time to time, but I do not have any detailed experience of the working of railwaymen's organisations—but it is known to everybody who has even a smattering knowledge of trade unionism in action, that you do get from time to time—it may be unfortunate—but you do get from time to time strikes happening spontaneously and the unions have to come into the picture later on. It happens—you may not like it—but it happens like that. On this occasion, a thing like that happened and it happened on a scale which my friend Shri Shastri had to admit when he said on the 23rd in this House that out of a total strength of 12,000 workers in Kharagpur, 11,000 were keeping away. Not more than a 1000 were joining their jobs. This is an indication of the way the workers' mind was moving.

My friend, Shri Venkataraman, said all kinds of things were being done, all kinds of enormities were being perpetrated by the workers there. I tried to listen very carefully to the catalogue of injuries which Shri Lal Bahadur Shastri mentioned except on the day when there was that train accident which we all deplore, the number of injuries was not

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particularly considerable. My friend, Shri Nambiar showed sheaves of telegrams showing how, on this side, there were so many injuries which Shri Lal Bahadur Shastri did not mention here. Actually, what were the enormities perpetrated by the people (*Interruption*), till the day when this particular train accident happened? As I said before, we have our suspicions about that accident and do not forget that the line between hunger and anger is very thin sometimes. It is possible that occasionally things happen which, in the ordinary course of things, we do not like to see happening but they do happen. And that is why we say that you should see how a situation had arisen in Kharagpur which was very undesirable and, therefore, something has to be done about it which will apply the healing touch to the situation. After all, repression won't help. After all saying that you won't consider even an iota of the demands will not help. Even after the proceedings in our House on the 23rd and before that train accident, the union executive met and they withdrew the strike and they took upon themselves the obligation, the responsibility of going to Kharagpur and persuading the workers to rejoin work, in spite of the absence of an assurance from Shri Lal Bahadur Shastri, only on a very remote anticipation that if the strike was withdrawn, then, Shri Lal Bahadur Shastri's heart might melt. Only on that assumption, they withdrew this strike before that train accident happened and now you are going to lump the whole thing together and you are going to condemn the entire trade union movement there.

My friend, Shri Venkataraman comes forward with his very ingenious explanation. As I said before, I am not an expert in trade unionism. But, it is said by Mr. Venkataraman that there is a contest, a struggle and competition between rival trade unions and, therefore, this strike has happened. A most amazing thing. (*Interruption*). There is one test by which you are going to judge which trade union is the representative organisation; and, that is the support of the workers. If it so happened that 11,000 out of 12,000 workers in Kharagpur go a particular way, then it makes one conclude that that organisation is the real representative body and not that because there was competition between A organisation and B organisation in Kharagpur which may be in Mr. Venkataraman's pocket there was

trouble. I do not appreciate that kind of deduction. On the contrary, I say that in Kharagpur, a situation had developed which was due only to the inept handling of the problem by the Labour Ministry. It is not the business of the Labour Ministry in a State like ours, which has the socialist pattern of society as its aim, it is not the business of the Labour Ministry or any other employing Ministry for the matter of that, to take its stand on ceremony, on the platform of legality every time. It is not their business at all. When the second Plan is there and when everybody is coming forward—you may not believe our bonafides; I know there are some people in the treasury benches who do not believe us and who think that we have all kinds of things up our sleeve—and for the time being we ask that this Plan should be worked for all it is worth—it may not be worth as much as we wish to be, but as far as it is worth, we are going to see that it succeeds. They may not believe it. But I say that you have got to believe it. If you do not believe, then it is a different story. We say that there is a Plan now being launched; and at this point of time, if you are going to condemn a whole lot of railwaymen altogether, what is going to happen? I have heard Shri Shastri paying compliments to the million strong body of men who manned our Railways; we also have paid our compliments to these people. In Kharagpur, what are the 12,000 people like? Are they all Bengalis with a penchant for all kinds of disturbances? No. There are Bengalis, there are people from all over South India, people from Western and Central India. It is, altogether, a cross-section of Indian humanity. It is a representative chunk of the Indian working class. If today in this House through Shri Shastri's words or actions an impression is going to be produced on the Indian working class and the railwaymen in particular, that Government is insensitive to their real desires, if such an impression is produced on them, then nothing really effective would be done about such things as the Second Five Year Plan. I say, therefore, that Shri Lal Bahadur Shastri should not answer the debate in a huff. I say it is not his business to take his stand on pure legality. I tell him that it is his business to understand the mind and heart of the railwaymen. If the railwaymen are occasionally liable to go astray, it is his business to find out why that happens, it is his business to correct that situation. That is the criterion

of a leader of Shri Lal Bahadur Shastri's sort. If he does not satisfy that criterion, he does not deserve to be where he is. As I said when I began my speech today, I have developed a certain kind of feeling that he does take his job seriously and he does try to apply his mind. I put him, so to speak, on a pedestal of responsibility, and I say this. Look into the mind, look into the heart, look into the condition of your people, look at the demands that they are making a second pay commission for example and so on and so forth, look at the whole picture, look at the kind of things which we all want to do here and now, all marching together, and then make up your mind what you should do. Do not look at this incident in an isolated fashion. Do not isolate it from the rest of the happenings in the country, and do not condemn a representative cross-section of the Indian working class in the manner which has been suggested by my friend, Shri Feroze Gandhi, and in a kind of revolutionary way by my friend, Shri Venkataraman.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I am glad that this matter has come up for discussion before the House because it is not only serious in itself but also significant of the type of things that is developing in this country.

The hon. Member who has just spoken said a great deal about our not condemning the working class or the labour movement. Of course, I entirely agree with it, but one factor seems to be forgotten in this incident, that is, the people who had suffered are workers. Who were the engine driver and the fireman that were thrown out of the railway engine? Who were the persons in the railway train behind them who were injured? They were workers. So, the talk about something being against the working class is completely beside the mark. As a matter of fact, what has pained me most in this matter is how injury is being done to the working class and the trade union movement in this country. I believe in the trade union movement in this country. I think that it is essential that the trade union movement should develop on sound and healthy lines and be strong, and, if I may say so even as Prime Minister, strike when necessary. I am not against strikes although I do think that in the modern age, it is a sign of extreme maladjustment for strikes and

lock-outs to occur. But there it is. I do not wish to deprive the workers of their ultimate weapon of strike till some better method is evolved to settle all their disputes. I am worried and distressed at the way the working class movement and the trade unions are being pushed sometimes in the wrong direction, much to their discredit. I speak without accurate knowledge, but I think that the trade union movement may be said to have started; some of the unions started previously, but in an organised way nearly 40 years ago in India, I think round about the First World War. After that, it had begun to take shape. Naturally when a trade union movement starts, it takes some time to become mature, to organise, to function peacefully and achieve strength. One can forgive a movement like this in its early days to be disorganised, to indulge in what may be called lightning strikes and the like. In fact, in the early days of the trade union movement, really they did not work in the shape of trade unions; they were strike unions, people striking and calling themselves a union, not organised regular trade union working. One can understand that in the early days. Gradually, the trade union movement in this country grew and in a large measure became mature. I say in a large measure because in a measure it did not become mature, and I do not blame the workers for that. But I do think that some of those who led those trade unions, directed them, put them in the wrong path, put them in the path of the kind of lightning strike or repeated strike, trouble or something of violence, with the result that if sometimes they gained something, more often they lost, as was inevitable.

I believe firmly in the rule of life, that if one takes wrong action, wrong results flow from it. I have no doubt about it. That is a law of nature. It represents some of the results to come, the results you see in India even today. I am not referring to any particular group of unions or organisations. But one sees mature trade unions, strong trade unions, trade unions which have protected the interests of the workers and advanced them, and themselves through their efforts collected and given so many facilities to their members, whose organisation and peaceful strength are respected, whose words carry weight. On the other hand, this type of union which indulges in lightning strikes, as they are called is also there. What do we see? Suddenly without any previous intimation or notice, one sees in the

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newspaper that there is a lightning strike there. Then, a little later, some people want to make others not to work. They throw stones at them. Police come into the picture. Then hon. Members opposite get telegrams of police atrocities. It is a regular succession. The hon. Member, Shri Nambiar, showed a sheaf of telegrams. It is quite easy to send them, but whether they represent facts or not, it is impossible to say. But a regular succession of events we see. A lightning strike, something happens. Workers prevent others from going to work, terrorise them, threaten them and sometimes completely prevent them from working. When the police come to protect the people, it is called police atrocities; police gets into the neck. If it does not come, you cannot stop the strike. If it comes and tries to do something, then also it is blamed. I have not heard anybody bringing in an adjournment motion or drawing attention to the violent activities, to the stone-throwing, etc., that have become almost a common feature in this country. I am not talking about the workers only but even in public meetings and the rest, it is becoming a regular feature—throwing stones, hurting policemen, hurting them badly, apart from the members of the public. Where are we going to? It is not a democratic method, whatever it may be, and obviously it has nothing to do with what we might call the Indian method of dealing with things—we have to deal with things in the Indian method, of approaching things peacefully. What exactly are we doing? I am worried about it; I am exceedingly distressed about it.

This matter, I do submit, has absolutely nothing to do with the merits or demerits of a claim. It can be examined separately; certainly it should be examined. It is a bad method and I say even with a hundred per cent right demand, if this method is employed, it is a bad method; it is an evil method and a method that should not be tolerated and that should be suppressed. I am not for the moment dealing with the merits of the question. I know nothing about the merits of this particular matter.

I have listened to Shri Nambiar. A strike occurs. Lightning strike, it is called. It is a small strike, apparently for some simple reason. He has given certain dates. I do not know what dates the Railway Minister would give. Two days afterwards they met together and sent some kind of a long communication

which had not reached Delhi yet. They have posted it; it has not reached here. It might have reached the railway headquarters in Calcutta or whatever it is. There were the statements and demands etc. There was no doubt reference to police *zulm*. It is a constant factor that is brought in everywhere because it is expected that everybody will immediately accept any charge of misbehaviour by the police. The poor police is so used to be kicked and cuffed like that and always condemned. It is easy to make a charge against the police.

I am not here to defend the police but I know the thing. It is becoming intolerable always for this poor policeman to be condemned for trying to do his duty in the most difficult of circumstances. Let us punish the police man when he is guilty or anybody else when he is guilty. But the stone-thrower becomes a hero and is taken out in procession—may be—and the poor policeman who gets the stone on his head is a person who is guilty of *zulm* and atrocities. I leave that out. We have to consider this larger question. Two or three questions, I should like the House to consider—broad questions. We must, as I said, stop this creeping in of violence in our public activities—not only strikes and the like but in other activities.

What has been happening recently in the Punjab? It is astonishing that any organisation that claims to be an organisation, should not only encourage but deliberately organise this breaking up of public meetings and throwing of stones, etc., and also shout from rooftops; "We will not allow these persons; we dislike their speech." When the other party, finding that something has to be done, comes into the picture and tries to restrain these persons who throw stones, there are telegrams—police *zulm* and this *zulm*. It is really astonishing. Have we lost all standards? Have words ceased to have any meaning? Where are we drifting? I say: no Government—I do not care what party governs—can tolerate this kind of thing wherever it comes from, whatever part of India it comes from, whatever party it comes from. I would invite every party and group here to state publicly, here or elsewhere, how they stand about this matter because, I do submit, it is to their interest and to everybody's interest to be clear on this issue—to be clear that there must be no violence.

