

Tuesday, 7th February, 1950



PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT

VOLUME I, 1950

(1st February to 13th March, 1950)

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 - نیچے سے سطر ۱۱ - دد مانی ۴۴ کے بجائے دد مانئید ۴۴ پڑھیں -

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

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

(۲) صفحہ ۲۱۱ - سطر ۱۱ - دد ارو 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 - نیچے 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 کہ ۴۴ کے بجائے دد کا ۴۴ پڑھیں -

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

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

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

(۱) صفحہ ۵۵۳ - نیچے 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 - نیچے سے سطر ۴ - دد سے ۴۴ کے بجائے دد سب ۴۴ پڑھیں -

(۳) صفحہ ۶۳۷ - نیچے 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 - نیچے سے سطر ۱۵ - دد الللا ۴۴ کے بجائے دد اللہ ۴۴ پڑھیں -

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

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

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

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

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

(۱۲) صفحہ ۷۳۵ - نیچے 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 ۷۵۲ - سطر ۱۶ - دہ پڑھیں ۴۴ کے بجائے دہ پڑھیں 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 کے بجائے دہ بودیز ۴۴ پڑھیں
(۲) صفحہ ۱۱۱۵ - سطر ۱ - دہ رنگناہن کے بجائے دہ رنگناہن ۴۴ پڑھیں
(۳) صفحہ ۱۱۳۰ - نیچے سے سطر ۱۳ - دہ آرگھانائہز کے بجائے دہ آرگھانہز ۴۴ پڑھیں

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

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

5. No. 28, 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 کے بجائے دہ کرن 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 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 ۱۹۳۱ کے بجائے دہ ۱۹۳۹ ۴۴ 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 کے بجائے دہ ایس ۴۴ پڑھیں -
(۵) صفحہ ۱۶۱۶ - نیچے سے سطر ۱۹ - دہ آندستریل کے بجائے دہ آندستریل ۴۴ پڑھیں -
(۶) صفحہ ۱۶۰۱ - سطر ۷ - دہ لے کے بجائے دہ لے کے ۴۴ پڑھیں -
(۷) صفحہ ۱۶۲۱ - نیچے سے سطر ۱۷ - دہ تہو کے بجائے دہ تہار ۴۴ پڑھیں -
(۸) صفحہ ۱۶۲۲ - سطر ۱۲ - دہ م کے بجائے دہ ہم ۴۴ پڑھیں -
(۹) صفحہ ۱۶۲۲ - سطر ۱۳ - دہ نفریس کے بجائے دہ کانفریس ۴۴ پڑھیں -
(۱۰) صفحہ ۱۶۲۵ - نیچے سے سطر ۱۲ - دہ دراید کے بجائے دہ درامد ۴۴ پڑھیں -

PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Tuesday, 7th February, 1950.

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

[Mr. Speaker in the Chair.]

MEMBER SWORN

Shri A. V. Thakkar (Saurashtra).

ORAL ANSWERS TO QUESTIONS.

AUTOMATIC LOCKING OF DOORS OF RAILWAY COMPARTMENTS

*118. **Shri Sidhva:** (a) Will the Minister of **Railways** be pleased to state whether the device invented by a Calcutta scientist for automatic locking of doors of railway compartments has been completed and if so, with what result?

(b) On what section of the Railway is this experiment being carried out?

(c) What has been the effect of the device on ticketless travelling on this section?

(d) Is protection against thefts or attacks on running trains provided for in this device?

The Minister of State for Transport and Railways (Shri Santhanam): (a) No; the work of installing the device under the personal supervision of the inventor is still in progress. It is reported that he has not yet finalised his device.

(b) The device after its installation will be tried out on the Howrah-Banaras section of the East Indian Railway.

(c) Does not arise in view of the answer to (a).

(d) The inventor of the device claims that it is designed to give protection against thefts or attacks on running trains.

Shri Sidhva: May I know when the work was started, whether facilities were provided by the Railways to start the work, and what stage it has reached?

Shri Santhanam: The order to proceed with the experiment was given as early as May 1949. But I shall read to the House the report of the E. I. Ry. It says:

“The installation of the device was started in Lilloah Workshops under the supervision of Mr. Mukerji, the inventor, and has been going on for over four months. The inventor apparently is changing his ideas from day to day and has not been able even to furnish a diagram of the electrical connections up to date. It is difficult to forecast when the installation will be completed and when the rake will come in service.”

Shri Sidhva: What is the date of this report?

Shri Santhanam: It is an extract from a recent report.

Shri Sidhva: But can I have an idea of the date, at least approximately?

Shri Santhanam: It must be about a month ago.

Shri Sidhva: Is it a fact that the inventor has written that if his device is adopted, it can be brought into use from January, but that the Railway Authorities are not giving him the necessary help?

Shri Santhanam: When he has not been able to give even the design, how are we to proceed with the experiment?

Dr. Deshmukh: Does not the Minister of State think that the inventor is under-rating the intelligence of thieves?

Mr. Speaker: Order, order.

Shri Sidhva: May I know the reasons why the device invented by the scientist has been refused?

Mr. Speaker: It does not arise, because the report is that he has not been able to give a design.

Shri Sidhva: The point is whether he himself has been unable to give a design or the railway engineers are placing some obstacles in the way of its acceptance.

Shri Frank Anthony: Are any steps being taken to prevent the incidence of thefts in respect of goods belonging to passengers?

Shri Santhanam: We are taking all possible steps.

Shri Kamath: Pending the finalisation of the device referred to, do Government take care to see that the locks that are already there on the doors are intact?

Shri Santhanam: I think all locks have been put right in the Railways.

Shri Tyagi: May I know whether the proposed device permits easier locking of the doors from inside by the passengers?

Shri Santhanam: The essence of the device is that while the train is running, all the doors are electrically locked and cannot be opened until the train stops.

Shri Frank Anthony: Is it a fact that, in spite of the so-called ‘steps’ taken by the Railway Administration, the number of thefts is on the increase and people like myself are constantly being exposed.....

Mr. Speaker: Order, order. I am afraid the question does not really relate to thefts. It relates only to the device.

Shri Tyagi: Do I take it that the device only checks thefts on running trains and not when trains remain in railway stations?

Mr. Speaker: I am calling the next Question.

IMPORT OF FOOD GRAINS

***119. Shri Sidhva:** (a) Will the Minister of Food be pleased to state the total value and quantity of food grains (with the names of each kind) imported from foreign countries from January, 1949 to December, 1949?

(b) What is the basis for Government to state that India is deficit in food grains for which purchases from foreign countries are made?

(c) What is the value in rupees of dollars and sterlings spent in the purchase of these food grains during the year 1949?

(d) What quantities of rice, wheat, bajra, maize, barley and gram are to be imported during the year 1950?

(e) Have any contracts been made for import of food grains for the year 1950 and if so, at what rate?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram):

(a) A statement is laid on the Table of the House [See Appendix I, annexure No. 12.]

The exact value of each different kind of grain cannot be given at this stage as in some cases shipments are still continuing and in others full accounts have not yet been received. The approximate value is given.

(b) The quantity of food grains to be imported is based on various factors namely:

(i) The stocks of food grains in balance with each State Government; (ii) Total rationed population in each State; (iii) The actual offtake of such population in the preceding year; (iv) The maximum procurement possible in each State; (v) The net quantity needed by deficit States for issue to the rationed population; and (vi) The net surplus available from surplus areas for assisting the deficit areas.

(c) The amount of rupees actually paid for dollars and sterlings spent in the purchase and shipment of food grains from January to November 1949 was Rs. 19 crores, 86 lakhs (\$60 million) and Rs. 91 crores, 44 lakhs (£. 68.53 million). The figures for December 1949 are not yet available.

(d) Of 1.5 million tons which is at present the maximum limit of imports in 1950, for rationing food, the quantity of rice will not exceed 100,000 tons and the balance is expected to consist wholly of wheat.

(e) An agreement has been concluded with Argentina for the import of 300,000 metric tons of wheat from that country on barter basis against jute manufactures. A contract with Australia for 500,000 tons wheat is under negotiation. As the agreement with Argentina is a barter agreement it is not possible to state at this stage what the exact cost of Argentina wheat would be but it is estimated that the cost would be about Rs. 15 per maund landed in bags. The cost of Australian wheat under the International Wheat Agreement up to 31st July 1950 would be about Rs. 14/8/- per maund landed in bags.

Shri Sidhva: Arising out of answer to part (b) of my question, may I know the basis on which the deficit is calculated? Is it based on the difference between the total production and the total consumption?

Shri Jairamdas Doulatram: As the hon. Member knows no exact estimate of the consumption can be made. Rough calculations are made on the basis of 16 ounces per head for the rural population. But if the per head consumption were to go up by one ounce, it would increase the demand by 24 lakh tons. Therefore, imports are not based on total production and total consumption, more especially because consumption is not an easily calculable factor. Therefore, the actual stocks in the province, the actual rationed population, the actual ration to be supplied to them, these are the factors which go to determine the quantity of food grains to be imported in the country.

Shri Sidhva: What is the per head ration on which Government base the quantity to be imported?

Shri Jairamdas Doulatram: Usually it is 12 ounces, because 12 ounces is the usual ration which is given to people in the various provinces.

Shri Sidhva: On the basis of 12 ounces per head, do Government consider that there is deficit in the country?

Shri Jairamdas Doulatram: It is not only the rationed people who eat food grains produced in the country. Food grains produced in the country are also being consumed by a large number of people who are not on ration—especially the rural population, the producers themselves. How much each producer consumes cannot easily be calculated. We propose to have a kind of a sample survey to check up the consumption levels in the country. At present the calculation is based on a rough estimate. A recent sample survey carried out in one village in the Delhi province shows that 20 ounces is the consumption of each individual. This sample survey was conducted only three weeks ago.

Shri Ramalingam Othettiar: Is the Government aware that procurement in Madras province will be very much lower than what was expected?

Shri Jairamdas Doulatram: Probably it will be, in view of the failure of rains.

Shri Ramalingam Othettiar: What steps have Government taken to meet the deficit?

Shri Jairamdas Doulatram: Government is trying its best within its limited imports to help all provinces.

Shri Shiva Rao: Has the hon. Minister's attention been drawn to the statement that is reported to have been made by the Food Minister in Bombay that he hopes to persuade the Central Government to increase import of food grains from abroad this year?

Shri Jairamdas Doulatram: I have seen the statement.

Shri Shiva Rao: Is there any basis for the expression of that opinion?

Shri Jairamdas Doulatram: It is not for me to say because I have not expressed any such hope.

Shri Munavalli: What was the percentage of food deficit in India during 1948 and 1949?

Shri Jairamdas Doulatram: I have not got the figures. As I said these figures are based on statistical calculations. Nobody has actually weighed the grains at one central place and calculated the deficit.

Dr. Deshmukh: May I know, Sir, whether we paid less for the food grains imported during 1949, as compared with the grains imported during 1948?

Shri Jairamdas Doulatram: I have not got the figures for the two years. I think probably we paid less.

Shri Rudrapa: Have the Government of India given direction to the Provincial Governments to reduce the quantity of food grains to be retained by the growers this year?

Shri Jairamdas Doulatram: No such instructions have been issued. We have only asked the Provincial Governments to make their best efforts to increase their procurement.

Shri Hossain Imam: What was the number of people rationed last year, and what is the number proposed to be rationed this year?

Shri Jairamdas Doulatram: I am sorry I have not got the figures.

Shri Bharati: May I know whether the Madras Government have asked for an additional quota of six lakh tons, in view of the complete failure of crops in the Taluk districts of Madras province?

Shri Jairamdas Doulatram: We propose to help Madras to the best extent possible. We shall watch the situation from month to month.

Shri Kamath: In so far as the answer to part (b) of the question is based on the rationing system, has it come to the notice of the hon. Minister that recently several thousands of ghost ration cards have been discovered in the country?

Shri Jairamdas Doulatram: That is true.

Shri Kamath: Then how is the deficit statistically correct?

Shri Jairamdas Doulatram: The Provincial Governments calculate their requirements after making allowance for the bogus ration cards.

Shri A. C. Guha: Has it come to the notice of Government that in some provinces at least the growers are permitted to retain a smaller quantity of grain than was allowed last year?

Shri Jairamdas Doulatram: It may be so in some provinces.

Shri A. C. Guha: Is the Government satisfied that the quantity of grain allowed to the growers would be sufficient for their consumption for the year?

Shri Jairamdas Doulatram: This is a matter for the Provincial Governments to decide and I am sure the Provincial Governments responsible to the people must be taking care of the interests of the rural population.

Shri Satish Chandra: To what extent has the Bengal-Assam rail link helped in reducing the deficit of food grains and the import of rice from abroad?

Shri Jairamdas Doulatram: It will greatly help.

Babu Ramnarayan Singh: After what period of time after the annual harvest is the total produce calculated and how?

Shri Jairamdas Doulatram: It may be probably after three or four months at least, because after harvest the grain comes to the *mandis* and then it is procured and naturally it will take two or three months to be able to assess the actual yield.

Shri Sidhva: The hon. Minister stated that the sample survey carried out revealed that the villagers were consuming as much as 20 ounces of grain.

Shri Jairamdas Doulatram: I referred only to one particular village where the survey was conducted.

Shri Sidhva: In view of this startling revelation, as compared with the 12 ounces of ration per head allowed in the cities, are Government prepared to see that all get uniform quantity and thus stop import of food grains?

Shri Jairamdas Doulatram: We cannot take a decision on the results of a sample survey carried out in one single village. The survey will have to be spread over a large area before we can frame any policy.

IMPORT OF PETROL AND KEROSENE OIL

*120. **Shri Sidhva:** (a) Will the Minister of **Works, Mines and Power** be pleased to state what quantities of kerosene oil and petrol have been imported during the years 1948 and 1949?

(b) What was the consumption of kerosene oil in India in the years 1948 and 1949?

(c) What cuts, if any, have been effected in quotas for kerosene and petrol, allotted to each province, from time to time, in the year 1948?

The Minister of Works, Mines and Power (Shri Gadgil): (a) to (c). I lay on the Table a statement giving the required information. [See *Appendix I, annexure No. 13.*]

Shri Sidhva: May I know what is the present position of petrol and kerosene oil and whether the prices have gone up as a result of devaluation?

Shri Gadgil: In fact for the year 1949, 7,07,915 tons of kerosene was imported and for the current quarter of this year, 40 million gallons have been allotted. Now, as a result of devaluation, the question was raised, as to whether we should reduce the quantity of kerosene. It was decided that not only should the quantity of kerosene imported should not be reduced, but more quantity should be made available for the poorer classes of people and that has been secured.

Shri Sidhva: May I know whether there was any cut in the ration fixed for kerosene and petrol during the year 1949?

Shri Gadgil: There was no cut in 1949. In 1948 there was a cut of 10 per cent. in the beginning and that was necessitated by the fact that there was a shortage of tin plates. An additional cut of 38 per cent. became necessary in order to meet the requirements of high-speed Diesel oil and vaporising oil for the industry. Not only was the cut restored in 1949, but additional quantity was made available.

Shri Sidhva: In view of the exchange difficulties, may I know whether the import during the current year will be affected?

Shri Gadgil: So far as kerosene is concerned, I have already answered, but so far as the other oil is concerned, there is bound to be some reduction on account of devaluation.

Shri Tirumala Rao: Have Government under consideration the policy of encouraging the conversion of petrol-used motor lorries to diesel-oil engines in order to save petrol and dollars?

Shri Gadgil: It is more or less a matter for the Minister of Transport to reply.

Dr. Deshmukh: May I know if the present supply of kerosene is much less than in the war years and, if so, is it likely to show any improvement?

Shri Gadgil: The hon. Member is entirely incorrect. It is not only more than what was in the war years but it is also more than what was in the pre-war years.

Dr. Pattabhi: In view of the economy in petrol which can be effected by the use of diesel engines, will the hon. Minister be pleased to communicate with the hon. Minister for Industries or whoever may be concerned with this matter, to consider favourably applications for importing more diesel-engines?

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

Shri Raj Bahadur: May I know whether any proportion of the kerosene allotted to the provinces is earmarked for rural areas therein?

Shri Gadgil: It is more or less for the provinces to decide. What is done is that the provincial quota is fixed in terms of the estimated demand and supply and that quota is allotted. It is for the provincial governments to allot it further in areas under them.

Shri Raj Bahadur: May I know whether the Government have issued any instructions to ensure that some minimum fixed proportion of this kerosene quota is distributed in the rural areas?

Shri Gadgil: How can we?

Shri Rudrappa: What are the principles adopted in fixing the petrol quota to the various provinces and States?

Shri Gadgil: The usual principles are adopted, and generally the previous year's figures are taken into consideration, and also the probable need, and on that the distribution is fixed.

Shri Rudrappa: Am I correct in assuming that each provincial government or State Government makes a demand and on that demand allotment is made by the Government of India?

Shri Gadgil: Demands are made by provincial and State Governments but the allotment depends upon the supply available.

SECOND CLASS "ORDINARY" RAILWAY COMPARTMENTS

*121. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state whether the Second Class "Ordinary" has been introduced in the suburban services of G.I.P. and B.B. & C.I. Railways from 1st December, 1949 and if not, why not?

(b) Is it a fact that in the day service of the railways between Bombay and Poona the Second Class Ordinary is not available and if so, why?

The Minister of State for Transport and Railways (Shri Santhanam): (a) No; with the introduction of the revised classes of accommodation from 1st January 1949 it was decided that there should be only two classes, *vis.*, Classes I and III on suburban trains. The introduction of Class II Ordinary

will lead to excessive diversion of traffic from Class I and result in unnecessary loss of revenue, and is, therefore, not contemplated.

(b) Class II Ordinary is provided on all trains other than the Deccan Queen on the Bombay-Poona Section. On the Deccan Queen Class II Special is provided instead in view of the amenities available being such as conform to Class II Special standard.

Shri Sidhva: In view of the decision to introduce the second class ordinary in all the railways, may I know why an exception has been made in the case of suburban trains?

Shri Santhanam: In Bombay even Class I is overcrowded. We are not able to provide sufficient number of Class I compartments and, therefore it is not possible to provide Class II compartments.

Shri Sidhva: I was referring to Second Class Ordinary.

Mr. Speaker: The reply is there already.

Shri Sidhva: There may be overcrowding in First Class but may I know why an exception has been made in this particular suburban service?

Mr. Speaker: That point is already covered.

Shri Gautam: Is the Government aware that the lower middle class people are being put to a lot of economic hardship on account of second class not being available in these suburban trains?

Shri Santhanam: The remedy would be to increase the number of Third Class compartments but we are not able to increase their number.

श्री भट्ट : क्या यह सेकेंड क्लास का सवाल वहां की लोकल एडवाइजरी कमेटी के सामने रखा गया था, अगर रखा गया हो, तो उन की क्या राय थी ?

Shri Bhatt: May I know whether this question of second class was referred to the Local Advisory Committee there, if so, then what was their opinion?

Shri Santhanam: This matter was referred to the Local Advisory Committees of both the Railways and they came to the conclusion that the introduction of Class II is not desirable in the case of the Bombay suburban trains.

Shri Tirumala Rao: On account of the absence of Class II accommodation, people who are ordinarily in the habit of travelling II are now travelling in III class. Is not the Government losing money because of this?

Mr. Speaker: The hon. Member is arguing.

Shri Tyagi: May I know whether there is really any difference between the second class special and the second class ordinary and whether this second class ordinary is only a prestige-saving device? What is the difference between the two?

Mr. Speaker: Order, order. He can ascertain it from the railways.

Shri T. Husain: May I know if the fares for second class ordinary and the old intermediate class are the same and if the answer is in the affirmative, may I know the reason why in class II ordinary no reservations are allowed?

Mr. Speaker: The hon. Member can ask only one question at a time.

Shri Santhanam: To the question whether there is any difference between the old Intermediate Class and the present Class II ordinary, the reply is in the negative.

Shri T. Husain: If there is no difference, may I know why no reservation is allowed in the ordinary second class, whereas in the old Intermediate class it was allowed by paying Rs. 10 extra?

Shri Santhanam: The hon. Member has confused matters. Ten rupees were charged for reservation of sleeping accommodation in the old second class ordinary. Instead of that, we have introduced the new Class IJ Special at a cost of 14 pies per mile. This provides sleeping accommodation. This is in place of the old arrangement.

Shri Sidhva: When the Central Advisory Committee took a decision that there should be Second Class Ordinary on all the railways, may I know why an exception was made in the case of the Bombay suburbs?

Shri Santhanam: This question of provision of accommodation has certain financial results, and both the Advisory Committees in Bombay do not consider it desirable to introduce Class IJ in the suburban trains.

DISPLACED PERSONS IN INDIA HOLDING POSTAL INSURANCE POLICIES IN PAKISTAN

*122. **Shri Sidhva:** (a) Will the Minister of **Communications** be pleased to state the number of cases in which displaced persons from West Pakistan had taken out Postal Insurance Policies in Pakistan and who have migrated to India?

(b) What is the total number of such policies?

(c) Is it a fact that several displaced persons have submitted their claims for payments of such policies after maturity?

(d) If so, have the payments been made and if not, what are the reasons therefor?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). Information on these points is being collected and will be placed on the Table of the House in due course.

(c) Yes.

(d) At the time of partition the Partition Council decided to divide the responsibility for settlement of claims of postal insurance policies between the Governments of India and Pakistan. The claims of the policy holders who opted to serve the Government of India and migrated to India before the 15th August, 1947 are being settled without any undue delay by the Government of India in accordance with the rules. The responsibility for settling these claims rests with the Government of India. Claims for settlement of postal insurance policies of those who migrated to India after the 15th August, 1947 are not being settled by the Government of India as the responsibility for their settlement rests legally with the Pakistan Government. The Government of India have, however, taken up the question with the Government of Pakistan and their reply is awaited.

Shri Sidhva: When this agreement was made, conditions were quite different. Normally this action might have been taken by the Pakistan Government. But now in view of the Government of Pakistan not following their pledges and agreements, do the Government intend to pay these people the amount of their insurance policies or return to them the premiums paid by these people, who have suffered on account of circumstances beyond their making?

Shri Khurshed Lal: Government are fully alive to the hardship of these policy-holders who have had to migrate to India from Pakistan after the 15th August 1947, and as I said, this matter is being taken up with the Pakistan Government and we are asking them to fix a later date than the 15th August 1947.

Shri Sidhva: In view of the Pakistan Government not forthcoming to pay anything to these people, may I know whether the Government intend to pay these any part of the money which is owed to them?

Shri Khurshed Lal: I am afraid I am not able to reply to that question immediately. That is a matter which can be decided only by the Finance Ministry, and this question will have to be directed to the hon. Finance Minister.

Shri Sidhva: Is the future action of the Government of India in this connection governed by the funds available with them?

Shri Khurshed Lal: I would like to have notice.

Shri Kamath: Is the matter being taken up or has it been taken?

Shri Khurshed Lal: It has been taken up by the Government of India.

Shri Kamath: May I know when it was first taken up with the Pakistan Government? Recently or very long ago?

Shri Khurshed Lal: I have no idea of the date.

Shri Kamath: No idea even?

Mr. Speaker: Order, order. Next question.

ADDITIONAL QUARTERS OR GUEST HOUSES IN THE COMPOUNDS OF PRIVATE-OWNED BUNGALOWS IN NEW DELHI

*123. **Shri Deshbandhu Gupta:** (a) Will the Minister of **Works, Mines and Power** be pleased to state whether it is a fact that there are a large number of private-owned bungalows in New Delhi whose proprietors are desirous of putting up additional quarters or guest houses in their compounds and have approached the Land and Development Officer, from time to time, for necessary permission to do so during the last five years?

(b) If so, what is the number of such applications and what is the decision taken by Government in the matter?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Yes.

(b) About a dozen. The matter is still under consideration.

Shri Deshbandhu Gupta: May I know, Sir, for how long have these applications been pending and the reasons for the same?

Shri Gadgil: They are there for about six months.

Shri Deshbandhu Gupta: Is it not a fact that most of these applications have been there for more than a year?

Shri Gadgil: May be one or two?

Shri Deshbandhu Gupta: Is it a fact that permission for putting up additional bungalows cannot be given unless applicants are willing to pay additional premium at the rate of 50 per cent. of the enhanced value of the land, which works out to about Rs. 50,000 on one acre of land? Is that so?

Shri Gadgil: It is true, Sir. The policy of the Government of India with respect to lands in Delhi is perfectly well-known to the hon. Member. I may sum up that the land prices have gone so much that any advantage that may accrue as a result of that advantage, the Government of India, as representing the community, must have a share. Therefore it has been decided that in the unearned increment Government should have 50 per cent., whether it works out to Rs. 50,000 or if it works out to Rs. 1 lakh.

Shri Deshbandhu Gupta: Is it realized that if an applicant wants to build an additional bungalow on one acre of land lying idle in his present bungalow and he has to pay 50 per cent. of the enhanced value, which comes to about Rs. 50,000 and 5 per cent. on the same, it comes to about Rs. 250 a month, and then puts up a bungalow by investing another lakh on it, the total works out to about Rs. 1,000 a month. What is the rent likely to be fixed by the Rent Controller for such a bungalow?

Shri Gadgil: The Rent Controller is guided by certain well-known principles. He takes into consideration the cost of construction plus a reasonable return.

Shri Deshbandhu Gupta: Is it realized that this policy is standing in the way of putting up more houses in New Delhi?

Shri Gadgil: That is not the view shared by the Government.

Mr. Speaker: Order, order; the hon. Member is going into an argument.

Shri Deshbandhu Gupta: What is the recommendation of the Chief Commissioner in this respect?

Shri Gadgil: I would require notice.

Shri Sidhva: May I ask whether these lands were originally sold for a song and at a very low price?

Shri Gadgil: You are perfectly right.

SOCIAL GUIDES ON THE RAILWAYS

*126. **Sardar Hukam Singh:** (a) Will the Minister of Railways be pleased to state whether Social Guides on the E. P. Railway have been instrumental in discovering any cases of corruption against Railway employees?

(b) If so, what is the number of such cases?

(c) Is there any proposal to extend this institution (Social Guides) to other Railways also?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) Two.

(c) The scheme is now in force to a limited extent on all Indian Government Railways and there is no proposal to extend it.

Sardar Hukam Singh: May I ask whether he proposes to give some kind of permanence to this scheme?

Shri Santhanam: The whole matter is under consideration.

Sardar Hukam Singh: Are the Social Guides responsible for their functions to the Station Master where they are working or to somebody else?

Shri Santhanam: They are certainly under the immediate supervision of the Station Master, but in some places they are ultimately responsible to a higher officer.

Sardar Hukam Singh: Are incompatible orders by different officers to these Social Guides resulting in confusion?

Shri Santhanam: I would require particular information before I can answer the question.

Shri Raj Bahadur: Have any cases of corruption been discovered against these Social Guides themselves?

Shri Santhanam: There have been allegations in some cases.

Shri Sidhva: When the Social Guides were appointed at stations, they were intended only for giving facilities and conveniences to the travelling public and particularly the third class passengers. If this is so, may I know why the corruption question has been entrusted to them?

Shri Santhanam: The function of the Social Guide is to help passengers in all possible ways, and when any passenger is being sought to be penalized by a ticket inspector or anybody else, it is up to the Social Guide to help him, and some cases were brought to light.

Shri Tirumala Rao: Is it a fact that the General Managers of Railways are of the opinion that the money spent on these Social Guides is not commensurate with the service that they render?

Shri Santhanam: That has been the opinion of some of the General Managers.

Shri Kamath: Have any complaints or reports reached the Minister from the Social Guides or others to the effect that they do not receive adequate encouragement at the hands of the Station-staff in their work?

