

Friday, 3rd February, 1950



# PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT

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VOLUME I, 1950

*(1st February to 13th March, 1950)*

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FIRST SESSION

OF

PARLIAMENT OF INDIA

1950

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## CORRIGENDA

In the Parliamentary Debates (Part I—Questions and Answers), First Session, 1950—

In Volume I,—

1. No. 3, dated the 3rd February, 1950,—
  - (i) Page 55, line 8, for "*Shiromoni*" read "*Shiromani*";
  - (ii) Page 68, line 18 from bottom, for "*Seht*" read "*Seth*";
2. No. 4, dated the 6th February, 1950,—
  - (i) Page 70, line 19 from bottom, after "*Will*" insert "*the*";
  - (ii) Page 82, omit line 10;
3. No. 5, dated the 7th February, 1950,—
  - (i) Page 98, line 4 from bottom, for "*or*" read "*of*";
  - (ii) Page 112, line 9, for "*fields*" read "*oil-fields*";
4. No. 6, dated the 8th February, 1950,—
  - (i) Page 136, last line, for "*does not go*" read "*goes*";
  - (ii) Page 139, line 21 from bottom, for "*Sadar*" read "*Sardar*";
  - (iii) Page 140, line 11 from bottom, for "*peased*" read "*pleased*";
  - (iv) Page 143, line 11 from bottom, for "*delaying*" read "*defying*";
5. No. 7, dated the 9th February, 1950,—

Page 174, last line, for "*(52)*" read "*(25)*";
6. No. 8, dated the 10th February, 1950,—
  - (i) Page 195, line 11, for "*completed*" read "*complete*";
  - (ii) Page 204, line 4, for "*lakhs*" read "*lakh*";
7. No. 9, dated the 13th February, 1950,—

Page 208, line 8, after "*in*" insert "*a*";
8. No. 11, dated the 16th February, 1950,—
  - (i) Page 280, line 3, after "*apart*" insert "*from*";
  - (ii) Page 281, insert "*IMPROVEMENT OF TOBACCO CULTIVATION*" as heading to Starred Question No. 270;
9. No. 13, dated the 20th February, 1950,—
  - (i) Page 327, line 2, for "*Wil*" read "*Will*";
  - (ii) Page 335, lines 2 and 3, for "*hydrometeorologica*" read "*hydro-meteorological*";
  - (iii) Page 348, line 18, for "*No. P-65/50*" read "*No. P-64/50*";
10. No. 14, dated the 21st February, 1950,—
  - (i) Page 386, line 3 from bottom, before "*Will*" insert "*(a)*";
  - (ii) Page 388, in heading to Unstarred Question No. 49, for "*AUD*" read "*AND*";

11. No. 15, dated the 22nd February, 1950,—  
Page 415, line 10 from bottom, for "Appendix I" read "Appendix III";
12. No. 16, dated the 23rd February, 1950,—  
(i) Page 423, line 8, for "Railway" read "Railways";  
(ii) Page 424, line 12, after "Railway" insert "survey" and line 27, for "have" read "has";  
(iii) Page 444, line 9 from bottom, for "Sum" read "Sun";
13. No. 17, dated the 24th February, 1950,—  
(i) Page 471, line 4 from bottom, for "catting" read "calling";  
(ii) Page 472, line 19, for "Government" read "Governments";
14. No. 18, dated the 27th February, 1950,—  
(i) Page 490, line 2, for "had" read "hard";  
(ii) Page 500, for existing heading to Starred Question No. 580, read "EXPORT OF MICA";
15. No. 19, dated the 28th February, 1950,—  
(i) Page 516, line 1, for "remissi of th" read "remission of the";  
(ii) Page 522, line 1, for "lik" read "likely";  
(iii) Page 526, line 8 from bottom, before "discontinue" insert "to" and for "telegram" read "telegrams";
16. No. 20, dated the 1st March, 1950,—  
(i) Page 553, last line, omit "the" before "so-called";  
(ii) Page 554, line 17, for "Gove nment" read "Government";  
(iii) Page 560, line 16, for "re-introduction" read "re-introduced";
17. No. 21, dated the 2nd March, 1950,—  
(i) Page 567, line 14 from bottom, after "put" insert "up";  
(ii) Page 578, line 2 from bottom, after "that" insert "may";  
(iii) Page 585, in heading to Starred Question No. 609, for "PPERSONS" read "PERSONS";
18. No. 22, dated the 6th March, 1950,—  
Page 616, line 1, before "limits" insert "age";
19. No. 23, dated the 7th March, 1950,—  
Page 640, lines 1 and 2, for "Infomation" read "Information";
20. No. 24, dated the 8th March, 1950,  
Page 658, line 3, for "ot" read "to";
21. No. 26, dated the 10th March, 1950,—  
Page 717, line 14, for "not" read "note";
22. No. 27, dated the 11th March, 1950,—  
(i) Page 749, line 10, for "pudchase" read "purchase";  
(ii) Page 755, line 2 from bottom, for "corruption" read "consumption";
23. No. 28, dated the 13th March, 1950,—  
(i) Page 787, line 8, for "outpt" read "output";  
(ii) Page 788, line 17, for "is" occurring after "There" read "are";

In Volume II,—

24. No. 1, dated the 14th March, 1950,—  
 (i) Page 825, line 6 from bottom, for "February" read "February";  
 (ii) Page 833, line 16 from bottom, for "Far" read "far";
25. No. 2, dated the 15th March, 1950,—  
 Page 857, line 16, for "Boys" read "Boy";
26. No. 4, dated the 17th March, 1950,—  
 (i) Page 899, for line 22, read "that if he was invited he would be prepared to come again, and, if so, is there";  
 (ii) Page 901, omit line 9 from bottom;  
 (iii) Page 918, in heading to Starred Question No. 944, for "COMMUNICATN" read "COMMUNICATION";
27. No. 5, dated the 20th March, 1950,—  
 Page 927, line 11 from bottom, for "instalments" read "instalmental";
28. No. 6, dated the 21st March, 1950,—  
 Page 969, for existing last two lines read "Dr. S. P. Mookerjee: I think that question will arise after the Institute comes into existence";
29. No. 8, dated the 23rd March, 1950,—  
 Page 1020, line 14 from bottom, for "moring" read "morning";
30. No. 9, dated the 24th March, 1950,—  
 Page 1059, line 21, for "pltased" read "pleased";
31. No. 10, dated the 27th March, 1950,—  
 (i) Page 1075, line 5 from bottom, for "go" read "got";  
 (ii) Page 1082, line 3 from bottom, after "of" insert "the";  
 (iii) Page 1101, last line, for "strinency" read "stringency";
32. No. 11, dated the 29th March, 1950,—  
 (i) Page 1125, omit line 5 from bottom and after line 3 from bottom, insert "Appendix VI, Annexure No. 5";  
 (ii) Page 1131, line 1, after "block" insert "grant";  
 (iii) Page 1138, line 20, for "Cindhya" read "Vindhya";
33. No. 12, dated the 30th March, 1950,—  
 (i) Page 1172, omit line 16 and in line 17, for "1848" read "1948";  
 (ii) Page 1177, in heading to Starred Question No. 1252, for "IMMI-GRANTS" read "INSURGENTS";
34. No. 13, dated the 31st March, 1950,—  
 Page 1213, line 23, for "1:74 and 1:17" read "1·74 and 1·17";
35. No. 14, dated the 1st April, 1950,—  
 Page 1242, line 13 from bottom, for "1325" read "1025";

36. No. 15, dated the 3rd April, 1950,—
- (i) Page 1254, line 1, for "**Dr. P. S. Mookerjee**" read "**Dr. S. P. Mookerjee**";
  - (ii) Page 1268, line 16 from bottom, for "*rehbiwalas*" read "*Rahriwalas*";
  - (iii) Page 1271, line 9 from bottom, for "Ministry" read "Minister";
37. No. 16, dated the 4th April, 1950,—
- (i) Page 1282, line 2 from bottom, for "happend" read "happened" and line 1 from bottom, omit "here";
  - (ii) Page 1291, line 5 from bottom, after "that" insert "may be";
38. No. 18, dated the 6th April, 1950,—
- (i) Page 1358, in heading to Starred Question No. 1467, for "EXPERTS" read "EXPORTS"; line 21, for "4" read "41" and line 6 from bottom, for "spending" read "sending";
  - (ii) Page 1354, line 4, for "hunred" read "hundred";
  - (iii) Page 1372, line 1, for "(i)" read "(ii)";
39. No. 19, dated the 8th April, 1950,—
- (i) Page 1379, line 16, after "fact" insert "that";
  - (ii) Page 1388, line 5, for "ond" read "and" and line 15, for "held" read "help";
40. No. 20, dated the 10th April, 1950,—
- Page 1488, last line, for "of broadcasting is completed" read "devolved upon the Government of India?";
41. No. 21, dated the 11th April, 1950,—
- Page 1460, line 11, for "No. II" read "No. 11";
42. No. 22, dated the 12th April, 1950,—
- (i) Page 1486, lines 2 and 1 from bottom, for "intstituted" read "instituted";
  - (ii) Page 1496, between lines 12 and 13 from bottom, insert "STATEMENT BY MINISTER OF STATE FOR TRANSPORT re EXPENDITURE IN ASSAM";
  - (iii) Page 1499, in heading to Starred Question No. 1664, for "NDORE" read "INDORE";
  - (iv) Page 1501, line 9 from bottom, for "Telgu" read "Telugu";
43. No. 23, dated the 14th April, 1950,—
- Page 1505, line 8, for "**Homes**" read "**Home**";
44. No. 25, dated the 17th April, 1950,—
- (i) Page 1572, line 8, for "acrerage" read "acreage";
  - (ii) Page 1594, line 5, for "Project" read "Projects";
  - (iii) Page 1597, line 3 from bottom, after "to" insert "a";
  - (iv) Page 1598, line 20 from bottom, for "1773" read "1788";
  - (v) Page 1608, in heading to Starred Question No. 1794, for "SERDS" read "SEEDS";

In Volume III,—

45. No. 1, dated the 18th April, 1950,—

- (i) Page 1622, line 2 from bottom, for "28,73" read "28,739";
- (ii) Page 1634, in heading to Starred Question No. 1795, for "INCUME-TAX" read "INCOME-TAX";
- (iii) Page 1636, in heading to Starred Question No. 1827, for "KAMPUR" read "KAMALPUR";

46. No. 2, dated the 19th April, 1950,—

- (i) Page 1657, line 3 from bottom, for "loging" read "losing"; and
- (ii) Page 1670, line 9, for "kutch" read "Kutch".

In Volume I,—

1. No. 9, dated the 13th February, 1950,—

- (i) पृष्ठ २१२, पंक्ति २ पर "भेज" की जगह "भेजे" पढ़ें।
- (ii) पृष्ठ २१२, पंक्ति नीचे से ऊपर को ६ पर "हे" की जगह "है" पढ़ें।
- (iii) पृष्ठ २१३, पंक्ति ५ पर "जारी" की जगह "जारी" पढ़ें।

2. No. 11, dated the 16th February, 1950.—

पृष्ठ २६७, पंक्ति ३२ पर "मंजूर" की जगह "मंजूर" पढ़ें।

3. No. 12, dated the 17th February, 1950,—

- (i) पृष्ठ २९५, पंक्ति १० पर "ह" की जगह "हर" पढ़ें।
- (ii) पृष्ठ २९५, पंक्ति ११ पर "इसक" की जगह "इसके" पढ़ें।
- (iii) पृष्ठ २९७, पंक्ति २९ पर "जवान" की जगह "जवाब" पढ़ें।
- (iv) पृष्ठ २९७, पंक्ति नीचे से ऊपर को ४ पर "पूछना" की जगह "पूछना" पढ़ें।
- (v) पृष्ठ ३०२, पंक्ति ५ पर "गोविन्द" की जगह "गोविन्द" पढ़ें।
- (vi) पृष्ठ ३०२, पंक्ति ६ पर "मै" की जगह "मैं" तथा "बज्ञानक" की जगह "वैज्ञानिक" पढ़ें।
- (vii) पृष्ठ ३०२, पंक्ति १३ पर "बिठई" की जगह "बिठाई" पढ़ें।
- (viii) पृष्ठ ३०२, पंक्ति २३ पर "।" की जगह "?" पढ़ें।
- (ix) पृष्ठ ३०३, पंक्ति २९ पर "रिफमर्सेशन्स" की जगह "रिफर्मेसेशन्स" पढ़ें।

4. No. 14, dated the 21st February, 1950,—

- (i) पृष्ठ ३६०, पंक्ति ३१ पर "कोर्टस" की जगह "कोर्ट्स" पढ़ें।
- (ii) पृष्ठ ३७१, पंक्ति २४ पर "उसस" की जगह "उससे" पढ़ें।

5. No. 16, dated the 23rd February, 1950,—

- (i) पृष्ठ ४२८, पंक्ति २ पर "पढा" की जगह "पढ़ा" पढ़ें।
- (ii) पृष्ठ ४२८, पंक्ति १० पर "भाजी" की जगह "भाजी" पढ़ें।



- (iii) पृष्ठ ४२८, पंक्ति ११ पर " वक्त " की जगह " वक्त " पढ़ें ।  
 (iv) पृष्ठ ४२८, पंक्ति नीचे से ऊपर को ९ पर " राखन का " की जगह " राखन काई " पढ़ें ।  
 (v) पृष्ठ ४३१, पंक्ति १४ पर " बड़ढी " की जगह " कुड्डी " पढ़ें ।

6. No. 17, dated the 24th February, 1950,—

पृष्ठ ४७१, पंक्ति नीचे से ऊपर को ११ " यूनिवर्सिटी " की जगह " यूनिवर्सिटी " पढ़ें ।

7. No. 20, dated the 1st March, 1950,—

पृष्ठ ५६०, पंक्ति १९ पर " सविसेज " की जगह " सविसेज " पढ़ें ।

8. No. 23, dated the 7th March, 1950,—

पृष्ठ ६४८, पंक्ति २३ पर " गवर्नमेंट " की जगह " गवर्नमेंट " पढ़ें ।

9. No. 26, dated the 10th March, 1950,—

पृष्ठ ७२७, पंक्ति नीचे से ऊपर को ५ पर " उन ो " की जगह " उनको " पढ़ें ।

In Volume II,—

10. No. 2, dated the 15th March, 1950,—

(i) पृष्ठ ८४०, पंक्ति नीचे से ऊपर की ओर ८ पर " गोविन्ददास " की जगह " गोविन्द दास " पढ़ें ।

(ii) पृष्ठ ८४०, पंक्ति नीचे से ऊपर की ओर ७ पर " गाइंस " की जगह " गाइंस " पढ़ें ।

(iii) पृष्ठ ८४४, पंक्ति २० पर " नहीं " की जगह " न ही " पढ़ें ।

11. No. 6, dated the 21st March, 1950,—

(i) पृष्ठ ९५०, पंक्ति नीचे से ऊपर ४ पर " ट्रेड " की जगह " ट्रेड " पढ़ें ।

(ii) पृष्ठ ९६८, पंक्ति १८ पर " रीडिंग रोड " की जगह " रीडिंग रोड " पढ़ें ।

12. No. 15, dated the 3rd April 1950,—

पृष्ठ १२६५, पंक्ति ३ पर " है " की जगह " है " पढ़ें ।

13. No. 17, dated the 5th April, 1950,—

पृष्ठ १३३२, पंक्ति २६ पर " बहुत " की जगह " बहुत " पढ़ें ।

14. No. 18, dated the 6th April, 1950,—

पृष्ठ १३५३, पंक्ति २२ पर " जितनात " की जगह " जितना " पढ़ें ।

15. No. 24, dated the 15th April, 1950,—

(i) पृष्ठ १५४३, पंक्ति नीचे से ऊपर ५ पर " ओर " की जगह " ओर " पढ़ें ।

(ii) पृष्ठ १५४७, पंक्ति १९ पर " अनुसन्धान " की जगह " अनुसंधान " पढ़ें ।

16. No. 25, dated the 17th April, 1950,—

(i) पृष्ठ १५७२, पंक्ति ४ पर " जेक " की जगह " जॉक " पढ़ें ।

(ii) पृष्ठ १५७२, पंक्ति ५ पर " याजना " की जगह " योजना " पढ़ें ।

In Volume III,—

17. No. 1, dated the 18th April, 1950,—

पृष्ठ १६१६, पंक्ति १० पर " करें " की जगह " करेंगे " पढ़ें ।

In Volume I—

1. No. 7, dated the 9th February, 1950.

صفحہ ۱۵۷ - نہچے سے سطر ۱۱ - دد مانی ۴۴ کے بجائے دد مانئیدہ ۴۴ پڑھیں -

2. No. 9, dated the 13th February, 1950.

(۱) صفحہ ۲۱۰ - نہچے سے سطر ۴ - دد آف ۴۴ کے بجائے دد آیف ۴۴ پڑھیں -

(۲) صفحہ ۲۱۱ - سطر ۱۱ - دد آرو ۴۴ کے بجائے دد اور ۴۴ پڑھیں -

3. No. 12, dated the 17th February, 1950.

صفحہ ۳۱۲ - سطر ۱۶ - دد ائہ ۴۴ کے بجائے دد الاء ۴۴ پڑھیں -

4. No. 14, dated the 21st February, 1950.

(۱) صفحہ ۳۷۷ - نہچے سے سطر ۱۶ - دد الٹھی ۴۴ کے بجائے دد اکتھی ۴۴ پڑھیں -

(۲) صفحہ ۳۷۸ - سطر ۱۱ - دد تسم ۴۴ کے بجائے دد تمام ۴۴ پڑھیں -

5. No. 17, dated the 24th February, 1950.

(۱) صفحہ ۳۶۵ - سطر ۲۰ - دد کھ ۴۴ کے بجائے دد کا ۴۴ پڑھیں -

(۲) صفحہ ۳۶۷ - نہچے سے سطر ۴ - دد مولاما ۴۴ کے بجائے دد مولانا ۴۴ پڑھیں -

(۳) صفحہ ۳۷۶ - نہچے سے سطر ۳ - دد الللا ۴۴ کے بجائے دد اللہ ۴۴ پڑھیں -

6. No. 20, dated the 1st March, 1950.

(۱) صفحہ ۵۵۳ - نہچے سے سطر ۱۷ - دد آران ۴۴ کے بجائے دد آزان ۴۴ پڑھیں -

(۲) صفحہ ۵۶۳ - سطر ۱ - دد ضروری ۴۴ کے بجائے دد ضروری ۴۴ پڑھیں -

7. No. 21, dated the 2nd March, 1950.

صفحہ ۵۸۷ - سطر ۱۸ - دد ہوتے ۴۴ کے بجائے دد ہونے ۴۴ پڑھیں -

8. No. 23, dated the 7th March, 1950.

(۱) صفحہ ۶۳۱ - سطر ۱۷ - دد مریکہ ۴۴ کے بجائے دد امریکہ ۴۴ پڑھیں -

(۲) صفحہ ۶۳۷ - نہچے سے سطر ۴ - دد سے ۴۴ کے بجائے دد سب ۴۴ پڑھیں -

(۳) صفحہ ۶۳۷ - نہچے سے سطر ۷ - دد دیہجانی ۴۴ کے بجائے دد دیہجاتی ۴۴ پڑھیں -

9. No. 26, dated the 10th March, 1950.

(۱) صفحہ ۷۲۵ - سطر ۷ - دد شمنجھی ۴۴ کے بجائے دد سمجھی ۴۴ پڑھیں -

(۲) صفحہ ۷۲۵ - سطر ۸ - دد پیکلک ۴۴ کے بجائے دد پیکنگ ۴۴ پڑھیں -

(۳) صفحہ ۷۲۷ - سطر ۵ - دد جی - ایس - مسافر ۴۴ کے بجائے دد گیانی جی - ایس - مسافر ۴۴ پڑھیں -

(۴) صفحہ ۷۲۷ - سطر ۱۰ - دد رقم ۴۴ کے بجائے دد رقم ۴۴ پڑھیں -

(۵) صفحہ ۷۲۸ - سطر ۲ - دد بھی ۴۴ کے بجائے دد بھی ۴۴ پڑھیں -

(۶) صفحہ ۷۲۸ - نہچے سے سطر ۱۵ - دد الللا ۴۴ کے بجائے دد اللہ ۴۴ پڑھیں -

(۷) صفحہ ۷۲۸ - نہچے سے سطر ۱۵ - دد کرے ۴۴ کے بجائے دد کرنے ۴۴ پڑھیں -

(۸) صفحہ ۷۳۰ - نہچے سے سطر ۶ - دد ساہتے ۴۴ کے بجائے دد ساہتہ ۴۴ پڑھیں -

(۹) صفحہ ۷۳۰ - نہچے سے سطر ۷ - دد نوکرہوی ۴۴ کے بجائے دد نوکرہوں ۴۴ پڑھیں -

(۱۰) صفحہ ۷۳۰ - نہچے سے سطر ۱۲ - دد ہادے ۴۴ کے بجائے دد بارے ۴۴ پڑھیں -

(۱۱) صفحہ ۷۳۵ - نہچے سے سطر ۱۰ - دد انوار ۴۴ کے بجائے دد افراد ۴۴ پڑھیں -

(۱۲) صفحہ ۷۳۵ - نہچے سے سطر ۱۳ - دد گوارا ۴۴ کے بجائے دد گوارا ۴۴ پڑھیں -

10. No. 27, dated the 11th March, 1950.

- صفحہ ۷۵۱ - نیچے سے سطر ۳ - دہ اور وہ ۴۴ کے بجائے دہ اور وہ ۴۴ پڑھیں -  
In Volume II—

1. No. 2, dated the 15th March, 1950.

- (۱) صفحہ ۸۵۳ - نیچے سے سطر ۹ - دہ + دہ کے بجائے دہ ۴۰ پڑھیں  
(۲) صفحہ ۷۵۳ - سطر ۱۶ - دہ پڑھئے ۴۴ کے بجائے دہ پڑھئے ۴۴ پڑھیں

2. No. 5, dated the 20th March, 1950.

- صفحہ ۹۳۹ - نیچے سے سطر ۳ - دہ آزاد کے بجائے دہ آزاد ۴۴ پڑھیں -

3. No. 11, dated the 29th March, 1950.

- (۱) صفحہ ۱۱۰۷ - نیچے سے سطر ۳ - دہ بودیر ۴۴ کے بجائے دہ بودیز ۴۴ پڑھیں  
(۲) صفحہ ۱۱۱۵ - سطر ۱ - دہ رنگناہن ۴۴ کے بجائے دہ رنگناہن ۴۴ پڑھیں  
(۳) صفحہ ۱۱۳۰ - نیچے سے سطر ۱۳ - دہ آرگھانائہز ۴۴ کے بجائے دہ آرگھانہز ۴۴ پڑھیں

4. No. 20, dated the 10th April, 1950.

- (۱) صفحہ ۱۳۰۸ - سطر ۱۸ - دہ رکہ دیہ ۴۴ کے بجائے دہ رکہ دیہ ۴۴ پڑھیں -  
(۲) صفحہ ۱۳۲۲ - سطر ۱۱ - دہ مدر ۴۴ کے بجائے دہ مدر ۴۴ پڑھیں -

5. No. 23, dated the 14th April, 1950.

- (۱) صفحہ ۱۵۰۰ - نیچے سے سطر ۱۲ - دہ ہاوس ۴۰ کے بجائے دہ ہاوس ۴۴ پڑھیں -  
(۲) صفحہ ۱۵۱۲ - سطر ۷ - دہ مولما ۴۴ کے بجائے دہ مولانا ۴۴ پڑھیں -  
(۳) صفحہ ۱۵۱۲ - نیچے سے سطر ۳ - دہ کرن ۴۴ کے بجائے دہ کر کے ۴۴ پڑھیں -  
(۴) صفحہ ۱۵۱۶ - سطر ۴ - دہ فوراً ۴۴ کے بجائے دہ فوراً ۴۴ پڑھیں -  
(۵) صفحہ ۱۵۱۶ - نیچے سے سطر ۱۲ - دہ ۷۷۱۰ ۴۴ کے بجائے دہ ۷۷۲۰ ۴۴ پڑھیں -  
(۶) صفحہ ۱۵۱۸ - سطر ۳ - دہ دالونکا ۴۴ کے بجائے دہ دالونکا ۴۴ پڑھیں -  
(۷) صفحہ ۱۵۲۵ - نیچے سے سطر ۲ - دہ ۱۹۳۱ء کے بجائے دہ ۱۹۳۹ء پڑھیں -

6. No. 24, dated the 15th April, 1950.

- (۱) صفحہ ۱۵۳۷ - سطر ۶ - دہ اللہ ۴۴ کے بجائے دہ اللہ ۴۴ پڑھیں -  
(۲) صفحہ ۱۵۳۹ - سطر ۴ - دہ اللہ ۴۴ کے بجائے دہ اللہ ۴۴ پڑھیں -

In Volume III—

1. No. 1, dated the 18th April, 1950.

- (۱) صفحہ ۱۶۰۸ - سطر ۱۲ - دہ آزاد کے بجائے دہ آزاد ۴۴ پڑھیں -  
(۲) صفحہ ۱۶۰۸ - نیچے سے سطر ۹ - دہ زپورت ۴۴ کے بجائے دہ زپورت ۴۴ پڑھیں -  
(۳) صفحہ ۱۶۰۹ - سطر ۹ - دہ آزاد کے بجائے دہ آزاد ۴۴ پڑھیں -  
(۴) صفحہ ۱۶۱۵ - سطر ۱ - دہ ایس ۴۴ کے بجائے دہ ایس ۴۴ پڑھیں -  
(۵) صفحہ ۱۶۱۶ - نیچے سے سطر ۱۹ - دہ آندستریل ۴۴ کے بجائے دہ آندستریل ۴۴ پڑھیں -  
(۶) صفحہ ۱۶۰۱ - سطر ۷ - دہ لے ۴۴ کے بجائے دہ لے ۴۴ پڑھیں -  
(۷) صفحہ ۱۶۲۱ - نیچے سے سطر ۱۷ - دہ تہو ۴۴ کے بجائے دہ تہار ۴۴ پڑھیں -  
(۸) صفحہ ۱۶۲۲ - سطر ۱۲ - دہ م ۴۴ کے بجائے دہ م ۴۴ پڑھیں -  
(۹) صفحہ ۱۶۲۲ - سطر ۱۳ - دہ نفریس ۴۴ کے بجائے دہ کانفریس ۴۴ پڑھیں -  
(۱۰) صفحہ ۱۶۲۵ - نیچے سے سطر ۱۲ - دہ دراید ۴۴ کے بجائے دہ درامد ۴۴ پڑھیں -

PARLIAMENTARY DEBATES  
(PART I—QUESTIONS AND ANSWERS)

Friday, 3rd February, 1950

*The House met at a Quarter to Eleven of the Clock*

[Mr. Speaker in the Chair]

**Mr. Speaker:** As regards the question list of today, I have to state that two of the hon. Ministers being taken suddenly ill, it was not possible to arrange to transfer the questions to others so as to give them sufficient time to study them, and I thought it to be in the interest of the House to postpone these questions, rather than the answers be merely read in the House. Hon. Members have to put supplementary questions and get answers. I am, therefore postponing these questions to a suitable convenient date. Questions Nos. 58, 59, 68, 74, 75 and 84 to be answered by hon. Maulana Abul Kalam Azad—and the questions to be answered by the Deputy Prime Minister, (he has been advised by medical advisers to take complete rest)—Nos. 60, 62, 67, 79, 80, 81, 82, 86 and 87 are postponed. I will call the other questions one by one.

ORAL ANSWERS TO QUESTIONS

MILITARY MISSION TO GERMANY

\*55. **Shri Sidhva:** (a) Will the Minister of Defence be pleased to state whether it is a fact that a Military Mission of about 10 men headed by Mr. Khubchand, I.C.S. is working on behalf of India in Germany?

(b) If so, what is the object of this Mission?

(c) When was this Mission sent and what is the expenditure involved and how long is it to remain in Germany?

**The Minister of Defence (Sardar Baldev Singh):** The question should have been addressed to the Minister of External Affairs. It has accordingly been transferred to the list of questions for the 9th February 1950, when the Minister of External Affairs will answer it.

**Shri Sidhva:** May I humbly submit again that in this House during the past three days, we have had a number of questions being sent from one Minister to the other and we are being deprived of answers to these questions. I do not know at what stage they may come again and it is likely I will be deprived of asking supplementaries. I would, therefore, Sir, suggest that you kindly direct the Ministers in this matter in an appropriate way.

**Mr. Speaker:** I have already explained to hon. Members the procedure more than once. In case a mistake is detected in time, steps are taken to transfer the question to the Minister concerned, but some times, with all the care, it happens that a question is wrongly addressed and the mistake is detected a little too late.

**Shri Sidhva:** This question was sent on the 26th December, Sir.

**Mr. Speaker:** That may be. Next question.

#### GOLD SMUGGLING FROM GOA

**\*56. Shri Sidhva:** (a) Will the Minister of Finance be pleased to state whether cases of gold smuggled from Goa to India were detected at Castle Rock and the frontier post, about the third week of December, 1949?

(b) If so, what was the value of the gold so detected?

(c) Was the gold confiscated?

(d) Was the gold brought from Goa itself or from abroad?

(e) Has anybody been arrested in this affair?

