

Wednesday, 8th 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 - نہچے سے سطر ۱۱ - دد مانی ۴۴ کے بجائے دد مانئید ۴۴ پڑھیں -

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Volume III—

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

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

PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

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.

(b) and (c). The advances were made in terms of Section 18 (1) (3) of the Reserve Bank of India Act against title deeds, etc., except for a very small amount granted against Government Securities. The question of having an audited report before the grant of the loan does not therefore arise.

Shri Sidhva: What are the gilt-edged securities against this loan of Rs. 87 lakhs given by the Reserve Bank?

Dr. Matthal: Most of it was given against title deeds, but I believe a certain amount was given against government securities.

Shri Sidhva: May I know what is the market value of the title deeds?

Mr. Speaker: It appears to be a transaction of an equitable mortgage.

Shri Sidhva: May I know whether the Reserve Bank is likely to recover the amount?

Mr. Speaker: That will be problematical.

Shri T. T. Krishnamachari: Is it not a fact that in all cases where the Reserve Bank goes to the help of a joint stock bank there is a preliminary audit by the Reserve Bank officials, and if so, may I know whether any such action was taken in this case?

Dr. Matthal: This particular advance was made by the Reserve Bank under Section 18 of the Reserve Bank Act just a little while before the bank went into liquidation. The affairs of the bank are now in the hands of the liquidator and the whole matter is now under the consideration of the liquidator.

Shri Sidhva: What was the position of this Exchange Bank before the loan was granted?

Dr. Matthal: I think the Exchange Bank went into liquidation some time in May, 1949 as far as I can remember, and there were some inspections by the Reserve Bank before the Bank went into liquidation. I think the essence of the report was that the position of the Bank was unsatisfactory and there was a proposal that the Bank should be unscheduled. But then, after further consideration I think the Bank was told that if they could satisfy certain conditions prescribed by the Reserve Bank, then the question of restoring it to the schedule would be considered. By that time the Bank went into liquidation. The position was unsatisfactory during all that period.

Shri Sidhva: Was the Government informed about this and did the Government give sanction for this loan?

Dr. Matthal: The sanction of the Government is not required in this matter. As the hon. Member knows, this particular section, that is section 18, is a section under which the Reserve Bank is authorised to make advances where there is a special case. That is a matter which would be determined by the Governor of the Bank with the approval of the Central Board.

Shri Sidhva: Does the section also say that an unlimited amount can be given as loan?

Dr. Matthal: Nothing is prescribed in the section as regards the limit of the loan.

Shri Alva: May I know how many banks in Bombay applied for protection under the "special case" referred to by the hon. Minister and how many have been denied the facilities?

Dr. Matthal: I would like to have notice of that question.

CONTINGENCY AND MISCELLANEOUS EXPENDITURE IN DEFENCE SERVICES

*139. **Shri Sidhva:** (a) Will the Minister of **Defence** be pleased to state the various items covered by the heading "Contingencies and Miscellaneous Items" in the budget of 1949-50?

(b) Was any cut applied to these items and if so, to what extent?

The Minister of Defence (Sardar Baldev Singh): (a) and (b). There is no such heading as "Contingencies and Miscellaneous Items" in the Budget or Accounts of the Defence Services. The funds provided for miscellaneous expenses in the year 1949-50 have been shown separately under various heads in the Defence Services Estimates and the items of expenditure for which provision has been made have also been indicated in the various explanatory notes.

The necessity for strict economy has been impressed on all concerned and wherever it has been possible to effect a cut, this has been done. I am however not in a position to indicate the extent of the saving on such items distributed over various budget heads.

Shri Sidhva: Can we have an idea of the total amount of the cuts effected, if not the various items?

Sardar Baldev Singh: I have not got that figure with me at the moment.

MALARIA AND T.B. AMONGST STUDENTS

*141. **Sardar Hukam Singh:** Will the Minister of **Health** be pleased to state whether the Government of India have considered the desirability of collecting statistics on student health in general and incidence of T.B. and Malaria among students of Universities in particular?

The Minister of Health (Rajkumari Amrit Kaur): The responsibility to collect statistics on the health of students is primarily that of the Governments of States. Provision for the medical inspection and treatment of the school-going population is confined mainly to some of the larger cities and, even in these cities, arrangements for treatment are inadequate. Government are fully aware of the need for a well developed school health organisation because until such comes into being for the country as a whole the health of the student community will not come up to standard nor will it be possible to secure reasonably correct statistics regarding the general health of students and the incidence of tuberculosis or malaria among them.

Sardar Hukam Singh: Is it realised that the incidence of these two diseases, that is T.B. and Malaria, amongst the students is pretty high?

Rajkumari Amrit Kaur: Well, from such figures as I have, the most common defects amongst the student population today are malnutrition, errors of refraction, enlarged tonsils and enlarged spleen. "Enlarged spleen" of course, means Malaria. And there is also Anaemia. T.B. is spreading.

Sardar Hukam Singh: May, I know whether the incidence has been on the increase during these three years? What is the information of Government?

Rajkumari Amrit Kaur: I think T.B. is on the increase. Malaria is not on the increase.

Shri Sivan Pillay: May I know whether the treatment of T.F. by B.C.G. vaccine has been taken up in all the Universities?

Rajkumari Amrit Kaur: B.C.G. vaccination has begun amongst students: they have been given priority.

Dr. Deshmukh: Is it not a fact that during the last two years every college has introduced medical inspection of the students?

Rajkumari Amrit Kaur: I am afraid I cannot say whether every college has. The Universities have been circulated to have medical inspection in all colleges.

Shri Kamath: May I know whether the Central Government is not responsible for collecting statistics with regard to these matters in schools and colleges in the Centrally Administered Areas?

Rajkumari Amrit Kaur: The Central Government is really not responsible. We try to get statistics. It is the duty of the Provincial Governments to collect the statistics. We try to get in touch with them.

Shri Kamath: I was asking about Centrally Administered Areas.

Mr. Speaker: That question does not arise out of this.

Shri Kamath: That is very strange, Sir.

Shri Rathnaswamy: Is it not a fact that this dreadful disease claims a very large toll of victims from the poor and labouring classes residing in unhealthy environs?

Mr. Speaker: The question is one of opinion.

Shri T. T. Krishnamachari: May I ask if students of colleges and schools are compelled to submit themselves to be vaccinated by this B.C.G. vaccine?

Rajkumari Amrit Kaur: No, Sir, there is no compulsion anywhere.

Shri Iyyunni: May I know whether in colleges and schools medical inspection is not made of the health of the students, and if so, is it not possible to get sufficient statistics from the reports made by the inspectors?

Rajkumari Amrit Kaur: I have already stated that where there are medical attendants attached to schools and colleges, information can be had, and I have given the diseases which are most prevalent amongst the student community.

Shri Kamath: With due deference to you, Sir, may I know how my question does not arise?

Mr. Speaker: The hon. Minister earlier stated that it is the responsibility of Provincial Governments.

Shri Kamath: But in Centrally Administered Areas, which Government is responsible?

Mr. Speaker: That question of course would be relevant, but when she has stated once that it is the responsibility of the Provinces in the case of a large number of statistics, it is no use restricting it to small areas which are Centrally administered.

Shri Kamath: Then who is responsible for Centrally Administered Areas?

Mr. Speaker: That question is irrelevant in this case.

CONFERENCE OF POLICE OFFICERS

***142. Sardar Hukam Singh:** (a) Will the Minister of Home Affairs be pleased to state whether it is a fact that a conference of police officers of the States was convened by the Government of India recently?

(b) If so, what was the purpose of this conference and what decisions were taken therein?

(c) Were the reported Police atrocities in Central Provinces and one in Bombay also discussed in this Police Officers Conference?

(d) What steps do Government propose to take in order to prevent the police from committing such excesses?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). A conference of Heads of police of the States was called last month to discuss administrative and technical matters of common interest to the police forces of various States. It will not be in the public interest to disclose the outcome of the deliberations of the Conference.

(c) I regret it is not possible to answer this question in the absence of full particulars about the cases hon. Member has in mind.

(d) Does not arise.

Shri Tyagi: Did these police officers come only from the Rajpramukhs' States or from the Governors' States as well?

Sardar Patel: From all the Provinces and States.

Sardar B. S. Man: Was it proposed or not to have a common police force of R.E.P.S.U., Himachal Pradesh and Punjab in view of the fact that all these States have enclaves and islands in each other's territory?

Sardar Patel: There is no question of having a common police force for different States, but the common policy of co-ordination has been considered.

Shri A. Joseph: May I know from the hon. Minister how many people were killed in Andhra Desha by the Communist Party or by its sympathisers before this conference was held?

Sardar Patel: This was a conference of police officers to discuss a common policy and discuss what measures should be taken. How does the question of anybody killed arise here?

Mr. Speaker: Yes, that question does not arise.

Shri R. K. Chaudhuri: May I know if any instance of police excess has been reported to the Government of India since the attainment of independence?

Sardar Patel: No case of police excess has been reported to the Government of India.

Shri Hossain Imam: Has any proposal for having a Central Police Force stationed in the Provinces and States been considered by this conference?

Sardar Patel: No.

Shri Raj Bahadur: May I know whether the question of affording adequate protection to the border villages in Rajasthan, against Pakistani raiders, was discussed at the conference?

Sardar Patel: Naturally these questions were considered because the heads of the police met in order to consider the question of peace and order all over India.

TRANSFER OF MUSEUM PIECES FROM PAKISTAN TO INDIA

*143. **Lala Raj Kanwar:** (a) Will the Minister of Education be pleased to state whether in connection with the division of assets and liabilities of the Undivided Punjab between the two Dominions of India and Pakistan, any of the rare finds, exhibits and other relics, of historical, artistic, architectural, and archaeological interests kept in the museums at Lahore, Taxila and Mohan-Jo-Daro were made over to India as her share?

(b) If not, what steps did Government take to secure them or their equivalents in monetary value?

The Minister of Communications (Shri Kidwai): (a) and (b). In accordance with the decision of the Partition Council Museums under the control of the Central Archaeological Department before the partition were to be divided on territorial basis, i.e., the Museum situated in Pakistan should be placed under the control of the Pakistan Government and those situated in other parts should remain under the control of the Government of India. It was also agreed that the exhibits removed from these museums for temporary display after January 1, 1947, were to be returned to their respective Museums. The assets of the Museums at Mohan-Jo-Daro, Lahore Fort, Taxila and Harappa were not, therefore, divided. But the exhibits of Mohan-Jo-Daro in India were divided on 50-50 basis.

There was another Museum at Lahore which was under the control of the Punjab Government. On the partition of the Punjab the assets of this Museum were divided on 60:40 basis.

Lala Raj Kanwar: May I know whether the division in respect of the Mohan-Jo-Daro exhibits was made by a single officer in his individual capacity or by a committee of experts containing representatives of both sides?

Shri Kidwai: Most of the exhibits from Mohan-jo-Daro were in India at the time of partition and those exhibits were divided in the ratio of 50:50 and the 50 allotted to Pakistan have been removed from here.

Sardar B. S. Man: In the case of the exhibits at the Lahore museum which were divided between East and West Punjab in the ratio of 60:40, has India's share been brought over from Lahore or not?

Shri Kidwai: An officer from East Punjab did reach Lahore on 1st February and removal of the allotted articles to India has begun, but the final report has not yet been received.

Dr. Deshmukh: In how many cases has this allocation of the shares of the two countries already taken place? Are there any exhibits belonging to India still lying with the Pakistan Government?

Shri Kidwai: As I have stated, allocation is complete except in the case of exhibits of the Lahore museum which was under the control of the Punjab Government. In this case our share was not brought to India and an officer was sent on 1st February; he has started removing our assets. We have not yet received any report to show whether the removal has been completed or not.

Sardar Hukam Singh: What about the Harappa exhibits? May I know whether they have been divided?

Shri Kidwai: I have stated that the division of the museums has been done on a territorial basis, and therefore the Harappa assets will remain with Pakistan.

Shri Sidhva: May I know whether the exhibits from Mohan-Jo-Daro which were sent to the London Exhibition are still there or have they been brought back to India?

Shri Kidwai: I have no information.

Shri A. C. Guha: Sir, are we to understand that the Indian portion of the exhibits from Mohan-Jo-Daro and Taxila Museums have not yet been brought to India? When are we to get our share from these?

Shri Kidwai: I said most of the assets from Mohan-jo-Daro were in India and therefore they have been divided on a 50:50 basis and Pakistan's share sent to them.

REORGANISATION OF CENTRAL SECRETARIAT

*144. **Lala Raj Kanwar:** Will the Minister of Home Affairs be pleased to state:

(a) whether the report on the re-organisation of the machinery of the Government of India presented by the hon. Shri N. Gopalaswami Ayyangar has been examined by Government?

(b) if so, what orders have been passed thereon; and

(c) if the matter is still under consideration, when final orders are likely to be passed?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) and (c). The report is still under consideration and final decision must await some detailed consideration which is at present being undertaken.

Shri Sidhva: May I know whether the hon. Minister will place the Report on the Table?

Sardar Patel: It is under consideration. We cannot place it before the House until it is finally considered.

Lala Raj Kanwar: May I know how many Cabinet Ministers, how many Ministers of State and how many Deputy Ministers are proposed to be appointed under the scheme put forward by Shri Ayyangar?

Sardar Patel: That is a matter which is under consideration. We cannot disclose the actual number.

Lala Raj Kanwar: What are the financial implications of this scheme?

Mr. Speaker: Order, order. That is asking for disclosure of the contents of the Report which the hon. Minister has stated he does not wish to do.

Shri Tirumala Rao: Has the attention of Government been drawn to a paragraph published in the newspapers giving a gist of this Report?

Sardar Patel: Newspaper reports are not always accurate.

Shri Hossain Imam: May I ask whether the Standing Committees of the Departments would be afforded a chance of giving their opinion on the re-organisation scheme put forward by Shri Ayyangar?

Sardar Patel: You mean the Standing Committees should be given a chance to suggest names of Ministers?

Shri Hossain Imam: No. I meant a chance to the Standing Committee of each Department to give its opinion on the re-organisation scheme in respect of that Department itself.

Sardar Patel: I do not think so.

Shri Iyyunni: May I know how long will it take for orders to be passed on the Report?

Sardar Patel: We propose to come to a decision as early as possible.

ECONOMY IN MILITARY EXPENDITURE

*146. **Shri B. K. Das:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have considered the question of economy in the military expenditure, and

(b) if so, with what results?

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

(b) I would request the hon. Member to await the presentation of the Budget.

Shri B. K. Das: Has any basis been fixed for economy?

Sardar Baldev Singh: No basis is fixed. As I have said in my reply, it will be better if the hon. Member awaits the presentation of the Budget.

Sardar B. S. Man: Can I have an assurance that this question of cut or economy in military expenditure will not in any way impair the efficiency and the strength of the Army?

Sardar Baldev Singh: The overall security of the country is the consideration which is always borne in mind.

SECRETARIAT REORGANISATION

*147. **Pandit M. B. Bhargava:** (a) Will the Minister of **Home Affairs** be pleased to state what were the main recommendations made by the Secretariat Reorganisation Committee, and to what extent have these recommendations been accepted and implemented by the Government of India?

(b) What will be the effect of the recommendations of this Committee on the efficiency of the staff?

(c) What will be the effect of the recommendations on economy in expenditure?

The Minister of Home Affairs and the States (Sardar Patel): (a) to (c). I understand the hon. Member refers to the recommendations made by the hon. Shri Gopalaswami Ayyangar. As I have explained in reply to starred question No. 144 the recommendations are still under consideration.

Shri Jagannath Mishra: Is it a fact that Class II Government servants in all the Secretariat offices do not enjoy the same scale; if so, what is the reason?

Mr. Speaker: It does not arise out of this. This question refers to the Reorganisation Committee.

ECONOMY IN PROVINCIAL EXPENDITURE

*148. **Pandit M. B. Bhargava:** (a) Will the Minister of **Finance** be pleased to state what steps have been taken by the Government of India to press upon the different State Governments the necessity of economy in expenditure on Revenue and Capital accounts and what has been their response in this concern?

(b) Is there any co-ordinated policy of economy drive, evolved by the Government of India in collaboration and consultation with the different State Governments?

(c) If so, what are the main features of this policy and how far has this succeeded?

The Minister of Finance (Dr. Matthai): (a) to (c). The Government of India have brought to the notice of all States Governments the measures which they themselves have taken to secure economy in their Revenue and Capital expenditure with the request that they should consider economy in States' expenditure on somewhat similar lines. It is understood that the States have adopted various measures to effect economy and the details of these measures will be available in their budget statements which will be published shortly. I would request the hon. Member to await the publication of these budget statements.

Pandit M. B. Bhargava: May I know what is the total estimated economy likely to be effected by these measures?

Dr. Matthai: By the State Governments or by the Centre?

Pandit M. B. Bhargava: By both.

Dr. Matthai: As far as the Centre is concerned, I think I made a statement in the course of the debate on devaluation that we expected to make a reduction of somewhere about Rs. 40 crores on the Budget Estimates of 1949-50, and we expected to make a reduction of Rs. 80 crores in the next year's Budget. Beyond that, I am not in a position to make any statement. I would ask the hon. Member to wait till the budget details are disclosed.

Pandit M. B. Bhargava: What about the provinces? Have the Government of India issued any instructions as to what should be the minimum economy to be effected in the expenditure of the provinces?

Dr. Matthai: I have no right to issue any instructions to the State Governments. All that I can do is to make humble suggestions, which I have made.

Shri R. K. Chaudhuri: Is it a fact that too much pressure has been already brought on the Government of Assam to reduce their expenditure.....

Mr. Speaker: Order, order.

Shri R. K. Chaudhuri: Arising out of (a), I want to ask that question.

Mr. Speaker: It may arise, but I am not allowing it.

Shri Bharati: Have the Government of India suggested to the States Governments to balance their budgets? I saw some report like that in the papers.

Dr. Matthai: All that we have done is to impress on the States Governments the great importance of effecting as much economy as they can in the special circumstances. We have not gone beyond that.

Shri Frank Anthony: Is it a fact that one of the recommendations made to some of the States Governments by the Central Government is that they should go slow with their extravagant prohibition policy?

Mr. Speaker: Order, order.

MANUFACTURE OF SHIPS

***149. Prof. K. T. Shah:** (a) Will the Minister of **Defence** be pleased to state what provision has been made in this country for building Naval Vessels of different kinds, as also for providing the equipment and armament needed for such naval craft?

(b) If the answer to part (a) above be in the negative, when do Government propose to make adequate arrangements for this purpose?

(c) How many such vessels have been actually built indigenously, and what armament or equipment for the same has been provided since 15th August 1947.

The Minister of Defence (Sardar Baldev Singh): (a) and (b). Provision has been made for building small vessels and craft for the Indian Navy in the Naval Dockyard, Bombay. At present only small ancillary craft can be built there, but it is proposed to develop this Dockyard so that larger vessels can be built. At the Scindia Ship-building Yard at Vizagapatnam, capacity exists for constructing small tankers and supply and repair ships.

As regards naval armaments, the requirements will, it is hoped, eventually be met by our Ordnance factories.

(c) Three Survey or Motor Boats were constructed at the Naval Dockyard, Bombay, during the year 1949.

Prof. K. T. Shah: May I enquire if Government will bear in mind the requirements of national self-sufficiency in the matter of naval defence?

Sardar Baldev Singh: That is the main consideration, but, as the hon. Member knows, there are lots of difficulties before we can achieve self-sufficiency.

IMPORT OF EQUIPMENT FOR NAVY

***150. Prof. K. T. Shah:** (a) Will the Minister of **Defence** be pleased to state the arrangements, if any, now in force with regard to obtaining naval armament stores, and equipment from foreign countries, and the mode and medium of payment for the same?

(b) What are the principal countries which provide such supplies?

(c) Are there any treaties now in force regulating such matters, and if so, with what countries?

(d) What is the cost of the naval, military, and R.I.A.F., stores, equipment, and armaments imported from abroad during the years 1947-48, and 1948-49, and budgeted for during 1949-50, with particulars of the countries from which such stores, armaments, or equipment have been obtained and the amounts paid for the same, in hard, or soft, currency to each?

The Minister of Defence (Sardar Baldev Singh): (a) and (b). Naval armament stores obtained abroad are mainly purchased from the U.K. Demands are placed on the Director-General, India Stores Department, London, who arranges for indents to be placed on the Admiralty and for the stores to be shipped to India. The Naval Adviser to the High Commissioner acts as Liaison Officer on technical matters. Payment is made by the Government of India through the High Commissioner for India in the U.K. Payment is made in sterling.

(c) No.

(d) It will not be in the public interest to disclose this information.

Prof. K. T. Shah: May I enquire whether Government buy these things from material specially manufactured for our requirements, or they buy from the Admiralty's existing stocks?

Sardar Baldev Singh: I think it is quite clear that Government do not buy anything that is offered, but only what is suitable to our requirements.

Prof. K. T. Shah: My question was whether these things are made to our order specially, or Government merely buy from stocks which are made for their requirements.