Let us have the fullest freedom of expression. It does not matter what it

is. But there must be no violence. That must be the basic thing which all of us agree. In theory we agree. I say, in practice we must agree. It is no good defending people who have committed violence. It is no good trying to find excuse for them. There is no excuse, I say, for a person who commits violence. I can even find an excuse for a murderer but not for any person who throws stones. A person, in a fit of passion, may commit a murder. I have lived with many murderers in the prison—rather I got to like them. But, I have no sympathy for the stone-thrower. I believe he is a mean and despicable person and we have no sympathy for him.

Let us be clear about this matter and let us lay down that where stone-throwing comes in, it must be stopped. Every party must stop it, condemn it and make that man or group of persons who throw stones or otherwise misbehave, pariahs of society. It is disgraceful, despicable and contemptible to do so. It is not going to be tolerated by society in India, whatever it may be for. That is a broad issue.

Then we come, more specially, to the strikes and the rest. Of course, that is covered, partly, by this broader issue. I am interested, as I said right at the beginning, in the good of the working class as such, in the trade union being built up because it is necessary to have strong trade unions, disciplined trade unions acting with strength but not in this way. How can a trade union grow up like this? It was years and years before a trade union movement in this country functioned with any kind of mature strength. These things happen simply because the leaders of these trade unions in some parts of the country encourage them to go in for these so-called lightning strikes.

There is another place where trade union movement got into a completely different direction. It was in Ahmedabad under Gandhiji with the result that, I imagine, the strongest and the best-knit trade union grew up in those areas. It indulged in strikes; it did not rule out strikes but so far as I know, never in the lightning strikes. Always, when there was a conflict between them and the employers, they proceeded with strength and told them; went through all the processes and tried to come to terms. If they did not, ultimately they went on strike and on a complete strike—disciplined and organised strike. The result? If you have registers somewhere, which I have not got—I think you will

find that the action that the Ahmedabad workers took after due deliberation was a much more powerful action, and much more conducive to obtaining the results than those lightning strike elsewhere.

Sometimes, a lightning strike may succeed, especially if it deals with any kind of service which is essential to the community. You may hold up society or community to ransom. It means that. What does it mean? It does not mean that you are dealing with the merits of the question nor does it show the organised strength of labour. It is holding up of the community to ransom, with this weighty revolver over its head.

The whole of the trade union movement, in spite of its mistakes and errors must gradually grow. I am glad it is growing. I want it to grow in India. But, I do wish this House to consider, how this trade union movement—looking at it strictly from the point of view of the workers leaving out the others—can grow much more and become mature in action in the way it behaves, in the way it organises so that it keeps certain standards of behaviour of peaceful action, organised action, action after full thought, full notice, full attempt to come to and arrive at a settlement. If not, well, then there it is; you have the strike. Have it by all means. But what is this kind of thing—this kind of lightning strike?

For me to be told that it has become so intolerable that one strikes in this way? Well, I am prepared to agree that conditions in India, in many places, are intolerable. I am not quite sure how I would behave if I were subjected to those conditions. That is a different matter. But I say: because conditions are intolerable, it does not mean that a wrong action and wicked action should be indulged in because it does really harm and injures the group and the individual. And you get into a vicious circle from which you cannot come out. That is not the way for either trade unions or working-class movements to grow in any event. These are broad generalizations that I am putting before the House.

But this particular instance, I would remind you again, it has nothing to do with your condemning the working-class or the trade union movement because the persons who suffered here are the workers. It is the railwaymen who have suffered. They have been kicked out and they have been injured. Nobody

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else has been injured. I think it is monstrous for people to go in like this. It is a sheer chance that these 63 or 64 persons did not die. Just look at it; first of all going in and throwing out the engine driver and the firemen—whichever it was—and then accelerating the engine and getting out of it. I cannot conceive of a more monstrous and more criminal act. It is a sheer murder or an attempt to murder; nothing short of it. It is a sheer chance that nobody has actually died; some may die in hospital now. And, against whom? Against the workers and not against anybody else. Against the workers who refused to be terrorised into not going. Remember this. The hon. Member opposite said : see the strong feelings of these workers when out of 12,000 only—to begin with a relatively smaller number went to work—476 or something like that went to work. But I should like to know, I should like to find out under what pressure people did not go, because the pressures are very great preventing the people to go. One may think of the pressure inducing them to go, but there are pressures on the other side too. A handful of people who are prepared to threaten and coerce can prevent others from going and one can see this.

Now, suppose this has happened—before this of course there was stone throwing—and another strike occurs there naturally, people will be afraid or may be afraid that they might be killed, when this kind of thing has been done. The result is that, willy nilly, whether they want to or not, they are threatened and coerced into not going. If they try to go, a handful of people may throw stones at them. Therefore, a handful of people can coerce a great majority.

Of course, this cannot be done if they are well organised into good unions. It only happens where there is utter lack of organisation and a number of completely irresponsible people are there to twist the workers this way or that way. A handful of people can make a difference in these circumstances.

Take again this question. Why was this railway business done? Probably,—I am guessing—because nearly 4,000 workers had gone back and this no doubt irritated the organisers of the strike and they wanted to do something to frighten them even more. Stones were not enough. They had used stones previously. So, they did this trick of getting on a railway engine, pushing out

the driver and the firemen and accelerating it and jumping out with all those workers in it who were going to the factory to work, sending them almost to certain disaster. It is a monstrous thing.

Are you going to build up your working class movement, your trade union movement in this way? I know nothing about the union that functions there. There are only two explanations of that Union to me. Either it is directly or indirectly responsible for all that has happened, or it is completely incompetent, because there is no third explanation to it. Then that has no business to come to me and talk to me about terms, this and that. When they cannot control the labour, they have no business to be there. With whom am I to talk to. If they are directly or indirectly responsible for all that has happened then they ought to be punished with the rest of them. Where does that union come?

I am all for trade unionism, I repeat, but I do not wish trade unionism in India to be dragged into the mire by some people who are always making use of it to indulge in these evil and wicked practices. Whether it is a trade union, whether it is any other union or whether it is any other group of community, it is not going to prosper by these attempts of violence and coercion, because, if there is violence, violence breeds violence; there is no doubt about it. And the result in the ultimate analysis is all kinds of petty or big violences taking place all over the country, conflict in the final analysis, or if you will put it as big as you like, civil war in the country, because the community is not going to be coerced. If you like you may coerce here and there, for a short while or a short period, but where this becomes a method to be employed to coerce the community, then the community reacts to it and sometimes reacts wrongly to it. Then you have this vicious circle of evil leading to evil, violence leading to violence and ultimately, I suppose, somehow or other, by sheer exhaustion or sheer disgust, it may stop in this process.

Therefore, I submit that this kind of thing must be considered by us in its larger context. What is the good of my condemning those poor persons who have been guilty of this? But, certainly if they are found guilty they should be punished certainly and punished heavily.

Yet, I am not so very angry with them, if I may say so. They are poor ignorant people. Who has set them to do this? Who has led them down a path which inevitably led to this? That is what my concern is. Why do we produce these incidents? Why do we produce the atmosphere which produces them? It is only six weeks ago that I was in Kharagpur—may be, two months ago, I forgot. I had gone there for some other function in the Technological Institute. But I passed through Kharagpur twice, coming and going, and large crowd of these railway workers there gave me a very very friendly welcome, which I appreciated greatly. They were good people. They were friendly people, nice people and it hurts me to think that these friendly and nice people should be misled in this way.

As the House probably knows, in Kharagpur there is a very mixed crowd of workers. By 'mixed' I mean, people from all over India. There are relatively very few Bengalis. There are a good number of people from Andhra and from other places. That is one reason, I fear, why no real organised trade union has grown up there, because of this mixed crowd which cannot coalesce easily into a trade union, which in moments of excitement may be made to behave in a particular way. It is unfortunate. But, that means the leaders of any union that is being formed there should be more careful, should all the more act in a responsible way and not in this way.

Then again, I am a little weary of hearing this word satyagraha hurled at me, and having heard this word many times in different contexts previously. When Gandhiji first used it and practised it, when the time came he told us that nobody in India is a satyagrahi except himself. He told us that, and quite rightly too. In spite of all our efforts, now everybody in India is a satyagrahi. Everybody who breaks law, everybody who breaks heads is a satyagrahi. Every stone-thrower in India is a satyagrahi. This is most extraordinary, where words are misused and abused. Well, if a person wants to break a head, if I can stop him, I will stop him. But I do hope that the word 'satyagraha' will not be used in that connection.

Shri P. C. Bose (Manbhum North): After what has happened at Kharagpur as reported in the press and disclosed by the Railway Minister, it is really distressing for those who are connected

with labour to participate in this debate. I have sponsored the cause of labour for a very long time and I had opportunities of making a comparative study of labour conditions and problems of our country with those of other countries. I had a very good impression and I was proud of the fact that our labourers were better behaved in many ways than the labourers of other countries. But this incident, I am very sorry to say, has not only put us to shame but has brought condemnation on themselves and their friends all over India. Whatever the original cause may be, there was no reason for these labourers to behave in the way they have behaved. The other day, I was surprised to hear the hon. Railway Minister saying that there is a plan of conspiracy in the labour movement in the railways to create mischief. I could not really believe that, because I had great faith in the sense of responsibility of the railway labourers in particular. Though I was connected with other labourers, I also had some association with railway labourers. I helped the B. N. Railway which is now called the South-eastern Railway during a strike in 1927, when there was a prolonged strike for over a month all over the line. If I remember aright, there was not a single incident of violence or anything of the kind. But today it is really a puzzle to me how these things are happening on the same line among our own labourers. I have great faith in their behaviour and their conduct, and I am therefore very sorry that these things have happened at Kharagpur.

I think that my friends are right in suggesting that action should be taken so far as these incidents are concerned but, at the same time I am one with my friend Shri Venkataraman that the poor labourers should be treated differently, because they are really scapegoats and misguided people. They have done these things either due to terrorism or due to misunderstanding or misguidance by some interested people.

I also suggest that a thorough enquiry should be made to find out who are the people responsible for such a lightning strike. The other day the Minister said that real cause of the strike was some incident at Muri station somewhere near Ranchi, and away from Kharagpur. There, one of the railway staff—some ticket-collector or somebody—was assaulted by a police constable and the

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staff demanded the dismissal or suspension of the constable. The railway authorities did not agree or they did not attend to that, and that was the real cause of the strike. Later on, these demands were probably added on or have been raised in a different way. But it is my experience that many times, due to misunderstanding of the psychology of the workers by the officers concerned, trouble arises. I also venture to hope that the Railway Minister will enquire into this matter, namely, why this matter which was very easy to settle was not taken up by the officers there so that the trouble might have been nipped in the bud.

Finally, I again express regret for the incidents that have happened at Kharagpur and request the Minister to have some sympathetic understanding in the case of the illiterate and the ignorant workers.

