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27th April, 1955 (Wednesday)

# LOK SABHA DEBATES

[Part I—Questions and Answers]

**VOLUME III, 1955**

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**(20th April to 7th May, 1955)**



सत्यमेव जयते

**NINTH SESSION, 1955.**

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(Part I—Questions and Answers)

2713

LOK SABHA

Wednesday, 27th April, 1955

The Lok Sabha met at Eleven of the Clock

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MULBERRY PLANTATION

\*2605. Shri Keshavalengar: Will the Minister of Commerce and Industry be pleased to state the extent of subvention, if any, being given by Government to farmers in Mysore and in other States to raise new saplings and replant the old plantations of mulberry in the country?

The Deputy Minister of Commerce and Industry (Shri Kanungo): As pointed out in my reply to the question No. 2478 on 22nd April, 1955, certain experiments on future expansion of mulberry cultivation are taking place. A statement showing the nature of the schemes as also the amounts sanctioned to the States is laid on the Table of the House. [See Appendix XII, annexure No. 36.]

श्री केशवबेणार : मैं ने कनवा नर्सरी को देखा है। इस तरह के कार्य में बहुत विस्तार की गुंजाइश है। क्या सरकार शिक्षित बेकारों को इसके लिए सहायता देकर इस तरह के कार्य में लगाना चाहती है ?

श्री कानूनगो : शुरुआत में जिन किसानों ने मलबरी की खेती की है उनको मदद दिया जाना ज्यादा मुमकिन है।

Shri M. D. Ramasami: May I know whether any such subvention has been sanctioned to Madras State?

Shri Kanungo: Yes

133 LSD.

2714

बन्दरों का निर्यात

\*२६०७. श्री विभूति मिश्र : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४ में कितने बन्दर निर्यात किये गये, और

(ख) उससे कितनी आय हुई ?

बाणिज्य तथा उद्योग उपमंत्री (श्री कानूनगो) : (क) ५२,५२२।

(ख) इस निर्यात से सरकार को कोई नफा नहीं होता।

श्री विभूति मिश्र : जब इन बन्दरों को यहां से भेजने में सरकार को कोई नफा नहीं है, तो वह इनको यहां से क्यों बाहर भेजती है ?

श्री कानूनगो : वैज्ञानिक परीक्षा के लिए, खासतौर से पोलियो की औषधि निकालने के प्रयोग करने के लिए बन्दरों की जरूरत होती है, और इस लिए सारी मानव जाति के हित के लिए ऐसा किया जाता है।

श्री विभूति मिश्र : लखनऊ आदि स्थानों से जो बन्दर बाहर भेजे जाते हैं क्या मंत्री जी ने देखा कि उनको किस तरह बिना पानी और खाने के यहां से ले जाया जाता है ?

श्री कानूनगो : एक दयनीय घटना लन्दन में हुई थी, और हमारे प्रधान मंत्री ने इस ओर ध्यान दिलाया है। अब वह इन्तिजाम किया गया है कि एस० पी० सी० ए० उनको हिफाजत से ले जाने का प्रबन्ध करेगी और उनको एअर रुट से ले जाया जायगा।

Shri Ramachandra Reddi: May I know whether there has been any export duty on this monkey business?

Shri Kanungo: No

# INDUSTRIAL HOUSING SCHEME (HIMACHAL PRADESH)

\*2608. **Shri S. C. Samanta:** Will the Minister of Works, Housing and Supply be pleased to lay on the Table of the House a statement showing:

(a) the total number of the subsidised Housing Schemes for Industrial workers received from Himachal Pradesh;

(b) the number received from (i) the State Government; (ii) Employers and (iii) Registered Co-operative Societies of Industrial workers; and

(c) the amount proposed to be sanctioned as loan and subsidy in each case?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** (a) and (b). Only one Scheme has been received and that is from an Employer from Himachal Pradesh.

(c) The amount of assistance sanctioned for the employer, i.e. Nahan Foundry Ltd., Nahan, is Rs. 47,684 as a loan and Rs. 31,789/- as a subsidy for the construction of 50 tenements.

**Shri S. C. Samanta:** May I take it that there is no co-operative society in Himachal Pradesh for the labourers so that they have not come forward for help?

**Sardar Swaran Singh:** In Himachal Pradesh as the hon. Member must be aware, there are not many industrial workers, because being a hilly tract there is not much of industry. There is one big industrial concern, namely, the Nahan Foundry and they have come up for assistance.

**Shri S. C. Samanta:** May I know whether the help that has been rendered is according to hire purchase system basis?

**Sardar Swarn Singh:** No, Sir. As I have indicated, the amount of subsidy is an outright grant to the employer and they will construct these houses which they let out to the workers.

**श्री भक्त वार्धन :** क्या मैं जान सकता हूँ कि हिमाचल प्रदेश सरकार ने इस सम्बन्ध में कितने रुपयों की मांग की है और कितने की स्वीकृति दी जा रही है ?

**सरदार स्वर्ण सिंह :** हिमाचल प्रदेश सरकार ने इस सम्बन्ध में कोई मांग नहीं की है ।

# DISPLACED PERSONS (TRIPURA)

\*2610. **Shri Dasaratha Deb:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that the displaced persons of Khwai (Tripura) have adopted a memorandum in a Conference and submitted it to Government; and

(b) if so, the steps Government propose to take in the matter?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) Yes.

(b) (i) The payment of loans is being expedited.

(ii) Schemes for the construction of tanks, tube-wells and ring-wells costing Rs. 10,42,452 have been sanctioned.

(iii) Another sum of Rs. 5,18,000 has been provided for the construction of roads and bridges.

(iv) A provision of Rs. 2,75,687 has been made for the construction of schools, dispensaries and staff quarters.

(v) A scheme for the rehabilitation of unattached women and children is under examination.

**Shri Dasaratha Deb:** May I know whether in this memorandum the West Bengal scale of loan was demanded?

**Shri J. K. Bhonsle:** Yes, Sir; it was demanded.

**Shri Dasaratha Deb:** In view of the fact that Tripura is covered with thick jungles and it is more expensive to bring all this land under cultivation than it was costing in

West Bengal, do the Government consider to grant them this loan according to West Bengal scale?

**Shri J. K. Bhonsle:** Yes, Sir; we have very recently sanctioned them the West Bengal scale.

#### INDIANS IN KENYA

\*2611. **Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state:

(a) the number of Indians who were attacked and killed in Kenya so far since the 1st January, 1955;

(b) the number of Indians who were injured;

(c) the number of houses belonging to Indians burnt and destroyed; and

(d) the total value of their property destroyed during the said period?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Four.

(b) Five.

(c) Nil.

(d) Nil.

**Dr. Ram Subhag Singh:** In reply to parts (c) and (d) the hon. Parliamentary Secretary has said 'Nil'. May I know the reasons for these attacks and which particular community of Indians has been the worst victims of this arson and killing?

**Shri Sadath Ali Khan:** These unfortunate incidents are not confined to any particular community, but it is true that many of the Sikh community in Nairobi is disturbed over these incidents because most of the Sikhs are often involved in them and the reasons I presume are that many of the Sikhs are associated with the Kenya Security Force where they have rendered services in defence of law and order.

**Dr. Ram Subhag Singh:** It has been stated that many of the Sikhs are connected with the Kenya Security

Force. May I know whether the Government of Kenya has taken proper precaution to see that the Indians are not victimised in this way?

**Shri Sadath Ali Khan:** I am sure that the Government of Kenya has taken precautions. Anyway we have expressed our deep concern over these incidents and I believe that a largely attended public meeting of Asians was held in Nairobi in February 1955, at which the two Asian Ministers were present and they also protested against these killings.

**Shri Kasliwal:** May I know if the Government are in a position categorically to state that because of these stray incidents the good relations that exist between the Indians and Africans in that colony are not in any way affected?

**Shri Sadath Ali Khan:** Yes, Sir. The good relations existing between the Indians and Africans are not adversely affected. In fact, all right thinking people will condemn these killings.

**Shri Joachim Alva:** In view of the peculiarly embarrassing situation in Kenya and on account of the attacks on the Sikh constabulary, is Government prepared to advise the withdrawal of our Sikh nationals from this constabulary force and provide them with alternative venues of employment?

**Shri Sadath Ali Khan:** We do not run away from these things. We face them boldly.

**Dr. Ram Subhag Singh:** Since when such killings are going on in Kenya and what has been the total number of deaths there because of such killings?

**Shri Sadath Ali Khan:** The first attack took place on 6th February, 1955 when one Mr. D. K. Dhir, 20 year old Supreme Court clerk was brutally killed. Since then many such attacks have taken place. I will let the hon. Member have fuller information later.

## SHELLAC

\*2612. **Shri Ibrahim:** Will the Minister of Commerce and Industry be pleased to state the total production of shellac in India during the last two years?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** Precise figures of production of shellac are not available; figures for the production of sticklac, the raw material for the manufacture of shellac and seedlac and button lac, were as follows:—

1953-54	6,54,000 maunds.
1954-55	10,33,000 maunds

**Shri Ibrahim:** What is the annual production of shellac in this country?

**Shri Kanungo:** Well, we can work it out on the basis of one maund, 32 seers of raw lac to one maund of shellac.

**Shri Ibrahim:** How many research institutions are there for this commodity?

**Shri Kanungo:** There is a very well-equipped institute at Ranchi.

**Shri Kelappan:** May I know how much of shellac is exported?

**Shri Kanungo:** Only less than 10 per cent of the total production is consumed in the country and the rest is exported.

## PRESS CORRESPONDENTS

\*2613. **Shri Chaudhri Muhammed Shafie:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of applications received from Indian and foreign press correspondents for accreditation with the Government of India during the years 1953 and 1954;

(b) how many of these applications were accepted; and

(c) the reasons for the rejection of the others?

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

number of applications were 84 in 1953 and 74 in 1954.

(b) 56 in 1953 and 60 in 1954.

(c) Rules for the Accreditation of Correspondents have been framed in consultation with the Central Press Advisory Committee and the Executives of the Press Association and Foreign Correspondents' Association. Copies of the Rules are placed on the Table of the Sabha. [Placed in Library. See No. S-189/55]. All rejections have been made strictly upon the recommendations made by the Central Press Advisory Committee in accordance with the Rules.

**Shri A. M. Thomas:** May I enquire whether in the matter of granting accreditation language papers are not given due consideration and a few people here in Delhi sit down and decide on the merits and circulation of papers in other distant parts?

**Dr. Keskar:** As far as the rules go, the hon. Member would be able to see the rules; they are placed on the Table of the House. There is no discrimination as far as the language papers are concerned; everybody is treated equally. How the rules are going to be interpreted, we have left it to the Central Press Advisory Committee which is a body exclusively composed of Press representatives and not representatives of Government, and we hope that they will generally deal with this matter carefully.

**Shri Joachim Alva:** Is it the case of the Government that we always exercise a free and unfettered democracy, and have there been cases of foreign correspondents being warned for tendentious reports in respect of our relations with other countries?

**Mr. Speaker:** I do not think this arises.

**Shri Jaipal Singh:** Have the recommendations of the Press Commission in this particular regard been accepted by Government in toto or otherwise?

**Dr. Keskar:** We have accepted them generally in principle but the whole thing is under active consideration.

**Shri T. B. Vittal Rao:** May I know if there are any representatives of the Indian Federation of Working Journalists in the Central Press Advisory Committee?

**Dr. Keskar:** There will be; but what was exactly referred to by the hon. friend here, is going to be implemented very soon.

### ROADS IN MYSORE

\*2614. **Shri Wodeyar:** Will the Minister of Planning be pleased to state:

(a) the total amount so far sanctioned by Government for building roads in Mysore State under the First Five Year plan;

(b) how much of this amount has already been spent; and

(c) whether the Mysore Government have asked for any additional sum for this purpose?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). A statement showing the amounts sanctioned or approved by the Government of India for road development in Mysore under the First Five Year Plan and the expenditure incurred thereon is laid on the Table of the Sabha. [See Appendix XII, annexure No. 37.]

(c) Yes: the State Government have asked for a loan of Rs. 127.21 lakhs.

**Shri Wodeyar:** May I know whether the Government is aware that the roads in Malnad areas of Mysore State, where the rainfall ranges from 200 inches to 300 inches, are badly damaged and the transport facilities are out of reach, and what steps the Government have taken to improve the roads in the Malnad areas, and what are the suggestions given to the Mysore Government, if any?

**Shri S. N. Mishra:** Sir, I take this information from the hon. Member; but, it is for the State Government to look to the needs of the areas which are badly in need.

### मधु-मक्खी पालन

\*२६१५. **श्री भक्त वर्दान :** क्या बाणिज्य तथा उद्योग मंत्री १५ नवम्बर, १९५४ को दिये गये तारीकत प्रश्न संख्या १४५ के उत्तर के सम्बन्ध में सभा पटल पर एक विवरण रखने की कृपा करेंगे जिसमें निम्नीलिखित बातें दिखाई गई हों :

(क) किन किन राज्यों में तब से अखिल भारतीय खादी तथा ग्रामोद्योग बोर्ड द्वारा मधु-मक्खी पालन के विकास के लिये योजनाएँ चालू की गई थीं, और

(ख) विभिन्न राज्यों में एंसी योजनाओं को क्रियान्वित करने के फलस्वरूप १९५४-५५ में कितना शहद पैदा किया गया ?

**बाणिज्य तथा उद्योग उपमंत्री (श्री कानूनगो) :** (क) और (ख). अखिल भारतीय खादी और ग्रामोद्योग बोर्ड, बम्बई, से जानकारी प्राप्त की जा रही है और वह यथासमय सभा पटल पर रख दी जायेगी ।

**श्री भक्त वर्दान :** मैं जानना चाहता हूँ कि इस योजना के अन्तर्गत जो केंद्र चुने जाते हैं, वह किस आधार पर चुने जाते हैं ? राज्य सरकारों की सिफारिश ली जाती है या बोर्ड स्वयं उनको चुनता है ?

**श्री कानूनगो :** राज्य सरकारों की सिफारिशों पर भी ध्यान दिया जाता है लेकिन उनकी एक लिमिटेशन है, क्योंकि क्लाइमेट और एलिवेशन का भी ख्याल रखना पड़ता है ।

**श्री भक्त वर्दान :** क्या इस बात का पता लगाने की कोशिश की गई है कि इस नई प्रणाली से जो शहद पैदा होता है वह पुरानी प्रणाली से कितना महंगा पड़ता है और बाजार में किस भाव पर बिक सकता है ?

श्री कानूनगो : जो नई प्रणाली से शहद बनता है वह शुद्ध होता है और उसमें मक्खियों का नाश नहीं होता है, इसलिए उसकी कीमत ज्यादा होगी ।

श्री भगवान् दास : क्या इस सुझाव पर विचार किया गया है कि हिमालय के क्षेत्रों में शहद बहुत ही शुद्ध और अच्छे परिमाण में होता है, इसलिए उन इलाकों में अधिक से अधिक संख्या में केन्द्र खोले जाय ?

श्री कानूनगो : जी हां, जरूर किया जाता है ।

#### PETROLEUM PRODUCTS

\*2616. **Shri Bishwa Nath Roy:** Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to starred question No. 1798 on the 2nd April, 1955, and state whether after the installation of the new refineries this year, India would be self-sufficient in petrol, fuel oil and other petroleum products?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** Both the new refineries in Bombay are expected to go into full production during this year, and India would then be self-sufficient in Petrol and probably in Furnace Oil also, but not in other Petroleum Products. Crude Oil will, however, have to be imported from abroad.

**Shri Bishwa Nath Roy:** May I know the percentage of increase of production in these refineries in relation to the present production?

**Sardar Swaran Singh:** I do not know what the hon. Member means by the present production. If by that he means the production in Digboi refinery, that is very small. The two new refineries, one known as the Standard Vacuum Refinery Co. and the other the Burma Shell Refinery Co. both of which are located in Bombay, have a production capacity of 11,74,530 tons of petrol and 10,41,938 tons of fuel oil.

**Shri K. P. Tripathi:** May I know if it is already decided that the oil from Naharkhatia will be refined in Assam; if not, where will it be refined and whether this has been taken into account in the Minister's statement that India would be self-sufficient in petrol?

**Sardar Swaran Singh:** According to the present plans of the Assam Oil Company, crude oil which has been found in Naharkhatia is proposed to be refined by the Company in the Digboi refineries. The present question related to the new refineries and in saying finally that we will be self-sufficient in the matter of petrol and furnace oil, account has been taken of the production capacity of Digboi oil fields also along with the two new refineries that have gone into stream in Bombay.

**Shri A. M. Thomas:** May I enquire whether there is any possibility of a revision in prices having regard to the Indian production?

**Sardar Swaran Singh:** It is yet premature to make a commitment on this score.

#### PRINTING PRESS

\*2617. **Shri Siddananjappa:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Government have any proposal to set up a new Press in South India; and

(b) if so, the site of the proposed press?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** (a) Yes, Sir; for inclusion in the Second Five Year Plan.

(b) The site has not yet been selected

**Shri Siddananjappa:** May I know if Bangalore is one of the places in view?

**Sardar Swaran Singh:** Yes, Sir; Bangalore is one of the places which

are being considered for the location of the Press.

**Shri Matthen:** May I know whether there is any proposal for a printing press exclusively for the Parliament; if not, will Government consider the proposal to have one?

**Sardar Swaran Singh:** That is a suggestion for action, Sir.

#### BORDER RAID

\*2618. **Sardar Iqbal Singh:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Pakistan forces have occupied the place where the body of Sardar Bhagat Singh was cremated on the bank of River Sutlej near Ferozepore;

(b) whether the Government of India have taken any steps for the restoration of the said place; and

(c) if so, the nature of the action taken?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) to (c). Sardar Bhagat Singh's body was cremated near the foot of the Right Abutment of the old Kaiser-e-Hind Ferozepore bridge, about two furlongs on the Indian side of the Right Marginal Bund of the Ferozepore Headworks. There is no monument on that site. Pakistan forces encroached upon and occupied Indian territory in this area on the 7th June, 1948. Since then, they have increased their area of unauthorised occupation in that region.

The question of evacuation of Indian territory in the vicinity of Ferozepore Headworks has been taken up from time to time with Pakistan authorities. It was included in the list of items for discussion by the Indo-Pakistan Steering Committees, which have recently been revived. It has been agreed during these discussions that the demarcation of the boundary in the Western Zone

should be taken up as early as possible. It has not, however, been possible to reach any agreement so far, on the question of Pakistan's evacuation of Indian territory in the vicinity of the Ferozepore Headworks, pending the final demarcation of the boundary.

**Sardar Iqbal Singh:** May I know whether the Government are aware of the fact that there used to be a big fair to pay homage to Sardar Bhagat Singh on the 23rd March, every year and now the people could not go there though the place is in India?

**Shri Sadath Ali Khan:** I am not aware of this. I will certainly look into that.

**Sardar Iqbal Singh:** May I know whether the Government of India will take some action as early as possible so that next year people may be able to pay homage to Sardar Bhagat Singh at that place?

**Shri Sadath Ali Khan:** We hope the matter will be settled.

#### GRANTS TO STATE GOVERNMENT

\*2620. **Dr. Rama Rao:** Will the Minister of Rehabilitation be pleased to state:

(a) whether a sum of rupees two lakhs has been sanctioned for expenditure on the staff employed by the Delhi State Government in the Social Welfare and Rehabilitation Directorate;

(b) if so, the conditions laid down for this grant; and

(c) the details of the schemes for which this amount has been sanctioned?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) Yes.

(b) None.

(c) The grant has been sanctioned to cover expenditure on staff of the Social Welfare Rehabilitation Directorate engaged on the implementation



of the Government of India schemes for relief and rehabilitation of displaced persons.

**Dr. Rama Rao:** May I know, if Rs. 2 lakhs are spent on staff, what is the amount spent on social welfare under this?

**Shri J. K. Bhonsle:** On pay Rs. 1,50,000 and Rs. 50,000 on contingencies.

**Dr. Rama Rao:** May I know if there are any orphanages which are staffed by this grant?

**Shri J. K. Bhonsle:** I think so; yes. There is what is known as the Kasturba Niketan Home. Half the number of boys and girls are orphans and the other half are children of destitute women.

#### TEXTILE MILLS

\*2621. **Shri Balakrishnan:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of textile mills started so far on co-operative basis; and

(b) the number of weavers brought under this scheme as share-holders?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) Two. One has started working at Guntakal in Andhra and the other is to be erected at Tirunelveli in Madras.

(b) According to the byelaws of the Mills, only primary weavers' co-operative societies and the Apex weavers' co-operative societies (both within the respective State) can become share-holders and not individual weavers.

**Shri Balakrishnan:** May I know how far the shareholders and weavers are benefited by these mills?

**Shri Kanungo:** They get yarn at a reduced price. Obviously, the main benefit is that they own the works themselves.

**Shri Balakrishnan:** May I know whether the yarn is being supplied to the weavers on a longterm loan basis?

**Shri Kanungo:** No. The yarn is supplied exclusively to the weavers' co-operative societies. The transactions are cash and the societies distribute.

**Shri M. D. Ramasami:** May I know whether there is a proposal to start some more textile mills in South India?

**Shri Kanungo:** It all depends on the capacity of a particular State to organise this.

#### HOUSING OF DISPLACED PERSONS

\*2622. **Shri Subodh Hasda:** Will the Minister of Rehabilitation be pleased to state:

(a) the steps taken by Government for the housing of displaced persons in Duddundi; and

(b) whether it is a fact that many displaced persons died there during 1954 for want of proper housing?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) and (b). The information is being collected from the State Government and will be placed on the Table of the Sabha in due course.

**Shri Subodh Hasda:** May I know whether it is not a fact that the displaced persons are still living in thatched and broken houses in Duddundi camp?

**Shri J. K. Bhonsle:** I have no information whatsoever on this question.

#### चाय के नमूने

\*२६२४. श्री रघुनाथ सिंह : क्या चायबन्द तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि १९५४-५५ में भारतीय चाय बोर्ड को जो ६२६ नमूने मिले थे, उनमें

से २५६ नमूने अप्रिमिश्रित और मानवीय उप-भोग के अयोग्य पाये गये हैं ?

श्रीणिज्ज तथा उद्योग उपमंत्री (श्री कानुनगो): जनवरी से दिसम्बर, १९५४ की अवधि में ६५७ नमूने लिए गये और ६२६ नमूनों का विश्लेषण किया गया जिनमें से २५६ नमूनों में मिलावट थी।

श्री रघुनाथ सिंह : जब टी में इतना एंडल्टरेशन हो रहा है तो इस के सम्बन्ध में सरकार ने क्या कार्रवाई की ?

श्री कानुनगो : एंडल्टरेशन रोकना स्टैंड की पब्लिक हेल्थ अधीनस्थ की जिम्मेदारी है, टी बोर्ड ने इस के लिये खास इन्स्पेक्टर्स भेजे किये हैं, वह इन्स्पेक्टर्स उन पब्लिक हेल्थ अधीनस्थ को सहायता देते हैं।

श्री रघुनाथ सिंह : जो सैंपल्स लिये गये हैं उन में से जिन फर्मा में एंडल्टरेशन हुआ है उन के नाम क्या हैं ?

श्री कानुनगो : छोट-छोट दुकानदारों से।

श्री रघुनाथ सिंह : उन के खिलाफ क्या कार्रवाई हुई ?

श्री कानुनगो : उन का प्रोसेसिंग होना है और कोर्ट में पेश किया जाता है।

Shri Barman: May I know what are the stuffs that are used as tea adulterants?

Shri Kanungo: Various stuffs are used: sometimes used tea leaves, unprocessed tea leaves, stalks, etc.

#### TEA

\*2625. Shri K. P. Tripathi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the tea price recently averaged Rs. 3/2 per pound which was Re. 1 per pound more than what it was in 1953:

(b) the average cost of production per pound of tea; and

(c) the steps that Government propose to take to see that labour gets a fair share of this prosperity in the industry?

The Deputy Minister of Commerce and Industry (Shri Kanungo): (a) Yes, Sir.

(b) Precise information is not available.

The wage cuts made by tea gardens during the crisis have now been generally restored. Where these cuts have not already been restored, the question of restoring them is reported to be under consideration. The Plantation Labour Act is now being implemented in stages. It is proposed to provide more funds for labour welfare measures out of the proceeds of the cess of Rs. 4/- per 100 lbs. under the Tea Act. The question of introducing compulsory contributory provident fund scheme for tea plantation labour is under consideration.

Shri K. P. Tripathi: May I know if it is a fact that in view of the rise in tea prices, the share market has gone up by more than four times?

Shri Kanungo: I am not aware of it.

Shri K. P. Tripathi: May I know if Government is considering whether some part of the high profits or super-profits should be frozen or diverted compulsorily for the purpose of labour welfare?

Shri Kanungo: Apart from the excise duty and other taxes, there is no other measure under consideration.

Shri Ramachandra Reddi: May I know whether there is a slump in the London tea market and as such, the export duty on tea has been reduced in Ceylon, and whether this will have any adverse effect on the export of tea from India?

Shri Kanungo: I have no information as yet.

Shri K. P. Tripathi: In view of the great help which was rendered by

the Government in 1952 crisis, may I know whether the Government are considering that some part of this fund should be earmarked for the purpose of housing and other programmes under the Plantation Act which is not being implemented and of which there is no chance of being implemented if it is left to the employers?

**Shri Kanungo:** The housing programme and other programmes are administered by proper authorities and the excise duty of Rs. 4 per 100 lbs. includes the expenditure on programmes for labour welfare.

**Shri H. N. Mukerjee:** Has it come to the attention of the Minister that in certain States like Saurashtra, the Ministers of Government are going round carrying on propaganda against the consumption of tea and utilising official and non-official agencies for that purpose?

**Shri Kanungo:** Beyond what has appeared in the newspapers, I have no other information.

**Shri Matthen:** What is the hon. Minister's reaction?

**Mr. Speaker:** I am going to the next question.

#### PETROLEUM PRODUCTS

\*2630. **Shri Viswanatha Reddy:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that Government propose to fix a pooled price for petroleum and its products, so that they may sell at the same price throughout the country;

(b) if so, whether the oil companies have agreed to such a proposal; and

(c) when this proposal is likely to be given effect to?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):**

(a) No Sir, not at present.

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

**Shri Viswanatha Reddy:** May I know whether in other countries petroleum products are sold at a uniform price regardless of the distance from the port town?

**Sardar Swaran Singh:** It is true that in some of the countries, there is a pool price with regard to petroleum products, but not in all the countries.

**Shri Viswanatha Reddy:** May I know whether it is in the contemplation of the Government to have a single uniform consolidated tax for the petroleum products throughout the country instead of the various central and provincial taxes on petroleum?

**Sardar Swaran Singh:** I would draw the attention of the hon. Member to the recommendations of the Taxation Inquiry Commission. They have gone into this question, and the matter is receiving the consideration of Government in the light of those recommendations.

**Shri Viswanatha Reddy:** What particular difficulty are Government facing in having a pool price for petroleum products in our own country?

**Sardar Swaran Singh:** Absence of suitable financial adjustments and the creation of an equalisation fund to meet these discrepancies.

**Shri K. P. Tripathi:** Has the attention of Government been drawn to the report recently said to have been published by the East European Coal and Fuel Committee that the present system of fixing prices tracing them back to the Gulf of Mexico parity is unjust and should be revised, and that in that Committee the USSR, UK and USA were represented?

**Sardar Swaran Singh:** Yes, Government have noticed Press reports about the recommendations contained in that report. Efforts are being made to get an authorised version of those recommendations. Oil companies also have put forward their

version. The whole matter is engaging the attention of Government.

#### REHABILITATION OF DISPLACED PERSONS

\*2632. **Shri Sanganna:** Will the Minister of Rehabilitation be pleased to state:

(a) whether a proposal to rehabilitate the displaced persons from East Pakistan in the Industrial areas of Orissa is under consideration of the Government of India; and

(b) if so, with what results?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) and (b). Yes. Schemes for the setting up of an urban colony at Rourkela, for the employment of displaced persons in the Rourkela Steel Plant and for the setting up of a training-cum-production Centre, are being prepared in consultation with the State Government.

**Shri Sanganna:** May I know what is the idea in rehabilitating these persons only in industrial areas instead of in places sparsely populated?

**Shri J. K. Bhonsle:** I do not see any reason why they should not be rehabilitated there, if they can get employment in the steel plant.

**Shri Sanganna:** May I know whether all these DPs. are technically trained people?

**Shri J. K. Bhonsle:** They are trainees. The first was a batch of 150 families; they are normal displaced families. They are not specialists. But the 150 students that we want to train in a training-cum production centre are trainees. Of course, they will be specialists after they pass out from this training centre.

**Shri B. K. Das:** Sometime ago there was an inquiry into the grievances of the refugees who were settled in Orissa. May I know the result of the inquiry by the officers who were sent there?

**Shri J. K. Bhonsle:** A separate question might be tabled for answering this.

**Shri Sanganna:** May I know to what professions the DPs. who have been already rehabilitated in other parts of the State belong, and whether they are self-sufficient in their professions?

**Shri J. K. Bhonsle:** Some are, and the professions that they have adopted are those of merchants, cultivators and various other trades.

#### D. D. T. FACTORY DELHI

\*2633. **Shri H. N. Mukerjee:** Will the Minister of Production be pleased to state the principles guiding the selection of the Directors of the D.D.T. Factory in Delhi?

**The Minister of Production (Shri K. C. Reddy):** Generally speaking, selection is based on over-all considerations of suitability and competence. Both Officials and non-Officials are included in the Board of Directors. Officials from the Ministries of Production, Finance, Industry and Commerce and Health are among the Directors. There are non-Officials as well with experience in business and industry.

**Shri H. N. Mukerjee:** May I know if it is a fact that one of the directors of this factory is connected with a firm which has been entrusted with orders for this factory?

**Shri K. C. Reddy:** Yes, but I would like to add that the agreement with the company, the managing director of which company is now on the directorate of the DDT factory, was concluded long before this company was formed—about a year earlier to the formation of the company. At present, so far as matters—between that company and the DDT company are concerned, in all those discussions this particular director does not take any part.

**Shri Velayudhan:** May I know whether there was any necessity felt to find a suitable person other than this director about whom there is some suspicion in the mind of the public?

**Shri K. C. Reddy:** His presence on the board has been found to be very useful; in fact, it has not been embarrassing or unhelpful. I may add that sometime ago he offered to resign his directorship of the board, but Government felt his presence there useful and have requested him to continue.

#### EXPORT OF PIECE-GOODS

\*2634. **Shri Kasliwal:** Will the Minister of Commerce and Industry be pleased to state.

(a) whether it is a fact that there has been a fall in the export of Indian piece-goods to Burma recently; and

(b) if so, the reason therefor?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) Yes, Sir.

(b) The main reason is attributable to the abolition of preferential rate of import duty on Indian cotton piecegoods by the Government of Burma with effect from 1st October, 1953.

**Shri Kasliwal:** May I know if the fall in these exports is tantamount to the extent of 40 per cent.?

**Shri Kanungo:** Almost that.

**Shri Kasliwal:** May I know if Government propose to take any steps to restore our exports to Burma and other countries in South East Asia where they are facing competition from Japanese and other goods?

**Shri Kanungo:** An Export Promotion Council has been constituted and it has been specially charged with taking steps for improving the exports of textile goods from India.

**Shri Ramachandra Reddi:** May I know whether the fall is in handloom goods or mill-made goods?

**Shri Kanungo:** Mostly in mill-made goods.

#### URBAN REHABILITATION LOANS

\*2638. **Shri Gidwani:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that applications for urban rehabilitation loans on the strength of verified claims were invited by Government from displaced persons who were not included in priority categories for payment of compensation; and

(b) if so, when?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) and (b). Yes. Orders regarding the grant of urban loans to claimant displaced persons not included in the priority categories were conveyed to the State Governments on the 24th August, 1954 and the State Governments invited applications after that date.

**Shri Gidwani:** How many applications were received upto 31-3-55 in the State of Bombay and how many of the applicants have been granted loans up to that date?

**Shri J. K. Bhonsle:** 562 applications were received. 124 applicants were given loans.

**Shri Gidwani:** May I know whether it is a fact that when payment of such loans was about to be made by Collectors, at whose disposal funds were placed for the purpose, the Government of India ordered that payment of such loans would be made by Regional Settlement Commissioners, and whether it is a fact that as a result of these orders, payments were stopped by the Collector and applications recommended for grant of loans were forwarded to the respective Settlement Commissioners through the State Governments, and as a result of this, many of them have not received loans and their rehabilitation has stopped?

**Shri J. K. Bhonsle:** The loan scheme has been integrated with the compensation scheme, and as such, in the payment of loans to claimants, it is the Settlement Commissioners only who know the extent of loans that could be granted. As such, this work was taken over by the settlement organisation, but in no way has payment of loan suffered. In fact, they have paid Rs. 20 lakhs more than the amount sanctioned. The sanctioned amount was Rs. 30 lakhs and the Regional Settlement Commissioners have paid Rs. 52 lakhs and some odd thousands.

**Shri Gidwani:** The Minister stated that so many applications were still pending. Will Government inquire whether all the applications have been disposed of and whether any more funds are needed?

**Shri J. K. Bhonsle:** Up to the end of March 1955, the money had been sanctioned. But Parliament has just passed the Finance Bill and by the end of May we hope that the fresh sanctions will be with the Regional Settlement Commissioners when payments will commence.

#### HYDEL SCHEMES

\*2640. **Shri N. M. Lingam:** Will the Minister of Planning be pleased to state:

(a) whether Government have come to any decision regarding the relative merits of the Kundah and Barapour Hydel schemes; and

(b) if so, what are the prospects of the Kundah Scheme being taken up during the present plan period?

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

(b) Does not arise.

**Shri N. M. Lingam:** May I know whether it is the intention of Government to select one of these schemes, or is it a question of according priority to one over the other?

**Shri Hathi:** As has been submitted in the House sometime before, a Committee of three engineers was appointed to look into the whole question, as to which of the schemes would be economical and which should be taken up. The Committee has submitted its report to the Planning Commission. The views of the two Governments had been invited. We have received the views of both the Governments. The latest was received on 21st April 1955. After considering them, it will be possible to decide as to which of the schemes will be taken up.

**Shri N. M. Lingam:** Is Government aware that this question has been hanging fire for the last one year or more and that any further delay will create a hiatus in the tempo of work that is going on in the State, especially in the employment of personnel.

**Shri Hathi:** Definitely. These schemes are proposed to be included in the Second Five Year Plan and all the preliminary investigations had been done and technical examination also has been completed and now it is only a question of determining about its inclusion.

**Shri C. R. Narasimhan:** Is there any intention of dovetailing the earlier portion of the work of the scheme with the Second Five Year Plan and, if so, will not this delay, delay the dovetailing?

**Shri Hathi:** I do not think we are starting it before the whole plan is ready.

#### FERTILIZERS FACTORY AT ALWAYS

\*2642. **Shri A. M. Thomas:** Will the Minister of Commerce and Industry be pleased to state:

(a) the nature of the proposal received by the Central Government for expansion of the fertilisers factory at Always;

(b) whether any decision has been taken by the Central Government in this matter; and

(c) whether any aid is proposed to be given for expansion and if so, to what extent?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) A proposal has been received to expand and diversify production with a view to reduce the costs.

(b) and (c). The matter is under consideration.

**Shri A. M. Thomas:** May I enquire what is the present capacity of the factory and what is the extent of expansion that is contemplated?

**Shri Kanungo:** The present capacity for ammonium sulphate is 44,000 tons per year and super-phosphate 49,500 tons.

**Shri A. M. Thomas:** May I enquire whether the Government are aware of the fact that the pooled price has been kept high because of the high cost of production at the fertilizer factory at Alwaye and whether, by the expansion the pool price can be brought down?

**Shri Kanungo:** The price for the Alwaye production is to be kept high because of the high cost of production and I hope the expansion is to reduce the cost of production.

**Shri A. M. Thomas:** I understand that the hon. Ministers of Production, Finance and Commerce and Industry visited the factory long ago. May I know what exactly is the reason for the delay in coming to a decision on this point?

**Shri Kanungo:** An expert committee was appointed to go into the techniques of production and its possibilities. After it made its recommendation, discussions had to be conducted with the company and I believe that the stage has come when decisions will be available early.

#### UNEMPLOYMENT SURVEY

**\*2645. Chaudhri Muhammed Shafie:** Will the Minister of Planning be pleased to state:

(a) whether Government propose to conduct an unemployment survey of the Jammu and Kashmir State in the near future;

(b) if so, when the work is likely to start; and

(c) the number of persons proposed to be employed for conducting the survey and the estimated expenditure thereon?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) to (c). The State of Jammu and Kashmir will be included in the survey of employment and unemployment which the National Sample Survey are carrying out in their ninth round. Details are under consideration.

#### PHOTOGRAPHIC AND CINEMATOGRAPHIC MATERIALS

**\*2646. Shri S. C. Samanta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total value of photographic and cinematographic materials produced in the country during the years 1953-54 and 1954-55;

(b) how far this fell short of the total requirements of the country;

(c) whether any recommendation has been made by the recent Film Seminar in the matter; and

(d) the steps Government propose to take to increase the production in the indigenous industry?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) and (b). A statement is laid on the Table of the House. [See Appendix XII, annexure No. 38.]

(c) Government are not aware of any such recommendations.

(d) The development of this industry is left to the private sector

and Government will render such assistance as is possible when approached by interested parties.

**Shri S. C. Samanta:** May I know whether any party approached the Government?

**Shri Kanungo:** Several years back one party approached, but subsequently he lost interest.

**Shri S. C. Samanta:** From the statement I find that the value of the sodium sulphite and sodium thiosulphate produced in the year 1954 is less than in the previous years. May I know whether the production has decreased or the value only has gone down?

**Shri Kanungo:** I cannot say now; I want notice.

**श्रीमती कमलेंद्र मति शाह :** हिन्दुस्तान में कोटोगाफी और सिनेमेटोगाफी का सामान बन सकता है या नहीं ? और अगर बन सकता है तो क्या सरकार उसके बनाने के लिए प्रयत्न कर रही है ?

**श्री कानूनगो :** कॉमीकल्स बन रहे हैं और बनने की उम्मीद भी है। लेकिन फिल्म और पेपर की हमारी जितनी मांग है जबतक उस से ज्यादा मांग नहीं होगी तब तक उसे बनाने में नफा नहीं होगा। गवर्नमेंट इस बारे में कोशिश कर रही है, और यह काम प्राइवेट सेक्टर के सुपुर्द किया गया है। जब कोई प्रोजेक्ट आवेगा तो उस पर विचार किया जायगा।

#### DAMODAR VALLEY CORPORATION

\*2647. **Dr. Ram Subhag Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Damodar Valley Corporation has submitted any schemes for inclusion in the Second Five Year Plan;

(b) if so, the nature of the schemes; and

(c) the estimated cost thereof?

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

(b) These schemes are for generation of additional power.

(c) Rs. 7.39 crores.