Sardar Baldev Singh: Naturally, we would not purchase anything which is not suited to our requirements. Only the things that are suited to our requirements are purchased.

INSTITUTES FOR HIGHER TECHNICAL EDUCATION

*151. **Prof. K. T. Shah:** (a) Will the Minister of Education be pleased to state what progress, if any, has been made in setting up any of the four institutes of Higher Technical Education?

(b) Has any equipment actually been ordered or procured for any of these institutions, and, if so, from what countries, at what cost, and whether in sterling or dollars?

(c) How much of such equipment has been received already in India, and what remains still to be imported, or produced in India, to enable each of the institutions concerned to start operations?

(d) Has the equipment actually been provided, out of the material available, produced, or manufactured in this country and if so, what is the value of such equipment provided for each of these institutions?

The Minister of Communications (Shri Kidwai): (a) (1) *Eastern Higher Technical Institute.*—Beginning has already been made with the setting up of this institute. West Bengal Government have made over, free of cost, a site at Hijli, District Kharagpur and have permitted the use of some of the buildings located thereon. The buildings have been reconditioned. The C.P.W.D. have also prepared plans for new buildings, the construction of which will be undertaken in the next financial year.

Some of the staff including the Director and five Heads of the Departments have been selected. One has already joined and others are expected to join soon. Workshop Equipment for this institute has been indented from German Reparation and from the Disposals. Part of it has already been received on site.

(2) *Western Higher Technical Institute.*—Government of Bombay has acquired land near the north Kurla.

(3) *Northern Higher Technical Institute.*—Kanpur has been selected for this institute.

(4) *Southern Higher Technical Institute.*—Location of the Institute has not yet been settled.

(b) Please see reply to part (a) above. No equipment has so far been ordered from abroad.

(c) The Heads of Departments after joining will draw up detailed lists of equipment and only such equipment as is not available in India will be acquired from abroad.

(d) The cost of equipment acquired from German Reparation Stock will be about Rs. 9 lakhs. In addition equipment worth about Rs. 2.72 lakhs has been acquired from surplus stores lying with Disposals Directorate and more indents are being placed on that organisation.

Dr. Deshmukh: May I know, Sir, if there will be any cut imposed as a result of the economy drive in the funds to be set apart for this purpose from the Central Government?

Shri Kidwai: I would suggest the hon. member awaiting the budget proposals.

Prof. K. T. Shah: May I know whether any staff has been engaged—Indian or foreign—which is familiar with the working of this equipment or which is not?

Shri Kidwai: The staff has been recruited after scrutinising their qualifications for this purpose.

Ch. Ranbdr Singh: Do Government propose to start institutions of higher technical education in the Punjab?

Shri Kidwai: For the present there is no such intention.

Dr. Deshmukh: May I know if the hon. Minister is aware that the establishment of these institutions has been unnecessarily delayed owing to the difficulties with the Finance Department?

Shri Kidwai: As I have said, as far as the Eastern Technical Institute is concerned, most of the equipment that was required has been obtained, the staff has been engaged and the work has started. Some of the buildings have been renovated and other buildings are being constructed.

Dr. Deshmukh: Does the hon. Minister know that three and a half years have passed since the proposal was mooted?

Mr. Speaker: Order, order. That is an expression of opinion.

FINANCIAL LIMIT FOR EXPENDITURE OF MINISTRIES

*152. **Dr. Deshmukh:** (a) Will the Minister of **Finance** be pleased to state whether there is any financial limit within which any Ministry can incur expenditure on new items without reference to the Standing Advisory Committee of the Legislature attached to the Ministry concerned and if so, what is this limit?

(b) Is the limit the same with regard to all the Ministries or does it vary from Ministry to Ministry?

(c) If it varies, what are the limits for each Ministry?

(d) Is any reduction in this limit contemplated under the present circumstances?

The Minister of Finance (Dr. Matthal): (a) to (c). In accordance with Rule 3(3) of the Rules to regulate the Constitution and Procedure of Standing Committees for Ministries major questions of general policy and financial proposals have to be laid before the Standing Committees. Ministries generally refer to the Standing Advisory Committees all expenditure proposals which subsequently have to be placed before the Standing Finance Committee. The financial limits for referring proposals to the Standing Finance Committee, are, in the case of expansions to existing services, Rs. 5 lakhs for non-recurring and Rs. 1 lakh

per annum for recurring expenditure in each case. All proposals for New Services have to be referred to the Standing Finance Committee irrespective of the magnitude of the expenditure involved.

(d) No.

Dr. Deshmukh: May I know, Sir, since when these rules have been in force, and whether they have been altered since the country became independent?

Dr. Matthai: Ever since I took charge of this Ministry, these rules have been in force.

Dr. Deshmukh: Were they in force before that?

Dr. Matthai: I could only speak from memory. I would not like to commit myself. I can give the hon. Member the information he wants.

Dr. Deshmukh: Does the hon. Minister consider it fit and proper that these rules may now be revised so as to give more power to the Standing Committees?

Mr. Speaker: Order, order.

Shri Sidhya: May I know whether the creation of a post, of an officer of Rs. 2,000 and above is still left to the discretion of a Minister or of the Cabinet?

Dr. Matthai: Well, Sir, these are matters which relate to the internal working of Government on which I do not feel called upon to make any statement.

Dr. Deshmukh: Is that the reason why our finances are so bad?

Mr. Speaker: Order, order.

WORKING HOURS IN GOVERNMENT OFFICES

*153. **Dr. Deshmukh:** (a) Will the Minister of Home Affairs be pleased to state the number of hours per week an employee of the Government of India is required to work?

(b) Is there any proposal to increase the number of working hours in view of the necessity for economy?

The Minister of Home Affairs and the States (Sardar Patel): (a) The minimum hours of work per week in the Secretariat are 38½ including lunch interval.

(b) The question whether any change should be made is under consideration.

Shri Frank Anthony: Is there any truth in the allegation that thousands of man-hours per year are lost as a result of the unpunctuality of the lower staff of the Central Secretariat?

Sardar Patel: I have no information of the unpunctuality of the lower staff.

Shri Kamath: Is there any system of periodical check-up to see that the employees of the Secretariat are really working and not idling away their time?

Sardar Patel: Well, I have received no such complaints. But I shall enquire if the hon. Member will furnish me with information on the subject.

Shri Kamath: My point was whether Government has got any machinery to carry out surprise visits and such sort of check ups.

Sardar Patel: Surprise inspections are being made by senior officers of the Secretariat.

Shri Sidhya: May I know whether there is any muster roll in each Ministry regarding the attendance of hours of the staff.

Sardar Patel: Yes, there is.

Dr. Deshmukh: Has the hon. Minister's attention been drawn to the fact that in the Secretariat offices in India we allow far more number of holidays than are allowed by any other country in the world?

Sardar Patel: I have no comparative statement of holidays in other countries. We have fixed holidays to suit the conditions in our country.

Ch. Ranbir Singh: In view of the economic stringency, do Government propose to increase the number of working hours?

Sardar Patel: I do not think so, because, although the question whether the hours of work can be increased or not is under consideration, at the same time the Pay Commission's recommendation is that the hours fixed are suitable. After all it must be remembered that the 38½ hours is the minimum and that whenever exigencies of work demand, the staff is expected to work for longer hours.

Shri Tirumala Rao: For the sake of computation of overtime payment, is 38½ hours per week calculated as the standard hours of work per week.

Sardar Patel: That is the recommendation of the Pay Commission.

Shri Lakshmanan: May I know whether the hours of work are uniform in the various offices?

Sardar Patel: In the Secretariat? Yes.

OBSERVANCE OF OFFICIAL (FASLI) YEAR IN HYDERABAD

*154. **Lala Raj Kanwar:** (a) Will the Minister of **States** be pleased to state whether it is a fact that the Fasli year is observed as the official year for all official and public purposes in the Hyderabad State?

(b) If so, what steps do Government propose to take to secure uniformity with the rest of the country in this matter?

The Minister of Home Affairs and the States (Sardar Patel): (a) No.

(b) Recently this uniformity has already been secured.

APPOINTMENT OF CHIEF JUSTICE IN ASSAM

*155. **Maulvi Wajed Ali:** (a) Will the Minister of **Home Affairs** be pleased to state if it is a fact that the post of the Chief Justice of the Assam High Court has not been filled permanently since April, 1948, and that it is held temporarily by one of the Puisne Judges of the said Court?

(i) Is it a fact that a vacancy exists in the cadre of Puisne Judges of the Assam High Court, since the retirement of the permanent Chief Justice in April, 1948?

(c) When do Government propose to appoint a permanent Chief Justice and another Puisne Judge in Assam High Court?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). The post of the Chief Justice in Assam has not been filled permanently since April 1949.

(c) The matter is under the consideration of the Government of Assam.

Shri Chaliha: Has any opinion been received from the Government of Assam about this matter?

Sardar Patel: This matter is under the consideration of the Assam Government and we are awaiting their opinion.

Shri R. K. Chaudhuri: What procedure is now adopted when there is a difference of opinion between the two existing judges?

Sardar Patel: On that question also the Assam Government's opinion has been asked for.

INDIAN ASSETS IN WORLD BANK

***156. Giani G. S. Musafir:** Will the Minister of Finance be pleased to state what has been the decrease in our assets in the World Bank, due to devaluation?

The Minister of Finance (Dr. Matthal): A sum of Rs. 10.46 crores has been paid in order to maintain the value, as at the time of initial subscription, of the amount of Indian currency held by the Bank.

Shri Krishnanand Rai: May I know to what extent the adverse trade balance with America has been affected by this devaluation?

Mr. Speaker: That question does not arise at all.

MEDICAL FACILITIES IN KAROLBAGH AND OTHER LOCALITIES IN DELHI

***157. Giani G. S. Musafir:** Will the Minister of Health be pleased to state:

(a) the population of Karolbagh, Paharganj and Subzimandi areas of Delhi;

(b) the total number of municipal or Government dispensaries and maternity Centres provided for each area mentioned in part (a) above; and

(c) the total number of doctors, lady doctors, dispensers and nurses working in each respective area referred to in part (a) above?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (c). A statement containing the information required is laid on the Table of the House. (See Appendix I, annexure No. 17.)

Shri Deshbandhu Gupta: May I know whether a fresh census has been taken or whether the figures have been compiled on the basis of the last census?

Rajkumari Amrit Kaur: No. The figures include the increase in the population.

Shrimati Durgabai: May I know whether the existing number of trained nurses is adequate to meet the urgent need for them arising from time to time in these hospitals?

Rajkumari Amrit Kaur: There is of course a shortage of nurses. But I am hoping to be able to increase their number as soon as the new course for lesser trained nurses is made available.

کیائی جی - ایس - مسافر : اس وقت جو پاپولیشن ہے اس کے مطابق کیا آپ کے خیال میں ڈاکٹروں اور نرسوں کی جو تعداد ہے وہ کافی ہے ؟

Giani G. S. Musafir: Do the Government think that the present number of doctors and nurses is in conformity with the present increase in the population?

राजकुमारी अमृत कौर : नहीं, मेरी राय में दिल्ली की संख्या इतनी बढ़ गई है कि उसके मुताबिक हमारे पास काफी डाक्टर नहीं है ।

Rajkumari Amrit Kaur: No Sir, in my opinion the population of Delhi has increased so much that the number of doctors and nurses at our disposal is not in accordance with the present population.

کہانی جی - ایس - مسافر : تو کیا گورنمنٹ کے خیال کرتی ہے کہ وہ تعداد بہت جلدی بڑھائی جائے ؟

Giani G. S. Musafir: Do the Government think it necessary to increase the number at the earliest?

राजकुमारी अमृत कौर : जी, हां, तादाद तो हम बढ़ाना चाहते हैं। बात यह है कि संख्या यहां पर बहुत बढ़ गयी है और म्यूनिसिपैलिटी की आमदनी नहीं बढ़ी है। इस लिये जब तक रुपया न हो तब तक सर्विसेज को बढ़ाना हमारे लिये बहुत मुश्किल हो जाता है।

Rajkumari Amrit Kaur: Yes Sir, we do want to increase the number, but the difficulty is that though the population has increased yet the income of the Municipality has not gone up accordingly. Therefore in the absence of sufficient funds it becomes difficult for Government to increase the strength of the services.

Shrimati Durgabai: May I know whether the hon. Minister is aware of the fact that the present system of selection based on higher qualifications and longer course of training is causing much hardship for greater number of trainees to undergo this course?

Rajkumari Amrit Kaur: I am not aware of any hardship in the course to anybody. But, realising the need for having nurses with lesser qualifications, steps are being taken to provide that qualification.

خواجہ عنایت اللہ : کہا ڈاکٹروں کی تعداد کا اس وقت تک اٹھارہ کیا جائیگا جب تک کہ میونسپلٹی کی آمدنی نہیں بڑھتی ؟

Khwaja Ina'at Ullah: Will we have to wait for the increase in the number of doctors till the income of the Municipality does not go up?

राजकुमारी अमृत कौर : यह तो साफ़ जाहिर है कि जब तक रुपया नहीं होगा, चाहे म्युनिसिपैलिटी की आमदनी बढ़े, चाहे कहीं और जगह से रुपया आय, तब तक हम किसी तरह ज्यादा डाक्टर और नर्सों नहीं रख सकते हैं।

Rajkumari Amrit Kaur: It is quite clear that till additional funds are not made available either through an increase in the income of the Municipality or through any other source we cannot engage more doctors and nurses.

خواجہ دلایت اللہ - کیا کسی دوسری جگہ سے (روپیہ لیلے کی کوشش کی گئی

ہے ؟

Khwaja Inait Ullah: Have any efforts been made to tap other sources of income?

Ch. Ranbir Singh: May I know if any dispensary has been started in the rural areas of Delhi?

Rajkumari Amrit Kaur: Yes, foundation stone has been laid not only for two dispensaries, but in reality of two primary centres, that is indoor hospitals. In addition, two mobile dispensaries go out daily to serve the needs of the rural areas.

Shrimati Durgabai: Is it a fact that the All-India Nursing Council has prepared a new syllabus and curriculum for a short training course and, if so, when that will be introduced?

Rajkumari Amrit Kaur: That short course is being prepared. When actually I will be able to introduce it I do not quite know.

ROAD ACCIDENTS IN DELHI

***158. Giani G. S. Musafir:** Will the Minister of Home Affairs be pleased to state:

(a) the increase that has taken place in police strength in Delhi since the partition of the country;

(b) the percentage of increase in accidents during the same period; and

(c) what special plans and measures have been devised to prevent the increase in accidents?

The Minister of Home Affairs and the States (Sardar Patel): (a) to (c). The necessary information is being collected and will be placed on the Table of the House in due course.

Shri Tirumala Rao: With reference to part (a) of the answer, may I know if any effort is being made to improve the quality of the Delhi police, apart from numbers?

Sardar Patel: Continuous efforts have been made to improve the quality of the police and there is considerable improvement also.

Shri Frank Anthony: Are any steps being taken to improve the dim and chequered lighting on most of the Delhi roads which is said to be responsible for a large percentage of the accidents?

Sardar Patel: Though it does not concern the Home Ministry, still, I think the information is bound to be correct. I will draw the attention of the appropriate authorities to it.

Shri Frank Anthony: Will Government consider taking some action to prevent the fierceness of blazing head-lights which is also considered to be one of the main causes of accidents in Delhi?

Sardar Patel: I will have it looked into.

Shri Deshbandhu Gupta: Do Government contemplate re-organisation of the Delhi police on the lines of the Bombay police and have an enactment passed for Delhi like the Bombay Police Act?

Sardar Patel: I think re-organisation on the Delhi lines is quite appropriate.

HOUSE RENT CHARGED BY DELHI IMPROVEMENT TRUST

*159. **Master Nand Lal:** (a) Will the Minister of Health be pleased to state whether it is a fact the previous Muslim occupants of Andha Mughal (Bapu Nagar) were paying Rs. 3/8/- p.m. for a quarter to the Delhi Improvement Trust on the basis of hire purchase system, before they migrated to Pakistan?

(b) Is it a fact that these quarters are under the occupation of the displaced persons who have got them repaired at their own expenses and if so, what are the conditions of their allotment?

The Minister of Health (Rajkumari Amrit Kaur): (a) They were paying sums ranging from Rs. 3/4/- to Rs. 4/- per month per quarter.

(b) After the migration of the Muslim occupants to Pakistan, these quarters were occupied by displaced persons without the permission of the Trust. Repairs are carried out by the Trust and Government are not aware whether any repairs have been carried out by the occupants also. The Trust have allotted the quarters to displaced persons temporarily for so long as alternative accommodation for them cannot be found, on payment of rent at the rate of Rs. 8/8/-, Rs. 10 and Rs. 12 per month for one-roomed, two-roomed and three-roomed quarters respectively and also subject to the payment of a security deposit of Rs. 100.

मास्टर नन्द लाल : क्या यह ठीक है कि इन शरणार्थियों ने यह दरखास्त दी थी कि जिन शरायतों में मुसलमानों को मकान दिये गये थे उन्हीं शरायतों में हमको भी मिलने चाहियें ? क्या उनकी यह दरखास्तें नामंजूर हो गई हैं और उसका क्या कारण है ?

Master Nand Lal: Is it a fact that these refugees had put in applications requesting that they may also be given houses on the same terms and conditions on which houses were given to the Muslims? Have their applications been rejected, and if so then for what reasons?

Rajkumari Amrit Kaur: The reason for that is that it is the duty of the Trust, when they undertake slum clearance schemes, to accommodate such persons only as have been de-housed and belong to the poorer classes. It is not the responsibility of the Trust to provide accommodation for displaced persons. We do not even know whether all these displaced persons are poor.

In the matter of allotment of houses to de-housed persons, the Delhi local authority makes available the amount that the Trust stands to lose. In the case of other than de-housed persons the Trust cannot afford to lose. As a matter of fact the grant to these persons is an act of kindness on the part of the Trust for they are occupying these quarters at the expense of the Trust. They are having no profit and no loss in providing them this accommodation.

خواجه عقیلیت اللہ : کیا حکومت بتا سکتی ہے کہ وہ مکان جو پہلے تین روپیہ اور چار روپیہ ماہوار میں دئے جاتے تھے تسلیہستہ پرسنس سے ۸ روپیہ اور ۹ روپیہ تک کہیں لئے جاتے ہیں ؟

Khwaja Inait Ullah: Can the Government suggest any reasons why the displaced persons are being charged a rent of Rs. 8 to Rs. 9 for those houses that were formerly given out for Rs. 3 to Rs. 4?

Rajkumari Amrit Kaur: I have just replied to that question.

FOREIGN SCHOLARSHIPS

*160. **Master Nand Lal:** Will the Minister of **Education** be pleased to state the number of displaced students sent abroad for the technical education on Government expenses in the year 1948-49?

The Minister of Communications (Shri Kidwai): No scholars have been selected since 1947 for technical education abroad.

PUNJAB NATIONAL BANK, LAHORE

*161. **Sadar B. S. Man:** (a) Will the Minister of **Finance** be pleased to state whether the attention of Government has been drawn to the fact that the Lahore branch of the Punjab National Bank, Delhi, has been declared an evacuee property, and requisitioned by the Pakistan Authorities?

(b) Is it a violation of the Inter-Dominion Agreement?

(c) If so, what steps have the Government of India taken regarding the breach of the agreement and with what results?

The Minister of Finance (Dr. Matthai): (a) Government understand that the West Punjab Government have requisitioned some premises of the Punjab National Bank at Lahore.

(b) On the information available to them at present Government feel that this action of the West Punjab Government is contrary to the spirit of the Inter-Dominion Agreement on Banking and the assurances of facilities and assistance which the Pakistan Government gave to functioning banks in Pakistan.

(c) Government have taken up the matter with the Pakistan Government and are awaiting the latter's reply.

Sadar B. S. Man: Is it only the premises of the bank that have been requisitioned by the Pakistan Government or have they requisitioned the goods pawned with the bank and other articles which were held by the bank as security?

Dr. Matthai: The only information that I can give the hon. Member on that point from the report that I have seen is that the Pakistan Government have not requisitioned the whole of the building occupied by the National Bank, but have left to them the use of the strong room in which the securities are kept.

Sardar B. S. Man: Is there any impediment placed in the way of the Punjab National Bank removing the articles or valuables lying now in the Bank to Delhi?

Dr. Matthai: I am not in a position to answer that question. May I explain the matter as it stands at present? We received information about this action of the Pakistan Government on 6th January and we strongly protested against this action of the Pakistan Government, the next day, 7th January. Then on the 12th we got a communication from the Pakistan Government that they would send us full information of the circumstances. We have been waiting for full information, but it has not arrived yet. In the meantime from information that has reached us we find that the original order requisitioning the whole of the building was relaxed and part of the building was left in the occupation of the Punjab National Bank. I understand also from such information as has come my way that the Punjab National Bank has now taken possession of a building adjacent to their old building. What precise use they are putting it to, I am not in a position to say at present. I think I may also tell the House that quite recently I have been informed that as a result of investigation undertaken by the State Bank of Pakistan, the Punjab National Bank has now been required not to accept any fresh deposits from depositors from Pakistan. On that also we have lodged a protest and no reply has yet been received.