श्रीमती तारकेश्वरी सिन्हा (पटना पूर्व) : इसी संसद भवन में रेलवे कर्मचारीयों की मांगों के बारे में सिफारिश करते हुए कितनी बार में यह पर खड़ी हुई है और रेलवे के भंती महोदय से मने उनकी मांगों की सिफारिश की है और जो काम नहीं हुए उनके प्रति असन्तोष जाहिर किया है।

आज इसी संसद भवन में मुझे खड़े होकर यह कहना पड़ रहा है कि उन रेलवे कर्मचारीयों ने ट्रेड यूनियन के नाम पर घब्बा लगाया है जिन्होंने कि इस तरह की करामत की है। उन्होंने ऐसा करने से ट्रेड यूनियन और हिन्दुस्तान के नाम पर एक जबरदस्त कलंक लगाया है और वह चीज आगे आने वाले इतिहास में कलंक बन कर लिखी रहेगी। जो कालिक उन्होंने लगाई है वह कभी मिट नहीं सकेगी। इस तरह से ट्रेड यूनियन के नाम पर गलत तरीके से स्ट्राइक (हड़ताल) करना, जब कि यहां के जितने संसद के सदस्य हैं जो कि वहां की जनता का प्रतिनिधित्व करते हैं, वह इस बात की मान चके हैं कि कानून और न्याय हमारे प्रजातंत्र की कसीटी है और उसी कानून और न्याय को प्रजातंत्र की कसीटी समझते हुए हमारे दो संसद के सदस्यों ने श्री एच० एन० मुकर्जी और श्री नम्बियार ने एक बार भी यह नहीं कहा कि उन रेलवे कर्मचारीयों ने गलत तरीके से काम किया और उनका यह काम गलत था और भविष्य में वे ऐसे कामों के होने देने में रुकावट डालेंगे और सरकार को साथ कंधा से कंधा मिलाकर वह इस बात की

तरफ बढ़ावे कि राष्ट्र की शाती का इस तरह से दुरुपयोग न होने पाये। मैं यहां पर यह सुनने के लिए बैठी हुई थी कि वे जो यहां पर उन ट्रेड यूनियन्स का या उन कर्मचारियों का प्रतिनिधित्व करते हैं वे इस बारे में क्या कहते हैं? उन्होंने यह फरमाया कि वे बैचारे भूखे और गरीब मजदूर हड़ताल करने पर तुल गये और उन्होंने यह मनमानी कर डाली पर उनके मुंह से यह कभी नहीं निकला, कि जिमेदार सदस्यों के नाते उनका यह फर्ज भी हो जाता है कि अगर जाता की आवाज को यहां पर वे रखता करें तो जनता को भी वह सही सही रास्ता दिखला सके और उनको गलत रास्ते पर जाने से रोके। लेकिन मुझे श्री एच० एन० मुकर्जी के मुंह से यह सुनकर बड़ा ताज्जुब और अफवाह दृश्य है जब उन्होंने यह फरमाया कि मालम होता है कि सरकार की तरफ से कोई एंजेट इसमें काम कर रहा था। मैं समझती हूँ कि उनके ऐसा कहना बड़ी शर्म और लज्जा की बात है। मैं चाहती हूँ कि रेलवे मंत्री महोदय इस बात की तहकीकत करायें कि इस चीज की जड़ में कौन सी शक्ति है जिसने इस तरह की करामत करवाई है। यह आज की ही बात नहीं है। अगर आप ट्रेड यूनियन के इतिहास को देखें और रेलवे के विगत ३, ४ वर्षों के इतिहास को देखें तो आपको मालम होंगा कि इस प्रकार के तत्वों ने हमेशा यही कोशिश की राष्ट्र की शाती खड़ी रह जाय, हमारा कोई काम ठीक तरह से सम्पन्न न हो सके और हमारा जो यातायात का रास्ता है वह रुक रहा जाये। आज जो कुछ वहां पर दृश्य है वे पिछले इतिहास को देखते हुए कोई अचम्भे की चीज नहीं है क्योंकि हमें मालम है कि सन् १९४८ में जिस समय रेलवे वालों ने हड़ताल की थी उन्होंने यह नहीं सोचा था कि देश में इतना बड़ा तूफान आया हुआ है, इस देश में, यहां पर इतने अब्ज की कमी हो गई है कि लालों आदमी भूख से तड़प तड़प कर मर जायेंगे। यही सदस्य लोग जो यहां पर उसके बारे में बकालत करते हैं उन्होंने कभी यह नहीं सोचा कि राष्ट्र के आगे बढ़ने के रास्ते में उन्होंने कितनी रुकावटें डाली हैं और कभी तो वह उन कर्मचारीयों को अच्छा रास्ता दिखाते और अच्छी राय देते। उनको राष्ट्र के साथ कंधा से कंधा मिला कर राष्ट्र की उपति के कार्य में जुट पड़ने की सलाह देते। मुझे यह खेद के साथ कहना पड़ता है कि उन्होंने कभी उन मजदूरों को सही सलाह नहीं दी। उन्होंने आज राजनीति के दामन में हमें बदनाम करने की सोचा है। मैं इस चिज के चैलेंज के साथ कहना चाहती हूँ कि

उनकी राजनीति अगर अराजकता का दामन पकड़ती है तो वह राजनीति राष्ट्र का कलंक बन जाती है। मैं पूछता चाहती हूँ कि जिस तरह से द्युप्रे स्तम्भ की भाँति उन्होंने उन गरीबों को भड़काया है, उसके लिये क्या कोई भी प्रजातात्पत्रिक देश या किसी भी देश की प्रजातात्पत्रिक सरकार उनको इसके लिए मार कर सकती है? मैं तो समझती हूँ कि दुनिया का कोई भी राष्ट्र और दुनिया की कोई भी हक्मत इस बात को गवारा नहीं कर सकती थी कि ऐसी हरकत उसके यहां हो और वह चुपचाप उसको सहन कर ले। मझे यह देख कर बड़ी खुशी है, जो अपील उनकी तरफ से आई वह यहां पर जम नहीं पाई। पर हमारे एक कांप्रेस के सदस्य ने यह अपील की है कि हमको उनके साथ मेहरबानी में देश आना चाहिये। मुझे इस अपील को सुन कर हरानी भी है और खुशी भी है। इस सम्बन्ध में यह अवश्य कहाँगी कि मुझे भी कुछ अवसर रेलवे कर्मचारियों के बीच काम करने का मिला है, श्री वैक्टरामन के वरावर तो उनके बीच काम करने का अवसर मुझे नहीं मिला है लेकिन मैं भी एक कार्यकर्ता की हानियत से इस बात के बड़े जोर से कहना चाहती हूँ, कि इन बातों में सरकार को कड़ा से कड़ा रास्ता अपनाना चाहिए। क्योंकि आज तो इस प्रकार की शारारत करके उन्होंने १०० आदमियों को घायल किया तो कल को वह इससे भी बड़ी शारारत कर सकते हैं और मुमाफिर गाड़ियों के साथ उसी तरह की मनमानी कर सकते हैं। यह गुस्से को जाहिर करने का हरगिज तरीका नहीं हो सकता कि लोग इंसानियत को छोड़ दें और इस तरह लोगों की जानों के साथ खिलवाड़ करें और राष्ट्र की संपत्ति को नक्सान पहुँचायें। यह कोई कानून का विरोध नहीं है और न ही यह स्ट्राइक करने का कोई तरीका है। हम ऐसे अमानुषिक तत्वों के खिलाफ अगर कड़ी कारवाई न करें तो दूसरे रेलवे मुलाजिमों के दिल में यह शुब्द हैं दोगों कि सरकार डर के मारे उनके खिलाफ कोई कड़ी कारवाई नहीं करती है जो कि इस तरह की गलत हरकतें और गुंडागर्दी करते हैं। इसलिये अगर ऐसे अमानुषिक तत्वों के खिलाफ अगर शारारत भरे काम करने वालों के खिलाफ सरकार द्वारा कड़ा कदम न उठाया जायेगा तो दूसरे रेलवे कार्यकर्ताओं पर बड़ा खराब असर पड़ेगा। आज अस्पतालों में बहुत से रेलवे कर्मचारी जो कि उन लोगों की गुंडागर्दी का शिकार हुए हैं और घायल अवस्था में पड़े हुए बोटों से कराह रहे हैं और पता नहीं कि उनमें से कितने घायल खत्म भी हो जायेंगे, वे

सरकार के इस रुख को देख कर क्या कभी इस बात की हिम्मत कर सकेंगे कि ऐसे शरारती कर्मचारियों के विरुद्ध कोई कदम भविष्य में उठायें और कानून का सहारा पकड़ करके देश के काम में कंधा से कंधा मिला कर आगे बढ़ सकें। मैं समझती हूँ कि सरकार के इस नर्मी के रुख को देख कर उन बेचारे वर्कस की कमी भी हिम्मत न पड़ेगी कि वे अस्पताल से ठीक होकर निकलने पर उन गुंडों के विरुद्ध कोई कदम उठा सकें और कानून का सहारा ले सकें। आप यह न सेचिये कि चूँकि वे गरीब मजदूर हैं इसलिये उन पर मेहरबानी दिलाई जाये। वे बालिग आदमी हैं, एक बोटर हैं और एक गारान्त्र के बोटर की हैसियत से उसमें इतनी जिम्मेदारी होना चाहिये कि कैसा किसके साथ सलूक किया जाय। इसलिये मेरा तो मत है कि अगर बालिग होकर उन्होंने कोई ज्यादती की है तो उसके लिये उनको कड़ी से कड़ी सजा मिलनी चाहिये। मैं तो यह मानती हूँ कि सरकार ऐसे शरारती लोगों के खिलाफ कड़ा रुख दिखा कर ट्रेन यूनियन के काम को आगे बढ़ायेगी क्योंकि सब पर यह साफ जाहिर हो जायेगा कि जो लोग गलत रास्ते पर चलते हैं और दूसरे को गलत रास्ते पर चलाते हैं, उनके प्रति सरकार कड़ा से कड़ा कदम उठाने से भी नहीं हिचकिचाती मुझे तो कहाँ ऐसे लोगों के साथ कोई हमदर्दी नहीं है जिन्होंने कि इस तरह से ट्रेन को उलटने को कार्यवाही की, यह तो ईश्वर की कृपा थी कि वह ट्रेन बहत तेज रफ्तार में नहीं थी और कुछ ही लोगों को उसने घायल किया और स्टेशन की इमारत से जा टकराई वरना अगर वह ट्रेन कहीं उलट जाती तो पता नहीं क्या होता और कितने अधिक और आदमियों की जानें जातीं। उस ट्रेन के स्टेशन से टकराने से जो घायल हुए और कुछ उनमें से बहुत सस्त घायल हुए, उनके खून से हमारी लोक सभा तर है। क्या इस तरह की बात हम लोग ठंडे दिल से चुपचाप बदलत कर ले यह नामुमकिन है और ऐसा कभी नहीं होना चाहिये।

5 P.M.

अध्यक्ष महोदय, मैं यहां पर कोई बहुत तूफान के साथ नहीं बोल रही हूँ, मैं बहुत ठंडे तरीके से बोल रही हूँ, परन्तु यह बात ऐसी नहीं है जिसमें इस तरह से बोला जा सके। मेरा दिल कहता है कि यह जो बातें हुई हैं, वह सरासर ज्यादती है और वह इंसानियत के साथ और राष्ट्र के साथ गहारी है और मेरी अपील है कि उन राष्ट्रों के गद्दारों को सही सही रास्ते दिखाया जाय।

[श्रीमती तारकेश्वरी सिन्हा]

मेरी यह भी अपील है कि जो इसके पीछे हैं जैसे कि श्री नम्बियार साहब ने बड़े जोर के साथ कहा कि इस मामले में इनकवायारी होना चाहिये, तो मैं भी कहती हूँ कि इनकवायारी जहर होनी चाहिये ताकि यह मालूम हो सके कि दरम्प्रसल इसकी जड़ में क्या चीज़ है। हालांकि उधर की तरफ से इस बात से साफ इंकार किया गया है कि उनका उसमें कोई हाथ रहा है लेकिन मैं जानती हूँ कि ऐसे लोगों का हाथ ऐसे कामों में बराबर रहा है और आगे भी रहेगा...