**The Minister of Finance (Dr. Matthai):** (a) Yes.

(b) Rupees 65,674.

(c) The gold has, as a first step, been seized, and regular adjudication orders, which may involve confiscation, will be passed by the local Customs authorities after necessary inquiries have been completed.

(d) It was imported into India from Goa.

(e) No.

**Shri Sidhva:** May I know, Sir, why no arrest has been made when the man has been detected with this confiscated illegal article?

**Dr. Matthai:** The matter is under enquiry and it will depend on the result of the enquiry whether any action of that kind would be taken or not.

**Shri Sidhva:** Is the enquiry conducted by the customs authorities or by the police authorities?

**Dr. Matthai:** The enquiry is conducted by the customs authorities.

**Shri Kesava Rao:** May I ask whether gold was smuggled to India by Indians or Goans?

**Dr. Matthai:** As far as I know, they are Indians in these particular cases.

**Shri Sidhva:** Did this gold come from Goa or was it smuggled from somewhere else?

**Dr. Matthai:** I am not in a position to answer that question till I get the report from the customs authorities.

**Dr. Deshmukh:** In view of the fact that we are deficient in gold, need we be so strict about gold being smuggled into India.

**Shri Kamath:** Is it a fact that novel modes of smuggling are being employed such as secreting gold inside the body and similar methods?

**Mr. Speaker:** Order, order.

**Shri Tyagi:** What is the rate of duty?

**Mr. Speaker:** Order, order. Next question, Mr. Sidhva.

FOREIGN EXCHANGE FOR STUDENTS

**\*57. Shri Sidhva:** (a) Will the Minister of Finance be pleased to state what amount is annually provided as foreign exchange for students who proceed for study to foreign countries, both in soft and hard currency areas?

(b) How many students are today in foreign countries who have been provided this facility?

(c) How many applications have been received for the current year?

**The Minister of Finance (Dr. Matthai):** (a) Soft currency.—(i) Maintenance allowance at £35 per mensem, (ii) Actual fees, and (iii) Equipment allowance £75.

Hard currency.—(i) Maintenance allowance at \$160 per mensem, (ii) Actual fees, and (iii) Equipment allowance equivalent to Rs. 500.

(b) 3,177.

(c) 427.

**Shri Sidhva:** May I know whether in the agreement entered into by the Government of India with the U.S.A. day before yesterday, any change has been made as regards these allowances, about which the hon. Minister stated just now or whether they are the same under the new agreement?

**Dr. Matthai:** No changes have been made on account of that particular agreement.

**Shri Sidhva:** Do they get also the medical expenses and also expense for some apparatus? If so, how much?

**Dr. Matthai:** There are special cases where, for example, a student who is pursuing a science course has to get some expensive equipment or a student falls ill and he has to meet medical expenses. Special provision is made in order to meet these cases.

**Dr. Deshmukh:** May I know when was this sufficiency or excessiveness of the allowances examined for the last time?

**Dr. Matthai:** That is a question which the hon. Member must address to my colleague, the Minister of Education.

**Dr. Deshmukh:** Is not the hon. Minister aware that a good many of these allowances enable students to take their wives and sisters and also maintain them in the allowances that they get and would the hon. Minister like to intervene in view of the scarcity of foreign exchanges?

**Dr. Matthai:** Financial considerations arise only after the proposals have been initiated by the Ministry of Education.

RETRENCHMENT OF GOVERNMENT SERVANTS

**\*61. Sardar Hukam Singh:** Will the Minister of Finance be pleased to state:

(a) the total number of Government of India employees retrenched till 31st December, 1949 due to the present economy drive; and

(b) the number of displaced persons retrenched out of the number referred to in part (a) above?

**The Minister of Finance (Dr. Matthai):** (a) and (b). The information is being collected, and will be placed on the Table of the House in due course.

**Shri Tyagi:** Is some gazetted officer also retrenched?

**Dr. Matthal:** As a matter of fact, Sir, I have not got the information ready. I am compiling the information, and my answer is when it has been completed, it will be placed on the Table of the House. At this stage, I am not able to answer the hon. Member.

**Shri Sidhva:** Will the intimation be given to the Members at the time of placing this on the Table. As the question now lapses, may I know when will this be placed on the Table? The hon. Minister stated that the occasion will arise for asking supplementaries then.

**Mr. Speaker:** I think intimation is being given. Whenever information is supplied, Members are informed that certain information promised in reply to question so and so has been placed on the Table of the House. A circular is being sent to that effect, so far as I am aware.

**Sardar Hukam Singh:** May I ask whether the length of service alone is taken into consideration or whether there are other considerations?

**Dr. Matthal:** I would be in a better position to answer that question later.

**Shri Raj Bahadur:** May I know whether any principles have been decided on the basis of which retrenchment has been effected?

**Dr. Matthal:** The only answer I can give to that question is an answer which I gave to a similar question addressed to me during the last session of the Constituent Assembly and that is that as far as possible Government's policy is to avoid large scale retrenchment. That is as far as I can go in the matter of laying down a general principle at present.

**Shri Raj Bahadur:** In the case of unavoidable retrenchments have any principles been followed according to which such retrenchment was to be effected?

**Dr. Matthal:** The only principle that one can lay down in those cases is to see that retrenchment is effected with the least injury to the interests concerned and with the greatest degree of fairness.

#### INDIAN HONOURS FOR THE ARMED FORCES

**\*66. Shri A. B. Gurung:** Will the Minister of Defence be pleased to state:

(a) the Indian Honours for meritorious services by soldiers in three arms of the fighting forces; and

(b) the names of recipients of such Honours in Kashmir Operation?

**The Minister of Defence (Sardar Baldev Singh):** (a) and (b). I presume the hon. Member has in mind the gallantry awards recently instituted. If so, I would invite his attention to the two press communiques issued by the Defence Ministry on the 26th January 1950 and which were published in newspapers on the 28th January 1950.

**Shri A. B. Gurung:** In regard to the recipient of such honours, may I know whether Government have decided to grant monetary allowances by way of pension or land in lieu of such allowances?

**Sardar Baldev Singh:** We have got no surplus land but as regards cash rewards it depends on the gallantry of the personnel concerned. No specific rules have yet been laid down that in such and such cases so much cash reward will be given.

**Shri A. B. Gurung:** How does the recipient of the Victoria Cross stand by way of merit?

**Sardar Baldev Singh:** We have got our own awards and if the hon. Member will refer to the press communique which I mentioned and which was published in all the newspapers on the 28th January he will get a clear picture of the awards we have instituted.

**Shri Kamath:** Are any military distinctions or honours, besides those mentioned in the press communiques, under the consideration of Government at present?

**Sardar Baldev Singh:** All the honours and awards that we have decided upon have been published in the papers.

**Shri Chhajja:** Is it a fact that the Gurkha Rifles have not received their due recognition for their work in Kashmir?

**Sardar Baldev Singh:** If the hon. Member will refer to the press communique the list gives the names of all the officers and men who have received these awards and he will find that everybody who deserved an award is included in the list.

**Shri Tyagi:** May I know if any of these honours entail the payment of cash by way of pensions or rewards?

**Sardar Baldev Singh:** I believe that some of the awards do carry cash payment also but it is not possible for me to give definite information.

**Shri Tyagi:** Does the *Param Vir Chakra* carry any sort of pension just as the Victoria Cross did?

**Sardar Baldev Singh:** I believe it does but I would not like to commit myself unless I am quite sure about it.

#### OUTSTANDING ACCOUNTS OF MILITARY PERSONNEL

**\*66. Pandit M. B. Bhargava:** Will the Minister of Defence be pleased to state:

(a) the number of Military and *ex*-Military personnel whose claims on account of pay, pension and other allowances, are still pending since the partition on account of records or money for payments not having been received from the Government of Pakistan?

(b) the total amount of claims outstanding upto the end of December, 1949; and

(c) whether any steps have been taken or are being taken to expedite payments to all persons concerned?

**The Minister of Defence (Sardar Baldev Singh):** (a) No claims are outstanding on account of payments not having been received from the Government of Pakistan since all such outstanding claims have to be settled initially by the Government of India subject to subsequent adjustment with the Government of Pakistan.

There are, however, about 11,000 pension claims and about an equal number of claims for arrears of pay and allowances in which records have not been received from the Government of Pakistan.

(b) This information is not readily available



(c) Every effort is being made to obtain the relevant documents from Pakistan. Anticipatory and provisional pensions have been authorised in about 10,000 out of the 11,000 cases to avoid hardship to the individuals.

**Pandit M. B. Bhargava:** What was the agreement with the Government of Pakistan on this matter?

**Sardar Baldev Singh:** The agreement is that we have to bear all the expenses in connection with the pensions and after they are paid we have to settle with the Pakistan Government. Whatever military personnel, officers and ranks, have gone to Pakistan, their expenses are to be borne by Pakistan and the others by us.

**Shri Kamath:** Among those persons who have submitted their claims for pay or pension are there any officers or men who belonged to the I.N.A.?

**Sardar Baldev Singh:** That question does not arise.

**Sardar B. S. Man:** Apart from pensions, have the moneys which had been deposited by soldiers in their regimental centres been paid back or got back from Pakistan?

**Sardar Baldev Singh:** The money which belongs to the regimental centre goes with the regimental centre. Whichever regimental centres have come to India their funds have also come to us. As regards the regimental centres which have gone to Pakistan naturally their money has also gone to Pakistan.

**Sardar B. S. Man:** I am referring to Indian soldiers who were attached to regimental centres which are now in Pakistan. What about their money which they had deposited with their regimental centres, for instance the one at Sialkot?

**Sardar Baldev Singh:** The question is not clear. Most probably the hon. Member is mixing up the regimental funds with individual deposits. As far as individuals' deposits are concerned they are quite separate. I believe they have all been transferred to the personnel serving with the Indian army at present. I thought the hon. Member wanted to know about the regimental funds.

**Sardar B. S. Man:** I wanted to know about the funds of individuals. There has been a practice among soldiers to deposit their money with their regimental centres. Those soldiers have now come over from Pakistan to India and are now attached to the Indian army. Have their deposits lying with the Pakistan regimental centres been paid back to them?

**Sardar Baldev Singh:** I have made it quite clear that it is the responsibility of the Government of India. We pay these soldiers whatever money they have deposited and later on we realise it from the Pakistan Government.

**Shri Tyagi:** May I know if the claims of those soldiers have been settled, those whose claims are against the Government here and not against the Pakistan Government, whose money is not to come from Pakistan nor their records to come from Pakistan?

**Sardar Baldev Singh:** The hon. Member wants to know about the claims for pension of the officers and men serving in the army. That question does not arise, because all those claims are being settled. We have an efficient organisation which deal with outstanding cases.

## SIKH SOLDIERS' UNIFORM (KIRPAN)

\*69. **Sardar Hukam Singh:** (a) Will the Minister of Defence be pleased to state whether the *Shiromani Gurdwara Prabandhak Committee* made any representations for the inclusion of kirpan as a part of the uniform of the Sikh soldiers just as khukhri forms part of the Gurkha soldiers' uniform?

(b) If so, what has been the result of these representations?

**The Minister of Defence (Sardar Baldev Singh):** (a) Yes.

(b) The attention of the *Shiromani Gurdwara Prabandhak Committee* was drawn to the following provision in the Army Regulations:

"In units in which Sikhs are authorised to wear Kirpan, it will be worn on all ceremonial occasions and on other occasions at the discretion of the officer commanding the Unit. Uniformity within the Unit will be maintained as regards the method of wearing Kirpan both in uniform and in plain clothes".

**Shri Kamath:** Is it not a fact that the wearing of kirpans by Sikhs has been included in the Fundamental Rights of the Constitution?

**Sardar Baldev Singh:** I think so.

**Shri Kamath:** Then is it only for ceremonial occasions that they have been allowed to wear kirpans?

**Sardar Baldev Singh:** As far as this question is concerned, the right has been admitted, but we cannot force each and everybody to wear kirpan.

**Shri Tirumala Rao:** Is the size, length and breadth of the kirpan fixed by the Defence Minister?

**Sardar Baldev Singh:** No.

**Sardar B. S. Man:** Will the claim of the Adibasis to wear bow and arrows be also considered?

## WOMEN'S MEDICAL SERVICE

\*76. **Shri B. K. Das:** Will the Minister of Health be pleased to state:

(a) whether the Women's Medical Service is still in existence;

(b) if so, how many physicians are now in that service; and

(c) in what works they are employed?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) No. The Service as such was wound up in September, 1949, and arrangements were made to absorb members of the Service in Provincial Medical Services or the Service of institutions in which they were working.

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

**Shri B. K. Das:** Have they all been absorbed in the regular Services?

**Rajkumari Amrit Kaur:** I believe there were twenty-three W.M.S. officers, excluding the ones serving in the Lady Hardinge Medical College. Those serving in the Lady Hardinge Medical College have all been retained. Out of the others, eight resigned, one or two have gone to Pakistan and some have found other employment. The rest have been absorbed. There were some Reserve officers too, and they too have been absorbed, or are being absorbed.

## ECONOMY COMMITTEE AND EXPENDITURE ON RIVER PROJECTS

\*77. **Prof. K. T. Shah:** (a) Will the Minister of **Finance** be pleased to state the amount of saving estimated to be made in 1949-50 as a result of the acceptance of Economy Committee's recommendations in respect of Capital Projects of multi-lateral River Training and Irrigation, and the action already taken, or proposed to be taken, by Government on those recommendations?

(b) What is the amount actually spent on these several projects up to the 31st December, 1949, and the revised budgeted figure to be spent in the year 1949-50, with a view to economy?

(c) Will Government state the total annual amounts estimated to be spent on these projects till these projects are completed?

**The Minister of Finance (Dr. Matthal):** (a) and (b). The Economy Committee did not make any recommendation regarding the curtailment of expenditure on River Valley Projects. The Government of India, however, made an independent review of their budgetary position and for the details of economies effected as a result thereof during the current and next year, I would request the hon. Member to await my Budget Statement.

(c) The River Valley Projects in operation are Bhakra and Nangal, Hirakud and Damodar Valley projects. The estimated costs of these projects till completion are:

	Rs.
Bhakra-Nangal . . . . .	129 crores.
Hirakud . . . . .	48 crores.
D. V. C. . . . .	63 crores.

**Shri Siva:** May I ask whether the Economy Committee has made any recommendation in respect of capital projects such as the Tungabhadra Project which is of immense irrigation service to Rayalaseema?

**Dr. Matthal:** No.

**Shri Frank Anthony:** Will the proposed economy measures retard the target date of these projects, and if so, by what period?

**Dr. Matthal:** I would suggest that the hon. Member should reserve his question till I have made my actual proposals regarding these matters in my Budget.

**Shri Jhunjunwala:** Has the progress of any project been hindered to any extent because of the economy measures?

**Dr. Matthal:** May I give the same answer to that question also?

**Shri Jhunjunwala:** I want to know whether the progress of any project has been hindered till now because of the economy already effected or announced.

**Dr. Matthal:** The actual proposals regarding the capital expenditure on these projects would be finalised only when the Budget has been finally framed, so that these questions are dependent on the final proposals to be incorporated in the Budget.

**Shri Hossain Imam:** As far as the Damodar Valley project is concerned may I know what was the amount that was sanctioned in the Budget and what is the amount that is now being proposed to be sanctioned?

**Dr. Matthal:** I am afraid my hon. friend must await my Budget Statement.

## ALLOCATION OF INCOME TAX RECEIPTS

\*78. **Prof. K. T. Shah:** Will the Minister of Finance be pleased to inform the House as to the recommendations or award of Shri Chintaman Deshmukh regarding the allocation to be made of the divisible proceeds of the direct taxes on income of individuals, partnership firms, joint families and joint-stock companies to the various States, including merged States, Unions of States, and Chief Commissioners' States?

**The Minister of Finance (Dr. Matthai):** A statement showing the allocation of the Provincial share of the income-tax among the various Provinces made by Shri C. D. Deshmukh is placed on the Table. The allocation does not cover the former Indian States merged in the various Provinces as the problem of financial adjustments between the Central Government and the Provinces arising from this merger is under separate consideration of Government. The allocation does not also deal with the continuing States and Unions as the financial adjustments between them and the Central Government are regulated by the agreements under Article 278 of the Constitution. Under the Constitution the question of allocating any share of income-tax to the Chief Commissioners' States does not arise.

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*Statement*

*Allocation of the Provincial Share of Income-Tax.*

Madras	17.5 %
Bombay	21 %
West Bengal	13.5 %
U. P.	18 %
Bihar	12.5 %
C. P.	6 %
Punjab	5.5 %
Assam	3 %
Orissa	3 %

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**Prof. K. T. Shah:** Inasmuch as the allocations made, as reported, cover the whole hundred per cent. of the divisible pool, may I know what the hon. Minister considers likely for the States which are under 'separate consideration', according to him?

**Dr. Matthai:** Does the hon. Member want me to anticipate the result of my consideration?

**Prof. K. T. Shah:** I only want to know whether there is any margin left, inasmuch as the total allocation already amounts to 100 per cent.

**Dr. Matthai:** The real point is this that as far as these merged States are concerned, in view of the extension of the Income-tax Act to these merged States it is likely that there might be an addition to the divisible pool of Income-tax.

**Shri B. Das:** With reference to the observation of Mr. Chintaman Deshmukh in his note: "I, therefore, confine myself to the reallocation of the relative percentages arising out of partition", may I know whether it was the instruction of the Ministry of Finance that the Arbitrator should confine himself to that narrow margin?

**Dr. Matthai:** Yes, Sir. That was the instruction that we gave to Mr. Deshmukh, that is to say, the enquiry that was remitted to him was confined

to a re-examination of the provisional allotment made last year. It was entirely with reference to that that the reference was made to Mr. Deshmukh. But with regard to the general issue I would like to say this that Government have under consideration the appointment of the Finance Commission provided in the Constitution at a very early date and not to wait for the two years provided in the Constitution.

**Shri Chaltha:** May I know when the Finance Commission will be appointed?

**Dr. Matthal:** That matter is under consideration. We want to expedite it.

**Shri Hossain Imam:** In the redistribution of the excess, was the population of the merged States taken into account, for instance in the case of Bombay and Orissa?

**Dr. Matthal:** That was outside the purview of Mr. Deshmukh's enquiry.

**Shri T. T. Krishnamachari:** May I ask if, in making the statement that the revenues that might be derived from the existing States will increase the quantum of the Income-tax that the Government of India will get, it is the intention of the Government of India to keep such revenues apart from the revenues that are being derived from the old Provinces, for purposes of allocation?

**Dr. Matthal:** That is one of the matters which will come under consideration in connection with the question of these merged States.

**Shri Biswanath Das:** May I know the reason why the scope of the enquiry was narrowed down and why the Government of India took upon themselves the responsibility of such narrowing down?

**Dr. Matthal:** It was because all these wider issues which are issues of very great importance both to the Centre and the States are issues that could more appropriately be considered by the Finance Commission with its wide powers.

**Shri Biswanath Das:** Are Government aware of the fact that in these merged States no Income-tax whatsoever has been collected during the past two years and that the Provinces who took responsibility for the administration of these States got nothing by way of Income-tax allocation in respect of these merged States?

**Dr. Matthal:** I am enquiring into the question of these merged States and I will keep the hon. Member's point in mind.

**Shri Tyagi:** Will the allocation be effective only for the next Budget year or for more years than one?

**Dr. Matthal:** From the 1st of April, 1950.

**Shri Tyagi:** How long will this last? When will it be revised next?

**Dr. Matthal:** It will continue to be in force until the Finance Commission has reported.

**Shri Biswanath Das:** Will the Finance Minister give a chance to this House to discuss the Deshmukh Award?

**Dr. Matthal:** I see no point in doing that, because the reference to Shri Deshmukh was made on the understanding that whatever award he gives would be binding on all. There is an end of the matter.

**Shri Jhunjhunwala:** Were all the Provinces a party to this reference?

**Dr. Matthai:** Before Shri Deshmukh was appointed to conduct this enquiry, I consulted the more important provinces, who agreed to the nomination of Shri Deshmukh for giving a binding award.

**Shri Jhunjhunwala:** Were not all the provinces consulted and were they not all parties?

**Dr. Matthai:** I could not say I did so specifically; I ascertained generally that the appointment would be acceptable to the provinces.

**Shri Biswanath Das:** Will the Finance Minister please lay on the Table of the House a copy of the views of each province in this regard in the form of a White Paper?

**Dr. Matthai:** I will consider that.

#### AGE BAR FOR ADMISSION TO DEFENCE SERVICES

\*83. **Dr. Deshmukh:** (a) Will the Minister of Defence be pleased to state whether it is a fact that for recruitment to the Defence Services, boys wishing to join should be Matriculates below the age of 16?

(b) Is it a fact that Matriculates above the age of 16 are (i) disqualified for entry into the Defence Forces of certain category; or (ii) proposed to be disqualified hereafter?

(c) Is it a fact that in many places no one who has not completed the age of 16 is permitted to appear for the Matriculation Examination?

(d) Has the attention of Government been drawn to this matter?

(e) If so, has the matter been examined and with what result?

**The Minister of Defence (Sardar Baldev Singh):** (a) To be eligible for admission to the Joint Services Wing of the National Defence Academy, applicants should have passed the Matriculation examination and should have completed their 15th but not their 17th year on the 1st day of the month in which the course starts. As regards the Military Wing, the age limit for admission is between 18 and 21. For recruitment to the Air Force other than through the Joint Services Wing, the prescribed age is between 17 and 21 and for the Indian Navy the minimum age is 17½ years.

(b) No.

(c) According to information at present available with Government certain Universities and Schools have prescribed 15 years as the minimum age for passing the Matriculation Examination, while certain others have placed no restriction at all. Government are not aware that there is any university or other educational institution who have prescribed 16 years as the minimum age for this purpose.

(d) and (e). Do not arise.

**Shri Kamath:** Where there is no Matriculation Examination, is a corresponding qualification recognised by the Defence Ministry?

**Sardar Baldev Singh:** In certain cases where there is no Matriculation Examination, we have given exemptions. I believe this happened in one or two cases. If the hon. Member has got knowledge of some institutions where there is no Matriculation, he can give me the information and I shall look into it.

**Shri Kamath:** Within the last two years since August 15, 1947, have there been numerous applications on the one hand, from non-Matriculates otherwise qualified, and also from graduates on the other?

**Sardar Baldev Singh:** As far as the Inter Services Wing is concerned, the question of graduates does not arise, because they are not within the age-limit prescribed. As regards people who are not Matriculates, I do not think a large number of applications have been received.

**Shri Sidhva:** May I know whether the response to recruitment to this Service is encouraging?

**Sardar Baldev Singh:** The response is not as encouraging as we wish it to be, but I believe that it is due to the fact that we have only recently started the Inter Services Wing.

**Dr. Deshmukh:** May I take it that no change in these age limits is proposed for the present?

**Sardar Baldev Singh:** For the present, yes, unless experience shows that there is some hardship or difficulty.

**Dr. Deshmukh:** May I know if the Defence Ministry has taken note of the fact that in the schools in most provinces the emphasis on proficiency in English has diminished and may I know whether they have lowered the standard of proficiency in English in these Services?

**Sardar Baldev Singh:** Not at present, but in due course of time, it may be necessary.

**Sardar B. S. Man:** Are Government aware that boys from the usual martial classes never matriculate themselves at the age of 16?

**Shri Tyagi:** Are there in the Army at present officers occupying senior posts who have not passed Matriculation?

**Sardar Baldev Singh:** I require notice.

**Shri Tyagi:** May I know if, in the olden days, officers in the Army were appointed without taking into consideration their educational qualifications?

**Sardar Baldev Singh:** That may have been the practice in the beginning of the last century, but it is not so at present.

**Shri Tyagi:** May I take it that the Army is closed to persons who have not received education?

**Mr. Speaker:** Order, order. It does not follow.

**Shri Frank Anthony:** Is it not a fact that the School Certificate Examination, popularly known as "Senior Cambridge", is accepted as equivalent to the Matriculation?

**Sardar Baldev Singh:** I have already stated that exemptions have been given. For instance, if I remember aright, students coming from the Doon School have been exempted.

**Shri Frank Anthony:** Is it a fact that recruitment to the Armed Forces through the U.P.S.C. has not proved satisfactory?

**Sardar Baldev Singh:** As I stated just now in reply to another supplementary question, the response is not as satisfactory as we wish it to be. But the difficulty, most probably, is due to the fact that we have started this Inter Services Wing only recently. We want to ascertain first what the effect of the present system is, before we can make any change.

**Shri Siva:** May I enquire if the Defence Minister will be pleased to relax the age restrictions in regard to Harijans, considering.....

**Mr. Speaker:** Order, order. It is a suggestion for action.

ACQUISITION OF LAND IN GURGAON FOR ARSENAL

\*85. **Giani G. S. Musafir:** (a) Will the Minister of Defence be pleased to state whether it is a fact that the Government of India have taken land from the villagers of Gurgaon, for building an arsenal there?

(b) If the answer to part (a) above be in the affirmative, what compensation has been paid to the land-owners?

**The Minister of Defence (Sardar Baldev Singh):** (a) Yes; a certain area in Gurgaon has been requisitioned for defence purposes.

(b) The compensation is still being assessed by the Civil Authorities.

گہانی جی - ایس - مسافر : کمپنیشن کا فیصلہ ہونے میں کتنا عرصہ لگے

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**Giani G. S. Musafir:** How long will it take to decide the compensation?

سردار بلدیو سنگھ : کچھ آدمیوں کا فیصلہ تو ہو چکا ہے اور باقی کے جو کیس ہمارے پاس ابھی ہیں ان کا فیصلہ جلدی ہو جائے گا - اور کچھ آدمیوں کو جن کا فیصلہ ہو چکا تھا ان کو کمپنیشن بھی دے دیا گیا ہے -

**Sardar Baldev Singh:** A few cases have been decided and the others which are at present pending with us will be decided soon. Compensation has been paid in a few cases where a decision had been arrived at.

گہانی جی - ایس - مسافر : کہا میں آنریبل مسٹر سے یہ اندازمیشن کھلنے پوچھ سکتا ہوں کہ کل کتنے چھوٹے لینڈ ہولڈرز کی زمین لی گئی ہے -

**Giani G. S. Musafir:** May I know from the hon. Minister for information the number of small land-holders whose land has been acquired?

سردار بلدیو سنگھ : اگر آپ کو اس کی پوری اندازمیشن چاہئے تو میں اس کی پوری تفصیل وار تفہیل (details) دے سکتا ہوں - لیکن وہ اس وقت میرے پاس موجود نہیں ہے -

**Sardar Baldev Singh:** If you want to have complete information on this point, I can give you full details thereof, but these are not available with me at the moment.

گہانی جی - ایس - مسافر : کیا آنریبل دکھشا منڈری کو اس بات کا پتہ ہے کہ جن جن چھوٹے زمینداروں کی زمین لی گئی ہے اس زمین کی مالگداری کے نوٹس اب بھی انہی کو دئے جا رہے ہیں -

**Giani G. S. Musafir:** Is the hon. Defence Minister aware of the fact that the small land-holders whose land has been acquired are still being served with notices for the payment of land revenue?

سردار بلدیو سنگھ : ممکن ہے کہ دی جا رہی ہو - لیکن گورنمنٹ کا کوئی ارادہ نہیں ہے کہ جن کی زمین رکوہیشن (Requisition) ہو چکی ہے ان سے مال گڈلاری لی جائے -



**Sardar Baldev Singh:** It is possible that this might be so. But the Government have no intention to levy the land revenue from those persons whose lands have been requisitioned.

گہانی جی - ایس - مسافر : کیا آنریبل رکھشا مدتری کو پتہ ہے کہ جن لہند ہولڈرز کی زمین لے لی گئی ہے ان کو صرف مالگذاری وصول کرنے کے نوٹس ہی نہیں دئے گئے بلکہ دو تین کو جیل میں بھی ڈال دیا گیا ہے کہ وہ مالگذاری نہیں دے رہے ہیں -

**Giani G. S. Musafir:** Is the hon. Defence Minister aware of the fact that not only those land-holders whose land has been requisitioned have been served with notices for the remittance of land revenue, but two or three of them have also been sent behind the prison bars for non-payment thereof?

سردار بلدیو سنگھ : اگر آنریبل ممبر کے پاس کوئی ایسا کیس ہے تو اگر وہ جو کچھ انفارمیشن (information) ان کے پاس ہے اسکی اطلاع مجھکو دے دینگے تو میں اسکو دریافت کروں گا -

**Sardar Baldev Singh:** If the hon. member knows any such case and furnishes me with whatever information he has got, then I will institute enquiries in the matter.

**Sardar B. S. Man:** Are Government proposing to provide alternative land to those landholders whose land has been requisitioned by Government?

**Sardar Baldev Singh:** Every possible effort is made to give them alternative land. Wherever it is not possible, due compensation is paid.

**Shri Kamath:** When was this land requisitioned and what is the composition of the Claims Tribunal?

**Sardar Baldev Singh:** The land was requisitioned on the 19th September, 1949.

**Shri Kamath:** What is the composition? Who are the members of this Claims Tribunal?

**Sardar Baldev Singh:** The District Magistrate, Gurgaon, has roughly assessed the initial amount of compensation at Rs. 15,800 and the annual recurring composition at Rs. 18,600.