That is as far as the information at my disposal goes.

Sardar B. S. Man: Is there any bank of Pakistan doing similar business in India?

Dr. Matthai: No.

Shri Sidhva: The Habib Bank in Bombay?

Shri Himatsingka: Is the Government aware that other banks in East Pakistan have been similarly requisitioned?

Dr. Matthai: I do not have any definite information on that.

Shri Hossain Imam: Has not the Bharat Bank Building in Lahore also been requisitioned?

Dr. Matthai: I have no information.

AMERICAN WHEAT

***162. Pandit M. B. Bhargava:** (a) Will the Minister of Finance be pleased to state whether the negotiations for barter of one million tons of American wheat have failed?

(b) If so, what were the reasons for the failure, and how will the failure of these negotiations affect the supply position of wheat in India?

The Minister of Finance (Dr. Matthai): (a) and (b). The Government of India had hoped that it would be possible to obtain wheat from U.S.A. on terms favourable enough to enable Government to make an appreciable reduction in the issue price of rationed wheat, taking into account the prices to be paid for wheat to be purchased under the ordinary food import programme. It did not appear from the negotiations which were purely of an informal

and exploratory character that the terms on which the wheat could be obtained would be favourable enough for the purpose we had in view. Further, as a result of devaluation, the prices to be paid for wheat imported under the normal programme were also likely to be higher, with the result that the object of obtaining the additional quantity would not be fulfilled. The negotiations were, therefore, not pursued.

The supply position on the existing scale of ration will not be adversely affected.

Sardar Hukam Singh: Was the higher price for wheat demanded by the U.S.A. on account of the recent improved relations with that country?

Mr. Speaker: Order, order, I do not admit the question.

Shri Kishorimohan Tripathi: Does this wheat bear comparison with Australian wheat?

Dr. Matthai: Yes.

Shri Sidhva: What about the quality of the wheat?

Dr. Matthai: That question has to be addressed to the Food Minister.

Shri Tyagi: What about the red wheat? I mean wheat from Russia?

Mr. Speaker: We will now proceed with the question of Shri Upendranath Barman—No. 145, put by Shri Satis Chandra Samanta.

AUDIT ESTABLISHMENT UNDER AUDITOR GENERAL

*145. **Shri S. C. Samanta** (on behalf of **Shri Barman**): (a) Will the Minister of Finance be pleased to state what are the cadres of the Audit Establishment and what is the number under each cadre under the direct control of the Auditor General?

(b) Which are the departments, if any, under the Government which are not subjected to audit at present?

The Minister of Finance (Dr. Matthai): (a) The cadres of the Audit and Accounts Department and their strength as on the 1st October, 1949 are given below:

<i>Cadre</i>	<i>Strength</i>
Indian Audit and Accounts Service	192
Emergency Cadre of the Indian Audit and Accounts Service	71
Assistant Accounts (Audit) Officers	211
Subordinate Accounts Service Accountants	1192
Divisional Accountants	572
Upper Division Clerks	8917
Lower Division Clerks	3081
Grade IV (including Sorters)	2572

The above figures do not include 40 Officers and men of the Auditor General stationed in the United Kingdom.

(b) None.

Shri Jajoo: In view of the integration of the Indian States, is it proposed to absorb their audit staff?

Dr. Matthai: That matter is under examination.

Shri Shiva Rao: Is there any check on India's expenditure abroad?

Dr. Matthai: There is.

Shri Sidhva: Is the audit establishment of the Ambassadors under the control of the Auditor-General?

Dr. Matthai: Yes, they are.

Mr. Speaker: That means the question list is over.

Shri T. T. Krishnamachari: What about the questions carried over from previous day?

Shri Sidhva: The postponed questions, Sir.

Mr. Speaker: Yes, Question No. 60—Lala Raj Kanwar.

SELECTION OF I.A.S. AND I.P.S. OFFICERS

***60. Lala Raj Kanwar:** Will the Minister of **Home Affairs** be pleased to state:

(a) how many I.A.S. and I.P.S. officers have been recruited since 15th August, 1947 from outside and how many from among the existing employees of—(i) the Government of India. (ii) the former Provinces and Centrally Administered Areas, and (iii) the former States and Unions of States;

(b) whether Government have decided to select any Officers for the Central Secretariat Service on the recommendation of the Special Recruitment Board and, if so, whether this selection is likely to be confined to the existing employees of the Government, or will any direct recruits also be appointed; and

(c) whether Government intend to appoint any officers on the recommendation of the Special Recruitment Board to services other than the IAS, IPS and the Central Secretariat Service, such as those of Income-tax, Indian Audit, Customs, etc.?

The Minister of Home Affairs and the States (Sardar Patel): (a) Since the 15th August 1947, 371 officers have been appointed to the Indian Administrative Service and 217 to the Indian Police Service.

	I.A.S.	I.P.S.
of these		
(i) Outsiders	66	39
(ii) Employees of Government of India (including Centrally Administered Areas).	96	50
(iii) Employees of the former Provinces.	205	128
(iv) Employees of former States and Unions of States	4	..

(b) Under the Central Secretariat Service (Reorganisation and Re-inforcement) Scheme approved by Government the existing incumbents of the Secretariat posts are being considered first for the Central Secretariat Service. The residual vacancies that may exist after such selections will be filled by candidates—officials and non-officials—recommended by the Special Recruitment Board.

(c) The proposal to make such appointments is under consideration.

Lala Raj Kanwar: May I know whether the persons recruited from outside were recruited on the basis of a competitive examination or by mere interview?

Sardar Patel: Not merely by an interview; but they examined their records and services and also by oral examination.

Lala Raj Kanwar: What is the existing number of vacancies in the cadre of the I.A.S. and the I.P.S. and how is it proposed to fill them up?

Sardar Patel: I think the information will have to be scrutinised before I can give a definite answer on the subject. The great majority of the vacancies in the provinces have already been filled under the emergency recruitment scheme. At present there are only fifteen vacancies five in the U.P., five in Orissa and five in Madras. The work of recruitment to the States has, however, not been undertaken yet.

Lala Raj Kanwar: Is there any proposal to appoint officers to the Central Secretariat Service on the basis of a competitive examination?

Sardar Patel: We have the Special Board for this purpose who will take into account these considerations and select candidates.

Lala Raj Kanwar: What is the composition of the Special Recruiting Board?

Sardar Patel: Their experience, and their qualifications and also personal interview.

Lala Raj Kanwar: I wanted to know the composition of the Board.

Sardar Patel: Well, I have not got the names with me, but I will supply them to the hon. Member.

WRITTEN ANSWERS TO QUESTIONS

OPERATION OF PUBLIC SAFETY ACT IN DELHI

***62. Sardar Hukam Singh:** (a) Will the Minister of **Home Affairs** be pleased to state how long has the Public Safety Act banning processions and public meetings in Delhi been in force?

(b) How many applications were received by the District Magistrate during the calendar year 1949 for permission to hold public meetings or to take out processions?

(c) How many of these applications referred to in part (b) above were refused and how many were granted?

(d) What was the number of persons (i) detained; (ii) convicted; and (iii) undergoing trial in Delhi Jail on 31st December, 1949 for delaying ban of the District Magistrate, Delhi?

The Minister of Home Affairs and the States (Sardar Patel): (a) The order banning processions and public meetings under the provisions of the Punjab Public Safety Act, as applicable to Delhi, was first issued on 23rd November 1947, and remained in force till 22nd June 1949. It was again issued on 23rd December 1949 and is still in force.

(b) 306.

(c) Only nine were rejected and the rest granted.

(d) The information is being collected and will be laid on the Table of the House in due course.

STRENGTH AND EXPENDITURE OF POLICE DEPARTMENTS IN CENTRALLY ADMINISTERED AREAS

***67. Pandit M. B. Bhargava:** Will the Minister of **Home Affairs** be pleased to state:

(a) the strength and expenditure of the Police Departments in each of the Centrally Administered States for the years 1938-39, 1947-48 and 1948-49 and 1949; and

(b) whether the Government of India have any plan for evolving a co-ordinated and uniform policy on an All-India basis for the operation of the Police force in collaboration with the States?

The Minister of Home Affairs and the States (Sardar Patel): (a) The information is being collected and will be laid on the Table of the House in due course.

(b) There is already mutual collaboration and consultation between Police forces of the States *inter se* and between them and the Centre. This process has been further facilitated by the obliteration of the previous distinction between Indian States and Provinces under the Constitution.

GAZETTED EMPLOYEES IN MERGED STATES

***79. Prof. K. T. Shah:** (a) Will the Minister of **States** be pleased to state what was the total number of the gazetted employees in the Civil Departments of the merged States, or those States now made into or administered as Chief Commissionerships?

(b) How many of the employees in the various Civil Departments of such Indian States have been absorbed in the public service of the country, whether in the province concerned, or in the Centre?

(c) What provision is proposed to be made for those employees of these states who are found to be surplus, and cannot be absorbed in the public services of the country in any part of the Union?

(d) In what grades, and on what terms and conditions of service, have the public servants of these States, been absorbed in the public service of the country, and whether any saving, or increase has resulted in consequence of such absorption in the aggregate expenditure of the absorbing Unit, or of the Centre, as the case may be?

(e) How far do these conditions of service approximate to those prevailing in the Departments of the Central or Provincial Governments?

The Minister of Home Affairs and the States (Sardar Patel): (a), (b), (d) and (e). The information is not readily available and its collection will entail time and labour out of proportion to its utility.

(c) Adequate provision for compensation has been made in the covenants and agreements.

FINANCIAL EFFECTS OF MERGER ON ABSORBING UNITS

***80. Prof. K. T. Shah:** Will the Minister of **States** be pleased to state what has been the financial consequence on the Budgets of the absorbing units, of the absorption of the employees in the Civil departments of the merged states, or those states now made into or administered as Chief

Commissionerships, with special reference to Bombay, and of the Centre taking over for direct administrations as Chief Commissionerships of certain States, giving figures relating to the financial year 1949-50, both on the Revenue and on the Expenditure side, and what arrangements have been made to meet the deficit, if any, caused by such absorption?

The Minister of Home Affairs and the States (Sardar Patel): I do not think it would be profitable or appropriate to look at the financial effect of merger in this piecemeal manner. Obviously we must have an overall picture and the real financial consequences can be felt and properly assessed after sometime when financial integration is completed and the potential advantages and assets are sufficiently exploited.

ASSETS AND LIABILITIES OF MERGED STATES

***81. Prof. K. T. Shah:** Will the Minister of States be pleased to state the aggregate value of the material assets, as well as of the liabilities, of each of the principal merged States, or of the States taken over by the Centre and the amount of the Public Debt, if any, in any of these States?

The Minister of Home Affairs and the States (Sardar Patel): The information is not readily available and its collection will involve time and labour out of proportion to its utility. I might add that I propose shortly to lay on the Table of the House a White Paper on the completed picture of integration of States. Therein I will deal with the principles governing the division of assets and liabilities of Provincially and Centrally merged States.

ABSORPTION OF STATES ARMED FORCES

***82. Prof. K. T. Shah:** Will the Minister of States be pleased to state the arrangements made for the absorption of such units of the States Armed Forces as were maintained by the merged States and Chief Commissionerships before such merger, in the Armed Forces of the Union of India, or in any alternative employment such as Armed Police?

The Minister of Home Affairs and the States (Sardar Patel): Arrangements have been made by the Indian Army authorities for all personnel, who are suitable and willing, to be absorbed into the Indian Army. The process of absorption has not yet been completed. Such personnel as are not suitable for the Indian Army will, as far as possible, be absorbed in civil appointments. Those who do not find a place either in the Indian Army or in the civil services are to be discharged under special retrenchment concessions which are being sanctioned for them.

MERGING OF PUNJAB AND P.E.P.S.U. ENCLAVES

***86. Sardar B. S. Man:** Will the Minister of States be pleased to state the principles and tests which were applied while merging and exchanging certain enclaves recently between Punjab and P.E.P.S.U.?

The Minister of Home Affairs and the States (Sardar Patel): The guiding principle was to secure administrative efficiency by exchange of small scattered enclaves as far as possible on an agreed basis.

RETRENCHED NON-GAZETTED STAFF

***87. Shri R. K. Chaudhuri:** (a) Will the Minister of Home Affairs be pleased to state the number of non-Gazetted staff in the Government of India (other than Technical) who have been retrenched since 15th August, 1947 and the number recruited (i) from outside; and (ii) from such retrenched persons?

(b) Is it a fact that a meeting of the various associations of Government employees has been arranged to discuss various grievances in the service, one of which is impending retrenchment?

(c) Do Government intend to make a co-ordinated plan whereby retrenched persons will be absorbed gradually instead of recruiting candidates from the open market?

(d) Is it a fact that persons in temporary service feel insecure and as such cannot give their best attention to their work?

The Minister of Home Affairs and the States (Sardar Patel): (a) The required information is being collected and will be laid on the Table of the House when available.

(b) Yes.

(c) Instructions have been issued to all Ministries asking them to report all their vacancies to be filled otherwise than through the Public Service Commission to the Employment Exchanges. The retrenched employees have been advised to register themselves at the Exchanges and the Exchanges have been asked to accord high priority to them in submitting their recommendations for suitable vacancies.

(d) I see no reason why there should be any sense of insecurity apart from what is inherent in a temporary employment. Merely because of that, however, Government cannot make permanent posts which are obviously of a temporary nature. From time to time, consistent with Government's requirements, as much of the temporary establishment as possible is being made permanent. Further, having regard to the length of service which temporary establishment has mostly put in, provision has been made in the Civil Services (Temporary Service) Rules for the grant of quasi-permanent status under certain conditions and the conditions of service of quasi-permanent employees in respect of tenure, allowances, leave, etc. have been approximated as far as possible with those of permanent employees. Facilities for reabsorption of retrenched employees have also been provided. In these circumstances I see no justification for any particular apprehensions of insecurity on the part of persons in temporary employment.

CONTRIBUTIONS TO INTERNATIONAL ORGANISATIONS

***140. Seth Govind Das:** Will the Minister of Finance be pleased to state the names of International Organisations together with the amount of contribution or subscription which India pays annually to each organisation separately?

The Minister of Finance (Dr. Matthai): A statement containing the requisite information is laid on the Table of the House. [See *Appendix I, annexure No. 18.*]

GENERAL ADMINISTRATIVE RESERVE OFFICERS

4. Lala Raj Kanwar: Will the Minister of Home Affairs be pleased to give information in respect of General Administrative Reserve Officers who were recruited from time to time on the recommendation of the F.P.S.C. under the following heads:

(a) how many of them have been recruited so far;

- (b) how many of them have gone over to Pakistan;
- (c) how many of them have been selected for IAS, IP, and Indian Foreign Service;
- (d) how many of them although not initially selected for Foreign Service are still working overseas;
- (e) how many of them are working in higher posts like those of Deputy Secretary or Director;
- (f) whether any assurance was ever given to these GAR Officers that selected persons from amongst them would be made permanent later; and
- (g) whether Government contemplate to absorb these officers in some permanent posts?

The Minister of Home Affairs and the States (Sardar Patel): (a) Forty-Nine.

- (b) Seven.
- (c) Indian Administrative Service—3.
Indian Police Service—Nil
Indian Foreign Service—4.
- (d) Two.
- (e) Nine.
- (f) No.

(g) These officers were given a special opportunity, irrespective of their qualifications, to apply to the Special Recruitment Board for emergency recruitment to the Indian Administrative and the Indian Police Services. Those who have not been selected and are still serving in the Secretariat will again be considered by the Union Public Service Commission as departmental candidates for permanent appointment to the Central Secretariat Service.

SMUGGLING OF CURRENCY NOTES TO PAKISTAN

5. Shri Sidha: (a) Will the Minister of Finance be pleased to state the amount of Indian currency notes either smuggled or sent openly, to Pakistan before the Press Note of 28th December, 1949, was issued by Government?

(b) Have any instances of such smuggling come to the notice of Government, after the issue of the Press Note?

The Minister of Finance (Dr. Matthal): (a) and (b). Up to the 4th March 1949, there was no restriction on the physical transfer of currency from India to Pakistan. Considerable quantities of India notes are known to have been exported to Pakistan before this date, but it is not possible to estimate the value of such exports accurately. Since the 4th March, 1949, transfer of India notes to Pakistan has been banned except in the case of a *bonafide* traveller who is permitted to carry amounts not exceeding Rs. 50 in all and Government have taken all steps to enforce this ban. A few instances of attempts of smuggling have come to Government's notice and have been dealt with suitably. The amounts involved are however insignificant.

PAKISTAN RAIDS ON EASTERN BORDER

6. Shri Sidhya: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that on the 8th January, 1950 the Eastern Pakistan Militia invaded the Indian territory on the border of Khasi Hills opposite Hatimura near Bhologanj and killed certain persons;

(b) if so, the number of casualties and the circumstances under which the incursion was made;

(c) whether any civilians have also been killed; and

(d) whether Government have brought the matter to the notice of the Government of Pakistan and if so, with what result?

The Minister of Defence (Sardar Baldev Singh): (a) to (c). The hon. Member is presumably referring to the incident in which two Indian civilians were shot dead by Pakistan armed personnel on the 8th January 1950 on the Assam—East Bengal border.

(d) Yes. We have requested the Government of Pakistan to issue immediate instructions to the authorities concerned in East Bengal to take necessary steps to prevent such incidents in future and also to arrange for a joint enquiry into this particular incident and to bring the offenders to book. No reply has yet been received from the Government of Pakistan.

PRE-FABRICATED HOUSES

7. Giani G. S. Musafir: (a) Will the Minister of **Health** be pleased to state whether Government have completed the arrangements for making the pre-fabricated houses available to the public?

(b) If so, when are these to be available?

(c) What will be the sale price of the different types of houses and what will be their accommodation capacity?

(d) Will the displaced persons who have been allotted plots by Government be given priority?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). Yes; it is hoped that the pre-fabricated houses will become available by about the middle of this year.

(c) Only one type of pre-fabricated house is proposed to be manufactured at present. An accurate sale price can be worked out only after manufacture is started. The area of each house will be 500 sq. ft. comprising one room of 10' x 12' another room of 10' x 10', a verandah of 10' x 7', one kitchen of 9½' x 7', a small bathing room, an enclosed courtyard and a latrine.

(d) The information required is available in the statement showing the procedure for allotment of the pre-fabricated houses when manufactured which was placed on the Table of the House in reply to part (d) of Starred Question No. 57 dated 29th November, 1949.

Wednesday, 8th February, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME I, 1950

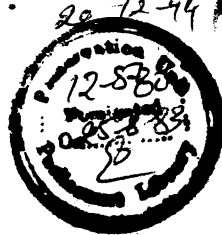
(28th January, 1950 to 23rd February, 1950)

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 "Ahammedunni, 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 १०७, के अन्त में "आज हमको" के आगे "यह देखना होगा कि जो चीजें हमने अपने विधान में रखी हैं उनको मुल्क के काम में लाया जाय। में अर्ज करना चाहता हूँ कि अब जमाना बदल गया है" जोड़ें।

(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 "इलाको" के स्थान पर "इलाको" पढ़ें।

(ii) Page 186, line 17 from bottom for "debator" read "debtor".

(iii) Page 188, line 18 for "unformity" read "uniformity".

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

(i) Page 204, line 20 from bottom for "were" read "are".

(ii) Page 212, line 12 from bottom for "of" read "the".

(iii) Page 224, line 13 for "from" read "form". ●

(iv) Page 232, line 20 from bottom for "happens to be the Chairman and whether he could be expected" read "will act as its President; he is an I. C. S. man and is, admittedly,".

7. No. 8, dated the 8th February, 1950,—

Page 315, line 19 for "refugee" read "refuge".

8. No. 9, dated the 9th February, 1950,—

(i) Page 369, line 24 for "are" read "am".

(ii) Page 371, for line 18 read "giving me credit for having done something which should really go to the".

(iii) Page 389, line 2 from bottom for "khakad" read "khahad".

9. No. 10, dated the 10th February, 1950,—

(i) Page 415, line 2 from bottom for "detrimental" read "detrimental".

(ii) Page 420, line 10 from bottom for "is" read "in".

(iii) Page 431, line 3 from bottom for "L." read "5".

(iv) Page 433, line 16 for "Trat" read "that".

10. No. 11, dated the 13th February, 1950,—

(i) Page 454, line 25 from bottom after "was" insert "as".

(ii) Page 463, line 21 from bottom for "re-assembled" read "then adjourned for".

(ii)

11. No. 12, dated the 14th February, 1950,—
Page 498, line 8 from bottom for "strach" read "starch".
12. No. 14, dated the 17th February, 1950,—
(i) Page 591, line 6 for "atmosphede" read "atmosphere".
(ii) Page 604, line 4 for "inperils" read "imperils" and in line 6 for "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 ६५ 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 accuont" 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)

Wednesday, 8th February, 1950

The House met at a Quarter to Eleven of the Clock

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-45 A.M.