**Dr. Ram Subhag Singh:** May I know whether these schemes have been accepted by the Planning Commission?

**Shri Hathi:** The schemes have not yet been accepted; they are being scrutinised by the technical advisory committee.

**Dr. Ram Subhag Singh:** May I know the installed capacity of the new schemes which are proposed to be taken up?

**Shri Hathi:** The installation of the 4th set will give 50,000 kws. and the construction at Konar will give 40,000 kws. These are power schemes.

**Dr. Ram Subhag Singh:** May I know whether as a result of the construction of this underground scheme at Konar, the irrigation potentiality of the area will increase.

**Shri Hathi:** It will be a power scheme.

**Shri B. K. Das:** Is the expansion of power production in Bokaro included in this?

**Shri Hathi:** No. The additional 4th set of 50,000 kws. is proposed to be included in the Second Plan.

#### HEAVY ELECTRICAL GOODS FACTORY

\*2648. **Shri N. M. Lingam:** Will the Minister of Production be pleased to state the name of the State where the proposed State-owned Factory for Heavy Electrical Goods is to be located?

**The Parliamentary Secretary to the Minister of Production (Shri E. G. Dubey):** The State in which the proposed factory is to be located has



not yet been decided. This decision will be possible only after the Technical Consultants to be appointed for the project have made detailed investigations and submitted their recommendations.

**Shri N. M. Lingam:** May I know the criteria Government propose to adopt for locating the site for this factory?

**Shri R. G. Dubey:** It is very difficult at this stage to go into the details. But I may just say in a general way that the availability of raw material is one consideration. The availability of technical skill will be another consideration. Questions of transport etc. are some of the other factors.

**Shri N. M. Lingam:** May I know if the need to pursue a policy of dispersal of major industries will be borne in mind by the Government when finally locating a site?

**Shri R. G. Dubey:** I think so.

**Shri Balakrishnan:** May I know which is the State which had got the longest mileage for the distribution of power and which would require more electrical goods?

**Shri R. G. Dubey:** I think this question ought to be addressed to the Minister of Planning.

**Shri C. R. Narasimhan:** Will the lead in rural electrification be one of the considerations for locating it?

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

#### OIL REFINERIES

**\*2649. Shri Viswanatha Reddy:** Will the Minister of Production be pleased to state whether any definite programme has been drawn up by Government to set up factories for the utilization of waste products in the new oil refineries?

**The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey):** The Fertilizer Production

Committee set up by the Ministry of Production is considering, *inter alia*, the question of the utilization of the waste gas from the refineries for the manufacture of synthetic ammonia and fertilizers. It is possible that part of the waste gas will be utilised by the refineries themselves.

**Shri Viswanatha Reddy:** May I know whether the Government would attempt a complete assessment of the waste products available in the refineries and the industries that may be set up to utilise these waste products?

**Shri R. G. Dubey:** Yes, Sir, I may just say that only the other day Government have granted permission to the Standard Vacuum Oil Company for setting up a catalytic polymerisation unit in the refinery in order to improve the output of petrol and meanwhile the Fertilizer Production Committee is examining the question of utilisation of the waste gas for the manufacture of fertilizers. There are also some other possible by-products, but we are informed that the Company is not willing to undertake the manufacture of these by-products, sulphur, toluene, etc. in view of the large outlay and the question of finding a suitable market.

**Shri Viswanatha Reddy:** May I know whether any Indian industrialist had been advised regarding the possibilities in these factories and whether any aid is being given to those industrialists by the Government?

**Shri R. G. Dubey:** Yes; I think so far as the factories concerned with the chemical industry are concerned, they are allowed to purchase the by-products from this refinery on certain conditions.

**Shri N. B. Chowdhury:** May I know whether Government have finalised the terms and conditions with the refineries for the utilisation of such waste products?

**Shri R. G. Dubey:** I think the agreement does include some of these matters.

#### ROURKELA STEEL PLANT

**\*2651. Shri Sanganna:** Will the Minister of Production be pleased to refer to the reply given to starred question No. 1549 on the 22nd December 1954 regarding the water supply to Rourkela Plant and state whether any decision has since been arrived at in this regard?

**The Minister of Production (Shri K. C. Reddy):** As investigations are still proceeding under the direction of the Chief Engineer, Hirakud Dam Project, no decision in the matter has yet been taken.

**Shri Sanganna:** May I know the time that will be taken for the finalisation of a decision in this matter?

**Shri K. C. Reddy:** It may take about two or three months more because the surface flow in summer is being examined

#### HORTICULTURE

**\*2656. Shri S. C. Samanta:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the main works entrusted to the Horticultural Departments in the various Circles;

(b) how far they have helped in the "Grow More Food Campaign" since 1947;

(c) whether it is a fact that the manure supplied free by the Department is mainly for flower growing; and

(d) whether the Department produces compost manure for distribution?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):**

(a) The main functions of the Horticultural Division are:—

(i) Maintenance of Government gardens, lawns and public parks.

(ii) Maintenance of road side trees on behalf of New Delhi Municipal Committee.

(iii) Laying of gardens and lawns in the new colonies built by Government.

(iv) To give technical advice on garden matters.

(v) To carry out horticulture works on behalf of New Delhi Municipal Committee, Notified Area Committee, various Embassies, Posts and Telegraphs Department and Military Engineering Service at Delhi.

(b) The Horticultural Division continues to give technical advice to any person in need of such advice and arranges to sell on payment, vegetable seeds and manure on a no-profit basis.

(c) Manure supplied free by Government is only for Government owned lawns, trees, shrubberies, hedges etc. Any manure required by tenants for the cultivation of flowers and vegetable is paid for by them.

(d) No.

**Shri S. C. Samanta:** May I know whether the Horticultural Department has its own nurseries and seed stores?

**Sardar Swaran Singh:** Yes. There is a Government nursery and a seed store.

**Shri S. C. Samanta:** May I know whether the private houses and their surroundings are also looked after in the same way as Government houses and their surroundings are looked after by them?

**Sardar Swaran Singh:** Only the public part of the roads or lanes, but not the private gardens or enclosures of the private houses.

**Shri S. C. Samanta:** Is it not a fact that the bungalows of the Members of Parliament and Government officers are being looked after by this Horticultural Department?

**Sardar Swaran Singh:** The Department is looking after all the Government premises and not the private bungalows privately owned by individuals.

#### MEDIUM AND MINOR IRRIGATION SCHEMES

**\*2656-A. Shri Viswanatha Reddy:** Will the Minister of Irrigation and Power be pleased to state the amount proposed to be given by Government during the current year under the programme of aid to the medium and minor irrigation schemes in scarcity areas, State-wise?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** A statement giving the required information is laid on the Table of the House. [See Appendix XII, annexure No. 39.]

**Shri Viswanatha Reddy:** The statement shows only the aid given by way of loans. Do I take it that no aid has been given by way of grant to the State Government?

**Shri Hathi:** No aid is given by way of grants for this programme.

**Shri Viswanatha Reddy:** May I know whether before giving this aid Government assures itself that the programme drawn up by the State Governments is reasonable and serves the needs really of the scarcity areas? May I know whether only after approving these schemes the aid is given?

**Shri Hathi:** Generally the State Governments are required to send in their schemes and they are expected to give priority to the scarcity areas for which the work is taken up, and

generally, before we approve the schemes are examined as to whether they are qualified or eligible for these programmes.

**Shri Viswanatha Reddy:** What I wanted to know is whether the amount is simply granted as a lump sum grant or whether actually all the schemes are placed before the Government of India and scrutinised by the Planning Commission.

**Shri Hathi:** They are given from year to year after looking through the progress.

#### ENGINEERS

**\*2606. Shri Bhakt Darshan (on behalf of Shri Krishnacharya Joshi):** Will the Prime Minister be pleased to state:

(a) whether the Government of Burma have sought any help from the Government of India in recruiting Engineers for employment in Burma; and

(b) if so, the number of engineers recruited during 1954?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Yes.

(b) 180.

**श्री भक्त दर्शन :** क्या मैं जान सकता हूँ कि इन भारतीय इंजीनियर्स को जो बर्मा भेजे गये हैं, किन शर्तों पर भेजा गया है और वहाँ से लौटने के बाद उनका क्या परिणाम होगा ?

**श्री साधत अली खाँ :** कोई खास शर्त नहीं है। बर्मा गवर्नमेंट ने वहाँ से इंजीनियर्स मांगे थे और वे वहाँ से भेजे गये हैं, उनके वहाँ लौटने के बाद उनके तबुर्ब से फायदा हासिल किया जायगा।

**श्री भक्त दर्शन :** क्या मैं जान सकता हूँ कि भेजने से पहिले इस बात की भी जांच पड़ताल की गई है कि उनकी इंजीनियरिंग योग्यता हमारे देश में काम आ

सकती हैं और वह हमारे देश के लिए उपयोगी सिद्ध हो सकते हैं या नहीं ?

श्री साधुत अली खां : यकीनी बात है कि हुकुमत लोगों को ये ही नहीं उठा कर भेज देगी, सब चीजों पर जांच पड़ताल की गई है और अपनी जरूरतों पर ध्यान रखते हुए ही इन लोगों को बाहर भेजा गया है।

#### TEA INDUSTRY IN KANGRA

\*2628. **Shri Bhakt Darshan (on behalf of Shri Hem Raj):** Will the Minister of Commerce and Industry be pleased to refer to the reply given to starred question No. 28 on the 15th November 1954 and state:

(a) whether any decision has since been taken on the request of the Punjab Government for financial assistance in connection with the development of tea industry in the Kangra District; and

(b) if so, the nature thereof?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) and (b). It is understood that the Tea Board are still considering it.

श्री भक्त दर्शन : क्या मैं जान सकता हूँ कि कितने समय से इस पर विचार किया जा रहा है और अभी कितना और समय निर्णय करने में लगेगा ?

श्री कानूंगो : पंजाब सरकार से हाल ही में इस सम्बन्ध में रिपोर्ट आई है और इसी महीने में पठानकोट में मीटिंग हो रही है जिसमें इस बारे में फैसला किया जाएगा।

श्री भक्त दर्शन : क्या सरकार के ध्यान में यह बात आई है कि कांगड़ा की तरह देहरादून के चाय बागीचों की हालत भी बहुत गिरी हुई है और क्या उसको सुधारने के सम्बन्ध में विचार किया जा रहा है ?

श्री कानूंगो : कांगड़ा के चाय बागीचों की हालत नीलागिरी और आसाम के चाय बागानों

की सी नहीं हैं, वहां तो छोटी छोटी रैबल के बागीचे हैं और यह ठीक है कि उनकी हालत बुरी है, लेकिन जब पंजाब गवर्नमेंट की स्क्रीम चालू होगी तो उससे उनको कुछ फायदा होगा।

#### HANDLOOM INDUSTRY

\*2653. **Shri Bhakt Darshan (on behalf of Shri Hem Raj):** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of schemes received from the various States for the development of woollen and silk handloom industry during the year 1954; and

(b) the number of schemes approved and the aid in the shape of loan or subsidy given to each one of them separately?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) Schemes from the States are submitted to the All India Handloom Board direct. It is understood that the total number of schemes received by the Board during the year 1954-55 was 62.

(b) A statement is laid on the Table of the House. [See Appendix XII, annexure No. 40.]

श्री भक्त दर्शन : इस सम्बन्ध में कुल कितनी रकम निश्चित की गई है और क्या अभी कुछ आवेदन पत्रों पर विचार किया जा रहा है ?

श्री कानूंगो : सारी स्कीमों पर विचार किया जाता है और बोर्ड जिस स्कीम को मुनासिब समझता है उसके लिए पैसा मंजूर करता है, पहले से कोई एक रकम नहीं रखी जाती है।

श्री भक्त दर्शन : क्या गवर्नमेंट के ध्यान में यह बात आई है कि हिमालय के क्षेत्र में केवल एक ऊन का ही ऐसा उद्योग धंधा

हैं जिससे वहाँ के हजारों लोगों का जीवन-निर्वाह होता है और क्या उस सम्बन्ध में बोर्ड कोई विशेष कार्यवाही करने जा रहा है ?

श्री कानुंगो : हिमाचल प्रदेश की सरकार जो स्कीम पेश करेगी, बोर्ड उस पर गौर करेगा ।

## WRITTEN ANSWERS TO QUESTION

### INDO-SIKKIM TREATY

\*2609. **Shri D. C. Sharma:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that there has been a demand for the revision of the Indo-Sikkim Treaty of 1949; and

(b) if so what are the modifications suggested?

The Parliamentary Secretary to the Minister of External Affairs (**Shri Sadath Ali Khan**): (a) and (b). The Government are not aware of any such demand.

### CEMENT FACTORY

\*2619. **Shri B. N. Misra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Government have finalised a plan for opening a Cement Factory near Sillyari in the Raipur District of Madhya Pradesh; and

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

The Deputy Minister of Commerce and Industry (**Shri Kanungo**): (a) No, Sir.

(b) Does not arise.

### HANDLOOM FACTORIES

\*2623. **Shri I. Eacharan:** Will the Minister of Commerce and Industry be pleased to state the amount of assistance given from the Cess Fund to handloom factories in Madras State?

The Deputy Minister of Commerce and Industry (**Shri Kanungo**): Government's policy is to afford financial assistance only to the Industrial Co-operative Societies. On this basis, a sum of Rs. 154,540 was sanctioned to the Government of Madras for owning and running co-operative factories in the Madras State.

### DEPORTATION OF INDIANS

\*2627. **Shrimati Ila Palchoudury:** Will the Prime Minister be pleased to state:

(a) whether any Indian nationals were deported to India from foreign countries during each of the years 1953 and 1954; and

(b) if so, the names of the countries from which they were deported and the circumstances under which they were deported?

The Parliamentary Secretary to the Minister of External Affairs (**Shri Sadath Ali Khan**): (a) and (b). A statement containing all available information is laid on the Table of the House. See Appendix XII, annexure No. 41.] Names of Indians deported from Ceylon for alleged illicit immigration are not available. Information regarding Indian Nationals deported from Malaya and Singapore, during 1953 and 1954, is still awaited.

### TRADE MISSIONS

\*2629. **Shri R. P. Garg:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any decision has been taken by Government to send some more trade missions abroad to explore foreign markets for Indian agricultural commodities;

(b) if so, when these missions will be sent; and

(c) the names of the countries to which these would be sent?

The Deputy Minister of Commerce and Industry (**Shri Kanungo**): (a) to (c). No such decision has recently been made by the Government of

India. As a matter of policy, such trade missions or delegations are sent only to meet some special needs on particular occasions.

#### ENGINEERING CAPACITY SURVEY COMMITTEE

**\*2631. Thakur Jugal Kishore Sinha:** Will the Minister of Commerce and Industry be pleased to state the main features of the concluding report of the Engineering Capacity Survey Committee about the 1st stage of its work?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** The hon. Member may please refer to the replies given by the Minister for Commerce and Industry to the supplementaries to Starred Question No. 174 on the 26th August, 1954, and to the reply given by him to the debate on the grants for the Ministry on the 15th April, 1955. It was then pointed out that the reports of the Engineering Capacity Committee were not reports of the conventional type but were in the nature of advice to the Government regarding the furtherance of industrialisation and better utilisation of the capacity not already being properly used. Information regarding individual units is confidential.

#### TILIAYA BUNDH

**\*2636. Babu Ramnarayan Singh:** Will the Minister of Irrigation and Power be pleased to state the progress made so far in connection with the construction of channels etc., for irrigation purposes from the Tiliaya Bundh (Damodar Valley Project)?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** Several schemes in the past were drawn up by the Corporation for Irrigation from Tiliaya waters, but these had to be abandoned on account of their prohibitive costs. The Corporation have now prepared a scheme for providing kharif irrigation to an area of 10,000 acres and rabi irrigation to an area of 7,500 acres at an approximate cost of Rs. 400/- per acre.

As no schemes have yet been finalised, the question of progress on the construction of irrigation channels does not arise.

#### DOCUMENTARIES

**\*2637. Shri Bhagwat Jha Azad:** Will the Minister of Information and Broadcasting be pleased to state the percentage of total documentaries that is produced by Government in English?

**The Minister of Information and Broadcasting (Dr. Keskar):** All documentary films prepared by the Films Division for commercial exhibition in cinema theatres are, generally, produced with commentaries in English as well as in Hindi, Bengali, Tamil and Telugu.

Documentary films produced under the Integrated Publicity Programme for the Five-Year Plan are, however, prepared with commentaries in eight additional Indian languages, i.e. Assamese, Gujarati, Kannada, Kashmiri, Malayalam, Marathi, Oriya and Punjabi, i.e., thirteen languages in all.

#### IRRIGATION SCHEMES

**\*2639. Shri G. L. Chaudhary:** Will the Minister of Irrigation and Power be pleased to state:

(a) the amount demanded by the U.P. Government for their major irrigation schemes during the current year; and

(b) the amount sanctioned for the same?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) No request has so far been received from the State Government for any loans during 1955-56.

(b) Does not arise.

#### WOOLLEN CARPET INDUSTRY

**\*2641. Shri B. S. Murthy:** Will the Minister of Commerce and Industry be pleased to state the amount of aid,

if any, given to Andhra State during 1953-54 and 1954-55 for the rehabilitation of the woollen carpet industry?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** No grant or loan has been given to the Andhra Government, for the woollen carpet industry during 1953-54 and 1954-55.

#### PROGRAMME ADVISORY COMMITTEE

**\*2643. Shri Boovraghasamy:** Will the Minister of Information and Broadcasting be pleased to state the policy adopted in selecting the members of the Programme Advisory Committee?

**The Minister of Information and Broadcasting (Dr. Keskar):** The members for Programme Advisory Committees are selected from amongst persons who are considered eminent in various walks of life, more especially those connected with cultural activities, and who are known to be interested in broadcasting and are considered capable of making useful suggestions for the improvement of various types of programmes broadcast by the Stations.

#### NATIONAL EXTENSION SERVICE

**\*2644. Shri D. C. Sharma:** Will the Minister of Planning be pleased to state:

(a) whether any paucity of trained personnel has been complained of by the Punjab Government in the working of the National Extension Service Blocks in the State; and

(b) if so, of what categories?

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

(b) Does not arise.

#### SINDRI FERTILISER FACTORY

**\*2650. Thakur Jugai Kishore Sinha:** Will the Minister of Production be pleased to state:

(a) whether the enquiry into the differences between physical stock and

book balance of sulphate in the Sindri Fertiliser Factory has been completed; and

(b) if so, the result of the examination?

**The Minister of Production (Shri K. C. Reddy):** (a) and (b). No; the matter is still under examination by the Company.

#### RESEARCH STATION (HIRAKUD)

**\*2652. Shri B. N. Misra:** Will the Minister of Irrigation and Power be pleased to state the total amount spent so far on the Hirakud Research Station?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** Rs. 15,08,200/- approximately upto the end of March, 1955.

#### UPPER KRISHNA PROJECT

**\*2654. Shri Krishnacharya Joshi:** Will the Minister of Planning be pleased to state whether it is a fact that the Government of Hyderabad have sent a proposal for the Upper Krishna Project known as the Chaya-bhagavati Project to be included in the Second Five Year Plan?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** No; there is, however, a proposal from the Government of Hyderabad for a scheme across the Upper Krishna river, called the "Upper Krishna (Jaldurg) Project" in Raichur District.

#### BURMA LAND NATIONALIZATION (AMENDMENT) ACT

**\*2655. Shri D. C. Sharma:** Will the Prime Minister be pleased to refer to the reply given to starred question No. 401 on the 26th November, 1954 and state:

(a) how many Indian land-holders in Burma have been given compensation in accordance with the provisions of the Burma Land Nationalization (Amendment) Act, 1954; and

(b) how many cases are still pending?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) and (b). No compensation has yet been paid by the Government of Burma. In fact, that Government have not yet started entertaining claims for compensation.

#### STATIONERY AND PRINTING ARTICLES

**\*2657. Shrimati Da Palehchoudhury:** Will the Minister of Works, Housing and Supply be pleased to state the procedure adopted by Government for the purchase of stationery and printing articles valued at more than Rs. 50,000?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** Such stores are purchased after inviting open tenders except where the source of supply is limited, where limited tenders may be called or where the stores are of a proprietary nature. Lowest tenders are accepted unless they have to be ignored on account of adverse reports regarding the ability of the tenderer to supply stores according to specifications and in time.

#### OFFICER ON SPECIAL DUTY

**1071. Shri Wodeyar:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the duties of the Officer on Special Duty for song and drama;

(b) the tenure of his office;

(c) whether there are any regional offices working for the purpose; and

(d) if so, where?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) The duties of this officer, who is now designated as Director, Song and Drama, consist in popularising the activities of the Five Year Plan all over the country through the medium of stage and songs including *Harikatha*, *Burra-katha*, etc.

(b) The tenure of the present post is up to 29th February, 1956.

(c) and (d). No. The Director is, however, assisted by all the Regional Officers and Field Publicity Officers under the Ministry and also works in collaboration with State organisations.

#### SLUM CLEARANCE

**1072. Shri Wodeyar:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the President of the Devangere City Municipality in Mysore State has submitted any scheme for clearance of slums in the city and for building houses for the labourers;

(b) if so, the amount of financial assistance sought therefor; and

(c) whether the assistance has been granted?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):**

(a) No, Sir.

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

#### DISPLACED PERSONS

**1073. Chaudhri Muhammed Shafie:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of persons who migrated from Jammu and Kashmir State to other States of India, State-wise, since 1947;

(b) how many of them have been rehabilitated in various States of India; and

(c) the steps taken by Government to rehabilitate them?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) to (c). Information is being collected and will be laid on the Table of the Sabha in due course.

#### EVACUEE PROPERTY IN DELHI

**1074. Chaudhri Muhammed Shafie:** Will the Minister of Rehabilitation be pleased to state:

(a) the total number of evacuee properties in the rural areas of Delhi State and the estimated value thereof;



(b) the number of rural properties in respect of which proceedings were started and either they were ultimately declared as non-evacuee property or the proceedings were dropped so far and their estimated value; and

(c) the number of cases still awaiting decision under Section 16 of the Administration of Evacuee Property Act and the time-limit for final settlement of these cases?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) Agricultural lands—16,491 acres.

Houses and Plots—3,945.

Evacuee Property in rural areas has not been valued so far.

(b) Information is not readily available and its collection will involve considerable labour and time which will not be commensurate with the result to be achieved.

(c) 106 cases. No time-limit has been fixed, but the officers concerned have been instructed to dispose of these cases expeditiously.

#### DYE-STUFF INDUSTRY

**1075. Shri N. B. Chowdhury:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any foreign expert has been employed by Government to advise them on the production of dye-stuffs in this country;

(b) if so, his name and nationality; and

(c) the manner in which his services are being utilised?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) Not so far, Sir.

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

#### SALES-TAX ON JUTE

**1076. Shri Bibhuti Mishra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have requested the State Governments to abolish the sales-tax on raw jute; and

(b) if so, the reaction of State Governments thereto?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) One of the recommendations made by the Jute Enquiry Commission was to the effect that State Governments should not levy sales tax or similar taxes on raw jute. This was brought to the notice of State Governments by the Resolution of the Government of India in the Ministry of Commerce and Industry No. 14(3) Jute/54, dated the 4th December, 1954, a copy of which was placed on the Table of the House on the 6th December, 1954.

(b) It would not be in the public interest to disclose the contents of official correspondence with State Governments.

#### अमेरिका से आयात

**१०७७. श्री बिभूति मिश्र :** क्या वाणिज्य तथा उद्योग मंत्री सभा पटल पर एक विवरण रखने की कृपा करेंगे जिसमें यह दिखाया गया हो कि वर्ष १९५२ और १९५४ में अमेरिका से कौन कौन सी और कितने मूल्य की वस्तुएँ आयात की गईं ?

**वाणिज्य तथा उद्योग उपमंत्री (श्री कानुंगो) :** एक विवरण संलग्न है। [वीरेश्वर प्रीतिशेट्ट १२, अनुबन्ध संख्या ४२]।

#### HANDLOOMS

**1078. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state the number of handlooms in the States of Punjab and PEPSU at present?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** Reported to be about 52,000 in Punjab and 22,500 in PEPSU.

#### COTTAGE INDUSTRIES

**1079. Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to lay a statement on the Table of the House showing the

amount advanced as loan and subsidy, separately, to the Punjab Government for the development of the Cottage Industries during the last three years (year-wise)?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** A statement is attached. [See Appendix XII, annexure No. 43.]

#### INDUSTRIAL HOUSING SCHEME

**1080. Shri D. C. Sharma:** Will the Minister of Works, Housing and Supply be pleased to state the amount so far given as subsidies and loans to (i) the Government of Punjab, (ii) the Employers and (iii) Co-operative Societies for the construction of houses for Industrial workers under the subsidised Industrial Housing Scheme?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** A statement giving the required information is placed on the Table of the Sabha. [See Appendix XII, annexure No. 44.]

#### आइजनहोवर छात्रवृत्तियाँ

१०५९. डा० राम सुभग सिंह : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुछ भारतीय विद्वानों को आइजनहोवर छात्रवृत्तियाँ मिली हैं और वे अध्ययन के लिये अमेरिका गये हैं ;

(ख) यदि हां, तो आजकल अमेरिका में ऐसे कितने विद्वान हैं ;

(ग) प्रत्येक विद्वान को कितनी राशि प्राप्त हुई ; और

(घ) उन्हें किस प्रकार चुना गया था ?

**योजना उपमंत्री (श्री एस० एस० मिश्र) :**

(क) और (ख). अमेरिका के लिये विद्वानों या दिद्यार्थियों के शिष्ट-मंडल (Deputation) का प्रबन्ध आइजनहोवर-कार्यक्रम नहीं करता । यह अमेरिका में उन क्रियात्मक (Practical) व्यक्तियों के प्रशिक्षण के लिये विचार करता

है जिन्होंने स्वयं चुने हुए कार्यक्रम में अपने काम द्वारा यह दिखा दिया है कि वे संभावित (Potential) नेता हैं । इस कार्यक्रम के अन्तर्गत १९४४-४५ में लोकोमोटिव बनाने Locomotive manufacture में विशेष प्रशिक्षण के लिये रेलवे मंत्रालय के एक अधिकारी की नियुक्ति अमेरिका के लिये हो चुकी है ।

(ग) आइजनहोवर संस्था चुने हुए उम्मेदवारों की सारी यात्रा, रहन-सहन एवं आकस्मिक (incidental) खर्चा को दती है ।

(घ) उम्मेदवार योजना कमिशन द्वारा सम्बन्धित टैकनिकल मंत्रालयों की सिफारिशों के आधार पर चुने जाते हैं ।

#### TENANTS' PROTECTION BILL

**1082. Shri Sanganna:** Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission have asked the Government of Orissa to include in their Tenants' Protection Bill, 1955 a provision to the effect that the tenants evicted from their lands prior to the enactment of this Bill should be restored; and

(b) if so, the reasons therefor?

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

(b) Under the existing legislation tenants of owners of less than 33 acres were liable to ejectment at the will of the landlord. It was likely that many tenants might have been ejected already. It was considered desirable, therefore, to provide for the restoration of ejected tenants so that they might have the benefit of the proposed comprehensive legislation.

#### DISPLACED PERSONS

**1083. Shri Gidwani:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that a number of displaced persons from Faridabad township are brought to Delhi for

working on the construction works; and

(b) if so, the amount spent daily on their transport from Faridabad to Delhi and vice-versa?

**The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle):** (a) Yes.

(b) About Rs. 1,500/- per day.

### फरीदाबाद उपनगर

१०८४. श्री गिडवाजी : क्या पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५२-५३ और १९५३-५४ में फरीदाबाद उपनगर के बिजली घर को चलाने पर कितना व्यय हुआ, और

(ख) इन्हीं वर्षों में बिजली घर से जो बिजली (इनजी) उपभोक्ताओं को दी गई, उससे सरकार को कितनी आय हुई ?

**पुनर्वास उपमंत्री (श्री जे० के० भोंसले):** (क) बिजली घर के चलाने पर निम्नलिखित व्यय हुआ है :—

र० आ० पा०

१९५२-५३ ४,७४,८७७ १२ २

१९५३-५४ ६,९९,५५० ६ ७

(ख) १९५२-५३ २,५७,२८८ ८ ६

१९५३-५४ २,३८,२१६ १ ६

### विकास योजनाएँ

१०८५. श्री भक्त वर्दान : क्या वाणिज्य तथा उद्योग मंत्री ४ मई, १९५४ को दिये गये तात्कालिक प्रश्न संख्या २२९५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश की सरकार द्वारा खादी, गूड़, और खंढसारी के विकास के लिये भेजी गई योजना, जो विचाराधीन थी, के सम्बन्ध में तब से कोई अन्तिम निर्णय किया गया है, और

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

**वाणिज्य तथा उद्योग उपमंत्री (श्री कानूनगो) :** (क) और (ख). १९५४-५५ में उत्तर प्रदेश की सरकार को उसकी गूड़ और खंढसारी योजनाएँ क्रियान्वित करने के लिये धन देना स्वीकार किया गया है, इसका विवरण इस प्रकार है :—

विवरण	स्वीकृत राशि
सुधरं हुए उपकरण इत्यादि का प्रयोग चालू करने के लिये सहायता	५,२००
५० कारीगरों का शिक्षण	२,५००
सुधरं हुए ढंग की भीट्टियां बनाने वाले कारीगरों को पारिश्रमिक	१,५००
प्रचार और प्रकाशन	१,०००
कर्मचारी गण (निर्देशन, विकास और विविध कार्य)	२०,०००
	योग ४४,२००

जहां तक खादी का सम्बन्ध है उसके लिये धन की सहायता सीधी बोर्ड द्वारा दी जाती है। खादी बोर्ड ने बताया है कि १९५४-५५ में उत्तर प्रदेश सरकार को कोई ऋण, अनुदान अथवा सहायता नहीं दी गई है।

### ZINC SHEETS

1086. **Shri Sanganna:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware that there is a scarcity of zinc sheets in the Orissa State with the result that development programmes there have been handicapped; and

(b) if so, the action Government propose to take in the matter?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) Government have received no such reports.

(b) Does not arise.

# REHABILITATION OF DISPLACED PERSONS (ASSAM)

**1087. Shrimati Renu Chakravartty:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that the office of the Rehabilitation Department of the Government of Assam with all its records has been burnt to the ground; and

(b) how the Union Government propose to continue its enquiry into the rehabilitation of displaced persons in Assam under the circumstances?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Yes; the building in which the Department along with certain other Government Offices was situated was destroyed by fire.

(b) The State Government are taking steps for the collection of information from the Districts with a view to continue payment of financial assistance to displaced persons in the State. They are also reconstructing their files and records in order to maintain continuity of the cases dealt with by them previously.

## DISPOSAL OF HOUSES (RAJINDRA NAGAR)

**1088. Babu Ramnarayan Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) the assessed value of one-roomed and two-roomed houses of old Rajindra Nagar, Delhi; and

(b) the reasons why the above quarters are not being offered to allottees for purchase while giving them compensation amount?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Between Rs. 3,404/- and Rs. 3,797/- for a one-roomed house and between Rs. 4,922/- and Rs. 5,473/- for a two-roomed house including the value of the land.

(b) Construction is of a semi-permanent nature and the question

of retention of the houses in their present form is under consideration.

## TUNGABHADRA PROJECT

**1089. Shri Viswanatha Reddy:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that there were some points of difference between the Governments of Andhra and Mysore regarding the construction of Tungabhadra high-level channel;

(b) if so, what they are; and

(c) the efforts that have been made to resolve these differences?

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

(b) The points of difference are:—

(i) Allocation of surplus water between Mysore and Andhra Zones of the project and consequently the sharing of cost.

(ii) Inadequate quantity of water available for high level channel.

(c) It is proposed to convene an inter-State conference to resolve these differences.

## KHADI HUNDIS

**1090. Shri Krishnacharya Joshi:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of Khadi Hundis sold through Post Offices from the 23rd September, 1954 to 31st March, 1955; and

(b) the total amount thus realised?

The Deputy Minister of Commerce and Industry (Shri Kanungo): (a) and (b). Khadi Hundis worth Rs. 44,638 have been sold.

## RESIDENTIAL ACCOMMODATION

**1091. Chaudhri Muhammed Shafie:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total number of houses built so far by the Government of

India in Jammu City to provide accommodation to the Central Government employees;

(b) the total amount spent thereon;

(c) whether the Government of India is aware of the hardships of their employees due to acute shortage of residential accommodation in Jammu City (Jammu and Kashmir);

(d) the housing facilities provided by the State Government to the Central Government employees in Jammu City;

(e) the number of Central Government employees in Jammu ejected from the houses owned by the State Government and the Custodian of Evacuee Properties; and

(f) whether any scheme to provide housing facilities to the Central Government employees in Jammu City is under consideration of the Government?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):**  
(a) Nil.

(b) Does not arise.

(c) to (f). The Central Government do not have, except for the Ministry of Communications, any appreciable number of employees stationed in Jammu City; and the Ministry of Communications already have under consideration a proposal for construction of an adequate number of houses for their employees at that place. Actual construction would be undertaken by the Central Public Works Department after necessary sanction has been given by the Ministry of Communications.

#### ENGINEERING COLLEGE (ORISSA)

**1092. Shri Sanganna:** Will the Minister of Planning be pleased to state:

(a) whether the Government of Orissa have submitted any proposal regarding an Engineering College in Orissa for inclusion in the Second Five Year Plan; and

(b) if so, the proposed cost of the college?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) No such proposal has been received by the planning Commission.

(b) The question does not arise.

#### NOMINEE SYSTEM FOR SALT

**1093. Shri Jethalal Joshi:** Will the Minister of Production be pleased to state:

(a) the States in which the nominee system for salt still exists; and

(b) the reasons therefor?

**The Minister of Production (Shri K. C. Reddy):** (a) A statement showing the States in which the Nominee System exists and the extent to which the System is in force is laid on the Table of the House. (See Appendix XII, annexure No. 45.)

(b) The Commodity Controls Committee had recommended that the Nominee System for salt should be abolished in stages. Government accepted this recommendation and requested the State Governments to implement it. Certain State Governments have, as a result, abolished the Nominee System altogether, while some State Governments have agreed to a partial abolition of the System as an experimental measure. The States in which the Nominee System has been abolished partially as an experimental measure, will review the position after some experience has been gained of its working and decide whether the system should be abolished altogether.

#### TRACTORS

**1094. Shri Sarangadhar Das:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to starred question No. 1805 on the 2nd April, 1955 and state the retail prices of different makes of tractors of 25 to 30 horsepower as compared with those of Ferguson and David Brown tractors assembled in India?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** The current retail list prices of some of the popular makes of tractors as reported to Government are given in the enclosed statement. [See Appendix XII, annexure No. 46.]

#### ROAD ROLLERS

**1095. Shri Sarangadhar Das:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to starred question No. 1828 on the 2nd April, 1955 and state:

(a) the total number of steam road rollers manufactured up-to-date in the TELCO works;

(b) the price paid per roller;

(c) whether there was any agreement between the Government of India and the manufacturing firm in the U.K. for using the patent rights of the latter;

(d) if so, the terms of this agreement and the royalty paid for exploiting the patent; and

(e) whether the firm was manufacturing steam road rollers at the time the agreement was entered into and if so, for which markets?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) 950.

(b) The final price is yet to be fixed after the cost examination which Government are conducting at present is complete. The provisional price per roller is Rs. 37,500.

(c) Yes, Sir.

(d) According to the contract with Messrs. Marshall of Gainsborough, Government acquired the manufacturing rights in respect of their steam road rollers; and they expect to make a payment of somewhere about £ 100/- per road roller for the 950 rollers.

(e) Yes, Sir. For all export markets.

#### सरकारी विज्ञापन

**१०९६. श्री अनिरुद्ध सिन्हा :** क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान अखिल भारतीय हिन्दी समाचार पत्र सम्मेलन द्वारा पास किये गये इस संकल्प की ओर आकर्षित किया गया है कि जहां तक सरकारी विज्ञापनों का सम्बन्ध है, अंग्रेजी, हिन्दी तथा अन्य देशी भाषाओं के समाचार पत्रों के साथ एक ही सा व्यवहार किया जाना चाहिये ; और

(ख) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही करने का विचार है ?

**सूचना और प्रसारण मंत्री (डॉ० कलशकर) :**

(क) और (ख). सरकारी नीति, अंग्रेजी और देशी भाषाओं के पत्रों के साथ एकसा व्यवहार करने की है। विज्ञापन दत्ते समय पत्रों की ग्राहक-संख्या और विशेष प्रकार के विज्ञापनों की आवश्यकताओं का ध्यान में रखा जाता है। वास्तव में, सरकार, देशी भाषाओं के पत्रों को अधिक विज्ञापन देने पर ज्यादा जोर दे रही है। जिन समाचार पत्रों और पत्रिकाओं में इस मंत्रालय ने विज्ञापन दिये, उनकी संख्या १९५२-५४ में २६० थी (६५ अंग्रेजी के और १९५ हिन्दी व क्षेत्रीय भाषाओं के), जो १९५४-५५ में बढ़कर ३५२ हो गयी (९९ अंग्रेजी के और २५३ हिन्दी व क्षेत्रीय भाषाओं के)।

#### HINDUSTAN STEEL PLANT (ROURKELA)

**1097. Shri Niranjan Jena:** Will the Minister of Production be pleased to refer to the reply given to unstarred question No. 618 on the 6th April, 1955 and state the number of technical and non-technical appointments made under each class in the Hindustan Steel Plant Limited, Rourkela?

**The Minister of Production (Shri K. C. Reddy):** The break-up of the appointments in the Company in terms of technical and non-technical

appointments under each class, is as under:—

	Technical	Non-technical	Total
Class I	18	10	281
Class II	16	8	24
Class III	51	112	163
Class IV	..	73	73
	85	203	288

नदी घाटी और सिंचाई परियोजनाएँ

१०६८. श्री बी० एम० मिश्र : क्या सिंचाई और बिजुत मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४-५५ के अन्त तक नदी घाटी और सिंचाई योजनाओं के लिये मध्य प्रदेश की सरकार को कितना ऋण दिया गया, और उस ऋण की शर्तें क्या हैं, और

(ख) चालू वर्ष में इस शीर्ष के अधीन मध्य-प्रदेश की सरकार के लिये कितनी राशि स्वीकृत हुई ?

सिंचाई और बिजुत उपमंत्री (श्री हाथी) :

(क) सिंचाई की बड़ी योजनाओं के लिए सन् १९५४-५५ के अन्त तक ६६-८८ लाख रुपये की राशि स्वीकृत की गई। इस रुपये पर ४ प्रतिशत सालाना की दर से व्याज लगेगा और मूल तथा व्याज की अदायगी ७ बराबर की किस्तों में की जायेगी। अदायगी सन् १९५८-५९ से शुरू होगी, तब तक केवल व्याज ही देना होगा।

(ख) सन् १९५४-५६ में अभी तक कोई ऋण स्वीकृत नहीं किया गया है।

HINDUSTAN SHIPYARD LIMITED

1099. Dr. Lanka Sundaram: Will the Minister of Production be pleased to lay a statement on the Table of the House showing:

(a) the number, names and qualifications of the French experts invited under the agreement with the Societe Anonyme des Ateliers et

Chantieres de la Loire, in the first instance;

(b) the present position; and

(c) the amount of commission and other emoluments paid to them to-date?