Shri Nambiar: We also agree. There may be enquiry.

श्रीमती तारकेश्वरी सिन्हा : मैं रेलवे मंत्री महोदय को चेतावनी देना चाहती हूँ कि दूसरी पंचवर्षीय योजना के पहले वर्ष में आपने अपना कदम रखा है और अगर इस तरह की बातें होती गई और हमने उनको सल्ली से नहीं रोका तो हम कोई भी देश की तरक्की का काम पूरा नहीं कर सकेंगे। अगर हमने इस प्रकार के शरारती तत्वों को सल्ली से नहीं दबाया तो यह हमें कोई राष्ट्र का कार्य नहीं करने देंगे और नतीजा होगा कि उधर लोग भूखे मरेंगे और जो हमने जीवन का एक उन्होंने उद्देश्य बनाया है वह पूरा नहीं होगा और निराशा पल्ले पड़ी और यही लोग जाकर, लोगों में कहगें कि देश लीजिये इस सरकार ने कौन सा काम अभी तक जनता के हित में किया है। ये लोग आज उनको भड़काते हैं कि काम भत करो और राष्ट्र की उन्नति में साथ भत दो और कल यह ही लोग जनता को यह कह कर भड़कायेंगे कि यह सरकार वास्तव में सरकार होने के लायक नहीं है क्योंकि तुम्हारे लिए यह कोई काम नहीं कर रही है। इसलिए मैं मंत्री महोदय से अपील करती हूँ कि आप इस बारे में पूरी तरह सावधानी बर्ते। उन बेचारे कर्मचारियों ने जिन्होंने आपके साथ अपनी बफादारी दिखाई है, उनको आप स्वयं समझ सकते हैं कि गुंडों से किनता खतरा होगा। उन्होंने इतना खतरा मोल लेकर अपना फर्ज अदा किया है इसलिये उनके लिये मैं आपसे अपील करती हूँ कि वे बेचारे जो आज बेपनाह अस्पताल में पड़े हुए हैं और जो चंद लोग काम पर आये हैं उनको आप मुश्किल दीजिये। उनको आप सहायता या मुश्किल देकर एक तो उनको सहायता देंगे ताकि उनको आगे काम करने का बड़ाबां मिले और दूसरे कार्यकर्ताओं को भी काम करने का प्रोत्साहन मिले। जो बफादारी उन्होंने दिखाई है और कर्तव्य पालन

की भावना दिखाई है उसके लिये उन्हें कर्मसेवन की तौर पर कोई चीज़ अवश्य मिलनी चाहिये यही भेरी आपसे छोटी सी अपील है। इतना कह कर अध्यक्ष महोदय, मैं आपका शुक्रिया अदा करती हूँ कि आपने मुझे यह मौका दिया। जहाँ तक इनकवायारी करने का सम्बन्ध है आप जहर इसकी इनकवायारी करायें। आप पूरी रिपोर्ट प्रकाशित करें कि इसके बीच में किस राजनीतिक पार्टी का हाथर है। और किस राजनीतिक दल के लोग इस तरह की सुराफ़त कर रहे हैं और जिनके द्वारा भविष्य में भी ऐसी बातें की जाने की सम्भावना है जिस से लोगों को यह मौका मिल सके कि वह समझें और देखें कि वह कितने गहरे पानी में है और किन लोगों पर देश विश्वास कर सकता है तथा किन पर नहीं।

Shri Frank Anthony : I deliberately refrained from speaking earlier in the debate because I wanted to hear the views which have been expressed from both sides of the House. Against the background of facts as they have been relayed to us by the Minister, I feel that every Member in this House must admit that this strike, particularly its characteristics of hooliganism, goondism and violence that supervened, must have been disquieting. I feel that there can be no doubt that every right thinking Member in this House, and in fact, every right thinking person outside the House must condemn without any qualification the indiscipline and violence that have characterised this strike. As a person who has been an unyielding champion of railwaymen for close on to 20 years, I condemn the strike, particularly the violence, and vandalism that have accompanied it, without any qualification.

I feel that it is a matter not only for condemnation, but for shame that railwaymen who are supposed to be the custodians of railway property should deliberately turn round and destroy them. I feel that it is a matter for greater shame that the railwaymen should turn round and injure, intimidate and indulge in violence against their co-workers. I believe that it is a matter for the completest shame—I was particularly perturbed by what the Railway Minister said—that the strikers had even threatened the families of the railway workers. I feel that that perhaps was the worst feature of this whole

strike that these strikers should, in the name of securing their grievances redressed, not hesitate not only to do violence to railway property, not only to do violence to their co-workers, but descend to intimidate the families of their co-workers. Violence is condemnable. But, this kind of threatened intimidation and violence against the families of railwaymen, is a form of despicable cowardice which I cannot find adequate words to condemn.

I say this to the Railway Minister that in bringing home to the various people who have been guilty of violence, the punishment, perhaps, which they deserve, he will have to tread carefully, as my hon. friend Shri Venkataraman suggested, with sympathy. I have had not a little to do with railwaymen. I know that by and large they are bluff, hearty, honest people. They can easily be led ; they can be easily misled. My fear is that in this whole rather sordid affair, a number of essentially ignorant unthinking railwaymen might have been stamped into courses of action and perhaps even to commit violence which they are bitterly regretting today. I feel that those who deliberately unloosed this engine by dragging out the driver and the fireman, must have absolutely exemplary punishment meted out to them. And I would ask the Minister to investigate carefully the position of the South-Eastern Railway Union. I feel that in this matter the people who are behind the so-called organisation have perhaps deliberately organised this violence and this vandalism. And if he is to repel this creed of violence which is spreading insidiously but definitely through railway trade unionism in this country, he will have to get at the real inspirers of this violence. It will not do if he gets hold of a few brush painters and dismisses them. Perhaps they may deserve it, but I say this : he will have to pin down the actual inspirers of this strike and he must deal with them not only sternly, he must deal with them ruthlessly. He must set an example to railwaymen throughout the country that people who organise this creed of violence in railway trade unionism can expect nothing but the shortest shrift from the Government.

I feel here that the Minister may make a mistake. He is a good person who sometimes errs on the side of leniency. It is a good thing when you are dealing with men, men who are essentially good and honest. But if he gives the appearance of making any concession to violence, he will do to the railways what

has been done when the Government in fact—though they do not admit it—succumbed to political blackmail typified in the case of Andhra. He will place a premium on violence so far as railway trade unionism is concerned. Had violence not supervened, had goondas not taken place, had there been no intimidation of the railwaymen, I would have got up and said : "Do not take your stand on a technical or legal position." I would have said : "Go into the grievances of these brush painters. They may not have given a notice, they may not have conformed to the technicalities of the Industrial Disputes Act, but investigate it." But I say this today since these other features have supervened, you cannot go into these grievances however legitimate they may be. If you go into their grievance, if you concede their grievance you will immediately exalt violence. People will say that the Government once again have succumbed to violence. That is the unfortunate thing. However legitimate their grievance, you will have to refuse to look into it, you will have to refuse to consider it.

Having said that, I want to make an earnest appeal to the Minister. I have repeatedly warned this House against a certain deterioration in the administration, particularly with regard to the handling of staff problems. As recently as March of this year I underlined in this House the fact that the personnel branch of the railways, the branch which deals with the problems of railwaymen is a shambles. It is not sufficient for us only to condemn in this House, because there is a strong, widespread and deep feeling of resentment and frustration among all classes of railwaymen today, because their legitimate grievances are not being properly or adequately dealt with, and if they feel that because unfortunately this whole problem has become confused in and bogged down by this violence the general attitude of the Government is an unsympathetic attitude, that the attitude of the Minister is an unsympathetic attitude, that the attitude of the Prime Minister is an unsympathetic attitude, then you will only be driving in deeper this poison of resentment which is among the railwaymen today, and that is my analysis of the position. Why did 11,000 out of 12,000 men or more join the strike in the first instance ? The Prime Minister's analysis may be correct that some of them joined because of the threat of intimidation, because of this fear of a

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nemesis. But my analysis is this, that a lot of them joined from a sense of frustrated sympathy. For, almost every class of railwayman today has a grievance and he cannot get anybody to deal with it, and there is this insensitive, bureaucratic, unresponsiveness from the General Managers downwards. The men joined, I feel they joined because they thought : "We also have grievances. Let us give moral support." But then when somebody takes advantage of the general feeling of resentment and frustration which there is in every section of railwaymen, you get certain organisations committed deliberately to this goal of violence which take advantage of the naivete and ingenuous attitude of the railwaymen. That is why I say that while we must condemn without qualification violence, while the Railway Minister must investigate the activities of this union, while he must look into the grievances which are supposed to have set off this strike, there must also, I say, this to him with all respect, be heart-searching on the part of the railway administration. The railway administration will have to revalue its ideas, particularly its dead, bureaucratic ideas which continue as a legacy from the old administration. If he does that, I feel that much of the present tendency for railwaymen to fall into the hands of extremist organisations, to succumb to extreme counsels, will be put into reverse gear. I say it will not be sufficient for Government to say that they will adopt stronger measures, that will put this violence down as it deserves to be put down. That is only one aspect of the question. The other aspect is that you must now realise that you are dealing with one million people, that there is a tremendous feeling of dissatisfaction with the way in which the problems of railwaymen by and large are being handled. And I would suggest this—it may not be very relevant—I would ask the Railway Minister to do this. I feel that his administration has become detached from people who are aware of the problems of railwaymen. One of the greatest disservices that has been done to the Railway Minister and to the administration is the fact that you exalted to a sort of godhead this National Federation of Railwaymen, an organisation that had no capacity, no knowledge of railwaymen's interests, with the result that today railwaymen are groaning under all manner of grievances which cannot be redressed. You had a standing committee or consultative committee of

this House. Why not resurrect it? You got the advice of people who had been dealing with railwaymen and their problems for decades and for longer periods. Do that. As I said, there should be a definite attempt to, on the one hand, make it very clear to railwaymen that you will not tolerate any form of violence, any form of incitement to it, on the other hand let railwaymen know that you are prepared to deal with their real grievances sympathetically and with understanding.

I want to say one word about the real worker. I have not been able to get any first-hand information of what precisely happened in Kharagpur. But my own fear is this. The railway administration has for the past 100 years been able to continue because you have had a hard core of loyal workers who refuse to subscribe to sabotage and subversive movements. You have still that hard core of loyal workers. These men are prepared to face anything, they are prepared to face strikes, they are prepared to face violence, they are prepared to face danger. But one thing they are not prepared to do. They are not prepared to allow their wives and their children to be exposed to violence. They will give you any kind of service, down to laying down their lives, but if their womenfolk and their children are exposed to violence, then a time will come when they also will say : "We are prepared to serve the Government, to serve it loyally, but we are not prepared to serve it at this price." I do not know what has happened at Kharagpur. I hope you gave adequate protection, not so much to the loyal workers—they are men, they have to endure these things—but I hope you gave adequate protection to their families, wives and children. I repeat my request to the Railway Minister that he should use this occasion as an occasion for heart-searching, for re-assessing certain values particularly on the administrative side, and he will find that today, essentially and particularly among the class III staff and class II staff and the preponderant class IV staff he has got an essentially good hard core of loyal reliable workers. All that they want is an assurance from the Railway Minister that while he is not prepared to condone violence, he is always prepared to listen to their grievances, and always prepared to deal with them sympathetically.