CONGRATULATIONS TO PARLIAMENT FROM ARGENTINE

Mr. Speaker: I have the pleasure to communicate to the House, the message of congratulations and goodwill to this Parliament, on the occasion of India becoming a Sovereign Democratic Republic, from the Senate of the Argentine. The message has been conveyed to me in person by Dr. Diego Luis Molinari, Chairman of the Foreign Relations Committee of the Argentine Senate. I have conveyed to him, on behalf of the House, that we are very thankful for the good wishes, and that we fully reciprocate the same.

POSTPONEMENT OF QUESTIONS

Sardar B. S. Man (Punjab): I beg to submit one point. The other day when these questions for Oral Answers were postponed, I believe they were postponed to a suitable date, and by 'suitability' we understood that they were to be fixed on such a date when they could be answered orally on the floor of the House; otherwise if we are to receive written answers that would have been easily done on the same day.

Mr. Speaker: The hon. Member knows the reason why these questions were postponed and as this date was suitable to the hon. Minister of Home Affairs, I thought it best to consult his convenience first in view of his health; but the answers will be laid on the Table, and if any hon. Member wishes to put any further questions, he may give notice of such questions and those will come in due course.

UNDESIRABLE IMMIGRANTS (EXPULSION FROM ASSAM) BILL.

The Minister of Transport and Railways (Shri Gopaldaswami): I beg to move:

"That the Bill to provide for the expulsion from Assam of undesirable immigrants, be taken into consideration."

Hon. Members are aware that this Bill was introduced sometime about the third week of December. It was not possible to proceed with its consideration immediately after introduction, but the matter was urgent and it became

[Shri Gopaldaswami]

necessary to request the Governor-General to issue an Ordinance containing the provisions of this Bill, so that action might be taken under those provisions even during the interval between the introduction of the Bill and its being passed into law by this House. The Bill itself is a simple one. In the State of Assam, particularly after the Partition, the influx of persons from outside Assam into that State has been assuming proportions which have caused apprehensions to the Government and the people of Assam as to the disturbance that such an influx would cause to their economy. The Assam Government brought this fact to the notice of the Central Government in 1949, and since then, the matter has been under examination; a number of conferences and discussions have been held, some with Pakistan, others between the Central Government and the State Government. Various suggestions were considered. The obvious suggestion that was put forward at the beginning was that we should introduce a permit system as between Assam and East Pakistan. The Central Government examined this suggestion and studied its repercussions on other parts of India particularly on West Bengal and the restrictions it would impose on the freedom of movement of a large number of persons who, even in their ordinary avocations, had to pass between East Pakistan and either Assam or West Bengal. If restrictions by way of a permit system had been imposed, it was feared that there would have been difficulties experienced which it would not have been easy to get over, and, after further discussions with the Government of Assam, it was finally settled in consultation with them that instead of introducing a permit system which would control the entry of outsiders into Assam, we might take power to expel from Assam such foreign nationals who entered that State and whose continuance was likely to cause disturbance to its economy, and that really is the reason why the Bill has been drafted in this form and the House is being invited to consider it.

Now attention to this problem was intensively drawn when the Assam Government reported about the middle of 1949. Their information was that only about a lakh and half to two lakhs of persons had migrated into Assam from the neighbouring Pakistan Province of East Bengal. Later on when I went to Shillong and had discussions with the Assam Government on this question, the numbers they estimated had come into Assam were of the order of half a million. The problem had therefore grown in magnitude and it was felt necessary that we should take very effective action. That was why this Bill was introduced and an Ordinance was subsequently promulgated until the Bill could be passed into law.

Now with regard to the provisions of this Bill they are fairly simple, that is to say, any person who is not ordinarily a resident of Pakistan, or—as it would be under an amendment, of which I have given notice—of any country outside India, if he came into Assam and his continuance in that State is considered to be undesirable, then the Central Government has the power to direct him to remove himself from Assam and to give such other directions as may be necessary in that context. The powers are primarily in the hands of the Central Government, but for ordinary administration these powers are proposed to be delegated to the Government of Assam. As a matter of fact, under the Ordinance those powers have been delegated not merely to the Government of Assam but to a number of Assam officers by designation.

The main thing before an expulsion order could be issued is that the Central Government should be satisfied that any person who, having been ordinarily resident in any part of Pakistan, has, whether before or after the commencement of this Act, come into Assam and that his stay in that Province is detrimental to the interests of India. Then

the Central Government may by order issue the direction. This power of the Central Government could be delegated to any officer subordinate to the Central Government or to the Provincial Government of Assam or to any officers subordinate to that Government and such delegate is bound to give effect to the provisions of the Act. The penalty for any person who contravenes or attempts to contravene any such direction is that he shall be punishable with imprisonment which may extend to three years and he shall also be liable to fine. There is a further clause in this Bill which protects persons acting under the provisions of this Ordinance, namely, no suit or prosecution or other legal proceedings shall lie against any such person for anything done in good faith.

Those are the simple provisions of the Bill. It is a Bill whose enforcement is vital to the preservation of the economy of Assam.

I might mention in this connection that this Bill is intended to be used only against persons whose continuance in the State of Assam would be detrimental to the interests of India. It is not intended to be applied to persons whose stay will not be so detrimental or who, for instance, on account of disturbances and disorder in Pakistan or any other country, have come to take refuge in Assam. That being so, it may be asked why some specific provision has not been made in the Bill exempting such persons. The answer to that is that there are various reasons why we have to retain a power of this wide character and the aim of the Bill is that the powers are primarily retained in the hands of the Central Government and therefore it is necessary that the policy in enforcing this Bill should continue to be in the hands of the Central Government. Though the powers could be delegated to the State Government or any officers, delegation to whom is recommended by that Government, the control of the exercise of these powers would still continue to be in the hands of the Central Government. This is obviously necessary, because it is a matter which involves our relations with foreign countries and it is important that the Central Government should have these powers.

I do not think at this stage I need say anything more.

Mr. Speaker: Motion moved:

"That the Bill to provide for the expulsion from Assam of undesirable immigrants, be taken into consideration."

Pandit Balkrishna Sharma (Uttar Pradesh): I want to know whether this influx into the territory of Assam is a planned affair or it is only due
12 Noon to individual initiative.

Shri Gopaldaswami: There are characteristics about it which might justify the inference that it was planned at one time. For instance, there have been cases of swarms of these coming into Assam on a single occasion: but, generally speaking, they have come in dribbles and at various points. I personally think that the influx is not so comprehensively planned as to justify the inference that there is any irregular invasion of Assam by any foreign country in pursuance of any policy of annexing Assam or making the economy of Assam subservient to their own economy.

Sardar B. S. Man (Punjab): Sir, I am glad that at long last the Government has become alert and taken note of a situation which has got very dangerous potentialities about it. From the dates given by the hon. Member this situation was brought first to the notice of the Central Government at the end of 1949, namely that a large influx.....

Shri Gopaldaswami: I said sometime in 1948.

Sardar B. S. Man: Sometime in 1948 it was first brought to the notice of the Central Government that a large number of undesirable immigrants were

[Sardar B. S. Man]

coming over from East Bengal to Assam. Then I take it that neither the Central Government nor the Assam Government were sitting idle. They were holding conferences in order to check this influx and the result of these conferences has been that the number of these immigrants which was at one time estimated to be a lakh or so, during these conferences when they were taking prompt action, rose to half a million. I believe it is a very sad commentary on the Central Government as well as criminal negligence on the part of Assam State, that while they were holding conferences when the fact was brought to their notice, instead of stopping or checking the influx by immediate measures, they let the immigrants not only be doubled but trebled. After all it was not on one day, in a month or within a limited period during which this invasion took place. It was a slow process of permeation in India. The Government very well knew that it was the offshoot of a deep-laid conspiracy which had started earlier. I have got the considered opinion of the Assam Government that during the Muslim League regime it was a conspiracy to convert Assam, which was a Hindu majority province into a Muslim majority province. It was a deep-seated and deep-rooted and well planned conspiracy of the Muslim League when Mr. Saadullah was the Premier of Assam and as a result this large scale immigration started. During the war it increased. Now we cannot say that the Assam Government became alive to the situation only in 1948. It was not a secret plan: it was well known. The Central Government came to know of it in 1948 and 1949 passed and now in the beginning of 1950 an Ordinance is promulgated and a Bill is brought before the House. I am reminded in this connection of a story. When a station was on fire and people rushed to extinguish the fire a very responsible ticket collector asked the people "Where are your platform tickets: only then you can get into the platform to extinguish the fire." It reflects the impotency and imbecile attitude of the Assam Government, that it could allow undesirable immigrants, not a few, nor thousands, five lakhs of people to come over and take forcible possession of the best lands in Assam. For we are told that they have not settled in the tribal belts but in the village grazing lands. I wonder the Assam Government which has so successfully resisted the claims of Hindu refugees from East Bengal, which has exhibited such a virulent attitude that it has not permitted Hindu refugees to settle there and has not spent a single pie on their rehabilitation, and which has not raised its little finger against the undesirable immigrants from East Bengal, will now have the competence to act in this matter. It is a sheer case of negligence and incompetency. There are undesirable people living in West Punjab also, but not a single person has been able to come and settle on our land. Not a single bit of land has been jeopardised by them, whereas lakhs of people have come into Assam and forcibly occupied lands there. To invoke the help of an Ordinance and then a Bill in this matter of trespass is only a sign of weakness. The position of these immigrants who have occupied Government lands is one of criminal trespass, and very easily in the ordinary course of the law these trespassers could have been evicted. I doubt very much that this weak-kneed and negligent Assam Government will become powerful with the aid of this measure and be able to evict them. I consider that the conferment of the powers contemplated in the Bill on the Government of Assam will be merely wasting our energies. If in the end Government are anxious to evict these undesirable immigrants, let them have the entire job directly in their own hands. For I know the limitations of the Assam Government. They are also very much afraid lest the balance of political manoeuvring be tilted in favour of the Bengali-speaking people. They are very anxious about their own political powers.

Shri Chaitanya: I question your statements. You are making sweeping remarks.

Sardar B. S. Man: You will have your time. I know the conditions in Assam and I can realize the incompatibility of the Assam Government dealing with the situation. For, these orders to eject the undesirable immigrants from the border lands will necessarily go to the very friends of those undesirable immigrants and who are the officers there. Many of the officers there—Deputy Collectors, Superintendents of Police, Police officers and others—are erstwhile sympathisers of Muslim Leaguers who now have come and settled there. We will be deluding ourselves if we were to give these powers to the Assam Government. And the very situation is such that they will not be able to cope up with this matter. Otherwise, if they had been so strong the situation would not have arisen. It is not as if the simple injection of this Bill will make these tottering people suddenly stand up on their legs and drive back these undesirable immigrants. The situation is such that I consider that only the Central Government ought to be directly responsible for these ejections.

Besides, the Central Government is responsible for Foreign Affairs. Defence is also the responsibility of the Central Government. Having regard to both these points of view I consider that the Central Government should directly take up this matter instead of delegating these powers to the Assam Government which has not, judging from its own antecedents, been able to cope with the situation.

The hon. Mover of this Bill has been very pleased and has taken pride to state in clause 2 that only those will be ejected whose stay is detrimental to the interests of India. This is exactly the condition to which I take objection. Any person who is ordinarily a resident of Pakistan or of territories which are now included in Pakistan has no business whatsoever to come and settle here. Otherwise you will be giving an opportunity to every person for making the excuse that his stay is "not injurious to the interests of India" and that it is in fact useful, by his tilling the fallow lands here, and conducive to the welfare of India. I want that all these people who have come in as undesirable immigrants or rather in the nature of criminal trespassers, apart from any question whether their stay is good or bad, have no *locus standi* to stay in Assam and have to go, and no chance should be given to them. Otherwise there will be no limit to litigation and no limit to applications before the authorities that he is "a very loyal subject of India" or a "useful" citizen of India or that his stay has not in any way been "injurious" to the interests of India. For, such pleas will be brought and the whole object of the Bill will be frustrated. Therefore I want that all these people who have come in and who are in the position of trespassers should be ejected and no door should be left open for them to plead that their stay will not be injurious to the State. The fact is there, the impressions are there, and in spite of the very callous retorts of Mr. Chahis I am driven to conclude that there is apathy or indifference on the part of the Assam Government to rehabilitate our own refugees who, finding Pakistan a place unfit for their honour, or for fear of disturbances, or on account of actual disturbances, have come over here. The Assam Government have not been actively assisting these unfortunate friends in their rehabilitation. That impression has gone round and there are causes for it. Therefore, when you give a vague sort of power and a vague sort of instruction that those whose stay in the Province is detrimental to the interests of India should alone be removed, or that all immigrants should be considered on a par, I consider that we are defeating the purpose of this Bill. I am afraid that certain over-zealous friends in Assam will consider many of the Hindu refugees on the same footing and consider that their stay in Assam is "detrimental to the interests of India". The other day in answer to my question the hon. Minister said "it is hoped that the Assam Government will not eject our own Hindu refugees". But I do not want to live on a pious hope. I want it to be clearly, definitely and expressly understood that the Assam Government will not eject those friends

[Sardar B. S. Man]

of ours who have come to Assam, who are genuine refugees and who have come seeking refuge in India. I believe that for all our friends who are now in Eastern Pakistan through sheer misfortune, and who by the mere drawing of a line on the map of India have been placed on the other side, India is as much their home-land and Bharat Matha as ours. Not only now but at any future date, if due to civil disturbances happening there or if they find that their stay is so uncomfortable and the political conditions are such that no person with honour could stay on, they should be permitted to come over here and in no way should it be conditioned by any clause that their stay should not be detrimental to the interests of India and then only they would be permitted to stay on. Therefore, I want a proviso to be added in order that the Assam Government may not be permitted to eject Hindu refugees, that is those refugees who have come and sought refuge in India because they found Pakistan to be an unworthy place for living.

The other point to which I would like to take exception is the term "resident in any part of Pakistan". By these words again the scope of the Bill is restricted. The actual position is that the influx of undesirable immigrants started not with the partition of India but it had started a little earlier than that. There was a very heinous propensity about that conspiracy because they wanted to convert the Assam border line into Muslim majority areas. If we consider only those immigrants who came in after the constitution of Pakistan, for purposes of ejection, then I think we will be excusing those friends who had come a little earlier in pursuance of a policy which was more dangerous than that involved in this casual coming over. Therefore, we should not restrict the scope of this Bill to and after the time when Pakistan came into being, but should extend its scope to cover those people who had come a little earlier also, for example, in the days of the Saadulla Ministry and the Muslim League days. I want the provision amended suitably in order to include such people.

I hope that having become alive to the dangers of the situation, the action now sought to be taken will not in any way be diluted and that we will jealously guard our frontiers—otherwise this truncated freedom, which no doubt it is, may perhaps due to the negligence of our friends be lost this day or the next.

Shri R. K. Chaudhuri (Assam): I welcome this Bill and I think everybody in Assam welcomes it. There have been, as my hon. friend Sardar Man has stated, a lot of discussion and a lot of conferences before this Bill was actually brought in this House, but I must thank the hon. Minister in charge whose visit to Assam about three months ago has largely helped in giving a practical shape to this matter.

So far as the definition of "undesirable immigrants" is concerned, I should have liked the hon. Minister to make it clear by a clause that the word "immigrant" in this Bill does not include the refugees who have come to Assam. Otherwise, if the Bill is left as it is, then it will mean that it can apply to both the refugees who have come to Assam for shelter there as well as the other persons who have come to Assam recently for a particular purpose. If the Bill is allowed to be enacted as it is, that is to say if you are going to expel people because they are disturbing the economy of the Province, then the same argument may be applied to the refugees as well because the large influx of refugees to Assam is bound to affect in one way or the other the economy of that Province more or less, unless a clear policy is laid down by the Government to rehabilitate as quickly as possible the refugees who have come there. So, my humble submission is that in this Bill we should make it clear that the term "immigrant" does not apply to refugees at all.

According to the census which was held in the Province recently, the figure of refugees in Assam comes to nearly 1,20,000, but I have the clearest proof

and authority to show that the actual number has been very much minimised. Actually there is a larger number which has not been included in the census and a still larger number is bound to come in soon on account of actions recently taken in Eastern Pakistan. Even this week I have learnt that a large number of people have fled from the District of Sylhet and other places and are pouring in Daoki and Tamabil, which the hon. Minister had visited during his last tour. Whatever that may be, any increase in these figures only influences the extent of expenditure which has to be incurred in order to maintain and rehabilitate them. But I may say that for a single refugee who has come to Assam, three times that number have come from Eastern Pakistan who cannot by any means be called refugees. This is an admitted fact; it is known to everybody in the Province. There are two factors which have prevented *bona fide* refugees from East Bengal coming to Assam. One is that the East Bengal Hindu refugees are not allowed to come freely by the Pakistan Government. They demand from them passes and permits and certificates from the Income-tax Department. The other factor is, as perhaps also in West Bengal, that the local people do not welcome the influx of a large number of people coming from outside. For this reason these Hindu refugees have not been able to absorb themselves into the existing Hindu population of that Province. So far as non-refugee immigrants are concerned, that is to say those who have come in for economical reasons or for reasons of exploitation, they have a large number of their own people already settled in that Province as a result of the policy which was pursued before the partition of India. A large number of such people have already settled there who welcome their brethren to the Province and when they come in, not on account of fear of disturbances, there is an organisation to help them. They are received at two stations, one of them Badarpur which is on the border of Assam. They are received properly and located in one or two houses and then distributed over different parts of the Province. Whenever any such people come to Assam they are very much welcomed by their brethren who had come in some years earlier, they are allowed to settle down and they gradually spread out. As against all this, the difficulties of the East Bengal Hindu refugees, which I have stated above, are still there.

The point for the decision of this House will be whether we shall provide in this Bill certain measures which will be in the interests of the population of the Province of Assam and in the interests of those people who had come in as a result of fear of disturbances, or whether you shall make no distinction between these two classes of people—the refugees and the immigrants. If, as has been stated repeatedly by the Government of Assam, there is not enough land or enough space for outsiders in that Province, then would it not be fair to make room for those people who have come there as a result of disturbances or fear of disturbances?

If you allow both the kinds of people to stay there freely, then naturally those people who have come out of fear will suffer. Already this has taken place. People who have come, not out of fear, have already settled themselves there. It will be difficult to uproot them, unless some strong measures are taken. If those people whom the Assam Government did not want to have, that is to say, people who had no reason to come to that province, who were not actuated by any fear or sense of insecurity, if those people are now allowed to go out or steps are taken to send them out, there might be some room for these other people whom all provinces in India are bound to accommodate, whether they like it or not. That is the position which we have to consider in regard to this Bill.

Secondly, I would suggest that this is not an evil only for the province of Assam. West Bengal is also suffering from the same difficulty. So, it would be better to insert in this Bill a provision which will empower the Central Government to extend its provisions to any province which they think fit, as

[Shri R. K. Chaudhuri]

emergency arises. Anyway, the whole point for consideration is how you will administer this law. If you administer it properly, then of course it is all right. But if this law is allowed to be a dead letter, then it is no use passing this legislation. You must take steps to bring this legislative measure into full effect. Whether the Government of India do it themselves, or the Provincial Government does it, it does not matter, but action should be taken firmly as well as judiciously. I state quite frankly that there have been people, who were immigrants from Bengal, who have already settled in Assam in different villages and rural areas. These people are harbouring new-comers of their own region and their own home. The Premier of Assam only about three or four days ago issued a warning that if these people who have already settled there are going to harbour these new-comers—these undesirable people—then they will take action against these 'harbourers'. But where is the provision in this Bill to enable the Government of Assam to take action not only against the undesirable immigrants but also other immigrants who had come before partition but who are now harbouring these new-comers actively, to the detriment of the interests of the people of Assam and to the detriment of the interests of the *bona fide* refugees who have come to Assam? There is no provision in this Bill, as far as I can see, which will enable the Government of Assam or India to take effective steps against those who are actually harbouring the undesirable immigrants. I do not think my hon. friend Mr. Man was justified to the extent he criticised the Government of Assam. The Government of Assam themselves applied for powers to enable them to stop influx of undesirable immigrants about a year ago. But in spite of it, no step could be taken up till now. I can quite understand the delay in the matter. If you have a legislation of this kind, or if you merely empower the Assam Government to exclude anybody and everybody whom they like, it will mean that they at once might—I do not say that they would—exclude even *bona fide* refugees at times and allow them to go out of the province. That was the fear that was entertained.

Sardar B. S. Man: The fear is justified.