The Minister of Production (Shri K. C. Reddy): (a) to (c). A statement giving the required information is attached. [See Appendix XII, annexure No. 47.]

M. P's. BUNGALOWS

1100. Shri Ibrahim: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the electric supply to the bungalows of M.P.s. is proposed to be converted into A.C.;

(b) if so, the reasons therefor; and

(c) the total estimated expenditure on this account?

The Minister of Works, Housing and Supply (Sardar Swaran Singh):

(a) Yes Sir; such a proposal is under consideration.

(b) The reasons are:—

(i) The existing D.C. distribution system is over-loaded and cannot meet the requirements for additional electric power.

(ii) It will involve very heavy expenditure to increase the capacity of the existing D.C. system.

(iii) Modern electric appliances, which are normally manufactured to A.C. specifications, are more easy to obtain less expensive and more economical in consumption and maintenance.

(c) Rs. 1,32,000/- approximately.

## HANDLOOM INDUSTRY

**1101. Shri Hem Raj:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amounts granted to various States for the collection of statistics regarding hand-loom industry; and

(b) the names of the States from which the required information has been received?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a) A statement is attached. [See Appendix XII, annexure No. 48.]

(b) No State has yet submitted any report.

## RESIDENTIAL ACCOMMODATION

**1102. Shri Veeraswamy:** Will the Minister of Works, Housing and Supply be pleased to state whether it is a fact that Government have decided to convert all the C.2 Chummeries in the Lodi Colony into self-contained quarters?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** Presumably the hon. member has in mind the double-roomed Chummeries in Lodi Road. If so, the answer is in the affirmative.

## RESIDENTIAL ACCOMMODATION

**1103. Shri Veeraswamy:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the rent charged for self-contained chummeries is more than that charged for the non-self-contained chummeries in the Lodi Colony; and

(b) if so, whether any steps are being taken to reduce the rent for the chummeries in the Lodi Colony?

**The Minister of Works, Housing and Supply (Sardar Swaran Singh):** (a) and (b). No chummeries in Lodi Colony are fully self-contained. For Double-room Chummeries which have

more space; rent is limited to 10 per cent. of emoluments, whereas for Single-room chummeries and for half portions of undivided double-rooms, rent is limited to 7½ per cent. of emoluments. The question of reducing the rent, especially for the double-room chummeries is under examination.

## TIRUCHIRAPALLI RADIO STATION

**1104. Shri Boovaraghasamy:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the strength of the transmitter installed in the Tiruchirapalli Radio Station; and

(b) whether it is a fact that the power of the present transmitter is inadequate?

**The Minister of Information and Broadcasting (Dr. Keekar):** (a) The power of the Tiruchirapalli medium-wave transmitter is 5 k.w.

(b) The present transmitter is adequate for the coverage for which it was originally planned. Provision for the substitution of a high-power transmitter for extended coverage is being considered in the next Five Year Plan.

## FISHING INDUSTRY

**1104-A. Th. Jugal Kishore Sinha:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any controversy between Bihar State and the Damodar Valley Corporation about the development and control of the fishing industry; and

(b) if so, the nature thereof?

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

(b) Does not arise.



## GOVERNMENT PROPERTY IN CANADA

**1104-B. Shri S. V. Ramaswamy:**  
Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is a proposal to sell the house belonging to the Government of India at Russel Hill Road, Toronto, Canada; and

(b) if so, the reasons therefor?

**The Deputy Minister of Commerce and Industry (Shri Kanungo):** (a)  
The house in question was sold in August, 1954.

(b) The property which was used as the residence of the Indian Trade Commissioner was no longer required after the closure of the Office of the Indian Government Trade Commissioner, Toronto.

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Vol. IV  
27th April, 1955 (Wednesday)

# LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)



*(Vol. IV contains Nos. 46—58)*

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LOK SABHA SECRETARIAT  
NEW DELHI

SIX ANNAS (INLAND)

TWO SHILLINGS (FOREIGN)

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LOK SABHA

Wednesday the 27th April, 1955

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-NINTH REPORT

Shri Altekhar (North Satara): I beg to present the Twenty-ninth Report of the Committee on Private Members' Bills and Resolutions.

CORRECTION OF ANSWER TO STARRED QUESTION

The Deputy Minister of Planning (Shri S. N. Mishra): With your permission, Sir, I wish to make a correction to the reply that I gave to one of the supplementary questions arising out of Starred Question No. 2282 asked by Shri Amar Singh Damar on 15th April 1955. To his question about the ratio of officials and non-officials in the Regional Committees, I replied that there were only non-official members in these Committees and that possibly only the Secretary of the Research Programmes Committee was the officer-member. The statement is correct so far as the Southern Regional Committee is concerned.

130 LSD—1

6538

But in the Regional Committee for the north, apart from the member-secretary of the Research Programmes Committee, there are two members who are officers. As the purpose of the Regional Sub-Committees is to provide technical guidance as and when needed, the official members represent technical competence and not any official point of view.

UNTOUCHABILITY (OFFENCES) BILL

Mr. Speaker: Before I call upon the hon. Home Minister to move his motion about the Untouchability (Offences) Bill, I would like to have from the House clarification or the determination about the allotment of time. The Business Advisory Committee has allotted in all 8 hours for the whole Bill. I find that there are 121 amendments, and there are a large number of amendments to clauses 3, 4, and 7; there are more than one amendment to other clauses also; but these are clauses which have the maximum number of amendments. So, it will be better, if the House wishes to have the Bill discussed properly, as I think it does ....

Several Hon. Members: Yes.

Mr. Speaker:.....to allot some time for the consideration motion, and then to allot time for the clause-by-clause consideration. Otherwise the consideration motion may go for long, and there will be no time or there will only be little time left for the clause-by-clause consideration.

I am entirely in the hands of the House. It is for the House to decide. I am merely making a suggestion as to what they should do.



**Shri S. S. More (Sholapur):** May I make a submission? This is a measure with some penal provisions, and it is a new type of measure. So I believe greater time should be allotted for the clause by clause consideration than for the general discussion, because general principles....

**Mr. Speaker:** What is the specific proposal of the hon. Member?

**Shri S. S. More:** I think out of the 8 hours that have been allotted, 2 hours may be given for the general discussion, and the rest of the time....

**Several Hon. Members:** No, no.

**Mr. Speaker:** Order, order. I am prepared to hear, but let not all try to speak at the same time.

**Shri S. S. More:** My submission is that the disabilities from which the unfortunate class of people suffer have been discussed in this House on so many occasions, but now the clauses will need more careful treatment, because they will have to be interpreted by courts. Unless we allot sufficient time for that I fear that the measure may be still-born, the measure may be a subject of litigation, and particularly the persons who enforce these disabilities being the richer sections they will take all these matters to the courts. So, from that point of view, in order to ensure that this measure shall be effectively implemented I say that let us subject the clauses to more careful scrutiny. I am not against any detailed discussion of the principles or disabilities. The recounting of the disabilities we have done sufficiently. But how can we remove those disabilities, or prevent those disabilities? That is the point.

**Mr. Speaker:** I am suggesting one thing more also, that we have to reserve some time for the third reading of the Bill. So it is not a question of division between the consideration motion and the clause-by-clause consideration; there is also the third reading which comes in that division. Let

us come to some equitable arrangement. Hon. Members need not advance arguments. They may just make their suggestions and say 2 hours, 3 hours, or 4 hours etc., so that we may not lose time; already time is running from the 8 hours that have been allotted.

**Shri Kasiwal (Kota—Jhalawar):** I suggest that for the consideration stage, there should be 4 hours. Most of the amendments that have come relate to only one matter, and that is either increase or decrease in punishment.

**Mr. Speaker:** The hon. Member need not argue. He suggests 4 hours for the consideration motion. How much for the clause by clause stage?

**Shri Kasiwal:** 3½ hours for that, and only ½ hour for the third reading.

**श्री पी० एन० राजभोज (शोलापुर—**  
रक्षित—अनुमोचित जातियाँ) : मैं कहना चाहता हूँ कि हम लोगों को कम से कम आठ घंटे जनरल डिस्कशन के लिये चाहियें और चार घंटे क्लॉज बाई क्लॉज कंसिडरेशन के लिये। चूँकि यह बिल बहुत इम्पॉर्टेंट है इस लिये हाउस से मेरी प्रार्थना है कि यह बिल क्लॉज बाई क्लॉज कंसिडरेशन में भी बहुत अच्छी तरह से डिस्कस होना चाहिये। इस में हम सब अछूतों की उन्नति का सवाल है।

**अध्यक्ष महोदय :** मैं आनरेबल मेम्बर की सद्विच्छा तो समझता हूँ, लेकिन बिजिनेस ऐंडवाइजरी कमेटी ने जो कुछ तय किया है और जिस को हाउस ने भी मान्यता प्रदान की है उस में अब परिवर्तन नहीं हो सकता है। जो कुछ करना है वह आठ घंटे के अन्दर ही होना चाहिये। अब बहस इतनी ही है कि समय के बारे में सदस्यों के क्या सुझाव हैं।

**Sardar Hukam Singh (Kapurthala—Bhatinda):** Four hours for the consideration stage, three hours for the

clauses and one hour for the third reading.

**Shri Jangde** (Bilaspur—Reserved—Sch. Castes): Five hours for the general discussion, 2½ hours for the clause by clause consideration, and ½ hour for the third reading. (*Interruptions*).

**Mr. Speaker:** Order, order. I have heard, and also noticed the consensus of view. I think looking to the voices and the desires of the Members.....

**Shri M. S. Gurupadaswamy** (Mysore): What is the average of all this?

**Mr. Speaker:** ....it appears to me, if we have it equitably, that we can have four hours for the general discussion, three hours for the clause by clause consideration, and one hour for the third reading.

Is the House agreeable to that?

**Hon. Members:** Yes.

**The Minister of Home Affairs** (Pandit G. B. Pant): I beg to move:

"That the Bill to prescribe punishment for the practice of untouchability or the enforcement of any disability arising therefrom, as reported by the Joint Committee, be taken into consideration."

I have great pleasure in placing this Bill, as it has emerged out of the deliberations of the Joint Committee, before the hon. Members of this House. Luckily it is one of those Bills, which has behind it the unanimous support of the entire House. I am certain that its passage will be hailed with great gratification not only by the hon. Members of Parliament, but also by all sensible people outside.

This Bill was introduced after considerable care. Before giving it a final shape, a draft Bill was published, and after that draft Bill had been scrutinised, the Bill in its original form was introduced in this House about a year ago, i.e. in March last year. The motion for reference to a Joint Committee was discussed for four days, and

ultimately with the unanimous approval of all Members, the Bill was committed to a Joint Committee of 40 Members, 33 of whom were nominated by this House.

The Joint Select Committee held 9 sittings and also examined some witnesses who are representatives of bodies engaged in the work which has given new hopes and cheer to the members who are mainly affected by this Bill. It has now come before the House in the shape given to it by the Joint Committee after considering all possible views placed before it and also after examining its *pros* and *cons* and also all clauses and every word of the original Bill.

The Joint Committee has not made many major changes. The changes that have been made are more or less of a minor character. The definition of 'untouchable' has been deleted and the sentence prescribed has been made more severe, imprisonment being compulsory in the case of a second offence committed by the same person. One more change of an important character has been made inasmuch as in the case of the members of the Scheduled Castes the burden of proving innocence will lie on the accused. But for these, the main features of the Bill as they were embodied in the original Bill have not been disturbed. There have been some verbal and other changes, but they do not affect the spirit or the substance of the Bill.

[MR. DEPUTY-SPEAKER in the Chair]

This measure, as the hon. Members are aware, has been introduced in compliance with the obligation imposed on this House by the Constitution. The Constitution, by article 17, abolished untouchability and also prescribed that Parliament will make offences that might involve any enforcement of social disability connected with untouchability, punishable. So, this Bill was brought in. 'Untouchability' thus does not exist in law. It has been abolished root

[Pandit G. B. Pant]

and branch, lock, stock and barrel, by the Constitution itself. That was but natural and proper. Gandhiji had devoted the whole of his life to the eradication of untouchability. The Congress had, as long ago as 1917, resolved that untouchability would be abrogated and no disability on the ground of anyone belonging to a particular caste would be tolerated. Subsequently many things happened. Hon. Members might be remembering the epoch-making fast of 1932 as a result of which a solemn pledge was taken by and on behalf of the so-called higher castes that untouchability would no longer find any asylum in this country and every citizen would strive his utmost to banish it from this land.

Since then a live movement has been conducted. Many temples have been opened and at least in most of the cities and towns untouchability is now only a thing of the past. But, I am sorry to say that untouchability still, in some form or other, lingers on in some places. It has, therefore, become necessary to pass a Bill so that those who still indulge in such an evil may be properly punished. The abolition of untouchability was a national measure. It is part of the Constitution itself. No one can be called or be regarded in law as an 'untouchable' in this land. This canker of untouchability has entered into the very vitals of our society. It is not only a blot on our religion—on the Hindu religion—but it has created intolerance, sectionalism and fissiparous tendencies. Many of the evils that we find in our society today are traceable to this heinous monstrosity. It is really strange that the Hindus with their sublime philosophy, with their merciful kindheartedness even towards insects should have been a party to such an intolerable dwarfing of manhood. Yet, it has been there for centuries and we have now to atone for it. It is our duty. Enlightened self-inter-

rest, apart from other considerations, calls for the immediate eradication of untouchability. We have accepted democracy. We have pledged ourselves to the principles of social, political and economic justice. We have also accepted the hallowed bases of modern society, namely; liberty, equality and fraternity. Our Constitution provides again and again for the evolution and development of measures which will lead to the uplift and elevation of every single citizen in our land. The idea of untouchability is entirely repugnant to the structure, the spirit and the provisions of our Constitution. It has also, while abolishing untouchability, made provision for positive measures needed for enabling the suppressed classes to make up for the accumulated arrears of past many centuries. The Constitution has taken particular care to emphasise the duty which rests on us.

This measure is only a small part. We will, by law, be providing for the punishment of persons who, as confirmed criminals, are still unable to overcome this vice. This has to be shunned now not only because it has vitiated our religion, it has degraded our notions of human brotherhood, but also because, in our own self-interest, in this age nothing can be more harmful to us than the existence of such an evil in our country.

South Africa has been notorious for its policy of segregation. With what face can we demand equality for all people, for all races, for all communities if we do not sustain the principle of human dignity in our own land? It becomes difficult for us to argue that we should be treated on terms of equality by foreigners when our own brethren do not receive similar respect from us here. So, for sustaining our own rights it has become essential to do so.

Then, we have accepted the democratic form of government. Democracy cannot thrive in an atmosphere

of inequality. Democratic equality is the basis on which alone the fabric of free India can be reared. So, we have to do everything to eliminate this canker, which has almost entered our very soul, as rapidly as we possibly can do it. The mere passing of the law will not be enough. We will have to exert ourselves, everyone of us, so that the law may come handy to supplement our widespread activities all over the land. I hope all Members of Parliament will see to it that wherever offences of this type are committed, the offenders do not escape punishment. But, more than that, we have to convert people to the new faith of social equality. We have to bring all within the compass of Indian brotherhood. We have to embrace every citizen in a way that there may be no feeling of any inferiority lingering anywhere in our country hereafter. It is towards that end that this Bill has been framed.

I would also like to appeal to those who have suffered because of this evil so far. This Bill does not apply to Hindus alone. It applies to all. This demon of untouchability was born of narrowness, of pettiness and not of social enlightenment counsels. We want to raise every citizen to his full height so that he may be a source of strength to our nation, so that everyone may serve as a pillar for this great shrine of India. It is to maintain unity, it is to ensure cohesion that we all have to strive and exert ourselves. This policy of segregation was born of intolerance, pettiness and, perhaps, arrogance. Let us not, while making efforts to get rid of this evil, do anything or say anything that may smack of partiality for segregation. Segregation is bad whether it is born of hatred or whether it is born of resentment and anger. We all have to live together as brothers and that has been the mandate of Gandhiji to everyone of us.

In the olden days, let us remember, those who suffered from these disabilities lived on friendly terms with

the ancestors of the other classes in spite of the disabilities of which they were the victims. More has been done to eradicate untouchability during the last 25 or 30 years than at any time during the last 1,500 or 2,000 years. We owe this movement of eradication of untouchability to those whose conscience was awakened and who, though belonging to the so-called upper classes, realised the sin that untouchability carried with it. So, if there has been an awakening, let us remember that it is not due to any class or section but to a national urge which is hankering after the unity of India and for upholding and sustaining the manhood of every single individual in this land. If untouchables, so-called, were maltreated, at a certain time during those days parents even throttled their own new-born infant daughters. Women were treated as untouchables in their own households. Husbands refused to take food cooked by them. They were not allowed to read the Vedas or to otherwise take part in various activities. So, if there was anything wrong, we have to attribute it, at least partly, to the degrading notions which were the features of the particular stage in our growth, development or deterioration. So, let there be no indignation now. Let us carry on the activities which will lead to the fulfilment of the dreams of Gandhiji, which will give solace to those who have laboured for this cause during the whole of their lives and who are today suffering immense torture because this evil has not yet been completely eradicated. We offer our heart-felt gratitude to those selfless workers and nationalists and we hope that all of us will join hands together hereafter so that this devil of untouchability may be exercised and banished from this land and all of us may live not only in peace and amity but as real brothers in the free democratic republic of India.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to prescribe punishment for the practice of untouchability or the enforcement

[Mr. Deputy-Speaker]

of any disability arising therefrom as reported by the Joint Committee, be taken into consideration."

There are two amendments for circulation. What is the need for circulation?

**Shri Sadhan Gupta** (Calcutta South-East): I am not moving it.

**Shri Velayudhan** (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Even in my dissenting note I have explained the position. That is why I want to move this amendment.

**Mr. Deputy-Speaker:** I am not going to allow the hon. Member to move it. I would like to be satisfied about its necessity.

**Shri Velayudhan:** I think you have not gone through my dissenting minute.

**Mr. Deputy-Speaker:** I have gone through it.

**Shri Velayudhan:** I have given an exhaustive minute of dissent about this particular Bill. I am going to explain it in another speech. I have come to the conclusion that the Bill as amended should be circulated for public opinion and referred again to a Select Committee.

**An Hon. Member:** Are you going to delay it?

**Shri Velayudhan:** The Bill which was originally introduced in the House was better than the Bill that has come as amended by the Joint Committee. That is why I want circulation. I am firmly of opinion that if anybody had gone through my dissenting minute, he would have accepted my motion.

**Mr. Deputy-Speaker:** If it has deteriorated before the Joint Committee, how would circulation help you? You have to set it right here.

**Shri S. S. More:** Circulated to what

**Mr. Deputy-Speaker:** From the report of the Joint Committee I find that this is a dilatory motion. I am not going to allow it for these reasons. The Bill was introduced in the Lok Sabha on the 15th March, 1954. The first sitting of the Committee was held on the 29th September, 1954. The Committee at this sitting decided to invite memoranda from public bodies, associations or individuals desirous of presenting their suggestions or views in connection with the Bill by the 21st October, 1954, and to hear their evidence if necessary. A Press Communique was accordingly issued. The Committee heard the evidence tendered. After consideration, the report of the Joint Committee is due after six months. To say that this must go again to the world at large for the purpose of eliciting opinion thereon notwithstanding the fact that they have had ample opportunities, when there are representatives like Shri Velayudhan here representing masses of the population, I say, is dilatory and I am not going to give my consent to this amendment.

A number of hon. Members want to take part in the discussion. Therefore, I shall allow 15 minutes for each hon. Member unless he is a special spokesman of any group in which case, he will have 20 minutes.

**Shri Achuthan** (Crangannur): I would suggest that those Members who have had an opportunity to speak before may not be given another opportunity.

**Mr. Deputy-Speaker:** Those hon. Members who have spoken before the Bill went to the Joint Committee will be set back and others will be given opportunities.

**Shri S. S. More:** I want to make a submission. We have had debates and discussions about untouchables, when we discuss some report of the Special Commissioner, etc. It has become the practice, almost the unwritten law of this House, that persons belonging to the untouchable community or the Scheduled Castes are

given preference. I would rather submit that it is not only their concern. It is more our concern. As far as implementing this measure is concerned, it will be our concern.

**Shri Velayudhan:** It may be that of the other side also.

**Shri S. S. More:** I hope Shri Velayudhan will hold his soul in patience. I know his anxiety in the matter. All are anxious to give protection to the depressed classes. Take, for instance, the prosecution.

**Mr. Deputy-Speaker:** No argument is necessary. Whether an hon. Member belongs to the Scheduled Castes or not, whether he is an untouchable or not, it is the concern of all the Members of the House. Every Member's vote is necessary. If he has any particular point of view, he has to place it before the House. Further, there is the other point. It is for people who have practised untouchability to say we will no longer do it and appeal to the rest of the community. Those that have suffered will also have an opportunity to say how this measure may not be adequate and how the suffering has to be relieved by some other measures also. I will have one eye for this and one eye for that and give equal opportunities for all sections of the House, subject to the time-limit and overall time-limit regarding this Bill.

**Shri Veeraswamy** (Mayuram—Reserved—Sch. Castes): Only the Members from the scheduled Castes could give suggestions as to the way in which untouchability could be abolished. So, I would request the Chair to give more chances to Members belonging to the Scheduled Castes so that they may express their views and give their suggestions to the House.

**Mr. Deputy-Speaker:** What the hon. Member says comes to this. The hon. Members belonging to the Scheduled Castes will have five minutes each so as to say how this measure could be

improved. They need not make long speeches and take much time of the House.

**Shri Achuthan:** I am very glad that in Independent India, 4 or 5 years after the new Constitution has come into force, we are able to come forward with this Bill, which according to me will have far-reaching effects on the Hindu society of India.

I do not want to go into the origin of this caste system. You know all that better than me. It may be that thousands of years ago—there may be difference of opinion—these caste systems and *varnasramas* were based on occupation or character, etc. I am not concerned with that. Suffice it to say that on account of these *chatur varnyam*, the Hindu society deteriorated to a very great extent and out of the Hindu population almost one-third belonged to these unfortunate brethren.

Even during the British period, though the Britishers were saying that they would not interfere with the religious practices and customs and manners of the people, attempts were made here by our reformers and a section of the Hindu society to get rid of this evil system. But, they had no far-reaching effects throughout India. When Swami Vivekananda was returning from America, he visited our State and said in a very pathetic mood that Kerala is a lunatic asylum and I would not wish to be there. That was the state of affairs because of the caste system which were prevalent there. So also in different parts of India, there was a tendency—I do not say that it was intentional—because of customs and manners practised by the upper class people to protect their interests, to quote authorities from Manu onwards that this custom had been perpetuated for the betterment and consolidation and salvation of that section of the community. That feeling was there.

Even in Travancore-Cochin, when the late Maharaja wanted to throw

[Shri Achuthan]

open the temples to the Harijans, he formed a committee under the presidency of Pandit Punnasi Nambi, one of the famous pandits. When he went throughout the State taking evidence, the whole brahmin section joined together and stated that if the temples are thrown open, the Ruler's family will decay. A few years afterwards, because of the work undertaken by the S. N. D. P. Yoga and Guru Sree Narayana, whose centenary was celebrated at Cochin under your distinguished presidency, a great change was brought about. I challenge on this question and I say that as a result of the work of the S. N. D. P. Yoga, Shri C. P. Ramaswami Ayyar's dewanship was able to throw open the Travancore temples to the Harijans 18 years ago, when the other States had not even thought of that.

**Shri Velayudhan:** Question.

**Shri Achuthan:** Eighteen years ago, the temples in Travancore were thrown open to the Harijans.

**Shri Velayudhan:** What about Gandhiji's movement?

**Shri Achuthan:** That movement was there during the last half a century or two or three decades. I do not deny that. The time was opportune. Gandhiji was doing that. The main purpose was to see that the Harijans and the down-trodden people are freed from these social and religious inequalities and brought to a higher level.

All governments are doing their best in that direction. I do not say that it will be possible to wash off the dark spots in no time. As everybody knows, it requires a mental renaissance and a change of social outlook of life. Even if you have extremely penal measures for contravening the law, unless whole sections of the people take it upon their head to see that this is a blot which cannot be perpetuated any more in this country, spectacular changes will not take place. It has got its economic aspect, its political aspect and its religious as-

pect. Because of the sufferings and difficulties undergone by these so-called untouchable people—nine or ten crores of poor people—for a number of centuries, how many of the greatest men we have lost? How many Vivekanandas, how many Mahatmajis, how many Ananthasayanam Ayyangars and how many Thakur Das Bhargavas we have lost on account of this? So that no minute can be spared, and the Central and State Governments should take adequate steps not only for putting into complete effect the provisions of this law, but for introducing economic and other measures and facilities in co-operation with all sections of Hindu society so that at least within a quarter of a century or ten or fifteen years, we will have a society, a Hindu society, in which there cannot be any distinction or any barrier regarding inter-marriages or inter-dining. Inter-marriages and inter-dining are two steps in the right direction. I can creditably say that the leader of the Communist Party, Shri A. K. Gopalan, though he belongs to the Nambiar community—some may say it was a political marriage—married from our caste; the Theyya community. I take pride in that and appreciate the spirit. If people from these higher castes come forward and take such steps without distinction of caste or creed and introduce such social reforms, what a model it will be for others to copy?

Now, I come to the provisions of the Bill. There are a number of legal enactments throughout India. Temple entry has become, so to say, an accomplished fact. But that is not enough. I am more concerned with economic, educational and political matters. When Shri Shanmukham Chetty was the Diwan, we invited him for a conference—the Backward Classes and Communities Conference—and he delivered a very wise speech. He said: 'You must not worship merely in temples; your worship must be in Legislative Assemblies and in secretariats. If you worship in

legislative assemblies and in secretariats more, your disabilities will disappear just like the dew disappears at the sight of the morning sun'. That is the position. We must see that in all offices, in all concerns, in all legislatures and Parliament due representation is given to these extremely down-trodden people. Had it not been for their sagacity, for their broad-mindedness, what would have been the position in India? This is a democracy with adult franchise. But what have they in this land? They are born slaves, they live like slaves and they die like slaves. What if a revolution comes to them? It is nothing for them. I bow a thousand times before our down-trodden brethren for their sagacity, their constructive approach, their creative mind. They have suffered for long. Let us mend matters as early as possible in a comprehensive way. That is the mission of congress also. I am certain that with a measure of this nature, many disabilities will be removed, and if each Member of this House and of the local legislatures takes it into his head to go to his or her constituency and have this programme implemented, that unless Hindus as a whole take up this matter as a public enemy No. 1, as the hon. Home Minister stated, this canker will kill the Hindu community, there is no doubt about the results. But the fact is that even Christians, when they see Hindus practising untouchability, have that practice in their community. They separate themselves from the so-called converts. I am really sorry that this is so, because Christians have got the highest ideals. A Christian power was ruling here. They had converted people to their faiths. Even they entertain such customs. They say that it exists in Madhya Pradesh. I do not know very much about it. They should have been eye-openers to us, they should have led us with regard to this reform because the Christian religion is noted for its catholicity. I am proud to say that among the Mohammedans in this respect there is real brotherhood. From the lowest

to the highest, from the beginning to the end, they have got this brotherhood and they stick to each other under any circumstances, and at any cost. (Interruptions)

So that our effort must be to see that from the lowest to the highest, from the social field or the governmental field or any field whatsoever, in no time this canker of untouchability is removed. Even though in this Bill there may be certain clauses which may require improvement, they are better than they were previously. But what is more required is that the spirit of the measures should be implemented in the country. That is a very serious matter. Unless the officers, the government, the public and the upper classes of Hindus take it into their head very seriously and sincerely to see that these measures are properly implemented, the effects will not be very substantial. There may only be improvement here and there. So I humbly request the House and the country that this occasion may not be left but made good use of, and Government must give directions to the State Governments and they must seriously take it upon themselves to see that the provisions of the Bill are properly administered and implemented, in the spirit in which they are intended. I am sure that even though Mahatmaji is not in our midst, at least a few years hence he might have been somewhere else—we, Hindus, believe in that. He can rest assured that we have got the highest culture. That is what I can say about Hindu philosophy; nobody can question it. It has got such a broad bundle of ideas from atheism to monotheism and so on. That is the position. Such thinking I have seen throughout. That is why we are proud of it. Even if there is only one human being born in this land 2500 years ago—I mean Buddha—and preached such ideas throughout the length and breadth of the country, that is sufficient justification for us. So that there is nothing wanting in our culture.



[Shri Achuthan]

Let us now see that as a result of the administration of this measure, there is a considerable decrease in the practice of untouchability in this country. I remember the efforts of Shri Kelappan who years ago undertook a satyagraha before the Guruvayur temple. Anybody will know about it. I was then a student in the intermediate class. Such people are held in honour and respect by thousands and lakhs of people. But there may be some communities, some sections of Hindus who because of their old practices, their customs, stereotyped manners and because of their narrow thinking cannot take a broad view. I hope that this measure will have the support of everybody and I am sure that by the introduction of this measure, India will be greater and better.

श्री नन्द लाल शर्मा (सीकर) :

नमोऽस्तु रामाय सलक्ष्मणाय

देव्यै च तस्यै जनकात्मजायै ।

नमोऽस्तु रुदेन्द्रयमा निलेभ्यो

नमोऽस्तु चन्द्रार्कमरुदगणेश्यै ॥

आज यहां पर मेरी स्थिति दो विरुद्ध दृष्टिकोणों के बीच में है। एक ओर तो अस्पृश्य कहलाने वाले मेरे हरिजन भाई हैं, जिनके बारे में कहा जाता है कि हम उनको घृणा की दृष्टि से देखते हैं। दूसरी ओर मेरे वे बन्धु हैं—चाहे वे कांग्रेस पक्ष के हों और चाहे किसी दूसरे पक्ष के—जो अपने आपको सो-काल्ड हायर कास्ट्स के नाम से पुकारते हैं और जिनके बारे में हमारे गृह मंत्री महोदय ने बार बार यह कहा है कि हायर कास्ट्स के लोगों ने जितने पाप किये हैं, उन्हें उनका प्रायश्चित्त करना है। मैं उन लोगों में से हूँ जो हायर कास्ट को इतना बुरा भी नहीं समझते हैं, यद्यपि हम एक बात में विश्वास रखते हैं कि जो मनुष्य अपने आप को “हायर” कहता है, ऊँचा कहता है, वह निश्चित रूप से गिर जाता है। हम हायर कास्ट के

अभिमान और अहंकार के सिद्धान्त पर विश्वास नहीं करते और उसको बिल्कुल उचित नहीं समझते। फिर भी मैं इतना जरूर कहना चाहता हूँ कि हिन्दू शास्त्र के साथ जो खिलवाड़ किया गया है और किया जा रहा है, वह अनुचित है।

पहली बात यह है कि बिल के प्रारम्भ में ही—पहले वाक्य में ही यह कहा गया है कि “A Bill to prescribe punishment for the practice of ‘Untouchability’.” परन्तु सारे विधेयक में कहीं भी इस शब्द “अन-टचेबिलिटी” की डेफ़ीनीशन नहीं दी गई है। यदि यह डेफ़ीनीशन दे दी जाती, तो हम समझ सकते थे कि किस उद्देश्य से यह विधेयक बनाया गया है। उस अनटचेबिलिटी को निरन्तर ईबिल के नाम से पुकारा जाता है—पाप के नाम से पुकारा जाता है, परन्तु उसकी डेफ़ीनीशन देना और उसके लक्षण बताना भी अत्यन्त आवश्यक है। मैं समझता हूँ कि सारे बिल में कहीं भी उसके लक्षण न बताना इस बिल का एक बहुत बड़ा दोष है। इस का परिणाम तो यही होगा कि हर एक व्यक्ति अपने अपने घर में बैठ कर, अपने अपने विचार के अनुसार, अपने अपने दृष्टिकोण से, अन-टचेबिलिटी—अस्पृश्यता—का अर्थ लगाता रहेगा और उस अनटचेबिलिटी को दंडनीय मानता रहेगा और मेरे जैसा व्यक्ति, जो कि स्वयं किसी न किसी रूप में अनटचेबिलिटी को स्वीकार करता हो और उसे विश्व का—प्रकृति का—एक सिद्धान्त मानता हो, उसका विरोध करता रहेगा। एक व्यक्ति समझता है कि यह मेरा विरोधी है और दूसरा कहता है कि यह बड़ा अच्छा है। अन्ततोगत्वा एक ही ईश्वर को मानते हुये भी हम दोनों को आपस में कहना पड़ेगा “My friend, your God is my devil.” [“मित्रवर,

तुम जिसको ईश्वर कहते हो, में उसको शैतान कहता हूँ।” इस तरह से काम चलेगा नहीं में अब भी गृह मन्त्री महोदय से निवेदन करूँ कि वह विधेयक में कहीं न कहीं अनटचेबिलिटी का लक्षण तो अवश्य दे दें और केवल किसी व्यक्ति-विशेष के ऊपर उसके विषय में निश्चय करने का अधिकार न छोड़ दें कि वह जिस तरह चाहे, उसके अर्थ लगाये।

मेरे मित्र श्री अच्युतन ने अभी दक्षिण भारत का एक स्वरूप हमारे सामने प्रस्तुत किया है। उत्तर भारत के रहने वालों को—और विशेष कर हम लोगों को, जो कि बहुत ऊपर उत्तर भारत में रहते हैं—इस सम्बन्ध में कोई विशेष ज्ञान नहीं है। लेकिन मैं एक बात निश्चित रूप से कहना चाहता हूँ कि हिन्दू धर्म ने “अनटचेबल” नाम की कोई जाति स्वीकार नहीं की है। यह बात में पहले भी कह चुका हूँ और आज फिर कहता हूँ। यह बात दूसरी है कि कोई विशेष कार्य करने से अथवा किन्हीं विशेष परिस्थितियों में ब्राह्मण भी अनटचेबल हो जाता है, अपनी माता और बहिन भी अनटचेबल हो जाती हैं। हमारे गृह मंत्री महोदय ने अभी संकेत किया कि हम अपनी माताओं को अनटचेबल मानते रहे हैं और हम लोगों ने उनको यह अधिकार नहीं दिया और वह अधिकार नहीं दिया। किसी विशेष समय में जिस वस्तु या व्यक्ति को डा० जयसूर्य की मेडीकल साइन्स भी अनटचेबल स्वीकार करे—जो स्वयं शास्त्रों से कोसों दूर है—, उसे अगर आप इस विधेयक के द्वारा अनटचेबल की श्रेणी में रख देंगे, तो बड़ी विचित्र स्थिति उत्पन्न हो जायगी। पहले-पहल जब डाक्टर अम्बेदेकर ने कान्स्टीट्यूशन के निर्माण के समय यह प्रश्न उठाया था, तो मैं ने कहा कि मास के चार दिनों में शास्त्रों ने स्त्री का सम्पर्क मनुष्य के लिये निषिद्ध किया है और

यदि अनटचेबिलिटी बाई ला समाप्त कर दो गई, तो उन दिनों में स्त्री को अनटचेबल मानने वाले व्यक्ति के विरुद्ध भी कार्यवाही की जा सकेगी। इसके प्रतिरिक्त जिस व्यक्ति ने उन दिनों उस स्त्री का संगम कर लिया और कोई पेशाब की बीमारी प्राप्त कर ली, तो कौन सा ला उसको उस बीमारी से छुड़ायेगा? मैं यह इसलिये निवेदन कर रहा हूँ कि “अनटचेबिलिटी” शब्द का अर्थ यह भी हो सकता है कि सोशल और पोलिटिकल लेवल पर किसी व्यक्ति-विशेष का अपमान करके उसके प्रति घृणा प्रकट करते हुये उसके साथ सम्पर्क का निषेध करना अनटचेबिलिटी का व्यवहार समझा जाय। यदि अनटचेबिलिटी का अर्थ यही है तो मैं बता देना चाहता हूँ कि मैं किसी व्यक्ति-विशेष के अपमान की दृष्टि से उसके साथ सम्पर्क के परित्याग के बिल्कुल विरुद्ध हूँ। मैं डंके की चोट से कह सकता हूँ कि हिन्दू धर्म में इस प्रकार की कोई बात नहीं है। मैं यह भी जानता हूँ कि आप कह सकते हैं कि फिर लोगों में यह भावना कैसे आ गई? परन्तु यदि लोग चलते चलते धर्म के नाम पर पाप करने लगे, तो क्या धर्म खराब हो गया? अगर वे मन्दिरों में पाप करने लगे, तो क्या मन्दिर खराब हो गये? रेलवे के एक्सीडेंट्स और हवाई जहाजों की दुर्घटनायें नित्य होती हैं, तो क्या इस कारण रेलवे और हवाई जहाजों का परित्याग कर देना चाहिये? ऐसा नहीं किया जाता है और न ही करना चाहिये। इसलिये उस साइन्स को भी भला बुरा नहीं कहा जा सकता है, जिसके रहते हुये भी व्यक्ति-विशेष में दोष आ सकता है।

अब बात रही डिसएबिलिटीज की। इस शब्द का अर्थ यह है कि किसी व्यक्ति-विशेष को पानी न पीने देना, कहीं बैठने न देना, ट्रेवल न करने देना, इत्यादि। जब

[श्री नन्द लाल शर्मा]

ऐसा सोशल और पोलिटिकल स्तर पर किया जाता है, तो मैं इसका विरोध करता हूँ। मैं यह भी स्वीकार करता हूँ कि हम दूध के बोये हुये नहीं हैं—अगर हम दूध के बोये होते, तो आज चारों ओर से अपने ही भाई-बहनों को कहना न पड़ता कि हम सो-काल्ड हायर कास्ट वालों ने पाप किये हैं। यह तो प्रकृति का धर्म है। एक्शन और उसका री-एक्शन चलता ही रहता है। जो जो हमारे दोष हैं, हमें उनको मानना चाहिये और उनके परिणाम भुगतने चाहियें। लेकिन साथ ही हम को यह भी समझ लेना चाहिये कि अगर किसी का नाक और कान है और पूँछ और सींग नहीं हैं, इसलिये उसमें सारी एबिलिटीज आ गई, ऐसा नहीं हो सकता है। एबिलिटीज और डिस-एबिलिटीज केवल स्वतन्त्र बुद्धि पर निर्भर नहीं करती हैं—वे शास्त्र के ऊपर भी निर्भर करती हैं। केवल स्वतन्त्र बुद्धि का आश्रय ले कर कोई कहे कि मैं ईश्वर का साक्षात्कार कर लूँगा, तो वह असम्भव है। बूँक कान सुन रहे हैं, केवल इसीलिये स्वतन्त्र बुद्धि यह निर्णय नहीं दे सकती कि यह खराब है और वह अच्छा है। क्या धर्म है और क्या अधर्म है, इसका निश्चय शास्त्र के अतिरिक्त और कौन कर सकता है? जिस का फल दूसरे जगत में आना है, मरने के बाद जिसको प्राप्त होना है, उसे और शास्त्र के पाठ का अध्ययन किसी स्थान पर किसी देवता की पूजा विशेष का जो नियम है, अथवा वेद का पाठ कोई मन्समूलर से सीखना और पढ़ना चाहे, तो वह चाहे कोई अछूत हो, मुसलमान हो, ईसाई हो, उसको कोई रोक नहीं सकता है। इसी प्रकार से मूर्ति की पवित्रता अथवा मन्दिरों में जा कर श्रद्धापूर्वक पूजन करने की बात है। मैं ऐसा नहीं कहता कि मेरे अस्पृश्य कहलाने वाले भाइयों को ऐसा

करने का अधिकार नहीं है। मैं इस “अस्पृश्य” शब्द का उपयोग करने के लिये क्षमा चाहता हूँ। हमारे धर्म ग्रन्थों में तो कहीं अस्पृश्य जाति का उल्लेख तक नहीं है। हमारे सारे साहित्य में कहीं इसका उल्लेख नहीं है। इस शब्द को गड़ कर सारी हिन्दू जाति को बदनाम करने का प्रयत्न किया गया है। इस दुष्प्रयत्न से हमको सावधान रहना चाहिये। लेकिन इसका यह अर्थ नहीं है कि जब मैं एकान्त में अपना पूजन करने को बैठूँ, जहाँ कि मेरा अपना पुत्र भी मेरा स्पर्श नहीं कर सकता, जहाँ मेरा अपना बन्धु भी मेरा स्पर्श नहीं कर सकता, वहाँ पर आकर कोई कहे कि मैं आपको.....