Shri Santhanam: There have been such complaints. The fact is that they have not been integrated with the Railway administration and that has been the difficulty. Consequently, we are trying to see how far they can be integrated with the railway administration.

Shri R. Velayudhan: Are they given any special training in social work?

Shri Santhanam: They have been selected on account of their training or other social service qualifications.

Shri Raj Bahadur: What is the total number of the Social Guides on this Railway?

Shri Santhanam: I would like to have notice.

Dr. Deshmukh: In view of the adverse opinion on the working of the Social Guides may I know whether it is likely that the whole plan will be dropped and scrapped?

Mr. Speaker: Order, order.

Shri Moti Lal Pandit: May I know whether there are any Social Guides in the Bengal Nagpur Railway?

Shri Santhanam: There are Social Guides in every railway, but if the hon. Member requires more particulars, I shall supply them.

'GROW MORE FOOD' CAMPAIGN

*127. **Sardar Hukam Singh:** (a) Will the Minister of Agriculture be pleased to state what concrete steps Government have taken to enlist the active co-operation of the people in urban as well as in rural areas in the 'grow more food' campaign?

(b) What popular organisations and parties other than the Congress have declared their willingness to support this campaign?

(c) Have these organisations and parties been approached for mobilising their resources for the national movement for self-sufficiency?

(d) Have Government taken any steps to co-ordinate the efforts of all private bodies that are working for this campaign?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) The following steps have been taken by Government to enlist the co-operation of the people in rural and urban areas:

(i) The formation of Village Committees consisting of intelligent and influential farmers and landless labourers was suggested to the governments of the States and they were asked to charge them with the responsibility of finding cultivable waste-lands around the villages, taking steps to get them cultivated, arranging for composting, distribution of essential materials, improved seeds, etc.

(ii) Similar committees at *Taluk* and *Tehsil* levels, where representatives of the Village Committees would attend and explain their difficulties, were also recommended.

(iii) The Governments of almost all the States have implemented these suggestions and they have also appointed District and Provincial Food Production Boards to take up this work at higher levels.

(iv) The Village *Panchayats*, Rural Development Boards and similar other organisations which were already in existence are also being utilised for associating the public with the Grow More Food Campaign.

(v) Appointment of suitable public workers in each group of villages to assist the Tehsildar and to serve as contact between the cultivator and the government has also been suggested.

(vi) The Deputy Collectors and Tehsildars have been specially instructed to keep themselves in contact with the activities of the Tehsil Committees and the Tehsil workers by being present at their periodical meetings and also by inviting suggestions from the people who are likely to know the cultivators and their needs.

(vii) Formation of crop protection societies of cultivators and distribution of arms and ammunition to them at subsidised rates has also been recommended to the governments of the States.

(viii) In order to encourage the cultivator to increase his yield per acre, distribution of prizes to the individual and also to the community at village and tehsil levels has also been recommended and is being subsidised by the government.

(ix) Propaganda in the shape of pamphlets, films, slides, radio talks is also being carried out.

(x) Regarding people in urban areas, Government has suggested the organizing of student movement in colleges and schools for carrying out propaganda and publicity in furtherance of the Grow More Food drive.

(xi) An appeal has been made to the people in urban areas for cultivating all available space in cities and towns including bungalow compounds for vegetable growing.

(b) The Government of India is not aware of the offer of any other party to support the Grow More Food Campaign. The State Governments which are primarily concerned with this programme may have been approached by these parties, and information has been sought from them on this point.

(c) The Government of India wrote to the Provincial Governments clearly stating that the whole-hearted co-operation of Congress Committees and such other Organizations, as are willing to assist in the Grow More Food Campaign, should be secured. As the implementation of the Grow More Food programme is with the State Governments, the actual enlisting of the cooperation will be done by them.

(d) The co-ordination of the efforts of private bodies working for the food production campaign in every State has to be done by the particular State concerned and the States have been asked to do so.

Sardar Hukam Singh: May I know what additional yield is expected in the year 1949-50?

Shri Jairamdas Doulatram: It is impossible to estimate now, because unless you get the accurate figures from the provinces you cannot estimate now.

Shri Kamath: Have Government declared or otherwise made known to the people that where arable land remains uncultivated for no valid reason whatsoever, such land will be taken over by Government and leased to others for cultivation?

Shri Jairamdas Doulatram: Yes; steps have been taken by some Provincial Governments and other Provincial Governments have been asked to take similar steps.

Sardar B. S. Man: In order to facilitate the Grow More Food Campaign, may I know what steps have Government taken to make available such essential commodities as cement and iron directly to the farmers and the agriculturists?

Shri Jairamdas Doulatram: As I have said, the Provincial Governments have been given all these powers, and the Provincial Governments supply these things to the cultivators; the Central Government makes available to the Provincial Government, the quota of cement and steel that they require, and my information is that the provincial governments are satisfied that their needs are being met. With regard to the further distribution inside the Province, it is the duty of the Provincial Government.

Sardar B. S. Man: The Central Government makes available the quota of cement and iron, but do they keep the quota separate for agricultural purposes from other requirements, or is it an overall quota made available to the Province?

Shri Jairamdas Doulatram: It is quota earmarked for agricultural purposes.

Shri Frank Anthony: In view of the statement made, that it is impossible to estimate the results of the Grow More Food Campaign, on what basis has the hon. Minister estimated self-sufficiency by 1951?

Shri Jairamdas Doulatram: The hon. Member probably has not understood me. The Grow More Food Campaign has taken on a new intensity and shape from July last and the efforts of the Provinces have been mobilised during the last two or three months. The *rabi* sowings take place in October and so the real effect of the Campaign in the Provinces will be seen only in the *kharif* harvest. But

judging from the efforts made in the Provinces, we do expect some results even from the *rabi*. But the actual figures have not come from the Provinces and until we get them it will not be possible to make an estimate now. But judging from the efforts in the Provinces, we do expect a substantial result.

Shri Jhunjhunwala: Arising out of the answer given Sir, do the Government of India get periodical reports from the Provinces about the progress made in their schemes?

Shri Jairamdas Doulatram: We get fortnightly reports from all the States, reports regarding the efforts made in each district, and sometimes in *tehsils*. These efforts are in the direction of bringing new land under cultivation, using better seeds and more manures, and constructing more minor irrigation works and such other things. All these efforts will begin to show results in the coming *kharif*. That is why I say, if you ask for an answer with regard to the actual results in the shape of cereal production, that can only be given at the end of the coming *kharif*.

Pandit M. B. Bhargava: Has Government any information whether village committees of the nature mentioned, are being organised in any of the Centrally Administered Areas?

Shri Jairamdas Doulatram: I don't think they are, except to some extent in Delhi Province.

Shri Sarangdhar Das: May I know if Government are doing anything with regard to reclamation of land lying fallow in the possession of the Adibasis in the Orissa States?

Shri Jairamdas Doulatram: I shall be glad to make the recommendation to the State Government, if I get details of the areas which the hon. Member has in view.

Shri A. C. Guha: What steps have the Government taken with regard to making the Provincial Governments go ahead with the minor irrigation schemes?

Shri Jairamdas Doulatram: I think we have asked them to dig as many wells as they can, construct as many bunds and also small dams over small rivers.

Shri Tyagi: May I know what practical and concrete steps have been taken by the Central Government in the Centrally Administered Areas? I can understand the State Governments taking action within their own areas, but what about the Central Government's action in the Centrally Administered Areas?

Shri Jairamdas Doulatram: Similar steps have been taken in the Centrally Administered Areas also. In some areas where the cultivators are more backward they give whatever assistance they can.

Shri Ramaswamy Naidu: As the present procurement system drives the ryot from foodgrains to commercial crops, will the Government consider adopting the more pleasant system of levy?

Shri Kamath: With reference to the statement made that the bungalow compounds also should be brought under cultivation in connection with the Grow More Food scheme, may I know if the Ministers' Bungalow compounds also have been so brought under this scheme?

Mr. Speaker: Order, order.

Shri Kishorimohan Tripathi: Have the Government received any complaint to the effect that the distribution of cement and iron at the provincial level and the financial aid are not co-ordinated.

Shri Jairamdas Doulatram: As a matter of fact we now propose to send officers to the Provinces periodically. Some of the Provinces have been inspected and we have got reports from all the provinces that every possible effort is made to push up production.

NEW OIL-FIELDS IN INDIA

*129. **Shri B. K. Das:** Will the Minister of **Works, Mines and Power** be pleased to state:

(a) whether Government have any information as to the possible existence of new-fields in India;

(b) if so, in what localities; and

(c) what steps have been taken to explore them?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Yes, Sir.

(b) Assam, Tripura, Punjab, Cutch, Saurashtra, Gujarat and Jaisalmer.

(c) The Geological Survey of India is at present investigating the possible oil-bearing areas in Kangra district in the Punjab, in Saurashtra, and in Assam.

Messrs B.O.C. are prospecting in Assam and Tripura; and Messrs Standard Oil Company are making a preliminary survey of various areas to decide if detailed geological work is justified.

Shri B. K. Das: May I know how far the work in Kangra has progressed?

Shri Gadgil: The investigations are going on.

Shri Ohalaha: Now that we have got, as a result of the Boundary Commission, the Patharia reserve, will further exploration and investigations be done there?

Mr. Speaker: Order, order. That is problematical.

Shri Raj Bahadur: What progress is made in Jaisalmer area?

Shri Gadgil: Investigation is going on and as soon as a report is received, the House will be informed.

Dr. Deshmukh: By what time is any oil expected out of any of these projects?

Shri Gadgil: Not even God can tell!

Shri Tyagi: May I know the conditions of the contract under which the Standard Oil Company are working in these areas?

Shri Gadgil: It is not possible here and now to give the terms under which the contract is given or the license is issued. If the hon. Member wants the terms, I will supply him with a copy.

Shri Tyagi: Have there been any such terms?

Shri Gadgil: When a lease is issued, it is done under certain terms.

Shri Kamath: Is this work of investigation and exploration entrusted entirely to foreigners? Or are any Indians being trained in this work?

Shri Gadgil: So far as the present position stands, these are the companies which are doing the work; but if any Indian concern makes an application, then it will certainly be considered. So far nobody has dared, because it means a very costly affair, apart from the speculative element involved. To give an example, nearly fifty bores were done in one case and not one drop of oil was found.

AERODROMES IN INDIA

*130. **Pandit M. B. Bhargava:** (a) Will the Minister of **Communications** be pleased to state the number of aerodromes in India (including those in the various States), which existed in the years 1938-39, 1944-45 and 1948-49, owned by the Central Government, Provincial Government or any other private individual or concern?

(b) What was the number of aerodromes used for military purposes only at the end of the last war?

(c) How many of them have since been discontinued or are being used for civil aviation purposes?

(d) What amount are the Government of India spending annually on maintenance and upkeep of these aerodromes used for civil aviation purposes?

(e) What amount are Government incurring annually on Ground Engineers and other staff maintained at these aerodromes?

(f) Do the civil aviation companies in India bear any proportion of the maintenance expenditure?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) A statement giving the requisite information is laid on the Table of the House. [See *Appendix 1, annexure No. 14*]

(b) All aerodromes and landing grounds available in India and the Indian States numbering 421 were under the control of the Air Forces at the end of the last War. This figure relates to pre-partition India.

(c) About 200 aerodromes and landing grounds have since been abandoned. This figure also refers to pre-partition India. The number of aerodromes and landing grounds at present used for Civil Aviation purposes is 188. The remainder belong to the Defence Services but are available for civil use also.

(d) A sum of Rs. 69 lakhs approximately is incurred annually on the maintenance and upkeep of the aerodromes controlled by the Civil Aviation Department.

(e) The expenditure annually incurred by the Civil Aviation Department on the employment of Air Traffic Control, Aeronautical Radio Communication and Aeronautical Inspection Staff at various aerodromes is approximately Rs. 81,18,000. No Ground Engineers are employed by the Government at any of these aerodromes; such engineers are employees of the air companies.

(f) No, Sir. The operating companies are, however, required to pay landing and housing charges for the use of the aerodromes.

Shri Karunakara Menon: Is there any aerodrome in the area between Cochin and Bombay?

Shri Khurshed Lal: I cannot answer that straightway.

Shri Raj Bahadur: Arising out of the reply to part (c), may I know the number of landing grounds abandoned from use in Rajasthan?

Shri Khurshed Lal: I will not be able to give separate figures for Rajasthan.

Shri Tyagi: Before planning the construction of new aerodromes, may I know if Government have taken into account the large number of aerodromes constructed during the war on the Bengal-Bihar border?

Shri Khurshed Lal: The aerodromes which are there cannot be shifted from there to the places where we propose constructing new aerodromes.

Shri Tyagi: Is it not a fact that there are available several aerodromes constructed at a cost of crores of rupees and are lying waste now on the borders of Bengal-Bihar?

Mr. Speaker: Order, order. Next question.

CIVIL AVIATION IN INDIA

*131. **Pandit M. B. Bhargava:** (a) Will the Minister of **Communications** be pleased to state what was the postwar reconstruction development programme for extension of civil aviation in India?

(b) To what extent was that programme actually implemented, and what remains still to be carried out?

(c) To what extent has that programme been affected by the economy drive of the Government of India?

(d) How many aerodromes were intended to be started by the Government of India during the year 1949-50, and how many have actually been started?

(e) What is the programme of the Government of India in respect of these for the year 1950-51?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Government's Post-War Plans for the development of Civil Aviation including those relating to Civil Aviation Capital Works (Aerodrome and Air-route Construction) are available in the Library. Briefly, the latter Plans approved in 1944, envisaged the construction of 111 aerodromes and 71 Aeronautical Radio Communication Stations throughout India including the Indian States and the territories now comprised in Pakistan at a cost of Rs. 16 crores spread over a period of ten years.

(b) Since the termination of the War, Rs. 6.52 crores have been spent in the opening, development and adaptation to civil use, 48 aerodromes and 48 Communication Stations. The opening of about 40 aerodromes and several Radio Communication Stations will remain to be undertaken according to a revised scheme which is under consideration.

(c) The recent Government measures for economy have considerably affected the programme for development of aerodromes in India. The current year's capital grant for Civil Aviation has been reduced from Rs. 2.92 crores to Rs. 2 crores and the next year's estimates will be further restricted to Rs. 1.5 crores, necessitating postponement of various important projects.

(d) It was intended to open 16 new aerodromes and 13 Communication Stations in 1949-50 and it is expected that 12 aerodromes and 3 Communication Stations will have been opened by the end of the current financial year.

(e) The programme for 1950-51 will consist of the development of aerodromes in Assam and the improvement of certain others connected with the operation of the Night Air Mail Service; also the Civil Aviation Department, from the 1st April 1950, will assume responsibility for the maintenance and operation of about 20 aerodromes in the Indian States.

Shri Sidhva: May I know whether all the international aerodromes in India are fitted with modern equipments? If so, which are they?

Shri Khurshed Lal: Much remains to be done on the international aerodromes. That will be done as and when finance permits.

Sardar B. S. Man: In view of the fact that certain civil aviation clubs have suffered during the last one year, what steps do Government propose to take to help those clubs, such as the Delhi Flying Club, to make good their loss?

Shri Khurshed Lal: The clubs are given a subsidy under the rules in that regard and if any special help is required that will be a matter for consideration.

Dr. Deshmukh: May I know the places where these swell new aerodromes which are going to be taken up for development are situated?

Shri Khurshed Lal: The opening of the following aerodromes is to be completed during 1950-51:

Akola	Madura
Vellore	Raipur
Saharanpur	Cuddappah
Donakonda	Ramnad
Bilaspur	Agartala
Jorhat	Kumbhigram

Shri Tirumala Rao: Is the aerodrome at Ganavaram near Bezwada included in the list?

Shri Khurshed Lal: That was done last year.

Shri Chattopadhyay: What was the last name in the list read out?

Shri Khurshed Lal: Kumbhigram.

Shri Sidhya: The hon. Minister said that much requires to be done for international aerodromes in the way of modern equipment. May I know if equipment for meeting emergencies and exigencies and to avoid accidents exist in any of these international aerodromes?

Shri Khurshed Lal: So far as the international aerodromes are concerned there are the following important projects which have to be undertaken but which cannot be undertaken just now due to financial stringency:

- (1) Lengthening and strengthening of at least one runway at Santa Cruz, Bombay.
- (2) High intensity runway and approach lighting at Santa Cruz and Delhi.
- (3) Permanent terminal building at Santa Cruz.
- (4) Instrument landing system at Santa Cruz and Dum Dum.
- (5) Permanent staff quarters at aerodromes.

These are very important projects and have to be undertaken. They are being held up for want of money.

Shri Kamath: What steps have been taken by Government towards the promotion of gliding as part of the development of civil aviation in this country?

Shri Khurshed Lal: We have given a substantial subsidy to the Gliding Association and they have imported gliding aircraft from foreign countries. They are having their opening ceremony on the 11th March from when operation will begin.

Shri Kamath: Just opening ceremony or will operations actually begin?

Shri Khurshed Lal: The Club will start operations from the 11th March after the opening ceremony.

Shri Rasool Khan: What is the area of land covered by the unused aerodromes?

Shri Khurshed Lal: I do not know that myself.

Shri Rasool Khan: Will you place the information before the House?

Mr. Speaker: Order, order. Mr. Chaliha.

Shri Chaliha: What are the gliding associations to which help has been given?

Shri Khurshed Lal: There is only one association so far.

RESEARCH FOR GROWING OF BETTER JUAR CROP

*133. **Dr. Deshmukh:** (a) Will the Minister of Agriculture be pleased to state whether there are any schemes of research for growing better *juar* in any part of India?

(b) If so, what is the expenditure incurred on such research during the years 1947-48, 1948-49 and 1949-50?

(c) Have any special varieties of *juar* been evolved for the *juar* tract in the States of Bombay, Hyderabad and Madhya Pradesh?

(d) Has there been any research for ascertaining the suitability of manures for growing better *juar*?

(e) If not, do Government propose to undertake and encourage such research?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) Yes. Two schemes, under the auspices of the Indian Council of Agricultural Research, are in operation, one at Bombay and the other at Madras, for evolving improved strains of *juar* resistant to striga attack.

(b)	1947-48	1948-49	1949-50
	Rs.	Rs.	Rs.
Bombay	6,200	11,760	16,000
Madras	7,000

(c) Yes. Improved varieties suited to different tracts have been evolved by each of the three State Departments of Agriculture.

(d) Yes. Field experiments to ascertain the manurial requirements of *juar* have been conducted at several research stations in the States of Bombay, Madhya Pradesh, Madras, Hyderabad and Madhya Bharat.

(e) A co-ordinated scheme for the conduct of simple manurial experiments on cultivators' fields on a number of crops including *juar*, based on the recommendations contained in Dr. A. B. Stewart's report on Soil Fertility Investigations in India is under consideration.

Dr. Deshmukh: What would be the increased expenditure on the expansion of research that the Government propose to undertake? Is there any specific proposal?

Shri Jairamdas Doulatram: There is no specific proposal.

Ch. Ranbir Singh: What is the definition of better *juar*? Will there be increase in the yield of corn or fodder?

Shri Jairamdas Doulatram: Increase in yield of corn.

WRITTEN ANSWERS TO QUESTIONS

RESERVATION OF SEATS FOR THIRD CLASS PASSENGERS ON RAILWAYS

*124. **Seth Govind Das:** Will the Minister of **Railways** be pleased to state whether it is proposed to introduce the system of reservation of seats for third-class passengers in Railway trains?

The Minister of State for Transport and Railways (Shri Santhanam): The present coaching stock position is not such as to permit any general provision of reservation of seats for class three passengers. Some Railways, however, allow such reservations to a limited extent by certain important trains. The purpose of reservation is also partially served by the setting apart on all Indian Government Railways of an entire class III bogie by all important trains for long distance class III passengers in as much as Special Travelling Ticket Examiners are posted in them to ensure that passengers in excess of the marked carrying capacity of the carriage and short distance passengers are not allowed to entrain.

RESEARCH ON LONG STAPLE COTTON

*125. **Seth Govind Das:** Will the Minister of **Agriculture** be pleased to state the progress, if any, made in the research on long staple cotton in India?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): As a result of the research carried out under the scheme of the Indian Central Cotton Committee 7 varieties of long staple cotton (7/8" and above) have been evolved. The proportion of long staple cotton (length 7/8" and above) increased from 26 per cent. of the total production in 1917—22 to 64 per cent. in 1942—47.

RECLAMATION OF WASTE LANDS

*128. **Shri Barman:** (a) Will the Minister of **Agriculture** be pleased to state the area of waste lands in each State reclaimed since 1948 with the help of tractors and tubewells?

(b) What is the amount of subsidy given to each State for the purpose since 1948?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) A statement showing the area reclaimed in the different States during 1948 and 1949 with the help of tractors is placed on the Table of the House [See *Appendix I, annexure No. 15.*]

The information in respect of 1949 has not yet been received from some States as indicated in the statement. Almost all the tubewells constructed are in areas which were not waste lands.

(b) A statement showing the amounts of subsidy given to different States for the purpose of reclamation from January, 1948 to December, 1949 is placed on the Table of the House. [See *Appendix I, annexure No. 16.*]

Separate information for reclamation by means of tractors as distinguished from reclamation by other means is not available.

CANDY RESEARCH SCHEME

*132. **Shri Barman:** (a) Will the Minister of **Agriculture** be pleased to state what are the objects of Candy Research Scheme at Ravalgaon?

(b) What are the Capital and recurring expenditures during 1949-50?

(c) What are the research results during 1949-50?

(d) How many Chemists and "Karigurs" have received training in 1949-50 at Ravalgaon?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) The objects of the scheme are:

(i) testing of indigenous methods of sugarcandy manufacture; (ii) Collecting technical data regarding the plant and the process of the manufacture of sugarcandy by indigenous methods; (iii) Initiating research work (a) for introducing new and improved plants and processes for the manufacture of sugarcandy and (b) on the utilization of candy liquor for the manufacture of confectionery; and (iv) for imparting training in the manufacture of sugarcandy and confectionery.

(b) The recurring expenditure for 1949-50 in accordance with the revised budget is estimated at Rs. 9,600. No capital expenditure is involved during the year.

(c) The information for 1949-50 is not yet available.

(d) 6 chemists and 1 "Karigar" have received training in 1949-50.

FOOD GRAINS IMPORTED FROM TURKEY

*134. **Shri Satish Chandra:** Will the Minister of **Food** be pleased to state:

(a) the quantity of various food grains imported from Turkey in the years 1948 and 1949.

(b) the prices at which these grains were purchased;

(c) whether the accounts relating to these transactions have been finally settled; and

(d) if not, what is the exact nature of dispute, if any?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) No food grains were imported from Turkey during 1948. During 1949, 5,208 tons Millets and 7,574 tons Spelt were imported from Turkey.

(b) The price of Millets was £21/3 per ton f.o.b. and of Spe't £17/15 per ton f.o.b.

(c) Yes, in respect of quantities received.

(d) The supplier in Turkey has not delivered the full contracted quantity and the matter is being pursued with them in respect of the undelivered balance.

'GROW MORE FOOD' CAMPAIGN

*135. **Giani G. S. Musafir:** Will the Minister of **Agriculture** be pleased to state:

(a) the amount spent on "Grow More Food" campaign during the last two years;

(b) how much new land has been secured for cultivation during the same period;

(c) which of the systems of cultivation by ploughs or by tractors has proved more economical; and

(d) which of the two systems is being adopted for the new area secured for cultivation?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) The Central Government spent Rs. 1,92,58,000 in 1947-48 and Rs. 2,78,06,000 in 1948-49.

(b) The total area reclaimed during 1947-48 was 81,279 acres, out of which 82,581 acres were reclaimed by the Central Government. The total reclaimed acreage for 1948-49 was 1,50,614, out of which 71,497 acres were reclaimed by the Central Government.

(c) Generally speaking, Tractor cultivation for large farms and bullock cultivation for small farms.

(d) As a rule, the newly reclaimed lands are cultivated by means of bullock power. Only in cases where plough cattle is not available in sufficient number, the Governments of States concerned do mechanical cultivation.

SHRI JAI PRAKASH NARAIN'S INTENDED FAST

***136. Shri R. L. Malviya:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that Shri Jai Prakash Narain has intimated his intention to go on fast for an indefinite period from the 5th of February, 1950, if by that date the Government did not implement their two promises, namely (i) that they would pay to the postmen wages for twenty-five days during which period postmen all over India were on strike in 1946 and (ii) that postmen would continue to get their increased dearness allowance without any cut in their special pay as at present; and

(b) what steps Government propose to take to implement the promises and to prevent Shri Jai Prakash Narain from going on fast?

The Minister of Communications (Shri Kidwai): (a) Yes, a communication on this subject has been received from Shri Jai Prakash Narain. Government have also seen reports in the Press to the effect mentioned in the question.

(b) When representatives of the Postal employees were discussing the demand of an increase in dearness allowance, it was agreed that there would be no cut in their personal pay. As this concession involved some relaxation in the rules, it took some time to finalise it. Orders have now been issued to pay the increased dearness allowance without any cut. No promise was made about the payment of wages for the strike period in 1946, and there is no question of implementing this 'promise'. In regard to the demand of payment of wages for strike period in 1946, Government have always held that no such payment can be made. They were prepared to consider any solution short of payment of salary for the period of strike and they are always prepared to consider any practicable formula.

PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Wednesday, 8th February, 1950

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

[Mr. Speaker in the Chair]

ORAL ANSWERS TO QUESTIONS

VOLUNTARY SAVINGS BY GOVERNMENT SERVANTS

*137. **Shri Sidhva:** (a) Will the Minister of **Finance** be pleased to state the total amount recovered from voluntary cuts in the salaries of the Central Government servants so far?

(b) What is the total amount collected from Government servants under the compulsory savings scheme?

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

Shri Sidhva: Could we have at least some approximate idea as to what the amount is under (b)?

Dr. Matthal: The position really is this that the whole of this scheme came into effect from the 1st of December, and the December accounts have not been closed yet. So I am not in a position to make any estimates at all of the amounts involved.

Shri Sidhva: Was it from 1st December in all cases; was it not from 1st October?

Dr. Matthal: No, it was from 1st December.

LOAN TO EXCHANGE BANK OF AFRICA AND INDIA, BOMBAY

*138. **Shri Sidhva:** (a) Will the Minister of **Finance** be pleased to state whether it is a fact that Government have given an overdraft of about 80 lacs of rupees to the Exchange Bank of Africa and India, Bombay?

(b) What was the audited report of the bank before the grant of this loan?

(c) Is the loan covered by gilt-edged securities?

The Minister of Finance (Dr. Matthal): (a) No loans were granted by the Government but the Reserve Bank of India advanced Rs. 87.48 lakhs to the bank during the months of February and April, 1949.

Tuesday, 7th February, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME I, 1950

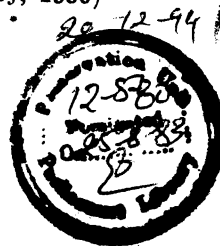
(28th January, 1950 to 23rd February, 1950)

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 मूलक के काम में लाया जाय । मैं अर्ज 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 "detriments".
- (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 "calus" 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 accout" 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 1/2 percent".
(viii) Page 801, line 6 for "ward" read "award".

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PARLIAMENTARY DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Tuesday, 7th February, 1950

The Houses met at a Quarter to Eleven of the Clock

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I.)

11-45 A.M.

PAPERS LAID ON THE TABLE

PETROLEUM CONCESSION RULES, 1949

The Minister of Works, Mines and Power (Shri Gadgil): I lay on the Table a copy of the Petroleum Concession Rules, 1949, in accordance with section 10 of the Mines and Minerals (Regulation and Development) Act, 1948. [Placed in the Library. See No. P-53/50.]