Shri R. K. Chaudhuri: That was the fear entertained by the Government of India, I think, and by some people in different provinces. It was as a result of this fear, it was as a result of this misunderstanding, that no sanction was given to the province of Assam to stop people coming in. If such sanction had been available a year ago when the Government of Assam applied for it, it is quite possible that the present serious condition would not have arisen. But as it is; let us not criticise or cavil at anybody. Let us leave it to the Government to consider whether they will exercise these powers or whether, in the new condition of things, they might trust the Government of Assam to do that. Personally, I would trust the Government of Assam to exercise these powers, because a new leaf seems to have been turned now. The Government of Assam was probably doubtful, in the past, about the generosity of the Government of India in the matter of rehabilitation of refugees in Assam. That doubt has been removed by the recent grant, thanks to the visit of my hon. friend Pandit Thakur Das Bhargava. We are now in a position to expect a substantial amount. Not less than a crore of rupees, we understand, will be placed in the hands of the Assam Government for the rehabilitation of refugees in that province in the coming year. My hon. friend the Minister of Rehabilitation has recently sent to the Government of Assam a sum of Rs. 10 lakhs specially in order to enable them to go ahead with their work. This being the position, I believe the Government of Assam will fully co-operate with the desire of the Government of India as well as the desire of hon. Members like Mr. Man, and set to work loyally and faithfully, and turn out only those people whose

presence in the province is not desirable or whose presence may be detrimental to the interests of the people of Assam and India. With these few words, I support the Bill.

Shri Buragohian (Assam): I join with my hon. friend Mr. Chaudhuri in thanking the hon. Minister for bringing in this measure. The very fact that, although the House was to meet in a few days, an Ordinance was promulgated shows the desperate urgency for a measure of this kind so far as the situation created in this part of India is concerned.

[SHRI HOSSAIN IMAM *in the Chair*]

But I must make it perfectly plain that the measure does not go far enough. I understood the hon. Minister the other day to say in answer to a question that was put by an hon. Member from the Punjab that as many as 4½ lakhs of Muslims have crossed the border into Assam after the attainment of Independence. If that is so, how many of these immigrants can be treated as 'undesirables' under the provisions of this Bill? Perhaps 5 per cent. or may be less. What is going to happen with regard to the rest of the 95 per cent.? Therefore, I have no hesitation in saying, without any fear of contradiction, that the measure is indeed inadequate. Some of the provisions must be revised to meet what does not come within the scope of the Bill. Or perhaps, we may require a new Bill to meet the situation.

With regard to certain comments that have been made by my hon. friend from the Punjab, I must say that Assam deserves to be better known than she is, and her problems deserve much better appreciation. The situation that we find in Eastern Pakistan has to be appreciated first. Eastern Pakistan has an area of only 53,000 sq. miles for a population of 44 millions, whereas the area of Western Pakistan is six times as much with a population only half as many. So, naturally, there is need for relief of the pressure of population in Eastern Pakistan. Already, I must inform hon. Members of this House, that two of the plains districts of Assam which border on Eastern Pakistan have, according to the 1941 census, a Muslim population of 47 per cent. and 45 per cent. I am referring to the districts of Goalpara and Cachar. In the meanwhile, after 1941, as hon. Members know, there occurred the terrible Bengal famine of 1943, on account of which, according to the official estimate of the Woodhead Commission, the population that was affected in undivided Bengal was to the tune of six millions. According to the same official estimate, at least fifteen lakhs of people died. So, in 1943, there was an acceleration of the process of immigration of people from Eastern Bengal into Assam. This process continued until 1945, when at the instance and insistence of the Congress Party in the Assam Assembly an all-party government was formed in which the hon. Mr. Chaudhuri and myself had the honour to serve. And it was then that the whole process was sought to be stopped by eviction. Just as we are now contemplating expulsion, at that time the measure taken was to evict the persons who were squatting on government land. After that measure was taken, the flow stopped. But this flow has again begun after the establishment of Independence. It must have disturbed the population position in the border areas of Assam. Sir, I will not be surprised if the proportion of Muslims in the border districts of Assam have gone perhaps much above 50 per cent. If that is the position, I will not be surprised if that opportunity is taken up by Pakistan to bolster up a counter-blast in Assam against our case for Kashmir. So, Sir, something more adequate must be done by Government and if I may offer a suggestion, I would urge the hon. Minister to take up the original proposal of the Government of Assam and introduce the permit system.

[Shri Buragohain]

Sir, there have been certain misconceptions with regard to the introduction of the permit system. It is not the intention of the Government of Assam to shut out refugees or displaced persons. After all, how many displaced persons have gone into Assam? My hon. friend Mr. Chaudhuri has already told the House that according to the figures with him, it is 1,20,000.

Shrimati Renuka Ray (West Bengal): Question?

Shri Buragohain: I may inform the House that this is the figure collected at the instance of the Government of India and the Government of India's own officers were supervising the census that was taken about six months ago. It is on the basis of that census that my hon. friend was speaking.

After all my hon. friends from West Bengal would not like that these people should be swamped. Already there are a considerable number of Bengalees in Assam who have made Assam their home and certainly they would not like that they should be swept out of existence in Assam by the immigrants from East Bengal.

So, it is in their interest, it is in the interest of the Muslims who have made Assam their home, it is in the interest of the indigenous people, the Tribals, that I ask the Government to devise a more effective measure of checking this influx once and for all.

With these observations I commend the Bill for the acceptance of the House.

Shri Biswanath Das (Orissa): I stand to support the Bill with the hope that the hon. Minister in charge of the Bill will be agreeable to accept certain amendments which are necessary, as the discussions have revealed. Sir, I should in the first place thank my hon. friend Sardar Bhopinder Singh Man for giving notice of his interpellation No. 24 which was answered on the 1st of February 1950, when the Government for the first time acknowledged the seriousness of the problem by stating that there is an influx of about four and a half lakhs of people into Assam. This leads me to give the House a little bit of information which I have with me.

Soon after the troubles began in Calcutta in the month of August 1946, it was my good fortune to go and stay in Calcutta to share the difficulties of the people and do what little I could to relieve the distress that was brought on Calcutta. In that connection I had also the privilege of coming into contact with the prominent Muslim leaders, including the then Chief Minister of Bengal. I could clearly see from their talks and discussions that it was their intention to carry on the peaceful penetration of the areas now known as the Eastern Zone of India. They failed to understand why the Indian National Congress was not accepting their demand of leaving the Zones of the Eastern borders of India (namely Assam and Bengal) in the hands of the Muslim League. They knew that it would be too bitter a pill for the Congress to swallow. Therefore, they necessarily thought that the only possible course was one of peaceful penetration. They took full advantage of the "Grow More Food" policy of the Government. Soon after my release from jail in 1945 I took the opportunity of going to Calcutta and had also discussed with the hon. Mr. Bardoloi as also certain other prominent men of Assam. I have known their serious anxieties and I have sympathised with them. It would be unfair and unfortunate to cast any aspersions on them. They are as anxious as anyone of us here to eliminate these unfortunate elements from Assam. It is for us to see if we could help them. There is no use of commenting, criticising or casting aspersions.

It is necessary to realise that we have in East Bengal a concentrated population of about 800 per square mile while the density in Assam is about 200 per sq. mile. Necessarily there is a lot of scope for migration for the people of East Bengal by crossing the borders of Assam. This process was given a great impetus by the Muslim League Ministers of Bengal. From the history given by my hon. friend of the state of affairs in Assam, you will see that this movement was given a great impetus and the then Ministry was in a fix as to how to solve the problem. Our friend Mr. Saadulla agreed to accept the demands of the Congress and to co-operate with my hon. friend Mr. Chaudhuri to stop this migration. Even then my recollection is that the secretaries of the district league councils in Assam protested and wanted to non-co-operate and if necessary break the Saadullah Ministry. That was the position which this question had assumed in Assam as early as 1945. It is thus a very unfortunate comment on the vigilance on the part of both the Provincial and Central Governments and their officials. No explanation has been given by the hon. Shri N. Gopalaswami Ayyangar why this penetration, peaceful or otherwise, was allowed to continue during the last two and a half years without being checked, especially after timely intimation given by the Government of Assam. This, Sir, as I have already stated, is a part of the League programme. They in Pakistan have not yet given up their outlook, much less their programme that was chalked out for them by the late lamented Jinnah. That programme was to convert the province of Assam as also the districts bordering the province of West Bengal into a Muslim majority area. That programme is still adhered to. Therefore it is necessary that more vigilance should have been exercised. Active action than the passing of a Bill is necessary. I expected that Shri N. Gopalaswami Ayyangar will give us an idea of the steps that he proposes to take after the passing of the Bill into law. The passing of a Bill into law is easily done. If the Government is thereafter to sleep over the matter, as they have done, no useful purpose will be served.

I would read out to the House the serious warning given by the Chief Minister of Assam at a meeting held on the 5th of this month at a place twenty miles from Gauhati. Mr. Bardoloi gave this warning when he was told by some members of the public that a section of the emigrants was interested in harbouring the new-comers encroaching into the Tribal belts and into the grazing reserves. Sir, encroaching into the Tribal areas is a very serious act. The Tribal people are inflammable material. Once you allow people to get into their midst and create mischief, there will be no limit to the harm that will be done. The matter is thus serious and serious notice must be taken of the same. Western Pakistan is very thinly populated. If room has to be found for the thickly populated regions of Eastern Pakistan, the necessary emigration of population could be arranged by Pakistan Government. There is no reason why India, unfortunate India, after so much of her suffering, should be the object of peaceful penetration. Sir, they have got all the canal lands and more valuable natural resources than ourselves. They have practically driven away more than half the Hindu and Sikh population from Pakistan. We had to accommodate them here. Under these circumstances I do not see why this Government should not ask the Government of Pakistan to put a stop to this unfortunate penetration. I have every reason to believe that this has been done with the backing of the Government of East Bengal. Unless that were so, I do not believe it could have been done in such a planned manner as has been admitted by the Minister in charge of the Bill. I have stated how the whole thing was planned a long time before we attained Independence. Now that they have got their own State they should be content with it. Far from that, the hon. the Prime Minister of Pakistan has stated just two days back that they are going to increase their Defence Budget—their war budget and strengthen their war preparations at a time when we are reducing our Defence Budget and reducing the strength of our army as also the production of war materials. In these

[Shri Biswanath Das]

circumstances we have to take a serious view of this peaceful penetration. The intentions of these people coming to India as emigrants thirsting for cultivable lands as peaceful *kisans* have to be taken with a grain of salt. They are coming with the old League mentality and outlook. As has been warned by the Chief Minister of Assam, such penetration is pregnant with enormous mischief. I will here bring to the notice of the hon. House what Mr. Bardoloi said: "The need of the hour is absolute unity in destroying all those who try to spread separatism which is a menace to the State." Clear it is, therefore these gentlemen have been coming not as peaceful *kisans*, but as the forerunners of the League cult of creating a split in this country and destroying the peaceful atmosphere of Assam. I do not believe, Sir, that this unfortunate peaceful penetration is confined only to Assam. My hon. friend the Minister in charge has in the course of the interpellation stated that this peaceful penetration is not confined to Assam but is also extended to West Bengal. He has stated that the West Bengal Government has undertaken to face the situation themselves. Sir, I do not agree with this view, and I feel that the Government of India should take a serious view of the situation and should take definite and distinct steps in this regard, to put a stop to this immigration, not only stop it, but also send away those new immigrants from India. While demanding the sending away of all the uncalled for immigrants from India after the date of Independence—15th August, 1947, I have to state that I do not believe any apprehension will be justifiable on the part of any one to believe that the Government of Assam would go so low as to take advantage of these provisions and send away our friends, the refugees, from out of Assam. I think that will be straining imagination too far. I would appeal to my friends not to harbour any such suspicions and cast aspersions on friends who do not at all deserve the same.

Sir, I feel that these people, the immigrants are agents of Pakistan who are coming here to create trouble for the people and for the Government when time comes. I would request the Government to take the question seriously and immediately on hand.

The Bill, considered from this point of view, I believe, is inadequate to meet the situation. I do not know why the Government of India have not made use of the Foreigners Act of 1946 and sent these people away from the day Government realised the situation as serious. That is a point on which I expect the hon. Gopaldaswami Ayyangar will give us some explanation. From a reading of that Act, I feel that there is abundant power left in the hands of Government to send away any foreigner, not to speak of any Pakistani who enters into India. The powers extend not only to taking census of the foreigners, but also to call upon those people who give shelter or harbour to these foreigners, not to do so. I think we should have similar provisions in the present Bill so as to enable Government to call upon the people who harbour these people from Pakistan not to do so.

Mr. Chairman: Is the hon. Member likely to continue long? Does he propose to make a long speech, or is he likely to complete now?

Shri Biswanath Das: I am likely to take some time longer.

Mr. Chairman: Then we adjourn now.

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].

Shri Biswanath Das: I have pleaded with hon. Members of this House to take a more serious view of this question than what has been done by the Government as is revealed in the provisions of this Bill. I have also stated how this peaceful penetration of the Muslim population from East Bengal is being planned and directed in a careful and calculated manner so as not to be taken cognizance of quickly by the Government of India. I have also pleaded with them to realize the dangers of a set of people coming in such a regular and systematized manner with an ideology against which we have fought and which has resulted in the partition of India and has also created any amount of trouble in India.

I have also pleaded with hon. Members as also with the Government that the provisions of this Bill are not enough and adequate if they are really to face the problem with all its seriousness. I have found fault with the Government and asked them to explain to hon. Members of this House why no action has been taken for the last three years and especially from 1948, ever since the Government of Assam drew the serious attention of the Government of India. I have also complained that the Government of India have not taken action under the provisions of the Foreigners Act, Act XXXI of 1946 to keep away these non-nationals of India from the soil of India. In this connection, I would ask hon. Members of this House to visualize a position wherein we go and enter into the territory of Persia or Burma, or a neighbouring country like Persia enters into the soil of the Soviets. What would have happened? The position would have been serious. It is really an act of war. Therefore, I would plead with the Government not to take this in the way in which it has been taken up till now. The presence of five lakhs of people on the soil of India is enough to upset the internal economy of India, not to speak of a small province like Assam, which has, after all, 74 lakhs of people under the present setup. We have been purchasing food from outside countries at heavy expense to ourselves which mounts up to a hundred and odd crores of rupees. Calculated at the rate at which we ration ordinary prisoners, the bill that India pays on the score of food alone comes to about three crores or more. Why should the Government of India under these stringent conditions of food keep or allow these immigrants to stay in a country which is not at all theirs and to which they have the least claim? Even considered from the point of view of the Muslim population in India, it is a serious setback. Our Muslim friends, thank God, most of them who had the League ideology have settled themselves as peaceful citizens by casting their lot with us, to stand by us and live with us. If the unfortunate immigrants come with a different ideology, are we to have a war atmosphere in which different conditions would prevail? A secular state like that of India has got enough dangers, dangers because it cannot deal in the same way in which Pakistan deals with Hindus, Sikhs, Christians and the like—the non-Muslims. At any time, Pakistan could upset the economy of India by positive steps which we cannot retaliate. This peaceful penetration of India reduces itself to this, namely, that you have no peace now and certainly you cannot have peace during a war.

Under these circumstances, I beg of the Government of India to take a very serious view. Are we to lose both ways? I think I owe an explanation to the House when I say 'both ways'. Our people are being thrown out of Pakistan. I am sorry I have said 'our people'. The Pakistan nationals who are Hindus and Sikhs are thrown out of Pakistan mercilessly. (*Interruption*). We have to own them. So we have to find rehabilitation for them. We have to find some space under the sun for these unfortunate people. Are we also to allow

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accommodation and living space and ploughing lands for these non-nationals, who do not owe allegiance to our State nor have they any sympathy for us? These are serious questions.

Sir, our respected leader, the hon. the Deputy Prime Minister at the top of his voice, after serious concern over the fate of these refugees, has once suggested that the time has come when we have to ask the Pakistan Government whether they should not find a land to rehabilitate and accommodate these refugees. That was being protested by Pakistan. You would not do anything for your own nationals and India has to find accommodation for non-National Immigrants? This is losing both ways. I implore the hon. Minister in charge of this department to take his lessons from our great leader, the Deputy Prime Minister.

The census of 1951 is coming on and active operations have to begin from 1950, if our past experience holds good. Why not take a detailed and early census of Assam and see that people over and above the 74 lakhs we had in 1941 are ejected mercilessly without any consideration?

Sir, I cannot see why the second qualification is found in clause 2 of the Bill namely "his stay in the province is detrimental to the interests of India". Why should any non-national who enters the soil of India have any place to stand. Why should there be any qualification as to this stay in the Province? Deterimental it is and he should be directed to quit. Whether it is detrimental or not he has no place. He cannot be accommodated. He should be bodily thrown out of India. That is the attitude which should be taken up by the Government of India. If I agree to the provisions of the Bill, it is because it comes from a Cabinet of which my leaders are members. I would request the Government to reconsider the provisions of the Bill.

One word more and I shall have done. Act XXI of 1946, if it is applicable, may be made use of. If not, there are some wholesome provisions which may be embodied in this legislation. The provisions are in section 3, where the powers of the Government are very wide. Why not take those powers? Otherwise, there may be need for more ordinances.

I now come to section 7. There must be people who shelter the immigrants. Should you not take power to penalise these people who offer shelter to people knowing that they are non-nationals and dangerous? Government should have powers on the lines of section 7 of Act XXXI of 1946.

I come to the penal provisions of that Act. They are also fairly satisfactory to meet any situation of this character. Government should have all these necessary penal powers. Here you have little penal provision in the Bill.

An Hon. Member: There is penal power.

Shri Biswanath Das: I know but it is very little. I do not believe that it will meet a situation of this character.

With these observations let me hope that a satisfactory legislation will be enacted so as to enable Government to meet the situation and that the Government would take immediate and necessary action in this regard without further negotiations or discussions.

Shrimati Sucheta Kripalani (Uttar Pradesh): Sir, I rise to support the Bill which has been moved by hon. Shri Gopalaswami Ayyangar. In his speech he gave us the reasons for which the Bill has been necessitated. In the Statement of Objects and Reasons it is stated that the reasons are economic and questions of law and order. It is true that no province can support an unlimited number of immigrants and it applies particularly to the economy of a province like Assam. We cannot also afford to have a large number of people coming in to a Province and create problems of law and order. But the weightiest reason is that of security. The security of Assam is not a question of Assam alone but it is a very important question for the whole of India, because it is the eastern gateway of India, particularly in view of the present policy of Pakistan. Though we are at peace with Pakistan yet she is constantly carrying on a propaganda that creates an atmosphere of war in that country. Recently, last month, on my way back from Europe, when I was at Karachi I came to know of small things, which though small are yet significant. In Karachi there was an industrial exhibition and within the exhibition grounds they were having a theatre where a drama on the police action in Hyderabad was being staged. In this drama scenes were being enacted where Indian soldiers are shown to be committing brutal atrocities, bayoneting children and things like that which aroused the feelings of the people. Hundreds of people were seeing the play and naturally a hatred for India was being created in their minds. I also came to know that in Karachi there were a large number of shops selling arms. Arms were being sold at a much cheaper price than in India. We also know that statements are made by responsible people in Pakistan which tend to create an atmosphere hostile to India. We have to be particularly careful. It is true that we want to follow a policy of peace: in spite of provocation we will try to follow the path of peace. Our Prime Minister has said that this will be our foreign policy. But at the same time we have to be vigilant and see that we safeguard the security of our country.

The position of Assam is particularly delicate because beyond Assam is a territory which is in an unsettled and chaotic condition. There is therefore danger from that side and it is necessary to fortify ourselves. On the other side of it is Eastern Pakistan. We have heard today on the floor of the House how even before Partition in a systematic manner people were coming into that province to occupy land. After the Partition in August 1947 four and a half lakhs men have penetrated into Assam. I am surprised to learn that such a big number has penetrated into Assam without check. If that is so, this legislation is not a day too early. In fact it should have been enacted much earlier. It is very necessary that we should take adequate steps to stop people from coming into that Province, particularly that type of people who are hostile to this country and about whose loyalty we have no assurance. The loyalty of the people who come here is to a foreign State and how can we afford to accept such people, how can we give citizenship rights to such people whose loyalty is elsewhere? Therefore it is very necessary that such a Bill should be passed and not only that but adequate measures should be adopted to implement the Act. Therefore I give my wholehearted support to the measure.

On the other hand, I would like to draw the attention of Government to certain serious difficulties that may arise out of this enactment, I mean the question of the refugees. In this matter too Assam is in a very peculiar position. It is a province which has been partitioned resulting in people who were originally inhabitants of Assam now being citizens of Pakistan. Adjoining it is the Province of East Bengal. It is very natural that these people, Hindus, who were formerly people of Assam and who are now citizens of East Bengal, when they are persecuted they would try to enter our land. Some of them are trying to push into West Bengal. If this enactment militates against them it will mean a terrible hardship to them, particularly at this

[**Shrimati Sucheta Kripalani**]

time when we hear such alarming reports of persecution of Hindus in East Bengal. I met in Delhi some members of the Pakistan Legislature a few days ago. They came and told me that almost the same scenes as in Noakhali have been enacted in Khulna and other places. Now, where are those people to go? We cannot deny our responsibility towards those people. They were citizens of India. They fought for the freedom of India. But today unfortunately they have been left beyond the limits of India. We know that Pakistan has been following a systematic policy by which Hindus have been gradually pushed out. If Hindus of Eastern Pakistan are pushed out they will have to find shelter somewhere. We cannot close our eyes to that fact. Even if it is difficult for our economy to support it, we have to give shelter to those shelterless people. It is a moral obligation.

