

Wednesday  
30th May, 1956



# **PARLIAMENTARY DEBATES**

## **HOUSE OF THE PEOPLE**

**OFFICIAL REPORT**

**(Part I- Questions and Answers )**

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## LOK SABHA

Wednesday, 30th May, 1956

*The Lok Sabha met at Ten of the Clock.*

[MR. SPEAKER in the Chair]

## ORAL ANSWERS TO QUESTIONS

## INDIANS IN BRITISH, FRENCH AND DUTCH GUIANAS

\*2664. Sardar Iqbal Singh: Will the Prime Minister be pleased to state:

(a) the total number of Indians in British Guiana, French Guiana and Dutch Guiana, separately;

(b) the number of Indians who have settled there permanently; and

(c) their main problems, if any?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). A statement is laid on the Table of the House. [See Appendix XV, annexure No. 54.]

Sardar Iqbal Singh: May I know whether there is any restriction on Indians in British Guiana that they cannot purchase land or own sugar factories in British Guiana and, if that is so, may I know what steps have been taken by the Government in this matter?

Shri Sadath Ali Khan: I believe there are no disabilities of such a nature.

Sardar Iqbal Singh: May I know whether it is a fact that a Federation is going to be formed of the West Indies and there is a proposal to merge British Guiana with the West Indies Federation and, if that is so,

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may I know the reactions of the Indian population there towards that proposed Federation?

Shri Sadath Ali Khan: This is a hypothetical question. It is a larger question also which I am unable to answer just now.

Shri Kasliwal: The hon. Parliamentary Secretary said that so far as the question of Federation is concerned, he is unable to answer any question. May I know whether the Government have any information that there is a possibility of unification of these territories in the near future—British Guiana, French Guiana and Dutch Guiana?

Shri Sadath Ali Khan: We have no information.

Shri Shree Narayan Das: May I know whether there has been any increase in the number of Indians in these territories and, if so, the extent of increase during the last two years?

Shri Sadath Ali Khan: The increase will be the natural increase of population which we all know.

Shri Shree Narayan Das: I want to know whether there has been an increase in the number of persons of Indian origin migrating to that country.

Shri Sadath Ali Khan: I do not think so.

Shri N. R. Muniswamy: I want to know whether the Indians in these areas are suffering from any disabilities.

Shri Sadath Ali Khan: As I said, there are no special disabilities.

Sardar Iqbal Singh: May I know whether it is a fact that with the formation of the Federation of Central Africa—that is Nyasaland, North

Rhodesia and South Rhodesia—and the experience of the Indians there, the reaction of the Indian population in British Guiana is totally against this bigger Federation because their proportion will be very small and, if that is so, may I know whether the Government of India have conveyed this reaction to the Government of the United Kingdom ?

**Shri Sadath Ali Khan :** I could not understand the question. Has it got something to do with Nyasaland and South and North Rhodesia ?

**Mr. Speaker :** He refers to British Guiana also. The hon. Member says that the Indians in British Guiana are against the Federation and wants to know whether the Indian Government are taking any steps in that direction, *viz.* to bring it to the notice of the United Kingdom Government.

**Shri Sadath Ali Khan :** As I pointed out earlier, this is a hypothetical question. We have no information on this matter.

**Sardar Iqbal Singh :** Are the Government aware.....

**Mr. Speaker :** We will go to the next question. But I must say that once a subject comes up before the House all aspects of the matter must be before the hon. Ministers. The question is about the total number of Indians, the number of Indians settled there and their problems. Their main problems can include anything from heaven to earth; you cannot say that the question of Federation does not arise.

#### SURVEY OF VOLUNTARY ORGANISATIONS

\*2665. **Shri Madiah Gowda :** Will the Minister of Planning be pleased to state :

(a) whether a Survey of existing Voluntary Organisations for social, economic and cultural development in the country has been undertaken ; and

(b) if so, with what results ?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) No, Sir.

(b) Does not arise.

**Shri Madiah Gowda :** Is not the object of the planning to enlist co-operation of all voluntary organisations and, if so, is not a survey of this kind absolutely necessary ?

**Shri S. N. Mishra :** In a way, it amounts to a suggestion, although I must say that steps have been taken to enlist the co-operation of all the voluntary agencies in the country to the extent it is possible.

**Shri Madiah Gowda :** How is it possible, without knowing which are the voluntary organisations working in the State, to enlist their co-operation for different purposes ?

**Mr. Speaker :** Does the hon. Member want to know the names of the voluntary organisations?

**Shri S. N. Mishra :** Does the hon. Member want to know the help given to the voluntary organisations?

**Shri Madiah Gowda :** I want to know whether there is a list of the voluntary organisations so that whenever we want we may take the help of those voluntary organisations for the purpose of getting their co-operation.

**Shri S. N. Mishra :** As the hon. Member is aware, a directory has been prepared by the Social Welfare Board in collaboration with the Planning Commission. That directory contains information about 215 such voluntary social organisations.

**Shrimati Renu Chakravarty :** In the directory compiled by the Social Welfare Board, the information given is only concerning those institutions working for women and children. But this concerns social, economic and cultural organisations of a voluntary nature. Therefore, I should like to know whether any overall survey has been undertaken and, if not, in what way do Government propose to actually get the co-operation of these organisations ?

**Shri S. N. Mishra :** As I have already submitted in my reply, no such survey has been undertaken. But, so far as the question of enlisting the co-operation of all the organisations that exist in the country is concerned, it is a very large one. I think more than 10,000 such organisations exist in the country. Since there is no obligatory registration on the part of these organisations, it becomes somewhat difficult for us to know how many organisations there are.

#### DEVELOPMENT WORKS IN ORISSA

**\*2666. Shri Sanganna :** Will the Minister of Planning be pleased to state :

(a) whether any officers of the Planning Commission have been sent to Orissa State to assess the value of local development works during the year 1955 ;

(b) if so, their names and designations ; and

(c) whether any report has been submitted by them ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) Yes, Sir.

(b) Shri B. T. Kempanna, IAS (Retd.) and Shri H. Puttaswamy, Officers-on-Special Duty in the Planning Commission.

(c) Yes, Sir.

**Shri Sanganna :** May I know the details of the report submitted by them ?

**Shri S. N. Mishra :** For the information of the hon. Member I can only summarise their impression. Their impression is that this programme in Orissa is gradually gaining ground and it is becoming popular. They have also mentioned some of the defects and weaknesses of this programme in the State. They have particularly drawn attention to the fact that more publicity should be given to schemes in backward areas. But on the whole, it may be said that the programme is being implemented mostly according to the instructions of the Planning Commission and

whatever defects and weaknesses were there in the beginning have been mostly got over.

**Shri Sanganna :** May I know what procedure has been followed by these officers to ascertain the extent of work done in these schemes ?

**Shri S. N. Mishra :** What was intended was to take a portion of the works undertaken for inspection. Now, so far as the selection of works was concerned, it was done on the basis of random sampling. The random sampling was undertaken in consultation with the Central Statistical Organisation. Then, some of the other works which were in the vicinity of such works were also taken up for inspection. There was another category of works which were approved by the Centre, they were also taken up for inspection.

**Shrimati Renu Chakravarty :** Is it a normal function of the Planning Commission officers to go round and inspect the local development works of the various States, or was this a very special case for Orissa ? If it is a normal function of the Planning Commission officers, may I know how many other States they have visited ?

**Shri S. N. Mishra :** It was not a special case for Orissa. In fact, the evaluation teams have visited 12 States and they have submitted reports on about 9 States so far. Evaluation is going on at the moment in Bombay and Uttar Pradesh, and whereas evaluation has already been completed in Bihar, the report has not yet been submitted.

Now, the function of the Planning Commission is not normally of this character. But, since the funds are provided from the Consolidated Fund of India, it was desired by the Finance Ministry also that the programme sanctioned should be evaluated in a proper manner.

**Shri B. D. Pande :** I want to know whether any report has been submitted with regard to Uttar Pradesh.

**Shri S. N. Mishra :** As I have submitted, the evaluation is under way in Uttar Pradesh.

**Shri Sarangadhar Das :** May I know whether these officers, who have reported, have mentioned that there are a number of cases where wells sanctioned by different authorities during the last two or three years have not yet been sunk?

**Shri S. N. Mishra :** Particularly in regard to wells, I would require notice.

#### HINDU RELIGIOUS SHRINES

**\*2667. Shri Bhagwat Jha Azad :** Will the Minister of Planning be pleased to state:

(a) whether there is any proposal under consideration to divert incomes of Hindu religious shrines and endowments to finance the Second Five Year Plan; and

(b) whether Government propose to set up any Commission to inquire into the temple properties and religious endowments?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) and (b). As already stated in this House on 28-3-56 the question of better management of religious trusts and endowments and of fuller utilization of their resources is still under examination in the Planning Commission.

**Shri Bhagwat Jha Azad :** May I know whether this consideration is confined only to the Hindu religious shrines or to the shrines of other religions and communities also?

**Shri S. N. Mishra :** In fact, they include all trusts and endowments. They are not to include only the Hindu religious shrines, as the hon. Member has mentioned in his question.

**Shri Bhagwat Jha Azad :** May I know whether it is under the consideration of the Government to give some inducement to those who have

got properties in those temples to surrender those properties voluntarily for the national development work, or, do the Government propose to adopt any other method?

**Shri S. N. Mishra :** I do not quite see how any inducement is called for in this connection. The endowments have been made for certain purposes and for those purposes their use is valid. Probably, the social welfare functions which we want the religious endowment bodies and the trusts to undertake, would be of great advantage to the general social welfare programme.

**Shri B. D. Pande :** In Uttar Pradesh, the Government have passed an Act called the Badrinath Temple Act. Since the passing of that Act they said that there has been a saving of Rs. 6 lakhs to Rs. 7 lakhs a year out of those funds. Will the Central Government also do the same thing here in regard to the Centre and have all the religious properties and endowments assessed and then pass a similar Act and take charge of all the revenues for the betterment of the scheme they have in view?

**Shri S. N. Mishra :** That is a suggestion.

**सरदार ए० एस० सहगल :** क्या मठों के मठाधीशों ने इस तरह की इच्छा जाहिर की है कि मठों में जो चढ़त होती है उसका कुछ हिस्सा ये सीरिंड फाइब इंड इंडस्ट्रीज (द्वितीय पंचवर्षीय योजना) के लिये देने को तैयार है?

**श्री एस० एन० मिश्र :** अभी तक इस तरह की इच्छा की कोई सूचना हम लोगों के पास नहीं आयी है। अगर यह आये तो बड़ी अच्छी सूचना होगी।

**Shri S. V. Ramaswamy :** Has there been a total assessment of the value of these properties, the incomes therefrom, etc., and, if so, what is the amount?

**Shri S. N. Mishra :** It is difficult to estimate. In fact, it will have to be undertaken by the State Governments. The State Governments alone can provide information on this point.

**Shri Achuthan :** May I know whether the Planning Commission has undertaken a survey of the various temples coming under this category so as to know how many institutions are now existing in this country ?

**Shri S. N. Mishra :** The Planning Commission has not undertaken any survey of the kind. But this survey can well be undertaken by the State Governments.

**Shri Ramachandra Reddi :** May I know, if the funds are expected to be diverted from the Hindu religious funds, whether they will be treated as loans or as contributions or whether they will be confiscated to Government ?

**Shri S. N. Mishra :** Mostly, the intention is that the objects for which the trusts and endowments were created by the donors should be served in an effective manner. If they are served in an effective manner, it is thought that the social welfare functions, which we have in our view, would also be served in an effective manner.

गैर-सरकारी समवायों द्वारा विजली का उत्पादन

\*२६६८. श्री के० सी० सोबिया : क्या सिवाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि भारत में विजली पैदा करने वाले जो गैर-सरकारी समवाय हैं उनमें लगी हुई भारतीय और विदेशी पूंजी का अनुपात क्या है ?

सिवाई और विद्युत उपमंत्री (श्री हाथी) : १९५३ के आंकड़ों के आधार पर, जिसके बाद के वार्षिक आंकड़े उपलब्ध नहीं हैं, विजली पैदा करने वाले गैर-सरकारी समवायों में लगी हुई कुल पूंजी ५२.६७ करोड़ रुपये है जिसमें विदेशी पूंजी १४.२० करोड़ रुपये है। विदेशी पूंजी २७ प्रति शत के लगभग है।

श्री के० सी० सोबिया : क्या सन् १९५३ के बाद से आज तक के आंकड़े तैयार किये जायेंगे ?

श्री हाथी : तैयार किये जायेंगे, लेकिन अभी तो सन् १९५३ तक के आंकड़े ही तैयार हैं।

**Shri Bhagwat Jha Azad :** May I know whether there is any likelihood of the foreign companies investing more money in electrical units for this particular purpose, namely, the Second Five Year Plan ?

**Shri Hathi :** There are not many electricity supply companies with foreign investments as such. There is only one such company. Perhaps, we do not expect many foreign companies for this purpose.

**Shri Bhagwat Jha Azad :** Would Government tell us the likely percentage increase in the number of private companies and the power generated by them in the next Five Year Plan ? Have the Government any indication of it ?

**Shri Hathi :** As it is, it is not probable that there will be an increase. And I cannot exactly say here the exact percentage by which any increase may accrue if at all it increases.

#### PRIME MINISTER'S VISIT TO FOREIGN COUNTRIES

\*२६६९. **Shri Ram Krishan :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that many foreign countries have extended invitations to him to visit those countries ; and

(b) if so, the names of the countries whose invitations have been accepted ?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) :** (a) and (b). The Prime Minister has received invitations from many countries in various parts of the world. He has expressed his gratitude for these invitations, and stated that while he would welcome the opportunity of visiting them, it is difficult for him to find time to do so in the near future. He hopes that he may be able to arrange some visits later.

**Shri Ram Krishan :** May I know the names of those countries ?

**Shri Sadath Ali Khan :** There are many countries. It is almost global.

**Shri Kamath :** As the Prime Minister will be away for nearly a month, visiting so many countries, has any decision been taken by the Cabinet as to who will act for the Prime Minister in his absence or at least look after the day-to-day work of the Ministry in his absence?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** The Prime Minister continues to be Prime Minister and functions as such wherever he may be.

**Shri Kamath :** What about the day-to-day work of his Ministry?

**Shri Jawaharlal Nehru :** The day-to-day work is carried on in a day-to-day manner anyhow. But the day-to-day things do not come up to the Prime Minister for decision. Every Ministry functions in the normal way. If any important matter arises it will be referred to me.

**Shri Kamath :** In the past, so far as the press reports went, a colleague of the Prime Minister looked after his Ministry in the absence of the Prime Minister. Will that arrangement not be done this time also?

**Shri Jawaharlal Nehru :** These are internal arrangements which we make. My colleague the Health Minister has gone abroad and my other colleague Shri Krishna Menon is put in charge of that Ministry. Internal arrangements are made among Ministers to look after each other's work in some one else's absence.

**Shri N. C. Chatterjee :** May I know whether any such arrangement will be made when the Prime Minister goes on tour?

**Shri Jawaharlal Nehru :** There is the Foreign Affairs Committee in the Cabinet. Any member of that Committee who is present here will look after things.

**Shri Kamath :** Ministers?

**Shri Jawaharlal Nehru :** Ministers, of course. It is a ministerial committee.

#### INVITATION TO P.M. FROM CEYLON

**\*2670. Shri Radha Raman :** Will the Prime Minister be pleased to state:

(a) whether it is a fact that he has been sent an invitation by the Ceylon Premier to attend Buddha Pari Nirvan Celebrations in Ceylon; and

(b) if so, whether he has accepted the invitation?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) :** Yes. In March this year, the Prime Minister of Ceylon sent an invitation to the Prime Minister to attend the Buddha Jayanti Celebrations to be held in Ceylon in May, 1957.

(b) The Prime Minister informed the Prime Minister of Ceylon that he would indeed be very happy to participate in those celebrations but that it was difficult for him more than a year ahead, to say definitely whether he would be able to do so.

**Shri Radha Raman :** May I know whether a similar invitation has been sent to the Ceylon Prime Minister in respect of the celebrations that are going to be held here in this country?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** Yes, Sir. Invitations have been issued to a number of countries to send their representatives next October-November when we have certain celebrations, a cultural exhibition and a seminar on certain aspects of Buddhism. A large number of invitations have been issued.

**Shri Radha Raman :** May I know if any news has come from Ceylon in respect of the invitation which has been sent from here as regards its acceptance?

**Shri Jawaharlal Nehru :** I do not know of any news coming. Representatives are coming, I think, from many of these countries. Exactly who the representatives may be, I am not sure.

**Shri Veeraswamy :** May I know the names of the countries to which invitations have been extended for participating in the celebrations in October-November and which countries have accepted the invitation?

**Shri Jawaharlal Nehru :** I cannot give the names of all the countries. Broadly speaking, invitations are to the Buddhist countries plus scholars in Buddhism in the other countries. For instance, eminent scholars interested in Buddhism in Europe and America have also been invited. So far as the Buddhist countries are concerned, evidently they have been invited through the Government concerned.

#### SLUM CLEARANCE

**\*2671. Shri Gidwani :** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Government are aware that suggestions have been made by press and the public that slum clearance should be the responsibility of the Central Government;

(b) whether Government have considered that suggestion; and

(c) if so, the decision taken thereon?

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

(b) and (c). The clearance of slums must primarily be the responsibility of the State Governments and local bodies, but the Government of India have formulated a scheme for affording financial assistance, on a limited scale, to State Governments for the execution of slum clearance and slum improvement projects. A copy of the Scheme that is being circulated to the States is placed on the Table of the House. [See Appendix XV, annexure No. 55.]

**Shri Gidwani :** In view of the fact that in the last year's report Government has said that almost all State Governments were unable to proceed with their programmes of slum clearance because of the low rent paying capacity of the slum dwellers, which necessitated the grant of subsidy, since the Centre is practically paying three-fourths of the amount allocated for the purpose, may I enquire whether the State Governments have taken up the schemes in right earnest?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh) :** The earlier scheme envisaged only the giving of loans. If the hon. Member has studied the present scheme, there is an element of subsidy also. The report to which reference has been made by the hon. Member related to the scheme as it obtained last year. There is an alteration. It is hoped that when this scheme is studied by the State Governments, they will come forward for assistance under the scheme.

**Shri Gidwani :** Does the Government propose to set up a machinery which will see that the State Governments carry out the scheme?

**Sardar Swaran Singh :** There is no intention to set up a machinery of that type here. The State Governments should be left to function in their own way and they should be left to take the responsibility.

**Shri D. C. Sharma :** May I know whether the slum clearance plan is going to be determined with reference to any priority so far as big cities are concerned and what kind of priority has been determined by this time?

**Sardar Swaran Singh :** It will be primarily for the State Governments to consider such priorities with regard to the various cities in their own States.

**Shri Radha Raman :** May I know what is the amount which the Government of India has set aside for this purpose in the current year?

**Sardar Swaran Singh :** In the current year, there is an overall provision of Rs. 17.7 crores for slum clearance and housing schemes. We will see how the schemes progress in the various sectors. It will be on receipt of requirements from the States that the decision will be taken.

**बीमती कमलेन्द्रमति शाह :** क्या मैं जान सकती हूँ कि यह जो प्राइम मिनिस्टर द्वारा दिल्ली की गंदी बस्तियों के निरीक्षण करने के बाद, उनकी सफाई किये जाने का विचार किया जा रहा है और उन गंदे इलाकों को साफ करके नये मकान बनाने का विचार किया जा रहा है तो इससे बहां के निवासियों के मन में एक भय उत्पन्न हो गया है कि उनके मौजूदा कटरों की सफाई हो जाने के बाद उनके रहने का क्या प्रबन्ध होगा और पता नहीं उन्हें कब तक धूप और पानी का खुले मैदान में शिकार होना पड़ेगा और क्या उनके इस भय को दूर कराने के हेतु इस तरह का कोई आशवासन दिलाया गया है कि पहले उनके बास्ते घर बनेंगे फिर उनके मौजूदा गंदे घर तोड़े जायेंगे ?

**सरदार स्वर्ण सिंह :** माननीय सदस्या को पता नहीं कहां से यह ख्याल हुआ कि गंदी बस्तियों के रहने वालों के दिलों में एक डर पैदा हो गया है बल्कि मैं तो समझता हूँ कि प्राइम मिनिस्टर के उस बयान के बाद कि उनकी गंदी की हालत बदलने वाली है, उनके दिल में एक हृष्ण और उत्साह पैदा हुआ है ।

**बीमती कमलेन्द्रमति शाह :** उनको डर इस कारण पैदा हो गया है कि कहीं उनके मौजूदा झोपड़े तो गिरा दिये जायें लेकिन दूसरे नये घर उनके बास्ते न बनें तो वे कहां रहेंगे ?

**सरदार स्वर्ण सिंह :** मेरे ख्याल में इसके मुतालिक उन्हें कोई गलतफहमी नहीं है ।

#### ADDITIONAL REVENUES TO BE RAISED BY STATES

**\*2673. Dr. Ram Subhag Singh :** Will the Minister of Planning be pleased to state :

(a) whether the State Governments have been approached by the Government of India to raise additional revenues from (1) sales tax, (2) land revenue surcharges, (3) agricultural

income tax, (4) betterment levy, and (5) irrigation rates ;

(b) if so, whether any standard method has been suggested for the same ; and

(c) the nature of the method suggested ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) The target for additional taxation by States and the general lines along which the effort has to be made have been indicated in para. 25 of Chapter IV of the Second Five Year Plan.

(b) and (c). No standard method for raising this amount has been suggested, but the pattern of additional taxation visualised is more or less on the lines indicated in the Taxation Enquiry Commission.

**Dr. Ram Subhag Singh :** May I know whether the areas where the betterment levy is envisaged to be levied and where the irrigation rates are going to be increased, have reached the standard which was contemplated by the Planning Commission or they are far short of that ?

**Shri S. N. Mishra :** Particularly in regard to this betterment levy, I would require separate notice.

**Dr. Ram Subhag Singh :** Irrigation rates ?

**Shri N. B. Chowdhury :** May I know whether the Planning Commission has prepared any estimate as to what amounts they expect may be raised from the different rates as enumerated here, sales tax, surcharge, etc., during the next five year period ?

**Shri S. N. Mishra :** In all, as has been indicated in the Second Five Year Plan submitted to Parliament, we expect, according to the present scheme of finances, an amount of about Rs. 450 crores. As hon. Members would also observe, from the final report, a much greater tax effort has also been indicated, because we want to cover the gap of Rs. 400 crores which had been left uncovered so far.

**Shri Boovaraghavan** : May I know whether the betterment tax will be levied in areas which will be benefited by a particular project or it will be levied throughout the country ?

**Mr. Speaker** : How can there be a levy throughout the country ?

**Shri S. N. Mishra** : By the very definition, this tax will be levied in those areas which have benefited.

**Shri Bhagwat Jha Azad** : In the context of the broad outline as suggested by the Second Five Year Plan, may I know whether any State Government has sent any enquiry to the Central Government regarding detailed instructions for the levy of new taxes ?

**Shri S. N. Mishra** : We always hold very intimate discussions particularly on the question of resources because we do not want to run any risk on this score.

**Shri Kasliwal** : It appears that irrigation rates not only differ from State to State, but also differ within the State itself. May I know whether the Government has suggested to the State Governments to have some uniformity in these rates ?

**Shri S. N. Mishra** : The lines on which the State Governments have to proceed have to be best suited to their circumstances. I think in these matters, they should be left to do as they liked.

**Dr. Ram Subhag Singh** : May I know whether any discussion has at all been held between the Planning Commission and the representatives of the State Governments with a view to lessening the difficulties of the public in paying their rates, water rates, all sorts of rates and rents ?

**Shri S. N. Mishra** : The difficulties in regard to payment of taxation can be lessened by strengthening the economic conditions of the people. In fact, the entire Five Year Plan is intended for that.

**Dr. Ram Subhag Singh** : The question is different.

**Mr. Speaker** : He does not speak for the Finance Minister.

#### ASIAN-AFRICAN RELATIONS

\*2673-A. **Shri D. C. Sharma** : Will the Prime Minister be pleased to state :

(a) the concrete steps that the Government of India have taken up-to-date for the establishment of closer Asian-African relations in pursuance of the new Bandung approach ; and

(b) the names of the countries with which closer relations have been established ?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda)** : (a) and (b). In pursuance of the Bandung declaration, the Government of India have nominated a liaison officer to facilitate the exchange of information and ideas relating to economic co-operation between the countries that participated in the Conference.

The Government of India have also set up an Inter-Departmental Working Group under the Ministry of Finance to study the possibilities of economic co-operation between India and other Asian African countries.

The Government of India have always attached great importance to developing closer relations with Asian and African countries and reiterated at Bandung its determination to work in this field. In particular, the close economic and cultural relations with India's neighbours in S.E. Asia and in West Asia, which have existed in the past have been further developed and strengthened after the Asian African Conference. India has besides, provided facilities for technical training to persons from these countries and has also sent technical experts at their request.

**Shri D. C. Sharma** : May I know what line of approach has been suggested by the liaison officer appointed, and in what fields this approach has been implemented ?

**Shri Anil K. Chanda :** The approach is mostly with regard to development of trade and co-operation in technical matters and also in educational and cultural matters. Formerly there used to be only 100 scholarships given for Asian and African students by the Government of India. Since the Bandung Conference we have raised it to 140. Similarly, we have sent a technical mission to Cambodia to enquire into the situation there and find out the fields in which we could help that country.

**Sardar Iqbal Singh :** May I know whether any organisation has been set up, except this liaison officer, for the close co-operation of these Bandung Conference countries in the economic and cultural and social spheres?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** No, Sir. No organisation has been set up. We discussed this matter at the Bandung Conference and we felt that an organisation was not likely to help because the Bandung Conference countries are spread out over a good part of Asia and Africa in entirely different economic regions and any common organisation would have found it difficult to function effectively. Therefore, we decided that the countries should deal with each other and discuss bilaterally and multilaterally their common interests.

**Shri Kamath :** Among the numerous Asian and African countries that were represented at Bandung, are there any countries other than Pakistan which have since betrayed the spirit of Bandung and acted against the liquidation of colonialism in the world, as Pakistan has done *vis-a-vis* Portuguese colonies in India, or have otherwise damaged the fabric of unity woven at Bandung, and if so.....

**Mr. Speaker :** Such a long question? The question must confine itself to only one point.

**Shri Kamath :** If so, is the Government taking a serious view of the matter?

**Shri Jawaharlal Nehru :** We are not sitting here, I hope, in judgment over all the countries of the world or any of them. That will not be proper, but if the hon. Member's question is confined to this, as to whether any country other than Pakistan has taken up a pro-Portuguese attitude with regard to Goa.....

**Shri Kamath :** Colonial.

**Shri Jawaharlal Nehru :** .....pro-colonial or pro-Portuguese attitude regarding Goa, I do not think any other country has done so.

**Shri Kamath :** With regard to colonial questions in general, not merely Portuguese.

**Mr. Speaker :** The hon. Prime Minister has answered that he is not going to sit in judgement generally over what happens.

**Shri H. N. Mukerjee :** May I know if there is any truth in a recent press report that the question of Algeria is to be brought up at the next session of the United Nations by the Arab group States and by Pakistan among others, but that India is not associating herself with that move, and if so, if that is in conformity with the Bandung spirit?

**Shri Jawaharlal Nehru :** Whether this question will be brought up at the U.N. and the Security Council or not I do not yet know, because that depends on the ultimate decision of a large number of countries. So far as Algeria is concerned, we have been in close co-operation with these countries. We have felt that bringing this up before the Security Council at this stage is not likely to yield any useful results in regard to the stoppage of the fighting or the settlement of this problem, and more especially so far as we are concerned, after having made a certain suggestion which I read out in this House, certain proposals containing five points, it would not be in keeping with that approach for us to sponsor a particular move in the Security Council which may go counter to that approach.

**Shri Chattopadhyaya :** At the time of the last meeting of the Assian-African countries we were given to understand that the meeting would be held annually. When will the next conference be held, and in view of the universal approval of the decisions of the Bandung Conference, do Government propose to take the initiative in convening the next conference?

**Shri Jawaharlal Nehru :** No, Sir. I cannot say when the next conference will be held. We decided at Bandung that the so-called Colombo Powers should consider when and where the next conference should be held. Thus so far there has been no decision, and as far as I can see, there is no immediate prospect of a decision. I do not think it would be right for the Government of India by itself to take any initiative in the matter. We are constantly, of course, in consultation with other countries.

#### CONFERENCE OF DIRECTORS OF INFORMATION

**\*2674. Shri Bibhuti Mishra :** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that a Conference of Directors of Information was held at Nainital in the 1st week of May; and

(b) if so, the steps taken so far to strengthen the existing publicity machinery to acquaint people with the present day development activities of Government?

**The Minister of Information and Broadcasting (Dr. Keshar) :** (a) Yes.

(b) The conference was one of a series which are being held from time to time to co-ordinate publicity efforts of Central and State Governments regarding the Five Year Plan. Such conferences do not take new decisions or pass resolutions. They are meant generally to thrash out details and remove difficulties that might be encountered in working.

**Shri Bibhuti Mishra :** अमीं मंत्री जी ने बतलाया कि स्टेट्स (राज्यों) में और सेन्टर (केन्द्र) में प्रचार के सम्बन्ध में जो कठिनाई होती है उस पर

विचार करने के लिये यह कान्फरेंस बुलाई जाती है। फर्स्ट फाइव इयर प्लान (प्रथम पंचवर्षीय योजना) तो समाप्त हो गई, सेकेन्ड फाइव इयर प्लान (द्वितीय पंचवर्षीय योजना) शुरू हो रही है, मैं जानना चाहता हूँ कि इस समय में गांव गांव में लोगों की सामाजिक, आर्थिक और नैतिक उन्नति के लिए सरकार जो काम कर रही है उस के प्रचार के लिये प्रचार विभाग क्या करेगा।

**डा० केसकर :** ठीक इसी काम के लिये यह कान्फरेंस बुलाई जाती है, क्योंकि देश में जो विकास का काम हो रहा है उस के सम्बन्ध में केन्द्रीय सरकार और राज्य सरकारें जो काम करती हैं उन दोनों में कोई सम्पर्क और सहयोग अब तक नहीं था। यह कान्फरेंस इसीलिये की जाती है कि दोनों एक साथ मिल कर काम करें और ज्यादा से ज्यादा लोगों तक अपना सन्देश पहुँचायें। और जो एक ही काम दोनों ग्रलग ग्रलग से कर रही हैं उनको रोक दिया जाय और दोनों मिल कर, अपनी ताकत इकट्ठा करके ज्यादा से ज्यादा काम करें। यही इस कान्फरेंस का मकसद है।

**श्री विभूति मिश्र :** मैं जानना चाहता हूँ कि चूंकि माननीय मंत्री जी ने यदा कदा सारे देश का भ्रमण किया है, उनका इसके बारे में क्या अनन्वय है कि प्रचार विभाग गांवों में पंचवर्षीय योजना को कहां तक प्रचारित करता है?

**डा० केसकर :** गांव गांव में जाने की जिम्मेदारी राज्य सरकारों की है। हर एक गांव में जाने की जिम्मेदारी केन्द्रीय सरकार नहीं ले सकती है। लेकिन मैं इतना कह सकता हूँ कि पिछले पांच दस साल के अन्दर जितने गांवों तक वह पहुँचा है वहं पहले के मुकाबले के कई गुना ज्यादा है।

**श्री जांगड़ :** क्या मैं जान सकता हूँ कि क्या कारण है कि गमियों के दिनों में केवल नैनीताल को ही सूचना और प्रसारण विभाग के आदेशकों के लिये बैठक का स्थान चुना गया है तथा दिल्ली या अन्य किसी स्थान को क्यों नहीं चुना गया है? क्या नैनीताल को इस बैठक का स्थान चुनने से अधिक लाभ नहीं पड़ता है?

**डा० केसकर :** नैनीताल चुनने की जिम्मेदारी केन्द्रीय सरकार की नहीं है। हम अलग अलग राज्यों में यह कान्फेंस करते हैं और य० पी० सरकार की तरफ से जो सुझाव आया, उसको हमने स्वीकार कर लिया।

**श्री भक्त बड़ौंग :** क्या इस कान्फेंस में इस समस्या पर भी विचार किया गया था या भारत सरकार ने स्वयं इस पर कभी विचार किया है कि जो प्रचार साहित्य केन्द्रीय सरकार या राज्य सरकारें प्रकाशित करती हैं, उसका अधिक मेर अधिक सर्वोत्तम उपयोग किस प्रकार किया जाये क्योंकि कभी कभी यह देखने में आता है कि यह साहित्य दुकानदारों द्वारा पुँड़ियां बांधने के काम में आता है?

**डा० केसकर :** इस सवाल पर लगातार विचार होता है और हम तो इस नतीजे पर पहुँचे हैं कि छपे हए साहित्य के बजाय फिल्में आदि बनवा कर जो कुछ हम जनता को बतलाना चाहते हैं या पहुँचाना चाहते हैं, पहुँचा दें, तो अच्छा है।

#### INDIAN TECHNICAL PERSONNEL FOR TRAINING IN N. R. X. REACTORS

**\*2675. Shri Shree Narayan Das :** Will the Prime Minister be pleased to state :

(a) the number of Indian Technical personnel who are proposed to be sent to Canada to obtain first hand experience and training in the operation of the N.R.X. reactor there;

(b) whether Indian personnel will also be seconded to the engineering staff in Canada which is designing the reactor, the steel rotunda and the reactor foundations;

(c) if so, whether Indian scientists and engineers for the above mentioned purposes have been selected; and

(d) the total number of persons selected and the method of selection?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** (a) Twenty-nine as at present contemplated.

(b) Yes.

(c) and (d). Thirty engineers and scientists (21 for training in operation and 9 for training in designing work)

have been selected. Selection of others is being made. The posts were advertised in important daily papers in India. Candidates have been selected by high level departmental selection committees with which eminent scientists and technologists from outside are associated.

**Shri Shree Narayan Das :** May I know whether before all these selections were made, recommendations were invited from such universities and such research institutions as to whom grants for this purpose are given, and if so, whether their recommendations were received?

**Shri Jawaharlal Nehru :** I have just said that committees have been formed. The committees consist of eminent people, some from other universities also. And these committees select and interview these people. I cannot say whether any other reference was made to the universities.

**Shri Shree Narayan Das :** Arising out of the answer to parts (c) and (d) of the question, may I know whether the leaders of these two groups of technicians have been selected, and if so, who they are?

**Shri Jawaharlal Nehru :** They are not going as a kind of deputation with a leader. They are going for training. Each individual is going for training. It may be that somebody is senior to them and may be as a kind of an elder brother to them. I do not think there is any question of leadership.

**Shri D. C. Sharma :** May I know which foreign technicians and scientists were associated with this body, when the personnel was selected?

**Shri Jawaharlal Nehru :** I did not say that foreign people were associated. I said only:

“Candidates have been selected by high level departmental selection committees with which eminent scientists and technologists from outside are associated”.

I am sorry. There were foreign people. I beg your pardon. I made a mix-up. I did not know that. I shall read out the names. There are so many committees. I have got the list of five or six committees here. The committee for the post of the principal scientific officer consisted of Dr. Bhabha, Dr. J. Taraporewala, Shri Sethna, Dr. Parekh and so on. I am not describing where they come from. One is chief scientific officer in the Department of Atomic Energy, another is, works manager, Indian Rare Earths, Bombay, a third one is from National Peroxide Ltd. and so on. But I do not find in these committees the name of any foreigner. The foreigners may have been consulted otherwise. But in these committees, there is not a single name.

**Shri Chattopadhyaya :** So, you were right.

**Sardar Iqbal Singh :** According to one of the clauses of the agreement between India and Canada, the fuel for this reactor will be supplied by the Government of Canada. May I know whether Government have sent any scientist to Canada, so that we shall be able to become self-sufficient in fuel, especially in heavy water and other things?

**Shri Jawaharlal Nehru :** I have just said whom we are sending to Canada for training. The hon. Member has asked me the same question, namely, whether we are sending people abroad for training.

**Sardar Iqbal Singh :** My question was in regard to sending the personnel, so that we may be self-sufficient in fuel for this atomic reactor, namely, heavy water and other things. May I know whether we are sending any scientists for that purpose also to Canada?

**Mr. Speaker :** For making ourselves self-sufficient in atomic fuel.

**Shri Jawaharlal Nehru :** It is obviously our objective to be as much self-sufficient as possible in these matters. There can be no absolute self-sufficiency in science and in higher

technology. We may be ahead of others later on; we may be behind hand in some other respects; we learn from each other. But broadly speaking, we try to be self-sufficient.

If the hon. Member is thinking about the production of heavy water, I may say that we are going to produce heavy water in this country, primarily in a plant to be set up at Bhakra-Nangal, and we propose to set up other plants too, associating them with some of our major factories elsewhere, as subsidiaries. Naturally, Indians will run them. I cannot say immediately whether we might engage some foreign expert to begin with.

**Shrimati Renu Chakravarty :** The Prime Minister stated that some of the personnel chosen have been chosen in order to get training in designing. Is it proposed that we shall be able to manufacture our own reactors?

**Shri Jawaharlal Nehru :** We hope to manufacture everything that we want, in due time, in every department of life, I hope. I cannot say, when.

**Shri Kamath :** In due time.

#### AMERICAN EXPERTS AND TECHNICIANS UNDER SECOND PLAN

**\*2676. Shri N. M. Lingam :** Will the Minister of Planning be pleased to state :

(a) whether the Government of India have asked the State Governments to notify their requirements of American experts and technicians for the Second Five Year Plan period; and

(b) whether experts from other countries are also being drafted for work connected with the Second Five Year Plan?

**The Deputy Minister of Planning  
(Shri S. N. Mishra) :** (a) No, Sir.

(b) The question whether it will be necessary to utilise the services of any foreign experts on projects included.

in the Plan depends on the nature of each project and will have to be examined by the Ministries concerned.

From the examination so far conducted, it appears the services of foreign experts may have to be utilised on some projects included in the Second Plan.

**Shri N. M. Lingam :** May I know whether Government have any idea of the number of technicians and experts, that will be required for the various projects, for which specialised knowledge is necessary with a view to implementing the Second Five Year Plan, and if so, what their number is ?

**Shri S. N. Mishra :** It is indeed a very large question. But we have tried to assess the requirements so far as the Second Five Year Plan is concerned. In fact, some committees have been appointed for the purpose. As the hon. Member knows, the engineering personnel committee was appointed recently, and it has submitted its report. So, we have tried in some way to assess the supply and demand position of these technicians and technical experts during the Second Five Year Plan.

**Shri Mohiuddin :** May I know whether we accept the foreign expert as nominated by the American Government, or whether we have got any criteria by which we also judge whether the person sent by them is an expert in the subject or not?

**Shri S. N. Mishra :** We certainly employ a foreign expert according to our criteria. There is no question of foreign experts being dumped on us.

**Shri N. B. Chowdhury :** May I know whether on the basis of our requirements, Government have tried to arrive at an understanding with other countries, from which the necessary experts are likely to be obtained, and if so, whether Government can give us the number of experts from the different countries and the lines in which they have specialised ?

**Shri S. N. Mishra :** We cannot do it just now. But there are experts available to us under the Colombo Plan, the Point Four Programme and the Technical Assistance Programme of the United Nations. As the hon. Member knows, foreign experts are also going to work for us under the steel plants, the oil exploration scheme and such other schemes.

### राष्ट्रीय विकास में साधुओं का सहयोग

\*२६७८. श्री भक्त दर्शन : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उन्होंने भारत भर के साधु सन्तों से यह अनुरोध किया है कि वे देश के विकास कार्यों में सक्रिय सहयोग प्रदान करें ;

(ख) यदि हां, तो उसका क्या परिणाम रहा; और

(ग) साधु सन्तों के सक्रिय सहयोग को किस रूप में तथा किन-किन क्षेत्रों में प्राप्त करने का विचार किया जा रहा है ?

योजना उपमं १ (श्री एस० एन० मिश्र) :

(क) जी, हां ।

(ख) तथा (ग). एक विवरण सभा की मेज पर रखा गया है, जिसमें सम्बन्धित उद्धरण (relevant extracts) भारत साधु समाज के विधान में से दिये गये हैं । [वैक्षण्य परिशिष्ट १५; अनुबन्ध सं० ५६]

**श्री भक्त दर्शन :** इस विवरण से ज्ञात होता है कि भारत साधु समाज नाम की एक नई संस्था स्थापित की जा रही है । मैं यह जानना चाहता हूँ कि क्या इस संस्था में केवल वही साधु भाग ले रहे हैं या लेने का आवासन दे रहे हैं जो कि पहले से ही जन-सेवा करते रहे हैं या उनमें वे मुस्टंडे साधु भी सम्मिलित हैं, जिनके दरवाजों पर हाथी भूलते हैं और जो मालपूँ खाते हैं ?

**श्री एस० एन० मिश्र :** भारत साधु समाज की स्थापना तो हो चुकी है—उसके आगे चल कर स्थापित होने की बात नहीं है । मुझे मुस्टंडे साधु की परिभाषा मालूम नहीं जिसका उल्लेख अभी माननीय सदस्य ने किया है । लेकिन अगर उनका मतलब कछु बेकार को कारगर बनाना भी एक काम होता है ।

**श्री भक्त दर्शन :** क्या इस योजना का उद्देश्य यह है कि भारत की आम जनता साधुओं और जीगी-जंगामों से प्रेरणा लेकर कष्ट और तपस्या का जीवन व्यतीत करे और इस प्रकार अपने धन में बचत करके राष्ट्र निर्माण के विभिन्न कार्यों में हाथ बढ़ा सके ?

**Mr. Speaker :** Next question. He wants to ridicule it by asking whether it is to make the country 'sanyasi'.

**Mulla Abdullabhai :** May I know whether the Maulvis will also be asked to give co-operation to form the Bharat Sadhu Moulvi Samaj ?

**Shri S. N. Mishra :** I think there has been so far no offer of co-operation from that section. But if an offer of co-operation is there, one can certainly consider it.

**Shri Kamath :** Considering that the vast mass of our people are religious-minded or, at any rate, moved by the outward forms and trappings of religion, what steps have Government taken to ensure that the services of these sadhus are utilised only for national developmental work and not exploited by the Congress Party for their political propaganda, especially as the vote-catching season approaches and arrives ?

**Mr. Speaker :** The hon. Member is not asking for any information.

**Shri Kamath :** I am asking what steps Government have taken to ensure.....

**Mr. Speaker :** Congress is not a religious body.

**Shri Kamath :** The ruling party.

**Mr. Speaker :** Whether the spiritualism of the sadhus will be exploited for vote-catching ?

**Shri Kamath :** By the Ruling Party, or the Government.

**Shri S. N. Mishra :** I should like to clarify the position. If there is any misconception in the mind of the hon.

Member, I think it ought to be cleared. Government have absolutely nothing to do with this organisation. This has been founded or initiated by the Bharat Sevak Samaj which is open to members of all organisations in the country.

**PARADIP PORT**

**\*2678-A. Shri Niranjan Jena :** Will the Minister of Irrigation and Power be pleased to state :

(a) whether the report of the French engineers on the development of Paradip Port is under the consideration of Government ;

(b) if so, the result thereof ; and

(c) whether a copy of the report will be laid on the Table ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) Yes, Sir.

(b) As recommended by the French Mission, further investigations in the field and experiments on models are being conducted by the C.W. & P.C.

(c) A copy of the report of the French Mission is placed in the Parliament Library.

**Shri Niranjan Jena :** May I know whether the development of this port will have any bearing on the canals ?

**Shri Hathi :** Yes. When the port is developed, naturally the canals will have to be made navigable also.

**Shri Niranjan Jena :** What is the amount allotted in the Second Five Year Plan for the development of this port ?

**Shri Hathi :** For the present, requirement is estimated at about Rs. 10 lakhs ; experiments are being made at Poona.

**Shri S. C. Samanta :** May I know how many places were visited by these French engineers, and whether any other place is going to be taken up by Government for development ?

**Shri Hathi :** In fact, the French Mission looked into the navigability of the Mahanadi and visited several places. I cannot exactly enumerate all those places. But the report mentions all the places. They have suggested various methods as to how ports should be developed.

**Shri Niranjan Jena :** What is the progress of the work done in all aspects so far for the development of the port?

**Shri Hathi :** First, experiments at the Poona Research Station have to be made on models. That is being done at Poona.

**Shri Sarangadhar Das :** May I know if there have been any other foreign companies, for instance, a Czechoslovakian company, which have submitted some proposals for the building of jetties, etc., in this port? If so, how have Government considered such proposals?

**Shri Hathi :** They might have been submitted to the Orissa Government, not to the Central Government.

#### CAUSTIC SODA AND SODA-ASH

**\*2679. Dr. J. N. Parekh :** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any proposal to set up new units for Caustic Soda and Soda-ash to meet the requirements of the country;

(b) if so, the number of units which are under contemplation in the Private and Public Sectors separately and the progress made so far in this direction; and

(c) the nature of facilities proposed to be provided by Government for the purpose?

**The Minister of Industries (Shri Kanungo) :** (a) Yes, Sir.

(b) No unit has been set up in the Public Sector for the manufacture of caustic soda or soda-ash. In the Private Sector, seven new schemes for

the manufacture of caustic soda and three new schemes for the manufacture of soda-ash have been licensed. The progress of these schemes is satisfactory.

(c) Facilities like help in the selection of the situation for the plant, determination of the process used and the capacity of the plant, licences for import of machinery and raw materials are given.

**Dr. J. N. Parekh :** In view of the great industrial expansion envisaged, and the estimated requirement of the country of caustic soda and soda-ash by the end of the Second Five Year Plan, may I know whether the progress achieved in the private sector is considered sufficient?

**Shri Kanungo :** At the moment, the anticipations are that by the end of that period the requirement of caustic soda will be 120,000 tons. It is estimated that with expansion and new establishments, this requirement will be met.

**Shri Chattopadhyaya :** May I know whether the Tata Oil Mills Company have the monopoly for the import of caustic soda? If so, what are the arrangements made by Government to ensure distribution without discrimination?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** The firm in question do not have any monopoly.

**Mr. Speaker :** Seth Achal Singh.

**Shri Chattopadhyaya :** My question is not answered. This is discrimination.

**Mr. Speaker :** The hon. Member did not hear the answer.

**सेठ अचल सिंह :** क्या माननीय मंत्री महोदय बताने की कृपा करेंगे कि कब तक ऐसी पोजीशन हो जायेगी कि इन वस्तुओं के आयात की जरूरत नहीं रही?

**श्री कानूनगो :** स्थाल है कि पांच साल के बाद इन के आयात की जरूरत नहीं होगी।

## BETTERMENT LEVY

**\*2680. Shri L. N. Mishra :** Will the Minister of Planning be pleased to state :

(a) whether the proposal to accept payment of betterment levy in form of land has been put into practice ; and

(b) if so, the names of the projects where it has been done ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) and (b) A statement is placed on the Table of the House. [See Appendix XV, annexure No. 57]

**Shri L. N. Mishra :** What is the idea behind accepting land in payment of betterment levy ?

**Shri Hathi :** The idea behind this is that the Government can obtain land for the purpose of settling people displaced by the construction of projects. Then there is the question of settlement of displaced persons also. The third is about effecting improvement in the agricultural economy of the villages under the project by consolidation of holdings. These are the three primary objects with which this scheme has been introduced.

**Shri L. N. Mishra :** May I know whether it is a fact that there are some States where even primary legislation about betterment levy has not been yet enacted? If so, may I know the names of those States ?

**Shri Hathi :** At present the States of Andhra, Bombay, Punjab, Hyderabad, PEPSU and Rajasthan have enacted legislation wherein the provision for giving land instead of cash has been incorporated. Other States, like Assam, Madras, Orissa, Mysore and Himachal Pradesh have made legislation but they have not provided for paying betterment levies in land instead of cash. Other States have not yet made any legislation.

## Short Notice Questions and Answers

## REBEL NAGAS

**S.N.Q. No. 24. Shri Vallatharas :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that two police battalions of Madhya Pradesh which were participating in the military operations in the Naga area in NEFA have since surrendered with their arms to the rebel Nagas ;

(b) whether it is a fact that the Naga National Council has been dissolved by the rebel Naga Leader, and he has assumed supreme command of the Nagas opposition to the Government of India ;

(c) whether it is a fact that a Naga Home Guard has been formed and the youths, students and even Naga women have joined it in large numbers ;

(d) whether it is a fact that about 12 Naga leaders have since sent a memorandum to the Government of India through the local authorities demanding general amnesty to the Nagas, and if so, what are the terms of the memorandum ;

(e) whether it is a fact that the Naga leaders who met the Central Home Minister about two months back in New Delhi, seeking to settle the matter between the rebel Naga leader and the Government of India have been arrested and placed under detention when they returned home in Assam :

(f) whether it is a fact that the Military operations in the Naga area have come to a standstill by reason of the Monsoon ;

(g) whether the Assam Government or the Officer in charge of the Military operations have submitted a report of the recent happenings and the present situation to the Government of India ; and

(h) what special steps the Government of India have taken to check the depredations and activities of the rebel Nagas in the Monsoon period ?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** (a) to (h) I am not answering this question separately in the alphabetical order of sections or parts, but the question as a whole. This Short Notice Question is based on a number of wrong assumptions. For instance, there is only half a battalion of the Madhya Pradesh Special Armed Police in the Naga Hills. None of them have surrendered their arms to anyone. Again, it is not a fact that the operations in the Naga Hills against the violent gangsters have come to a stand still by reason of the monsoon or otherwise. Despite the early setting in of the monsoon in the middle of this month, our Forces destroyed three strongholds of violent gangs concentrated at Khuivi, Vishyepu and Kivikhu, about 40 miles north-east of Kohima. On these places being cleared of the violent elements, the local population breathed a sigh of relief and voluntarily helped in the repair of the road, which had been damaged by the misguided elements. Action against the violent elements will continue during the monsoon, if necessary, until violence ceases.

2. Attempts were made by the violent Nagas to recruit youths and students to form a body of armed gangs, called the Naga Home Guards, in order to commit dacoity and extortion and collect food and money for the violent elements. Information in our possession does not reveal that any women or large number of youths and students have joined this body.

3. It has been reported that at a meeting held on 1st May, Phizo informed his associates that the Naga National Council existed no more. This announcement of Phizo, according to our information, has not found favour with several Naga leaders, some of whom have passed a resolution to reorganise the Naga National Council. We have only seen a copy of this resolution and have not yet received the original. The copy, as seen by us, asks for a general amnesty, the formation of a Naga State within the Indian Union and a referendum later. Among the signatories to

this resolution are 2 of the 3 Nagas who came to Delhi about 2 months ago. These 2 Nagas are not under arrest; the 3rd is reported to have gone underground.

4. The Force Commander has already issued a declaration assuring full protection to those who surrender their arms, unless they are involved in murder or heinous crimes. It is for the misguided elements among the Nagas to adopt a wiser policy and peaceful methods for the fulfilment of their legitimate aspirations. Government have already received assurances of peace and co-operation from about 100 villages. One of the important leaders of the Naga National Council and its Public Relations Officer, Shri Vilhume, surrendered on 27th May at Kohima and was set free in accordance with the Force Commander's declaration.

5. Government receive periodical reports about the situation in the Naga Hills. Steps have been taken to check the depredations and activities of the violent elements during the monsoon by (a) posting armed Guards at various places, (b) organising peaceful villagers for self-defence, and (c) enlisting the active co-operation of the Naga people. Lines of communications have been maintained intact and a few air-strips have also been constructed.

6. Government are determined to maintain the peace, integrity and unity of the Indian Union, and subject to this paramount consideration, Government have always been prepared to give due consideration to the legitimate aspirations of the Nagas.

In this reply that I have read out, there is reference to the recent surrender of Mr. Vilhume, a leading member of the Naga National Council. Yesterday, I think, there appeared a statement by him in the public Press. I am not reading it out because I presume hon. Members have read it in the Press. It will show that how even leading members among the group which had been opposing the Government have realised the harm being

done and the futility of the violent method and condemned violence and also condemned some of the leaders who have incited them to violence. This is a welcome development and, as will be seen, even this person who was a very prominent leader of the movement, when he surrendered, was set free. In effect, we give amnesty to everybody except someone who is guilty of may be very serious and heinous crimes.

**Shri Vallatharas :** Will it be the intention of Government to consider the question of a separate Naga State under the Republic and then start negotiations for the settlement of the outstanding problems, as suggested by some of these memorialists ?

**Shri Jawaharlal Nehru :** Government are not prepared to consider making any political move or political change till conditions are settled and they can consider it calmly and dispassionately.

**Shrimati Khongmen :** May I know if certain terrorists have entered the villages and terrorised people and extorted money and foodstuffs from the people and may I also know if a certain Naga chief of Mokokchung village with some 500 families has asked for protection by the military personnel and if so, what steps have Government taken to protect these people from the rebel Nagas ?

**Shri Jawaharlal Nehru :** I did not hear the last part of the question. The first part was. I understand, if Government are aware of extortion of money etc. Yes, that is so. We are aware of it and we are trying to stop that and we have succeeded in enlarging the area where they cannot function.

**Mr. Speaker :** The other portion is whether about 500 families have sought the protection of Government to help them get out of the clutches of the terrorists.

**Shri Jawaharlal Nehru :** I do not

know about the number of families; but, they are constantly seeking protection and the Force Commander is giving it wherever he can. The difficulty,—which, perhaps, hon. Members may not have thought of,—is that even half a dozen persons may do a good lot of mischief. There are two types as I heard. There are certain strongholds which they make for purposes of taking defence. They are rather effectively made, making the advance of our forces very difficult. They put in spikes over it, covered with grass, so that one could not see them. These are big strongholds. Most of them have been liquidated. Therefore, a large area is relatively free from the depredations of these hostile elements, and that area is increasing. The other thing is that of four or five persons suddenly swooping down in some village, and it is in the nature more of a dacoity than anything else. That kind of a thing is not a military operation ; it is merely a police operation. The people there themselves do it. The people in these areas are progressively defending themselves much more against this kind of thing. From both these points of view, advance has been made, but in the wide hill areas with no communications, one can never be dead certain that there will be no dacoity or no attack like that just as even the House knows the amount of difficulty we have had in dealing with gangs of dacoits in certain ravines in Madhya Bharat—U.P. area, where the terrain is bad and it is not easy to capture individuals or small groups. But the most hopeful factor about the Naga situation is that the leaders of the movement themselves are realising the wrongness and the futility of the action they undertook, and more especially the wrong lead that had been given to them. So far as we are concerned, we have made it perfectly clear that we cannot tolerate violence or any attempt to gain anything by violence, and we are not going to negotiate with anybody on the basis of threats and violence. Nor can we consider any matter in terms of anything that is against the unity and integrity of India. These are major

factors. The other factors we have discussed, and we are prepared to consider what should be done because it is our object not to victimise, not to punish anybody, but to give them all the privileges and obligations of Indian citizenship.

**Shri H. N. Mukerjee :** In view of the fact that Government's attitude, while technically justified, will perhaps only alienate further a proud people like the Nagas and other tribes, will Government contemplate the serious offer of complete amnesty conditional only upon a withdrawal of the movement and a promise of negotiations to follow ? Will this gesture be made particularly in view of Buddha Jayanti ?

**Shri Jawaharlal Nehru :** I have just pointed out what the Forces' Commander stated there. I need not tell the House that what the Forces' Commander states is just what we tell him to state ; he does not function there as a local ruler, and whatever the Forces' Commander stated has been with the concurrence of the Government of India. The Forces' Commander stated something in the nature of a general amnesty except for those who are guilty of heinous crimes ; in fact, there is a general amnesty to those who surrender. You cannot give amnesty to those who hit you on the head all the time. Those who surrender are treated very leniently. In fact, a leader of the movement, as evidently the House knows, came and surrendered, and his surrender was accepted and he was set free. He is not proceeded against in any way. It is open to anybody to surrender and they will be treated alike.

**Shri Jaipal Singh :** May I know if the special officer, the Commissioner for Scheduled Tribes, has played any role whatever in assisting Government in the taking of decisions ? If he has, what role has he played ? If he has not played any role, why not ?

**Shri Jawaharlal Nehru :** I really do not know if that special officer for the Scheduled Tribes has played any part in this matter. He has some kind of

assistant officer for those areas who has been in touch in the past certainly with the Government and with the other authorities and presumably still in touch. Apart from this, so far as the North East Frontier Administration is concerned, they have, as their special adviser in regard to tribal affairs, Dr. Verrier Elwin. In this particular matter I do not know if he has anything to do with it, but he is a person with a great deal of knowledge of these areas, a person who is greatly respected there by all and whose opinion is always very helpful. But when a situation like this arises, then it is hardly a question of constructive approach. Constructive approach is important and must come, but one has to face hostile action in this way and to put an end to it and deal with the situation in a constructive way.

#### ACCIDENT IN SINDRI FACTORY

**S. N. Q. No. 25. Shri Kamath :** Will the Minister of Production be pleased to state :

- whether some concrete arches collapsed at the Sindri Fertilizer Factory on the 22nd May 1956 resulting in death and injury to the several workmen ;
- if so, the details of the accident ;
- the number and nature of casualties ;
- whether any enquiry has been made regarding this accident ; and
- whether steps are being taken to compensate the victims and to punish those responsible for the accident ?