ANNUAL REPORT OF THE DAMODAR VALLEY CORPORATION, 1948-49

The Minister of Works, Mines and Power (Shri Gadgil): I lay on the Table a copy of the Annual Report of the Damodar Valley Corporation, 1948-49, in accordance with sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1948. [Placed in the Library, See No. IV M 4(8)].

Shri Shiva Rao (Madras): On a point of information, may I enquire of the hon. Minister whether, in the first place, he will make available to Members of the House the two documents which he has laid on the Table of the House, and, secondly, in view of the keen interest displayed by many Members of the House, he will give us an opportunity of discussing these two documents?

Shri Gadgil: As regards the supply of the documents, they will be supplied to the Members. As regards the other point, it is open to the hon. Member to raise the question in any of the parliamentary forms contemplated in the Rules, and I have no doubt that Government will do its best to meet his point.

Shri Shiva Rao: May I remind the hon. Minister that two years ago when he brought forward this Bill he gave us an assurance on the floor of the House that when the Annual Report and the Budget of the Damodar Valley Project are placed on the Table of the House that would be the time not only for raising questions but even for Resolutions to be moved, and I am asking him whether he would not redeem that pledge.

Shri Gadgil: I have not detracted in any way from the assurance. I have only suggested the way in which he can move in order to achieve his object.

Shri Hossain Imam (Bihar): Yesterday while discussing another subject the point was raised that according to the British Parliamentary practice papers

[Shri Hossain Imam]

laid on the Table should be open for discussion for fifteen days. Are we going to follow that system? That is, during that period, on any day, by giving notice, questions may be raised or the subject-matter discussed, on the papers that had been laid on the Table.

Mr. Speaker: At least, I am not conversant with that point having been raised, and I cannot give a decision on that point. But if hon. Members want a discussion and if Government are able to spare time, certainly the matter can be discussed in the form of a Resolution or in any other form.

Shri Hossain Imam: Will Government consider allotting a day for this purpose?

Shri Gadgil: I have already stated the position.

DAMODAR VALLEY CORPORATION BUDGET ESTIMATES FOR 1950-51

The Minister of Works, Mines and Power (Shri Gadgil): I lay on the Table a copy of the Damodar Valley Corporation Budget Estimates for 1950-51, in accordance with sub-section (3) of section 44 of the Damodar Valley Corporation Act, 1948. [Placed in the Library, See No. IV/M 4(9)].

Shri Sidhva: (Madhya Pradesh): May I know whether an opportunity will be given to those hon. Members who want to visit the spot to see whether expenses are incurred properly?

Mr. Speaker: He may take up the matter with the Prime Minister or the Minister in charge.

DELHI ROAD TRANSPORT AUTHORITY BILL—contd.

Mr. Speaker: The House will now proceed with the clause by clause reading of the Delhi Road Transport Authority Bill. Clause 4 was under discussion.

Master Nand Lal (Punjab): I beg to move:

"That for part (e) of sub-clause (1) of clause 4, the following be substituted:

'(e) one member to be chosen by the employees of the said Authority.'"

The Minister of State for Transport and Railways (Shri Santhanam): On a point of order, exactly a similar amendment was moved yesterday by Pandit Balkrishna Sharma and withdrawn after discussion.

Mr. Speaker: I am afraid the amendment is out of order as there has been a decision of the House on that point.

Shri Goenka (Madras): With your permission, Sir, I shall move my two amendments together as they are really parts of one amendment. I beg to move:

(i) "That for part (e) of sub-clause (1) of clause 4, the following be substituted:

'(e) the Chief Commissioner of Delhi, or an official nominated by him.'"

(ii) "That after sub-clause (1) of clause 4, the following new sub-clause (2) be inserted and the existing sub-clause (2) be re-numbered as sub-clause (3):

'(2) The Central Government shall nominate a member of the Authority to be the Chairman thereof.'"

In my amendment a principle rather than the personality is involved. In the Bill it is statutorily provided that the Chief Commissioner of Delhi shall be the *ex-officio* Chairman of this Authority. The Chief Commissioner of Delhi is the administrator of the Province and is in charge of law and order. As Chairman of this Authority sometimes he will have to be offender and the judge; sometimes he will have to be prosecutor and the judge. I felt that the Chief Commissioner of Delhi, being the head of the Province, Government were faced with the difficulty that he cannot but act as the Chairman or the head of the Authority if he is to be there. Therefore, my amendment provides that he should be one of the members or that he should nominate anybody on his behalf, and that the Government will be given the power to nominate anybody amongst the members as Chairman. While my amendment does not take away the powers of the Government to nominate even the Chief Commissioner as Chairman it will not be obligatory on them to nominate him as the Chairman as has been provided in the Bill. I hope the hon. Minister will accept my amendment because I feel that if the Chief Commissioner of Delhi is the Chairman of the Authority, a situation may arise in which he will have to act in double or treble capacities.

Shri Santhanam: Sir, though I do not accept the arguments advanced I am prepared to accept these two amendments.

Mr. Speaker: The question is:

(i) "That for part (e) of sub-clause (1) of clause 4, the following be substituted:

'(e) the Chief Commissioner of Delhi, or an official nominated by him.'"

(ii) "That after sub-clause (1) of clause 4, the following new sub-clause (2) be inserted and the existing sub-clause (2) be re-numbered as sub-clause (3):

'(2) The Central Government shall nominate a member of the Authority to be the Chairman thereof.'"

The motion was adopted.

Mr. Speaker: Master Nand Lal's amendment to substitute "one nominee of the Chief Commissioner of Delhi" is the same as has been accepted by the House.

मास्टर नन्द लाल Sir, I move:

"That after part (e) of sub-clause (1) of clause 4, the following new part be added:

'(f) except members mentioned in clauses (a) and (b) all other members of the Authority shall be whole time paid members of the Authority.'"

रेलवे के इन्तज़ाम के लिये रेलवे बोर्ड (Railway Board) बनाया गया है और हर साल बजट सेशन पर रेलवे बोर्ड के खिलाफ़ बहुत कुछ कहा जाता है कि यह एक सफेद हाथी हमारे सिर पर बांध दिया गया है, लेकिन बावजूद इन तमाम बातों के रेलवे बोर्ड को इस लिये कायम रखा गया है कि एक बोर्ड तमाम रेलों में काम करने के लिये वहां मुकर्रर है और वह तमाम चीजों को देख सकता है और अच्छी तरह से उसका इन्तज़ाम कर सकता है। इस अथोरिटी के अन्दर जितने भी मेम्बर रखे गये हैं, वह दूसरे महकमों से लेकर रखे गये हैं, कोई कहीं से आता है और कोई कहीं से और एक मीटिंग में बैठ कर वह चले जायेंगे। उनके सिर पर कोई ज़िम्मेदारी नहीं होगी। ज़िम्मेदारी एक जनरल मैनेजर के ऊपर होगी, जो इस कमेटी का मेम्बर

[Master Nand Lal]

भी नहीं होगा। मैं समझता हूँ कि तमाम काम को चलाने के लिये यह लाजिमी है कि हम तमाम मेम्बरों को पेड (paid) रखें, ताकि मुस्तलिफ़ डिपार्टमेंट्स (departments) उनके हवाले हो जाय और मुस्तलिफ़ डिपार्टमेंट्स तमाम दिन अपना काम करते हुए अच्छी तरह से चला सकें। और अथोरिटी को जो कुछ इस में तनख्वाह देनी होगी, उतना ही अथोरिटी को इजाज़ा आरुदनी होगी। इसलिये कोई अथोरिटी कोई इन्स्टीट्यूशन (institution) नहीं चल सकता उन लोगों के सिर पर जो लोग बग़ैर तनख्वाह वहाँ काम करते हैं, कोई जिम्मेदारी और इनट्रेस्ट (interest) नहीं होता है। जब तक हम उनका इनट्रेस्ट नहीं रखेंगे, वह कभी अच्छी तरह से काम करने के लिये तैयार नहीं होंगे, इसलिये लाजिमी है कि जितने ऐसे इन्स्टीट्यूशनस (institutions) हैं हम उन पर पैसा सफ़्त करने के लिये कोशिश करें और उसे एफ़ीशियेन्सी (efficiency) से चलाने के लिये अथोरिटी के तमाम मेम्बरों को सिवाय उन के जो किसी म्यूनिसिपैलिटी के या डिस्ट्रिक्ट बोर्ड से हों हम अपनी तनख्वाह पर कायम रखें, किसी को वर्कशाप का निज़ाम दें, किसी के हवाले ट्राफ़िक का निज़ाम दें, किसी के हवाले दूसरी चीज़ों का इन्तज़ाम कर दें, ताकि हम तमाम अथोरिटी को एक अच्छी लाइन पर चलाने के क़ाबिल हो सकें।

(English translation of the above speech)

Master Nand Lal: Sir, I move:

"That after part (e) of sub-clause (1) of clause 4, the following new part be added:

'(f) except members mentioned in clauses (a) and (b) all other members of the Authority shall be whole time paid members of the Authority.'

The Railway Board has been constituted for the management of the Railways and every year during the Budget Session, the Board is adversely criticized that this white elephant has been tied round our head. But in spite of all these observations, the Railway Board has been allowed to exist because it constitutes a single Board which controls the working of all the Railways and it can scrutinize all the things and manage them properly. All the members contemplated to be appointed to this Authority have to be chosen from other departments; all coming from different places, and they will go away after attending a meeting. No responsibility shall lie on their head. The responsibility shall devolve on a General Manager who shall not even be a member of this Committee. I think that with a view to run the entire organisation properly, it is essential that we should employ all paid members so that they may be put in charge of different departments and by putting in whole-time work they would be able to run their respective departments efficiently. The Authority shall be compensated for whatever amount it shall have to pay in this manner by a corresponding increase in its earnings. Therefore, no authority or institution can be run on the shoulders of those persons who work in an honorary capacity because they cannot take any responsibility or interest. So long as we do not vouchsafe their interest, they shall never be prepared to work properly. Therefore, it is essential that we should try to spend money over the maintenance of all such institutions and

with a view to ensure an efficient working, all members of the Authority, except those to be elected by the Municipality or the District Board, should be appointed on a salary basis, and we should entrust charge of workshop to some and permit others to control the traffic or allow some others to take charge of other affairs so that we may be able to run the entire Authority on sound lines.

Mr. Speaker: Amendment moved:

"That after part (e) of sub-clause (1) of clause 4, the following new part be added :

'(f) except members mentioned in clauses (a) and (b) all other members of the Authority shall be whole time paid members of the Authority.'"

Shri Santhanam: Sir, the analogy of the Railways is altogether mistaken here: The Railways have an income of Rs. 200 crores a year while the income of this Delhi Transport Authority is about Rs. 5 lakhs a month. It cannot possibly afford four or five highly paid full-time officials in its Governing Body. Therefore, I am not able to accept the amendment.

Mr. Speaker: The question is:

"That after part (e) of sub-clause (1) of clause 4, the following new part be added :

'(f) except members mentioned in clauses (a) and (b) all other members of the Authority shall be whole time paid members of the Authority.'"

The motion was negatived.

Mr. Speaker: The question is:

"That clause 4. as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended was added to the Bill.

Shri Goenka: Sir, I beg to move:

"That for sub-clause (2) of clause 5, the following be substituted :

(i) '(2) A member nominated by the Central Government under clause (d) of sub-section (1) of section 4, or by the Chief Commissioner of Delhi under clause (e) of that sub-section, shall hold office during the pleasure of the nominating authority.'"

(ii) "That after sub-clause (2) of clause 5, the following new sub-clause (3) be inserted and the existing sub-clause (3) be re-numbered as sub-clause (4) :

'(3) A member nominated as Chairman of the Authority under sub-section (2) of section 4 shall hold office as Chairman during the pleasure of the Central Government.'"

This is only consequential to amendment of part (e) of sub-clause (1) of clause 4 which we have just now passed and I therefore commend it to the House.

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Shri Santhanam: I accept the amendment.

Mr. Speaker: The question is:

"That for sub-clause (2) of clause 5, the following be substituted :

(i) '(2) A member nominated by the Central Government under clause (d) of sub-section (1) of section 4, or by the Chief Commissioner of Delhi under clause (e) of that sub-section, shall hold office during the pleasure of the nominating authority.'"

(ii) "That after sub-clause (2) of clause 5, the following new sub-clause (3) be inserted and the existing sub-clause (3) be re-numbered as sub-clause (4) :

'(3) A member nominated as Chairman of the Authority under sub-section (2) of section 4 shall hold office as Chairman during the pleasure of the Central Government.'"

The motion was adopted.

Mr. Speaker: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended was added to the Bill.

Pandit Balkrishna Sharma (Uttar Pradesh): Sir, in moving my amendment I would like, with your permission, to move it without the reference to the managing director, because the director includes the managing director.

Mr. Speaker: What is the wording which he finally adopts for his amendment?

Pandit Balkrishna Sharma: I beg to move:

"That in part (d) of clause 6, after the word 'director' in line 3, the words 'or managing agent' be inserted."

I am purposely holding back reference to "director" because the word "director" in the original draft includes "managing director" also. But as reference to managing agent has been left out, I beg to move that the words "managing agent" be added there.

Shri Santhanam: I am accepting that amendment.

Mr. Speaker: The question is:

"That in part (d) of clause 6, after the word 'director' in line 3, the words 'or managing agent' be inserted."

The motion was adopted.

Shri Santhanam: I beg to move:

"That in sub-clause (d) of clause 6 for the words 'an incorporated company' the words, figures and brackets 'a public company as defined in section 2 of the Indian Companies Act, 1913 (VII of 1913)' be substituted."

The point raised by Pandit Balkrishna Sharma was that shareholders of private companies should not be exempted. I have agreed with the point and this has been drafted by our legal draftsmen.

Mr. Speaker: The question is:

"That in sub-clause (d) of clause 6 for the words 'an incorporated company' the words, figures and brackets 'a public company as defined in section 2 of the Indian Companies Act, 1913 (VII of 1913)' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended was added to the Bill.

Clause 7, was added to the Bill.

Shri Goenka: I beg to move:

(i) "That in the marginal heading to clause 8, after the words 'office by' the words 'the Chairman or' be inserted."

(ii) "That in clause 8, for the words 'An elected or nominated member' the words 'The Chairman or an elected or nominated member' be substituted."

This is consequential to the two amendments to clause 4 which we have accepted.

Shri Santhanam: I accept.

Mr. Speaker: I am doubtful about the first amendment, because it has been consistently held by me that marginal notes do not form part of the statute.

Shri Santhanam: They may be corrected by the Draftsman.

Mr. Speaker: Therefore, I will only put the second amendment.

The question is:

"That in clause 8, for the words 'An elected or nominated member' the words 'The Chairman or an elected or nominated member' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9 to 11 were added to the Bill.

Shri Santhanam: I move:

"That for sub-clause (2) of clause 12, the following be substituted :

'(2) The Chairman or, in his absence, any member chosen by the members present from among themselves, shall preside at a meeting of the Authority.'

This is, in fact, a redraft of Pandit Balkrishna Sharma's amendment, which has not moved.

Mr. Speaker: The question is:

"That for sub-clause (2) of clause 12, the following be substituted :

'(2) The Chairman or, in his absence, any member chosen by the members present from among themselves, shall preside at a meeting of the Authority.'

The motion was adopted.

Mr. Speaker: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clauses 13 to 15 were added to the Bill.

Sardar Hukam Singh (Punjab): I beg to move:

"That in sub-clause (3) of clause 16, the following be added at the end :

'and the right of direct access to the Chairman of the Authority.'

My submission is that the Chief Accounts Officer is the custodian of the finances and accounts. Therefore, it is fair that he should be permitted to have a chance to approach the Chairman direct, and not always through the Manager. There might be cases where he has to complain against the Manager himself and it should not be made compulsory for him always to go through the Manager. He should be able to give his opinion and for this purpose, he should be allowed to have a chance of direct access to the Chairman whenever he thinks that he can give his views only to him.

Mr. Speaker: What is the position?

Shri Santhanam: I do not think this amendment is necessary. The Chief Accounts Officer has got the statutory right to record his views on every proposal involving expenditure from the funds of the Authority prior to the consideration of any such proposal by the Authority. So, before the General Manager puts anything before the Authority involving any expenditure, the Chief Accounts Officer will have the right to record his views, and it will be open to the Authority to call him for any further information, if necessary. In the circumstances, I do not think this amendment is needed.

Sardar Hukam Singh: I do not press it.

Mr. Speaker: Very well. The question is:

“That clause 16 stand part of the Bill.”

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17 was added to the Bill.

Mr. Speaker: There is an amendment by Dr. Das seeking to omit clause 18. I am afraid it is the negative of the original proposal. Therefore, I cannot allow it. He can vote against the clause and if he wishes to say anything on the clause, he can do so.

Dr. M. M. Das (West Bengal): This clause 18, which I proposed to delete by my amendment which has not been admitted by you, provides for the appointment of an Advisory Council by the Central Government, consisting of not more than fifteen members. The only function of this body will be to advise the Road Transport Authority on different matters. Its setting up completes the machinery proposed in this Bill for the carrying on of the administration and the day to day business of the D.R.T.A. Apart from this Advisory Council, the Authority itself will consist of three non-official and three official members. Of the three non-official members, one will be elected by the Delhi Municipal Committee, one by the Delhi District Board and one nominated by the Central Government. My submission is that these non-officials on the Authority will not be whole-timers; they will only attend meetings when invited; and they will be in a perpetual minority. Practically speaking, it is sure and certain that they will have little or no influence or important part to play in this Authority. The three official members appointed by the Government of India, that is, the Ministry of Transport, and the Chief Commissioner will practically execute the business of the Authority. Even if one of the non-official members absents himself, the Chairman will have his casting vote. Thus, the D.R.T.A. will be a cent per cent. Central Government concern, run and owned by the Central Government. The Advisory Council will be a mere show, having no important function to perform, or having no important purpose to serve. Therefore, Sir, I find no necessity for this clause.

Shri Santhanam: The purpose of this Advisory Council is to bring to bear on the rates and fares and other matters connected with the Road Transport Authority the general feeling of the public. It is intended to represent all those sections of the public which are not likely to find any kind of representation on the Transport Authority. The passengers' association, the association of clerks, students and others who travel in these buses will be represented on the Advisory Council. Their opinion, of course, will not be decisive, but it is bound to carry great weight and is likely to shape the decisions of the Authority.

I do not think my hon. friend's distrust of advisory councils is justified. As it is well known the opinion of the Central Advisory Council for Railways

has shaped the policy of the railways to a considerable extent. Therefore, I do not think I could agree to the deletion of this clause. In fact the Select Committee was very particular about the inclusion of this clause. They insisted that the strength of the Council should be at least fifteen, so that it may not be a very small committee of three or four. So, I oppose the idea of deletion and support the clause as it is.

Mr. Speaker: The question is:

“That clause 18 stand part of the Bill.”

The motion was adopted.

Clause 18 was added to the Bill.

Shri Santhanam: I beg to move:

“That in clause 19, for the word ‘Province’ the word ‘State’ be substituted.”

Mr. Speaker: The question is:

“That in clause 19, for the word ‘Province’ the word ‘State’ be substituted.”

The motion was adopted.

Mr. Speaker: The question is:

“That clause 19, as amended, stand part of the Bill.”

The motion was adopted.

Clause 19, as amended, was added to the Bill.

Shri Santhanam: I beg to move:

(i) “That in sub-clause (1) of clause 20, for the word ‘Province’ the word ‘State’ be substituted.”

(ii) “That in part (c) of sub-clause (2) of clause 20, for the word ‘Province’ the word ‘State’ be substituted.”

(iii) “That in part (g) of sub-clause (2) of clause 20, for the words ‘Province or Indian State’ the word ‘State’ be substituted.”

Mr. Speaker: The question is:

(i) “That in sub-clause (1) of clause 20, for the word ‘Province’ the word ‘State’ be substituted.”

(ii) “That in part (c) of sub-clause (2) of clause 20, for the word ‘Province’ the word ‘State’ be substituted.”

(iii) “That in part (g) of sub-clause (2) of clause 20, for the words ‘Province or Indian State’ the word ‘State’ be substituted.”

The motion was adopted.

Pandit Balkrishna Sharma: I beg to move:

“That in part (d) of sub-clause (2) of clause 20, the words ‘or under any form of tenancy’ be omitted.”

The reason for my moving this amendment is that I have been told that under the Transfer of Property Act the word “lease” covers all forms of tenancy and, therefore, these words seem to be redundant after the word “lease”. I, therefore, suggest that these words may be omitted.

Shri Santhanam: I accept the amendment.

Mr. Speaker: The question is:

“That in part (d) of sub-clause (2) of clause 20, the words ‘or under any form of tenancy’ be omitted.”

The motion was adopted.

Shri Ramaswamy Naidu (Madras): I beg to move:

“That in part (g) of sub-clause (2) of clause 20, for the word ‘revise’ occurring in line one, the word ‘determine’ be substituted.”

In moving my amendment I will be failing in my duty if I do not—though it may seem presumptuous on the part of a new-comer—express my appreciation of the way in which the Bill has been prepared by the Minister and placed before the House and the way in which the Select Committee exhaustively considered it and submitted its report. All interests have been provided for in the Bill. Adequate care has been taken to see that nothing amiss happens to the interests of the travelling public. Public interest has been safeguarded by associating representatives of the Municipal Committee and District Board on the Advisory Council. The interests of the workers have been adequately safeguarded.

Mr. Speaker: Order, order. I am afraid the hon. Member is going beyond the scope of the present clause and the amendment which he has moved. He need not go into the general discussion of the Bill at this stage, as that stage is past.

Shri Ramaswamy Naidu: The only one item, Sir, which has been lost sight of is the fixation of fares by the Authority. Part (g) of sub-clause (2) speaks only of revision and not fixation. Therefore, I move that in part (g) of sub-clause (2), the word “determine” may be substituted for the word “revise”.

Shri Santhanam: I am accepting the amendment, Sir.

Mr. Speaker: The question is:

“That in part (g) of sub-clause (2) of clause 20, for the word ‘revise’ occurring in line one, the word ‘determine’ be substituted.”

The motion was adopted.

Pandit Balkrishna Sharma: I beg to move:

“That part (i) of sub-clause (2) of clause 20, be omitted.”

As you will see, Sir, clause (i) provides that the Authority can purchase or otherwise secure by agreement vehicles, garages, sheds, office buildings, depots, land, etc. Therefore, I do not see any necessity for clause (i), because the Authority will purchase only such vehicles as may be suitable for use in the road transport services operated by it.

I hope the hon. Minister will accept my amendment.

Shri Santhanam: I am afraid I am not able to accept this amendment because the enumeration is intended to bring to the special notice of the Authority the purchase of vehicles which constitute the main property of the Authority. It is to direct their concentrated attention to this matter that this enumeration has been done. The other things are more or less subsidiary. There is no difference in substance, and so I suggest that my hon. friend need not press his amendment.

Pandit Balkrishna Sharma: I do not press it.

Mr. Speaker: Then I need not put it.

Pandit Balkrishna Sharma: I beg to move:

“That in part (j) of sub-clause (2) of clause 20, after the words ‘possessed by’, the word ‘any dealer in’ be inserted.”

Shri Santhanam: Sir, I accept the amendment.

Mr. Speaker: The question is:

"That in part (j) of sub-clause (2) of clause 20, after the words 'possessed by', the words 'any dealer or' be inserted."

The motion was adopted.

Dr. Deshmukh (Madhya Pradesh): I beg to move:

"That after sub-clause (5) of clause 20, the following new sub-clause be added:

(6) Notwithstanding any provision to the contrary, the maximum fare chargeable by the Authority per passenger shall be anna one for the first mile, nine pies for the next four miles and six pies thereafter.

The maximum freight chargeable by the Authority shall be half of the above per maund per mile."

As I explained yesterday, my purpose in laying down a maximum is to see that the Authority would be not only put to the test of working satisfactorily but it will also give complete satisfaction from the point of view of fares that are charged by it. As has been admitted by the hon. Minister already, my maximum is more than what he is charging at the present moment and that even this is likely to be reduced any day. So, there is no fear that the maximum that I have laid down in my amendment would cause any difficulty or any hardship in the working of the Authority. From that point of view, Sir, I would very much like that this maximum is laid down so that there is no temptation on the part of the Authority to raise the fares, while working satisfactorily in other respects. In these days even when the cost of petrol, spare parts and motor vehicles has gone up because of the larger duty that we levy, most of the provinces are charging less than the rates I have mentioned. So, there should be no difficulty in the hon. Minister accepting my amendment. I would like to know whether he is prepared to accept it.

Shri Santhanam: As I have already explained more than once, the rates fixed are not likely to go further up, but to put it in the statute will prevent, for example, the running of any special *de luxe* service for special cases for which the rates may be higher. I think that the Authority must be allowed some flexibility in these matters, but we shall see to it that the rates in no case exceed the rates which have been given in the amendment.

Dr. Deshmukh: If what my hon. friend has stated means an assurance that he will see to it that the rates I have given are not exceeded at any time, I would be prepared to withdraw my amendment.

Mr. Speaker: There is no occasion for withdrawal. I have not placed it before the House. I would like to have one point clarified. When the hon. Member says "nine pies for the next four miles", he means I take it, nine pies per mile. The same will apply to "six pies thereafter". It is also per mile, I suppose.

Dr. Deshmukh: It is all per mile, Sir.

Shri Hossain Imam (Bihar): The objection raised by the hon. Minister to this amendment can be obviated by putting in the words "for ordinary buses". An assurance given on the floor of the House is not enough. It is not the speeches in the House but the Statute which counts. May I know what is the difficulty in accepting this amendment? May I ask the hon. Minister to explain to us?

Mr. Speaker: The question is:

"That clause 20, as amended, stand part of the Bill."

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Clause 21 was added to the Bill.

Shri Santhanam: Sir, I move:

"That in clause 22, for the word 'Province' the word 'State' be substituted."

Mr. Speaker: The question is:

"That in clause 22, for the word 'Province' the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 22, as amended, stand part of the Bill."

The motion was adopted.

Clause 22, as amended, was added to the Bill.

Clause 23 was added to the Bill.

Shri Santhanam: Sir, I move:

(i) "That in sub-clause (1) of clause 24, for the words 'Province or in any Acceding State', occurring in line 4, the word 'State' be substituted."

(ii) "That in sub-clause (1) of clause 24, for the words 'Province or State' occurring in line 5, the word 'State' be substituted."

(iii) "That in sub-clause (2) of clause 24, for the words 'Province or of the State concerned' the word 'State' be substituted."

(iv) "That in sub-clause (3) of clause 24, for the words 'Province or State' the word 'State' be substituted."

Mr. Speaker: The question is:

(i) "That in sub-clause (1) of clause 24, for the words 'Province or in any Acceding State', occurring in line 4, the word 'State' be substituted."

(ii) "That in sub-clause (1) of clause 24, for the words 'Province or State' occurring in line 5, the word 'State' be substituted."

(iii) "That in sub-clause (2) of clause 24, for the words 'Province or of the State concerned' the word 'State' be substituted."

(iv) "That in sub-clause (3) of clause 24, for the words 'Province or State' the word 'State' be substituted."

The motion was adopted.

Sardar Hukam Singh: Here I would like to take this opportunity to remind my hon. friend that certain members of the Select Committee had certain apprehensions and they were assured that some assurance would be given in the House that, though this provision is passed here, no other routes excepting those at present operated by the D.T.S. would be operated by this Authority for at least ten years. Therefore may I request my hon. friend to state whether he is of the same view and would give this assurance that this Authority will not extend its operation to routes other than those which are being worked at present by the D.T.S.?