**Shri Tyagi:** Is not the compensation paid in advance before the lands are acquired?

**Sardar Baldev Singh:** No, Sir.

**Shri Jhunjunwala:** Is the compensation paid according to the Land Acquisition Act or is there a separate principle fixed for it?

**Sardar Baldev Singh:** I could not say. This compensation has been fixed by the District Magistrate.

**Shri Kamath:** How many persons have lodged claims so far?

**Sardar Baldev Singh:** I have not got that information, but I could get it for the hon. Member.

**Shri Jhunjunwala:** Is it according to an arbitrary decision that the Magistrate will fix the compensation or is there any principle to guide the assessment of compensation?

**Sardar Baldev Singh:** It is not an arbitrary decision but is done according to the Land Acquisition Act and whatever procedure is laid down the compensation is calculated according to the rules under that Act.

#### INCOME-TAX OFFICERS

**\*70. Shri S. C. Samanta** (on behalf of **Shri Barman**): (a) Will the Minister of Finance be pleased to state the total number of income-tax officers in the Income-tax Department?

(b) How many of them are permanent and how many temporary?

(c) What is the longest duration for which an incumbent has remained temporary?

**The Minister of Finance (Dr. Matthal):** (a) There are 811 sanctioned posts of Income-tax Officers in the various grades out of which 552 are permanent posts and 259 temporary posts.

(b) There are 128 permanent Income-tax Officers. Orders have recently been issued for the confirmation of another 240 Income-tax Officers making a total of 368 permanent officers as against 552 permanent posts. The balance of the posts are either held in a temporary or in an officiating capacity. A number of them have also been earmarked for the confirmation of probationers and war-service candidates.

(c) The information is not readily available, but all officers who had qualified themselves for confirmation were confirmed in the permanent vacancies available on the 1st October, 1944.

**Shri Tirumala Rao:** May I know the number of officers in the senior cadre who are being given extension after extension, twice or thrice?

**Dr. Matthal:** I have not got the information ready—I could get it for the hon. Member afterwards.

**Shri Sidhva:** May I know whether these temporary members of the staff who are made permanent subsequently, are entitled to count their service from the day they joined or from the day they were made permanent?

**Dr. Matthal:** If they have been in continuous service, the service will be credited to them.

**Dr. Deshmukh:** Have any of the Income-tax Officers in the merged States or from other States been already taken up in the Government of India's cadre?

**Dr. Matthal:** I should not like to say it ordinarily because it will depend a great deal on the kind of seniority they have and on their fitness for the kind of work they would have to do under the new arrangement. These questions are decided actually on the merits of each case.

**Dr. Deshmukh:** But would the hon. Minister not care to see that those officers who have worked in the States are not unnecessarily thrown out of employment?

**Dr. Matthal:** I look into these cases carefully.

#### INCOME-TAX CASES IN WEST BENGAL

**\*71. Shri S. C. Samanta** (on behalf of **Shri Barman**): Will the Minister of Finance be pleased to state:

(a) the number of pending Income-tax cases in West Bengal—in arrear and current—till December, 1949; and

(b) the number of income-tax officers—temporary and permanent—employed to deal with them?

**The Minister of Finance (Dr. Matthal):** (a) The number of assessments pending in West Bengal as on 31st December, 1949 was as follows:

Arrear—52,186;

Current—70,925;

Total—123,111.

(b) Number of permanent officers today—49;

Officiating or temporary—53;

Total—102.

**Shri Sidhva:** What is the duration of period for these 52,186 cases? How long have they been in arrears?

**Dr. Matthal:** As the hon. Member knows, it cannot exceed four years.

**Shri Tirumala Rao:** Is there a quota or number of cases fixed for each officer which he should dispose of every year?

**Dr. Matthal:** The real position is—as I have been finding as a result of my own experience during the past year—that the Income-Tax Department is greatly under-staffed considering the amount of work they have to do, as compared with, for example, countries like the U.K. and the U.S.A. That is really the reason for this large amount of arrears.

**Shri Sidhva:** The hon. Minister said that want of adequate staff is the cause of so much arrears. May I know whether he is considering any proposal to increase the staff so that the amounts that are due to the State Exchequer may be recovered promptly?

**Dr. Matthal:** Yes, that is a matter which is under constant consideration, subject of course to budgetary considerations.

#### EXCHANGE CONTROL EVASIONS

\*72. **Shri S. O. Samanta** (on behalf of **Shri Barman**): (a) Will the Minister of Finance be pleased to state whether Government are aware of "exchange control evasions" by merchants by way of underinvoicing exports and overinvoicing imports?

(b) If so, how many such cases have been detected up till now?

(c) What is the estimated loss in 1949 on foreign exchange account due to such evasions?

**The Minister of Finance (Dr. Matthal):** (a) Yes, I would invite the attention of the hon. Member to the reply given in the Constituent Assembly (Legislative) to starred question No. 387, on the 7th December, 1949.

(b) Investigations are in progress in six cases of such evasion which have come to notice.

(c) It is not possible to estimate the total loss in foreign exchange due to such evasion.

**Shri Tirumala Rao:** From which Province do these cases come, Sir?

**Dr. Matthal:** I would ask the hon. Member not to press for an answer.

**Shri T. T. Krishnamachari:** May I ask, Sir, if, in cases where assessment takes place under section 90 of the Sea Customs Act and it is revealed that there is a difference in the amount assessed and the amount of the invoice, any action is taken thereon or any consequent readjustment is made in regard to the exchange allowed to such parties by deducting from the quota given to them?

**Dr. Matthal:** Well, that is a matter which I would like to have notice of.

**Dr. Deshmukh:** What amount of foreign exchange has been obtained by the Central Government as a result of the policy of investigation into the balances accumulated by certain Indian merchants in foreign countries?

**Dr. Matthal:** I have not got the information ready here.

### QUININE

\*73. **Shri S. C. Samanta** (on behalf of **Shri Barman**): (a) Will the Minister of Health be pleased to state what is the present stock of quinine in factory godowns in India?

(b) Is it a fact that just before the quinine famine of 1942, Messrs Shaw Wallace Company was given contract to sell abroad accumulated stock of Indian made quinine?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) The total stocks of quinine with the Government of India and the Governments of West Bengal and Madras are about 3,54,330 lbs. Government have no information regarding the stocks of quinine held by private firms.

(b) No.

**Shri Kamath:** Is the present stock of quinine with the Government commensurate with the incidence of malaria in India?

**Rajkumari Amrit Kaur:** Yes, we reckon on spending about 100,000 lbs. of quinine every year and we have got over 800,000 lbs. at the moment—we have enough.

**Shri Kamath:** What is the rate of mortality from malaria in India?

**Rajkumari Amrit Kaur:** As I have stated before on the floor of this House, malaria not being a notifiable disease, it is extremely difficult to get accurate figures but a rough reckoning shows that about 2 million people die of malaria every year.

**Shri B. Das:** Is there any negotiation going on with the Indonesian Republican Government to supply quinine to India?

**Rajkumari Amrit Kaur:** No, Sir, because no imports of quinine are allowed. We produce enough for our requirements.

**Shri B. Das:** May I know who does not want to allow import of quinine into India? Is it the Commerce Ministry or anybody else?

**Rajkumari Amrit Kaur:** There is no point in importing quinine when we can increase our own production.

**Shri B. Das:** Our production is very very low.

**Mr. Speaker:** Order, order.

126 P.D.

**Short Notice Question and Answer****RAILWAY ACCIDENT AT SIRHIND**

**Shri Sidhva:** Will the Minister of Railways be pleased to state:

(a) whether on January 29th, at about 3-25 A.M. a railway accident occurred at Sirhind (E.P. Railway);

(b) what was the cause of the accident and what is the total number of casualties;

(c) whether the line clear signal was given before the 27 Up Kashmir Mail left the station for Sirhind; and

(d) at what time the goods train ahead of the Kashmir Mail 27 Up had left the station preceding Sirhind?

**The Minister of Transport and Railways (Shri Gopalaswami):** (a) Yes.

(b) The Government Inspector of Railways commenced his enquiry into the cause of the accident on 1st February and his finding of the cause of the accident is awaited.

65 deaths, including 6 from among the injured admitted into Hospitals, and 84 injured.

(c) and (d). Sirhind, situated between Rajpura and Ludhiana, is a major station on that double line section. The two trains involved in this accident were (i) a down goods train which arrived at Sirhind and left that station on proper line clear, and (ii) 27 Up Kashmir Mail which was approaching Sirhind also on proper line clear. On a double line section, trains in opposite directions are given line clear independently, subject only to other trains moving in the same direction not obstructing their path.

The point at which the accident occurred is on the Rajpura side of Sirhind station yard. The down goods train had just left Sirhind station and while passing over a diamond crossing on its way towards Rajpura, certain of its wagons derailed at the crossing. These wagons after derailment moved towards and fouled the Up line on which the ill-fated 27 Up Kashmir Mail was approaching Sirhind station. The mail train ran into the derailed goods vehicles which were fouling its path, resulting in this major accident.

According to the information available, it appears that the derailment of the goods wagons and the approach of the Mail train at the point of accident was almost simultaneous, but more accurate information will be available after the Government Inspector has completed his full enquiry.

**Shri Sidhva:** The hon. Minister in his reply stated that the goods train which left Sirhind station and the 27 Up Kashmir Mail which was approaching Sirhind were running on different railway lines. How then was it that the derailed wagons of the goods train which was running on an entirely different line obstructed the line on which the Kashmir Mail was approaching Sirhind, leading to this unfortunate accident?

**Shri Gopalaswami:** As to the exact cause of the accident, we shall have to await the Government Inspector's report. But, as the hon. Member would have noticed from my answer, this derailment occurred at a diamond crossing between one line and the other. The goods wagons having deflected from their line, derailed and capsized on the side of the line on which the Up Mail was coming.

**Shri Sidhva:** May I know whether a signal is not necessary at the diamond crossing, particularly when there is danger?

**Shri Gopalaswami:** I should suggest to the hon. Member to await the result of the enquiry of the Government Inspector.

**Shri Sidhva:** I shall certainly wait for the report of the Government Inspector. All that I am interested to know is whether the hon. Minister has any departmental information to give to the House.

**Shri Gopalaswami:** I feel the Department would not like to give any opinion of its own at present when an impartial enquiry is being held.

**Shri B. Das:** Do Government propose to give any interim help to the families of those unfortunate persons who met with their death in the accident?

**Shri Gopalaswami:** A Commissioner has been appointed. He is an officer of the P.E.P.S.U. Government. Claims have been invited and instructions have been issued that these claims for compensation should be disposed of and compensation amounts paid as quickly as possible.

**Shri B. Das:** Does not the hon. Minister consider it necessary to give some advance interim help before the Compensation Officer decides the exact amount.

**Shri Gopalaswami:** Well, if the Commissioner recommends interim relief, it will be given.

**Shri Raj Bahadur:** May I know the number of wagons and carriages involved in the accident.

**Shri Gopalaswami:** I think it is about two and a half bogies of the mail train that were involved in this accident.

**Shri Tirumala Rao:** In view of the large number of accidents occurring in the country, may we know whether there is any information available with the hon. Minister about this morning's train disaster at Lucknow?

**Shri Gopalaswami:** I think that accident occurred yesterday morning. That is also another unfortunate accident and that also occurred inside the station yard. An enquiry has been started and is proceeding.

**Sardar Hukam Singh:** Is the hon. Minister aware of the number of deaths that have taken place since his answer was prepared, because press reports say that the number has reached one hundred?

**Shri Gopalaswami:** The information at our disposal up to this point of time is that the number killed is sixty-five.

**Sardar Hukam Singh:** When was this answer prepared?

**Shri Gopalaswami:** This answer was prepared perhaps thirty-six hours ago. But I have asked my officers to give me the up-to-the-moment information before I answered this question. I am therefore giving that figure as being the figure which we have at the present moment.

**Shri Ohalika:** May I know what is the difference between ordinary crossing and diamond crossing?

**Shri Gopalaswami:** A diamond crossing looks like a diamond.

**Dr. V. Sabramaniam:** What was the time of the derailment of the goods train and the time of the arrival of the mail train?

**Shri Gopalaswami:** They were almost simultaneous. According to the information we have, it was either 8.23 A.M. or 8.25 A.M.

**Dr. V. Subramaniam:** When there was a few minutes difference, why cannot the guard of the goods train.....

**Mr. Speaker:** The hon. Member is entering into an argument.

**Shri Sidhva:** Out of 84 persons admitted into the hospital, how many are serious cases?

**Shri Gopalaswami:** The following are the particulars:

Admitted to the hospital—44:

Policemen—2,  
Military personnel—18,  
Civilians—21,  
Railway Staff—3.

Rendered first-aid and discharged—40.

**Shri R. C. Upadhyaya:** May I know what was the total number of passengers travelling in the mail?

**Shri Gopalaswami:** I am afraid I have not got the figure.

**Dr. M. M. Das:** May I know, Sir, whether Government suspect any act of sabotage in this case?

**Shri Gopalaswami:** There is so far no reason to suspect any sabotage; but we shall have to await the Government Inspector's report.

**Shri Alva:** Are we right in presuming that the two trains which collided were on different lines.

**Shri Gopalaswami:** They were on different lines. It is a double line track.

**Shri A. Joseph:** Sir, is it a fact that the driver and the guard were sympathisers with the Communist party and they have been deliberately responsible for the accident?

**Mr. Speaker:** Order, order.

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#### WRITTEN ANSWERS TO QUESTIONS

##### CONTROL OF RESERVE BANK OVER BANKS IN INDIAN STATES

**\*63. Seht Govind Das:** Will the Minister of Finance be pleased to state the number of banks that have recently come under the authority, direction and control of the Reserve Bank of India, and what is the total amount of deposits in these banks?

**The Minister of Finance (Dr. Matthal):** The intention of the hon. Member presumably is to ascertain the number of banks which have come under the supervision of the Reserve Bank as a result of the application of the Banking Companies Act to the areas formerly in Indian States. According to the information available with the Reserve Bank, this number is about 26. Figures pertaining to the deposits of these banks are not available as on a common date, but these are estimated at about Rs. 4.75 crores.

##### SCHEDULED BANKS

**\*64. Seth Govind Das:** Will the Minister of Finance be pleased to state the total number of Scheduled Banks at present and how many of these have been inspected during the last year?

**The Minister of Finance (Dr. Matthal):** The total number of scheduled banks as on the 31st January, 1950 was 101. During the year 1949, the inspections of ten scheduled banks were completed.

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Friday, 3rd February, 1950



# PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

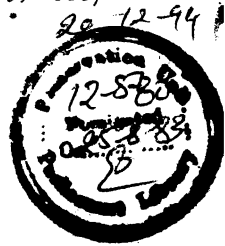
VOLUME I, 1950

(28th January, 1950 to 23rd February, 1950)

First Session  
of the

PARLIAMENT OF INDIA

1950





## CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers), 1st Session, 1950;—

In Volume I,—

1. No. 1, dated the 28th January, 1950,—
  - (i) Page (i) Col. 1, after line 4 insert "Ahmedunni, Shri V.C. (Travancore-Cochin)".
  - (ii) Page (ii), Col. 2, line 27 for "Rafi Ahmed, Shri" read "Shri Rafi Ahmed".
  - (iii) Page (iv), Col. 2, delete line 20.
2. No. 2, dated the 31st January, 1950,—
 

पृष्ठ १८, आठवीं पंक्ति के आदि में "न्त" के स्थान पर "अन्त" पढ़ें ।
3. No. 3, dated the 1st February, 1950,—
  - (i) Page 32, line 13 for "ule" read "rule".
  - (ii) पृष्ठ ७६, पंक्ति १८ में "पच्चास" के स्थान पर "पच्चीस" पढ़ें ।
4. No. 4, dated the 2nd February, 1950,—
  - (i) Page 103, line 3 add "it" before "is".
  - (ii) पृष्ठ १०३, नीचे से दूसरी पंक्ति के अन्त में "जी" के स्थान पर "जीता" पढ़ें ।
  - (iii) पृष्ठ १०६, के अन्त में "आज हमको" के आगे "यह देखना होगा कि जो चीजें हमने अपने विधान में रखी हैं उनको मुल्क के काम में लाया जाय । मैं अर्च करना चाहता हूँ कि अब जमाना बदल गया है" जोड़े ।
  - (iv) Page 110, line 5 from bottom for "humiled" read "bundled".
5. No. 5, dated the 3rd February, 1950,—
  - (i) पृष्ठ १८२, दूसरी पंक्ति में "इलको" के स्थान पर "इलाको" पढ़ें ।
  - (ii) Page 186, line 17 from bottom for "debator" read "debtor".
  - (iii) Page 188, line 18 for "unformity" read "uniformity".
6. No. 6 dated the 6th February, 1950,—
  - (i) Page 204, line 20 from bottom for "were" read "are".
  - (ii) Page 212, line 12 from bottom for "of" read "the".
  - (iii) Page 224, line 13 for "from" read "form". ●
  - (iv) Page 232, line 20 from bottom for "happens to be the Chairman and whether he could be expected" read "will act as its President; he is an I. C. S. man and is, admittedly,".
7. No. 8, dated the 8th February, 1950,—
 

Page 315, line 19 for "refugee" read "refuge".
8. No. 9, dated the 9th February, 1950,—
  - (i) Page 369, line 24 for "are" read "am".
  - (ii) Page 371, for line 18 read "giving me credit for having done something which should really go to the".
  - (iii) Page 389, line 2 from bottom for "khakad" read "khahad".
9. No. 10, dated the 10th February, 1950,—
  - (i) Page 415, line 2 from bottom for "detrimental" read "detrimental".
  - (ii) Page 420, line 10 from bottom for "is" read "in".
  - (iii) Page 431, line 3 from bottom for "L" read "5".
  - (iv) Page 433, line 16 for "Trat" read "that".
10. No. 11, dated the 13th February, 1950,—
  - (i) Page 454, line 25 from bottom after "was" insert "as".
  - (ii) Page 463, line 21 from bottom for "re-assembled" read "then adjourned for".

(ii)

11. No. 12, dated the 14th February, 1950,—  
Page 498, line 8 from bottom for "strach" read "starch".
12. No. 14, dated the 17th February, 1950,—  
(i) Page 591, line 6 for "atmosphede" read "atmosphere".  
(ii) Page 604, line 4 for "inperils" read "imperils" and in line 6 for "cajus" read "Salus".
- (iii) पृष्ठ ६०८, पंक्ति ५ में "अम्मा" के स्थान पर "आमा" पढ़ें।  
(iv) पृष्ठ ६०८, पंक्ति १२ में "तकरीर" के स्थान पर "जो तकरीर" पढ़ें।  
(v) पृष्ठ ६१०, नीचे से पंक्ति ५ में "दस" के पश्चात् "दस" समाविष्ट करें।  
(vi) पृष्ठ ६१४, नीचे से दूसरी पंक्ति में "तरह" के पश्चात् "से" समाविष्ट करें और "बंगाल" के पश्चात् "से" हटा दें।  
(vii) Page 616, line 12 from bottom for "then" read "their".
- (viii) पृष्ठ ६२५, पंक्ति १५ के अन्त में "यह" को हटा दें और १६ के आदि में "काम" के स्थान पर "महकमा" पढ़ें।  
(ix) Page 637, omit "last line".
13. No. 15, dated the 20th February, 1950,—  
(i) Page 659, line 12 for "acpital" read "Capital".  
(ii) Page 662, line 21 from bottom for "of the" read "in the".
14. No. 17, dated the 22nd February, 1950,—  
(i) Page 708, line 15 from bottom for "States" read "State".  
(ii) Page 723, line 21 omit "It is" before "Jowan".
15. No. 18, dated the 23rd February, 1950,—  
(i) Page 751, line 13 from bottom for "Begal" read "Bengal".  
(ii) Page 758, line 24 from bottom for "turbulation on account" read "tribulation on account".
- (iii) पृष्ठ ७६०, नीचे से पंक्ति १८ के अन्त में "तो है मैं" के स्थान पर "हैं मैं तो" पढ़ें।  
(iv) पृष्ठ ७७६, नीचे से पंक्ति ७ में "हा" को "कहा" पढ़ें।  
(v) Page 783, line 2 for "a" read "as".  
(vi) Page 798, line 2 for "coutry" read "country".  
(vii) Page 800, line 9 from bottom for "33 percent" read "33 percent".  
(viii) Page 801, line 6 for "ward" read "award".

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## PARLIAMENTARY DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Friday, 3rd February, 1950

*The House met at a Quarter to Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

### QUESTIONS AND ANSWERS

(See Part I.)

11-43 A.M.

### PAPERS LAID ON THE TABLE

AMENDMENTS TO RESERVE BANK OF INDIA (NOTE REFUND) RULES, 1935

**The Minister of Finance (Dr. Matthai):** I lay on the Table a copy of the notification making certain amendments to the Reserve Bank of India (Note Refund) Rules, 1935, in accordance with the proviso to Section 28 of the Reserve Bank of India Act, 1934.

### NOTIFICATION

*Dated the 10th, January, 1950*

In exercise of the power conferred by the proviso to Section 28 and clause (q) of Sub-section (2) of Section 58 of the Reserve Bank of India Act, 1934 (II of 1934), the Central Board of Directors of the Reserve Bank of India by virtue of the powers conferred by Section 7 of the said Act, and with the previous sanction of the Central Government, make the following amendment to the Reserve Bank of India (Note Refund) Rules, 1935.

“Delete the existing Rule 3 with its Sub-rules 3(1), 3(2) and 3(3) and substitute in its place the following :

“A claim in respect of a note may be presented to the prescribed officer at any office of Issue irrespective of the denomination of the note.”

N. SUNDARESAN,

*Deputy Governor.*

### COMMITTEE ON PETITIONS

**Mr. Speaker:** I have to announce that under sub-rule (1) of Rule 109 of the Rules of Procedure and Conduct of Business, the following hon. Members will form the Committee on Petitions, namely—Pandit Thakur Das Bhargava, Shri Chimanlal Chakubhai Shah, Shri Deshbandhu Gupta, Shrimati Sucheta Kripalani. Pandit Thakur Das Bhargava will be the Chairman of the Committee.

(145)

## MOTION ON ADDRESS TO THE PRESIDENT—*Concl'd.*

**The Prime Minister (Shri Jawaharlal Nehru):** Sir, as the House is aware, this debate on the President's Address, is a new departure, and we have no conventions to cover such a debate. This new Republic has to make its own conventions. I have followed this debate, and we as the Government have welcomed and will always welcome opportunities when hon. Members can criticise the Government or express their opinions about the various activities of the Government. But I have noticed that in the course of this discussion a large number of matters have been raised or referred to, in fact the discussion has been to some extent on the lines of the normal budget discussion.

Now, it is not for me, Sir, to limit the discussion in any way or to restrict it, but I would suggest for your consideration, Sir, and for the consideration of the House, that perhaps the purpose of this debate at the beginning of the session is somewhat lost. It is treated in the same way as a budget debate and I am afraid details and relatively minor matters are also raised in it. The essential nature of this initial debate at the beginning of the session is to give an opportunity to the Opposition in the House to raise major questions of policy in fact to raise something which is tantamount to a vote of no confidence by the House. A new House meeting together, a new Government or a Government carrying on in a new session, wants to give this opportunity to the House to decide then and there whether they approve of that Government and their major lines of policy or not. If instead of that we have a debate on a large number of minor issues, the major issues are rather clouded and obscured, and therefore perhaps the principal object of such a debate is not served. There is a difficulty, I know, in this House because the Opposition is very small in numbers and it is therefore right and fair that some latitude be given.

It is not easy for me within the allotted time to deal with the multitude of questions that have been raised in the House, but I shall only deal with some major matters and to refer to some other matters briefly.

One hon. Member complained that the debate was limited to two days—it has gone a little beyond two days—and I was a little surprised at that complaint because we are not taking away from the rights of the House but we are adding two days for the first time to this kind of general discussion. If the House wants, of course, it can always have a discussion on a specific issue if it is so minded, but a general discussion extended rather indefinitely tends to lose significance; the point at issue is lost; everybody speaks and every subject is raised. It may give a certain satisfaction to an hon. Member or to his constituents that a certain subject has been mentioned, but the significance of that debate is lost.

There are one or two relatively small matters to which I shall refer right at the beginning. One or two hon. Members of this House complained that a sufficient number of women have not been returned to this House. That, of course, is not a matter which concerns Government policy or on which we can say much except that I would like to express my entire concurrence with that complaint and my firm opinion that women had not been given a fair deal in this country, further, in future it is a matter of serious consequence to this country and to this House as to whether a sufficient number of women are returned or not. May I add that in the experience we have had in foreign countries in our delegations, in our appointments of women, say, in the United Nations, appointments made by the United Nations itself, I cannot think of a single instance where that appointment has not justified itself. But I can think of many instances where appointments of men have not justified themselves. Speaking from a good deal of experience, I can tell this House that women who have gone abroad in our delegations and for other work have, each one of them, raised the credit of India and have left a good impression there.

[Then, referring to another matter, an hon. Member, Mr. Tyagi, took exception to the ceremonial that was observed when the President came in. He thought that it was too English for his liking and that we should have conches, or some other ancient instruments, blowing when he came in.

**Shri Tyagi** (Uttar Pradesh): I did not mean that.

**Shri Jawaharlal Nehru**: Whether he meant it seriously or not I do not know, but it does raise an interesting point for the consideration of this House and that is this: We are anxious in India to have our own customs and our own ceremonial, but when we adopt a certain practice or ceremonial, which comes from foreign countries, it has a certain meaning, I suppose. We have in this Constitution that we have adopted followed very largely the practice of foreign countries and more especially that of the British House of Commons. We have in our judicial system adopted a good deal from abroad. Would the hon. Member who complained, like us to have armies after the model of the Mahabhartha or modern armies, or use weapons which were used five hundred years ago or weapons that are used now? I say this because there is a tendency in this country in the name of nationalism to promote obscurantism.

**Shri Hanumanthaiya** (Mysore): I take objection to that, Sir.

**Mr. Speaker**: Order, order.

**Shri Jawaharlal Nehru**: The hon. Member may take objection. I regret to say that the hon. Member merely gives an example of what I was saying.

**Shri Hanumanthaiya**: I repeat my objection.

**Shri Jawaharlal Nehru**: I referred to the armies of the Mahabhartha and not to the doctrines of the Mahabhartha. So, the hon. Member need not at all get agitated about it. No discourtesy was meant to the Mahabhartha, but the point is that we mix up all the great things of the past with the minor trappings of the past. If we mix up the great things of the past and the minor trappings of the past, the great things suffer, and the minor trappings may remain anyhow. Therefore we must be careful about this. India has suffered sufficiently in the past by being caught in the minor trappings. India became a slave country, a conquered country, because it did not keep pace with the world. If we forget that lesson today, we shall again fall back. Nationalism is a vital force, it is a great force and if we give up any part of the genius of our people and the basic traditions of our people, we lose a great deal thereby; we become rootless. At the same time nationalism often covers a multitude of sins and a multitude of throw-backs on something that is dead and gone. What is communalism? In its very essence it is a throw-back to some mediæval age, to a mediæval state of mind and mediæval habits and mediæval slogans. So, when we talk about foreign customs and Indian customs, let us preserve every single Indian custom and every single Indian way of thought; but let us not go back to something that has no application to the modern world. The President came in. There was no blowing of trumpets. He came keeping in with others. Does Mr. Tyagi object to people walking in step?

**Pandit Balkrishna Sharma** (Uttar Pradesh): The hideous head-dress of the men who followed is objected.

**Mr. Speaker**: Order, order.



**Shri Jawaharlal Nehru:** Does any hon. Member object to military officers accompanying our President? Do the hon. Members object to our military officers wearing the uniform they put on? Do they expect them to go about in the dress I am wearing today or in the dress some hon. Members are wearing?

**Shri Tyagi:** Do you object to *Tilak* and *Arati*?

**Mr. Speaker:** Order, order; no interruptions.

**Shri Jawaharlal Nehru:** I do not know what the hon. Member is thinking about. *Tilak* and *Arati*, in the precincts of the House I do object. Outside, I welcome them; in the precincts of the House, I certainly object to them.

**An Honourable Member:** Why?

**Pandit Balkrishna Sharma:** There are differences of opinion on this with you, Mr. Prime Minister.

**Mr. Speaker:** Order, order.

**Shri Jawaharlal Nehru:** That is why I venture to say to the House and I am deliberately placing before the House certain considerations which moved this Government and the Prime Minister of this Government. It is for the House to choose their Prime Minister and their Government.

**Pandit Balkrishna Sharma:** We have chosen the Prime Minister in spite of our differences.

**Mr. Speaker:** Pandit Balkrishna Sharma will not interrupt. I shall not allow any more interruptions.

**Pandit Balkrishna Sharma:** You may turn me out, Sir.

**Mr. Speaker:** Any interruptor will be asked to leave the House.

**Shri Jawaharlal Nehru:** The House will observe how certain observations made by me which normally speaking I take it would be admitted as obvious have, yet, somehow raised a great deal of excitement and passion.