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श्री रघुनाथ सिंह (ज़िला बनारस—मध्य) : काशी विश्वनाथ के मन्दिर के बारे में आप क्या कहते हैं ?

श्री नन्द लाल शर्मा : श्री रघुनाथ सिंह काशी विश्वनाथ की भक्ति से तड़प रहे हैं। किन्तु वह इस बात पर ध्यान नहीं देते कि काशी विश्वनाथ के मन्दिर में विराजमान ज्योतिर्लिंग में और एक स्कल्पटर की दुकान में रखी हुई मूर्ति में क्या भेद है ?

एक माननीय सदस्य : बड़ा भेद है।

श्री नन्द लाल शर्मा : पब्लिक वरशिप की जगह मस्जिद है, पब्लिक वरशिप की जगह गिरजा है, पब्लिक वरशिप की जगह ग्रायं समाज मन्दिर है, पब्लिक वरशिप की जगह हिन्दू का मन्दिर है। लेकिन इसका यह अर्थ नहीं है कि मैं घंटा और घड़ियाल लेकर मस्जिद में जा कर “रघुपति राघव राजा राम” करने लगूँ। यह ठीक है कि मस्जिद पब्लिक वरशिप की जगह है और मैं भी कोई

बुरा काम नहीं कर रहा हूँ, लेकिन एक मुसलमान भाई मुझे ऐसा करने की अनुमति नहीं देगा, और उसका ऐसा करना ठीक भी है क्योंकि ऐसा करना उसके धर्म ग्रन्थों के सिद्धान्त के विरुद्ध है। इसीलिये मैं कहता हूँ कि स्कल्पटर की दुकान पर रखी हुई मूर्ति में और मन्दिर की मूर्ति में भेद है। और यह भेद किन्हीं सिद्धान्तों के अनुसार है। उन सिद्धान्तों के अनुसार यदि हम मन्दिर में विश्वास रखते हैं, पूजा करते हैं, और शास्त्रों के अनुसार उस पत्थर की मूर्ति में देवता तत्व मानते हैं, तो हमको काशी विश्वनाथ से लाभ होगा। जो इस सिद्धान्त को नहीं मानते हैं उनके लिये मन्दिर की मूर्ति में और स्कल्पटर की दुकान पर रखी हुई मूर्ति में कोई भेद नहीं है।

**एक माननीय सभ्य :** आपका क्या ख्याल है ?

**श्री नन्द लाल शर्मा :** मैं अपनी तरफ से कोई अपने शास्त्र का प्रवर्तन नहीं कर रहा हूँ। मेरा ख्याल तो वही है जो शास्त्र का ख्याल है। और शास्त्रों के विरुद्ध चलने वाले संविधान की दुहाई देते हैं। मैं ने अपना विचार तो स्पष्ट कर दिया कि यदि काशी विश्वनाथ के मन्दिर में हमारे द्विजातीय बन्धु जा सकते हैं तो हमारे दलित कहे जाने वाले बन्धु भी जा सकते हैं। हमने स्वयं उसकी पवित्रता की रक्षा के लिये नियम बनाया है। हमारे शास्त्र ने आज्ञा दी है : "तद्देव कला हानिः"। इसलिये हमारे ख्याल का प्रश्न नहीं है। हमें देखना यह है कि आप हिन्दू धर्म में विश्वास रख के मन्दिर में जाते हैं या किसी बहकाने वाले की बात में आकर उस मन्दिर में उसको नष्ट करने के लिये जाना चाहते हैं। इन दो बातों में बड़ा भेद है। यदि आपका मन्दिर में जाने का उद्देश्य वहाँ पर पूजा में विघ्न डालना है तो मैं समझता

हूँ कि आपका मन्दिर में विश्वास नहीं है और आप वहाँ की मर्यादा को नष्ट करने के लिये वहाँ जाते हैं। मैं ने पहले भी कहा कि इस प्रकार का प्रयत्न कुछ द्विजाति कहलाने वालों द्वारा किया जाता है जो कि हिन्दू धर्म की इस पद्धति को मिटाना चाहते हैं। यह कार्य सर्वथा अनुचित है।

हमारे राजभोज यह कहते हैं और डा० अम्बेडकर का भी यह कहना है कि केवल मन्दिर प्रवेश ही हमारी मंग नहीं है। हम तो देखते हैं कि लोग उन अस्पृश्य कहे जाने वाले भाइयों की रोटी खा रहे हैं और उन पर कोई प्रतिबन्ध नहीं है। आज एक ब्राह्मण "शर्मा शू फक्टरी" खोलता है और इस प्रकार हजारों चमारों का भोजन खा जाता है। हम कभी यह कोशिश नहीं करते कि उसको ऐसा करने से रोकें। जो उनकी रोटी को छीन रहा है उसको आप नहीं रोकते। आप तो गलत रास्ते पर चल कर शास्त्र के नियम को तोड़ना चाहते हैं। आप ठीक रास्ते पर चलने का उपाय नहीं करते। आपने आज इस "अस्पृश्य" शब्द को बनाया है और इसका प्रचार कर रहे हैं। मैं इसके प्रयोग को ठीक नहीं समझता। हमारे यहाँ किसी जाति को अस्पृश्य नहीं माना गया है।

So far as this institution is concerned, socially or politically, I am totally opposed to it. But so far as the question of my own worship, with regard to my spiritual sanctity is concerned, when I am not touching my son also, when I am not touching my wife and my other relatives.... ..

**An Hon. Member:** No. no.

**श्री नन्द लाल शर्मा :** मैं ने कई बार इस बात को पार्लियामेंट में कहा है। यहाँ पार्लियामेंट में जाने के बाद मेरे यहाँ

[श्री नन्द लाल शर्मा]

किसी के पुत्र हो गया था। उस समय मेरे एक मित्र मेरे यहां आये और He began to touch my feet, I did not, touch him and withdrew. उसको यह ध्यान आया कि Possibly I was treating him as an untouchable. I told him clearly to his face, "My friend, you will excuse me. I am an untouchable for the present."

मैंने उनसे कहा कि जब तक मेरा शरीर अपवित्र है तब तक मैं आपको नहीं छू सकता। ऐसी परिस्थिति में जब कि मैं अपने साथ भी पक्षपात नहीं करता हूं, और किसी से डर कर ऐसा नहीं करता हूं, तो यदि मैं इस सिद्धान्त को भूल कर विपरीत आचरण करने लूँ तो इससे मैं अपना सर्वनाश करूंगा।

इन शब्दों के साथ मैं अपने वर्तमान गृह-मंत्री जी तथा उनसे पूर्ववर्ती मंत्री जी, जिन्होंने इस विधेय को प्रस्तुत किया था, के उद्देश्य से सहमत हूँ। मैं तो कहता हूँ कि हमें इस "अस्पृश्य" शब्द का भी परित्याग कर देना चाहिये। उनके इन बन्धुओं को उठाने की भावना से और समाज में उनको समानता के अधिकार देने की भावना से मैं सोलहों आने सहमत हूँ। मैं फिर कहूंगा कि धार्मिक स्वतन्त्रता को स्वीकार करते हुये धर्म की पवित्रता को कायम रखा जाय और अनटचेबिलिटी को डिफाइन किया जाय और जो उसके विपरीत आचरण करे उसको अवश्य दंड दिया जाय। इस कार्य में हम आपकी हर प्रकार से, तन, मन, धन से सहायता और सहयोग करने का प्रयत्न करेंगे।

wish to support it strongly. The congressmen and the Congress Government deserve congratulations. But I would like to reserve my hearty congratulations till the effective implementation of this Bill. If no sincere, genuine effort for effective implementation comes up, I will not only withdraw my congratulations but condemn the Government for throwing dust into the eyes of the people for practising deliberate deception.

As a rule, social and moral reforms fall outside the domain of legislation but where an evil like this untouchability is so great, so long-lived and so shameful it must be fought on all fronts. This is a very serious Bill, it is concerned with the natural, civil and fundamental rights of large sections of humanity. It is not just that X should go into a hair-dressing saloon and have a shave or enter a restaurant and have some *rasagullas*. For that, you will have to put a good deal of money into the pockets of the untouchables, because empty pockets do not provide *rasagullas*.

The problem of the untouchables is a socio-economic problem, to use a very favourite expression of our defence expert Shri U. C. Patnaik. About the title of the Bill there has been a certain controversy. According to many, the word 'untouchability' has a bad odour, rather obnoxious. That is quite so. And they suggest that the Title should be changed to Civil Rights Protection Act, Civil Disabilities Removal Act, and the like. Personally I like this title, because it will be a constant reminder to Government and the people of this country of their great sin. And sin has a bad odour. Sin stinks very much. It is our duty to wash this sin off.

I wish to make a few suggestions about the implementation of this particular measure. This Act must be Centrally administered. Shri Datar will say, as he said in the other House, that it is the States' business, and that only in exceptional cases, the Centre

should administer the law in the States. He thinks that this untouchability is a normal feature, and not exceptional. And he will tell us as usual that the States will do everything in their power, and all will be well. Shri Datar takes too much after his ex-chief; his naive attitude, his selfcomplacent manner, and his hollow speech compels me to think that he should join the army of Army Ministers and form part of the Army dump. We should borrow, when we borrow, something that is essential and not something that is merely external. Do 'Gandhi caps really contain Gandhiji's brains, and Nehru jackets really contain Nehru heart? Somehow I feel confident that the new Home Minister will do something. He may be older in years, but he is younger and more healthy in his mind. After all as the good old saying goes, a man is as old as he feels and a woman is as old as she looks. He feels young, and with his fighting vigour he will be able to vanquish the worst social enemy—untouchability.

My suggestion is that more officers particularly in the police and the judiciary must come from the lower class, the Scheduled Castes and so on. And there must be a separate Central Ministry for the Scheduled Castes. It is no use our proudly flaunting the emblems and the symbol of Asoka. Asoka did set up a separate Ministry for the aborigines and the subject races

**Dr. Jaisoorya (Medak):** What is that book?

**Shri Khardekar:** I have brought H. G. Wells. I shall show it to you later.

As regards the punishments and how they should be effective and proper, I shall deal with that when we discuss the clauses, because I have a good deal to say on that point.

As regards the social aspect I have a magic remedy to propose, and overnight untouchability will come to an end. The best way for social and normal reforms is to set an example. And I propose that

from every higher caste family there should be one marriage with the lower caste, and because this is a moral reform, example is better than precept. We Members of Parliament should lead the way. The leader should give the lead.

**Mr. Deputy-Speaker:** I am afraid some are too old for it hereafter.

**Shri Khardekar:** The old will have old companions. This might sound as fantastic, because I, a very ordinary person, am saying it. I believe in learning something from history, and whatever I have learnt I shall keep for your consideration. I am reading from H. G. Wells' *The Outline of History*. The question posed was whether Alexander was a great man and a statesman or whether he was only a conqueror. H. G. Wells says in his book:

"Some students of his career assure us that he was; that now at Susa he planned a mighty world empire, seeing it not simple as a Macedonian conquest of the world, but as a melting together of racial traditions. He did one thing, at any rate, that gives colour to this idea; he held a great marriage feast, in which he and ninety of his generals and friends were married to Persian brides. He himself married a daughter of Darius, though already he possessed an Asiatic wife in Roxana, the daughter of the king of Samarkand. This wholesale wedding was made a very splendid festival, and at the same time all of his Macedonian soldiers, to the number of several thousands, who had married Asiatic brides, were given wedding gifts. This has been called the **Marriage of Europe and Asia**; the two continents were to be joined, wrote Plutarch, 'in lawful wedlock and by community of offspring'."

This noble example should be followed, and the higher and the lower castes should be joined in lawful wedlock and by community of offspring.

[Shri Khardekar]

I now come to consider one point raised by my hon. friend Shri Nand Lal Sharma. In certain respects I agree with him, and perhaps my Scheduled Caste brethren may not like it. I think the first thing that Government should do is to write to all the temple authorities and priests whether they agree to this measure or not. I am talking only about public temples. And if they say that they do not want the untouchables or the Scheduled Castes to enter, then Government should inform them clearly of the consequences of it. The whole property of these temples, along with the money paid for worship and so on should be taken up and used for the uplift of the Harijans, because in the case of those who are really after spiritual life and experience, money and property are impediments, and therefore it would be for the benefit of the spiritual people if we do that; in fact, we would be helping them by doing so. As for those who have spirituality on their lips, materialism in their heart, and plenty of money in their pockets, I think we should be very strict. If people think that temples become *bhrashta* or defiled because human beings enter, I actually think that if God has the choice of freedom of movement, God would not be in such temples, and he is bound to be outside. Although my hon. friend Shri S. S. More might have left the poor peasants and workers; God, as Tagore says, is with the tiller tilling his soil, and the stone-breaker breaking his stone.

Today I heard Shri Nand Lal Sharma's suggestion, why not make a Harijan the President of the nation. I had learnt a good suggestion from my hon. friend Shri N. C. Chatterjee, namely why not make Harijans Governors of some places. I accept this suggestion. Good suggestions should be accepted. But may I suggest to my hon. friend Shri N. C. Chatterjee that more important and more vital for the uplift of these people would be appointing one of them, or select-

ing one of them, or electing of them—that is not a very difficult thing—as the president of the Hindu Mahasabha?

**Shri V. G. Deshpande (Guna):** We will make you the president. We will offer it to you.

**Shri Khardekar:** No. I am not an untouchable. Your hearing also has gone wrong. There is my hon. friend Shri P. N. Rajabhoj there. He is now quite free from his Federation.

**Shri P. N. Rajabhoj:** I do not want it.

**Shri V. G. Deshpande:** We are prepared to have Dr. Ambedkar. You are also offered.

**Mr. Deputy-Speaker:** Hon. Members are talking among themselves, and the reporter finds it difficult.

**Shri Khardekar:** They are taking away my time which is very precious, because I speak very rarely.

There are some people who talk about a casteless society, about equality and so on, and Bills are being brought up for the purpose. I quite admit that we should come to a stage when we shall have a casteless society, when we shall have equality, and everybody will be equal. But the condition precedent to that is that those who are low and down-trodden should be brought up, and then equality and equality of rights should be established. If we try to have equality amongst unequals, and equality between a giant and a dwarf, it is an absurd sort of equality. Make the dwarf a giant, and then make them run a race or fight a battle. Sir, if there are four persons, for instance, who are to run a race and out of these four persons, one is injured, not by nature, but supposing the other three persons tried to cut one of his legs, and the one-legged person and the other three persons start running a race, naturally the poor lame person is bound to lose. Then you will say: "Well, we take according to merit and that rule should be observed". I do not remember exactly the sentence of Vivekananda,

but he said that if you have two plants at two places or you put one corn seed in a small pot and another seed in a big ditch with proper manure and water, the latter will grow into a mighty tree whereas the former will wither away and die after growing for about a foot in height. So, this kind of equality is absolutely absurd. Equality among unequals is a thing which either comes from prejudice or it comes from no real feeling for the unequal brothers.

Then, Sir, the main question is about the economic level. "Poverty", as Shaw said, "is a crime" and as a result of poverty so many difficulties arise. So, it is the duty of the Government to remove it in every way. That is why in some of my amendments I have stated that punishing a person for committing this offence is not enough. Because, take my example. I commit this offence. I may be able to give some work to half a dozen Harijans. If I am just fined Rs. 500 that does not mean much to me but I will see that some 500 or 600 Harijans or untouchables get into a lot of trouble. Therefore, one of the amendments that I am going to press is that not only should I be fined and imprisoned—minimum imprisonment must be three months—but that one-eighth of my property should be confiscated so that that property can be utilised for the uplift of those people. I may go against the interests of these people, but ultimately that property will bring them up.

Therefore, Sir, this is a problem of poverty and if we take it seriously poverty must be removed. First of all that magic remedy I have given of wedlock is there. Then this socio-economic remedy or economic remedy of giving them financial help, loans and so on must be used. Then, I think we may be able to get rid of this serious evil.

**Mr. Deputy-Speaker:** Shri K. S. Rao. I think the hon. Member will speak in Telugu.

**Shri K. S. Rao (Eluru—Reserved—Sch. Castes):** Yes.

**Shri Velayudhan:** Sir, We have some amendments.

**Mr. Deputy-Speaker:** I will come to those hon. Members later—persons who spoke earlier and those who were in the Joint Committee.

**Shri Velayudhan:** Nobody spoke earlier. Because we have given a dissenting note, will we not be allowed to speak?

**Mr. Deputy-Speaker:** Nobody can be guaranteed any time here in this House because there are 500 Members and there are only four hours. I will try to choose and give opportunity to all representative opinions.

**\*Shri K. S. Rao:** Sir. As a member of the Scheduled Class and as a member of the Party that is fighting social, economic and political injustice, I rise to speak on this Bill. It touches only one side of the problem, namely, 'untouchability' but the main problem of millions of families of the untouchables is not tackled by this Government.

Bills such as this used to be on the statute book, but they remain only as paper, never to be implemented. The millions of untouchables in our country are not in a position to make use of such laws. Why? They are not mere untouchables alone, but they are also the economically down-trodden people of our country. The untouchables are the wage-slaves of our country who are at the mercy of the propertied classes.

Take my own State. There the untouchables are the landless labour who live in the outskirts of the villages, who have no houses of their own to live, no land to till and no means to educate their children.

The Government never considers its duty to solve the root cause of this evil but on the other hand comes out openly to suppress any attempt by us at solving this basic problem. Thousands of acres of waste land and uncultivated land exist in the country both in the possession of the Government and the landlords. We have

\*English translation of the speech in Telugu.



[Shri K. S. Rao]

no houses. 8 to 10 of us are herded up in one room, that too mostly owned by the landlords. We made an appeal to the Government, conducted campaigns and even offered satyagraha that at least these waste lands owned by the Government may be given free to the untouchable landless labour.

A unanimous resolution was passed in the Assembly supporting our demand, but now when we tried to water these waste lands, lathi blows received us and jails were filled with men, women and children of our community. Why? Simply because we dared to implement a resolution passed by an Assembly and now the Central Government has advised them to sell these lands.

Our children cannot go to school, our women folk too have to work like slaves day and night along with us to get a meal a day and a hut in the outskirts of the village, that too depending on the whims and fancies of the landlords. There is the Constitution which guarantees every citizen, irrespective of sex and community, a vote. But this too has become a farce so far as we are concerned. Let me give you instances in Andhra where thousands of untouchables—agricultural labourers—were deprived of their right to exercise their votes because the landlords thought that their votes may not be in favour of the parties they like.

In west Godavari District in the villages of Kovvali, Chataparu, Doddipatla, the voters were threatened that if they go to polls they will be evicted from their lands. In places where they went to polls in spite of the threats, the landlords were resorting to all kinds of violent reprisals, such as beating in public with shoes as was done in Rajuchinnayapalli in Cuddapah.

We live at the mercy of the propertied classes and the landed interests. Usually it is they and their henchmen that want to ill-treat us. How can we challenge them in a court, which

means we ourselves must sacrifice all that we have? Hence I appeal to the Government to ponder over all this and come out straight with such acts which solve the basic problem. Give us an opportunity to live, provide us with land, give our children free education up to college level, allow us to live as citizens and then I am sure this social evil will go. Unless and until you do this no Acts of any government, State or Centre, are going to solve the problem.

**Shri Kakkan** (Madurai—Reserved—Sch. Castes): Sir, at the outset I congratulate the hon. Home Minister who moved this Bill. It is a well-known fact that the Congress Government alone can bring a measure of happiness to the people and also improve the social, economic and educational conditions of the harijans. It was left to the Congress to bring this Bill because, after all, the Father of the Nation has left us in the hands of the Congress and I think it is the duty of the Congress to bring such a Bill. The harijans cannot forget the good work done by the Congress, especially the Congress State. As you know, Sir, the Madras Government stands first in the eradication of untouchability. The Government of Madras has given the 'religious and charitable endowments's portfolio in the hands of a harijan. I think, to eradicate untouchability in the nook and corner of the villages, such portfolios must be given in the hands of harijans not only in the Centre, but in the States also. It is easy to pass the Act, but the Government of India and the State Governments should take necessary steps to enforce that. Government must create a separate department with special officers to enforce the Act in the nook and corner of the villages. You know, Sir, the Harijans are doing essential services to the society and especially for the Hindu community but their services are not appreciated. At the same time, they are being ill-treated. So, I think, the Government of India and the State Governments must create

a separate department to enforce the Act.

Mahatmaji, the Father of the Nation, prayed to God that if it was the Will of God that he should have a next birth, he should be born as a Harijan. He also wished that a Harijan lady must be the Janadhipati of this country. He did his best for the uplift of the Harijans and to eradicate the evil of untouchability. I think, the followers of Mahatmaji and also each and every representative of the people not only in Parliament but in the State Assemblies also must follow the footsteps of Mahatmaji to eradicate untouchability.

When the poor Harijans begin to get the benefit of the laws, they are compelled to submit to social boycotts and are beaten in some of the village areas. So, Government must take keen interest and direct the State Governments also to punish people for social boycott.

As I said, the Congress Government alone can do its best for the uplift of the Harijans. At the same time, I believe it is my duty to appeal to my Harijan brothers also to support the Congress Government so that we can get more benefits from the Government.

**Shri Veeraswamy:** If we oppose?

**Shri Kakkan:** I know some of the parties are misleading the Harijans by giving them false hopes. I want to tell on the floor of the House that the poor Harijans should not believe..

**Shri Velayudhan:** Please speak on the Bill.

**Shri Kakkan:** You do not know how poor Harijans are being misled in the villages. The Government are doing their best to eradicate untouchability. So, I say, in this connection—and I appeal to my Harijan brethren—that the Congress Governments are doing their best for the Harijan community and it is my

duty to appeal to the Harijans to support the Government so that they may get more benefits.

With these few words, I express my support to this Bill.

**Several Hon. Members rose—**

**Mr. Deputy-Speaker:** I will try to give every hon. Member a chance but I cannot extend the time.

**श्री कजरोल्कर (बम्बई नगर—उत्तर—)**  
रक्षित—अनुसूचित जातियां) : मैं समझता हूँ कि इस सेशन में आज का दिन बड़ा शुभ है कि यह अनटचेबिलिटी (आफ़ेन्स) बिल सभा के सामने आया है। हमारा कान्टी-च्यूशन —१९४९ में तैयार हो गया था। उसके छः बरस के बाद आज यह बिल हमारे सामने लाया गया है। इसके लिये जो देर लगी, उसके लिये मुझे दुःख होता है। जब हमारा कान्टीच्यूशन—पास हुआ था, तो उसमें हरिजनों के लिये दस बरस के लिये सेफ़-गार्ड रखे गये थे, उन दस बरसों में से ४ बरस तो चले गये और छः बरस बाक़ी हैं। जिस प्रगति से आज यह कार्य चल रहा है, उसको देखते हुये मैं नहीं समझता कि इस समय में हमारी सरकार और हमारी जनता की इच्छा पूरी हो सकेगी। फिर भी देर से ही सही, लेकिन आज यह बिल आ गया है, यह बड़ी खुशी की बात है। हजारों वर्ष से भारत में हिन्दू धर्म के ऊपर छुआछूत का यह कलंक रहा है, यह बात हम सब लोग जानते हैं।

हिन्दू धर्म में चार वर्ण थे : ब्राह्मण, क्षत्रिय, वैश्य और शूद्र, लेकिन कुछ मतलबी और सनातनी लोगों ने अपना स्वार्थ सिद्ध करने के लिये एक पाँचवाँ वर्ण “अतिशूद्र” भी बना दिया—जो सेवा का काम करते हैं उनको उन्होंने अछूत बना दिया। भगवान की कृपा से हमारे देश में पहले भी बड़े बड़े सन्त हो चुके हैं, जैसे तुकाराम, ज्ञानेश्वर,

### [श्री कजरोत्कर]

एकनाथ, रैदास, तुलसीदास और कबीर इत्यादि उन सब महान संतो ने अस्पृश्यता निवारण के लिए बहुत कार्य और प्रचार किया, और उसका काफी प्रभाव भी पड़ा। लेकिन महात्मा गांधी जी ने इस बारे में थोड़े ही सालों में जो क्रान्ति कर दी, वह पहले हजारों वर्षों में नहीं हो सकी। महात्मा गांधीजी ने हरिजनों के लिये जो कार्य और त्याग किया, उसके लिये हरिजन सदा उनके ऋणी रहेंगे।

महात्मा गांधीजी ने जो कुछ कहा, वह पहले कर के दिखलाया। बहुत से लोग प्लेटफार्म पर कुछ बोलते हैं, पर कार्य करने में पीछे रहते हैं। वे प्लेटफार्म पर बड़े बड़े लेक्चर देते हैं कि अस्पृश्यता मानना गुनाह है, पाप है, ऐसा मत करो, लेकिन जब घर जाते हैं, तो उनका व्यवहार वैसे का बंसा रह जाता है। वे कहते हैं कि "क्या करें? हमारी तो इच्छा है, लेकिन हमारी घर वाली सुनती नहीं है।" महात्मा जी ने ऐसा नहीं किया। उन्होंने हरिजन की लड़की—भंगी की लड़की—को अपनी पुत्री की तरह अपने घर में रखा और अपनी बच्ची की तरह पाला। एक दिन उनकी परीक्षा भी हो गई। कुछ बड़े बड़े लीडर वहां पर बैठे हुये थे। उसी वक्त लक्ष्मी—वही लड़की—बाहर आ गई और उनमें मुंह में एक पका हुआ आलू था। उसने आते ही कहा कि "बापू, बापू, तुम खाओगे?" सब लोगों ने देखा कि आलू आधा उस बच्ची के मुंह में था और आधा बाहर था। बापू जी ने कहा, "आ मुझे दे" और वह आलू उस बच्ची से ले कर खुद खा लिया। जैसा उन्होंने कहा, बंसा ही उन्होंने किया। "बोले तैसा चाले त्याची बंदाची पाऊले ॥"

हरिजनों की दिकते अब भी बहुत हैं। देहात में अभी भी हम लोगों को पानी की बड़ी

तकलीफ है। जानवारों को तो पानी मिल जाता है, लेकिन अभी भी बहुत सी जगहों पर हरिजनों को पानी नहीं मिलता है। कानून कायदे तो पास हो गये हैं और स्टेट गवर्नमेंटों ने भी पास किये हैं, लेकिन उन पर अमल नहीं होता है। और अमल करना किसके हाथ में है? यह भाग्य की बात है कि हमारे होम मिनिस्टर पंडित गोविन्द वल्लभ पन्त, जिन्होंने महात्मा जी के साथ काम किया है, को भी हमारे लिये हमदर्दी है। होम डिपार्टमेंट और पुलिस डिपार्टमेंट उनके ही हाथ में है। अगर पुलिस डिपार्टमेंट इन कायदे कानूनों पर पूरी तरह अमल नहीं करेगा, तो हमें अपने काम में कोई सफलता नहीं मिलेगी। आज देहात में राज्य किसका है? मैं यह तो नहीं कहता कि पंडित जवाहर लाल नेहरू का नहीं है, लेकिन वास्तव में वहां पर पटवारियों और पुलिस, का ही राज्य है। अगर किसी ने गुनाह किया तो लोग उनके पास ही जायेंगे। अगर उनकी सहानुभूति होगी, तो काम होगा, बरना नहीं।

तीसरी बात यह है कि कानून के साथ ही साथ प्रचार की भी बड़ी जरूरत है। मैं जानता हूँ कि अब हिन्दू समाज में बड़ी जागृति हो गई है। कान्टीब्यूशन के आर्टिकल १७ में अनटचेबिलिटी को समाप्त कर दिया गया है। लेकिन अब भी हमारे हिन्दू धर्म के जो अनपढ़ लोग हैं, उनमें जागृति नहीं हुई है। उनमें जागृति लाने के लिये बड़े प्रचार की आवश्यकता है। जब तक प्रचार नहीं होता है, तब तक पुराने रीति-रिवाज दूर नहीं होंगे और कानून कायदों का भी पूरा असर नहीं होगा। हमारी माताओं और स्त्रियों में भी इस प्रकार की बड़ी आवश्यकता है।

‘जिन्हा हाती पालण्याची दोरी ती जगाते उद्धारी’

अर्थात्, जिसके हाथ में बच्चों के झूले की डोरी है, वही दुनिया का उद्धार करेंगे। अस्पृश्यता निवारण का काम हमारी मातायें और स्त्रियां ज्यादा कर सकेंगी। तो मैं सबर्ण माताओं से प्रार्थना करूंगा कि यदि वे इस अस्पृश्यता निवारण के काम को अपने हाथ में लें तो यह कार्य सफल हो सकता है।

तीसरी बात यह कि अभी भी जो गन्दा काम है वह हम लोगों को ही करना पड़ता है। मैं आपको एक सुझाव देना चाहता हूँ कि जहाँ आपने यह नियम इस कानून में रखा है कि जो इसके विरुद्ध जायेगा उसको सजा दी जायेगी, वहाँ आप ऐसा भी रखें कि जो इसके अनुसार अच्छा काम करेगा उसको कुछ बत्तीस भी दी जायेगी। जिस गांव में अस्पृश्यता न हो उस गांव को सरकार को कुछ एनकरजमेंट देना चाहिये।

यह जो बिल सभा के सामने लाया गया है उसके लिये मैं सरकार को धन्यवाद देता हूँ और आशा करता हूँ कि इस पर जल्द से जल्द अमल होगा।

**श्री जागड़े :** मेरा क्षुद्र जीवन आज तक सामाजिक मुधार करते हुये और समाज में दर दर की ठोकरें खाते व्यतीत हुआ है। लेकिन आज जो मुझे चैन मिला है वैसा मुझे कभी मिलने वाला नहीं है।

आज हम हजारों साल से समाज में ठोकरें खा रहे हैं। लेकिन मैं आज यहाँ यह भावना लेकर नहीं आया हूँ कि हम हरिजन हिन्दुओं से बदला लेंगे और जो हजारों साल से उन्होंने हमारे साथ अत्याय किया है उसका प्रायश्चित्त करवा कर रहेंगे। हमें राजनीतिक आजादी मिल गयी लेकिन हमें रुढ़ियों से आजादी नहीं मिली है। आज इन रुढ़ियों से आजाद होने का प्रयत्न करने के लिये यह विधेयक लाये हैं।

जो आदमी व्यासा होता है वह चाहता है कि मैं घड़ा भर पानी पी जाऊँ लेकिन जब उसको पानी मिल जाता है तो थोड़े से ही उसकी तृप्ति हो जाती है। इसी प्रकार से हरिजन जो हजारों साल से सताये गये हैं वे चाहते हैं कि हमको बहुत कुछ मिल जाय लेकिन यदि आप इतनामान से काम करेंगे तो उनको थोड़े ही में तृप्ति हो जायेगी। हरिजनों ने हिन्दू समाज के अन्दर रह कर हजारों साल तक कुत्तों से बदतर जीवन बिताया है पर ईसाई बनना स्वीकार नहीं किया। तो आज अनुकूल परिस्थिति आने पर क्या हम आपके साथ सहयोग नहीं करेंगे। मैं समझता हूँ कि यह जो बिल आ रहा है यह हमारे करोड़ों लोगों के नेत्रों को खोल देने वाला बिल है।

हम लोग छुआछूत के रोग के रोगी हैं। और एक रोगी दूसरे रोगी के रोग को दूर नहीं कर सकता। मैं चाहता हूँ कि हमारे सबर्ण हिन्दू भाई इस रोग को दूर करने के लिये डाक्टर बनें। जब तक वह ऐसा नहीं करेंगे यह रोग मिटने वाला नहीं है। इसलिये मैं सबर्ण हिन्दुओं से प्रार्थना करूंगा कि वे डाक्टर बन कर तन्मयता से हमारे रोगों को दूर करने की चेष्टा करें।

किसी जमाने में ऐसी स्थिति रही होगी कि कुछ लोग समाज के बंधे हुये नियमों को नहीं मानते रहे होंगे और घृणित काम करते रहे होंगे इसलिये उनको अछूत मान लिया गया। लेकिन जिन्होंने उनको अछूत माना आज उनकी स्थिति क्या है? वह खुद दलदल में फँस गये हैं। बहुत से भाई जो आज मोक्ष के विरुद्ध आबाध उठाते हैं, जब सन् १९४२ में लड़ाई चल रही थी तो वे ही कसाई खानों का ठेका लिये हुये थे। तो आप समझ सकते हैं कि हमको इन चीजों को किस प्रकार देखना चाहिये।

[ श्री जांगड़े ]

यह कहां का न्याय है कि दलित जाति के भाई जो हजारों साल से ठुकराये जाने पर भी हिन्दू होने के नाते अपने धर्म पर कायम रहे उनको आदर और प्रतिष्ठा न मिले पर जिसने धर्म परिवर्तन कर लिया और ईसाई हो गया उसको प्रतिष्ठा मिले। हिन्दू समाज को इस बात को समझना चाहिये कि करोड़ों रिजन सब प्रकार का अपमान सहते हुये भी आज तक हिन्दू बने हुये हैं। आपको उन्हें अपनाना चाहिये।

बहुत लोग कहते हैं कि हिन्दू धर्म शाश्वत है उदार है मैं भी यह कहता हूं। पर जब इस धर्म में धूल के कण पड़े हैं तो कोई न कोई महात्मा उनको दूर करने के लिये पैदा हो गया है। जब जब धर्म पर संकट पड़ा है तब तब हिन्दू धर्म में परिवर्तन हुआ है। आज ये हजारों साल की रूढ़ियां सड़ चुकी हैं। इन सड़ी हुई रूढ़ियों को दूर करके हमें इस समाज की हड्डी को मजबूत बनाना चाहिये। हिन्दू जाति धर्म नहीं, हिन्दू समानता धर्म है। हमें समानता के आदर्श को लेकर आगे बढ़ना होगा।

मैं यह भी कहता हूं कि अनेक बुरे कर्मों में धर्म का या जातिपात का भेद नहीं माना जाता। पर धर्म के कण कण में छुआछूत मानी जाती है। इसके लिये मैं यही कहना चाहता हूं कि रस्सी जल तो गयी है पर उसकी ऐंठन नहीं गयी है। इस ऐंठन को दूर करने के लिये ही हमको इस बिल का उपयोग करना चाहिये।

हमारे बहुत से भाई कहते हैं कि कानून से क्या होगा आवश्यकता तो हृदय परिवर्तन की है। मैं भी इस बात को मानता हूं लेकिन मैं समझता हूं कि हमको हृदय परिवर्तन के साथ साथ कानून की भी जरूरत है। रामराज्य में भी हमें अनन्य का अनुसरण करना पड़ता था और

आज गांधी युग में भी हम कानून का अनुसरण करना होगा। बहुत सी अनैतिक प्रवृत्तियों को रोकने के लिए हमको कानून की आवश्यकता होती है। इसके साथ साथ हमें हृदय परिवर्तन की भी आवश्यकता है। आज जो विधेयक इस सभा में अस्पृश्यता निवारण के लिए लाया गया है उसे लेकर हमें आगे बढ़ना होगा। महात्मा बुद्ध ने प्यास लगने पर एक स्त्री से कहा कि मुझे पानी चाहिए, तो उसने कहा कि मैं तो चाण्डाल हूं। महात्मा बुद्ध ने कहा कि मैंने तुमसे पानी मांगा था तुम्हारी जाति नहीं मांगी थी। इस भावना को लेकर जब हम काम करेंगे तो हम सफल हो सकेंगे।

हिन्दू धर्म ऐसा धर्म नहीं है जो कि यह मानता हो कि जो अछूत होकर जन्म लेगा वह अछूत ही रह कर मरेगा भी। हमारे भाई कहते हैं कि हरिजनों को अपवित्रता की भावना के कारण मन्दिर में नहीं आने दिया जाता। मैं अनेक मठाधीशों को जानता हूं जो रोज देवता की पूजा करते हैं परन्तु उनके कर्म इतने खराब हैं कि वह कभी ईश्वर को नहीं प्राप्त हो सकते। पर वह हरिजन जो सच्चे दिल से केवल मन्दिर की सीढ़ी छूकर चला आता है वह ईश्वर को प्राप्त हो सकता है। आदमी अपने अच्छे और बुरे कर्मों के अनुसार ऊंचा और नीचा होता है, न कि जाति के अनुसार। इसी भावना को लेकर हमको काम करना होगा। हम उस पुजारी के घृणित कार्यों की प्रशंसा करें और हरिजनों को मन्दिर में प्रवेश न करने दें, यह उचित नहीं है। भगवान की दृष्टि में पुजारी और हरिजन दोनों समान हैं। उसके नेत्र सबके लिये खुले हुये हैं। मेरा तो मत है कि जिस मंदिर में हरिजन