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

(b) and (c) The Sindri Fertilizer Company has placed a contract for the expansion of the Factory on M/s. Montecatini of Italy on a 'turn-key' basis. This firm has to hand over the fully commissioned plants to the Sindri Company. The work relating to the construction of the storage building was entrusted by M/s. Montecatini to M/s. Hindustan Construction Company. Eight arches of the storage

building under construction by the Hindustan Construction Company, unfortunately, collapsed at about 7.15 a.m. on the 22nd May 1956 killing four workmen and injuring five others. The injured were immediately removed to the Factory hospital and are progressing satisfactorily.

(d) The Government of Bihar are investigating the cause of the accident. Technical aspect of the accident is under investigation by experts of the State Government. The site of the accident has been declared as closed area by the police pending investigations. A case under Section 304A of the Indian Penal Code has been ordered to be instituted.

(e) A notice under Section 10 of the Workmen's Compensation Act has been issued to the contractors by the Bihar Government for payment of compensation to the injured persons and to the families of the deceased. Responsibility for the accident, if any, can be fixed only after the results of the investigations now in progress are known.

**Shri Kamath :** Have Government in the recent past received complaints, and even complaints subsequently substantiated by evidence and proved, that contractors are in the habit of using shoddy and inferior material contrary to specifications and contrary to the terms of the tender which had been earlier approved by Government?

**Mr. Speaker :** Generally all over the country or there?

**Shri Kamath :** In Sindri.

**Shri Satish Chandra :** It will not be proper for me to anticipate the results of the enquiries that are being conducted now. The investigations are in progress and I think it would be better to await the results.

**Shri Kamath :** On a point of order, Sir. My question does not relate to this particular accident in the Sindri factory. Have any complaints been received that the contractors have used

shoddy and inferior material contrary to specifications and contrary to the terms of the tender approved by the Government earlier? That is my question.

**Shri Satish Chandra :** From the preliminary information in our possession, I may say that the storage building which is under construction is more or less similar to the storage building for gypsum which already exists at the Sindri factory. It consists of pre-cast cement arches which are hoisted in proper position. Sixty-three arches were to be hoisted one after another, and...

**Mr. Speaker :** All that the hon. Member wants to know is whether, before this accident occurred, any complaints had been received about the useless material or the bad material that was being used there.

**Shri Satish Chandra :** No such complaints have been received. What I wish to submit is that as far as we can see this is not a case of defective material. There was an accident as some pre-cast arches which were hoisted fell down.

**Shri T. B. Vittal Rao :** In view of the fact that the construction workers are not governed by any statute, are any rules framed by the Sindri Fertiliser factory management defining the conditions of the workers engaged there?

**Shri Satish Chandra :** There workers are not the employees of the factory. They are the employees of a sub-contractor of the contractors of the factory. But, because the accident has occurred in the factory premises, I have said in reply to the main question that a notice under section 10 of the Workmen's Compensation Act has been issued to the contractors by the Bihar Government.

**Shri T. B. Vittal Rao :** Could we know who are the members of the technical committee which is enquiring into the accident?

**Shri Satish Chandra :** The Chief Engineer of Bihar PWD is associated with the enquiry to look into the technical aspects of this collapse. Otherwise, the investigations are being conducted by the magistrates and the police officers of the Bihar Government.

**Shri Bhagwat Jha Azad :** Since the Sindri Fertilizer Workers' Union—the only union of this big State undertaking—has demanded that the enquiry should be in the nature of a non-technical and judicial enquiry and that further work should be stopped till the design is declared safe. I would like to know from the Ministry as to what is the nature of this committee and also whether the work has been stopped till it is declared safe.

**Shri Satish Chandra :** It is only preliminary investigation that is being conducted by the Bihar Government. No regular enquiry committee has been appointed so far. Under the statutory provisions, it is for the State Government to appoint such a committee; the Sindri Fertilizer Factory could only extend its Co-operation to any committee that may be formed for the purpose.

**Shri Bhagwat Jha Azad :** May I know if the Hindustan Construction Company has not got the requisite equipment for the construction of this particular type of building?

**Shri Satish Chandra :** The Sindri Fertiliser Factory has not engaged the sub-contractors.

**Shri Bhagwat Jha Azad :** I would like to know whether this Hindustan Construction Company which has been given the contract by the Italian firm for building this construction has not got the requisite equipment for the construction of this building.

**Mr. Speaker :** The hon. Minister has said that he is not aware of it because he had not engaged them.

**Shri H. N. Mukerjee :** Will the Minister be good enough to give us an assurance that whatever be the technicalities, compensation would be paid for death and disablement and at a rate at least comparable to the compensation paid to the bereaved shareholders of the State Bank of India and the insurance companies?

**Mr. Speaker :** The hon. Members should always avoid insinuations and jokes.

**Shri H. N. Mukerjee :** What exactly is the insinuation?

**Mr. Speaker :** Bereaved shareholders and so on and so forth. Why should the hon. Member bring in all that? A straight question may be put as to whether compensation would be given.

**Shri Satish Chandra :** Any compensation which is due under the provisions of the Workmen's Compensation Act will be given.

**Shri Sarangadhar Das :** May I know if it is not the duty of the Sindri authorities to see to it that proper sub-contractors are appointed by these Italian contractors for this work when there is danger to life?

**Shri Satish Chandra :** The Hindustan Construction Company is a very well-known firm of building-contractors in this country. Probably, they are one of the leading firms. This is an unfortunate accident and we all regret it. I do not think that there is anything wrong with the Hindustan construction company as such.

#### SHORTAGE OF SUGAR

**S. N. Q. No. 26. Shri Sanganna :** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any shortage of sugar is being experienced in certain parts of the country and prices have hardened recently?

(b) if so, the steps taken by Government to tide over the shortage of sugar; and

(c) the stock position of sugar at present ?

**The Minister of Agriculture (Dr. P. S. Deshmukh):** (a) With a carry-over of 5.42 lakh tons on 1-11-55 and the estimated production in 1955-56 season of 18.50 lakh tons, which is an all-time record, there is no cause for any shortage being experienced in any part of the country except what may be due to temporary difficulties of transport.

(b) Does not arise.

(c) A total stock of 12.55 lakh tons was available with factories on 22-5-56 including 1.69 lakh tons of sugar already released.

**Shri Sanganna:** What is the annual output of sugar at the existing level of production and what is the annual off-take ?

**Dr. P. S. Deshmukh:** The off-take has been varying from 10.80 lakhs to 19 lakh tons. Last year's production was nearly 16 lakh tons as against ten lakhs in 1953-54. This year we are likely to reach 18.5 lakh tons.

**Shri Bhagwat Jha Azad:** Could we know the areas where temporary shortage is being felt and what arrangement has been made for rushing sugar to those areas ?

**Dr. P. S. Deshmukh:** I have not had any complaints so far as shortage is concerned. I do not know what particular area the hon. Member is referring to.

**Shri Kasiwal:** May I know whether the Government has any programme for import of sugar ?

**Dr. P. S. Deshmukh:** Not at all; if anything, we may export some quantity.

**Shri Dhusiya:** May I know the reason why sugar is not available and why the prices have shot up ? What steps were taken by the Government to bring the prices down ? Were any arrests made ?

**Dr. P. S. Deshmukh:** The only place where some rise in price has occurred is Madras and most of it is really due to the imposition of the sales-tax which comes to more than Rs. 2 per maund. In all the other cases, there is only the normal fluctuation in prices and there is no abnormal rise.

#### INDIAN OLYMPIC ASSOCIATION

**S. N. Q. No. 27 : Shri Bhagwat Jha Azad:** Will the Minister for Education be pleased to state :

(a) whether attention of Government has been drawn to the new constitution adopted by the Indian Olympic Association requiring the various Sports Organizations in the country to approach the Government for grants through the Olympic Association only ;

(b) whether it is a fact that most of the Sports Organizations opposed clause 12 of the new constitution of Olympic Association; and

(c) if so, whether Government have accepted the new constitution of Indian Olympic Association.

**The Deputy Minister of Education (Dr. K. L. Shrimall):** (a) We have no information except what appeared in the papers, and that was not very clear.

(b) We have no information.

(c) The question of Government accepting a constitution framed for itself by a private body does not arise at all.

**Shri Bhagwat Jha Azad:** May I know whether the attention of the Government has been drawn to this fact, that apart from threatening and coercing the various organisations of the country to approach the Government for funds through this association, it has also incorporated in this constitution a provision that it can take disciplinary action against any officer of any sports association in the country, which is receiving grants and, if so, will the Government consider the question of quashing this organisation ?

**Dr. K. L. Shrimali :** As I said, the Government have not yet examined the constitution as we have not yet received the papers from the Indian Olympic Association. But there is no question of quashing the Indian Olympic Association, if that is what the hon. Member refers to. As far as the policy regarding grants is concerned, the Government of India have set up an All India Council of Sports and that council makes recommendations to the Government for the dispersal of grants and the National Federations would be quite free to make applications directly to the Government. The decisions of the Indian Olympic Association does not affect the policy of the Government in any way.

**Shri D. C. Sharma :** May I know what is the status, technical or official, of the Indian Olympic Association with reference to the National Sports Council which is run by the Education Ministry ?

**Dr. K. L. Shrimali :** The status is that the Government of India have recognised the Indian Olympic Association for participation in games at the International Olympics as well as in Asian Games.

**Shri Jaipal Singh :** In view of the fact that in the international field, particularly in Olympic events, the Indian Olympic Association is supreme and the Government of India, even through its All India Council of Sports, is completely helpless, and, in view of the fact that the constituents of the AICS are the same as the constituents of the IOA, may I know why the Government is not taking any steps to co-ordinate the activities of these two bodies so that there may be perfect harmony ?

**Dr. K. L. Shrimali :** Government have made the best efforts and I would request the hon. Member to exercise his personal influence with the Indian Olympic Association.

**Shri V. P. Nayar :** May I know whether the Government are aware that the constitution of the Indian Olympic

Association was unanimously adopted and that among the members almost all members of the AICS along with their secretaries and treasurers were also present ?

**Dr. K. L. Shrimali :** If the hon. Member is referring to the recent decisions taken at the meeting, I have not yet received full information.

**Shri U. C. Patnaik :** May I know whether under the charter of the International Olympic Council any national olympic association can interfere in games other than the olympic sphere ?

**Dr. K. L. Shrimali :** There is no question of interference as far as the internal games are concerned. The Government have their own arrangements and they give grants to national federations on the advice of the All India Council of Sports.

**Shri Bhagwat Jha Azad :** May I know whether the Government have at any time, before giving grant to this organisation, examined the composition of the organisation ? May I also know whether the composition of its membership shows that it is mostly a family affair ?

**Dr. K. L. Shrimali :** The Government are most anxious to put national federations in proper order and it is with that purpose the All India Council of Sports has been set up.

#### ASSAM OIL COMPANY

**S. N. Q. No. 28. Shri Debendra Nath Sarma :** Will the Minister of Natural Resources and Scientific Research be pleased to state whether it is a fact that the Assam Oil Company Ltd. is undertaking a scheme to lay out pipelines for transport of crude oil from Assam oil-field with a view to have the same refined outside Assam ?

**The Minister of Natural Resources (Shri K. D. Malaviya) :** Government are not aware of any proposal of the Assam Oil Company to lay pipe-lines for bringing crude oil from that State to any place outside Assam. The Government have not yet initiated the

question of setting up of a refinery either with the Assam Oil Company or with anyone else as it is still premature. It is, however, open to the Assam Oil Company or to any one else to make any proposal to us for the refining of Crude Oil of Assam.

**Shri Debendra Nath Sarma :** May I know whether the hon. Minister would give an assurance that the refinery will be established in Assam alone and where-else and that crude oil will not be transported from Assam to outside places.

**Shri K. D. Malaviya :** I regret very much that at this premature stage Government cannot give any assurance wanted by the hon. Member. However, I would like to assure the hon. Member that it is the desire of the Government to have the refinery in Assam, if it is at all possible on grounds of economics and technology.

**Shri T. B. Vittal Rao :** May I know whether the proposal submitted by the Assam Oil Company to have a refinery at Calcutta also contains a proposal to lay a pipe-line of 690 miles from Digboi to Calcutta ?

**Shri K. D. Malaviya :** As I said, we have not yet considered any such proposal to bring crude oil from Assam to Calcutta.

**Shrimati Renu Chakravarty :** May I know whether the Government are contemplating setting up of refineries themselves and not accepting the proposal of the Assam Oil Company to have a refinery under their agency ?

**Shri K. D. Malaviya :** We have not yet accepted any proposal of the Assam Oil Company to include its refinery in their agreement which is now being discussed or being considered and the question of having the refinery under State control is also being considered.

**Shri N. B. Chowdhury :** May I know whether fabulous profits which are being made by the refineries that have already been established will be taken

into consideration while considering the agreement with the Assam Oil Company ?

**Shri K. D. Malaviya :** Surely, Sir, all such questions will be considered at the appropriate time.

**Shri Debendra Nath Sarma :** May I know whether it will be possible for the Government to fix Digboi as the port while fixing the price of petrol, as Digboi has its own refinery there ?

**Shri K. D. Malaviya :** The question of fixation of price of oil is a very intricate one and cannot be considered in an isolated way. So far as the Assam oil is concerned it will have to be considered on the general background of the oil that we produce and the oil that we import. You know we have to import oil from outside.

#### WRITTEN ANSWERS TO QUESTIONS

##### CASH DOLES TO DISPLACED PERSONS

**\*2672. Shri Ramananda Das :** Will the Minister of Rehabilitation be pleased to state :

(a) the reasons for which cash doles and other assistance to refugees of Transit Camps are stopped ;

(b) the rules under which the refugees of Transit Camps are to report to the Superintendent of the Transit Camp twice or thrice daily and the punishment for not complying with this order ; and

(c) the number of refugees in different Transit Camps in West Bengal whose cash doles and other assistances are stopped ?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna) :** (a) Cash doles are stopped only in cases of indiscipline.

(b) There are no such rules; physical verification of inmates is, however, made weekly or fortnightly by the camp authorities.

(c) At present there is only one such case in Jeerut camp.

## FOREIGN FIRMS

\*2677. { **Pandit S. C. Mishra :**  
**Shri Rishang Keishing :**  
**Shri Mushar :**

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

(a) whether many of the Foreign Firms and Managing Agencies in India are still incorporating foreign employees on fabulous emoluments and are not utilising the services of Indians having same qualifications ;

(b) whether Indians of equal qualifications are drawing very much lower emoluments than their foreign counter-parts ; and

(c) whether it is proposed to stop this discrimination ?

**The Minister of Commerce (Shri Karmarkar) :** (a) to (c) Government are interested in the progressive Indianisation of key posts in foreign firms. Statistics collected by Government in this regard show that the percentage of Indians drawing Rs. 3,000 and above has been increasing.

## LOCAL DEVELOPMENT PROJECTS

\*2681. **Shri K. K. Basu :** Will the Minister of Planning be pleased to state :

(a) total amount sanctioned and spent on Local Development Projects during the last three financial years in West Bengal with special reference to Midnapur and 24 Parganas ;

(b) the amount spent on sub-divisions of Ghatal, Diamond Harbour and 24 Parganas Sadar ; and

(c) the amount that was asked for by the Districts or the Sub-divisions ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) to (c) The hon. Member presumably refers to the Local Development Works Programme which was inaugurated in 1953-54. Against a total Central grant of Rs. 82.700 lakhs released to the Government of West Bengal for that programme during the last three years, a total utilization of Rs. 61.628 lakhs has been reported by the State Government in 1953-54, 1954-55 and during the first three quarters of the year

1955-56. Details of expenditure by districts and sub-divisions are being collected from the State Government and will be laid on the Table of the House.

## I. N. A. MEMORIAL, SINGAPORE

\*2682. **Shri Kamath :** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1437 on the 14th April, 1956 and state :

(a) whether Government have approached the Chief Minister of Singapore with a request for reconstruction of the I. N. A. Memorial at Singapore ;

(b) if so, the progress made so far ; and

(c) if not, where the matter rests ?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda) :** (a) No, Sir.

(b) and (c) Necessary information is being obtained before approaching the authorities concerned in Singapore.

## NEW ENGINEERING COLLEGES

\*2683. **Dr. Rama Rao :** Will the Minister of Planning be pleased to state the steps that are being taken to open new Engineering Colleges and Technical Institutes to meet the serious shortage of qualified staff for the envisaged Industrial and Developmental projects ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** The recommendations made in his regard by the Engineering Personnel Committee are under consideration.

## DIVERSION OF TUNGABHADRA WATERS

\*2684. **Shri Eswara Reddi :** Will the Minister of Irrigation and Power be pleased to state :

(a) the nature of the dispute, over the diversion of Tungabhadra waters into the proposed high-level channel, between Andhra and Mysore Governments ; and

(b) the efforts made so far by the Government of India to resolve the above dispute ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) and (b) A statement is laid on the Table of the House. [See Appendix XV, annexure No. 58].

#### NAGARJUNA DAM

**\*2685. Shri T. B. Vittal Rao :** Will the Minister of Irrigation and Power be pleased to state :

(a) the amenities provided for by Government for labourers working at the Nagarjuna Dam site ;

(b) whether any representation has been made to the Project Control Board with regard to inadequate housing and water supply facilities ;

(c) whether minimum wages have been fixed as laid down under the Minimum Wages Act, 1948 ; and

(d) the medical facilities now being made available and those proposed in the near future ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) Protected water supply and medical facilities are already provided. The Control Board have sanctioned the construction of one thousand huts for labour.

(b) Yes, Sir.

(c) Hyderabad State minimum wages are paid.

(d) One hospital with six beds and two dispensaries have been established. It is proposed to construct a hospital with fifty beds, with provision for expansion to one hundred beds.

#### CEMENT SHIPMENTS

**\*2686. Shri Bansal :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether any shipments of cement ordered by Government from foreign countries have arrived in the country ;

(b) if so, its quantity ;

(c) at which ports they have arrived ; and

(d) the areas where this imported cement will be distributed ?

**The Minister of Industrial Development (Shri M. M. Shah) :** (a) Yes, Sir.

(b) 10,300 tons.

(c) Bombay.

(d) The bulk of the cement is being distributed in Bombay City and Bombay State.

#### WAIN GANGA PROJECT

**\*2687. Mulla Abdullahai :** Will the Minister of Irrigation and Power be pleased to state :

(a) whether there is any possibility of making a survey for Wain Ganga Project by the Central Government during Second Five Year Plan ; and

(b) if so, the time by which it will be done ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) No, Sir.

(b) Does not arise.

#### HIRAKUD DAM PROJECT

**\*2688. Shri H. N. Mukerjee :** Will the Minister of Irrigation and Power be pleased to state :

(a) whether it is a fact that during November and December 1955 and January 1956, a large number of masonry blocks were constructed at Hirakud Project under orders of the Chief Engineer ;

(b) whether it is also a fact that the said blocks were required to be tested by a special type of jacks which were not purchased on account of high cost ; and

(c) whether the said blocks are at present lying abandoned ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) Yes, Sir.

(b) These blocks are to be tested by a special type of jacks orders for which have already been placed.

(c) No, Sir.

#### NUCLEAR TESTS

**\*2689. Shri C. R. Narasimhan :** Will the Prime Minister be pleased to state whether Government have any information about the radio-fall out and other effects in and around our country consequent upon the Hydrogen-bomb test explosion reported in the Press on 17th May, 1956 to have taken place in the Indian Ocean off the North Coast of Australia and conducted by the British Government?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** The test explosion conducted by the British Government at Monte Bello islands off the Australian north coast on 16th May 1956 was an atomic explosion and not a hydrogen bomb explosion. This explosion has not so far given any measurable radio-active fall out as measured in Bombay. There is also no increase following the above explosion in the radio-activity in sea water in and around Bombay.

#### MOTOR SPIRIT

**\*2689-A. Shri Debendra Nath Sarma :** Will the Minister of Works, Housing and Supply be pleased to state whether it is a fact that Assam, the only oil producing State in India, pays the highest price for motor spirit?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) :** No, Sir.

#### STATE COLLIERIES

**\*2690. Shri Nageshwar Prasad Sinha :** Will the Minister of Production be pleased to state:

(a) whether any steps, if at all, have been taken towards commercialisation of the State Collieries;

(b) if so, the date from which it is proposed to be so done; and

(c) whether Government will lay on the Table of the Sabha a statement showing all details in relation to above and a copy of the Memo on Articles of Association?

**The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) :** (a) It is proposed to form a Limited Company which will take over the management of the State Collieries.

(b) The intention is to register the Company as soon as all the preliminaries are settled.

(c) A copy of the Memorandum and Articles of Association of the Company will be laid on the Table of the Lok Sabha in due course.

#### TUNGABHADRA AND SHARAVATHI PROJECTS

**\*2691. Shri Wodeyar :** Will the Minister of Irrigation and Power be pleased to state:

(a) the comparative cost of production of electricity in the Tungabhadra Hydel Project and the proposed Sharavathi Valley Project;

(b) the total outlay involved to generate electricity under both the schemes and the total output expected; and

(c) the reason for the difference in cost of production?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) Cost of generation per KW hour: Tungabhadra Hydel Project : (Andhra-Mysore firm capacity 32,000 KW)..... 0.48 anna.

Sharavathi Project (1st stage firm capacity 1,42,000 KW)..... 0.26 anna.

(b) Tungabhadra Hydel Project : (Andhra-Mysore)..... Rs. 6.26 crores. Sharavathi Project : (1st stage)..... Rs. 18.72 crores.

(c) The lower cost of power generation from the Sharavathi Project is due to the several natural conditions which favour the scheme. The sharp fall in the river bed at Gerosappa

(Jog) enables economic development of a drop of about 1,500 ft., whereas under the Tungabhadra Scheme, the waters are used at a total average drop of only about 170 ft. Apart from the higher head, the Sharavathi Project with a large firm power potential also contributes substantially to its economy.

### भूटान को सहायता

२६९२. श्री जांगड़े : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि १९५२ से १९५६ तक भूटान को रुपया, सामान और मशीनरी इत्यादि के रूप में कितनी सहायता दी गई ?

विदेशिक कार्य उपमंत्री (श्री अनिल के चंदा) : भारत और भूटान के बीच १९४६ में हुई संधि के प्रनुसार ५ लाख रुपये की सालाना आदायगी के प्रलापा, भूटान को १९५४ तथा १९५५ में बाढ़ सहायता के लिए ५५,००० रुपया का अनुदान दिया गया । और साथ ही, १९५५ में भारत सरकार के सर्वे पर मिलिटरी अकाडमी, देहरादून में भूटान के ३ कैडटों की प्रशिक्षा का और बिड़ला विद्या मंदिर, नैनीताल में २३ भूटानी बालकों की शिक्षा का प्रबन्ध किया गया ।

### PONDICHERRY ADMINISTRATION

\*2693. श्री Kasliwal : Will the Prime Minister be pleased to state :

(a) whether in Pondicherry there is a dispute regarding the election of the sixth Councillor of the Government by the representative Assembly of Pondicherry ;

(b) whether a new President to the said Assembly was elected on the 23rd April, 1956 ; and

(c) if so, whether the election of the new President has been accepted by the Chief Commissioner of Pondicherry ?

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

(b) and (c) A no-confidence motion against the President of the Pon-

dicherry Representative Assembly was handed over to him by the leader of the House on the 23rd April, 1956 after the President had adjourned the House, *sine die*. The majority party consisting of 20 members, after the departure of the President, continued the meeting under the Vice-President as such was elected. The proceedings of the Assembly after the President had adjourned the House have, however, been held void and a decree to that effect has been issued by the Chief Commissioner, Pondicherry.

### CAUVERI RIVER CANAL

\*2694. श्री Vallatharas : Will the Minister of Irrigation and Power be pleased to state :

(a) whether the proposal to open a canal from Cauveri River in Madras State to utilise the water of the Cauveri river to irrigate area of Manaparai, Kulathur, Alangudy, and Tirumiem Taluqs in Tiruchirapalli District has since been examined at the technical level by the central Water and Power Commission; and

(b) whether any and if so, what steps have been taken so far to provide permanent irrigational facilities for the said area ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) No proposal to open a canal from the Cauveri River in Madras State to utilise the water of that river for irrigation of areas in the Manaparai, Kulathur, Alangudy and Tirumiem Taluqs in Tiruchirapalli District has been received from the State Government ;

(b) Does not arise.

### A.I.R. AGREEMENT WITH B.B.C.

\*2695. { Sardar Iqbal Singh :  
Shri Ram Krishan :

Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 833 on the 15th December, 1955 and state :

(a) whether any agreement has since been reached regarding the reciprocal facilities of broadcasting between A.I.R. and B.B.C. ; and

(b) if so, the main features of this agreement?

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

(b) The B.B.C. have agreed to the use being made of their transmitter for the purposes of sending point to point despatches from London to New Delhi by All India Radio representative until the Post Office Radio circuit between these points is established or until the end of 1956, whichever is earlier.

### NAGAS

**\*2695-A. Shri Shree Narayan Das:** Will the Prime Minister be pleased to state the extent of response received to the appeal made by Indian authorities to the Nagas to the effect that if they would surrender arms they would be given full protection?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** In response to the declaration of the Force Commander, 30 guns including 2 rifles were surrendered up to 18th May 1956. Reports of more surrenders are coming in as the declaration of the Force Commander is reaching other villages.

### “REGIME OF HIGH SEAS”

**\*2696. Shri Gidwani:** Will the Prime Minister be pleased to state:

(a) whether the Indian Representative in the United Nations International Law Commission proposed on the 4th May, 1956 the inclusion of an article in the Draft Articles on the “Regime of High Seas” which would have permitted Scientific Research and Atomic tests only if they were not likely to be harmful to any part of mankind and did not interfere with equal freedom of other States;

(b) whether this proposal was rejected by the Commission; and

(c) whether the Indian Representative recorded his vote for or against the proposal?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda):** (a) Dr. Radhabinod Pal is member of the International Law Commission which consists of experts who serve in their individual capacity. The proposal referred to by the hon. Member was submitted by him.

(b) and (c) As the proposal was withdrawn by the mover it was not put to vote.

### VAMSADHARA RIVER PROJECT

**\*2697. Shri Sanganna:** Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 1313 on the 10th April, 1956 in respect of the Vamsadhara River Project and state:

(a) whether any decision arrived at by both the Government of Orissa and the Government of Andhra has since been received; and

(b) if so, what is the result?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) Not yet, Sir.

(b) Does not arise.

### लिंगनाइट उद्योग

**२६१८. श्री के० सी० सोबिया :** क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि लिंगनाइट का खनन तथा उपयोग और उसके सहायक उद्योगों का विकास किन-किन देशों में किया जा चुका है;

(ख) यदि हां, तो उन देशों के नाम क्या हैं, और उन्होंने लिंगनाइट से किन-किन सहायक उद्योगों का विकास किया है;

(ग) लिंगनाइट के सम्बन्ध में भारत की तथा विदेशों की समस्याओं में जो अंतर है, क्या उस पर विचार कर लिया गया है;

(घ) यदि हां, तो उनका क्या परिणाम निकला है; और

(क) लंदन के पावेल डफरिन प्राविधिक सभा लिमिटेड ने लिगनाइट के खनन में कहां कहां अनुभव प्राप्त किया है और उनकी परामर्शदाता के रूप में नियुक्त की शर्तें क्या हैं?

उत्पादन उपर्युक्ती (श्री सतीशचन्द्र) (क) तथा (ख). संयुक्त राज्य अमेरिका, जर्मनी तथा अस्ट्रेलिया में लिगनाइट के विकास में काफी प्रगति हुई है। इसका इस्तेमाल मुख्यतः बिजली घरों के चलाने, सीमेंट, टाऊन गैस तथा रासायनिक खाद्य बनाने, तथा इंटों के रूप में ग्रोथोगिक अथवा घरेलू इंधन के काम के लिये किया जाता है। कुछ दैशों में, विशेषकर पूर्वी जर्मनी में, लो शाफ्ट (LOW SHAFT) भट्टियों में कच्चे लोहे और अन्य कच्ची धातुओं के गलाने के लिए भी किया जाता है।

(ग) तथा (घ). दक्षिणी आर्काट में लिगनाइट के खनन की मुख्य समस्या लिगनाइट की तह के नीचे उत्तीड़ (आर्टिफिशियन) पानी है। उत्तीड़-पानी के दबाव पर काबू पाने के लिए पर्मिंग द्वारा परीक्षण किये जा रहे हैं।

(ङ) सर्वश्री पावेल डफरिन टेक्नीकल सर्विसेज लिमिटेड को इन्वेण्ड की कोयले की बड़ी खानों का काफी अनुभव है और वे लिगनाइट के उत्पादन तथा उपयोग के बारे में यूनानी सरकार के परामर्शदाता के रूप में काम कर चुके हैं। उनकी सेवाएं, दक्षिणी आर्काट के लिगनाइट की योजना तैयार करने के लिये, कोलम्बो प्लान के अधीन प्राप्त की गई थी। लिगनाइट खनन करने की प्रारम्भिक अवस्था में जिन प्रबलित तथा विशेष साज-सामान की आवश्यकता होनी है उसका विस्तृत विवरण (स्पेसीफिकेशन्स) बनाने के लिए भारत सरकार ने इस फर्म के साथ एक समवर्ती समझौता भी किया है।

#### D. V. C. EMPLOYEES

\*2699. Dr. Ram Subhag Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether there exists any apprehension of strike among the Damodar Valley Corporation employees;

(b) if so, the reasons therefor; and

(c) the steps Government contemplate to take to ward off that strike threat?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes Sir.

(b) The Staff Association has taken the stand that there should be no retrenchment without alternative employment being provided.

(c) Attention is invited to the statement laid on the Table of the Lok Sabha by the Minister of Irrigation and Power on the 3rd May, 1956.

#### SURVEY OF IMPORTANT PROJECTS

\*2700. Shri Radha Raman: Will the Minister of Planning be pleased to state:

(a) whether Government are considering the setting up of a High Power Committee to organise surveys of important projects both at the Centre and in the States;

(b) the coverage of these investigations which the proposed Committee will be asked to conduct; and

(c) when the proposed Committee will be set up?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (c) The National Development Council has constituted a Committee, called the Committee on Plan Projects, to organise investigations of important projects in the Plan both at the Centre and in the States. The functions of the Committee and other details are given in paragraph 11 of Chapter VI of the Second Five Year Plan. The Committee will consist of the Union Ministers for Home Affairs, Planning and Finance, the Deputy Chairman of the Planning Commission and two Chief Ministers of States proposed by the Prime Minister as Chairman of the National Development Council. The Union Minister for Home Affairs will be the Chairman of the Committee.

#### HEAVY ELECTRICAL EQUIPMENT PLANT

\*2701. Dr. J. N. Parekh: Will the Minister of Production be pleased to state:

(a) the requirement of the country for heavy electrical machinery in the Second Five Year Plan period; and

(b) when the country is likely to be self-sufficient in her requirements for such machinery?

**The Deputy Minister of Production (Shri Satish Chandra):** (a) An estimate of requirements of the country for heavy electrical equipment for the period 1954-70 is given in the Report of the Heavy Electrical Equipment Project Enquiry Committee which is available in Parliament Library.

(b) It is too early to indicate a likely date.

#### SUNDERBANS DEVELOPMENT SCHEME

\*2702. **Shri K. K. Basu:** Will the Minister of Planning be pleased to state:

(a) whether a scheme has been submitted by the Government of West Bengal on the flood control and the development of Sunderbans and 24 Parganas;

(b) if so, the total amount involved;

(c) whether the Central Government have sanctioned this scheme; and

(d) if so, when the scheme would begin to operate?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) Yes, Sir. A Scheme—Sunderbans Embankment—Land Drainage and Reclamation scheme—had been submitted by the Government of West Bengal.

(b) Rs. 350 lakhs.

(c) The matter is still under correspondence with the State Government.

(d) Does not arise.

#### INDUSTRIALIZATION OF BACKWARD AREAS

\*2703. **Shri Madiah Gowda:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware that the Kannada-speaking area in the Bombay State is industrially backward.

(b) whether it is a fact that the people of that area have represented to him during the recent tour to help them in setting up a number of industries there;

(c) if so, the reactions of Government in the matter; and

(d) the names of the industries which can be developed there?

**The Minister of Industries (Shri Kanungo):** (a) and (b) Yes, Sir.

(c) Government would help to the extent possible.

(d) The matter is being investigated.

#### EVACUEE PROPERTY LAW

\*2705. **Shri Gidwani:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that India has suggested to Pakistan that the Evacuee Property Law in that country may be repealed as such Law in India has ceased to operate from May, 1954; and

(b) if so, whether any reply has been received from the Pakistan Government?

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

(b) Yes, but the matter is still under correspondence.

#### HIRAKUD DAM PROJECT

\*2706. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that due to substantial completion of spillway portion of Hirakud Dam Project about 263 employees of different categories face retrenchment;

(b) if so, when, how and where these personnel will be absorbed; and

(c) how many of them are permanent employees deputed from regular cadres either of State Government or Central Government?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) Due to substantial completion of the Spillway of the Hirakud Dam Project 404 employees borne on work charged establishment were rendered surplus ; there will however be no retrenchment of staff on regular establishment.

(b) All the surplus personnel were offered alternative employment on the Project. 271 persons were so transferred. 133 did not join ; most of them were mazdoors and helpers.

(c) Does not arise since these are all work-charged personnel recruited locally.

#### MOTOR CAR AND TRUCK TYRES

**\*2707. Dr. J. N. Parekh :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether there is an acute shortage of Motor Car and Truck Tyres in the country ;

(b) if so, the reasons therefor ;

(c) the steps taken or proposed to be taken by Government in the matter ;

(d) whether the export of tyres is allowed ; and

(e) if so, the authority which is responsible to control and fix the export prices of these tyres ?

**The Minister of Industries (Shri Kanungo) :** (a) There appears to be only a temporary shortage in certain isolated parts of the country.

(b) The shortage is partly due to transport difficulties and partly to the increased demand during the summer months.

(c) Imports of sizes and ply ratings manufactured in the country which were hitherto banned have now been permitted.

(d) Exports are allowed on a limited scale.

(e) The Chief Controller of Imports and Exports controls the exports. There is no control on export prices of tyres.

#### PRIVATE LANDS OCCUPIED BY SQUATTERS

**\*2708. Shri Radha Raman :** Will the Minister of Rehabilitation be pleased to state :

(a) the number of squatters who are occupying private lands in Delhi and the number to whom alternative accommodation is offered and still have not vacated the private lands ;

(b) the steps Government have taken to have these private lands and properties freed from unauthorised accommodation ; and

(c) whether displaced families are still occupying public places, worship-langs or temples, Gurdwaras, Mosques, Dharmashalas or dispensaries, orphanages, schools and libraries and if so the details and number thereof ?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna) :** (a) No records are available with the local authorities.

(b) No steps have been taken by Government. This is a matter for the owners themselves to seek redress through the normal channels.

(c) Yes, only in a few isolated cases. The bulk of the problem has already been resolved.

#### CATTLE LIFTING ON RAJASTHAN BORDER

**\*2709. Shri Kamath :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that cows and calves are being removed to Pakistan in large number on the Rajasthan-Pakistan border ;

(b) whether in the interest of our national agrarian economy Government have taken steps to control this movement of cows and calves into Pakistan ; and

(c) if so, the details thereof ?

**The Deputy Minister of External Affairs (Shri Anil K. Chanda) :** (a) to (c). Lifting of ~~camels~~ and sheep is common on the Rajasthan-West Pakistan border and the police on

either side keep in touch with each other regarding this. But Government have no information of any large scale removal of cows and calves to West Pakistan.

#### COMMUNITY PROJECTS AND N.E.S. BLOCKS

**\*2559. Shri Bansal :** Will the Minister of Planning be pleased to state :

(a) whether it has been decided to reduce the Budget for the Community Projects and National Extension Service Blocks at a recent meeting of Development Commissioners ; and

(b) if so, the effect of such reduction ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) Yes, Sir.

(b) The schematic budgets have been reduced from Rs. 15 lakhs to Rs. 12 lakhs in the case of a Community Development Block, and from Rs. 4½ lakhs to Rs. 4 lakhs in the case of a National Extension Service Block.

#### DISPLACED PERSONS' TENEMENTS AND SHOPS IN PEPSU

**2494. Shri Ram Krishan :** Will the Minister of Rehabilitation be pleased to state the number of residential houses, tenements and shops constructed so far for displaced persons in the State of PEPSU, district-wise?

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

District	Tenements	Shops of various kinds
Sangrur		34
Patiala	3672	588

#### FIRE IN AMBASSADOR'S RESIDENCE, HAGUE

**2495. Shri Kamath :** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1938 on the 9th May, 1956, and state :

(a) whether the inquiry on the cause of the fire in the Indian Ambassador's residence at Hague has been completed ; and

(b) if so, with what result ?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** (a) Yes.

(b) The most probable cause of the fire was an electrical short circuit on the Second floor of the building. Details of property lost are awaited.

#### EDUCATED UNEMPLOYED IN TRAVANCORE-COCHIN

**2495-A. Shri Mathew :** Will the Minister of Planning be pleased to state :

(a) the latest available figure for the educated unemployed in Travancore-Cochin State ;

(b) how it compares with the figures for the previous three years ; and

(c) the steps being taken to solve the problem of educated unemployed in the State ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) to (c). The required information is being collected and will be laid on the Table of the House as soon as it is available.

#### MEDIUM-SIZED PROJECTS UNDER SECOND PLAN OF ANDHRA

**2496. Shri Eswara Reddi :** Will the Minister of Irrigation, and Power be pleased to state :

(a) the number and names of medium-sized projects recommended by Andhra Government for inclusion in the Second Five Year Plan district-wise ;

(b) their estimates in brief and the extent of land to be irrigated under each project ; and

(c) the steps that have been taken on these recommendations ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) to (c). Information is being collected and will be laid on the Table of the House.

#### ALL INDIA HANDLOOM BOARD

**2497. Shri Eswara Reddi :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether the Standing Committee of the All India Handloom Board has made any recommendation to render

more adequate financial help under the scheme of Housing subsidy to weaver colonies run by Co-operatives;

- (b) if so, the decision taken thereon;
- (c) whether the Government of Andhra have sent any proposals under the above scheme; and
- (d) if so, what are they and the action taken by Government thereon?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari)** : (a) and (b). The Standing Committee had recommended the raising of the level of subsidy from 25% to 33-1/3% of the cost of the house. Government have accepted this recommendation subject to the cost of house not exceeding Rs. 3,600.

- (c) None.
- (d) Does not arise.

#### COMMERCIAL PREMISES

**2498. Shri Badshah Gupta** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether any action has been taken so far regarding the application of Section 13 of the Delhi and Ajmer Rent Control Act, 1952, to the commercial premises; and

- (b) if so, what?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar)** : (a) and (b). The Government of India have, after very careful consideration, come to the conclusion that it is not desirable to amend the Delhi and Ajmer Rent Control Act, 1952, so as to bring the Commercial premises within the purview of Section 13 thereof.

#### FOREIGNERS IN DEPARTMENT OF ATOMIC ENERGY

**2499. Shri Kamath** : Will the Prime Minister be pleased to state :

(a) the number of foreigners working in the Department of Atomic Energy; and

(b) the work on which each of them is engaged?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru)** : (a) Two.

(b) One of them is employed as Principal Scientific Officer in the Neutron Physics Division and the other as Medical Officer in the Medical and Health Division of the Atomic Energy Establishment of the Department.

#### ESTATE OFFICE

**2500. Shri Kamath** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that in the Estate Office, non-accounts clerks are posted as accounts clerks; and

- (b) if so, the reason therefor?

**The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar)** : (a) and (b). Organizationally, the Estate Office is divided into two wings, an Allotment Section and a Rent Section. The posts of clerks in both Sections carry the same scale of pay and status and their services are interchangeable. The clerks working on the rent side are designated as Accounts Clerks, but no specialised knowledge of accounts is expected of them and no such specialised knowledge is required either, as the work consists only of simple arithmetical calculations and tabulation.

प्राप्त द्वितीय पंचवर्षीय योजना, बिहार

**२५०१. श्री विभासि मिश्र** : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना के अन्तर्गत बिहार सरकार द्वारा कितनी रकम के व्यय की प्रस्थापना की गई है;

(ल) संघ सरकार ने कितना व्यय स्वीकार किया है; और

(ग) संघ सरकार द्वारा बिहार सरकार की कौन कौन सी योजनायें वीकृत की गई हैं?

**योजना उपमंत्री (श्री एस० एन० मिश्र) :**  
(क) तथा (ख). बिहार की द्वितीय पंचवर्षीय योजना के प्रारूप में कुछ खर्च करीब ६४२ करोड़ रुपया था। बाद विवाद के पश्चात् १६४२ करोड़ रु. की रकमें राज्य की योजना के लिये निर्धारित की गई।

(ग) इस सम्बन्ध में विस्तार पूर्वक जानकारी द्वितीय पंचवर्षीय योजना में विकासयोजनायें नामक पुस्तक में दी जायेगी जो तैयार हो रही है।

**मध्य भारत की स्थानीय विकास योजनायें**

**२५०२. श्री अमर सिंह डामर :** क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य भारत सरकार ने केन्द्रीय सरकार से १६५५-५६ में किन-किन और कुल कितनी विकास योजनाओं के लिये अनुदान और ऋणों की मांग की है; और

(ख) केन्द्रीय सरकार ने किन-किन और कितनी योजनाओं के लिये अनुदान और ऋण मंजूर किये हैं?

**योजना उपमंत्री (श्री एस० एन० मिश्र) :**  
(क) तथा (ख). अपेक्षित सूचना प्राप्त की जा रही है और प्राप्त होते ही सदन की बेज पर रख दी जायेगी।

#### DISPLACED PERSONS IN ASSAM

**2503. Shri Amjad Ali :** Will the Minister of Rehabilitation be pleased to state :

(a) the amount sanctioned by the Government of India for loans and aids for displaced persons in Assam during 1955-56;

(b) whether any sum has been earmarked for respective districts of Assam; and

(c) the steps taken to increase the tempo of rehabilitation?

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

Grants	Rs. 24.06 lakhs
Loans	Rs. 88.22 lakhs
<b>TOTAL</b>	<b>Rs. 112.28 lakhs</b>

(b) Allotment to individual Districts is left to the State Government.

(c) Every effort is being made to accelerate the process of rehabilitation. It has been decided to reclaim new lands and set up more training-cum-production centres and industries.

#### TEAM OF BRITISH INDUSTRIALISTS AND TECHNICAL EXPERTS

**2504. श्री D. C. Sharma :  
Shri Raghunath Singh :**

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

(a) whether a team of British Industrialists and Technical Experts is going to tour India to study India's requirements for goods and services during the Second Five Year Plan; and

(b) if so, the names of places to be visited by them?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** (a) and (b). Government have no information.

#### ELECTRIC MAINS AND CABLES

**2505. Shri Rishang Keishing :** Will the Minister of Irrigation and Power be pleased to state :

(a) whether it is a fact that in Delhi a large-number of electric mains and cables were dismantled and replaced by the Delhi State Electricity Board with new materials during and after 1946;

(b) if so, whether the dismantled materials are still kept in stock; and

(c) if not, when and how it was disposed of?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) No; Sir, the Delhi State Electricity Board came into being only in 1951.

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

## STUDY TOUR OF COMMUNITY PROJECTS

**2506. Shri Sanganna :** Will the Minister of Planning be pleased to state :

(a) whether it is a fact that the Community Projects Administration has arranged a tour of 42 days for project workers of some States to visit the different development projects with a view to exchange experiences and to pool knowledge of one area for the other during the year 1955 ; and

(b) if so, the impression of these workers on the projects of the States they visited?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) The reply is in the affirmative.

(b) These tours are essentially study tours and are intended to exchange experiences rather than evaluate work in other States. So it may not be advisable to give impressions of work in other States.

## SEMINAR OF VOLUNTARY ORGANISATIONS

**2507. Shri Madiah Gowda :** Will the Minister of Planning be pleased to state :

(a) whether it has come to his notice that a seminar of Voluntary Organisations was recently held in New Delhi ; and

(b) if so, the main recommendations of that seminar?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) The reply is in the affirmative.

(b) A statement is laid on the Table of the House. [See Appendix XV, annexure No. 59].

## SECOND FIVE YEAR PLAN

**2508. { Sardar Iqbal Singh :  
Sardar Akarpuri :**

Will the Minister of Planning be pleased to state :

(a) the major schemes approved for inclusion in the Second Five Year Plan regarding the States of Punjab and PEPSU ; and

(b) the total estimated cost of the above schemes?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) Detailed information will be furnished in a volume on Development Schemes in the Second Five Year Plan which is under preparation.

(b) The amounts allotted for the State plans of Punjab and PEPSU are respectively Rs. 126.3 and 36.3 crores.

## INDIANS IN KENYA

**2509. Shri N. M. Lingam :** Will the Prime Minister be pleased to state the number of permanent entry permits and temporary employment permits issued to Indians during the past three years for Kenya (East Africa) ?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** According to the figures published by the Government of Kenya, 1,461 permanent entry permits and 5,377 temporary employment passes were issued to Asians during the seven years from January 1, 1949 to December 31, 1955. Figures in respect of Indians, as distinct from Asians, are not available ; nor are these available separately for each year.

## विद्यासालाई उद्योग

**2510. श्री भक्त दर्शन :** क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या द्वितीय पंचवर्षीय योजना के अन्तर्गत विद्यासालाई उद्योग का विकास करने के लिये कई नई फैक्टरियों और गृह उद्योग केन्द्रों के खोलने का निश्चय किया गया है ; और

(ख) यदि हां, तो कितनी नई फैक्टरियां खोली जायेंगी और किन-किन स्थानों में खोली जायेंगी ?

**वाणिज्य और उद्योग तथा लोहा और इस्पात मंत्री (जी टी० टी० कृष्णमाचारी) :** (क) जी, हां ।

(ख) ध० मा० खादी और ग्राम उद्योग मंडल का प्रस्ताव है कि द्वितीय पंचवर्षीय योजना की अवधि में प्रतिवर्ष 'डी' श्रेणी वाले दियासलाई के २०० कारखाने स्थापित किये जायें। धन निर्धारित कर दिये जाने पर ही यह निश्चय किया जायगा कि ये कारखाने कहां स्थापित किये जायें। छोटे पैमाने पर दियासलाई के सहकारी कारखाने प्रत्येक राज्य में कम से कम एक कारखाना स्थापित करने का भी प्रस्ताव है जिससे निम्न और मध्यम वर्ग की आय वाली महिलाओं को अतिरिक्त पारिश्रमिक मिल सके। इस प्रकार के कारखाने दिल्ली, हैदराबाद, पूना, विजयवाड़ा, इलाहाबाद और मद्रास में स्थापित किये जा चुके हैं। अन्य राज्यों में भी इसी प्रकार के कारखाने स्थापित करने के प्रस्ताव विचाराधीन हैं।

#### RURAL ELECTRIFICATION

**2511. Shri R. P. Garg :** Will the Minister of Irrigation and Power be pleased to state :

- (a) the number of villages and towns electrified during the First Five Year Plan;
- (b) the cost involved in the electrification scheme to cover these places in the First Plan period;
- (c) the number of towns and villages proposed to be covered during the Second Plan period; and
- (d) the cost of these schemes to the Government?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) 7761.

(b) Information is not available as no separate provision for rural electrification was made by State Governments in the First Five Year Plan.

(c) 11,100.

(d) A sum of Rs. 75 crores has been allotted for rural electrification in the Second Five Year Plan.

#### तम्बाकू

**2512. श्री के० सी० सोधिया :** क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) तम्बाकू का निर्यात करने में उत्पादन शुल्क के मामले में क्या कोई विवाद दी जाती है; और

(ख) यदि हां, तो किस सीमा तक ?

**वाणिज्य और उद्योग तथा लोहा और इस्पात मंत्री (श्री टी० टी० कूलमाधारी) :** (क) तथा (ख). जी, हां; शुल्क चुकाने के पश्चात् यदि भारत के बाहर किसी भी देश को तम्बाकू का निर्यात किया जाता ह, तो उत्पादन शुल्क की पूरी छट दी जाती है किन्तु इसके कुछ छोटे-मोटे अपवाद भी होते हैं जो प्रशासनिक दृष्टि से आवश्यक हो जाते हैं।

#### DELEGATIONS ABROAD

**2513. Shri Ramananda Das :** Will the Prime Minister be pleased to state :

(a) the number of persons sent abroad in different Delegations from India during 1955-56 since August 1955;

(b) the number of Scheduled Castes and Scheduled Tribes in each of these Delegations;

(c) the principles of selection of the delegates and advisers in each of the Delegations to the foreign countries;

(d) the total amount spent on these Delegations during the same period?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) :** (a) to (d). The information is being collected and will be placed on the Table of the House.

#### ROURKELA STEEL PLANT

**2514. Shri Niranjan Jena :** Will the Minister of Iron and Steel be pleased to state :

(a) whether there is any special Directorate of Employment Exchange for the recruitment of ordinary and technical staff required for the Hindustan Steel Company Limited, Rourkela; and

(b) if so, whether it is a fact that the Hindustan Steel Co. Ltd., is not following the procedure laid down by the Government of India in the Ministry of Home Affairs for the recruitment of the urgent personnel through the Employment Exchange?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** (a) and (b). There is a District Employment Exchange at Rourkela to assist Hindustan Steel Private Limited in recruiting personnel. The Company, following the procedure laid down by the Ministry of Home Affairs in respect of recruitment in the Central Government establishments, invariably notify their vacancies to the Employment Exchange, and the Regional Directorate of Resettlement and Employment, Cuttack. The recruitment is ordinarily made from amongst the candidates sent by the Employment Exchange. But the choice cannot obviously be restricted to the candidates recommended by the Exchange. In fact, in the interest of work, recruitment of candidates by the Company has to be made from the open market basis, besides obtaining employees through negotiation.

#### KOSI PROJECT

**2515. Shri L. N. Mishra :** Will the Minister of Irrigation and Power be pleased to state :

(a) whether the Central Water and Power Commission have fixed up any programme for the execution of different stages of the Kosi Project in Bihar;

(b) if so, the details thereof;

(c) whether the project is going up to schedule; and

(d) when it is expected to be completed?

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

(b) According to the Commission's programme, the works are expected to be completed in six years as indicated below.

#### First Year :

(i) Provision of road communications from Joggani to Hanuman Nagar Barrage via Ghurna Bazar.

(ii) Provision of colonies at Bhimnagar and at suitable places for construction of flood banks and irrigation canals.

(iii) Preparation of detailed designs, estimates and specifications for construction plant and placing orders therefor.

#### Second Year :

(i) Commencement of the earthwork on the embankments from the upper reaches of the barrage and the dredging of the river course.

(ii) Commencement of the earthwork on the flanks of Hanuman Nagar Barrage and on the excavation of canals and construction of masonry works.

#### Third Year to Fifth Year :

(i) Starting work on the concrete spillway section in the third year and completion of excavation and aprons by the end of fifth year. Simultaneous progress of work on piers.

(ii) Completion of earthwork in respect of embankments and Barrage.

#### Sixth Year :

Completion of the concrete spillway section of the Hanuman Nagar Barrage and all other works.

(c) Keeping in view the programme drawn by the C. W. & P. C., detailed programme for 1954-55 and 1955-56 was prepared by Chief Engineer, Kosi Project, and approved by the Kosi Control Board. Considering the achievements in the two working seasons for the programme and progress, it can be said that the Project is going up to schedule.

(d) As at present envisaged, the Project is expected to be completed by 1960-61.

## HEAVY ELECTRICAL EQUIPMENT PLANT

**2516. Shri Gidwani :** Will the Minister of Production be pleased to state :

(a) whether it is a fact that a Training Institute will be opened at Bhopal to train young men who will man the proposed Electrical Equipment Factory at Bhopal ;

(b) what will be the qualifications and terms on which they will be appointed ; and

(c) what will be the number of such trainees ?

**The Deputy Minister of Production (Shri Satish Chandra) :** (a) to (c). The Technical Consultants of the Factory are preparing a scheme for the training of Indian personnel on an appropriate scale, specifying the number of trainees in different categories and the type of training to be imparted to them. This scheme will form part of the Project Report which is expected to be received by November, 1956. Further details will be worked out in due course.

## SPORTS GOODS INDUSTRY

**2517. Dr. J. N. Parekh :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether there is any scheme to develop the sports goods industry ;

(b) if so, the details thereof ;

(c) to what extent India relies on sports goods requirements on local manufacture and how much is imported ;

(d) the number of items of sports goods manufactured and proposed to be manufactured in India in the future ; and

(e) whether any financial or other technical help is proposed to be made available to small artisans in the line ?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** (a) to (e). A statement is laid on the Table of the House. [See Appendix XV, annexure No. 60].

## EVACUEE PROPERTY

**2518. Shri Gidwani :** Will the Minister of Rehabilitation be pleased to state :

(a) whether Government have received any letter from Pakistan Minister for Rehabilitation regarding the settlement of the evacuee property dispute ; and

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

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

(b) As the matter is still under correspondence, it will not be in the public interest to disclose the contents.

## INDIAN SYSTEMS OF MEDICINE

**2518-A. Shri Gidwani :** Will the Minister of Planning be pleased to state :

(a) whether it is a fact a conference of experts on indigenous system of medicines was convened by the Planning Commission on the 15th and 16th May, 1956 ; and

(b) if so, the decisions arrived at in the Conference ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) Yes, Sir.

(b) A copy of the memorandum submitted on behalf of the invitees to the Conference, which formed the basis of discussion, is laid on the Table of the House. [See Appendix XV, annexure No. 61]. The views expressed at the Conference have been noted for appropriate action by Government.

## SMALL SCALE INDUSTRIES

**2519. Shri Bogawat :** Will the Minister of Commerce and Industry be pleased to State :

(a) the amount granted to the Government of Bombay during 1955-56 for the development of small scale industries ;

(b) the names of the industries for which the amount has been allotted ; and

(c) the location of these industries?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** (a) to (c). A statement is laid on the Table of the House. [See Appendix XV, annexure No. 62].

#### IRRIGATION AND RURAL ELECTRIFICATION SCHEMES

**2520. Dr. J. N. Parekh :** Will the Minister of Irrigation and Power be pleased to state :

(a) the progress of irrigation and rural electrification schemes in Sau-rashtra ;

(b) the amount spent so far in this connection ;

(c) the number of schemes proposed to be taken up during the Second Five Year Plan ; and

(d) whether the surveys and estimates of the same are ready and have been sanctioned ?

**The Deputy Minister of Irrigation and Power (Shri Hathi) :** (a) (i) *Irrigation Schemes*.—A statement is laid on the Table of the House [See Appendix XV, annexure No. 63].

(ii) *Rural Electrification Schemes*.—Civil works in most of the cases have been completed. Route surveys of power lines have either been completed or are in the process of completion. Machinery, stores and equipment for which orders have been placed have been received in some cases and more are being received.

(b) (i) *Irrigation Schemes*.—Rs. 418.91 lakhs [this amount excludes expenditure on three schemes viz. (1) Lift irrigation, (2) Shetrungi, (3) Bhadar, the figures for which are not available]. The information is being collected from the State Government.

(ii) *Rural Electrification Schemes*.—Rs. 65.1 lakhs up to the end of February 1956. Anticipated expenditure

in March, 1956, is Rs. 44 lakhs. Out of this Rs. 6.5 lakhs will be advanced to private electricity undertakings loan.

(c) (i) *Irrigation Schemes*.—Eleven schemes are proposed to be taken up during the Second Five Year Plan.

(ii) *Rural Electrification Schemes*.—The details of the rural electrification in the Second Five Year Plan have not so far been received from the State. A tentative provision of Rs. 150 lakhs has however been made for these schemes in the Second Plan.

(d) (i) *Irrigation Schemes*.—Project reports and estimates based on preliminary surveys have been received for the 11 projects proposed for the 2nd Plan. Information as to whether these Projects have been sanctioned or not is not readily available. This is being collected from the State Government.

(ii) *Rural Electrification Schemes*.—Information is not readily available and is being collected from the State Government. The information that is being collected from the State Government under parts (a)(i), (b)(i), d(i) and d(ii) will be laid on the Table of the House as soon as possible.

#### DISPLACED PERSONS FROM PAKISTAN-HELD JAMMU AND KASHMIR

**2521. Shri H. N. Mukerjee :** Will the Minister of Rehabilitation be pleased to state :

(a) whether his attention has been drawn to the representation of refugees from Pakistan-held territory of Jammu and Kashmir State in regard to discriminatory treatment of their claims ; and

(b) if so, whether they will be treated as on par with refugees from Pakistan proper ?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna) :** (a) and (b). Attention of the hon. Member is drawn to the reply given in the Lok Sabha to question No. 985 by Shri Radha Raman on December 20, 1955. Kashmiri displaced persons are given the same rehabilitation benefits as are

accorded to the displaced persons from West Pakistan except in the matter of payment of compensation and grant of loans by the Rehabilitation Finance Administration.

#### VILLAGE EXCHANGE PROGRAMME

**2522. Shri S. C. Samanta :** Will the Minister of Planning be pleased to state :

(a) the manner in which the Village Exchange Programme worked in the Community Project and National Extension Service Blocks areas during the First Five Year Plan ; and

(b) the names of areas where this programme was carried out ?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) and (b) . A statement is laid on the table of the House. [See Appendix XV, annexure No. 64].