**Pandit Balkrishna Sharma:** Even you are excited.

**Mr. Speaker:** Order, order.

**Shri Jawaharlal Nehru:** I have stated and I refer again because these things will occur again and again. The President will come again. The President will come accompanied by his ADCs and military officers. If the ADCs and military officers are to accompany the President, are they to wear their military uniform or are they to put on a special uniform for accompanying the President? Is our Army to put on a different uniform? One has to be logical about it. One has to think about these things. We can and we should consider what new customs we should introduce in this House and in this country but are we to introduce anything which gives us a sense of aloofness and sloppiness, which has been the bane of this country and which would lead inevitably to inefficiency and to many other evils. We live in an age where we have to be efficient whether on the political plane or economic plane or any other plane.

We criticise this Government for lack of efficiency, and may be, the criticism is right. I admit that in many ways the Government ought to be more efficient. But, all these qualities of efficiency, etc., come in a certain context, in *milieu*, in environments. You cannot have environments and *milieu* which totally lack efficiency and carry on your activities and then expect efficiency to rise as a phoenix out of ashes of inefficiency. Therefore, we have

12 NOON to be clear about our ways of life, and ways of functioning on the political, economic and social planes.

An hon. Member talked about revolutionaries. I think it was my friend, Mr. Tyagi, who said, we should have a Government of revolutionaries. I should very much like to know Mr. Tyagi's definition of a revolutionary, because a revolutionary has been defined in many ways. In the old days, possibly, a normal definition of revolutionary activity would be an activity directed against the foreign Government. I accept that; I agree.

**Shri Tyagi:** I consider you as the ideal revolutionary.

**Shri Jawaharlal Nehru:** I am flattered and gratified by this. May I say that I entirely agree with Mr. Tyagi? But being a revolutionary at a time when we have to oppose a foreign imperialistic Government, one can understand. It is a clear issue. Therein too there may be a difference of opinion in the sense that one man takes to the bomb and calls himself a revolutionary although his action may actually be counter-revolutionary in consequence, in the true mechanics of revolution. Yet by some strange misuse of language, a bomb thrower has been called a revolutionary. I would call him a counter-revolutionary. Here is the test of a revolution against a political order represented by a foreign Government. Now that the foreign Government is gone, we are facing other problems. What is the test of revolution now? You see many of the people who were revolutionaries in the old sense of the word previously, are no longer revolutionaries in the modern sense of the word. In fact, some of them may possibly be classed as actually reactionaries. So it becomes difficult to understand and define these terms except in the modern context in the new political or economic, social order, call it what you will. Merely because a person was a revolutionary as against the British Government, therefore he is necessarily a revolutionary today, does not follow. Hon. Members know very well, some people who were our colleagues in the old days, intimate colleagues in the fight against the British are now encouraging sabotage in the country. Take some of the communists. They were our colleagues some time. Today, they are carrying out an anti-social policy of destruction and promoting chaos. They were revolutionaries. There are others who were our colleagues who are opposing us. There are others again who may not be opposing us on the political plane, but on the economic plane, they hold different views in this House. How many views are represented on the economic plane? It is difficult to talk about who is a revolutionary and who is not till you define the terms.

There are some other matters which are important; I shall refer to them rather briefly. There is the question of food. I think hon. Mr. Anthony hinted at the fact that the target date we have laid down for achieving self-sufficiency in food is not likely to be achieved and, therefore, we had better advance it by two or three years. I do not know where he gets his figures or his information. But, I might inform him that we are going to achieve that and we will achieve it. I might inform him, it just does not matter what his information is, I am convinced and so far as I am concerned, I am determined to achieve it. What is more, I might inform him that we have gone a good way in that direction.

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That is, I speak not merely in terms of hope and expectation, but in terms of actual achievement today, that is, with such facts and figures as we have got; we are making good progress on the food front. Naturally we would like it to be faster and better. Unfortunately, there has been a lack of rainfall in Madras and in other places. In spite of that, we are doing fairly well, and we hope to do better in the next year. I have not the exact figures before me, but in this year, i.e., 1950, the amount of food we propose to import is considerably less than half last year's. Sometime or the other, the House would be informed of these details by the Food Minister, but it is much less and I have no doubt that the year after the next, it will be much less still.

**Shri Sidhva** (Madhya Pradesh): We have got sufficient food, Sir.

**Shri Jawaharlal Nehru:** Then many hon. Members referred to controls and expressed very strong disagreement at the continuation of any controls. This is not the time to discuss this question of controls. It is a complicated, and difficult matter which this House, I presume, would discuss some time or the other. I should like to say this that while the inconvenience and even the corruption due to controls is obvious, there is another and a very important aspect of this question, which no responsible Government can possibly ignore. When last time we withdrew controls, something in the nature of minor disasters followed. It may be that if you are prepared for a relatively long term facing disasters and crises, we will right ourselves in the end. But it is not an easy matter to face this crisis for a year or two running just in the hope of adapting ourselves and I am quite convinced that our removal of controls two years ago was a wrong thing. We made a mistake in doing so and if we had not removed them, we would be much better off (*Hear, hear*). I am not talking of all controls; of course, some may be removed—I am talking about the basic things and especially food. It is a most dangerous thing to play about with the food crisis. On the one side we had to make an attempt to lessen prices of the basic necessities, especially food etc., and on the other, if we take the slightest risk the thing goes up and anti-social people profit by it. I do think whatever credit this Government may have, it will be infinitely lessened. However, these are matters for careful consideration by Government and by this House.

Sugar was referred to. I might inform the House that the Tariff Board report on sugar has been received by Government, and it is going to be considered very soon. It is just a brief document about a thousand pages. I am told it is 450 pages, but it is difficult suddenly to grasp it.

Two or three other matters I will not deal with. Criticism has been made on the subject of economy, on the subject of co-ordination and efficiency; these are very vital matters, but these are not matters of policy and we all agree that there should be economy, there should be efficiency, there should be co-ordination; there is no disagreement; we may fail in bringing it about and we can discuss the measures to bring it about, but it is not a matter of disagreement of policy.

Then again there is the question of displaced persons, refugees. There again, broadly speaking, there is no disagreement; there may be disagreement:

as to the method of approach, as to the method of doing something. We are all agreed that it is the responsibility of Government and the country to provide for them, to rehabilitate them, to help them in every way; but apart from the question of limitation of resources, money etc., there are a large number of other factors. I think and I hope, the House will agree with me that in spite of our financial condition, the Government have not really spared money in this matter. We could have naturally if we had funds like the U.S.A. thrown about much vaster sums. But I feel honestly that we, that is, the Government have been in error in the approach to this problem, right from the beginning. Money was required; money is required but money is a secondary factor. After all, it is the human approach that is required on the part of the refugees, on the part of those who deal with the refugees. It is the approach of work that is required; people talk so much about loans and monetary help, and some people say "put on a new tax for the refugees". I have come to the conclusion that while money might no doubt give relief, so far as the process of rehabilitation goes, it is not a question of money so much but other qualities that we ought to produce in ourselves and if you like, in the refugees. You will not rehabilitate a many by giving him Rs. 200 or Rs. 2,000. The average person thinks in terms of opening a little shop. Well, some shops may go on; most shops will not probably go on; you cannot add thousands of shops all over and you can only think of rehabilitation ultimately in terms of productive effort, that is adding to the wealth of the country and adding to the wealth of the individual concerned. Now, I do not think we as a Government.....

**Shri Kamath** (Madhya Pradesh): Can Government find work for them all?

**Shri Jawaharlal Nehru**: I am saying that, I think, we as a Government have not. In the first couple of years or a year and a half, we were overwhelmed with this problem. We did not perhaps lay that stress on productive effort as we should have done. We want to do it now; we try to do it now but we find enormous difficulties on every side. I do not wish to be unfair because I think a very large number of displaced persons have made every effort; they have played the game and I am not criticising them in the least. Where they have had a chance, they have done well. Unfortunately, a considerable number think in terms not of effort. We have offered work to them, solid work, which will earn them some money but they have refused that work, and they have simply sat there and asked for doles, asked for loans of money, when we are giving them good solid work. So there is that difficulty. It is not a difficulty peculiar to this country; wherever this refugee problem has arisen, the same difficulties have come to exist and the refugee problem is an old problem in Europe, and in other parts of Asia.

Now, may I come to some of the major issues—foreign policy? There has been very little criticism as far as I could gather of our foreign policy, except in so far as it applied to Pakistan. So I need say little about our foreign policy. I would like to say this, however, and the House will forgive me for referring to it, as I happen to be the Foreign Minister, that the general record of our foreign policy in the last two years and half since we attained Independence is a very satisfactory record, judged from the normal standards of the status of the nation in external affairs, or in international affairs. There is no doubt that India for a variety of reasons, not merely because of the policy pursued but for other reasons also, stands very high in the scale of nations in regard to international affairs today. Now, as the House knows, we have adopted a policy which has

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been variously described as one of neutrality or non-alignment, etc. I dislike the word "neutrality" because there is a certain passivity about it and our policy is not passive. When some countries or some critics of ours say that our policy should side with this group or that group and we are criticised as sitting on the fence, I do not quite understand; or, I do understand what they say, but I do not appreciate it at all. A country's foreign policy ultimately emerges from its own traditions, from its own urges, from its own objectives and more particularly from its recent past. Now India has had a recent past which is powerfully affecting her. During the last twenty or thirty years we have tried, even when we were not the Government but were in opposition or a party conducting revolutionary activities, to lay down the basis of our foreign policy. I submit that within the limits of a changing situation we have tried to follow that policy which we as the Congress laid down years ago. Apart from that, it seems to me extraordinarily presumptuous on anybody's part to ask me to join this or that bloc. Am I so insignificant, is my country so small, so lacking in importance, so lacking in worth or force that it cannot say what it wants to say, that it must say ditto to this or that? Why should my policy be the policy of that country or this country? It is going to be my policy, the Indian policy and my country's policy.

It is true that no policy is isolated from others' policies. We cooperate with other countries. Naturally we seek the cooperation of others. We have our likes and dislikes. In regard to our likes they help us to cooperate but in regard to our dislikes they come in the way. But because we want to be friendly with other countries we tone down our dislikes deliberately.

When we look round the world today we see that the world is blinded by fear and hatred. It is an extraordinary position and it is becoming more and more difficult for any country to view any subject or any problem objectively. Because of this enveloping fear and hatred, all this leads them to violence and to preparations for violence and for war. What it will ultimately lead to I cannot say. But I still think that it is a possibility with grave disasters and catastrophes for the world, which might be avoided, not by the effort of India alone, but there are people thinking on these lines in other parts of the world—earnest people of goodwill. It is a possibility that might be avoided, because the alternative is a world war. It is so terrible to contemplate that whatever the result of that war may be, one thing is dead certain, that most things that we value in life, in every country and in every part of the world will vanish. Whether you call yourself a Communist, a Socialist or any 'ist', the very basis of progress and civilised existence will probably be destroyed for a generation or two. May be some third or fourth generation may arise from the ashes of that war. So any person who thinks at all earnestly about these problems must come to the conclusion that every effort must be made to prevent this great catastrophe descending upon the world.

I am not vain enough to imagine that any efforts that our Government may make will make a vital difference to world affairs. Yet every little effort counts and in any event I do not see why our efforts should not be in that direction and why we should take for granted that war is inevitable and therefore give up all attempts to prevent it. So our foreign policy has been aimed at that.

Then there is another question about our foreign policy, namely, our association with the Commonwealth of Nations. Some hon. Members had criticised that. May I beg the House or those members who object to it, to consider this question separated and isolated from past sentiment? Because I do feel that it is the past sentiment that governs them more than the present situation. Presumably some people imagine that by our association with the Commonwealth some kind of restricting or limiting factor comes into our activities—political, economic, foreign, domestic and whatever else. That is completely unjustified. There is no limiting factor. By our joining the United Nations certain limiting factors came in as they must come in if you join any organisation of the type. You join, let us say, the International Monetary Fund: certain limiting factors come in immediately you join an international organisation. But in our association with the Commonwealth there is not an iota of a limiting factor.

As the House knows well, the Constitution does not mention the Commonwealth. It is not a constitutional issue, it is a Gentleman's agreement between the countries of the Commonwealth which we deliberately after serious thought entered into, because we felt that it was to our advantage. After the experience of some months of it I am more than ever convinced that it is to our advantage.

I think an hon. Member said something about devaluation. Whether devaluation was good or bad has nothing to do with our being in the Commonwealth. We may carry out any policy we like whether we are in the Commonwealth or not. When people think of the Commonwealth influencing us in regard to our policies, may I suggest to them that it is also possible that we may influence others greatly too in the right direction?

Then reference was made to certain countries like South Africa, where a policy is being pursued which brings it into conflict with us in various phases of our activities. Questions are often asked of me: Did you consider the South African issue or the Pakistan issue at the Colombo Conference or somewhere else? My answer invariably is that we did not, because deliberately we do not want to make the Commonwealth Conference a kind of tribunal or a kind of superior body to decide our issues. We are independent countries: we deal with one another directly. The House knows that by our being in the Commonwealth there has been no difference whatever in regard to our dealings with the South African issue. If we go out of the Commonwealth it will make no difference. It might, to some extent, slightly, in some ways, make it more easy for us to deal with each country in the Commonwealth as that country deals with us absolutely on a reciprocal basis.

Apart from the general reason that there is absolutely no object in our breaking an association which might help and which certainly cannot hinder but which helps also in the larger context of world affairs. There is one major reason for our being in the Commonwealth and that is that a very large number of Indians live abroad in what are called British Colonies or dependencies. I am not talking about the self-governing or independent countries of the Commonwealth but other places. By our remaining in the Commonwealth those people are in a better position. Otherwise they would have to make a sudden choice to break with India or to break with the country where they reside. It would have put millions of our people in a very difficult position and it was totally unnecessary for them to be put into that position. So that is another advantage.

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Then coming to Pakistan and our relations with Pakistan, many hon. Members have referred to this and have expressed their opinion that we have been too gentle, that we have been indulging in appeasement or that have not been firm enough and so on and so forth. Well, it is a little difficult to consider a vague indictment of this kind. One can discuss specific matters and give an answer. It is difficult, because, first of all, one has not got a grip of any particular point, and, secondly, in the very delicate state of relations between India and Pakistan during the last two and a half years everything that has happened does not see the light of day. What we do we do not shout from housetops, and therefore sometimes all the facts are not before the public. But I do not wish to take shelter behind that argument. Most of the facts are before the public and before this House. I should like the House and hon. Members, if not now at a later stage, to tell me what their views are. I welcome them to come and tell me about any specific matter; what they think should be done and what they think should not be done. This vague idea of 'being firm' does not help.

**Pandit Maitra** (West Bengal): Has not the Cabinet any idea about it?

**Shri Jawaharlal Nehru** : The Cabinet has the clearest ideas and is acting according to them.

**Pandit Maitra**: According to them?

**Shri Jawaharlal Nehru**: Naturally. According to their own ideas. You are criticising the Cabinet's ideas. But I am asking hon. Members to help me in regard to any specific matter. If you permit me I shall go on and explain myself on this little issue.

**Pandit Maitra**: Please do.

**Shri Jawaharlal Nehru**: This partition problem was from every point of view a very unnatural thing. Well, we accepted it and we continue to accept it, and we will act accordingly. But it created—not so much the partition perhaps, but the events that happened after the partition—deep wounds in India and in Pakistan—among the people I am talking about—and those wounds will take some time in healing as the President said in his Address. We have to deal with vast masses of people in India and Pakistan.

How are we to deal with this question? Hon. Members have been pointing out that in Pakistan wrong methods are employed, wrong things are done, and that they have not followed a straight policy and so on. I agree. But would hon. Members suggest to this Government also not to follow a straight policy in regard to Pakistan? I want that question to be considered and answered straightaway. Because, I am quite convinced in my mind that whatever policy Pakistan may follow, we should not follow a crooked policy.

**Sardar B. S. Man** (Punjab): Let it not be a weak policy.

**Shri Jawaharlal Nehru**: I say that not merely on grounds of high principles but from the narrowest grounds of the sheerest opportunism. If I have gained any experience in the last thirty or forty years of my public life, it is this, and certainly if I learnt any lesson from the Great Master who taught us many

things it is this that a crooked policy does not pay in the end. It may pay temporarily.

**Some Hon. Members:** Nobody wants that.

**Shri Jawaharlal Nehru:** I am not suggesting that anybody is asking me to do so.

**Pandit Maitra:** Please have just the policy necessary for the country at this moment,—for the safety and security of the country.

**Mr. Speaker:** Order, order. This is a reply coming from the Prime Minister and is not an occasion for putting questions.

**Pandit Maitra:** But it is highly debatable.

**Mr. Speaker:** He is giving his own views and they must be considered coolly and dispassionately.

**Shri Jawaharlal Nehru:** I was saying that anything that is in the nature of a crooked policy does not pay in the end. I do not suggest—how could I—that any Member is suggesting such a policy, but there are people outside the House who do suggest it and that is why I referred to it. There are people and organisations who are suggesting it. Some of the things suggested by them—like the Hindu Mahasabha—seem to me the stupidest of things. But there is a market place for stupidity and cupidity in this country. I therefore want to make it perfectly clear that these suggestions which, according to me, are crooked suggestions and come out of crooked minds will not be accepted by us, whatever the consequences. Therefore it was not to this House that I was addressing myself but to other people outside who say things irresponsibly which affect our foreign policy, which give a cause to the people on the other side of the frontier, if I may say so, to misbehave more. We are a great country and this House has great authority over matters of State, domestic and foreign. What this House says or what an hon. Member in this House may say is carried to far countries and other people judge of our country by that statement. Therefore we have to speak with a great deal of responsibility. Our lightest utterance may have a special meaning to other countries. I try, in spite of a certain failing on my part to talk rashly occasionally, to restrain myself. And I have tried in regard to these matters—foreign matters or Pakistan—to speak with as much moderation as I could. Because, I was convinced that while on the one hand we must be strong enough and firm enough in our policies and in our preparations—whatever they may be, whether military or other—and while we must not give in on any point that we consider wrong, whatever may happen, still our attitude should be restrained, moderate and friendly. Whether it is possible to combine the two or not it is difficult to say. Anyhow that is my training, and that was the training that we got even when we were fighting a powerful Imperialism and risking everything in that fight, that is, not to bow down to evil but to be firm with it, not to compromise with it but to prepare to meet it on every front, and yet to be gentle in your appearance, moderate in your language and not to meet it on a level of evil. Perhaps some hon. Members may mistake our soft language sometimes, or our moderate approaches sometimes, for lack of firmness. But why not examine the actions? See what the actions are, whether they are in the plains or on the mountains of Kashmir or somewhere else. Study those actions.



**Pandit Maitra:** Study the evacuation.

**Sbri Jawaharlal Nehru:** May I beg of you to consider here that we are facing a new situation, at any rate a new development, to which my hon. friend drew attention yesterday? The exodus from East to West Bengal is increasing. That is a bad thing and everything should be done to check it on the one hand and to help those who come over, on the other, I agree. But behind it lies something much bigger. If this kind of thing goes on, obviously, it may lead to disastrous consequences. Should we in a moment of anger say or do things which precipitate further crises and further disasters? I submit to this honourable House that a responsible government should not do that. It should take steps, of course—every effective step. But steps are not shouting aggressively in a loud language. Unfortunately in the modern world the old traditions of diplomacy have been forgotten. Diplomacy in the olden days may have been good or bad but people in those days did not curse each other in public. Today the new tradition is to carry on this verbal warfare in the strongest language in public. Well, may be that is better than actually fighting, but that leads to fighting or may lead to fighting.

So, I submit that in our relations with Pakistan we have, first of all, to follow this policy of firmness and adequate preparation, but always to have a friendly approach. Again, there can be no doubt—I have no doubt and hon. Members surely can have no doubt—that India and Pakistan, as they are situated, geographically and otherwise, and with their historic background, cannot carry on for ever as enemies. It is impossible. Catastrophe after catastrophe will come; either we will wipe each other off or one will wipe the other off and suffer the consequences. So, that is not possible. We are passing through trouble and crisis. It may last another year or another two or three years, I do not know. It is largely due to a certain fund of hatred and violence accumulated during the pre-partition days. We are inheritors of that, and we have to face that. Forget the Governments—our Government and the Government of Pakistan—but think of the millions of people who live next-door to each other. Ultimately, at some time or other, those millions will have to come together, will have to co-operate, will have to be friends. There is no doubt about it. Now, let us think of that future which may not be very distant and let us not do things today which may lead to generations of rivalry and conflict. We have to think of that future. Therefore, I beg of this House to consider this matter

We have, as the House knows, offered to make a joint declaration with the Government of Pakistan for the avoidance of war. Some hon. Members may think it is a gesture of weakness. Well, I am sorry if they think so because it has nothing to do with weakness. It is a gesture of strength. We know exactly how strong we are, we know exactly up to what limit we are going to permit things to happen after which we do not permit what we do not want to allow to happen. We have made that offer because we were convinced that if that was agreed to that would lay the foundations of a gradual improvement, not sudden, and the settlement of various questions. I want hon. Members to think of any question which they want to be decided by war and war alone. I can understand war in the context of defence. I do not wish to understand war in the context of aggression, and I want to make that perfectly clear on behalf of myself and my Government. We have fallen far enough from what might be

called the Gandhian ideology, but still to some extent it influences us. But it is not a question of the Gandhian ideology or of any other ideology; it is a question of looking at the world today with clear eyes. As the House remembers, one fateful sentence of Mahatma Gandhi was when he warningly said something to the effect that the countries of the world were looking at each other with blood-shot eyes. He said, "Keep your eyes clear". So, I try so far as I can to keep my eyes clear when I look at the scene, whether it is the world scene or the Indian scene or the relations between India and Pakistan, because nothing good comes out of blood-shot eyes—no clear thinking and no clear action. If it is imagined, as one hon. Member hinted at, that people grow weak because we do not have blood-shot eyes or we do not urge them on to war all the time, well, that is not only a wrong policy but a policy of despair. If we can keep up to a certain level only by being given strong drinks and intoxicating words, well, some time or the other we will collapse when we have not got them. Therefore, it is well to be prepared for all contingencies, whether in the military way or any other way. It is well to be firm, it is well not to bow down to evil. But it is also well always to be conciliatory, always to stretch out your hand to those who will hold it, because though the Government may not hold it, the people will hold an outstretched hand—not only the people of any particular country but the people of all the countries of the world.

In regard to Kashmir I shall not say much because the matter is before the Security Council. The House knows that I have been intimately connected with the development of affairs in Kashmir in many ways and it has given me more anxious moments than almost anything else. I suppose in minor matters we may have erred here and there, but in major matters I am quite convinced that what we have said and done has been right, and I am not sorry for any major action that we have taken in the last 2½ years in regard to Kashmir.

Finally, if I may deal with perhaps the biggest question that faces us today, that is the economic position. That again, I am not going to deal with fully because it is a vast subject and it will also come up for consideration in various ways. The House will have noticed the reference to the constitution of the Planning Commission in the President's Address. Of course, Government had previously on many occasions assured the House that such a Commission would be constituted. So, it is nothing new; indeed it might well be said by hon. Members that there has been some delay. Well, we attach a great deal of importance to this and I hope that with this Planning Commission and with the other steps that we shall take we shall be in a somewhat better position to handle our problems.

There has been, there often is, a kind of argument against capital, against labour, and much is said about what the capitalists do or do not do. I should like this House to consider this question apart from the personal equation that capitalists are good and capitalists are bad. As a matter of fact, the state of India is such today that capitalism is very immature here; it has not developed as in the other countries of the world. But the point is that our capitalists are the product of our history, of our economic system and the rest of it. They are not to blame. You change your system, if you like, gradually or rapidly. It is no good blaming them. But I will say this, that our capitalists, good and bad—and many of them I have no doubt are very patriotic—do lack what I call a social outlook. And if I may extend that, it is not the capitalists only but the non-capitalists also lack the social outlook. We talk a great deal about doing good to the masses. When I say "we", I am not referring so much to the hon. Members in this House but to the people in the country. And yet, I would beg to say that we have not as a whole developed that social outlook yet which, if I may say so, is a common factor of Communism, Socialism and even

[Shri Jawaharlal Nehru]

capitalism in advanced countries. Without that basic thing, we talk of bringing about changes at the top by sudden laws. Well, let us have the laws, by all means, which will help, but ultimately, laws are the product of a nation's thought, a nation's customs, activities and progress. All the laws in the world cannot make the people honest. You have got the Criminal Code, and yet you talk of corruption—and rightly too. It is not the lack of law that leads to corruption but something else. It is not the lack of law that possibly leads to that lack of social outlook and social sense in many of us, but something else which we have to develop. We have to consider our economic policies carefully and more from the point of view of which economic policy helps in the development of social outlook, and which helps in the hindrance of the anti-social outlook. That, I think, is the test. You cannot change millions of people suddenly. It cannot be done, however rapidly you may progress. You may, if you like, destroy what you have got and have a clean slate. Sometimes, that has to be done. But the process of destruction leads to utmost misery for long periods of time, may be generations. It is not worth while, unless it is forced down upon you. Therefore, you want to make progress without destruction, except destroying something that is bad.

So we have this vast problem before our country—the problem of raising 340 or 350 million people; raising them economically certainly; raising them educationally and raising them in so many unconscious ways, thus developing a new outlook amongst them. It is all integrated together. It is not merely an economic problem. It is not merely a political problem. It is a social problem and it affects our life in a hundred ways. Therefore, I am surprised sometimes to see an hon. Member who wants the most radical economic changes,—nationalisation and socialisation—yet, in another context, exhibiting an outlook which seems to be completely opposed to that economic reform, because it does not fit life as an integrated whole. You cannot separate life into bits. Therefore, this House has to face this tremendous responsibility. This new Republic begins full of strength, vigour, hope and earnestness, at the same time, with these tremendous problems before it. I must say that, if we apply ourselves in a spirit of concerted effort, earnestness and understanding to these problems, we shall go some way to achieve success.

**Mr. Speaker:** I have now to put the amendments as well as the original motion to the House. I will first place the amendments.

**Shri Frank Anthony** (Madhya Pradesh): Before you put the amendments to vote, may I enquire if one could withdraw one's amendment if one so chooses in view of the Prime Minister's definite assurance?

**Mr. Speaker:** Certainly, yes. I will enquire if the hon. Members wish me to put their amendments to the vote. If they wish, I shall certainly place them.

**Shri Hossain Imam** (Bihar): In view of the Prime Minister's statement, I beg leave to withdraw my amendment.

*The amendment was, by leave, withdrawn.*

**Prof. K. T. Shah** (Bihar): I would wish my amendment to be put to vote.

**Mr. Speaker:** The question is:

“That at the end of the motion the following be added:

“but regrets—

- (a) that Government still adheres to the decision to continue India's association with the Commonwealth of Nations notwithstanding the policy of some members of that Commonwealth showing racial inequality; and

- (b) that no clear indication is given of the specific measures by which our relations with the neighbouring British Dominion of Pakistan are proposed to be rectified and rationalised; and
- (c) that no definite decision has been taken to resolve the issue regarding the future of the State of Jammu and Kashmir in the event of the measures hitherto taken failing to bring about a satisfactory solution; and
- (d) that no reference has been made to the grave situation created by the sudden and substantial Devaluation of our currency forced upon us by the economic weakness of the United Kingdom, and the consequent dislocation in respect of our foreign trade and relations; and
- (e) that while referring to policies or measures of economy to relieve the heavy strain on our finances no mention has been made of any intention on the part of Government to make a comprehensive investigation of the system of taxation and other revenue resources of Government in careful co-ordination with the actual and proposed burdens of public expenditure on those resources; and
- (f) that the proposal of Government to establish a Planning Commission is unaccompanied by any intimation of a carefully prepared Plan of National Development scientifically co-ordinating and integrating all the several sectors of our National Economy remotivating them and reorienting their development by definite stages measured by pre-determined norms to pre-concerted goals."

*The motion was negatived.*

**Shri D. S. Seth** (Uttar Pradesh): I am not withdrawing my amendment.

**Mr. Speaker:** The question is:

"That at the end of the motion the following be added:

'but regret that inspite of extremely grave and explosive economic situation in the country, the question of achieving economic equality, which alone is capable of bringing about social equality and safeguarding political equality has been left absolutely untouched.'

*The motion was negatived.*

**Shri Frank Anthony:** In view of the Prime Minister's statement, I beg leave to withdraw my amendment.

*The amendment was, by leave, withdrawn.*

**Shri Sarangdhar Das** (Orissa): I would like to have mine put to vote.

**Mr. Speaker:** The question is:

"That at the end of the motion the following be added:

'but regret that the policy pursued by his Ministers makes no mention of civil liberties which constitutes the foundation of a Sovereign Democratic Republic, and that on the contrary, it continues to encroach on the personal, political and economic liberties of the citizen, and thereby curtails and restricts the opportunities for individual initiative, energy and enterprise to utilise the immense manpower and natural resources of the country with a view to abolish poverty in the midst of plenty, with the consequence that the standard of living may be increased, which is the avowed objective of his Government.'

*The motion was negatived.*

**Sardar Hukam Singh** (Punjab): My amendment need not be put to vote I beg leave to withdraw it.

*The amendment was, by leave, withdrawn.*

**Mr. Speaker** I shall now put the original motion.

The question is:

"That the Members of Parliament assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to the House."

*The motion was adopted.*

## INSURANCE (AMENDMENT) BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF SELECT COMMITTEE.

**The Minister of Commerce (Shri Neogy):** I beg to move:

"That the time appointed for the presentation of the Report of the Select Committee on the Bill further to amend the Insurance Act, 1938, be further extended upto Wednesday, the 1st March, 1950."