[PANDIT THAKUR DAS BHARGAVA in the Chair]

Shri Santhanam: I have already given an assurance that this Authority will not extend its services beyond the bounds of this City of Delhi, Old and New, and the neighbouring villages, and into the neighbouring States of Uttar Pradesh and the Punjab, unless it is purely nominal. I do not mean by that assurance that within the City itself, new routes will not be opened by the Delhi Transport Authority, because as no other alternative services will be available, the people will have to have necessary services. I have given the assurance twice and I repeat it now that it will not be extended in a manner which will be detrimental to the other road interests.

Mr. Chairman: The question is:

"That clause 24, as amended, stand part of the Bill."

The motion was adopted.

Clause 24, as amended, was added to the Bill.

Clause 25 was added to the Bill.

Dr. M. M. Das: I beg to move:

"That in clause 26, the words 'and other persons' be omitted."

In this clause power is given to the Delhi Transport Authority to issue passes either free of cost or at a concessional rate to its employees. In addition to the employees of this Authority, provision has also been made here to issue passes either free of cost or at concessional rates to other persons. I do not know, Sir, who these "other persons" are. I am not in favour of issuing any passes to other persons other than the employees at the expense of Government money. At least I want to know, Sir, who are the people who are in the mind of the hon. Mover and whom he means by "other persons".

Mr. Chairman: Amendment moved:

"That in clause 26, the words 'and other persons' be omitted."

Shri Santhanam: The "other persons" are intended to cover the public, students and others, for whom monthly passes are issued. If these words are omitted, there won't be any power left to the Authority to grant concessions. My hon. friend, Mr. Sidhva has already explained to the House how important it is that the clerical and other people should have these concessional passes. So, I hope, my hon. friend will not press this amendment.

Dr. M. M. Das: Monthly passes fall under the category of concessional rates.

Shri Santhanam: Yes, under the concessional rates.

Dr. M. M. Das: I beg leave to withdraw the amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

"That clause 26 stand part of the Bill."

The motion was adopted.

Clause 26 was added to the Bill.

Clauses 27 to 30 were added to the Bill.

Pandit Balkrishna Sharma: As the House will see clause 31 deals with what will be the capital of the Authority. It says:

"(i) All non-recurring expenditure incurred by the Central Government for and in connection with the Delhi Transport Service up to the date of establishment of the Authority and declared to be capital expenditure by that Government shall be treated as the capital provided by the Central Government to the Authority."

Now, Sir, this clause does not take into consideration such of the non-recurring expenses as may have been advanced till today to the D.T.S. and as might have suffered in depreciation, and that depreciated value has never been mentioned anywhere here, and, therefore, there may be an apprehension in

[Pandit Balkrishna Sharma]

the minds of some people in regard to the meaning involved in this clause, and, therefore I move my amendment:

"That in sub-clause (1) of clause 31, after the word 'shall', occurring in line 4, the following be inserted:

'after deducting such sum on account of depreciation of vehicles and other properties of the Delhi Transport Service as may be determined in the manner prescribed.'"

I know, Sir, that there is a definite convention, a rule by which depreciations are given by the Railway Department, but as there was no mention here of any sort, I have thought it necessary to move this amendment.

Mr. Chairman: Amendment moved:

"That in sub-clause (1) of clause 31, after the word 'shall', occurring in line 4, the following be inserted:

'after deducting such sum on account of depreciation of vehicles and other properties of the Delhi Transport Service as may be determined in the manner prescribed.'"

Shri Santhanam: Sir, while I have no difference of opinion with my hon. friend, Pandit Balkrishna Sharma, I think this is not an appropriate amendment. As we have already built up a separate depreciation fund, this will mean that the whole amount must be deducted from the capital. Therefore, our words are very carefully chosen when we say 'and declared to be capital expenditure by that Government'. When we fix the capital to be transferred to the Authority, we shall take account of whatever fund has been set apart as depreciation fund, and if it is found inadequate, we shall deduct from the total amount incurred such other sums as may be necessary, but to accept the amendment as it is will not take account of the existing depreciation fund. If my hon. friend will move another amendment to clause 32, to make it clear that the depreciation fund will be transferred to the Authority, I am quite willing to accept it, and so, I hope, he will not press this particular amendment.

Pandit Balkrishna Sharma: I beg leave to withdraw the amendment.

The amendment was, by leave, withdrawn.

Mr. Chairman: The question is:

"That clause 31 stand part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

Pandit Balkrishna Sharma: I beg to move:

"That in clause 32, after the word 'shall' in line three, the words, brackets and figures 'immediately on the issue of notification under sub-section (1) of section 3', be inserted."

Further, Sir, with your permission, I would like, if the hon. Minister for Transport will agree to it, to add three more words of which notice has not been given, namely: that after the words 'All property' the words 'assets and funds' be added. These words I would like to add so that whatever assets and whatever funds are there may also be taken into account. Here "property" may not take into account the liquid money which might be there for running the concern or anything of that sort and, therefore, when we are vesting the property in the Delhi Transport Authority, I think we should make a provision for that also, and, therefore, Sir, with your permission, I would submit that after the word "property" in the first line, the words "assets and funds" may also be inserted, and this amendment which I have moved may also be accepted by the hon. Minister.

Mr. Chairman: Amendment moved:

"That in clause 32,—

- (i) after the word 'property' the words 'assets and funds' be inserted; and
- (ii) after the word 'shall' the words, brackets and figures 'immediately on the issue of notification under sub-section (1) of section 3' be inserted."

Shri Santhanam: I accept the amendment.

Mr. Chairman: The question is:

"That in clause 32,—

- (i) after the word 'property' the words 'assets and funds' be inserted; and
- (ii) after the word 'shall' the words, brackets and figures 'immediately on the issue of notification under sub-section (1) of section 3' be inserted."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 32, as amended, stand part of the Bill."

The motion was adopted.

Clause 32, as amended, was added to the Bill.

Clause 33 was added to the Bill.

Dr. Deshmukh: I beg to move:

"That in clause 34, for the words 'at such rate as may from time to time be fixed by the Central Government' the words 'at not less than four per cent. per annum' be substituted."

Sir, I have already spoken on this point yesterday, and I do not think anything has happened in the meantime to make me change my view. I think it should be made a rule that in advances that have been made by the Central Government, they should get the minimum interest which they are required to pay for their own borrowings. Sir, it has been said that this Authority is likely to pay additional interest under any circumstances. If that is the case, then there should be no difficulty in accepting my amendment. The difficulty would only arise if the Authority is not in a position to pay this minimum interest. As I have already stated yesterday, the whole thing is being left to the Central Government, and that, I think, is not correct. I say so, because, for one thing, this Authority has already been given considerable latitude in all matters and secondly, there should not be so much mixing up of the financial interest of the Authority and the Central Government, I think. The Central Government should have with it some criterion to judge of the efficiency of this Authority, and I think fixing a minimum rate of interest would be a proper thing. Secondly, it has been pointed out that the Central Government has the authority to determine the depreciation also. I consider this as an additional ground why a minimum rate of interest ought to be laid down, because the Central Government has, by the next following clause complete latitude to determine the depreciation at any rate that it wants. So in view of the fact that the whole thing is a sort of arrangement between the Central Government on the one hand and the Authority on the other, we want to be assured as Parliament, that the minimum interest which we are required to pay on our borrowings ought to accrue to the State exchequer. I have heard the hon. Minister ask, "Why should you be so covetous of the interests of the Central Government, the Central Government itself would be very careful about safeguarding its own interests". That,

[Dr. Deshmukh]

Sir, is no argument at all, for if that were the case, that the Central Government is so conscious and competent to safeguard the country's interests, then Parliament is not necessary, no debate is necessary and no discussion is necessary. But it is absolutely necessary to safeguard the interests of the nation and that is the purpose of having Parliament, and that is why I insist that this minimum rate of interest ought to be laid down in this Statute so that the Authority that is created will have some incentive to work profitably in its operation.

Mr. Chairman: Amendment moved:

"That in clause 34, for the words 'at such rate as may from time to time be fixed by the Central Government' the words 'at not less than four per cent. per annum' be substituted."

Shri Santhanam: I was greatly interested in the exposition of the functions of Parliament in relation to financial affairs which the hon. Member made. Hitherto I thought the main functions of Parliament were to see to economy, to reduce taxation and to see that all the funds of the Government of India are properly spent. But now.....

Dr. Deshmukh: I regret the hon. Minister has yet to understand all the functions of Parliament.

Shri Santhanam: Anyway, the only objection to having a definite rate of interest is that it may interfere with the proper functioning of clauses 34 and 35. Taken together, these two clauses make the Transport Authority liable to distribute the entire surplus exactly as the Central Government wants. If it wants five or six per cent. to be given, it will have to be given and the balance may be distributed between the reserve fund and the depreciation fund. Therefore the Transport Authority has no power at all to dispose of the surplus in any way it likes. The Central Government should be given absolute discretion to order the Authority, and I have no doubt that the Finance Minister and the Finance Department are not likely to forego any funds that the Transport Authority can reasonably give to the Government of India. So long as we give the discretion and the power to the Government of India, I think the House ought to be satisfied. In extreme cases, it should also be possible for the Central Government to reduce the rate of interest got from the Authority, if under the circumstances, the Government's own rate of interest comes down. If Government has to pay only, say 2½ per cent., why should we insist on extracting four per cent. from the Transport Authority? The Transport Authority may not be able to pay, because if it reduces the fares.....

Dr. Deshmukh: If you can get on your own credit money at a lower rate of interest, then you can return the capital borrowed from the Central Government.

Shri Santhanam: I did not want to put any limitation on the power given to the Central Government. That is all that is wanted. And so I am afraid I am not able to accept the amendment of Dr. Deshmukh.

Shri Hossain Imam: When the much bigger undertaking of the hon. Minister—the Railways—have got fixed rates of interest, and when that has not in any way interfered with the disposal of the funds, I fail to understand why this small restriction should have any such restrictive effect. The hon. Minister stated that a crore invested in the Authority was a gross exaggeration. Perhaps fifty to sixty lakhs may be correct and interest at the rate of four per cent. will amount to about two and a quarter lakhs, and Government should not take anything less than what they actually pay. Will the expenditure of sixty or

seventy thousands make such a difference as to make it impossible for the Authority to give any relief or any good to the people? By fixing the rate of interest we are not restricting the liberty of the Authority or restricting the power of the Central Government from charging more or charging less. The Government can always say that such and such a line should be worked and they can give a subsidy of say, Rs. 50,000. I feel it is only a question of whether the Government wants to listen to the arguments from the House or not. As it does not want to listen to such arguments, that is why this adamant attitude is taken. Sir, I do hope that the Government will reconsider the position and be prepared to listen to the House.

Shri Biswanath Das (Orissa): I do not know why the Government is putting up a stiff attitude with regard to a small amendment like this. Dr. Deshmukh very pertinently pointed out that if this Authority is able to stand on its own legs and is able to find money in the open market, let it have the option to get it at one per cent. even. No one stands in the way. The hon. Minister knows that we get money from the international market at four per cent. interest. Why should the hon. Minister prefer a smaller percentage than the percentage that we have to pay in the international money market for a loan that we ourselves raised?

Sir, there is a tendency to spend money easily on the part of statutory authorities. I have always insisted and I stand on my insistence that these statutory authorities with the prestige and power of the Central Government should have a lot of limitations which they are not having today. There is on their part, a tendency to spend money lavishly, easily and carelessly, unless certain spokes are placed on their wheels of motion. This is a necessary limitation but it is not a spoke. If it is a spoke let him object to it. But it is a very necessary, desirable and justifiable limitation in the sense that we ourselves pay in the international money market four per cent. The hon. Finance Minister will himself admit that he is not able to find money at $2\frac{1}{2}$ per cent. I do not know what his programme is going to be. There is no reason why a Transport Authority which is being constituted with the power and prestige of the Government of India should not be willing to give as much as the Government themselves are giving to their creditors.

I may in this connection also state that I am not happy with such authorities. My hon. friend knows and the hon. Finance Minister will bear me out when I say that we in the Finance Committee did not find a rosy picture of this Corporation. The first estimate—I am referring to the compensation—was awfully heavy. We agreed to it in our enthusiasm for the nationalisation of the transport service but subsequently found to our cost that it was horrible. The buses which were given out to be very useful and would stand the test of service did not and in the result we had to purchase so many new ones all at once and that was the cause of the piling up of the investment. Therefore unless in this semi-nationalised service certain things are statutorily enforced you can never expect economy in administration of such bodies. I therefore insist and appeal to the hon. Minister to accept the amendment which is very reasonable, useful and necessary.

Shri Santhanam: My friend Mr. Hossain Imam was wrong in stating that the Railways have statutorily agreed to four per cent. That has been done by a convention. It does give plenty of flexibility and latitude for Government.....

Shri Hossain Imam: For five years.

Shri Santhanam: Even within five years if there is difficulty there is nothing to prevent the Government and the Railways coming to an agreement. That is why I want that power should be given to the Central Government—it is not

[Shri Santhanam]

given to the Transport Authority—to adjust at whatever rate it likes. The Central Government is in complete possession of the whole field. It can fix the rate. Mr. Biswanath Das is wrong in saying that I want a lesser rate. It may be a higher rate: it depends upon particular circumstances. After all we are creating a new Authority. I am speaking for the Government of India today. The Bill is to be born after the Bill is passed and becomes an Act. Therefore let us have some latitude to consider the position of the Authority after six months or one year of its functioning. If it can pay more we will take more. If it cannot and if we find it necessary that we should insist on better maintenance or reduction of fares let us have also that latitude. Let us not say that it should be just four per cent. and leave it alone like an orphan child to do whatever it likes. This is only to give discretion to the Central Government and the House can trust the Central Government to take care of its own interest. The Parliament can always control the Government. It can certainly censure the Government for not getting as much as it should from the Authority.

Mr. Chairman: The question is:

“That in clause 34, for the words ‘at such rate as may from time to time be fixed by the Central Government’ the words ‘at not less than four per cent. per annum’ be substituted.”

The motion was negatived.

Mr. Chairman: The question is:

“That clause 34 stand part of the Bill.”

The motion was adopted.

Clause 34 was added to the Bill.

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.]

MEMBER SWORN

Shri Mukhtiar Singh (Uttar Pradesh).

DELHI ROAD TRANSPORT AUTHORITY BILL—contd.

Sardar Hukam Singh: I beg to move:

“That after clause 34, the following new clauses be added:

34A. The Authority shall be liable to pay all Central, Provincial and Local taxes as they would have been paid by a public company.

34B. The Authority shall pay an annual contribution to the General Revenues to be determined by the Central Government on the basis of its capital in the beginning of every financial year.”

My object in moving this amendment is very simple. I wish that at the end of every year there should be a clear picture before the Government as well

as the public about the real profits that this Authority has earned. We have been told while discussing clause 34 that all the surplus that there would be after defraying the expenses would be at the disposal of the Central Government and that there is no need of specifying any rate of interest—whether it should be four, three or five per cent. I agree that the surplus would be at the disposal of the Central Government. But after all it is an experiment in nationalisation and I believe that even this D.T.S. or any other Authority that might be substituted would not bring in much profits. The private owner of a bus or a vehicle has to pay many taxes—registration fee, insurance fee, licence fees, quarterly taxes and other things. But this Authority or government-owned corporation would have exemption from all these, as the Bill stands at present. Apart from the exemption of all these taxes, there is another privilege that this Authority will enjoy. As has been stressed here, the fares are very high. In spite of it we find that at least 25 per cent. of the passengers go standing while the buses run. I have seen even Members of Parliament performing their journeys standing while they come to the Parliament House from Constitution House. I maintain that the profits earned, even as it is, with all the concessions and exemptions, unlimited supply of petrol, immunity from payment of taxes, are not 25 per cent. of the gross earnings. Therefore, in my opinion this D.T.S. or this Authority cannot be run on the basis of a profitable business. Hence I want that there should be no misunderstanding or doubts left in anyone's mind whether at the end of the year this Authority has really earned any profit or not. I have brought this proposal that the profits should be subject to these taxes, so that only net profits might be left which might be known to the Government as well as to the public. Sir, I move.

Mr. Speaker: Amendment moved:

“That after clause 34, the following new clauses be added:

- ‘34A. The Authority shall be liable to pay all Central, Provincial and Local taxes as they would have been paid by a public company.
- 34B. The Authority shall pay an annual contribution to the General Revenues to be determined by the Central Government on the basis of its capital in the beginning of every financial year.’”

Shri Santhanam: The hon. Mover of this amendment would appear to be very anxious to demonstrate that the D.T.S. has failed and all his arguments went to show that this Authority could not function successfully. In any case I think his amendments are not quite necessary or suitable. So far as the first part of the amendment is concerned, so long as this Bill does not give any exemption, all those taxes are payable. I have already said that we are not taking any exemption from either the Income-tax or Super-tax or any Central taxation. There is one clause about exemption from the Punjab Motor Vehicles Taxation Act, which exemption I am going to give up when that particular clause comes up for consideration. Therefore the suggested clause 34-A has no application.

So far as 34-B is concerned, when the Central Government is going to get the interest on its investment and also its usual taxation on the surplus, I do not think it is reasonable to say that there should be a further contribution made to the General Revenues. After all, when we create a national utility service and create an autonomous authority that authority must have some reserve funds to improve the service and reduce fares. We are not creating it as a body to make profits. The intention is that it should be a non-profit making body for public service, and this idea of fettering it with all kinds of charges so that it may not function is, I think, in the spirit of those who object to the nationalisation of any of such services on principle. I do not think that is the attitude of the House and I am afraid I cannot accept this amendment.

Mr. Speaker: The question is:

"That after clause 34, the following new clauses be added :

'34A. The Authority shall be liable to pay all Central, Provincial and Local taxes as they would have been paid by a public company.

34B. The Authority shall pay an annual contribution to the General Revenues to be determined by the Central Government on the basis of its capital in the beginning of every financial year.'

The motion was negatived.

श्री देशबन्धु गुप्ता : I beg to move:

"That after clause 34, the following new clause be added :

'34A. *Payment of share of profits to the Delhi and New Delhi Municipal Committees and Delhi District Board.*—The Authority shall pay not less than twenty-five per cent. of its net profits to the Delhi and New Delhi Municipal Committees and the Delhi District Board which sum shall be distributed between them in such proportion as the Central Government may direct.'

इस सम्बन्ध में मुझे विशेष नहीं कहना है। दिल्ली के बारे में बदकिस्मती से हाउस में कई प्रकार के भ्रम फंले हुए हैं। आम तौर पर ऐसा समझा जाता है कि दिल्ली को बहुत बड़ी रकम सेन्ट्रल गवर्नमेंट से मुस्तलिफ कामों के लिये मिलती है और दिल्ली एक प्रकार से ऐसी जगह है जिसका बहुत भार सेन्ट्रल गवर्नमेंट के फाइनेन्स पर पड़ता है। यह बड़ा भ्रम है। इसी प्रकार का भ्रम सड़कों के बारे में है कल जिस समय मैंने यह सुझाव हाउस के सामने रखा था तो आनरेबल मिनिस्टर ने कहा था कि दिल्ली की सड़कों पर सरकार पहले से ही काफी खर्च कर रही है, इस लिये इसमें हिस्सेदार होने का सवाल ही नहीं पैदा होता। मैंने उस समय कहा था कि उनकी इतला इस बारे में सही नहीं है। आज मैंने इस बारे में आङ्कड़े इक्ट्टे करने की कोशिश की तो मुझे पता चला कि जैसा मैंने कहा था उनका खयाल गलत था। दिल्ली म्युनिसिपैलिटी और नई दिल्ली म्युनिसिपैलिटी की हद में और इसी प्रकार नोटिफाइड एरिया (Notified Area) सिविल लाइन्स (Civil Lines) की हद में सेन्ट्रल गवर्नमेंट की तरफ से सड़कों पर एक पाई भी खर्च नहीं की जाती सिवा उसके कि जो लाइसेन्स फीस की आमदनी होती है वह बांट दी जाती है, सेन्ट्रल गवर्नमेंट से कोई खास रकम इन सड़कों के लिये नहीं दी जाती जो दिल्ली म्युनिसिपैलिटी की लिमिटस में हैं और जिन पर यह मोटरों और ट्रैम कार्स या टूइस तरह की वेहिकल्स (vehicles) चलती हैं। मुझे मालूम है कि दिल्ली म्युनिसिपैलिटी ने सन १९४८-४९ में ४,४८,९४० रुपया सड़कों की देख रेख और मरम्मत पर खर्च किया और अब सन १९४९-५० में यह रकम सात लाख तक पहुंचेगी और आगे चल कर इससे अधिक खर्च होने वाला है और इसी कारण से उसकी कई ओरिजनल स्कीमें (original schemes) स्थगित होती चली आ रही है क्योंकि उनके पास खर्चा नहीं है

दिल्ली में, जनाब सदर, लखूवा रुपये का सामान हर साल सरकार हिन्द का आता है बिल्डिंग आपरेशन्स वगैरह के लिए उस पर कोई टर्मिनल टैक्स (Terminal Tax) भी नहीं मिलता। इसी तरह जो एक जरिया कमेटी की आमदनी का—बिजली और पानी का है, उनमें भी दिल्ली म्युनिसिपैलिटी को कोई हिस्सा नहीं मिलता। वसैं चलान का अधिकार उनको है, उनसे दिल्ली म्युनिसिपल कमेटी को आमदनी हो सकती थी, लेकिन यह आमदनी का साधन उन से छीना जा रहा है, इस लिये यह फेअर (fair) भी है कि जब आप दिल्ली म्युनिसिपैलिटी को सड़कें बरतते हैं, उनसे कमाई करते हैं, तो कोई वजह नहीं है कि उसकी आमदनी का एक हिस्सा दिल्ली की म्युनिसिपैलिटी को न दिया जाय। मैंने अमेंडमेन्ट में सिर्फ २५ प्रतिशत की मांग की है, वह भी तमाम खर्चा निकाल लेने के बाद अर्थात् (नेट प्रोफिट में से) और यह भी तीन जगहों में बांटना होगा। इससे यह लाभ होगा कि सड़कें अच्छी हालत में रहेंगी, इससे वसैं कम खराब होंगी। आप म्युनिसिपैलिटी को कोई ग्रान्ट नहीं देंगे तो वह सड़कें अच्छी अवस्था में नहीं रख सकेंगे। मैं समझता हूँ कि अगर आप इस तरह से कुछ देना मंजूर भी करेंगे तो एक हाथ से देंगे और दूसरे हाथ से वसूल कर लेंगे। यह एक बहुत वाजिबी तजवीज है और सिवा इसके कि गवर्नमेंट कोई तजवीज भी मानने को तैयार न हो, मुझे इस के मानने में कोई आपत्ति नहीं दिखलाई देती। मैं आनरेबल मिनिस्टर से निवेदन करूंगा कि वह स्वयं भी बहुत अर्से से दिल्ली में रह रहे हैं इस लिये उनको दिल्ली का विशेष रूप से ध्यान रखना चाहिये। मैं उनसे कहूंगा कि जो संशोधन मैंने पेश किया है वह उचित है और वह उसे मंजूर करें।

(English translation of the above speech)

Shri Deshbandhu Gupta (Delhi): I beg to move:

“That after clause 34, the following new clause be added:

“34A. *Payment of share of profits to the Delhi and New Delhi Municipal Committees and Delhi District Board.*—The Authority shall pay not less than twenty-five per cent. of its net profits to the Delhi and New Delhi Municipal Committees and the Delhi District Board which sum shall be distributed between them in such proportion as the Central Government may direct.”

I have not to say anything particularly in this connection. In regard to Delhi, unfortunately many sorts of misunderstandings have arisen in the House. It is generally believed that Delhi gets a pretty large amount from the Central Government on various accounts and it is placed in such a position that a considerable burden of its expenditure is borne by the Central Government finances. This is a great misunderstanding. Similar misunderstanding prevails in regard to roads. Sir, when I had made this suggestion before the House yesterday, then the hon. Minister stated that the Government are already spending sufficient amount over the maintenance of roads in Delhi and hence the question of the apportionment of the share of the profits of the Authority does not arise.

[Shri Deshbandhu Gupta]

I had pointed out at that time that his information in this respect is not correct. To-day when I tried to collect figures in this connection, I found that just as I had stated yesterday, his information was wrong. Not a single pie is spent by the Central Government within the limits of the Delhi and New Delhi Municipalities and similarly within the limits of the Notified Area and Civil Lines Area Committees over the maintenance of roads except that the income which accrues from the Licence Fee is distributed by the Central Government. No specific amount is paid in respect of these roads which are situated within the limits of the Delhi Municipality on which these lorries and tram-cars or other such vehicles are run. I know that the Delhi Municipality spent Rs. 4,48,940 over the maintenance of these roads during the year 1948-49 and now during the year 1949-50 this amount will go up to Rs. seven lakhs and more expenditure is likely to be incurred on this account in the ensuing years; and for this reason only, it has had to postpone many of its original schemes, because it lacked finances.

Sir, no terminal tax is levied on the materials worth several lakhs of rupees imported into Delhi by the Central Government every year in connection with its building operations. Similarly the Delhi Municipality does not get any share from its other source of revenue *viz.*, electricity and water. They have got the right to ply the buses, and the Delhi Municipal Committee can earn money from this source. But they (the Delhi Municipality) are being deprived of the means of their income. It is, therefore, in all fairness that when you use the roads maintained by the Delhi Municipality and earn money, there is no reason that a share out of this income should not be paid to it. I have asked for only 25 per cent. in my amendment and that too from the net profits *viz.*, after deducting all expenditure, and this shall also have to be further distributed between three places. This will give an advantage that the roads will be maintained in a proper condition and the wear and tear of the buses shall be reduced. If you do not give any grant to the Municipality then it shall not be able to maintain the roads properly. I think that if at all you accept to pay anything in this manner, then this would mean giving by one hand and taking by the other. This is a very plausible proposition and I do not see any difficulty in its being accepted except that the Government may not be ready to agree to any proposal. I would request the hon. Minister that in view of the fact that he himself is living in Delhi since long, he should devote particular attention towards Delhi. I would urge that the amendment proposed by me is quite appropriate and he should accept this.

Mr. Speaker: Amendment moved:

"That after clause 34, the following new clause be added :

34A. Payment of share of profits to the Delhi and New Delhi Municipal Committees and Delhi District Board.—The Authority shall pay not less than twenty-five per cent. of its net profits to the Delhi and New Delhi Municipal Committees and the Delhi District Board which sum shall be distributed between them in such proportion as the Central Government may direct."

Shri Santhanam: This amendment was circulated only this morning. My hon. friend Mr. Deshbandhu Gupta was there in the Select Committee but the point was not raised there at all. Certainly he cannot expect that I should immediately accept it without considering all its implications. For instance, what does he mean by "net profits"? Will it be "net profits" after paying the Central taxes or before paying them? In an ordinary company the term will be considered applicable before payment of Government taxes. I think the hon. Member is suggesting an improvisation. I am only saying that it is not possible for me to accept, without proper notice and without considering its implications,

an important amendment of this character. If my hon. friend had been very particular about this, I wish he had raised it in the Select Committee when I could have asked my Department to calculate the consequences and give a full picture of the financial effect. Sir, all that I can say is that if this Transport Authority is able to build up a surplus, then I am prepared, either by the rules or by other directions, to consider the desirability of making a contribution towards the roads. I am not prepared to take his statement that the Central Government is not contributing anything to these bodies. What the Central Government does is that it pays practically all the deficit amounts of the Delhi Administration including the expenditure on roads.....