#### MARINE PRODUCTS INDUSTRY

**2523. Dr. J. N. Parekh :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether there is any scheme to develop the Marine Products Industry in the country;

(b) whether any survey has been undertaken in this regard ;

(c) if so, what are the possibilities for its development region-wise ; and

(d) the final decision, if any, taken by Government in the matter?

**The Minister of Commerce and Industry and Iron and Steel Shri T. T. Krishnamachari :** (a) to (d). The information is being collected and will be laid on the Table of the House.

#### TRAINING OF INDIAN POTTERS

**2524. Shri N. Sreekantan Nair :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether any Scheme for training Indian Potters in China was accepted by Government in 1955 ;

(b) whether persons from the Travancore-Cochin State have been selected for this purpose ; and

(c) if so, how many ?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) :** (a) No, Sir.

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

#### MINOR IRRIGATION PROJECTS IN ANDHARA

**2525. Shri B. S. Murthy :** Will the Minister of Planning be pleased to state :

(a) the total amount of money to be spent on minor irrigation projects in Andhra during the Second Five Year Plan ;

(b) the amount of Central grants made in this respect ; and

(c) the number of schemes accepted by the Centre?

**The Deputy Minister of Planning (Shri S. N. Mishra) :** (a) A provision of about R. 248 lakhs has been made in the State Plan for Minor Irrigation.

(b) The quantum of Central assistance would be determined on the basis of individual schemes as and when concrete proposals for them are sent by the State Government.

(c) Five.

#### WEAVERS' CO-OPERATIVE SOCIETIES

**2526. Shri B. S. Murthy :** Will the Minister of Commerce and Industry be pleased to state :

(a) the amount of financial help given to the Weavers' Co-operative Societies in Andhra during 1955-56 ;

(b) the progress made with regard to production and sale of Handloom products by these Societies during the same period ; and

(c) any other facilities asked for by the State Government in this regard?

**The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari):** (a) and (c). Financial assistance is rendered to the State Governments for their handloom development schemes which are mostly implemented through the medium of the Weavers' Co-operative Societies. Andhra Government had also submitted schemes in this regard, and during 1955-56 grants and loans totalling Rs. 86,48,126 were sanctioned as against Rs. 1,02,60,000 asked for by them. Schemes for balance were not sanctioned as they were not within the general principles. No other facilities had been asked for.

(b) Figures of production and sales during 1954-55 and 1955-56 were as follows :—

	1954-55	1955-56
Production	17,233,734 Yds.	22,566,999 Yds.
Sales	15,755,905 Yds.	23,679,802 Yds.

#### DISTRICT DEVELOPMENT SCHEMES

**2527. Shri Deogam :** Will the Minister of Planning be pleased to state :—

(a) whether the District Magistrates or the Deputy Commissioners who are incharge of District Development schemes procure their copies of the Plans, or Government supplies them with the publication ; and

(b) the manner in which they are guided so that they may faithfully implement the directives of the Plan ?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) The Planning Commission arranges to supply copies of the Plan and other literature connected with planning to district officials and to State departments.

(b) District officials work under the direction of State Governments to whom the Planning Commission and Central Ministries convey recommendations and proposals concerning the implementation of the Plan from time to time.

#### आकाशवाणी केन्द्र, नागपूर

**2528. श्री जागड़े :** क्या सूचना और सारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाशवाणी के नागपूर स्टेशन से छत्तीसगढ़ी बोली में नाटक, प्रसारणीत, लोक गीत, नृत्य, सांस्कृतिक कार्यक्रम और कविताएं पर्याप्त संख्या में प्रसारित नहीं की जाती हैं ; और

(ख) क्या यह भी सच है कि नागपूर स्टेशन से दिन के समय प्रसारित किया जाने वाला कार्यक्रम नागपूर से २०० मील से अधिक दूर के स्थानों में नहीं सुना जा सकता है ?

#### सूचना और प्रसारण मंत्री (डा० केसकर) :

(क) जी नहीं । छत्तीसगढ़ी में कार्यक्रम न केवल देहाती प्रोग्राम में नियमित रूप से हैं, किन्तु लोक गीत आदि के मामूली कार्यक्रम में काफी प्रमाण में हैं ।

(ख) नागपूर स्टेशन से प्रसारित कार्यक्रम को सुनने का क्षेत्र मौसम पर निर्भर है और इसमें अनुभवों के साथ क्षेत्र घटता बढ़ता रहता है ।

#### राष्ट्रीय विस्तार सेवा लंड

**2529. श्री जागड़े :** क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४ और १९५५ में कितने राष्ट्रीय विस्तार सेवा लंडों को सामुदायिक विकास परियोजनाओं में बदला गया ;

(ख) मध्य प्रदेश में ऐसे कितने परिवर्तन हुए और सन् १९५५-५६ में मध्य प्रदेश में कितने सामुदायिक विकास केन्द्र खोले गये ;

(ग) इन केन्द्रों में कौन-कौन से कुटीर उद्योगों का पुनरुद्धार किया गया ; और

(घ) कितने नये उद्योग स्थापित हुए और कितने लोगों को आत्म-निर्भर बनाया गया ?

#### योजना उपमंत्री (श्री एस० एम० मिश्र) :

(क) १९५४—कुछ नहीं ।

१९५५—१५२ सामुदायिक विकास लंड ।

(ख) मध्य प्रदेश में ऐसे रूपान्तर १५ लाक ।

(ग) तथा (घ) राज्य सरकार से जानकारी प्राप्त की जा रही है ।

## आकाशवाणी केन्द्र

२५३०. श्री जांगड़ : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि क्या रायपुर में छत्तीसगढ़ी बोली में विशेष कार्यक्रम प्रसारित करने के लिये एक रेडियो स्टेशन बनाये जाने का विचार है ?

सूचना और प्रसारण मंत्री (डा० केसकर) : जी, नहीं ।

## DISPLACED PERSONS FROM EAST PAKISTAN

2531. Shri Kamath : Will the Minister of Rehabilitation be pleased to state :

(a) whether any scheme or plan for the rehabilitation of displaced persons

from East Pakistan in Bastar, Raigarh and Surguja districts of Madhya Pradesh has been finalised ; and

(b) if so, the details thereof ?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna) :** (a) No ; only a preliminary selection has been made of 5,000 acres in Bastar, 7,000 acres in Raigarh and 8,500 acres in Surguja, as suitable for rehabilitation of displaced persons from East Pakistan. Thereafter the land will have to be reclaimed and developed before schemes or plans for rehabilitation of displaced persons on them can be finalised.

(b) Does not arise.

## DAILY DIGEST

[Wednesday, 30th May, 1956]

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SESSION		to 13th	
2. NUMBER OF SIT-TINGS	May, 76		
	1956		
3. TOTAL NUMBER OF SITTING HOURS	532 hrs.		
	39 mts.		
4. DIVISIONS HELD	7		
5. TOTAL NUMBER OF QUESTIONS ASKED—			
Starred	2739		
Unstarred	2564		
Short Notice	28		
6. GOVERNMENT BILLS—			
Pending at the Commencement of Session	33		
Introduced	27		
Laid on the Table as passed by Rajya Sabha	4		
Referred to Select Committee	1		
Referred to Joint Committees			
Reported by Select Committees	2		
Reported by Joint Committees			
Passed	29		
Withdrawn	2		
Returned by Rajya Sabha without any amendment			
Returned by Rajya Sabha with amendments	25		
Pending at the end of session	4		
7. GOVERNMENT RESOLUTIONS—			
Moved	2		
Adopted	1		
Part discussed	1		
8. GOVERNMENT MOTIONS—			
Moved	2		
Adopted	2		
9. PRIVATE MEMBERS' BILLS—			
Pending at the Commencement of Session			
Introduced			
Laid on the Table as passed by Rajya Sabha			
Referred to Select Committee			
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Passed			
Withdrawn			
Negatived			
Barred			
Returned by Rajya Sabha without any amendment			
Returned by Rajya Sabha with amendments			
Pending at the end of Session			
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Discussed			
Adopted			
Withdrawn			
Negatived			
Part discussed			
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Moved			
Negatived			
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			22
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Wednesday  
30th May, 1956

# 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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LOK SABHA DEBATES Acc. No. 113201  
Dated 11.3.2011

(Part II— Proceedings other than Questions and Answers)

10011

LOK SABHA  
Wednesday, 30th May, 1956

The Lok Sabha met at Ten of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-38 A.M.

CALLING ATTENTION TO  
MATTER OF URGENT PUBLIC  
IMPORTANCE AND MOTION FOR  
ADJOURNMENT

DISTURBANCES AT KALKA STATION

**Mr. Speaker:** I have received notice of an adjournment motion from Shri A. K. Gopalan and others relating to the disturbances at Kalka. Earlier I had received notice calling attention to a matter of urgent public importance from Sardar A. S. Saigal. Actually, this was received yesterday, calling the attention of the Railway Minister to the disturbances at Kalka. So that may be taken up first; let the Minister make his statement and then I will consider the adjournment motion.

**The Minister of Railways and Transport (Shri L. B. Shastri):** Do you want me to make a statement, Sir?

**Shrimati Renu Chakravarty (Basirhat):** If a statement is made on the notice calling attention to a matter of public importance, then as per rules there can be nothing further said by the other side. Therefore, if this notice calling attention is allowed, then the adjournment motion will not be allowed on the ground that attention has already been drawn.

**Mr. Speaker:** I allowed this notice calling attention long before I got the adjournment motion and that is also put down in the order paper. It was actually given to me yesterday.

**Shrimati Renu Chakravarty:** The reports were received only last evening.

**Mr. Speaker:** It was given to me yesterday and in view of the seriousness I asked the hon. Minister, because today was the last date, to accept notice and answer it today.

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10012

**Shri A. K. Gopalan (Cannanore):** Sir, you can take the notice calling attention first or the adjournment motion first as you like, because you have the right. But what I have to say is this. Notice calling attention means that there would be only a statement by the Minister and nothing else. With regard to the adjournment motion—though it had been killed now—the practice had been that, before an adjournment motion is decided on merits as to whether it should be admitted or not, the Chair used to call the Minister, hear from him what he has to say on the matter, and then say whether the motion itself will be admitted or not, so that the other side may not say anything on the subject.

So, I want to know whether, as far as this at least is concerned, you would see that the other side also has to say something, and then you may see whether it must be admitted or not. I say this because it is not for pleasure that adjournment motions are brought in. The other day, an adjournment motion was brought in respect of the strike at Kharagpur. Afterwards something very bad and something very unfortunate happened there. So, that discussion took place here. I can find from the House that the whole House is perturbed at what is happening at Kalka and what has happened there yesterday. Certainly, everyone in this House will say that destroying railway property is destroying one's own property. Nobody will allow that and nobody will allow a workman being pulled away from the train and then leaving the train as it is. These are things which perturb everybody. This should not happen. As the Railway Minister has said, we are also very much sorry that everywhere, in Kharagpur, in Kazipet, in Allahabad, in Agra and yesterday in Kalka, these things are happening. What I want to know is, is it because of the behaviour of the workers only that these things happen.

As far as today's subject is concerned, there is a report from Shri Ramachandra who is the President of—

**Mr. Speaker:** I will ask the hon. Minister to make a statement in pursuance of the notice, calling attention to a matter of urgent public importance. In as much as the adjournment motion is before the House, I will give the hon. Member an opportunity to say what he has to say, and then decide on the admissibility or otherwise of the adjournment motion.

**Shri S. S. More** (Sholapur): Sir, I rise to a point of order, and I want to seek a clarification from you. When a motion for adjournment is there and when a subject to which attention has been called is also there, is it not a matter of procedure that an adjournment motion gets priority over any other business after the question hour is over? I am only seeking a clarification.

**Mr. Speaker:** That is why I first mentioned the adjournment motion. The hon. Member will kindly note that the practice relating to an adjournment motion is, when the motion is tabled, and before I give consent I ask the hon. mover to make a short statement about it if there is any doubt about it, and then I also ask the hon. Minister in charge of the subject to make a statement before I come to the conclusion as to whether I could give my consent to it or not.

So far as this matter is concerned, I brought it to the notice of the House—it is already on the order paper—that a notice for calling attention was received, in respect of an urgent matter. Let me understand what exactly is the situation. I will hear both sides and then I will decide as to whether I should give or refuse my consent to the adjournment motion.

**Sardar A. S. Saigal** (Bilaspur): Under rule 216, I beg to call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:—

"Disturbances at the Kalka Railway Station and the police firing on the 29th May, 1956."

**Shri L. B. Shastri:** I shall make a brief statement of facts. On the evening of the 28th May, 1956, the Chairman, Railway Board, left Delhi by the Kalka Mail and arrived at Kalka at 6-0 A. M. on the 29th on his way to Simla. A

large number of workers had already gathered at the Kalka station. On his arrival he was informed by office-bearers of the local branch of the union that the staff desired to present a charter of demands to him. He agreed to accept this but the staff in the meantime swarmed on to the track. After the charter of demands had been read out, the Chairman of the Railway Board pointed out that certain demands had already been considered in the past but that he would have these as well as the others examined. The crowd which had become aggressive insisted on an assurance and the immediate fulfilment of the demands. Some of them lay before the passenger rail car which was ready to leave and obstructed its passage while others climbed the bonnet of the car. The police pleaded with the demonstrators to clear the car and the track. They, however, declined to comply and pelted the rail car with stones. The railway authorities, were, however, able to start the rail car later. Subsequently, the crowd prevented all further movement and grew violent. They pelted the police with stones, tried to snatch the revolver of the station house officer and attempted to overpower the police. The latter had, therefore, to open fire in self-defence which unfortunately resulted in four persons being killed and seven injured.

All movement of narrow gauge trains from Kalka is at a standstill and so the movement of broad gauge trains to and from Kalka. With difficulty this morning a broad gauge mail was allowed to enter Kalka station. The Punjab Government is dealing with the situation. Further report is awaited.

**Shri A. K. Gopalan:** In today's papers, a report from Mr. Ramachandra, who is said to be a Congress MLA and who is also the President of the Northern Railway Mazdoor Union,apis a cold blooded murder and no trade union could allow such a state of affairs to go unchallenged. What I have to say is this I do not want to repeat what I have stated before. These things should not be allowed. Every Member of this House must see to it that such things do not happen hereafter. I also want to say this. Whether the workers, out of their own pleasure, are doing these things or whether there are any serious things because of which the workers are doing these pears. He says in the report that this

things and these things are happening, must be gone into.

There are two things that the Government ought to look into. There are certain grievances of the workers not only in this place but in other places also, and they are not looked into. There are certain things relating to the non-recognition of unions. In this case, it is a recognised union which is under the INTUC. Even then, the leader could not stop that thing, because there was something happening. What does it show, I ask. Even though it is under the INTUC, they could not stop the workers. This means that there had been something happening. Of course, workers who are in the wrong and any section of the workers who are in the wrong must be punished. But what I say is, is it only by shooting, killing or by some such punishment that these things can be stopped. I very humbly say and from our experience we have known, that these things cannot be stopped in that way. It may be that some workers are like that. But suppose in every place, the workers are involved, the train is stopped and the train is not able to move, then, it is a very serious matter which needs dispassionate consideration. Let the Members of this House and the Government know it, and let the Government tell us what it is. We know certain things from other sources. We will place them before the Government. Let the Members on this side as well as on the Congress benches go together to all these places and let us enquire. Let us have an understanding of these things so that this House may dispassionately discuss these things and see that these things do not happen. Even Shri Ramachandra as I said, has made a statement to which I referred earlier. Of course, later on, they may accuse us. We have no objection, because that is what generally is done. You can question our patriotism also. Everything can be done. What we say now is that we want that such things should not happen. We must find out the causes. If there is something very wrong, something which disturbs all the railway workers in this country, I want that it should be gone into. That is what I want to say.

You may be pleased to see that a discussion—a dispassionate discussion—on this issue may be allowed and see that such things do not occur. We must know what the precise causes are. From whatever quarters the causes

arise, whether it is the employers or the employees, whatever it is—let all of us try and see that such things do not happen. That is all my suggestion.

**Shri Kamath** (Hoshangabad): May I invite your attention and the attention of the House to another aspect of this matter? In this case, the police have opened fire and killed four people, according to the press reports and according to the statement of the hon. Minister, and injured seven others. Whether the police fired in self-defence or have exceeded the right of self-defence given to them under the law can be established only after an independent enquiry. It has been proved recently, for instance, in the Patna firing incident, that the assumptions made by the Government rather by the Prime Minister, in his speech on the Patna maidan, were unwarranted and unjustified. That was the finding of the judicial inquiry which proved that.

**Mr. Speaker:** Each firing is independent of the other.

**Shri Kamath:** I know, Sir. In this case, therefore is it open for the Minister to say that they fired in self-defence. Such things cannot be justified at this stage, unless there is an enquiry. Nobody will deny that violence must not be employed to gain political ends. But, there should be a curb on the actions of the police also in the use of violence. The hon. Home Minister replying to the debate on the Home Ministry's Grants two months ago, promised this House that he was enquiring into this general matter as to the powers of the police to use force, and how far it should be curbed and how far it should be controlled and regulated. He said that he was trying to find out whether means could not be found to control crowds and similar situations in a non-violent manner. Therefore, it is unfortunate that, in this particular incident at Kalka, the police opened fire killing several people. I would urge that an independent judicial enquiry should be held in this matter so that it may be decided once for all whether the police fired in self-defence or exceeded the right of self-defence given to them under the law.

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The hon. Member has brought into his wide and sweeping remarks my speech delivered a year ago at Patna. He is under a mistaken impression, as he often is, that something has

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been said or done which was never said or done. What I said in Patna had nothing to do with his present remarks. What I said in Patna has been borne out by everything that has happened.

**Shri N. C. Chatterjee** (Hooghly): But, I should remind that the Chief Justice's report has condemned the police firing and also the action taken by the police in some cases.

**Shri Jawaharlal Nehru**: Yes, Sir. But, what has that got to do with my speech? Shri N. C. Chatterjee is a lawyer. It is no good making a consequential remark. It is no good.

**Shri Kamath**: The Prime Minister condemned the students and justified the police.

**Shri Jawaharlal Nehru**: The hon. Member is completely wrong. I wish he is correct in his facts when he makes such statements. I never justified anybody in my speech. I condemned violence. I said that the matter has been considered by a competent authority, we shall abide by the decision of that competent authority and that people should not take the law into their own hands. That is what I said.

**Shri Frank Anthony** (Nominated-Anglo-Indians): May I say, Sir, that this is a matter which is assuming serious proportions and warrants careful consideration by this House? It is not a matter for partisan advantage. I feel that what we are witnessing today are symptoms of a deep-seated and spreading disease. Nobody condemns violence more than I do. Let us keep the issues clear. Apparently something has been started by a recognised union presided over by a Congress M.L.A. Why are railwaymen *en masse* joining in this kind of thing? Everywhere you see these symptoms. I want the House to go into the matter deeply and see where the disease is and not to refuse to look into it. Otherwise, the disease will spread and the whole administration will suffer. That is why I want a discussion: not by way of censure of Government or the Railway Ministry.

**Shri T. N. Singh** (Banaras Distt.-East): Sir, in these happenings that are taking place, what is probably to my mind, more important, is why a similarity of pattern is occurring in so

many cases. Are there certain forces which are common to all these incidents and it is they who are trying to work it out? So far as enquiries go, after every firing in which there are deaths, there is provision for an enquiry and I believe that is being held, or that would be held. I would like to have a clarification from the Minister on that point. But, what is more important is the impromptu happenings: to take out a certain occasion, say, when the Chairman of the Board visits, and immediately certain things happen. Something happens without any notice. Without any notice, strike takes place and violence occurs. All that has to be looked into. There will always be grievances where 1 million people are employed. That is not a new thing. What is that new factor which is causing all these things, in the south, in Kharagpur, and near Simla.

**An Hon. Member**: In Bikaner.

**Shri T. N. Singh**: What are the forces behind that, we would like to hear. We would like to know whether the Government has enquired into the matter and can elucidate any facts about that.

**Shri Nambiar** (Mayuram): I beg to submit that it is a very sad news that we have heard from Kalka. None of us on this side are desirous to see violence in any form, in strikes or by throwing stones, etc. We deprecate such violence, if any on the part of the railwaymen or whoever it is. But, we have to see that it is not only a question of violence on the part of workers. It is a question of the denial on the part of railway officials to hear the workers' case. It is in this connection that we have to view the situation. The Chairman of the Railway Board, a very responsible person, refuses to receive the workers and that leads to clashes, stone throwing or whatever it is and ends in firing leading to the death of four workers and others. This is a matter which requires deep enquiry and understanding as to what has led to the situation. Therefore, I submit that the Government and the Railway Ministry in particular, may go into the question not only in Kalka, but also in other areas, of the mounting grievances of the railwaymen and take all possible steps to see that the grievances are removed and better relationship is built between the railwaymen and the administration. A new conduct and behaviour on the

part of the railway officials, many of whom have gone beyond correction, is needed. I can quote my own experience. This requires immediate consideration, particularly in view of the huge amount of Rs. 1,500 crores that we are going to spend on the railways and the success of the Second Five Year Plan mainly depends on the success of transport. No one on this side incites any violence on the part of the railwaymen or any part of the Indian people. Let there be no doubt about it. I request the hon. Prime Minister and the Railway Minister to attend to this problem and create better relations between labour and the Government in this country.

**Shri N. C. Chatterjee:** May we have one piece of information? Is it correct that a Congress Member of the legislature is the president of the trade union? Is it correct that that trade union sponsored these demands? It is very important that in independent India, when Shri Jawaharlal Nehru is the Prime Minister, there should be no feeling that human lives are held cheap. Therefore, it is absolutely essential that after such a tragedy takes place, there should be an immediate judicial enquiry ordered. Will the Railway Minister or the Prime Minister announce here that a judicial enquiry will be made, so that the facts can be got at? After all, what Shri A. K. Gopalan has read is a very serious thing.

**An Hon. Member:** Has the press report been verified?

**Shri N. C. Chatterjee:** Let there be no interruption. This is a very serious matter. We all deprecate violence: all sections of the House. As a matter of fact, if it had been alleged that the communist trade union or communist forces are doing it, possibly my friends would have had some case. Here, a Congress M. L. A. is saying that no trade union can allow such a state of affairs to go unchallenged. In this state of things, may I appeal to the Railway Minister and to the Prime Minister to accede to our request for the immediate institution of a judicial enquiry? Then, the facts can be got at. If not, I would press that you should be pleased to accede to this demand for an adjournment motion.

**An Hon. Member:** They doubt their own shadow.

**Shri Sarangadhar Das** (Dhenkanal-West Cuttack): I have not much to say. There is the same pattern all over the country. In this railway union business. There is no doubt that it is a disease and that should be looked into and suppressed. But, in this case of Kalka, I have been told by some of the railway union members that their grievances were given to the General Manager of the Northern Railway some time ago when he was travelling from Kalka to Simla. Nothing was done. Then later on the DTS was going from Kalka to Simla and he did not listen to it. Consequently, when these people are absolutely neglected and their grievances have not been listened to by the authorities, there is the Chairman going and they obstruct the line. I do not support the obstruction of the railway line or anything like that. Do not get touchy about an enquiry. On the other side I find they are touchy whenever an enquiry is asked for. I say whether it is the Congress union or the Communist union or any independent union that is guilty of these things, it should be judicially enquired into and then only can we be sure of stopping this aberration in the railway service and get ready for the Second Five Year Plan. Otherwise, if you always refuse to have a judicial enquiry, then I say there is something rotten somewhere on the other side which makes them afraid of an enquiry. I know of cases which I have pleaded in this House previously, not in this connection but in another connecting, because in certain cases officers and the police ran away from the field and then the incident occurred.

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**Mr. Speaker:** Let us confine ourselves to the facts of this case.

**Shri Sarangadhar Das:** So, a judicial enquiry in every case where there is firing, is necessary and also when there is any disruption or beginning of disruption, it should be found out by a judicial enquiry.

**Shri Thanu Pillai** (Tirunelveli) rose—

**Mr. Speaker:** The hon. Home Minister.

**Shri Thanu Pillai:** We have heard with pleasure.....

**Mr. Speaker:** I have called the Home Minister.

**The Minister of Home Affairs (Pandit G. B. Pant):** It seems to be realised, I think, that no occasion for an adjournment motion has arisen. The facts that have been mentioned deserve consideration and the incident is a regrettable one which we all deplore. Some of the sentiments which have been expressed on the other side are shared by us, but there is no issue, I think, between us so far as the desire to maintain a non-violent and peaceful spirit in the country and of avoiding use of force even on the part of the police except when inevitable are concerned. We agree on these points. But, so far as this particular incident is concerned, the law and order part of the problem concerns the Punjab Government. They have exclusive jurisdiction in regard to that matter. The police have to intervene sometimes to secure the release of people who are victims of mob violence or who have to be extricated when the road is obstructed or when they are subjected to wrongful restraints or wrongful confinement. So, that is a legitimate duty of the police.

We would like grievances to be looked into and it is the desire of Government that they should be examined and considered as promptly and speedily as may be possible. We have, however, to bear in mind the fact that the railway administration employs lakhs of people and it is not always easy to dispose of all requests immediately and forthwith. So, allowance should be made for that. In this particular case the Chairman of the Railway Board promised to look into the matter and assured them that he would give consideration to the demands that had been presented to him. I see no reason why the workmen should not give time to him to examine the demands and let them know the decision. The course adopted by them would have been open to objection in any case and under any circumstances, but after having received such an assurance from the chief of the railway administration, it was certainly highly improper on their part to have resorted to such sort of methods. They would be, I think, condemnable under any circumstances.

As to the question that these men have been killed and there should be an enquiry, I hope the Punjab Government will do it. They have, I understand, already started an enquiry and have deputed a judicial magistrate for that purpose. As to whether any other

officers should be associated or should be connected with it, I think they would look into that too, but that is, so far as the constitutional position goes, exclusively their concern.

I agree that when such occurrences happen they should be looked into closely so that there may be no doubt left in any quarter as to the course adopted by the police. I believe that whatever they did, they had to do under compelling circumstances, when no other alternative course was open to them, but that is only a matter of inference. I cannot say more than that. So, I do not think there is any occasion for an adjournment motion.

This question also deserves consideration, and I hope the Government will look into it, that simultaneously the same sort of method is being adopted in more than one place. Well, perhaps imitation may be the cause, perhaps there may be something deeper behind it, but the whole question deserves careful consideration at the hands of Government, and I hope that the hon. Members of this House will also in every way co-operate in maintaining a peaceful spirit, as we have been assured by Shri Nambiar, and see that nothing is done which ultimately results in such developments. The first step is a very important one and it is there that care has to be taken. Once we apply the match to a little spark, we do not quite realise that it can lead to a disastrous conflagration. So, while taking the first step and applying the match we have to see that we do not do anything in a reckless or ruthless way. If we take care to regulate our own behaviour and conduct, I hope everything would be all right. My own request is that there is no occasion for any adjournment motion.

**Shri Kamath:** May I request the Home Minister to advise the Punjab Government in a friendly manner to have a judicial and independent enquiry into this matter? Is it not possible at all?

**Pandit G. B. Pant:** What does "independent" mean? I think every person who holds an enquiry does it in a dispassionate, impartial way, but whatever has been stated here will come to the notice of the Punjab Government.

**Mr. Speaker:** The facts of this case are quite clear. So far as the occasion for the incident that has occurred which

ultimately led to the firing by the police which resulted in the death of four people is concerned, it has been stated that representations had been made and that they wanted an assurance there and then from the Chairman of the Railway Board when he was about to start in the train or in the coach. He expressed his inability to give an assurance there, but he promised to look into the matter. They sat across the rails and then did not allow him to proceed, and then some stone-throwing and other things took place as a result of which the police fired. So far as the police firing is concerned, it has been said and it is common knowledge that once the police fire and death occurs, the district magistrate goes to the spot and makes an enquiry. That is law and order and is a matter pertaining to the State Government. Certainly, whether we ask them to do it or not, an enquiry will go on. That is not the responsibility of the Centre. All that can be asked is: have they to be condemned by an adjournment motion? Can it be said that there and then the Chairman of the Railway Board did not give an assurance, even though he said that he would look into the matter, and therefore it is open to those persons, the railway employees, to prevent him from proceeding further? Who is to be condemned here, the chairman of the Railway Board who has not acceded immediately to their requests, or those people who stood or sat across the railway lines, and were responsible for these things? If similar things have occurred elsewhere, then, as it has been suggested here, generally, these matters have to be looked into. But this adjournment motion, I consider, is not the proper method for looking into all those matters.

Under these circumstances, I do not find that any responsibility of the Centre has not been carried out in this matter. The one relates to law and order to be maintained by the State Government. So far as the other is concerned, it cannot be expected that merely because the chairman of the Railway Board was not able to give an assurance there and then, he ought to be obstructed. In future, of course, it has been said that all sides are anxious to see that everything goes on peacefully. I do not think that an adjournment motion is the proper method to carry on any settlement or to effect peaceful relations between the one side

and the other. I do not allow this adjournment motion.

**Shri Nambiar:** Now, the strike is going on in that area and roundabout. Will the Minister take steps to see that the strike is negotiated and settled? May I also know whether the Central Government could persuade the Punjab Government to hold a judicial enquiry? These are the two points on which we would like to know from the Minister, so that we can understand what the position is.

**Mr. Speaker:** The Home Minister has already said that an enquiry will go on in the usual course.

**Shri Nambiar:** It should be a judicial enquiry.

**Mr. Speaker:** A district magistrate is as much a judicial officer as any other. The district magistrate acts under the Criminal Procedure Code. He is a judicial officer. He is not a collector.

**Shri Sadhan Gupta (Calcutta-South-East):** In this instance, he is an executive officer.

**Shri Nambiar:** What about the present strike?

**Shri L. B. Shastri:** On calling attention to a matter of urgent public importance, have I to make any further statement?

**Mr. Speaker:** I thought that the Minister has made the statement. If he wants to make any other statement, he can do so.

**Shri L. B. Shastri:** Perhaps, it might be better. I shall take only ten minutes. If I am given some time....

**Mr. Speaker:** I looked towards the Minister for I thought he might have to say something, but he was sitting in his seat and he did not rise.

**Shri L. B. Shastri:** In fact, I had got up, and I wanted to say something. But if you would permit me, I shall make a statement in the afternoon—it would not take more than ten minutes—because I want to clear one statement that has been made, namely that the demands were there, they had been put forward and they have been pending for a long time. Shri Frank Anthony has more than once said that all these demands are pending, and therefore, the

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workers feel frustrated. I want to make it clear that these demands have not been pending for a long time. They were replied to; they were discussed by the Railway Administration, and therefore, they know what the decision of the Railway Ministry was.

**Mr. Speaker:** If the Minister wants to gather some facts and place them before the House,—certainly, it will bring about a better understanding amongst all parties, and let us know what exactly those facts are—I shall just allow him to make a statement later on, when he wants, or immediately he may make a statement, as he likes.

**Shrimati Renu Chakravarty:** But we must know at what time he is going to make the statement. It cannot be at the whims of the Minister.

**Shri L. B. Shastri:** I have said just now what I have to say.

**Mr. Speaker:** So, there is nothing more to say now. (*Interruptions*) The Minister has said that the matter has not been pending for a very long time; it has been discussed and disposed of. That is all that he wants to say.

**An Hon. Member:** Has he changed his mind now?

**Mr. Speaker:** That is his opinion.

**Shri S. S. More:** May I make one submission? In view of the serious allegation made by my hon. friend Shri Frank Anthony....

**Shri Frank Anthony:** I did not say that.

**Shri S. S. More:** ...that the complaints and grievances of the workers have remained unredressed or even un replied to, shall we have all the relevant dates when the grievances were submitted, when the enquiries or other replies were made and so on? That will enable us to come to proper conclusions.

**Shri Jawaharlal Nehru:** Shri Frank Anthony is here. I do not know what serious allegations were made by him.

**Shri Frank Anthony:** On a point of explanation, I have no personal knowledge in this matter. I wanted to know whether they had submitted their grie-

vances, and they have been looked into. I also wanted to know whether the strike has been sponsored by a recognised union, and whether the president of the union is a Congress MLA. That is what I wanted to know.

**Mr. Speaker:** All that has been said (*Interruptions*).

**Shri Kamath:** You may allow him to make the statement.

**Mr. Speaker:** We cannot force the Minister. He has said enough.

So far as the adjournment motion is concerned, I have already said that whatever might be the grievances of the workers, there is no justification for their standing in front and obstructing the carriage. If that happens, then there is police firing. We ought not to accuse this Government of having taken all those steps. Therefore, I dispose of the adjournment motion.

Regarding the second point, Shri Frank Anthony has just stated that there might be grievances. So far as the Minister is concerned, he has said that they were immediately looked into, there were some talks, and they were disposed of. Therefore, there is nothing more to be done so far as this matter is concerned.

#### PAPERS LAID ON THE TABLE

#### SECOND ANNUAL REPORT (1955-56) OF ORGANISATION AND METHODS DIVISION

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Dear Sir.... I am sorry. Mr. Speaker Sir, I beg to lay on the Table a copy of the Second Annual Report (1955-56) of the Organisation and Methods Division. [Placed in Library. See No. S-214/56.]

**Shri Kamath (Hoshangabad):** Yours sincerely.

#### REPORT OF ADMINISTRATIVE VIGILANCE DIVISION FOR PERIOD ENDING 31ST MARCH 1956

**The Minister of Home Affairs (Pandit G. B. Pant):** I beg to lay on the Table a copy of the Report of the Administrative Vigilance Division for the period ending 31st March 1956. [Placed in Library. See No. S-215/56.]

**REPORT BY PROF. KALDOR ON INDIAN TAX REFORM AND NOTE OF CENTRAL BOARD OF REVENUE THEREON**

**The Deputy Minister of Finance (Shri B. R. Bhagat):** On behalf of Shri C. D. Deshmukh, I beg to lay on the Table, in pursuance of an assurance given by him on the 25th May, 1956, a copy of the report by Professor Nicholas Kaldor on the Indian Tax Reform together with the Note of the Central Board of Revenue on Professor Kaldor's Estimate of Evasion. [Placed in Library. *See No. S-216/56.*]

**SUMMARY OF RECOMMENDATIONS OF PROF. BLACK AND DR. STEWART ON ECONOMICS OF AGRICULTURE**

**The Minister of Agriculture (Dr. P. S. Deshmukh):** I beg to lay on the Table a copy of the brief summary of the main recommendations of Professor Black and Dr. Stewart on Research, Teaching and Public Administration of the Economics of Agriculture for India, in pursuance of an undertaking given by me on the 28th May, 1956 in reply to a supplementary on Starred Question No. 2585. [See Appendix XV, annexure No. 65].

**BUDGET ESTIMATES OF DELHI STATE ELECTRICITY BOARD FOR 1956-57**

**The Minister of Commerce (Shri Karmarkar):** On behalf of the Deputy Minister of Irrigation and Power, I beg to lay on the Table a copy of the Budget Estimates for the year 1956-57 of the Delhi State Electricity Board, under sub-section (3) of section 61 of the Electricity (Supply) Act, 1948. [Placed in Library. *See No. S-218/56.*]

**DIRECTIONS ISSUED BY SPEAKER UNDER RULES OF PROCEDURE**

**Sardar Hukam Singh (Kapurthala—Bhatinda):** I beg to lay on the Table a copy of the Directions issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha (Fourth Edition).

**PROCEEDINGS OF RULES COMMITTEE HELD ON 15TH APRIL 1950 AND MINUTES OF NINETEEN Sittings HELD DURING 1951 TO MAY 1956**

**Sardar Hukam Singh:** I beg to lay on the Table a copy each of the following papers:

- (1) Proceedings of the sitting of the Rules Committee held on the 15th April 1950; and
- (2) Minutes of nineteen sittings of the Rules Committee held during the period 1951 to May, 1956.

**Shri Kamath:** On a point of information, regarding item No. 1. May I know why this delay has occurred, in so far as laying of this item on the Table of the House is concerned? It relates to 1950, that is, about six years ago. But it is being laid on the Table only today.

**Mr. Speaker:** Formerly, the practice was for the Rules Committee to send the rules to the Speaker. Now, the rules have been altered, and the report of the Rules Committee and the rules have to be submitted to the House. It has also been decided that all those proceedings of the Rules Committee which have not been placed before the House hitherto may also be placed on the Table of the House for the information of hon. Members so that whenever any question of interpretation etc. arises, they may be able to refer to them.

**Shri Kamath:** Am I to understand that no meetings of the Rules Committee were held prior to 15th April, 1950?

**Mr. Speaker:** Possibly, no sittings have been held.

**MINUTES OF FIFTEENTH TO SEVENTEENTH Sittings of COMMITTEE ON ABSENCE OF MEMBERS FROM THE Sittings of THE HOUSE**

**Shri Altekar (North Satara):** I beg to lay on the Table the minutes of the Fifteenth, Sixteenth and Seventeenth sittings of the Committee on Absence of Members from the sittings of the house held during the Twelfth Session.

**ESTIMATES COMMITTEE THIRTY-THIRD REPORT**

**श्री बी० झी० मेहता (गोहिलवाड़):** श्रीमान मैं रेल्वे मंत्रालय सम्बन्धी एस्टीमेट्स समिति की तेजीसर्वों रिपोर्ट पेश करता हूँ।

COMMITTEE ON PETITIONS  
NINTH REPORT

**Shri P. Subba Rao** (Nowrangpur): I beg to present the Ninth Report of the Committee on Petitions.

LEAVE OF ABSENCE

**Mr. Speaker:** The Committee on Absence of Members from the sittings of the House in its Fifteenth Report has recommended that leave of absence may be granted to the following Members for the periods indicated in the Report: Shri A. K. Basu, Shri A. V. Thomas and Dr. Satyaban Roy.

I take it that the House agrees with the recommendations.

**Several Hon. Members:** Yes.

**Mr. Speaker:** The Members will be informed accordingly.

CORRECTION OF ANSWER TO  
UNSTARRED QUESTION

**The Minister of Industries** (Shri Kanungo): Sir, in part (b) of Unstarred Question No. 1995 answered on the 14th May, 1956, Shri Ram Krishan asked for the quantity of cement imported during 1955-56. In the reply laid on the Table, it was stated that the imports were merely 400 tons during 1955. Actually, during the said period, the imports were of the order of 4,000 tons. I regret the mistake that has crept in owing to a typographical error and request that the figure of '400' occurring in reply to part (b) may be substituted by the figure '4,000'.

MANIPUR STATE HILL PEOPLES  
(ADMINISTRATION) REGULATION  
(AMENDMENT) BILL

**The Minister in the Ministry of Home Affairs** (Shri Datar): I beg to move for leave to withdraw the Bill to amend the Manipur State Hill Peoples (Administration) Regulation, 1947, for the purpose of making provision for elected village authorities and for matters connected therewith, as passed by Rajya Sabha.

As the House is aware, this House requested the Rajya Sabha to grant permission to the withdrawal of this Bill. The Rajya Sabha concurred in the

said motion and the message was reported to this House. On a former occasion, this matter was considered by you, when I desired to seek the leave of the House to withdraw the Bill as another comprehensive Bill was already being introduced.

**Shri S. S. More** (Sholapur): May I bring to your notice one fact? The Bill was originally introduced in the Rajya Sabha and was sent to this House for necessary action. We submitted a resolution to that House conveying our own request that they should permit the withdrawal of this Bill. Now, when they have permitted the withdrawal, how can this question be agitated on the floor of this House and put in the form of a motion? This has already been withdrawn. It was their Bill. We made a request that it be withdrawn and they have already withdrawn it. So how can any such motion be now moved in this House?

**Mr. Speaker:** The previous motion was only this. After the Bill was passed in the other House, it was transmitted to this House and laid on the Table of the House. The hon. Member will kindly recollect that there was a discussion on this matter as to whether the Bill was pending in this House or not—he himself raised the point. Then it was considered that the Bill was pending in this House. The other House had passed the Bill and it was pending only here. If we say that it may be withdrawn from this House, unless the other House concurs, it will be in a state of suspended animation. Under those circumstances, the motion was to the effect that this House requests the Rajya Sabha to concur in its motion to give permission to withdraw the Bill. They concurred, and now leave is being granted to withdraw.

**Shri S. S. More:** May I bring to your notice the fact that the concurrence of the other House for withdrawal can only be subsequent to withdrawal by us. Concurrence cannot precede the actual act of withdrawal.

**Mr. Speaker:** Leave was sought, because the other House passed it.

**Shri Raghavachari** (Penukonda): May I submit that the thing is clear? Only people do not look into it.

**Shri S. S. More:** I seriously protest against that remark. What does the hon. Member think about himself and about others?

**Mr. Speaker:** The hon. Member, Shri Raghavachari, need not say that.

**Shri Raghavachari:** I mean what I say.

**Shri S. S. More:** He is behaving like a school teacher.

**Shri Raghavachari:** This is explained in the note below on the agenda paper. As the Rajya Sabha have passed it, the motion for our concurrence in the withdrawal was sent to them. They have now given their consent to this House to permit the withdrawal of the Bill.

**Mr. Speaker:** The question is:

"That leave be granted to withdraw the Bill to amend the Manipur State Hill Peoples (Administration) Regulation, 1947, for the purpose of making provision for elected village authorities and for matters connected therewith, as passed by Rajya Sabha."

*The motion was adopted.*

Publication results of elections to the Council of States and of names of persons nominated by the President.

"Publication of results of elections for the reconstitution of electoral colleges for certain Part C States.

"Publication of results of elections to the State Legislative Councils and of names of persons nominated to such Councils.

#### REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT) BILL

**The Minister of Legal Affairs (Shri Pataskar):** I beg to move:

That the following amendments made by Rajya Sabha in the Bill further to amend the Representation of the People Act, 1951, and to make certain consequential amendments in the Government of Part C States Act, 1951, be taken into consideration.

#### Clause 41

1. That at page 16, in lines 26-27—

*for the word "section" the word "sections" be substituted.*

2. That at page 16—

*after line 27, the following be inserted:*

71. After the elections held in any year in pursuance of the notifications issued under section 12, there shall be notified by the appropriate authority in the Official Gazette the names of members elected by the elected members of the Legislative Assemblies of the States and by the members of the electoral Colleges for the various Part C States at the side elections together with the names of any persons nominated by the President to the Council of States under sub-clause (a) of clause (1) of article 80 or under any other provisions."

72. After the elections held in pursuance of the notification issued under section 13 for the reconstitution of the electoral college for a Scheduled Part C state, there shall be notified [by the appropriate authority in the Official Gazette as soon as may be after the date or the last of the dates fixed for the completion of the said elections the names of the persons elected for the various electoral college constituencies at the said elections." \*

3. That at page 16, line 28—  
*for the figures "71" the figures "73" be substituted.*

4. That at page 17, *after line 9, the following be inserted;*

74. After the elections held in any year in pursuance of the notifications issued under section 16, there shall be notified by the appropriate authority in the official Gazette the names of the members elected for the various Council constituencies and by the members of the Legislative Assembly of the State at the said elections together with the names of any persons nominated by the Governor or Rajpramukh as the case may be, under sub-clause (e) of clause (3) of article 171."

**Clause 79**

5. That at page 30 the existing clause 79 be *deleted*.

**Clause 80**

6. That at page 30, line 7—  
*for* sub-clause (a) the following  
*be substituted*:

"(a) in sub-section (1) *for* the word and figures 'section 75' the word and figures 'section 74' shall be *substituted*; and".

7. That at page 30, lines 8 to 10—  
*for* sub-clause (b) the following  
*be substituted*:

"(b) in sub-section (2), *for* the word and figures 'section 75' the word and figures 'section 74' shall be *substituted*".

This is a very simple matter. As hon. Members are aware, clause 41 of the present Bill relates to publication of election results and nomination. Section 71 relates to publication of results of election to the Council of States and names of persons nominated by the President. Section 72 relates to publication of results of elections for the re-constitution of electoral colleges for certain Part C States. Section 73 relates to publication of results of general elections to the House of the People. Section 74 relates to results as regards elections to State Assemblies and section 75 relates to publication of results of elections to the Legislative Councils.

Now under the scheme of law as it now exists under the Constitution, so far as the elections in 1952 were concerned, they were elections not only to the House of the People but also to the Council of States. Therefore, all these sections were framed. When the matter was considered in the Select Committee, they thought that now that the Council of States under the Constitution is a permanent body and only one-third of Members retired after every two years, some changes were necessary. As hon. Members are aware, they therefore only made provision for the publication of results so far as the House of the People was concerned and not with respect to the Council of States or the other Legislative Councils or the electoral colleges empowered to elect Members to the Council of States.

Then the Bill went to the other House. What happens is that the election of that one-third also does not

always take place simultaneously because the election is from different States. There are nominations also which are made and they are not at one and the same time. For the sake of convenience, it was, therefore, thought that just as there was provision for publication of all these results in one notification so far as elections to the House of the People or the Legislative Assemblies were concerned, it was much better that at the end of the second year period when the elections were held with respect to the one-third who retire either in the Council of States or the Councils, the results should also be published.

The Select Committee dropped it because there is another provision in section 67 which relates to publication. But then the elections are not held at the same time. It was thought as a matter of convenience that the publication of those results is desirable and that there should be some notification somewhere which would give an indication with respect to the one-third people who retired, because they were returned by nomination and by election from different States. That is the only change which is now sought to be made by the introduction of these new sections. I will read only one of them, because the others are almost the same. Section 71 says:

"After the elections held in any year in pursuance of the notifications issued under section 12, there shall be notified by the appropriate authority in the Official Gazette the names of members elected by the elected members of the Legislative Assemblies of the States and by the members of the electoral colleges for the various Part C States at the said elections together with the names of any persons nominated by the President to the Council of States under sub-clause (a) of clause (1) of article 80 or under any other provisions."

This is what they have passed. Section 72 relates to publication of results of elections for the reconstitution of electoral colleges for certain Part C States. Then there is another amendment which says:

"After the elections held in any year in pursuance of the notifications issued under section 16, there shall be notified by the appropriate authority in the Official Gazette the names of the members elected

for the various Council constituencies and by the members of the Legislative Assembly of the State at the said elections together with the names of any persons...."

The only point, therefore, its just as we have made provision here for the names of those who were elected to the House of the People or the Legislative Assemblies being published in one place together, and that was considered really convenient, it was also thought necessary and desirable that after the elections are held to the Council of States—it may be with respect to only one-third or to the Councils, they should also be consolidated and published in the gazette. That is the only purport of these

Publication of results of elections to the Council of States and of names of persons nominated by the President.

"Publication of results of elections for the reconstitution of electoral colleges for certain Part C States.

3. That at page 16, line 28—  
for the figures "71" the figures  
"73" be substituted.

Publication of results of elections to the State Legislative Councils and of names of persons nominated to such Councils.

#### *Clause 79*

5. That at page 30 the existing clause 79 be deleted.

#### *Clause 80*

6. That at page 30, line 7—  
for sub-clause (b) the following be substituted:  
"(a) in sub-section (1) for the word and figures 'section 75' the

amendments and I hope there will be no objection to them.

**Mr. Speaker:** The question is :

'That the following amendments made by Rajya Sabha in the Bill further to amend the Representation of the People Act, 1951, and to make certain consequential amendments in the Government of Part C States Act, 1951, be taken into consideration :

#### *Clause 41*

1. That at page 16, in lines 26-27—  
for the word "section" the word  
"sections" be substituted.

2. That at page 16, after line 27, the following be inserted :

71. After the elections held in any year in pursuance of the notifications issued under section 12, there shall be notified by the appropriate authority in the official Gazette the names of members elected by the elected members of the Legislative Assemblies of the States and by the members of the electoral colleges for the various Part C States at the said elections together with the names of any persons nominated by the President to the Council of States under sub-clause (a) of clause (1) of article 80 or under any other provisions.

72. After the elections held in pursuance of the notification issued under section 13 for the reconstitution of the electoral college for a Sched sc uled Part C State, there shall be notified by the appropriate authority in the Official Gazette as soon as may be after the date or the last of the dates fixed for the completion of the said elections, the names of the persons elected for the various electoral college constituencies at the said elections."

4. That at page 17, after line 9, the following be inserted:

74. After the elections held in any year in pursuance of the notifications issued under section 16 there shall be notified by the appropriate authority in the official Gazette the names of the members elected for the various Council constituencies and by the members of the Legislative Assembly of the State at the said elections together with the names of any persons nominated by the Governor or Rajpramukh as the case may be under sub-clause (c) of clause (3) of article 171."

word and figures 'section 74' shall be substituted; and"

7. That at page 30, lines 8 to 10—  
for sub-clause (a), the following be substituted :

"(b) in sub-section (2), for the word and figures 'section 75' the word and figures 'section 74' shall be substituted;"'

*The motion was adopted.*

**Shri Pataskar:** I beg to move:

"That the amendments made by Rajya Sabha in the Bill be agreed to."

**Mr. Speaker:** The question is:

"That the amendments made by Rajya Sabha in the Bill be agreed to."

*The motion was adopted*

#### BUSINESS OF THE HOUSE

**Shri Kamath (Hoshangabad):** Sir, before the House proceeds to the next item of business, may I make a request to you? There are still, on a fairly accurate computation, about 8 hours' work before us today; 4½ hours for the next item, 2 hours for the Bengal exodus, one hour for the IAS rules, half an hour for Shri Vittal Rao's half-hour discussion and then the Copyright Bill—I do not know whether it would be taken up or not. The discussion on the Preventive Detention Act may proceed for about three hours only today and then carried over to the next session, so that the other items like Bengal exodus and the IAS rules which are immediately more important could be discussed. The House should not, at the fag end of the session, discuss them very cursorily. Therefore, I would request my hon. colleagues on the other side also—I have consulted some of my friends and they are willing—to agree so that we can carry on this discussion for three hours and carry it over to the next session.

**Shri U. M. Trivedi (Chittor):** We are not prepared to agree even on this side; what to talk of the other side on the question of the discussion on preventive detention. This is a very important question and what happens is this. Most of us do not get an opportunity in any discussion of this nature, because of this piecemeal arrangement. One piecemeal discussion we have already had and now the question of preventive detention comes. Some party or group leaders come into the picture and then we are left out. We want to have our say also.

**Shri S. S. More (Sholapur):** Unfortunately, Sir, I have to disagree with the suggestion of Shri Kamath, because, specially for the Bombay State the

question of preventive detention has become a question of major magnitude and may have very serious implications. Similarly also for Bengal. We want to bring to the notice of the Home Minister and through him to the Government of India gravity of the situation in Bombay. From that point of view, we do not attach to other subjects the importance which he feels. Therefore, those who are not concerned with this question can keep out and those who are concerned with this should be given an opportunity.

**Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes):** The IAS rules may be postponed.

**The Minister of Home Affairs (Pandit G. B. Pant):** Shri More and Shri Deshpande already suggested that we should stick to the time-table and finish it. If anything stands over, that can be taken up during the next session.

#### MOTION RE: WORKING OF PREVENTIVE DETENTION ACT—*contd.*

**Mr. Speaker:** The House will now resume further discussion of the motion *re. working of the Preventive Detention Act, 1950*, moved by the Home Minister yesterday. Shrimati Renu Chakravarty to continue her speech.

**Shrimati Renu Chakravarty (Basirhat):** I am glad we are going to continue the debate today and I want the hon. Home Minister to give very serious thought to the points which I am going to raise. I have been disturbed at the attitude taken by the vast majority of the Congress party, at the attitude of violence which they take up even within this House whilst taking up the cause of non-violence. We are all very much disturbed by what is happening in the country and I feel that it is necessary to see and go deep into the causes of it and not to try to make political points.

This Kharagpur affair has shown the ruling party in a very ugly light because instead of being concerned and seeing why it is that these things are happening, they try to make political capital out of it, showering venom on the Communist party, trying to expound their theory of the recognition of the INTUC unions instead of going to that

which has affected the life of the community and the workers of India. Now that the matter has spread to Kalka and the INTUC workers are also involved in it and it has come to light that the most ferocious repression has been perpetrated and the blood-path has been followed, it is necessary for us to see very very clearly why these things are happening.

The hon. Home Minister has asked us to co-operate. We want to co-operate but that co-operation can only be successful if it is full co-operation and if there is full co-operation on the side of the Government also not to use violence. That is why I say that I was actually surprised when I was reading this morning's papers to read about what is happening in France. It was so similar to what happened in our country. Five thousand men mobbed a train.

"A mob of about 5,000 men stormed the police lines yesterday and carried home in triumph a group of reservists who were to leave by train for service in Algeria.

A force of about 1,000 mobile guards and special riot police, swinging gun butts and clubs, was unable to check the demonstrators' march on the railway station in this seaport and shipbuilding town. Tear gas and practice grenades were used in vain.

The mob threw anything within reach at the police—stones, iron bars and heavy bolts. Several persons were injured on both sides. About 200 reservists were on the train. It was only after the reservists left that order was restored and the area cleared."

All this happened there. They do not believe in Gautama Buddha; they do not believe in *ahimsa*. Several persons were injured and it was only after the reservists left the train that order was restored.

**Dr. Suresh Chandra** (Aurangabad): The mob was communist, probably.

**Shri Sadhan Gupta** (Calcutta South-East): But the police was not Congress police; that is the point.

**Shrimati Renu Chakravarty**: The French police behaved with restraint

which, I think, would do good for our *ahimsa* police to follow. That is why I feel that it is very serious that Government should consider that the amount of force, intimidation and repression which they are using is completely unjustified. I believe that this House has to consider very carefully what laws and what methods Government is utilising in order to crush political opponents. We really have to hang down our heads in shame when we find that in other countries, today, which are far less democratic than ours, they are beginning to realise how wrong it is to bolster up their governments by emergency powers when no such emergency exists. That is why I want Government to think very clearly. The hon. Home Minister said the other day that the world may follow us. Unfortunately, in this matter, I think, we shall have to follow certain other people. I will not go into anything else, but I only want to speak about some of the charge-sheets that have been given to the various detenus to show how all sorts of things, insinuations, allegations and charges are made, making it very difficult for the detenu, who is already handicapped, to actually prove or disprove the charges. For instance, I raised the question of Sitaram Singh of the Calcutta Port Trust last year. I had mentioned at that time that only a few days before that discussion took place, he was one of the dock workers' leaders who had been arrested. What was the dispute about? The workers refused to carry more than 2 maunds of load and theirs was a perfectly legitimate trade union demand. Sitaram Singh still continues to rot in jail almost for a year now. The facts of the case are that the coal berth workers employed under the Calcutta Port Commissioner have been for a long time working under conditions which endanger the health and safety of their lives. This fact was admitted by the Dock Safety Inspector of the Government of India when he came for information some time in August 1955. He also advised workers not to overload the baskets with coal. In pursuance of this, the workers were loading the baskets up to a certain level. However, some workers tried to overload the baskets. At this, the other workers got enraged and there was some scuffle. It was of a very minor nature and nobody was injured. In this connection it may be stated that out of 1742 accidents in 1954, in the entire port, the number of accidents in the coal berth alone was

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872. Conditions are very bad there and this is what I want to point out. Sitaram was nowhere near the scene of incident. Actually he is the Vice-President of the Calcutta Port Trust Employees' Association, which is a recognised organisation, recognised both by the Government of India and the Port Commissioner. After he heard the reports of the incident, Sitaram came to the scene. Actually an attempt is being made here to confuse the whole matter, because this is not the union which actually had anything to do with the strike. This Association, of which Sitaram is Vice-President, has a long record of activities and it has always been a recognised body for the last thirty years and has always used only legitimate trade union methods all along which even the Labour Ministry of the Government of India will not be able to deny. The whole thing is mixed up and Sitaram has been made to suffer in jail. His charge-sheet says that he asked the workers to carry out the go slow movement in the coal berth. This is absolutely wrong. This union never gave that order. Then he is charged with violence. He instigated the workers of his union to use physical violence against those porters, porters of rival unions, who would not agree to the go slow movement in the coal berth. That is one of the charges. Again, another charge is that on such and such a day at such and such a time he threatened to assault somebody. This is the type of charge-sheet that has been there, and now for over a year, Sitaram is still in jail. The same type of thing has happened in Jalpaiguri tea estate.

In the Kathalguri tea estate, last year there was a strike, which arose out of certain specific trade union demands. The dispute was over the increase in the workload and victimization of union activities. There was an attempt by the tea estate management to sponsor a rival trade union. What is the charge-sheet? It says—

"On such and such a day you filthily abused Kamal Maya Chettrini, one of the workers in the tea estate."

Another charge is "You abused the medical staff, you went and received medicine and then left the hospital in

a violent mood." Mark the words "in a violent mood." There are all sorts of other such things.

**Pandit G. B. Pant:** Please read the whole of it.

**Shrimati Renu Chakravarty:** In that case, let me have a little more time, because it is a very long charge-sheet. It says:

"On 22-4-55 at about 08.45 hours, you went to Kathalguri Tea Estate Hospital for medicine and entered the dispensing room contrary to hospital regulations. When asked by the Hospital compounder to leave the room and receive medicine from the proper counter, you abused the medical staff and left the hospital in a violent mood. You then held a meeting over this issue on the same day at Kathalguri Tea Estate Football ground in front of the Hospital and demanded the medical officer, Dr. Phani Mohan Ghosh, to explain his conduct for having issued such rules that prohibited you from entering the dispensing room for medicine. You then incited the labourers numbering about 150 against the Hospital staff and led them in a procession to the Hospital where you surrounded the medical officer, blocked the doors of the consulting room and the dispensary, kept the medical officer and staff confined in the Hospital and abused the staff and threatened the medical officer with dire consequences."