**Mr. Speaker: Motion moved:**

"That the time appointed for the presentation of the Report of the Select Committee on the Bill further to amend the Insurance Act, 1938, be further extended upto Wednesday, the 1st March, 1950."

**Shri Sidhva (Madhya Pradesh):** This is the second time that the Minister of Commerce is asking for extension of time for the presentation of the Report of the Select Committee on the Bill and he has not given any reason in support of it. The Insurance Bill is an important Bill and I know that an ordinance has been issued in the meantime. Any further delay in putting the Bill through is likely to nullify the objects of the Bill.

**Shri Neogy:** Sir, I do not think I need give any elaborate justification for this motion, but I may inform my hon. friend that the Committee has made considerable progress in the consideration of the measure. It is my hope to be able to present the report by the time up to which I have sought extension of time to be allowed by the House.

**Mr. Speaker:** The question is:

"That the time appointed for the presentation of the Report of the Select Committee on the Bill further to amend the Insurance Act, 1938, be further extended upto Wednesday, the 1st March, 1950."

*The motion was adopted.*

## POINT OF ORDER

## COURTESY TO THE CHAIR

**Shri Kamath (Madhya Pradesh):** On a point of order, Sir! May I bring to your notice that I observe several Members—even Ministers—leaving the House when you are on your legs. Is it not a discourtesy to the Chair?

**The Minister of Works, Mines and Power (Shri Gadgil):** We are here—half a dozen of us.

**Shri Kamath:** I am referring to the Ministers who have left.

**Mr. Speaker:** The Rules which I have now framed do provide for this. It is a matter of which hon. Members should take serious notice. Of course, they may not have intended it, but it is considered a discourtesy to the Chair that any person should stand or leave when the Speaker is standing. I hope Members will not do so in future.

**Some Hon. Members:** It is the Ministers who have done it.

**Mr. Speaker:** It does not make any difference as Ministers are also Members.

*The House then adjourned for Lunch till Half Past Two of the Clock.*

*The House re-assembled after Lunch at Half Past Two of the Clock.*

[MR. SPEAKER in the Chair.]

#### PANEL OF CHAIRMEN

**Mr. Speaker:** I have to inform the House that under sub-rule (1) of rule 7 of the Rules of Procedure and Conduct of Business, I nominate Shri Hossain Imam also on the Panel of Chairmen.

#### REHABILITATION FINANCE ADMINISTRATION (AMENDMENT) BILL

**The Minister of Finance (Dr. Matthal):** I beg to move:

"That the Bill to amend the Rehabilitation Finance Administration Act, 1948, be taken into consideration."

There are various difficulties and anomalies which have been brought to our notice in connection with the working of the Rehabilitation Finance Administration Act and we have felt in the light of our experience that these matters call for re-examination. It is these matters which are covered by the provisions of this amending Bill. I will briefly summarise for the information of the House the main points to which the provisions of this amending Bill relate.

First of all, in the Act as it stands at present, a displaced person is defined as a person displaced from any area outside India. We feel that it is an unnecessarily wide term to use in regard to this matter, because the kind of persons with whom we are concerned in this Act are persons who have been displaced from areas now covered by Pakistan. It was not the intention of the House at the time the Act was passed, nor is it the intention of the Government now that assistance under this Act should be extended to persons displaced, say, from countries like Ceylon or Burma. It is really the present displaced persons who constitute the problem that the Act is concerned with. We want to make that point perfectly clear.

Secondly, as the Act stands, assistance under the Act is applicable only to individual displaced persons who are engaged in business or industry. In the way in which that particular provision has been interpreted in practice, it has come to mean that assistance under the Act could be extended only to people who are wholly owners of a particular business or industry in which they are interested. Various cases have come to our notice where there are businesses and industries in which displaced persons are interested but of which they are not wholly owners. Therefore we have now introduced a provision to the effect that assistance under the Act can be extended to a business or industry, a substantial portion of which is owned by displaced persons. With regard to that particular provision, I have received notice of certain amendments. My hon. friend, Dr. Mono Mohon Das, has suggested an amendment that the words "substantial portion" should be omitted and replaced by "either not less than 50 per cent" or "a major portion". His idea is not to extend the scope of assistance under this Act unduly and put too wide an interpretation on it because it might mean that the assistance is being given to persons who do not really deserve it. On the other hand, my hon. friend, Mr. Gokulbhai Bhatt,

[Dr. Matthai]

has given notice of an amendment the point of which is that assistance should be extended to persons who are wholly or partly engaged in industry or business. I understand that the point of that amendment is that we should not put too narrow an interpretation, that is to say, even where displaced persons do not have a substantial interest but only a small interest, even those cases should be considered for the purpose of assistance under the Act.

The provision in the Bill, if I may say so, follows a middle course between these two suggestions. With regard to Dr. Mono Mohon Das's suggestion, I should like to say this that if we put in a very specific, rigid, limit of the kind that he has in mind, we are likely to come up against a number of border-line cases which may cause serious difficulties and perhaps may cause hardship. If a person, for example, owns only a 49 per cent interest, if you put so rigid a limit as has been suggested by Dr. Mono Mohon Das, this case would be impossible for us to consider under the Act. I personally think, therefore, that it is better that the provision is left in a somewhat flexible manner so that discretion could be exercised by the Administration which would be advised by an Advisory Board consisting of representative non-officials, and we can trust the Administration in these circumstances to exercise their discretion wisely and reasonably. On the other hand, if we accept Mr. Gokulbhai Bhatt's suggestion, it would come to this. Supposing there is a business in which a society consisting of 50 persons is interested and only one or two of them are displaced persons, under this formula it would be necessary to extend assistance to them. That would mean giving assistance to a business or industry which does not really deserve assistance, looking at it from the point of view of displaced persons as a whole. I am therefore inclined to suggest to both Dr. Mono Mohon Das and Mr. Gokulbhai Bhatt that the provision that we have put in the Bill is probably the best in the circumstances; that is to say, a certain amount of discretion is vested in the Administration and the Administration may be trusted, taking into account the kind of constitution that we have provided for the Administration, to exercise their discretion in the best interests of displaced persons.

Thirdly, with regard to the constitution of the Administration, at present, including the Chief Administrator, we have three official members and three non-official members. We are proposing in this Bill that the number of official members should be raised from three to four and also that the number of non-official members should be raised from three to four. The purpose of this provision is simply that the Administration should be given a more widely representative character, considering the important interests for which they are responsible.

The fourth point which is rather a minor point is this. As the Act stands at present, the prior sanction of the Central Government is required for appointing and for fixing the salary and allowances of all officers and servants appointed by the Administration which means that even where a chaprassi is to be appointed or his salary and allowances altered, the Administration has to come to the Central Government for previous approval. It is not a very business-like way of running an administration of this kind. It leads to delay; it leads to unnecessary correspondence. What we are therefore suggesting in the Bill is that except in the case of the Deputy Chief Administrator and except in the case of such senior officers as may be prescribed for the purpose from time to time by the Central Government, the Administration may be given full authority for appointment and for fixing remuneration.

Fifthly, there is a provision in the present Act which requires that all moneys held by the Administration should be either deposited in the Reserve Bank or its agencies, or should be invested in approved securities: the result

being that if there is some immediate expenditure called for, the Administration would have no cash in its hands with which to meet it. That I think from a business point of view is an extremely unsatisfactory provision. We are therefore suggesting that it is only moneys which are not immediately required which should be deposited in the Reserve Bank or invested in securities and as regards the amount of cash that may be held by the Administration, it would be determined by regulations which would be prescribed for the purpose. I may say it is the intention of the Government that in these regulations a maximum limit would be fixed for the amount of cash which might be held by the Administration.

Apart from these, there are certain technical amendments of a constitutional character which have been necessitated by the coming into force of the Constitution. All these amendments of which I have given notice, as hon. Members would have noticed, are amendments purely of a constitutional character and my hon. colleague the Law Minister will explain the precise significance of these amendments from a constitutional point of view, when the time comes for the House to consider them.

**Mr. Speaker:** Motion moved:

"That the Bill to amend the Rehabilitation Finance Administration Act, 1948, be taken into consideration."

**Shri Sondhi (Punjab):** I have got one or two points which I would like the hon. Minister to clarify. On page 7 of the report which has been circulated to us regarding delays in borrowers utilising the sanctioned amounts, in clause (d) it is stated:

"Despite the directions issued by Central Government, at the instance of the Administration, to all Provinces and States as far back as September, 1948, that preferential treatment in the matter of allotment of premises, permits, quotas, etc., should be given to the loanees of the Administration, serious difficulties and delays are experienced by borrowers in securing the wherewithal to start their business/industry."

I have got two or three cases brought to my notice in this connection. A gentleman was sanctioned a sum of Rs. 40,000. After eight months' time he could not get any support from the local Provincial Governments and he had to return the money. I would like the hon. Minister to let us know in what direction he wants to eliminate this defect.

There is another point. It is stated:

"The total amount to be made available to the Administration under the Act is Rs. 10 crores—Rs. 7 crores for direct advances to displaced persons, Rs. 1 crore in the shape of rediscounts of bills of exchange and promissory notes pertaining to loans advanced to displaced persons by Scheduled Banks, and Rs. 2 crores by way of guarantee of losses of these banks in respect of such advances."

I do not find anything regarding the last two items of two crores and one crore. I would like the hon. Minister to explain how the matters stand. To the best of my information, no money has been advanced. If there is no difficulty, why should not these three crores be given to displaced persons to be utilised?

**Shri Sidhva (Madhya Pradesh):** I welcome this measure and as a member of the Advisory Board of this Administration, I can say that the hon. Minister has taken the right step in removing certain anomalies and difficulties that the Administration has found from time to time in working. My hon. friend Mr. Sondhi has raised two points. First, he says that there is a great deal of delay in disposing of the applications. To an extent I agree with him. It is also true that at times it takes nearly six months to dispose of the loan applications. This matter has been discussed by the Administration from time to time. There are so many difficulties: as regards securities, as regards



[Shri Sidhva.]

loanees references to which have to be ascertained. Where the loans have been sanctioned, there have been delays in the payment of loans for the reasons that the securities which were mentioned in the application were not forthcoming. These are some of the difficulties which the Administration has been experiencing and trying to overcome. I myself have drawn the attention of the Administration to see that these delays must be avoided. They had asked me to suggest certain measures for re-organisation which I have placed before them. I can assure my hon. friend Mr. Sondhi that the Administration will do its best. I may say they are quite vigilant.

**Shri Sondhi:** This is not a question of Administration at all; it is a Provincial Government business.

**Shri Sidhva:** I do not know what my hon. friend refers to as Provincial Government business. Provincial Governments deal up to Rs. 5,000.

**Shri Sondhi:** Facilities.

**Shri Sidhva:** What are the facilities, I want to know. The Administration deals with applications for over Rs. 5,000; under Rs. 5,000 Provincial Governments give sanction. The Administration has nothing to do with them. If he will particularly mention what are these facilities.....

**Shri Sondhi:** This is the report of the Administration.

**Mr. Speaker:** The hon. Member may go on.

**Shri Sidhva:** I would like to refer to the statement of loan applications received up to 12th September and disposed of by 31st December. The amount sanctioned is Rs. 3,40,51,000 and amount paid is Rs. 1,41,88,000.

**Pandit Maitra (West Bengal):** You can add twenty lakhs for January.

**Shri Sidhva:** It will be seen that nearly fifty per cent of the payments are still to be made for which the Administration is not responsible. Because, as I have stated, they have to refer to the securities mentioned in the applications, which are not forthcoming. I myself came to see certain cases in Bombay where the loans were sanctioned and the loanees were intimated that they should receive the moneys; but the promised securities were not forthcoming. I appreciate the difficulties of the displaced persons; but the Administration is not at all responsible. I can assure my hon. friend that so far as the Administration is concerned, all possible steps are being taken. I am not referring to the difficulties with the Provincial Governments and the hon. Minister will answer if there are any.

My hon. friend, Shri Sondhi, has raised another important point about the three crores of Rupees which, under the Act, were required for the purpose of the Scheduled Banks in respect of advances on the strength of certain guarantees. The clause which has been passed by us at an earlier stage has not worked satisfactorily. The Administration wrote to 88 Scheduled Banks as far back as 21st May and has drawn their attention to take advantage of this provision so that the three crores of Rupees may be available and could be placed at the disposal of the displaced persons.

But out of 88 Scheduled Banks only 13 banks replied and out of that three stated that they had nothing to do with the Administration because the terms were not attractive, but whenever an occasion arose they would apply. As far as this clause relating to the Scheduled Banks is concerned, the Government thought that the Rs. 3 crores would be forthcoming and we all supported it at that time as we thought it would be attractive and the Scheduled Banks would invest that sum of money. The whole thing has failed because there are no

attractive terms. No Scheduled Bank is prepared to invest with this Administration unless they get favourable terms of interest. As there is no attractive interest, the Administration can very well be placed at the disposal of the Scheduled Banks, the sum of three crores is not available to the displaced persons. Only Rs. 7 crores is available. My hon. friend, Pandit Lakshmi Kanta Maitra, is one of the principal members of the Administration Board and he will further enlighten the House in this matter.

Several applications are pending and the question asked by the Members is what should be done when the new exodus from the Eastern Pakistan has taken place and from other places. There has been a suggestion that a certain amount should be reserved for various provinces, for instance, a crore should be reserved for the Bombay States; the Uttar Pradesh says that a similar amount should be reserved for them. Then the question will come for rehabilitation of industry just as my friend, Dr. John Matthai, has got this proposal for industrial purposes. Similarly, I am sure, when the exodus takes place there will be fresh demands. There is already a demand from Assam and from West Bengal and while Government are not prepared to pay more than Rs. 10 crores, I would request the hon. Minister to consider this point of giving this three crore of rupees to the Administration so that this money may be available to the displaced persons.

I may tell you, that the hon. Minister has already told the Administration asking them to stop taking more applications on account of the economy. I can quite appreciate their difficulty but this amount was definitely promised. Indeed the hon. Minister in his statement when he presented this Bill on the last occasion said that if after working the act experience shows that more than Rs. 10 crores will be necessary, Government will be prepared to consider. That stage has now gone and I would request him that at least this Rs. 3 crores which is legitimately due to the Administration should be given to them, so that a number of applications which are awaiting disposal could be given the advantage. The hon. Minister's attention has also been drawn officially by the Administration, and I do not know what steps he intends to take, I have been specially requested to draw his attention at this juncture when the occasion has arisen.

I hope he will bear this in mind, after all, Government have taken a very liberal view as far as the rehabilitation of displaced persons is concerned and I do not want the impression to be carried by the displaced persons that the amount which was promised by this Government is also withdrawn. As regards the further amount, in view of economy, I do not want to press that, but at least Rs. 3 crores which is mentioned in this Act has to come to the Administration and this is legitimately due. With these words, I welcome this Bill and I strongly support it.

**Dr. M. M. Das (West Bengal):** I congratulate the hon. Mover of this Bill for the foresight he has shown in bringing this Bill before this House, although it is not an original Bill, but it seeks to amend another Bill. Sir, when the original Bill, the Rehabilitation Finance Administration Bill of 1948 came before the House, some of us were under the impression that it is purely a temporary measure and will cease to exist within a very short time. It was necessitated by the influx of refugees from Western Pakistan mainly, but thanks to the policy of our Government, this problem of refugees has not up to this time shown any signs of cessation. It is continuing up to this point. Moreover, Sir, when the original Act of 1948 was enacted, refugees from Western Pakistan and a few lakhs only from Eastern Pakistan came to India, but now about more than a crore of refugees are waiting in Eastern Pakistan and when these refugees come to this country, there will be a great necessity not only for this Bill but also many other Bills of similar nature. The hon. Mover of

[Dr. M. M. Das]

this Bill has rightly guessed the shape of things to come and he is preparing the ground to welcome those refugees accordingly. I congratulate him, for his foresight in bringing this Bill and hope that within a very short time he will introduce into this House many other Bills of similar nature to meet the contingency which will arise, when more than one crore of people will come as refugees into this country from Eastern Pakistan.

**Pandit Maitra:** I think I owe a duty to myself and to the Administration which I have the honour and privilege to represent here to put in a few words in connection with this Amending Bill. I need hardly say that the whole House would join with me in congratulating the Finance Minister of the Government for having always a very sympathetic outlook on this Administration. When this Bill was introduced in 1948 and when discussion and debate arose, there was considerable doubt in the minds of the Members that it was intended merely as a sop to the clamouring people who wanted rehabilitation assistance from the Government of India. Very few of us could then realize that this creature of Legislature, a semi-autonomous body known as Rehabilitation Finance Administration would be able to function in such a way as to be able to render some real substantial assistance to the lakhs of unfortunate brethren of ours who have been displaced from their hearths and homes.

This was absolutely a new organization. The country had absolutely no experience about it. No banker, no financier, no industrial magnate could help us by anything like advice or suggestions, as to how to build up this organization. It took us some months to put up an organization. We had in terms of the Act set up branches, one in West Bengal, one in Simla and one in Bombay, but when we found that the applications were pouring in very huge numbers, we felt that more sub-offices will have to be opened. Accordingly we opened several sub-offices with a miniature skeleton staff to cope with those applications, to make enquiries, and send reports to the Central Administration for a speedy disposal of those applications. One difficulty that the Administration always felt was that while this was designed for giving relief and financial assistance to rehabilitate persons in trade, business and industry, it very often happens that these unfortunate people coming over here could not either get a good guarantor or any assistance whatsoever from the people of the places where they migrated. We therefore had to stretch in some measure the sections of the Act and we indirectly introduced some element of non-displaced persons along with the displaced so as to enable the applications to go through and so as to enable the displaced persons to be properly rehabilitated. This

3 r. m. one great lacuna has now been filled by this amendment proposed by the hon. Minister.

The other lacuna was the definition of a displaced person. Formerly the wording was such that it could include anybody displaced, even outside India, that is to say, Indians displaced in Burma or in South Africa would be entitled to rehabilitation assistance. That was certainly not the object of this Act. Therefore the second amendment which clarifies the situation is welcome and it will set all doubts and disputes at rest. We had been working under considerable uneasiness lest we should overstep the limits imposed by law. Now all doubts will vanish by the amendment proposed in this Bill in clause 3 which provides that for the words "outside India", the words "now forming part of Pakistan" should be substituted.

**Shri B. Das (Orissa):** No Indian from South Africa has got any relief.

**Pandit Maitra:** That was not the intention of this Act. When they say anybody displaced outside India or in any part of the world. The whole purpose was that it related to displaced persons in any territory which originally

formed part of undivided India but which now forms part of Pakistan. This is a very welcome move and I must congratulate the hon. Finance Minister on that. I hope these two amendments will find acceptance in the House.

With regard to one matter I wish to draw the attention of the hon. Finance Minister—a matter to which attention has already been drawn by my hon. friend Mr. Sidhva. The House will recall that when the Act was originally passed it contemplated to begin with ten crores of rupees—seven crores as direct assistance from the Rehabilitation Finance Administration and the other three crores from banks. As Mr. Sidhva has pointed out—and I have the official document here—no scheduled bank in this country was prepared to under-write this risk. No response was forthcoming. Therefore in terms of the Act Government could not place this three crores at our disposal.

Now the question arises in this way. On the one hand the Administration is being flooded with applications from displaced persons settled in different parts of India. But we have not got sufficient amount at our disposal to cope with them. Accordingly instead of bringing disgrace or a bad name to the Government by allowing thousands of applications to pour in and at the same time not being able to dispose of them, we felt that we should impose a time limit and the Government agreed that up to the 12th September last all applications should be first considered and for the time being all the lists should be closed. We did that accordingly. We have already on hand thousands of applications still pending disposal and as Mr. Sidhva pointed out we have already sanctioned close on 3½ crores of rupees. Out of that nearly 165 lakhs have already been paid up. We expect that we will be called upon to make more advances. The time is fast coming, we apprehend, when there will be a heavy draft on our resources. When the industrial applications come for disposal they will mean consumption of huge amounts. The position would then be that this Administration will soon come to the end of its tethers by the end of this year. I would beseech the hon. Finance Minister to take this matter into consideration and make available to the Administration the three crores of rupees which was envisaged in the original Act.

I may tell the hon. Finance Minister and I think my friends in different parts of the House will agree—I wish the hon. Minister for Relief and Rehabilitation were here today to listen to the debate—that this is perhaps the one institution which has been doing something for the refugees and which has earned for the Government something like a good name and reputation though in a very limited way, because of the slender resources at our disposal. I must admit that even in the midst of financial stringency, when we felt ourselves called upon to surrender a portion of our undischursed money to the Government of India, the Finance Minister was kind enough to make provision for the entire amount in the coming year's budget. The Administration, the House and the whole body of displaced persons settled in India will be so far grateful to him. I would earnestly plead with him to make available at least this 3 crores for rehabilitation. I know the difficulties. I am a firm believer in rendering assistance to a man who helps himself. I am no believer in giving gratuitous relief to an idle man and thus render him more idle. The way in which we render relief to the displaced persons is to help them to become useful citizens of the State and not mere burdens on the State. These aspects have to be borne in mind by the hon. Finance Minister and I know he is aware of them.

There is another difficulty which does not particularly relate to me but which I must bring to the notice of the hon. Minister, namely that this Administration has been considerably handicapped by reason of the fact that there is absolutely no accommodation for this Administration. Here is a seven-crore organisation which is rendering financial assistance to displaced persons

[Pandit Maitra]

settled in different parts of India, without satisfactory office accommodation. It is impossible for any responsible organisation to function properly under such conditions. I know and I have received complaints of delays. I have taken every possible care to see that the delays are minimised. I have not yet missed one single meeting of the Administration. I have sacrificed every other work for this purpose and I believe this work must be undertaken in a spirit of missionary zeal, as it relates to persons who have been displaced for no fault of theirs. I have tried my level best with various Ministers to give us more accommodation. It is responsible work dealing with crores of rupees and the staff want some accommodation where they can quietly work. If the hon. Finance Minister will kindly walk into this office which is a part of his own administration and see the conditions under which the Chief Administrator, the superintendents, the inspectors, the chief accountant and the whole host of assistant inspectors, who have to do this most important financial job, work, he will be surprised how they work at all. I would plead with him in all earnestness and sincerity to see to it that a big organisation like this does not suffer for want of accommodation. At one time we felt so cramped for space that we felt like closing down. We thought we will not be able to receive any applications without even a shelter and do the work. If we can get a little more accommodation, if we could give space to the different categories of staff, we can expedite applications as we desire but which we cannot do at the present moment.

My friend Mr. Sondhi made a point that there is considerable delay in disposing of applications. May I point out to him let there be no confusion about it that there are two types of loans we give. In the first place some provincial governments in the country have got their own schemes. They are called provincial schemes of rehabilitation loans to displaced persons. The maximum amount that these provincial schemes give is Rs. 5,000. Generally speaking they give Rs. 200, 300, 400, 500 or 1,000 according to the needs of people though not up to their full needs. But generally we found that the people eat up these small loans and after three or four months again the question of their rehabilitation comes up. In this Administration the minimum loan that can be given is Rs. 5,001. What happens is this. When applications come enquiries are made from every point of view. We come to a decision that the loan should be sanctioned and a particular amount is sanctioned. Supposing a man is to be rehabilitated in Bombay and he has come from Sind and we have sanctioned Rs. 5,000 or 6,000 and he wants a shop to be set up. He has got to find out the premises. If he cannot find the premises the sanction of a loan to him becomes infructuous so long as he cannot settle down himself. We have written to all Provincial Governments beseeching them to see that some sort of priority is given to the refugees in the matter of securing business premises, electrical connection when they want to set up an industry and other facilities. In some cases we have had some response. But the main bottleneck in the disbursement of money is this that when a loan is sanctioned and the man goes about to set up his own business he does not find any premises and the loan is not availed of. These are the difficulties to which we have been drawing the attention of the Government several times and I would again like to draw the attention of the hon. Finance Minister to these. Of course, properly speaking, this should be addressed to the Rehabilitation Minister. But the Finance Minister who pays the piper can call the tune. I believe he can look into this aspect of the matter.

Another point—I do not know whether it was actually raised—is this, and it is a common point. There is some misapprehension that some applications are given priority over others. There is such an impression in certain quarters. It is an unfortunate impression. I have personally looked into those allegations, —allegations that applications sponsored by officers or their relations or by

members of the Advisory Board get priority. May I categorically state here that we follow one and one principle alone? I challenge anybody in this House or outside to see how the applications are disposed of. We make no distinction between refugee and refugee. A man who is displaced, a man in distress is enough for us. But what actually happens is this, and this point must be carefully borne in mind by those who entertain those suspicions, that on certain occasions we had to give priority if we had to make the loan effective. Here is a man, 'A', who applies to the Administration for a loan of Rs. 10,000 for the purpose of running a motor bus which is a profitable concern. If his application comes a bit late and five hundred other applications have come for ordinary shops, grocery, this and that, this man's turn will come much later. Now, the Provincial Government insists that within a month the bus should be put on the road; otherwise the licence will be cancelled. If we sanction his loan at a later date for a motor bus, by the time he actually gets the money he will find that the permit has been given to somebody else. It is in such specific cases we have had to give priority. The Government—the Rehabilitation Ministry—is also agreeing now that some form of priority has to be given, and we are giving it.

I will again appeal to the hon. Finance Minister in his reply to give some hope—I do not want him to give an assurance, I know his position is very tight—but it will have a tremendous effect on the entire refugee population of this country if he could come forward with a statement that Government does not mean that this is the dead end, that the Rs. 7 crores is not all but that the Government proposes to place more money at our disposal. I was referring the day before yesterday in an adjournment motion to the very serious situation developing in Eastern Pakistan. I am not concerned with Eastern Pakistan, but what I am concerned with is this that as a result of the large scale persecution there thousands of Hindus have come over. I do not know if my hon. friends here get any information about them. I have got Bengali papers, English papers, coming from Calcutta—heaps of them—in the last few days. If they will kindly glance through them they will know what a holocaust is going on there—persecution on a mass scale, murder, arson, loot, rape and outrages on women. All that is going on on a large scale and thousands have already trekked in. The adjournment motion I tabled here had a salutary effect, as the Government of West Bengal rushed to the frontier and they ascertained that 10,000 people had already come. Several thousands are on the move and there are disturbances in other parts of Eastern Pakistan. The result is that Hindus are trekking by thousands. Now, we have closed applications for these people. What is going to happen? Unless more money is given, these persons cannot be helped. It is not their fault that they have come. They tried to stay on there to the last moment. Most of the victims are Scheduled Caste people who were stalwarts there and now they want to eliminate them. Today the cloud is no bigger than a man's hand, but it may break into a tempest which will overwhelm all of us. Let us take precaution betimes. Let us tell the Finance Minister beforehand that much against our will we have to act, because the situation is forced on us. It is not of our seeking. Moreover the Sind refugees who have settled in Rajasthan have clamoured that their applications should be allowed to be received now. We have opened lists for six weeks and more applications would be forthcoming. Unless the Finance Minister takes the kind of sympathetic view which he has been taking all along and stretches a bit, goes a little out of the way, and makes additional provision for this, I am sure we will not be able to justify the confidence and high hopes that had been raised in the minds of refugees, because of the shortness of our resources. I would plead with him in all earnestness and sincerity to bear this in mind and to see that this Administration which is his own creature is enabled to perform the beneficent service for which it is intended.