Mr. Speaker : Since there is no time left now, and the two hours' time is

practically over, I shall now call upon the Minister. Representative opinions from all sections of the House have been expressed already.

Shri L. B. Shastri : I have very little to add to what the Prime Minister has already said. The Prime Minister has dealt with the bigger issues, and I think it is for the trade union leaders to think and ponder over them. He has also indirectly replied to the points made by Shri H. N. Mukerjee, and I would not like to go into them again.

To begin with, I would like to clarify the confusion which was created by Shri Nambiar's speech, in regard to the *bona fide* claims of 112 brush-hand-painters. He said that they were on a strike from 1st March, 1956. What he said was correct. But the strike of the brush-hand-painters at Kharagpur was due to the following reason; their demand was that they should not be asked to do marking with stencils, because that was skilled work, and for such work, they should receive skilled wages. This was their demand. On 1st March 1956, 9 brush-hand-painters in the semi-skilled grade of Rs. 35-60 refused to do stencilling work, on the ground that such work require skill, although this staff had been previously doing this work as part of their normal duties. Other brush-hand-painters also joined in sympathy and claimed the skilled grade of Rs. 55-130.

As has been said by Shri Venkata-raman, this matter relating to the brush-hand-painting and marking with stencils was referred to the tribunal, and this work was classified as semi-skilled by the tribunal on which a representative of the All India Railwaymen's Federation also served. The House should know that similar staff in the workshops at Kancharpara and Lillooah are being treated as semi-skilled workers. Therefore, it was felt that there is no case for re-examination of this question. The tribunal having given its decision once before, and similar staff working in other workshops being treated as semi-skilled workers, there was no case for the Kharagpur brush-painters to be treated as skilled workers and to get a higher scale of pay.

It is also wrong,—as Shri Nambiar perhaps wanted to make out—to say that there was a lock-out from our side. In spite of the repeated persuasions and warnings, the brush-hand-painters abstained from their legitimate duties. To cover their lapses for staging this illegal

stay-in strike, they carried on a propaganda of an illegal lock-out on the alleged ground that the workers were prevented from doing brush-hand-painting work, which they were prepared to do. That is quite contrary to the actual facts. As a matter of fact, these men have along been permitted to lift their tickets and to come to their sections to do their normal work, which, however, they have been persistently refusing to do, and as such, they are responsible for resorting to this illegal strike. It will be appreciated that there is no question whatsoever of any illegal lock-out. We have also obtained legal opinion which confirms the view taken by the administration that the brush-hand-painters in the wagonshops have been on an illegal strike, and that there is no question of there being an illegal lock-out on the part of the administration.

A reference to adjudication also was made when strike after strike started. Shri Nambiar's speech has created some confusion, or might have created some confusion in the minds of hon. Members, as if an adjudication was demanded for the bigger strike which has started from 8th May. In fact, the adjudication was asked for the strike of the brush-hand-painters. So, I would like to make the point clear that the question of adjudication did not arise at all in the case of the bigger strike in Kharagpur which started from 8th May. My hon. friend is a trade unionist, and I do not think any trade unionist will ever justify such a big strike as has taken place in Kharagpur, in sympathy with the strikers who number only about 112, for a trivial demand from their side. So, the Kharagpur strike could not be justified in any way. Even if the strike of the brush-hand-painters was there, it was necessary, firstly, for the leaders of the union there to take to legal methods, and if, of course, they did not succeed in it, then the matter could have been considered in a different way. But instead of advising the brush-hand-painters, they have resorted to other methods. And here also is a confusion which should be cleared up.

The Kharagpur strike was never started in sympathy for the strike of the brush-hand-painters. I would like to make that clear. The Kharagpur strike was started in sympathy with the strikers at Adra and other places. In Adra and other places, there was some trouble. I need not go into that story again. The strike started in Adra and nearabout

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places. The Khargpur people started a strike in sympathy with the strikers at Adra and other places. Later on, when they found their position weak, they felt that they would switch on this thing to the strike of the brush-hand-painters. And they said—as to whether—I do not agree with what they say—that they were right when they said that their strike was on account of the strike of the brush-hand-painters.

Shri Nambiar : The application for adjudication, which I had read out, had made it very clear, that it was on that ground that the others supported the brush-hand-painters.

Shri L. B. Shastri : The papers that the hon. Member has referred to were written two days after the strike started at Kharagpur. Therefore, I say that the strike started on other grounds. It was in sympathy with the strike at Adra and other nearabout places, where later on they felt that they were in the wrong and therefore they thought that they would now say that the reason for that strike was the strike of the brush-hand-painters.

I have heard with great patience the speeches of Shri Nambiar and Shri H. N. Mukerjee and I can only say that they did not satisfy me at all.

Shri H. N. Mukerjee referred to the ideology of the Congress. I entirely agree with him that I do believe in the ideology propounded by the Congress. But the Congress has always demarcated between violent and non-violent activities. The Congress may have committed violence occasionally, and the leader used to condemn it in the strongest possible terms. The House knows that sometimes violence was indulged in by those who were not actually Congressmen but by those who were considered to be the followers of Congressmen or those who were working in association with Congressmen. For their actions also, Gandhiji held Congressmen and the Congress leaders responsible. In fact, on one or two occasions when there was any talk of truce or peace, Gandhiji used to say, 'I am not prepared to defend the cause of those who have been indulging in any form of violence'.

I think Shri Frank Anthony touched the right point when he had said that there should be a clear demarcation between violent activities and non-violent

activities. So my trouble at the present moment is that it does not satisfy me or ease me in any way; in fact, I feel ashamed to stand before this House to admit that some of our railwaymen have behaved in this manner. Fortunately, I have the honour to preside over the railways at the present moment. I want to identify myself with each and every workers of the railway, and for whatever good done, I want to take credit, and for whatever evil is there, I think I should be criticised and condemned.

So with that attitude, I do not know how am I to deal with the workers of Kharagpur who have behaved in this manner, which is simply horrible and shocking. It is said that they should not be victimised. I shall never like to victimise the innocent workers, hundreds of them who are working there. There again, you have to make a difference between the leaders and the workers. Who led them to this kind of activity? The leaders were responsible. Who were the leaders? It is for the people there and for the members of the so-called radical parties to decide as to who were the leaders and who instigated these people to go on strike.

I do not mean to refer to, and I do not want to accuse, any party, but there is no denying the fact that some of the leaders there hold pro-communist views. I would like to be quite frank in that matter.

Shri Nambiar : None of the leaders there is pro-communist. I know most of the leaders there.

Shrimati Renu Chakravarty (Basirhat) : Is it a crime?

Shri L. B. Shastri : It is not a crime. I say it is good that they hold pro-communist views. I have no quarrel on that. Let them hold pro-communist views. But what I want to say is that those leaders who are pro-communist still believe in this kind of activities. They still think that they can coerce the administration by indulging in violence or in violent activities. And that has always been the mistake which the Communist party have committed since their inception in India. The communist party have always assessed the situation wrongly in this country. Their assessment has always been wrong. They have not understood the people of their country. They do not understand, and they have not understood, the real approach and outlook of our

people. Therefore, they have always committed blunders. I still say that the communist party has to think over....

Shri A. K. Gopalan (Cannanore) : Is the union there communist or are the leaders there communist ? They are not communist. If you want to accuse, why do you bring in the party ?

Shrimati Renu Chakravarthy : Why do you take it as a party affair ?

Shri L. B. Shastri : I am not accusing. If hon. Members are not even prepared to hear something about the views of others about them, what can I do ?

Shri A. K. Gopalan : We are always ready to hear. But you are simply accusing. I only wanted to know whether the union there is a communist union. You can accuse us always.

-Mr. Speaker : The hon. Minister referred to some leaders as communist.

Dr. Rama Rao (Kakinada) : Can the hon. Member abuse the communist party like that ?

Shri L. B. Shastri : Am I abusing ? If I say that the communist party has not assessed the situation in this country properly, am I abusing ? Do not the Members of the communist party say either in public or here in Parliament that the Congress does not represent the people or does not understand the outlook and approach of the people correctly, that it is not trying to meet the needs of the people, that its ideology is wrong ? As a member of a political party, I have certainly a right to say what I am saying, and I am putting it in the mildest form possible.

Shri A. K. Gopalan : May I make it clear that the communist party spokesmen here have clearly said that they have nothing to do with the union ? They have said that they have nothing to do with what has happened there, and they disapprove of what has happened (*Interruptions*). Can I not talk here ? What is this going on ?

It has already been said that some of the people out of the 12,000—I do not know whether they are four or five or six or ten—may be communists. When anything happens in the country, though the communists have nothing to do with the union, they are accused of being responsible for it. This kind of thing will not help. The communist

party has said, like other parties, definitely here that we do not want these things to be done, and we have nothing to do with the union there also. Then what is the point in saying that some of them are pro-communist ? Out of 12,000 or 13,000 workers, there may be some who may be communist. What is wanted is not to single out one party like this, and say that some leaders are responsible for this.

Dr. Rama Rao : You make a mess of it and then blame us.

Mr. Speaker : Shri H. N. Mukerjee said something about the hon. Minister. He started with a preamble and said that it would be useful for arriving at a conclusion. Then he said that he was General Secretary of the All India Congress Committee. Therefore, he referred to the ideology of the Congress. Now the hon. Minister referred to the ideology of some leaders in Kharagpur who are of communist tendencies. He wanted to say something about that ideology. Therefore, both are entitled to say what they want to say about this (*Interruptions*).

Shri Kamath (Hoshangabad) : Let there be a debate on ideologies tomorrow for one hour.

Shri L. B. Shastri : The hon. Members opposite do not want to know nor want to hear anything.

Shri Nambiar : No, Sir, we want to hear.

Dr. Rama Rao : But we do not want to hear nonsense.

Mr. Speaker : Order, order. That is not right.

Shri L. B. Shastri : They do not want to hear anything about the method of their work. I shall not say so, but I think there is no future for that party, the party which is not prepared to hear criticisms against its method and approach—I do not think that party has any future. I am prepared to hear for the Congress party any criticisms or any condemnation from that side. But I am amazed at the attitude of that party. Is that the way political parties want to function in a democracy ? Is it the way of your approach that you will refuse to hear the mildest things that are said in this House ?

Shri A. K. Gopalan : We are not refusing to hear.

Shri L. B. Shastri : They do not want to hear anything against them. Is this the way they function on the political plane ? I am really amazed.

What I want to lay stress on is that those friends who are members of the communist party, if they are the leaders there on the South Eastern Railway, should know and think and ponder over the fact that this method of indulging in violent activities will not lead to any fruitful result. I know that some of the leaders who have been arrested there hold communist views; but I do not know whether they are members of the Communist party. Therefore, I say that they hold pro-communist views. There is an attempt—of course, Shri Nambiar might not like it and might get angry if I use the word 'infiltration'—at infiltration.

Shri Nambiar: No, Sir.

Shri L. B. Shastri : But there is an attempt—whether they are communists or not—to join the union. By all means join the union if you like. But the method of their entering into other unions and their continuing to adopt the methods which they used before will injure the cause of the union as well as the cause of the workers.