I can go on like that. The hon. Minister, I think, will lose his case if he asks me to read more of the charge-sheet. Although it is true that Members of this House may laugh at these flimsy grounds, the point is that even today these detenus are in detention for more than nine, or ten months after that date.

I would like also to take the extreme case of Shri B. D. Joshi, who is an M. L. A. of the Delhi State, and of Prem Sagar Gupta and Ram Chandra Sharma. They were detained in jail, in connection with their activities on behalf of the Kapra Ekta Union, Delhi. Of course, the issue that had arisen was a strictly trade union demand. They were detained for more than five days.

in jail and ever after that the charge-sheet was not given. Actually, the charge-sheet has to be given within five days. This is a clear abuse of the law itself and actually this is the way that the administration often functions.

The last charge-sheet which I would like to bring to your notice is the case of the Burnpur Iron and Steel Workers' Union. There the charges are fantastic. The Secretary Taher Hussain is charge-sheeted. This was once a Congressed fed Union led by Michael John. There was the great strike in 1953 after which most of the workers left Michael John. The authorities in anger tried to punish and catch Taher and other workers in every possible way. Finally after all types of harassment they applied the Preventive Detention Act against him but they could not give him any other charge-sheet except this:

"That you, a discharged worker of the Sheet Mill of the Indian Iron and Steel Company, Burnpur, and the General Secretary of the Action Committee of Burnpur to carry on an agitation among the workers of the Indian Iron and Steel Company and Indian Standard Wagon Company, Burnpur, to realise some fancied demands for the Hot Mill workers of the Indian Iron and Steel Company...."

What were the "fancied demands"? That the demands are not 'fancied' has been proved by the fact that the majority of workers got relief, reinstatement and compensation at the lower tribunal, and now these cases are pending before the Labour Appellate Tribunal. What is the other charge? The other charge is that "one of the conveners of the Asansol Sub-Divisional Labour Co-ordination Committee, which was formed in September 1955 to consolidate the Action Committee with the support of different leftist labour organisations of the Asansol Sub-Division, have been spreading discontent and disaffection amongst the workers of Burnpur and Kulti against the authorities and urging the workers to resort to "slow down" tactics, etc., etc." I am not finding the violence part of it, but there may be something here. It states "You organised an illegal stay-in token strike."

I would just like to urge that these are points that can be dealt with under the ordinary law. Suppose there is an illegal token strike. You have your

armoury of laws; you have got your courts of law. Why cannot you resort to that method?

**Shri U. M. Trivedi (Chittor):** Because it cannot be proved there.

**Shrimati Renu Chakravarty:** When Taher Hussain was arrested I went to the District Magistrate and asked him when the last case of violence had taken place. He said it was three months ago! There have been more than 90 cases which they brought against the workers of the Union—criminal cases—and out of 100 cases, 90 have already been disposed of, and in not even one case could they give a judgment against the accused. Therefore, the Preventive Detention Act was used. I asked him: Has anything happened today or yesterday or the day before to warrant this sudden imposition of preventive detention? He said: I do not know all that, that is a big issue, but all I can say is that we will now try the case under the Preventive Detention Act. How flimsy are the grounds? I have got the grounds against all the three workers here but I will not be able to go through them for want of time. Within a month, the Government itself realised its weak case and released these people because no case could be made out. With all its ingenuity it could not make the case stand in front of the advisory board. These are the cases which show how, in every possible way, the detenu is at a disadvantage. All sorts of trumped up charges are brought forward and they are detained.

I also want to bring one point before the House—the large number of releases that have been ordered by the High Courts and the advisory boards. The hon. Minister has said that it proves how leniently they have been using it. I should like to put it the other way. If there is one case of illegal detention, that contends against the working of this Act. But it is not only one case. 144 cases were put before the advisory board between the 1st of January 1954 and 30th September 1955. Between 1st September 1955 and 31st March 1956, 88 detenus were released while in 54 cases the detention was upheld. 29 cases are still pending before the advisory board. It will be seen from the figures that the number of illegal detentions is higher than the number upheld or pending. That

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is very serious. This House should take that into consideration. The period 1st January 1956 to 31st March 1956 has again shown a high spurt of detention: the number arrested is 279 and this is chiefly due to the SRC agitation. I have got Comrade Dange's charge-sheet here; he was arrested at the aerodrome. The grounds alleged there are preaching of violence, and the other usual charges. I will leave these cases to be argued by my leader comrade Gopalan, and may be, comrade More.

**An Hon. Member:** Comrade More? Yes. I think, he is still a comrade—may be, Shri More.

**Shri S. S. More (Sholapur):** I am comrade to everyone.

**Shrimati Renu Chakravarty:** Every time the charges levelled against them are almost similar: they appealed to the people to go on a hartal or to disobey the orders of the Police Commissioner; they did so with ulterior motives, they promoted lawlessness and disorder; they spread discontent and dissatisfaction among the workers and so on. In some cases, nothing has been given; no charge-sheet was given. It was simply said: "You belong to Samyuktha Maharashtra Committee." In one or two cases that was the ground. If one is a communist, immediately violence, instigation, and everything will come in the charge-sheet.

There is also discrimination. If you are a member of an action committee which the Government did not like or you are a person belonging to any of the opposition parties and belonged to it, you are put under the Preventive Detention Act. There have been Congressmen advocating the same thing and making the same speeches and behaving in the same manner as the other people. Yet, they go on freely.

**Shri U. M. Trivedi:** They are under white cap.

**Shrimati Renu Chakravarty:** That shows vindictiveness. The House knows the case of Shri Nana Patil, the great hero of "Satara Sarkar". Today he is being brought up before the Supreme Court to repeal his order of detention under P. D. Act. He is put in class II. That shows vindictiveness and discrimination. On the basis of how much property a man has and how

much money he has, a man who is recognised by the Congress Party as one of the heroes of a great movement,—he is put in class II. All sorts of discriminations are made against him. He is not allowed to mix with others. He cannot read even Kesari. It is not a paper of the Communist Party. It is a Maharashtrian paper. He is not allowed to read even that. So, this is a sort of vindictive measures which are undertaken in order to crush and humiliate political opposition.

I would again say this. Let the Government take recourse to the ordinary law and try the people charged with violence, criminal activities and so on. When there is a small incident, it is exaggerated out of all proportion in order to have preventive detention.

The last thing I want to say is this. The world is suffering from the evil of talking from positions of strength. Our Government says that we should not talk from positions of strength if we want to lessen world tension. Let us apply it in the national sphere. There is no use of talking from positions of strength. It is much better to look to the source and see why discontent is growing and why poverty is growing and why people have become restless. You should not make political capital of it. If you try to do so and be vindictive to the political adversaries, the tables will be turned upon you.

**Shri N. C. Chatterjee:** (Hooghly): India takes particular pride in being the greatest democratic country in Asia. We even go so far as to say that we are the greatest democratic country in the world and that this is the biggest Parliament elected on adult franchise, representing over thirty crores of human beings. But there is one dark spot and one black mark against India and that is this Act. I wish Pandit Pant can remove the dark spot and remove this Preventive Detention Act from the statute book.

Our Prime Minister had been preaching his dogma of dynamic neutralism, Panch Sheela and peaceful co-existence. Many countries are appreciating it. Last year, I was in Europe and travelled in many countries. I found that there was some appreciation of India's independent stand. But on one point, India was criticised and ridiculed and to some extent maligned. Especially when I was in England, I had been sorry to notice

that big and important papers which had all along been friendly to India and which had been supporting India in its struggle for independence, were highly critical of Pandit Nehru, our Prime Minister. One paper—the *Manchester Guardian*—charged him with a policy of encanery because he has kept the distinguished leader of Kashmir in jail for more than two years without trial and without any opportunity of defending himself or even without formulating any charge against him. I thought it was my duty in England to defend the Prime Minister and put in my reply which was fairly strong and the Prime Minister wrote to me saying that I had put the case of India very well. Then, it got some publicity. If there is any man in India who has reason to applaud the action of Pandit Nehru or the Kashmir Government against Sheik Abdullah, that is myself because Dr. Syama Prasad Mookerjee and myself opposed his policy, his action and his statements. We were told at that time that we were the enemies of India and Dr. Mookerjee was called 'traitor' and enemy of India. This is the way the Government behaves. He was the enemy of India because he was the enemy of Sheik Abdullah and his policies. That is why he was clapped in jail under the Preventive Detention Act. It is to the eternal shame of the Indian Government that he had died in detention as a detenu in Kashmir.

I had also the privilege and the distinction of having been under preventive detention under Dr. Katju's wonderful Preventive Detention Act because I was supporting Dr. Mookerjee and criticising the Government. Now, both Pandit Nehru and Dr. Katju and also their colleagues realise who was India's enemy and who was India's friend, after the tragic death of the great patriot, the great son of Bengal and the great son of Mother India. They had to put in jail the other man whose policy was criticised. But is a difficult case to justify I must say it is almost untenable today.

You cannot keep a man in jail for three years without trial. You may differ from him. I do feel strongly that the position was indefensible. But he ought to have been given a chance of defending himself. If there was a case

that he was guilty of treason or sabotage towards Kashmir, that he was doing something inimical or destructive of the basic interest of India and of the State of Jammu and Kashmir, put him up for trial. Put him up for trial, give him the most condign punishment that he deserves; clap him in jail under proper judicial sentence. I do deprecate acts of violence.

1 P. M.

**Shri Raghbir Sahai** (Etah Distt.—North-East—cum—Budaun Distt.—East): This Act is not applicable to Jammu and Kashmir.

**Shri N. C. Chatterjee:** I know the kind of narrow technical point that my hon. friend is making. But what I am pointing out is that you have clapped under this Act and similar Acts people as enemies of India, who were not really enemies of India and you found out your mistake later on. As a matter of fact, you had to take action against those whom we were criticising those days. At any rate, I am happy that Pandit Gobind Ballabh Pant has not taken up that extreme attitude which his predecessor, Pandit Kailas Nath Katju did.

When Sardar Patel sponsored this Preventive Detention Bill, and Rajaji came up for its extension, they were all speaking in apologetic tones. They said that they did not at all cherish the idea of putting this kind of a black Bill on the statute-book, which allows the executive to deprive a man of his liberty; gives him no fair trial, gives him no chance of defending himself in a court of law. Therefore, they did not like it and they specifically said that they were making it merely a temporary measure. But then Dr. Katju came forward and formulated a wonderful theory which shocked me and which shocked a number of Members of Parliament, shocked India as a whole, especially the judicial world of India. He said that the Constitution of India sanctions preventive detention. Therefore, if I remember his language—he said it must be made a "compulsory" piece of legislation. He said it should be made a compulsory piece of legislation and he also said that it should be put permanently on the statute book. Sir, great lawyers should realise, at least a man of his position that the Constitution did

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not forbid your making laws for a mad man, also for a mad Minister, but that does not mean that you should make laws for mad Ministers, simply in the off-chance that a Minister may go mad and do something improper.

What I am pointing out is that certain features of this law are worse than the British DORA, the Defence of the Realm Act, because it claps a man in jail purely on the subjective satisfaction not of the Government but of an officer. In the measure that we have legislated there is a particular clause that any of the following officers, namely "(a) District Magistrate, (b) additional District Magistrate especially empowered, (c) the Commissioner of Police for Bombay, Calcutta, Madras or Hyderabad, may, if he is satisfied, as provided in sub-clause (ii) and (iii) of clause (a) of sub-section (1) exercise the power conferred by the said sub-section." Therefore, we have delegated the power to certain officers. We have tried to introduce certain safeguards, but what has the Supreme Court said? What have the courts consistently said? This subjective satisfaction of the executive officer is not justiciable. It is purely left to the whims and pleasures of an executive officer who is mentioned in this statute. That is the danger.

The greatest and the noblest chapter in the history of India's freedom struggle was Mahatma Gandhi's struggle against the Rowlatt Act. What was the Rowlatt Act and why did India fight against it? Why did India stand by Mahatma Gandhi? Because he said that no civilised government can possibly do a thing which is opposed to the cardinal principles of jurisprudence. What was the Rowlatt Act? In the words of Pandit Motilal Nehru, in the words of Desabandhu "there was no vakil, no dalil, no appeal." The same thing applies here. Here there is no vakil, no dalil, no appeal. I may tell the hon. Minister of my humble experience. I am making no grievance of it, but I had the privilege of being clapped in Delhi jail and kept there in these hot months of May and June. I do not make a personal grievance of it. The Supreme Court and the High Courts of India have said that the accused have no opportunity to prove whether a particular charge is true or untrue. Supposing I say that Mr. More did something improper in Bombay,

something prejudicial: he cannot even show that on that very day—supposing the District Magistrate says that, he cannot come to the Supreme Court and prove that he was in the City of Delhi.

**Shri S. S. More:** With Mr. Chatterjee!

**Shri N. C. Chatterjee:** With Mr. Chatterjee sitting in this Parliament. He cannot show that. It is an amazing thing—perhaps the Home Minister does not know that, but I say from my personal experience—that this Advisory Board is a farce. I would not use stronger language. As a matter of fact, when a detenu is taken, the police informer or the police inspector, goes into the room of the Advisory Board and says whatever he has got to say behind the back of the detenu. Then the detenu is called in and the detenu says something. He is then sent out of the room and the police informer or the police inspector or whoever he may be is sent for again and he again says something behind the back of the detenu. Is this justice? Is this proper? Is it not an outrage on the elementary principles of any kind of even executive trial, or administrative tribunal or quasijudicial tribunal. This is something which I call a farce. It is entirely nugatory and illusory.

Sir, when last time the amending Bill was before this House, we the opposition parties met and Dr. Hriday Nath Kunzru and myself were deputed by all the Opposition parties to go to the Prime Minister. We went to the Prime Minister and we pointed out to him that even during the darkest days of the World War, the Second World War, when England was being bombed every day, when the blitz was going on, when hundreds of people were being killed and thousands of houses were being destroyed by the relentless German bombers, even then an ex-Governor of my province, Sir John Anderson as the Home Minister of England had a provision put in—I think, at the instance of some of the lawyer Members of the British Houses of Parliament—that the Advisory Board in its discretion may allow a detenu to be represented by a lawyer. We appealed (Dr. Kunzru and myself) to the Prime Minister that especially in India when there is so much of illiteracy and people are not well-equipped and the judges of the Advisory Board may not know the language in which that man is talking, it is far better that there should be a

chance of that man being represented by a lawyer; we appealed to the Prime Minister to do at least what was done in England—leave it to the discretion of the Advisory Board. Unfortunately it was turned down. I do not know what happened. But Dr. Katju as the Home Minister did not like it and that was also turned down. Therefore, what I am saying is this. Forget all party politics; forget all party proclivities; do not think that any party can possibly support acts of violence or sabotage. Today it is a misfortune, it is a tragedy, it is a deplorable accident that we are discussing this Preventive Detention and its working in the context of Kharagpur and Kalka. But our judgment should not be deflected by these incidents. We should appreciate the real crux of the matter and find out whether this kind of thing should be tolerated in India.

Justice Mahajan was trying my hon. friend Shri Gopalan's case. In his judgment he observed that in no country in the world in normal times when there is no war, or no insurrection have got a legislation like this on the statute-book. But we in India have specialised in this thing. I am appealing to Pandit Pant: for Heaven's sake, de-control liberty. You have decontrolled so many things, decontrol liberty. You can make an experiment. The greatest experiment is to have faith in your people, to have faith in democracy. Believe in the alchemy of democracy; believe in public spirit; believe in that; take some risks, if necessary.

Pandit Pant has pointed out that we are only detaining progressively lesser number of people. If that is so, that is one ground for responding to my appeal. The appeal is, do not put any more fetters and controls on human liberty. After all, the real thing is to build up a New India. Have a restriction on our national life and correct economic principles, absolutely eradicate unemployment and starvation in the country. But I do not want social or economic justice at the cost of human freedom or individual liberty. We do not want a totalitarian State to be built up in India in any shape or form.

You know this Preventive Detention Act came into operation only during the First World War. Then, immediately after the First World War was over, all countries repealed their Preventive Detention statutes. Unfortunately, Hitler started it. Hitler started under

a peculiar pseudonym; he called it Protective Security Act. But that protective security also led to a protective liquidation of human beings. You know millions of people were sent to Belsen and other concentration camps. The Preventive Detention Act in Germany helped the consolidation of a totalitarian State, and not thousands but millions of people were liquidated by the Gestapo.

Then came the Second World War, and the Second World War became a total war. Therefore you could not possibly make any distinction between civilian population and the armed population. Therefore it was thought that there must be complete mobilisation complete concentration of all economic and political forces operating, and so the need was for preventive detention. Therefore they had this kind of statute.

But you know, six months after the war the statute was repealed in England and practically in all other countries except in the totalitarian States.

Haven't you announced in the preamble to the magnificent Constitution, of which you are proud, that you want to build up this Republican India on the basis of social justice, economic justice and political justice? Is preventive detention compatible with the cardinal principles of jurisdiction in any shape or form?

You talk of violence. Was there no violence when Mahatma Gandhi sponsored the anti-Rowlatt Act agitation? Was there no violence in Punjab, in Amritsar? And ultimately governmental violence took greater momentum. No violence is more serious and more condemnable than governmental violence. That great son of India raised his voice against the Governmental violence of British imperialism when they forced this kind of Rowlatt Act. And the whole of India stood by him. Now, I ask those in power; you call Gandhiji Bapuji, will you cast his principles to the winds; will you not say that he was right and when we are in office and power we will give effect to his principles? Is it not the correct thing to do?

You know, the Supreme Court in the case of Dr. Bharadwaj in the Kashmir movement has laid down, Justice

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Shastri's remarkable judgment was, that out of ten grounds that are formulated if one ground is vague, is not precise, does not give correct information of the precise ground of detention to enable the detenu to exercise his fundamental right under article 22 of the Constitution to make an effective representation to the authorities, then the whole detention is illegal. They said that when it is left to the subjective satisfaction of an officer on ten grounds, it is not for the judiciary to pick and choose; if one ground is vague and is not precise, then the whole order is illegal. In the case of Mr. Shibbanlal Saksena the Supreme Court said that the whole detention is invalid on account of one vague or illusory ground. It was established before the Advisory Board that Mr. Shibbanlal Saksena, a Member of this House, was charged with one particular offence or prejudicial act which could not be done by him, and they withdrew it. The Supreme Court said it is not fair. Thereafter the detaining authorities have improved their methods, and I am sorry to say that in some cases they have formulated grounds which are not founded on truth and which are manufactured for the purpose of complying with the dicta of the Supreme Court and to make it fool-proof.

Remember the very narrow possibility of attack. It is not justiciable. It is only when it is vague or irrelevant, you can attack it. Therefore the point of attack is very narrow, and you completely destroy it by allowing the executive to have a catena of grounds like this, "you did this, you adopted an attitude of defiance in the hospital or some other place and so on."

The great socialist thinker and political philosopher, Prof. Laski, has said: the danger of democracy is this, that men who have tasted power, even democratically, will not surrender power without a conflict. I am sorry to say that this Preventive Detention Act and its continuance seem to support the thesis of Laski.

Everybody has heard what one of the greatest judges, Justice Holmes in America, has said. He has said: Experience of mankind has shown that those who control the State express their wishes in law and sweep away the Opposition.

There is some force in what Shrimati Renu Chakravarty said. It was said by Rajaji, and some people may say it today, that it is not meant to be used against political parties. What is the use of your saying that you will not use it against political parties? Have you not used it against political parties? In Bombay when the political agitation was on in connection with the States re-organisation, have you not used it? I cannot give the details, because I appeared yesterday before the Supreme Court for the Maharashtrian detenus and the matter is *sub judice*. But Justice Miller and other American judges have said that a law which subjugates the liberty of a citizen to the control of the executive government is nothing but despotism. I charge that this law is a lawless law. Dr. Katju asked: How can a man like Mr. N. C. Chatterjee say that a law is a "lawless law?" We said it when Mahatma Gandhi condemned the Rowlatt Act, when Subhas Chandra Bose, our Netaji, was spirited away to Mandalay under the Bengal Criminal Law Amendment Act. We did it when Lala Lajpat Rai and Ashwani Kumar Dutt were spirited away under Regulation III. And the same thing is true here. Because, you don't give an opportunity to the person, you infringe the cardinal principle of civilised jurisprudence *audi alteram partem*, because a person cannot be and ought not to be condemned without being heard. Here you are condemning a man unheard, without giving him an opportunity of proving his innocence. That is where it has gone wrong.

Just look at this. Under section 3 which relates to the power to make orders detaining certain persons, what are the grounds? "The Central Government or the State Government may—if satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to (i) the defence of India, the relations of India with foreign powers, or the security of India, or (ii) the security of the State or the maintenance of public order, or (iii) the maintenance of supplies and services essential to the community, it is necessary so to do, make an order directing that such person be detained." In sub-section (2) it is said that any of the following officers, namely district magistrates etc, if satisfied as provided in sub-clauses (ii) and (iii) of clause (a) of section (1), shall exercise the power conferred by

the said sub-section. Therefore, power has been given to the District Magistrates, to the Additional Magistrates and the Commissioners of Police in Bombay, Calcutta, Madras and Hyderabad, on the ground of the security of the State, maintenance of public order and maintenance of supplies and services essential to the community, to order detention.

Sir, you just scrutinise the latest chart which the Home Ministry has supplied to us. Not one black-marketeer has been caught hold of under the Preventive Detention Act.

**Shri Bogawat** (Ahmednagar South): There is. I can give you instances from my own town.

**Shri N. C. Chatterjee:** My friend has not seen this statistical chart.

**Shri S. S. More:** Shri Bogawat is a supplement to the Home Minister.

**Shri N. C. Chatterjee:** Possibly, he will issue a corrigendum. Let us look at the chart as supplied to us, the statistical information regarding the working of the Preventive Detention Act during the period from 31st December, 1955 to 31st March, 1956. There you will find that so many people have been apprehended and detained. But if you look at column No. 4—number of cases in which detention orders were made during the period of 1st January, 1956 to 31st March, 1956 with a view to preventing persons acting in any manner prejudicial to maintenance of supplies and services essential to the community—it is a big zero, a big 'Nil'—it is a Bagbazar Rasagulla. In all the 26 States from Andhra to Vindhya Pradesh not one man has been caught. With regard to dacoity which is going on in Madhya Bharat and other places, you have not at all rounded up or detained one dacoit. With regard to persons who created trouble—goondas are there in Bombay who created trouble a few months back—you have not caught hold of anyone, under the Preventive Detention Act. You do not use the Act for the purpose for which it ought to have been used. In this way you show that you are not thorough, you are not consistent and you do not take action where it is needed. Deprecate violence in any shape or form; at the same time, also depurate discriminatory use of violence on the part of the Government.

**Shri S. S. More:** Mr. Speaker, Sir, it is a very painful business for us to discuss this matter every year and particularly when our own Government is in power. Sir, what is the difference between our colonial status and the status of freedom that we have achieved? When we were a colony of Great Britain, we were supposed to be people who were to be fleeced and punished if we refused the periodical fleecing imposed by the imperial power for its own interest. But we were strongly against that imperial exploitation. We did our best, shirked no sacrifice to snap the bonds of slavery so that we got freedom.

And, what is freedom? Freedom is the guarantee of fundamental rights to every man and woman in this country. Our Constitution, which promises in the Preamble social justice, economic justice and political justice, has also enumerated some fundamental rights. Article 22 is however, circumscribed in order to make room for an Act of this sort.

What is the purpose of the Preventive Detention Act? The main purpose of the Act is to preserve law and order. Sir, 'law and order' is a State subject. The States put into effect the Preventive Detention Act and try to protect the law and order and it is the business of this House to see how far they have acted properly, in consonance with the spirit of article 22 and the fundamental rights that are guaranteed to the people.

My painful experience has been,—and I am not speaking from a partisan point of view, but I am speaking as a national citizen of India who is interested in strengthening the roots of freedom—if you look to the history of different countries, those who resort to violence, those who resort to repression for the purpose of maintenance of law and order become the first victims of revolution brought about by suppression or by repression. The greatest architect of revolution was not Lenin. As far as Russia is concerned it is Czar who was responsible for creating favourable conditions for the staging of revolution. My submission is, if any Government is forced to resort to, for maintenance of law and order, measures which are undemocratic, to measures which smack of 'dictatorialness', then we must come to the conclusion that the ways of that Government are coming to a close. Pandit Nehru himself has

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stated on many occasions, and particularly in 1936, that a Government which is depending on force, a Government which is depending on repression for the purpose of maintenance of law and order, has no right to exist. I quite accept that.

Now, the statistical table that has been supplied to us gives very revealing information, and the time being short I will concentrate my remarks regarding the conditions which are prevailing in the Bombay State.

If we look to the figures, Sir, we find—I am referring to Statement No. 1 supplied in the statistical tables—the number of persons in detention on 30th September, 1951, the total number for the whole of India, was 132 and in Bombay it was 34. Similarly, on 30th September, 1955 the total number for all India was 123 and that for Bombay was 39. On 31st December, 1955, the all India figure was 131 and that for Bombay was 31. But the number of detention orders made between 1st January, 1956 and 31st March, 1956 in the whole of India was 279 and the figure for Bombay is 117. My fears are that the correct figures are not supplied to us as far as Bombay State is concerned. Not only that, the figures of persons who were detained subsequent to March 31st, will also be revealing figures, but, unfortunately, they have not been supplied to us.

Now, what is the purpose for which all these detention orders have been issued, because the Maharashtrians have been fighting for Samyukta Maharashtra? It has been conceded by Pantiji and many other eminent leaders who are in office, that Bombay physically forms part of Maharashtra and yet, for reasons to which I need not refer now they are refusing to give Bombay to Maharashtra. Is it not our right, Sir, to struggle for a piece of land, for an important city which in our own right belongs to us? But even such agitation is supposed to be a sufficient ground for the purpose of detaining persons. One Member, Shri Raut, who happens to be a Member of the Rajya Sabha, was detained. What was the ground given against him? I am referring to page 10 of the statement where it is said: "One Member of Rajya Sabha incited people to resort to violence for

achieving Samyukta Maharashtra." Shri Raut had to go to the High Court and the High Court was pleased to go into his case and order the release of Shri Raut. Unfortunately, Mr. Speaker, in this case you must take into account the very peculiar position in which we Maharashtrians are placed. Shri Morarji Desai, for whom I have also some feeling of friendliness, is the worst enemy as far as the demand of Maharashtrians is concerned. He is determined. He looks upon it as his life's mission to deprive the Maharashtrians of Bombay City, and in fulfilment of that life's mission he is using the whole Government apparatus to support his own personal view. It is a very serious allegation that I am making, but, all the same, I make that allegation with the sense of responsibility that I am supposed to possess. Sir, I make a special appeal to Panditji. Our worst opponent is allowed to remain as the Chief Minister of Bombay State. He is using that power not for the purpose of administering the law and justice according to the well-known canons of justice and fairplay. He has become a partisan, the most rabid partisan against the Maharashtrians' claim to Bombay and he is using that position and the whole police for the purpose of suppressing our legitimate demands. Blood has flown on the streets of Bombay. It is said that the Maharashtrians were responsible for all the bloodshed on the streets of Bombay. The wife of the Speaker of the Bombay Legislative Assembly and some eminent doctors have come out with publications in which they have given figures saying that out of the 76 deaths on those particular days, due to police firing, there were many who were children below three years and there are aged people who were not able to walk even on the foot-paths of Bombay city. What is this due to? A reign of terror has been released. The Chief Minister of Bombay is very determined in this matter. I do not say that he has issued open orders to the police. But we know the slavish mentality of the subordinates and the slavish mentality of the police. They know that their Chief Minister is having particular views, and if they behave in a particular manner in order to satisfy his particular views and in order to comply with those views, they think that they will be doing the greatest service to their boss. They think that they stand to get some promotion and all that sort of thing.

Now, I want to bring to your notice and to the notice of the House that immediately after these firings, medals were distributed to the police for their meritorious work during the period of the riots. What is this? Is it not open encouragement to—

**Mr. Speaker:** We are discussing preventive detention now.

**Shri S. S. More:** I am only submitting that preventive detention is being utilised by the police to suit their own views. They give preference to their own views.

**Mr. Speaker:** You may refer to instances which are within the subject matter of this debate.

**Shri S. S. More:** I accept your suggestion. My submission is that we must go to the root of the matter. Government have been saying that there is a tendency for violence on the part of the people and by way of prevention they are forced to keep such persons inside jails. How is this violence generated? Is it initially from the people or does it come as a reaction to the police violence, the violence on the part of the executive? That is the question and that is the point I am trying to impress on this House.

So, my submission is that as far as Bombay State is concerned, this preventive detention measure is being utilised not for the purpose of avoiding or preventing any danger to the law and order situation viewed in an impartial manner, but it is being used by those who are in office for pursuing their own political views. There are views which are against the claim of Maharashtra to the city of Bombay. They are using the whole Government machinery to suit their own sectarian and individual likes and dislikes. That is my submission. It is time for Pantji to view the matter in a dispassionate manner. I do not want to suggest that he is not viewing the matter in a dispassionate manner, but we have experienced the mentality of the Britisher, namely, that the man on the spot has always to be defended; the man on the spot has always to be protected; the man on the spot has always to be given preference against claims or against grievances of the people in general. As far as Maharashtra is concerned the man on the spot happens to be the worst enemy of Maharashtra and he is out to suppress the legitimate demands of the

Maharashtrians. He happens to be the man on the spot and in the interests of the stability of Government he is getting all the priorities, all the preferences and the greatest value as far as his views are concerned. But we who are the real sufferers are supposed to be in the prisoner's dock with the man on the spot who has suppressed us, who is imposing the worst oppression on us as the prosecutor. He is not only the prosecutor but the judge too and that is our misfortune.

I need not go to other matters. The Bombay case is the worst case. It is for the Government of India to see that no person, however eminently qualified he may be to hold a particular office, however respectable he may be, is allowed to use the Government machinery, the reputation of the Government of India and the popularity of Pantji to serve his own purpose. I am sorry to say that Bombay city which is so solidly behind the Congress—

**Mr. Speaker:** I am afraid he is speaking on what ought to be done on the SRC report.

**Shri S. S. More:** When you suffer from a deep ulcer, you do not always care to look to the time when you should apply the ointment.

**Shri C. C. Shah** (Gohilwad-Sorath): He thinks that any occasion is quite good for making such malicious propaganda.

**Shri S. S. More:** Shri C. C. Shah seems to believe that the Maharashtra should not even have freedom to speak out their grievances.

**Shri C. C. Shah:** I do not know if such kind of talk will help the cause of Maharashtra?

**Shri S. S. More:** I think Shri C. C. Shah has a very exaggerated opinion about himself. I can say nothing else. My submission is that the Preventive Detention Act deserves to be removed from our statute-book. If we want to qualify ourselves for democracy, if we want to make India safe for democracy, then, you cannot resort to oppression and you cannot rely on the gun-trigger or the pistol-trigger for the purpose of keeping the people down. Shri C. C. Shah will care to read history. Obviously, he is more interested in law-books. History will teach him

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that even dictators did not succeed in keeping any section of the people down eternally.

I shall conclude by making one observation. We have still great faith in the leadership of Panditji. We may belong to different political parties. But in spite of differences with the present Government, some of the leaders stand head and shoulder over others and we look to them for guidance and for guiding this country. It is for them to see that the scales are held even between one party and another party. If they do not do it, I fear that we will be entering into another zone crisis. In 1947, we had to suffer a crisis of a communal type but in 1957, we shall be entering into a three of crisis created by the economic conditions, created by the political conditions, created by social conditions and what happened at Kharagpur and at Kalka and what is likely to be repeated in spite of Shri C. C. Shah in many other places will be ulcers due to the basic cause to which I referred. Therefore, I would say that Government should take courage instead of relying on their police and their batons and pistols and arms. They should go to the people, try to find out what are their grievances and have a hearty talk with them. The people have followed these leaders all through the national struggle. Let the leaders go to the people and find out what is wrong with the people, what are their grievances, etc., instead of depending on the bureaucratic machinery. They should wake personal efforts to remove those grievances.

I am glad that Panditji and Pantji and other leaders will be going to Bombay. When they go to Bombay, let them try to contact the people. Let them address the people directly without being surrounded by police cordons and interested parties who are trying to build up a China wall between the so-called leaders and the people at large. I believe that the leaders will rise to the occasion, take courage into their own hands and not look to the party or sectional interests, and I hope that they will do things which will bring about peace, contentment and tranquillity to this much-harassed country.

**Dr. S. N. Sinha (Saran East):** However disgraceful it may be, however loud or low we may raise or bring down our voice, the fact remains that

today we are discussing this Preventive Detention Act under the hovering shadows of a very bad type, a monstrous type, of development taking place in our country.

Incidents like those at Kharagpur and Kalka are not stray cases. Many of our friends have observed this morning also that it is a chain action. It has some real cause. May be, this is only forewarning of some more violent explosions about to come from the political underworld of our country. Mere condemnation of such incidents is not enough. We have to find out its chain and its real causes and destroy them as quickly as possible.

In this connection, I do not look at the culprits at the first moment, but at this Preventive Detention Act which is before us. I find here, it has been very mildly used in our country. Many culprits have been left perhaps: I do not know for what reason. I remember a proverb which is applicable to this Act also: "make thyself a sheep and the wolf is ready." Perhaps our Government was afraid a little that there will be public criticism if we apply this Act harshly. May be for this reason, may be for another reason; but the fact remains that it has not been applied correctly in our country. The balance has been on the side of mildness. I am surprised not at the severeness, but at the relaxation of this Act. From the statements supplied to us, it is clear that there are only a very few cases dealt with under this Act. A large number of cases have not been dealt with.

It is common knowledge in our country and perhaps we need not refer to the great paraphernalia of the State apparatus to find out what are the real reasons behind these recent occurrences which are taking place in our country, not in one place, but in several places. The pattern is the same. If we try to examine them, we will find that they are not stray cases, they are not spontaneous cases, but they are pre-arranged ones and there is something behind them which we have to find out. It is high time that our Government tried its apparatus to find out the real reason because it is harming the country a good deal. Who is getting harmed today? The ordinary worker. At Kalka, who got killed? The ordinary innocent worker got killed. Also at Kharagpur, who suffered? The worker suffered. Poor innocent workers suffer.

From whose hands do they suffer? That is what we have to find out.

In this case, if you ask me to substantiate my statement, I will have to narrate an incident which took place only a few days ago. It was only a coincidence, you may say, that it should be at the eve of the Buddha-Purnima day, on the 23rd of this month, I was at Sarnath visiting the temple of Mulgandhakuti-vihar. I was looking at the fresco-painting of Anguli-mal. You do not know the story of Anguli-mal. I will refer to it later on. There is a story in the Buddhist scriptures that there was a person called Anguli-Mal who used to cut the thumbs of strangers to make a garland. He needed 100 thumbs. It is a good painting there. At that time, somebody came and asked me, "do you not recognise me?" I said, "I recognise you." We were together in the Hazaribagh Central jail for a number of years and he was our chief cook there. He was a great murderer. He had committed three or four murders. I asked him, have you come to this temple to atone for what you have done previously?" He said, "no, no, I am doing party work." I was surprised, and asked, "party work here?" He said, "not at Sarnath, but at Mogalsarai I am doing Communist Party work." I asked him, "what is your work?" He said, "we are organising engine drivers and other railway technicians. We are learning from them how to destroy the engines." I said, "what a monstrous thing it is!" I was staggered at the replies that that man gave me. I found out from the details when I cross-examined him the real truth of it. Everybody knows that the Communist Party is on its death bed. It has no chance to revive here in our country at least. So, the last resort that they have taken to is, they have made alliance with hardboiled criminals in order to make some disturbances throughout the country here and there. That is what I found out from him. When I found it out, of course, it was a great surprise to me that a party which calls itself a political party should make alliances with such criminals and they learn techniques of sabotage. Afterwards I also visited a few unions—I know Mogalsarai very well—and also some other places where I have worked myself during the 1952 movement and before. It was not very hard to find out that in their garb of trade unionism—the communists call it trade unionism

—they really mean sabotage of the vital resources of the country. My informant at Sarnath was also an astrologer of the same type as my hon. friend Shri S. S. More who just said that in 1957 a great day is coming. He also said "a great day will come in 1957 when we will sabotage all these railways—they are a nuisance to us, they hustle and bustle, what for are they—and we will capture power." That is the plan to capture power. Whether this is the way, it is quite a different thing. But, the communist mind does not work in the same way as a normal mind works. It always works abnormally.

[MR. DEPUTY-SPEAKER *in the Chair*]

Whatever comes to their mind, it will be very hard for this House to realise.

Then, Shri S. S. More said about Bombay. We are very sorry about this. I for one am always sorry when somebody is put in detention, no doubt. Because, I have myself been in detention for a number of years in the Hazaribagh Central jail.

**An Hon. Member:** For what offences?

**Dr. S. N. Sinha:** Working for the freedom of the country. Before our country was free: not now. During the British days. I know what detention means. I detest it. But, I detest more when a culprit is left at large to hover in society and do harm to innocent people. Of course, it is more criminal to leave him than to put him under detention. If you call it criminal and unlawful, it is more lawful to keep these persons in jail. There is no use of condemning the mob, for what is happening here and there, in Kalka or Kharagpur. Our labourers, our ordinary people are very good people. It is hard to find anywhere better people than our ordinary workers. You have heard the details and you have read the papers. There are many inaccuracies in the press also. Because, the press people also do not know. When there is a police firing and someone is killed, they think it must be the folly of the police. They rush to that conclusion. Their headlines are also wrong. They say the masses of strikers have taken the law into their own hands. That is not correct. The more correct thing is, as subsequently it has been published in a section of the press in our country, that there were agitators from

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Calcutta who came to Kharagpur and have managed all this ugly show there. The worker, the engine driver and others who were on duty were forcibly taken away from the engine and then somebody else it was who had accelerated the engine and got down and let the engine go which did harm to 60 or 70 persons there. It was not the work of any railway worker. It was the work of the agitator. And such agitators are today roaming about here in the whole country and working for the Communist Party, of course, as our friend there at Moghalsarai railway loco workshop. In this House also we find justification for such work. Of course, if you plead for the workers and if you are working in their interests, you should not behave like Anguli-Mal. A moment ago I told you about the painting of Anguli-mal I was looking at Sarnath. His aim was to get the thumbs of a hundred persons to make a garland. Ninety-nine had been collected and one remained. At that time he thought: "why not cut the finger of my mother and make the garland?" Buddha comes at that time to save the situation—that is the story. The present Anguli-Mals, the fellows belonging to the Communist group are more ferocious than the Anguli-Mals of the Buddhist time. They are not satisfied with thumbs. They must have thousands and thousands of heads as garlands. And what for? In order to dethrone our Government, in order to fight the Government, and they think the *sadhana* will be complete only after having so many deaths in the whole country. That is chaos, that is anarchy, and it is an organised and premeditated murder which is going on in the country.

A moment ago I said about that person whom I met at Sarnath who is a hard-boiled criminal and who is working for the Communist Party. What the goondas of our country lack today are two things: one is the ideology of violence and raising it to a higher level, and the other in proper organisation. These two things have been provided by the Communist group of our country to the goondas of India. I am surprised at the working of the Criminal Investigation Department. They have not found out the truth. Wherever there is trouble, let it be Bombay, Kharagpur, Calcutta or anywhere, if they go into the details they will find a sure hand of some member of the Communist group. There is no

doubt about it. Even when they find it they think these people are very innocent, because they talk, they justify about the worker's demands etc., but the very statements which have been made yesterday and today on the floor of the House I resent, and I resent, because it will mean more murders in our country, when you are justifying murderous action.

I have the highest regard for our workers and sympathy for their demands. No doubt about it. But I have no regard for the man who provokes them, who tells them: "If you do not get your demands, take the law into your own hands and kill so many people."

In this connection I find there are some inaccuracies in this report which I regret I will have to point out, because here attention is not focussed only on the group which is doing this harm to the whole country. I find in this statement showing the number of detenus, in the first place they have got the P.S.P. I do not believe that a single member of the P.S.P. ever in India has believed in violence, neither the INTUC, neither the Congress. The talk was today of Kalka. There is Communist infiltration. They take whichever garb suits them best. Sometimes they take the red colour, yellow colour, black colour, whatever suits them best. They come also to the Congress. Some *agents provocateurs*, that is the right name for them, infiltrate into many such organisations. They infiltrate also into the INTUC. What business has the Government to put the name of the INTUC, P. S. P. and others here. I resent this. It should be removed, because it removes you further from the truth.

**Shri M. S. Gurupadaswamy (Mysore):** They have put the P.S.P. there.

**Dr. S. N. Sinha:** They have taken the garb. May be former Communists, may be *agents provocateurs*.

**Mr. Deputy-Speaker:** I would request the hon. Member not to indulge in this private conversation.

**Dr. S. N. Sinha:** In our country we have many parties including the Congress Party. The Congress Party is working in the unions also, and we have a clear aim. Our aim is to work

for the betterment of the workers and to maintain the unity of the country.

**An Hon. Member:** Should be.

**Dr. S. N. Sinha:** The hon. Member said "should be." He resents it, but it is a fact that we are working to achieve that aim and that goal, but if any organised violence is going on, it comes from the Communist group and that is endangering exactly these two things.

Formerly their technique was different, but today you see, as a dying man, they take resort to anything in the world, whatever comes. Today, that party is dying out; it has already faded out no doubt, and when it has no other resort, it makes an alliance with goondas, with other such elements, and when we arrest them under the Preventive Detention Act, they say "you are murdering democracy." We are not murdering democracy, but we are saving it. In the interests of the freedom of the country, of the unity of the country, it is necessary today to apply this Act. Detention, as I told you, I do not like, but to leave such people astray, to leave them to harm the people is more harmful to the country, and from that point of view....

**Shri S. S. More:** What happens when the High Court releases these people?

**Dr. S. N. Sinha:** The High Court judges and others perhaps do not know the real technique of the Communist Party today. That is the difficulty, and that is my complaint, because on paper there are so many ways of evading crimes. We know it and Shri More also knows it as he has remained underground. This underground organisation as it is working today is of that type which will not come into the clutches of the law, which tries to avoid it. The culprit whom I mentioned in the instance at Kharagpur came from Calcutta. Of course, nobody could catch him. Nobody knows today that it was Communist-inspired. Investigation should be made; that man should be found out and it should also be found out how it was engineered. It is necessary today that such things are found out in every part of the country, because unless we destroy it today it may create havoc. It may bring in our country greater havoc than natural calamities and catastrophies.

So this unity of India is our aim, and we have only two criteria by which

to judge this Preventive Detention Act, namely, whether it is maintaining the unity of India and whether it is for the good and for the happiness of the larger population. As I told you, a country-wide conspiracy is going on. Shri More also mentioned about Bombay, about many other things, about Morarji Desai and others. My complaint against Morarji Desai is that he did not use this instrument properly. The magnitude of crime was such that he should have put at least 2,000 people in jail, and especially those belonging to the Communist Party.

**Shri S. S. More:** I would recommend that he should be appointed the Chief Minister of Bombay.

**Dr. S. N. Sinha:** Then there would not have been any disturbance in Bombay.

**Mr. Deputy-Speaker:** Let those in authority appoint those whom they want.

**Shri S. S. More:** So, I am recommending.

**Mr. Deputy-Speaker:** Our discussion is restricted to the subject that is before us.

**Dr. S. N. Sinha:** Before I finish, in disturbances I do not want to lose my time in the House. I am myself going out tomorrow or the day after to unions and other places to see that the Communist group is exposed, brought to book, put under detention.

About Bombay I should not forget to say one thing, that it is not the Maharsian element which did all ugly things as it is wrongly said. There were mainly Communist elements which created troubles, which lured others. So far as the disturbances in Bombay are concerned, the Communists took the lead, they supplied the technicians and therefore it is that it took a very wrong course.

2 P.M.

So, looking at the country as a whole, we find today that we have to stop these disturbances in the interests of the masses of our people. For that reason, I think that the Preventive

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Detention Act, at it works today in the country, is justified and is necessary.

**Shri Raghbir Sahai:** I feel very grateful to the Home Minister for having placed this valuable information at our disposal. Since yesterday, we have listened to some of the impassioned speeches made by hon. Members of the Opposition, especially Shri N. C. Chatterjee and Shrimati Renu Chakravarty. I submit that many of their remarks were beside the point and quite irrelevant, because from the motion that has been moved, I understand that we are only concerned with the consideration of the statistical information that has been placed before us and not with a theoretical discussion of many points of principle, which would have been relevant only if this Act was going to expire and there was a motion for consideration whether it should be extended or not.

Before, I develop my arguments, I would like to quote a few important figures from the statistical information. We find from this that the number of persons detained on 30th September, 1954 was 132, and the number who were detained from 1st October, 1954 to 30th September, 1955 was 307. They were divided under the following heads: For violent activities 106, for goondism 41, for communal activities 111, for espionage 5, for criminal activities 8, and for the harbouring of dacoits 366. As for the releases that took place during this time, including the cases of those who were under detention on 30th September, 1954, we find that by the State Governments *suo motu* 95 persons were released, by the advisory boards 137 were released, and by the High Courts and the Supreme Court as many as seven persons were released.

From these figures, we find that the advisory boards have been functioning in a very effective manner, and not in a farcical manner, as was characterised by Shri N. C. Chatterjee. We find also that the States Governments took care to see whether the orders under the Preventive Detention Act passed by the district authorities were proper or not, and they exercised their discretion in the proper manner.

We also find that the High Courts and the Supreme Court, whenever such matters were brought to their notice, took care to sift the material on the

basis of which those persons were ordered to be detained.

Again, we find that the total number of detentions on 30th September 1955 was 124. Another figure that I would like to quote in this connection is that on 31st December, 1955, the number of persons detained was 131. So, it is quite clear that within the last quarter of the year 1955, only as many as seven persons were put under detention.

From the third list that has been supplied to us, we find that the total number of persons under detention on 31st March 1956 was about 195. They are divided under the following headings: Number of persons detained for activities prejudicial to the defence of India 11, for activities prejudicial to the security of State or the maintenance of public order 183, and for activities prejudicial to the maintenance of supplies etc. 1.

As was explained by the Home Minister yesterday, it is not all the States where the provisions of this Act have been used. Out of 26 States, 16 States are free from this contagion. For the benefit of the Members of the House, I would like to mention their names, which are as follows: Andhra, Assam, Madras, Punjab, Uttar Pradesh, Mysore, PEPSU, Saurashtra, Travancore-Cochin Ajmer, Bhopal, Coorg, Himachal Pradesh, Kutch, Manipur, Vindhya Pradesh. So, as many as 16 States had not one single detenu on 31st March, 1956.

**Shri V. P. Nayar (Chirayinkil):** But there is another aspect also.

**Shri Raghbir Sahai:** It is only in ten States, namely Bihar, Bombay, Madhya Pradesh, Orissa, West Bengal, Hyderabad, Madhya Bharat, Delhi, Tripura and Rajasthan, where a total of 195 detenus exist.

**Shri V. G. Deshpande (Guna):** They are all political elements.

**Shri Raghbir Sahai:** Let me develop my argument. The hon. Member can have, his say later on.

From all these figures, we find that Government, in every particular case, have exercised the greatest amount of restraint, and it was with very great care that an order under the Preventive

Detention Act was passed. Some of us honestly feel that Government should have made a liberal use of the powers under this Act. I quite admit that the powers under this Act are not normal powers; they are abnormal. To a certain extent, we can say they are sweeping powers. But do the Opposition leaders, when they are talking here and condemning the provisions of this Act, feel that they are living on the moon or they are living on the surface of this earth? Are they prepared to take a realistic view of things, or do they want to talk in the air? We are a democracy, but we are an infant democracy, and in an infant democracy, we meet with a number of difficulties. What we have to see here is whether the provisions of this Act have been unjustly used. From the learned speeches that I have listened to yesterday and today, I do not find that any case has been made out by those hon. Members that the provisions of this Act have been unjustly used.

We find that every party has been touched. It is not only the Communist Party members who were put under detention. It was not only the RSS people who were put under detention, but there were people belonging to so many other parties also who were put under detention. I find that even the Congress Party members were put under detention. Well, I do not plead for them. I do not want to minimise the actions of those Congressmen who took it into their heads to preach violence or take to violent methods; they should certainly have been brought to book under that Preventive Detention Act. The figures supplied show that every party was touched, whenever it tried to act against public interest. So, this Act was not a party measure, nor was it a measure meant to crush certain political parties. Under our Constitution, every political party has a right to exist. But certainly every political party must act within certain limitations. But because they have got the right, it does not mean that they can preach violence. The Kharagpur and Kalka incidents must set our minds athinking. These are really abnormal powers; we have only to see that the abnormal powers are not abused.

My hon. friend Shri S. S. More, who is not here, is always in the habit of quoting past records from Legislative Assemblies or what Mahatma Gandhi said or what Pandit Motilal Nehru said. I remember that 45 years ago,

Shri Gokhale, the moderate leader of Maharashtra, was speaking in the Central Assembly. He appealed to the Government in these terms: it is very good for the Government to possess a lion's power, but it is certainly not wise for any Government to use those powers like a lion. I think those observations also hold good in the year 1956. We should see from that standpoint whether the vast powers possessed by the Government under the Preventive Detention Act have been used like a tyrant. They have not been so used. On the other hand, we feel that if proper action had been taken in Maharashtra and in Orissa at times, perhaps those sinister developments would not have taken place.

With very great respect, and with the fullest sense of responsibility, I submit that I am not satisfied with the activities of our vigilance and CID departments. What are they doing? What have they been doing? When the Kharagpur and Kalka incidents took place, what were they doing? Were they dozing? Or were they taking a pill of opium? They should have been alert. They should have known how things were developing, how trade unions and so many other bodies had been working. What have they been doing before such incidents take place. When disasters have happened of course certain action has to be taken. We are really sorry that firing should have been resorted to, that people, innocent or otherwise, should have been killed or should have been injured. But if these agencies—I mean the vigilance department and the CID—had been vigilant enough, if they had performed their duty honestly, perhaps these incidents would have been avoided.

So I feel that from all the information that has been placed before us and from the way in which the Act has been used, we are satisfied that the Government of India as well as the State Governments have acted with a great sense of responsibility. We ought to feel grateful to the Government; we ought to congratulate the Government on having acted in with restraint, and not in an indiscreet manner. Instead of paying that tribute, instead of paying that compliment, all sorts of insinuations are being made that political parties are being crushed and trade unions are being crushed. I submit all

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this is beside the point and altogether unjustified.

Sir, I feel that there is ample justification for the retention of this Act and that the statistical information has convinced us that the Government have acted in the most discreet and most responsible manner possible.