श्री भट्ट: हमारे सामने जो बिल आ रहा है उसका मैं स्वागत करता हूँ क्योंकि हमारे विछुड़े हुए भाई जो बेधंधा और बेरोजगार हैं उन लोगों को बसाने के लिये अलग अलग तरह से भारत सरकार मदद कर रही है और १९४८ से हमने एक अलग तरीका जो रीहैबीलिटेशन फायनेंस एडमिनिस्ट्रेशन (Rehabilitation Finance Administration) का है वह निकाला है उससे उनको जरूर कुछ सहायता मिली है। लेकिन अभी पंडित लक्ष्मीकांत मैत्रा ने जो कहा उससे मैं भी सहमत हूँ कि उनको जितनी हो सके उतनी ज्यादा मदद करने का तरीका सोचना चाहिये। अगर्चे हमने निर्वासितों के पीछे जैसा कि उस दिन बताया गया था करीबन् ४७ करोड़ रुपया खर्च किया है और हमारी गुंजायश और आर्थिक हालत को देखते हुए यह कोई कम रकम तो नहीं है, हमने ठीक ठीक खर्च किया है, तो भी जिन लोगों को घर छोड़ कर यहां आना पड़ा, अपनी मिल्कियत को छोड़ कर आना पड़ा और जिनको हमने मुफ्त राशन दिया और मुफ्त राशन देने के बाद उनके तरीके में, उनके दिमाग में, एक प्रकार की सुस्ती आ गई, उससे उनको ज्यादा दुःख भी महसूस होने लगा है। और हमेशा यह होता ही है कि बेरोजगार आदमी अपना मन बहुत जगह दौड़ाता है। तो इसी तरह हमारे यह पुरुषार्थी भाई अब इस हालत में आ गये हैं कि उनको ज्यादा तसल्ली देने का और कोई तरीका नहीं है। भाषणों से कोई बड़ा आदमी उनको जा कर कहे तो भी उनको उन बचनों में विश्वास नहीं रहा है। उनके लिये तो एक ही रास्ता है कि अगर खास तरह से कोई गलत चीज न होती हो तो हम उनको लोन (loan) देने रहें और काम पर लगावें।

जैसा कि उन्होंने अभी राजस्थान का उदाहरण दिया तो वहां के एक अवैतनिक सलाहकार के तौर पर मैं भी कुछ देखता हूँ और मेरे पास आज भी वहां से रीहैबीलिटेशन मिनिस्टर की एक चिट्ठी आई है कि उनके पास पैसा नहीं है और लोग लोन (loan) मांग रहे हैं और अब फ़ायनेन्स मिनिस्टर से यह भी मैं पूछना चाहता हूँ कि वह ज्यादा से ज्यादा कितना पैसा दे सकते हैं।

पंडित मैत्रा: उन्होंने देना शुरू किया है।

श्री भट्ट: पंडित जी ने कहा कि उन्होंने देना शुरू किया है। तो बहुत खुशी की बात है और इससे हमारे पुरुषार्थी भाइयों को कुछ ज्यादा सुख भी मिलेगा और आराम भी मिलेगा।

**Pandit Maitra:** But more money is required.

श्री भट्ट: तो वही तो मैं भी कह रहा हूँ पर आपने कहा कि मदद दी जा रही है। मैं कहना चाहता हूँ कि जो प्रबन्ध हम कर रहे हैं उसमें त्वरा आनी चाहिये।

आदमी जो ६ महीने पहले लोन मांगता है तो उसको ६ महीने के बाद जवाब मिलता है कि तुम्हारा प्रश्न विचाराधीन है— अन्डर कंसीडरेशन (under consideration) है। उस आदमी को ६ महीने तक इन्तज़ार करना पड़ता है तब उस के बारे में कुछ माज़ूम होता है। इसलिए मेरी अर्ज़ यह है कि इस तरह की बातों के लिए जल्दी से हम को काम करना चाहिये और जल्दी से उस आदमी को बता देना चाहिये कि उसको लोन मिलेगा या नहीं। इस बात का फ़ैसला एक दो महीने के अन्दर ही हो जाना चाहिए। यह बात बहुत जरूरी है।

जो संशोधन हमारे फाइनेन्स मिनिस्टर साहब (hon. Finance Minister) ने रखा है उसमें एक संशोधन यह है कि “लोन किस को दिया जाय”। और वह जो लोन की परिभाषा है उस में उन्होंने संशोधन करना चाहा है। मैंने भी उस पर एक संशोधन भेजा है वह इसलिए भेजा है क्योंकि हमारे माननीय अर्थ सचिव यह मानते हैं कि लोन की पहली परिभाषा इस प्रकार थी ‘loan means a sum of money advanced by the Administration to a displaced person for the purpose of any business or industry.’ वैसे देखा जाय तो यह परिभाषा काफ़ी व्यापक है। लेकिन चूंकि उनको कोई दिक्कत महसूस हुई है इसलिए अब वह परिभाषा को बदल रहे हैं। और वह इस को दो हिस्सों में बदल रहे हैं। एक हिस्सा तो वह है जिस में वह कहते हैं कि अगर कोई किसी रोज़गार में हो या किसी उद्योग में हो या लगने वाला हो, अपना काम शुरू करने वाला हो, उसको लोन दिया जा सकता है। दूसरे वह हैं जोकि एक धाधा करके बैठे हों और जिसमें सबस्टेनशियल पोर्शन (substantial portion) उन का हो। यह सबस्टेनशियल एक भ्रामक चीज़ है। सबस्टेनशियल के माने क्या होते हैं “of ample or considerable amount, quantity or dimensions” यह है शब्द कोष का अर्थ, “ample or considerable” शब्द भी अस्पष्ट है अगर ‘partly or wholly’ नहीं चल सकता है तो ‘substantial’ कैसे टिक सकता है? जैसा कि आपने प्रस्तावित भाषण में बताया। एक को-ऑपरेटिव सोसाइटी (co-operative society) है उसमें अगर ५० शेयर होल्डर्स (share-holders) में ५ आदमी हों तो वह सबस्टेनशियल नहीं माना जा सकता है। अगर १० होंगे या १० और १५ के बीच होंगे तो वह सबस्टेनशियल माना जायेगा। इसलिए मैंने जो सुझाव दिया है वह शायद उन को मंज़ूर नहीं है। जिस व्यापार में उन का खुद का सम्पूर्ण या आंशिक धन्धा हो, पार्टली (partly) हो या होल्ली (wholly) हो या दूसरे के साथ करते हों तो उस काम के लिए लोन दिया जाना चाहिए। इसके दो फायदे में समझता हूं। एक तो यह



[श्री भट्ट]

फ़ायदा है कि आप शरणार्थियों को लोन देंगे तो कम से कम आप ५ हजार या लाख रुपया आप उन लोगों को देते हैं जैसा कि रिपोर्ट में बताया गया है कि सरेराश (average) १० हजार के करीब मिल सकता है तो यह बहुत कम है एक अच्छे काम को शुरू करने के लिए। किसी बड़े धंधे को शुरू करने के लिए एक या दो आदमियों से बड़ा काम शुरू नहीं होगा। इसमें तो जो आदमी किसी उद्योग धंधे को चलाता आ रहा है या किसी के साथ काम करता आ रहा है वह इस काम को ठीक चला सकता है। चलती गाड़ी में बैठने जैसा हो जायगा। नये सिरे से धंधा शुरू करने में बहुत सी कठिनाइयाँ हैं। इससे दूसरा फ़ायदा यह होता है कि जो हमारा लोन है वह सुरक्षित रहता है। क्योंकि एक आदमी जो पुराना बाशिन्दा किसी जगह का है वह उद्योग धंधा करता है, उस में अगर शरणार्थी भाई का पैसा लगता है तो हमारा जो लोन है वह बरबाद नहीं होगा। उस लोन का ठीक उपयोग होगा और उस से शरणार्थियों के कुटुम्ब का भी निर्वाह अच्छी तरह से हो सकेगा और उस का धन्धा भी चल सकता है। यह मेरा एक मकसद है। उस में उन को आपत्ति है। मैं ज़्यादा जोर इस चीज़ पर नहीं देना चाहता हूँ क्योंकि आखिर इस चीज़ को तो उन को ही चलाना है और उनका जो तज़र्बा है उस के माफ़िक मुझ को चलना है। इसलिए मैं संशोधन के लिए जोर नहीं दूंगा। लेकिन मैं यह कहना चाहता हूँ कि इस संशोधन को रखने से कोई नुकसान होने वाला नहीं है। उस चीज़ को हम चाहे पार्टली कह दें। चाहे उसका उसमें १६ आने में से एक, दो आने का हिस्सा हो चाहे ५ आने का, चाहे तीन आने का उस का हिस्सा हो साझेदारी में जो काम करने वाला है वह उस में अपनी जो रकम देता है और धन्धा चलाता है और जिस के लिए हमारे दिल में इत्मीनान है कि यह धन्धा करने वाला है वह भागने वाला नहीं है। इस चीज़ को हमें देखना चाहिये। अगर माननीय सचिव साहिब इस को ठीक समझते हैं तो वह इस को मंजूर करें।

दूसरी बात जो मैं कहना चाहता हूँ वह प्रबन्ध की रचना के बारे में है। मैं हमेशा से इस बात को कहता आया हूँ। इस रिपोर्ट को देखने से मालूम होता है कि ७ आदमी रखे गये हैं। एक चेयरमैन (Chairman) है, तीन आफिशियल (Official) और तीन नान आफिशियल (non-official) हैं। मैं यह सुझाव देना चाहता हूँ और मेरे संशोधन में यह बात लिखी हुई है कि जहाँ तक हो सके हम सरकारी आदमियों की तादाद कम कर दें ताकि वह अपना पहले का काम बहुत अच्छी तरह से कर सकें। उन को सेक्रेटेरियेट

(Secretariat) में बहुत काम करना होता है और कागज की लौटाफेरी में ही उनका बहुत सा समय नष्ट हो जाता है। दूसरे जो काम उन को कर रहे होते हैं वह सब रुके रहते हैं। उन लोगों को कई घण्टे काम करना पड़ता है इस लिए उनके ऊपर बहुत ज्यादा बोझ नहीं डालना चाहिये। इस में जो गैर सरकारी आदमी हैं उन की तादाद ज्यादा बढ़ा देनी चाहिये। तीन आदमी के बजाय २ सरकारी आदमी रखे जाने चाहियें और ४ गैर सरकारी आदमी रखने चाहियें। माननीय अर्थ सचिव साहिब तो चार चार का सुझाव रखते हैं। मगर मेरा यह सुझाव है कि गैर सरकारी आदमियों की तादाद सरकारी आदमियों से ज्यादा होनी चाहिये। अगर उन को बुद्धि में यह व्यवहारिक तरीका उतर जाय कि गैर सरकारी आदमी बहुत अच्छा काम करेंगे तो बहुत अच्छा होगा। इस से गैर सरकारी लोगों को प्रबन्ध करने में काफी हिस्सा मिलेगा।

इतना कहते हुए जो संशोधन बिल हमारे सामने आया है मैं उसका स्वागत करता हूँ और आशा करता हूँ कि जो हमारे दुःखी भाई हैं उन को सहायता देने के लिए हमारे क्रम तेज़ी से उठेंगे।

(English translation of the above speech)

**Shri Bhatt (Bombay):** I welcome this measure which has been brought before us. The Government of India are rendering necessary help in different forms for the rehabilitation of our displaced brethren who have been thrown out of business and are unemployed; and since 1948 we have instituted a separate organisation in the form of Rehabilitation Finance Administration and they have surely derived some benefit out of this. But I am in full agreement with what my friend Pandit Lakshmi Kanta Maitra has just now stated that we should devise some measure for rendering them maximum possible assistance. Although, just as it was pointed out the other day, we have spent about Rs. 47 crores over the rehabilitation of displaced persons and that is no mean sum keeping in view our present financial position and the availability of funds. We have spent quite appropriately. But even then those persons who had to cross over to this side after leaving their hearths and homes and properties and whom we provided with free rations, changed their outlook and became indolent after the grant of gratuitous relief, and as a result of this they have begun to feel more distressed. This always happens that an idle man exerts his brain in many directions. The same is now the condition of our displaced brethren and there is no other way of affording them more satisfaction. They do not even believe in the assurances which any prominent person might give them through his speeches. There is only one way left for them and that is that we should go on advancing them loans and provide employment if this does not involve any specific difficulty.

As regards the instance of Rajasthan just now quoted by him (Pandit Maitra), I would like to say that as an honorary Adviser of that place I see something and have even to-day got a letter from the Rehabilitation Minister there that they have no money while the people are pressing for loans. I would now like to know from the Finance Minister as to what is the maximum possible amount that he can give?

**Pandit Maitra:** He has already begun giving this.

**Shri Bhatt:** My hon. friend Pandit Maitra says that he has begun giving this. Then it is a matter of great pleasure and it would surely prove somewhat solacing and beneficial to our displaced brethren.

**Pandit Maitra:** But more money is required.

**Shri Bhatt:** Then this is what I am already saying, but you said that help is being given. I would emphasize that we should expedite the arrangements which we are going to make. If a person applies for a loan then after six months he gets a reply that his case was under consideration. That fellow has to wait for six long months and only after such a long period he comes to know the fate of his application. Therefore I beg to submit that we must try to expedite such matters and let the person know whether he would get any loans or not. Such cases should be decided within a period of one or two months. This is an important matter.

One of the amendment moved by our hon. Finance Minister seeks to clarify the definition of those who should be given loans. He has also moved to amend the definition of the term 'loan'. I have also moved an amendment thereon because our hon. Finance Minister maintains that the original definition of 'loan' was as follows, 'loan means a sum of money advanced by Administration to a displaced person for the purpose of any business or industry'. In a general sense this definition is sufficiently comprehensive. But as he has come across certain difficulties so now he seeks to change the definition. He is dividing it into two parts. One part is that wherein he says that if anyone be actually engaged or be about to be engaged in a particular trade or industry or be about to start an industry then he can be granted loan. The other part deals with those who may be engaged in a particular trade and may be owning substantial part therein. Now this word 'substantial' is a very confusing word. What is the meaning of the word 'substantial'. The dictionary meanings of the word 'substantial' are 'of ample or considerable amount, quantity or dimension'. The words 'ample' and 'considerable' are also not clear. If the words 'partly' or 'wholly' do not serve purpose then how far can the word 'substantial' be appropriate as he has mentioned in his introductory speech. Take the case of a co-operative society, if out of 50 share-holders five be men then this number cannot be accepted as substantial. If the number be ten or anything between ten and 15 only then the number will be accepted as substantial. Perhaps that is why the suggestion given by me is not acceptable to him. They should be given loan only for that business and trade which they might be owning wholly or partly or might be running it in partnership with others. To my mind this would prove beneficial in two ways. Firstly if you would give a loan to a refugee then you will have to give loans ranging at least from five thousand rupees to one lakh of rupees. As has been laid down in the report on an average a loan of Rs. 10,000 can be given. This sum of money is quite insufficient to start some good business. A big trade or business concern cannot be run properly by one or two persons only. Only those persons can run these trades and businesses properly who have been running such businesses independently or have actually been working in partnership with others. Sudden launching of big business enterprises would be like boarding a fast moving train. A lot of difficulties come in the way of starting big business enterprises *de novo*.

The other benefit is that the loan given by us also remains secure. Because if some local inhabitant starts some business and some refugee invests his money therein then the loan given by us will not be a dead loss. That loan will

be properly utilized and the refugee family also would be able to maintain itself and at the same time their business would also run properly. This is my object in view. But he has certain objection to it. I do not want to lay more stress on the point because ultimately it is he who has to run the scheme and I am to work in the light of the experience gained by him. Therefore I would not press my amendment. But I wish to submit that no loss is going to accrue if this amendment is accepted. We can call it partly owned. He may have part share in it may that be of one anna, two annas or five annas in the rupee. The other partner also invests money in that business and runs it and about him we are confident that he is in fact a businessman and is not going to leave it in a lurch. We must see to this aspect. If the hon. Minister considers my amendment to be proper then he may accept it.

The other thing that I wish to submit is about the drafting of the report. Time in and time out I have been saying this. On going through the report I have come to know that seven persons have been appointed on the Committee. One of them is the Chairman, three are officials and three are non-officials. I beg to suggest and I have mentioned it in my amendment also that as far as possible we should reduce the number of official members so that they may be able to finish the arrears of their own work properly. They have to do a lot of work in the Secretariat and much of their time is wasted in disposing of the routine papers. All the other duties placed with them are thus held back. They have to work for hours together therefore they should not be further overburdened. The number of non-official members should be increased. Instead of three there ought to be two official members and the number of non-officials be increased to four. The hon. Finance Minister proposes to have four members of each category. But I beg to suggest that the number of non-official members should be more than that of the official ones. It would be far better if he were to contribute to the general belief that the non-official members work better than the official ones. In this way the non-officials will get more opportunities to take part in the administration.

Saying so much I welcome the amending Bill that is before us and I hope that we would try to expedite our efforts in giving help to our unfortunate brethren.

**Shri Raj Bahadur** (Rajasthan): I feel that the present Bill is not a day too soon, but while welcoming the Bill and the provisions it seeks to enforce, I have got certain misgivings and doubts about the very basis and theory on which the sanctioning of loans is going on. I speak a little from my own personal experience. So far as the distribution of loans in the Unions is concerned, more often than not the deserving don't get the loans and the undeserving do get them. As regards the limit, may I say that the limit of Rs. 5,000 imposed upon the powers of the Provincial Governments to grant loans is rather insufficient. It should be enhanced in some measure. It has been felt that mostly the demand for loans is much more than the amount at our disposal. Speaking from a personal experience gained three months ago, I may say for the sake of an instance that in Bharatpur district, against a demand of Rs. 20 lakhs for loans, a paltry sum of Rs. 1 lakh was made available. The Minister for Rehabilitation happened to visit that place, and as I happened to be there at that time he asked me to help in the distribution of loans. It was a difficult job for me. It was a case of distributing one pomegranate among a hundred sick men. From experience I gathered on that occasion, I came to know that the loans that had been distributed in the past to the displaced persons did not help them in resettlement. Most of them ate up these loans and still remained 'un-resettled'.

**Pandit Maitra:** What loan is the hon. Member referring to? Does he refer to the Rehabilitation Finance Administration, or to something else?

**Shri Raj Bahadur:** I was referring to the smaller loans, as I desired to take this opportunity for saying something about them. I will come to the loans advanced by the Rehabilitation Finance Administration presently. So far as the loans from the administration are concerned, the complaint we have received is that hardly any displaced person in my district has been fortunate enough to get any loan from this Administration.

Apart from all that, unless and until displaced persons get enough guidance and direction as to how best to invest the amount of loans that they are granted, in my humble judgment it would not be really useful to continue the scheme in the present manner. When this relief is granted to them, they should know in what manner they can invest it and resettle themselves. So far as the distribution and advancement of loans by the Administration is concerned, I have a grievance that people in my place have hardly benefited at all from it. About forty to fifty thousand displaced persons went to my place, and most of them had to return from there, because, firstly, they belonged to the trader class and they were asked to resettle on land. The result was that that land was lying fallow and valuable food crops which could have been obtained were lost. Then again, these lands were given to the Meos who were resettled there, with the result that there was a double curse inflicted on these people. I do not mean to say that the Meos should not have been resettled there. I mean to say that proper assistance and guidance should have been provided to these people. I may speak here with special reference to a case in which five or six families were concerned. These families were engaged in razor-making industry which they set up in my place after great difficulty and obstacles. But unfortunately they had to close down simply because they got no assistance whatever. They were also making hack-saws—the making of which is a very valuable industry. That too could not be carried on. Similar other schemes that were offered had to be given up.

**Pandit Maitra:** I undertake on behalf of this Administration to consider these applications for loans if they come in the proper way. As a matter of fact, these applications never came to us. I promise to look into this matter.

**Shri Raj Bahadur:** To my regret and to the misfortune of these people, I wish to inform you that they had to leave my place.

**Pandit Maitra:** But we have not got any applications.

**Shri Raj Bahadur:** In any case, I take this opportunity to voice their grievance in this behalf.

The amendment in the definition of 'loan' was highly necessary. In many cases, difficulty arose because people who had some funds with them could not combine or join with people who had nothing. Therefore, so far as the amendment is concerned, I welcome it.

In conclusion, I would once again repeat that for the sake of encouragement to industry and for the sake of proper resettlement, these displaced persons should be given the benefit of proper guidance and direction. In the original Act, there is a provision for inspection of accounts. There is also a provision that in case something wrong is discovered in the accounts and accounting of the loans advanced, premature recoveries can be made. But there is absolutely no provision imposing a duty on the Administration to see that these people get real expert help and guidance in regard to the way in which they can derive the maximum advantage from the loans advanced.



[گہای جی- ایس- مسافر]

دیوران چند کا ہے اس میں اس وقت تک ۷۲ رفوجیز کام کر رہے ہیں۔ اس طرح غازی آباد میں ایک سہلڈ پیپر مل (sand paper mill) ہے جس میں شاید ۵۲ رفوجیز کام کر رہے ہیں۔ اس طرح جو ایک ایک آدمی کو لون دیا جاتا ہے اس کا مطلب یہ ہے کہ ہم ۷۰-۸۰ آدمیوں کو ریہیبیلیٹ (rehabilitate) کرتے ہیں۔ لیکن اگر اس رفتار سے کام چلتا گیا تو یہ روپیہ بہت جلد ختم ہو جائیگا۔ ایڈمنسٹریشن کو مضبوط بنانے کے لئے اگر یہ امداد ملتی ہے تو یہ بہت اچھا ہے کہ وہ اس تین کروڑ روپیہ کو بہت جلد ایڈمنسٹریشن کے حوالے کر دیا جائے۔ دوسری بات جو میں کہنا چاہتا ہوں جسکی طرف پلڈت میٹرا جی نے بھی اشارہ کیا ہے وہ پراونشیل اسکیم (Provincial scheme) کی بات ہے۔ میں سمجھتا ہوں کہ جس ڈھنگ سے یہ ایڈمنسٹریشن کام کر رہا ہے اس صورت میں یہ پانچ ہزار سے کم نہ دینے کی جو پابندی ہے وہ ہٹا لیجئے۔ چھوٹے لون بھی یہ ایڈمنسٹریشن دے سکے، کیونکہ یہاں بڑی اچھی چھان بین کی جاتی ہے۔ مجھے یقین ہے کہ اس ایڈمنسٹریشن (Administration) کے ذریعے جو روپیہ رفوجیز (refugees) کو دیا جاتا ہے وہ بڑا محفوظ ہے۔ پراونشیل اسکیم (Provincial scheme) کے مطابق جو تھوڑا تھوڑا روپیہ رفوجیز کو دیا گیا ہے اس کی رکوڑی کی اتنی امید نہیں ہے جتنی اس کی امید ہے۔ یہاں تو ہر مہینے کے بعد انسپیکٹر جا کر لوئی (loanee) کا حساب دیکھتا ہے۔ اگر انہیں ذرا بھی شک ہو جائے کہ یہاں کام اچھا نہیں ہو رہا ہے یا نقصان کا خطرہ ہے تو اسے ایڈوائز (advise) کرتے ہیں اور بزنس چیلنج (change) کرنے کے لئے بھی ایڈوائز کرتے ہیں۔ حساب کتاب میں اگر ذرا سی بوی غلطی ہو تو وہ اسے پکڑتے ہیں۔ چلنے کے متعلق انہیں یہ شک پڑا کہ اچھا کام نہیں کر رہے ہیں اور روپیہ برباد کر رہے ہیں ان کا لون کال اپ (call up) کیا گیا۔ تو جس ڈھنگ سے یہ ایڈمنسٹریشن کام کر رہا ہے اور جس ڈھنگ سے اس کو اس بل کے ذریعے اور بھی مضبوط بنایا جا رہا ہے، یہ بڑا ضروری ہے کہ پانچ ہزار کی پابندی بھی ہٹا دی جائے اور جو پراونشیل لون (loan) ہے۔ اور جسکا زیادہ تر روپیہ سینٹرل گورنمنٹ (Central Government) ہی دیتی ہے، اس کو بھی سینٹرلائز (centralize) کر دیا جائے۔ اگر ایسا کر دیا جائے تو میرا خیال ہے کہ اس ڈھنگ سے یہ کام بہت ہی اچھی طرح چلے گا۔

جیسا کہ میں نے اس سے پہلے ظاہر کیا ہے اس وقت یہ ایڈمنسٹریشن بہت اچھا کام کر رہا ہے۔ جس وقت یہ کام شروع ہوا تھا تو پہلی میٹنگ میں یہ غور ہوا کہ ریہیبیلیٹیشن (Rehabilitation) کے کام کے متعلق رفوجیز کی تسلی نہیں ہے۔ گورنمنٹ آف انڈیا بڑا کام کر رہی ہے اور بڑا روپیہ خرچ کر رہی ہے۔ اس کے باوجود

جس کو پوچھو وہ نالین ہے - کوئی سیٹس فائنڈ (satisfied) نظر نہیں آتا - تو ہم نے یہ ٹیصنہ کیا کہ ہم ایسے دھنگ سے کام کریں کہ یہ امپریشن (impression) بدل جائے کہ جو ریہیبیلیٹیشن کے محکموں میں اچھا کام نہیں ہوتا - تو ہم نے فیصلہ کیا کہ بہت جلدی درخواستیں لے کر انکو ڈسپوز آف کرنا چاہیے - مگر ہمیں ابھی تک یہ تکلیف سامنے آ رہی ہے کہ جو ملازم ہیں انکے بیٹھنے کو جگہ تک نہیں ہے - اس کی طرف کئی دفعہ توجہ دلائی گئی - مگر اچھی طرح کوآرڈینیشن (co-ordination) نہ ہونے کی وجہ سے یہ وقت ابھی باقی ہے - میں سمجھتا ہوں کہ ریہیبیلیٹیشن کا کام تسلی بخش طریقے پر اس لئے بھی نہیں ہو سکا ہے کہ اسکا تعلق مختلف محکموں سے ہے جیسے ریہیبیلیٹیشن ڈپارٹمنٹ - فائنڈس ڈپارٹمنٹ - اور مکین کے لئے ورکس مائنس پاورس کے پاس جانا پڑتا ہے - تو ایسی حالت ہو جاتی ہے جیسی کہ ہمارے پنجاب میں ایک بڑی مشہور مثل ہے کہ جس کی دو بیڑوں پر لات ہو وہ پار نہیں چوہتا - یہاں دو سے زیادہ بیڑوں پر لات ہے - اس لئے اس کام کا لمبا ہونا ضروری ہے - اس لئے میں سمجھتا ہوں کہ اس بات کی طرف ضرور دھیان دیا جائے کہ جو یہ ڈپارٹمنٹ تیس عرصیاں روزانہ رسپوز آف کرتا ہے تو اس سے دگنا کام کر سکتا ہے اگر انکے پاس بیٹھنے کی جگہ ہو اور آرام سے کام کرنے کی جگہ ہو - دفتر کے لئے تو کیا اس ڈپارٹمنٹ کے دو ملازم ہیں انکے دھلنے کے لئے کوئی مکان نہیں ہے - کوئی کسی ہوٹل میں رہتا ہے کوئی کہیں رہتا ہے - اس کی طرف بھ پوری توجہ نہیں دی گئی ہے - میں اس بل پر آنریبل فائنڈس منسٹر صاحب کو مبارک باد دیتا ہوں - یہ بل بڑا اچھا ہے - اور اس سے ریہیبیلیٹیشن کا کام بڑا مضبوط ہو گا - مگر میں چاہتا ہوں کہ اس کے واسطے دو تین باتوں کے متعلق انتظام ہو جائے چاہئے یعنی اکاموٹیشن کے متعلق - تین کروڑ روپیہ کے متعلق اور پانچ ہزار کی جو پابندی ہے اس کو ہٹانے کے متعلق - اگر یہ باتیں ہو جائیں تو پھر میرا خیال ہے کہ یہ ایڈمنسٹریشن زیادہ اچھا کام کریگا اور سرکار کی اسمیں بڑی زیادہ نیک نامی ہوگی - اس کے بعد بیشک یہ بھی خیال کر لیا جائے کہ یہ لون جتنا انڈسٹری کے لئے دیا جائے اتنا اچھا ہے کیونکہ کارخانوں میں بہت سے ریہیبیلیٹیشن ہو جاتا ہے - اس دھنگ سے جب کام ہو گا تو میرا خیال ہے کہ ہماری سرکار کی بہت نیک نامی ہو گی اور یہ ایڈمنسٹریشن بہت اچھا کام کر سکے گا -

ان الفاظ کے ساتھ میں اس امینڈنگ بل کی نائید کرنا ہوں اور چاہتا ہوں کہ یہ ضرور بہت جلد پاس کر دیا جائے -

(English translation of the above speech)

Giani G. S. Musafir (Punjab): Sir, I have no sense of hesitation in acknowledging the most excellent work done by the 'Administrative' set up in



[Giani G. S. Musafir]

in pursuance of the Rehabilitation Finance Administration Bill passed into an Act by the Assembly and brought forward by the Government. The proposed amending Bill put forth now by the hon. the Finance Minister is certainly an improvement on that Act. I, however, fear that the purpose of this Amendment Bill may be lost if due consideration is not given to the suggestions made by Shri R. K. Sidhva and Pandit Maitra. I have no wish to repeat, but if the object of this Bill is to make the 'Administration' more useful and efficient, as it appears from the statement of the Minister of Finance, then I would like to urge that remaining three crores of rupees should be earmarked for it in the next budget. The administration has disposed of 7,300 applications in all, out of which 3,358 have been granted. The total amount sanctioned so far comes to Rs. 3,75,00,000 which leaves a balance of Rs. 3,35,00,000. Bearing in mind the speed at which the work is being done at present, this balance of money may be distributed within a year. I unreservedly approve the excellent choice of the hon. the Minister of Finance in the matter of appointment of the Chief Administrator. Considering the work being put in at present, nearly 700 applications can be disposed of in a month if the present rate of 30 applications per day is stuck to throughout the 20 or 22 working days.

I myself have had an opportunity to serve in the administration. I am confident to claim for missing not a single meeting thereof and I think similar is the case with Pandit Maitra. We have done so regardless of its duration of 4 or 5 days and the time spent in deliberations which was from two to four hours every day.

The number of individuals to whom such loans have been advanced and whose applications have been accepted is 3,358. But in the case of factories, which have been sanctioned such loans, a condition has been imposed, namely the employment of the refugees. Only yesterday Pandit Maitra, the Chief Administrative Officer and Shri Mirchandani and myself have been to Ghaziabad to see the factories of those persons of Ghaziabad and Delhi to whom such loans have been sanctioned. In one of the factories which belongs to Pandit Diwan Chand, as many as 72 refugees are working. Similarly in a sand-paper mill of the same place, probably 52 refugees are employed. The advance of loan to a single individual, therefore, means rehabilitation of 70 to 80 persons. But the funds will be exhausted if this work is continued at the present rate. If the Bill is being brought forward to strengthen the administration further, it will be much advisable to hand over to it those three crores of rupees.