लोग भगवान की पूजा नहीं कर सकते, वहां भगवान नहीं है, वहां तो बंधन में जकड़ा हुआ भगवान है। हमारे कुछ भाई हमसे कहते हैं कि समय का प्रवाह ही ऐसा है कि छुआछूत मिटती जा रही है, इसलिये कानून द्वारा इस तरह कोशिश करने की क्या जरूरत है और अब समय प्रतिकूल होता है तो यही भाई कहते हैं कि भाई क्या किया जाय, समय प्रतिकूल है कि चाहे हम हज़ारों, लाखों कोशिशें क्यों न करें, कुछ होने वाला नहीं है, तात्पर्य यह कि दोनों दशाओं में ये आदमी कोशिश करना नहीं चाहते। यह क्या बात हुई? जब समय प्रतिकूल है तो आप कहते हैं कि लाख कोशिश करने पर भी यह चीज नहीं हो सकती और जब समय अनुकूल हो तो कह देते हैं कि वह तो समय के प्रवाह के साथ ठीक हो जायेगी, उसमें कोशिश करने की जरूरत क्या है और इस तरह आपको आत्मशुद्धि करने का मौका कहाँ मिलता है। यज्ञ करने और आहुति लेने और आहुति देने दोनों में फर्क है। दूध का उफान आना वह आहुति लेना या आग लगना है। अपनी आत्मा के शुद्धिकरण के यज्ञ में अस्पृश्यता की आहुति देना यज्ञ करना कहलायेगा और यदि हमने ऐसा यज्ञ नहीं किया तो इस देश में सामाजिक बलवे होंगे और इन सामाजिक बलवों की आग में यह अस्पृश्यता का कलंक मिट कर रहेगा, परन्तु वह तो आग लगना ही गया, हम तो यज्ञ चाहते हैं। हज़ारों लाखों सालों से जो हमने अन्याय किये हैं हम उन को इस अस्पृश्यता को अपनी आत्मशुद्धि के यज्ञ में आहुति देकर समाप्त करना चाहते हैं। मैं अपने सबर्ण हिन्दू भाइयों से अनुरोध करूंगा और प्रार्थना करूंगा कि वह इस अस्पृश्यता की जो नीति है उसकी आहुति अपने आत्मशुद्धि के यज्ञ में दे दें और तभी हमारे देश और समाज का कल्याण हो सकता है।

अभी यह जो विधेयक हमारे सामने आया है उसके पालन के सम्बन्ध में मुझे कुछ कहना है। यह कानून तो पास हो जायेगा और हम सब लोगों की इच्छा है कि इस कानून पर पूरी तरह अमल हो पर जिन लोगों पर इस कानून को अमल में लाने का काम होता है वह अपना कर्तव्य ठीक तरह से नहीं पूरा करते और हमें यह देखना है कि यह कानून कितना अमल में आता है क्योंकि हमारा पिछला अनुभव हमें बताता है कि हरिजनों के लिये पिछले आठ दस साल में जो कानून बने उन पर जिस तरह से अमल होना चाहिये था अमल नहीं हुआ है और आप उनकी छानबीन करेंगे तो आपको पता चल जायेगा कि कितने मामले पकड़े गये, कितने केसों में चालान हुआ और कितनों में सजा हुई। हमने देखा है कि जो अधिकारी-गण हैं और पुलिस विभाग वाले हैं और जिन पर कि इसकी जिम्मेदारी आती है वे अपना काम ठीक तरह से नहीं करते। कितनी ही मर्तबा तो जब हमारे भाई लोग पुलिस में किसी ज्यादाती की रिपोर्ट लिखाने जाते हैं तो रिपोर्ट ही नहीं लिखी जाती और अगर लिखी भी जाती है तो होता यह है कि वे लिखाना कुछ चाहते हैं और रिपोर्ट कुछ और लिखी जाती है और रिपोर्ट दर्ज हो जाने के बाद भी पुलिस की तबीयत के ऊपर है कि उस मामले को हाथ में ले या न ले। मैं अपने गृह मंत्री का इस ओर ध्यान आकृष्ट करना चाहता हूँ कि वे अपने नीचे के पुलिस अधिकारियों को हिदायत करें कि वे इस तरह की उदासीनता की नीति अस्तित्व न करें और जिस तरह से संगीन मामलों में तत्परता से काम करते हैं उसी तरह इस अस्पृश्यता निवारण सम्बन्धी कानून को अमल में लाने के सम्बन्ध में भी काम करें और जब कभी कोई इस कानून की अवहेलना सम्बन्धी शिकायत उनके पास आये तो जांच पड़ताल

[श्री जांगड़े]

करने के बाद उसको रोकने के लिये कड़ा से कड़ा कदम उठाये। मैं समझता हूँ कि जब पुलिस विभाग इस तरह काम करेगा तभी हमारा कल्याण होगा नहीं तो एक नया इस तरह के कितने ही कानून हम यहां बैठकर पास कर दें हमारा मकसद पूरा होने वाला नहीं है। आज हमारी शिकायत है कि पुलिस विभाग और जिले के अधिकारीगण ठीक तरह से काम नहीं करते हैं और एक तरह की उदासीनता का व्यवहार करते हैं।

हमारे बहुत से भाई कहते हैं कि हरिजनों की समस्या छुआछूत की समस्या नहीं है, हमें तो उनकी आर्थिक गरीबी को दूर करना है, उन्हें शिक्षा के क्षेत्र में आगे बढ़ाना है, मैं मानता हूँ कि हरिजनों की समस्या आर्थिक और अशिक्षा की समस्या है, पर हरिजन भी आखिर मनुष्य होते हैं। हम केवल रोटी ही नहीं चाहते, रोटी के सिवा हम और चीजें भी चाहते हैं। हम इस विषयक को चाहते हैं, आज हर एक आदमी को अपने आत्मसम्मान का गौरव है इसलिये अपने आत्मसम्मान के गौरव के लिये हम चाहते हैं कि जिस तरह से स्वतन्त्र भारत में हर कोई स्वतन्त्रता के साथ अपने अधिकारों का उपयोग कर सकता है, अधिकार चाहे सामाजिक हों या व्यक्तिगत हों, बरलू हों या धार्मिक हों, जिस तरह से स्वतन्त्रता के साथ हम उनका उपयोग कर सकते हैं, उसी तरह इस देश का हर एक मानव उनका उपयोग कर सके, यही मेरे मन में अभिलाषा है। इतना कहते हुये मैं मंत्री महोदय से प्रार्थना करूंगा और इस सभा से प्रार्थना करूंगा कि भगवान् सब को सद्बुद्धि दे कर इस कलंक को जितनी जल्दी हो सके उतनी जल्दी मिटा दें क्योंकि जितने दिन तक यह कलंक हमारे बीच में विद्यमान रहेगा उतने दिन तक हमारा हिन्दुसमाज सड़ता रहेगा।

**Shri K. L. More (Kolhapur cum Satara—Reserved—Sch. Castes):** I am grateful to you for giving me this opportunity. I would not have intervened in this debate, but Shri Nand Lal Sharma has provoked me to take part. We have heard him so carefully. We still are in a position to believe that this untouchability still persists in such a very dangerous form that the present measure is a very effective justification for it. The Home Minister has just moved this Bill and in his speech has given full justification for it. As he has pointed out, this Bill has been introduced in compliance with the spirit of the Constitution. We see that the main objective of our Constitution is to achieve justice, social, economic and political, and to achieve this objective, it has been laid down in the fundamental principles that untouchability is abolished and its practice in any form is forbidden, and the enforcement of any disability arising out of untouchability shall be an offence punishable in accordance, and also that Parliament shall have power to make laws thereof. This measure has been brought according to the powers given to Parliament. So we should not suppose that there is something unheard of that has been done. It is in consonance with the spirit of the Constitution. I must observe here that it is this progressive Government that has been bold enough to bring this measure forward, because we find that there is still so much orthodoxy in the country that there is bound to be some opposition to it. Those people are likely to put difficulties in the way of the administration of this measure. But taking these dangers into consideration, this is the only progressive Government that has been bold enough to bring this measure forward.

Now the Home Minister has made it clear that this Bill is introduced for bringing about brotherhood among all the people of our country. The object of this Bill is to remove inequalities and to bring harmony

among the people. Therefore, my suggestion is this. In the implementation of this Bill, Government should take care that no bitterness is developed among the people because as we see, the Scheduled Castes Commissioner has very rightly observed that the Scheduled Castes—people for whom this Bill had been brought here—are in such a very precarious condition. It says:

"It must, however, be admitted that untouchability in one form or the other still persists in villages where superstition has become a conviction and tradition, a deep-rooted custom, fifth most of the villagers and orthodox people."

2 P.M.

The Scheduled Castes are economically so dependent upon the touchables or caste Hindus and an opinion was expressed that the implementation of the Bill was likely to affect them harmfully. Therefore, in the implementation of this Bill great care ought to be taken.

I appreciate some of the amendments introduced by the Joint Committee to the effect that the offences should be compoundable. I appreciate this view. Some hon. Members held that this measure was inadequate and could not give relief to the people and untouchability could not be effectively eradicated. But I hold that this Bill has been made so exhaustive and comprehensive that its proper implementation will go a long way to eradicate untouchability.

My hon. friend, Shri Khardekar, gave us a very magical remedy. We really believe in this but we feel that it is so difficult to achieve and I wonder how many years it will take. Even to remove just touching of man or just entering into a temple or a hotel it takes so much time and is fraught with so many difficulties. What to say of inter-caste marriages and all those things. I shall be the first person to welcome it if this is realised even in hundred years. I am

optimistic but still it is so difficult. The first thing that the Government should direct its attention to is to raise the economic level of the Scheduled Castes. We find in the villages and towns that the Scheduled Castes are too much dependent upon the so-called caste Hindus or touchables. We find that the houses are kept separate. They have not got the means of livelihood. How is it possible to bring about brotherhood among these people and wipe out this unhealthy thought in the minds of the touchables. Let us first expect at least the simple things to come. If that is achieved it will be a great thing.

So many suggestions had been made by our hon. friends that the method of persuasion is the most effective one. I hold that legislation and raising of the economic level of the Scheduled Castes are the only two effective remedies. Of these two, I shall give importance to economic development. If the conditions improve, the difficulties will automatically disappear. Legislation should be there because in a democratic country, legislation is the effective method. But along with legislation, a programme of economic development must be undertaken by the Government. With these two methods, persuasion shall follow. The measure that has been brought by the Government is very welcome not only by this House but also by the persons in the whole country. If we succeed in removing untouchability, it will be a great event far greater than any other that has up to this time been achieved.

We find that the most effective and the greatest reformist was Mahatma Gandhi. He took the lead. Therefore, we had reached such a stage. The Hindu Mahasabhis will care more for ants and some insects and some cows but they will not look to the interests of these people. So, I saw dissenting notes of our well known friends Shri N. C. Chatterjee and Shri V. G. Deshpande. They have supported the Bill but that is a disguised support....



**An Hon. Member:** It is their Bill.

**Shri K. L. More:** Their orthodox mind is reflected in every word. As my friend, Shri Khardekar, had said, if they will come to real action, then they will be very easily disclosed. Their mind is so orthodox. If they try to improve the *Dharama shastras* and religion on which they depend, it will go a long way. We do not find any programme in their party to eradicate untouchability. They will only say that Harijans are brothers but they will not do anything more.

So, I appeal to the hon. Members: let us not do such things that will develop bitterness among the people. The Scheduled Castes people will see that in the implementation of this Act the caste Hindus or the touchables would take a hearty part so that it might bring about the success of this measure. With these words, I support the Bill.

**Shri S. S. More:** I appreciate your sense in calling open me immediately after my namesake has spoken on a very important measure. I feel, Sir, that this measure is a welcome measure. The problem of untouchability is great and almost insoluble. Many people had referred in revered terms to the efforts of Mahatma Gandhi to eradicate this evil. I come from a State where there was a greater number of persons who were born in humble circumstances but who all the same directed their efforts towards the liberation of this unfortunate class. Mahatma Gandhi did his work of reformation in the 20th century but I can quote names, hallowed names, particularly the name of Mahatma Phule who did this in the first half of the 19th century, even before 1857. He started a school for giving education to the untouchables so to say in 1840 and all his life was spent in doing some good work for these down-trodden people.

I find that Shri V. G. Deshpande was careful enough to refer in his Minute of Decent to the name of Shri Savarkar as one of the champions in this cause. I do not feel that Shri

Deshpande is an ignorant person and that he does not know history. Yet I do not know how he missed the names, the two names of Mahatma Phule and Shri V. R. Shinde who also spent their whole lives in this cause and who would have had rosy prospects in their lives if they had not followed this arduous path. I do feel and appreciate whatever has been done by Mahatma Gandhi. I do agree with Mahatma Gandhi that this untouchability is a great curse. It is a great crime against humanity and I can also quote small paragraphs from the writings of Mahatma Gandhi. He said:

"The fight against untouchability is a religious fight. It is a fight for the recognition of human dignity. It is a fight for a mighty reform in Hinduism. It is a fight against the entrenched citadel of orthodoxy."

This is from *Young India* of the 5th February, 1925. Many of us are not properly appreciating the gravity and immensity of this problem. It is very easy to say, as they have said in article 17, that untouchability is abolished. Christ also said: "Let there be light" and light was there. But untouchability does not go so easily. What does article 17 say? It says, 'Untouchability' is abolished." Yet we find this demon of untouchability in all its sinister features and mischievous activities stalking the country. How can we eradicate this untouchability? It is one of the most poisonous weeds which has to be eradicated. But what is the sickle in our hand with which we can eradicate it as quickly as possible so that it shall not have any opportunity, in congenial atmosphere or climate, for further growth?

I have looked to the Bill. I have tried to study it both as a social reformer and as a lawyer. I am not in a position to share the optimistic hopes that were raised in this House or mentioned in this House. Shri Khardekar said he will not offer his hearty congratulations to the Home

Minister till he sees the effective implementation of this measure. But the relevant and the very important question is, is this Bill capable of effective implementation? I appreciate the motive; I appreciate the great desire, the keen desire, on the part of the party in power to take further steps for implementing and giving concrete form and shape to the pious motives, pious desires expressed in article 17. But can we, by this small measure, annihilate untouchability? That is my relevant question.

Now, as Mahatma Gandhi says, we have to fight against the entrenched citadel of orthodoxy, fight against the orthodox society. I say that every one of us has in his heart an entrenched citadel of orthodoxy. When we see the traditional superiority and privileges of the castes placed higher to our own caste, we become progressive, almost revolutionary, in our demand to bring down their superior caste to our level. But when we deal with the castes which are lower in arrangement in the social order, we become a citadel of orthodoxy and resist attempts to bring up those castes to the level of our castes. I am very outspoken when I speak against the Brahmins and with justification. But I find that many people who belong to the same class from which I come also become, in their own ignorance and in their love for tradition, the worst perpetrators, the perpetrators of the worst crime and yet I hesitate to criticise them. Why? I am supposed to have some parliamentary ambition, some legislative ambition. Now, who are the voters? What is the percentage of those who are perpetrating all sorts of atrocities against the Harijans? Who are they? They come from the lower strata of the caste Hindus. They constitute the majority of the voters and, therefore, nobody who wants their votes, can afford to offend them by attacking their orthodoxy. I shall narrate one or two instances. I was a Congressman then and I was the President of the District Board.

**Shri A. M. Thomas (Ernakulam):** Can you not again assume that position?

**Shri S. S. More:** Water supply was under my charge. There was a well in close proximity to Poona. It was not in a distant interior place of the country where disease and ignorance prevail. Some Congressmen, Harijan workers in their enthusiasm said: "Well, let us take some Harijans to the well and let them draw out water." I asked "what about the villagers?" They replied that all the villagers were Congressmen and they were members of the Congress Committee. I said: "You take your chance. I cannot say about the result but take your chance." They went in a procession to the well. That was the only well supplying water to the villagers. It was within the school precincts. But what happened? The first to go with the cudgels and big staffs in hand to break the heads of these Harijan workers were the President and the office-bearers of the Congress. They said: "We support the Congress as far as the liberation fight is concerned; as far as the liberation of untouchables is concerned, we are not in your camp. We are somewhere else." That was the feeling, and that was the incident of 1937 when we first came into power. In the first flush of our enthusiasm we said, "Let us do something very good" but we could not succeed. Of course, this instance which I quoted may be said to be a very old instance, because during the last twenty years we have registered some progress.

I will now give you a latest instance. There were famine conditions in 1953 in Sholapur district. I was visiting some of the villages and there were with me some workers who belonged to my party which is supposed to be Marxist in its outlook. I went to a village. What was the plight there? The Harijans came to me, I saw also certain non-Harijan villagers who had cast their votes for me. They were—I mean the Harijans who came there—in the poorest circumstances and they came in a pitiable

[Shri S. S. More]

manner without anybody looking after their comforts. They came in a very piteous manner with their hearts in anguish and they said, "We have got our difficulties." I asked: "What are your difficulties?" They said that the villagers were not allowing them to draw water from the well in the village. There was no water elsewhere. Those were the days of summer. The poor people were suffering from thirst. They could not draw water from any well except from the one which was available. What was the reaction of my workers? They said to me: "Mr. More, do not take up this cause. You are supported by these caste Hindus. These Harijans are complaining against the caste Hindus. It will be against your interests to take up their cause. If you help this cause you will alienate a large section of your voters." I am narrating all these experiences because I find that we are converting certain offences into criminal offences. But then who is going to be prosecuted? In a village of say 1,000 people, the Harijans would not be more than 100 or 200. They are socially depressed and economically poorer than the turkeys in summer. Viewed only from the economic point of view, are they in a position to take advantage of this measure? What happened to the Sarada Act? What happened to our Adulteration Acts? What happened to them will also happen to this measure? You say in one of the clauses that it will be a cognizable offence and it will be a compoundable offence with the permission of the court. But look to the lower strata of any department of government servants and will find that most of the persons—*patwaris*, *talatis*, *patils* and constables happen to be in the grip of orthodoxy. They are, so to say, the backbone of the orthodoxy practised in this country, and those persons will be the Government officers to implement this Act. Shri Pataskar would say, "Well, Mr. More, you do not seem to have read clause 12." The onus is cast

on the accused to prove the offence. It is very well to cast the onus on the accused, but who is going to draw the presumption? The Bill says it is the court. But the courts are presided over by persons not belonging to the Harijan community but by persons belonging to the highest strata of society, persons who have only academic qualification but no socially forward views or practical views. You recruit them for their academic qualification. You do not recruit them for social reforms. I submit that I do welcome this measure but all the same, my difficulties and my apprehensions are that it will be extremely difficult to implement this particular measure. We are all democrats. The elections are approaching fast, and everybody is trying to secure as large a support of as large a number of voters, and it will be against my interest, if I have a desire to come back, to go and champion the cause of the Harijans against a majority, a numerical majority, even an ignorant majority, having landed property.

It is not so much a question in cities, but the implementation of this measure will have to be taken to the villages. There the gentry of the villages, having all the prestige having all the lands in their hands, all the social influence in their hands, and possibly the Government officers' sympathy on their side, will be the persons against whom the poor Harijans will have to fight. This measure is something less than a broken reed with which they have to attack that sort of orthodoxy.

I do appreciate the effort, but at the same time I shall be doing great injustice to myself and to the cause for which I have the greatest love, if I do not express my misapprehension, and put Government on their guard so as to see that some positive efforts are made.

Shri Jawaharlal Nehru is very noted, and very much respected, for

saying unsavoury things which are not acceptable to the majority. If his words, on occasions, have to be carried into effect, even the other members of Government will have to be ready to draw the fire of popular wrath on themselves. Possibly they may lose power. Mahatmaji lost his life in a great cause. Possibly, Shri Pataskar may have to lose his power; he may have to lose his seat on the Treasury Benches.

**The Minister in the Ministry of Law (Shri Pataskar):** I am not afraid.

**Shri S. S. More:** But if he loses it for a great cause, his life will be worth living, and worth narration or worth recognition by the future historian.

With all these misapprehensions in my heart—I shall speak regarding the clauses as a lawyer when they are taken up—I do give my hearty support to this measure. I am not prepared to withhold it like my hon. friend Shri Khardekar, because the time will not come in my lifetime when I shall see that this measure is effectively implemented, because I find that it is very difficult to implement it at all, not to speak of effective implementation.

**श्री पी० एन० राजभोज :**

न जच्चा वसलोहोति

न जच्चा होति ब्राह्मण ।

कर्मणा वसला होति

कर्मणा होति ब्राह्मण ॥

जन्म से न कोई शुद्र होता है और न ब्राह्मण कर्म से ही मनुष्य शुद्र होता है और कर्म से ही ब्राह्मण । अभी हमारे राम राज्य परिषद् के भाई बोले । बात तो वह ठीक कहते हैं लेकिन वह दिल से यह नहीं चाहते कि मन्दिरों में दलितवर्ग का प्रवेश हो । सब लोग यह कहते हैं कि यह जाति पांत नहीं होनी चाहिये । हमारी सरकार के पास भी इसके लिये कार्यक्रम है । लेकिन मुझे यह

कहते हुये दुःख होता है कि आज स्वराज्य मिलने के इतने सालों बाद तक भी अस्पृश्यता निवारण का काम पूरा नहीं हुआ । मुझे दुःख है कि यह बिल इतनी देर से लाया गया । इसको इतनी देर क्यों लगी ? महात्मा जी भी कहते थे और हमारे दूसरे नेता लोग भी कहते हैं कि छुद्राछूत खत्म होनी चाहिये, लेकिन हमारी गवर्नमेंट की मैजनिरी बहुत धीमी चलती है । अभी तक अछूतों के लिये कुछ कार्य हुआ है लेकिन अभी उनको आर्थिक और सामाजिक दृष्टि से ऊंचा नहीं उठाया गया । देहात में यह मामला इतना बड़ा है कि हमारी सरकार उसके लिये कुछ नहीं कर पाती । अभी इस बारे में मोरे साहब ने कहा खड्कर साहब ने कहा और कांग्रेस वालों ने भी कहा । सब की सहानुभूति इसके साथ अवश्य है लेकिन इस पर अमल नहीं होता इसका मुझे दुःख है । अभी हमारे देशपांडे जी और चटर्जी साहब यहां पर थे । अभी चले गये हैं । ये लोग कमेटी में तो बहुत कुछ बोलते हैं लेकिन जब समय आता है तब वह बात नहीं रहती । इनका वही हाल है कि “मन में छुरी बगल में राम रघुपति राघव राजाराम ” । हमारे लिये सावरकर जी ने और डा० अम्बेडकर ने बहुत काम किया है ।

**श्री बी० जी० देशपांडे :** हम आपके कहने पर डा० अम्बेडकर को लेने के लिये तैयार हैं ।

**श्री पी० एन० राजभोज :** आपके पास हमारे लिये कोई प्रोग्राम नहीं है और दूसरी पार्टियों के पास भी नहीं है ।

**श्री धुलेकर (जिला शांसी—दक्षिण) :** कांग्रेस के पास है ।

**श्री पी० एन० राजभोज :** कांग्रेस के पास है लेकिन वह अमल में नहीं आता है । इस

[ श्री पी० एन० राजभोज ]

छुआछूत को दूर करने के लिये लोगों ने अपना जीवन दिया जिनमें मुख्य महात्मा गांधी, श्री सावरकर, साहू छत्रपति, कर्मवीर शिंदे, महाराजा सयाजी राव गायकवाड, जिन्होंने डा० अम्बेडकर को पढ़ने में सहायता की, आदि हैं। आपको आजादी मिली है लेकिन हमको अभी आजादी कहाँ मिली है। इस हाउस में लोग बहुत बातें कहते हैं लेकिन बाहर उनको अमल में नहीं लाते। खाड्कर साहब ने अभी तक शादी नहीं की है जब इंटरमैरिज होने लगेगा तो वे शादी करेंगे। मैं चाहता हूँ कि यह चीज देश से जल्दी उठ जाय तो देश सब तरह से आगे बढ़े।

हमारे सावरकर जी ने कहा था कि रोटी बन्दी, लोटी बन्दी, बेंटी बन्दी और भेंट (मिलना) बन्दी समाज से जानी चाहिये। जब तक यह चीजें दूर नहीं होंगी देश का भला नहीं होगा।

हमारे पंडित जी कहते हैं कि साउथ अफ्रीका से, अमरीका से और दूसरे देशों से जातिभेद खत्म होना चाहिये। यह ठीक है कि वह इस प्राबल्य को दूसरे देशों से दूर करने की कोशिश कर रहे हैं, लेकिन उनको अपने घरेलू मामलों की तरफ ज्यादा ध्यान देना चाहिये। इस के लिये उनको ज्यादा काम करना चाहिये। हम नहीं चाहते कि यहां पर अछूतों का मामला ऐसा का ऐसा ही रह जाय। जब तक जनता का दिल साफ नहीं होगा तब तक यह काम सफल नहीं हो सकता। केवल बिल पास होने से काम नहीं चल सकता, हृदय परिवर्तन होना चाहिये। हृदय परिवर्तन तो न हो और कबल ऊपर से बात करें ऐसा नहीं होना चाहिये।

मैं आज तीस वर्षों से अछूतों की सेवा कर रहा हूँ और मैं उनका एक छोटा सेवक

हूँ। इसके लिये मैं यह नहीं कहता कि मैं ऐसा करके कोई मेहरबानी कर रहा हूँ। मैं समाज के एक छोटे सेवक की भांति यह काम कर रहा हूँ और मेरी इच्छा है कि समाज की उन्नति हो। मैं कहना चाहता हूँ कि यह काम केवल बिल पास करने से नहीं होगा। हमें ऐसा प्रयत्न करना चाहिये ताकि हरिजनों को जमीन मिले, मकान मिलें। उनको नौकरियां मिलें। आज हमारा एक भी हरिजन गवर्नर नहीं है, कोई अस्पृश्य वर्ग का एम्बेसेडर नहीं है। फारिन सरविस में ईसाई हैं, मुसलमान भी हैं, लेकिन दलित वर्ग नहीं हैं। हमारे यहां अछूतों में ऊंचे दरजे के पढ़े लिखे लोग हैं। यदि आप उनको आगे बढ़ाना चाहते हैं तो आप उनको क्यों नहीं रखते? यह काम केवल बिल पास करने से नहीं होगा। यह ठीक है कि बिल भी पास होना चाहिये, लेकिन सरकार को हमारी आर्थिक उन्नति के लिये भी योजना बनानी चाहिये जिससे जो अछूत गुलामों और कुत्तों का जीवन बिता रहे हैं वह उठें। उनको मकान मिलने चाहिये, जमीन मिलनी चाहिये और उनको कानूनी सलाह मुफ्त मिलनी चाहिये।

[SHRI BARMAN in the Chair]

अछूत वर्ग को जो लोग देहातों में तक्र-लीफ़ देते हैं उनको ६ महीने से ज्यादा सजा होनी चाहिये। आपने इस आफेंस को कम्पाउंडे-बिल रखा है। देहातों में अछूतों की संख्या कम रहती है और दूसरे हिन्दुओं की ज्यादा रहती है। वे लोग अछूतों पर दबाव डालते हैं और उनको समझौता करना पड़ता है। हमको देहातों में गवाही देने वाले नहीं मिलते। हरिजनों की बस्ती अलग रखी जाती है, उसमें सेनीटीशन तक नहीं होता। उनको स्वस्थ रखने के लिये उनकी बस्ती में सफाई

होनी चाहिये, वहां पानी का इन्तजाम होना चाहिये और दूसरी चीजों का इन्तजाम होना चाहिये ।

अब गांवों में ग्राम पंचायतें बन गयी हैं, लेकिन उनका अछूतों पर इतना दबाव रहता है कि अछूत अपना सिर नहीं उठा सकते ।

आज हम अछूतों का जीवन बड़ा कष्टमय और दुःखमय है । मेरी प्रार्थना है कि जैसा हमारे भाई खड्कर साहब ने कहा कि जहां आप लाखों, करोड़ों रुपये तरह-तरह के कामों पर खर्च कर रहे हैं, वहां इस समस्या को हल करने के लिये एक सेप्रेट मिनिस्ट्री बना दीजिये जो एक्सक्लूजिवली हरिजन उद्धार का काम अपने हाथ में ले । रेफ्यूजीज के वास्ते आपने एक अलग मिनिस्ट्री बनाई और करोड़ों रुपये खर्च कर डाले और सब दृष्टियों से उनकी प्राबल्य खत्म हो गयी, उसी तरह आप हरिजनों के वास्ते क्यों नहीं एक अलग विभाग कायम कर देते और मैं एक मर्तबा नहीं अनेकों बार इस हाउस में प्रार्थना कर चुका हूं लेकिन अफसोस का मुकाम है कि हमारी प्रार्थना पर आज तक कोई सुनवाई नहीं हुई और गवर्नमेंट सोई पड़ी है, जरूरत इस बात की है कि गवर्नमेंट अपनी गफलत को छोड़े और हरिजनों के वास्ते अलग मिनिस्ट्री बनाये जो उनकी मकान, आर्थिक, शिक्षा, सामाजिक तथा अन्य अनेकों कठिनाइयों को हल करने में जुट जाय ।

हरिजनों में शिक्षा प्रचार की बहुत आवश्यकता है और सरकार को उनकी कम्पलसरी मुफ्त शिक्षा प्राइमरी स्टेज से युनिवर्सिटी शिक्षा तक देने का प्रबन्ध करना चाहिये । मैं इससे इन्कार नहीं करता कि गवर्नमेंट ने शिक्षा के क्षेत्र में हरिजनों के वास्ते कुछ किया है, हरिजनों को कुछ स्कालर-

शिप्स दिये जाते हैं लेकिन केवल इतना ही पर्याप्त नहीं है, आज सरकारी नौकरियों में हालांकि रिजर्वेशन मौजूद है लेकिन हरिजनों की संख्या बहुत कम है और जब कभी हम होम मिनिस्टर साहब का उस ओर ध्यान दिलाते भी हैं तो कह दिया जाता है कि हमें हरिजनों से फुल सिम्पैथी है और जल्द से जल्द हम यह सवाल हल करदेंगे लेकिन मैं उनसे कहना चाहता हूं कि खाली बातों से तो कुछ नहीं होगा और मेरी तो हाउस से प्रार्थना है कि जिस तरह से मुआविजा सम्बन्धी कानून में संशोधन हो रहा है उसी तरह में चाहूंगा कि हमारे जो अछूत भूमिहीन हैं और मजदूर हैं उनके लिये मिनिमम वेजेज ऐक्ट बनाने की आवश्यकता है । सरकार के पास अगर हरिजनों को सहायता करने के लिये पैसा कम है तो नमक के ऊपर टैक्स लगा कर कमी को पूरा करे इसके अलावा मिलेटरी के सम्बन्ध में लाखों और करोड़ों रुपये व्यय होते हैं उस व्यय में कुछ कमी करके जो पैसा बचे उसे अछूतों-द्वारा के कार्य में आप लगा सकते हैं । जहां मैं सबर्ण हिन्दू भाइयों से हरिजनों की सहायता करने के लिये कहता हूं वहां मैं अपने हरिजन भाइयों से भी कहना चाहता हूं कि उनको अपने पैरों पर खड़े होने की कोशिश करनी चाहिये और अपने को मुधारने का प्रयत्न करना चाहिये जब तक हम लोग स्वयं त्याग करने को तैयार नहीं होते तब तक दूसरों से ऐसा करने के लिये हम किस मुह से कह सकते हैं ? हिन्दू धर्म की रूढ़ि हमारे खुद अपने बीच में भी जाति पात का भेदभाव है, कई प्रकार की छोटी जातियां हैं और उनको खत्म करने के लिये हमें आप लोगों का सहयोग चाहिये, आपस में सहयोग करने से और कोआपरेशन करने से यह जाति पात का मामला हमारे बीच से खत्म हो जायेगा । कुछ लोग ऐसा समझते हैं कि धर्म परिवर्तन

[श्री पी० एन० राजभोज]

करने से अछूतों का मामला हल हो जायेगा लेकिन मैं ऐसा नहीं समझता और हम देखते हैं कि जो हमारे भाई लोग मुसलमान बन गये वह वहां अछूत मुसलमान हैं और जो ईसाई बन गये वह ईसाई अछूत हो गये हैं। हमारे जो महार भाई ईसाई बन गये हैं उनकी हालत पहले ही जैसी है उसमें कोई सुधार नहीं हुआ है। मुझे मालूम है कि इन मिशनरीज को काफी आर्थिक सहायता मिलती है और उनके पास काफी फंड्स रहते हैं लेकिन कोई धर्म परिवर्तन कर लेने से अछूतपने की समस्या हल नहीं हो जाती है। आर्थिक, सामाजिक और दूसरी अन्य कठिनाइयां तो बनी ही रहती हैं। यह ठीक है कि हम बुद्ध धर्म को मानते हैं, उसके तत्व अच्छे हैं और उन तत्वों को अमल में लाने के लिये हम जरूर कोशिश करेंगे लेकिन धर्म परिवर्तन में मेरा विश्वास नहीं है। हमारे सामने आर्थिक और सामाजिक सवाल सबसे बड़ा है। आप लोग कहते हैं कि आर्थिक सुधार होने से सब कुछ हो जायेगा लेकिन मैं समझता हूं कि सामाजिक सुधार होना बहुत आवश्यक है और सामाजिक सुधार करने के हेतु हमें भी ज्यादा धर्म और परिधर्म करने की जरूरत है।

**एक माननीय सदस्य :** बौद्ध धर्म स्वीकार कर लीजिये।

**श्री पी० एन० राजभोज :** ठीक है जिनको बौद्ध धर्म अंगीकार करना होगा वह उसे ग्रहण कर लेंगे लेकिन धर्म परिवर्तन मात्र से हरिजनों की आर्थिक और सामाजिक उन्नति नहीं होगी। जहां तक बौद्ध धर्म का सम्बन्ध है उसके तत्व बहुत अच्छे हैं और जो पंचशील के सिद्धान्त हैं उनको अमल में लाने से नुकसान नहीं होगा।

मैं समझता हूं कि यह जो इसमें ६ महीने की सजा का प्राविजन रखा गया है यह

एक कम्प्रोमाइज की तौर पर रखा गया है। मेरी प्रार्थना है कि इस मामले में कोई कम्प्रोमाइज नहीं होना चाहिये और यह मियाद बढ़ायी जानी चाहिये और अपराधी तत्वों को कड़ा से कड़ा दण्ड मिलना चाहिये। यह दंड का विधान एक रास्ता है जिसके जरिये हम इस अभिशाप को समाप्त करना चाहते हैं और मैं अच्छी तरह जानता हूं कि अपराधी हिन्दुओं को जेल में डाल देने भर से यह समस्या हल नहीं हो जायेगी और उसी तरह मैं यह भी समझता हूं कि न मत परिवर्तन करने से इस समस्या को हल किया जा सकता है। जरूरत इस बात के देखने की है कि जो कानून हम पास करने जा रहे हैं उस पर ठीक तरह से देश भर में अमल हो।

अब मैं थोड़ा इस कानून की व्याख्या पर आता हूं। व्याख्या में दिया हुआ है कि इस खंड और खंड ४ के लिये हिन्दू धर्म के किसी भी रूप या इस के विकास को मानने वाला सिक्ख, जैन, बौद्ध, बीर शैव, लिगायत आदिवासी ब्राह्म प्रार्थना और आर्य समाज के अनुयायियों समेत हिन्दू धर्म का मानने वाला माना जायेगा। संशोधन में यह अभिनियम लागू होता है कि किसी भी व्यक्ति को जो धर्म के किसी रूप या विकास द्वारा हिन्दू हो जिसमें बीर शैव, लिगायत या ब्राह्म प्रार्थना या आर्य समाज के अनुयायी सम्मिलित हैं। किसी व्यक्ति को जो कि धर्म द्वारा बौद्ध, जैन या सिक्ख है और क्योंकि जैन धर्म अत्यन्त प्राचीन धर्म है हिन्दू धर्म से भी प्राचीन है और एक सर्वथा स्वतन्त्र धर्म है। किसी भी अन्य धर्म की शाखा नहीं है और न किसी का रूप या विकास है मेरी प्रार्थना है कि हर एक को उसके मजहब में अलग अलग रखने की आवश्यकता है और इसके लिये मैं ने एक अमेंडमेंट भी दिया है और अमेंडमेंट्स पर डिस्कशन के वक्त

अगर मुझे बोलने का अवसर दिया गया तो मैं उसके लिये जोर दूंगा।

**श्री पाटस्कर :** आपका क्या कहना है ?

**Mr. Chairman :** Let the hon. Member continue and finish his speech.

**श्री पी० एन० राजभोज :** एक सेप्रेट मंत्रालय हरिजनों के लिये बनाना चाहिये बड़ी बड़ी सरकारी नौकरियों में मिनिमम क्वालीफिकेशन वाले हरिजनों को रखना चाहिये और यह देखना चाहिये कि जो उनको रिजर्वेशन मिला हुआ है वह ठीक तरह से अमल में आता है। पंचवर्षीय योजना में अछूतों का उद्धार करने के लिये और उनकी सामाजिक और आर्थिक तरक्की करने के लिये सरकार को काफ़ी रकम रखनी चाहिये। इसके अतिरिक्त हमारे पास अनेक शिकायतें आई हैं कि पार्ट सी० स्टेट्स में हरिजनों की बड़ी खराब दशा है और उनकी दशा सुधारने के लिये वहां कुछ प्रयत्न नहीं हो रहा है। मैं अपने गृह विभाग से प्रार्थना करूंगा कि पार्ट सी० स्टेट्स को इस बात के लिये सख्त ताक़ीद की जाय कि वह हरिजनों की दशा सुधारने के लिये परिश्रम करे अन्यथा उन स्टेट्स को एबोलिश कर दिया जाय। इतना कह कर जो मैं ने अमेंडमेंट दिया है उस पर अगर मुझे सेकेंड रीडिंग के वक्त बोलने का अवसर दिया तो अपने विचार विस्तार से प्रकट करूंगा। बस अब मैं अपनी बात खत्म करता हूं और सभापति महोदय ने जो मुझे बोलने का अवसर दिया उसके लिये उन्हें धन्यवाद देता हूं।

**श्रीमती कमलेंद्रमति शाह (जिला गढ़वाल—पश्चिम व जिला टिहरी गढ़वाल व जिला बिजनौर—उत्तर) :** सभापति महोदय, आपने जो मुझे बोलने का अवसर दिया, उसके लिये मैं आपको धन्यवाद देती हूं। मुझे खुशी हो रही है कि आज मैं उन पिछड़े हुये लोगों के सम्बन्ध में कुछ कह सकूंगी जिन्हें कि हरिजन कहा जाता है, हालांकि देखा

जाय तो वह समाज के एक बहुत मुख्य और आवश्यक अंग हैं।

मैं अपने क्षेत्र के बारे में आपको बतलाऊंगी कि पहले क्या हालत थी और अब क्या हालत हो रही है। पहले हमारे यहां सवर्ण हिन्दू और हरिजन लोग आपस में बड़े मेल जोल से रहते थे और इतने मेल से रहते थे कि एक के बिना दूसरे का काम नहीं चल सकता था और यहां तक था कि किसी देवता का आह्वान करना हो, कहीं शादी विवाह हो अथवा कुछ भी मंगल कार्य हो तो सब से पहले हरिजन द्वारा पर आता था, उसके बग़ैर कुछ काम नहीं होता था। यदि देवता का आह्वान करना होता था तो पहले उनकी तरफ़ से देवता का आह्वान किया जाता था तब दूसरे सवर्ण हिन्दू चलते थे, कहने का मतलब यह कि इस तरह प्रेम-पूर्वक भाई भाई की तरह मिल कर रहते थे और इतना प्रेम बढ़ा हुआ था कि सवर्ण हिन्दू पहले हरिजन के लिये अपने खाने में हिस्सा अलग कर के तब खाता था, आज की जैसी हालत पहले नहीं थी। उसके बाद एक बड़ी भारी क्रान्तिकारी आंधी आई और उस आंधी में सबों ने अपना अपना मतलब साधना शुरू किया। जब आंधी साफ़ हुई तो हमने अपने को स्वतन्त्र पाया लेकिन उसके साथ ही यह भी पाया कि बहुत से आदमी अपना अपना मतलब साध रहे हैं और एक को दूसरे से लड़ा रहे हैं और अपना मतलब इस तरह से साध रहे हैं कि वे आज एक दूसरे के दुश्मन बन रहे हैं, उन हरिजन बेचारों के दिमाग़ फेर दिये कि सवर्ण हिन्दू राजपूत, ब्राह्मण वगैरह तुन्हें नीच समझते हैं और हीन समझते हैं और तुम्हारा भला नहीं चाहते हैं और इस तरह दोनों को एक दूसरे का दुश्मन बना दिया है और हम देख रहे हैं कि इस तरह से आज उन के बीच में झगड़ा और वैर भाव चल रहा है।