श्री जी० जी० दशपांडे : उपाध्यक्ष महोदय, यह देव की विचित्र और विरीत मति है कि जहाँ भारत के नागरिकों को भौतिक अधिकार दिये गये हैं वहाँ बिना अभियोग के स्थानबद्ध करने का अधिकार भी इस देश की सरकार को दिया गया है और उसी अधिकार के आधार पर यह कानून बनाया गया है। उसी के बारे में आज हम यहाँ चर्चा कर रहे हैं। मैं इस कानून की वैधानिक या तत्व की चर्चा करने में विशेष विश्वास नहीं करता क्योंकि बड़े बड़े विद्वान वक्ताओं ने इस विषय पर चर्चा कर दी है कि इस प्रकार का अधिकार सरकार के पास होना चाहिये या नहीं। परन्तु मेरा सरकार के विरुद्ध यही आरोप है कि उसने इस कानून के द्वारा अपने राजनीतिक प्रतिस्पर्धियों को कुचलने और दबाने का ही यत्न किया है और जिनको दबाना चाहिए या या जिनके कार्यों पर प्रतिबन्ध लगाना चाहिए या उनके खिलाफ बहुत काम किया है। इसका कारण यह नहीं है कि सरकार डडी सांवधारी से इस बात कि चिन्ता करती है कि किसी भी नागरिक स्वतन्त्रता का हरण न हो। बात उलटी है। सरकार को इस बात की चिन्ता नहीं है कि देश में शान्ती भंग न हो। वह इसका निमित्त लेकर अपने राजनीतिक प्रतिस्पर्धियों को दबा सके इसकी वह चिन्ता करती है।

बम्बई के विषय में यहां पर काफी चर्चा हुई है। आप लोग जानते हैं कि किस प्रकार गुंडागर्दी करने वाले तत्वों ने वहाँ कि स्थिति का लाभ उठाया है। जब बम्बई में परिस्थिति बिंगड़ गयी तो वहाँ की सरकार ने उन लोगों को जो कि गुंडागर्दी करने वाले थे और जो लोग अत्याचार करने वाले थे उनको नहीं पकड़ा, उलटे जो जो राजनीतिक दलों के प्रतिनिधि ये उनको गिरफ्तार कर लिया। लेकिन ऐसा करने में दंगे शान्त नहीं हुए। यदि काम्यनिट पार्टी के या दुसरे दलों के लोग दंगा करने वाले होते तो उनको पकड़ने से दंगे बन्द हो जाने चाहिये थे। और सरकार कह सकती थी कि हमने इन लोगों को स्थानबद्ध कर दिया इसलिये दंगे बन्द हो गये।

परन्तु ऐसा हुआ नहीं जो बम्बई में दंगे करने वाले थे उनको तो सरकार ने पकड़ा नहीं, उलटे उसने अपने राजनीतिक प्रतिस्पर्धियों को जेल में भेज दिया और गुंडागर्दी करने वालों को जनता पर छोड़ दिया। जिनको गिरफ्तार करना चाहिए या उनको गिरफ्तार नहीं किया और जिनको नहीं गिरफ्तार करना चाहिए उनको गिरफ्तार किया गया। मैं कम्युनिस्टों का कोई विशेष मित्र नहीं हूँ। हमारे कांग्रेस भाई ही उनके मित्र हो सकते हैं। जब से कांग्रेस ने समाजवादी ढंग का समाज स्थापित करने का प्रस्ताव पास किया है तब से मैं कांग्रेसियाँ और कम्युनिस्टों में केवल केंटरपिलर (जिनगा) और बटपलाई (तितली) का ही अन्तर मानता हूँ। मैं इनमें बहुत ज्यादा फँकँ नहीं मानता। दोनों ही प्रगतिशील हैं, दोनों ही सम्प्रदाय बाद के विरोधी हैं। दोनों प्रतिक्रियाबाद के विरोधी हैं, दोनों माक्स को मान गूँ मानते हैं। इसलिये मैं दोनों में विशेष भेद नहीं करता। परन्तु केवल कम्युनिस्ट पार्टी के कारण ही इस देश में दंगे होते हैं यह मेरी समझ में नहीं आता। यह कहाना तो सरकार के लिये अपने उत्तरदायित्व से बचने का एक उपाय है। बम्बई में जिस कारण झगड़ा हुआ और विक्षेप भेदा हुआ इसके वास्तविक कारण का पता न लगाकर यह कह देना बहुत आसान है कि यह झगड़ा कम्युनिस्टों ने समाजवाद वालों ने करवाया। जो दंगा करने वाले हैं उनको पकड़ा नहीं जाता। जो टेबल (सारनी) हमको दिया गया है उसको देखने से मालूम होता है कि यही हालत देश के कोने कोने में है।

यह कानून क्यों बनाया गया। मैं भी मान सकता हूँ कि देश में विवेद परिस्थितियाँ हो सकती हैं। देश में युद्ध की स्थिति हो सकती है, पाकिस्तान हमारे नजदिक है, पाकिस्तान के गुप्तचर भारत वर्ष में आ सकते हैं और जगह जगह दंगे और उत्पात करवा सकते हैं। हमारी सरकार ने यह माना है कि भोपाल में जो दंगे हुए उनमें पाकिस्तान से आये हुए हैं आदमी पकड़े गये। लेकिन मैं पछता चाहता हूँ कि पाकिस्तान से आने वाले किसी आदमी को आपने गिरफ्तार किया है। इस देश कि शान्त भंग होने के पश्चात् भी आपने उनमें से किसी को गिरफ्तार नहीं किया। मध्य भारत के अन्दर, विषय प्रदेश के अन्दर, राजस्थान के अन्दर और भी प्रान्तों में आज भी लुटेरों का उत्पात जारी है और बढ़ रहा है। मानसिंह

की मृत्यु के पश्चात् हम समझते थे कि ये उत्पात कम हो जायेंगे परन्तु हम देखते हैं कि उसके पश्चात् भी डाकुओं के उत्पात अधिक बढ़े हैं। लूट हो रही है। लोग मारे जा रहे हैं। २६ आतंकियों को मापने गिरफ्तार किया है यह बात ठीक है परन्तु भेरी समझ से सच्चे आदमी आप पकड़ नहीं सकते। सरकार को मालूम नहीं यह तो म नहीं समझ सकता क्योंकि हमारे ३० सत्यनारायण सिंह ने बताया है कि कहाँ पर इंजिन टोड़ने के लिए ट्रेनिंग कैम्प बना हआ है, कहाँ पर कम्युनिस्ट क्या क्या कर रहे हैं। इसलिए मैं समझता हूँ कि इन सब बातों का पूरा पता उनकी पार्टी को भी होना चाहिये।

मुझे तो बात समझ में नहीं आती जब मैं देश में इस तरह की बातें चलते हुए देखता हूँ। पाकिस्तान के एजेंटों को जो इस देश में गढ़बड़ी करते हैं उनको इस कानून से दबाते नहीं, डाकुओं को और उन समाज विरोधी तत्वों को जो इन डाकुओं को प्रोत्साहन देते हैं उनके विशद् इस कानून का अमल नहीं करते और जब मैं इस कानून के अन्तर्गत पकड़े गये लोगों की सूची देखता हूँ तो पाता हूँ कि उसमें सबसे अधिक नम्बर बम्बई राज्य का है जहाँ से ७८ लोग इस कानून के अंदर नजरबन्द किये गये हैं, उसके बाद वेस्ट (पश्चिमी) बंगाल का नम्बर है जहाँ से ५४ अधिक इसके मातहत नजरबन्द किये गये हैं और उसके बाद राजस्थान का नम्बर आता है, इन तीन जगहों पर ज्यादातर गिरफ्तारियां हुई हैं और जो आंकड़े इस सम्बन्ध में सुलभ हैं उनको देखने से यह मालूम होता है इसमें ७० फीसदी लोग आपने यह जो राज्य पुनर्गठन का काम चल रहा है और उसमें जो आपके राजनीतिक प्रतिस्पर्धी हैं, उनको दबाने के लिए और कुचलने के लिए इस कानून का सहारा लिया है और इसके अन्तर्गत उन लोगों को गिरफ्तार किया है।

राजस्थान में आपने इसका प्रयोग भूत्वामी संघ आनंदोलन के चलाने वाले प्रतिनिधियों पर किया और बंगाल के अन्दर राज्य पुनर्गठन को लकर जो आनंदोलन कर रहे थे, उनके खिलाफ किया है और बम्बई प्रदेश के अन्दर जो गिरफ्तार किये गये हैं वे लोग हैं जो कि महाराष्ट्र प्रान्त के लिए आनंदोलन कर रहे हैं बम्बई के अन्दर इस निवारक निरोध अधिनियम का प्रयोग ऐसे लोगों पर किया गया और ऐसे ऐसे आतंकियों को इसके मातहत नजरबन्द किया गया है, जो बड़े बड़े साहित्यक थे, आचार्य अत्रे

सरीखे व्यवितरणोंको गिरफ्तार किया गया है जिनको कि सिनेमा क्षेत्र में प्रशंसनीय कार्ड करने के उपलक्ष्य में राष्ट्रपति की ओर से मेडिल मिला है और अगर भेरी स्मरण शक्ति मुझे धोखा नहीं दे रही तो आज जो इस सदन के “उपायक्ष” हैं, उनको भी आज से पांच या छः माह पूर्व इस कानून के अंदर गिरफ्तार किया गया था, इससे आप बख्ती समझ सकते हैं कि इस कानून का उपयोग कैसे कैसे लोगों के साथ किया गया होगा। इस निवारक निरोध अधिनियम को एक ऐसे व्यक्ति के विशद् अमल में लाया गया जिनको कि इस सदन ने सर्व समर्ति से अपना “उपायक्ष” चुना है और जिनके कि बारे में आज पंडित जवाहरलाल नेहरू और पंडित गांधी वल्लभ पंत को पूरा विश्वास है कि वे सदन की कार्यवाही पर पूरी तरह नियंत्रण कर सकते हैं और उनको इसकी जिम्मेदारी दी है, अगर स्पीकर न हो तो उनकी अध्यक्षता में राष्ट्रपति का भावण दोनों सदनों को हो सकता है, ऐसे व्यक्ति को जो पालियामेंट का समाज में लाया जाना बड़े अचरज की बात है और उससे एक ही बात स्पष्ट हो जाती है कि इस कानून का इस्तेमाल केवल उत्पात करने वाले, बगावत और अत्याचार करने वाले लोगों के विशद् नहीं होता है बल्कि जो आपके राजनीतिक विरोधी हैं, उनके खिलाफ होता है। हमने तो यहाँ तक देखा है कि जब कि आतंकवादी ज्यादा आतंक फैलाते हैं तो हमारी सरकार के बड़े-बड़े प्रतिनिधि उनके पांच छने के लिये चले जाते हैं। मेरा तो इस सरकार पर आक्षेप है कि वह इस कानून का इस्तेमाल केवल अपने राजनीतिक विरोधियों को दबाने के लिए करती है। हमसे पूछा जाता है कि आप ही बतलाइये कि स्त्रियों के साथ इस तरह का बुरा सलूक करना, espionage, violent and criminal activity, for preaching violence and goondaism क्या यह बातें अच्छी हैं और क्या आज उनकी इस तरह की कार्यवाहियों का समर्थन करना चाहते हैं, तो उनके लिए मेरा कहना है कि आपने तो ग्राउंड्स फार डिटॉन (निरोध के लिए आधार) में लिख दिया कि यह इस तरह के काम कर रहे थे लेकिन आपने किसी कोट (न्यायालय) में ले जाकर आपने चार्ज (दोषारोपण) को प्रव (प्रमाणित) नहीं किया, आपने उनका अभियोग सिद्ध नहीं किया, केवल ग्राउंड्स में लिख भर दिया और किसी भी व्यक्ति को नजरबन्द कर लिया। आज भी

[श्री० बी० जी० देशपांडे] मेरी समझ में पालियामेंट का अधिवेशन चल रहा था और उसके दरमियान आपने राज्य सभा के एक सदस्य श्री राउत को बंबई को महाराष्ट्र में मिलाने के पक्ष में अंदोलन करने के अपराध में गिरफ्तार कर लिया और प्रीवेंटिव डिंटेशन एक्ट (निवारक निरोध अधिनियम) के अंदर उनको नजरबन्द करके जेल के अंदर रख दिया। ग्राउंड्स फार डिंटेशन कितनी बेग (संदर्भ) दी जाती है, इस विषय पर मैं कुछ चर्चा करना नहीं चाहता हूँ क्योंकि इस सदन का सदस्य होने के पश्चात् चार मरत्वा स्वयं मूँज प्रीवेंटिव डिंटेशन एक्ट के अंदर कैद होने का सौभाग्य प्राप्त हुआ है। उस सम्बन्ध में कई दिलचस्प बातें भी सुनन में आई हैं और जो कि आपकी प्रीविलेज कमेटी (विशेषाधिकार समिति) की कराई पर हैं। प्रीविलेज कमेटी के अंदर डिस्ट्रिक्ट मैजिस्ट्रेट से यह पूछा गया कि क्या देशपांडेजी उस समय दिल्ली में थे तो उन्होंने यह जवाब दिया कि वह दिल्ली में नहीं थे बल्कि ग्वालियर में १५० मील इंटीरियर (मीतरी भाग) में थे लेकिन दिल्ली में जो बातें चल रही थीं और सभाएँ होती थीं, वह उनके इशारे पर चल रही थीं और रोज उनके यहाँ पर डंस्ट्रेक्शन (अनदेश) आते रहते थे, डिस्ट्रिक्ट मैजिस्ट्रेट ने प्रीविलेज कमेटी के सामने इस प्रकार की गवाही दी है। इस कानून के अंतर्गत नजरबन्दों की संख्या चूँकि केवल १०० या १५० है, इस कारण इस कानून का अमल अच्छी तरह से हुआ है, मैं इसे मानने को तयार नहीं हूँ।

दूसरी बात यह है कि it is an emergency legislation और इसका उपयोग आप विशेष परिस्थिति उत्पन्न होने की अवस्था में ही कर सकते हैं। यह ठीक है कि हम चंद्रलोक में नहीं रह रहे हैं और हम इस पृथ्वीलोक पर रह रहे हैं और मैं मानता हूँ कि यहाँ इमरजेंसी (आपत्ति) आ सकती है और हमारे बीचमें ऐसे बढ़े और असामिक तत्व भी मौजूद हो सकते हैं जिन के लिये कि हमें इस कानून की शरण लेना आवश्यक हो सकता है और जैसा आप कहते हैं हो सकता है कभी ऐसा संकट का अवसर उपस्थित हो और उस विशेष गम्भीर स्थिति का मुकाबला करने के लिए हमें इस कानून को अमल में लाना पड़े और यह भी ठीक है कि जब राष्ट्र की सुरक्षा का सवाल पेश हो और देश की स्वतन्त्रता खतरे में हो तो एक अधिकार की जाती स्वतन्त्रता उस वक्त काई महत्व नहीं रखती है लेकिन यह तो नहीं हो

सकता कि सन् ५१, ५२, ५३, ५४, ५५ और ५६ में हमेशा इसको अमल में लाया जाता रहे और जैसे कि राजा के घर में रोज दिवाली रहती है, वसे हमारे कांग्रेस के राज्य में रोज ही इमरजेंसी मौजूद रहे और इस तरह आपके द्वारा उसको एक मुस्तकिल सा कानून बना लेना में समझता है जनतंत्र पर एक बड़ा भारी कलंक है। यह कानून जो विशेष परिस्थिति में इस्तेमाल में आना चाहिए, आप उसको एक परमानेट फीचर (स्थायी रूप) बना रहे हैं और यह बड़ा भारी शक्ति लेकर आप उसके द्वारा अपने राजनीतिक विरोधियों और राजनीतिक शक्तियों को दबाने और खत्म करने के लिए उसको काम में ला रहे हैं और यह जो तीन, चार महीने के पेपर्स हमको दिये गये हैं उनसे मालूम होता है कि इस कानून के मात्रात्व बड़े बड़े साहित्यक, लेखक और यहाँ तक कि इस सदन के "उपाध्यक्ष महोदय" भी जिन्हें कि सदन ने सर्वसम्मति से इस पद पर आसीन किया है, ऐसे को भी इसके मात्रात्व को दिया जाता है और यह सब देखते हुए मैं यह मानने को हरणिज तैयार नहीं हूँ कि इस कानून को अच्छी और उचित तरह से अमल में लाया गया है। सच बात तो यह है कि इस कानून का इस्तेमाल अपने राजनीतिक विरोधियों को दबाने के लिए किया जाता है और सरकार समझती है कि अगर उनके खिलाफ कोर्ट में केस ले जाया जायगा तो वहाँ पर सबूत देना पड़ेगा और उधर से बचाव होगा और डिफेंस होगा और इसलिए वह हमेशा इस प्रीवेंटिव डिंटेशन का आश्रय लेती है। मेरा कहना है कि ऐसा कहना उचित नहीं है और जब हमारे सिन्हा साहब को सारा हाल मालूम है कि खड़कपुर में यह हुआ और कालका में यह हुआ और उनके पास प्रूफ (प्रमाण) मौजूद है और सारनाथ के चित्र भी उनकी गवाही देने आ सकते हैं तो फिर अर्डिनरी ला (साधारण विधि) के अंदर केस लाकर अपराधियोंको उनका अपराध साबित करवा कर दंड दिलवाना चाहिए। आप कम्प्युनिस्ट पार्टी के खिलाफ प्रूफ लाइये कि वह इस तरह की गडबडियां और समाज विरोधी कार्यवाहियां कर रही हैं और उसको पब्लिक (जनता) में कडेम (निन्दा) करिये और इस तरह आप उसको खत्म कर सकते हैं परन्तु बिना सबूत पेश किये हुए यहाँ बाइल्ड सीचेज (उत्तेजनात्मक भाषण) देकर कम्प्युनिस्टों की बोगी (हीवा) खड़ी कर देने पर से काम चलने वाला नहीं है। आप कम्प्युनिस्टों की कार्यवाहियों के बारे में

जांच करवाइये और आप अपने चार्ज (आरोप) को इस्टब्लिश (स्थापित) करिये और मैं इसमें आपके साथ पूरी तरह हूँ कि अगर किसी व्यक्ति या पार्टी पर यह यह साक्षित हो जाय कि वह इस तरह की अराज्जीय, विव्वसक और समाज विरोधी कार्यवाहियां कर रहा है तो आप उसको कड़ी से कड़ी सजा दे सकते हैं और उसके लिये हम आपके हाथ में शक्ति दे सकते हैं, लेकिन हम देख रहे हैं कि आपके हाथ में जो यह शक्ति मौजूद है, उस शक्ति का आज आप दुरुपयोग कर रहे हैं और उसका उपयोग आप अपने राजनीतिक विरोधियों को दबाने के लिये कर रहे हैं। अन्त में मैं आपसे यही प्रार्थना करूँगा कि यह जो आपने विधान बनाया है इसको स्टैचेट (संविचि) पर से हटा दीजिये और इसको रिपील (रद) कर दीजिये।

**Shri Kamath:** (Hoshangabad): Mr. Deputy-Speaker, yesterday, when my hon. friend, Shrimati Renu Chakravarty was speaking, I watched the behaviour of my hon. friends opposite and I felt sad, and fear clutched at my heart for the future of democracy in our country. I wondered whether those hon. colleagues of mine who were sanctimoniously preaching against violence in and outside the House were themselves not guilty of a growing intolerance which was outwardly manifested in that misbehaviour yesterday.

It was as well that the Home Minister counselled them to better ways. Such intolerance should be curbed. I am constrained to say that unless this growing intolerance is curbed, the responsibility for violence in our country—God forbid that violence should break out—would rest squarely on the shoulders of my friends opposite and not on this side of the House. Let them take heed before it is too late. This intolerance is a great danger to the future of democracy in this country.

This law of preventive detention flows from that curiously anomalous article of the Constitution, article 22, which is a blot on our escutcheon, because that article confers on every Indian citizen the right, the fundamental right, of being detained without trial. It is a very sad anomaly. You are aware that in the Constituent Assembly some of us tried to get this incorporated in some other part of the Constitution, in the emergency provisions, but there it is and it remains today in the

chapter on Fundamental Rights as if detention also is one of the fundamental rights conferred on an Indian citizen.

The Government headed by the Prime Minister is never tired of quoting British precedents, the Commonwealth precedents and saying that we are honourably associated with the Commonwealth. The Prime Minister always says that there is no handicap in it but it has always been a source of advantage to us. I am sorry the Home Minister is not here now, but I hope the Law Minister will look after his portfolio for the present. May I point out that as late as last year, in May 1955, when the famous Burgess-McLean case came up before the House of Commons and a suggestion was made by some Members of the House of Commons to the Prime Minister, Sir Anthony Eden, that he might resort to special security powers in view of these developments, the Prime Minister of Britain made this very heartening speech in that House? I will quote the relevant extract:

"He asked: "Would the House agree that the law should allow any British subject to be detained on suspicion, when there was no evidence on which he could be charged? Would the House be willing that men and women should be held indefinitely by the police while evidence was collected against them? Must we abandon the centuries old principle of British justice that a man is presumed innocent until he is proved otherwise? Are we to make exceptions to the principle for a political offence?"

He went on to say something striking. Sir Anthony Eden is a Tory of the bluest dye. He said—

"I would never be willing to be the Prime Minister of a government which asked those powers of this House."

Sir Anthony Eden is a Tory of the deepest dye, the bluest dye. Mr. Churchill himself in his war memoirs, fifth volume, has published the correspondence that went on between him and the members of the cabinet and the King which shows how anxious he was to terminate Regulation 18B during the war, as early as 1943. We all know that so far as Britain was concerned, the Regulation terminated at the close of European war even

[Shri Kamath]

though the war in the Pacific against Japan was on. Ours is the only country in the whole of the wide world—I am not taking into consideration the totalitarian countries—where the Constitution provides for preventive detention. The highlights of the Preamble of our Constitution are equality, liberty, fraternity and justice. I do not want to take into consideration at this moment what is going on in the totalitarian countries. But I say that ours is the only country among the democratic countries of the wide world today where the Constitution provides for preventive detention in peace-time, not in wartime, because there is no emergency now and there is no proclamation anywhere except in Travancore-Cochin.

**Shri Kamath:** It is some sort of a likkara—Reserved—Sch. Castes): But there is no emergency there.

**Shri Kamath:** It is some sort of a proclamation. There is no other country in the whole world where in peace-time a law has been put on the statute-book like this. This is a blot on the Constitution, and the sooner it is done away with, the better for India's fair name in the democratic world.

My hon. colleague referred to the use that has been made of this Act by the Government and how it has been used against political opponents. I do not want to traverse that ground as it has been done by my other friends. I would only suggest that so far as Maharashtra is concerned, where the forefathers, the ancestors of the Home Minister lived and flourished perhaps two centuries ago, the Preventive Detention Act is more accurately, really and truly, the Pant-Desai Act,—not Preventive Detention Act but Pant-Desai Act. Pandit Pant here and the Chief Minister Desai of Bombay have formed in collusion, a conspiracy against Maharashtra....

**Shri B. S. Murthy (Eluru):** Is it Kamath combination?

**Shri Kamath:** There is a third person also, Murthy Garu.

**Mr. Deputy-Speaker:** Not so many combinations.

**Shri Kamath:** Yesterday when I listened to the Home Minister, it was a reluctant advocacy for the continuance of this Act, but it was an eloquent plea for the acceptance of my

amendment No. 3. He has himself admitted that the number has been dwindling year by year, and there is virtually no reason for continuing the Act when so few people are in detention. If one has to resort to this kind of law, I would emphasise that it is only putting a premium on the inefficiency of the police or inefficiency of your law and order machinery and apparatus, because they cannot find evidence, because they cannot find proof, because they are inefficient, and by this method they want to clap people behind the bars. Because of the inefficiency of your police machinery, law and order machinery, you have taken recourse to this law time and again.

I would next come to the other aspect of the matter, which was referred to by Sardar Patel in the Provisional Parliament, and later on reiterated by his successor, Shri Rajagopalachari. After Rajagopalachari came Dr. Katju and after him Pandit Pant now, who is fourth in the line of Home Ministers. May I remind him of what his two predecessors, Sardar Patel and Rajaji stated in this House. I remember that Sardar Patel said that he had cried for days, spent sleepless night and shed tears....

**Acharya Kripalani (Bhagalpur cum Purnea):** Tears he never shed.

**Shri Kamath:** ...before he came to the House to pilot the first Bill of this kind.

**Acharya Kripalani:** He allowed others to shed.

**Shri Kamath:** He gave an assurance to the House, and that was reiterated by Rajaji, that this law would as far as possible be a dead letter and would not be used against political opponents.

Today, Shri Chatterjee has shown that it is not used against anti-social offenders or anti-social criminals. I would not use the word 'criminal'; it means a person convicted in a criminal court. From the data that has been supplied to the Members, it is seen that the members belonging to various parties—ninety per cent, opposition parties—have been rounded up under this Act and detained without trial. Various High Courts and the Supreme Court have passed strictures that the grounds given were inadequate and that

the detention was unjustified. Ultimately, Government had to release them. May I appeal to the Government to do this? If it is not prepared to repeal this Act today—it could be done; the situation in the country is peaceful and Kharagpur and Kalka should not distort our judgment....

**Shri B. S. Murthy:** They are eye-openers.

**Shri Kamath:** But you shut your eyes, I say, at the same time. What happened in Kalka? Whatever happened, happened in broad daylight, and the police was there. The police can prosecute them. What is the use of invoking this detention law in these cases, unless the police is absolutely inefficient, good for nothing and useless. Then of course you can have it. In Kharagpur and Kalka, the police could perhaps produce eye witnesses. If there is something, let them be prosecuted.

**Acharya Kripalani:** Instead of being prosecuted, they were shot down.

**Shri Kamath:** Those that have survived the shooting (*Interruptions*). If the Government is not prepared to accept this suggestion and repeal this unnecessary law in 1956, may I appeal to the Government to see that they do at least some thing which will be *prayaschita* for the crime which they are perpetrating in the country. That *prayaschita* will take one or two forms.

**Mr. Deputy-Speaker:** *Prayaschita* is also to be laid down by the hon. Member?

**Shri Kamath:** I will make bold to lay it down and it is up to the Government to accept it.

**Shri Sadhan Gupta:** He is a Brahmin.

**Shri Kamath:** Wherever they have taken recourse to this law and detained people without trial, let them see to it that these detenus are not treated as mere criminals in jails. Let them get a decent allowance; let their families get some allowance. This is the least that the Government should do. In 1942 there was the British Government. The war was raging. Congressmen were crying themselves hoarse from the house tops. (*Interruptions*.) Those who

were outside, I mean many were inside the jails, and so they could not cry themselves hoarse from the housetops.

**Shri B. S. Murthy:** Where were you?

**Shri Kamath:** I was inside. They were crying themselves hoarse against the enforcement of the Defence of India rules. Many leaders were detained in Ahmednagar. I do not know whether our leader, Acharya Kripalani was in Ahmednagar. The detained leaders were given very handsome allowances. Their families were given allowances. I remember that Shri Sarat Chandra Bose was detained somewhere in the South, and the British Government allowed a thousand rupees per month to his family. Equally handsome allowances were given in the other cases also. Here nothing is being done. The local police officer has got some grouse against a fellow. There was such a case from Travancore-Cochin and I think Shri Gopalan will throw more light on that. Such people are detained by the police officers and their families have to starve.

Above all things, I will appeal for an act of faith. If the Government has got full faith in democracy, in the people, in the eternal principles of justice, equality and liberty proclaimed in the Preamble to the Constitution I will appeal to them to do this. Let them today pass orders, before we conclude the session, releasing all detenus. Let them advise the State Governments to release the detenus in their jurisdiction. Let them then see the psychological effect of this action. Let the Government appeal to the country in the name of democracy and say that the co-operation of everybody is necessary. Let that be an atonement for the sin committed so far. Let them do that before it is too late.

Ten years have passed since we became independent. Have you such a lawless law in any democratic country? Let this be repealed today. Detenus in their hundreds, may be thousands, will in future be allowed to rot in jails. Their families are left to starve outside. But Nemesis will not be far behind. Inspite of our protests in the Constituent Assembly, Government included this article 22—obnoxious, curious, anomalous article, in the chapter on Fundamental Rights. It is one of the Fundamental Rights to be detained

without trial in this Congress regime. These very Congressmen called the British all sorts of names. I do not want to repeat those names. But they are themselves enacting such laws. The Prime Minister himself, in his Faizpur address, as Congress President carried on a tirade against all these lawless laws; his tirade was even against the Criminal Procedure (Amendment) Act and all such acts. But, today the Prime Minister is the presiding deity of the Government which enacts lawless laws, and detains innocent women and children without trial. Such democracy is a farce; it is a mockery; it is abject folly and stupidity. It should come to an end and I hope this House, without any hesitation, will vote for the repeal of this law.

**Shri Tek Chand (Ambala-Simla):** As a person who lives by law, I want that the law should be enthroned in the seat of justice and I want that there should be the rule of law established in this land; and I conceive that the rule of law means: suspicion however strong, is no substitute for proof. I also realise that the fundamental principle underlying the rule of law is *audi alteram partem*. I believe in these principles and I believe that they are anchor-sheets of democracy. But when I have paid homage to the principle of law and to the re-establishment of justice in her throne, I also feel that there are elements that quell and stifle the voice of law, and choke justice out of existence. There are anti-social elements in the country which are imperilling the welfare of the State.

The question then arises. In this competition between the theory and practice, are we to pay blind homage to the abstract principles, to the theory or have we got to take into account ugly facts staring us in the face? I feel that the extension of this Act is a painful necessity. I feel that there are circumstances and forces and certain bodies in this infant welfare State of ours which are anti-social and which imperil the State's stability. And therefore, much as I deplore the existence of such an Act on the statute book, much as I deprecate that there should be such a law, I feel that those who are responsible for the retention of such a law on the statute book are the persons engaged in subversive and anti-social activities rather than those who are called upon to administer it.

I turned casually to this tabulated statement which has been circulated to hon. Members and on the very first page, I find that the grounds of detention in the case of five persons were espionage. I go further down in the list and I see quite a number of cases of espionage. I ask my hon. Communist friends, who do not see eye to eye with me, if such a thing had happened in the land from which they receive their divine inspiration, would they have been clapped behind bars? Would there have been Preventive Detention? They would have been liquidated. They would have gone the way of Beria. They would have gone the way of Beria's colleagues as was reflected in the morning's report. That is what would have happened. Compare the lot of spies in any other country. That in a welfare State there should be spies is painful enough, but in a country which does not pay homage to the democratic principles, there the lot of a spy is much harder than the lot of a second class prisoner in India.

The question, therefore, is that this Act should be retained on the statute-book, but its application should be after a good deal of circumspection, after a good deal of scrutiny.

I notice, Sir, that some of its objectionable features were pruned on the previous occasion. The Advisory Board is today manned by three persons one of whom is to be a High Court Judge. Certain opportunities are available to the detenus to substantiate proof as far as he can. Therefore, to say that he is totally unheard or his point of view is not examined is travesty of truth, though I must concede I feel that a trial is a lot better than the provisions of this Act despite the fact that its rigours had been substantially mitigated on the previous occasion when it came up for certain amendments. There is also the procedure of the Advisory Board.

Sir, I heard with rapt attention the last speaker. He said this is the first country and, if I heard him correctly, the only democratic country where there is such a provision.

**Shri Kamath:** In peace time.

**Shri Tek Chand:** Yes, during peace time. May I, Sir, take this opportunity of dispelling his ignorance? In the

United States of America, in 1950,—I do expect that my friend will bear with me that there was no war in 1950—passed the Internal Security Act and it contains provisions similar to our Act. It was intended to check the activities of spies and saboteurs. No doubt, in England we had the Defence of the Realm Act of 1914—I concede it was in war-time—Regulation 14(b) of the Defence of the Realm Act and Regulation 18(b) of the Emergency Powers Act of 1939. These two statutes, I concede, were war time measures. But may I make a present to my hon. friend, who preceded me, of another statute, the statute called the Emergency Powers Act of 1920? There was no war in England in 1920. By that Act an authority was given to the Crown to declare a state of emergency and to issue regulations by Orders-in-Council during the period during which the emergency continued. This was not a war measure.

**Shri Kamath:** I said, war or emergency.

**Shri Tek Chand:** This is a statute which either adorns or is a blemish still on the statute-book of the United Kingdom. Therefore, let us not labour under that misapprehension.

**Shri Sadhan Gupta:** But were preventive detention orders issued under that Act?

**Shri Feroze Gandhi** (Pratapgarh Distt.—West cum Rae Bareli Distt.—East): You are yourself again starting trouble. We are keeping quiet.

**Shri Tek Chand:** I can take care of these. I am not troubled by interruptions and they are welcome to do so, so long as they will be patient enough to hear the retort.

Sir, Orders-in-Council were passed. This fact was debated in the two well-known cases—Halliday's case and, I believe, Greens case against Andrew—and, painful as it was, it was accepted that it was in the circumstances of the case an imperative necessity. Create that atmosphere in this country, do not imperil the stability of this country, this Act will then remain on the statute-book as a dead letter.

From the speech made by the hon. Home Minister, I notice that resort to this measure was on very few occasions. So long as adjudication of justice, administration of law, is left to human beings, there always have been

errors here and there. It may be that the information is wrong. It may be that on a few occasions a man who ought not to have been detained, happens to be behind the bars and a man who ought to have been detained has not been detained. But that is true in the best of systems the world over, and for the simple reason that human ingenuity has not attained perfection. Even where it is a long drawn out trial, where the litigating parties have the services of the most talented advocates, in courts presided over by a judiciary which has experience and is impartial, errors are bound to occur.

But the question that we are debating this afternoon is, in the circumstances or in the atmosphere prevailing in this country, will be retention of this Act subserve the interests of justice, subserve the interests of law and order, or will it be counter to those interests. My feelings, as I have expressed in the matter, are that the retention of the statute is very necessary. Its application to the cases should be after a good deal of circumspection and scrutiny. Talking of United Kingdom—England—a mature country, temperamentally not excitable where the blood is cool, they have a certain amount of sangfroid, there the occasions of clashes are few and far between. Anybody who has been to England would say that the one great thing that he noticed is the Sunday afternoon meetings in the Hyde Park. Within hailing distance there are groups of people expressing contradictory views, sometimes in a manner which is seemingly violent, but without disturbing the peace. They have tolerance. They can hear others' point of view, howsoever unacceptable it may be, and they can hear others' criticisms even if they happen to be carpings. We have got to develop that habit. If I say anything distasteful to my hon. friends there, there is a very angry, rancorous, indignant protests and hisses. We have got to develop a trait to hear others and to let others hear us. Then, the moment that is there, the occasions of conflict, the occasions for clashes will become extremely rare. I believe in the adage of the Roman jurist Cicero said: *Inter arma silent leges*. When there are violent clashes, laws are silenced or laws become silent. This is the spirit, this is the reason, this is the *raison d'être* for this Act. If there happen to be clashes, if there happen to be serious deviations from the path of tolerance, from the path of law,

[**Shri Tek Chand**]

when laws are silenced, it is then such a measure is needed. Therefore, it is a weapon perhaps not very worthy but a weapon which is effective and which is necessary. If there are elements in this country who propose to resort *inter arma*. I must confess that the results will be that the laws will be silenced. That is why this Act is necessary.

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Then again, some of my hon. friends said that this arises only in war-time and that it is a case of war-time emergency. They said that it is a case which you may resort to only when foreign invasions occur. Internal conflicts, internal disturbances, espionage, sabotage, etc., can be as serious a danger to the stability of the State as an inconsequential invasion from a predatory neighbour. Therefore, the reason for the retention of such a law should be, this: whenever the day-to-day peaceful avocation of the peace-loving citizen can be threatened by forces of disruption, by forces of subversion and if it becomes impossible to have resort to the normal law, when people stop their business, when the law and the procedure stop, after allowing this matter a good deal of deliberation, there may be a resort to such a measure.

I commend the motion before the House and I feel that conditions that are pervading and the atmosphere of this country are such that it is desirable that they should continue this Act and that these provisions should continue to remain on the statute-book for sometime to come.

**Shri U. M. Trivedi:** For the last four years we have been debating this Preventive Detention Act once every year. This debate has reduced itself to a sort of farce. That is what we are undertaking. We on this side advance certain arguments and they are more or less repetitions of what we had argued before, and the Government on their side go on arguing the same bad thing, conscious of the fact that they have got a brute majority, truth or no truth, and that they are going to get the support from their coteries. Thus the real pep about this debate is lost.

What are these reports? How do they help us? How do they help the cause of the Government in making a suggestion that the retention of this Preventive Detention Act—even if it be a day

longer—is necessary in the interests of the country? If you read the report and read the column-wise indication as to why so many persons have been detained—it is contained in the first page of statement No. 1—you will find that in Bombay 39 persons were detained during this particular period, that is, from 30th September to 31st December, 1955. Nine persons were detained for violent activities. I would like to know from the Government—and the Government spokesmen will be pleased to say—whether they are such violent activities for which no prosecution can take place under the Indian Penal Code. Those of us who had the misfortune of studying the penal law of India know that there is no such activity which cannot be brought under the penal law and the persons concerned prosecuted thereon. 18 were detained for violent criminal activity and goondasim. I do not know why such persons cannot be sentenced to rigorous imprisonment for seven or ten years. Why are they not being prosecuted? Is the Government afraid of laying evidence before the public or is the Government afraid that their judiciary will not stand by it in discharging its duty which is cast upon it? Why detain people for goondasim and crimes? When this law was brought on the statute-book, again and again, it was repeated that it is only a preventive measure and it is not a punitive measure. We all understand that this is a preventive measure. But, how will these acts, when once they have been done, prevent those men from persisting in doing those acts? Why are not such people put behind the bars and regularly tried?

Very recently we have an illustration of an erstwhile Minister of Rajasthan State indulging in violent activities of different types and one President of the District Congress Committee has been arrested for having indulged in abduction of a boy and securing a ransom of Rs. 50,000. Is the law so mad as to put such people behind the bars? Is this Act to be used for dealing with them or is the ordinary law to be used to prosecute them? If you are afraid that the name of the Congress will be blackmailed or that it will suffer in any manner or get indignity because of the action of some blacksheep against you, certainly you will use the Preventive Detention Act for such acts of crime. If you are guided by a consideration of honesty, then you will certainly prosecute such people and lay the whole

evidence before the public. What is the case of the Opposition Members? This very statement shows that seven men in Bihar who have been listed as members of the RSS, who had the good fortune and who were brave enough to be members of my party, the Jan Sangh party, were put behind the bars. But for what? Because they objected to the image of Goddess Kali being removed from a particular place. The Muhammadans did not like it to be placed there. The Hindus wanted that it should be placed there. They made a representation to the District Magistrate and those people were then said to have indulged in communal activities. Making a representation of this kind was a communal activity. For full one year, the seven men were put behind the bars. A trial against them started under section 107. Then it was proved to be groundless and false, and it was found by the magistrate that these people were put behind the bars under this Preventive Detention Act! So, is there any justification for keeping this Act? Time and again we have described this Act as a lawless law. It is a slur on the whole of our country. It is a slur on the good name of the Government. It is a slur on the good name of one and all of us, each one of us. It is doing harm to the country. Here, Shri A. K. Gopalan, the Leader of the Communist Party, Shri H. N. Mukerjee, the Deputy Leader of the Communist Party, Shrimati Renu Chakravarty, who spoke today, all have declared that they are not standing for violence. I do not know if you are accusing friends sitting on all sides of me, men like Acharya Kripalani, of doing acts of violence against the country. Are they saboteurs who are going to do some harm to the country? If that is not existing in your mind, the only think that exists behind your mind is that the strength of the parties in opposition should not grow. It is because of this that you are sticking on, hanging on to this lawless law, which Mahatma Gandhi called and we would call a black Act. You remember the Rowlatt Act and the consequence of the Rowlatt Act was Jallianwala Bagh. It is against that Act that the whole country flared up. This Preventive Detention Act is of a worse type as compared to the Rowlatt Act. The Rowlatt Act does not give the same powers as this Preventive Detention Act gives to a small district magistrate or a sub-divisional magistrate to make a report. Are these reports

truthful? Do you believe them? When I had the misfortune of being behind the bars under this Preventive Detention Act, I went through 56 cases in which the allegations were false. From beginning to end, they were false. People working in Indore were alleged to be collecting arms in Pathankot and Gurudaspur, at a distance of 900 miles. A gentleman, dining on a particular day, at a particular hour with the ex-Chief Justice of the Supreme Court of India, Justice Mahajan, was alleged to be collecting arms at that very hour at a particular place about 400 miles away from Delhi. Such are the allegations on which you base your decisions and send people behind the bars. I remember, on one occasion, I was talking with an important officer, a Home Minister of a State. Unfortunately, the police which was put to watch my movements were not able to catch me when I went to the Home Minister. I and his Deputy, both talked together for three hours. The next day the report that was submitted was that at that hour when I was talking to the Minister, I was alleged to be collecting a crowd of 300 men and addressing them to be violent against the Government. The Deputy Minister had a hearty laugh over it. It is on these reports that you decide whether or not a man should be put behind the bars.

**Acharya Kripalani:** Was he not ashamed?

**Shri U. M. Trivedi:** He must have been. He was a wise man and so he had to laugh it out. The same thing will be done by our Ministers. They know in their heart of hearts that this is not a law which is meant for this country. They know fully well who is carrying out espionage to the detriment of the country. If there is espionage, we all here stand by you not only to put that man behind the bars, but to shoot him down. We do not care if you make such a law against such a person. Here, standing as democrats, none of us likes the idea of putting a man behind the bars without trial. Give him a fair trial. He deserves a fair trial. Citizenship of India confers that right on everybody to have a fair open trial in this country. We cannot support the existence of this law for a day longer. It will be to your credit—you are in power—to declare here and now today before a division

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takes place on this question, from the Treasury Benches, we agree that this law must come to an end from today.

**Mr. Deputy-Speaker:** Can I do it?

**Shri U. M. Trivedi:** I am sorry; I was talking to the Treasury Benches. If it were in your power, you would do it.

**Pandit Thakur Das Bhargava (Gurgaon):** I am perfectly sure that if you could, you would not.

**Shri U. M. Trivedi:** The position in our country has improved to a great extent. If there was some justification for keeping this law for six months in 1950, it does not exist now: absolutely not. Exigencies of war, emergencies may require such a law, when we may not be free enough to deal with such people, when we have no time to deal with them. Even then, in my opinion, unless and until there is any question of the security of the State being in danger, there is no place for this law. You speak of public security, morale, public interest and all those vague terms which in Punjab at least are interpreted to mean thousand and one things. You say communal activity. What is communal activity?

Speaking for one's own caste, for one's own countrymen, for one's own city people, is it communalism? It is stated here, in Punjab 8 persons—communal activities: Akali Dal 4, Maha Punjab Samiti 4. What for have they been arrested? What is the communal activity? Can you define communal activity; whereby you can say that public safety is in danger? These are the very persons who are going to sit in the Treasury Benches tomorrow. These are the persons whom you say to be traitors to the country. What is it that you have done? You get frightened and put them behind the bars on the reports of the police which are never accurate, reports of police of this type. It will take 10 or 15 years before they start thinking that they are servants of the people. Today they think that because a particular Government is in power: हमको नमक कांप्रेसावनमेंट का मिलता है, हम कांप्रेस वालों की जयजय बोलेंगे। It is the report of people with such a mentality that you rely upon. I very respectfully submit through you to the Treasury Benches that it is high time

that they woke up from the dope under which you are working; drive out this idea from your head that the security of this country is in any manner at stake.

I would like to say one thing. When the Act was amended last time, Jammu and Kashmir was taken out from the purview of this Act. Even for the purpose of defence, even for the purpose of security of the State, you could have kept Jammu and Kashmir within the power of this Government. You have done away with that. I do not know what are the reasons for that. I personally do not feel any justification for keeping any man in jail without trial howsoever high or howsoever low he may be.

The laws are very discriminatory. My hon. friend Shri Kamath was telling me that we must have proper allowances and uniform allowances. Nobody wants to go behind the bars for allowances. Even if that is Rs. 1,000 or Rs. 2,000, who wants to go behind the bars? Shri Sheikh Abdulla is getting thousands of rupees and thousands of rupees are being spent over him. I do not know whether he likes the idea of remaining behind the bars.

**Mr. Deputy-Speaker:** Shri Kamath did not say that they would go behind the bars for the sake of getting allowances. If they were put, they should be given allowances. That was the point.

**Shri U. M. Trivedi:** Abolish the law itself. We do not want these allowances. Nobody wants these allowances. Repeal the law itself. But I would like to say this. When you make a law, do not discriminate between man and man, do not discriminate between party and party. Do not get frightened of anybody if you are real rulers. To you every one is equal.

In Punjab I have seen that if a man says that he is a Communist, he is in detention, finished. He will be paid Rs. 2-12-0 per day for the sake of his maintenance, and whatever he saves out of this will be allowed to be accumulated, and when he goes out of the jail, he takes all the money with him. If he happens to be a non-Communist, particularly a Jan Sangh man, he will be paid only Rs. 1-4-0 and if he does not spend that Rs. 1-4-0 then and

there, nothing doing. He will not be allowed to save anything. He must spend every day.

**Shri Nambiar** (Mayuram): Now they do not give Rs. 2-12-0 to Communists also. They have stopped it.

**Shri U. M. Trivedi:** If they have stopped it, they have done a very brave and a proper thing. They should not have discriminated. This is by way of an example to show that you are frightened of these Communists. And you are unnecessarily frightened of them. We have been sitting with them. They are not very harmful.

**Shri A. K. Gopalan** (Cannanore): Today we are reviewing the working of the Preventive Detention Act. Many speakers here have already spoken about the principle of the Preventive Detention Act and explained why we oppose this Act on principle.

This Preventive Detention Act is an abnormal measure. It gives the executive the right to deprive any person of his fundamental liberty without giving him a full opportunity to defend himself and without also according him the usual safeguards of judicial proceedings.

I am not going to discuss the principle of the Act because unfortunately it has found a place in the Constitution. For the last several years it has been there and today we must see whether this Act should be there to deal with the things that have been mentioned here, whether it is necessary in the present circumstances.

As usual, the discussion on the Preventive Detention Act has become an attack on the Communist Party. I do not know how the Preventive Detention Act and the Communist Party are correlated. One speaker even said: "Why do you write P. S. P. and other things? Take away all those things and write in all those places 'Communist' and let them be all detained." The others did not care very much about the speaker because he says like that. It was very unfortunate that he opened the debate on the other side and this was the way in which he spoke.

Why is it we oppose this Act? Is it because we think that if there is this Act and it is not used, persons will not be convicted? Certainly not. From the statement you will see that not a

single man in Travancore-Cochin is detained under the Preventive Detention Act. I will be glad if the persons there are detained under the Preventive Detention Act instead of the things that are done to them today. But on principle we say that this Act should not be there. People are kept inside jail, put in the lock-ups, they are beaten, and some of them are beaten and killed. That is what is being done there. As my friend Shri Trivedi said, if they are given two rupees or one rupee, especially when there is so much of unemployment in the country people would like to go to jail and get the two rupees. But still we oppose this measure because there is a fundamental principle involved in it.

**Mr. Deputy-Speaker:** But the Government does not detain those that are unemployed.

**Shri A. K. Gopalan:** No. If some unemployed persons want to do some subversive activity to go to jail it is easy because every man who indulges in subversive activity is arrested and kept as a detenu. But, apart from the Preventive Detention Act people are arrested even today under sections 107 and 109 I. P. C. in Travancore-Cochin. There are other sections under which large numbers of persons are arrested and detained. We do not say let the man murder, do not arrest him, do not keep him in jail, do not punish him. If a man has committed a crime, put him before the court and try him because there is the law. Unless you change the Criminal Procedure Code and other laws and say: "They were there years ago, but today we have to change them and there is a new law coming", proceed with the cases.

The framers of the Constitution never wanted certain things. When I looked through the proceedings of the Constituent Assembly, I found that they have definitely said that in certain times it is necessary in this country to use this Act for the defence of the country, for instance when there is war or external trouble, and they have definitely said that not a single day more should it remain when it is not necessary.

I am a man who has been a victim of preventive detention for nine years—four years under the British Government and five years after 1947 till 1951 when I was released by the High Court.

**Shri Kamath:** Shame, shame.

**Shri A. K. Gopalan:** I know why the cases were prosecuted against me. There were five cases against me since 1949, December when I was released. I was not released on 15th August, but later in December. There were two cases brought against me in December and two cases in January. The courts found that I was inside jail at the time of the alleged offences and acquitted me in all those cases. Then came the preventive detention order, and they said: "You are under detention because we cannot convict you. In all the cases in the High Court and other courts you have been released." That has been my experience. Looking at the charge-sheet, the Judges said that I must be released.

What is the situation in the country today? There is nobody in detention today in Travancore-Cochin, in Madras and in many other States, and according to the Government there is 'no trouble there. So, even if the Central Act remains, why not those States say: "This Act is not necessary today in our States. We do not want it." That is not done though the Government themselves have on many occasions said that conditions have changed absolutely.

The Preventive Detention has worked for these four years. Taking the two charge-sheets that are with me I would say it would have been better if the Preventive Detention Act had not been used in these cases and they had been convicted. Then they would not have done the same thing after some time.

This is a charge-sheet against Shri S. A. Dange. On the 6th November he addressed a public meeting at Chowpatty attended by about 40,000 persons in the course of which he exhorted the members of the public to take out a procession to the Council Hall in defiance of the order of the Commissioner of Police. On the 7th November he made another speech. On the 18th November he made another speech. This is the reason for his detention. The man made a speech on the 6th. You can prevent him from making another speech if you think that speech creates some trouble in the country. If you think that the man who made that speech has committed some offence, then you could convict him also. So, there is both prevention and conviction. Why should those people who wrote the statement allow him to make a speech on the 17th, 18th etc.,

and then say that he made so many objectionable speeches. You must have prevented him on the 6th November. You did not. What does it show? It shows that when they thought that he should be arrested and put in jail, they brought out these charges. That person might have been convicted for seven years or eight years or even fifteen years on the ground that he had instigated the people to do something or he had attempted to do something. But that is not what has happened in this case. Here, on the 6th November, he made a speech; on the 7th November, he made another speech, and on the 18th November, he made another speech, and so on; and it was only after one month that the authorities understood that this man should be prevented from doing something. Why should they not have prevented this man from doing that something in the beginning itself? Why should they not have prevented this man from making that speech on the first day itself? But instead of doing that, after one month they come forward with a preventive detention order. They could not only have had recourse to section 144 of the Criminal Procedure Code, but they could have kept him inside jail and not released him on bail, and they could have tried him in a court of law and got him convicted. But they have not done that. Instead of doing that, they have resorted to preventive detention. That is why we say that this Act is unnecessary.

After all, there is the normal law of the country. If you respect that law, then you could have had recourse to that law for detaining this man. If you wanted to convict this man for making that speech, if you wanted to stop that man from making a speech, then you could easily have done so under the normal law. But what do we find here? This man goes on making one speech after another. He is not underground. He comes out openly every day and makes speeches. Why should you not have arrested this man, convicted him and then given him an opportunity to prove whether what he said was correct or not? If what he had said was correct, and he had incited people, then certainly, he could be convicted. But there is not that kind of a charge-sheet given to him.

Again, we find the same thing in the case of Keshab B. R. Atre also. The charges against him are that he made

a speech on 13th November, he made a speech on 15th November, he made two speeches on the 16th November, on the 17th November another speech, and again on 17th November another speech. These are the charges against him. Morning and evening he is going on making speeches, and he is not prevented from doing so. From the morning, the police go on hearing his speech, and he makes a speech asking the people to do certain things. The police note that. Then, they allow him to make another speech, saying 'You make another speech, because we want to detain you under the Preventive Detention Act'. Why should the police not have prevented him from making his speech on the first day itself, or failing that, on the second day? They do nothing of that kind. Instead, they allow him to go on making speeches, both in the morning and in the evening, continuously. If they want to arrest him for making those speeches, why should they not arrest him on the first day itself and say 'You are arrested on such and such a charge. You must go to court, and it is for the court to decide whether you should be released or not?' Instead of doing that, they resort to preventive detention. That is why I say that this Act is unnecessary.

As far as the crimes that are committed in our country are concerned, if it is said that the authorities are unable to convict the offenders or prevent them from doing those crimes for such and such reasons, then we could have understood the whole thing. But in the absence of any such thing, we feel that this Preventive Detention Act is not at all necessary in the present circumstances of our country. It was not necessary even before. Anyhow, it has continued on the statute-book for four years. At least now, as my hon. friend Shri Kamath has said, repeal it and see what will happen.

In this connection, I want to point out one other thing to Government. They have been having this Preventive Detention Act, and they have been resorting to shooting and killing. In Bombay, as many as 80 persons had been killed, in Patna, a similar number had been killed, and again yesterday evening at Kalka also, there was firing and a few people had been killed. But do you think that by merely killing and shooting people, you can stop

violence? If violence could be stopped by shooting and killing, then there would not have been any violence at all in this country, because so many persons have died. So, it is not by preventive detention or by shooting and killing that you can stop violence. Violence is there because you are not using the normal measures which are in the Criminal Procedure Code for punishing these people. And why are you not using them? You are not using them because you are afraid that your case will not be proved. In my own case, I had found that in the court, there was nobody to prove the charges, because everybody knew that if he were to say something, it would not be correct. In fact, I had no witness myself. It was the prosecution that had produced the witnesses. And yet the court said, this man has done absolutely nothing, in fact, there was no meeting on that day at such and such a place. They said, that the whole thing was false. It is because of this fear, that the authorities are not resorting to the normal law of the land, but they are taking recourse to the Preventive Detention Act. If prevention of crimes is the object to be achieved, then certainly this is not the way.

We are told that this Act is necessary because there is violence in the country. But what is the type of violence that we have? So far as Bengal is concerned, it has been said time and again on the floor of this House, that when there was an agitation there, the people threw acid bulbs, they used to throw stones, they broke tram cars and so on. But I would like to draw your attention to what happened at the agitation that was there in Bengal two months back, where about 3,000 to 4,000 people had been convicted. Was there any charge against any of these persons that he had thrown stones, or that he had indulged in any other act of violence? Were the authorities able to point out one single act of violence which these people had indulged in? No. The policemen there knew that there was no violence on the part of these persons. The policemen were standing on the roadside.

I was also there at that time. The satyagrahis were marching along the roadside. The policemen caught them, put them inside the police van and took them away. If you do not beat the others, if you do not provoke them, then the others also are not

[Shri A. K. Gopalan]

provoked. In a place which is said to be a place of violence, there was not a single instance of stone-throwing. In fact, were there no stones in Bengal for those two months? It is said that there were anti-social people there. But what happened to those anti-social elements at this time? Had they flown away from that place? I say that it is human psychology for a man to retaliate only when he is provoked. Whether it be the Congress, or the Communist or the Socialist Party, if you beat me, if you throw stones at me, then naturally, I will also do the same thing. There may be a few persons who may control themselves, but as far as the others are concerned, they will try to beat the person who beats them, they will try to throw stones at him, and if they cannot do those things, least they will spit on that man. That is normal human psychology. If you do not provoke the people, the people also will not get provoked.

Even with the existence of the Preventive Detention Act, what do we find? Has there been an abatement of violence? Everywhere, we find violence. In Kalka, there was violence; in Khargpur there was violence, and in Kazipet, there was violence. If you say that the Preventive Detention Act is there to check violence, then why should these acts of violence have taken place? Sir, this shows that there is something fundamentally wrong. If all those people who go on strike are anti-social creatures, then I say that our present society today is full of anti-social creatures. You change the society and bring about a new order of society. If you say that the lakhs and lakhs of workers who go on strike are anti-social creatures, then preventive detention is not the remedy for it. You change the society. There is something wrong in the society. If you remedy that, then there will be no anti-social elements in society.

Take the case of the demands of the workers, or even the Samyukta Maharashtra agitation. By killing and shooting, have you been able to stop these agitations? By having resort to preventive detention, have you been able to prevent these agitations? My hon. friend Shri Pataskar is going to have a new solution. But why should not my hon. friend Shri Pataskar and others have tried to find a new solution without killing and shooting so many peo-

ple, a solution to which all the parties may agree? I say, Sir, that it is a wrong step that has been taken. It is the people that are suffering today as a result of it. It is the workers who are suffering. Of course, they have got their own organisations. Again, why should the bank employees have gone on a strike? When there is violence, there is a strike. You think that the only remedy is to shoot and kill people and to put them under preventive detention. If that is what you want to do, if you think that you have got a Communist Party in this country, which you want to put under preventive detention, then you can certainly do that; if that will satisfy you, then certainly, you can satisfy yourself by doing that. But, according to our own experience, in the present context of circumstances in our country, this Preventive Detention Act is unnecessary, and it has no place on the statute-book. If certain things are happening in the country today, over which you have no control, if you think that you cannot control those persons with the existing law, then certainly it is time that you think of the situation. But preventive detention is not the remedy for it.

Just as my hon. friend Shri Kamath has said, I would also say, repeal this Act, and see what will happen, if there is no preventive detention. Let me give one other instance where preventive detention has not succeeded in putting an end to agitations. Take the case of the satyagraha movement in Maharashtra. About 130 persons or so had been put in jail, and only the other day, about 80 have been released. But have you been able to stop the agitation by putting those people in jail? Have you been able to stop the satyagraha movement? No. Therefore, I would say that the Preventive Detention Act is unnecessary.

Again, I would like to point out that this is an Act where there is scope for abuse. This is an Act which the authorities can easily misuse. If an officer has got a prejudice against a particular person, then he can easily arrest that person under this Act, saying that he is likely to act in a manner prejudicial to public safety. Therefore, I would say that this Act should not be there on the statute-book. If even without this Act, Government will be able to see that the prevention of crimes could be stopped, and the persons who commit these crimes could be convicted, then I say, repeal this Act, it is not

necessary. This Act will only see that the innocent persons are put inside jail; and that will only provoke the people further.

So as far as the working of this Act is concerned, there is no question of its being satisfactory. It is no use saying that there are only a very few cases. If you have a bottle and say that there is only very little poison in it, and therefore, one can drink it, no one can accept it. Even one drop is enough to kill a person. So there is no use in saying that the cases are only very few. But if you agree with the principle of the Act, then that is another matter. It may be there because even without preventive detection, what is carried on in parts of the country today is much worse. A man is arrested and kept in detention. Here at least the Advisory Board is there; the High Court can release him. But the other man against whom a false charge is framed, can only come out of jail after two or three or four years.

So this is a question of the principle of preventive detention. So far as I am concerned, it is no use prolonging this in the interest of the country. In the interest of the progress of this country today, it is necessary that this Act should not find a place in the Statute-book.

**Shri G. H. Deshpande** (Nasik Central): Mr. Deputy-Speaker, Sir, I rise to place before this hon. House a few considerations in regard to this matter. Nobody would like to have this sort of extraordinary law in our country. But what are the circumstances? I was glad to note that the Communists were repeatedly saying that they also believed in non-violent methods and they also did not want to indulge in violence. I wish these words will be translated into action.

But what are the facts? Let us see what has happened during the last seven or eight years of freedom. Occasionally, we come across situations wherein organised violence has had to be met with. We are required to meet with people who indulge in violent activities, who indulge in anti-social activities. It is no use denying that. Nobody can say that a train can be derailed without any organised hand behind it. We find many things of that nature repeatedly done at certain intervals. If today in certain States, there

are no detenus, that is a good thing, because we want this Act to be used very sparingly. But that does not mean that there is no necessity for this Act. What are we witnessing during the last three or four days? There is an organised effort to tamper with our transport. It is a serious matter, and if we are not going to act effectively, nobody knows what will happen to this country. If this sort of thing is allowed to be indulged in the name of democracy, democracy will be finished.

Sir, we are establishing democracy in this country. Certain unsocial elements, in the name of democracy, want to attack democracy. We cannot forget that. Is it democracy that people should be given freedom to derail trains? Is it suggested for a moment that if I come across information that a group of individuals are organising themselves to tamper with the transport system, I should allow them to function? Is it suggested that the train should be derailed first, then the case should be launched in a court of law and then witnesses are called, when they are threatened with their lives and they cannot prove it in a court of law, and then in the name of democracy, people should have freedom to derail trains and murder innocent people? (Interruptions.)

**Shri V. P. Nayar:** If I may interrupt the hon. Member for a minute....

**Shri G. H. Deshpande:** I do not yield. If this is the way of democracy, I do not believe in that sort of democracy. I have seen that in the history of certain countries of Europe, democracy was destroyed in the name of democracy. Decomacy was attacked in the name of democracy. The liberality and the weakness of the government and the liberal notions of the government were taken undue advantage of, and democracy was removed from several countries. We want to take some lessons from the experience that we have in the world.

Let these people call us anything. We have told the people even during the elections that we want to rule this country with democratic methods. Is there any country in the world which has got better liberal laws than India. The Communists profess to teach us about the rule of law. Have you ever heard of a country where a man who was in office for several years, was

[Shri G. H. Deshpande] suddenly arrested and done to death before being produced before a court of law? I thought that our great advocates on the other side would go to Russia to plead for Beria. Was that man produced before any court of law? Was any charge-sheet read out to him? I thought that my hon. friends, Shrimati Renu Chakravarty, Shri Kamath and others would at once book a passage to Moscow for defending him. (Interruptions)

**Shri Kamath:** Ours is a democracy.

**Shri G. H. Deshpande:** What they say is that the Government should function democratically and they should be allowed to function in an undemocratic manner. These two things cannot go together. Unfortunately, we have got some misguided youths in this country. They are good people, they are intelligent people. They may have the best of motives; I do not want to run them down. But they are indulging in activities which are harmful to the nation, which are detrimental to the democratic growth of the society. That is why I say that a law of this nature for some years to come is absolutely necessary. I have no doubt if Acharya Kripalani were here on this side, he would have voted with us. (Interruptions.)

**Shri Kamath:** He is here on our side.

**Acharya Kripalani:** May I say that I spoke against this Act even when I was in the Congress? My hon. friend must know what he is talking about.

**Shri G. H. Deshpande:** I do not want to do any injustice to my hon. friend, Acharya Kripalani. Whatever views he may hold, I do hold a different view on this matter. I do think that it is necessary that we should have such a law for sometime to come in the interest of democracy.

**Acharya Kripalani:** On your authority you say it.

**Shri G. H. Deshpande:** The case of England is quite different. Nobody indulges in violence like this in England. In England, there are no people of this type. So there are some liberal laws there. I would like our country to reach that stage as early as possible. (Interruptions.)

**Mr. Deputy-Speaker:** Democracy does not mean that everybody should speak at the same time.

**Shri G. H. Deshpande:** Suppose a situation arises when at several different centres people go on organising violent activities and all of a sudden the thing flares up. Unless and until we have measure of this type, we cannot put down and suppress the movement effectively. We cannot try to dig a well when the house is on fire. So one has to be ready for it, and this is being done in the interest of democracy.

Whatever my hon. friends on the opposite benches may say, the country knows them very well. I know something of the Communist party's activities. I have come across them in Bombay, Ahmednagar and other places. It is one of their tactics to create circumstances when police will be forced to fire. The moment the police start firing, the Communists take to their heels and run away. Innocent people are allowed to die. Then in the name of those innocent people, they say, 'Oh, there must be a judicial inquiry.' The 'hero' has gone underground; he will never be found. Innocent people die. And in their name and in their sacrifice, the propaganda of the party is carried on. We have seen these things many times. The country knows these things very well. Lip-sympathy to non-violence is not going to pay my friends. Let their lip-sympathy to non-violence be translated into action. The moment the country experiences this, we would see that the Act is repealed. I have done.

**Shri M. S. Gurupadaswamy:** Mr. Deputy-Speaker, Sir, the rule of a tyrant and the rule through a tyrannical law are one and the same. Both are bad, ugly, vulgar and obnoxious. Many hon. friends know that history is replete with instances which would show that in democratic circumstances tyrants might grow and democratic means might be employed for projecting dictatorship.