I want to submit another thing which has been hinted at by Pandit Maitra also. It lies within the purview of a provincial scheme. Keeping in view the way the administration is conducting its business, I am in favour of withdrawing the restriction for advancing loans not less than Rs. 5,000. The Administration should be empowered to advance smaller loans also because here the matter is scrutinized in every respect very carefully. I am confident that the money which is advanced to the refugees through this administration is quite safe. There is not so much hope of recovery of the paltry amounts advanced to the refugees under the provincial scheme as in the case of this money. In the present case an Inspector goes and checks the account of the loanee at the end of each month. If they have the least suspicion that the business is not running properly or that there is an apprehension of loss they offer him their advice. They even advise him to change the business. Even a slight error in accounting is liable to be detected by them. Whenever they have a suspicion about any persons that they are not doing good

business but are wasting money their loans are called up. Hence, in view of the manner in which this administration is working and the way in which it is going to be further strengthened by means of this Bill, it is very essential that the restriction about 'five thousand' be also removed, and the provincial loan, the greater part of the funds whereof is advanced by the Central Government, should also be centralized. If this is done the work would, I think, go on very smoothly.

As I have stated already this administration is doing very good work at this time. At the time this work was started it came up in the course of discussions at the very first meeting that the refugees were not satisfied about the work of rehabilitation, that the Government of India was doing a lot and spending a good deal of money but that in spite of all that whosoever was talked to was found bitterly complaining and that nobody seemed to be satisfied. Accordingly, we decided to set about our job in such a way as to remove the impression that the departments of rehabilitation were not doing good work. Hence it was settled that applications should be invited and disposed of very early. But, we are as yet faced with the difficulty that there is no place for the employees to sit at. Attention has been drawn to this a number of times but for lack of proper co-ordination the difficulty is still there. I feel that there is yet another reason why it has not been possible to tackle the refugees' problem satisfactorily, which is that it pertains to various departments, viz., the Rehabilitation Department, the Finance Department, and—for accommodation purposes—the Works, Mines and Power Department. There is a well known saying in the Punjab, 'one who sails in two boats is not likely to land in safety'. In the present case, however, there are more than two boats one has to sail in. Thus it is inevitable that the process should be delayed. I, therefore, think that this must be attended to because this Department which disposes of thirty applications per day could turn out double that amount of work if its staff had a place to sit and work comfortably. There is not only no accommodation for the office but also no houses for the staff. Some of them live in hotels while others have made other arrangements. This too has not been attended to properly. I congratulate the hon. Minister of Finance on this Bill. It is a very good Bill and it will reinforce the work of rehabilitation. But I want that two or three matters must be provided for, viz., accommodation, three crores of rupees and the removal of the 'five thousand' restriction. If these provisions are made this administration will, I think, be able to work better and that will do credit to the Government. Furthermore, it may also be kept in view that the more these loans are advanced in aid of industry the better, because factories help in the rehabilitation of a larger number of refugees. When work is done that way it would bring a good name to our Government and this administration would be in a position to do a very good job.

With these words I support this Bill and wish it a speedy passage.

श्री आर० खान : मैं यह बिल लाने के लिए अर्थसचिव साहब को मुबारकबाद देता हूँ। लेकिन "outside India" के बजाय "in any area now forming part of Pakistan" रखा गया है, मेरे ख्याल में "आउटसायड इण्डिया" ("outside India") बहुत ठीक है। अर्थसचिव साहब ने अपने व्याख्यान में यह बतलाया है कि सीलोन (Ceylon) और बर्मा से आने वाले डिस्प्लेस्ड परसन्स (displaced persons) को डिस्प्लेस्ड परसन्स (displaced persons) नहीं समझा जायगा। यह मकसद उस वक्त था जब कि यह ऐक्ट बनाया

[श्री आर० खान]

गया था। मैं बहुत विनम्रता से निवेदन करना चाहता हूँ कि हम मानते हैं कि बर्मा और सीलोन अलहुदा गवर्नमेंट हैं। लेकिन उन डालकों में जो कि हिन्दुस्तान के अन्दर हैं और फारिन पजेशन्स (foreign possessions) हैं मसलन गोआ (Goa), फ्रेंच पजेशन्स (French possessions) और पुर्चुगीज़ पजेशन्स (Portuguese possessions), उनमें और सीलोन और बर्मा में बहुत बड़ा फर्क है। हम लोगों के देश में यह तहरीक चल रही है कि यह मुल्क जो कि फ्रेंच (French) और पुर्चुगीज़ (Portuguese) के पजेशन (possession) में है उसे भारत वर्ष में मर्ज होना चाहिए। मुमकिन है कि भविष्य में ऐसा मौका आये कि वहाँ डिस्टर्बेंस (disturbance) हों तो वहाँ के हमारे देशी भाइयों की क्या हालत होगी। जो भाई पाकिस्तान से आये हैं हमारी उनके साथ पूरी हमदर्दी है और हम चाहते हैं कि उनको पूरी तरह मदद मिले और जो बातें इस भवन के अन्दर कही गई हैं उनपर हमारी सरकार तवज्जह दे।

[SHRI HOSSAIN IMAM in the Chair]

लेकिन जब हम एक डेफि-नीशन (definition) और एक ऐक्ट (Act) बनाते हैं तो हम को कम्प्रीहेंसिव व्यू (comprehensive view) लेनी चाहिये और मेरा यह शक है कि गोआ (Goa) और पुर्चुगीज़ और फ्रेंच सैटलमेंट (French settlement) के जो रिफ्यूजीज़ (Refugees) आयेंगे उनका समावेश इस व्याख्या में होगा या नहीं होगा।

(English translation of the above speech)

**Shri B. Khan** (Bombay): I congratulate the Minister of Finance on this Bill. But I think that the words "outside India" for which it is now proposed to substitute the words "in any area now forming part of Pakistan", are quite appropriate. The Minister of Finance has stated in his speech that the displaced persons coming from Burma and Ceylon will not be treated as 'displaced persons'. This was the intention at the time when this Act was passed. With all due respects, I would like to submit that we admit that Ceylon and Burma constitute separate Governments. But there is a vast difference between the territories which lie within India and are foreign possessions, viz., Goa and other Portuguese possessions and French possessions, on the one hand, and Ceylon and Burma on the other. A movement is going on in our country that these territories which are in the possession of the French and the Portuguese should be merged with India. It is possible that a contingency might arise in future when disturbances may occur there; then what would be the condition of our Indian brethren living there? We fully sympathise with those of our brethren who have migrated from Pakistan and we want that full assistance should be rendered to them and our Government should devote its attention to the observations that have been made in this House.

[SHRI HOSSAIN IMAM in the Chair]

But when we adopt a definition and pass an Act, then we should take a comprehensive view, and, I doubt it whether the cases of refugees who will be coming from Goa, Portuguese and French settlements will fall within the scope of this definition.

**Dr. Matthai:** I was glad to hear from hon. Members taking part in this debate the general approval which the work of the Rehabilitation Finance Administration has received. It is a matter of special gratification to me that the work of the Rehabilitation Finance Administration which is a matter of very considerable importance to displaced persons has made good progress. The credit for this does not go to the Finance Ministry, as hon. Members appear to think. The credit for the good work which has been accomplished so far by the Rehabilitation Finance Corporation must go almost entirely to the Administration itself, and particularly, to the Chief Administrator who, I think, has made a good job of the difficult work with which he is entrusted.

Certain specific points have been made in the course of the discussion. I would refer only to the more important of these points. First of all is the question of the financial resources which are available for the Administration. I am quite aware that there is a great deal of assistance which the Rehabilitation Finance Administration can render to displaced persons which they are unable to render because of the paucity of funds. Mr. Sondhi suggested that more use might be made of the provision under which banks may under this Act contribute to the resources of the Administration. That, of course, is a matter in which we, as a Government, can do very little to improve matters, because as far as Banks are concerned, the matter would necessarily be dealt with by them as a business matter, and in the present conditions of the money-market, I can quite appreciate the reluctance with which Banks approach propositions of this kind. The question then arises whether the State itself, the Central Government, cannot render more assistance in this direction. Now we are passing financially through difficult times—it is admitted on all hands—and in the recent efforts that Government have been making to reduce expenditure all round, I have tried as far as possible to place at the disposal of the Ministry of Relief and Rehabilitation all the funds that they have been enjoying so far. That is to say, the one field of Governmental activity in which, so to speak, I cannot apply the economy drive to the extent I wish, is the work of Relief and Rehabilitation. The whole question is whether there is anything more that we can do. As far as I can say at present, judging from the present trend of things, it is not possible for me to give any undertaking to the effect that the resources at the disposal of the Rehabilitation Administration would be enhanced. The House must realise that the funds that we place at the disposal of the Rehabilitation Finance Administration are really part of the general allotment that we make for the work of Relief and Rehabilitation, and it is within the sphere of Relief and Rehabilitation that the amount required for this particular purpose is determined. All that I can say in the light of the present circumstances is this that I am keenly aware of the need for helping the Rehabilitation Finance Administration with more funds. In the present financial situation, it would not be possible for me to make any definite offer, but if the capital resources available to the Government of India show any improvement in the course of the financial year 1950-51, I would certainly examine the possibility of helping the Rehabilitation Finance Administration on the lines suggested by hon. Members.

The other question which has been raised is the delay in the matter of granting permits providing quotas for materials for premises and so on in States. That, of course, is a matter in which there is very little that the Central Government can do directly. All that we have been trying to do is to press upon the attention of State Governments the importance of moving promptly in this matter, but in view of the circumstances which have been brought to my notice, I should like to examine the question whether it is possible to set up some kind of machinery for co-ordinating the work of the

[Dr. Matthai]

Administration and the work in the same direction which is expected to be done by State Governments. This is a matter which I would like to examine.

My hon. friend, Mr. Gokulbhai, seemed to have some objection to increasing the number of official members of the Administration. Now, that has a bearing upon this question because if you are able to have on the official side of the Administration as many provincial governments as possible represented, it will be one means by which it will be possible for us to secure this co-ordination which is of such great importance in the implementation of the Administration's work.

Then, Pandit Lakshmi Kanta Maitra raised the question of accommodation. I am aware of the position with regard to the accommodation of the Administration's Office here in Delhi, but the question of accommodation, as the House is aware, is one of very great difficulty at present, and I do not see any immediate prospect of securing any improvement in this matter, but if there is any possibility, I will make the fullest possible effort.

I do not think there is any other point which I have to refer to.

**Mr. Chairman:** The question is:

"That the Bill to amend the Rehabilitation Finance Administration Act, 1948, be taken into consideration."

*The motion was adopted.*

**Dr. Matthai:** I beg to move:

"That in clause 2, for the proposed sub-section (2) of section 1 of the Rehabilitation Finance Administration Act, 1948, the following be substituted:

'(2) It extends to the whole of India except the State of Jammu and Kashmir.'"

**Mr. Chairman:** The question is:

"That in clause 2, for the proposed sub-section (2) of section 1 of the Rehabilitation Finance Administration Act, 1948, the following be substituted:

'(2) It extends to the whole of India except the State of Jammu and Kashmir.'"

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clauses 3 to 6 were added to the Bill.*

**Dr. Matthai:** I beg to move:

"That in clause 1, for the figures '1949' the figures '1950' be substituted."

**Mr. Chairman:** The question is:

"That in clause 1, for the figures '1949' the figures '1950' be substituted."

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

**Mr. Chairman:** The question is:

"That the Preamble stand part of the Bill."

*The motion was negatived.*

**Dr. Matthal:** I beg to move:

"That for the existing Enacting Formula the following be substituted :—

'Be it enacted by Parliament as follows :—'

**Mr. Chairman:** The question is:

"That for the existing Enacting Formula the following be substituted :—

'Be it enacted by Parliament as follows :—'

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, as amended, was added to the Bill.*

*The Title was added to the Bill.*

**Dr. Matthal:** I beg to move:

"That the Bill, as amended, be passed."

**Mr. Chairman:** The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

#### INSOLVENCY LAW (AMENDMENT) BILL

**The Minister of Law (Dr. Ambedkar):** Sir, I move:

"That the Bill further to amend the law relating to insolvency, be taken into consideration."

Sir, I should like to make a brief statement in order to enable the House to understand what exactly the Bill proposes to do. The law of Insolvency in India is contained in two different Acts: one is called the Provincial Insolvency Act and the other is called the Presidency-towns Insolvency Act. The present Bill contains, apart from the short title, six clauses which make amendments in the existing insolvency law. The amending clauses in this Bill fall into two categories: some make changes in the Presidency-towns Insolvency Act and the others propose changes in the Provincial Insolvency Act. Those that make changes in the Provincial Insolvency Act are four; they range from clauses 3 to 6 and there are two which relate to the Presidency-towns Insolvency Act.

Taking into consideration clause 2, all that clause 2 does is to remove a difficulty which has been felt for a long time. In the existing law as embodied in section 12 of the Presidency-towns Insolvency Act, it is said that an insolvency petition must be filed within three months from the occurrence of the event which is recognised as the justifiable ground for the presentation of the petition. It often happens that the period of three months comes to an

[Dr. Ambedkar]

end when the courts are closed. Under the law as it stands, the creditor loses the opportunity of presenting a petition merely because when the court reopens, it is more than three months since the occurrence of the event. Courts, of course, have taken different views in this matter. The Madras and Calcutta High Courts have held that the period cannot be extended. The Allahabad High Court has held that the period can be extended. It is therefore felt that both for the purpose of removing what might be called an injustice, because, if the creditor is not able to present a petition within three months by reason of the fact that the court is closed, it is certainly not his fault, and secondly also in order to remove the conflict of decisions, it is proposed by this amendment that in any case where the period expires on a day when the court is closed, it shall be lawful to present a petition on the day on which the court reopens.

Coming to clause 3, it amends section 21 of the Presidency-towns Insolvency Act. Section 21 deals with annulment of adjudication. Under section 21, although the power of annulment is given to the court, the matter is left within the discretion of the court. The words are, "the court may". Then, this section 21 is contrary to section 35 of the Provincial Insolvency Act; because, under section 35 of the Provincial Insolvency Act, the power is obligatory and the wording is, "the court shall". Similarly, it is found that the existing section 21 is also to some extent inconsistent with its own section 13 sub-clause 4. Because, there it is stated that if the grounds exist for dismissing a petition, the court shall dismiss it. There is no reason why in the case of annulment the power should be discretionary and in the case of dismissal, the power should be compulsory. It is therefore felt that it would be desirable to bring the Presidency-towns Insolvency Act in conformity with the Provincial Insolvency law and use the word "shall" in the place of the word "may".

Then, I come to clause 4. Clause 4 makes an amendment to section 53 of the Presidency-towns Insolvency Act. Section 53 deals with the rights of an execution creditor against the property of an insolvent, who has obtained a decree against the debtor before he was adjudged insolvent. The question has arisen as to what should be the terminus, so to say, of the rights of the executing creditor: should the terminus be the presentation and admission of the petition of insolvency or should the terminus be the adjudication. It is felt that the proper terminus, the equitable terminus would be the admission of the petition; because, admission of the petition means that there are other creditors who are also recognised as having a right to a share in the property of the debtor. It is therefore unreasonable to permit the prior executing debtor to continue to appropriate the property until the date of adjudication. There may be a considerable time between the admission of the petition of insolvency and the actual adjudication by the court. Therefore, this section substitutes the word "admission" for the word "adjudication".

Then, I come to clause 5. Clause 5 introduces a new section, section 101A in the Presidency-towns Insolvency Act. The necessity for the introduction of this new section is this. As I just now stated, there is a provision for the annulment of adjudication. Now, the effect of the annulment of adjudication is that proceedings which by reason of adjudication are terminated or cannot be initiated, become open. What the section permits is that on annulment other persons who have a right to sue or proceed against the debtor will be free to do so. The law of limitation comes in their way. As lawyer Members of the House would know, one of the principles of the law of limitation is that once limitation begins, it does not stop. Nothing can prevent limitation being suspended. Therefore what happens is this.....

**Shri Tyagi (Uttar Pradesh):** I could not follow.

**Dr. Ambedkar:** I cannot open a class now.

The point is that as the right to sue begins long before the annulment, by the time the annulment order is passed, the suit or the proceeding is time-barred. The question is raised whether this is a right thing to do, because of the proceedings or the right to sue is suspended, it is suspended not because of any fault on the part of the person who has the right to sue, but because the law says that when an adjudication is made all proceedings shall be suspended. Consequently, in order to remove this iniquity, what is proposed is this: That by this new section 101A, it will be open for the Court and for the party to have the time taken between adjudication and annulment excluded from the computation of the period of the limitation laid down by the law, so that the right to sue may practically be deemed to have occurred when the annulment has taken place. Anyhow the period will not serve as an additional bar to any delay or lapses that might have occurred on the part of the person who has the right to sue.

Now, clause 6 is merely clause 2 of the Bill. All that it does is this, that it introduces the same proviso in the Provincial Insolvency Act, so that even under the Provincial Insolvency Act, if the period of three months for filing the petition falls on the day on which the Court is closed, it would be open for a party to file the petition on the day when the Court re-opens.

Then, the last clause also amends the Provincial Insolvency Act. Under the present law, it is provided that along with the order of adjudication, the Court also fixes the date for the discharge of the petitioner and he is required to appear on the day on which the date is fixed for his discharge. Now the words are "he shall appear and the court if he does not appear, shall" take a certain action, as stated therein. The section so far as the wording is concerned, is mandatory, but curiously enough the Courts have interpreted 'shall' as 'may' making it discretionary. It is felt that probably the Courts have really carried out the intention of the Legislature in treating 'shall' as 'may'. Similarly, the Presidency Towns Insolvency Act has also the word 'may' and not 'shall'. Therefore, this amendment proposes to accept the decision or the interpretation of the Court and substitute 'may' for 'shall'. These are all the clauses in the Bill.

I might say that these amendments are very much overdue. These amendments were suggested a long time ago, in fact before the War, but it was not possible to undertake any legislation while the war was there. Consequently, there has been this delay. I might tell the House that these amendments have been approved by the Provincial Governments and the Provincial Governments have also stated that although the subject of insolvency falls in the Concurrent List, it is desirable these amendments should be made by a law made by Parliament, so that they may be uniform throughout the country. That is the reason why this Bill has been brought forward.

**Mr. Chairman:** Motion moved:

"That the Bill further to amend the law relating to insolvency, be taken into consideration."

**Shri Biswanath Das (Orissa):** There is very little objection to the contents of the Bill. I should like to have some explanation regarding certain points that I am going to raise in the course of this discussion. We had two different Insolvency Acts, namely, one Act for the Presidency Towns and another for the rest of India. These were in existence for reasons which are very well known to all of us. Why then in the new set-up and under the new dispensation, the old set of things should continue to exist is one which it is difficult for me to understand. True it is that these amendments are overdue. My hon. friend the Minister of Law could have taken a little more time to bring



[Shri Biswanath Das]

about a consolidated Act so as to bring both the Acts under the operation and purview of one law, so as to have one Insolvency Act.

Having stated so much about this, I proceed to the second objection, namely, that special jurisdiction has been devised for insolvency petitions. The usual jurisdiction is the Court of the District Judge of a district or in the alternative the Court of the Subordinate Judge. I fail to understand why jurisdiction, ordinary, usual and normal may not be provided for such class of cases. A person living in a *mufassil* area, say within the jurisdiction of a Munsif's court has to run to a District Court. Why should he be put to any expense and inconvenience for a purpose which he could easily have done in the Court of the District Munsif? Sir, this not only adds to the expense of parties, but it also adds to the administrative expense of the judiciary in the Provinces. I fail to understand why even in small cases people should be made to run to courts of District Judges as also of Subordinate Judges. This is an important aspect which should be considered both from the point of view of expense to the parties, of unnecessary administrative expense and inconvenience to parties as also to Government.

Having stated so much about the necessity of jurisdiction as also uniformity of legislation with regard to both the areas, I come to the question of insolvency law in this country. I invite the attention of this House to sections 9 and 10. Section 9 authorizes the creditor to go before a Court for declaration of insolvency. The creditor is barred from seeking the protection of a court if the debt is below Rs. 500. That is justifiable so far as it goes. But I do not see any reason why a debtor who owes a creditor less than Rs. 500 and does not find it possible to discharge his liability should not have the protection of the court. The hon. the Law Minister is a democrat of democrats and is an upholder of the rights of the depressed and oppressed people. Why should he be unfair to people who are so poor not to have assets to pay a liability to the extent of Rs. 500. I appeal to you, Sir, and through you to the hon. Law Minister to consider this case very seriously. This wrong should have been righted here and now in this Bill. A provision like this is very necessary and useful from the point of view of the poverty-stricken masses of this country.

I refer again to section 9 of the Provincial Insolvency Act and the similar provision in the Presidency-towns Insolvency Act. I do not see any reason why you should allow rich people to speculate on business, lose money and then seek the protection of the courts and this without paying court fees! It looks as if the Government has no other business but to tax people, collect taxes and maintain courts only for the benefit of speculators. My experience has all along been and I believe it will be borne out by many hon. Members of this House, that generally speculators go on speculating till they find that they are sinking. The moment they feel sure that they are sinking, they keep certain moneys, convert them into ornaments, hand them over to the wife or their nearest and dearest relations or have them in the name of other people in the banks and go on with the insolvency *jhanda*. They come before a court. They have nothing to pay and get the immunity of an insolvency court. This state of things should cease to exist. I do not see why Legislature or Government should have any corner in their hearts to afford protection to this class of people. Generally most of the cases in insolvency courts are covered by petitions from speculators. If the hon. Law Minister is not aware of it, I request him to make an enquiry or refer to all the courts in India and I have no hesitation to say that most of the courts will verify the statement I make before the House. Under these circumstances I suggest that people indebted to a certain maximum of money Rs. 3,000 or 5,000 should have the benefit of the insolvency law.

I had to lay down office in 1939 when I was thinking of bringing about a law by which the limits of protection to insolvents should be confined only to specified classes of debtors below Rs. 5,000 namely people who have honest avocations and are not able to discharge their liabilities. An honest man should have the protection of the law. Therefore I think it is fair, necessary and desirable that this class of people alone should be given protection. To give protection to speculators is to put a premium on dishonesty which is repulsive to our notion of fairness and justice. I would request the hon. Law Minister to give serious thought to this aspect of the question.

I refer now to sections 25 and 26 of the Insolvency Act, dismissal of insolvents. If an insolvency petition is dismissed it is done on the plea that the man has enough assets. If so, why should he not be called upon to pay not only the stamp duties but also certain penal duties? The law must be clear on this point. The aim of law should be no help or protection to people who want to defraud, not the creditor alone but also the State. Under such circumstances I feel very strongly that the arms of the law should be very strong and fall heavily on them rather than allow them to escape unhurt. If a law of this nature is necessary there should be a corresponding provision that where evasion or fraudulent act is found, positive steps should be taken by courts to prosecute the defrauders. I know that certain provisions are there but they are insufficient. Defrauders, after definite proof, should be prosecuted mercilessly and relentlessly. These are some of the points that I bring to the notice of the hon. Law Minister.

There is one more point to which I would like to draw attention, viz., the right of insolvents to surplus money under section 67. If after paying all assets a person is found to possess more assets or more money out of the sales, why should the courts at all allow him to make an application for insolvency? An insolvency petition puts the court to the laborious work of undertaking the adjudication of all the issues involved, both of creditors and debtors and all other claimants. The court has to undertake a thankless task for which the provincial exchequer has to pay. Under such circumstances a provision should be made in law that first an enquiry should be made whether the assets of a person are enough to pay for all his liabilities. If that is so, some machinery should be devised to set off the assets. I do not see why the courts should undertake this thankless work without payment of court fees, only to pay the surplus money to the debtor. All these points deserve consideration and scrutiny. A uniform law is necessary and is possible and therefore let me hope that the hon. Law Minister would assure us that he will take more time and come before the House with a unified law, taking into consideration all the points raised in the course of this discussion.

**Shri N. S. Jain** (Uttar Pradesh): On a point of order; in these discussions can the whole law be discussed or only those sections which are sought to be amended?

**Mr. Chairman:** The hon. Member when he was making the suggestion was making it under the overriding clause that he wanted a consolidated and bigger Act to come, and in that connection he pointed out as his argument that these are the lacunae and mistakes which have to be rectified. Ordinarily an amending Bill can only be discussed as far as the amendments proposed are concerned and not the generality.

**Shri Biswanath Das:** And the connected sections also.

**Shri Karunakara Menon** (Madras): I shall confine myself to the Bill as presented before the House. There is a good deal of truth in what my hon. friend Shri Biswanath Das stated that what was required was that the Insolvency law ought to be tightened instead of being made a paradise for

[Shri Karunakara Menon]

cheats and deceivers, as it was proving today. My experience suggests that the insolvency law is availed of by many people because of the easy provisions contained in it. What happens is an insolvency petition is presented either directly or through some creditor friend in court. Then, if the debtor is under arrest, the court, on the plea that the debtor has to assist the receiver in the collection of debts, releases him from arrest. Then, in the hearing of the insolvency application, the court considers only the question whether at the time he was able to pay his debts, and *prima facie* evidence alone is taken. The creditors will not be in a position at the time to prove all the clandestine means that have been used by the debtor to cheat people, and the court immediately declares him an insolvent.

The next step is that as soon as he has been declared an insolvent, an application is put in for a protection order and protection order is more or less granted as a matter of course. Then there is a provision to put in a discharge application within a particular time. He has to appear and put in a discharge application. Most often the man would put in a discharge application. Sometimes he fails in the application; sometimes he succeeds in it. The courts are sympathetic in such cases because the court considers "what is the use of making him an eternal insolvent" and therefore discharges him. In cases where he does not even care to put in a discharge application this Bill wants to give help—to such cheats and deceivers.

In the last paragraph of the Statement of Objects and Reasons it is stated :

"Lastly, in a case where the debtor fails to apply for discharge within the prescribed period under the Provincial Insolvency Act, section 43(7) of that Act leaves no option to the Court but to annul the order of adjudication which leads to hardship in a considerable number of cases. It is accordingly proposed in clause 7 of the Bill to amend this section giving the Court discretionary powers in such cases."

In a case where a debtor has not acted according to the direction of the Court to put in a discharge application within the time fixed by the Court, the Court shall annul the order of adjudication, and then all the legal proceedings open to a creditor follow. This is the law now. Here what is it that is sought to be done in clause 7 of the Bill? It is to change the word "shall" into "may", so that even there the cheats and deceivers are given protection. I oppose this portion of the Bill because in a case where a debtor has not even cared to put in a discharge application within the time fixed by the Court no kind of consideration need be shown. I therefore maintain that the word "shall" ought to remain. I therefore oppose the amendment suggested in clause 7 of the Bill.

I have no objection to clauses 2, 4, 5 and 6 of the Bill, but I object to clause 3. Clause 3 of the Bill refers to section 21 and seeks to amend it. I shall read to the House section 21 of Act III of 1909. It runs thus :

"Where, in the opinion of the Court, a debtor ought not to have been adjudged insolvent, or where it is proved to the satisfaction of the Court that the debts of the insolvent are paid in full, the Court may, on the application of any person interested, by order annul the adjudication."

So far it is all right. But the same section continues :

"and the Court may, of its own motion or on application made by the official assignee or any creditor, annul any adjudication made on the petition of a debtor who was by reason of the provisions of sub-section (2) of section 14, not entitled to present such petition."

Clause 3 of the Bill seeks to change the word "may" in the earlier portion of the section into "shall"—that is, "the Court shall, on the application of any person interested, by order annul the adjudication". I agree to this part of the Bill. My objection is that it is incongruous, that in the one case it

should be the "Court shall" and in the other the "Court may". Here is a case where the person has proved to the satisfaction of the court that the debts of the insolvent have been paid in full. But the debtor has been faulty in the sense that he has not put in a discharge application within the time required by the Court. But all the same he has paid all his debts. In that case the provision is retained *vis.* "the Court may" and not "the Court shall". I do not know why in such a case where the debtor has discharged all his debts—whether he was originally a cheat or deceiver or whatever he might have been—and when the application is made by the official assignee or any creditor, the same consideration should not be shown to him by annulling the adjudication. I do not know why the word "may" is sought to be retained in the subsequent portion of this section whereas it is changed in the earlier portion of the section.

With these two objections to the Bill as brought before the House, I support the motion.

**Dr. Ambedkar:** I am glad that my friend Shri Biswanath Das raised the points to which he made reference in the course of his speech. I should like to say that before bringing forth this Bill I myself was of the opinion that the time had come when these two enactments should be amalgamated into a single Act. The distinction which has been existing in our insolvency law between the Presidency towns and the other areas seems to me no longer justifiable. But I found that the amalgamation of the two Acts into one single enactment would take time and would also require special agency to be employed in the Law Department for the purpose of collating the sections. However, owing to the financial stringency it was not possible for me to obtain the staff that was necessary to undertake this task in the expediency with which we intended to proceed. That was the reason why I kept back my original project of bringing forth a single enactment. I have, however, not abandoned that project and as soon as circumstances propitious to that purpose are available, I will certainly place a single enactment before Parliament.

With regard to the other question that he has raised, whether the jurisdiction in insolvency should be the District Court or Courts of small jurisdiction, as well as the other sections to which he made reference which according to him, are sections which are abused by the insolvent, I don't think they are matters which can be debated on this particular occasion. The law of insolvency, as everyone knows, is a sort of legal relief against misfortune or mishap. It is quite possible that persons who ought not to get the benefit of the legal relief do get it, but that is a complaint which may not be made merely against the insolvency law—it can be made against almost every law. It is never possible for the Legislature to enact a measure which will be so tight as to be completely fool-proof and knave-proof. There will always be available many crooks who will be able to find out ways and means of getting round the Act and abusing it. However, there is not the slightest doubt about it that the intention of my friend Mr. Das, that we ought not to allow any loophole in a law of this kind which would enable undeserving persons to get the relief which the law intends to give only to the really unfortunate, is a praiseworthy object and no doubt in future legislation it will be borne in mind.