Shri Deshbandhu Gupta: Even there he is labouring under a misconception.

Shri Santhanam: We are paying from the Central Road Fund and also from the Reserves.

So, we have first to see that this Transport Authority is put on a proper footing and is able to do properly its particular service which is in the interests of the city itself. Afterwards all the profits can be shared. My suggestion is that the House should give this Authority a reasonable birth and a good start. Later, there will be plenty of time to consider about sharing the profits.

Shri Deshbandhu Gupta: May I ask a question, Sir? The hon. Minister has expressed his inability to agree to my amendment. But does he accept at least the principle of the amendment? As to his other point, is it not open to Members who are not on the Select Committee to move an amendment?

Mr. Speaker: That is entering into an argument.

Shri Deshbandhu Gupta: I only want him to concede the principle. If he concedes that much, I will be satisfied.

Dr. Deshmukh: Sir, in my speech yesterday I have supported the claim made by my friend Mr. Deshbandhu Gupta so far as contribution to the Delhi Municipal Committees and the District Board was concerned. It is all right for the Minister to complain that this question was not brought to his notice earlier, but maybe one does not think out everything at the proper moment and maybe the Minister has been taken by surprise. Even so, as was urged just now by my friend, it was quite open for my hon. friend to accept the principle. I think I am correct in inferring that he does accept the principle that the Delhi Municipality and the various other authorities whose duty it is to maintain the roads in proper order, are entitled to a certain share out of the profits of this Transport Authority. There are two matters of dispute that have arisen between him and my hon. friend Mr. Deshbandhu. The first is whether the Central Government already contributes a substantial portion towards repair and maintenance of roads. If it does not contribute directly for that purpose, the question is whether the Government makes good any expenditure that the Delhi Municipality incurs on its own undertakings. I do not think it can be correct to say that whatever expenditure the New Delhi Municipality or the Old Delhi Municipality incur, the Central Government is prepared to make good the deficit or any difference between their revenue and expenditure. I do not think the Central Government will accept any such uncertain responsibility. In fact, my hon. friend's contention is that the Municipalities do not get anything for the special purpose of repair and maintenance of the roads. This is a matter which can easily be verified to the satisfaction of all. If it is found that my hon. friend's contention is correct, then the hon. Minister should make up his mind to part with a substantial portion of the profits. He has tried to define

[Dr. Deshmukh]

net revenue in a particular way. All that we ask for is the recognition of the fact that, since the maintenance of the roads is a burden on the municipalities and since these buses run through municipal limits, a portion of the profits of this concern is a legitimate means of making good whatever expenditure is incurred by the municipalities on road maintenance. If there is a straightforward acceptance of this responsibility by the hon. Minister, I think we shall be satisfied. Anything short of that will be regarded as highly unsatisfactory.

Shri Hossain Imam: This amendment was circulated to us only last night. May I suggest to the hon. Minister that he may consider an amendment to this amendment. Supposing we say that "the Authority shall pay such percentage of its net profits as the Central Government may direct", it will give full latitude to the Government, at the same time give an assurance to the Delhi Municipality that it will get a share of the profits. The Government does not bind itself to any specific percentage, and the net profits may be defined in the manner Government may deem proper. This amendment will only give some assurance to the Municipalities that they will get some share of the profits of this public utility service running within their limits mostly.

पंडित ठाकुर दास भागवत : मिस्टर सन्थानम साहब की स्पीच सुनकर मैं यह समझता हूँ कि जो तजवीज मेरे लायक दोस्त मिस्टर देशबन्धु ने की है वह निहायत ही दुरुस्त है, क्योंकि आपने फरमाया है कि आप इस वक्त नहीं कर सकते लेकिन आप रूल्स (Rules) में इस के लिए प्रावोजन (provision) करने के लिए तैयार हैं इसके माने यह है कि जो उसूल मिस्टर देशबन्धु ने बयान किया है उस उसूल को आप मानते हैं लेकिन आपको इस वक्त दिक्कत यह है कि आप रकम तजवीज नहीं कर सकते। तो जो तरमीम मेरे लायक दोस्त मिस्टर हुसैन इमाम ने अग्री पेश की है आप उसके उसूल को मान लें और गवर्नमेंट अपने अख्तियार में यह रखे कि जो मुनासिब रकम वह समझे और देना चाहे उसको अपने डाइरेक्शन (direction) से दे सके। इसमें कोई दिक्कत नहीं है। आपने जो अपनी स्पीच में कह दिया कि रूल्स में आप ऐसा कर देंगे इस से फ्यूचर (future) मिनिस्टर पाबन्द नहीं होंगे। मुनासिब यही होगा कि आप उस तजवीज को मान लें और उस उसूल को तसलीम करते हुए यह वेग (vague) रखें कि कितना रुपया आप देंगे और जितना आप मुनासिब समझें दें। इस में कोई शक नहीं कि जब आप म्युनिसिपैलिटी (Municipality) और डिस्ट्रिक्ट बोर्ड (District Board) की सड़कें इस्तेमाल करते हैं तो आपको उनके मेन्टेनेन्स (maintenance) के लिए कोई न कोई रकम देनी चाहिए। अगर आप उस तजवीज को मान लें जो कि मेरे लायक दोस्त ने पेश की है तो आप के उसूल में कोई फर्क नहीं पड़ता है।

(English translation of the above Speech)

Pandit Thakur Das Bhargava (Punjab): After listening to the speech of the hon. Mr. Santhanam, I think that the proposal made by my hon. friend Mr. Deshbandhu Gupta is quite in order, because you have stated that you

cannot accept this at present, but you are prepared to make provision to this effect in the Rules. This means that you concede the principle suggested by Shri Deshbandhu Gupta, but your difficulty at present is that you cannot fix the amount. Then you should accept the principle underlying the amendment which has just now been suggested by my hon. friend Mr. Hossain Imam and the Government should reserve it as their right to pay any amount which it may deem proper and make the payment under their direction. There is no difficulty in this. While you have stated in your speech that if you make such a provision in the rules, it will not be binding on the future Ministers, the proper course would be that you should accept this suggestion and by acceding to that principle you should keep it vague as to how much amount you will pay, and you may pay as much as you may think proper. There is no doubt in that when you use the roads of the Municipality and the District Board, you should pay those bodies something for the maintenance thereof. If you accept the suggestion which has been made by hon. friend then this will not in any way affect your principle.

Shri Santhanam: As I have already said, this is a thing which requires to be examined properly. I cannot now accept anything either in principle or in actual wording and then find myself in difficulty. Supposing it is necessary that this D.R.T.A. must build up a reserve fund of a certain dimension before it can do anything else, and supposing the present funds are wholly inadequate and sufficient allowance has to be made for either the depreciation fund or maintenance fund.....

Shri Deshbandhu Gupta: The amendment of Mr. Hossain Imam does not come in the way.

Shri Santhanam: Yes, it does. All I can say is, I undertake on the formation to the D.R.T.A., to consider the question of paying some percentage of profit to these bodies.

Shri Tyagi (Uttar Pradesh): Supposing the House is anxious that the Municipal Board should be accommodated, in that case, would you please accept it?

Mr. Speaker: Order, order. The hon. Member will address the Chair.

Shri Tyagi: My submission is that, if it is the wish of the House that justice be done to the Municipal Board, the Minister will reconsider his opinion. I understand that most Members of the House agree that the Municipal Board must have a share and this amendment is quite safe. I think such a small change, if agreed to after listening to the opinion of the House, will add honour to the Department and to the hon. Minister. I suggest that he accept's it.

Mr. Speaker: Order, order. It is not for me to interfere at this stage, but I also hold some views and possess some experience of these matters. I also find it difficult immediately to agree to such an amendment, without properly considering its implications. The point which, as I understood, the hon. Minister tried to make was that the local authorities are entitled to charge taxes such as wheel tax etc. Now, I do not know what taxes the Delhi Municipality is charging, but I take it they are charging some tax in connection with the use of roads by vehicles. I presume so. I do not know the facts. I am not arguing the matter on behalf of the hon. Minister. But the chief point seems to be this. If the D.R.T.A. is a public utility concern, will it be a good principle to allow it to make profits just for the purpose of revenue or would it be better to reduce the fares to such an extent that the maximum number of poor people are served?

Shri Deshbandhu Gupta: This percentage will be reserved for roads.

Shri Sidhva: It is the Provincial Government that maintains the roads.

Mr. Speaker: I am not arguing. It is not the function of the Chair to argue. I am only placing the point of view of the hon. Minister and trying to say that, it would not be proper to force him to accept anything. However, if the House is so clear and wishes to throw out his suggestions, it can do so, and accept Mr. Gupta's amendment. It is no use pressing the hon. Minister. After all, it is not such a clear matter as some hon. Members seem to think.

Shri Deshbandhu Gupta: May I, for your information, point out that there is at the moment no wheel tax levied by the Municipal Committee on buses? All that we get is a share of the licence fees. There is nothing unusual about it. Everywhere, the provincial administrations charge such fees.

Mr. Speaker: The situation may be different. I think the matter is closed.

Shri Santhanam: I was making one or two points, which I want to complete. I want to tell my hon. friend Shri Tyagi that I am trying to convince the House of the undesirability of accepting the amendment. A percentage of the motor vehicles tax collected is given to the Municipal Committee. As you know, there is one member of the Delhi Municipal Committee and one member of the Delhi District Board on the D.R.T.A. When I accepted this representation, it was on the basis that these people will have no direct interest in the finances of the Authority. If we bring in this principle now, it will mean that in all matters relating to the rates and fares, these representatives will be guided by the point of view of the share of profit that will come to their respective organisations. If this principle had been adopted at the beginning, the whole constitution would have been quite different. I am only saying that when a whole Bill has been based on a certain principle, it would be quite undesirable at the last minute to change the structure simply because of impromptu considerations. After all, the Central Government have got full power in regard to the disposal of whatever profit this Authority may make. If the Authority is able to make so much profit and does not use that surplus for reduction of fares or improvement of the service, it will be always open to the Central Government to transfer such part of the surplus as it deems fit to any other body. The hon. Members here will be there to take care of the interests of the Delhi Municipality, or the Municipal Corporation if it comes into being as an autonomous body. You can then invest it with the powers of taxing the motor vehicles or the Transport Authority or do some such thing. Therefore, I think all these matters should not be confused here. I suggest that, for the moment, the House should not accept—

3 P.M. this amendment.

Shri Tyagi: He is too clever to beat.

Shri Hossain Imam: Is he giving an assurance?

Mr. Speaker: He has said what he had to say. So I am putting the amendment to the House. The question is:

"That after clause 34, the following new clause be added:

34A. *Payment of share of profits to the Delhi and New Delhi Municipal Committees and Delhi District Board.*—The Authority shall pay not less than twenty-five per cent. of its net profits to the Delhi and New Delhi Municipal Committees and the Delhi District Board which sum shall be distributed between them in such proportion as the Central Government may direct."

The motion was negatived.

Mr. Speaker: The question is:

"That clauses 35, 36 and 37 stand part of the Bill."

The Motion was adopted.

Clauses 35, 36 and 37 were added to the Bill.

Shri Santhanam: I beg to move:

- (i) "That in sub-clause (1) of clause 38, for the words 'Auditor-General of India' the words 'Controller and Auditor-General of India' be substituted.
- (ii) "That in sub-clause (2) of clause 38, for the words 'Auditor-General of India' the words 'Controller and Auditor-General of India' be substituted.
- (iii) "That in sub-clause (3) of clause 38, for the words 'the Central Legislature' the word 'Parliament' be substituted."

They are purely formal amendments.

Mr. Speaker: The question is:

(i) "That in sub-clause (1) of clause 38, for the words 'Auditor-General of India' the words 'Controller and Auditor-General of India' be substituted.

(ii) "That in sub-clause (2) of clause 38, for the words 'Auditor-General of India' the words 'Controller and Auditor-General of India' be substituted.

(iii) "That in sub-clause (3) of clause 38, for the words 'the Central Legislature' the word 'Parliament' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 38, as amended, stand part of the Bill."

The motion was adopted.

Clause 38, as amended, was added to the Bill.

Clause 39 was added to the Bill.

Shri Santhanam: I beg to move:

"That in sub-clause (2) of clause 40, for the words 'The Central Legislature' the word 'Parliament' be substituted."

Mr. Speaker: The question is:

"That in sub-clause (2) of clause 40, for the words 'The Central Legislature' the word 'Parliament' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 40, as amended, stand part of the Bill."

The motion was adopted.

Clause 40, as amended, was added to the Bill.

Clauses 41, 42 and 43 were added to the Bill.

Shri Santhanam: I beg to move:

"That in clause 44, for the words 'The Central Legislature' wherever they occur, the word 'Parliament' be substituted."

Mr. Speaker: The question is:

"That in clause 44, for the words 'The Central Legislature' wherever they occur, the word 'Parliament' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

“That clause 44, as amended, stand part of the Bill.”

The motion was adopted.

Clause 44, as amended, was added to the Bill.

Clause 45, was added to the Bill.

मास्टर नन्द लाल : I beg to move:

“That in clause 46, for the words ‘Whenever the Authority acquires under this Act the whole or any part of any undertaking’ the following be substituted:

‘The Authority shall acquire whole of the undertakings.’”

यह सवाल इसका नहीं है, बल्कि जैसा कि नज़र आ रहा है, तमाम देश के सूबे तथा देश की स्टेट्स नेशनलाईज़ करने वाली हैं। यू० पी० के अन्दर नेशनलाईज़ हो चुका है और वहां का तजुर्बा यह बतलाता है कि यू० पी० गवर्नमेंट किसी अन्डरटैकिंग (undertaking) को कब्जे में नहीं ले रही है। जो रूट अस्त्रियार कर लिया जाता है, उसमें लोगों को मुसीबत का सामना करना पड़ता है। बड़ी मुश्किल से कोई रूट दिया जाता है और धक्के खाने पड़ते हैं। चूनांचे हमने देखा कि कानपुर के अन्दर चार महीने बराबर मोटर लारीज वाले बेकार बैठे रहे और जबतक उन्होंने सत्याग्रह की घमकी न दी तबतक उन्होंने कोई रूट नहीं दिया। जैसा मैंने कठ अर्ज किया था दिल्ली के अन्दर जितने गुड्स ट्रक (goods truck) बने हुए हैं, वह तमाम उन रेफ्यूजीज भाइयों के हैं जो यहां आकर बसे हैं, अगर आप उसको नेशनलाईज़ करेंगे, तो उन लोगों का क्या हाल होगा। आप कह सकते हैं कि हम कोई रकम देने को तैयार नहीं हैं, हमारे पास कोई फाईनेन्स (finance) नहीं है और यह कार्मशियल कन्सेर्न (commercial concern) है। लेकिन मेरी अर्ज यह है कि न यह सिर्फ कार्मशियल कन्सेर्न है, बल्कि इस ज़रिये से गवर्नमेंट की ज़िम्मेदारी होती है, गवर्नमेंट अवाम के रूट की, रोज़गार और रहायश की ज़िम्मेदार है। अगर आप एक रूट को ले लेते हैं, और वह लोग जो पहले से उस रूट में चला रहे हैं और जिन का यही धन्धा है, तो आप ऐसा करके उनका धन्धा छीन लेते हैं और वह अपनी ट्रक्स और लारीज को लेकर कहां जायेंगे और वह किस तरह से अपनी बाक़ी जिन्दगी गुज़ारेंगे।

Shri Santhanam: This amendment does not seem to fit in with the clause at all.

Mr. Speaker: That was what I was trying to follow. The point that he is probably making out is that the Authority should take over the whole of the undertaking. Perhaps he wants to suggest that in other places where such undertakings have been taken over, it has resulted in injustice.

मास्टर नन्द लाल : मेरी तो प्रार्थना यह है कि जो पहले से उन रूट्स पर अपनी लारीज और ट्रक्स चला रहे हैं, मैं समझता हूँ कि गवर्नमेन्ट का यह फ़र्ज़ हो जाता है कि उनको आप ऐसा न कर कि वह अपना काम छोड़कर घरों में चले जायं और अपने आप को बरबाद कर दें, उनकी मोटर और ट्रक्स गवर्नमेन्ट का ख़रीदना। गवर्नमेन्ट का फ़र्ज़ हो जाता है, क्योंकि गवर्नमेन्ट के उन रूट्स के अख्तियार कर लेने से उनके पास कोई रोज़गार नहीं रहता और कोई काम नहीं कर सकते। गवर्नमेन्ट जब कोई रूट ले, तो उसका फ़र्ज़ हो जाता है कि उस रूट में जितनी ट्रक्स और लारीज चलती हैं, उसका ख़रीदना सरकार का फ़र्ज़ हो जाता है और मैं चाहता हूँ कि गवर्नमेन्ट को उसको ख़रीदना पड़े।

(English translation of the above speech)

Master Nand Lal : I beg to move :

"That in clause 46, for the words 'Whenever the Authority acquires under this Act the whole or any part of any undertaking' the following be substituted :

'The Authority shall acquire whole of the undertakings.'"

The question does not merely relate to this, but just as it seems, all the States in the country are going to nationalize. Nationalization has since been made in U.P. and it has been found from the experiment made there that the U.P. Government are not acquiring any undertaking. The people have to face hardship on that route which is monopolized. Thus we have seen that in Cawnpore the lorry-owners remained sitting idle for four months and so long as they did not threaten to launch *Satyagraha*, the Government did not permit them to ply on any route. Just as I had stated yesterday, the bulk of the goods trucks which are run in Delhi are owned by those of our refugee brethren who have settled down here. If you nationalize these, then what will be the condition of these persons? You can say that you are not prepared to pay any compensation, we have got no finances, and this is a commercial concern. But my submission is that this is not merely a commercial concern but in this manner the Government takes the responsibility to provide a route, employment and accommodation to the people. By monopolising any route, you are ousting the people who are already plying their vehicles on that route out of their trade—they having no other business to do. Where should they go along with their trucks and lorries, and how will they pass the rest of their days?

Shri Santhanam : This amendment does not seem to fit in with the clause at all,

Mr. Speaker : That was what I was trying to follow. The point that he is probably making out is that the Authority should take over the whole of the undertaking. Perhaps he wants to suggest that in other places where such undertakings have been over, it has resulted in injustice.

Master Nand Lal : I would submit that those who are already plying their trucks and lorries on those routes should not be disturbed. I think that it becomes the responsibility of the Government not to take any action by which they may be thrown out of their business and forced to retire to their homes and thus ruin themselves. It becomes the duty of the Government to purchase their trucks and lorries, because after the monopolisation by the Government of those routes, they are not left with any business and thus they cannot carry on any work. When the Government monopolises any route, then it becomes its duty to purchase all those trucks and lorries which are plied on that route and I would urge that the Government should do this.

Mr. Speaker: Amendment moved:

"That in clause 46, for the words 'Whenever the Authority acquires under this Act the whole or any part of any undertaking' the following be substituted:

"The Authority shall acquire whole of the undertakings."

Shri Santhanam: It is not possible for me to accept this amendment.

Mr. Speaker: Then, I shall put the amendment to the House. The question is:

"That in clause 46, for the words 'Whenever the Authority acquires under this Act the whole or any part of any undertaking' the following be substituted:

"The Authority shall acquire whole of the undertakings."

The motion was adopted.

Shri Santhanam: I beg to move:

"That in part (b) of clause 46, for the word 'Province' the word 'State' be substituted."

Mr. Speaker: The question is:

"That in part (b) of clause 46, for the word 'Province' the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 46, as amended, stand part of the Bill."

The motion was adopted.

Clause 46, as amended, was added to the Bill.

Shri Santhanam: I move:

"That in clause 47, for the word 'Provincial' and for the word 'Province' wherever they occur, the word 'State' be substituted."

Mr. Speaker: The question is:

"That in clause 47, for the word 'Provincial' and for the word 'Province' wherever they occur, the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 47, as amended, stand part of the Bill."

The motion was negatived.

Clause 47, as amended, was added to the Bill.

Clause 48 was added to the Bill.

Shri Ramaswamy Naidu: I will move the other two amendments standing in my name.

The Central Government, in their zeal, to secure as much profit as possible to the Authority, will do an injustice to the Punjab State and the Delhi District Board and the Delhi Corporation. This amendment seeks to make the vehicles of the Authority taxable under the Punjab Motor Vehicles Act and as such, the taxing authority will have the power to tax the vehicles of this Authority and

the proceeds may be distributed between the Punjab State and the Delhi Corporation. I hope that this amendment will be accepted by the hon. Minister and the House. I beg to move:

(i) "That in clause 49, the words beginning with the words 'from the operation of' and ending with the words 'the rules made thereunder, or' be omitted."

(ii) "That in clause 49, the word 'other', in the last line, be omitted."

Shri Santhanam: I am accepting the amendments.

Mr. Speaker: The question is:

(i) "That in clause 49, the words beginning with the words 'from the operation of' and ending with the words 'the rules made thereunder, or' be omitted."

(ii) "That in clause 49, the word 'other', in the last line, be omitted."

The motion was adopted.

Shri Santhanam: I beg to move:

"That in clause 49, for the word 'Province' wherever it occurs, the word 'State' be substituted."

Mr. Speaker: The question is:

"That in clause 49, for the word 'Province' wherever it occurs, the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 49, as amended, stand part of the Bill."

The motion was adopted.

Clause 49, as amended, was added to the Bill.

Clause 50 and 51 were added to the Bill.

Shri Santhanam: I move:

"That in sub-clause (3) of clause 52, for the words 'The Central Legislature' and for the words 'That Legislature' the word 'Parliament' be substituted."

Mr. Speaker: The question is:

"That in sub-clause (3) of clause 52, for the words 'The Central Legislature' and for the words 'That Legislature' the word 'Parliament' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 52, as amended, stand part of the Bill."

The motion was adopted.

Clause 52, as amended, was added to the Bill.

Clauses 53 and 54 were added to the Bill.

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Shri Santhanam: I beg to move:

"That in sub-clause (1) of clause 1, for the figures '1949' the figures '1950' be substituted."

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 1, for the figures '1949' the figures '1950' be substituted."

The motion was adopted.

Shri Santhanam: I beg to move:

"That in sub-clause (2) of clause 1, for the word 'Province' the word 'State' be substituted."

Mr. Speaker: The question is:

"That in sub-clause (2) of clause 1, for the word 'Province' the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: 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.

Shri Santhanam: I beg to move:

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

'Be it enacted by Parliament as follows :—'."

Mr. Speaker: 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. Speaker: 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.

Shri Santhanam: Sir, we are now setting up a new convention not to have Preambles.

Mr. Speaker: The question is:

"That the Preamble stand part of the Bill."

The motion was negatived.

Shri Santhanam: I beg to move:

"That in the long Title, for the word 'Province' the word 'State' be substituted."

Mr. Speaker: The question is:

"That in the long Title, for the word 'Province' the word 'State' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That the long Title, as amended, stand part of the Bill."

The motion was adopted.

The long Title, as amended was added to the Bill.

Shri Santhanam: Before we proceed further, I wish to make a request. In amendment No. 77, it has been pointed out to me that the words "immediately on the issue of notification under sub-section (1) of section 3" may cause some difficulty, and to obviate the difficulty, for the words "immediately on the issue

of notification under sub-section (1) of section 3", the words "on such establishment" be substituted. The reason is that we may issue a notification now but the Transport Authority may come into operation on the 1st April, and according to the amendment, the entire property will begin to vest as soon as we issue a notification. All that my friend Mr. Balkrishna Sharma, wants is that as soon as the Road Transport Authority is established, all the property should vest in it. I request permission of the House to substitute the new wording.

Mr. Speaker: I think it can come in the Third Reading; it is purely verbal and consequential also.

Shri Santhanam: I beg to move:

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

Sir, we have had enough discussion on this Bill and I do not think it is necessary for me to go over the ground again. I hope the new Transport Authority will function successfully and the House will be glad that we passed this Act today.

Mr. Speaker: Motion moved:

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

Shri Santhanam: I beg to move:

"That in clause 32, as amended, for the words 'immediately on the issue of notification under sub-section (1) of section 3', the words 'on such establishment' be substituted."

Pandit Balkrishna Sharma: Sir, before you put it to vote, there is another grammatical mistake which I wish to bring to notice. In Section A the word "he" is missing in the last line.

Mr. Speaker: That will be the business of the draftsman; he will scrutinize the whole thing again and all patent and grammatical errors, punctuations, small and big letters, all these will have to be attended to by him.

Pandit Balkrishna Sharma: The whole pronoun is missing. Perhaps he may not look into it unless.....

Mr. Speaker: All patent mistakes are corrected and ultimately the matters come to me also and I will then look into it.

Mr. Speaker: The question is:

"That in clause 32, as amended, for the words 'immediately on the issue of notification under sub-section (1) of section 3', the words 'on such establishment' be substituted."

The motion was adopted.

Dr. Deshmukh: The only suggestion that I want to make is this: When my hon. friend spoke, he mentioned "1st of April" as the date for beginning the functioning of this Authority. I hope, Sir, he will kindly avoid the date; we know to our cost the consequences of inaugurating the Government of India Act 1935 on that date.

Mr. Speaker: The question is:

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

The motion was adopted.

ARMY BILL

The Minister of Works, Mines and Power (Shri Gadgil): I beg to move:

"That the Bill to consolidate and amend the law relating to the government of the regular Army, be referred to a Select Committee consisting of Shri Mahavir Tyagi, Shri H. V. Kamath, Shri B. Shiva Rao, Shri G. R. Ethirajulu Naidu, Shri S. K. Ahmad Meeran, Shri Awadheshwar Prasad Sinha, Shri Sadiq Ali, Shri Bam Nath Goenka, Shri Raj Bahadur, Shrimati G. Durgabai, Shri M. Ananthasayanam Ayyangar, Major General Maharaj Shri Himatsinghji, Shri Tayapa Hari Sonavane, Shri Pidathala Ranga Reddi, Shri S. Sivan Pillai, Dr. P. S. Deshmukh, and The Hon'ble Sardar Beldev Singh with instructions to report on or before the 20th February, 1950.

The three services, namely, the Army, the Navy and the Air Force are under three different Acts. The Army is governed by the Indian Army Act of 1911; the Indian Navy Discipline Act of 1934 controls the Navy, and the Indian Air Force Act of 1932 controls the Indian Air Force in this country. It has been long felt that the provisions of these various Acts which govern the three respective services are inadequate for modern requirements, and hence it has become necessary to revise all the three Acts and to bring them in line with what is required taking into consideration the present political set-up and all other things. So far as the Army Act and the Indian Air Force Act are concerned, the revision has been completed with the result that two Bills are now before the House. One is that which I have now asked the House to refer to a Select Committee and the other will also be asked to be referred to a Select Committee after the present motion has been adopted.

Now, it is a well-known fact that the Indian Army Act of 1911 was modelled more or less on the provisions of the corresponding Act in the United Kingdom. Things have now become altogether different. Even in England necessity has been felt in connection with some of the provisions of the Act which govern these three Services and a special Committee has been appointed to examine the question of revision of the British Naval Act. Inasmuch as some of the provisions of this Act were modelled on the provisions of the English Act, the Government of India thought it better to delay the consideration regarding the revision of the Naval Act of 1934. For the present revision is sought of the Indian Army Act of 1911 and the Indian Air Force Act of 1932. This revision has become necessary, as I stated, on account of various changes, but there are other matters also which justify a revision. Now there are several Acts apart from the main Act of 1911 which contain certain provisions which affect the personnel and the officers of the Indian Army. It was thought necessary that all these provisions should be incorporated in one Act. Hence the present Bill for a consolidated Act. An attempt has been made to make it self-sufficient and all matters connected with the Indian Army, both officers and personnel, working conditions, recruitment, constitution of court martial, procedure, punishment and everything have been embodied in one full, complete, self-sufficient Act.