We have seen the history of England. Democratic means were employed there by Cromwell to establish his protectorate. Again in Republican Germany, democratic environment was used by Hitler to come to power. Again, in Italy, the same story. So, history is full of instances which would show to us that democracy is destroyed by some people by misusing power. In this instance, today, I would say that the Congress party which holds the majority has been misusing power to

stifle opposition, to condemn opposition. Many hon. Members opposite merely see the Red Star everywhere. They have said that this law is meant only for the purpose of preventing the Communist party from disturbing or from subverting the normal situation in the country. This is not true. The law has been used not only against the Communist party; it has been used against other opposition parties also. But, it is strange that it has not been used against the members of the ruling party who are the greatest culprits—if not the greatest culprits, equal culprits—in the matter of subverting law and order in the country.

A few months ago, you have seen how in Maharashtra the very Congress people started the game of disruption. They were responsible for many of the disturbances, for many of the occurrences in Bombay and other places. But, the law of preventive detention was not applied against those people, but it was applied against people who belong to other political parties. It is very unfortunate that this fact has not been appreciated by the other side.

This law has been used, according to the statistics supplied to us, to condemn all progressive movements. In the past few months, we have witnessed movements of peasants in various parts of the country, movements of workers in Bombay, movements of workers in Bengal and Assam tea gardens and movements of people against repressive laws and repressive taxation. In all such cases, the Preventive Detention Act was employed ruthlessly by the Government to suppress these movements. The Congress members would not say anything about this. I do not know why they have forgotten all these facts. I want to know whether all the anti-social elements are only in the opposition. Are they not in the Congress? Are all people belonging to Congress honourable men and absolutely non-violent people? And only people belonging to the opposition are violent and subversive! If that is so, let them say so. I am not a friend of the communists and I do not like communism. But, I believe that democracy cannot progress, cannot improve and cannot in any way go forward if laws which are tyrannical, which are undemocratic, are passed and employed by the powers that be.

From history, you will realise that in no country, at no time there was

complete freedom from anti-social elements. In every society, there have been anti-social elements. You cannot avoid them. If there is a body politic, if there is a State, if there is a country and if there are people, there are bound to be some anti-social elements. On that ground, do you want to continue such Act? I am sorry that this argument has been advanced today to continue this Act. Anti-social elements will always be there in society and can we justify the continuance of this Act on that ground? We cannot, and we should not.

The Congress party and many hon. Members who took part in the discussion on the Preventive Detention Bill voiced their protest against the continuance of the Bill indefinitely. When this Bill was introduced for the first time, it was supposed to be only for one year—for a limited period. But, now, this Act has become a normal one and it has become a normal feature of the administration. It looks as if the Congress party cannot rule the country without this special law. I want to ask the Congress with all humility whether it would not be possible for them to rule the country without this special law; whether statesmanship is lacking, whether competence is lacking, whether ability is lacking that they cannot rule the country with the ordinary laws of land.

**An Hon. Member:** All things are lacking.

**Shri M. S. Gurupadaswamy:** The Congress people are making a dangerous confusion; they are mixing up Government with the State. All the people in the country do not want to subvert or to oppose the unity of India or create anything which is against the integrity of the country. Let us suppose all are loyal to the State. But this does not mean that no one should be opposed to Government. Government is always different from the State. But, unfortunately, our Congress friends think that Government means State and that the Congress party means Government. That is the unfortunate thing we are experiencing today. We may be opposed to the Government; and the activities and policies of the Government; but that does not mean that we are disloyal to the State. No body would be disloyal to the State.

[Shri M. S. Gurupadaswamy]

If there are anti-social elements, if there are hooligans, brigands who create trouble here and there, if there are vandals, let us deal with them in a proper way through the ordinary laws that are provided to us. But, unfortunately, the Government is incapable of using the ordinary laws of the country and they are incapable of administering the country in the normal way. They want special laws and special Acts and they want to have more and more such laws. I want to know from the hon. Home Minister whether he would have this Act permanently on the statute-book. Let us be clear about it and if that is his intention, let him say so. Or, let him say whether the conditions are not propitious today to repeal this Act. I feel that the conditions in the country, in spite of the little disturbances here and there, are perfectly normal. There is no threat from outside; there is no threat of subversion from inside. Then where is the necessity of continuing this special law in the armory of statutes. I would beg of him to consider the whole situation.

I say that special laws can be permitted only in two cases. Those are when there is external danger to the security of India, to the sovereignty of the country and when there is insurrection from within threatening the very fabric of society. Now, these things are not existing. Then where is the necessity of continuing this Act? So I would beg of him to rely more on the ordinary laws of the land. There is enough provision in the criminal laws of the country to deal with the offenders, and let us make use of these provisions. In this particular Act, what do you find? You find ethics missing, justice missing, mere blood and iron have been woven into this law.

Draconic concepts and star chamber methods have been introduced. People who are detained will not have the privilege of defending themselves in a democratic manner. They cannot appoint a lawyer or an advocate; they cannot cross-examine; they are condemned without knowing for what purpose they are condemned. Charge-sheets are just prepared in a whimsical way by the officers. Many hon. Members have read out the charge-sheets to show how they are made and how on flimsy grounds people are arrested and detained in jail. We do not want concentration camps created in this country. Let

those concentration camps and prisons be confined to communist countries. We do not want them here. We want democratic rights; we want justice according to law; we want democratic values of life; we want freedom, equity and fairplay. I would beg of the Home Minister to think whether the time has not come to repeal this law and whether the conditions are not existing for discontinuing this statute. I would beg of him to consider this matter and I hope he will announce to the House that he would repeal the law very soon.

4 P.M.

**Acharya Kripalani:** I had no intention to speak, and if I have been provoked to speak, it is because of certain remarks made by a friend in the Congress.

Year after year I have raised my voice against this Act. I do not today want to repeat the arguments that I have stated before. Nor do I want to cover the ground that has been ably covered by many of my colleagues here. I would only say this that if I were the enemy of this Government, if I were the enemy of the Congress, I would wholeheartedly welcome this law to be on our statute-book. It gives the opposition an opportunity, a justifiable opportunity, to denounce the Government from the point of justice, legal jurisprudence, humanity, democracy, self-respect. It gives an opportunity from all these points of view to the opposition to denounce the Government. Such an opportunity comes very rarely to people unasked. If I were the enemy, as I said, of the Congress and of the Congress Government, I would welcome this law on the statute-book of India and I would want it to remain as long as there is opposition in this country. It is grist to our mill. Believe me, I am neither the enemy of this Government nor the enemy of the Congress. Let the Congressman believe that I am not their enemy but I am their friend. I put aside all theoretical arguments; I put aside the fact that there have been mistakes made in arresting people. I do not want to give any examples, but I say on practical grounds, on grounds of profit and loss, from the point of view of prudence, it is for the good of the Government and it is for the fair name of the Congress that you repeal this Act. What do you gain by it? I am sure you lose more by it than gain by it. I say this because I am jealous of the reputation

of our Prime Minister; I am jealous of the reputation of our Home Minister. We have been colleagues. We have fought the battle of Independence together. I put it to them that they do not gain anything by having this law on the statute-book. They will gain much more if they repeal this law. They have enough powers under the Penal Code; they have enough powers under the ordinary law of the land. The country is with them. They have been patriots in the past. They have suffered for this country. Of whom are they afraid? You have the Army and the police. They have the public opinion of the country and they always boast that public opinion is with you. Against whom do they want this law then? Do they think that this Government is going to be upset by a few riots? No modern government can be upset by a few riots. Every modern government can deal with riots. Are they afraid of a few labour leaders? What can they do?

I say that if they repeal this Act, they will be gaining and they will not be losing. There was a time when against such Acts, against like Acts, Congressmen spoke. When I was in the Congress, I used to raise my voice against them. I am sorry that today there is no Congressman to raise his voice for a just cause.

I would appeal to the Home Minister that the gains he has had in this country by this law are negligible as compared to the losses; the loss of the fair name of India, the loss of the democratic reputation that we have acquired in the world, because we say that we believe in non-violence. Let us show by example that we believe in non-violence, that we trust the people, and then we will find that the people will rise to the occasion and will reciprocate trust put in them. Take it from me. Take away this law. We of the opposition assure you that we will try our best to see that there is no violence in this country.

**The Minister of Home Affairs (Pandit G. B. Pant):** I have listened to many of the speeches delivered yesterday and today since I had the opportunity of making the motion under consideration.

I have been moved by what Acharya Kripalani has said. He has given expression to his innermost sentiments. I

do not at all doubt the intensity of the feeling which impelled him to make the remarks that he did. But I would like just to state here that this Act has not been framed for the protection of the Government as such. His arguments were mainly directed to this, namely, that we would be able to maintain our position without the aid of this Act. So far as the popularity of the Congress, the prestige of the Prime Minister, the respect and affection in which he is held by the people of this country, are concerned, there is absolutely no difference between what Acharya Kripalani has said and what I myself feel. If we were to care for our own political interests and not for the welfare, the security and safety of the millions living in this land, we would have scrapped this Act.

But the problem is not this: whether politically it is necessary and desirable or not, but whether in the circumstances which happen to exist and prevail in our country today, such an Act has or has not been wisely enacted by the Parliament. It must be remembered that I am not asking the House to pass a new statute today. I am concerned only with the administration of the law which represents the collective will of the elected representatives of the people of this country. As such, it becomes my duty to see to it that this law is enforced but enforced in a reasonable way, just way and not in a wanton manner. So, any idea that this Act has a political purpose, I submit, is misconceived. But we are meeting here in the trail and under the shadow of Kharagpur and Kalka incidents. Can we say that conditions in this country are absolutely normal and that no safeguard is needed in order to get over the aberrations of an altogether abnormal character? Can we let the people suffer because of the misdeeds of a few and not try to protect them? There is no question of any political advantage or benefit to the Congress. After all, the Congress stands for individual liberty, for freedom of speech, for freedom of association to every citizen and all citizens and in order to ensure that sacred and noble purpose, it is necessary that no one who wants to commit havoc should, if he can be prevented from doing so, be given a licence to indulge in such an activity. The law itself is of a preventive character. It is not a penal law. There are provisions in our statute for preventing people from doing mischief and for

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maintaining peace. There is nothing altogether unusual in this Act. So, I would respectfully submit that we should not fight shy of the realities of the situation. We must do our duty by the millions living in this land.

What does the number detained come to? The average is just one in two million. Is that really such a staggering figure that one might suppose that it is with a view to vanquish or to over-awe the opponents that we have got this Act? Our opponents are at least thousands in numbers, if not lakhs.

And who are the persons detained? If one were asked to name them, they are persons more or less insignificant so far as their position and status in the public life is concerned. So, the detention of such persons cannot annul the political advantages of the Congress. No one can, for instance, gain any benefit by detaining for a few weeks or a few months one who is hardly known to anyone outside his own district or, perhaps, outside his own tehsil. So, there is no political purpose behind this detention.

**Shri U. M. Trivedi:** When they are arrested every day during the election?

**Pandit G. B. Pant:** I am aware of the cases where persons were released on parole in order to enable them to fight elections while they were under detention. I am not aware of any cases in which innocent people were taken into custody because of their participation in election.

**Shri U. M. Trivedi:** You can read the printed report on elections.

**Pandit G. B. Pant:** There are many things that are printed. When there is no truth and substance, then you take the printed word for the truth.

**Shri Trivedi:** The High Court Judge has held.

**Pandit G. B. Pant:** What I am saying is, I think, not incorrect. But, how many elections have taken place in this country? How many thousands have stood for elections? How many were there who were not there to take free part in the election? What proportion do they bear, and did the candidate, the hon. Member who had spoken has in mind, have a magical wand with him so that he can win over all the people simply by giving them

a glimpse of his face? Elections are not won or lost by looking at the face of the candidate. There are other qualities. There is the virtue, potency, popularity of the party to which one belongs. . . . (Shri M. S. Gurupadaswamy: Money). . . . and to some extent, money, which may be obtained either by fair means or by foul means, sometimes by intimidation, at other times by coercion, in any way one can choose to collect and gather.

So, the question is a simple one: whether the elections had in the least been influenced one way or the other by this Act. Can a single Member in this House dare say that elections were influenced by any action taken under this Act? I am glad nobody has given an answer.

**Shri U. M. Trivedi:** I will read out if you like.

**Pandit G. B. Pant:** Too late. So far as that goes, there is no political purpose behind it. I have been told that some of the persons who have been detained happened to belong to political organisations. Some of them also own allegiance according to this pamphlet, to the Congress. So, all have been treated impartially to whichever party one may belong. (Shri M. S. Gurupadaswamy: Question). I do not know if the questioner himself has even been detained. Perhaps, he has not been. So, his grievance seems to be that he has not been detained. I will not help him in that.

The point is a simple one and it is this. Can anybody vouch for the character, tendency, mentality, attitude, and aptitude of everyone belonging to any party in this country today? I have myself seen and have had reports to the effect that some persons who were likely to be involved in some cases joined the political parties on the eve of their arrest or detention.

**Shri Kamath:** Joined the Congress?

**Pandit G. B. Pant:** Sometimes they put on a red cap.

**Shri Kamath:** Very often many of them put on a white cap. (Interruptions.)

**Pandit G. B. Pant:** There are so many people putting on the white cap that any other man putting it on does

not add to the big crowd but one putting on a red cap makes himself prominent.

**Shri Kamath:** Where is the red cap here? It is in his imagination.

**Pandit G. B. Pant:** Things like that have happened. The real point is this. Among the best of the folds, there are sometimes some black sheep. Some folds have more and some folds have less. The red fold may have many more than the white one or the other one.

**Acharya Kripalani:** Or *vice versa*.

**Pandit G. B. Pant:** But that does not make any difference. Simply because some of the persons happen to call themselves the members of any particular party, it does not indicate that action has been taken against them because of their owning allegiance to that particular party. We have got the whole list and there is not one case in which anyone has been detained for holding any opinions or for expressing any opinions. Nobody has said that there has been any such case. So, when we have got a statistical information before us, we have to depend on it; we have to be guided by it, and on the basis of this information I am entitled to say that no one individual has ever been detained under this Act for holding any particular set of opinions or for entertaining particular ideological beliefs.

That disposes of this imaginary charge of political opportunism or coercion. It has not been made for the first time. It is one of the standard arguments which have always been advanced whenever the Preventive Detention Act has come up for consideration. So today there has been only a rehash of something which has been said many times before and which has neither originality nor much of efficacy now.

Then, Sir, the point that you have to consider is whether our conditions are such that we can depend entirely on the normal law. Some persons have referred to England and some to America. Well, in America we often hear of gangsterism in big cities like Chicago. We have not heard of that sort of organised gangsterism in our

own country. We know that in America there is not that amount of tolerance for certain shades of opinion which we have in this country. I can say on the authority of journalists and visitors, who have come to this land from very many other lands, that there is hardly any other country where people enjoy liberty of expression to the same extent as they do in this country. That is what journalists have said; that is what statesmen have said. So, I submit, the fact that.....

**Acharya Kripalani:** Why spoil your good name?

**Pandit G. B. Pant:** I do not spoil my name or anybody else's by quoting what others have said. I, for my part, want the country to be peaceful and I would be happy if there were no need left for an Act of this type, for taking action under this. In fact, as I said, I long for the day when even the Penal Code may not be necessary and we may depend on inner discipline and restraint of every citizen of this country for the maintenance of a perfect type of social order. But one does not know how long one has to wait for that. For the present we have to take stock of the situation as it exists.

We were told that such laws do not exist in England. Well, I do not know. But what is the position in England? What do we see here? A constable there can control a big crowd and if even a single citizen defies his authority he is mocked by the people. That is the state of affairs there. Here in this House every day we see motions being moved which are entirely of a different character. Do we hear of *morchas* in England? Do we hear of men being incited in an organised way and hartals being carried out in the city of London, Manchester or Liverpool? Do we hear of other things that happen here? So let us compare the conditions, let us bear the difference in mind and, so long as there are dissimilarities, we have to see that we do have such weapons as will enable us to maintain conditions that will conduce to the progress of the country; that will enable those who are engaged in constructive activities to follow them.

But, as I said, we are not concerned today with the merits of this law. I am not asking the House to adopt a law which did not exist. The law is there. And the law being there, I venture to submit that, when the number

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of those who are in detention has come down from about 11,000 to no more than 150 or even less, then it can reasonably be argued that the Act is being applied with great restraint, caution and care.

I regret that certain references of a personal character have been made. I fully recognise that there is a strong feeling in the matter of Bombay. Well, as to what should or should not be done in that connection is a different matter, but the whole problem which face us today is this: when we do not agree with a certain decision, with a certain proposition, then should our methods be peaceful or should they be violent. Even if it be assumed that a cause is right, then should violence be allowed to outstrip the peace of the country to vitiate and upset it because a cause is right? And, who can be an arbiter as to the cause being right or wrong? One can decide whether a particular means adopted is violent or non-violent, but as to the cause there may be differences of opinion. So, the two things are different: what should be done about Bombay and what decisions should be taken with regard to reorganisation of States is one matter, but whether, if people disagree with any particular decision then they should have recourse to violent methods, I think, admits of only one answer, that they should not, cannot and need not, and everything should be done....

**Shri Kamath:** Holding meetings is not violent.

**Pandit G. B. Pant:**....to prevent that. I did not say that holding meetings is violent, but I say meetings can be held to incite people to acts of violence.

**Shri Kamath:** You can also do it, as your friend here did it yesterday.

**Pandit G. B. Pant:** Here we know there was wide-spread loot, there was arson, there was stone-throwing and there were many things in Bombay in particular times. I do not know who were the culprits. I do not accuse any community; it would be wrong and it would be unfair. No community can be charged with that for what happens in a big city like Bombay. It has a cosmopolitan population. Amidst the millions living in the city of Bombay, there are also dubious characters and

persons who have been waiting for occasions when they can profit themselves or when they can give expression to their innate tendencies towards mischief. Such persons have to be quelled; they have to be checked.

I regret that personal references were made to Shri Morarji Desai. He is a most selfless patriot in the country, one who has devoted the whole of his life to the service of the country. Whether one differs from me or not, to charge him in a manner which hardly befits any hon. Member of this House is, I am afraid, not a dignified way of dealing with a delicate matter.

Shri Morarji Desai is a clean man; he is also a fearless man. One may differ from him. About these detenus, they are not ordered by the Chief Minister. In all these cases and in most of them, I think, the initiative was taken, and orders were passed by the Commissioners of Police. The Government have to pass them on to the advisory boards within a short time and it is the advisory boards which finally dispose of them. In the circumstances, I submit that it is not fair to single out any particular individual for the administration of this Act.

There was some reference made to the advisory Boards. Shri N. C. Chatterjee said that the advisory board was a fractious body. Well, he knows more about the high court judges than I do. But every board has a high court judge as its chairman. Whether they place some farce there or whether they do their business in a serious way, I do not know. The other two members too are either ex-judges of high courts or they are persons entitled to be promoted to the position of a judge of a high court. It is such a body which deals with these matters. Their record would not compare unfavourably with that of any appellate court. They maintain the orders in some cases and they upset the orders in other cases.

**Shrimati Renu Chakravarty:** Has the detenu the right of cross-examination?

**Pandit G. B. Pant:** The detenu has not got the right of cross-examination, as this House which passed this Act, did not give that right to him. But the detenu has the right to appear before the advisory board. The detenu has the right to be assisted by another person if he so desires.

**Shri U. M. Trivedi:** Who is not a lawyer.

**Shri Kamath:** Do not blame the high court judge for the procedure.

**Pandit G. B. Pant:** If there is any flaw in the Act, then I think we are all responsible for it.

**Shri Kamath:** No; the party in power.

**Pandit G. B. Pant:** The advisory board is there and I think the detenu is entitled to call for any further information whether from the Government or from any other person. I would be prepared to stand by the decision of three judges of the high court in any matter and I would trust their collective wisdom and experience.

*Shri N. C. Chatterjee nodded dissent.*

**Pandit G. B. Pant:** My hon. friend is nodding his head; he knows more.

**Shri N. C. Chatterjee:** I had to shake my head, because I wanted to remind the hon. Home Minister that my objection was with regard to the procedure. The detenu does not know what is being conveyed by the police or by the informer to the advisory board. That is done behind his back. However eminent the judges may be, however eminent the advisory board may be, however eminent the lawyers may be, you cannot possibly do justice to the detenu if information is conveyed behind the back of the detenu and if evidence taken behind the back of the judges.

**Pandit G. B. Pant:** Under this Act, the detenu has to be supplied with the grounds on which the order is based within five days, and he is entitled to make any representation.... I was told that he could not plead alibi. He could say in his representation that he was in Parliament on that particular day either in the gallery or on the floor of the House and not at the place where he is alleged to have been, and he could perhaps also take a copy of the attendance register from here and say that 'this is conclusive proof. Anyway, this is the provision made and this forms the basis of the order.

Some reference was also made to a statement made by Dr. Khan Sahib, one of our old colleagues, about his desire to repeal the security Act in West Pakistan. I congratulate him on that. I wish that, as I said, we had no statute of a criminal type and that

we could all live in peace without any coercive laws whatsoever. But in Pakistan, the Criminal Law (Amendment) Act which was enacted during the time of war is still alive. They have no Constitution yet. The old Constitution is still in force. They have also Regulation III of 1818 still in operation there. Khan Abdul Gaffar Khan was detained there for two or three years.

**An Hon. Member:** Six years.

**Pandit G. B. Pant:** Six years, I am told. So, I am prepared to learn lessons from every quarter. But Pakistan is not just an apt master to teach us.

Some reference was made also to certain orders that were passed in Jammu and Kashmir under which action was taken. They are beside the point. This Act of ours does not apply to Jammu and Kashmir and if any action was taken there, then, that is not connected with this Act. Now, I do not know how far the views expressed by my friend, Shri N. C. Chatterjee, would be right, regarding the advice of this organisation. I was trying to know that. It would be an interesting thing.

**Shri N. C. Chatterjee:** Make a distinction between man and man!

**Pandit G. B. Pant:** I have my doubts about it. We have put an end to that law under which political bodies should be declared unlawful. We have not revived that law. We have put an end to that law under which objectionable matter published in the press could be a ground for the taking of security. We have passed a law to put an end to whipping. I do not relish laws of this type. My own wish is that things in the country should take a normal time and that we all could function in a manner befitting our country.

References were made to Buddha, some I think seriously, and some more or less in a theatrical or hysterical way. But I do think that this is the land of that great sage to whom we paid homage only a few days ago. It befits us and it is our duty to bear the message that he gave us in mind and to work for the achievement of the ideal which he placed before us and before humanity. Such should be our endeavour but let us not confuse the issues. While making every attempt for the achievement of the ideal society

[Pandit G. B. Pant.] and of making advances or march onwards towards that ideal, let us not forget the kind of land and ground on which we are standing. Let our foot-hold be sound. Let us look at the pole-star but let us also not lose our way to such an extent as to have no grip on the hard realities of the day. It is to grapple with such realities that we have this Act. The moment the realities take a different shape, there is that real atmosphere of peace, amity and goodwill in the land. When we have succeeded in converting even the worst among us, then we shall be able to behave with greater nobility. Let us work towards that end but in the meantime let us all, every one of us, perform our part and discharge our duty in a just way without malice, without fear or without favour.

**Shri Kamath:** In the name of the very Buddha, release the detenus.

**Mr. Deputy-Speaker:** The main motion is simply for consideration. That need not be put to the House. There are other substitute motions. The first is that of Shri Vallatharas. Does the hon. Member want me to put it to the House? He is not here. I must put it because it has been moved.

The question is:

That for the original motion, the following be substituted :

[Division No. 7]

AYES

[4.45 p.m.]

Bier Dutt, Shri  
Boovarashasamy, Shri  
Buchhikotaiah, Shri  
Chakravarthy, Shrimati Renu  
Chatterjee, Shri Tushar  
Chatterjee, Shri N. C.  
Chowdhury, Shri N. B.  
Das, Shri B.C.  
Dasaratha Deb, Shri  
Dedhpande, Shri V. G.  
Gopalan, Shri A. K.  
Gupta, Shri Sadhan  
Gurupadaswamy, Shri M. S.  
Hansla, Shri Benjamin  
Jena, Shri Lakshmidhar  
Kamath, Shri

Kripalani, Acharya  
Krishnaswami, Dr.  
Mahata, Shri B.  
Majhi, Shri Chaitan  
Misir, Shri V.  
More, Shri S. S.  
Mukerjee, Shri H. N.  
Muniswamy, Shri N. R.  
Nair, Shri N. Sreekantan  
Nambiar, Shri  
Nathani, Shri H. R.  
Navar, Shri V. P.  
Raghaviah, Shri  
Randaman Singh, Shri

Rao, Shri K. S.  
Rao, Shri P. R.  
Rao, Shri T. B. Vittal  
Redli, Shri Eswara  
Reddi, Shri Rama-chandra  
Reddy, Shri B. Y.  
Reddy, Shri R. N.  
Rishang Keishing, Shri  
Shastri, Shri R. R.  
Sinha, Thakur Jugal Kishore  
Trivedi, Shri U. M.  
Verma, Shri Ramji

NOFS

Abdullahai, Mulla  
Abdus Sattar, Shri  
Agarwal, Shri H. L.  
Ajit Singh, Shri  
Akarpuri, Sardar  
Azad, Shri Bhagwat Jha  
Badan Singh, Ch.  
Balasubramaniam, Shri  
Bansal, Shri  
Barman, Shri  
Barupal, Shri P. L.  
Basappa, Shri  
Bhagat, Shri B. R.

Bharati, Shri G. S.  
Bhargava, Pandit M. B.  
Bhatt, Shri C.  
Bheekha, Bhai, Shri  
Bidari, Shri  
Birbal Singh, Shri  
Bogawat, Shri  
Borooh, Shri  
Bose, Shri P. C.  
Brujeshwar Prasad, Shri  
Chaliha, Shri Bimalaprosad

Chanda, Shri Anil K.  
Chandak, Shri  
Chandrasekhar, Shrimati  
Charak, Th. Lakshman Singh  
Chatterjee, Dr. Susilranjan  
Chaturvedi, Shri  
Chavda, Shri  
Chettiar, Shri Nagappa  
Dabhi, Shri  
Das, Dr. M. M.  
Das, Shri B. K.  
Das, Shri K. K.

Das, Shri N. T.	Malaviya, Shri K. D.	Rav, Shri B. K.
Das, Shri Ram Dhani	Malviya, Shri B. N.	Reddy, Shri Viswanatha
Das, Shri Shree Narayan	Malviya, Pandit C. N.	Roy, Shri Bishwa Nath
Deb, Shri S. C.	Malviya, Shri Motilal	Rup Narain, Shri
Deshmukh, Shri K. G.	Mandal, Dr. P.	Sahu, Shri Bhagabat
Deshpande, Shri G. H.	Masuriya, Din, Shri	Sahu, Shri Rameshwar
Dholakia, Shri	Mathew, Slri	Saigal, Sardar A. S.
Dhulekar, Shri	Matthen, Shri	Saksena, Shri Mohanlal
Dhusiya, Shri	Mehta, Shri Balwant Sinha	Samanta, Shri S. C.
Digambar Singh Shri	Menon, Shri Damodara	Sanganna, Shri
Dube, Shri Mulchand	Mishra, Shri Bibhuti	Sarma, Shri Debendra Nath
Dubey, Shri R. G.	Misra, Shri R. D.	Satyawadi, Dr.
Dutta, Shri S. K.	Morarka, Shri	Seval, Shri A. R.
Dwivedi, Shri D. P.	More, Shri K. L.	Shah, Shri Raichandhai
Dwivedi, Shri M. L.	Muhammad Shafee, Chaudhuri	Sharma, Pandit K. C.
Easwaran, Shri I.	Murthy, Shri B. S.	Sharma, Shri D. C.
Foeden, Pandit	Muthurishnam, Shri	Shukla, Pandit B.
Gadgil, Shri	Nair, Shri C. K.	Singh, Shri D. N.
Gandhi, Shri Feroze	Nanda, Shri	Singh, Shri D. P.
Gangaji, Shrimati	Narashimhan, Shri C. R.	Singh, Shri I. Jageswar
Ganpati, Ram, Shri	Naskar, Shri P. S.	Singh, Shri M. N.
Ghose Shri S. M.	Natarajan, Shri	Singh, Shri T. N.
Ghulam Qader, Shri	Natawadkar, Shri	Singhal, Shri S. C.
Gounder, Shri K. P.	Nehru, Shri Jawaharlal	Sinha, Dr. S. N.
Hari Mohan, Dr.	Nehru, Shrimati Shivravat	Sinha, Shri B. P.
Hasda, Shri Subodh	Nehru, Shrimati Uma	Sinha, Shri G. P.
Hembrom, Shri	Neswi, Shri	Sinha, Shri K. P.
Hem Raj Shri *	Palchoudhury, Shrimati Ila	Sinha, Shri Nageshwar Prasad
Hyder Husein, Ch.	Pande, Shri B. D.	Sinha, Shri S.
Ibrahim, Shri	Pannalal, Shri	Sinha, Shri Satya Narayan
Iqbal Singh, Sardar	Parekh, Dr. J. N.	Sinha, Shri Satyendra Narayan
Iyyunni, Shri C. R.	Parmar, Shri R. B.	Sinhwanand, Shri
Jaiware, Shri	Patel, Shri	Sivaji, Ganesgathara
Jamal, Shri	Patel, Shri B. K.	Santak, Shri
Jata-vir, Dr.	Patel, Shri Rajeshwar	Subrahmanyam, Shri T.
Jayashri, Shrimati	Patel, Shrimati Maniben	Subramania Chettiar, Shri
Jena, Shri Nirajan	Patil, Shri Kanavade	Sunder Lal, Shri
Jethan, Shri	Patil, Shri Shankargauda	Surya Prashad, Shri
Joshi, Shri M. D.	Pawar, Shri V. P.	Tek Chand, Shri
Jwala, Prashad, Shri	Pillai, Shri Thanan	Tewari, Sardar R. B. S.
Kajrolkar, Shri	Rachiah, Shri N.	Thimmaiah, Shri
Kale, Shrimati A.	Radha Ramam, Shri	Thomas, Shri A. M.
Kamble, Dr.	Raghbir Sahai, Shri	Tiwari, Shri R. S.
Karmarkar, Shri	Raghbir Singh, Ch.	Tiwary, Pandit D. N.
Kasiwal, Shri	Raghunath Singh, Shri	Tyagi, Shri
Khan, Shri Sadath Ali	Raja Bahadur, Shri	Uikey, Shri
Khedkar, Shri G. B.	Rajabhoi, Shri P. N.	Upadhyaya, Shri Shiva Datt
Khogenam, Shrimati	Ramchander, Dr. D.	Vaishnav, Shri H. G.
Kola, Shri	Ramchandra, Shri	Vaishnav, Shri M. B.
Krishna, Shri M. R.	Ramamand Shastri, Swami	Varma, Shri B.
Krishna Chandra, Shri	Ramaswamy, Shri P.	Varma, Shri M. L.
Kureel, Shri B. N.	Ramaswamy, Shri S. V.	Venkataraman, Shri
Kureel, Shri P. L.	Ram-Dass, Shri	Verma, Shri B. R.
Lakshmayya, Shri	Ram Subhag Singh, Dr.	Vishwanath Prasad, Shri
Laskar, Shri	Ranbir Singh, Ch.	Wilson, Shri J. N.
Lingam, Shri N. M.	Rane, Shri	Wodeyar, Shri
Madiah Gowda, Shri		

*The motion was negated.*

**Shri V. G. Deshpande:** Forty-two is a good number.

**Mr. Speaker:** Need I put Shri Sadhan Gupta's amendment to the vote of the House?

**Shri Sadhan Gupta:** Yes.

**Mr. Speaker:** The question is:

That for the original motion, the following be substituted:

"This House, having considered the statistical information regarding the working of the Preventive Detention Act from 30th September, 1954 to 31st March, 1956, is of the opinion that the said Act has been used for suppression of the legitimate political, trade union and other movements of the common people and as such is a

menace to civil liberties and that there is no justification for further continuing the operation of the said Act."

*The motion was negated.*

**Mr. Speaker:** The question is:

That for the original motion, the following be substituted:

"This House having considered the statistical information on the working of the Preventive Detention Act, 1950, during the period 30th September, 1954 to 31st March, 1956 is of opinion that there is ample justification for continuing the Act up to the specified period."

*The motion was adopted.*

**Mr. Speaker:** The other one by Shri Raghubir Sahai is barred.

**DISCUSSION RE. EXODUS OF  
HINDUS FROM EAST PAKISTAN  
TO INDIA**

**Mr. Speaker:** The House will now take up Shri N. C. Chatterjee's motion for raising a discussion on the exodus of Hindus from East Pakistan to India under rule 212.

**Shri N. C. Chatterjee** (Hooghly): As all Members of the House are aware the problem of the exodus of Hindus from East Pakistan to India has been causing grave concern. As you know, East Pakistan was designed....

**Shri Venkataraman** (Tanjore): There is an exodus from the House.

**Shri N. C. Chatterjee:** I am waiting for the exodus to subside.

As you know Sir, and as the House is aware, under the Radcliffe Award, East Pakistan was created, so that it could accommodate 1.25 crores of Hindus. Unfortunately, about one-third of the Hindu population was already squeezed out. The latest situation was that in about one year's time, 3 lakhs of people had to leave Pakistan and come over to India. This meant a serious strain not merely on the economy of West Bengal but on that of the whole of India. As a matter of fact, our Second Five Year Plan would be put in great jeopardy and peril, unless you can stop this exodus and do something to avert this terrible tragedy.

5 P.M.

We heard the other day the statement made in this House by the Minister of Law and Minority Affairs regarding the exodus. On the 23rd May, he gave us the result of his talks at the recent Dacca conference. The Indian delegation was led by our Minister of Law and Minority Affairs. Along with him had gone Shri Mehr Chand Khanna, the Minister of Rehabilitation, and Mr. Chanda the Deputy Minister of External Affairs. The Pakistan delegation was led by our well-known friend Mr. Hamidul Huq Chaudhury, Foreign Minister, who comes from Noakhali.

I was not at all happy over the statement made by the Minister of Minority Affairs, and I shall presently tell you why. The exodus is continuing in spite of the statements made by Shri Biswas. I am told that there is even a fresh spate of exodus of the Hindus from

West Pakistan. Now, Shri Biswas has let slip a statement which I am afraid will cause great apprehension amongst the minority community in East Bengal. Shri Biswas had said that he was satisfied—I think he said that he was sincerely satisfied—about the sincerity of the Pakistan Government, sincerely satisfied about the *bona fides* of the Pakistan Government. But may I know from him what satisfaction in fact he got at Dacca when he went there and met the Pakistan authorities? What assurances did he succeed in obtaining from them? Were these mere platitudes, mere repetitions of old pompous phrases? Or had he really attained something objective, something tangible?

The attitude of the higher officers there has been definitely discriminatory against the Hindus. We are told that something wonderful was achieved there at Dacca. What was achieved is this. The Minority Minister says that it was agreed at that conference that the minorities were the responsibility of the Government of the country to which they belonged. It was an amazing statement. After all, a Conference was needed for two days to discover that the world was round! And it was also decided that they should look up to their own Government for the redress of their legitimate grievances. But I do not want these simple platitudes to be repeated. I do not want these phrases to be reiterated. I want to know what objective facts are there to assure the minority.

The Nehru-Liaquat Ali Pact was ushered in with fan-fare. But we know it was floating for some time before it sank. But to my mind this Dacca Conference Pact was sunk before it started floating at all, because the Minister of Minority Affairs has said that he was satisfied that the Chief Minister of East Pakistan was anxious to do something for the minorities. We are now told that there has been President's rule there, and parliamentary government has been completely suspended, which means that the Chief Minister of East Pakistan is now out of office and power.

Now, I want to know certain facts. We all know the great disaster to the Hindus when there was the deliberate policy of West Pakistan to secure some kind of parity between East and West Pakistan. You know, the population of East Pakistan was much bigger than that of West Pakistan. Therefore, the

West Pakistan politicians were contriving things in such a way that the population of East Bengal should be reduced, so that they may be brought on the same level, or the East Bengal population may be even less than that of West Pakistan.

Secondly, economic discrimination has been made. I want to know what assurances the Minority Minister or the Rehabilitation Minister has got on this account. Then, the Minister says that Hindu houses have been derequisitioned. You know, there is a great deal of feeling amongst the Hindus on account of the requisitioning of Hindu houses. May I know how many Hindu houses have been derequisitioned since this wonderful Dacca conference took place? Lastly, you know that in the issue of controls and permits, there has been deliberate, consistent and persistent discrimination against the minority community. The Minister of Minority Affairs is satisfied as to the sincerity of Pakistan. May I know if he is satisfied sincerely? In how many cases have there been new permits or controls or licences issued to the members of the minority community?

Then, you know that the Ansars have been mischievous, and they have been a source of trouble to the Hindus. May I know whether any assurance has been given by the Foreign Minister or the Minority Minister in Pakistan that these Ansars will be disbanded? I told the House the other day, during the Rehabilitation debate, that another trouble has been recently created to add to the misery and persecution of the minority community. Village defence forces have been organised in many parts of East Bengal, and they have been commissioned to look after the interests of minorities, and a special levy at the rate of nine pies in the rupee with reference to the Union Rate is being levied on the poor Hindus. Have these defence parties been demobilised? Has anything been done at the instance of our Ministers to see that these defence parties do not harass the Hindus? Have they secured any guarantee or assurance from the Pakistan Government to see that the Ansar chiefs will not be the chiefs of these defence parties? The Minority Affairs Minister says that their government are eager to ensure conditions in which the minorities will be able to live in happiness and security as equal citizens with the members of the majority

community in Pakistan. This is a pathetic statement. I am sorry to say that this kind of statement will do no good to the minority community. On the other hand it will add to their uneasiness. They will be more perturbed to know, and they will feel that the Indian Government are also now adopting an attitude of pathetic self-satisfaction, and are pursuing the old mirage of merely trying to appease the Pakistan Government.

We find in the statement of the Minority Affairs Minister that an advisory board consisting of MLA's of non-Muslim political parties has been appointed. I do not know what their functions and duties would be. Has anything been allotted to them? Will their recommendations have any effect with anybody?

Secondly, we are told that a Hindu officer of the Civil Service of Pakistan has been appointed as special officer for minority affairs. But is it seriously believed that with the deliberate policy of economic strangulation of the minority community, the Hindu officer will be able to do anything? Who will listen to his recommendations? How will his recommendations be implemented? We do not know what they are going to do.

Thirdly, we are told that the minority commission is going to be revived, and minority boards will be established in Pakistan. Every time these minority boards have been there, there is further persecution, and there is further torture of the minorities, and these minority commissions have not been able to achieve anything.

Then, the Minister has said that orders have been issued to derequisition Hindu houses. But let us have facts. Let us have figures. Let us know the data. Let us know how many Hindu houses have been in tact derequisitioned. How many orders have been issued? In how many cases have the orders been respected, and the orders have been implemented?

Then, the Minister says that complaints regarding the abduction of women are there, and the officers in Pakistan have been directed to recover the girls immediately. This is again pathetic indeed. Those who are really meant to be *rakshaks* have been *bhakshaks* up till now. All these years, nothing has been done. Now, the Minority Affairs Minister solemnly stands up in this House and says,

[Shri N. C. Chatterjee]  
directions have been given that the officers will recover these girls and send them to the "neutral home" in Dacca. What is this "neutral home"? I do not know what this neutral home is. Who runs this home? What is this neutral home business? It is not run, I take it, by Hindus, if it is neutral. If it is neither Hindu nor Muslim, then who will run them?

The Minister goes on to say that strict instructions have been issued to the officers of Government that there should be no discrimination against the members of the minority community. Sir, these are pathetic statements, mere pompous words, which have been issued from time to time. What I want to point out really is that our Government are playing into the hands of the Pakistan Government.

You know Mr. Ghazanfar Ali Khan issued a statement that the border should be sealed. He could never have made that statement without the backing of the Pakistan Government. And our Ministers are going in that direction, because the Minister says that we are also taking steps to see that these migration certificates should not be issued without a certain amount of inquiry and investigation. I do not know what they are going to do. They are saying that the Indian Delegation 'agreed that the machinery for receiving and examining applications for migration certificates will be strengthened so as to prevent abuse and exploitation of migration facilities by anti-social elements'. This is merely adding insult to injury. What does the Minister mean by saying that the migration facilities are being abused and exploited by anti-social elements? They are coming away. Why? They found that their prospect was black and that there was no future for them in Pakistan. Economically, they were ruined. Socially, they had no status. Therefore, they are leaving their hearths and homes and coming out to India. Where was this question of migration facilities being exploited by anti-social elements? I cannot understand it.

Of course, the Ministers are perfectly right in pointing out that Pakistan has trotted out a false charge that the tempo of migration is accentuated because of the allurements given out by Dr. Roy's Government or by the Government of India. That is a false charge, that is an unfounded charge. Look at the thousands and thousands of families who are in great distress at the railway station

at Sealdah and at other places in West Bengal. You have not been able to rehabilitate even to a substantial extent, those people who have come over. Our Rehabilitation Minister, Shrimati Renuka Ray was saying that the tempo of exodus was 2,000 per day or over 1,000 per day. It is impossible for our Government to rehabilitate them. The Rehabilitation Minister here admitted the other day that there were families in camps living there for three years or more. That is a disgraceful state of things. It is absolutely unfair to suggest that our Government are holding out allurements for the purpose of bringing over the Hindus from East Bengal.

If you do not seal the border, if you do not try to placate Pakistan by acceding to their demand by imposing restriction on the migration of Hindus, then you must realise the enormity of the problem. If you have not got the guts to think of exchange of population, if you have not got the guts of Sardar Patel to demand the allotment of suitable territory out of East Pakistan for settling those 50 lakhs of people or more, you will have to seriously think of rehabilitating all the other 70 lakhs who are still there. If you do not discharge your obligation, their fate will be sealed. Simply by making it difficult for the minority community to get migration certificates will lead them to the feeling that the lid of the coffin is being put and they are being finished.

What is the attitude of the 'Ansars'? What is the attitude of the Muslim Leaguers? Can the Minister throw any light on that? Is their attitude not still as anti-Hindu as it was before? I want to get a categorical statement from the Ministers concerned regarding the definite assurances they have received from the Pakistan authorities. Let us know them one by one. If you have made a statement about your satisfaction as to their sincerity without any specific assurances, then my complaint is that you have betrayed them, you have betrayed the minority community in East Pakistan. My complaint is that you have really sacrificed the minority community in East Bengal.

Shri Jawaharlal Nehru and Sardar Patel definitely gave assurances when Pakistan was being created. You know there was a conference held in Calcutta just on the eve of the creation of Pakistan. Thousands of men came from East Bengal. Sardar Patel sent a message. I had the privilege of organising that conference and the late Dr. Syama Prasad Mookerjee presided over the

conference. I remember the Prime Minister definitely pledged his word, pledged the word of the Government of India, that they will be "sharers in their joys and sharers in their sorrows". Sardar Patel gave the assurance that the Indian Government would stand by them, if there was any further trouble, further persecution and further torture.

Does not the Minister believe that Mr. Ghazanfar Ali's statement clearly shows how his mind is working and how his Government's mind is working? Somehow or other, they want to make it impossible for the Hindus to cross the border. Then there will be a policy of conversion and assimilation. Making it difficult for the Hindus to get migration certificates is tantamount really to implement Pakistan's policy of sealing the border. What are you going to do? Can you say that as a consequence of your meeting the Pakistan authorities and talking to them for two days any confidence has been restored in the minds of the minority community? Have you gone anywhere outside Dacca? Is there any organisation there to report to us daily the facts and events? Can the Minister give me figures of migration during the last two months? During the last two months, what has been the tempo of exodus? He says it has abated. Then let me have the figures for the last two months. I want to know how many migration certificates have been issued—because that is in the charge of the officers employed by our Government? I want to know how many applications for migration certificates have been received during the last two months? Has there been any decrease in the number of applications for migration certificates in East Bengal? Is it not a fact that they are continuing in the same tempo and there has been no substantial decrease, and on the other hand, there has been increase, even after the Dacca conference? If that is so, all this is mere mirage, all this is mere talk, all this is mere pompous platitudes.

The Minister says in his communique that the Government of India will take early steps to tighten up the measures for the issue of migration certificates so as to prevent the chances of their abuse or their exploitation by anti-social elements. I am deeply distressed by this statement. I do not like this kind of declaration in the joint communique, which means that our Government have not done their duty and are trying to cover up their deficiency. This shows their

helplessness, their pathetic inability to cope with the situation. What is the good of saying, 'we will tighten up the machinery for the issue of migration certificates'? It is really pandering to Pakistan. You are really surrendering to Mr. Ghazanfar Ali. You are really helping those people in their evil design to make it a pure Pak State. The Government of India agreed on principle that a detailed scrutiny of each application for migration certificate would be done and all suggestions of the Government of Pakistan in this behalf would be given full consideration. Am I to understand that the migration certificate will be issued by our representative in Dacca provided there is a recommendation of the Pakistan Government to that effect?

**The Minister of Rehabilitation (Shri Mehr Chand Khanna):** No, no.

**Shri N. C. Chatterjee:** That will be another harm. That will not restore confidence but will add to the sense of uneasiness and sense of lack of confidence.

One word more and I have done. We know that the Pakistan Government had issued circulars to business houses in Dacca and other parts of East Bengal really saying, 'Don't you appoint Hindus any more'. This has led to improper dismissals of Hindus from business houses, people who were occupying positions of responsibility like agents and other representatives in European business houses and other commercial firms. They were told not in so many words, but it amounted to driving out the Hindus. They were told, 'Shadow Pakistanis must be removed'. 'Shadow Pakistanis' meant Hindus. Can I get an assurance from the Minister of Law and Minority Affairs or from the Minister of Rehabilitation that they have been able to induce the Pakistan Government to withdraw this evil circular? Have they been able to see that the Hindus are not dismissed, not denied the privilege of sticking to their jobs which they had been successfully performing for years and years and decades and decades? Have they been able to induce the Pakistan Government to do justice to these people? If not, then I must say that this Dacca Pact is much worse than the Liaquat Ali Pact. I would like to have the facts; I would like to have the data. I want a categorical statement as to the assurances. I want to know how far these assurances have been implemented

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and what steps have been taken to see that they are implemented. I want to know what steps have been taken to see that if any particular member of the minority community is oppressed, our Government will get the correct data and the correct figures and the correct facts from Pakistan.

**Mr. Speaker :** A number of hon. Members want to speak and I will try to give them a chance. They will take 15 minutes each.

**Shri H. N. Mukerjee** (Calcutta North-East) : Mr. Speaker, Sir at the fag end of this session of Parliament, we are discussing a very important issue and the eyes of masses of people in my part of the country are on this House as we deliberate. It is, therefore, an occasion when we should take good care to see that we let fall nothing which hurts our people's interests and, at the same time, nothing which aggravates the breach which, unfortunately, has come to exist today between India and Pakistan.

The other day, the Minister of Law and Minority Affairs gave a statement in the House, which, when I heard it here, I felt was good but on examination found it good only in parts. He has ended on a note of optimism which we wish to Heaven, would be justified by events. But, he seems to have forgotten the real nature of the problem and he has said very little to allay the real anxiety of the members of the minority community in Pakistan who fear that they have to cross over to India but who find insuperable hurdles put up in their way. There can be no doubt not only that there has been an influx of members of the minority community from East Bengal on an alarming scale but also that most of them were coming away because they felt they must. It is never an easy job to uproot oneself away from the soil to which one belongs.

I do not think that anybody would say—not even I hope Shri Chatterjee would say—that they were coming away only because of fear of the majority community's truculence. Actually, most reports indicate that in East Bengal, the communal atmosphere, for some time, has been fairly balanced and calm, but they were coming away largely because of insuperable economic difficulties and the virtual absence of opportunity for productive work and employment as far as the minority, particularly, was concerned. In recent months, we have found

how there has been a very serious scarcity of food and we have seen also that on account, perhaps, of Pakistan's rather ill-conceived alliances, she has not been able to tackle that problem of food scarcity in a way that she might have done. If things improved in Pakistan, in spite of Pakistan's intemperate attitude towards us—we hope they will improve—if things improved in Pakistan, naturally, the exodus would have declined. But, unfortunately, except for certain very recent indications, the situation in Pakistan has been rather unfortunate.

In so far as the conference in which the Law Minister participated has helped to raise even in a very small measure the sagging confidence of the minority community in East Bengal, we welcome its results. But, we are not happy for from all accounts, there has been what appears to be a virtual sealing of the borders in the name of restriction on the issue of migration certificates which are now subjected to very stringent scrutiny.

Sir, I wish the House to recall what I pointed out once to the Prime Minister—I am sorry he has other important work to attend to and he is not here at the moment—I pointed out once to the Prime Minister, without much effect, a report which appeared of a Press Conference held in Calcutta by Shri C. C. Desai, about the middle of March. And, there he was reported to have said that 'India cannot be driven to the position of accepting any more refugees than she could successfully rehabilitate'. I stress the word, 'successfully'. But, as far as the rehabilitation of East Pakistan refugees is concerned, it has been, even as compared with the not very successful rehabilitation of West Pakistan refugees, a most egregious failure and, if the minority in East Pakistan has to depend upon a very remote contingency of the successful rehabilitation of the refugees who have come here already, then, surely, the doors are barred upon them absolutely.

In that Press Conference, in the middle of March in Calcutta, Shri Desai admitted also that the closing of the border which was suggested somewhat gratuitously by the Pakistan High Commissioner at New Delhi—that closure of the border was no solution of the problem of continued migration of East Bengal Hindus. But, what has happened now? As far as I can find out from the reports which reach us, it practically

amounts to the same thing as sealing of the border. That cannot and should not be the intention of the Central Government. I am glad to see my hon. friend the Minister of Rehabilitation is shaking his head and I hope he can convince the House that the question of a stringent scrutiny of applications for migration certificates does not amount, practically speaking, to a virtual sealing of the border. If I can get an assurance of that sort I am sure, this evening's discussion would have produced some good result.

I do not personally like this influx of refugees from East Bengal and I wish conditions were such that these people can live where they really belong. But, if they must come away—and it seems on occasion they do appear to be under a compulsion to come away—we have no business to stop it and put up artificial hurdles. I have seen it said that Government's excuse is that some 2,70,000 East Bengal refugees are, at the moment, jostling in overcrowded camps in West Bengal and until they are removed, more must not be allowed to come. But, how and why it is that for some 18 months now, nearly a lakh and a half of refugees are being given daily doles in camps but have not been removed to some settled habitation, we have not been told. Sir, who does not know the ineptitude and, perhaps, also the heartlessness of the rehabilitation administration in West Bengal State where money which is allotted for rehabilitation purposes has been repeatedly allowed to lapse? Some of us know of a very menacing statement of the West Bengal Congress President whom I do not happen to see here in this House—possibly he was here in response to an urgent summons for the safeguarding of the Constitution yesterday, but he has gone away on more important errands. There was a report of a statement by the President of the West Bengal Congress, Shri Atulya Ghosh, that there should be a "deadline" beyond which no refugees would be permitted to come over. We know very well the way in which controls work. But, before I refer to that, I would like to say that we find a conglomeration of three different circumstances, the West Bengal Congress President's statement about the "dead line", the Pakistan High Commissioner's suggestion about the sealing of the border and our own High Commissioner's statement that we are not going to accept more refugees than we can successfully rehabilitate. If all these three circumstances combined to

produce the effect which has led to the said stringency in regard to the issue of migration certificates, then, the position is rather unfortunate.

The controls work in a particular way in our country, as we all know, in different departments. Control of migration certificates has meant, as I find, from letters I am getting not only from Calcutta but also from the districts, that people intent on migration have been sometimes driven to live on the streets in the city of Dacca. They have to queue up before officers in miserable conditions because it is a very long queue and the whole procedure moves in a very gradualistic fashion. Then, it seems that they require the personal presence of the applicants. And, you find in Dacca, applications coming from places as distant as Barisal and Chittagong and those applications are simply not being answered for lack of an interview with the applicants. I am told also that if in a family the parents stay at home and one or more of the other members of the household want to come over to India as migrants either for employment or even for education's sake, they are refused the migration certificate. But we are told that now they can get a Pakistan passport with the relevant Indian visa and come to India. But the trouble they feel is that if they come to India with a Pakistan passport and an Indian visa, naturally they will not get admission into the Indian technical institutes and they will not normally get jobs which are naturally to be given to Indian citizens by way of preference. Therefore, in that peculiar economic situation, there are difficulties in the matter of migration if the parents do not come and only some other members of the household want to come. Either you go the whole hog and the whole family comes to India, and that makes it all the more complicated. That would not be the intention of the Government. If the Government today said that if members of the minority community who come to India from Pakistan would be given special facilities for admission to educational, technological and other institutions, and there would be no particular discrimination practised in the matter of employment, surely then something perhaps might be done to help their distress. Of course, in the absence of such an assurance, I feel that Government is not behaving in the proper manner.

I quite realise that India had not reckoned with the probable size of this

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problem when in 1947 the offer was made that whoever wanted to come into India's fold would be welcome. I know there are difficulties, but difficulties are there to be surmounted and not utilised as opportunities for evasion of Government's duty. It is wrong in all conscience if today the complaint is heard, as I have heard, that the Dacca office is only issuing about 15 or 12 certificates a day and it is also insisting that intending migrants should come for a personal interview in Dacca from places which are pretty remote. I would say, let the Minister of Rehabilitation place his own house in order as far as East Pakistan rehabilitation is concerned and let Government make up its mind that if the refugees must come, if they are driven to come, they have got to be rehabilitated here, whatever the cost. When I say this, however, I do not for a moment suggest that on this issue we should whip up, as some people would like to do, antagonism towards Pakistan, which is unfortunately there already. I do not want this issue to be utilised for increasing or accentuating that antagonism. Let us not enter into a kind of competition in base provocativeness with the petty-fogging politicians who apparently proliferate in the ruling circles of Pakistan. Let us not forget that from time to time we see the silver lining in the Pakistan cloud. As far as the two Bengals are concerned, there is the silken bond of kinship, the kinship based on the language we learnt at our mother's knee. Only the other day, in Calcutta as well as in Dacca, they celebrated the birth anniversary of Nazrul Islam, a revolutionary poet, to whom Bengalis, irrespective of community, pay homage.

A few days before that, Bengalis in both Bengals recalled proudly the precious heritage of Rabindranath Tagore. If vested interests at home and abroad had not decided to fish in the troubled waters of Pakistan, we could on our own have solved our problem, and I have no doubt that if we truckle neither to communalist chauvinism nor bureaucratic bungling, we shall solve our problem.

I shall finish with a reference to one other matter. I find lately that there has been an interesting American investigation into the conditions in Pakistan, which I quote from the *Amrit Bazar Patrika*, Calcutta Edition, of the 29th May—it is a P.T.I. report from New York :

"There is in Pakistan weak leadership, dirty politics and administrative fumbling, but this has created a serious political situation, and if there are general elections, then there might be a successful emergence of latent neutralist sentiment."

We have seen in Ceylon what has happened. Today in Ceylon, I trust there is a breath of new hope. With Ceylon we had a very difficult quarrel over the question of Indian citizenship. That dispute we hope to be able to solve because the people of Ceylon have spoken at the last general elections with a new voice, the voice of an Asia awakened to freedom. The same thing will doubtless happen in Pakistan, if the communalists are held in leash and at the same time rehabilitation of refugees in our country is done in real earnest. I am sure the situation in Pakistan is such—and there are some indications already—that a big change-over is in the offing in that country. We on our part should make our contribution towards normalising the situation between our two countries. I would suggest that Government should see that in the name of scrutiny of migration applications, the border is not practically sealed. I wish also to ask the Minister of Rehabilitation to sit up well and properly and do the job of work which the country somewhat doubtfully expects of him.

**Shri Barman** (North Bengal—Reserv-ed—Sch. Castes) : While I deal with this intricate and difficult problem of exodus to India from East Bengal, we are conscious of the situation so far as our Government is concerned in the matter. It is an intriguing problem after all, but at the same time we cannot deny that under the circumstances the leaders of India and the Government of India are doing their utmost. We cannot say that at any time they are oblivious of the condition of the minorities here. So, however, dissatisfied we might be so far as the result is concerned, we shall have, at the Centre, to say that our Government is doing their utmost.

So far as the latest conference at Dacca is concerned, so far as the joint communique that has been issued on the 6th May and the statement by the hon. Minister of Minority Affairs are concerned, first and foremost I want to draw the attention of the Government to one part of the statement. It is said here that India will take early steps to tighten up the measures for the issue of migration certificates so as to prevent

the chances of their abuse or their exploitation by anti-social elements. Then it says that while making it clear that migration certificates shall be issued only in deserving cases, the Government of India has agreed that proper and detailed scrutiny of each application for a migration certificate will be done and all suggestions of the Government of Pakistan in this behalf would be given full consideration. I want a little elucidation so far as the last portion of this paragraph is concerned. In the Delhi Pact, that is, the Nehru-Liaquat Pact, it is stipulated that the minorities of either State should be given full facilities to migrate and also other facilities that are appertaining to migration. Does this clause mean that for each and every particular case of application, our office at Dacca will have to refer the matter for the opinion of the Pakistan Government? The Pakistan Government will make certain suggestions, certainly after enquiry and then it will be for the Government of India to decide whether certificates shall be issued or not? If that be the interpretation, then I say that not a single man will ever be issued any migration certificate. When a person who has been in East Bengal since its birth applies for a migration certificate, knowing full well the conditions and the working of the West Bengal Rehabilitation Department and the way refugees are living in camps, there are reasons behind it. In most of the cases the reasons may be such that the intending migrant will not divulge it to the public. Then again if that matter be referred to the Pakistan Government circumstances may be created in which his life may be intolerable. I fully agree with the view taken by the Government of India and the stipulation that has been made here, that they shall consider all suggestions in this regard given by Pakistan. But I hope those suggestions will be in general terms and not that every particular case will have to be referred to them. Reading this in the light of the Nehru-Liaquat Ali Pact, I think the proper interpretation is that there will be certain suggestions made by the Government of India, there may be suggestions invited from the Government of Pakistan, but the sole responsibility of granting or not granting a migration certificate will depend entirely upon our Visa Office here.