This enactment should be passed, but the executive authority should be vested in such people who will exercise proper discrimination and who will see that these people get proper protection because they are now between the devil and the deep sea. They are persecuted, they cannot live with self-respect and even their security is threatened. And when they come over here if by this enactment they are thrown out, where will they go? Therefore we have to take every precaution to see that these people are not injured in any way.

I also want to point out another thing. When people from West Pakistan came over to India and when the Relief and Rehabilitation Ministry was allocating refugees to the different Provinces, Assam, Bengal and the eastern Provinces were particularly left out of this allocation because we apprehended that a time might come when Hindus might be driven out of East Bengal and we would have to find shelter for them in those areas. Therefore refugees from West Pakistan were not allocated to these Provinces. These Provinces must realize that they have a responsibility towards these refugees and they will have to accept them. On the other hand it does not mean that all refugees from Eastern Pakistan must find shelter in Assam. When they come, they must be received there. But it is for the Central Government—for the Rehabilitation Ministry—to decide where these refugees should be allotted, whether in Assam, Orissa, Bengal or other Provinces. It will come in the overall planning of refugee resettlement. But we have to see that every attempt is made to give them full shelter and security and they can demand it from us.

Another question crops up about which I am very reluctant to speak. In Assam there is another class of people who perhaps have not come during recent months or recent years but who in the natural course of their business or work have been settled there. They are not the original inhabitants of Assam, but they have been there for a long time. I had occasion to go to Assam last February when I came to know that there are families who have been in Assam for the last fifty years but who have failed to secure a domicile certificate. They are not citizens of Assam. Will this Act militate against these people who are settled there and earning their livelihood and who have no other home except Assam?

Shri A. B. Gurang (West Bengal): Who are these people?

Shrimati Sucheta Kripalani: It is for you to find out. There are different classes of people. I was looking through the Census Report of 1931 and I found that it describes as "immigrants" 1,40,000 Nepalis, 5,50,000 Bengalis, 60,000 Marwaris and so forth. People came from different parts of India and

they have settled in different parts of Assam. They are technically described as "immigrants". We must know what is their status, whether they will be thrown out or given full protection of citizenship.

I am particularly glad to know that the Central Government is keeping the authority of this Act under its own control. Not that I have anything against the Assam Government. But during the course of refugee work that I have done I have seen that when the refugees first come into the Province there is always a great amount of sympathy and warmth towards them and people want to receive them. But as days pass, the sympathy wanes—which is also natural because after a time the refugees become economic competitors of the local people. We are seeing it in every Province. I have toured throughout India in connection with my work and I have seen this. Suppose in Assam an atmosphere of that sort is created and there is a reluctance to absorb refugees, it is a natural phenomenon and not peculiar to Assam alone. It is therefore for the Central Government to see that the refugees from different parts are absorbed in the various Provinces in spite, perhaps, of the wishes of the people. We have to persuade and press them and see that these people are absorbed.

There is another reason why the Central Government should keep the authority of this Act under its own control. This enactment is being passed not merely for the sake of Assam. This is for the safety of the whole of India. It is a very big question. Assam is the gate-way of India and we must make it strong. We have to see that undesirable people do not come in. We want perfect security there. Therefore the Central Government must exercise proper supervision over any local action that may take place in those areas.

For these various reasons I support this Bill whole-heartedly. At the same time I hope that the Government will take due precaution to see that no injustice is done to this class of people who have every right to demand shelter and protection from us, who have fought for India's freedom but who unfortunately today are denied the privileges that we enjoy in Free India.

Shri Borooah (Assam): I rise to support this Bill though it is quite inadequate and does not meet the requirements of the situation as well as of time. We learnt from the hon. Shri Gopaldaswami Ayyangar that 5 lakhs of Pakistani immigrants have entered Assam during the last two years, that is, between 15th August 1947 and November 1949. These five lakhs of people are of doubtful loyalty. There should be no doubt on that score. Although the dictionary meaning of the word "immigrant" is anybody who comes from one country to another, in this particular case the word "immigrant" means only Pakistani Muslim immigrants from Eastern Pakistan and does not include the refugees of whom a census was separately taken in Assam. We learnt from Shri Rohini Kumar Chaudhuri that 1,20,000 displaced persons, who left East Bengal for fear of persecution, have come to Assam. We must draw a line between these two types of people—people of Pakistani origin and nationality who owe no loyalty to our country and to our State, and people who for their love of India and patriotism have been persecuted in Pakistan and have taken shelter in Assam.

I was listening to my hon. friend Sardar Bhopinder Singh Man's criticism of the Assam Government. There is an impression in these parts, and that impression has also crept into this House, that the people and the Government of Assam are opposed to giving shelter to the refugees. I do not know how they give this impression. There have been many wrong and erroneous impressions about Assam. We cannot really complain against that. I am quite grateful that people here know that the capital of Assam is Shillong and not Bangkok. Sardar Bhopinder

[Shri Borooh]

Singh Man was reading out a Government Communique about the refugee and immigrant problem, but he forgot to mention that in that particular Communique issued by the Government of Assam they have specifically mentioned that orders had been issued to district officers to give all facilities for the accommodation of these refugees who have entered Assam.

Dr. M. M. Das (West Bengal): Only paper orders.

Shri Borooh: I do not know how my friend knows more about Assam than we do, but I can tell him that we know about Assam directly whereas my hon. friend Dr. Das or my other hon. friend Sardar Man have to learn through paper alone.

Dr. M. M. Das: No, no. By practical experience.

Mr. Speaker: Order, order.

Shri Borooh: Then, Shrimati Sucheta Kripalani tried to make out a point about certain types of people, apart from the refugees and apart from the Pakistani immigrants, who have been living in Assam for the last few generations. She read out their figures according to the 1931 census and said that there are 1,40,000 Nepalis, 80,000 Marwaris and people from other parts of India too. I may tell her that the people of Assam are not opposed to them. Here is Mr. Guha who is a representative from the Tripura State; his people have been living in Assam for the last three or four generations, and I hope he will bear me out when I say that we do not differentiate between him and the rest of the people of Assam. About the Nepalis, may I say that when the immigrants, encouraged by the League Ministry, unlawfully entered Assam in 1942, it was the Nepali graziers, a lakh and forty thousand of them, who were displaced. My hon. friend, Mr. Gurung, was in Assam at that time and he has seen the difficulties of the Nepali graziers with his own eyes. He also saw that the people of Assam rallied round the Nepalis as their own brethren.

Sir, I do not think I need labour the point that the people of Assam as also the Government of Assam are not opposed to the rehabilitation of refugees in Assam. As a matter of fact, we have already taken in 2½ lakhs of refugees and we are prepared to take more if our economy permits.

With regard to the inadequacy of the Bill, I want to bring to your notice only one point. The problem which the Bill wants to tackle is that of reducing the number of disloyal persons in the Indian Union. There are two aspects of the problem. One is how to stop further immigration, and the other is to expel those who have already come in. This Bill proposes to expel people who have come in but does not make any provision for stopping people from coming in further. In this connection, I am reminded of that parable of the leaky boat which Shri Rajagopalachariar used with telling effect at the Tripuri Congress. When a boat leaks, there are two ways to save it: by bailing out water that has entered into the boat and by stopping the hole. This Bill only makes provision for bailing out water but does not make any provision for stopping the hole.

Syed Nausherah (West Bengal): Who is responsible for allowing the water to come in?

Shri Borooh: I am thankful to my hon. friend Syed Nausherah for that question.

I do not want to take more time of the House which will be utilised more valuably by other hon. Members, but I can only tell you this. If you want

this Bill to be effective, then something more than the provisions contained herein will be necessary.

An hon. Member: What are those provisions?

Shri Borooah: You will need a provision for stopping further immigration. Without that this Bill will be as ineffective as your trying to bail out water from the leaky boat

I also want to point out that even in the matter of expelling undesirable people from Assam, this Bill is not likely to be very effective. My hon. friend, Shri Surendranath Buragohain was telling us that he was doubtful whether even 10 per cent. of the immigrants who have entered Assam after the partition of India will be expelled by this measure. A tree is judged by its fruit; this Bill, when it is enacted, will be judged by its effectiveness. About five lakhs have come into Assam between 1947 and 1949. The effectiveness of this Bill will be judged by the number of Pakistani immigrants that are thrown out of India within the next one year. There is an Ordinance empowering the Government of India as well as the Government of Assam to expel undesirable immigrants and it has been in force for the last one month. I do not know the number of persons that have been expelled through this Ordinance within the last one month. If the use that has been made of this Ordinance can be taken as the criterion, then I regret to say that we cannot be very hopeful about the effectiveness of this Bill. I am not here to hold a brief in favour of the Government of Assam or the people of Assam. This is a problem in which the people and the Government of Assam are no doubt interested but this is also a problem in which the whole of India should be interested. Assam is a State of India. Unfortunately, we in India sometimes seem to forget that Assam is in India. On the other hand, the Pakistanis as well as the Pakistan Government think that Assam is a district of Eastern Pakistan and that they can behave in Assam as though it were Dacca or Mymensingh. My hon. friend Shri Gopalaswami Ayyangar has seen the whole situation himself. I hope in this very session he will bring in another Bill, if this Bill cannot be amended, in order to stop further immigration into Assam. My hon. friend Shri Biswanath Das was talking of peaceful penetration. Yes, Sir, there has been Pakistani penetration in Assam. Today 22 per cent. of the people of Assam are Muslims. I am not one of those who distrust or disbelieve a particular community because it follows a religious persuasion different from that of the majority of the people, but in the case of Assam how can I forget, how can we and you forget that today in Assam most of the Muslims are of Pakistani origin who have migrated into Assam within the last thirty years and that a substantial portion of them got in between 1942 and 1947 when we were in jail and the League Ministry was ruling in Assam? I do not know whether the deadline of August 15, 1947 makes any difference to us, but evidently it does not make any difference to those Pakistanis who are in Assam because they came to Assam in 1942 by no peaceful methods. I have here a report by Mr. S. P. Desai, the Chief Secretary of the Government of Assam, and a Maharastrian. Therein he describes how the immigrants forcibly entered Assam in 1942 and how the League Government actively encouraged them so that Assam may be converted into a Muslim majority Province so that they might demand its inclusion in Pakistan.

As a matter of fact, you will remember that Assam was the only province which did not have a Muslim majority which was demanded to be included in Pakistan, and it was by the blessings of Mahatma Gandhi and the wisdom of our leaders that Assam was saved from the clutches of Pakistan. I do not want that history to be repeated. Today the relations with Pakistan, as you know, are not such as to encourage any faith in their goodwill. Assam has

[Shri Borooh]

long frontiers with Pakistan and every day those frontiers are being violated. You know what an effect this violation of Assam frontiers by Pakistanis has made in Assam. I therefore once again request the hon. Minister to bring a new Bill or if a Bill is not necessary—I do not know the legal implications—at least to introduce the permit system which was demanded by the Government of Assam, and I hope that then Sardar Man will have no occasion to criticise the Government of Assam or her people.

श्री टी० हुसैन सभापति जी यह हमारा पहला इतिफाक है कि इस पार्लियामेंट में

Shri T. Husain (Bihar): This is our first occasion that in this Parliament.....

Shri Gopalaswami: May I make an appeal to the hon. Member to speak in English? He speaks well in English and that is a language which I can understand. Would he do me the honour of speaking in English?

Ch. Ranbir Singh (Punjab): Would you not like to learn Hindi?

Shri T. Husain: Sir, since the hon. Minister desires that I should speak in the language which he understands, I am speaking in English. I had thought that he would understand the Hindi which I was going to speak. I was going to speak very, very simple Hindi, which after fifteen years my hon. friend will have to speak. (Shri Gopalaswami: Next birth.) I have heard today from the hon. Minister that about five lakhs of people have come from Eastern Pakistan to Assam, and I also understand that these five lakhs of people are not one of us—are not Indian nationals, are not citizens of India. I am unable to understand why, after the partition of the country, people are still trying to come to our country. We have now got two different sovereign States, and I am sorry to see that they are on very, very bad terms. The Muslims who come from Eastern Pakistan to Assam cannot be trusted. They do not owe any loyalty to the Indian Union. (*An hon. Member*: Hear, hear.) Therefore, if there is war between Pakistan and India or between India and any other country, they will always remain a danger to our peace.

Shri R. C. Upadhyaya (Rajasthan): Even after passing of this Bill they will continue to remain in India.

Shri T. Husain. I did not hear the interruption. I am prepared to reply to anything, which is asked for the sake of information.

Therefore, I have risen to support this Bill in its entirety. The reasons why people from Eastern Pakistan are coming to Assam are two, as far as I understand. One is that Eastern Pakistan is thickly populated and there is shortage of food there. The other is that there is plenty of food in Assam and it is thinly populated. I want to say to these people, "If that is the reason why you are coming here, there is your own province of Western Pakistan. You have got plenty of food there, and it is thinly populated. Why not go there? Why come to our country?"

Shri Sidhva (Madhya Pradesh): Why do you not write to them? Better communicate direct with them.

Shri T. Husain: Now, Sir, there is an Ordinance and since that Ordinance is going to lapse, therefore, this Bill is being moved in this House. I read sometime ago in some papers that there was great agitation in Pakistan over that Ordinance. I saw the question asked: "How is it that India allows Hindus from Pakistan to come to India, and not the Muslims?" I want to tell those people that there is a difference between these two. Those Hindus

who came from Pakistan were afraid of their lives. They could not stay there. They were being oppressed. They had no alternative but to run away from their homes and some provision had to be made for them in India.

Shri Hossain Imam (Bihar): For the sake of humanity.

Shri T. Husain: Yes, as my hon. friend suggests, for the sake of humanity. Whereas this is the position of Hindus, the Muslims had their own homes. They had no business to come out here. They are not Indian nationals. Besides, they must know this also—that every independent country has the inherent right to protect itself from undesirable people. Other independent countries have passed such laws. It is not a new thing, it is not a unique thing that we are doing. It will be absolutely wrong to say that it is a non-secular thing. We are a secular State and we are acting in a secular manner. There is nothing communal about it. They are not being turned out because they are Muslims. They are being turned out because they are not Indians and because they are undesirables, and in time of danger, in time of war, they may become a danger to us. That is the only reason, because we want peace in our country. I ask the Pakistan people,—will they allow the Hindus to go from here to Eastern Pakistan? The answer will be in the negative, and if they do allow—I hope my hon. friend from Assam will pardon me—the Hindus of Assam are very, very weak indeed. I can assure you that if the Sikhs would have been there, if the Punjabis would have been there, in Assam and if those people had tried to come in, they would have turned them out, bag and baggage by now. So if people like the Sikhs were allowed to go to Eastern Pakistan, about five lakhs of them, they will take the whole of Eastern Pakistan. So they will not be allowed.

In conclusion, I would suggest to Government—although it may not be part of the Bill—still I would suggest that those Sikhs who are refugees here and have got no land and whom Government have not been able to help with lands, should be encouraged to go to the border of Assam where Pakistan and India meet and then you will see, Sir, that there will be no more people coming from Pakistan.

I only want to say a word to my hon. friend Mr. Borooah who gave the parable of the boat leaking and the government are only throwing away the water and not repairing the hole. I am afraid, Sir, I do not agree with him. I think this Bill is quite sufficient. I do not agree to the provision of three years' imprisonment. It should be more severe. But even three years, I submit is quite sufficient. The moment this Bill becomes an Act and it comes into force in Assam, these people who are here will have to leave. They have no option but to leave. This Bill in itself is sufficient to prevent people from coming in. Any person who harbours them—of course no Hindu will harbour a Muslim, but a Muslim may harbour a Muslim immigrant—is liable to go to jail for three years. Not only will these five lakh people be turned out, but I have no doubt that no more immigrants will be allowed to come from East Bengal. Therefore, not only will the hole be repaired, but also the water will be thrown out. With these words, Sir, I support the Bill.

Shri A. C. Guha (West Bengal): While lending my support to this Bill, I am conscious of the fact that it is a regrettable thing that the Government of free India has the necessity of piloting such a Bill and that I have to support such a Bill. Though in the wording, there is no mention of any particular community, the purpose of the Bill is apparent and known to everybody. Sir, the psychology that is prevailing in the country, both in this State and the neighbouring State which has been born out of the partition of India is the legacy of the foreign rule. That is the outcome of the policy of national disintegration that the foreign government had been following for the past so many decades. In view of that psychology, we have the partition of India and

[Shri A. C. Guha]

it was expected that the two States would follow a path of amity and cooperation and I can say with that expectation the partition was supported. But that expectation has not been fulfilled. The two neighbouring States geographically, culturally, and historically belong to the same entity and cannot live in an attitude of indifference to each other. Either they must be cordial friends or their relations will tend to bitter enmity. I am afraid such a stage has almost come. I still wish that that stage will be averted and the two States may again come to a path of cooperation and amity. But as things now stand it is the regrettable necessity of our Government to pilot such a Bill.

We would have no objection to take certain immigrants, but the objection has come from the prevailing atmosphere,—the politics of the neighbouring State from which the immigrants are coming. Our State is a secular State and we are determined to maintain that character of the State and our whole national idea is based on secular outlook. But our neighbouring State is a State committed to a particular faith and is based on a particular faith. That also would not have mattered much, but the whole population of that State has been fed on a psychology of hatred and that is the danger against which this Bill wants to guard. So from the point of view of national security, from the point of view of good neighbourliness between the two States, I support this Bill, though I feel and I repeat that it is a regrettable necessity that such a Bill has to be sponsored and I have to support it.

Another aspect comes into this question. Assam is a thinly populated province and according to physical laws a vacuum is not to be tolerated. So as the undesirable immigrants have been coming, other immigrants also have been coming into Assam, who according to the views of the Government of India are not considered undesirable. But for some years past there has been an atmosphere of suspicion about the attitude of the Government of Assam. That is again a regrettable thing and that also I ascribe to the lingering influence of foreign rule. Sir, Assam is the neighbouring province of my own province and I feel that there is a good deal of affinity between the Assamese and the Bengalis. In dress, in customs and also in language there is hardly any difference. Yet there has developed a spirit of doubt and suspicion and something like an attitude of hatred towards the Bengali immigrants who have gone from Bengal to Assam. Some Bengalis have settled there for decades. Assam is not a mono-lingual province. Quite a good proportion of the permanent inhabitants of Assam speak Bengali. After partition quite a large number of Bengali Hindu refugees from East Bengal have entered Assam. Several times in the course of discussion it has been pointed out in this House that the Government of Assam have not been playing their part in accommodating and giving shelter to those refugees.

Shri Hossain Imam: In what districts?

Shri A. C. Guha: In Kachar and Goalpara districts and other districts also.

I think on one or two occasions it has been admitted by the Government of India also that the Assam Government has not been helpful in rehabilitating the refugees from Eastern Pakistan. This Bill empowers the Government of India to expel from Assam certain persons, undesirable immigrants, and apprehensions have been aroused in the minds of Bengalis settled there or of the refugees who have gone there in recent years (within the last two or three years) that its provisions may be used against the Bengali settlers or the Hindu Bengali refugees from East Bengal. My friend Mr. Chaudhuri has been whispering that it is a misunderstanding. I wish that all these misapprehensions and doubts and suspicions on the part of the Bengali Hindu settlers there prove to be false. I wish that Bengal and Assam, Bengalis and Assamese co-operate and march together in the building up of Indian nationhood. However, to

allay this suspicion of the Bengali settlers and refugees there, I wish some thing like a proviso be added at the end of clause 2 to the effect that the provisions of this Bill will not be applied to anybody who is a refugee or displaced person or who has settled there four or five years ago. Some such date may be fixed so that people who have settled previous to that will not be affected by the provisions of this Bill. I hope that the Government of India would see to it that this Bill does not in any way apply to the Hindu or even Muslim Bengali settlers who have been there for some generations. I hope that there will be some definite declaration by the Government of India that this Bill will not be applied in such cases. If possible a proviso may be added as suggested in some of the amendments that this Bill will not be applicable to refugees or displaced persons or to permanent settlers there. With these few words, Sir, I commend the motion for the acceptance of the House.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): The question may now be put.

Several hon. Members rose—

Mr. Speaker: I am bound to put to the House the motion for closure. I think there has been sufficient discussion. Large number of Members have participated in the discussion. Moreover, hon. Members could get other occasions also to speak on this matter.

Syed Nausherahli: I have heard the debate with patience. I have got one or two doubts in my mind.

Mr. Speaker: We shall have those doubts clarified during the progress of the Bill. I am bound to put the question now. I accept the closure. The question is:

"That the question be now put."

The motion was adopted.

Mr. Speaker: Before I ask the Minister in charge to reply, may I know the points on which Syed Nausherahli wanted clarification?

Syed Nausherahli: I have this doubt in my mind: I have not yet been able to understand the necessity for this legislation at all.

Mr. Speaker: He may not make a speech.