There is another thing. I admit Shri Mukerjee has, for the first time, clearly stated that he deplores what happened at Kharagpur. But, Shri Nambiar had not the courage to say that. He said that very mildly in one or two words and in the first sentence he made a slight reference to it. What am I to understand ? No labour union, no important leader of the trade union movement has, so far condemned what has happened in Kharagpur, the other day, about the railway train accident and other activities which were indulged in Kharagpur.

Shri Nambiar : There is a report in *Swadhinata* stating that Shri Guruswamy, while approached by a Press reporter, condemned the action. Unfortunately, I cannot read Bengali; otherwise, I could have read it out.

Pandit Thakur Das Bhargava (Gurgaon) : On the contrary, they say that it is the work of *agents provocateur*. What does it signify ? Is it honest to say so without there being any foundation for such an insinuation.

Shri L. B. Shastri : I shall not here refer to Shri Guruswamy.

Mr. Speaker : Is Shri Guruswamy a member of the Communist party ?

Shri L. B. Shastri : He is not; but I do not want to deal with that. He is not a member of the Communist party but, sometimes, you communists try to associate with him.

Shri T. B. Vittal Rao (Khammam) : He is more near to you than to us.

Shri L. B. Shastri : I do not know that but I would welcome him to come very much nearer to me. One of the important leaders made a speech the other day. He congratulated the workers at Kharagpur.

Shri Nambiar : Who was that ?

Shri L. B. Shastri : He is a very important trade union leader of the South Eastern Railway. He congratulated the workers of Kharagpur on the unity and strength which they had shown on the occasion of this strike. He also congratulated the women and children of Kharagpur who so bravely participated in the demonstrations. He also quoted the instance of Bhishma from Mahabharat and said that they must like Pandus combine their efforts in battling it. He pointed out to them that they must go to work and they should have no grudge against anybody whether Police or Railway. He said that the strike at Kharagpur is legal because it had followed in the wake of the illegal lock-out of the brush hand painters. He exhorted the workers that those charge-sheets which had been served should not be replied. He again congratulated the women for the part they had played in the present struggle and stated that even women had been arrested and sent to jail. He said that he will do his best to get justice done to the workers. This was the speech which he made at Kharagpur and he said that the strike at Kharagpur was more genuine than the one at Hyderabad. All this he stated only last evening.

I shall read out only portions of a certain resolution that was passed.

"The Working Committee expresses its admiration for the recent fight undertaken by the KGP workers to vindicate the *bona fide* claims of 112 brush hand painters under illegal lock-out.

The Committee expresses its grave concern at the launching of police action by promulgation of prohibitory orders and the wholesale arrests of trade union workers

engaged in a *bona fide* trade dispute and appeal to the Chief Minister, Government of West Bengal, to intervene and avert a grave tragedy.

In view of the statement made by the Railway Minister on the floor of Lok Sabha, that consideration to grievances can only be given if the strike is called off, and as the strike has served its purpose by focussing public attention at the enormity of the injustice done to the workers and with a view to allay any public apprehension that there has been any procedural defect in the strike undertaken, this Working Committee appeals to the workers on strike in KGP to call off the strike."

Mark the language and the trend of the sentence.

At the end, they say :

"This Working Committee request the President to move the Chief Minister of the Government of West Bengal for securing the release of those arrested and being prosecuted in connection with KGP dispute. This Working Committee directs the President of the Union that appropriate steps be taken to move the Ministry of Railways to protect the strikers against any victimisation."

So there is not a word of regret or denunciation against the activities that were indulged in. Instead of that, they have congratulated the workers for their unity and solidarity.

This is the situation in which I am asked by Shri Mukerjee to take a lenient view and to act according to the ideology of the Congress in which I believe. I do not want to take much time of the House, but I would like to make it clear that there are two views held in the country at the present moment about the working of the trade union movement. The INTUC has clearly said—and for this, perhaps, they might be criticised by the radical element—that they do not believe in any kind of strike when the Five Year Plan is under implementation, whether it is the first Plan or the second Plan or if there be some other Plan. For the time being, it is for the second Plan. For this second Plan, they have made it clear that they do not want to indulge in any sort of strike. They have said that whatever their grievances, whatever their difficulties, they should be

tackled by means of mutual negotiations and discussions with the employers or, if it is the Railways, with the Railway administration. The other view held by some friends is that they shall indulge in strikes whether the Five Year Plan is implemented or not and whether the Plan is successful or not. I think the House and established trade union leaders will have to make up their minds to accept one of these views, and see whether the first view held by the INTUC is correct or whether the second view held by some others is correct. It might be said that Congress leaders are in the INTUC and so I am supporting that. I am not saying so. But, this is the basic question which has to be considered by all those working in the field of labour. I think the INTUC has given a very bold lead. They can be criticised for that. They say that the interest of the country is of the utmost importance; and, at the present moment even in the interests of the workers, it is essential that they should not be asked to go on strike and suffer themselves and allow the country to suffer.

I, being in charge of the Railways, naturally feel that I should deal with that union which gives me an assurance that it will not go on strike on trivial matters and that it will not indulge in lightning strikes. If there is any union which does not offer any co-operation to the Railways, which wants to indulge in strikes every day and which wants to go its own way, what advantage has the Administration got to meet them, to talk to them and negotiate with them? Therefore, I have been thinking for some time whether a condition should not be imposed before giving recognition to any union that it will have to give a clear assurance that it will not indulge in any strike, say, at least, for the next Five Year Plan.

Shrimati Renu Chakravarty : So it means the right of strike will be taken away.

Shri L. B. Shastri : The right of strike will be there; but, every effort has to be made, negotiations, adjudication machinery, negotiating machinery even at the highest level and even arbitration by an independent tribunal. All that I concede. If no satisfactory solution is arrived at even after that, certainly the workers have full right to go on strike. I do not deny the right to strike. But this kind of strike which is being indulged in day in and day out is making the situation simply impossible.

Therefore, I refer to the two clear views being propounded in this country

[Shri L. B. Shastri]

by two different sets of labour leaders. For railwaymen, I have no doubt that the best course for them to adopt is to accept that they will never indulge in strikes. I shall not go into the general question. Hon. Members no doubt realise the amount of worry we have to undergo when there is even a strike for one hour. There are delays in the trains. At the present moment, the Railways have to undergo a very heavy responsibility. The stoppage of trains for one hour, two hours or one day means huge accumulation at different points. There was a question this morning from Shri Feroze Gandhi about the shortage of coal in Delhi. It is true that we have supplied them coal, but then in the months of February and March because of the strikes at various places we could not supply them the adequate number of wagons. They are not small things, arrival of coal in Delhi for the consumption of the people in Delhi is not a small matter for the residents of Delhi; it may be a small thing in a larger context. If a railwayman goes on a strike, he is damaging the cause of the Railways as well as injuring the cause of the people as a whole.

I would, therefore, say it very clearly that it would not be possible for me to take a lenient view in the matter of lightning strikes or in the matter of resorting to violent activities. I do not say that I am a very mild person, but it is true that I have tried to deal with labour as mildly as possible not because it was something good for me, but it was something good for the Railways as well as for the country. I treat them as my colleagues, co-workers. I have felt no difference between the workers and myself. Even a railwayman, a pointsman, a stationmaster, is in no way less responsible than the Minister who presides of the administration of the Railways. Therefore, when I take up that attitude and I find that the workers do not respond correspondingly, I am really pained and I do not know as to what action I should take when they indulge in these kinds of activities. Sometimes, even the son has to be chastised; there is no way out. Here in Kharagpur, the workers have behaved in a fashion which will perhaps go down for ever in the history of the Railways as a black chapter—I have no doubt on that point. Therefore, the question is this. The leaders who led the workers, hundreds and thousands of them, into these sufferings, I think, should suffer. How can

I prevent it if they have been arrested for violent activities, if they are prosecuted in the courts? The Railway Ministry is not going to stop it. We are not going to do that; we cannot do that. Immediately when we indulge in violent activities, it becomes a question of law and order and it does not become a railway problem. The State Government has to deal with that. We cannot come in its way. But if there are other workers, who were just misled on the spur of the moment, I cannot take a stiff attitude about them. But it is absolutely essential that this union, which is unrecognised now, will remain unrecognised as has been suggested by the General Manager. The General Manager has made it clear that unless they behave properly, unless they act in a legal and proper manner, he is not prepared to give recognition to this union. I want to give my full support to the attitude adopted by the General Manager. Unless there is a clear denunciation of the activities indulged in Kharagpur, unless the leaders clearly tell the administration that they feel they have acted wrongly, I think we cannot have any truck with those who are in charge of the activities of that union. I need not say anything more.

I have calculated every word of mine, and I give the assurance that I shall not go a step further than what is required, because I feel that the interest of the worker is my interest and the interest of the Railway Ministry or Administration. But the sense of duty has to be there. Sometimes I may have to perform a difficult operation, but as one who holds a post of responsibility, I have to be harsh but I shall not go a step further than what is required. I should very much like that there should be a clear denunciation on the part of the workers as well as the unions so that the situation might improve a little after that.

Shri H. N. Mukerjee: rose.—

Mr. Speaker: We have had sufficient discussion.

Shri H. N. Mukerjee: Can we have a clarification from the the Minister?

Mr. Speaker: We have had enough discussion. Is it the desire of the House that we should take up the discussion of the Working of the Preventive Detention Act today?

Some Hon. Members: Not today.

Shri H. N. Mukerjee: Can I ask the Minister a question for clarification?

Mr. Speaker: All right.

Shri H. N. Mukerjee: My question is this. The Minister asked for a denunciation by the union concerned of certain incidents which are alleged to have happened....

Some Hon. Members: Not happened!

Shri H. N. Mukerjee: They deny responsibility and they regret it. In the absence of an assurance from the Minister regarding a proper enquiry into the circumstances of those alleged incidents, can the Minister demand a denunciation without a repudiation of the responsibility of the union concerned for this particular incident? This is the clarification that I want.

Shri L. B. Shastri: I do not want to say anything on the question of enquiry at the present moment. But I do not think much proof is required for the wrong type of activities indulged in at Kharagpur. After all if some of the leaders have been put in jail, is Shri Mukerjee prepared to say that he is not responsible for the strike which took place at Kharagpur? They had been arrested red-handed in the sense that they were in the midst of a crowd where assaults were taking place.

Shrimati Renu Chakravarty: The whole of it is *sub judice*.

Shri Kamath: Yes, *sub judice*

Shri L. B. Shastri: Shri Mukerjee says that the leaders have denied any responsibility. It is strange to say that; it surprises me. It will be very unfair to ask the workers to go on strike and the leaders holding back and saying that they are not responsible for the activities that were indulged in or were resorted to there. Let him ask the question again. What I have understood is that the leaders have completely no responsibility for this strike. If that is correct, I cannot answer him.

6 P.M.

Shri H. N. Mukerjee: It is not with regard to the strike. It is in regard to certain alleged happenings which are supposed to have been undesirable. There, the whole question arises. The leaders repudiate responsibility. (*Interruptions.*) For instance, Shri Guruswami's statement, telegram, statement in the press—they are all there. In that

case, what else do you expect. Do you want the labour leaders concerned to denounce certain things for which they say they have no responsibility. On the part of the Government, there is not the remotest suspicion of an assurance that a proper enquiry will be made into the alleged happenings? (*Interruptions.*)

Mr. Speaker: Order, order.