So far as I know Pakistan—(my knowledge is confined to pre-Partition days)—it is my view that the main cause of the inability of Pakistan to give secu-

rity to the minorities there lies in the fact that there is no stable government in Pakistan up till now and that there is rivalry between different groups for coming into power. If I may enter into past history the United Front came into power in February 1954; two months later a Ministry was formed. Hardly two months after that there was some massacre in a jute mill, the Ministry was dissolved and Governor's rule was promulgated. In this connection I should invite the attention of the House that Pakistan Press is not doing justice to the minorities. As an instance I may say that in this Narayanganj jute mill massacre several hundred people were killed and many more were injured. But that was absolutely a matter between Muslims and Hindus and no member of the minority community was involved in it. But on the 17th of May 1954 the *Dawn* in an editorial under the caption "Betrayal of Pakistan" said that "communists and the agents of Hindu Bengal joined hands to execute that dastardly conspiracy". If this is the view propagated by a responsible paper of Pakistan, that even in a case where the minorities have absolutely no connection, they are accused of conspiracy, then, how can the minorities have any faith to live in a country where this sort of hostile attitude is propagated. So, it should be the duty of our Government to draw the attention of the Pakistan Government that if they are really sincere in their professions and want to honour the pledges given as early as 1950, they should ask their Press not to indulge in such irresponsible statements.

Then, for nearly a year there was no Government, so to say, because the province was under Governor's rule. After one year the United Front Ministry was again reinstated. That Ministry did not hold any session for several months. On the very first day it met in a session, the assembly was adjourned sine die and Governor's rule was again imposed. The difficulty in the case of Pakistan is that there is neither democracy functioning nor can autocracy function in these days. So, we should earnestly hope that democracy may function in East Pakistan, so that those who are at the helm of affairs may be in a position to act. So long as this sort of uncertainty continues, so long as it is left to the permanent executive to rule the country, the minorities cannot place any faith in the Government. I have read the statements of the leader of the Parliamentary

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Group of the Congress Party in Pakistan and he also has expressed the same views that parliamentary democratic Government and a Ministry may be constituted there soon.

Sir, I do not wish to dilate on matters which may not be helpful to anybody, but wish to ask a few questions. We were told that by March 1956 more than 35 lakhs of minorities had migrated to India. The figure given for the month of February is 45,534. We are all very anxious to know about subsequent events what is the rate of migration after February 1956. That is one matter.

On the 27th May, 1952 it was admitted in reply to a question that the East Pakistan Government had issued—(i) a circular requiring thana officers to report on the extent, nature and source of influence of certain members of the minority community ; (ii) circular orders to commercial firms requiring them to obtain the approval of District Magistrates before giving employment to non-Muslims ; and (iii) a circular order said to have been issued to District Magistrates instructing them to stop restoration of properties to returning Hindu migrants and to distribute the properties among refugees. This circular was actually issued a year earlier, that is just a few months after the Nehru-Liaquat Ali Pact. To that our Government lodged protests and wrote letters. The Government of India lodged a protest in March 1951, though the circular was issued much earlier, and the reply was that "the position is that the circular stands as it was".

I want to ask whether our Minorities Minister has enquired whether all the circulars have been withdrawn or not ; and if withdrawn, when; and what is the condition after that. Because, these are the basic things which frighten the minorities and which make their life impossible there, and they are bound to come even if it meant difficulties and other things. So these are the basic things which must be looked into and enquired of Pakistan, whether all these have been withdrawn or not.

I understand the difficulty of our Government, but at the same time I hope that Pakistan may come to its senses and realise the effect of driving the minorities out of Pakistan. I know the hon. the Minorities Minister has placed much reliance upon the Chief

Minister of the time. I know him personally, I have worked with him in the Krishak Praja movement, and I know perfectly well and I solemnly believe that he is not at all of communal character. But how much power has he got in the administration, that is the problem. Until and unless there is a stable government established in Pakistan, our Government must time and again keep watch about the matters that are happening in Pakistan and try to do as much as possible for safeguarding the interests of our people there.

**Pandit Thakur Das Bhargava (Gurgaon):** After a perusal of the document which has been given to us I sincerely feel that Pakistan is not going to do anything and that the confidence reposed by our Minister in Pakistan is simply misplaced.

From the very inception of things we have been saying that a certain amount of complacency and credulosity is to be found in the Government of India as regards this question. When, to start with, the first exodus from East Pakistan began, we raised questions in this House often, and the reply came : no persons are coming from Pakistan. This was the Minister's reply. We knew what happened on the other side, with regard to West Pakistan. And yet Government gave us the answer that no persons were coming from East Pakistan. For years together in the beginning, this was the reply of Government. And we had to take pains to convince the Central Government that as a matter of fact the exodus was beginning and deepening. Subsequently Government began to realise and told us that about four to five lakhs of people have come and there is an exodus. And then, perhaps when the second push was there, we all knew that Pakistan meant business and that, as in West Pakistan, there will not be a single Hindu left in East Pakistan also. This was our feeling and conviction, and that conviction has proved to be too true. Today, even after reading this, after hearing the hon. Minister when he says that he is sincerely satisfied that so far as Pakistan is concerned the exodus will be stopped, I am extremely sorry to say that though I certainly believe him, I have really got no real *biswas* in his words. I do not believe that his belief is right. Not that I do not believe him. When he says it sincerely, it must be right according to his belief. But I do not believe that his belief is right.

Now, Sir, let us see what has happened. Our Government, after the Nehru-Liaquat Ali Pact, said that wherever a Mussalman came from the other side he will be given Rs. 200 per family. When I went to Assam on behalf of the Rehabilitation Ministry I saw in one of the camps that more Muhammadans were there and were looked after much better than the Hindus. And each Muslim family was paid Rs. 200. Have they secured this in East Pakistan Conference. Will every Hindu who wants to go back to Pakistan get Rs. 200 per family? If they actually mean business that is the way in which things should have been done, that is the way in which we behaved. But I do not find any such mention here.

Now, what is it that is mentioned specifically? The specific thing mentioned is, the Government of India condemn the entire machinery with them. It almost reads like this as if there was a confession that we are calling people. I am rather astonished that our Rehabilitation Minister was there and in his presence these things could be said. I can never believe that he does not know what is happening there. He knows in his heart of hearts that whatever Pakistan says is not coming to be true. He knows it, and I am really surprised that these things should have been believed and said there in his presence.

Then, Sir, there is some mention of a neutral home. I would like to know from the hon. Minister what is a neutral home. When abductions take place it is said—

"In case of complaints regarding abductions of women, officers have been directed to recover the girls immediately and to send them to the neutral home in Dacca."

May I humbly enquire what is a neutral home? This only means that the abducted girls will not be restored to their parents or people; they will be kept in a home where the seducers will be able to tell them that they can come back to the seducers. What is the neutral home? The only thing I can conceive of is that as soon as an abducted girl is recovered she should be made over to her people. It is not the case so far as East Pakistan is concerned that the women were abducted eight years ago. They are being abducted now and yet they are taken to a neutral home. This shows that justice is not being done in their cases.

What else do we get? It is said that the houses would be de-requisitioned. May I humbly enquire from the hon. Minister how many orders has he secured so far as de-requisitioning is concerned? Has he got a single order in his possession to show to me that the houses have been de-requisitioned? There is no mention here, and in the reply he made in the House he said, "We were satisfied with the assurances given from the other side—which all remains to be done, and we had assurances many times", which means in simple English that he himself disbelieves them. He knows assurances have been made only to be broken. Similarly I understand that the simple meaning is that he does not believe in his heart of hearts that these assurances will be kept. I do not know diplomatic language. So far as Pakistan is concerned, it has made thousands of promises with us, and always to be broken.

Who started the game? When Shri Jinnah was there, when he entered into a sort of alliance or contract it was said that the minorities will be kept up and preserved and their rights will be honoured like those of other citizens. This was the basis on which partition was made. What happened? In Karachi they passed an order that every Hindu's property is to be taken away. Three or four days ago I read in a vernacular paper that fifty thousand people from West Pakistan are to be turned out from Karachi and other places. I do not know how far it is true. But this was the piece of news that I read in a paper. I do not know how far it is true. I hope the hon. Minister will kindly throw some light on this question.

If this is true, when on the one hand we find that fifty thousand people are to be removed from their places, coming to East Pakistan how could it be true that these people will be stopped from coming? It will be the same policy. The Central Government there is in charge, the President's rule is there, and it is from the Central place that every policy is being directed.

**Shri N. C. Chatterjee :** Karachi is doing everything.

**Pandit Thakur Das Bhargava :** It so happens, it is true, I can believe it, I know my Bengali friends, that if it is only left to our Bengali friends, Hindus as well as Muslims, there will be no trouble. But what happens is that the

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Punjabis come from there, and those who belong to the Muslim League want to see that not a single Hindu exists in Pakistan. They have got the charge of this part of Pakistan. They push out these Hindus. I believe that not a single Hindu will be allowed to remain there. That is my strong belief. I do not want that every Hindu should come away. I want that Pakistan also should honour its commitments and that the Hindus should remain there. But, at the same time, I am perfectly certain that all of them shall have to come whatever we may do. Is it as if to condemn our Government and take shelter behind false accusation they invent, the excuse that our Government is calling those people and saying that they will get many lands here. Our Rehabilitation Minister knows better. He has seen what Shri Mukerjee has said. These people are not satisfied with what the Rehabilitation Ministry is doing. Yet, the charge is that we are calling them. For us to say that we are tightening this restriction on the movement is to proclaim to the world that we are attracting those people. I very strongly repudiate what is written here; it is absolutely wrong. I am ashamed that we ourselves say that we tighten the restrictions. I recollect what we said previously; we extended a promise to the people and we said that the 125 lakhs of people were part of us. What happened in Pakistan? Every Hindu came to know ultimately what his position would be. I would be the last man to say that the border should be sealed. All these persons have a right to come here. At the time of Partition, we took the responsibility and we said that whatever might happen, we would not let them down. So, if they want to come they shall be allowed to come.

6 P.M.

I read the statement issued on behalf of both the Governments. It means in plain English that we have, so far as we are concerned, not fully performed our liabilities. He has said that there have been failures on our side and failures on their sides. May I in all humility ask him what was the failure on our side? My submission is this. In our anxiety to see the good sides of the other party, we say these things in modesty as platitude. I am also of the same view. We need not necessarily criticise as if we are enemies. But the truth must be told. Why should we accept that we have to tighten our restric-

tions? Are the Hindus there responsible for the exodus? If the hon. Minister says this, it means that the Government of India accepts this. I am sorry this should have been agreed to by our Minister.

The next thing is this. Assurances—beautiful assurances—are there. The minorities are the responsibility of the country in which they live. What happened when Partition took place? They should have mentioned all the circumstances on account of which there was migration from East Pakistan. Nothing is mentioned about them. Why should the migration take place? People are coming because they are forced to come. Abductions take place. If they go to the police, etc. protection is not given. The properties are taken away. The houses are requisitioned. All these things happen. There is not one word about it in the statement. Migration was taking place. Now, we have stopped it. Would the houses be de-requisitioned? If the hon. Minister came with the information that ten thousand houses were de-requisitioned, I would have understood it. I would ask him. If these people go back, will they be given back their property? There is not a single word about these things. They will get into service and the age limit is extended as if it is a question just as the one relating to the Scheduled Castes here. How many persons are there who can live under these circumstances? Unless the climate changes, unless the conditions improve, how can you expect them to remain there? Four Ministers met there and by saying that 23 per cent of the posts would be reserved for Hindus, will the situation improve? This is a make-believe affair. I am very sorry it is so and our Ministers have put their faith in spite of past experience. How can we believe? They have failed before and they will do nothing. What can they do? I remember the words of Sardar Patel and Pandit Jawaharlal Nehru on the very first occasion. So far as Pakistan was concerned, they told us that other methods would be used. We have not seen what those other methods are. We are not likely to see. Let us reconcile ourselves to our fate. Seventy lakhs of people will have to come here.

Again, who has given these assurances? Will he remain in power? Will he be able to do these things? I do not think so. This paper shows that they have come satisfied with the assurances given there. Shri Biswas sincerely tells us that they have done the right thing.

I am sorry to say that I do not believe that and I do not think that in this matter, Pakistan will ever be sincere to us. I really admire Shri Biswas who has got such a fund of credulity to believe these words. I congratulate him for that complacency and the fund of credulity. But so far as many Members of this House are concerned, they are left cold. We are not happy or satisfied that the right thing has been done. May I enquire from him if in Dacca there was not a lathi charge in respect of these very persons who are coming? Can he deny this. These are inside stories that have reached us. If any person wants to come, no bar should be put in his way. He should be allowed to come whatever may happen to India. Our Rehabilitation Minister may have meagre resources but he has a good heart to rehabilitate them and he will do his very best. But it makes me sad to think that these restrictions will be put in. No man will leave his hearth and home unless he is driven out. No Bengali would like to come here if he can be accommodated in East Pakistan. It is entirely wrong to say that we are calling them. They are coming here, driven by necessity. Every Hindustani wants that every Pakistani Bengali should live with honour and safety in East Pakistan. I may say that I am not satisfied with this document.

**Shri B. K. Das (Contd) :** Sir, I do not subscribe to some of the views that have been just expressed by our revered friend Pandit Bhargava. I do not think that our Government is acting under self-deception. Nor do I believe that as a result of the conference that was held in Dacca, the cause of the minorities in East Bengal has been damaged more than ever. Of course, I share some of his misapprehensions regarding the working of the passport office there, which will be issuing the migration certificates to the intending refugees. I hope the hon. Minister, while replying, will make this point clear. We must not forget that the Nehru-Liaquat Pact still stands.

**Shri Nand Lal Sharma (Sikar) :**  
Dead.

**Shri B. K. Das :** Of course we know, and we know it with a great sense of sorrow, that all that we wanted of the pact has not been fulfilled.

**Shri Mehr Chand Khanna :** On the Pakistan side.

**Shri N. C. Chatterjee :** On their part.

**Shri B. K. Das :** I am going to explain my statement. We have said it often on the floor of this House—and I remember, when I spoke last about this subject I said it—that we on our part have always fulfilled the conditions that we imposed on ourselves, but the other side has failed, and sometimes miserably, to a great cost of this country.

But what is the way out? We are dealing with a foreign country, with a foreign Government. We cannot but depend on the goodwill of that country. If it is not forthcoming, then repeated endeavours have to be made. This time, we read in the preamble to the statement which the hon. Minister made the other day, that it was on their invitation that this conference met at Dacca. We could not possibly refuse to attend that conference. Of course, we do not know the details because that is, and that must be, something confidential. But what has come out? We see that there is a ring of sincerity expressed on the other side. Some of our friends are not willing to believe it. They call it self-deception. But when I see that the hon. Minister for Minority Affairs, who has always expressed despair at the attitude of the other side, has given us this assurance that this time he has been able to discern some amount of sincerity in their attitude, we cannot but accept his optimism and we cannot but proceed on those lines. There has been economic discrimination, there has been a policy of suppression and oppression and so many other things in the past that our hearts generally refuse to believe in the promises that are coming out. But when we are committed to a certain course of action, when we say that we on our part are ready to do everything possible to advance the cause of the minorities in that country, we cannot say that what we find in the document that is before us is against our interests. They have promised that the houses will be returned. They have promised that the officer who has been appointed will look to the interests of the minorities. They have said that there will be an Advisory Board, the revival of the Minority Commission and the Minority Boards. Let us see what happens. We cannot at once expect the result. If we have waited all these years, if we have tried all these years, we cannot say that this conference is a failure. If those promises have been reiterated, let us take them at their word and let us on our part try to do whatever is possible.

[Shri B. K. Das]

Objection has been taken regarding the tightening of our machinery for the issue of migration certificates. Of course, I do think that there is a possibility of danger there. If the officer or officers concerned, who will be in charge of that department, do not act with great caution and with judgment, there is a chance of the intending migrants being made to suffer. Further, I do not know what is meant by those words in the joint communiqué "suggestions of Pakistan Government will be accepted or will be considered". Of course, I do not think that every single application that will be placed there will be scrutinised by the Pakistani people. That is not the idea. I think that we will be acting on a certain formula and they may also give their suggestions how that formula can be worked out in a better way. That is a possible interpretation that can be given to that expression in the joint communiqué.

We have been assured the other day by the Prime Minister that there is not the remotest idea in the minds of the Government of India that none of the legitimate persons who want to come away and who are unable to stay there will be prevented from coming away. The Prime Minister has assured us many times about that, and depending on that assurance we can believe that no undue pressure will be brought about in this matter of issuing migration certificates. We shall have to wait for some time to see the results of the action that the Pakistan Government takes. We find that the administration there is very weak. Every day changes are occurring and in the midst of such conditions we cannot expect that much will come out.

But I do not think for a moment that the conditions of the minorities there will become worse due to this conference or as a result of the agreement that has been reached. In fact, there has been no new agreement that has been reached excepting that probably they wanted to seal the border and this Government stoutly replied that this Government cannot be a party to such sealing of the border. From this side it has been said many times that such a step cannot be taken by our Government. In that background, if it has been agreed that the migration certificates should be issued with caution and that they should be granted only in genuine cases, I do think that there will be no difficulty for those persons who want to come over to this country. I want to have that assurance today from the

hon. Minister that that matter will be looked into and the apprehension that has been expressed on the floor of the House will be obviated by that assurance.

**Shri S. C. Deb** (Cachar-Lushai Hills) : Mr. Speaker, Sir, I do not like to take much time of the House, because already various points have been raised in this discussion. My only concern is about the restriction on the issue of migration certificates. I come from a border area. I know the minds of the minorities there. I claim that the situation is not such, politically, economically or otherwise, that the minorities can stay there for long. I share the sentiments here expressed by our hon. friend Pandit Thakur Das Bhargava. It is good that our Government should try time and again for creating conditions that minorities may live there with comfort and stability. If by this discussion conditions are created there in East Pakistan for the minorities to live in comfort, it would be better. But I have no faith about that. So, my point is that there should not be any restriction for issuing migration certificates, because the minorities cannot leave their homes and hearths for pleasure. Only as a last resort, they ask for a migration certificate to be issued. Therefore, there should not be any restriction. On this ground, if any agreement is arrived at, I oppose that part of the agreement.

The House knows that in East Bengal there is no democratic set-up. Conditions are not good there. The President's rule is there. The situation was different there when the Chief Minister of that province took our Minister into confidence and had a discussion and an agreement was arrived at. But we do not know what would be the position now. We also know that in West Pakistan also there is no chance of a stable Government. When the condition is such, how can the minorities there live safely and in peace? So, when they are eager to come here, they should not be restricted, and there should not be any restriction put in any way on our side. If there is any assurance by our Government on that side about restrictions, I oppose that. With these words, I resume my seat.

**श्री नंदलाल शर्मा :**

नमोऽस्तु रामाय सलक्षमणाय  
दद्ये च तस्यै जनकात्मजाय ।

नमोऽस्तु रद्देन्द्रयमाऽनिलेभ्यो

नमोऽस्तु चन्द्राकमरद्गणेभ्यः ॥

**Mr. Speaker:** I did not call the hon. Member. I wanted to call either Shri D. C. Sharma or Shri U. M. Trivedi. I am going to call the hon. Minister at 6.30

**Shri Tek Chand:** Now that he has started, he may continue.

**Shri Biswas:** So many points have been raised that I require some time to answer them.

**Mr. Speaker:** All right. Let Shri Nand Lal Sharma finish in three minutes.

**श्री नंदलाल शर्मा :** माननीय अध्यक्ष महोदय, मैं अल्पसंस्थक मंत्री महोदय को धन्यवाद करता हूँ, जिन्होंने अपने परिश्रम का फल सदन के सामने रखा है—इस विषय में हमारी सरकार क्या कर रही है, इस चित्र को उन्होंने सदन के सामने रखा है। वह पर्याप्त है या नहीं, इस पर इस सदन को विचार करता है। वह चित्र सुन्दर इसी अर्थ में है कि जैसे इविडा के रावण शूर्पनखा और कुम्भकरण आदि अत्यन्त विकृत रूप के बालक अवस्था में थे—जो कि बाल्य-वस्था में ही बड़े विकृत रूप के थे—जैसे ही यह चित्र विकृत है।

**एक माननीय सदस्य :** रावण कौन है?

**श्री नंदलाल शर्मा :** समय बहुत कम है, इसलिए मैं इस विषय में अधिक नहीं कहना चाहता हूँ। उनका रूप वैसा ही था, जैसा कि उनका है, जिनके साथ आपका पाला पड़ा है। (Interruption) मैं प्रार्थना करूँगा कि यह विषय बड़ा गम्भीर है इसलिए इसको हीठोले में उड़ा देना कम से कम कुछ माननीय सदस्यों के लिए उचित नहीं है। हमारा हृदय बड़ी गम्भीर वेदना से पुर्ण है जब कि पूर्वी बंगाल में केंद्र हुए अपने बंधुओं की स्थिति के बारे में हम विचार कर रहे हैं। मैं समझता हूँ कि इस समय उनका जीवन किसी केंद्र से कम नहीं है। इस समय पाकिस्तान में किसी स्थिर गवर्नमेंट का स्वरूप ही दिखाई नहीं देता है। पूर्वी पाकिस्तान में पार्लियामेंटरी डेमोक्रेटिक गवर्नमेंट ही नहीं रह सकी है और वहां पर प्रैजिडेंट्स रूल लागू करना पड़ा है। इस स्थिति में पाकिस्तान अपने अल्पसंस्थकों की रक्षा कैसे कर सकेगा, इसका मर्यादा विश्वास नहीं है—इल्क भारत में किसी को भी विश्वास नहीं है।

पाकिस्तानी डेलीगेशन के द्वारा जो आश्वासन दिये गये हैं, वे हमारे सामने रखे गये हैं। मैं

उनमें एबडक्शन आफ विमेन (स्त्रियों का अपहरण) रीक्री आफ गल्ज़, (लड़कियों की वापसी) रेस्टोरेशन आफ सिक्योरिटी (सुरक्षा की स्थापना) और डीरेक्टीजीशनिंग आफ हाउसिंस-र्ज (मकानों की वापसी) का उल्लेख पाता हूँ। इन शब्दों से स्पष्ट है कि पाकिस्तानी सरकार ने अपने अल्पसंस्थकों के मकान छीन लिये, उनकी बहू-बेटियों को छीन लिया और इस समय उन लोगों के जीवन खतरे में पड़े हुए हैं। अब भी समाचार पत्रों में पढ़ने को मिलता है कि पूर्वी पाकिस्तान में एक M. L. A. मिस्टर डे, को अच्छी तरह पीटा गया, जब कि वह अपने एक पड़ोसी को बचाने गये, जिसके घर में डाका पड़ा था। इस अवस्था में यह कितनी हास्यास्पद बात है कि पाकिस्तान सरकार की ओर से कहा जाता है कि उसने वहां की माइनारिटीज (अल्पसंस्थक) की रक्षा के लिए एम० एल० एज० की दृष्टी लगा दी है। इसके साथ ही वह कहती है कि एक हिन्दू आफिसर आन स्पेशल डिप्टी नियुक्त कर दिया गया है। मेरी समझ में नहीं आता कि पाकिस्तान की वर्तमान परिस्थितियों में वह बेचारा क्या कर सकता है।

मुझ हूँ पवनसुत रहनि हमारी  
जिमि दशनम मैं जीम बिचारी ॥

उन लोगों के बीचमें एक हिन्दू आफिसर जो कि उनका एक नौकर है, व्या कर सकता है? उसकी कोई शक्ति नहीं है। दूसरी ओर पाकिस्तान सरकार कहती है कि माइनारिटीज (अल्पसंस्थक) को जाहिए कि वे भारत की ओर किसी प्रकार की आंख उठा कर न देखें और उसी बाद के संक्षण में रहें, जो कि उनके घर को खा रही है—वह बाद चाहे उनको खा जाये, उनका सर्वनाश कर दे और उनकी बहू-बेटियों को ले जाये। परन्तु हम अब भी यह कहने के लिये तैयार हैं कि they are the responsibility of their own country! मैं समझता हूँ कि जिनके कारण से भारत का विभाजन हुआ था, यह उनकी जिमेदारी है। उनको यह करी भी नहीं भूलना चाहिये कि वहां पर बैठे हुए हमारे हिन्दू भाई किस कारण से निराश्रित और निस्सहाय हुए हैं। उसके लिये हम जिमेदार हैं। १६५० के नेहरू-लियाकत अली को वेदवाक्य से भी बड़ा प्रभाण माना जाता है, पर यह स्पष्ट रूप से प्रकट है कि वह कभी का मर चुका है—कम से कम पाकिस्तान की ओर से वह सदा के लिये मर गया है। पाकिस्तान ने कभी भी उस पर अमल नहीं किया है और मुझे यह

## [श्री नन्दलाल शर्मा]

विश्वास नहीं होता कि वह अभी उसका परिपालन करने के लिए तैयार है। इसके अतिरिक्त पाकिस्तान ने अपने कांस्टीट्यूशन (संविधान) के द्वारा वहां पर हिन्दू को समाप्त कर दिया है और कांस्टीच्यूशन (संविधान) अल्पसंख्यकों का स्थान नहीं रखा। ऐसी स्थिति में हम वहां के हिन्दूओं की सुरक्षा के विषय में क्या आशा रख सकते हैं?

पाकिस्तान का शिष्ट-मंडल अब यह आश्वासन दे रहा है कि जिन लड़कियों का अपहरण किया गया था, अब उनको स्तोज खोज कर लौटा दिया जायेगा। यह ठीक है, परन्तु इस सम्बन्ध में मुझ ये शब्द देख कर अचम्भा हुआ है:

"Officers have been directed to recover girls immediately and send them to the neutral home in Dacca."

अर्थात् उन लड़कियों को उनके बच्चों और घरवालों के पास लौटाने का प्रश्न नहीं है, प्रत्युत उनको एक न्यूटरल होम (तटस्थ आवास) में रखा जायेगा। और उस न्यूटरल होम (तटस्थ आवास) की रक्षा करने वाले कौन हैं? वहां पर भी वही लोग बैठे हैं, जो कि उन लड़कियों का सतीत्व भंग करेंगे, उनका अपमान करेंगे। ऐसी हालत में हम क्से समझ सकते हैं कि पाकिस्तान के अल्पसंख्यकों के मन में किसी प्रकार विश्वास होगा और वह वहां पर सुख-शान्ति से रह सकते हैं।

हम स्वयं समाचार पत्रों में पढ़ते हैं कि न तो पूर्वी पाकिस्तान में और न पश्चिमी पाकिस्तान में कोई भी सरकार बनती दिखाई देती है। पश्चिमी पाकिस्तान की दशा कल क्या हो, इसका पता नहीं है और पूर्वी पाकिस्तान में एक पार्लियामेंटरी डेमोक्रेटिक गवर्नरेंट की स्थापना नहीं हो सकती है। ऐसी परिस्थिति में जहां बहुसंख्यकों की मूनवाई नहीं है, वहां अल्पसंख्यकों को क्या दशा होगी, इस पर हमारी भारत सरकार को बड़ी गम्भीरता से विचार करना चाहिये। पाकिस्तान की ओर से सीलिंग आफ बोर्ड और इमीग्रेशन सर्टिफिकेट्स को रोकने की आवाज उठ रही है, वह अन्तर्राष्ट्रीय जगत के लिए एक धूरतापूर्ण प्रचार करना है और उसका उद्देश्य यह है कि पाकिस्तान संसार से कह सके कि चंकि भारत सरकार ने हिन्दूओं को भारत में आने की छूट दे रखी है, इसीलिए वे लोग भाग भाग कर यहां आ रहे हैं। यह सर्वथा असत्य है और इस बोखे में भारत सरकार को

नहीं आना चाहिये। पूर्वी पाकिस्तान से आने वाले अभागे हमारे माननीय मंत्री श्री खन्ना के पल्ले पड़े हुए हैं और मुझे पूर्ण विश्वास है कि इस सम्बन्ध में वह पूरा परिश्रम करेंगे। मुझे केवल यह निवेदन करना है कि यदि सरकार ने पूर्वी पाकिस्तान की समस्या को सुलझाना है, तो उसको एक कार्य अवश्य करना होगा। पूर्वी पाकिस्तान में बैठे हुए आफिसजं से काम नहीं जलेगा। अगर इस सम्बन्ध में कोई एप्रीमेंट किया जा सके, तो सरकार अपने आफिसजं की एक पार्टी वहां डिपुट करे, जो कि उस क्षेत्र में जाकर अल्पसंख्यकों की सुरक्षा को देखकर वहां की परिस्थिति के बारे में आपको पूर्ण पूर्ण व्योरा दे। मैं समझता हूँ कि यदि आप यह कर पायेंगे और साथ ही वहां से आने वाले लोगों को बसाने के लिए आप पाकिस्तान से पूर्वी की मांग करेंगे, तभी यह समस्या हल हो सकेगी। मैं तो समझता हूँ कि अन्ततोगत्वा अखंड भारत ही इस समस्या की ओपिंग है। दूसरा कोई मांग नहीं है जिससे भारत के रहने वालों अवश्य उधर के रहने वालों के दुख को आ मिटा सकें। इन शब्दों के साथ मैं आपका धन्यवाद करता हूँ।

**Shri Biswas :** Mr. Speaker, I am very happy to find that Members of this House have evinced so much interest in the question of minorities of East Pakistan. I only wish there were more frequent occasions when they could show such interest.

**Shri U. M. Trivedi (Chittoor):** May I know, Sir....

**Shri Biswas :** I believe this is the first occasion since I became the Minister of Minority Affairs in 1950 that a discussion of this kind has taken place on the floor of the House. Any number of questions have been hurled at me. I should like to have some time to answer all of them. Nobody here knows more about the condition of the minorities in East Pakistan than myself. I venture to make that claim because I have been connected with this question and the implementation of the Nehru-Liaquat Pact since the date that Pact was concluded. Therefore, I know more about the conditions in which these minorities are living there than anybody else except those who have still their homes in East Pakistan and who pay frequent visits to East Pakistan.

**Shri V. G. Deshpande (Guna):** Perhaps.

**Shri Biswas :** I only hope it will not be said that in the statement I made before the House, I had said anything with a view to deliberately mislead the hon. Members here. Shri N. C. Chatterjee began by asking, what was the justification for the optimism I had shown in my statement. Well, I know in what respects Pakistan has given effect to or failed to give effect to the Nehru-Liaquat Pact. Knowing that with that knowledge at my disposal, I still ventured to strike a note of optimism. Why was that?

Look at the question broadly. The action of the Pakistan Government so far has been such as to encourage the idea that whatever might have been said in the Nehru-Liaquat Agreement, nothing would please them more than if all the Hindu minorities left East Pakistan. Now, for the first time, we have a different attitude openly expressed by them before the Indian delegation. Is not that something we should appreciate? Must we not accept what we consider to be the hand of friendship being extended to us? Must we still say that as we have been disbelieving them all the time and they have not kept their promise, we should therefore retire from the conference? In that case, we should not have gone to the conference at all. The Leader of the Conference—I can refer to that because that part of the speech was open—began by saying that he recognised that the minorities were their responsibility, that the question of security was the foremost question and that sense of security must be ensured to them as otherwise there would be nothing. For the first time, we had such a frank statement from Pakistan.

Only the other day,—I refer only to one instance,—when there was a meeting here between myself and the then Pakistan Minorities Minister at Delhi,—I believe it was in 1954, shortly after the introduction of Governor's rule in that province,—when there was a new spurt of exodus, I drew attention to that fact, and asked my counterpart “What is this steady rise in migration?” He said, “I do not know, I shall go back, tour the different districts and find out the correct position.” Then came the answer: “I had been in several districts and I have not been able to find any signs of migration.”

**Shri N. C. Chatterjee:** Ghayasuddin Pathan?

**Shri Biswas :** I am not going to give you the name.

**Shri N. C. Chatterjee :** You did not believe him?

**Shri V. G. Deshpande :** He believes.

**Shri Biswas :** If you take me to be such a simpleton that I shall believe any and every statement that is made to me, you have not known me sufficiently well. Now, for the first time, from the Foreign Minister of Pakistan, you have the statement that there is this exodus,—heavy, “alarming” exodus, that is the expression he used—and that something has got to be done. This anxiety on the part of Pakistan to retain the Hindu minorities within the borders of that province—is not that something unusual, which you have never heard from them? Is it suggested that we should not grasp this opportunity for whatever it is worth? India is interested in the minorities, in their being able to live a happy contented life in their home-land.

**An Hon. Member :** At what cost?

**Shri Biswas :** At my cost or at your cost, it does not matter. We want their condition to be better. Therefore, when that overture comes from the other side, is it suggested that that should be thrown away? I say, we must make the best use of the opportunity we have, and our approach at the conference was on that basis. It is no question of “complacency” on our part. Pandit Thakur Das Bhargava is not here. I should like to tell him that there is no question of my easily believing everything which ought not to be believed. What is the use of saying, you have not done anything in the past, therefore, we better disperse?

**Shri V. G. Deshpande :** Does the hon. Minister believe them now? We want a straight answer.

**Shri Biswas :** Suppose all the assurances given by them fail. Do you expect that the Hindu minorities will then be in a better position than they are now? Whether you believe me or not, I say there is no chance of the Hindus being placed in a better position except with the co-operation and active goodwill of Pakistan and without definite action on their part.

I did not expect Shri N. C. Chatterjee to ask, why did I say that the minorities there are the responsibility of Pakistan? That is because the Nehru-Liaquat Pact itself declares it.

**Shri N. C. Chatterjee** : That is a wonderful discovery ; wonderful window-dressing.

**Shri Biswas** : And now we have a reaffirmation from Pakistan of their faith in the Pact.

**Shri N. C. Chatterjee** : I know Hamidul Huq Chaudhury better.

**Shri Biswas** : I say, if anything has got to be done for the minorities, it must be done by Pakistan. All that we can do is to help by way of rehabilitation if they come across.

So far as coming across is concerned, I will just only refer—that was referred to by my hon. friend—to the answer which the Prime Minister gave the other day to a question put in the Lok Sabha. That will show what is our policy. The question was : "whether it is a fact that the Hindus of East Pakistan are being refused migration certificates by India's Deputy High Commissioner in Dacca : if so, the reasons therefor ; if not, the policy and attitude of Government towards intending migrants". The answer was this : "No, migration certificates are not refused where after proper examination of each case the grant of these facilities comes within the rules. The policy of the Government has always been not to encourage the exodus of the minority community from East Pakistan to India. Efforts have been repeatedly made urging the Government of Pakistan to create conditions in East Pakistan to prevent this exodus. The Deputy High Commissioner for India in Dacca has also instructions to endeavour to convince the minorities to remain in East Pakistan, but where any members of the minority community insist on coming to India, certificates are issued to them after proper examination of each case."

There has been no change from this policy at the Dacca conference, and it has been repeated. As a matter of fact, the final decision as to whether a migration certificate will be issued or not rests with India. The last word remains with our Deputy High Commissioner there. If the other side have any suggestions to make, we shall be pleased to consider them. That is all that we said. But the right to migrate remains, as guaranteed by the Nehru-Liaqat Pact, and any suggestion for sealing the border we rejected straightaway. Let there be no

doubt about that. Therefore, Members may rest satisfied that we did not sell away the interests of intending migrants.

You must not also forget the fact that so far as the exodus is concerned, that is more a burden on us than on them. Therefore, we are interested in seeing that the pace of migration slackens down. Many of you may have seen the condition of these migrants lying on the platform at the Sealdah Railway Station or living in camps and so on. Nobody is satisfied with that state of things. What can we do ? Our resources are limited as regards provision of space, accommodation etc. Some of the migrants will not agree to go over to some other State outside Bengal, and so on. There are these difficulties. Therefore, it is more in our interest that we should like the migration to abate. That is why we have always insisted that the minorities should be enabled to stay in East Pakistan. In doing so, if you think we bartered away the rights of the minority, we cannot help it.

**Shri N. C. Chatterjee** : Have you issued recent instructions to your representatives in Dacca which are putting fetters or difficulties in the way of granting migration certificates ?

**Shri Biswas** : Directions were given before the conference and the directions were on the lines which I have stated. That does not jeopardise the chances of any *bona fide* migrant intending to come away, say, on the ground that he cannot live there in security. There have been cases which were brought to our notice—I cannot go into details some of them were accepted by our side, where misuse was made of the facilities for issue of migration certificates.

**Shri U. M. Trivedi** : You have avoided answering this question. You have expressed satisfaction at the attitude of the Pakistani delegation. Has this Government persuaded the Government of East Bengal to withdraw and withdraw openly its secret circular to the Hindu and European business houses not to employ Hindus ?

**Shri Biswas** : Where are you reading from ? Who has said our delegation accepted the circular ?

**Shri N. C. Chatterjee** : I am sorry there is a misunderstanding.

**Shri Biswas** : I know about the secret circular.

**Shri N. C. Chatterjee** : Let me finish. Our information was that the Pakistan authorities issued circulars to business houses not to allow Hindus to remain either as agents or as employees. We want to know from the hon. Minister if as a result of the Dacca Conference those circulars have been withdrawn. Has any step been taken by the Pakistan Government not to give effect to those circulars regarding "shadow Pakistanis" or "Hindus"—whatever may be the expression?

**Shri Biswas** : I shall not be justified in disclosing the actual conversations that took place at the conference. But I may say that as a matter of fact, this question of granting employment to the minorities in the trades and services was considered, and assurances were obtained. We cannot do anything except accepting the assurances. When those circulars were issued, we protested against them. There was the answer that Pakistanis include also Hindus. Later on, one of their Secretaries—the Labour Secretary, I think—said 'Pakistani Hindus' are "shadow Pakistanis", and so on. All that was now rejected, and we must be therefore satisfied, I repeat again that there was a welcome change of policy on their part—because of their new attitude and their new assurances. But suppose they do not carry out those assurances or implement them, well, we cannot help it, but the minorities will be in no worse position. Let us therefore take the chance and wait and see what happens because the general atmosphere appears to be more favourable now. There must be some reason for this change. We do not know why Pakistan seems to be so interested now in retaining as large a number of Hindus as they can inside the borders of East Pakistan. Whatever the reason may be, we are not concerned with that. We are concerned with the minorities themselves, and whatever goes to help the minorities is welcome to us. That is our position.

Reference was made to the 'neutral home'. A neutral home is this. Abduction will still go on. Rapes will still occur. That cannot be helped. This is not a new feature that came into existence since the partition. We all know of the various associations in undivided Bengal which were set up for dealing with such cases in which Hindu girls were violated by Muslims. However, leave that aside. The question is this. After a girl is recovered, she has got to be sent back to her relations. In the

meantime before you can communicate with the relations and they can take her back, where will you keep her? Will you keep her in the custody of the abductor or not? We have always protested against that. But there have been cases in which the magistrate before whom the girl was taken ordered her to go back to the abductor in spite of our protests. In order to prevent such cases occurring, we said as soon as a girl is recovered she should be removed to a "neutral home", that is to say a place where she will be not in the charge of any Muslim.

**Shri N. C. Chatterjee** : Or any Hindu.

**Shri Biswas** : A Hindu will be in charge of that home. Communication is sent to the guardians and then the girl is made over. That is the meaning of a neutral home. All this was provided I suppose by the annexure to the Nehru-Liaquat Pact. Now it is for Pakistan to carry out the scheme as they accepted the obligation,—just as it for us also to do the same. On our part, we have honoured our commitments in every case but if the other party does not we can only plead with them, argue with them, appeal to them. We cannot do anything more. That is the position. We must not forget that basic fact. Somebody asked : "Why can we not improve the condition of the minorities?" How can we, unless the Pakistan Government can be induced or coaxed or forced to do it? As the Prime Minister said on one occasion, disputes between two neighbouring States can be solved either by war or by negotiation. The path of negotiation is the only way we can follow. There is no other way open to us, and therefore we are largely in the hands of the Pakistan Government for bettering the condition of the minorities in Pakistan,—just as Pakistan would be in the hands of the Indian Government for the fair treatment of Muslims in India. There are a large number of Muslims in the dockyards of Calcutta. Well, if we misbehave, if we do not do the right thing to these people, then Pakistan may retaliate against the Hindus within their territory. But as you know, India will never retaliate. That has never been her policy. Simply because somebody does a thing which we do not like and which is against our interests, we do not retaliate. It is not India's policy, and it will never be Indian policy to adopt retaliatory measures. Maybe, retaliatory measures would have brought dividends much earlier and much more quickly.

**Shri V. G. Deshpande :** That has been your conviction.

**Shri Biswas :** Retaliatory measures have been advocated by many, but we have consistently refused to accept any such suggestion. That is the general position.

So far as the figures of the exodus are concerned, Members had expressed their desire to have them. I could give those figures, though I cannot give the figures for the month of May, because they are not yet available to us. But if hon. Members want, I can give the figures regarding the number of migration certificates issued and so on, for the months of January, February and March. The total number of migration certificates issued in January was 19,206 in February 50,593, and in March 55,381—I am not quite sure about the last digit, it is 1 or 7. For April, I have just got the figures. The number is 22,755. So far as the number of applications for migration are concerned, the figures are as follows. In January, it was 18,182, in February 23,756, and in March, 13,850.

There is no desire to keep back any figures. Only I must have sufficient notice. It is because the time is short that I could not include all those figures. The House will remember that only a few days ago, I had made a statement in which I began by giving the exodus figures, as far as I could, not in detail but generally, tracing the whole course of exodus since the Nehru-Liaquat Ali Pact. I had done that in that statement, and therefore, I tried to avoid a reference to all that in the present statement.

But I shall welcome any opportunity which Members of this House may give me for a discussion. I shall place all the facts and figures before them, and they will be satisfied that we have not given away the cause or the interests of the minorities at the conference. We all thought—four of us were there—that we proceeded in the best way we could. We got something from the other side which we had not got before, therefore we were not justified in rejecting it.

**Pandit Thakur Das Bhargava :** Has the Minister forgotten section 15 of the Evidence Act? Past conduct does not belie their professions.

**Shri Biswas :** I am not taking a legalistic view. I am looking at this question as a human problem. If we find

there is a new approach towards that problem, why should we not welcome that? Therefore, let us wait and see. If that fails, it does not place us in a worse position than we are in at the present moment.

**Shri V. G. Deshpande :** Previously also, it had failed.

**Shri Biswas :** Why should we not avail ourselves of every chance that we get to improve the condition of the minorities in East Pakistan, because that should be our overriding concern? If we keep that in view, then every question that has been asked will be easily answered.

**Shri N. C. Chatterjee :** Has the Minister got the figure of the number of applications for migration certificates for the month of April?

**Shri Biswas :** Not yet.

**Shri N. C. Chatterjee :** Has the Minister got the figures as to how many applications have been rejected by the Dacca office in January, February March and April?

**Shri Biswas :** The question of rejection does not arise. As a matter of fact, rejection is done only where the application is not a *bona fide* application. That is in pursuance of the directions which were given by our External Affairs Ministry, before this conference took place. As I said, the more they come to this side, the problem of rehabilitation becomes more and more acute, and therefore, it is our interest to see that these applications are scrutinised and none but the genuine ones are allowed to go through. As a matter of fact instances have come to our notice where members of the same family have come in two instalments, claiming double the refugee benefits. The intention is not to allow such cases. If you come away, you should not retain one foot in one State and another in the other State. These are questions which we ourselves took up. This was not done at their instance. When we said that we shall tighten up the measures that we are taking for the issue of migration certificates we made it perfectly clear to them that the final decision was in our hands. If they had any suggestion to make, we shall be glad to consider those suggestions, but we shall decide for ourselves, and not at their bidding. We made that perfectly clear, and that position was accepted.

**Shri D. C. Sharma** (Hoshiarpur) : Has the agreement been renewed?

**Shri V. G. Deshpande** : May I know the number of rejected applications?

**Shri Biswas** : The hon. Member should give me sufficient notice, and then I can give him the figures. There is nothing to hide. For the first time now, the hon. Member is showing so much interest in these matters. What can I do now? (*Interruptions*)

**Mr. Speaker** : I find that the hon. Member is interrupting too much. I must close this discussion by seven o'clock. We have only two minutes more to seven. I would request hon. Members not to interrupt. The Minister may conclude within two minutes.

**Shri Biswas** : I am grateful to the House for the interest it has evinced in the conditions of minorities. I only hope that Hon'ble Members will not forget this, and that this will not be the last time that they are doing so. The more they ask me questions about the conditions of the minorities, the better I feel, because I want to explain to them what the exact position of the minority community there is. There is nothing to keep back. When this chance has come to us, why should we not take the fullest advantage of it? That is the spirit in which we must work.

#### MESSAGES FROM RAJYA SABHA

**Secretary** : I have to report the following three messages received from the Secretary of Rajya Sabha :

(1) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th May, 1956, agreed without any amendment to the Life Insurance Corporation Bill, 1956, which was passed by the Lok Sabha that the Rajya Sabha, at 23rd May, 1956."

(2) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th May,

1956, agreed without any amendment to the Travancore-Cochin State Legislature (Delegation of Powers) Bill, 1956, which passed by the Lok Sabha at its sitting held on the 28th May, 1956."

(3) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Indian Income-tax (Amendment) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 28th May, 1956, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

#### RULES REGARDING EMERGENCY RECRUITMENT TO I.A.S.

**Mr. Speaker** : The House will now take up the discussion on the rules regarding emergency recruitment to the Indian Administrative Service. One hour has been allotted for this, that is to say, the discussion will go on from 7 p.m. to 8 p.m. Now, Shri A. K. Gopalan. The hon. Member may take ten minutes. Others will take not more than five minutes each.

**Shri A. K. Gopalan** (Cannanore) : I thank you for allowing this opportunity to raise this one-hour discussion on an important subject, on a matter which is of very great importance. This is a matter concerning all the educated men in this country. The Hindu, The Indian Express, the Amrita Bazar Patrika, and almost several of the vernacular papers have all written editorials protesting against these rules. These rules are irritating to the young men in this country.

The advertisement carrying the notification of the Union Public Service Commission, calling for application from prospective candidates for the special recruitment to the IAS restricts the applicants to those who got an income of Rs. 300 or more during the last one year. One can understand a minimum educational qualification or a particular age-limit or physical fitness. But previous earnings can, under no sound principles, be accepted as a qualification essential for the applicants to the IAS.

This rule is against the spirit of the Constitution. It is discriminatory. It is unjust and much less socialistic, even if it be the Congress brand of socialistic. This rule is against article 16 (1) and 16 (2) of the Constitution. Article 16 (1) says :

"There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State."

This rule is a violation of the provisions of that article in spirit, if not in letter.

7 P.M.

The Home Minister said on 12th April : "We are giving opportunities for all." This rule is a violation of that assurance also.

Let me examine what is the result of this rule. First class honours and other graduates who are in the low paid jobs or unemployed will be excluded from the purview of the UPSC, whereas ordinary graduates who are sons and daughters of wealthy parents, who are the relatives of Ministers or high officials who are well placed in government jobs, or who run business establishments etc., will be eligible for applying. Lakhs of brilliant young men, patriotic and with a passion to work with honesty, ability and integrity will be denied all opportunities. Among these men can be found college teachers with brilliant academic records, serving in non-government colleges and even government colleges. Among them are thousands of government employees who, for want of proper backing, had to start from a low level. Among them are bank clerks and others who, having nobody to support them, started their life from a low rung of the ladder hoping to work their way up. They are also disappointed.

As in the case of government servants in private service also there are so many young men who are disappointed with this rule. The large number of educated unemployed in the country are hard hit by this strange qualification. In these days, when we talk of helping the unemployed, to put such a drastic restriction of income for otherwise qualified people is an insult to our unemployed young people.

If the intention was to put a premium on experience, the best thing to do was not to put an income qualification, but to restrict recruitment to only those who were employed already and who had a

minimum period in employment of, say, five years. This would have obviated such blatant discrimination against the poorer sections of the people.

This rule discriminates against the southern States where the scales of pay are much lower than those in the north. The scale of pay for the same post varies from State to State. For instance, a Superintendent in the Government Secretariat in T.C. is paid an initial salary of Rs. 200 in the scale Rs. 200-10-300 (till 1-4-56 the scale was only Rs. 175-10-225), whereas in Bombay it is Rs. 350, and in the Central Government it is Rs. 450. A college lecturer in T. C. State is paid Rs. 125-10-175, in Madras Rs. 200, in Mysore Rs. 100 (Rs. 100-10-250) and Rs. 250 in Delhi, U.P. etc. Out of the 140 candidates recruited to the National Defence Academy, there is none from T.C. and Hyderabad, 3 from Madras, 2 from Mysore, 21 from Delhi and 50 from Punjab. In this vast country of ours, a uniform scale of pay does not exist. Scales of pay for the same kind of jobs in different States vary, and between States and Centre vary.

The other day the Home Minister said that enough Scheduled Caste candidates were not available to fill up the quota allotted to them in the services. If the Government prescribe such fantastic qualifications, I do not know wherefrom we can find Scheduled Caste candidates, Scheduled Tribes candidates and backward class candidates. It will be very difficult to find such candidates with this income qualification.

This is an attempt to revive the old tradition of the ICS. Recruitment to the ICS was only done from the aristocracy and feudal families. Ordinary citizens were not eligible for enrolment to the ICS. This IAS recruitment with this rule revives that old tradition. It tries to restrict the field of recruitment to the most important administrative service of the country to the sons and daughters of the rich and the influential people in the country.

Even concerning the social status, the yardstick of income is out of place. These persons are of high intelligence, efficiency and integrity, who have voluntarily chosen teaching, social welfare or other lowpaid but creative work, and who may now choose to enter the administrative service. To rule them out would be discrimination; to rule out such missionary spirits on the ground of

[Shri A. K. Gopalan] failure in income would not only be grossly unjust to the individuals concerned but totally opposed to public interest. To measure a man's merit in terms of his income is an outrage on traditional as well as present-day Indian sentiments. To perpetuate such a thing is a gross betrayal of the people's interests.

A man employed in a junior capacity in the office of a professional man who may be a close relation of his may draw a salary far bigger than another of similar qualifications who has no influential connections, but the latter loses his chance. The income qualification must be removed immediately. Otherwise, the young men of this country will certainly be aggrieved.

I also want to mention about the highly qualified and experienced Commissioned Officers in the defence services, who are about to complete their service within a year or two. They are qualified for selection to the IAS emergency recruitment and are within the age limit. They are feeling frustrated because they are not permitted to apply for this emergency IAS recruitment. Moreover, the emergency IAS cadre is losing the opportunity of having highly experienced and qualified defence service personnel included in its ranks.

The Ministry is nervous because for the recent recruitment to NEFA for less than two dozen vacancies nearly 2,000 Army Officers had applied. This shows that there is great frustration in the officers' cadre. This has to be gone into. But that is no reason for preventing defence service officers from not appearing for the emergency IAS selection, especially when they are about to complete their service in the next two or three years.

I have only to request the Government to realise that this restriction on the income certainly deprives not one or two but several thousand young men who are really able, who are efficient, who are patriotic, who have passion to work for the country, for the development of this country, of their opportunity to serve the country. This certainly makes them angry. Several letters

have appeared in the papers; several editorials have been written in the papers on this subject. These have appeared in the columns of the most important dailies in all the States. This restriction that a man, if he does not get an income of Rs. 300 or over, is not eligible for recruitment is an unjust restriction. I would request Government to see that really good men are to be judged by their experience and other qualifications and not by the income they get. There may be other qualifications and restrictions, but the income qualification should not be there.

I know of engineers who get than Rs. 300. There are others who are in government departments or in other services. I have already cited the case of college lecturers who are very efficient, who can do any work, but who do not at present get even Rs. 150 or Rs. 200. When they retire, they get only Rs. 250.

So this is a question that is agitating the minds of all young men in the country who want to really do something for the country. So I request Government to relax this rule; if Government want to put some other qualifications and restrictions, they may be in the matter of experience and other things.

**Dr. Krishnaswami (Kancheepuram):** What a pity, that a mature administrator and seasoned politician like the Home Minister should not have considered the implications of this notification. This notification should be amended and I hope it will be possible for him to take note of the points which will be raised by hon. Members and myself.

If the objective of the new IAS Recruitment Rules is to recruit candidates at different age levels with varying degrees of qualification and experience, this has not been achieved by the present notification. We ought to have made clear in the notification what posts are required to be filled at different age levels. Thus out of hundred posts we might have to fill in the junior most cadre consisting of men between the ages of twenty-five to thirty, forty posts from thirty to thirty-five, we might have thirty vacancies. If between the

[Dr. Krishnaswami] ages of thirty-five to forty we have thirty posts to be filled up, this should have been made clear. If this information had been furnished it would have resulted in better type of people applying for posts in our administrative services. Normally these posts at different age levels carry with them different salaries and varying responsibilities. furthermore this would have acted as a restraining influence on the number of applications which according to reports have poured into the office of the Public Service Commission. It is well-known and I think the Home Minister would agree with me, that in any integrated service a balance in age groups is maintained when posts are marked out according to different age groups and as we are to have an integrated service, we cannot afford to ignore the need for preserving a balance in age groups. Relaxation is permissible only in the case of backward communities, where due to factors of a social nature on insistence on this principle would lead to a shutting out of candidates drawn from these communities.

Now, the relaxation can take one of two forms. We have to relax this rule in the case of backward communities so that we might give them greater opportunities for occupying these posts; at the same time, we must not relax in such a manner as to lower the standards of efficiency of the services as a whole. What I suggest is that in the case of backward communities, the Scheduled Castes and the Scheduled Tribes, a person who is 40 and who has the minimum qualifications, might be called upon to hold a job which normally a man from the advanced community of the age of 30 would fill. Eventually, he may not reach the joint Secretary's cadre, but he, certainly, would reach the Deputy Secretary's cadre and this in itself would provide for greater vertical mobility and greater equalisation of opportunities among the various communities, whose welfare we have at heart (Interruption).

My hon. friend need not suggest that I am opposed to those drawn from these communities reaching the cadre of a Joint Secretary. But surely we have to consider the obstinate facts of our social environment, and realise the need for striking a balance between two considerations; the desirability for giving candidates from handicapped communities opportunities to occupy administrative posts of responsibility and the need

for preserving the efficiency of the services. If in the present circumstances we can envisage a flow of men to the cadre of Deputy Secretary from that of collectors in another ten years we would have achieved a great service to the community and benefited these classes as well. As it is we have men occupying posts in the subordinate civil service; there is a gap, a yawning gap between the clerk and a minister drawn from the ranks of the scheduled castes. Dr. Ambedkar's formula is good on paper but has not worked in practice.

I want to put another question. The Home Minister knows that the Planning Commission has envisaged the appointment of 386 I.A.S. officers in addition to those already in service but, from reports we learn that only hundred persons are to be recruited. Why is there this disparity? Are we going to have emergency recruitment every third or fourth year? It was only nine years ago that we had an emergency recruitment. If we are going to have repeatedly emergency recruitments the services, the morale of the services, will suffer. I respectfully suggest that in fixing the number of people that you are going to recruit, you ought to err more on the liberal side. The possible needs of our administration cannot be envisaged with precision.

My hon. friend referred to the income qualification which a candidate will have to satisfy before applying for a post in the Indian Administrative service. Now the salary test of Rupees three hundred is far too high. We have to realise that there are regional disparities in salaries, particularly in Part B States, and I do not wish to add anything more to the argument except to suggest that we ought to either do away with this income qualification or, if that is not practicable, to reduce it to about Rs. 200 or even Rs. 150, which, would be fair.

The argument that has been put forward that only first class candidates need not satisfy this salary test and that this would encourage the talented applicants drawn from every region to apply is highly spurious, particularly when we realise the differences in standards of the universities in our country. Some universities are niggardly in the award of first class degrees; some on the other hand are generous and most liberal in the award of first class degrees. I have no wish to be mixed up in the argument as to whether one university

degree is better than other university degree. But, I can affirm that there are many second class candidates in certain universities who are quite equal, if not superior, to first class candidates of other universities. Indeed, a generalisation might be made to the effect that in regions which are prosperous, universities are generous in awarding first class degrees.