[श्रीमती कमलेश्वरमति शाह]

इस झगड़े में किस की हानि हुई ? हमिन तो बेबारे हरिजनों की ही हुई क्योंकि उन के पास भूमि नहीं थी, वह तो सदा से छोटे भाई की तरह बड़े भाई के कार्य में लगे रहते थे । इसलिये उनके पास भूमि नहीं थी कि जो बड़े भाई थे उन के ऊपर यह दायित्व था कि छोटे भाइयों को भूखे न रखकर उन के बच्चों को भी देखता रहे । लेकिन आज वह अवस्था बदल गई है । आज वह लोग दुःख पा रहे हैं । कम से कम मेरे क्षेत्र में तो यही हाल है । हरिजनों के पास न भूमि है और न भूमि खरीदने के लिये काफी पैसा या साधन हैं । जो सवर्ण जाति के कहलाते हैं, जो पहले बड़े भाई कहलाते थे, उन का काम तो किसी न किसी तरह से चल ही रहा है । आज अगर कोई दुःख पा रहा है तो वह हरिजन लोग हैं ।

इसके वास्ते क्या उपाय हो सकते हैं ? मेरे विचार से तो यह हो सकता है कि सरकार कम से कम उन को वही सुविधायें दे जो कि आज सवर्णों को हैं । चाहे उन की बुद्धि कम हो या अधिक हो, वह अपनी बुद्धि के अनुसार जितना भी ग्रहण कर सकेंगे कर लेंगे । उन को बिस्कुल सवर्णों के बराबर ही सुविधायें होनी चाहियें । यह मेरी सरकार से प्रार्थना है । पढ़ने लिखने में और सब दूसरी तरह भी उनको यह सुविधा होनी चाहिये । आज हम केवल यह समझ कर कि उनको मन्दिरों में प्रवेश करा लें, उन को अपने साथ खाना खिला लें, सोच लेते हैं कि हमारा काम पूरा हो गया । इस से न उन लोगों का पेट ही भरेगा और न उनकी उन्नति ही हो सकेगी । अगर उन की उन्नति करनी है तो उन को वही सुविधायें होनी चाहियें जो कि आज सवर्णों को हैं । मैं समझती हूँ कि गांधी जी का स्वप्न तभी पूरा होगा जब हम अपने इन अन्त्यज भाइयों को अपना भाई समझेंगे और अपना एक अग्रिम अंग समझेंगे । जिस तरह से अगर हमारा हाथ

पैर काट दिया जाय तो हमें दुःख होता है, उसी तरह से अगर यह लोग अलग रहें तो हम को दुःख होता चाहिये । तभी हम सुखी हो सकते हैं और तभी उन भाइयों को लाभ पहुँच सकता है ।

मेरा विचार है कि हम लोग अपने देश में कानून बहुत ज्यादा बना रहे हैं । कानून से न तो किसी के ऊपर जबरदस्ती की जा सकती है और न उस के द्वारा हम किसी का ज्यादा भला कर सकते हैं । यदि हम अपने हृदय को बदलें, अपने मन को बदलें तो अवश्य कुछ हो सकता है । हरिजनों और सवर्णों दोनों को ही अपने मन को थोड़ा सा बदलना है । इस से यह फायदा होगा कि हमारा प्रेम उन की तरफ बढ़ेगा और आज जो वह हम को अपना दुश्मन समझ रहे हैं, फिर जैसे पहले भाई समझते थे, वैसे ही समझने लगेंगे । आप चाहे जितने कानून बनायें, कानून के जरिये कुछ नहीं होने वाला है । इसलिये कानून के स्थान पर दूसरी तरह से यानी उनको अपना भाई समझ कर उन के साथ प्रेम भाव को बढ़ायें और उनको अपनायें तो ज्यादा असर हम उन पर पैदा कर सकेंगे ।

इसी प्रकार से जो हमारे हरिजन भाई हैं उनसे भी मेरा निवेदन है कि वह भी हम को अपना बड़ा भाई समझें । शास्त्रों में वह भी विश्वास करते हैं, शास्त्रों में लिखा है कि हरिजन छोटे भाई हैं और सवर्ण लोग बड़े भाई हैं । अगर वह लोग मानेंगे कि हम छोटे भाई हैं और सवर्ण बड़े भाई हैं और हम उन की आज्ञा मानेंगे तो बड़ा भाई भी अपना कर्तव्य पूरा करेगा और आपकी रक्षा करेगा । अगर इस तरह से सहयोग करने के लिये दोनों तैयार हों तो दोनों में मेल हो सकता है, न कि कानून बनाने से ।

मैं कुछ थोड़ा सा हरिजन भाइयों का दोष भी बताना चाहती हूँ। वह दोष यह है कि उन में आपस में भी फूट है और इस फूट के कारण वह सफल नहीं हो रहे हैं। उन के अन्दर क्या है ? कोली चमार के यहां नहीं खायेगा, चमार कोली के यहां नहीं खायेगा, भंगी चमार के यहां नहीं खायेगा और चमार भंगी के यहां नहीं खायेगा। जब आपस में ही यह हाल है तो क्या कहा जाय ? मैं तो उन सब के यहां खाने को तैयार हूँ, इसी तरह से और भाई भी तैयार हो सकते हैं। लेकिन जब वह आपस में ही नहीं खायेगे तो क्या होगा ? मैं उनकी भलाई के वास्ते उनके सामने कम से कम यह रखना चाहती हूँ कि उन को ऐसा नहीं करना चाहिये। मैं अपने क्षेत्र में ही देखती हूँ कि जब मैंने यह कहा कि मैं सब हरिजनों का दिया हुआ खाना खाने को तैयार हूँ, मैं उन का बनाया हुआ हलुआ खाने को तैयार हूँ तो वही लोग कहने लगे कि फलां तो चमार है, फलां भंगी है, मैं कैसे उस के हाथ का खा लूँ। उन लोगों तक के यहां यह कमजोरियां हैं। इन कमजोरियों को छिपाने से काम नहीं चलेगा, उनको सामने लाने से ही वह दूर हो सकती हैं।

इस के बाद एक दूसरी बात आती है। अगर आप लोगों के मन में यह होता है कि चूँकि सवर्ण लोग हरिजनों का छुआ नहीं खाते हैं, इसलिये हम अपने मन्दिर अलग बनायेंगे और बना कर पूजा करें तथा उन में सवर्णों को न घुसने दें, तो ऐसी बातों को कर के बदला लेने से समस्या हल नहीं होगी क्योंकि छुआछूत तो बुरी ही रहेगी। आप के मन्दिर तक अलग बनेंगे जिन में सवर्ण लोग नहीं जा सकेंगे और सवर्णों के मन्दिरों में आप नहीं जा सकेंगे तो झगड़े खत्म कैसे होंगे ? असल बात यह है कि पहले हम को अपने दोष दूर करने चाहियें।

एक माननीय सदस्य : आप के मन्दिरों के दरवाजे बन्द हैं।

श्रीमती कमलेंदुमति शाह : मेरा मतलब यह है कि हमें अपने झगड़ों को दूर करना है, लेकिन उस के पहले हम को और भी बातें करनी हैं जिन का सम्बन्ध खुद हम से है। इसलिये मेरा निवेदन है हरिजन भाइयों से भी और सवर्णों से भी कि जितनी उन दोनों की नुटियां हैं पहले उन को सुधारें और तब जो दोनों के बीच का अन्तर है, जो कि बहुत दिनों से आ गया है, उस को मिटा सकते हैं। बिना इस के किये हुये और कुछ नहीं किया जा सकता है।

अब मैं सभा का अधिक समय न लेते हुये यही प्रार्थना करती हूँ कि हरिजनों के वास्ते अवश्य कुछ न कुछ होना चाहिये, लेकिन हरिजनों को भी अपने को सुधारना चाहिये। अगर वह व्यक्तिगत रूप से और समूह बना कर अपना सुधार नहीं करेंगे तो दूसरा और कोई भी हमारा सुधार करने नहीं आयेगा और न कर ही सकता है। इसलिये वह अपने को सुधारें और हम भी अपने को सुधारें तथा दोनों भाई भाई की तरह काम करें। जैसे शरीर होता है और उस के भिन्न भिन्न अंग होते हैं, उसी तरह से हरिजन और सवर्ण दोनों ही समाज रूपी शरीर के भिन्न भिन्न अंग हैं। आज दुनिया में कोई ऐसा स्थान नहीं है जहां पर किसी न किसी रूप में कास्टीज्म और क्लासीज्म न हो। उसी तरह से यहां भी है। कहीं कुछ ज्यादा है कहीं कुछ कम है। आप लोग अपने अपने सवालों को ले कर अपने अपने स्थानों पर रह कर ही अपने लक्ष्य तक पहुंच सकते हैं। आप लोग अपने स्थानों पर रह कर ही अपने लक्ष्य तक पहुंचने की कोशिश करें। जो हरिजन है वह राजपूत बनने की कोशिश न करे और जो राजपूत है वह हरिजन बनने की कोशिश न करे। आप इन झगड़ों से बाहर रह कर

[श्रीमती कमलेंद्रमति शाह]

प्रेम से एक दूसरे का साथ दें तभी हमारा फायदा हो सकता है, यह मेरी आप से प्रार्थना है ।

**Shri N. C. Chatterjee (Hoogly):** This Bill has not come one day too soon. As a matter of fact, it is long overdue. We had solemnly declared in one article of our Constitution that untouchability is abolished. But that is a mere empty declaration, unless its practice is really penalised; and that is why the Constitution said in clear terms that legislation should be passed in order to penalise the practice of untouchability. Now, it is a great shame, it is a great blot on Hindu social system that this curse is still there although on the 26th January, 1950, we solemnly declared the abolition of untouchability. But, still in the year 1955, we have got to admit with regret and shame that untouchability still persists. Those who have read the report of the Commissioner for Scheduled Castes and Scheduled Tribes know that he has recorded his definite verdict that a lot of work has still to be done for the removal of untouchability which continues in various shapes and State Governments have not been able really to implement the laws which are in existence. Under another article of the Constitution, Parliament was given the power to enact legislation in this field. Parliament was given the sole power. But, Parliament has slept for so many years and now we have got this Bill before us. The sooner we tackle this problem of magnitude, the better for the nation. It is a national problem of the first magnitude.

I have heard with great sorrow some of the remarks, very stringent and poignant remarks, made by our friends of the Scheduled Castes, and specially Shri P. N. Rajabhoj. He cast some flings and aspersions. I am not in a mood to retort. Because, I do believe that it is a confession of my failure as the President of the biggest Hindu organisation that this curse is

still continuing and this curse is still a blot on the Hindu social system. I would appeal to all the sections of the people, to all parties, to all Members of this House, to stand shoulder to shoulder and to make a firm determination and resolve that this blot should be removed at the earliest possible moment.

After all, what is untouchability? Untouchability is nothing but segregation run amuck. We have been thundering daily, our Prime Minister thunders daily that racial segregation of the most naked and blatant form continues in Africa. He delivers strong speeches and we applaud him. We have hundreds of differences. But, on this point of blatant, cruel, dogmatic form of social and racial segregation that is there, we are all with him. We condemn it, we deplore it, we resent it as inhuman. But, we cannot do it with a clean heart and with a strong mind unless and until we remove this segregation from our own society. A lot of things has been done; but still a lot remains to be done. I share the feeling that mere social legislation will be hardly of any use. If I may say so without disclosing any official secret, we have been very lucky in having you as the Chairman of the Joint Committee, and this Bill has been distinctly improved, remarkably improved from the one which was sponsored by Dr. Katju in the House. You know that that was the joint effort of many men and a distinguished Lady who acted in co-operation to eradicate the social disabilities from which millions of our Harijan brothers and sisters suffered. I claim to be one of them. I did my best to improve this legislation. I am glad that I was able to contribute something towards achieving that end. Mrs. Lilavati Munshi helped and Kaka Kalelkar helped us.

As a lawyer, I am opposed to clause 12 that we have put in here: "Presumption by courts in certain cases. This is against the cardinal principle of British jurisprudence, this is

against the cardinal principle of Indian jurisprudence, this is against the cardinal principle of all civilised systems of law that we know of. We are saying here that if there is a prosecution of a man for committing an offence against this Untouchability Act, the presumption would be that he has committed the crime. He has got to prove that he has not committed the crime. It is not for the prosecution to prove that the accused is guilty. It is something like the French system that the accused must come forward and prove that he is not guilty. We are really placing the onus of proving the almost impossible burden upon them. But, I have accepted it. I have accepted it because it came from persons who are pleading that the Harijan brothers and sisters are backward socially, economically, repressed and suppressed by centuries of torture, and that it would be difficult for them to vindicate their fundamental rights. Therefore, I have accepted this that in such cases that it is proved that the complainant is a member of the Scheduled Castes as defined in sub-clause 24 of clause 366 of the Constitution, the court shall presume that the man against whom the complaint is lodged is guilty unless and until he can prove that he has not committed the crime. That is a very serious inroad. But, I think there is justification for that. That is one atonement which the caste Hindus must discharge, must undertake in order to wash away the sins which they have committed for so many ages.

I do believe, honestly believe, firmly believe that Hinduism does not propagate, does not enjoin any form of untouchability whatsoever. In the Gita which is our Bible, the Lord has said that the one principle for which Hinduism must stand is the doctrine of the *Atman*:

नैनं छिन्दन्ति शस्त्राणि नैनं दहति पावकः  
न चैनं क्लेदयन्त्यापो न शोषयति मारुतः

The one doctrine which is higher which is nobler, which is loftier and

purser than the ordinary mundane doctrine of equality which Europe has taught, which Karl Marx has taught, which Soviet Russia is practising, the doctrine of the one *atman*, a doctrine that One Reality, manifests itself in all creation. Therefore, true Hinduism cannot tolerate any segregation on the ground of touchability or untouchability. Every Hindu must recognise that every other Hindu is touchable. Unfortunately, as you know better than myself, untouchability is not merely confined amongst the touchables. There is untouchability amongst the untouchables.

I have, as President of the Hindu Maha Sabha of Bengal, along with the late Dr. S. P. Mookerjee, taken some concrete steps in throwing open many Hindu temples, specially in East Bengal from which for ages our Harijan brothers and sisters had been excluded. When the temples were thrown open, amongst the so-called untouchables, there was a caste system and gradations of untouchability and they would not allow the same rights which one section of the untouchables claimed and they said that the others could not go in. It is something so degrading and it would be very difficult to stamp it out. I want therefore that this Bill should be passed at a very early date. But, only passing it will be of little avail unless and until you take the great responsibility towards implementation thereof.

You know as the Chairman of the Joint Committee that we have repealed in the Schedule of this Bill 21 legislations: the Bihar Harijan (Removal of Civil Disabilities) Act, the Bombay Harijan (Removal of Social Disabilities) Act, the Central Provinces and Berar Scheduled Castes (Removal of Civil Disabilities) Act, the Punjab (Removal of Religious and Social Disabilities) Act, the Madras Act, the Orissa Act, the United Provinces Act, the West Bengal Social Disabilities Removal Act, the Hyderabad Act and so on. There are 21 pieces of legislation, almost more or

[Shri N. C. Chatterjee]

less of this pattern, may be a little more comprehensive in some cases, to deal with the situation in the different regions. But, what it is that our Commissioner for Scheduled Castes and Scheduled Tribes is saying? He has said that it is worth noticing that in spite of the fact that the problem of untouchability is of so great a magnitude, the number of cases reported to the police and filed in the courts against the practice of this evil in the country is comparatively very small and the reason for this apparently is that the Scheduled caste people are too much dependent on their better placed brethren that they do not dare to go to the police or courts of law for the redress of their grievances. Therefore, although 21 States had 21 pieces of legislation, more or less of this model, actually very little was done towards penalising or eradicating the social disabilities of our Harijan brothers and sisters. Don't be under the delusion, and let us not lull ourselves into a false sense of security that our social conscience today is satisfied by merely passing this law and placing it on the parliamentary statute book. Let us not feel that we have discharged the constitutional obligation laid on us by the Constitution makers in a certain article of the Constitution. No. This is only the first step. The real step would be,—I would request Pandit G. B. Pant and Shri Pataskar to consider the suggestion—there should be a Social Welfare Committee appointed immediately by Parliament. That Committee should make it its objective the implementation of this measure. Other legislatures should set up Social Welfare Committees and they should make it their objective, their principal duty to see that the poor Harijan brothers and sisters are not left to their own resources to bring to the notice of the police or the courts or the magistrates or the judiciary all their grievances and infractions of this legislation. If you really want to blot out this curse of our social system,

there should be a conscious and continued co-operation between the State and the people. It must be done at all levels, and it must be done seriously. I remember the late Dr. Shyama Prasad Mookerjee made a suggestion on the floor of this House that there should be a Parliamentary Commission touring throughout India in order to galvanise social conscience on this issue. If that is not possible, I say, appoint immediately a Social Welfare Ministry and place it under a Harijan brother. What is the harm in doing that? I thoroughly give my wholehearted support to one suggestion of Shri P. N. Rajabhoj's. He has pleaded for other jobs. Other jobs may be given. But this is a job which is of primary social and national importance because we know from fact that although these pieces of legislation were there, they were more or less on the statute book merely as paper resolutions.

3 P.M.

The Commissioner is writing:

"Information collected from the State Governments shows that there has been no appreciable improvement in regard to the practice of untouchability".

If you read the Report, he has given facts and figures:

"It was reported that at Gopalapuram, in a certain taluk of Visakhapatnam district, Harijans were not allowed to take water, not even from government wells".

Also other instances are given. Therefore, if you really want to eradicate this disability, this curse and blot out this blot on our social system, let us not simply exchange bouquets here and indulge in language of platitude but do something to implement this in actual life and see that it shall not be a dead letter, as it has been more or less dead letter under the 21 pieces of legislation, but made effective and practical. And in order to do it, lay it upon a representative Committee of this Parliament, give them

authority, give them the necessary wherewithal to tour the whole of India, to look into different States and to report to you any infraction. That will be a vigilance board which will implement this very important and salutary piece of legislation.

**Mr. Chairman:** I would request hon. Members to take not more than ten minutes each in any case, in order to give chance to others to speak.

**डा० जाटववीर** (भरतपुर-सवाई माधोपुर—रक्षित—अनुसूचित जातियाँ) : सभापति महोदय, आज मैं इस सदन में बहुत दिन के बाद अपने विचार प्रकट कर रहा हूँ।

सब से पहले मैं अपने माननीय गृह मंत्री जी को धन्यवाद देना चाहता हूँ। उन्होंने अस्पृश्यता निवारण के लिये इस अन्टि-बिलिटी आफ्नेस बिल को ला कर जो काम किया है उसका मैं स्वागत करता हूँ। लेकिन साथ ही साथ मुझे यह आशंका है कि कहीं यह बिल पास हो कर उस गड्डे में न पड़ जाय जैसे कि सन् ५३ की शिड्यूल्ड कास्ट कमिश्नर की रिपोर्ट जो सन् ५४ में प्रस्तुत की गई थी पर उस पर आज सन् ५५ तक बहस समाप्त नहीं हुई है। यदि इसी प्रकार से यह बिल पास कर लिया गया और केवल रद्दी के कागजों की टोकरी में रह गया तो मैं समझता हूँ कि सेफ्ट्रल सरकार जो इस कार्य के लिये इतनी तत्पर हो रही है उसका मंशा पूरा नहीं हो सकेगा और न उन दीन दलितों की इच्छा पूरी होगी जो कि देश में समानता के दरजे पर आना चाहते हैं। मैं आपको बताना चाहता हूँ कि चाहे आप अस्पृश्यता अपराध बिल लायें या और प्रकार के बिल लायें जब तक देश के अन्दर मनोभावना नहीं बदलेगी तब तक कानून के जरिये से स्थिति को बदलना बहुत कठिन होगा। अभी श्री चटर्जी का भाषण हुआ और इस बिल के लिये जो ज्वाइंट कमेटी बनायी गयी थी उसकी रिपोर्ट में उन्होंने अपना नोट आफ

डिसेंट दिया था। मैं ने वह नोट पढ़ा है। मैं आपको बतलाना चाहता हूँ कि लोग अस्पृश्य किस प्रकार बन गये। वे लोग केवल समाज की सेवा करने के कारण ही अस्पृश्य बन गये। श्री चटर्जी और देशपांडे चले गये। मैं उनको बतलाना चाहता हूँ कि जब जब गौवध का प्रश्न आया है तब तब हम लोगो ने उसके लिये अपने प्राणों की आहुतियाँ दे दी हैं। वह गौवध के विरोध में सभाये करते हैं और वक्तव्य देते हैं और देश के बड़े बड़े समाचारपत्रों में प्रचार करते हैं। मैं भी उनसे सहमत हूँ। लेकिन मैं कहना चाहता हूँ कि हम लोग अस्पृश्य इसीलिये बन गये कि हमने अपने काम को नहीं छोड़ा। आप देखते हैं कि सब लोग गौ माता का दूध पीकर हूष्ट पुष्ट होते हैं, पर उसके मर जाने पर उसको छोड़ देते हैं। अगर वे यह भाषण दें कि जिन्होंने गौ का जन्म भर दूध पिया है वही लोग उसको मरने पर उठावें तो मैं कहता हूँ कि यह अस्पृश्यता एक दम दूर हो सकती है। हम लोग इन मरे हुये पशुओं को उठाने से ही अछूत बन गये हैं। अगर दूसरे सोम इनको उठाना शुरू कर दें तो यह अछूतपन बहुत जल्दी दूर हो सकता है। मैं बताना चाहता हूँ कि देश के अन्दर जब तक यह वर्ण व्यवस्था रहेगी और जाति पांत रहेगी यह अछूतपन कभी दूर नहीं हो सकता। यहां तो केवल एक भारतीय जाति हो। तभी देश का यह अछूतपन मिट सकता है। जो लोग काम करने वाले थे उनको आपने अछूत बना दिया। आप देखते हैं कि धोबी कपड़ा धोता है। यह कहा जाता है कि कपड़ा धोने वाला नीचा है पर कपड़ा मिला करने वाला ऊंचा है, यह कहाँ का न्याय है? इसी प्रकार तेल बनाने वाले तेली को नीचा कहा जाता है, पर जो गटागत तेल पी जाते हैं उनको ऊंचा माना जाता है। जो चमार गुड़ बनाते हैं उनको नीचा समझा जाता है, पर जो गंगागुड़

[डा० जाटववीर]

खा जाते हैं उनको ऊंचा माना जाता है। यह कहाँ का न्याय है? फिर भी हमारी प्रांतीय सरकार हरिजन सम्मेलनों में हमको उपदेश देती है कि तुम अपना काम मत छोड़ो। जब तक उन घन्टों को जिनको नीचा समझा जाता है सब लोग नहीं करेंगे तब तक देश से यह अछूतपन नहीं मिट सकता। मैं तो यह चाहता हूँ कि यदि आप अस्पृश्यता को दूर करना चाहते हैं तो सब लोग इन कामों को अपनायें।

मैं कहता हूँ कि यदि आप अछूतों को ऊंचा उठाना चाहते हैं तो आप उनको सरकारी नौकरियाँ दें। एक भाई ने कहा कि नौकरी तो गुलामी है। लेकिन मैं यह नहीं मानता। जब किसी को अधिकार मिलता है तो उसका दरजा बढ़ता है। अगर हरिजनों की आर्थिक उन्नति होगी तो उनका सवाल हल हो जायेगा। मैं तो अपने माननीय पुरुषोत्तम दास जी टंडन के उस उपदेश को मानता हूँ कि काम की वजह से किसी को अछूत नहीं माना जाना चाहिये। जैसा कि उन्होंने कहा कि यदि हम लोगों के लिये वाटिका गृह बनाये जायें तो मैं समझता हूँ कि आधी अस्पृश्यता मिट जाय। अगर सरकार इस तरफ ध्यान दे तो मैं समझता हूँ कि इस काम में बहुत जल्दी सफलता मिल सकती है।

अन्त में मैं अपने गृह मन्त्री जी को फिर धन्यवाद देता हूँ कि वह यह बिल लाये। भगवान करे कि यह जल्दी से जल्दी अमल में आये। जिस प्रकार से शिड्यूल्ड कास्ट कमिश्नर की रिपोर्ट पर अभी तक बहस नहीं हो पायी और वह पड़ी हुई है उसी तरह यह बिल भी पास हो कर कागजों में ही न रखा रह जाय। अगर गवर्नमेंट ने इस ओर विशेष ध्यान दिया तब ही देश का सुधार हो सकता है क्योंकि इस कानून पर अमल

करने वाले जौ लौंग हैं यानी जो प्रांतों में डिस्ट्रिक्ट मजिस्ट्रेट हैं और हलकों के जो थानेदार हैं और जो दूसरे लौंग हैं वे यह भावना रखते हैं कि यह अस्पृश्यता दूर न हो। जब तक उनको सरकार का आदेश नहीं जायेगा तब तक इस बिल से देश का कोई लाभ नहीं होगा। मैं तो चाहता हूँ कि यह बिल जल्दी से जल्दी पास होकर काम में आये। मैं देखता हूँ कि २१ राज्यों ने अस्पृश्यता निष्करण के लिये कानून बनाये हैं लेकिन उनमें कोई लाभ नहीं हुआ। वे कानून तो बन गये लेकिन अगर मैं यह पूछूँ कि कितने चालान हुये तो मालूम होगा कि एक भी नहीं हुआ। मैं यह नहीं चाहता कि इसी तरह से यह बिल पास होकर आपकी फाइलों में रखा रह जाय। आपने देखा होगा कि पिछली जन गणना में उत्तर प्रदेश में अछूतों की १८ लाख संख्या ही कम कर दी गयी थी। इसलिये मैं चाहता हूँ कि ऐसा न हो कि यह बिल रखा ही रहे और अछूतों को कोई फायदा न हो।

श्रीमती मिनीमाता (बिलासपुर-दुर्ग-रायपुर—रक्षित—अनुसूचित जातियाँ) : मैं इस अस्पृश्यता निवारक विधेयक का हृदय से स्वागत करती हूँ। पिछले वर्ष इस बिल को सरकार ने इस हाउस में पेश किया था और काफ़ी दिनों के बाद संयुक्त प्रवर समिति से होकर यह बिल फिर हमारे सामने आया है और इसलिये मुझे बड़ी खुशी है। हमें हरिजन बनाने वाले हमारे हिन्दू भाई हैं और अगर हमारे सवर्ण हिन्दू खुले दिल से और शुद्ध भावना से हम हरिजनों को अपनायेंगे तब हम हरिजन नहीं बन सकते। इस बिल को तो हमारी सरकार पास कर ही देगी लेकिन जरूरत तो इस बात की है कि हमारे जो सवर्ण हिन्दू हैं वह आगे बढ़ें और हरिजनों की दशा सुधारें और उनको प्रेम भाव से अपने मले लगाने की कोशिश करें।

दूसरी बात जो कि श्री राजभोज ने कही है कि हरिजनों को अपने मुकद्दमों के लिये गवाह तक नहीं मिलते हैं वह बात सही है। रिपोर्ट में भी इसका जिक्र आया है कि मध्य प्रदेश में सन् ४६ में इस तरह का बिल पास हुआ था लेकिन उस पर अमल नहीं हुआ और वह सरकारी फाइलों में ही रखा हुआ है, बहुत कम उस को अमल में लाया गया है, कहीं एक आध केस अदालत में गया होगा और यह भी देखने में आया कि हरिजनों को अपने सबूत के लिये गवाह तक नहीं मिलते हैं और हमारे सवर्ण हिन्दू भाई हम से रूठे रहते हैं और जैसा कि अभी हमारे भाई श्री जाटववीर ने बतलाया कि थानेदार भी वही है, पुलिस भी वही है और गवाह भी वही हैं और जिसका नतीजा यह होता है कि हरिजनों की कोई सुनवाई नहीं होती और उन पर मनमाने अत्याचार होते हैं और उनको गवाह नहीं मिलते। इसलिये हमारी सरकार को चाहिये कि इस बिल पर सही तौर से अमल कराने के लिये कड़ी निगाह रखे। श्री राजभोज ने ठीक ही कहा है कि छुआछूत एक कोढ़ है और उस कोढ़ को हमारे भाई ही मिटाने वाले हैं और वह कोढ़ जब तक हमारे शरीर पर चिपका रहेगा, तब तक हमारा उद्धार नहीं हो सकता है। कानून से और जोर से अगर हम यही चीज अपने हिन्दू भाइयों से कराते हैं तो यह एक लड़ाई सी दीखती है। हिन्दू भाइयों से मेरी प्रार्थना है कि वह स्वयं आगे आये और हरिजनों को गले लगायें और उन्हें अपना की कोशिश करें। इसके अतिरिक्त मेरा सुझाव है कि सरकार द्वारा हरिजनों के मुकद्दमे दायर किये जायें और सरकार द्वारा सहायता दी जायें क्योंकि हरिजन हमेशा से दबे हुये हैं। मैं ने अपने निर्वाचन क्षेत्र में देखा है कि हालांकि एक कुआँ सार्वजनिक इस्तेमाल के लिये होता है, सब के लिये खुला होता है

लेकिन हमारे सवर्ण हिन्दू तार से उसे घेर लेते हैं या दीवार खड़ी कर के घेर लेते हैं और अपने कब्जे में कर लेते हैं। दो, तीन बार इसकी शिकायत आई, मैं भी वहां गयी और उस दीवार को हमारे हरिजन भाइयों ने तोड़ भी डाला लेकिन कोई नतीजा नहीं निकला, और उन्हीं का कब्जा बना हुआ है। हमारे हरिजन भाई नालिश करते हैं लेकिन हार जाते हैं। मैं कहना चाहूंगी कि ज़रा कड़ी निगाह से आप इस बिल को लागू करें। आज हरिजन कुआँ खोदने के लिये दरखास्त देते हैं तो उनको रुपया देने में कई कई वर्ष बीत जाते हैं। गवर्नमेंट से कहा जाता है कि गांव में हरिजनों के लिये अलग कुआँ होना चाहिये और सवर्ण हिन्दुओं के लिये अलग कुआँ होना चाहिये और इस कारण भी रुपया मिलने में देर होती है। मैं होम मिनिस्टर और अपनी गवर्नमेंट को ऐसा बिल लाने के लिये धन्यवाद देती हूँ और उनसे कहूंगी कि इस बिल को पास करके अपने फाइल में ही न रखें बल्कि सरकार को इस बात के लिये प्रयत्न करना चाहिये कि यह कानून अमल में आये। बस इतनी ही सी मेरी प्रार्थना है।

**श्री जनार्दन रेड्डी (महबूबनगर) :**  
यह जो विधेयक हाउस के सम्मुख लाया गया है, मैं उसका दिल से स्वागत करता हूँ और मैं अपने होम मिनिस्टर को मुबारकबाद देता हूँ कि जिस बिल की सख्त जरूरत थी उसको पेश करके उन्होंने वास्तव में बहुत ही सराहनीय काम किया है। यह छुआछूत अपने मुल्क के लिये एक धब्बा है, जो पहले भी था और आज भी किसी हद तक वह धब्बा कायम है। धब्बा इस मानी में कि हम एक अजीब चीज अपने मुल्क में पाते हैं और वह है छुआछूत की बीमारी। महात्मा गांधी ने पहले इस चीज को अच्छी तरह समझा, उनके समझने की वजह यह थी कि जितने



[श्री जनार्दन रेड्डी]

बाहर के लोग आते थे वे अगर इस मुल्क में कोई नुक्स बतलाते थे तो वह छुआछूत का था और इसी छुआछूत की वजह से हमें आजादी प्राप्त करने में इतने दिन लग गये और आजादी प्राप्ति के मार्ग में महात्मा गांधी ने इसको बड़ी भारी रुकावट समझा और महात्मा गांधी ने इस चीज को समझ कर आजादी से ज्यादा इस छुआछूत को दूर करने की तरजीह दी और गांधी जी ने पूरी तौर से इरादा कर लिया था कि मैं इस देश से इस छुआछूत के कलंक को मिटा कर ही चैन लूंगा या तो मैं इसको मिटा ही लूंगा या अपनी जान दे दूंगा और महात्मा गांधी ने इसी कोशिश में अपनी जान कुर्बान कर दी। मैं आपसे अर्ज करना चाहता हूँ कि छुआछूत इस मुल्क के लिये बहुत ही अहितकर है और वह जब तक दूर नहीं होती तब तक हम दुनिया की तरक्कीयाप्ता क्रौमों में खड़े नहीं हो सकते। हमारे विधान ने छुआछूत के लिये कोई जगह नहीं रखी है, मगर मुझे अफ़सोस है कि ऐसा विधान पास करने के बावजूद भी आज छुआछूत को मिटाने की तरफ़ उतनी सक्ती के साथ आगे नहीं बढ़ रहे हैं जितना कि बड़न चाहिये था। हमें आजादी प्राप्त किये हुये करीब सात साल हो गये, हमने इस दरमियान में छुआछूत की कुप्रथा को समाप्त करने के लिये क्या किया? इसमें शक़ नहीं कि हमने कुछ ज़रूर किया लेकिन जिस तेजी और सक्ती के साथ हमको बड़ना चाहिये और अमल करना चाहिये था, उतने जोर से नहीं किया। हम आज साउथ अफ़्रीका की बाबत बहुत सी बातें सुनते हैं कि वहाँ पर बहुत सी खराब बातें हो रही हैं। मगर मैं कहूंगा कि दूर क्यों जाइये, खुद हमारे मुल्क में कितनी खराबी है और वह खराबी मैं आपको बतलाऊँ अप्सुश्यता की है। मुझे सस्त अफ़सोस के साथ इस बात को तसलीफ़

करना पड़ता है कि केवल बड़ी बड़ी जातियों में ही छुआछूत नहीं है, स्वयं हरिजनों में भी आपस में छुआछूत का भेदभाव चलता है। मिसाल के तौर पर मैं आपको बताऊँ कि दक्षिण भारत में वैष्णव सम्प्रदाय में दो तरह के तिलक लगाते हैं, उनमें आपस में काफ़ी छुआछूत विद्यमान है, और एक दूसरे का खाना नहीं खा सकते, तो मेरे कहने का मतलब यह है कि केवल हरिजनों में ही नहीं दूसरे सर्वर्ण हिन्दुओं में भी छुआछूत की बीमारी विद्यमान है और हमें उनके वहाँ से भी इस बुराई को दूर करना है।

स्वयं हरिजनों में भी आपस में एक दूसरे के प्रति छुआछूत विद्यमान है। हैदराबाद में मैं आपको बतलाना चाहता हूँ कि माला, मादिगे, इनली और डक्कली आदि हरिजन जातियों में छुआछूत पाई जाती है और वह एक दूसरे को नहीं छूते और न एक दूसरे के हाथ का खाना खाते हैं। तो इस तरह की बुराई हमारे अपने लोगों में भी विद्यमान है।

जब आज हम सदन का वक्त ले रहे हैं और नुकायस को दूर करना चाहते हैं तो इन सब को पेशे नज़र रखते हुये उसे दूर करना है।

**Shri Nanadas (Ongole—Reserved—Sch. Castes):** I request the Member not to take shelter under that plea. Taking advantage of the differences among the Harijans, you want to exploit the situation there.

**श्री जनार्दन रेड्डी :** मेरे दोस्त मृशे शलत समझ रहे हैं। मेरा मक़सद यह नहीं है कि मैं इस की अहमयित घटा दूँ। मैं तो बहुत जोरों से कह रहा हूँ जो हरिजनों और दूसरी बड़ी जातियों के दरमियान छुआछूत का मसला है वही नहीं खत्म होना चाहिये बल्कि खुद जो हरिजनों के बीच में छुआछूत है वह भी खत्म होनी चाहिये। वह भी

मुल्क के ऊपर एक घब्बा है। मैं जो कहूँगा कि किसी किस्म का भी छुआछूत हो, उसको खत्म होना चाहिये। हमारे मुल्क की आबादी ३६ करोड़ है, उस में तक्करीबन २० करोड़ से ज्यादा लोग छुआछूत के झमेले में आ जाते हैं। मैं जब अपनी कान्स्टिट्यूएन्सी में जाता हूँ तो वहाँ देखता हूँ कि लोग जमा होते हैं, मगर बहुत से लोग दूर ही खड़े होते हैं। मैं पूछता हूँ कि वह कौन हैं? उन को किस ने हरिजन बनाया? हम लोगों ने। हम ने उन में एक इन्फीरियोरिटी काम्प्लेक्स पैदा की है। हमने उन में इन्फीरियोरिटी काम्प्लेक्स पैदा करके उन को दूर रखने की कोशिश की है। आज हमारा फ़र्ज हो जाता है कि हम इस को दूर करें और अपने भाई के बगलगीर हो जायें। जब तक हम यह नहीं करेंगे तब तक हम अपने मुल्क की तरक्की नहीं कर सकते। हम ने माशी हालत के लिहाज से सोशललिस्टिक पैटर्न आफ सोसायटी को अपनाया है। वह सोशललिस्टिक पैटर्न आफ सोसायटी उसी वक्त भ्रमल में आयेगी जब कि समाज के जो इस तरह के नुकायस हैं, जो छुआछूत के मसले हैं, वह दूर हों। जब तक वह दूर नहीं होंगे तब तक वह सोसायटी नहीं बन सकती है। इसलिये अगर हमें अपने मुल्क को तरक्की देना है और दूसरे मुसालिक के साथ लाना है तो यहाँ जो नुकायस हैं छुआछूत वगैरह के उन को किसी न किसी तरह से दूर कर देना चाहिये। लेकिन सिर्फ़ क़ानून से ही यह चीज़ दूर नहीं होगी, हमें अपने दिलों को साफ़ करना चाहिये, हमारे मन में नेकनियती होनी चाहिये। क़ानून में तो यह भी है कि चोरी नहीं करनी चाहिये, लेकिन देश में लोग चोरी भी करते हैं। इस देश में ऐसी बातें नहीं होनी चाहियें, लेकिन क़ानून से तो इन बातों को बन्द नहीं किया जा सकता। इसलिये हम लोग दिलचस्पी के साथ और नेकनियती से इस छुआछूत को दूर करने की कोशिश करें।

हमारे एक मित्र ने कहा कि शास्त्रों में इस तरह की छुआछूत नहीं है, लेकिन अगर शास्त्रों में नहीं है तो फिर हमारे देश में यह आई कैसे? यह चीज़ कैसे अपने मुल्क में पैदा हुई जो कि मुल्क के चेहरे पर एक बदनुमा घब्बा है। मेरा ख्याल है कि जो छुआछूत है वह सिर्फ़ क़ानून के जरिये नहीं बन्द हो सकती है, यह तो सिर्फ़ गुडविल के जरिये ही बन्द हो सकती है। इस मिलसिले में मैं अर्ज करूँगा कि हम ने जो सर्वोदय का उसूल अख्यार किया है वह छुआछूत को मिटाने का बेहतरीन तरीक़ा है। मैं कहना चाहता हूँ कि छुआछूत दूर करने की जो तन्जीम है उस को किसी पोलिटिकल पार्टी के जिम्मे नहीं करना चाहिये क्योंकि पोलिटिकल पार्टी के जिम्मे करने से वह लोग अपने एन्ड्स के वास्ते ही कोशिश करेंगे। लेकिन सर्वोदय जो है वह किसी पोलिटिकल पार्टी से ताल्लुक नहीं रखता है, वह इस चीज़ को अच्छी तरह से कर सकता है।

मैं एक चीज़ और अर्ज करूँगा कि छुआछूत दूर करने के लिये यहाँ सेन्टर में एक अलग मिनिस्ट्री क़ायम करनी चाहिये। सिर्फ़ क़ानून पास करने से काम नहीं चलेगा, उस को भ्रमल में लाने के लिये भी कोई तन्जीम होनी चाहिये। मैं अपने स्टेट की बात बतलाता हूँ। वहाँ छुआछूत दूर करने की कोशिश की जा रही है, लेकिन वहाँ पर काम एफ़ेक्टिव तरीक़े पर नहीं हो रहा है क्योंकि इस छुआछूत को दूर करने के लिये क़ानून की ज़रूरत नहीं है, इस के लिये दिल में नेकनियती व दिलचस्पी होनी चाहिये। इसलिये सेन्टर में छुआछूत दूर करने के लिये एक मिनिस्ट्री क़ायम होनी चाहिये।

**Shri M. R. Krishna (Karimnagar—Reserved—Sch. Castes):** I had no mind to speak but after hearing the speeches of Shri N. C. Chatterjee and

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**Shrimati Kamalendu Mati Shah** who said that untouchability is also prevalent amongst the Scheduled Castes, I only wanted to tell them that this thing has originated from them—the Brahmin section.