Syed Nausherahli: The second point is this: I have great doubts about the effectiveness of this legislation, in view of the fact that already there are five lakhs of people in Assam—undesirable people. Suppose you.....

Mr. Speaker: Order, order. No speech now.

Syed Nausherahli: These are my two doubts.

Several hon. Members rose—

Pandit Thakur Das Bhargava (Punjab): May I ask a question? So far as the Bill is concerned, I would respectfully ask the Minister in charge to kindly define the word 'undesirable'. Unless it is defined, we do not know what will happen.

Dr. Deshmukh (Madhya Pradesh): Sir, I want to ask why it is necessary for the Central Legislature to pass this Bill. Criminal law is on the concurrent list and similar law could be passed also by the Assam Legislature. Why is it necessary for the Central Government to intervene? Again, Sir, I wish to know whether the Foreigners Act which is on our Statute Book is applicable or not.

Shri Gopaldaswami: I think I will reply to these questions at once, taking them in the reverse order.

As regards Dr. Deshmukh's questions, I may say that this legislation has to be undertaken in the Central Legislature because under the new Constitution, as it was also under the old Government of India Act, the jurisdiction to enact legislation for the expulsion of people who are not citizens of India is conferred on the Central Legislature and so they require legislation to be undertaken here.

I did not quite catch the second point he mentioned.

Dr. Deshmukh: The Foreigners Act of 1946 is on the Statute Book. What is the difficulty in using that?

Dr. M. M. Das: I have a question to put on an important point.

Mr. Speaker: I do not allow it now.

Shri Gopaldaswami: That point was also raised by my hon. friend from Orissa. He also asked why the Foreigners Act should not be put into operation for this purpose. Sir, that Act applies to a foreigner. A foreigner in that Act is defined as a person who is not a natural born British subject as defined in another Act. I am afraid Pakistanis are still British subjects. That disposes of the two points.

I will now proceed to say a few words in respect of the more important points raised by the other speakers.

Pandit Thakur Das Bhargava: But then he must be in British India according to the proviso to clause (a) of section 2 of the Act of 1946. Otherwise he is a foreigner.

Some hon. Members: There is no British India now.

Shri Gopaldaswami: Some of the points raised by my friend Sardar Man have been answered by other speakers. He made great play of the fact—I accept it as a fact—that there has been delay in taking action in regard to this particular matter. Unfortunately there has been delay. I do not think, however, he was quite justified in the criticisms he levelled against the Assam Government. The Assam Government did move in the matter fairly early. The matter was brought up, I believe, at an Inter-Dominion Conference over which my hon. Colleague Shri Neogy presided. But at that Conference it was not possible to arrive at any clear understanding and it was arranged that a fresh conference should be held in regard to this question. But this fresh conference was prevented from being held for a number of reasons which perhaps it is unnecessary for me to detail here taking the time of the House. Then the Assam Government again asked for the introduction of a permit system between the two Governments. With regard to the idea of introducing a permit system we had to take into anxious consideration the objections which the Government and the people of West Bengal had thereto. They feared, and I think quite rightly, that if we introduced a permit system as between East Bengal and Assam, Pakistan would almost immediately introduce a permit system between West and East Bengal. Hon. Members can well realise what a great up-set economically, socially and otherwise that would have meant for the life of the two Bengals. And then he made another point, and that really arose out of his dissatisfaction with the Assam Government; he said that the powers under this Bill should be exercised only by the Central Government, and that we must not trust the Assam Government to enforce the provisions of this Bill. I am afraid, I must differ from him in regard to this matter. I do not have the same view of the Government of Assam in regard to this matter as he appears to have. He has already heard from the lips of other speakers facts

which should have shown him that he perhaps was a little exaggerating the responsibility of the Assam Government for the delay that has unfortunately occurred in regard to this matter.

Now, there are a few other points, but the more important of them are those which relate to refugees from East Pakistan who now happen to be in Assam, and then also the case of people who migrated from East Bengal into Assam in years long ago, and have settled down there and are practically the denizens of the State of Assam at the present day. Now, with regard to the latter, it is not intended that this Bill should be applied to persons of that character. I think Mrs. Kripalani referred to whole families, to large numbers of families who have settled down in Assam for fifty years and more, and are practically unconnected with any other part of India. In cases of this sort, it is not intended that the Assam Government should apply these provisions. And after all, it is we who have to authorise them to apply this Act to particular sets of people, and we have the assurance from the Government of Assam that this Act, if entrusted to them, for implementation, will not be applied to such persons.

Shri A. C. Guha: What is the period for which they should have settled to get the exemption? Is it fifty years?

Shri Gopalaswami: Even people who have been there for ten years and more, if you like; I have put the outer limit as fifty years, so to say.

Well, if the Sardar Sahib's apprehensions of the Assam Government should come true, he can always hold the Central Government responsible. It is open to the Central Government to give directives to the Assam Government that they shall not use this Act against such persons, if there is any fear that they are applying or are going to apply these provisions to such people. As you will see from the clause relating to delegation, the delegation can be subject to conditions which the Central Government can impose.

Now with regard to the other set of people, namely, those who subsequent to the partition of this sub-continent on the 15th August 1947, have migrated in fear to Assam, because of disturbances in Pakistan or the fear of their being badly dealt with in Pakistan, with regard to that category of people also, the same procedure can be adopted and we could, by executive action, effectively prevent this measure from being applied to such persons. But I see that there is a very large volume of feeling in the House in this matter, that this matter should be made perfectly clear in the Bill itself, and I propose to accept the proposed proviso in somewhat altered language so that it may not modify the substance of the amendment itself. The idea is to make the Bill itself prevent the application of this enactment to such people.

My hon. friend from Orissa spoke a great deal about the remissness of Government, their tardy action, about their neglecting their duties and so on. Now, this is a matter which is of the most delicate character possible. Since the partition, as we all know, the relations between the two countries have been increasing in delicacy, and before we undertook any legislation affecting the relations of the two countries, we had to give the matter the best possible consideration, and we had to find a solution which would achieve the result that we contemplated, without laying ourselves open to legitimate criticism even in the international field, and that is why we had to have successive conferences and discussions in order that the Assam Government on the one hand and the West Bengal Government on the other could understand the full implications of the actions that they respectively suggested for the solution of this problem; and it was only after some time that we were able to persuade both Governments to agree to the measure which I have now placed before the House.

[Shri Gopalaswami]

I think, Sir, that Mrs. Kripalani made a very strong point so far as Assam is concerned in regard to a legislation of this sort. Assam, she said, is the eastern gateway of India and we cannot be too careful about ensuring the perfect security of every person and everything connected with Assam. I claim that so far this particular problem is concerned, we have had this in the forefront of our discussions and deliberations, and I think really the cause of security will be greatly enhanced if the House passes this measure.

I was very interested to hear my friend the hon. Shri Tajamul Husain, and I am grateful to him for having accepted my suggestion to speak in a language which I could understand. I do not know what people think of the Hindustani or Hindi that he speaks, but I know his English is certainly of an order which is very much above the average, and I always like to hear him speak English; and I am glad that he spoke in a manner which not only enhanced his reputation for speaking in that language, but I think he gave expression to certain sentiments which, as a national of India he thinks he ought to entertain towards his erstwhile brethren who have gone over to Pakistan, and perhaps, if he would permit my saying so, he was in some respects a little more emphatic than he need have been. That, however, does not take away from the weight of the sentiments he gave expression to. He said finally as a piece of advice to me that the Government should immediately take drastic steps for preventing influx; not only has the influx slackened since we issued this Ordinance but I have a bit of information that has reached me only within the last few days, namely that as a result of the promulgation of this Ordinance substantial numbers of Muslims who had come into Assam are now finding their way back to their old homes in East Bengal, which, I think, is a very welcome development in the direction that he so much favoured.

I think an hon. Member doubted the necessity for this piece of legislation. The necessity is the upset in Assam's economy, that has been occasioned by the influx of these people and that is threatened to be occasioned by further influx of such people, and it is necessary to prevent this continuous influx of people who come and disturb the economy of one of our States. As for effectiveness, I have already given you the facts. The Ordinance is hardly six weeks old. I think, and already the effect is seen on the conduct of the people affected by this Ordinance, and I hope that the same results will continue. If we do find that the results flowing from this Ordinance are not adequate, certainly I will come up to the House again for giving me more powers to deal with the matter even more effectively.

Mr. Speaker: The question is:

"That the Bill to provide for the expulsion from Assam of undesirable immigrants, be taken into consideration."

The motion was adopted.

Mr. Speaker: We will now take the Bill clause by clause. I shall be calling the amendments one by one and hon. Members will say whether they wish to move or not, without giving reasons in case they do not want to move them.

Shri Buragohain: I beg to move:

(i) "That in clause 2, after the words 'Central Government', occurring in line 2, the words 'or the Government of Assam' be inserted."

(ii) "That in clause 2, after the words 'Central Government', occurring in line 5, the words 'or the Government of Assam, as the case may be,' be inserted."

The object of my placing these amendments before the House is to remove certain difficulties that will arise out of the application of the provisions of this Bill. By this what I propose is that concurrent powers and not merely

delegated powers should be given to the Government of Assam. Sir, there is a difference between concurrent powers or original powers and delegated powers.

[SHRI HOSSAIN IMAM *in the Chair.*]

Sir, when powers are delegated under the provisions of this Bill, it will not be open to the Government of Assam to re-delegate those powers to its officers. We may imagine a case where it may be necessary and expedient to withdraw powers delegated to certain of the officers of the Assam Government, which this Bill proposes to do, and reinvest such powers on some other officers. When the Assam Government will be faced with such difficulties, it will not be able to work on its own, if we have the provisions as they are now. So my amendment seeks merely to remove these difficulties, so that the Government of Assam will be competent, without reference to Delhi, to take away powers from officers subordinate to that Government and reinvest powers under this Bill on some other officers and carry on for the fulfilment of the provisions of this Bill. With these few words, I commend the amendments for the acceptance of the House.

Mr. Chairman: Amendment moved:

(i) "That in clause 2, after the words 'Central Government', occurring in line 2, the words 'or the Government of Assam' be inserted."

(ii) "That in clause 2, after the words 'Central Government', occurring in line 5, the words 'or the Government of Assam, as the case may be,' be inserted."

Shri T. Husain: I want to oppose the amendment.

Shri Sondhi: (Punjab): Let us have the Government reaction first.

Shri Gopalaswami: This power has been deliberately retained in the hands of the Central Government. This is because we want to take the entire responsibility for the policy that should be followed in working this legislative measure, and if it is necessary, we should be in a position to withdraw the delegation which we have made to the State Government or perhaps subject it to conditions which we had not imposed previously. A thing which the hon. Member suggested is that the State Government should have these powers in relation to the officers of that Government. That power we wish deliberately to retain in our hands, because we cannot escape the responsibility for properly working this measure, and that is why we have said that the delegate may either be the State Government or any officer of the State Government which the Central Government by notification will specify. As a matter of fact, I may tell the hon. Member that after the issue of the Ordinance and after consulting the State Government of Assam, we have delegated powers both to the State Government and to certain specified officers of that Government, specified not by name but by designation, people like the Deputy Commissioners, high police officers and so on. I am afraid, therefore, I must oppose this amendment.

Shri Buragohain: I beg leave to withdraw the amendment.

The amendment was, by leave, withdrawn.

Sardar B. S. Man: I beg to move:

"That in clause 2, for the words 'resident in any part of Pakistan', the following be substituted:

'resident of any part or territory now included in Pakistan.'"

Shri Gopalaswami Ayyangar is proposing to move an amendment by replacing the words "part of Pakistan" by the words "place outside India" but I regret that it does not cover my point. It does not satisfy me. In order that the present measure might be really effective and provide an adequate

[Sardar B. S. Man]

remedy to the present state of affairs it is very essential that we should know the problem as it is. This peaceful invasion really began not with the creation of Pakistan. I have got here the reports with me of the Assam Government itself, in which out of sheer frustration they have said that "verily the cup of humiliation for the Assamese is full". It was a very deep-seated and well planned conspiracy on the part of the Muslim League Ministry which wanted to convert the Assamese grazing lands into Muslim-inhabited areas. I might point out that in revenue courts even now the eviction orders still stand against those settlers who had come without any permission and occupied lands to the prejudice of local grazers. They had come as an off-shoot of a well-planned conspiracy. Their eviction orders under the law still stand but their execution is held back. If we now date the eviction of these undesirable immigrants from the creation of Pakistan it means that we give a legal status to those undesirable immigrants against whom eviction orders are there but whose executions are held up. No matter whether these immigrants came after Pakistan came into being or before they are a part and parcel of that conspiracy, which the Muslim League was the author of. Therefore the application of this Bill should be from a prior date to the creation of Pakistan—a date from which this peaceful but pernicious penetration began. We should not forget the present temper of Pakistan. A few days ago I was reading that some of the highly placed Pakistan officials were whipping up an agitation in Pakistan reviving Pakistan's claim for Assam. If we do not check these people the Bill will be really of no use and the Assam territory will be still in the possession of undesirable immigrants. My request is that the words should be so framed that they should cover the case of those undesirable immigrants as well who had come a little prior instead of the chance date of August 1947. The words should be "resident of any part of territory now included in Pakistan", which should be substituted.

Mr. Chairman: Amendment moved:

"That in clause 2, for the words 'resident in any part of Pakistan', the following be substituted:

'resident of any part or territory now included in Pakistan.'"

Shri J. B. Kapoor (Uttar Pradesh): I would suggest that amendments No. 8 and 9 be taken together. Amendment No. 9 has to be moved by the hon. Shri Gopaldaswami Ayyangar so that we may be in a position to express our views on both.

Shri Gopaldaswami: Sir, I move:

"That in clause 2, for the words 'part of Pakistan', the words 'place outside India' be substituted."

That is as far as the Government are prepared to go. I am afraid I cannot go all the way with the Sardar Saheb in the amendment he has tabled. The way in which I have widened this particular provision, you will find it also in the Ordinance we have issued. In the Bill that was introduced you find the words "part of Pakistan". When we issued the Ordinance we substituted the words "place outside India" for "part of Pakistan". I am trying to introduce those words in the Bill now. I am afraid I cannot subscribe to the policy that is implicit in what the Sardar Saheb said when he moved his amendment, that we should now take action on the basis of past history and try to rectify what happened there by pushing out all and sundry from Assam. If any of those persons come under the provisions of this particular Bill and are considered undesirable and that their stay in India is detrimental to the interests of India, action can be taken even under the provisions of this Bill. But no general pushing out can be contemplated under the provisions of this Bill.

Mr. Chairman: Amendment moved:

"That in clause 2, for the words 'part of Pakistan', the words 'place outside India' be substituted."

Shri Sondhi: What is the difference between the amendment and the original text?

Shri Gopaldaswami: Place outside India might include places to the North of Assam, to the East of Assam, places like Burma, China, etc.

Shri J. E. Kapoor: Sir, I would like to move a small amendment to the amendment which has been just moved by Shri Gopaldaswami Ayyangar to this effect:

"For the words 'place outside India' the words 'place outside the territories now forming part of India' be substituted."

Mr. Chairman: This amendment has not been given notice of.

Shri J. E. Kapoor: Sir, it may be acceptable to Government.

Mr. Chairman: I am completely in the hands of Government, whether they are prepared to waive the usual notice or not in regard to this amendment.

Shri Gopaldaswami: I do not see any difference.

Shri J. E. Kapoor: It makes the thing clear. It is generally the phraseology which we have been adopting in other legislation as well. India means the territory now forming part of India. I want a uniformity in phraseology in our Acts. If I am allowed to move the amendment, I will make my position clear.

Shri Gopaldaswami: I am afraid I cannot accept it.

Mr. Chairman: I am sorry the hon. Member cannot move the amendment.

Pandit Thakur Das Bhargava: I support both the amendments—the one moved by Sardar Bhopinder Singh Man and the other by Shri Gopaldaswami Ayyangar. As a matter of fact if we look to past history there is no doubt that the complaint which has just been made by Sardar Man is perfectly true. I happened to visit Assam in 1928. At that time those who were living in Assam complained to us that an attempt was being made to convert Assam into a Muslim Province. At that time there was no substance in it, because then there was no question of Muslim or Hindu Assam. At present also we do not make any difference between Muslims and Hindus as long as they are nationals of India. We are out to have in our midst Kashmiris who are Muslims and in a majority in that State. But that is not the point at issue. The real point which we should not miss or ignore is that in Assam it was the Muslim League Ministry which allowed these Muslims to go there with the specific purpose of seeing that Assam was converted into a Muslim Province. That is the point. Thereafter we have heard the subsequent history from my hon. friend from Assam who told us that during the years when the real nationalists of India, the Congressmen, were in jail, from 1942 to 1947 this sort of what is called peaceful penetration came about. I do not know what this peaceful penetration is. I know that the Government did not wish to allow these persons to come in and take forcible possession of land. But they did come and have taken forcible possession of land and that is being legalised. I find that so far as the Assam Government is concerned, the head of the Government is a man of experience, a fine gentleman, and a man of wisdom. All the same I must say that I was not satisfied with the policy of the Assam Government so far as the refugee problem was concerned. As a matter of fact the refugee problem was entirely neglected by them. Why? Because, as a matter of fact, they know their own limitations. In this matter I do not agree with my friend Sardar

[Pandit Thakur Das Bhargava]

Bhopinder Singh Man that the Assam Government has gone very much wrong. It is the fault of the Government of India and the Government of India must share the entire blame. Their entire policy in regard to Pakistan is such that many people in this House do not agree with them. I do not want to condemn them more. But it is a very weak-kneed policy and for the life of me I cannot understand why twenty Ministers are sleeping here when the whole of Assam has been flooded with five lakhs of these people. If there is a cataract in one's eye it is not operated unless it is ripe. Perhaps they want that the cup of poison should be full. When we went to Assam they said "we have not got any land where we can put the refugees". Certainly, for the Hindu refugees there was no land, but there was enough land for the Muslim intruders and trespassers. It is not actually a question of Muslim or Hindu. The entire question is one of the angle of vision from which you look at the matter. Now, I am not against those who are settled in Assam for a long time and who are as good citizens as myself and other people in this House. We are not against those people. Whether they are Hindus or Muslims they are welcome to live here as we are. But we cannot shut our eyes to the fact that this Bill does not go against foreigners *ipso facto*. This Bill applies to people who have "come into Assam" and who are "undesirables". I just ask my hon. friend kindly to define the word "undesirable".

Shri Gopaldaswami: May I ask the hon. Member to point to the particular clause where the word "undesirable" is mentioned—except perhaps in the title and preamble?

Pandit Thakur Das Bhargava: This is a Bill "to provide for the expulsion from Assam of undesirable immigrants". I am reading from the preamble of the Bill. The word "undesirable" also appears in the heading of clause 2.

Shri Gopaldaswami: That is all right. But will he point to the particular clause where we have used the word "undesirable"? If my friend wants I can change the words "undesirable immigrants" appearing in the title and preamble into "certain immigrants."

Pandit Thakur Das Bhargava: Sir, it is not with a mere word that I am fighting. You say in clause 2 "his stay in that Province is detrimental to the interests of India". Let me examine what these words mean. If you will be pleased to see clause 5 where the penalty is prescribed, you will see that the person can be expelled only if the order holds good in regard to clause 2; otherwise not. When the matter comes to a court of law and the court has to find out whether a certain person has contravened an order under clause 2, it has to examine whether the person's stay in Assam is "detrimental to the interests of India". May I humbly know whether, if such a person is a good cultivator in a certain place in Assam, his presence will be "detrimental to the interests of India"? My humble submission is that according to law the government of this land have the amplest possible powers to expel any person from this land. If he is a foreigner they have absolute right to prohibit his entry. But here they have watered it down and they have only made it applicable if in a court of law we can establish that his stay is detrimental to the interests of India. And these words are so delightfully vague that any person can say that his stay is not detrimental to the interests of India.

When you look at clause 2 you will be pleased to see that the words are "the Central Government may by order...". It is not therefore obligatory on the Government of India to drive away every such person. If they so choose, they can have all those aliens whose stay is desirable. And there is nobody who will condemn the Government of India for behaving in this manner. Then why have they put these words "detrimental to the interests of India." The words are so vague that it will be difficult to establish in a court of law that the stay of such and such person is "detrimental to the interests of India."

The law should be simple. I understand from the amendment moved by my hon. friend the mover of the Bill that he wants to have the words "place outside India" for the words "part of Pakistan", from which I conclude that he wants to include all other places, even including Pakistan, for instance from the other borders. So far as it goes, I heartily support the amendment. But I wish that the full implications of the amendment moved by my friend Sardar Man were realised by the House. It is very necessary to have this amendment also and apply the provision to the persons who came originally from the places from where the immigrants came and who have made the life of Assam so troubled and disturbed the economy of that Province. I therefore like, when we are dealing with a measure of this kind and when we are entrusting the Government with full powers, that the scope of the measure were large. But what do we find? When I compared the provisions of this Bill with the provisions of the Foreigners Act I was struck by the spirit of leniency in the heart of the mover of this Bill, and I do say that the provisions relating to other foreigners are much more irksome and much more uninviting than these provisions. Here you have provided only three years' imprisonment whereas there it is five years. When you examine the provisions relating to penalty and other provisions of Act XXXI of 1946 you will be pleased to see that as a matter of fact the provisions of your proposed law do not go far enough.