The second thing was, as I stated, there has been a change in the constitutional position of this country. From a subordinate Government it became a Dominion and after the 26th January 1950, it has become a Sovereign Democratic Republic. It is, therefore, only logical that all those things which were justified and appropriate for a particular political status should now be revised and should be made appropriate and adequate to the present status of this country.

Then, there has been some differences in the matter of grading of punishment, in the matter of classification of offences in the Army Act itself as well as in the other Acts which govern the personnel of the Air Force. It was thought desirable that there must be uniformity among themselves as also uniformity with the general provisions of the criminal law of the land. An offence

which is punishable with a certain punishment under the Army Act is punishable either with a higher punishment or with a lower punishment under the ordinary law of the land. It was felt that this should also be eliminated as far as possible.

Keeping these viewpoints, the Bill has been drawn up and is now before the House. Prior to 15th August, 1947, the House will remember, the army was considered as part of His Majesty's forces. There were British officers and Indian officers and Indian personnel. The Army Act, 1911, made provisions in certain respects, and wherever the Army Act was silent, the provisions of the corresponding English Act were invoked. Now it will not be in keeping with our present status that that should continue. Hence that has been changed and no special provision has been made. As I said, this Bill is completely self-sufficient. On the 15th August, 1947, when there was the change from a subordinate government to dominion status, an Ordinance was issued because it was absolutely necessary, otherwise there was no provision to govern certain sections of the personnel of the Indian Army. The provisions of that ordinance have also been incorporated.

Now, there is another factor, namely, the States' Forces. As the House is aware, the States have in many cases merged and in many other cases bigger groups have come into existence. The main point with which the Bill is concerned is what will be their relation with respect to the Indian Army. It has now been decided that they will be part of the Indian Army. Hence it is necessary that the States' Forces should also be governed by the provisions of this particular Bill.

Now, the House is aware that certain Fundamental Rights are guaranteed under our Constitution, and it is desirable, as it is the case all over the world, that the fighting forces must not have the same measure of civil liberties as are guaranteed to other citizens in the land. It has been, therefore, decided that relevant provisions should be incorporated. The provisions will relate, firstly, to the right to associate, the right to meet in public, and right to attend at public meetings. That right has been curtailed. The second right is under Article 22 of the Constitution which lays down certain provisions about protection against arrest and detention in certain cases. Obviously the army personnel cannot be given that advantage, for reasons which are so apparent that they need not be detailed here, and it has been decided, and I should add, very rightly, that nothing in Article 22 of the Constitution should apply to any person who is taken into military custody under the provisions of this Act.

These are the main features of the Bill. As I said, it is a consolidating measure. Certain enactments have been repealed, such as the Suspension of Sentences Act, 1920, Ordinance No. 36 of 1943 and Ordinance No. 37 of 1945 and so on.

There is one aspect in relation to the property of the deserter, and the property of the deceased from the army personnel. That has not been touched so far. The intention is to bring a separate Bill so far as these matters are concerned.

This is all I have to say. In my humble view this is not a controversial Bill, and, at any rate, I am only suggesting reference to a Select Committee.

Mr. Speaker: Motion moved:

"That the Bill to consolidate and amend the law relating to the government of the regular Army be referred to a Select Committee consisting of Shri Mahavir Tyagi, Shri H. V. Kamath, Shri B. Shiva Rao, Shri G. R. Eshirajulu Naidu, Shri S. K. Ahmad Meeran, Shri Ayadheeswar Prasad Sinha, Shri Sadiq Ali, Shri Ram Nath Goenka, Shri Raj Bahadar, Shrimad C. Durgabai, Shri M. Ananthasayanam Ayyangar, Major General Maharaj Shri Himatsinghji, Shri Tayapa Hari Sonavane, Shri Pidathala Reddi, Shri S. Sivan Pillai, Dr. P. S. Deshmukh, and The Hon'ble Sardar Baldev Singh with instructions to report on or before the 20th February, 1950."

Shri Hossain Imam (Bihar): We are all in agreement that in the changed circumstances a more consolidated and complete Army Bill is urgently required. But what I have to complain of is that the Defence Department has not given us as much information as it should have. A reference has been made in the Objects and Reasons and also in the speech of the hon. Minister that certain Acts have been incorporated which were not part of the Army Bill as it existed in 1911. But we have no reference anywhere as to what clauses have been taken from outside the Army Bill and what are the clauses of the Army Bill which have been dropped. In the Statement of Objects and Reasons, a general statement has been made, but a specific intimation on this head is neither made in it nor was the Mover instructed by the Defence Department to give us more information on that head.

Secondly, I find that there are in this Bill some anomalies which do not fit in with the state of things as they are to-day. I refer to the words "King's Commissioned Officer". What is the position now? What is the position of these officers? They are no longer, I hope, King's Commissioned Officers. They must have been now given some other name.

Shri Gadgil: May I explain? This Bill was printed before the 26th January, 1950, and that only shows how quickly we are moving. But when the Bill goes to the Select Committee the name of the King will go, as it has gone all over the country and necessary changes will be made. As I said, changes appropriate with the present status will be made.

Shri Hossain Imam: Sir, I was not referring to that, because we all know that. What I was referring to is this. When the Bill was introduced at the far end of the December session it was well known to the Defence Department that it will not be proceeded with at that time. It could, therefore, have easily introduced the Bill after the 26th January, 1950, and all this trouble could have been avoided. This has not advanced the cause of the Bill, it could have been proceeded with even after the 26th January, and its introduction in the last days of the December session has only resulted in a useless waste of time and energy.

I have a particular grievance against certain punishments provided in this Bill, that they are somewhat excessive. I do not like to refer to the details of the Bill in the general discussion, but you will find that these penalties are provided for such paltry offences, as I am going to cite, and it will be seen that there is something which needs to be looked into. When you turn to Section 34, item (k), you have: "being a sentry in time of war or alarm, sleeps upon his post or is intoxicated;". In time of war when the man is at the front his responsibility is very great but in time of alarm if a sentry sleeps or is intoxicated, that he should be punished with death is something unheard-of.

Pandit Balkrishna Sharma (Uttar Pradesh): It is very much heard of.

Shri Gadgil: It is really very merciful.

Shri Hossain Imam: Similarly there are other anomalies. For the same offence at two places two kinds of punishment are suggested. I refer to clause 36, item (c): "a sentry sleeps upon his post or is intoxicated" and clause 42 (d): "breaks out of barracks, camp or quarters". For the first offence the punishment is 14 years imprisonment and for the latter it is two years. I am suggesting that it would help us if we knew what are the punishments for offences in different countries like America, France and England and compare them with our own.

I do not wish to say anything about discipline. There is no doubt that discipline must be maintained and it should be very strict too. But we find

that for using insubordinate language a man is to be punished with imprisonment for ten years. Insubordinate language is a very wide term. I am referring to clause 40(b). If a man is ordered to go out and he says "All right" in a tone of anger it may be called insubordinate language. The Act must be more specific.

I appreciate the attitude of Government that it is not bringing forward the Navy Discipline Bill till the British amended Navy Bill is passed. It shows that the Government is moving in the right direction. We should like to have, if I may be pardoned for saying so, more consolidated information available to us on these subjects. As far as this Parliament is concerned it is a new House and we should like to know the world practices also, so that we may be able to compare them and see that we are not making our law either too stringent or too weak. I do not want that we should go to either of the extremes. I do not want that our penalties should be much harsher than they are in other countries. At the same time every care should be taken that insubordination is not tolerated.

I should also like to know something about the point which the hon. Minister made that certain fundamental rights are to be infringed. I wonder whether on a constitutional issue a justiciable right can be taken away without an amendment of the Constitution.

Shri Gadgil: It is there.

An Hon. Member: There is a provision in the Constitution itself.

Shri Hossain Imam: That amendment will not be in the nature of an ordinary legislative Bill but it should be in the nature of a constitutional amendment. It should be brought forward as a separate measure, as an amendment to the Constitution and not to the Army Act. The Army Bill by itself cannot amend the Constitution; it must be by means of a separate Bill in which we will say that such and such clause in the Constitution is restricted in such and such manner.

Shri Sidhva (Madhya Pradesh): But it is in the Constitution itself.

Mr. Speaker: I do not think it is a point to be argued now. He is merely pointing out a point for consideration by the Select Committee. There shall be no discussion on the point here.

Shri Hossain Imam: Besides this, I should like to know when the hon. Minister proposes to bring forward the other part of the Bill which is left out. I am referring to the subject of insolvency. May I make a suggestion which will be helpful to the Government and the House, namely that these two Bills may be referred to the same Select Committee, so that there may be more uniformity and similar provisions may be made in both.

बाबू रामनारायण सिंह : मैं इस बिल का हृदय से स्वागत करता हूँ। मंत्री महोदय ने बहुत उत्साह और उमंग में कहा कि इस से मालूम होता है कि सरकार कितनी फूर्ती से चल रही है। खैर, सरकार को तो मैं फूर्ती से चलते नहीं देखता, लेकिन इस बिल के सम्बन्ध में मैं कह सकता हूँ कि इस बिल को ठीक वक्त पर और काफ़ी फूर्ती के साथ लाया गया है। भाई हुसैन इमाम साहब ने एक शिकायत की कि इस बिल में काफ़ी खबर नहीं है, न स्टेटमेंट आफ़ आब्जेक्ट्स एंड रीज़न्स (Statement of Objects and Reasons) में, न बिल में और न उन के व्याख्यान में।

[बाबू रामनारायण सिंह]

सभापति जी मैं इस विषय में बहुत दिनों से दिलचस्पी लेता आया हूँ और जहाँ तक सुझे खबर है मैं समझता हूँ कि मंत्री महोदय को भी सेना के सम्बन्ध में काफी खबर नहीं है। जहाँ तक मुझे मालूम है, भारतीय सेना का संचालन थोड़ा बहुत तो क्रानून के जरिये होता था, लेकिन बहुत कुछ हुक्म के जरिये चलता था। जहाँ तक मैं जानता हूँ बहुत क्रानून इस के लिए हैं भी नहीं, केवल तीन चार ही क्रानून थे। बहुत विषयों में ब्रिटिश आर्मी ऐक्ट (British Army Act) लागू होता था, और जैसा मंत्री महोदय ने कहा, इंडियन आर्मी ऐक्ट (Indian Army Act) का क्रानून तो था ही। यह भी बहुत छोटा सा क्रानून है। इस में बहुत बात नहीं है। इस के बाद एक पेंशन रेग्यूलेशन (Pension Regulation) था। यही तो दो तीन क्रानून थे जिनके जरिये सेना का संचालन होता था। लेकिन इस सम्बन्ध में रेग्यूलेशन्स (Regulations) बहुत थे। लेकिन जैसा मैंने पहले कहा, सेना में जितना काम क्रानून से नहीं चलता था उस से अधिक हुक्म से काम चलता था। खैर यह बिल अभी तो सिलेक्ट कमेटी (Select Committee) में जा रहा है, पर मैं समझता हूँ कि जितनी ज़रूरत की बातें हैं शायद इस में भी वे सब नहीं हैं। मैं समझता हूँ कि चूँकि हमारा देश अभी स्वतंत्र हुआ है, प्रजातंत्र घोषित हुआ है, तो एक ऐसा विस्तृत क्रानून होना चाहिए जिसमें देश के कोने कोने के लोग सैनिक शिक्षा पा सकें। बल्कि मैं तो कहूँगा कि चाहे इस बिल में यह बात आवे या दूसरे बिल में आवे, उसके जरिये हिन्दुस्तान के जितने नौजवान हैं उन में से प्रत्येक को, बल्कि युवतियों में से भी प्रत्येक को सैनिक शिक्षा मिलनी चाहिए। मैं जानता हूँ कि जो सेना में जाते हैं, उन में बहादुरी न होने पर भी, बहादुरी उन के हृदय में उत्पन्न हो जाती है, तो इस में कोई शक नहीं है कि हमारा देश अब स्वतंत्र होने पर भी सब ही लोग बहादुरी में नामी नहीं हैं, इस वास्ते इन वक्त ज़रूरत है कि सारे देश में सैनिक शिक्षा, बल्कि हो सके तो अनिवार्य रूप से हर व्यक्ति को सैनिक शिक्षा दी जाये, और मैं तो उम्मीद करता हूँ कि जितने लोग सिलेक्ट कमेटी के मेम्बर हैं वह इस विषय पर विचार करेंगे और इस शिक्षा के जरिये हमारे देश के देशवासियों के हृदय में चरित्र गठन, और बहादुरी और निर्भयता का महत्त्व उत्पन्न कर देना चाहिये। जैसा अभी आपने कहा कि किसी किसी कसूर के लिये बहुत बड़ी सज़ा रखी गई है तो सज़ा के सम्बन्ध में मैं यह कह सकता हूँ कि सेना का काम तो देश के लिये सब से उत्तम काम है, लेकिन उस के साथ साथ सब से कठिन काम भी है। वहाँ तो मामूली काम के लिये भी कड़ी सज़ा हो, तो हमारी समझ में कोई बुरा नहीं होगा, लेकिन सज़ा ठीक से होनी चाहिये। पहले सेना के लोगों की सज़ा के लिये मारशियल

कोर्ट (martial court) था और कभी कभी सिविल (Civil) और क्रिमिनल कोर्ट (Criminal court) में भी उनका मुकदमा आता था। तो मैं जहाँ तक समझता हूँ, मुझे जितनी खबर है, कि मारशियल कोर्ट में ठीक ठीक न्याय नहीं होता था। जैसा कहा जाता है कि सेना में डिसिप्लिन (Discipline) को मानना बहुत जरूरी है। सभापति जी, इस बात को याद रखना चाहिये कि डिसिप्लिन एक स्वतन्त्र गुण नहीं है, यानी एक तरह की डिपेंडेंट वर्च्यू (dependent virtue) है, डिसिप्लिन यानी मर्यादा को मानना मैं एक बहुत बड़ी चीज मानता हूँ और फ्राँज के लोगों को हर सूरत से मानना चाहिये, यह सब भी सही है, लेकिन इस के साथ साथ यह भी जान लेना चाहिये कि डिसिप्लिन क्या चीज है। जैसे मैंने कहा डिसिप्लिन एक स्वतन्त्र गुण नहीं है। कोई न्याय करता है, कोई फ़ैसला करता है, कोई हुक्म देता है और दूसरों को हुक्म मानना होता है। जिस से हम डिसिप्लिन की आशा करते हैं उस के दिल में इस तरह का ज़बरदस्त विश्वास भी होना चाहिये कि उस के साथ न्याय होता है और न्याय के अलावा कोई दूसरी बात नहीं हो सकती है। उस के दिल में इतना पक्का विश्वास होना चाहिये कि उस के साथ हर पहलू से हर हालत में न्याय ही होगा और न्याय के अलावा और बात नहीं हो सकती, तभी जिस से हम डिसिप्लिन की आशा रखते हैं, उस के दिल में इस तरह का विश्वास होगा और तभी डिसिप्लिन चलेगी। अगर उस के दिल में ऐसी बात हो कि जो क़ानून आया है, वह बेढंगा है, और उस के सम्बन्ध में जो फ़ैसला होगा, वह बिल्कुल बेढंगा होगा, उस हालत में आप डिसिप्लिन की आशा नहीं रख सकते हैं। यह तो सही है कि जैसा कि सब लोग समझते हैं और आप के बिल में भी मौजूद है सेना में बहुत ज़बरदस्त डिसिप्लिन, मर्यादा, का मानना बहुत जरूरी है, लेकिन उसके साथ साथ यह ज़रूर होना चाहिये कि न्याय पक्के तौर पर हो। मैंने आदि में कहा था कि सेना का संचालन थोड़ा बहुत क़ानून से होता था और ज्यादा हुक्म से होता था। मुझे तो मालूम है कि जिसे पेंशन मिलती थी, तो जब तक कोई खास बात उसके खिलाफ़ न हो, उसको पेंशन मिलती जानी चाहिये, सो नहीं होता था, और मामूली ढंग से किसीकी पेंशन भी

[PANDIT THAKUR DAS BHARGAVA in the Chair]

बन्द हो जाती थी। तो इस बात को देखना होगा। और एक बात मैं कहूँगा और खास तौर पर मैंने कई बार प्रश्न भी किया है और मुझे उसका उत्तर भी ठीक तरह से नहीं मिला। पहले अंग्रेज़ी राज्य के ज़माने में यहाँ पर अजीब तरीके पर सेना में लोग भरती होते थे और पहले मार्शल (martial) और नानमार्शल (non-martial) का भेद भाव था। और

[बाबू रामनारायण सिंह]

यह होता था कि फलां इलाके से रिक्रूटमेंट (Recruitment) हो सकता था और फलां से नहीं हो सकता था। इस तरीके से कुछ ही इलाके हमारे देश में थे जहां पर सेना में भरती करीब करीब केन्द्रीभूत हो रही थी। तो अब तो देश स्वतन्त्र हो गया है और अब यह पुराना विचार व्यर्थ है और अब तो हर एक बच्चे और बच्चियों को सिपाही बना दिया जाये। तो खैर वह तो एक बात है, लेकिन जब तक वह नहीं हो रहा है, तब तक यह कोशिश करनी होगी कि सारे देश के कोने कोने से लोग रती किये जायें, ताकि फौज में भरती होने का लाभ सारे देश को मिल सके, और अगर देश पर विपत्ति पड़े, तो सारे देश के लोग एक स्वर से संगठित रूप से देश की रक्षा के लिये उठ खड़े हों। जहां तक मैं समझता हूं सेना के संगठन के बारे में आप के बिल में कुछ नहीं है और अगर यह इस में नहीं है, तो इस में बहुत कमी है। वह तो ठीक है कि सेना के अफसरों के नाम और पदों इत्यादि में कुछ अदल बदल हो जायेगा, लेकिन मैं इतना जरूर कहूंगा कि होना यह चाहिये कि सारे देश में किस तरह से रिक्रूटमेंट हो, लोभ भरती हों, उस के लिये भी यहां प्राविजन (provision) होना चाहिये। मैंने कई बार लोगों से पूछा कि भाई अमुक अमुक सूबे में रिक्रूटमेंट हो रहा है, तो रिक्रूटमेंट के लिये वहां एजेन्सी क्या है। परन्तु मुझे कोई उत्तर नहीं मिला। तो सब से पहले देखना यह है कि सेना का संगठन कैसे हो सेना में भी सारे देश के लोगों का प्रतिनिधित्व होना चाहिये इस बात को लेकर के विचार करना होगा और यह तो कानून में आना चाहिये। यह अब तक चला आ रहा था लेकिन खैर यह पहले की बात है। उम्मीद है कि वैसी बात अब नहीं रहेगी। यहां क्या पास होता है यह अखबार पढ़ने वाले थोड़े लोग जान लेते हैं। हम लोग जो यहां हैं जान लेते हैं। लेकिन जो कानून पास हुआ उसके लिये ऐसा प्रबन्ध होना चाहिये कि इस कानून का हम इस तरह सारे देश में प्रचार कर दें कि सभी लोग जान जायें और इस में कुछ लाभ की चीजें हों तो उस लाभ को उठाने के लिये सब तैयार हो जायें। तो मैं समझता हूं कि आप के इस बिल में बहुत कुछ कमी है। सेना के संगठन के बारे में कोई प्राविजन नहीं मालूम हो रहा है और इस कमी को मैं उम्मीद करता हूं कि सिलेक्ट कमेटी के लोग पूरा कर लेंगे। सेना के संगठन के बारे में सब जगह एजेंसी (agency) हो जानी चाहिये कि जिस के जरिये भरती हुआ करेगी। जैसा मैंने कहा अभी सारे देश की जितनी आमदनी होती है करीब करीब आधी तो इसी काम में खर्च होती है। इसलिये इस कानून को जितना पूर्ण, जितनी बढ़िया, बनाया जा सके बनाया जाय।

एक बात और भी है कि हमारे देश में पक्षपात और घूसखोरी चाहे और किसी जगह भले ही हो, यह हर डिपार्टमेंट (Department) में बहुत है, लेकिन यह बहुत आनन्द और मौरव के साथ कहना पड़ता है कि सेना विभाग में इस तरह की बातें नहीं थीं। लेकिन मैं यह कहे देता हूँ और यह मालूम होना चाहिये कि आज कल कानों में ऐसी खबरें आ रही हैं कि सेना में भी चाहे उन्नति की बात हो या बहाली की बात हो उसमें पक्षपात की बात घुस रही है। तो इस तरह के जो कानून बनने जा रहे हैं उन में ऐसी बात होनी चाहिये जिस से वहाँ पक्षपात होना असम्भव हो जाय यानी हमारे सेना विभाग को इतना साफ, इतना सुन्दर और हर सूरत से बढ़िया बना कर रखना पड़ेगा कि जिस से देश में जितने दुर्गुण हैं वह वहाँ फटकने न पावें। सेना के संगठन पर और सेना की योग्यता पर हमारे देश की रक्षा निर्भर करती है। इस वास्ते इस बिल को बढ़िया और सर्वाङ्ग सुन्दर बनाने में जितनी कोशिश हो सके सिलेक्ट कमेटी के सदस्यों को करना चाहिये।

और अधिक बातें मैं नहीं कहूँगा, लेकिन जो जो बातें मैंने कही हैं मुझे उम्मीद है कि सिलेक्ट कमेटी के सदस्य लोग उन पर विचार करेंगे।

(English translation of the above speech.)

Babu Ramnarayan Singh (Bihar): I whole-heartedly welcome this Bill. The hon. Minister has spoken with great zeal and enthusiasm and has shown how fast the Government is moving in this matter. Well, as far as I am concerned I do not see the Government machinery working with any expedition, but as regards this Bill I can say that it has been introduced at the right moment and with sufficient promptness. As regards this Bill Shri Hossain Imam has raised an objection that the Bill is not much informative. Detailed information was not given either in the Statement of Objects and Reasons or in the text of the Bill itself or in the speech delivered by the hon. Minister. Mr. Speaker Sir, I have been taking interest in this matter since long and as far as I am in the know of the things I can say that the hon. Minister himself is also not very well informed on matters connected with the Defence Services. As far as I know formerly the Indian Army was governed by very few enactments but a majority of work was got done by issuing direct commands. As far as I know there were not very many enactments for this thing also, there were three or four Acts only. In certain matters the British Army Act was followed and as the hon. Minister has said the Indian Army Act was no doubt there. This Indian Army Act itself is a very small Act. It also does not contain many things. Then there was another enactment called Pension Regulation. These only were the two or three enactments with which the Army was governed. But there were a large number of regulations to supplement these enactments. But as I said just now that the affairs of the Army were conducted in a far larger degree through direct commands that were issued rather than through these enactments. Well, for the present this Bill is being referred to the Select Committee, but I think that perhaps it also does not contain all those points that are essential. I think that as our country has just now attained freedom and has been declared a Republic so this Bill should have been so comprehensive as to enable the people living in the far distant corners of our country to get military training. But I submit that through

[Babu Ramnarayan Singh]

this Bill or any other Bill that might be introduced each and every young man as also each and every young woman of our country should be given military training.

I know that after joining the army the persons not having bravery and boldness by nature also acquire bravery and boldness. Then there is no doubt about the fact that even after our country becoming independent all the people of this country are not equally renowned for bravery. Therefore at the present time it is essential to give extensive military training throughout the length and breadth of the country and if possible compulsory military training should be given to each and every individual, and I hope that the members of the Select Committee will take this possibility also into consideration and by introducing compulsory military training we should try to give rise in our young men a sense of glory for character building, bravery and boldness. As you have just said that in the present Bill heavy punishments have been recommended for some certain offences. So with regard to these punishments I can say only so much that the military profession is the noblest profession of our country but at the same time it is the most difficult one also. So if heavy punishments are recommended for ordinary offences then in my opinion it would not result in something bad but the punishment should be just and proper. Formerly there was a martial court for the military personnel, and at times the cases of military personnel were also referred to civil and criminal courts. As far as I have come to know proper trials were not held by these martial courts. As it is generally said that observance of discipline is indispensable for the army. Mr. Speaker Sir, we must remember the fact that discipline is not an independent virtue but so to say it is a dependent virtue. I acknowledge the observance of discipline to be perfectly essential and it is also a fact that the military personnel must observe discipline by every means possible, but besides all this we must also know what is meant by discipline. As I have just said that discipline is not an independent virtue. Someone sits to judge, another passes judgment, while still another issues orders and the rest have to obey these orders. So the person of whom we expect perfect discipline must also have an unflinching conviction that justice and nothing but justice can be meted out to him. He must have such unflinching conviction that in every case and under every circumstances he would have justice and nothing short of justice can be meted out to him, and only when the person of whom we expect perfect discipline would have full confidence of this fact then only strict discipline could be observed. If he were to think that this new Act is clumsy and incomplete and the judgment that would be passed on him would be unjust and improper then under such conditions we cannot expect perfect discipline from him. As the people at large believe and as it has also been laid down in the Bill that it is essential for the Defence forces to observe strict discipline. But besides this it must also be clearly provided that proper trials should be held and justice and nothing short of justice be meted out. As I said in the very beginning formerly the defence services were governed more by direct commands than by actual enactments. I know that the common practice, that if a person was granted a pension then as a right he continued to receive it till no detrimental reports were made against him, was not invariably followed in the military and pensions of certain persons were even stopped on flimsy grounds. So we will have to see to this point

[PANDIT THAKUR DAS BHARGAVA *in the Chair.*]

also. I will like to submit one thing more. I have many times tabled questions on that point but at no time have I received a clear and definite answer. In the past during the British rule in India recruitment for the army was made on strange principles. Formerly there was a discrimination of martial and non-martial races and the result was that from certain areas recruitment

to the army could be made and from certain areas not. In this way there were only very few areas in our country which used to monopolize the recruitment to the army. As the country has become independent so it is useless to have this discrimination now, but as opposed to this each and every boy and girl should now be trained as a soldier. Well this is besides the point. Till the time this scheme is not being put into practice we should try to make efforts that recruitment be made from the four corners of the country so that the benefits resulting from enlisting in the army may be derived by the whole of the country, and if any calamity were to fall upon the country then the entire population of this country in a body may take to arms for its defence. As far as I understand the Bill in question does not contain anything about the organisation of the army and if the Bill does not provide for such an organisation then it is decidedly very faulty. It is quite true that some certain changes would be effected in the names and designations etc. of the officers, but I would like to submit at least so much that besides all this provision should also have been made in the Bill about the method of recruitment to the army from the four corners of the country. Several times I have enquired of people that in some particular province recruitment to the army is being made so through which agency recruitment is being made there. But I have always drawn blank. So we have to see in the first place how the army should be organised. The army also should have representation of all the persons in the country. We will have to discuss this Bill in the light of this fact and this should also form a part of the Bill in question. The former practice was, but let bygones be bygones. It is hoped that the old practice will not be followed now. A very few people who read newspapers come to know of the things that are passed in this House. We, who are here, also come to know of them. But arrangements should be made whereby we may be able to give this Bill widest possible publicity throughout the length and breadth of the country so that all the people may come to know of it and if they find anything that might be able to benefit them, then they may take advantage of it. So I think that this Bill lacks in many things. I did not find any provision for the organisation of the army and I hope the Members of the Select Committee will try to make up this deficiency. As regards the organisation of the army recruiting agencies may be opened at different places and the recruitment should be made through these agencies. As I have said nearly half of the total income of our country is spent on the army. Therefore this Bill should be made as complete and comprehensive as possible.