**Shri Veeraswamy:** There is no untouchability among the Scheduled Castes.

**Shri M. R. Krishna:** Even if there is untouchability among the Scheduled Castes, it has been created by the Brahmins. You know our sacred country was never short of great Mahatmas like Gautama Buddha, Ramakrishna, Vivekananda and finally Gandhiji and everyone of them attacked this caste system very vehemently. I can quote here Swami Vivekananda, who after finally being disgusted with the Hindu society, especially with the Brahmin community, has used very strong language against that community. He said:

"Beware Brahmins, this is the sign of death. Arise and show your manhood, your Brahminhood by raising the so-called low castes around you—not in the spirit of a master, not with the rotten canker of egotism crawling with superstitions but in the spirit of a servant".

I want this to be taken as a lesson by the Brahmin community and also by the Ministers in the Central Government as well as their counterparts in the State Governments.

Sometimes, when questions pertaining to the welfare of the Scheduled Castes are asked in this House, in answering those questions, some of these Ministers forget that their answers, instead of doing any good to the Harijans in this country, are definitely going to harm them. They give all sorts of funny and frivolous answers. In the first place, until the Ministers make up their mind to treat the questions relating to the welfare of the Schedul-

ed Castes in a proper manner, I do not think any legislation, however strongly it may be worded and however best are the intentions with which it may be framed, will do any good to this community. I want the Ministers to remember that we do not beg here and nobody has got anything by begging. We ask for what we think would improve our conditions. We want only those things which have been embodied in the Constitution to be implemented properly. We do not ask for unreasonable things. Report after report has been called for by Government. From the year 1916, even when the Britishers were ruling this country, they used to show sympathy for the so-called untouchables and form certain committees to go into the details and give reports to the Government so that the conditions of the Scheduled Castes could be improved. Every report contained certain recommendations which, if they had been fully implemented, would have been beneficial to the Scheduled Castes from their economic point of view. Neither the British Government nor this Government have taken those records into consideration and finally the report on the Scheduled Castes and Scheduled Tribes Commissioner has also come. Every time the Commissioner for Scheduled Castes and Scheduled Tribes has been complaining that no State has been implementing the recommendations made by him. The Planning Commission has no plans. The effect of these reports is a few crores of rupees have been set apart for the removal of untouchability. This is another fraud, I should call it, because the Planning Commission had no definite plan or programme to implement the removal of untouchability scheme. All that the Planning Commission could think of is to give some money to the political organisations representing the Scheduled Castes. This, I think, is not a right and proper thing to do. I know how the money is being spent in my own State. I think every State is given a

sum of about Rs. 2½ lakhs for the removal of untouchability. The Central and the State Governments distribute this amount to these organisations; and these organisations are supposed to remove untouchability. But the way how these organisations have been spending this money is very strange. These organisations appoint Scheduled Caste members to go into the rural parts, and to preach against untouchability. If a man, who being a Scheduled Caste himself suffering from this blot of untouchability, is to go to the village and speak against untouchability, I do not know how far it is going to remove this blot. I can even plead Government giving money to Shri N. C. Chatterjee and Shri V. G. Deshpande, who are the reactionary elements in this country, especially in this matter. I know Shri N. C. Chatterjee would have made hundreds of speeches, but nowhere he has mentioned about the removal of untouchability or about making a Harijan a president of that organisation, a post which my hon. friend Shri V. G. Deshpande has offered to Shri Khardekar here in this House though he will not say this outside.

**Shri Khardekar:** I would not touch them. They are worse than untouchables.

**Shri M. R. Krishna:** Even hundreds of effective speeches by Shri Jagjivan Ram will not do any good to the Scheduled Castes, but one single speech of Shri N. C. Chatterjee against untouchability will definitely do immense good.

**Shri V. G. Deshpande:** As if they are doing.

**Shri M. R. Krishna:** I will not mind if a certain amount is given to the film producers in this connection, because I understand that some of the organisations which have received money from the Central Government are spending it in producing certain films for the removal of untouchability. I know also that there have been certain films produced earlier when the Britishers were here, which

were banned in this country because they tried to preach against untouchability. They also wanted inter-caste marriages and so on. Such producers could be helped even today. The Information and Broadcasting Ministry is there, and I do not see any reason why organisations which are quite ignorant in that line should be given the money; the Information and Broadcasting Ministry itself with all its experience would be able to produce better films.

I am not against paying money to these political organisations. What I am trying to drive at is that these political organisations have been claiming political rights. I would not even mind if the money is given to the political organisations to strengthen them, or to distribute that money amongst the workers for purchasing land or constructing a house or to do some business. That would be somewhat sensible. But I really cannot understand the idea of giving money to the political organisations for the removal of untouchability. This is definitely not a wise thing to do.

**An Hon. Member:** They are giving to social institutions.

**Shri M. R. Krishna:** The hon. Minister who had piloted this Bill earlier, Dr. Katju, I am told he is interested in the welfare of the Scheduled Castes. Now he has taken up another portfolio. As for the present Home Minister, I know his sympathy and his love towards the Scheduled Castes. I have nothing to say against him, because the very way in which he has spoken has really created a very good feeling amongst the Scheduled Caste Members in this House. I sincerely feel that whatever he has said he will definitely do. And since he has been doing work for the untouchables all his life, I do not think this is in any way a new thing for him to take up.

About the Defence Ministry, of which the former Home Minister who piloted this Bill is now in charge, I have to make one or two submissions. One Mr. Hutton has drawn attention

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to his experience of caste in the Armed Services, in the war of 1939-45. He has stated:

"While Hindus of varying castes were willing to feed with each other and with adherents of other religions, they were not prepared to dine with the men recruited from the exterior castes."

These people were then called exterior castes. He further stated:

"While such persons were often enlisted in ordinary units formerly, even the exigencies of the recent war have permitted only their being taken into special formations".

There are certain jobs in the Defence Services such as scavenging and sweeping.

**Mr. Chairman:** The hon. Member's time is up. He is bringing in new matters now.

**Shri M. R. Krishna:** This is connected with untouchability. Moreover I consider that the Defence Services are the best place where you can very easily remove untouchability. At present, the jobs of scavenging and sweeping are confined to a particular section of the people only, and the people are recruited from a particular community only to do those jobs. I want that in the Defence Services these jobs should be made common. Just as one becomes an orderly officer or orderly sergeant by rotation, I want that these jobs also should be taken up by everybody who is in the Defence Services, in the lower ranks. That is all I have to say.

**Shri Veeraswamy:** I feel it is my privilege to speak on this Bill, not merely because I belong to the Scheduled Castes, not merely because I am one of those who have been suffering in this country for the past so many centuries from the evil of untouchability and the attendant disabilities arising therefrom, but because I am proud to say in this House that I

come from the south, from the Madras State, which was the pioneer State in coming forward to give certain rights to the Scheduled Caste people.

You know that before 1936 the Madras State was ruled by the Justice Party. The Justice Party Government was the first Government in the whole of India to come forward to encourage the Scheduled Caste people with certain concessions and grants and also by starting of schools for the Scheduled Caste people. Even now, many of those schools started by the Justice Party are in existence. Of course, certain schools were closed down by the Rajagopalachari Government and amalgamated with the caste Hindu schools.

I feel very proud to belong to the south, for another reason also. The House knows that there is a great movement going on in the south for the past 30 years, aiming at the abolition of untouchability, annihilation of caste and the eradication of the caste distinctions between man and man. It was in 1924 or 1925 that the Vaikam satyagraha took place. Periyar E. V. Ramaswami, the leader of the Dravidian Federation with his wife undertook that satyagraha which had for it the full support of Mahatma Gandhi who devoted his entire life for the annihilation of this blot from the life of the Indian people. In that satyagraha Periyar succeeded, and he came out successful by getting the right for the Scheduled Caste people to go round a temple at Vaikam in Travancore-Cochin. When Periyar Ramaswami was in the Congress, he undertook this satyagraha, which ended in success and it is the Congress organisation which gave him the title of 'Vaikom warrior' which means in Tamil 'Vaikom veerar'.

Even now, the Dravidian Federation in the south has been fighting every day, every moment, for the abolition of untouchability, and for the abolition of all castes. Dr. Nair who was

one of the founders of the Justice Party in the south, when he died in a London hospital, asked his friends just at the time of his death to request the British Government to root out untouchability, and to liberate the Scheduled Caste people from the thralldom of serfdom to the caste Hindus and Brahmins. Sir, untouchability is the blackest spot not only on Hinduism and the Hindus, but also on the entire India's life. Therefore, this Bill is one of the few most important Bills brought forward by the Government. As my friend Shri M. R. Krishna said just now, the speech of the Home Minister was so indicative of his deep sense of sorrow for the plight and for the sufferings of the Scheduled Caste people that this House is surcharged with some amount of seriousness. So, I do hope that the Government, and especially the Home Ministry under the dynamic personality of our Home Minister hon. Pandit G. B. Pant, will take a very serious note of this measure and use all powers for the enforcement of this Bill.

The Scheduled Caste people thought that untouchability would be annihilated on the birth of independence to India. But, they were greatly disappointed because the Party that came to power, that is, the Congress Party, did not care to abolish untouchability immediately after India became independent. Sir, Mahatma Gandhi, whom the Congress leaders say they are following, devoted his life for abolition of untouchability. Every moment of his life was devoted to this cause. I may also bring to the notice of the House that Mahatma Gandhi said some years ago that untouchability will be abolished in India just after independence was achieved by the people of this country. But only after seven years this measure has come to this House and tomorrow will be the golden day in the long history of this country because through this measure we are going to abolish untouchability which is the darkest spot on India's life.

Before I finish my speech I want to give certain suggestions to the Government and especially to the Home Minister. It is no use having this measure passed on the floor of this August House and putting it in the statute book. Government should take all possible steps to enforce it and to bring to book all culprits or offenders of untouchability. They must be given severe punishment. Even for ordinary offences and ordinary crimes people are being given rigorous imprisonment. But, this measure does not envisage any such punishment to the offenders of untouchability. Therefore, I suggest to the Government to prescribe rigorous imprisonment at least for three years. Unless such rigorous imprisonment is given our purpose will be defeated. I do not mind whether fine is being imposed or not. There are rich people and there are other people to give money to the offenders. Therefore, if fine is imposed it will be paid in the court and the culprits will get away. So, I suggest that rigorous imprisonment should be given at least for 3 years to offenders of untouchability.

The next think I want to press is that the Government have put into operation the First Five Year Plan and in that Plan Scheduled Caste people have not got anything for the improvement of their life. At least in the next Five Year Plan I suggest that the Government should allot at least, from out of the Rs. 5,000 crores which is the capital outlay for the implementation of the next Five Year Plan, a sum of Rs. 500 crores for improving the life of the Scheduled Caste people who are suffering in every way. The other day I said that people who are living in filth and squalor, in poverty and in starvation, will not be treated as kith and kin or brothers and sisters by the caste Hindus. So economic improvement is necessary.

I may also suggest to the Government to create a police force to enforce this Act. Unless there is a special police force, unless there is a special Ministry at the Centre and also

[Shri Veeraswamy]

in the States, I do not think that the offenders will be taken to the court and given suitable punishment for the crimes they do. I also appeal to the brahmin friends who are Members of the Parliament and also the brahmins outside as well as the caste Hindus to shed away their superiority complex and come forward to treat their co-religionists, the Scheduled Caste people as their real brothers and sisters. If they do not come forward to treat the Scheduled Caste people as their own brethren, I am afraid that Hinduism will die a certain death in the country and the Scheduled Caste people will embrace some other religion and live as honourable citizens of this country.

Several Hon. Members: No, No.

Shri Veeraswamy: Sir, with these words I support the Bill.

श्री नवल प्रभाकर (बाह्य दिल्ली—  
रक्षित—अनुसूचित जातियाँ) : आज हम इस छुआछूत निवारण बिल पर विचार कर रहे हैं। मैं सबसे पहले अपने गृह मंत्री जी को इसके लिये धन्यवाद देता हूँ कि उन्होंने यह बिल सभा के सम्मुख रखा।

सन् १९४६ की बात है कि एक भाई ने गांधी जी से प्रश्न किया था मैं वह प्रश्न जैसे का तैसा पढ़ कर सुनाये देता हूँ। प्रश्न यह था : “आपके स्वराज्य में अछूतों का स्थान क्या होगा ? कांग्रेस ने अल्पमत वालों की हिफाजत करने के बारे में बातें तो बहुत की हैं, मगर वह किस तरह उनकी हिफाजत करेगी इसका कोई खाका वह आज तक क्यों नहीं बना पाई ?, क्या उसकी इस खामोशी से अल्पमत वालों के दिल में कांग्रेस की ईमानदारी के बारे में शक पैदा न होगा ?” इस प्रश्न का जवाब गांधी जी ने १९ जुलाई १९४६ को इस प्रकार दिया था :

“मेरी कल्पना के स्वराज्य में अछूतों की वही जगह होगी जो सर्वत्र कहलाने वाले हिन्दुओं की होगी। कांग्रेस भी इसी उसूल को मानती है। सब आम और खास की जितनी संस्थाओं को मैं जानता हूँ, उन सब में एक कांग्रेस ही ऐसी है, जिसने अल्पमत वालों की हिफाजत के बारे में बातें कम और काम ज्यादा किया है। जब हम कुछ करके दिखाते हैं तो उसके नक्शे या खाके की जरूरत नहीं रह जाती।”

सन् १९५० में जब हमारा संविधान बना और संविधान में छुआछूत निवारणार्थ धारार्यें जोड़ी गयीं तो मुझे बड़ी खुशी हुई। किन्तु वह जो पवित्र धारार्यें हैं उन पर अमल नहीं हो सका। आज हम इस विधेयक को पास करने जा रहे हैं और गांधी जी की इस इच्छा को पूरा करना चाहते हैं कि इस दश में कोई अछूत नहीं रहेगा। गांधी जी की यह वाणी था कि इस देश में कोई अछूत नहीं रहेगा। मैं अपने गृह मंत्री जी से यह प्रार्थना करूँगा कि वह इस बात का ध्यान रखें कि यह गांधी जी की वाणी थी और उसी के अनुरूप कार्य करें। श्री नन्दलाल जी शर्मा इस समय मौजूद नहीं हैं। उन्होंने काशी विश्वनाथ के मन्दिर के सम्बन्ध में अभी कहा था। उन्होंने कहा था कि यह शास्त्रों के साथ खिलवाड़ किया जा रहा है। उन्होंने यह भी कहा था कि एक शिर्वालिग दुकान पर रखा है और एक विश्वनाथ के मन्दिर में रखा है। जो मन्दिर में रखा है उसमें तो देवत्व है और दूसरा निरा पत्थर है। उन्होंने कहा था कि जो शास्त्रों के अनुकूल चलते हैं उनके लिये तो वह मन्दिर का शिर्वालिग देवता है। मैं उनसे कहना चाहता हूँ और मिस्टर खड्कर ने भी उनसे इसी तरह की बात की थी।

श्री खड्कर ने भी संकेत किया था कि श्री नन्द लाल का कहने का आशय यह था कि हरिजन जो मन्दिर में देव पूजन को जाते हैं, उनके दिल में श्रद्धा और भक्ति नहीं होती, मेरा निवेदन है कि यह उनकी सख्त भूल है बल्कि मैं तो यहां तक कहूंगा कि हरिजन, उन लाखों लोगों से जो मन्दिरों में जाते हैं, बहुत अच्छा है जो सुबह से लगा कर शाम तक झूठ बोलते रहते हैं और शाम को जा कर मन्दिर में भगवान को स्तुति करने का पाखंड करते हैं, इसके विरुद्ध वह हरिजन जो दिन भर खेतों में मेहनत करता है, वह ब्लेक मार्केट करने वालों से, चोरबाजारी करने वालों से और पाकेट काटने वालों से जो कि सारे दिन झूठ बोलते हैं और झूठ बोल कर के पैसा कमाते हैं और फिर शाम को मन्दिर में जा कर के पूजा करते हैं, कहीं अच्छा है। मैं उनसे कहना चाहता हूं कि क्या आपके पास कोई पैमाना है जो आप हरिजनों को लगा कर देखना चाहते हैं कि उनके हृदय में उन मूर्तियों के लिये कितनी श्रद्धा है, मैं कहना चाहता हूं कि आपसे ज्यादा उन हरिजनों के हृदय में मन्दिरों और उनके अन्दर जो मूर्तियां स्थापित हैं उनके प्रति ज्यादा श्रद्धा है। श्री नन्द लाल शर्मा शास्त्रों की बात किया करते हैं कि धर्म शास्त्रों के अनुसार हमको आचरण करना चाहिये मैं उनको आज अत्रि स्मृति से ही उद्धरण देकर बतलाऊंगा :—

देव यात्रा विवाहेषु

यज्ञ प्रकरणेषु च ।

उत्सवेषु च सर्वेषु

स्पृष्टा स्पृष्टिर्न विद्यते ॥

और इस श्लोक का अर्थ स्पष्ट है कि देव मन्दिर में, तीर्थ यात्रा में, यज्ञों में, विवाहों में, छुआछूत का विचार नहीं करना चाहिये। तो मैं उन लोगों से जो धर्म और शास्त्रों की दुहाई देते रहते हैं, कहूंगा कि धर्म में तो इस तरह की आज्ञा दी हुई है। धर्म को

समझिये तो कि क्या है ? धर्म का भी लक्षण देख लीजिये। धर्म का लक्षण यह है :

धृतिः क्षमा दमो स्तेयं

शौचमिन्द्रिय निग्रहः ।

धी विद्या सत्यमक्रोधो

दशकं धर्मं लक्षणम् ॥

धर्म के दस लक्षण बतलाये हैं, अगर यह धर्म के दस लक्षण सही हैं तो मैं पूछना चाहता हूं कि धर्म या शास्त्र के अन्दर यह कहाँ लिखा हुआ है कि जो अच्छे हैं या हरिजन हैं वह मन्दिरों में प्रवेश नहीं कर सकते ? मैं ने आपको अत्रि स्मृति से श्लोक पढ़ करके बतलाया कि शास्त्रों को क्या आज्ञा है और मैं अपने पक्ष में और भी श्लोक पढ़ सकता हूं लेकिन पांच मिनट का कुल समय मिला है और समयाभाव के कारण मैं उनको नहीं पढ़ना चाहता और मैं थोड़ी और बात कह कर अपना भाषण समाप्त करना चाहता हूं। मैं कहना चाहता हूं कि लोगों में शास्त्रों की दुहाई दे कर इस तरह की गलत भावनाएं फैलायी जाती हैं कि हरिजन शास्त्रानुसार आचरण नहीं करते हैं जब कि मैं समझता हूं कि धर्म के तथाकथित ठेकेदारों और धर्मशास्त्रों की दुहाई देने वालों से हमारे हरिजन भाई कहीं ज्यादा अच्छे हैं।

इसी के साथ मैं एक बात और कह कर के अपनी बात समाप्त किया चाहता हूं और वह है गांधी जी के वह वाक्य जिनको कि मैं नीचे उद्धृत किये देता हूं :—

गांधी जी ने एक बार कहा था कि “अस्पृश्यता जिस रूप में हम उसे देखते हैं, यह शुभ है जो हिन्दू धर्म के प्राणों को ही खा रहा है।” गांधी जी का ही एक और उद्धरण पेश करके मैं बैठ जाऊंगा और वह इस प्रकार है :—“जिस प्रकार किसी परिवार के बहिष्कृत सदस्य को उसके जापस बुलाये जाने के बाद हिराजत और विशेष रूप से से 41



[श्री नवल प्रसाकर]

की जाती है, उसी प्रकार सबको को हरिजनों में कार्य करना चाहिये।"

आज यह ठीक है कि हम इस बिल को पास कर देंगे लेकिन मैं यह कहा चाहता हूँ कि गांधी जी के यह वाक्य हमारे सामने रहने चाहिये। मैं इस सदन के तमाम सदस्यों से कहना चाहता हूँ और खास तौर से कांग्रेस दल के जो मेरे भाई हैं, उन से कहा चाहता हूँ कि गांधी जी के इन शब्दों को याद रखें और सेवा का व्रत धारण करें और असुविधा निवारणार्थ जो यह कानून पास किया जा रहा है, उसके लिये देखें कि वह वास्तव में अमल में आता है और जो हमारे भाई सदियों से पिछड़े हुये और दबे हुये रहते आये हैं, उनको ऊँचा उठाया जाये और यह तभी सम्भव हो सकता है जब कि यह कानून काफ़ी एफ़ेक्टिव हो और उसके ऊपर ठीक तरह से अमल हो और यह देखना हम लोगों का कर्तव्य होना चाहिये।

**Shri Pataskar:** The hon. Home Minister already, while moving the motion today, has very clearly and lucidly explained the background of the present Bill which has been considered during the last 3 or 4 hours. So, I need not again go over the same ground.

One good feature of the present discussion which struck me is this that this social measure is almost universally supported in this House. And, it is a good sign that more and more people are getting conscious of the necessity of effecting social improvements in the structure of our society in order that we may become strong and united in whatever we have to do as an independent nation.

As a matter of fact, as we all know, this social evil had assumed such an enormous form that but for the active propaganda and efforts and blessing of the Father of the Nation, Mahatma Gandhi, in no other country

would it have been possible to even resolve the problem in the way in which we have been able to resolve it in such a short time. Various complaints were made by some of the hon. Members that the problem of untouchability or the problem of the hardships to which certain sections of society are put are, as a matter of fact, not entirely solved. It is a correct thing. Every one of us knows that the problem has not still been completely solved and hence the necessity for a Bill like this. But, I would appeal to those hon. Members also that, while not being satisfied with whatever has been done in this short period, they may as well take note of the fact as to what we have been able to achieve in such a short space of time. To my mind, Government have been paying the closest attention and they have never remained satisfied with merely inserting article 17 in the Constitution, but, from time to time, almost all the States in India had passed several Acts. I know there are difficulties which have been narrated by many of the Members, who, unfortunately belong to the communities which have to suffer these hardships. It is difficult for them on account of economic dependence or other causes to enforce what has been guaranteed to them by the Constitution and even by the legislation which have been passed by different States. For that, naturally, we have to depend more and more upon public opinion and that point has also been stressed by the hon. Members.

But, I would like all these hon. Members to take into account that even public opinion is now undergoing change and that too very rapidly. For instance, there is an indication of it, because a few years ago, if such a Bill had probably been brought before this House, I do not think there would have been this almost unanimous support which it has had today. Because, after all, as the hon. Mr. Chatterjee pointed out, we are not merely stopping with saying that untouchability is abolished, but we are

taking this further step that in the whole of this country—because this Bill is going to be made applicable to the whole of India—we are laying down that it shall be an offence to deny so many things that are mentioned there and to try to root out this untouchability in any form whatsoever.

Then, it must be remembered that there has been such an amount of discussion in other cases when we made provision that in the case of an offence the burden of proof will be on the accused to prove his innocence but here it has not been objected to from any responsible Member of the House because everyone has realised that this is an exceptional matter and therefore an exceptional remedy has to be found.

Therefore, I am very glad to find that this is a measure in which the Members of this House have thought it fit to go to the farthest extreme to which they can go so far as legislation is concerned. With respect to the legislation itself I do not find there has been any objection from any quarter whatsoever except, probably, from one hon. Member. But that also has to be noted that the hon. Member who represents the Varnashrama Swaraj Sangh—even he.....

An Hon. Member: Ram Rajya Parishad.

Shri Pataskar: I think they are the same. It is difficult to distinguish between two or three of these organisations. All the same, even he, it is to be noted that in the atmosphere of today did not say that he opposes it. He only did it indirectly by saying, what do you mean by untouchability. That means that he is not happy with that idea. It may take some time for such people to psychologically adjust themselves to the things that come. But, that change has occurred with him also and he has not opposed this Bill. He said, what do you mean by untouchability of something like that. We know what untouchability means.

Where is the necessity to define it? What he said was, suppose there is a man who follows the shoe-making profession, no brahmin should do it. He thought that by such means, he might create an impression that something is reserved for some classes of people, and that too in a mild way. Then, he came to the conclusion that it is no good opposing a measure of this kind. I am very glad that a social measure of this kind has received almost the unanimous support of all sections of this House irrespective of communal, party or political considerations. Every one of the hon. Members who have spoken has tried to impress the necessity of solving this problem at the earliest we can. Of course in his enthusiasm, the hon. Member Shri Khardekar suggested that we should make a rule that in every family there should be some girl belonging to these communities, probably married or something of that kind. He gave the instance of Alexander and some other people. I think it was tried in the Moghul times also. But, we, for our part, do not believe in these compulsory things. Rather we should try to impress the moral necessity. That is being done. Not in this Bill, but in other Bills. Yesterday, for instance, in the other Bill, we have made a provision that any marriage between one Hindu and another would be valid. We are trying to do it by stages. I hope that things will happen in their own proper time.

4 P.M.

About the establishment of a separate Committee and educational facilities, some Members were naturally anxious. Some doubt was expressed whether we are going to implement what we mean by the provisions of this Act. To give a categorical reply to those who are not inclined to put their faith in us is a difficult matter. We can see the course of conduct that this Government has been following in the past and the way in which they have been prepared to bring forward a measure like this in which, as I said—my hon. friend Shri S. S. More

[Shri Pataskar]

was not here—we have gone to the farthest length to which legislation can go in making a provision like the one in clause 12. I am sure that the Government will hereafter take whatever steps are possible to solve this problem at the earliest date and see that this evil is rooted out entirely and completely and that it does not exist in our country at all.

**Shri P. N. Rajabhoj:** Economic conditions.

**Shri Pataskar:** That is what I said: economic conditions, educational conditions, services, everything is being considered by the Government. I cannot say that everyone is satisfied. But, there is no denying the fact that even this Government which some people may not like has been making the maximum efforts that it can for the solution of this problem.

I am very happy that a social measure of this kind has received the unanimous support of this House.

**Mr. Chairman:** The reply has been made on behalf of the Home Minister. I shall put the motion to the House.

The question is:

"That the Bill prescribe punishment for the practice of untouchability or the enforcement of any disability arising therefrom, as reported by the Joint Committee, be taken into consideration."

*The motion was adopted.*

**Clause 2.— (Definitions).**

**Mr. Chairman:** There are several amendments. Hon. Members are requested to give at the Table of the House the numbers of the amendments which they wish to move, within ten minutes.

**Shri Sadhan Gupta:** May I make a suggestion? Clause 2 is the definition clause. I have given notice of an amendment, to add a definition to clause 2. Therefore, I suggest that the voting on clause 2 may be held over till at least clauses 3 to 6 have been dealt with.

**Mr. Chairman:** There may be one difficulty. I do not know. The hon. Member wants to add a definition. That word may have to be used later.

**Shri S. S. More:** I wish to make a submission.

**Mr. Chairman:** In this connection?

**Shri S. S. More:** Yes. As far as clause 2 is concerned, we need not postpone its consideration or even the passing of it. My hon. friend Shri Sadhan Gupta by his amendment wants to add a definition of 'untouchability'. We can immediately take it up, because unless we take it up immediately, it will be very difficult to proceed scientifically with other provisions. I have to say something about the absence of any definition of 'untouchability' in the Joint Committee report, though that definition was there in the original Bill. So, though I agree with Shri Sadhan Gupta regarding the necessity for a definition, I do not agree with him as far as his proposal to postpone consideration of clause 2 is concerned.

**Mr. Chairman:** If that be postponed, we cannot proceed with the other clauses. Where that word has to be used or has been used, it would be difficult to say.

**Shri Sadhan Gupta:** I am not for postponing consideration; I was submitting for postponement of the voting on that clause.

**Mr. Chairman:** That can be considered.

**Shri S. S. More:** With your permission, may I make a few suggestions regarding clause 2? I find that there are two definitions wanting. Now amendment No. 20 of Shri Sadhan Gupta restores the definition which was in the original Bill. As a lawyer, I find that in this measure untouchability is the crux. If untouchability is not defined, it will be extremely difficult for the courts to interpret untouchability because, unfortunately in this country, untouchability may

come in various shapes and shades. In order to enable the courts to know concretely what is untouchability and what is supposed to be penal, there should be a definition of untouchability. The question is whether the definition as it was given in the original Bill will be sufficient or not. I feel that the definition will not be sufficient. The draftsmen should exercise their ingenuity and give us something more substantial and more comprehensive so that no man can escape on a legal or technical quibbling over this definition of untouchability.

There is one more suggestion which I have to make. In the Explanation to clause 3, the expression 'professing the same religion' has been defined. I would request the Home Minister to remove that explanation from clause 3 and have it as a definition of the words 'professing the same religion' in the definition clause, because this explanation under clause 3 is supposed to be only for the purpose of clause 3.

**Shri Kashiwal:** Is the hon. Member speaking on clause 2 or clause 3 or clause 4?

**Shri S. S. More:** I am referring to clause 3. My suggestion is that the explanation under clause 3 should be removed and made a definition under clause 2. If this is not intelligible to my friend, I cannot help it. So in addition to the suggestion on clause 2, I say that 'professing the same religion' should be removed from the explanation in clause 3 and put in clause 2.

**Pandit G. B. Pant:** Which is your amendment?

**Shri S. S. More:** This is only a suggestion, because amendments coming from this side have no meaning always. That is my experience. So I am rather appealing to the Home Minister than go through the procedural part of it.

**Pandit G. B. Pant:** Every Member is entitled to move his amendment.

**Shri S. S. More:** Unrestricted by procedural things, we are out to improve the Bill. I do appreciate the intention of Government to make it as perfect as possible. Having that object in view, I am making this suggestion, though I have not tabled any amendment myself.

So these are the two suggestions I want to make. One suggestion is that untouchability ought to be defined because untouchability is the governing theme, the governing thread, that puts all these sections together. It may be difficult to define, but all the same, we must make a serious attempt to define it; otherwise, ourts will be at sea.

**Mr. Chairman:** The hon. Member was not a Member of the Joint Committee, perhaps.

**Shri S. S. More:** I was not a Member.

**Mr. Chairman:** The point was discussed there.

**Shri S. S. More:** I have read whatever has been written in the report by you.

**Shri Velayudhan:** Can we give details of the discussion in the Joint Committee in the House?

**Mr. Chairman:** I am not giving any details. I only referred to it.

**Shri S. S. More:** All the details are given before us in the form of reports and proceedings. There is nothing secret. They are here.

**Shri R. K. Chaudhari (Gauhati):** But do not allude to them in the discussion.

**Shri S. S. More:** I am being instructed by so many friends. I accept their instructions. But these are the suggestions I want to make, namely, that untouchability should be defined and there should be a controlling definition of 'professing the same religion', because once it is given in the definition clause the whole enactment will be controlled by that Explanation

[Shri S. S. More]

in a particular clause will only relate to that clause.

**Shri Sadhan Gupta:** I beg to move:

In page 2,

after line 9, add:

“(f) ‘untouchable’ means a member of a Scheduled Caste as defined in clause (24) of article 366 of the Constitution, or any other person who by custom or usage is or is regarded as an ‘untouchable’ by any community or section thereof.

*Explanation I.*—A member of a Scheduled Caste shall not cease to be such member if he resides in any locality other than the locality specified in relation to him in any public notification issued or any law made by Parliament under article 341 of the Constitution.

*Explanation II.*—A member of a Scheduled Caste or any other person who is or is regarded as untouchable or who has been converted from the Hindu religion to any other religion shall, notwithstanding such conversion, be deemed to be an untouchable for the purposes of this Act.”

**Shri K. C. Sodhia: (Sagar):** I beg to move:

In page 2, line 3,

after “therein” insert:

“in the form usually followed”.

**Shri L. Jogeswar Singh (Inner Manipur):** I beg to move:

In page 1, lines 19 and 20,

after “worship” insert:

“or which is used as a place of public religious worship and maintained wholly or partly out of State allowance or grant”.

**Shri N. Rachiah (Mysore—Reserv. ed—Scheduled Caste):** I beg to move:

In page 1, line 17,

after “sport” insert:

“public gathering.”

**Mr. Chairman:** Amendments moved:

In page 2,

after line 9, add:

“(f) ‘untouchable’ means a member of a Scheduled Caste as defined in clause (24) of article 366 of the Constitution, or any other person who by custom or usage is or is regarded as an ‘untouchable’ by any community or section thereof.

*Explanation I.*—A member of a Scheduled Caste shall not cease to be such member if he resides in any locality other than the locality specified in relation to him in any public notification issued or any law made by Parliament under article 341 of the Constitution.

*Explanation II.*—A member of a Scheduled Caste or any other person who is or is regarded as untouchable or who has been converted from the Hindu religion to any other religion shall, notwithstanding such conversion, be deemed to be an untouchable for the purposes of this Act.”

In page 2, line 3,

after “therein” insert:

“in the form usually followed .

In page 1, lines 19 and 20,

after “worship” insert:

“or which is used as a place of public religious worship and maintained wholly or partly out of State allowance or grant”.

In page 1, line 17,

after “sport” insert:

“public gathering”.

**Shri Sadhan Gupta:** I want to add a definition of ‘untouchable’ with a

view to make the scope of the Act more perfect. There was a definition of 'untouchable' in the original Bill, and in the original Bill the penal section ran, whoever prevents an untouchable and so forth. Now, it was argued, with quite a lot of sense that that put a sort of stigma on certain people as untouchable. Therefore, that word 'untouchable' was omitted from the penal sections and 'untouchability' was substituted in its place, and as a consequence, the definition of 'untouchable' was also omitted. But then what the Select Committee failed to realise was that unless there was some definition of the category of persons intended to be covered, it would be very difficult to give effect to the provision of the Constitution to punish offenders against untouchability. Now, you know that in a penal law, provisions would be very strictly construed. Untouchability would mean the fact that a person cannot be touched. Now, it is obvious that there are many classes who are not untouchables, properly speaking, but yet who have social disabilities. For example, is it not customary to eat with them, it is not customary to admit them to temples. But they may be touched; there is no pollution from the mere physical contact. Now, it may be that as a result of that definition being removed and the change of phraseology, it is only a narrow section of people whose physical touch is regarded by Hindu society as contaminating, it is only they who will be covered, and other evils of the caste system which are perpetrated against the so-called low castes will not be covered by this enactment. That is why a definition is necessary, and I find that the best way to do it is to reintroduce the definition of 'untouchable' but to steer clear of the stigma which the old Bill imposed; I am providing: 'whoever on the ground of a person being untouchable prevents any person from doing such and such a thing.....would be punishable'. Now, I want to make it very clear that we are not far dubbing any person perpetually as 'untouchable'. We are not for giving legal recognition to,

call any particular section of the population of our country as 'untouchable'. When I move my amendments to clause 3 and other clauses, I shall try to show you that I have steered clear of it because I have not said that a person should be punished when he prevents an untouchable from doing certain things or having a certain access, but he will be punished when on the ground that a certain person is untouchable he does certain things, prevents him from access to hotels, shops etc. Now, that is something very different from the old Bill. But that makes the Bill effective. It extends the scope of the Bill from the mere fact of untouchability to all the kinds of indignities imposed on certain people on the ground of the supposed lowness of their caste. Now, that is why I want to reintroduce this definition, and in the light of this reintroduced definition, to amend the other clauses. I hope the Minister will have no difficulty in accepting this definition and the other consequential amendments to the clauses, and making the Bill thereby effective.

**Shri M. Gurupadaswamy:** I support the previous two speakers, and I request the hon. Minister to accept the amendment to include it under the definition clause of untouchability. Otherwise, this will be left to vague and complicated interpretations in law courts, and even the law courts will not be in a position to say what is untouchability and what is not untouchability.

You are aware that there are different types of untouchability and various shades of untouchability going under different names and forms. There are people who do not touch others and the one people who do not want to be touched by others. For example, people belonging to orthodox families stay at a distance if they see an untouchable.

**Mr. Chairman:** May I just interrupt? The original definition of the Bill simply said that the Scheduled Castes are untouchables and nothing

[Mr. Chairman]

more; it does not give any definition. How will that improve matters?

**Shri M. S. Gurupadaswamy:** I am not saying that the original provision must be inserted here; but I only say that there should be a definition. Even the original provision is not very clear.

**Shrimati Renu Chakravarty (Basirhat):** May I just ask you this? Besides the fact that 'untouchable' means a member of the Scheduled Caste, it goes on again in the original Bill 'any other person who may by custom or usage be regarded as an untouchable.....' We also find it difficult how the new clause as it has emerged from the Joint Committee actually covers both those who are in the Scheduled Castes plus those who are recognised as untouchables in society under custom and usage?

**Mr. Chairman:** It is difficult for me to say without referring to it. In the penal clauses we had defined the circumstances under which an offence will be committed and how it will be punishable. There we have included all such things—religious, social etc. If any one transgressed those, he will be committing an offence. What I asked Mr. Gurupadaswamy was how the amendment No. 20 defined untouchability.