I heartily support the two amendments and beg of the House to adopt both of them.

Shri Kamath (Madhya Pradesh): I think my hon. friend Sardar Bhopinder Singh Man's amendment conforms more to the spirit and purpose of this Bill than that of the hon. Shri Gopalaswami Ayyangar. If you look at the Statement of Objects and Reasons you will see that the main object or the sole object of this Bill is "to confer necessary powers on the Central Government to deal with the situation which has arisen from the immigration of a very large number of East Bengal residents into Assam." Now the hon. Shri Gopalaswami Ayyangar wants by his amendment to enlarge the scope of the Bill. I do not know how this is permissible at this stage. If I heard him aright, he mentioned that immigrants from Burma, China and such other places outside India could be dealt with under the amended form of the Bill. It is one matter to deal with immigrants from Pakistan or from territory now included in Pakistan, and quite another to deal with complete foreigners from Burma and China. It may be argued that Pakistan and India being still in the Commonwealth we are not as "foreign" to each other as perhaps India is to Burma and China, countries not in the Commonwealth. I believe recently the President has passed an order stating that citizens of the Commonwealth shall not be considered to be foreigners for certain purposes of our law or our Constitution. In that light I agree that perhaps Pakistanis or immigrants from territory now in Pakistan could not be dealt with under the Foreigners Act of 1946 to which my hon. friend Mr. Biswanath Das made reference earlier in the day. If we want to deal with the Burmese and the Chinese and others coming from the Eastern part of the world, are we not empowered, is our Government not empowered sufficiently to deal with these and to deport them or return them as it likes? Why have the scope of the Bill enlarged so as to include these people who are not in Pakistan but who are in Burma and China? I think it is sheer cussedness on the part of my friend, Shri Gopalaswami Ayyangar, to resist Sardar Man's amendment. Really, if he wants to implement the spirit of this measure, it is quite adequate if he accepts the amendment of my friend Sardar Man, because the Bill seeks to deal only with immigrants from Pakistan. The amendment of my friend Shri Gopalaswami Ayyangar seeks to deal with people who have come from outside Pakistan also. "Countries outside India", means any country in the world. They might have come from Timbuctoo, from Chile or Peru, from Honolulu or from any other part of the globe. Why do we want to create this complication at this stage in the Bill?

[Shri Kamath]

Then, if my friend Shri Gopaldaswami's idea is conceded, what about the other frontier States like Punjab? Punjab is as much a frontier State as Assam. If that is conceded then we must equally well protect our western frontier from undesirable immigrants. Recently there have been reports in the Press that Chinese of various sorts and conditions have immigrated into, well, I would not say India, perhaps into parts of Pakistan through Singkiang and Gilgit. I do not know whether any of them have found their way into India from Pakistan. If undesirable immigrants can come into Assam from Burma and China, certainly undesirable immigrants from China can find their way into India, into Punjab or any other part of India. Then why not have a comprehensive legislation to deal with undesirable immigrants from all parts of the world? Why confine your attention only to Assam in the first place, and then to immigrants who come into Assam from not merely Pakistan but also from any part of the world outside India? I think, Sir, the amendment moved by my friend, Shri Gopaldaswami Ayyangar is not at all in conformity with the purpose and spirit of the Bill, and that he would do well to withdraw it at this stage, not standing on false prestige and the House will do well to accept the amendment moved by my friend, Sardar Man.

Shri J. E. Kapoor: I would like to support the spirit underlying both the amendments—the one moved by Sardar Man and the other moved by Shri Gopaldaswami Ayyangar.

Shri Sondhi: Only the spirit?

Shri J. E. Kapoor: If you will please have a little patience, you will know to what extent I am prepared to support the phraseology of the amendments.

As I said, Sir, I support the spirit underlying them because I believe that the implication of both these amendments is the same, that is that in the case of persons who have migrated to Assam even before the partition of the country, it will be open to Government to declare any one of them as undesirable and their stay here as against the interest of the country. Therefore, I submit that any one of these amendments would serve our purpose.

But as between these two amendments, I prefer the one which has been moved by Shri Gopaldaswami Ayyangar because it has not the sting of any hatred for any particular country. According to it, we want to turn out from Assam any person, from whatsoever part of the world he may have come, provided only that in the opinion of the Central Government he is undesirable. But, Sir, I would have very much wished that Shri Gopaldaswami Ayyangar had accepted the amendment which I intended to move because that would have made the position clearer still and would have removed the possibility of the slightest doubt on the subject. I hope I am wrong, I wish I am, but I am afraid that it might perhaps be argued that "India" may mean India even of the past and may not necessarily mean with special reference to clause 2, the India of today. When we say that we can exclude any person who has ordinarily been resident in a place outside India, it may be said with reference to a person who was residing outside the present India before partition that at that time since he was not residing outside India, clause 2 of this Bill will not be applicable to him. Of course, Shri Gopaldaswami would say that I am wrong, I would be happy if I am, but then to remove the possibility of the slightest doubt on the subject, it would be much better if even at this stage he is prepared to accept my suggestion that in place of the words "place outside India" the words "place outside the territory now forming part of India" are used.

The second point that I have to submit is that I am not at all in agreement with the views expressed by my hon. friend Pandit Thakur Das Bhargava who has criticised the wording of clause 2 saying that the word "undesirable" is much too vague and that it should have been specifically defined. I think this clause has been happily worded and I am prepared even to go to the extent of

saying that it could not have been better worded. The word "undesirable" cannot be specifically defined at any particular time. Whether a person is desirable or not depends on how he behaves and it also depends on the particular circumstances obtaining in the country at a particular time. A particular person may not be undesirable today, but if he so acts at a subsequent stage that his stay in Assam threatens the peace of that State, then he becomes undesirable. A cultivator, whose instance he has mentioned, merely by reason of his being a cultivator is neither a desirable nor an undesirable person. If he is a peaceful cultivator he may be desirable, if he is not a peaceful cultivator but a very turbulent sort he will be undesirable. If a Muslim cultivator from Eastern Pakistan wants to settle in Assam peacefully and puts in an application to the Assam Government praying for a piece of land being allotted to him and if the Government of Assam agrees to grant the application, he will certainly be a desirable sort of a person. But if he, though a cultivator, migrates into Assam and forcibly takes possession of a piece of land lying uncultivated, certainly he will be undesirable. So, I submit that it is not possible to define the word "undesirable" and it must be left open to the Central Government to consider the particular person desirable or undesirable according as he behaves properly or otherwise.

The next question that has been raised by my friend Pandit Thakur Das Bhargava is that if the case goes before a Court of Law, then the question will arise as to whether the decision of the Government in respect of the particular person as to whether he is desirable can be questioned. I do not know. He is a very great lawyer. I ceased to be a lawyer many years ago. The little knowledge of law, however, that I still retain with me prompts me to think that this question cannot be raised in a court of law because of clause 2 which says, "If the Central Government is satisfied that any person is so and so..."—so, it will be the Central Government which will be the sole authority who will decide as to whether a particular person is desirable or not. The Central Government having once decided that question, it will not be open to a court of law to enter into the merits of the decision of the Central Government. Therefore, I submit that there is no force in the objection which has been advanced by my hon. friend Pandit Bhargava.

In the end, I would once again appeal to the hon. Minister to give serious consideration to the suggestion that I have made to see his way to accept this even at this stage.

Mr. Chahman: It is not the usual practice for the Chair to intervene in debates. But a question has been raised about the definition of 'India'. I think that from the 26th of January 1950 the name 'India' specifically refers to the territory which is now the Republic of India. If we want to express India of the old days, we will have to mention: 'India as described in such and such Act.' If there is no such description, it means Republican India and not the other India which has ceased to exist.

Shri Chaliha: I find a great difficulty in supporting the amendment of my hon. friend Sardar Man. It has a limited scope, whereas the definition of the hon. Minister is very comprehensive. It covers the picture of Assam very completely. It will shut the door to all those who might infiltrate from the boundaries of Assam or even from outside—from Burma, from Tibet, from China etc. Only the other day, at Stillwell Road we had a large number of people coming from Burma who are not known. The amendment of the hon. Minister is comprehensive and I think his definition will be a good weapon, which we can utilise at a time when we find it difficult to handle these people, who are undesirables.

In this connection, I wish to point out that the fear on the part of some people that even those who have been in Assam for two or three years would be ejected

[Shri Chalaha]

through this Act is unfounded. No Government will be so unreasonable as to recommend to the Government of India that people who have lived peacefully there should be ejected by means of this Act. That is an unjust and unfair inference against the Governments of Assam and India. This definition has been put in there in order to strengthen the hands of the Government of Assam as well as the Government of India, and I have no doubt that they will be able to utilise it properly. I have not been able to understand why the word 'Pakistan' should be used. It would limit the scope, if you confine it to the territories of Pakistan or Eastern Pakistan. Why should it be confined to them? The infiltration may be from Malaya. It may be a man from Philippines; it may be a man from Viet Nam; it may be a man from Indo-China. We should be able to cover those categories of people.

Shri Kamath: They are foreigners.

Shri Sondhi: The Foreigners' Act is there. It will apply to them. What more do you want?

Shri Chalaha: Of course, that Act is there. But in the other sections of the Act, I should very much like that we should provide for some stations where these people can be checked up. Something on the lines of the Foreigners' Act will have to be put in here. Otherwise, infiltration will be going on as it has gone on. These things will be necessary in the working. You have to put up some machinery to carry out these checks at places like Stillwell Road, Lumding, Badarput, Dhubri etc. Otherwise, probably many more people will be coming. Therefore, you have to set up an agency by which you can check up and eject those people who have come into Assam during the period 1947-49.

I am sorry to find a wrong impression about the Government and people of Assam in this House. Somehow or other, we have been castigated very badly. As far back as 1938, the Congress and the Muslim League entered into an agreement that no further immigration will be allowed into Assam. The Congress people forced the Muslim League Ministry to come to that agreement. Actually, it was agreed that no further immigration will be allowed, and even those who had already come would be evicted, and people were evicted from grazing reserves and other reserves. Yet, we find that we are accused of being very lenient towards those people. (*An hon. Member:* How then does the present trouble arise?) Well, it is all secularism with us. We have secular ideas. We are suffering from an inferiority complex, and we have not been able to act up to our secularism. That is the defect in our minds. It is not the Assam Government which is to be blamed at all. In 1945, again, when our friends Messrs. Buragohain and R. K. Chaudhuri were members of the Ministry, even then the Congress Party forced them to agree that those who came before 1945 should be ejected. Of course, as soon as they went out things happened the other way. It should therefore be remembered when you charge the people and Government of Assam and you ought to know that they did their best. Even now they are doing their best. But they are helpless, because the Central Government is suffering from secular ideas. Even in 1948, when the Government of Assam suggested the introduction of something like a Nationality Act, the Central Government laughed at the Assam Government. You have your own secular ideas and yet you find fault with the people of Assam and the Government of Assam.

Dr. M. M. Das: Is it a fact that the benevolent Government of Assam has refused to issue domiciled certificates for people who have come from other provinces and lived in Assam for more than 50 years?

Shri Chalaha: That is a legacy of the British Government and we must get rid of it. Everybody knows that we welcome the refugees who have been

uprooted from their homes and have come to our place. We have deep sympathy for them.

Dr. M. M. Das: It is only in words of mouth, not in action.

Shri Chaliha: Some people think that way.

Pandit Thakur Das Bhargava: Have you spent a single pie out of the Rs. one lakh given by the hon. Minister?

Shri Chaliha: That is another matter. In the Cabinet itself, there may be some people who may be very stingy. They may say that money should be saved. They may have issued instructions from the Centre that we should not be spendthrifts and should be very careful. If you yourself have sent out instructions like that, what can the Assam Government do? It is very difficult for them to do anything in the face of such instructions. Of course, now you have given Rs. ten lakhs. I had a talk the other day with the hon. Minister, Shri Mohan Lal Saksena. He said that we shall have Rs. ten lakhs. I think we shall be able to do something now for the refugees.

Shri Sondhi: On a point of clarification.....

Mr. Chairman: Is the hon. Member giving way?

Shri Chaliha: No, Sir. I am not giving way. Our Government are doing their best. The Central Government did not give us money; so we could not rehabilitate these people properly.

Shrimati Renuka Ray: May I ask whether the Central Government had refused grants for purposes of rehabilitation?

Shri Chaliha: They did not refuse. But they have done nothing. Even in Bengal, they have not built one house as yet.

Shri Sondhi: Question.

Shri Chaliha: You may question. But I asked a question the other day (*Interruption*) and I got the answer that they had not built a single house. They have not done their duty. They have not provided house for one man. Yet, you criticise us. Mr. Man, the Sikh Member from the Punjab called us imbecile and so forth. We are a sturdy people.

Mr. Chairman: Let the hon. Member address the Chair.

Shri Chaliha: I am sorry, Sir. He called us imbecile. But let me tell him that during the war, it was the Assam Regiment that protected you. The Sikh Regiment ran away like cowards, because they were afraid of the enemy. They alleged that the ground was sodden and leech-infected and rains come like anything. We were on slippery ground and for eight days, the Assam Regiment held the fort at Kohima. If they had not protected you then, you would be nowhere now. So, I wish to refute that remark of Sardar Man. We are a bold people. We can protect ourselves. We won't take shelter under anybody. I heartily support Shri Gopalaswami Ayyangar's amendment.

Shri Sondhi: Was this Bill sponsored on the initiative of the Central Government, or on the initiative of the Government of Assam, as the hon. Member claims?

Shri Gopalaswami: I admit wholeheartedly that the Assam Government participated with the Central Government in evolving this Bill.

Shri Tyagi (Uttar Pradesh): Sir, I must congratulate my hon. friends from Assam for the brave fight which they have put up in this House in defence of their Government. Sir, I have no grouse against the Government of Assam. My

[Shri Tyagi]

feeling in such matters where people come invading from outside is that it is not the business of a State to protect its borders. It is primarily and finally the responsibility of the Central Government. It is they who should have banned the entry of these immigrants; it is they who should throw these people out. This sort of infiltration took place not only in the east; it has taken place in the west of India also. In the west, Kashmir was invaded by the "raiders". They can come in any dress, in any form, with any label. Anybody who comes from outside without a passport or without a permit is a man who invades. Why was our territory allowed to be violated? It is not a question of its being a responsibility of the Provincial Governments or the State Governments. It is for the Centre to take action. And even now, though this Bill has been brought forward for the sanction of this House, I wonder how its provisions are going to be brought into operation.

It is said that about five lakhs of people have come. Now, even if this Bill is passed into an Act, does the hon. Minister intend to serve every individual with a notice. If all the five lakhs of people have individually to be served with a legal notice, then they must quit, then it means institution of five lakhs of cases in the court. The whole population cannot be served with one notice. The Act applies to individuals and not to the whole lot. You cannot serve a summons on the whole lot. It is not a martial or some such law under which you can proceed against a people collectively. If you have to proceed within ordinary jurisprudence, you have to serve a notice on every individual immigrant, minor or major. So, five lakhs of notices have to be issued. If on the other hand its object is that out of the total who have come only the undesirable ones as shall be reported by the agency of the Central Government to be detrimental to the interests of the country shall be proceeded against, then it is a different question. I do not know what in legal parlance the word "detrimental" means. I am only talking from the commonsense point of view. I do not know any law. Suppose a man commits pickpocketing? Of course, that crime is not detrimental to India. It is only a petty crime. 'Detrimental' means one who is effectively harmful to the interests of India. (*Interruption*) I think my hon. friends are more detrimental than myself.

As you know, Sir, there is a Supreme Court now. Whatever we pass here has to be judged from the point of view of its passing through the Supreme Court. Everybody now has a right to the protection of the Supreme Court. Will you be able to stand a Supreme Court verdict? Will it be possible for us to serve every individual with a legal notice to the effect that he is detrimental to the interest of India, and turn him out in that manner? This is not possible. I therefore think that this clause should have been otherwise worded. I would go a step further and say that, as has been suggested by various hon. Members, this situation did not really want any enactment. It could be met without any legislative enactment. After all these people come without any permits. They are not Indian citizens. We could throw them out any moment. But we claim ourselves to be a secular State.

Sardar B. S. Man: Is the hon. member entitled to enter into a general discussion over the clauses? There are so many amendments still to be moved.

Shri Bharati (Madras): Is the hon. Member supporting or opposing?

Shri Tyagi: So long as I am relevant I am in possession of the House. I am not going to give way—I am not like the Assamese.

So, my submission is that it is a very halting clause and not really effective. It should, therefore, be drastically changed.

Then what about Tripura? Only recently I read a report in the newspapers that thousands of people from Pakistan invaded that State and attacked police outposts. This attack, it was reported, was even more serious than the first attack on the Kashmir border. Will this Act apply to those raiders as well? I do not think it can. Will they be allowed to stay? Why should they be treated on a different footing from those of Kashmir? If immigrants are to be treated like that, then I am afraid the position will become very difficult and even terrible. If raiders are allowed in, they will try to settle down. Then, ultimately, if there is a trouble on the East, these people may claim a referendum. We are after all men of "referendum". We will, in all consistency, concede their demand, and there is not the least doubt that a referendum of immigrants will go against us. As my hon. friend says we will again have to go to Lake Success, where I do not know whether we will sink or swim. Anyway, even Sardar Bhopinder Singh Man's amendment does not meet the needs of the case. The meaning of his amendment is that all those who come from the territory which is now known as Pakistan will be controlled. I submit that in the case of those who came and settled here before Partition we have no right legally to throw them out. We have to see that no citizen who came before Pakistan came into being is affected by this measure. We should not be hard on persons who came here before Partition and invested their money on land. Before Pakistan was brought into existence every citizen had the right to settle anywhere in India. The measure should affect only those who came across the border to India after Partition, after India was partitioned. If my friend Sardar Man's intention is to eject the immigrants of pre-partition days, then I may tell him that even his amendment does not carry out his wishes. What he demands is that 'immigrants' may be so defined as to include people who were residents of Pakistan. My friend Shri Gopaldaswami Ayyangar's amendment covers a wider field. It controls even such persons who come to India from other parts of the world besides Pakistan. Through the influence of Pakistan if some Egyptian for instance enters India as their agent, that case also would be covered by his amendment. If Sardar Man's amendment is accepted it will be limited to such persons only who come from Pakistan. The hon. Shri Ayyangar's amendment controls all undesirables wherever they may come from. I therefore support Shri Gopaldaswami Ayyangar's amendment.

Shri Gopaldaswami: I think so far as Sardar Man's amendment is concerned, it has been completely answered by my hon. friend Shri Tyagi. Therefore I do not think I need say anything about it.

Shri Tyagi: Shall I be 'honourable'?

Shri Gopaldaswami: Even if the House passes a law dropping the word 'honourable' before the name of a Member of Parliament, I will continue to use that word before the name of my hon. friend Shri Tyagi.

Among the other points raised, the only relevant one was that raised by my hon. friend Pandit Thakur Das Bhargava. He thinks that this question of a person being treated as detrimental to the interests of India can be litigated in a court of law. We have advisedly used the expression 'if the Central Government is satisfied'. Such legal advice as the Government of India are able to command is to the effect that these words are sufficient to take out of the jurisdiction of a court of law the determination of the particular point about which the Central Government has got to be satisfied. That is why we have advisedly used those words.

I have had a few decisions put up to me in support of this point of view. Whether there are other decisions to the contrary I am not in a position to say. But this is the opinion of our legal advisers.

[Shri Gopalaswami]

As regards the question about the territory now forming part of India, I myself do not see what particular benefit will be derived by using those words in the place of the single word 'India'. As you, Sir, pointed out, we are passing legislation under the Constitution. Before this, there was the Government of India Act. Since 15th August 1947 India really means the India of today. That being so, there is no particular advantage gained by describing it as the territory now forming part of India. In the result I am unable to accept Sardar Bhopinder Singh Man's amendment. I would ask the House to carry my amendment.

Shri Sondhi: Will it be necessary for the head of a family to get notices for his wife and also children separately under this Bill?

Shri Gopalaswami: The Bill uses the words "any person". Person includes both man and woman. If there are children, minors, you will have to serve notices on some guardian.

Mr. Chairman: Does Sardar Bhopinder Singh Man propose to press his amendment?

Sardar B. S. Man: I press my amendment.

Mr. Chairman: The question is:

"That in clause 2, for the words 'resident in any part of Pakistan', the following be substituted:

'resident of any part or territory now included in Pakistan'."

The motion was negatived.

Mr. Chairman: The question is:

"That in clause 2, for the words 'part of Pakistan', the words 'place outside India' be substituted."

The motion was adopted.

The House then adjourned till a Quarter to Eleven of the Clock on Thursday, the 9th February 1950.