Mr. Speaker Sir, there is one point more; favouratism and bribery may be rampant at other places, they are too much in every department, but it can be said with great satisfaction and pride that in the Defence Department such vices were singularly absent. But I do say and you should know it that these days we are hearing such rumours that nepotism and favouratism are gradually creeping in the Defence Services also and are conspicuously seen when promotions and appointments are made. So in the Acts that are to be enacted such provisions should definitely be made so as to root out any possibility of favouratism and nepotism. We will have to keep our Defence Department so clean, so exemplary and so compact and well organised in every sphere that all the vices rampant in our country today may not be able to cross the threshold of our Defence Services. The well being of our country depends upon the organisation and efficiency of our army. Therefore the members of the Select Committee should spare no pains in making this Bill as comprehensive and compact as possible.

I do not want to submit anything more, but I hope the members of the Select Committee will take into consideration the suggestions that I have made.

Shri Sidhva: This is a Bill over which there should not be much opposition. Ever since it was circulated last year, I have tried to study the various clauses and find that almost all the clauses refer to punishment for various offences that may be committed by the men or officers of the Army. Each and every item of offence is so methodically mentioned that I do not think there is much scope for discussion on this Bill.

One of the main principles of this Bill is that it seeks to enforce discipline among the men and officers of the Army. Actually, I do not think anybody in this House would like to see that discipline is in any way disturbed. As everyone knows, in civilian life also discipline has played an important part. Our independence is due to the spirit of discipline which we had in the Congress Party. But for the great manner in which discipline was observed in the Congress Party as a whole—of course barring a few exceptions, which did not matter—we may not have achieved independence. Similarly, discipline in the Army has become a great necessity. Now the Army is ours. In the olden days the courts-martial used to impose many kinds of punishments which we disliked because the Army was maintained for mercenary purposes, but today it is maintained for the good of the people and for the defence of the country. Today the men of the Army are our helpers in that sense. Therefore, we must see that discipline is maintained and if the punishment is a little more severe than that in civil life, we should see that the Army is given the greatest measure of convenience and facility at the hands of the civilians.

In the olden days when courts-martial were held, those courts were absolutely closed to the public and the press. Where the accused was a soldier but the complainant was a civilian, even there the civilian complainant was not allowed to present himself before that court.

On a hurried examination of the provisions of this Bill, I find there is a slight improvement suggested in this matter which I welcome. Let me give the House an illustration from my own personal experience from which the House will see how courts-martial were held in the past. In my early days I used to see third-class railway compartments marked, "Reserved for Europeans and Anglo-Indians", and in those compartments mostly persons who wore hats, collars and neckties, particularly the military people, used to travel and Indians were scrupulously not allowed to travel in that compartment. It was an insult to us that in our own country when accommodation in the railways was not available to ordinary persons, a carriage on each train should be reserved for the class of people I have mentioned. So, when I was travelling in one of those compartments, I was thrown out by a military officer. When I resisted my luggage was thrown out and then I myself was bodily thrown out of the compartment on to the platform. This matter took a serious turn, not automatically but because I did a good deal of propaganda to see that this kind of incident did not occur again. A court-martial was ordered because the matter was raised in the House of Commons. Such a matter could not be discussed in the Assembly in those days, as you, Sir, yourself know, but as the incident was widely reported about, it was raised in the House of Commons and the Army in India was asked to have a court-martial.

Then the court-martial took place. The accused was presented. But I, who was the party concerned, was not called to give my case.

Shri Hossain Imam: In what year was it?

Shri Sidhva: It was in about 1926.

Shri Gadgil: What was the result?

Shri Sidhva: The result was that the court-martial took place, and the man was discharged.

An Hon. Member: Were you then Mayor of Karachi?

Shri Sidhva: What is the use of this question? There is no question of Mayor or anything in this. The point is, it should be a matter of prestige on the part of every person, however small he may be, to see that such attempts at insulting Indians should not be tolerated and these Britishers brought to their senses. I only wanted to show that. I wrote a letter to the court-martial requesting it to allow me to present my case. Neither myself nor my lawyer was allowed, and the accused was discharged. It was that kind of court-martial.

I was, therefore, particularly anxious to see that some coordination is brought about between the civilian and military rules. In this Bill, some provision is made to allow an opportunity to a civilian, either in the civil court or sessions court. From that point of view I welcome the provisions in this Bill. It was in this connection that I was compelled to bring my personal experience to the notice of the House.

There are very serious punishments provided. A maximum of 14 years is prescribed for mutiny, desertion or fraudulent enrolment. We know what desertion means; what mutiny means. If there is mutiny today in our Army, which is the Army of the people, there should undoubtedly be very strict punishment. Fourteen years is the maximum. It does not mean that 14 years are generally given. That is in the case of a full-fledged court-martial. Now, there is another minor court-martial—something like a summary trial. It can be held for minor offences like insubordination, quarrel between soldier and soldier, disorder, refusal to obey superior officers, breaking of barracks or use of criminal force. For such offences, two years is the maximum punishment. I think for similar offences, the punishment provided for in the previous Act was six years. Of course, I speak subject to correction. The present Bill is a slight improvement in this respect. It is good that only two years have been prescribed for such offences. We know only too well how serious these offences are from a military point of view. Defiance of a superior officer's order means, you know what—absolute disorder. If it is permitted it spreads everywhere. So we have to be cautious in seeing that such incidents do not occur and for that purpose a little higher punishment is necessary.

I have great pleasure in supporting this Bill, which I do whole-heartedly. Out of a total of 196 sections, with the exception of a dozen or so, the rest relate to various offences and the punishments relating to them. From a military point of view, this is desirable. Moreover, I would not like to interfere in the discipline of the Army. I am sure these suggestions must have been made by the General Officer Commanding or the Commander-in-Chief. They must have considered these matters very seriously, and suggested what they thought best for the interests of the country and for the maintenance of discipline in our Armed Forces. I, for one, would not like to interfere in any decision which the Commander-in-Chief may have come to in this matter. I do not know whether the Commander-in-Chief has scrutinised these provisions, but as the highest officer in the Army, I feel sure he must have been consulted. It is not as if the hon. Minister has himself prepared this Bill. It must have been done in consultation with the Army Officers, and as far as military discipline is concerned, at least I would not like to interfere.

My hon. friend Shri Hossain Imam startled the House by saying that for such and such a thing death punishment has been provided. But he forgot the purpose for which this Bill has been brought before this House. He has

[Shri Sidhva]

not scrutinised both sides. If he had compared the previous Acts and the present Act, he will see that wherever leniency is necessary, leniency has been shown and wherever strictness is necessary, they have left nothing to be desired.

Shri Gadgil: Hear, hear.

Shri Sidhva: So, I welcome this measure and strongly support it.

Shri Chaliha (Assam): What about punishments in the U.S.A.?

خواجہ عدلیت اللہ : جلداب والا ! یہ قانون جو ہمارے سامنے پیش کیا گیا ہے اور جس کے متعلق ہم سے سلہکت کمیٹی (Select Committee) میں اسکو بھیجنے کے لئے پوچھا گیا ہے - اسکو سلہکت کمیٹی میں بھیجنے سے پہلے میں آپ سے درخواست کروں گا اور اسدت کی طرف دھیان دلاؤنکا کہ آج کی فوج ہمارى وہ پہلى فوج نہیں رہی -

آج سے چند روز پہلے ہندوستان کی فوج کرایہ کی تمام کی طرح استعمال کی جاتی تھی یعنی یہ ہندوستان پر حکومت کرنے کا ہتھیار تھا اور اب اور آئیندہ آنے والی ہماری فوج ہندوستان کی سایہ ناز ہستی ہے اور ہوگی ہندوستان کے نوجوانوں کی اور ہندوستان کے بہادروں کا ایک چتھا ہوگا جو ہندوستان پر بیغیروں سے ہندوستان کی حفاظت کرنے کے لئے اور ہندوستان کے اندر امن قائم کرنے کے لئے ذمہ دار ہوگا - میں بتانا چاہتا ہوں کہ جس جماعت کے لئے ہم یہ قانون بنا رہے ہیں وہ صرف آج کی موجودہ فوج ہی نہیں ہے - بلکہ میں ہاؤس کو بتا دینا چاہتا ہوں کہ یہ قانون ہم دیکھنے کے سب نوجوانوں کے لئے بنا رہے ہیں جن سے ہم امید کرتے ہیں کہ جب ہم کو ضرورت پڑے تو وہ فوج میں بھرتی ہوں ہم ان نوجوان مردوں سے اور نوجوان بہنوں سے امید کرتے ہیں کہ جب ہندوستان کو ان کی ضرورت پڑے گی یا ہماری بھارت ماتا کو ضرورت پڑے گی تو وہ دیکھنے کے لئے اس میں بھرتی ہونگی - جب ہم یہ قانون دیکھنے کے نوجوانوں کے لئے بنا رہے ہیں تو یہ ایک بے انصافی کی بات ہوگی کہ ہم بیغیر ان نوجوانوں جن کے لئے یہ قانون بنایا جا رہا ہے سے مشورہ لئے ہونے قانون بنا دیں جب کہ ان کو اس کے متعلق کچھ بھی معلوم نہ ہو - اس لئے میں چاہتا ہوں کہ یہ قانون اپنے دیکھنے کے نوجوانوں کے پاس جائے اور ان نوجوانوں کے ساتھ ساتھ وہ نوجوان بھی شامل ہوں جو نوجوان آج دیکھنے کی سہنا میں داخل ہیں کیونکہ انہی کے لئے آج ہم یہ قانون بنا رہے ہیں اور اگر ان سے مشورہ نہ لیا گیا تو شاید یہ بات غلط ہوگی کیونکہ یہ ایک سیکشن (Section) کی رائے ہو جائے گی -

اس لئے میں چاہتا ہوں کہ اس قانون کی جتنی دفعات ہیں چاہے وہ نرم ہیں یا سخت ان سب پر دیہی کے نوجوانوں سے رائے لی جائے۔

ایک دوسری بات کی طرف میں آپ کا دھیان دلانا چاہتا ہوں۔ اس قانون کو میں نے ابھی سوسری طور سے پڑھا اس میں لکھا ہے کہ۔ ہامپٹن کے نئے مختلف قانون بنایا جائے گا کہ یہ فلاں کام میں حصہ نہ لیں اور پروسیشن (Procession) میں بہ شامل نہ ہوں یا کسی میٹنگ (Meeting) میں شامل نہ ہوں میں سمجھتا ہوں کہ یہ ہمارے کانستٹیوشن (Constitution) کے خلاف ہے۔ جب قانون میں دیہی کے تمام مضمون کو دیہی کی تمام نیشن (nation) کو حق دیا گیا ہے تو اس حق کو کوئی بھی کسی حالت میں نہیں چھین سکتا جب تک کہ کانستٹیوشن کے کلاؤز (Clauses) نہ بدل دئے جائیں۔ اس وقت تک ہم کسی کو بھی اس کے حق سے نہیں روک سکتے ہمارے کانستٹیوشن میں ہر فرد کو حق دیا گیا ہے کہ وہ ہر جماعت میں شامل ہو سکیں ہر جلسوں میں شامل ہو سکے گا ہر پارٹی میں حصہ لے سکیں۔ تو کیا وجہ ہے کہ جب تک کانستٹیوشن کے کلاؤز کو نہ بدل دیں ہم کوئی ایسا قانون بنائیں جس سے بعض سیکشن بعض کاموں میں حصہ نہیں لے سکتے اور اس لئے میں چاہتا ہوں کہ اس قانون کو پیسہ کرنے کے پہلے آپ اپنے دیہی کے ان نوجوانوں کا مشورہ حاصل کر لیں جن کے لئے کہ آپ قانون بنا رہے ہیں۔ اور کانستٹیوشن کے جس حصے کو اس کے ذریعہ ہم چھو رہے ہیں اس کو بھی پہلے بدل لیں۔ اور جو قانون آپ بنا رہے ہیں۔ جیسا کہ حسین امام صاحب نے کہا ہے۔ وہ اتنے سخت ہیں کہ ایسا معلوم ہوتا ہے کہ اس قانون کے قوافٹ کرنے والے نے شاید ہی فوج میں کام کیا ہوگا یا اس کو فوج کا تجربہ ہوا ہوگا۔ ان سبازٹیوشن پر چودہ سال کی سزا رکھی گئی ہے۔ اس سے معلوم ہوتا ہے کہ ان کو فوجی زندگی کا کوئی تجربہ نہیں ہے۔ اور اگر یہ چیز ہندوستان میں لوگوں کو معلوم ہو جاوے کہ فوج میں اتنی سخت سخت سزائیں رکھی گئی ہیں کہ جہاں ان کا قدم ادا سے ادا ہوا کہ ایک طرف پھانسی اور دوسری طرف چودہ سال کی سزا ہے تو میں سمجھتا ہوں کہ ہندوستان کے جوانوں کو فوج میں بھرتی کرنے کے لئے ہمیں ایک الگ تیار شدت کھولنا ہوگا تاکہ لوگ کہیں یہ قانون اس طرح نہیں ہے اس طرح کا ہے۔ اس لئے میں یہ درخواست کرتا ہوں کہ اس قانون کو ہندوستان میں لاگو کرنے سے پہلے ہندوستان کے جوانوں سے جو اس وقت فوج میں موجود ہیں یا چلکو ہم فوج میں اٹھانے لانا چاہتے ہیں مشورہ حاصل کیا جاوے۔

(English translation of the above speech)

Khwaja Inait Ullah (Bihar): Before this Bill which has been just moved and which the hon. Members have been asked to refer to a Select Committee,

[Khwaja Inait Ullah]

is sent to that Committee, I will like to submit that our Army has not remained its familiarly known old type and I will proceed to give reasons in support of this plea.

Till recently the Indian Army has been used like a hired cart. I mean by this to say that it was merely a weapon to rule over the country. But now our Army is an organisation of which we can be proud and will continue to be so in future. For all times to come it will prove to be a batch of young men of this land responsible for its defence against any foreign aggressor and for maintenance of peace within. My submission is that the measure we are going to legislate has implications not merely towards our present day Army. I would like to impress upon the House that the measure, we are going to pass is, in fact, meant for all of the young men of this country. It is these young men whom we wish to enlist themselves in the Army in times of need and, again it is these young men and young women of the country whom we expect to join its ranks when 'Bharat Mata' (Mother India) is in need of them. If, then, this is a legislation primarily to affect the young men, it will be an unjust act to proceed with it without consulting them and without their knowing about it in the least. I, therefore, want this Bill to be circulated among the young men of the country and in them I include those also who are serving in the Army at the present time. Such a course is desirable because we are engaged in framing of this law primarily to apply them and, as such, it will be wrong not to consult them and the step itself will be tantamount to opinion of merely one section. I, therefore, want all young men to be consulted on all clauses of this Bill irrespective of their being hard or lenient.

I wish to draw your attention to yet another matter. I have gone through the Bill in a cursory manner only as yet and therein I find that a different legislative measure is proposed to be brought forward for the soldiers, which will serve the purpose of giving them clear instructions not to participate in certain activities and disallowing their taking part in a procession or a meeting. I hold this all against the spirit of our constitution. When this right has been conceded to all individual in the country and to the nation as a whole, it cannot be taken away on any pretext, whatsoever until the clauses of the Constitution are changed to that effect and till then we cannot prevent anybody from exercising the same. In the constitution every individual has the right to join any organisation, to participate in every procession and participate in the activities of any party. There is no reason then why certain sections of our population should be debarred to take part in certain activities. Before this Bill is brought before the House, I would like you to consult the young men of our country for whom you want to enact it as also to alter accordingly that part of the Constitution which is likely to be infringed by adopting that course. Looking at the extremely hard nature of this Bill, as the hon. Shri Hossain Imam has described it, it appears as if the draftsman responsible for its being so, had never an occasion to serve in the Army or to have any experience thereof. A punishment of 14 years has been provided for offences of insubordination. It shows he has no experience of life in an army. If people in India come to know of it that such harsh punishments have been provided in the Army Law and a slight slip in their conduct there may mean gallows or a fourteen years term. I think we will need to open a separate department to enlist the young men in the Army and to give an occasion to the people to know the real nature of the law as applicable to the Army. I, therefore, repeat my suggestion to circulate this Bill among the young men of India who are serving in the Army at present or whom we want to enlist the Army in times to come and they should be consulted before the same is applied to them.

लाला अचिन्त राम : फौज को दुबारा संगठित करने के लिए यह बिल पेश किया जा रहा है। यह तसलीमशुदा बात है कि फौज के लिए बहादुर होना जरूरी बात है। अगर फौज बहादुर नहीं है तो उसका काम नहीं चल सकता और अगर उसके अन्दर डिसिप्लिन (discipline) नहीं है तो भी फौज बेकार हो जायगी, अगर फौज के अन्दर संगठन नहीं है तो भी फौज शक्ति हासिल नहीं कर सकती। इस बिल में गलतियों के लिए बहुत सारी सजायें रखी गई हैं। जैसा कि मेरे भाई ने कहा कि नाफरमांबरदारी के लिए १४ साल की सजा रखी गई है। मैं बहुत तो फौज के काम से वाकिफ नहीं हूँ। लेकिन इतनी बात मुझे मालूम पड़ती है कि जहां फौज में गलतियों के लिए इतनी सजायें रखी गई हैं उसके साथ ही यह इन्तजाम नहीं है कि फौज वालों के लिए ऐसा बातावरण बनाया जाय कि वह गलती न करें। एक तरफ हम फौज वालों को मौका देते हैं कि वह गलती करें और दूसरी तरफ उनके वास्ते हम सजायें देते हैं, मैं नहीं समझता कि यह कहां तक ठीक है। मसलन इस वक्त फौज के अन्दर बहुत शराब इस्तेमाल होती है। मैं नहीं समझता कि एक तरफ तो हम शराब इस्तेमाल कराएँ और उनको इस्तेमाल दिलाएँ कि गलतियाँ करें और फिर उनको सजायें दें, यह कहां तक ठीक होगा। इसलिए मैं बहुत वाकफियत न रखते हुए आपसे यह प्रार्थना करूंगा कि अगर आप इस वक्त चाहते हैं कि फौज के अन्दर डिसिप्लिन रहे तो इसके लिए लाजिमी बात यह है कि आप उनके मन और दिमाग को ठीक रखें और इसके लिए यह लाजिमी है कि ऐसा वायुमंडल बनाया जाय जिसके अन्दर उनका दिमाग और मन ठीक रहे और शराब मन और दिमाग को ठीक नहीं रहने देती। आप शराब को फौज में कम कीजिये ताकि ऐसा वायुमंडल कायम हो सके जिसमें डिसिप्लिन रह सके।

दूसरी बात जो मैं महसूस करता हूँ वह यह है, कि जैसा हमारी गवर्नमेंट की पालिसी (policy) है कि जहां तक हो सके मूलक के अन्दर जितने डिविजन्स (divisions) और सबडिविजन्स (sub-divisions) हैं, जितने हिन्दू, मुसलमान, सिख आदि के इस्तिलाफ़ात हैं, या कोई कास्ट (caste) या सबकास्ट (sub-caste) के इस्तिलाफ़ात हैं, उनको मिटाया जाय। मैं समझता हूँ कि अब तो सेन्सस (census) में से भी कास्ट का खाना हटा दिया गया है। २६ जनवरी को यहां परेड (parade) हुआ तो मैंने देखा कि डोगरा पल्टन, सिख पल्टन, जाट पल्टन यहां चल रही हैं। मैं उम्मीद करता हूँ कि यह चीज दूर हो जायगी और जहां तक जल्द हो सके इनको दूर करना चाहिए। ढाई तीन बरस से हम सुन रहे हैं कि जाति पांत की तमीज़ नहीं होगी, इसके बावजूद भी कुछ चीजें ऐसी चल रही हैं। मैं उम्मीद करता हूँ कि जो नई आर्मी (Army) होगी उसमें यह चीज नहीं होगी। उसके अन्दर इस तरह की तमीज़ को हटा देना चाहिए।

[लाला अचिन्त राम]

इन दो बातों के अलावा मैं यह चाहता हूँ कि आज़ाद हिन्दुस्तान में हम लोग यह न भूलें कि बहादुरी का सोर्स (source) महात्मा गांधी की तालीम है। जब तक फ़ौज में वह बहादुरी न होगी हमारी हिफ़ाज़त नहीं हो सकती। यकीनन हमारी फ़ौज बहादुर है और मुल्क की रक्षा कर रही है। लेकिन सच्ची बहादुरी महात्मा गांधी की तालीम से ही पैदा हो सकती है। मैं यह महसूस करता हूँ कि हमारी फ़ौज में जाग्रति पैदा हो गई है, वह अख़बार पढ़ते हैं और पालिटिक्स (politics) डिसकस (discuss) करते हैं। तो आप जहाँ उनके वास्ते और लिटरेचर (literature) मुहइया करते हैं वहाँ ऐसा लिटरेचर भी मुहइया करें जो कि महात्मा गांधी की तालीम देता हो। जिससे कि उनको सच्ची बहादुरी मिल सके। हमें तभी सच्ची बहादुरी और नज़ात मिल सकती है जब हम महात्मा गांधी की राय पर चलें।

यही चन्द बातों में अर्ज़ करना चाहता हूँ।

(English translation of the above speech)

Lala Achint Ram (Punjab): This Bill is being moved with a view to re-organise the Army. This is an acknowledged fact that the heroic spirit must dominate the Army at all times. An army is bound to meet a failure in accomplishing the task before it in the absence of such a spirit; becomes useless if, within its ranks and files the sense of discipline disappears and again, there can be no hope of its ever becoming strong if unity of purpose remains no more an order of the day there. In the proposed Bill, too many punishments have been provided for offences of various nature. For instance, my hon. brother has pointed out the provision of 14 years' punishment for offences of disobedience. I don't claim much knowledge of the affairs of an army, but, whereas so many punishments have been provided, it appears to me as if no consideration has been given to take steps for creating an atmosphere which may dissuade the army men to commit such offences. I don't see how far it is a right procedure to adopt to provide opportunities to the army men to commit those offences on the one hand and to punish them for the same on the other. To take an instance, the Army is accustomed to an excessive use of wine these days. I simply fail to see the true logic in making them, firstly, use wine and thus instigate them to commit offences, and inflict punishments on them subsequently. So if the purpose is to achieve observance of discipline within the Army, I, while admitting my ignorance in many respects, appeal to you to realize the indispensable necessity to keep their mind and brain on the right lines and create an atmosphere wherein this may be feasible. Wine is a thing which is a hindrance in that way. You should lessen its use in the Army so that a proper atmosphere may be created wherein observance of discipline becomes a reality.

Another matter about which I feel is that the Government should pursue its policy with regard to abolishing of all divisions and sub-divisions within the country and stop recognition of Hindu, Muslim and Sikh differences or distinctions on grounds of caste or sub-caste. I believe the column regarding caste of an individual has now been eliminated from even the census records. Recently when a military parade was held on the January 26th, I saw men of the Dogra, Sikh and Jat platoons marching together. I trust these distinctions will cease to exist before long and we should strive to eliminate them as far

as possible. In spite of assurances being given for the last two and a half or three years that there shall be no distinction on grounds of caste, we see some of the things still working on those lines. I hope there shall be introduced no such thing in the new Army. Such distinctions should be abolished therein.

Besides these two things, in independent India, I want you not to become oblivious of the fact that the real source of heroism lies in the teachings of Mahatma Gandhi. Our Defence will remain an impossibility till the chivalrous spirit pervades the Army. I admit our Army to be certainly a brave one and I know it is defending the country these days. The real inspiration for brave deeds, however, can come through Mahatma Gandhi's teachings alone. I am aware that an awakening is noticeable in the Army. Our army men read newspapers and discuss politics. The literature on the teachings of Mahatma Gandhi, therefore, should be procured for them along with that being provided to them on other topics at present. It will develop in them a sense of true bravery. Real bravery and deliverance are possible to be had only if we act on Mahatma Gandhi's teachings.

I had to submit only this much.