Now, there is another simple point that requires to be clarified. We have put the age limit for applicants at 40 and we have in the notification suggested that at the time of selection the applicant should not be more than forty. In the civil services it is the age at the time of appearing for the competitive examination that is taken into account in determining whether he should enter it or not. But, here, since it is only for 15 years that he will have to serve, perhaps a different rule seems to have been followed. I do not think the Home Minister should stick to this rule; in a few cases candidates will serve the state for fourteen years. If the suggestion is accepted that the age at the time of a candidate's appearing for the examination should be taken into account, all that this would imply is that in a few marginal cases the candidate would be forty one when he joins the service. It is for the Hon. Minister to consider, in consultation with the Finance Ministry, the financial implications of extending this concession, namely, that the age be taken only at the time of the examination and not at the time of selection. Further I suggest that we should not debar men in the army and other services from appearing for this examination. It is a mistake to suggest that this is a competitive examination. The examination of the candidates knowledge is only a qualifying test. There is in addition a viva-voce test which is expected to be a negative test for weeding out the obviously incompetent and inefficient from an administrative point of view. But one glaring omission has been made. We have not made provision in the application for people with experience letting their selectors know the posts that they have filled, their attainments and their qualification subsequent to their obtaining a degree. Indeed this application is a carbon copy of the usual form which candidates between the ages of 21-24 seeking admission to the I.A.S. have to fill. In the case of candidates with experience, the very applications must be considered to be of prime importance for entry into the service.

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One final point and I have done. In the United Kingdom and other democratic countries, it is recognised that we should not have controversy over questions pertaining to administrative services. Such controversies as occur are only marginal in character.

I hope the hon. Home Minister will consider the observations that we from this side have made in the proper spirit and give us credit for having dealt with this question in an objective manner. The income test will, as my hon. friend, pointed out, work incredible hardship on those coming from the southern States. Knowing the Home Minister as I do, I feel certain that he will not be guilty of any discrimination. Although his Ministry might have nodded, he I hope is wide awake and will rectify the errors that have been committed by the bureaucrats in his office.

**Shri Kamath** (Hoshangabad): Mr. Speaker, I propose to proceed on the very solid basis provided by the Home Minister himself in his half-jocular half-serious speech replying to the Home Ministry's Demands on the 12th April. He said :

"If suitable candidates are available, at least 100 will be recruited from the open market as it is called...."

Then, he said, jocularly,—

"not from the streets. These people may be between the ages of 25 and 40."

Then, he continued :

"There will be promotion from the State services and the normal period of 8 years will be reduced to 6 so that even junior officers may be taken in. Besides the members of the public, all others whether in the military or in the civil services will be allowed to compete for these posts that are to be recruited from the public."

Then, he went on to say—

"We are giving opportunities to all."

This is the basis for the rules that have been framed for the emergency recruitment to I.A.S.

Before I proceed further, I would like to refer to the Minister of State's—if he will permit me to say so—manipulation of figures, either inadvertently or

[Shri Kamath] deliberately, which was resorted to the other day when replying to a question. Shri Datar said that already 30,000 applications have been addressed to the U.P.S.C. I think, he was somewhat misled by the fact that the U.P.S.C. has printed 30,000 application forms. At the foot of every form, you find this, G.I.P.N.D. L.S. 3 U.P.S.C. 7-5-56, 30,000. On the 26th of May, an applicant received a form with serial No. 21,000 and odd. This was on the 26th, and on the 25th May, Shri Datar replied to the question. A day before that he said that 30,000 applications had been received, while actually a day later the forms that have been sent out by the U.P.S.C. numbered only 21,000 and odd. There is only a difference of 10,000. Out of these 20,000 forms also how many who had got the application forms could have filled them in and sent them to the U.P.S.C. by the 24th or 25th? I know their psychology; usually candidates tarry till the last minute, last day or last week, and then fill the forms and send them to the U.P.S.C. On the day Shri Datar answered the question, even 10,000 applications could not have been addressed to the U.P.S.C. Evidently, Shri Datar wanted to drive his point home and so he exaggerated it as 30,000.

My hon. friends, Shri Gopalan as well as Dr. Krishnaswami have referred to the discriminatory treatment that has been set in motion against the Army officers. I am told that the Minister of Defence has issued orders that no permanent officer of the Defence Services can apply for this emergency I.A.S. recruitment, unless he resigns his service. Only after his resignation from the service, he will be allowed to apply. This might have been due to the fact that the Minister has been unnerved by the 2,000 or more applications for the N.E.F.A. service some time ago. But that is not the way to proceed about the business. You must enquire into the matter why Army officers are discontented and frustrated. Here, the Home Minister gave a solemn assurance on the floor of the House that Army officers as well as civil officers will be equally eligible for the I.A.S. and that there will be no discrimination. That is being set at naught by the Defence Minister, and that means that there is a conflict between the Defence Minister and the Home Minister. Therefore, either the one or the other must go and quit office on this issue: if the Home Minister cannot prevail, I leave it to him to decide

what should be done about the matter. But there should not be such a conflict over this issue between the two Ministers.

**The Minister of Home Affairs (Pandit G. B. Pant):** The hon. Member would not like both to go?

**Shri Kamath:** Not yet: One is enough. But I am sure there will be an amicable settlement between the two and there will not be any need for either to go.

I will end up by saying something about the rules themselves. There are one or two invidious provisions in the rules. One refers to the deduction of marks in the written test for superficial knowledge. After giving marks for each answer separately, this overall deduction for superficial knowledge is provided for as if it to say, that the examiner cannot test, while giving marks to the different answers the nature of the candidate's knowledge. Even in the old I.C.S. examination, there were no such rules. There was deduction only for bad handwriting in the old I.C.S. rules. But here this is a very novel rule, which I fail to understand.

Lastly I would like to make an appeal to the Home Minister. He was good enough earlier in the day to appeal in the name of the Buddha, that is, in the earlier debate on the Preventive Detention Act. You, Sir, were not in the Chair at that time and so you missed that speech.

**Mr. Speaker:** The Buddha has no place here in this discussion.

**Shri Kamath:** He was referred to by the Home Minister in the discussion on the working of the Preventive Detention Act.

**Mr. Speaker:** But he has no place in the I.A.S.

**Shri Kamath:** I would only appeal to the Home Minister....

**Mr. Speaker:** Let the hon. Member finish now; he has already taken five minutes.

**Shri Kamath:** You gave the previous speaker full ten minutes. Please give me only a minute or two and I will finish.

**Mr. Speaker:** Why should he spend his time on the Buddha now?

**Shri Kamath:** The Government pays homage to the Buddha on a nationwide scale, and if they are really sincere in their homage to the Buddha, I would appeal to them in the name of

the Buddha, who fought all his life against social inequalities, against social stratification on the basis of the vulgarity of wealth and of personal income, to withdraw this rule relating to personal income. I have no time to make all my points, but I would appeal to the Home Minister that he might see his way to constitute a small committee of M. Ps say four or five. Tomorrow we will be willing to sit with him to discuss further points if he is prepared to meet us and discuss further the provisions with regard to the I.A.S. recruitment, so that the anomalies, discriminations and other unsatisfactory provisions in the rules might be rectified in the interest of the large, educated unemployed who are eager to serve the country.

**The Minister in the Ministry of Home Affairs (Shri Datar):** Shall I make a small correction, with your permission, to the answer which I gave on the 25th? Actually 26,000 forms had been sold by the U.P.S.C. and taken by the various candidates as on that date, and today up to nearly 32,000 application forms have been sold out by the U.P.S.C.

**Shri Kamath:** How many were received by the U.P.S.C.

**Shri Datar:** There is no question of receipt. That is the reason why I am correcting my answer. On the date on which I gave the answer, 26,000 application forms had been sent out by the U.P.S.C. to the various candidates, and till today about 32,000 application forms have been sold out. So, you will find that so far as these forms are concerned, they are sold at the rate of Re. 1 per form, and these forms are received almost in the last week by which the applications should be received by the U.P.S.C.

**Shri Barman (North Bengal—Reserved—Sch. Castes):** I want an elucidation about paragraph 5 of the notification issued by the U.P.S.C. There are two classes of persons who are eligible to apply—first those whose pay is not less than Rs. 300 per mensem and, secondly, those whose income is not less than Rs. 300 per mensem. Many letters have come to me enquiring what "income" implies. Is it income from any sources, say, from landed property? Certainly that cannot be the implication. But so

far as the clause goes, it includes that also. I think that that should be made clear at least by another notification.

**Shri Datar:** That has been done already.

**Shri Barman:** I have already asked the hon. Minister about the second point, that is, whether the dearness pay includes dearness allowance. I had that question from a member from my State and that point has been explained now; it includes dearness allowance.

I have to bring it to the notice of the hon. Minister that this restriction of Rs. 300 per mensem is a very high qualification in the case of new entrants, I mean, the Scheduled Castes and Scheduled Tribes. The hon. Minister knows that it is only when the Government of India came forward with scholarships from out of their funds that students from these two classes got encouragement and have taken up studies in the University courses. It is only with much difficulty and strain that they are getting employment now in the public services—and that too only since a few years. There is the other qualification that the candidate must have obtained a degree in certain subjects enumerated therein. In addition, if you impose the income qualification of Rs. 300 per mensem and if it is strictly adhered to in the case of Scheduled Castes and Scheduled Tribes, there will be practically very few applications from them for this service—I do not know how many. Therefore, I request the hon. Minister to reduce this pay qualification at least to Rs. 150 that is, including the dearness allowance. I also wish to bring to his notice the cause of those political sufferers who had no opportunity till freedom came to India. They may have entered into some service which may not be very remunerative; but in their case also this restriction of Rs. 300 per month should be waived.

**Shri C. R. Narasimhan (Krishnagiri):** There is no doubt that the new rules have caused widespread dissatisfaction. Even sober and cautious a daily like the *Hindu* has come out with a scathing article on the matter. The newspaper has used very strong adjectives such as "official slovenliness", that the whole thing is like a "big raffle", and that many astonishing anomalies have been allowed. That only shows that there is great dissatisfaction. The representation submitted by the Madras Secretariat Service Association also

[**Shri C. R. Narsimhan]**  
 affords convincing reading. I am very sorry that on this matter the Government are just on the borderline of discriminating against different classes of persons. They may be on the safer side; but the border-line is thin and at any time there is grave danger of these rules being challenged in courts, and if it happens it will create a lot of dislocation in the official work.

I only wish to put one question. Is it not a fact that in the year 1950 when emergency recruitment was resorted to the following qualifications were stipulated alternatively?

"(1) Candidates must be first or second class graduates in Arts, Science or Commerce of a recognised University and should (on the 30th June, 1948)

(a) have had a minimum of five years' service in responsible posts under Government, University, Public Body, Indian States or business house;

or

(b) have been in receipt of a basic pay of (excluding all allowances) not less than Rs. 400 p.m. for a period of not less than one year immediately preceding the 30th June, 1948;

or

(c) possess five years' experience at the Bar."

There was also a foot-note to the following effect :

"Graduates in Law, Engineering, Agriculture and other professional or vocational subjects are NOT eligible to apply unless they have also obtained a First or Second Class Degree in Arts, Science or Commerce."

I want to know why there has been a deviation now, and I would request Government and the hon. Home Minister in particular to see whether suitable amendments could not be made, because there is a general feeling on the part of those who have been affected that injustice has been done and this feeling should not be allowed to continue.

**Shri A. M. Thomas** (Ernakulam) : Mr. Speaker, as a Member coming from the South I wish to bring to the kind

notice of the hon. Home Minister how the rule with regard to income qualification will adversely affect prospective candidates coming from the Southern States in particular. The basic fact that we have to remember is that this is prescribed for the purpose of sitting for the examination; you have not invited applications for recruitment direct, so that there will be further stages of screening.

I can very well understand the object with which this rule with regard to income qualification has been framed. It will certainly be an administrative problem : we can very well realise that lakhs of applications will be pouring in and that will create so many difficulties. But I would urge that those difficulties have to be faced, rather than showing any discrimination in this matter.

I can very well understand the observations given to questions in the Rajya Sabha by the hon. the Home Minister that he is thinking of relaxing these rules in certain directions—first in the case of Scheduled Castes and Scheduled Tribes. I would submit that if he has got any such intention he must include Backward Classes also in the category to which exemption is given. Secondly, I think he has got an idea of exempting first class graduates from the prescribed qualifications. With regard to that I would urge the point that has been made by my hon. friend, Dr. Krishnaswami that standards differ from university to university. I was a member of the Joint Committee on the University Grants Commission Bill, among which some were Vice-Chancellors and educationists. It appeared during discussions that certain universities were very strict to grant first class in the case of certain degrees. That is not the case with regard to certain other universities. I know of certain instances where students who were detained in the Junior B.A. or B.Sc. classes left that particular university, joined another and within two years came out with the M.A. and LL.B. degree together. Another aspect that has to be borne in mind in this connection is that those who have taken Mathematics as their optional very easily get a first class : but students who have taken Politics, History or Economics, though they may be very desirable candidates for the Administrative Service, do not easily get a first class. There may be one Dr. John Mathai, or Mr. Kuruvillah Zachariah who might have got a first class in History or Economics.

**Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes):** There are so many in Travancore-Cochin.

**Shri A. M. Thomas :** There may be, but they are very few, I would say who have got a first class in History, Economics or similar subjects as far as some universities are concerned.

Another aspect which I wish to bring to the notice of the Home Minister is the great disparity in the scales of pay obtaining in the Central services and the State services, especially in the South. Shri Gopalan has referred to that. A superintendent in the Travancore-Cochin Secretariat, which is considered to be a heaven-born service as far as a government servant in my State is concerned may be getting about Rs. 200, whereas even an Assistant in the Central Secretariat may be getting Rs. 300. If these rules are enforced those persons will be deprived of the benefit of appearing for this examination, while those in the Central Secretariat will be able to appear. There is a feeling that the existing rules will adversely affect the candidates coming from the South, especially from the particular part of the country from which I come. In fact, I have been getting dozens of letters every day referring to this matter. So, that, I submit that the provision regarding income qualification should be amended.

I have also joined in a memorandum that has been submitted to the Home Minister by the M.P.s from the South. They have prayed for lowering the income-limit from Rs. 300 to Rs. 200. While government servants working in the northern States and in the Central Government will get an opportunity to appear, persons who occupy similar positions in the State services in the South will be deprived of the opportunity if the qualification rules are to stand as they are. The hon. the Home Minister would never have intended to discriminate in this manner. This would only have been done to meet the big administrative problem of dealing with innumerable applications. Anyhow, it is better to face such difficulties rather than give an impression to the country that we have pitched upon riches as a qualification.

**Shrimati Khongman (Autonomous Distts.—Reserved—Sch. Tribes):** The hon. Members who have preceded me

have referred to many points. I should like to stress only one point, and that is that the rule insisting on a salary of Rs. 300 as one of the conditions for recruitment to the I.A.S. may be relaxed in the case of Scheduled Caste, Scheduled Tribe and other backward candidates. Most of these candidates, I am sure, will be able to qualify themselves if an opportunity is given to them. In recent years these candidates belonging to the Scheduled Castes and Scheduled Tribes had slowly come to offer their services and some of them have even qualified themselves in the open competition and they have given a good account of themselves. I am sure if this condition is removed these people will gladly come forward to offer their good and efficient services.

The hon. Minister has already stated the other day that he has received several representations. He also assured us that 12½ per cent. will be reserved for the Scheduled Castes and Scheduled Tribes. This could very well be achieved if the pay clause is relaxed in the case of Scheduled Castes and Scheduled Tribes. I therefore request the hon. the Home Minister to consider their case and relax this particular rule.

**Mr. Speaker:** There are so many who want to speak. I will allow one minute each.

**श्री राजेश्वर व्यास (उज्जैन) :** अध्यक्ष महोदय, आई० ए० एस० में कमीट (प्रतियोगिता) करने के लिये में समझता हूँ, यह पहला मोका खाता तौर से देहातियों को तथा पिछड़े हुए लोगों को मिला है। मैं आपके सामने खालियर स्टेट का उदाहरण पेश करना चाहता हूँ जिस की आवादी ४० लाख की थी। वहां पर एक डिप्री कालेज था तथा वहां पर बहुत कम लोग ऐसे थे जो कि मंजूर थे। इसके बाद इस स्टेट को मध्यभारत में शामिल कर दिया गया और इस एक पार्ट बी० स्टेट (भाग खराज) के रूप में हमारे सामने आई। १९५० में मध्य भारत एडमिनिस्ट्रेटिव (प्रशासनिक सेवा) सर्विस के लिये एक टैस्ट हुआ जिसका रिजल्ट (परिणाम) १९५१ के शुरू में निकला तथा १९५१ के आखिर में जाकर इन लोगों की जो इसमें सफल हुए एपाइंटमेंट्स (नियुक्तियाँ) हुई। वहां पर बहुत कम लोग ऐसे हैं जो ऊँची ऊँची तनखाहें पाते हैं। मैं आपको बतलाना

## [श्री राष्ट्रेल व्यास]

चाहता हूँ कि वहां का डिप्टी कलेक्टर २५० रुपया महीना तनख्वाह पाता है और वह भी जो शर्तें आपने रखी हैं उनके मुताबिक टैस्ट में नहीं बैठ सकता है। जो वहां का असिस्टेंट डायरेक्टर आर एप्रीलिलवर (कृषि उप-निदेशक) है उसको भी २५० रुपया मासिक भिलता है और वह भी इस टैस्ट में बैठने के लिये एलीजीबल (प्रद) नहीं है। जो वहां का तहसीलदार है उसकी तनख्वाह २०० रुपया मासिक है तथा नायब तहसीलदार की केवल १०० रुपया। तो जो तनख्वाह की शर्त आपने रखी है अग्रर उसे वैसे ही रहने दिया गया तो कई ग्रेजुएट भी इसमें बैठने के एलीजीबल नहीं हो सकेंगे। यही बात माननीय नरसिंहमन् ने कही है। मैं आपको यह भी बतलाऊं कि गवालियर स्टेट में कई सालों तक कोई पे स्केल (बेतन-क्रम) भी नहीं थे। वहां पर कोई सौ डेढ़ सौ तहसील-दार हैं तथा उनमें से आपकी मौजूदा शर्तों के मुताबिक किसी के लिये यह सम्भव नहीं हो सकेगा कि वह टैस्ट में बैठ सके। इस बास्ते में चाहता हूँ कि जहां तक आमदनी का सवाल है इसमें कोई की जानी चाहिये और इसे सौ रुपया कर दिया जाये।

एक नई बात जो मझे निवेदन करनी है वह यह है कि आपने इसमें रखा है कि उम्मीदवार को शाहदत पेश करनी होगी कि वह कम्पीटेंट (सक्षम) है तथा अधीरिटीज (अधिकारियों) को कोई एतराज नहीं है। यह जो 'शाहदत' शब्द यहां पर रखा गया है, इसका कुछ भी भतलव लगाया जा सकता है और कम्पीटेंट आधोरिटी यह कह सकती है कि मुझे आबजेक्शन (आपति) है। इसका अच्छा असर नहीं पड़ेगा और कई अधीरिटीज किसी न किसी बहाने से एप्लीकेशंस (प्रार्थना पत्र) फारवर्ड (प्रेषित) करने पर एतराज कर सकती हैं। इस बास्ते में चाहता हूँ कि यहां से एक सक्ष्युलर (परिपत्र) स्टेट गवनमेंट्स (राज्य सरकारों) के पास जाना चाहिये कि वे किसी भी कैंडीडेट (प्रार्थी) की अर्जी जो कि टैस्ट में बैठना चाहता हो न रोकें। मैं यह भी चाहता हूँ कि पार्ट बी० स्टेट्स के केस में जो कि पिछड़ी हुई है कुछ और रियायतें दी जायें और आप इस बात का भी व्यान रखें कि आप जो रिक्टमेंट (भर्ती) प्रेमोशन (पदोन्नति) द्वारा करने वाले हैं, उसमें पार्ट बी० स्टेट्स को कुछ रिलैक्सेशंस (छठ) दें।

श्री जागडे (बिलासपुर-रक्षित-अनुसूचित जातियाँ) : अध्यक्ष महोदय, मारतीय प्रशासन

सेवाओं के लिये जो भर्ती के नियम बनाये गय हैं, उनमें मैं चाहता हूँ कि पोलिटिकल सफर्स (राजनीतिक पीड़ितों) के मामलों में कुछ रिलैक्सेशंस किये जायें। इन रूल्ज में जो ३०० रुपया प्रति मास तनख्वाह की बात रखी गई है, उसमें भी मैं चाहता हूँ कि कुछ रिलैक्सेशंस किया जाये। मैं यह चाहता हूँ कि शैड्यलड कास्ट्स (अनुसूचित जातियों) तथा शैड्यलड ट्राइब्स (अनुसूचित आदिम जातियों) के लिये १५० रुपये की लिमिट (सीमा) तथा जैनरल (जन साधारण) के लिये २०० रुपये की लिमिट फिक्स (निश्चित) की जाये।

मैं यह भी चाहता हूँ कि जो तारीख एप्ली-केशंस सर्वमिट (प्रस्तुत) करने के लिये रखी गई है यानी १५ जून तक, इसको एक्सटेंड (बढ़ा) कर दिया जाये।

मैं यह भी चाहता हूँ कि इसमें बैड हैंडराइटिंग (कॉलेक्शन) के लिये नम्बर काटने की जो बात कही गई है, इसको हटा दिया जाये इसमें कुछ रिलैक्सेशंस किया जाये। जिनका हैंडराइटिंग खराब है उनके नम्बर नहीं काटे जाने चाहिये।

आपने यह भी कहा है कि स्टेवल (उपर्युक्त) तथा अनुभवी व्यक्तियों के केस (मामल) में जिनकी अच्छी सर्विस रही होगी, परस्टेलिटी टैस्ट (व्यक्तित्व परीक्षा) में कुछ रिलैक्सेशंस दिया जायगा। मैं समझता हूँ कि यह एक बग टर्म है, (अनिश्चित निवन्धन) ह तथा इसको कोई पक्की डेफिनिशन (परिभाषा) होनी चाहिये।

**Shrimati A. Kale (Nagpur) :** I would like to draw attention to Rule No. 9 of these Rules which is like this: It will be open to the Government of India not to appoint to the Service a woman candidate who is married, or to require such a candidate who is not married to leave the service in the event of her marrying subsequently, if the interests of the Service so require.

Most emphatically I protest against this rule. If you do not want women in this service, you must stop their being recruited. What is the use of making them appear for the examination, appointing them and then removing them from service on such a ground as this? Because, after all, marriage is a natural consequence, and if you are going to do this I do not know what will happen. One result of this is likely to be that

as regard these women who are very ambitious, you will encourage them to be immoral, or they will have to leave such a fine service and the opportunity of serving the country.

Women are serving in all other services. They are not debarred from the teaching profession, the nursing profession, the medical profession and other professions of similar nature. If they are not debarred from those services, why should they be debarred from this service? That is what I want to ask the hon. Minister. I therefore appeal to the hon. Minister to eliminate this particular rule and allow women to function in this service as efficiently as they can and to prove their merit.

**Shri M. S. Gurupadaswamy** (Mysore): I want to know why in the application forms they have asked the candidates to provide particulars in respect of the religion to which they belong. Also, in column 14 they have asked the candidates whether they are Anglo-Indians or not. I want to know what purpose will be served by getting such information. I can understand that if the candidates should state their nationality, they should be citizens of India. But I want to know the purpose for which these two columns have been added in the application.

**Shri Veeraswamy** (Mayuram—Reserve—Sch. Castes): For the past five years since the beginning of this Parliament I have been putting a question on the recruitment of Scheduled Castes to the I.A.S., I.P.S. and I.F.S. cadres, but the answers have been very bitterly disappointing to the Scheduled Caste Members. Till now only one or two Scheduled Caste candidates have been recruited to the I.P.S. and I.A.S. cadres. On the 3rd of this month I put a question to the hon. Minister in the Home Ministry whether the Government would take steps to see that more representation is given to the Scheduled Castes from out of the four hundred posts under the emergency recruitment, and the answer was that he expressed his fear whether the 12½ per cent. prescribed for the Scheduled Castes would be reached. I want to know why the Government should hesitate to recruit Scheduled Caste graduates to fill up at least the prescribed quota fixed for the Scheduled Castes.

I express my gratitude to the hon. the Home Minister for having relaxed the pay limit relating to the Scheduled

Caste and Scheduled Tribe candidates. I would also like to urge upon the hon. the Home Minister to relax this pay limit in the case of Backward Classes also, as my hon. friend Mr. Thomas has suggested.

And I do hope that the hon. the Home Minister will see to it that the Committee to be constituted to recruit the four hundred candidates to the emergency I.A.S. cadre recruits enough Scheduled Caste candidates to fill up the percentage fixed by Government. I do hope that the hon. Minister will not come to this House to disappoint us and say that suitable candidates were not available from among the Scheduled Castes. I appeal once again to the Home Minister to see that the best candidates from among the Scheduled Caste candidates are recruited to fill up the 12½ per cent. I hope at least fifty posts will go to them.

**पंडित ठाकर वास भागव (गुडगांव)** सबसे पहले मैं जनाव की तवज्ज्ञह कांस्टीट्यूशन की दफा १६ की तरफ दिलाना चाहता हूँ जिसमें दिया गया है :

"There shall be equality of opportunity for all citizens in matches relating to employment to any service under the State."

तो मैं अर्ज करूँगा कि यह जो प्रार्टी की क्वालीफिकेशन रखी गयी है यह नहीं लगायी जानी चाहिये। यह unconstitutional है।

दूसरी बात मैं यह अर्ज करना चाहता हूँ कि जहाँ तक बैकवर्ड ब्लासेज का ताल्लुक है उनके लिये तो यह क्वालीफिकेशन लगाना किसी भी तरह मुनासिब नहीं हो सकता।

तीसरी बात मैं यह अर्ज करनी हूँ कि आपने २५ से ४० तक का जो सुप रखा है इसमें ३५ से ४० वालों को फायदा रहेगा और यंगर पीपिल के साथ डिस्क्रिमिनेशन होगा।

चौथी बात मैं यह अर्ज करना चाहता हूँ कि जहाँ तक बैकवर्ड एरियाज का सवाल है, जैसे कि हरियाना, वहाँ का तो कोई आदमी तीन सौ रुपये का नौकर ही नहीं होगा कियोंकि पचासों सालों से वहाँ के लोगों को नौकरियाँ नहीं दी जा रही हैं। उनके खिलाफ भी डिस्क्रिमिनेशन होगा।

[पंडित द्याकरदास भागवं]

प्रालिंगर में मैं यह अर्जन करना चाहता हूँ कि हमको देश के अन्तर जो सबसे अच्छा आदमी है उसको लेना है। यह जरूरी नहीं है कि जिसके पास जायदाद हो वह सबसे अच्छा आदमी हो। इस वात्से यह कायदा देश के मफाद के वर्तिलाक भी होगा।

**Shri Velayudhan:** As far as the Scheduled Castes are concerned, it is my feeling that there should be no income limit.

There is another point. In the application form, there is a column which reads "convicted by any court for any offence—say, yes or no." This is not suitable or proper. There are a lot of difficulties experienced by these candidates.

**Some Hon. Members:** rose.

**Mr. Speaker:** Order, order. Only one hour was allotted. We have exceeded it and we have taken almost two hours.

**Shri Thanan Pillai (Trivunelvi):** I want only one clarification.

**Mr. Speaker:** No clarification now. The hon. Home Minister may reply.

**Pandit G. B. Pant:** Mr. Speaker, I feel that the reasons which have weighed with the Home Ministry and the Government in framing these rules have not been fully appreciated. I am not sure if they are even fully known to the hon. Members. So far as the normal recruitment to the I.A.S. is concerned, that is not affected by these rules. We have annual recruitment for the I.A.S. and other Central services when we want to find the best young men in the country to start their career, year after year and there we have no such conditions or restrictions. On an average, 7,000 applicants appear in the examinations and about 200 are selected.

Now, we have to make a special recruitment in order to meet an emergency. They are posts of responsibility which have to be filled by experienced men. The brilliant cadre has been depleted and exhausted and here at the Centre we have no men who can be appointed to the posts of Deputy Secretaries, etc. from the IAS. As has been the practice in the past, there are many posts today that are filled temporarily or otherwise. So, this emergency recruitment is intended in order to discover suitable talent and experience for

filling the posts of responsibility without any prolonged term of training, that is, the men who are selected must be competent to join the posts and undertake the responsibility almost forthwith. That is the purpose and that is the reason.

The Second Five Year Plan has already started working. Even when the First Five Year Plan was under operation, there was a gap and deficiencies had to be filled up. The work is suffering for want of proper personnel. In these circumstances, special importance has to be attached to experience. That is why we have provided for recruitment from what are called age groups of a higher order—over-aged group recruiting, as it is called. Up to 24, that is, those who are between the ages of 21 and 24, can appear in the regular examination. Here, in order to give a chance to everyone we had started from 25, that is, persons who have completed the age of 25 but who have not yet completed the age of forty can appear for this recruitment. So, there is a fifteen years' span.

Now, the recruitment is to be from two channels or reservoirs, as you may call them. One is what is roughly called the open market recruitment—not that it is confined only to persons who are found in the streets or in the market but it is to distinguish this sort of recruitment from what might be regarded as recruitment from the services proper. The total number we may have to recruit may probably be about 385 or 386. We expect to recruit from this open market about 100-125. If we find more men, we will be able to have them also but from our experience of the emergency recruitment of 1948-49, we feel that it may not be possible to get more than 100, or on the outside, 125 men. That is, 100-125 men have to be selected from among the applicants.

We should not adopt a procedure which will result in the disappointment of a vast number. We must see that there is a fair and reasonable chance for those who are given an opportunity of appearing in this examination and that they have a fair opportunity of competing and succeeding in this ordeal or trial, whatever you may call it. So, we have prescribed certain conditions. The criterion of income by itself is not of very great value. But, how to measure experience? How to find out a man who has some experience? So, it was felt that if you link it up with the income that is drawn, not from property

owned, but a person's personal income, that would be an indication of his experience. So, that element of income was introduced.

**Shri V. P. Nayar (Churayinkil):** The scales of pay differ in various States.

**Pandit G. B. Pant:** I have listened to that. I will come to that.

So far as the scales of pay are concerned, so far as official recruitment is concerned, that would not make much difference because, where the State executive service has a lower scale, there too, their men will find a place in the I.A.S. They will be sent up by them and they will be promoted. But, here we are concerned with the open market.

What we have to consider is this. Even if you allow many of these men who have had experience but very low scale of salary today, is there any chance of their succeeding? If there is little chance, then you are not conferring any privilege on them, but it may ultimately prove to be to their disadvantage. It is just possible, I cannot deny that one in a million may prove an exception, but ordinarily one would not expect any such results.

8 P. M.

Now, as we have just been told, already requests for 30,000 application forms have been received. Many more are bound to come. Ordinarily, we have only 7,000 candidates and from among them we have to select 200. Now 30,000 figure has already been reached; it is likely to go up to 40,000; it may go up to 45,000 and we have to select only 100 or 125. Will these people have much of a chance if you give them an opportunity? I am afraid there is not much possibility of that.

But I say that there is a strong feeling in this House, and considering the element of distinction between North and South that has been introduced, I am inclined even to depart from what would be an equitable way of dealing with this matter in order that there may be no such suspicion in any quarter. Above all we have to maintain the unity and integrity of the country, and everything else is secondary. So we may have to make some change.

I am in favour of exempting Scheduled Castes and Scheduled Tribes candidates completely from this condition

of income so that they need not be required to show that they have any income whatsoever. Similarly, I am inclined to exempt all graduates who have passed in the first-class from this condition. Whatever be their income, because of their intellectual equipment they may be admitted. That will enable us to get the best men we can. As to the Scheduled Caste candidates, they are also being given an extension of 5 years, that is, they can appear up to the age of 45 while for others age is limited, it is 40. We have a rule which provides similar exemption up to 3 years for political sufferers in the past. So they may appear up to the age of 43. That was the only concession made in their favour in the past and that may be continued even now.

As to the general income level, because of the strong feeling that has been expressed by the members from the South, I am prepared to consider the advisability of reducing it from Rs. 300 to Rs. 200. That, I think, will meet all possible hardships that might be imagined.

I have no desire to keep out anybody. We want as wide a field of choice as may be possible. Still I am not very happy over this as I do not think that these people will gain much by our lowering the income, because they will have to be tested against others who are paid today or who are earning today Rs. 500, Rs. 600, Rs. 700, Rs. 800 or Rs. 1,000 or Rs. 1,200. Those people will naturally be in a better position to impress the Emergency Recruitment Board than others.

But as you wish to give them an opportunity of proving their capacity or incapacity, whatever it may be, I would not like to come in the way.

We had no intention of keeping out the Defence Services. I think the Defence Department will itself look into the matter and see if there are any persons in the Defence Services whom they would like to recommend for consideration by the Special Recruitment Board. In this connection, the Defence Services, as you know, have their own importance and the Defence Services must have the opportunity of making the first screening themselves and seeing as to who can be spared and made available for service elsewhere.

**Shri Boovaraghansamy** (Perambalur): Is there no relaxation in the case of backward classes?

**Pandit G. B. Pant:** So far as backward classes are concerned, there has been no sort of concession made in the matter of service anywhere yet, and even, who are backward classes and who are not, is by itself a moot problem. If we were to enter into that question today, then this entire process of recruitment will have to be postponed, I know not, by one, two, three, four, five or ten years. I cannot say exactly because even the Commission has not been able to give us any precise criterion for determining as to who should be regarded as belonging to the backward classes. But, I believe, when this limit is reduced to Rs. 200, then everyone who tries to have his luck tested will have a chance of finding an opportunity for doing so.

Some reference has been made to women candidates. Women candidates are free to appear for recruitment just as the men candidates are. Whether in future any developments may make it difficult for them to continue in service, with due regard to the duties that they may owe to others more near and dear to them, that would be considered when the occasion arose. At present the question does not arise at all. They are qualified and they can appear just like others. That does not affect their eligibility today and they are welcome. I would be happy if a good number of women could be recruited.

**Shrimati Renu Chakravarty** (Basirhat): Are we to understand that efficiency will be the criterion or will it be that by the mere fact that a woman gets married she will be said to be inefficient?

**Pandit G. B. Pant:** A woman's being married would be, I think a proof of her stability. But, whether it should always be a qualification for her running about and doing police work, that is a different thing. About that perhaps opinions may differ and one may have to see whether they would always be suitable for such work. But I would like to remove any handicaps and obstacles that might be in the way of women. I have no desire to place any impediment in their way. The more of women there are, the happier are all others.

**Shri Thanu Pillai:** May I know whether a candidate who fails in this examination will be considered for appointment to this cadre of service?

**Pandit G. B. Pant:** If he satisfies other conditions, this failure will not come in his way.

**Shri Kamath:** As regards Army Officers.....

**Shri Radhelal Vyas** rose—

**Mr. Speaker:** Order, order. We will go to the next business.

#### EMPLOYEES' PROVIDENT FUND ACT

**Shri T. B. Vittal Rao** (Khammam): Mr. Speaker,.....

**The Deputy Minister of Education (Dr. M. M. Das):** Sir, there is another item before this. It will take only two minutes.

**Mr. Speaker:** We are taking up the half-an-hour discussion now.

**Shri T. B. Vittal Rao:** Mr. Speaker, I am thankful to you for allowing me this opportunity to raise this half-an-hour discussion in connection with the delay on the extension of the Employees' Provident Fund Act. First of all, I would like to draw the attention of this House to the following paragraph appearing in the First Five Year Plan in the chapter on labour. In para 55 it is stated:

"The Act at present applies to six major industries employing 50 or more persons—Textiles, Iron and Steel, Cement, Engineering, Paper and Cigarettes. As soon as experience is gained and the scheme is placed on a sound basis, it should be extended in gradual stages to all the industries employing 50 or more persons during the period of the Plan"—

that is, the first Five Year Plan, and "A programme for the purpose should be drawn up."

Today, we have got only 15 lakhs of workers who have come under this Act. The remaining 14 lakhs of workers governed by the Factories Act do not come, and also, two lakhs of workers engaged in the mines other than coal mines do not come under this

scheme. Out of the plantation workers only those who are in Assam have got a separate State Provident Fund Scheme and 7 lakhs of plantation workers elsewhere in the country are denied this privilege.

In respect of the First Five Year Plan, we take pride in saying that there has been an increase in the national income, that industrial production has increased by 40 per cent. and that the productivity of labour has increased considerably. But when it is a question of giving facilities to the workers, they are denied. Profits are soaring. Only the other day, the Minister of Commerce and Industry, while giving out the figures for a British-owned tea estate, said that for a capital investment of Rs. 2 crores, they have been making an annual profit of Rs. 80 lakhs. The tea gardens today earn nearly 100 crores on foreign exchange. The year before last, they earned Rs. 150 crores of foreign exchange. But yet, the workers are denied the benefits of this scheme. The workers there are getting only the minimum wages, not even fair wages. They are farther and farther away from living wages. Suppose in a calamity that befalls a breadwinner, the dependents will be reduced to utter misery and poverty. This is only a small step in the comprehensive social security measures which have been adopted by the International Labour Organisation as long ago as 1952. Though we are members of the International Organisation, that convention has not been ratified.

We are far behind in regard to the social security measures for industrial workers. Unless and until the worker has no fear about the morrow, unless and until there is provision in case of calamity or accident, for the dependents of his family, he cannot give his best. Therefore, today, when there is serious unemployment and in the absence of unemployment insurance, the provident fund scheme is all the more necessary. No doubt the members of the Government ridicule the idea of giving doles and they say that they are not going to give doles but today, unemployment insurance exists in 22 countries. So, if an old man who has reached the age of 60 is thrown out here in India, he has nothing to fall back upon, because there are neither resources for him nor are his children employed. This is the position. Even with this meagre amount coming

through the Provident Fund Act which only provides for a contribution of 6½ per cent. of the basic wages and dearness allowance, the position remains difficult. According to the Commissioner for the Central Provident Fund Scheme, even after 25 years of service, a worker shall get only Rs. 2,500. This is the position.

For these reasons I say that any further delay in implementing the scheme fully will greatly affect those people who are to retire within the next five or six years. Not only that. By the delay last year, much harm was done. Again, in May, 1955, at the Labour conference which was attended by the representatives of employers and employees, the State Governments have said that this Act should be extended to all industries employing 10,000 people and over. But so far it has not been implemented. If we take only one year, say last year, the employers stood to gain, because this Act was not extended, by Rs. 10 crores. A rough and conservative calculation will show that due to this delay by one year, an individual worker has lost Rs. 60 in every industry. Not only that. When we are going in with the second Five Year Plan, when there is so much trouble about the resources, this Provident Fund Act will provide a lot of resources. I do not know how the credit of Rs. 250 crores is taken into account by this Act. But by extending this Act, I am confident that more than that amount could be got during the next Five Year Plan period, provided there is no further delay.

In these circumstances, I request the hon. Minister to realise that the paying capacity of the industry is already there. It is only the inaction that is delaying the matter. The Secretary of the Ministry of Labour is also the Chairman of the board of trustees. I do not know what are the reasons for this combination of functions. He is also the Secretary for Kashmir affairs. Probably because the position about the Kashmir affairs is so delicate nowadays that he buries himself in the affairs of Kashmir and has little time to devote to labour affairs. If the Government are sincere when they talk about the achievements of the first Five Year Plan and when they have admitted that the workers have contributed so much towards the rise in the national income, there is no reason for any more delay. The chapter on labour in the first Five

[Shri T. B. Vittal Rao]

Year Plan was also drawn after consulting the representatives of the employees and the employers and the State Governments. Therefore, I would strongly urge upon the Minister to issue an ordinance immediately enforcing this measure on all the industries and factories and mines and plantations which employ 50 or more persons. There should not be any further delay in this matter.

Shri Raghavaiah (Ongole) rose—

**Mr. Speaker:** I thought Shri T. B. Vittal Rao has spoken on behalf of all the Members on that side.

**Shri Raghavaiah:** I have only a few points to make.

**Mr. Speaker:** Yes.

**Shri Raghavaiah:** In this matter, there can be no two voices. I only want to point out to the hon. Minister that during the first Five Year Plan there was an all-round achievement but it is really deplorable that the condition of the workers should be left to the winds. It is also deplorable that the Labour Ministry of the Government of India should ignore the convention of the International Labour Organisation. In season and out of season the hon. Minister knows only of accusing the Members of the Opposition as having ulterior motives, this and that, but never for a minute has he seriously thought of implementing the convention of the International Labour Organisation. At least on this occasion, and in this context, I hope—and I am sure—that the hon. Minister of Labour will take the spirit of the sponsor of this subject into consideration and see that the Act is implemented. I hope he will see that the benefits of the Employees' Provident Fund Act will be applied to all the industries irrespective of their nature. I am sure that he will certainly reap the credit that he may get from the workers as a result of the application of this measure to all the industries in this country, especially in view of the fact that there was an all-round achievement in production in all the industries during the first Five Year Plan period.

**मुल्ला शब्दुल्लाभाई (चांदा) :** अध्यक्ष महोदय, एम्लायीज प्राविडेंट फंड एक्ट सन् १९५२ में पास हुआ। उसके बाद आज तक रीबन तीन साल हो गये हैं, मगर उसकी वर्किंग

जैसी होनी चाहिये थी उसके मुताबिक नहीं हुई। उसकी बजह से एम्लायीज जो फायदा उठा सकते हैं, वह नहीं उठा पा रहे हैं। इस सम्बन्ध में मैं अपने मंत्री महोदय का ध्यान दो तीन बातों की तरफ दिलाऊंगा।

सबसे पहली बात जो है वह यह है कि जो एक्ट हम बनाते हैं, और जिन लोगों के फायदे के लिये उस पर अमल किया जाना चाहिये, उनको पहले उन फायदों का हासिल होना लाजिम है। जहाँ तक मेरा तर्जुर्वा है, मैं समझता हूँ कि इस एक्ट के अन्दर जो स्कीम बनी है वह पाब्लक तक पहुँची नहीं है सिर्फ गजट हो कर रह गई है। मैं माननीय मंत्री जी से दखलित करूँगा कि जितनी इंडस्ट्रीज हमसे यहाँ हैं, बजाय इसके कि कारखानेदार खुद आपके कानूनों की बाबत तमाम मालूमात हासिल करें, आप वह मालूमात उन तक बहम पहुँचायें, ताकि वे उन पर अमल करें, और अमल करने के बाद जो फायदा वर्कसं को होना चाहिये वह उनको हो, यह नहीं कि हमने एक्ट पास कर दिया और उसके अमल की जिम्मेदारी दूसरों पर छोड़ दी। ऐसा होता है कि एक्ट की तहत जो स्कीम बनी है, उसकी पूरी तरह पब्लिसिटी नहीं होती है, जिसकी बजह से न तो एम्लायीज को कुछ मालूम हो पाता है और न एम्लायांस को।

मैं आपका ध्यान सेवशन १३ की तरफ दिलाना चाहता हूँ। मसलन इस कानून में आपने इन्स्पेक्टर्स को इतनी पावसं दी है, जैसे कि हर कानून में, कि इन्स्पेक्टर जब चाहे फैक्ट्री के अन्दर जाकर किताबों को देख सकता है। मगर इन्स्पेक्टर के ऊपर यह बात लाजिम नहीं होती कि जो एक्ट की स्कीम है पहले उसको बना कर वह इंडस्ट्रीज के मालिकान को दे। उसको उन्हें देना चाहिये।

एक्ट के अन्दर हम गवर्नर्मेंट अफसरान को प्रोटेक्शन देते हैं कि वह गुड फेय में जो चाहे करें। इसमें किसी को ऐतराज नहीं हो सकता है, मगर मैं चाहता हूँ कि इस एक्ट में कम से कम यह जरूर लायें कि अगर उनकी लापरवाही से वर्कसं को कुछ नुकसान होता है, और हमारी गवर्नर्मेंट को कुछ नुकसान होता है, तो उनको सजा भिलेंगी। और इस तरह से इंडस्ट्रीज को भी बचाव मिलना चाहिये। क्योंकि हम सेकेन्ड फाइव इंवर प्लैन बनाने जा रहे हैं और हमारा जोर स्पाल इंडस्ट्रीज पर भी है। तो हम यह चाहेंगे कि स्पाल इंडस्ट्रीज अगर इस कानून की

जद में आ सकती हों, तो ज्ञात आये। मगर इस तरीके से नहीं कि एक मामली इन्स्पेक्टर मनमाने द्वां से जो चाहे करे क्योंकि इस तरह से हम जिन इंडस्ट्रीज को पनपने की बात कहते हैं वह नहीं पनपेगी।

मैं माननीय मंत्री जी से दलवास्त करनगा कि वह इन बातों के ऊपर ध्यान दें और इस बातों की कोविश करें कि जिन इंडस्ट्रीज को आप फाइव इंश्र ब्लैन में तरक्की देना चाहते हैं, वह भी इस एक की बजह से तरक्की करें और जो बर्कसं है उनका भी भला हो।

**अम उपमंत्री (श्री आबिद ग्लो):** श्रीमान् में पहले मूल्ला साहब ने जो फरमाया उसके बारे में अज्ञ करूँ। मगर किसी खास जगह इस किस्म . . . . .

**Dr. Rama Rao (Kakinada):** May we request, Sir, that the hon. Minister may speak in English?

**Mr. Speaker:** If the hon. Minister speaks in Urdu, . . . . .

**Shri Abid Ali:** No. Hindi.

**Mr. Speaker:** . . . . he may also say something in English.

**Shri Abid Ali:** There is very little to be said.

**Mr. Speaker:** The Mover has spoken in English.

**Shri Abid Ali:** I have no objection to reply in English.

I was submitting that if the hon. Member from Nagpur has any particular complaint with regard to the working of the Act or the behaviour of any particular officer, I would request him to bring it to our notice. Certainly we will look into it and do whatever may be necessary. I believe that copies of the Act and the scheme are available. If these are not available for sale, we will print more copies and make them available for the use of the factories and the workers.

**Shrimati Renu Chakravarty:** While on this point, many of the workers have asked whether Hindi copies of this Act are available.

**Shri Abid Ali:** We will consider this. With regard to the points raised by Shri T. B. Vittal Rao, I could not

appreciate the necessity of this discussion, because the hon. Member knows very well that we have completed the survey of the factories concerned where this scheme is to be introduced. More than 2,000 factories had to be surveyed. First, the factories had to be located. Then, forms were sent to the factories to be filled up and sent to us. Then, investigation was carried out with regard to the workers who are eligible to join the scheme. We have no magic stick by the touch of which all this work could be done within a period of two or three months. Therefore, necessary time had to be spent for collecting the necessary information. That is being done with the utmost speed. There is no delay of even a single day. I am sure if hon. Members opposite would try to go a little into the details, they will be convinced, if they want to be convinced, that there is no delay of any kind and that we ourselves, much more than they are anxious that this scheme should be introduced, because it is for the good of the workers. We want the workers to be benefited so far as this particular scheme also is concerned. Therefore, there is no room for any apprehension which the hon. Member has got in his mind.

In the coal mines, the workers have got a provident fund of their own. I do not know why the hon. Member has said that coal mines are not deriving any benefit. . . .

**Shri T. B. Vittal Rao:** I said, mines other than coal mines. He has not followed it, probably.

**Shri Abid Ali:** The coal mine workers have got their own provident fund scheme. They are benefiting by that. With regard to the other mines also, we will have to carry out investigation and wherever possible apply it to them. That would be done. It is not necessary to issue an Ordinance. By issuing a notification, the factory workers can be brought under this scheme.

With regard to plantation workers, about half of them are covered already by the Assam scheme. For the rest, we are collecting information. For that, of course, as I have already pointed out on previous occasions, it will be very necessary to amend the Act. An amendment will be introduced very soon.

**An Hon. Member:** Why not an Ordinance?

**Shri Abid Ali:** No Ordinance will be issued for this purpose. An Amending Act will be introduced in Parliament as soon as it may be possible. It will depend on the Business Advisory Committee to allot the necessary time for that.

**Shri Simhasan Singh** (Gorakhpur Distt—South): For the sugar factories also.

**Shri Abid Ali:** They will be covered by the notification. It will not be necessary to amend the Act for that purpose. I hope that before the next sugar factory season starts, the sugar factory workers will be brought under the Provident fund scheme.

I hope this will satisfy the hon. Members opposite also that all that is necessary is being done with regard to bringing more workers under this scheme. I must assure them again that we will do it at the first possible opportunity. It is not necessary for them to have any doubt with regard to that.

#### COPYRIGHT BILL

**Mr. Speaker:** There is one other small thing. It will not take more

than two or three minutes. That is, motion to be made by Dr. M. M. Das..

**The Deputy Minister of Education (Dr. M. M. Das):** The motion has already been made. The motion remains to be accepted by the House. As there has been great delay, I want to move two small amendments, one extending the date and another substituting another name *vice* the name of Shrimati Sucheta Kripalani who is no longer a Member of this House.

**Shri Kamath:** (Hoshangabad): On a point of clarification, Sir, am I to understand that the motion will be passed? Because, so far as I can recollect, the Business Advisory Committee allotted more than 2½ hours in addition to the 14 or 15 minutes already taken by the Deputy Minister. None of us has spoken on this Bill. It is not such an unimportant Bill as he makes it out to be. I would urge that it may be taken up in the next session, because I do not think it is an urgent matter, and we would like to speak on the Bill. It is an important matter.

**Mr. Speaker:** I find from a note that two hours were allotted for it. Therefore, there is no time. The House will now stand adjourned *sine die*.

8-31 P. M.

*The Lok Sabha then adjourned sine die.*

## DAILY DIGEST

10199

10200

[Wednesday, 30th May 1956]

### COLUMNS

### COLUMNS

**CALLING ATTENTION  
TO MATTER OF UR-  
GENT PUBLIC IM-  
PORTANCE AND  
MOTION FOR AD-  
JOURNMENT . . .** 10011-26

The adjournment motion given notice of by Shri A. K. Gopalan, Shri Kamath and Shri Nambiar and the calling attention notice by Sardar Saigal and others were taken up together.

The Minister of Railways and Transport (Shri L. B. Shastri) made a statement in regard thereto.

In view of the statement made by the Minister of Railways and after some discussion by movers of the Adjournment motion and others the Speaker withheld his consent to the moving of the adjournment motion.

**PAPERS LAID ON THE  
TABLE . . .** 10026-28  
The following papers were laid on the Table:

(1) A copy of the Second Annual Report (1955-56) of the Organisation and Methods Division.

(2) A copy of the Report of the Administrative Vigilance Division for the period ending 31st March, 1956

(3) A copy of the Report by Professor Nicholas Kaldor on the Indian Tax Reform together with the note of the Central Board of Revenue on Professor Kaldor's Estimate of Evasion, in pursuance of an assurance given by him on the 25th May, 1956.

(4) A copy of the brief summary of the main recommendation of Professor Black and Dr. Stewart on Research, Teaching and Public Administration of the Economics of Agriculture for India, in pursuance of an undertaking given by him on the 28th May, 1956 in reply to a Supplementary on Starred Question No. 2585.

(5) A copy of the Budget Estimates for the year 1956-57 of the Delhi State Electricity Board, under sub-section (3) of section 61 of the Electricity (Supply), Act, 1948

(6) A copy of the Directions issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha (Fourth Edition.)

(7) A copy each of the following papers:—

(i) Proceedings of the sitting of the Rules

10201

10202

## [ DAILY DIGEST ]

COLUMNS	COLUMNS
Committee held on the 15th April 1950; and	(Amendment) Bill, 1954, as passed by Rajya Sabha, was withdrawn.
(ii) Minutes of nineteen sittings of the Rules Committee held during the period 1951 to May, 1956	AMENDMENTS MADE BY RAJYA SABHA AGREED TO . 10032-37
(8) The minutes of the Fifteenth, Sixteenth and Seventeenth sittings of the Committee in Absence of Members from the sittings of the House held during the Twelfth session.	The amendments made by Rajya Sabha to the Representation of the People (Second Amendment) Bill, as passed by Lok Sabha, were taken into consideration and agreed to.
REPORT OF ESTIMATES COMMITTEE PRESENTED . . .	GOVERNMENT MOTION ADOPTED AS SUBSTITUTED . 10038-124
Thirty-third Report was presented.	Further discussion on the motion re-working of the Preventive Detention Act moved by the Minister of Home Affairs (Pandit G. B. Pant), was continued. The discussion was concluded and the substitute motion moved by Shri Kasliwal was adopted.
REPORT OF COMMITTEE ON PETITIONS PRESENTED . . .	DISCUSSION RE EXODUS OF HINDUS FROM EAST PAKISTAN TO INDIA . 10125-63
Ninth Report was presented	Shri N. C. Chatterjee raised a discussion on the exodus of Hindus from East Pakistan to India.
LEAVE OF ABSENCE	MESSAGES FROM RAJYA SABHA . . . 10163-64
Three Members were granted leave of absence from the Sittings of the Lok Sabha.	The Minister of Law and Minority Affairs (Shri Biswas) replied to the debate and the discussion was concluded.
CORRECTION OF ANSWER TO STARRED QUESTION . . .	Secretary Reported the following three
The Minister of Industries (Shri Kanungo) made a statement correcting the reply given to Unstarred Question No. 1995 on the 14th May, 1956	
BILL WITHDRAWN . . .	
The Manipur State Hill Peoples (Administration) Regulation	

## [ DAILY DIGEST ]

## COLUMNS

## COLUMNS

messages from Rajya Sabha:

- (1) That at its sitting held on the 30th May, 1956 Rajya Sabha had agreed without any amendment to the Life Insurance Corporation Bill, 1956, passed by Lok Sabha on the 23rd May, 1956.
- (2) That at its sitting held on the 30th May, 1956 Rajya Sabha had agreed without any amendment to the Travancore-Cochin State Legislature (Delegation of Powers) Bill, 1956, passed by Lok Sabha on the 28th May, 1956.
- (3) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Indian Income-tax (Amendment) Bill 1956, passed by Lok Sabha on the 28th May, 1956 . . .

DISCUSSION ON RULES  
REGARDING EMER-  
GENCY RECRUIT-  
MENT TO I. A. S.

10164-90

Shri A. K. Gopalan raised a discussion on the Rules regarding emergency recruitment to I. A. S.

The Minister of Home Affairs (Pandit G. B. Pant) replied to the debate and the discussion was concluded.

HALF-AN-HOUR DIS-  
CUSSION . . .

10190-97

Shri T. B. Vittal Rao raised a half-an-hour discussion on points arising out of answer given on the 10th May, 1956, to Starred Question No. 2095 regarding Employees' Provident Fund Act. Shri Abid Ali replied to the debate and the discussion was concluded.

**RESUME  
OF THE TWELFTH SESSION OF LOK SABHA**

1. PERIOD OF THE SESSION	15th February to 30th May 1956.	GOVERNMENT BILLS— <i>contd.</i>
2. NUMBER OF SITTINGS	76	Pending at the end of Session . . . . . 33
3. TOTAL NUMBER OF SITTING HOURS	532 hrs. 39 mts.	7. GOVERNMENT RESOLUTIONS—
4. DIVISIONS HELD.	7	Moved . . . . . 2 Adopted . . . . . 1 Part discussed . . . . . 1
5. TOTAL NUMBER OF QUESTIONS ASKED—		8. GOVERNMENT MOTIONS—
Starred . . . . .	2739	Moved . . . . . 2 Adopted . . . . . 2
Unstarred . . . . .	2564	
Short Notice . . . . .	28	9. PRIVATE MEMBERS' BILLS—
6. GOVERNMENT BILLS—		Pending at the commencement of Session . . . . . 77
Pending at the Commencement of Session . . . . .	33	Introduced . . . . . 11
Introduced . . . . .	27	Laid on the Table as passed by Rajya Sabha . . . . . 1
Laid on the Table as passed by Rajya Sabha . . . . .	4	Referred to Select Committee . . . . . 1
Referred to Select Committee . . . . .	1	Reported by Select Committee . . . . . 1
Referred to Joint Committees . . . . .	3	Passed . . . . . 2
Reported by Select Committees . . . . .	2	Withdrawn . . . . . 3
Reported by Joint Committees . . . . .	2	Negatived . . . . . 4
Passed . . . . .	29	Barred . . . . . 1
Withdrawn . . . . .	2	Returned by Rajya Sabha without any amendment . . . . . 1
Returned by Rajya Sabha without any amendment . . . . .	25	Returned by Rajya Sabha with amendments . . . . . 1
Returned by Rajya Sabha with amendments . . . . .	4	Pending at the end of Session . . . . . 79
		10. PRIVATE MEMBERS' RESOLUTIONS—
		Discussed . . . . . 7
		Adopted . . . . . 2
		Withdrawn . . . . . 1

<b>PRIVATE MEMBERS' RESOLUTIONS—<i>contd.</i></b>		
Negated . . .	3	
Part discussed . . .	1	
<b>11. PRIVATE MEMBERS' MOTIONS—</b>		
Moved . . .	1	
Negated . . .	1	
<b>12. ADJOURNMENT MOTIONS</b>		
Consent withheld by Speaker . . .	26	Committee on Absence of Members from the Sittings of the House . . .
13. STATEMENTS MADE BY MINISTERS . . .		
14. DISCUSSIONS HELD ON MATTERS OF URGENT PUBLIC IMPORTANCE . . .		
15. HALF-AN-HOUR DISCUSSIONS HELD	5	Committee on Private Members' Bills and Resolutions . . .
16. NUMBER OF MATTERS OF URGENT PUBLIC IMPORTANCE TO WHICH ATTENTION OF MINISTERS WAS CALLED AND STATEMENTS WERE MADE BY MINISTERS . . .		
	6	Committee on Public Accounts . . .
	11	Committee on Sub-ordinate Legislation . . .
		Estimates Committee . . .
		Rules: Committee . . .
		19th to 33rd Reports . . .
		2nd to 4th Reports . . .
<b>17. REPORTS OF PARLIAMENTARY COMMITTEES PRESENTED</b>		
Business Committee . . .	1	Advisory Committee to the 37th Reports . . .