Pandit Thakur Das Bhargava: May I ask one question from hon. Shri Mukerjee.

Mr. Speaker: This will become endless. Why should there be questions after questions? Something has happened. The train has been switched on without a proper driver. Possibly, the hon. Minister wants that whoever might be responsible for it, ought to be condemned by any person in this country; that is what he wants. Now, the hon. Members need not say that they condemn it; they have not taken the responsibility for it; it is a wrong act. Likewise the leaders must openly condemn this act. That is what the hon. Minister evidently wants. What is the further clarification? I proceed to the next business.

NATIONAL DISCIPLINE SCHEME

Shri S. C. Samanta (Tamluk): Sir, I want to raise this question of urgent importance—National Discipline Scheme which has been adumbrated by our hon. friend, Shri Bhonsle. He has experimented it in his Rehabilitation Department. So many exhibitions have taken place. The Members of Parliament, the people outside and even some foreigners, were pleased to see the wonderful work that has been done by our revered friend, Shri Bhonsle. Some months back, some hon. friends approached the Education Minister about this scheme because they were enamoured of it, because of the character-building property that was being infused by the introduction of such a scheme.

Here is Kasturba Niketan where the children of displaced persons were living. General Bhonsle went there and gave them training in discipline. Within two years, you will be surprised to hear that a new hope had arisen in the hearts of those unfortunate displaced children. They now feel that they can carry on.

Government may say that they have made arrangements for character-building and discipline in the NCC and ACC schemes and boy scouts and girl guides

[Shri S. C. Samanta]

movement and that the Education Department is giving encouragement to these. I am glad for it but at the same time we also want this. We want to do this within a specific time. Those schemes cannot cover the whole country before twenty years or I may even say, fifty years. Even those who do not like that scheme I am talking about, will admit that a new inspiration and faith are created by that scheme. You will be astonished to hear that last year, Marshall Bulganin and Khruschev came here and they saw the Kasturba Niketan and also some exhibitions in Calcutta. Our friend, Shri Kanungo, who was always with them, has written to Shri Bhonsle on the effect of one such demonstration by the students towards the end of last year. He says :

"I had the opportunity of observing demonstrations of drill and exhibitions by children, both boys and girls all over India, in the company of the Russian leaders, Messrs. Bulganin and Khruschev. One such demonstration was by the student of Kasturba Niketan in Delhi. The time, the speed and the alertness and the accuracy of the demonstration in Delhi were excellent and the Russian leaders carried away with them good impressions of the same. We can be proud of the achievement of the boys and girls and their instructors."

The Prime Minister was approached and the Education Minister also was approached to press the claim of this scheme. The other day, want of money was given as a reason. Is it merely for want of money that such a good thing cannot be taken up by the Government? It is a task entrusted to the Government by the Constitution. If Shri Bhonsle takes charge of the Government scheme, we can hope that within a specified time, the children of India will be trained in a way that everybody can be proud of them. The future generations will grow with good and high character. Everybody will be benefited. Now, we are speaking of corruption in Government, and in everything. What is the remedy? The remedy should come from infancy. Children should be reared in such a way that their character may be built so that they may be an asset to the future. Then there will be no corruption in the future administration. We may make laws. But we should instil these things in the infancy. I have

nothing to say against the training system that is prevalent now. I must forcefully ask the Government to take up this scheme also and spend the money that is required, because the Prime Minister is enamoured of it and so also the Education Minister.

Sir, many of my friends are willing to speak on this subject. So, lastly, I will request the Government to take up this scheme immediately and make provision for the money from the Planning Commission because the duty that is entrusted to the Government by the Constitution should be fulfilled by this Education Ministry.

Th. Lakshman Singh Charak (Jammu and Kashmir): Mr. Speaker Sir, I join my friend Shri Samanta in supporting the move for taking stock of the things as they are and to plan out the future of the Indian children. There cannot be two opinions that the discipline of the nation is a very important factor which cannot be ignored. During the last two decades we have seen that under the leadership of Gandhiji a band of veteran soldiers of Indian independence worked under him and they were able to throw out the great British Empire. After achieving independence, the responsibility lies on us that we should plan out something for the future generation, the young children whom we have got to educate.

Sir, we often hear of strikes and troubles in schools and colleges. That speaks for the indiscipline that is prevalent there. We do not blame the institutions. It is our responsibility to find out ways and means where their energy should be utilised on the constructive side.

[SHRI BARMAN in the Chair]

The Government of India have not been keeping quiet on this matter. They have taken stock of the situation and under the Ministry of Defence they have started the NCC and ACC. They have done good work.

But, compared to that, when we see that since 1952, when General Bhonsle a famous INA Officer, who is our Deputy Minister now, started this programme in one of the Rehabilitation Department schools, a lot has been done. I feel that it is our duty to make use of the talent we have. I for one, Sir, in the beginning was not very sure that it would be much of a success. But after seeing it continuously work for the last 3 or 4

years, I have come to the conclusion that there is something important in the way that the scheme is being worked. After all we have army instructors and school teachers with the same education for the NCC cadets and students. But, there is something lacking. The spirit which was inculcated in the INA by the late Subhash Chandra Bose and the band of his workers who started the Indian National Army was a wonderful one. I feel, Sir, that it is our duty to make use of the talent we have.

Therefore, we might ask the Education Ministry to make use of General Bhonsle's guidance and start something on the same lines. But my feeling is that we have already a number of organisations who are dealing in the training of young students, and we should make use of them. The necessity is there. We want that we should make use of General Bhonsle's guidance and the INA personnel who are taking interest in this matter. But one factor we should not forget. India always had plenty of manpower and plenty of talent. There was no co-ordinated effort. For that reason, when a scheme of this nature is thought out, let us form some nucleus in the Central Government. If you co-ordinate all these organisations, in case of emergency or when there is some trouble in the country and young men are called upon to safeguard the nation, we should be able to make use of the manpower and the strength we have.

Mr. Chairman : Before I call upon the next hon. Member, I would like to remind the House that this is just a half-an-hour discussion. 15 minutes have already been taken. I would like to know how much time would the hon. Minister like to have.

Dr. K. L. Shrimali : 7 to 10 minutes.

Mr. Chairman : Then really five minutes are left for the other Members. So the Members will try to finish within two or three minutes what they want to say. Shri B. K. Das.

Shri B. K. Das (Contd.) : I will confine myself to asking questions and not making a speech. We find that there are other schemes also such as NCC, ACC, NVF and the scouts and all that. Moreover we have got a national discipline scheme. Of course we are aware how the scheme has been successful and this scheme is being worked out for more than two years amongst the refugee children. We have seen with our

own eyes how much courage and self-confidence it has brought about among the destitute boys and girls. We have seen the effect of the scheme amongst those helpless children and we are sure that this scheme should be worked out, and if worked out, it will give very beneficial results to our children and our young men also.

Now, there is need for co-ordination. I want to know what the Government are thinking about co-ordinating these schemes in order that every scheme may be fruitful. I do not think there is any quarrel about the aims of the schemes. Every scheme requires development because we need to develop the national spirit and discipline among our young men and boys and girls. What is the idea of the Government in the matter of co-ordination of these schemes? Is the Government prepared to take up this national discipline scheme outside the rehabilitation fold also, so that we may have the benefit of this scheme in the larger sphere for our young men and women?

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas) : I would like to know whether the Government agrees with the principle and utility of the national discipline scheme which impressed so profoundly the Prime Minister of India and the Prime Minister of Russia and many other dignitaries and, if so—if the answer is 'yes'—what prevents the Government from taking up the problem and conducting an experiment in this regard. If money is the consideration, I would like to know whether Government is spending certain amounts on such private organisations as are engaged in the same type of work. If they are spending the money, I would like to know what prevents them from rationally distributing this amount till a fresh amount as they say, comes from the Planning Commission for this particular purpose, so that the money already allotted among the different organisations may be distributed and the national discipline scheme, be brought in the list. Are not the Government convinced that in spite of the ACC, NCC and the scout organisation covering a large field in the country, is there not still a larger field to be covered by schemes like national discipline? If the answer is 'yes', then, both from the national point of view and from the money point of view, are we to understand that Government, in spite of having such a budget for the whole year, do not find it possible to get a certain

[Shri Bhagwat Jha Azad]

amount allotted to the national discipline scheme to show to the country that they are interested in the national discipline scheme and thereby in the discipline of the young budding flowers of this country?

Shri Gidwani (Thana): I would also like to put only one question. There is lack of discipline not only in the educational institutions but even in Government organisations. We have had a recent example of it in the railways and we know what is happening to the railway workers. So, there is all-round indiscipline in the country. Something radical has to be done to improve things and we should do it in a very straightforward manner and in a very quick manner and in a manner in which we can achieve our objectives as early as possible and bring the nation into discipline. This is one scheme which has been sponsored by Shri Bhonsle. I know there are other schemes also. I would like to know from the hon. Minister of Education whether they have any scheme, whose scope is nation-wide, to train our students and young men in discipline so that the whole nation may get itself disciplined.

Shri B. S. Murthy (Eluru): I too want to put a question. In spite of all the methods adopted in the High schools such as the scout movement and even extra-mural activities, not to speak of the NCC and ACC, we see that a majority of the students lack interest in studies. Secondly, they have no ambition at all to sit for examinations and get through the examination. Thirdly there is absence of a planned life after studentlife. These three indicate that there is lack of discipline and it is corroding into the very life of the nation. What are the measures to be concerted in order to remove this disease of indiscipline in the students? In trying to combat this indiscipline, is the National Discipline Scheme of any use, as has been demonstrated in one or two institutions by Shri S. C. Samanta? If that is not the scheme, what are the other measures that the Government is seriously contemplating to see that this indiscipline is rooted out lock stock and barrel?

श्री भगवत दशन (जिला गढ़वाल, पूर्व व जिला मैराडाबाद, उत्तर पूर्व) : मैं श्री सामन्त जी को यह वादविवाद छेड़ने के लिये बचाई देने के बाद केवल इन्हाँ ही कहना चाहता हूँ

कि इसमें तो कोई दो मत हो ही नहीं सकते कि देश म इस समय जो अनुशासनहीनता फैल गयी है उसके लिये शिक्षा-मंत्रालय ने अब तक कितने ही उपाय किय लेकिन मैं नहीं समझता कि वे कहाँ तक सफल हुए हैं। अब जनरल भोंसले साहब की योजना ने हमको एक नये मार्ग का प्रदर्शन किया है और मैं समझता हूँ कि शायद इस मार्ग पर चल कर हम देश के आत्म-आत्माओं में एक नये जीवन का संचार कर सकते हैं। इससे केवल उनका शारीरिक विकास ही नहीं होगा, बल्कि इससे उनमें देश प्रेम, अनुशासन और चरित्र का निर्माण होगा और इस सब से अधिक यह होगा कि वे अपने असली कर्तव्य अर्थात् पढ़ाई की ओर अधिक ध्यान दें। मैं समझता हूँ कि इस सम्बन्ध में अभी तक किसी भी योजना को इतनी सफलता नहीं मिली है जितनी कि इस योजना को मिली है।

इस सम्बन्ध में मेरे केवल दो सुझाव हैं। मेरा पहला सुझाव तो यह है कि यह जो आर्जिं-लियरी कैंडेट कोर, स्काउट मूवमेंट आदि चल रहे हैं और जो उत्तर प्रदेश में प्रोविंशियल एजूकेशनल कोर आदि संस्थायें चल रही हैं इन सब को मिलाने पर शिक्षा-मंत्रालय को विचार करना चाहिये और केन्द्र में एक इस प्रकार का बोर्ड बनाया जाना चाहिये जो कि इन संस्थाओं का संग्रह करे। हो सकता है कि इस विषय पर विचार किया जाये तो जनरल भोंसले की योजना में भी कुछ संशोधन किया जा सके। मेरा सुझाव है कि इस संशोधित योजना को सारे देश पर लाई किया जाये। बड़े लड़कों के लिये तो एन०सी०सी० को कायम रखा जाये, लेकिन ६ से ८ वर्षीय तक के छात्रों के लिये यह राष्ट्रीय अनुशासन योजना चालू की जाये। मैं समझता हूँ कि इस प्रकार काफी सफलता प्राप्त की जा सकती है।

इस योजना का समर्थन करने का मेरा दूसरा कारण यह भी है कि इसके द्वारा सरकार आजाद हिन्द फौज के प्रति जो उसका कर्तव्य है और जिसका उसने अभी तक पूरा पालन नहीं किया है उसका भी पालन कर सकेगी और उनको रोजगार दे सकेगी।

Mr. Chairman: The scope of this half-an-hour discussion is for other Members to ask questions provided they are intimated to the Chair. If any Member wants to ask any additional question, that I can allow. No comments or discussion on the main subject is allowed. This is the rule:

"Any member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact :"

If there be any such question, I can allow though no written intimation has been given.