With regard to the points made by my friend Mr. Karunakara Menon, I think he has not followed what I stated in my opening remarks. He has forgotten that what we really are trying to do is to bring either the Provincial law in conformity with the Presidency law or to bring the Presidency law in conformity with the Provincial law. We are not making any particular innovation which is not to be found in either of the two Acts. If he does not like the word "shall" which is introduced in some sections of the Provincial Act and wants "may", then he shall also have to give his justification as to why the

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word "shall" should continue in the Provincial legislation. All that I have done is to bring the two in conformity so that there may be no obvious inconsistency in legislation in matters of this sort. If, as I have said, he has still any points of contention he can raise them when a new Bill consolidating the whole is brought before Legislature. For the moment these are only pressing amendments which both the Provincial Governments as well as, if I may say so, all the High Courts have accepted.

**Mr. Chairman:** The question is:

"That the Bill further to amend the law relating to insolvency, be taken into consideration."

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clauses 2 to 7 stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 7 were added to the Bill.*

**Dr. Ambedkar:** I beg to move:

"That in clause 1, for the figures '1949' the figures '1950' be substituted."

**Mr. Chairman:** The question is:

"That in clause 1, for the figures '1949' the figures '1950' be substituted."

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

**Mr. Chairman:** The question is:

"That the Preamble stand part of the Bill"

*The motion was negatived.*

**Dr. Ambedkar:** I beg to move:

"That for the existing Enacting Formula, the following be substituted:—  
"Be it enacted by Parliament as follows:—"."

**Mr. Chairman:** The question is:

"That for the existing Enacting Formula, the following be substituted:—  
"Be it enacted by Parliament as follows:—"."

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, as amended, was added to the Bill.*

*The Title was added to the Bill.*

**Dr. Ambedkar:** I beg to move:

"That the Bill, as amended, be passed."

**Mr. Chairman:** The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

### DELHI ROAD TRANSPORT AUTHORITY BILL

**The Minister of State for Transport and Railways (Shri Santhanam):** I beg to move:

"That the Bill to provide for the establishment and regulation of a Road Transport Authority for the promotion of a co-ordinated system of road transport in the Province of Delhi, as reported by the Select Committee, be taken into consideration."

Sir, when this Bill was referred to the Select Committee, there was a full discussion in this House of all its provisions, but for the information of the new Members I may briefly state the background of this Bill. The Delhi Transport Service was run by a private company under the name of G.N.I.T. It was found so unsatisfactory that public pressure was brought upon the Government of India to take over that service. The Government of India took over this service in the beginning of 1948. At that time the Standing Finance Committee agreed to this taking over on the condition that the Government of India will bring in a Bill and set up an autonomous corporation for the management of this transport service. The Government of India gave this undertaking and took over the G.N.I.T. Unfortunately, the introduction of the Bill was delayed and it was finally introduced in the Budget Session last year. It was referred to the Select Committee in the December session and I am glad to say that the Select Committee took great trouble and produced its report in time. However, there was no time to take the Bill through the other stages in the last session. I am glad that it has been given an early place in this session. Those hon. Members who were here during the discussion of the original Bill will have noticed that almost every suggestion made then has been incorporated by the Select Committee in the Bill. The Select Committee was practically unanimous, though three hon. Members have appended minutes of dissent. Before I take up the minutes of dissent, I shall briefly refer to the changes made by the Select Committee.

In regard to the constitution of the Delhi Transport Authority, it was formerly provided that there should be three non-officials. The Select Committee thought that at least two of them should be elected—one by the members of the Delhi Municipality and another by the members of the Delhi District Board—so that the representatives of both the city of Delhi and the neighbouring rural areas will have a place.

The Chief Commissioner has been made the *ex-officio* Chairman. Probably, this requires some explanation, because some hon. Members seem to think that to make the Chief Commissioner *ex-officio* Chairman is to put an over-worked official in charge of an important service. Normally, the running of a motor transport service is the business of a provincial government, but in this case the Government of India had to take it over and run it owing to the special circumstances of Delhi. At one stage, we were considering whether we should not hand it over to the Chief Commissioner and let him run it as a purely provincial concern. But, for financial and other considerations, it was decided that it was not desirable to hand it over entirely to the Chief Commissioner. At the same time, we felt that without the active supervision as well as supervision of the provincial government at Delhi, this service could

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not be run. As a matter of fact, during the unfortunate strike which took place, the Service had to be run by the Chief Commissioner and his officials. We have, therefore, come to the conclusion that the best way of carrying the local administration with the Authority is to make the Chief Commissioner the *ex-officio* Chairman. The actual day to day administration will be entrusted to the General Manager who is a high powered official. Therefore, it is not a valid objection to say that the Chief Commissioner has got other work. In fact, we specially consulted the Chief Commissioner and he was definitely of the opinion that not only would he be able to find the time, but that it was essential that he should be the *ex-officio* Chairman if the transport service is to run efficiently. Therefore, I hope no one will object to this provision.

Another point made in the previous debate was that the Members of Parliament should not be disqualified by statute from being members of the Delhi Transport Authority. I argued then that it was a good convention that M.P.s who had to be watch-dogs over all public institutions should not be members. The Select Committee felt that though this was a good convention, it need not be embodied in statute and so it has removed that disqualification.

The Select Committee has made some useful changes with reference to the capital of the Authority. Out of the non-recurring expenditure incurred by the Central Government, only that part will be declared as capital of the Authority which will be effective capital on the date of handing over to the Authority. In other words, sums which had to be spent as preliminary expenses will not be treated as capital, so that the Authority will be able to start on a fair basis.

Again, it has been provided that "the Central Government may empower the Authority to borrow by issue of bonds or stocks or otherwise and to make necessary arrangements with banks for meeting its obligations and discharging its functions under this Act". It was felt that if the Authority was to depend entirely on funds supplied by the Central Government, its progress may be handicapped. Therefore, whenever the Central Government found itself short of funds for the purposes of the Authority, then the Authority may go to the public and borrow money as provided.

Similarly, the Authority has been given a larger discretion than in the original Bill. Originally, it was provided that the expenditure of any amount over Rs. 10,000 was to be with the sanction of the Central Government. This limit has now been raised to Rs. 50,000.

Many hon. Members objected to the clause giving indemnity to the officials who might commit mistakes in pursuance of their duties. The Select Committee has deleted that indemnity clause altogether.

Similarly, with regard to the power of entry, the Select Committee has restricted this power, so that it could not possibly be misused.

I believe that, on the whole, the Select Committee report ought to be able to go through this House without much discussion.

I wish to say only a few words now regarding the minutes of dissent made by some of the hon. Members. Dr. Deshmukh has suggested that maximum fares should be prescribed by statute. He has suggested one anna per mile for the first mile, 9 pies for the next 5 miles and 6 pies for any distance beyond 6 miles. Actually, the present rates are one anna for the first mile, 9 pies for the next 2 miles and 6 pies for every subsequent mile. I am quite prepared to admit that it is desirable that there fares should be reduced still further,



# PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

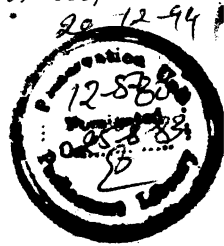
VOLUME I, 1950

(28th January, 1950 to 23rd February, 1950)

First Session  
of the

PARLIAMENT OF INDIA

1950





## CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers), 1st Session, 1950;—

In Volume I,—

1. No. 1, dated the 28th January, 1950,—
  - (i) Page (i) Col. 1, after line 4 insert "Ahmedunni, Shri V.C. (Travancore-Cochin)".
  - (ii) Page (ii), Col. 2, line 27 for "Rafi Ahmed, Shri" read "Shri Rafi Ahmed".
  - (iii) Page (iv), Col. 2, delete line 20.
2. No. 2, dated the 31st January, 1950,—
 

पृष्ठ १८, आठवीं पंक्ति के आदि में "न्त" के स्थान पर "अन्त" पढ़ें ।
3. No. 3, dated the 1st February, 1950,—
  - (i) Page 32, line 13 for "ule" read "rule".
  - (ii) पृष्ठ ७६, पंक्ति १८ में "पच्चास" के स्थान पर "पच्चीस" पढ़ें ।
4. No. 4, dated the 2nd February, 1950,—
  - (i) Page 103, line 3 add "it" before "is".
  - (ii) पृष्ठ १०३, नीचे से दूसरी पंक्ति के अन्त में "जी" के स्थान पर "जीता" पढ़ें ।
  - (iii) पृष्ठ १०६, के अन्त में "आज हमको" के आगे "यह देखना होगा कि जो चीजें हमने अपने विधान में रखी हैं उनको मुल्क के काम में लाया जाय । मैं अर्च करना चाहता हूँ कि अब जमाना बदल गया है" जोड़े ।
  - (iv) Page 110, line 5 from bottom for "humiled" read "bundled".
5. No. 5, dated the 3rd February, 1950,—
  - (i) पृष्ठ १८२, दूसरी पंक्ति में "इलको" के स्थान पर "इलाको" पढ़ें ।
  - (ii) Page 186, line 17 from bottom for "debator" read "debtor".
  - (iii) Page 188, line 18 for "unformity" read "uniformity".
6. No. 6 dated the 6th February, 1950,—
  - (i) Page 204, line 20 from bottom for "were" read "are".
  - (ii) Page 212, line 12 from bottom for "of" read "the".
  - (iii) Page 224, line 13 for "from" read "form". ●
  - (iv) Page 232, line 20 from bottom for "happens to be the Chairman and whether he could be expected" read "will act as its President; he is an I. C. S. man and is, admittedly,".
7. No. 8, dated the 8th February, 1950,—
 

Page 315, line 19 for "refugee" read "refuge".
8. No. 9, dated the 9th February, 1950,—
  - (i) Page 369, line 24 for "are" read "am".
  - (ii) Page 371, for line 18 read "giving me credit for having done something which should really go to the".
  - (iii) Page 389, line 2 from bottom for "khakad" read "khahad".
9. No. 10, dated the 10th February, 1950,—
  - (i) Page 415, line 2 from bottom for "detrimental" read "detrimental".
  - (ii) Page 420, line 10 from bottom for "is" read "in".
  - (iii) Page 431, line 3 from bottom for "L" read "5".
  - (iv) Page 433, line 16 for "Trat" read "that".
10. No. 11, dated the 13th February, 1950,—
  - (i) Page 454, line 25 from bottom after "was" insert "as".
  - (ii) Page 463, line 21 from bottom for "re-assembled" read "then adjourned for".

(ii)

11. No. 12, dated the 14th February, 1950,—  
Page 498, line 8 from bottom for "strach" read "starch".
12. No. 14, dated the 17th February, 1950,—  
(i) Page 591, line 6 for "atmosphede" read "atmosphere".  
(ii) Page 604, line 4 for "inperils" read "imperils" and in line 6 for "cajus" read "Salus".
- (iii) पृष्ठ ६०८, पंक्ति ५ में "अम्मा" के स्थान पर "आमा" पढ़ें।
- (iv) पृष्ठ ६०८, पंक्ति १२ में "तकरीर" के स्थान पर "जो तकरीर" पढ़ें।
- (v) पृष्ठ ६१०, नीचे से पंक्ति ५ में "दस" के पश्चात् "दस" समाविष्ट करें।
- (vi) पृष्ठ ६१४, नीचे से दूसरी पंक्ति में "तरह" के पश्चात् "से" समाविष्ट करें और "बंगाल" के पश्चात् "से" हटा दें।
- (vii) Page 616, line 12 from bottom for "then" read "their".
- (viii) पृष्ठ ६२५, पंक्ति १५ के अन्त में "यह" को हटा दें और १६ के आदि में "काम" के स्थान पर "महकमा" पढ़ें।
- (ix) Page 637, omit "last line".
13. No. 15, dated the 20th February, 1950,—  
(i) Page 659, line 12 for "acpital" read "Capital".  
(ii) Page 662, line 21 from bottom for "of the" read "in the".
14. No. 17, dated the 22nd February, 1950,—  
(i) Page 708, line 15 from bottom for "States" read "State".  
(ii) Page 723, line 21 omit "It is" before "Jowan".
15. No. 18, dated the 23rd February, 1950,—  
(i) Page 751, line 13 from bottom for "Begal" read "Bengal".  
(ii) Page 758, line 24 from bottom for "turbulation on account" read "tribulation on account".
- (iii) पृष्ठ ७६०, नीचे से पंक्ति १८ के अन्त में "तो है मैं" के स्थान पर "हैं मैं तो" पढ़ें।
- (iv) पृष्ठ ७७६, नीचे से पंक्ति ७ में "हा" को "कहा" पढ़ें।
- (v) Page 783, line 2 for "a" read "as".
- (vi) Page 798, line 2 for "coutry" read "country".
- (vii) Page 800, line 9 from bottom for "33 percent" read "33 percent".
- (viii) Page 801, line 6 for "ward" read "award".

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**PARLIAMENT OF INDIA**  
**Alphabetical List of Members**

A

Abdul Hamid, Shri (West Bengal).  
Abdullah, Sheikh Mohammad (Jammu and Kashmir).  
Achint Ram, Lala (Punjab).  
Algesan, Shri O. V. (Madras).  
Alexander, Shri N. (Travancore-Cochin).  
Alva, Shri Joachim (Bombay).  
Ambedkar, the Honourable Dr. B. R. (Bombay).  
Amrit Kaur, The Honourable Rajkumar<sup>i</sup> (Madhya Pradesh).  
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Anthony, Shri Frank (Madhya Pradesh).  
Arya, Shri Baldev Singh (Uttar Pradesh).  
Asawa, Shri Gokul Lal (Rajasthan).  
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Ayyar, Shri Alladi Krishnaswami (Madras).  
/Azad, The Honourable Maulana Abul Kalam (Uttar Pradesh).

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Baigra, Shri Moti Ram (Jammu and Kashmir).  
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Balmiki, Shri Kanhaiya Lal (Uttar Pradesh).  
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Bhanu Pratap Singh, Thakur (Madhya Pradesh).  
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Bhargava, Pandit Mukut Bihari Lal (Ajmer).  
Bhargava, Pandit Thakur Das (Punjab).  
Bhatkar, Shri L. S. (Madhya Pradesh).  
Bhatt, Shri Gokulbhai Daulatram (Bombay).  
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Biyani, Shri Brijlal Nand Lal (Madhya Pradesh).  
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Buragohain, Shri Surendranath (Assam).

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Chandrika Ram, Shri (Bihar).  
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Chetty, Shri R. K. Shanmukham (Madras)

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Gandhi, Shri Feroz (Uttar Pradesh).  
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Ghuznavi, Shri Abdul Halim (West Bengal).  
Goenka, Shri Ramnath (Madras).  
Gopinath Singh, Shri (Uttar Pradesh).  
Govind Das, Seth (Madhya Pradesh).  
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Guna, Shri G.S. (Manipur and Tripura).  
Gupta, Shri Deshbandhu (Delhi).  
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Gurung, Shri Ari Bahadur (West Bengal).

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Haneef, Moulavi Mohammed (Orissa).  
Hanumanthaiya, Shri K. (Mysore).  
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Hathi, Shri Jai Sukh Lal (Saurashtra).  
Hazarika, Shri Jogendra Nath (Assam).  
Hazarika, Shri Mahendra (Assam).  
Hifzur Rahman, Shri Muhammad (Uttar Pradesh).  
Himatehji, Major-General Maharaaj (Saurashtra).  
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Jajware, Shri Ramraj (Bihar).  
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Jayashri Rajji, Shrimati (Bombay).  
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Jhunjhunwala, Shri B.P. (Bihar).  
Jnani Ram, Shri (Bihar).  
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Karmakar, Shri Dattatarya Parashuram (Bombay).  
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Khurshed Lal, Shri (Uttar Pradesh).  
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Kripalani, Shrimti Sucheta (Uttar Pradesh).  
Krishna Singh, Thakur (Uttar Pradesh).  
Krishnamachari, Shri T. T. (Madras).  
Krishnamachari, Shri V. T. (Rajasthan).  
Krishnanand Rai, Shri (Uttar Pradesh).  
Kumbhar, Shri Retnappa Bharyamappa (Bombay).  
Kunhiraman, Shri P. (Madras).  
Kunzru, Pandit Hirday Nath (Uttar Pradesh).

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Mahtha, Shri Sri Narayan (Bihar).  
Maitra, Pandit Lakshmi Kanta (West Bengal).  
Majumdar, Shri Sureah Chandra (West Bengal).

Malaviya, Pandit Govind (Uttar Pradesh).  
 Mallaya, Shri U. Srinivasa (Madras).  
 Malviya, Shri R. L. (Madhya Pradesh).  
 Man, Sardar Phopinder Singh (Punjab).  
 Masani, Shri M. R. (Bombay).  
 Massey, Shri Reginald Arthur (West Bengal).  
 Masuodi, Maulana Mohammad Saeed (Jammu and Kashmir).  
 Matthai, The Honourable Dr. John (Uttar Pradesh).  
 Mavalankar, The Honourable Shri G. V. (Bombay).  
 Meeran, Shri S. K. Ahmad (Madras).  
 Mehta, Shri, Balwant Sinhs (Rajasthan).  
 Menon, Shri A. K. (Madras).  
 Menon, Shri K. A. Damodra (Travancore-Cochin).  
 Mishra, Shri Jagannath (Orissa).  
 Mishra, Shri Mathura Prasad (Bihar).  
 Mishra, Shri Syam Nandan Prasad (Bihar).  
 Mishra, Shri Yudhiahthir (Orissa).  
 Misra, Shri Sarju Prasad (Uttar Pradesh).  
 Mohiuddin, Saikh (Bihar).  
 Mookerjee, Dr. H. C. (West Bengal).  
 Mookerjee, The Honourable Dr. Syama Prasad (West Bengal).  
 Moulevi, Shri E. Moidu (Madras).  
 Mudgal, Shri Hucheshwar Gurusidha (Bombay).  
 Mukhtiar Singh Ch. (Uttar Pradesh).  
 Munavalli, Shri B. N. (Bombay).  
 Munshi, Shri K. M. (Bombay).  
 Munshi, Shri Pranlal Thakorlal (Bombay).  
 Musafir, Giani Gurmukh Singh (Punjab).

## N

Najker, Shri P. M. Audikesavalu (Madras).  
 Naidu, Shri G. R. Ethirajulu (Mysore).  
 Naidu, Shri S Ramaswamy (Madras).  
 Naik, Shri Maheswar (Orissa).  
 Nand Lal, Master (Punjab).  
 Narayana Deo, Shri K. C. Gajapati, of Parlakimedi (Orissa).  
 Nausherahi, Syed (West Bengal).  
 Naziruddin Ahmad, Shri (West Bengal).  
 Nehru, Shrimati Uma (Uttar Pradesh).  
 Nehru, The Honourable Shri Jawaharlal (Uttar Pradesh).  
 Neogy, The Honourable Shri K. C. (West Bengal).  
 Nijalingappa, Shri S. (Bombay).  
 Nurie, Shri Mohamed Yasseen (Bombay).

## O

Obaidullah, Shri V. M. (Madras).  
 Oraon, Shri Theble (Bihar).

## P

Pandit, Shri Moti Lal (Orissa).  
 Pani, Shri Bijoy Kumar (Orissa).  
 Pant, Shri Devi Dutt (Uttar Pradesh).  
 Parmar, Dr. Y. S. (Himachal Pradesh).  
 Patel, The Honourable Sardar Vallabhabhai (Bombay).  
 Pathan, Shri Resoolkhan Hussain Khan (Bombay).  
 Patil, Shri S. K. (Bombay).  
 Pillai, Shri V. Nadimuthu (Madras).  
 Pillay, Shri S. Sivan (Travancore-Cochin).  
 Poonacha, Shri C. M. (Coorg).  
 Potai, Shri Ramprasad (Madhya Pradesh).  
 Prater, Shri S. H. (Madras).

## R

Raghib Ahsan, Shri (West Bengal).  
 Raghu Vira, Dr. (Madhya Pradesh).  
 Raj Bahadur, Shri (Rajasthan).  
 Raj Kanwar, Lala. (Orissa).  
 Ram Dhani Das, Shri (Bihar).  
 Ram Subhag Singh, Dr. (Bihar).  
 Ram Urga Singh, Dr. (Uttar Pradesh).  
 Ramaiah,\* Shri V. (Madras).  
 Ramaiah, Shri P. Kodanda (Madras).  
 Ramnarayan Singh, Babu (Bihar).  
 Ranbir Singh, Chaudhri (Punjab).  
 Ranga, Prof. N.G. (Madras).  
 Ranga Rao, Sri Ravu Swetachalapathi Ramakrishna (Madras).  
 Ranjit Singh, Sardar (Patiala and East Punjab States Union).  
 Rao, Shri B. Shiva (Madras).  
 Rao, Shri M. Tirumala (Madras).  
 Rao, Shri M.V. Ramen (Mysore).  
 Rao, Shri V.C. Kesava (Madras).  
 Rathnaswamy, Shri A. M. (Madras).  
 Rau, Shri N. Madhava (Orissa).  
 Raut, Shri Bhola (Bihar).  
 Ray, Shrimati Renuka (West Bengal).  
 Reddi, Shri P. Basi (Madras).  
 Reddi, Shri Pidathala Ranga (Madras).  
 Reddi, Shri Vangallu Kodanarama (Madras).  
 Redrappa, Shri H. S. (Mysore)



Sadiq Ali, Shri (Uttar Pradesh).  
 Sahaya, Shri Syamanandan (Bihar).  
 Saksena, Prof. Shibban Lal (Uttar Pradesh).  
 Saksena, The Honourable Shri Mohan Lal (Uttar Pradesh).  
 Samanta, Shri Satis Chandra (West Bengal).  
 Sanjivayya, Shri D. (Madras).  
 Santhanam, The Honourable Shri K. (Madras).  
 Sarwate, Shri V. S. (Madhya Bharat).  
 Satish Chandra Shri (Uttar Pradesh).  
 Satyanarayana, Shri M. (Madras).  
 Sen, Dr. Prosanto Kumar (Bihar).  
 Sen, Shri Phani Gopal (Bihar).  
 Seth, Shri Damoder Swarup (Uttar Pradesh).  
 Shah, Prof. K. T. (Bihar).  
 Shah, Shri Chimanlal Chakubhai (Saurashtra).  
 Shah, Shri Manilal Chaturbhai (Bombay).  
 Shankaraiya, Shri M. (Mysore).  
 Sharma, Pandit Balkrishna (Uttar Pradesh).  
 Sharma, Pandit Krishna Chandra (Uttar Pradesh).  
 Sharma, Shri K. C. (Uttar Pradesh).  
 Shashtri, Shri Harihar Nath (Uttar Pradesh).  
 Shiv Charan Lal, Shri (Uttar Pradesh).  
 Shukla, Shri Ambik Charan (Madhya Pradesh).  
 Shukla, Shri Shambhu Nath (Vindhya Pradesh).  
 Sidhva, Shri R. K. (Madhya Pradesh).  
 Singhania, Shri Padampat (Uttar Pradesh).  
 Singhji, Shri Sardar, of Khetri (Rajasthan).  
 Sinha Shri Awadheshwar Prasad (Bihar).  
 Sinha Shri Braja Kishore Prasad (Bihar).  
 Sinha, Shri Kailash Pati (Bihar).  
 Sinha, Shri Satyendra Narayan (Bihar).  
 Sinha, The Honourable Shri Satya Narayan (Bihar).  
 Sitaramayya, Dr. B. Pattabhi (Madras).  
 Siva, Shri M. V. Gangadhara (Madras).  
 Sivaprakasam, Shri, V. S. (Madras).  
 Snatak, Shri Nar Deo (Uttar Pradesh).  
 Sohan Lal, Shri (Uttar Pradesh).  
 Sochet Singh, Sardar (Patiala and East Punjab States Union).  
 Sonavanc, Shri Tayapa Hari (Bombay).  
 Soodhi, Shri B. L. (Punjab).  
 Srivastava, Shri Jawala Prasad (Uttar Pradesh).

Subramaniam, Dr. V. (Madras).  
 Subramaniam, Shri C. (Madras).  
 Subramaniam, Shri R. (Madras).  
 Sunder Lall, Shri (Uttar Pradesh).  
 Swaminadhan, Shrimati Ammu (Madras).

## T

Tajamul Husain, Shri (Bihar).  
 Tek Chand, Dr. Baksh i (Punjab).  
 Tewari, Shri Ram Sahai (Vindhya Pradesh).  
 Thakkar, Shri A. V. (Saurashtra).  
 Thimmappa Gowda, Shri, G. A. (Mysore).  
 Tiwari, Shri Baboolal (Madhya Pradesh).  
 Tribhuvan Narayan Singh, Shri (Uttar Pradesh).  
 Tripathi, Shri H. V. (Uttar Pradesh).  
 Tripathi, Shri Kishorimohan (Madhya Pradesh).  
 Tyagi, Shri Mahavir (Uttar Pradesh).

## U

Unni, Shri, V. C. Ahmed (Travancore-Cochin).  
 Upadhyay, Pandit Munishwardatt (Uttar Pradesh).  
 Upadhyaya, Shri Ram Chandra (Rajasthan).

## V

Vaidya, Shri Vinayak Rao Balsehanker (Bombay).  
 Varma, Shri Bopin Behari (Bihar).  
 Varma, Shri Manikya Lal (Rajasthan).  
 Veerabahu, Shri M. C. (Madras).  
 Velayudhan, Shri, R. (Travancore-Cochin).  
 Velayudhan, Shrimati Dakshayani (Madras).  
 Venkataraman, Shri (Madras).  
 Vidyavachaspati, Shri Indra (Uttar Pradesh).  
 Vyas, Shri Jainarain (Rajasthan).

## W

Wajed Ali, Maulvi (Assam).

## Y

Yadav, Shri Lakshmi Shankar (Uttar Pradesh).  
 Yashwant Rai, Prof. (Punjab).

## Z

Zaidi, Col. B. H. (Uttar Pradesh).  
 Zakir Husain, Dr. (Uttar Pradesh).  
 Zangre, Shri Roshamlal (Madhya Pradesh).

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and I hope that one of the first acts of the Authority will be to review the fares and reduce them, if possible. But the condition of this Authority when it was taken over was so bad that it had to be put on a proper financial footing before Government could think of revising the fares. I believe that in these 5 P.M. two years the financial position of this service has greatly improved and it will be possible to reduce the fares.

**Shri Sondhi (Punjab):** Is the opinion of the hon. Minister of State that what he cannot do the Authority will be able to do now?

**Shri Santhanam:** Sir, hitherto it was on a transitional basis. If the Government had decided to run the service on a permanent basis, then this question would have been considered. But when we were creating a new authority and putting it on a permanent footing, we thought that the best course was to make that permanent authority responsible for making changes which would reduce its income. I do feel that it was the only prudent course to follow and we are now going to hand over the service in such a good state that it will be possible for the Authority to take up this question almost immediately it is constituted.

Sir, my hon. friend Mr. Sidhva has got only one point to make. He considers that the clerks coming to the Secretariat should have some concessional fares. They no doubt form a large part of the clientele of the Delhi Transport Service, but the refugee population of the City who also use the service extensively are in no better position. It is hardly possible to provide any relief of this kind in the Statute. However, this point will be considered, as I said, when the question of revision of fares is taken up. I hope the clerical staff will get some relief.

**Shri Sidhva (Madhya Pradesh):** My suggestion was the introduction of monthly seasonal tickets as is prevalent on the suburban railways of cities.

**Shri Santhanam:** No doubt the introduction of seasonal and concessional passes will also have to be considered. What I was saying was that it was not possible to make them compulsory under the Statute. It is a matter of administration which will be looked into.

The only other point I want to make is the long minute of dissent by Prof. Shibban Lal Saksena. Sir, I am sorry my hon. friend is not here. I do not think he was entitled to use the opportunity of being in the Select Committee to embark on detailed criticism of the Delhi Transport Service. That is a matter which he should have taken up in the course of the budget discussion. Here we are only concerned with the Bill. If he again raises this point during the budget discussion, I shall be quite prepared to answer every point. What he apparently wanted was to include all the provisions of the British Transport Act in this Act. The British Act was intended for the whole of the United Kingdom, while this is only for a local service. Therefore, it was not possible to bring all the elaborate machinery of that Act into existence for the purpose of this Act. This contention was upheld by all the Members of the Select Committee, except Prof. Shibban Lal Saksena.

When the detailed provisions of the Bill come up for consideration, I shall deal with the amendments. Meanwhile, I commend the Report of the Select Committee and the Bill as it has emerged from the Select Committee for the consideration of the House.

**Mr. Chairman:** Motion moved:

"That the Bill to provide for the establishment and regulation of a Road Transport Authority for the promotion of a co-ordinated system of road transport in the Province of Delhi, as reported by the Select Committee, be taken into consideration."

*The House then adjourned till a Quarter to Eleven of the Clock on Monday, the 6th February, 1950.*