**Shri M. S. Gurupadaswamy:** It does define it. The present amendment by Shri Sadhan Gupta reads as follows: in the first portion it says 'untouchable means a member of the Scheduled Caste as defined in clause (24) of article 366 of the Constitution, or any other person who by custom or usage is regarded as an 'untouchable' by any community or section thereof.' I think this definition is an improvement over the old definition and if it could be improved I think we are prepared to accept it.

**Shri S. S. More:** His amendment restored the original; he has not added.

**Mr. Chairman:** I was asked by Shrimati Renu Chakravarty about persons who are outside the Scheduled Castes. In the clauses that we had inserted, the provision is that so far as other communities are concerned—Christian or Muslim—the general provisions will apply their cases also. If a Muslim is prevented from entering a Masjid by another Muslim, he comes under sub-clause (a) of clause 3. If they belong to the same religion, then it will apply.

**Shrimati Renu Chakravarty:** My difficulty was this. In the penal clauses, you have actually defined certain actions which will be regarded as offending. But my difficulty is here. It reads 'whoever on the ground only of 'untouchability' prevents any person.....' I am a caste Hindu and suppose I am prevented from entering the place of worship, will that be regarded as an offence? Whoever on the ground only of untouchability prevents any person from doing such and such things shall be punishable. I am a caste Hindu and I am prevented from entering a particular place of worship. You will have to prove that it is only on the ground of untouchability. Will that be regarded as untouchability or not? We do not know if those penal clauses should be applied in those cases.

**Shri S. S. More:** Before you explain, might I seek your clarification as the Chairman of the Joint Committee? Take for instance clause 12. There you have brought in Scheduled Caste. It reads ".....In relation to a member of a Scheduled Caste as defined in clause (24) of article 366 of the Constitution....." In the original definition there were two parts—first, clause (24) Scheduled Caste under article 366 and then those who may not come under this particular category but were untouchables by virtue of any custom or usage. Now by bringing in this only clause you are knocking out those who were still untouchables though not recognised

as such under that particular clause. The scope is narrowed down, think you will agree that in this country there are a large number of persons who are untouchables by custom or usage though they are not specified under this article of our Constitution. That is why I say that the Joint Committee has narrowed down the scope.....

**Shri Velayudhan:** It has whittled down.

**Shri S. S. More:** I accept Velayudhan's English.

**Shri Velayudhan:** May I request the Home Minister to go through both these Bills and come to a decision because I know he is sincere about it? I did not get a chance to speak.

**Mr. Chairman:** Our idea is that it is fully covered.

**Shri S. S. More:** The scope of the original Bill was large; it had been narrowed down by the Joint Committee and those who were untouchables by virtue of custom or usage are ruled out.

**Shri Velayudhan:** There is another point which I want the hon. Minister to note. Even the All India Harijan Sevak Sangh had put in a representation. This new definition was included despite the opposition of the Harijan Sevak Sangh.

**Pandit G. B. Pant:** Is it a committee meeting or they are going to settle it by negotiation? If it is the latter, I can state my view but if it is going to be argued out, I better speak last.

**Shri Velayudhan:** He was not present there; therefore, I spoke about this matter. This is a very important measure and I know he is sincere in this matter and wants to do full justice.

**Pandit G. B. Pant:** Nobody has any prejudice in this matter.

**Shri Velayudhan:** The Bill has got a prejudice.

**Mr. Chairman:** Our purpose was that in the definition as many cases as possible should be covered. So far

as Scheduled Castes are concerned, they are fully covered. So far as other communities are concerned, this general clause covers their cases also. A Muslim is quite entitled to the worship at the mosque; he cannot be debarred. If he is debarred, the man who obstructs him commits an offence. It is so in the case of Christians. So, practically we tried to cover all the cases. There may be certain exceptions here and there but we thought that we need not use this word 'untouchable' which will be permanently there.

**Shri Velayudhan:** That question does not arise.

**Shri Raghavaiah (Ongole):** There is this case also: when some Hindus marry a Muslim or Christian they are ex-communicated from the society and are not allowed to enter any place of worship or any place put to public use.

[MR. DEPUTY-SPEAKER in the Chair.]

**Shri M. S. Gurupadaswamy:** I was saying that we should first agree on this simple point, namely, to include the definition of untouchability in clause 2. What that definition should be is a matter for our consideration at a later stage. Let us now agree to have a definition of untouchability in clause 2 to make the Bill very unambiguous and clear. After having done that, let us see whether the original definition of untouchability suits our purpose.

**Shri S. S. More** was pointing out that the original definition also was not very satisfactory. I can understand that untouchability is a thing which cannot be defined easily unless we take pains and exercise our mind and use all our brains for this purpose. Untouchability is such a vague term and we have got all kinds of untouchability and all shades of untouchability in the land. But let us know from the hon. Home Minister whether he would agree for including the definition of untouchability in this clause. If he agrees, then this may be postponed till after we dispose of the other clauses. If he has got a



[Shri M. S. Gurupadaswamy]

ready-made definition, then we can dispose of that definition. I feel that unless we define the term 'untouchable' or 'untouchability', we will be giving ample scope for courts of law to come out with all sorts of interpretations and instead of doing away with untouchability we will be engaged hereafter with more controversies about untouchability. Controversy is not our purpose. The purpose is not only to avoid controversy either in the courts of law or in the platforms outside the House but also to see that untouchability is once and for all be eliminated from public life. As I was saying earlier, there is a set of class belonging to orthodox families who say that "you do not touch me" instead of saying "I do not touch you." Many people belong to this touch-me-not class. They are also a sort of untouchables. So, it is very difficult to know what is untouchability. Let us agree to avoid future difficulties, to include the definition of untouchability. Otherwise the purpose of the Bill and the objectives of this measure will not be fulfilled and they may lead to all sorts of legal and other complications. With these words, I anticipate a very positive answer from the Home Minister.

**Shri Velayudhan:** I want to speak. I can assure you that I have not spoken before.

**Shri R. K. Chaudhuri:** All his interruptions in the course of discussion of this Bill will total up to a long speech!

**Shri Velayudhan:** I fully support the amendment moved by my friend, Shri Sadhan Gupta, and which was supported by Shri S. S. More and Shri M. S. Gurupadaswamy.

**Shri S. S. More:** I did not support it.

**Shri Velayudhan:** Because there is no definition of untouchability the Bill will become ineffective—the whole process of the Bill will become ineffective—when it goes to a law court. That was my contention from the very beginning when this Bill was discussed in the House and in the Joint Committee.

Unfortunately, the Constitution itself in article 17, does not define what untouchability is. Therefore, this Bill should define what is untouchability. That is what this Parliament should do. That is what I have stated in my Minute of Dissent. I had stated thus:

"The Constitution itself does not define as to who is an untouchable and what is untouchability. So it was essential that these terms should be defined in the implementing Act. Further whatever disabilities could be said to arise out of untouchability should be logically enumerated. It is then that implementation becomes possible".

This was what I could find and record, among other things, when we finished the discussion of the Bill in the Select Committee. Now, we are going to legislate. We are not going to legislate for a few untouchables or for the Harijans but for the whole country as well. In the original Bill it was very well-worded, and the framers of that Bill had discovered this very early and it was there. But unfortunately, when it came to the Joint Committee, it was completely dropped there. I was not only surprised but it was a very painful thing for me to have been on the Joint Committee. That was my experience there at that time.

**Mr. Deputy-Speaker:** How can it be done? For instance, if a member of the Scheduled Castes professes to become a Muhammadan, is it the intention of the hon. Member that the Muhammadan should be admitted into the Hindu temple? If one becomes a Christian, are we to create an exception for such communities in the case of temples? This definition does not seem to be appropriate.

**Shri Velayudhan:** Even in view of the doubt you have expressed whether a non-Hindu can be allowed in the Hindu temple,.....

**Mr. Deputy-Speaker:** By virtue of this Act, a non-Hindu becomes a Hindu clothed with the power to enter

into any Hindu temple. That is a wonderful problem, if you want such an explanation in the clause.

**Shri Velayudhan:** A non-Hindu cannot go.

**Mr. Deputy-Speaker:** It would be an offence if he was originally a Scheduled Caste man and now becomes a Christian and he enters the temple without any faith in idol worship. All the same if he is allowed, you send the *poojari* to jail for six months. What is the meaning? These are all the difficulties which have evidently been anticipated in the Joint Committee of which Shri Velayudhan was a Member.

**Shri Velayudhan:** There is one thing. There was an explanation in the original Bill. It ran thus:

"A member of the Scheduled Caste who has been converted from the Hindu religion to any other religion shall, notwithstanding such conversion, be deemed to be an untouchable for the purposes of this Act."

**Mr. Deputy-Speaker:** Therefore he is a *pucca* Hindu for the purposes of this Act and can go into a temple, notwithstanding his conversion to any other religion.

**Shri S. S. More:** He cannot. He has become a Muslim. Again a barber recognises him as a man in his original untouchable form—an untouchable—and refuses to shave him.

**Mr. Deputy-Speaker:** That is another matter. We are not on shaving! We are talking of temple entry.

**Shri S. S. More:** I may also point out another difficulty.

**Mr. Deputy-Speaker:** Therefore, this definition by itself is not quite correct. It will have to be limited.

Several Hon. Members rose—

**Mr. Deputy-Speaker:** I am not going to allow all the Members to speak at one and the same time. Each Member who has got something new to

contribute will have three minutes. I think Shri Velayudhan has completed.

**Shri Sadhan Gupta:** I want one clarification.

**Mr. Deputy-Speaker:** No question of clarification now.

**Shri Sadhan Gupta:** Everything proceeds on a misunderstanding about my stand.

**Mr. Deputy-Speaker:** Dr. Rama Rao will speak.

**Dr. Rama Rao (Kakinada):** In clause 3, it is said in both sub-clauses (a) and (b):

"to other persons professing the same religion,"

Those persons professing different religions cannot come in.

**Mr. Deputy-Speaker:** Then there will be a clash between this clause and the amendment suggested.

**Dr. Rama Rao:** It is definitely mentioned in sub-clauses (a) and (b) thus:

"as is permissible to other persons professing the same religion."

**Mr. Deputy-Speaker:** Notwithstanding the change, he continues to be an untouchable.

**Dr. Rama Rao:** But this prevents him. Sub-clauses (a) and (b) prevent such a thing.

**Shri N. Rachiah:** How is it that I am not able to catch your eye? I have moved an amendment also.

**Mr. Deputy-Speaker:** I shall call upon Shri Jangde now. After that I shall call upon the hon. Member.

**Shri N. Rachiah:** He was given chance every time, but I am not called.

**Shri Velayudhan:** On a point of clarification. About the point which I have made, namely, whether a Muslim or a Hindu.....

**Mr. Deputy-Speaker:** Hon. Members can have a right of speech only once so far as an amendment is concerned. If the hon. Member sits down of his own accord, I take it that he has completed his speech. Has the hon. Member finished?

**Shri Velayudhan:** No.

**Mr. Deputy-Speaker:** He may continue then.

**Shri Velayudhan:** In the original Bill it was stated:

"Untouchable includes any other person who by custom or usage is regarded as untouchable by any community or section thereof."

Untouchability is in the Hindu community only, not in any other community.

**An Hon. Member:** There are in the Mohammedan community also.

**Shri Velayudhan:** Among the Muslims, there are no untouchables. Among the Christians there are no untouchables. It is only among the Hindu community that untouchables are there. Therefore, this change will not in any way allow a Christian or a Muslim to enter a Hindu temple or go scot-free even if he enters there.

**Mr. Deputy-Speaker:** Let us not carry on any further argument. There seems to be an endless discussion going on now. Otherwise, Explanation II would be superfluous. The hon. Member does not follow that. In the Sikh community also there are untouchables, and there has been so much of agitation that this must include all untouchables, notwithstanding the fact that they have changed their religion.

**Several Hon. Members rose —**

**Mr. Deputy-Speaker:** I shall give an opportunity to every hon. Member.

**Shri P. N. Rajabhoj:** There are Mazhabi Sikhs also.

**Mr. Deputy-Speaker:** And the House can get such light as it is entitled to

get from the lips of any hon. Member.

**Shrimati Renu Chakravartty:** You have raised a very pertinent point in regard to Explanation II. I just want to understand.....

**Mr. Deputy-Speaker:** I shall call the hon. lady Member later.

**Shrimati Renu Chakravartty:** I just want to put a simple question, so that our minds can be clarified. Otherwise, how can we vote on that?

**Mr. Deputy-Speaker:** I have put the question to the hon. Member who is on his legs. If he is not able to answer it then other hon. Members can have their turn.

**Shri Velayudhan:** As for this legal lacuna, I would suggest that somehow or other we shall have to find a suitable word which will exclude the Muslims and other non-Hindus. I feel that we can very well do it. We cleared it up even in the Joint Committee. This is a matter of law. If we do not include this definition of untouchable, the whole law will become ineffective, when it goes before a court. That is the difficulty. How are you going to remove that difficulty, and how are you going to get out of it?

You are thinking in terms of the non-Hindus getting into a Hindu temple. But what about the major number of people who are suffering from the evil of untouchability? Take, for example, the prejudice and the disabilities from which they suffer, and also the threat which is administered to them. These difficulties are there in various forms because of caste distinctions. What measures have you got to prevent them? What is the legal protection for them? That is why I suggested that a suitable wording should be found so that we can give protection and at the same time see that non-Hindus are prevented from getting into Hindu temples. I do not want that Christians and Muslims should get into the Hindu temples, even though I personally like it very much.

I therefore submit that we shall have to find out a suitable wording for this purpose. Otherwise this Bill will become ineffective. I would humbly request the hon. Home Minister to find out some solution for this, because I believe that had he been there at that time some solution would have been found out.

**Mr. Deputy-Speaker:** So far as this definition is concerned, it was there in the original Bill. But the Joint Committee has dropped that definition. Now an amendment has been moved to restore it. I think enough has been said already, so far as this is concerned. If hon. Members want to pursue this point, I shall allow them to go on. Otherwise, I shall call upon the hon. Minister to reply.

श्री पी० एन० राजभोज: मेरी प्रार्थना यह है कि सिखों में मजहबी सिख अनटचेबल्स माने जाते हैं। मजहबी सिखों को ताजद करीब १६ लाख हैं। अगर क्रिश्चियन्स को देखा जाय तो उन के यहां भी अनटचेबल्स हैं। इसलिये मेरी प्रार्थना है कि अगर कोर्ट में जायेंगे ऐसे मामले तो उन में गड़बड़ी पड़ जायेगी। इस लिये गवर्नमेंट को अनटचेबल्स के बारे में कोई डेफिनिट प्रोपीनियन बनानी पड़ेगी। इस के लिये होम मिनिस्टर को कुछ करना चाहिये। जो अमेंडमेंट श्री साधन गुप्त का है उस में ठीक रास्ता सुझाया गया है क्योंकि बिना डेफिनिटली कुछ बताये अगर कोर्ट में मामला जायंगा तो वह कैसे निपटेगा। कोर्टों में इस मामले में बड़ी मुश्किल हो जायेगी। इसलिये मेरी प्रार्थना है कि होम मिनिस्टर साहब कृपा कर के कुछ बताये कि इस के लिये क्या तरीका निकाला जाय ?

**Shri Nanadas:** The word 'untouchability' was defined in the original Bill, but in the Bill as reported by the Joint Committee, the definition is not there. It was only on sentimental grounds that it was dropped. If we do not define the word 'untouchable' or 'untouchability' the law will become ineffective, and it will give a large

scope to the lawyers. Moreover a very large section of the untouchables.....

**An Hon. Member:** 'Untouchability' is there in the Constitution.

**Shri Nanadas:**.....who have converted themselves to Christianity and Islam will not be able to utilise the provisions of this law in their favour. For instance, in my part of the country, i.e. Andhra, there is a good number of Scheduled Castes, who have converted themselves to Christianity, and today for all practical purposes they are treated as untouchables. The same is the case in other States too. I was told that some sects among the Muslims in Bihar are also regarded as untouchables.

In order to bring these very large sections of the people, namely the converted Christians and the converted Muslims, under the definition of 'untouchable', it is very necessary that we have to define the word 'untouchable'. Otherwise, we will be doing injustice to a very large section of the people, and the spirit of the Bill will be curtailed. Therefore, I support the amendment moved by Shri Sadhan Gupta.

As you have expressed, a difficulty arises whether the converted Christians and Muslims should be admitted into the Hindu temples in that case. To overcome that difficulty, in the subsequent clauses it was clearly stated that 'a person who is of the same religion or same section thereof' will be admitted into the temples, but not the others. So there is no scope for a non-Hindu entering a Hindu temple. That difficulty is not there.

**Shri Dhulekar:** Why should they enter?

**Mr. Deputy-Speaker:** Now, Shri Barman:

**Shri N. Rachiah:** On a point of order. There must be one uniform principle followed with regard to giving chances to hon. Members. One

[Shri N. Rachiah]

person gets up and immediately he is called upon to make his speech. Another Member rises 20 times and then only gets a chance. But I have moved an amendment, and yet I am not given a chance.

**Mr. Deputy-Speaker:** What is that amendment?

**Shri N. Rachiah:** One principle should be followed with regard to calling of Members.

**Shri Deputy-Speaker:** I shall call the hon. Member after Shri Barman.

**Shri Barman** (North Bengal—Reserved—Sch. Castes): It has been argued or apprehended by many of my friends that unless the word 'untouchability' is defined, this Bill will be ineffective.

I beg to submit that the word 'untouchability' has been used in the Constitution itself, and there is no definition of that word in the Constitution. At the time when the Constitution was framed there was an attempt to define 'untouchability', but it was found that untouchability is a sort of custom which varies from place to place and from community to community, and so what is untouchability in one place is not untouchability in some other place. So it is very difficult to define untouchability. But the notion of untouchability is known to everybody. By now about 21 State Bills have been passed, but nowhere has the word 'untouchability' been defined. In the original Bill here there was an attempt to define the word 'untouchable' to which many of us have very strong objection. After we have abolished untouchability from India by the passing of the Constitution, to dub a particular class as untouchables is most obnoxious. This is not only unreasonable, but it is offensive and to tell the world that there is a class in India who are untouchable is not a fair proposition at all. To my Scheduled Caste friends I may tell them that once they accept by the definition that they are

untouchables, then what right have they or with what face can they tell those who treat them as untouchables that they should not be treated as untouchables? By the very definition you are accepting that you are untouchables and the next moment you say that though you are untouchables we have no right to treat you as untouchables.

**Shri R. K. Chaudhuri:** Rajbansi in Bengal is considered as a Scheduled Caste whereas in Assam it is not a Scheduled Caste and they are not at all untouchables.

**Shri Barman:** That is a case of one caste considered as Scheduled Caste in one place but not in another place. I am not saying about that. I am arguing the general proposition for my Scheduled Caste friends. If they accept by the definition that they are untouchables then they would be dubbed as untouchables. We have already said in our Constitution that untouchability is abolished and now we are making untouchability an offence. Just as in the Penal Code there are several offences defined as penal and in certain other clauses it is said that if you act in this way then you shall be punished, similarly we have abolished untouchability. Therefore, we have no right to say that untouchability is recognised in our country. If then, untouchability is not recognised, then the only thing left, which is to be done by the Centre and not by the States according to the Constitution, is that we have to make untouchability an offence. If anybody treats another man as an untouchable or dubs another man as an untouchable, then he will be punishable. This is the only thing you are doing here. Let us see whether the Bill as amended by the Joint Committee serves our purpose or not.

**An Hon. Member:** No.

**Shri Barman:** I beg to submit that the protection that was given to the Scheduled Castes in the original Bill has been far more strengthened by

the amendments of the Joint Committee. In the original Bill the definition of 'untouchable' is: "Scheduled Castes and such others who have been converted from Scheduled Castes". Here we have omitted the definition but we have at the same time added clause 12 by which we have said that if there be any case, then in that case, it is for the other party, that is, the accused, to prove that it was not on the ground of untouchability that he obstructed the other man or some such thing.

**Shri S. S. More:** Sir, is it not a fact that because Shri Barman was the Chairman, that in clause 12 the presumption has been limited to Scheduled Caste people. The category of 'untouchables' will be larger than the category of 'Scheduled Castes'. So, you are levelling down the presumption.

**Shri Barman:** I am coming to that. You cannot have it both ways once it is decided that you do not accept the word 'untouchable'. It was decided by a large majority that the word 'untouchable' should not be there. So far as this House is concerned, out of 33 Members 20 were representatives of the Scheduled Castes in the Joint Committee. It was by a very large majority we accepted that we should drop the word 'untouchable'.

**Shri Velayudhan:** In the Constitution also it is there in article 17. (*Interruption*).

**Mr. Deputy-Speaker:** I cannot allow this kind of interruption to go on.

**Shri P. N. Rajabhoj:** I want to know something.

**Mr. Deputy-Speaker:** Then let him hear patiently with both his ears. He cannot go on talking and learn something. This kind of interruption is endless.

**Shri Barman:** Shri S. S. More has raised a very pertinent point. He must accept that so far as Scheduled

Castes are concerned, who are generally treated as untouchables, the Bill is a definite improvement. Once he accepts that, I shall go to the other part.

**Shri Velayudhan:** Then use the word 'Harijan'.

**Mr. Deputy-Speaker:** The hon. Member has spoken 15 times here, legitimately and illegitimately, by intrusion and otherwise.

**Shri Velayudhan:** I spoke only 15 sentences.

**Mr. Deputy-Speaker:** Hon. Members cannot go on interrupting like this.

**Shri Barman:** Sir, you will find from the explanation that has been added that within the definition of 'Hindus' other sects and denominations have also been included within the purview of this Bill. They will also be treated as if they were following the Hindu religion. Christians and Muslims are left out. In their case you will find that in the amended clause 3, we have said:

".....from entering any place of public worship which is open to other persons professing the same religion or belonging to the same religious denomination....."

That is, if he be a Scheduled Caste originally, then converted into Christianity or Islam, and being a Muslim he wants to enter into a Mosque or being a Christian he wants to enter a Church, then he cannot be prevented. If he is prevented by anyone, then that man will come under the mischief of this clause because he professes the same religion. Therefore, in their case also this Bill is quite applicable.

Now, my friends may say that besides the Scheduled Castes there are certain sects or certain people in the Hindu community who are not included in the Scheduled Castes but who are also treated as untouchables. That is the only section left out. I do not

[Shri Barman]

know what is their number in India. Here I may say that the word 'untouchability' really sticks to the Scheduled Castes. If there be any members of Scheduled Castes in Christianity and in Islam their case also is covered if they are also treated as untouchables. There may be a very small proportion of people who are considered as untouchables but do not belong to Scheduled Castes. It may be that in some parts of India they are treated as untouchables. There my answer is that once we succeed in abolishing untouchability amongst the Scheduled Castes, amongst the converted Christians and converted Muslims who are converted from the Scheduled Castes, the crime itself will automatically vanish from our country. Those people who are not Scheduled Castes certainly are better placed than the Scheduled Castes though they may be placed a little lower than the high Castes. Therefore, in their case also untouchability will automatically go because once we uproot the tree then whatever may be sticking in branches and leaves will also automatically die out. We have to have some *via media* and we thought that this was the best that we could accept.

**Shri S. S. More:** One constitutional point under article 356.....

**Mr. Deputy-Speaker:** No, no. I am not going to answer that. I find here too much of interruption and too much of latitude taken by hon. Members. Any hon. Member who wants to contribute something must stand up and if he catches the eye of the Speaker he will be called upon to speak. Then he must make up his mind once for all and not go on thinking and thinking and then gathering some new points as and when it comes up. In that way this discussion will be endless.

**Shri K. Rachiah:** Sir, I have moved my amendment No. 53 and that is with regard to the insertion of the

word 'public gathering'. In this connection my observation is that the definition of the word 'untouchability' is a very broad one and as such I fully support clause 2 as far as the definition as amended by the Joint Committee is concerned. With regard to the removal of untouchability Mahatma Gandhiji says:

"If the Hindu mass mind is not yet prepared to banish untouchability root and branch, it must sacrifice me without the slightest hesitation."

5 P.M.

That means he refers to the Hindu mentality. So, untouchability is not a commodity, is not a thing that is visible. It is more or less the mental outlook of the Hindus. The word is very Psychological as it appertains to the mind of a human being. Whatever a caste Hindu thinks to suppress the untouchables or the Harijans, that should be interpreted by the Judges as untouchability to give a judgment or a verdict.

With regard to the next question of a person who is an untouchable but a follower of Islam or Christianity, I strongly oppose that such people should be given the benefit of this Act; because they did not want to tolerate or suffer as Hindus. They went over to some other religion and then the moment they became Christians or Muslims they became touchables. So, if they want the benefits of the provisions of this Act they must certainly come back to the Hindu religion—we certainly welcome them—as untouchables. So, there is no reason why this Act should be applied to the case of untouchables who have been converted to Islam or Christianity.

In regard to the word 'public gathering' I want to give my observations in one minute. The reason why this expression was inserted was this. About six months ago, the Chief Minister of Mysore presided over a conference at Devalapura in Mysore

taluk arranged by a Lingayat in connection with the opening ceremony of a building. I was also present there along with the Chief Minister of the State, sitting just behind him. The Chief Minister, when he came to know that there were some untouchable women outside the *pandal*, was kind enough to call them inside. Then the women belonging to the untouchable community tried to get in and somehow it so happened that one or two ladies of the untouchable community with their babes came into the *pandal* and touched the mat in the *pandal*. The function was over and the Chief Minister and the other guest had left the place. What happened was this. The village *patel*, particularly the person who celebrated the function, called the untouchable leaders and they were fined, it appears, Rs. 100 because the ladies belonging to the Harijan community touched the mat that was in the *pandal*. This is inhuman. So, this public gathering gives an opportunity for practising this untouchability. It encourages the higher classes to practice untouchability. I request the hon. Home Minister—he is not like the previous Home Minister; I am very happy and I congratulate him; he is a man who is loved by the Harijans in the country; and whenever he comes to the House we feel happy; it was not so when Dr. Katju was here; Shri Pantji creates hopes in us because of his sympathy and his good heart. I request the Home Minister to give us a definite assurance with regard to this expression 'public gathering'. Apart from this public gathering, if there is a municipal officer or a Local Board office and there is an officer—President or some other official—and some other officer, a Police Officer or a Revenue Officer comes and suppose he arranges for some tea and there are ten guests who are Hindus and one or two Harijans, he discriminates and he gives tea or some eatable, and he may observe untouchability. If such officers are not brought to book, I am sure, this piece of legislation will be a dead letter. Because, it is not the masses of India that are very keen

about the observance of untouchability. It is not even the literate people. It is only some officers and antisocial elements who want to take advantage of the Hindu division and, commit this criminal atrocious treachery on innocent Harijans in villages. Such officers and such people should be severely punished. Even in public offices, the Harijans are illtreated by officers as they have certain privileges. Such officers must also be prosecuted and they should not escape from the provisions of this Act. I, therefore, request the hon. Minister to accept this amendment.

**Shri Raghavaiah:** Sir, I do not want to make any observations, but I want to put only one or two questions.

**Mr. Deputy-Speaker:** No, no.

**Pandit G. B. Pant:** The question that has been raised is an important one and if I could possibly persuade myself to believe that the change would work to the advantage of the victims of untouchability, I would have readily accepted it. My view is that it is not open to this House to define the expression, apart from the fact that, on merits, it would be unwise to do so. If you please refer to the Constitution, you will find in article 17 the clear statement that untouchability is abolished and its practice in any form is forbidden. Further, it says that the enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law.

Then, we have article 35 which says that notwithstanding anything contained in this Constitution, Parliament shall have and the Legislature of a State shall not have power to make laws for prescribing punishment for those acts which are declared to be offences under this Part.

So, under article 17, untouchability is abolished; the enforcement of any disability arising out of untouchability is an offence; and that offence can be described and defined by Parliament under article 35. So, there is nobody left as an untouchable in law in this country. What we are concerned with



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is the defining of offences which would come under article 35.

Then, suppose you were to define untouchability; where is the place where it should be defined? If you define untouchability in this Act and the person goes to a court and says that an offence has been committed, that it comes within the purview of the Constitution and that the definition of 'untouchability' or 'untouchable' given in the Act of Parliament is not comprehensive enough to cover what the Constitution of India intended to convey by the word 'untouchable', then there can be no answer. If you have to define the word untouchability, provided it was possible and feasible to do so, you can do it only in the Constitution. We cannot do so in any Act of Parliament because the Parliament is only to carry out the direction of the Constitution that offences which tend to enforce untouchability which is being abolished by the Constitution shall be defined by Parliament. Nothing more can the Parliament do. In the circumstances, it is not open to us to say that any person is an untouchable. Untouchability has been abolished but, there may be offences which do amount to a contravention of the principle of abolition of untouchability laid down in the Constitution. That being the position, it is not open to us to define 'untouchability'. If you cannot define 'untouchability', you cannot certainly define 'untouchable'. The two are so connected that the one cannot be de-linked from the other. When you say such a person is an untouchable, you mean only persons belonging to that class coming within the scope of untouchability. Every one else, howsoever he may be suffering from the curse of untouchability will be excluded. There is that constitutional difficulty which faces us when we raise this problem and when we try to find a solution.

**Shri M. S. Gurupadaswamy:** May I ask one question? If you cannot define untouchability, how can you abolish it?

**Pandit G. B. Pant:** It has already been abolished. We are not abolishing it. Untouchability has been abolished.

**Shri Velayudhan:** Will not the whole law become null and void, legally?

**Pandit G. B. Pant:** I am sorry that what appears to me to be plain enough, I am not able to make equally plain to others. The Constitution lays down that untouchability is abolished. You have to take the Constitution at its face value. In law, untouchability stands abolished from the day the Constitution was passed and adopted. What we have to do is this. If we still find that there are disabilities enforced which were connected with untouchability in the olden days, then, such enforcements will amount to offence and will be liable to punishment. That flows as a corollary from the abolition of untouchability itself. When untouchability is abolished, then, anything that is done, which was permissible only as being connected with untouchability, becomes an offence. It is these offences which we have to define and for which we have to prescribe punishments. That is what this Act purports to do. That is the constitutional position.

Apart from that, if you look at it from the practical point of view, the question which we have to consider is this. Do you want to restrict the scope of untouchability as we conceive it or do you want to leave a free scope so far as it may be feasible and permissible?

**Shri M. S. Gurupadaswamy:** Would it not be vague?

**Pandit G. B. Pant:** It should not be vague, I agree, except to the extent that vagueness is inevitable. So far as the definition of an expression which has not been defined in the Constitution itself is concerned, we have to submit to that word without defining it further. If there is any vagueness in that, that is inevitable and that cannot be cured by us. Apart from that,

I see that there is no vagueness at all.

**Shrimati Renu Chakravartty:** Is it unconstitutional to define 'untouchability' because in the Constitution it is said that untouchability no longer exists?

**Shri A. M. Thomas:** It is superfluous.

**Pandit G. B. Pant:** What you call unconstitutional, I do not know. What I tell you is this. If you define untouchability here, any person may say: abolition of untouchability is a part of the Constitution; I am an untouchable, though I am not covered by the definition that is given by Parliament in this Act; I am entitled to claim the benefit of the provisions made in the Constitution about the abolition of untouchability though the Parliament has not given the right definition which would otherwise have covered my case too. We cannot scrap that argument.

**Shri S. S. More:** According to clause 12, you are confining the presumption to the Scheduled Castes under article 366. The Scheduled Castes are categorised by the President under article 341. The effect will be, clause 12 controlling the whole enactment, will confine the provisions of this particular enactment to only the Scheduled Castes enumerated in the President's Order which is not supposed to be very exhaustive. There are a good many persons who are kept out of that Order. What is going to be their fate?

**Pandit G. B. Pant:** So far as clause 12 is concerned, it makes one point clear. That is the only point that is sought to be made by the definition that has been proposed, that the members of the Scheduled Castes had been treated as untouchables in the past.

**Shrimati Renu Chakravartty:** Not all. In our parts, there are many people of the Scheduled Castes that are not untouchables.

**Pandit G. B. Pant:** Then, to say that all members of the Scheduled Castes are untouchables is to state what is not true.

**Shrimati Renu Chakravartty:** I do not want to state that.

**Pandit G. B. Pant:** The definition that has been suggested covers all members of the Scheduled Castes. You will see the difficulty at once that all members of the Scheduled Castes are not treated as untouchables. The definition that has been proposed to the effect that the members of the Scheduled Castes shall be treated as untouchables is factually wrong.

**Shrimati Renu Chakravartty:** I agree that we should suitably amend it to restrict it.

**Pandit G. B. Pant:** It comes to this. So far as the definition that is before the House is concerned,.....

**Shri Veeraswamy:** I want to know.....

**Mr. Deputy-Speaker:** No, no. Many questions have already been put.

**Pandit G. B. Pant:** If you want to know anything, you may put a question to me later. I have to satisfy others also. So far as the present definition is concerned, it is conceded that it does not satisfy the present conditions and requirements. We have to devise some other definition. If you devise some other one you will find again there is a loophole or lacuna. Ultimately, we will be driven to the conclusion that it is not possible to define. Let us take the final conclusion reached by the Joint Committee as a sound conclusion and not add to it. The Joint Committee consisted of 49 Members. The Chairman told me that this question was discussed for two days, and after two days, they reached this decision. On page 4 of the report it is said:

"The Committee have discussed at length as to whether the expression "untouchable" used in the Bill should be retained or substituted by any other appropriate word or words. On the one hand, the legality and propriety of the use of the expression particularly in view of the abolition of "Untouchability" under Article

[Pandit G. B. Pant]

17 of the Constitution, and on the other hand the apprehension that deletion of the word might leave loopholes and the purpose of the Bill might be defeated were considered. The Committee are of the opinion that the deletion of the expression 'untouchable' would not stand in the way of attaining the object of the Bill.

The definition of 'untouchable' along with the two 'Explanations' thereto has been omitted."

**Shri Nanadas:** That decision was not unanimous.

**Pandit G. B. Pant:** It was not. I find that one Member of the Joint Committee has appended a note of dissent; but only one out of 49. So it was not unanimous. But, the opposition was slender and feeble. I am not basing my argument on that.

It would be hardly proper to brand any class as untouchable. If you put in any class as untouchable in this Bill, that, I think, goes against the spirit of the times. It goes against the spirit of this very measure. It does not help us in the cause which we all propose and the resolved to advance.

Then, further, what do you gain thereby? You say that besides the Scheduled Castes, others who by custom or usage are regarded as untouchables will come within the purview of this Act. That means that if any other persons come forward, it has to be proved first of all that according to usage or custom, those persons are regarded as untouchables. After you have established this fact, then, the question whether any offence has been committed or not will arise so that you will only multiply the difficulties. What do you gain by this definition?

**Shri S. S. More:** Even when he proves the fact that he is recognised to be an untouchable and has been treated as such according to custom or usage, the presumption under clause 12 will not be applicable in his case.

**Pandit G. B. Pant:** Again, if I may say so, there is confusion.

**Shri S. S. More:** I have followed.....

**Pandit G. B. Pant:** Let me explain myself; perhaps you might grasp what I am saying if I am able to make myself clear. The fault may lie with me. The position is this. Under clause 12, we are making an exception in criminal jurisprudence. You say that the presumption will be in favour of the prosecution and against the accused.

You say that he will presume that the person has committed the offence with which he is charged. Well, that presumption can be made in the case of members of the Scheduled Castes. But in the case of others, that presumption is not possible because under your very definition, you have first to establish that this person is under usage or custom entitled to be treated as an untouchable. So you have to prove something before he can be regarded as an untouchable. In the circumstances, no presumption can possibly arise. But why should a presumption be made when the circumstances are of an exceptional nature? The case will be proved in the way an ordinary case is proved. In the usual course, I think we could not have thought of anybody except Scheduled Castes while dealing with the problem of untouchability. We have, however, enlarged the scope of this Act. It will apply not only to Scheduled Castes, but probably to Christians in the south who are not allowed to enter churches by those who consider themselves as belonging to higher classes. There are certain Muslims who are treated in the same manner by the followers of Islam. They will have the benefit of this provision. It is for their benefit that the word 'untouchability' has been left undefined. So far as Scheduled Castes are concerned, the Act makes it clear that they are entitled to the benefit of the provisions of this Act in any case. So they will have the benefit of this Act without calling them as untouchable. You

give them the benefit of having the presumption made in their favour in all cases in which untouchability is involved. What more can you do for them? For others, you leave the room open. I think nothing better could have been done and I am glad that the Joint Committee has taken this view.

**Shri Sadhan Gupta:** What is the meaning of the words 'unless the contrary is proved' in section 12?

**Pandit G. B. Pant:** The meaning is that unless the contrary is proved, the presumption is there. The presumption is rebuttable, not conclusive.

**Shri Sadhan Gupta:** Even in the case of Scheduled Castes, it is a rebuttable presumption?

**Pandit G. B. Pant:** Of course; all presumptions are rebuttable.

**Shri Nanadas:** May I put one question?

**Mr. Deputy-Speaker:** No.

**Shri Sadhan Gupta:** May I suggest . . . that the voting on clause 2 be held up till clauses 3 and 4 have been discussed, because I find that the whole debate proceeded on the conception that my amendment stood by itself and was unrelated to any amendment in clause 3? So may I suggest that after we have discussed clauses 3 and 4, we can put clause 2 to vote? It may well be that the Minister will change his mind in the light of the debate and then clause 2 may be voted, because in the light of amendment No. 20 I have suggested certain consequential amendments in clauses 3 and 4. So there would be no harm in postponing voting on this clause until after discussion on clauses 3 and 4 is completed.

**Mr. Deputy-Speaker:** I will put this clause to the vote of the House. Enough has been said already. Clauses 3 and 4 are there. Hon. Members are not closing their eyes and are not blind to those things. They have to look into every matter. There is no good continuing this discussion tomorrow.

**Shri Nanadas rose.**

**Mr. Deputy-Speaker:** The hon Member has to observe decorum. When I am on my legs, he ought not to stand.

Now, I will put the amendments to the vote of the House.

The question is:

In page 2,

after line 9, add:

"(f) 'untouchable' means a member of a Scheduled Caste as defined in clause (24) of article 366 of the Constitution, or any other person who by custom or usage is or is regarded as an 'untouchable' by any community or section thereof.

*Explanation I.* A member of a Scheduled Caste shall not cease to be such member if he resides in any locality other than the locality specified in relation to him in any public notification issued or any law made by Parliament under article 341 of the Constitution.

*Explanation II.* A member of a Scheduled Caste or any other person who is or is regarded as untouchable or who has been converted from the Hindu religion to any other religion shall, notwithstanding such conversion be deemed to be an untouchable for the purposes of this Act."

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

In page 2, line 3,

after "therein" insert

"in the form usually followed."

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

In page 1, line 17,

after "sport" insert

"public gathering."

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

In page 1, lines 19 and 20,

after "worship" inserts

"or which is used as a place of public religious worship and maintained wholly or partly out of a State allowance or grant."

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Mr. Deputy-Speaker:** I have prepared a list of all the amendments that have been tabled and are sought to be moved by hon. Members to the various clauses. I need not read them; they are a good number. I am only giving previous intimation. This list will be circulated to hon. Members this evening.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 28th April 1955.*