Dr. Suresh Chandra (Aurangabad): I want to ask from the hon. Deputy Minister of Education why the Ministry or the Government have not taken any interest in inculcating discipline in the country. Though they have the N.C.C., A.C.C. and other things there has been no organised attempt on the part of the Government to create national discipline, patriotism and a spirit of sacrifice in the country, because these are the three things on which any nation can stand.

The second question I want to ask of the hon. Minister is this. In what way does he propose to dispel the fears of regimentation and of military character, as in the case of Germany and Japan, as a result of the introduction of this scheme in this country.

Thirdly, why did Government completely fail in its paramount duty towards the I.N.A. personnel. I want to know why the Government cannot make use of these I.N.A. personnel in this scheme.

Shri Shree Narayan Das (Darbhanga Central): I want to know whether the financial implications of this scheme have been studied; if not, whether the Government is ready to set up a committee to examine the scheme especially with a view to find out what money will be necessary if the scheme is introduced as a phased programme.

The Deputy Minister of Education (Dr. K. L. Shrimali): Before I deal with the various points that have been raised during the course of the discussion, I should like to say at the outset that the very fact that this scheme is being tried by the Government of India should be a sufficient assurance to the House that the Government are sympathetic towards this scheme.

The House is aware that the National Discipline Scheme was introduced in July, 1954 by the Ministry of Rehabilitation under the guidance of the Deputy Minister himself and the scheme

was operated among the displaced persons in Delhi, Bombay, West Bengal, Saurashtra, Punjab and PEPSU. The Ministry of Rehabilitation spent Rs. 1 lakh on the implementation of the scheme during 1954-55 and Rs. 3 lakhs in 1955-56 and a provision of Rs. 5 lakhs has been made in 1956-57. Whether it is the Ministry of Rehabilitation or the Ministry of Education, as far as the Government are concerned, they are interested in the development of the scheme and as the figures show there has been a gradual increase in the budget of this scheme.

The House is also aware that the Ministry of Education had put forward a scheme for a thousand crores of rupees and that scheme unfortunately had been drastically cut down and it was only in January 1956 that the Ministry of Education was asked by the Planning Commission to allocate Rs. 50 lakhs for this National Discipline Scheme. The schemes had already been drastically cut down and allocations had already been made when the Planning Commission made the proposal and it has not been possible to find additional funds for the further development of this scheme out of the funds that were already allocated to the Ministry. I would only like to assure the House that if more funds are available or if we can somehow or other....

Shri Bhagwat Jha Azad : What about the existing funds?

Dr. K. L. Shrimali : I am coming to that.

It is not very likely that we shall be able to find additional funds out of the existing funds that have been placed at our disposal because the Ministry of Education has already prepared the schemes and funds have been allocated for the schemes. I would only like to tell the House further that this problem of discipline is not so simple as sometimes we assume. There are various factors which bring about a disciplined person in the society. There are the social factors, the economic factors, the traditions and the morale of the society, the ethical code of the society, the educational atmosphere etc., I would say rather the whole social climate of the society is responsible for developing discipline among students.

Hon. Members have very rightly pointed out that the problem of indiscipline among the youth is primarily due

[Dr. K. L. Shrimali]

to the fact that there is no discipline in the society as a whole. Youth cannot live in isolation. The values which we have in the adult society do have their reflection on the educational institutions and on the youth. Therefore, we have to make a multilateral approach to this whole problem. We have also to be very clear as to what kind of discipline we want in our society.

Shri Gidwani had raised the point whether the Ministry has any national scheme for developing a sense of discipline among the youth. We have decided that we shall have a democratic society in this country. After having accepted democracy as our goal, we have to adopt suitable methods and suitable means for developing the right kind of citizen. Democracy demands that there will be self-discipline, and not discipline imposed from outside. A democratic society requires self-disciplined persons. In the totalitarian societies, I quite agree that there has been a good deal of training and discipline. But the type of discipline that is inculcated among the youth is not so much self-discipline as discipline imposed from outside. The House would agree that we should aim at developing self-discipline among the youth.

Dr. Suresh Chandra : How ?

Dr. K. L. Shrimali : For the development of self-discipline, we cannot have any simple remedy. We shall have to approach the question from various angles. We have to educate the families. After all, it is from the family that the child gets his impressions. You may put a child on a parade ground for an hour or two hours. But every day in the family where he lives, if he does not initiate right values he cannot be a disciplined person. Then, the society in which he moves, the persons with whom he lives, all these factors, including the economic structure of the society influence his personality.

Therefore, to say that just by introducing some extra-curricular activity or asking the child to go on the parade ground for a short while the personality of the student would be changed is, to exaggerate the value of that kind of discipline. As I said, I am very sympathetic to the whole scheme of Shri Bhonsle, and if funds are available, we would like

to give more funds for this scheme, and we would like to develop it. Of course, I do not think it is only through one scheme that the whole nation can get disciplined.

We have in our country various organisations, voluntary organisations as well as organisations sponsored by Government, which are working in the field, and which have rendered valuable service in many ways. There are, for instance, the NCC, and the ACC which have been organised by the Defence Ministry. Then, there is the Bharat Scout movement which has been sponsored by the help of the Ministry of Education. These are the organisations which have aroused a good deal of enthusiasm and which also aim at developing character and discipline among the youth. From the number of cadets, which has been increasing every year, it will be clear that the whole scheme has been very successful, and therefore we should not disturb any of the existing schemes. These schemes have been found useful but there is still possibility of developing the National Discipline Scheme.

There are various other schemes which the Ministry of Education have undertaken. Hon. Members wanted to know how much funds we have made available for these schemes. We are proposing to have youth hostels, youth tours and hikes, and youth festivals, for which we have made a provision of Rs. 1 crore in the next Five Year Plan. Then the provision for labour and social service camps and campus work projects is Rs. 3 crores. These projects have proved very valuable. The youth of the country have participated in nation-building activities, and their energies and idealism have been canalised into proper channels. Wherever these camps have been held, they have aroused a great deal of enthusiasm. Certainly hon. Members would not like that we should cut down the budget that we have provided for this scheme and divert it to some other scheme.

Then we have made a provision for sports and games of Rs. 2 crores in the Second Five Year Plan; for scouting and guiding, the provision is Rs. 1 crore and for students' health centres, it is Rs. 30 lakhs. These are very meagre amounts. In fact, we would like to have some more money in order to make these schemes more effective. I would again like to assure the House that we

would do our best to persuade the Planning Commission to let us have some additional funds. If these additional funds are available either through the Planning Commission or some other agency, we would certainly help in expanding the National Discipline Scheme of which the House has expressed its appreciation. We ourselves have found that this scheme has proved very useful. Government have already made a certain provision under the Ministry of Rehabilitation for the expansion of this scheme.

श्री भक्त दर्शन : माननीय मंत्री जी ने कोई निश्चित उत्तर नहीं दिया । मैं समझता हूँ कि

उन्होंने एक सामान्य आश्वासन तो दिया लेकिन क्या इस योजना को जो, कि आज केवल विद्यापितों के स्कूलों में चल रही है, अन्य स्कूलों में भी लागू करने का विचार है ?

डा० क० एल० श्रीमाती : निश्चित उत्तर तो यही है कि अगर हमको घन मिल सका तो हम इसके लिये अवश्य प्रयत्न करेंगे ।

6-37 P.M.

The Lok Sabha then adjourned till Half Past Ten of the Clock on Tuesday, the 29th May, 1956.

DAILY DIGEST

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[Monday, 28th May, 1956]

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PAPERS LAID ON THE TABLE 9711-14

The following papers were laid on the Table

(1) (a) A copy each in English and French of the Treaty of Cession of the French establishments of Pondicherry, Karikal, Mahe and Yanam signed on the 28th May, 1956.

(b) A copy of the Agreement between the Government of India and the Government of France for the settlement of the question of the future of the French establishments in India concluded on the 21st October, 1954 and referred to in the Treaty of Cession.

(2) The minutes of the sittings of the Committee on Private Members' Bills and Resolutions (Forty-seventh to Fifty-ninth) held during the Twelfth Session.

(3) A copy of the Reserve Bank of India notification No. 7, dated the 28th April, 1956, under the proviso to section 28 of the Reserve Bank of India Act, 1934, making certain amendments to the Reserve Bank of India (Note Refund) Rules, 1935.

PRESIDENT'S ASSENT TO BILLS 9714

Secretary reported to Lok Sabha that the following

Bills, which were passed by the Houses of Parliament during the current session, had been assented to by the President :—

(1) The St. John Ambulance Association (India) Transfer of Funds Bill.

(2) The Indian Red Cross Society (Amendment) Bill

(3) The Travancore-Cochin Appropriation Bill.

REPORT OF ESTIMATES COMMITTEE PRESENTED 9714

Thirty-first Report was presented.

BILLS PASSED 9714, 9716-17

(1) Discussion on the Travancore-Cochin State Legislature (Delegation of Powers) Bill was commenced and the Bill was passed, as amended 9714
9716-84

(2) Discussion on the Indian Income Tax (Amendment) Bill was commenced and the Bill was passed 9784-97

DISCUSSION ON MATTER OF URGENT PUBLIC IMPORTANCE 9797-9852

Shri Feroze Gandhi raised a discussion on the situation arising out of the

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disturbances at Kharagpur resulting in Railway accident on the 26th May, 1956.

The Minister of Railways and Transport (Shri L.B. Shastri) replied to the debate. The discussion was concluded.

HALF-AN-HOUR DISCUSSION. 9852-64

Shri S. C. Samanta raised a half-an-hour discussion on points arising out of answer given on the

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18th April, 1956 to Starred Question No. 1546 regarding National Discipline Scheme

The Deputy Minister of Education (Dr. K. L. Shrimali) replied to the debate.

AGENDA FOR TUESDAY
29th May, 1956—

Consideration and passing of the Constitution (Tenth Amendment) Bill, as reported by the Joint Committee.