चौधरी रणवीर सिंह : फौज के पुनः संगठन के बिल का समर्थन करते हुए मैं आज इस बात को महसूस करता हूँ कि वह वक्त तो नहीं रहा जब कि हम फौज में लड़ने वाले यह समझा करते थे कि देश के दो हिस्से हैं, एक उन लोगों का जो मार्शल रेसेज (martial races) से हैं और दूसरा उन लोगों का जो कि गैर मार्शल रेसेज के लोग हैं। लेकिन इस बात से कोई इन्कार नहीं कर सकता कि अगर आप आज भी फौज के सिपाहियों की गिनती करेंगे तो आपको मालूम होमा कि फौज में वही लोग सिपाही हैं जिनको अंग्रेजी राज के वक्त में मार्शल रेसेज कहा जाता था। अभी मेरे आदरणीय दोस्त लाला अचिन्तराम जी ने जात पांत का यानी जाट पल्टन या डोगरा पल्टन के बारे में जिक्र किया मैं उन आदमियों में से हूँ जिनके बहुत सारे रिश्तेदार सिपाहियों से लेकर कर्नल तक आज मौजूद हैं और मेरा लाला जी और लाला जी जैसे दूसरे सज्जनों से भी सम्बन्ध रहा है और मेरे दिमाग में जात पांत के लिये कोई जगह भी नहीं है। लेकिन मैंने उन फौजी भाइयों से बातचीत की है और वह यह महसूस करते हैं कि अगर जाट पल्टन, या सिख पल्टन या डोगरा पल्टन का नाम हटा दिया गया तो इससे फौज की एफिशिएंसी (efficiency) में कमी होगी। और उसका वह सबसे बड़ा कारण यही बताते हैं कि जिस वक्त लड़ाई होती है तो मैदान में जाट पल्टन जाती है, सिख पल्टन जाती है और डोगरा पल्टन जाती है तो उनमें आपस में एक तरह का होड़ का माद्दा पैदा हो जाता है। मरहट्टा समझते हैं कि हम इस मोर्चे को जीतें, ज'ट समझते हैं कि हम जीतें। और मैं आज भी यह हाउस को आपके द्वारा बतला देना चाहता हूँ कि हमारे इलाके में ६ जाट पल्टन वालों ने जो पहली लड़ाई में फ्रांस में बहादुरी दिखाई थी उसको याद करके आज भी हमारी जाट फौज के आदमी जोश से आये बढ़ते हैं। और उनके दिल के अन्दर वह भावना पैदा होती है जो कि आज एक

[चौधरी रणवीर सिंह]

नेशनल सिपाही के अन्दर राष्ट्रपिता की जयकार लगाते हुए पैदा होती है। तो मैं आज उस बात को तो कह भी नहीं सकता और मैं खुद भी मानता हूँ कि मार्शल और नानमार्शल का वक्त नहीं रहा, हिन्दुस्तान सब का है और देश के अन्दर सब को ही अपनी जिम्मेदारी सम्भालनी है। लेकिन एक बात कहे बगैर मैं नहीं रह सकता कि जहाँ तक फौज के सिपाही का वास्ता है वह उन आदमियों में से है जो लड़ने वाले हैं। जहाँ तक कमीशन का ताल्लुक है और जैसा सिविल दफ्तरों में होता था कि अच्छा लिखा देखा जाता है, अच्छे अंग्रेजी बोलने वाले की आवश्यकता होती है। बदकिस्मती से फौज के अन्दर भी आज छांटने के लिये इस किस्म की आवश्यकता मान ली गई है। इस सिलसिले में मैं आपसे प्रार्थना करना चाहता हूँ कि फौज के अफसर के लिये यह कोई जरूरी नहीं है कि वह अच्छा लिखने वाला हो, अच्छी अंग्रेजी बोलता हो। फौज के अफसरों के लिये जरूरत है तो यह है कि उसका दिल मजबूत हो और जब मौत उसके सामने नाचती हो तो उसे देख कर डर के मारे भागे नहीं, बल्कि आगे बढ़े और देश के नाम को ऊँचा करे और मैं दावे से कह सकता हूँ कि जो लोग सिपाही रहे हैं उन भाइयों में से जो अफसर बने हैं वह ज्यादा दिल गुर्दा रखते हैं और हिम्मत के साथ लड़े हैं। मैं नहीं चाहता कि मुझे कोई गलत समझे। मैं किसी जात-पात की बिना पर नहीं बल्कि मैं समझता हूँ कि फौज के अन्दर एफिशिएन्सी तभी बढ़ेगी जब आप किसी को अफसर बनाते हैं या कमीशन देना चाहते हों, भले ही उस आदमी को सीधे कमीशन दें लेकिन कुछ समय के लिये वह सिपाही अवश्य रहे। अंग्रेजों के वक्त में यह था कि केवल अंग्रेजों के लिये ही अफसरों में जगह थी, वह अपने आपको समझते थे कि उनका यह पैदाइशी हक है कि वह फौज के अफसर बनें और दूसरे वह थे जिन्हें मार्शल रेसेज कहते हैं, उनकी किस्मत में यह था कि वह १७ ६० या ८ ६० के सिपाही भर्ती हों। आज तो यह सबका देश है, एकसा हिस्सा है। इसलिये मैं यह जरूरी समझता हूँ कि कमीशन देने के वक्त इस बात का खास तौर पर ध्यान रखा जाय कि कमीशन देने से पहले हर उस आदमी को मजबूर किया जाय कि वह दो साल तक सिपाही रहे। ट्रान्स्पोर्ट बिल (Transport Bill) में भी तजुर्वे का जिक्र था। फौज के लिए भी मैं समझता हूँ, कि फौजी कमीशन के अफसरों के लिये तजुर्वेकार आदमी ही लिये जाय। बिना इसके अगर आदमी लिये जाते हैं तो न उनको आम सिपाही के दिमाग का अन्दाजा लगाने का वक्त मिलता है न उसमें वह लोग विश्वास रखते हैं। जब एकदम से लेफ्टेनेंट बना दिया जाता है इसका नतीजा यह होता है कि वह सिपाही की साइकालोजी (Psychology)

नहीं समझ सकते। इसलिये मैं यह जरूरी समझता हूँ कि जहाँ हमारी हकूमत को यह अख्तियार हो कि वह जिसे चाहे कमीशन दे। कमीशन के देने के सिलसिले में इस किस्म के कायदे कानून बनाये जायें कि जो भी कमीशन ले वह कमीशन लेने से पहले सिपाही भर्ती हो। पहले तो आम तौर से यह था, कि भारतीयों में से जो सूबेदार, मेजर होता था या रिसालदार मेजर होता था उन्हीं को मौका मिलता था कि वह कप्तान बनें और लेफ्टीनेंट बनें। लेकिन आज तो बदकिस्मती यह है। मैं जानकारी से कह सकता हूँ कि मेरे साथ पढ़े हुए कुछ भाई लेफ्टीनेंटी में भर्ती हो गये। और जो बेचारे सिपाही भर्ती हुए और जिन्हें वायसराय कमीशन मिला और जमादार बन गये वह कभी लेफ्टीनेंट नहीं बन सके। जो लेफ्टीनेंट बने वह कर्नल बन गए, उन्हें यह इस लिये मौका मिला कि किसी अफसर ने उनकी पीठ पर थपकी दी चाहे उनमें एफिशिएन्सी थी या नहीं। इस लिए मैं समझता हूँ कि जिस तरह से सिविल में भी तरक्की का आम तरीका यह है कि जो आदमी पहले भर्ती हुआ वही दर्जा ब दर्जा तरक्की करता है। इसी तरह आर्मी के अन्दर भी जो आदमी लेफ्टीनेंट बने वह पहले जमादार बने या दूसरा अफसर बने वह शुरू में सिपाही भर्ती हो।

एक और चीज की तरफ मैं आपका ध्यान दिलाना चाहता हूँ। वह रियासती फौज के बारे में है। कुछ भाइयों का ख्याल है कि रियासती फौज अच्छी फौज नहीं है। लेकिन तजुर्बे से यह साबित होता है कि रियासती फौज जब हमारी फौज के साथ लड़ने के लिये गई तो हुशियारी में उतना तो नहीं लेकिन काफी हद तक उनका मुकाबला किया, और इसलिये मैं नहीं समझता कि जब उनका इंटिग्रेशन (integration) हो तो जो उनके ओहदेदार हैं, जो उनके रैंक हैं उनको उस रैंक में न रक्खा जाय। इंटिग्रेशन के वक्त हर आदमी को जो नालायक नहीं है, जो ज्यादा उम्र का नहीं है उनका आर्मी के अन्दर इंटिग्रेशन किया जाय, और उनको रैंक (rank) देते वक्त उनके रैंक का ख्याल किया जाय। मेरे कहने का यह मतलब नहीं कि रैंक का ख्याल रखने से एफिशिएन्सी में कमी आती हो तो भी रैंक का ख्याल रखा जाय, एफिशिएन्सी का ख्याल रखते हुए उसके रैंक का ख्याल जितना हो सकता हो रखा जाय।

जहाँ तक कोर्ट मार्शल का ताल्लुक है, मैं आपसे निवेदन करना चाहता हूँ कि जब यहाँ पर अंगरेजी राज्य था तो बहुत सारे भाई जिनके दिमाग पर कांग्रेस के प्रचार से असर हुआ और फौज के अन्दर उन्होंने कुछ ऐसी बातें कहीं जो एक नेशनलिस्ट (nationalist) कहता है तो सिर्फ इतने कसूर पर, उनमें कोई कमी बाहरी नहीं थी, बहादुरी से वह लड़ते थे, और लड़ कर दिखाया। लेकिन चूंकि उनके

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अन्दर नेशनलिज्म की भावना पैदा हो गई और अंग्रेज उस भावना को बर्दाश्त नहीं कर सकते थे, इसलिये उन्हें फौज से निकाल दिया गया। उन्हीं में से जो बड़ा हिस्सा है उसे हमारे देश का हर एक बच्चा जानता है। जिसे आई० एन० ए० कहते हैं, इंडियन नेशनल आर्मी किसी आर्मी से कम नहीं थी, लेकिन उनके साथ में, मैं यह तो नहीं कहता कि बर्ताव बहुत ज्यादा खराब किया गया, लेकिन इतना अच्छा बर्ताव नहीं किया गया जितना अच्छा बर्ताव उनके साथ करना चाहिये था। आई० एन० ए० के अलावा भी बहुत से आदमी हैं.....

Mr. Chairman: I hope the hon. Member realises that his remarks are absolutely irrelevant to the issue before the House.

चौधरी रणवीर सिंह : I bow to your ruling. इस सिलसिले में मैं आपको झुवाला दिखा सकता हूँ जहाँ बिल में दर्ज है कोर्ट मार्शल में यह सारी चीज आती है।

मैं इस बारे में ज्यादा नहीं कहना चाहता, इतना ही कहना चाहता हूँ कि बहुत सारे फौजियों के ऊपर जुल्म होता रहा है आगे ध्यान रखा जाय कि उन पर जुल्म नहीं होने पाये। दूसरे यह कि जिन भाइयों के ऊपर जुल्म हुआ है उनकी किसी ढंग से थोड़ी बहुत सुनवाई की जावे यह पेन्शन के रूप में या किसी दूसरे रूप में की जा सकती है। इतना कहते हुए मैं इस बिल का (Select Committee) के समर्पण का समर्थन करता हूँ।

(English translation of the above speech)

Ch. Ranbir Singh (Punjab): While giving my support to the Bill for the reorganisation of the Army I have the feeling today that although the time is no more when we, the fighting men of the army, used to think that the country was divided into two parts, one part being represented by the people belonging to the martial races and the other by those of the non-martial races, yet nobody can deny the fact that even today if you were to take a census of the soldiers in the Army you will find that just those people are serving in the Army as soldiers who used to be designated as the martial races during the British rule. Just now my honourable friend, Lala Achint Ramji, was talking about the caste distinctions, that is, such divisions of the Army as the Jat Regiment or the Dogra Regiment. I am one of those men a number of whose relations are serving in the Army in various capacities, from the rank of a soldier to that of a colonel. At the same time I have also had my connection with Lalaji and other friends like him. Moreover, I do not at all subscribe to the idea of caste distinctions. But I have talked with my brethren of the Army and they are of the opinion that if the names such as the Jat Regiment, or the Sikh Regiment or the Dogra Regiment are removed this would tell upon the efficiency of the Army. The main reason for this advanced by them is that when, in the time of a war, the different regiments, viz., the Jats, the Sikhs and the Dogras go into action they are animated by a spirit of competition. The Mahrattas vie with the Jats for the capture of a certain position. And, Sir, I should like to tell this House through you that even today the men of our Jat regiments

advance forth with a fervour when they are reminded of the gallantry shown in France, during the first Great War, by the men of the 6th Jat Regiment, who belonged to my parts. This awakens in them the same kind of sentiment as is aroused today in the heart of a national soldier in shouting the slogan, 'Victory to the Father of the Nation'. I cannot raise that issue today and I admit that the time of the division of the people into the martial and non-martial categories is no more. India belongs to all of us and everyone has to assume his responsibilities. But I cannot help saying that so far as the soldiers in the Army are concerned they belong to the fighting groups of people. In the case of the commissioned ranks, however, proficiency in writing and speaking of English has unfortunately come to be regarded as the criterion for selection in the same way as in the case of civil employment. I beg to submit, in this connection, that it is not very essential for a military officer that he should be a good writer and should be able to speak English fluently. On the other hand, what is required in the case of a military officer is that he should be possessed of a stout heart and that when he finds death dancing before his eyes he should not run away out of fear at the sight but go forward and elevate the name of his country. And, I could assert that those officers who have risen from the ranks of the soldiers have proved to be possessed of a superior mettle and have fought with valour. I do not want to be misunderstood. I do not take my stand on the caste classifications, but if you want to promote efficiency in the Army you must see that before a man is promoted to the officer rank or granted a commission—even in the case of a direct appointment to a commissioned rank—he must be required to serve as a soldier for a certain period. During the British regime the officer ranks were reserved for the British. They regarded it as their birthright to be taken as officers in the Army. The other group of people was the one designated as the martial races, whose lot it was to be recruited as sepoy on Rs. 17 or Rs. 8. Today this country belongs to us all and everyone of us has an equal title to it. Hence, I regard it as very important that it should be made a condition precedent to the grant of a commission that the person concerned should have to put in compulsory service for two years as a soldier. In the Transport Bill too there was mention of experience. I think that in the case of the Army as well only experienced persons be appointed to the commissioned ranks. If a person is appointed without that preliminary qualification he does not get an opportunity to form an estimate of the mentality of a common soldier, nor are those people likely to repose confidence in him. When a man is directly appointed a lieutenant the result is that he is unable to understand the psychology of a soldier. Hence I regard this as important that while our Government should have the power to grant a commission to whomsoever they like they should frame rules and regulations to the effect that whosoever aspires to a commissioned rank must initially enlist as a soldier. Formerly the usual practice used to be that only such a one from among the Indians who happened to be a subedar major or a risaldar major was offered the opportunity of appointment as a lieutenant or a captain. But, today, it is unfortunate—I can speak with knowledge of the matter—that whereas some of those who had been my fellow-students enlisted as lieutenants others, less fortunate ones, who joined as soldiers and having attained a Viceroy's Commission became *Jamadars*, could never become lieutenants. Those who had joined as lieutenants became colonels. They got their opportunity because of backing by some higher authority, no matter whether they were efficient or inefficient. Hence, I feel that just as in the case of civil employment the usual mode of promotion is by seniority and on a graded basis in the same way in the Army too a man who is to become a lieutenant should before that become a *Jamadar* and must initially start as a soldier.

I wish to draw your attention to one other matter which relates to the armies of the States. Some people think the States forces are not so efficient. Experience, however, has shown that when the States' forces went forth to

[Ch. Ranbir Singh]

fight shoulder to shoulder with our other forces they might not have been equally efficient but they acquitted themselves fairly well. Hence, I fail to understand why, in case of integration, their officers should not be given the same ranks as they enjoyed before. Every man who is not incapable or too old should be retained for purposes of integration and his existing rank considered in the final allotment of ranks. I do not mean to say that this should be done even at the cost of efficiency but that consideration should be given to the existing ranks with due regard to the requirements of efficiency.

Now, I wish to make a submission with regard to the court martial. During the British regime some people in the army, who came to be influenced by the Congress propaganda, happened to say such things while in that service as are said by nationalist minded people, for which fault they were discharged from the Army although they had no other shortcoming and could and did fight gallantly. Only, the British could not stand their nationalistic outlook. The major part of those soldiers is well known to our countrymen. They are known as the I. N. A. The Indian National Army was not inferior to any other Army. I do not say they have been treated very badly but they have not been treated as well as they should have been. There are others too besides the I. N. A.....

Mr. Chairman: I hope the hon. member realises that his remarks are absolutely irrelevant to the issue before the House.

Ch. Ranbir Singh: I bow to your ruling. I could show you the reference in the Bill; all this falls under court-martial.

Without saying anything more on that subject I want to say only this much that a considerable number of people in the Army have in the past been treated oppressively and, therefore, care should be taken to see that they are not so treated in future. I would also urge that some redress should be provided in the case of those who happened to be victimised, either in the form of a pension or in some other form. With this I support the motion for the reference of this Bill to a select committee.

Shri Gadgil: I am very grateful to the House for the general approval which it has given to the Motion. Taking the speeches of hon. Members one after another, I find that two points have been raised by my hon. friend, Mr. Hossain Imam; one was about punishment and the other about doing away with certain constitutional rights. My hon. friend is well aware of the fact that the Constitution lays down clearly in article 33 that the Parliament has got the power, so far as the maintenance of discipline in the army is concerned, to restrict the scope of the various rights guaranteed in the Constitution. He is well aware also of the fact that that is the substantial position all over the world, and the reasons are obvious. Does he want the army people to mix up with current politics? Would he like the idea of the army people joining in demonstrations held by the Muslim League or any other communal or communist bodies? Would he like them to form trade unions and would he like them to act in defiance of certain orders that may have been issued by the Commander-in-Chief on the ground that every citizen is guaranteed the right to associate and the right to free expression? If that is his idea of running a Government and maintaining intact the entity of the State, the sooner we get rid of him or he gets rid of his ideas, the better.

Shri Hossain Imam rose—

Shri Gadgil: I am not giving way.

Now as regards the punishment, he is well aware of the fact that in any criminal jurisprudence aggravating as well as extenuating circumstances find a

place. That is exactly what is being done here. Would he like a sentry sleeping when he is on duty? What is he there for? What is dishonesty in a trader, want of discipline is in a soldier. The very basis of the Army is discipline and from what my hon. friend seems to think of 'punishment', I should say that he is sadly mistaken about the whole position, the whole role of the Army in the country.

Now my hon. and old friend Ramnarayan Singh was quite pleased with the provisions of the Bill as they are but he wanted the Army to be सुबुक, सुसज्ज और सुसंगठित

वह ऐसा हो सकता है जब उनमें अनुशीलन की भावना हो, उसके बगैर वह कभी संगठित नहीं हो सकते हैं। और देश में ऐसी हालत भी पैदा हो गई है कि हमारी जो सेना है, वह पहले सरीखी नहीं रही। हमारे सैनिक जानते हैं कि अब वह पैसे से मोल लिये हुए काम करने वाले आदमी नहीं हैं, वह जानते हैं कि देश आबाद हो गया है, देश का संरक्षण करना उनका काम और मैं समझता हूँ कि एक धर्म है और उस धर्म का पालन वह अच्छी तरह से करेंगे, यह तो मैं जानता हूँ, लेकिन इसके साथ साथ अगर वह राज्य कार्य में हिस्सा लें, या इस तरीके से हम इस क़ानून का कुछ नक़शा बनायें कि उनके लिये यह परमिशन (permission) हो तो मैं समझता हूँ कि जो मेरे दोस्त राम नारायण सिंह चाहते हैं, वह होने वाला नहीं है, इसलिये यह ठीक होगा कि जो संगठन इस क़ानून में एक बनाया है, वह संगठन हो जाना चाहिये। जो दूसरी बातें हैं देश प्रेम की, वह तो काम में समझता हूँ और लोगों का है। उन लोगों का है जो राजनीतिक कार्य में काम करते हैं, देश के नेता हैं, उनका यह काम है। इस तरह की हवा और वायुमंडल देश में पैदा करें।

[This is feasible only when they possess the necessary thinking power without which no consolidation in that field can be possible. There has arisen a situation in the country as not to allow our Army to remain the familiarly known old type. Our soldiers are conscious that they are no more employed as mercenary type of men. They know it well that our country is now free and are conscious of their duty to defend it as such. I believe to defend one's country as part of *Dharma*—a religion duty and I have every hope they will discharge the same in that spirit. I agree so far as that goes. But, if the intention is to allow them to participate in the administration of the country or to incorporate in this Bill some provision envisaging such a permission, then, in my opinion, what my hon. friend Babu Ramnarayan Singh wants to achieve will not become a reality. It will be, therefore, a right thing to do to allow the model of consolidation envisaged in this Bill to take its shape. As for other things concerning one's patriotism, I think, that is a job for other people to do. This is a concern of those who participate in politics. It is a task to be done by the leaders of the country. Let us create such an atmosphere in the country.]

Another speaker referred to the fact that all the young men in this country must be consulted before this thing is put on the Statute Book. Probably he is not aware of the fact that hundreds of young men become majors every minute. Is it intended that I should go on continually consulting them every now and then? That will be an endless adventure.

[Shri Gadgil]

I am sorry, that he has entirely misunderstood the position. The position is that I have attempted nothing in this proposed Bill which is startlingly new. What was scattered in several enactments, what was found to be inadequate for the modern conditions, what was not in tune with our present political status all that I want to bring together and consolidate in one Act. There is nothing new, nothing like a departure from the present except where it has become absolutely necessary.

Reference was made by one of the speakers about the communal character of certain regiments. The present policy of the Government is to do away with communal representations in the various regiments of Armed Forces, but in the present circumstances, it is not possible to introduce it immediately in the existing regiments. However, this has been the accepted policy to be implemented as early as possible, but gradually.

It may interest many Members of the House to know that the distinction between martial and non-martial has been abolished.

My hon. friend, Mr. Sidhva said something about reservation. In good old days reservation was for Anglo-Indians. I remember, Sir, in the year 1912 when I had to travel from Ahmedabad to Virangaum the train was crowded, but one compartment was absolutely unoccupied with the sign board 'Dhidi one mate that is reserved for Scheduled Castes. I entered it; the ticket collector asked me and I said am a 'Dhedias' for the purpose of travel. Now there is no necessity for these things. The reservation for Anglo-Indians is gone. The reservation for the 'Dhedias' is gone. We have now entered an era of equality of status and of opportunity.

I am glad that certain constructive suggestions have been made in the course of this debate. I have not the slightest doubt that the Members of the Select Committee will take them into consideration and I am sure that the House will pass this Motion.

Shri Hossain Imam: My hon. friend had completely misunderstood me when he thought that I was questioning the right of the Parliament to enact. What I was saying was that it should be enacted under the provisions of Section 33 so that we may look at it with this wording namely the fundamental right had not been infringed but had been restricted under the Act. What I object to is that any Act passed without mentioning Section 33 cannot be deemed appropriate.

Mr. Chairman: It is hardly a personal explanation. It is more the exposition of law. The question is,

"That the Bill to consolidate and amend the law relating to the government of the regular Army, be referred to a Select Committee consisting of Shri Mahavir Tyagi, Shri H. V. Kamath, Shri B. Shiva Rao, Shri G. R. Ethirajulu Naidu, Shri S. K. Ahmad Meeran, Shri Awadheshwar Prasad Sinha, Shri Sadiq Ali, Shri Ram Nath Goenka, Shri Raj Bahadur, Shrimau G. Durgabai, Shri M. Ananthasayanam Ayyangar, Major General Maharaj Shri Himatsinghi, Shri Tayapa Hari Sonavane, Shri Pidathala Ranga Reddi, Shri S. Sivan Pillai, Dr. P. S. Deshmukh, and The Hon'ble Sardar Baldev Singh, with instructions to report on or before the 20th February, 1950."

The motion was adopted.

AIR FORCE BILL

The Minister of Works, Mines and Power (Shri Gadgil): I beg to move:

"That the Bill to consolidate and amend the law relating to the government of the Air Force, be referred to a Select Committee consisting of Pandit Thakur Das Bhargava,

Shri Ari Bahadur Gurung, Shri R. K. Sidhva, Shri M. V. Rama Rao, Shri Mihir Lal Chattopadhyay, Shri Mohanlal Gautam, Shri H. G. Mudgal, Shri Satis Chandra Samanta, Shri Sita Ram S. Jajoo, Shri Vangallu Kodandarama Reddi, Shri Joachim Alva, Shri Biswanath Das, Shri Jaspat Roy Kapoor, Shri Mathura Prasad Mishra, Shri P. Kunhiraman, Thakur Lal Singh, and The hon. Sardar Baldev Singh, with instructions to report on or before the 20th February, 1950."

Sir, there is nothing in this Bill which is different from the Bill which has just now been referred to the Select Committee. The provisions are identical except in one respect, namely, the provision of summary court-martial, which finds a place in the Bill which has been just referred to the Select Committee does not find a place in the other. I do not want to repeat the arguments and I hope other Members will not do the same.

Shri Bishwanath Das (Orissa): May I request you to see that my name is omitted. I am busy otherwise.

Shri Himatsingka (West Bengal): When the Bill is absolutely similar, why not send it to the same Select Committee?

Mr. Chairman: I understand Mr. Bishwanath Das does not want his name to be proposed. If the Mover agrees to it then his name may be deleted.

Shri Gadgil: I am not agreeable to the deletion of his name. I think Mr. Biswanath Das should be there on the Committee.

Mr. Chairman: Then I take it that Mr. Biswanath Das is agreeable. The question is:

"That the Bill to consolidate and amend the law relating to the government of the Air Force, be referred to a Select Committee consisting of Pandit Thakur Das Bhargava, Shri Ari Bahadur Gurung, Shri R. K. Sidhva, Shri M. V. Rama Rao, Shri Mihir Lal Chattopadhyay, Shri Mohanlal Gautam, Shri H. G. Mudgal, Shri Satis Chandra Samanta, Shri Sita Ram S. Jajoo, Shri Vangallu Kodandarama Reddi, Shri Joachim Alva, Shri Biswanath Das, Shri Jaspat Roy Kapoor, Shri Mathura Prasad Mishra, Shri P. Kunhiraman, Thakur Lal Singh, and The hon. Sardar Baldev Singh, with instructions to report on or before the 20th February, 1950."

The Motion was adopted.

PATENTS AND DESIGNS (EXTENSION OF TIME) BILL

The Minister of Industry and Supply (Dr. S. P. Mookerjee): I beg to move:

"That the Bill to provide in the case of displaced persons for the extension of the time limited by or under the Indian Patents and Designs Act, 1911, for the doing of acts thereunder, be taken into consideration."

This is a short Bill the object of which is to amend certain provisions of the Indian Patents and Designs Act, 1911. Under that Act, there are time limits fixed within which certain acts have to be done by persons who wanted to apply for patents. It appears that a number of such applicants were persons who used to reside in areas which have now fallen within Pakistan. Unfortunately they could not comply with the strict requirements of the Act and their applications did not come within the time limit fixed under that Act. The result of this has been that they have not been able to take out their patent rights. The law as it stands provides for no extension of time. Although the number of such cases is not very large—up till now about 75 to 80 such cases have been brought to the notice of Government, but we thought it would be desirable to amend the Act in a suitable manner so that these special cases may be considered, and necessary extension of time may be granted by the Controller of Patents.

I have myself given notice of one or two formal amendments. One of them I should like to explain, and it relates to persons who may have got patents

[Dr. S. P. Mookerjee]

in view of the patents not being granted to the displaced persons. There may be a few such cases. If such patents have already been granted to others and rights have accrued to them, then obviously we have to do something to protect such rights. Therefore, I have given notice of an amendment which, hon. Members will see, provides that while giving full benefit to the displaced persons, the Controller of Patents will take into consideration the cases of other persons to whom rights might have accrued meanwhile, and pass orders as the exigencies of the circumstances might demand.

There is nothing controversial about the Bill and I hope, it will be accepted by the House.

Mr. Chairman: The question is:

"That the Bill to provide in the case of displaced persons for the extension of the time limited by or under the Indian Patents and Designs Act, 1911, for the doing of acts thereunder, be taken into consideration."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Dr. S. P. Mookerjee: I have an amendment to clause 3. As I have already explained, I have given notice of an amendment in order to cover the cases of *bona fide* persons to whom patent rights might have been granted by the Controller because the applications of the displaced persons were time-barred. I beg to move:

"That after sub-clause (2) of clause 3, the following new sub-clause be added:

(3) Where it appears to the Controller that an order allowing an extension of time, if made, may prejudicially affect the interest of any other person who, subsequent to the date on which the original application or proceeding by the displaced person should have been completed, has applied for or obtained a patent in respect of an identical invention, the Controller shall, if he makes an order allowing an extension of time, attach to such order such conditions as he may deem fit for protecting the interest of such other person."

Mr. Chairman: The question is:

"That after sub-clause (2) of clause 3, the following new sub-clause be added:

(3) Where it appears to the Controller that an order allowing an extension of time, if made, may prejudicially affect the interest of any other person who, subsequent to the date on which the original application or proceeding by the displaced person should have been completed, has applied for or obtained a patent in respect of an identical invention, the Controller shall, if he makes an order allowing an extension of time, attach to such order such conditions as he may deem fit for protecting the interest of such other person."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Dr. S. P. Mookerjee: I have suggested the addition of a new clause which will give power to Government to make rules especially to indicate the form

and manner in which application of this Act may be made and the procedure to be adopted by the Controller for dealing with such applications. 5 P. M. That is all the purpose of this amendment.

Some Hon. Members: You may read the amendment.

Dr. S. P. Mookerjee: I beg to move:

"That after clause 3, the following new clause be added:

4. *Power to make Rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of carrying out the objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the form and manner in which any application under this Act may be made by a displaced person; and

(b) the procedure to be adopted by the Controller for dealing with any such application."

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Mr. Chairman: The question is:

"That after clause 3, the following new clause be added:

4. *Power to make Rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of carrying out the objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the form and manner in which any application under this Act may be made by a displaced person; and

(b) the procedure to be adopted by the Controller for dealing with any such application."

any such

The motion was adopted.

New clause 4 was added to the Bill.

Dr. S. P. Mookerjee: I beg to move:

(i) "That in sub-clause (1) of clause 1, for the figures '1949' the figures '1950' be substituted."

(ii) "That for sub-clause (2) of clause 1, the following be substituted:

(2) It extends to the whole of India except the States in Part B."

Mr. Chairman: The question is:

(i) "That in sub-clause (1) of clause 1, for the figures '1949' the figures '1950' be substituted."

(ii) "That for sub-clause (2) of clause 1, the following be substituted:

(2) It extends to the whole of India except the States in Part B."

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 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.

Mr. Chairman: The question is:

"That the Preamble stand part of the Bill."

The motion was adopted.

Mr. Chairman: The question is:

"That the Title stand part of the Bill."

The motion was adopted.

The Title was added to the Bill.

Dr. S. P. Mookerjee: I beg to move:

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

I am thankful to the House for the silent but solid support they have given.

Mr. Chairman: The question is:

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

The motion was adopted.

The House then adjourned till a Quarter to Eleven of the Clock on Wednesday, the 8th February, 1950.