

Friday, 10th 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

CONTENTS

Volume I.—1st February to 13th March, 1950.

	Pages
<i>Wednesday, 1st February, 1950.—</i>	
Members Sworn	1
Oral Answers to Questions	1—20
Written Answers to Questions	21—22
<i>Thursday, 2nd February, 1950.—</i>	
Oral Answers to Questions	23—45
Written Answers to Questions	45—47
<i>Friday, 3rd February, 1950.—</i>	
Oral Answers to Questions	49—68
Written Answers to Questions	68
<i>Monday, 6th February, 1950.—</i>	
Member Sworn	69
Oral Answers to Questions	69—90
Written Answers to Questions	90—98
<i>Tuesday, 7th February, 1950.—</i>	
Member Sworn	97
Oral Answers to Questions	97—116
Written Answers to Questions	117—119
<i>Wednesday, 8th February, 1950.—</i>	
Oral Answers to Questions	121—143
Written Answers to Questions	143—148
<i>Thursday, 9th February, 1950.—</i>	
Oral Answers to Questions	149—171
Written Answers to Questions	171—176
<i>Friday, 10th February, 1950.—</i>	
Oral Answers to Questions	177—197
Written Answers to Questions	197—205
<i>Monday, 13th February, 1950.—</i>	
Members Sworn	207
Oral Answers to Questions	207—225
Written Answers to Questions	225—229
<i>Tuesday, 14th February, 1950.—</i>	
Oral Answers to Questions	231—258
Written Answers to Questions	253—258
<i>Thursday, 16th February, 1950.—</i>	
Oral Answers to Questions	259—280
Written Answers to Questions	280—292
<i>Friday, 17th February, 1950.—</i>	
Oral Answers to Questions	293—316
Written Answers to Questions	315
<i>Monday, 20th February, 1950.—</i>	
Members Sworn	317
Oral Answers to Questions	317—338
Written Answers to Questions	338—355
<i>Tuesday, 21st February, 1950.—</i>	
Oral Answers to Questions	357—382
Written Answers to Questions	382—389

	Pages
<i>Wednesday, 22nd February, 1950.—</i>	
Member Sworn	391
Oral Answers to Questions	391—414
Written Answers to Questions	414—421
<i>Thursday, 23rd February, 1950.—</i>	
Oral Answers to Questions	423—447
Written Answers to Questions	447—452
<i>Friday, 24th February, 1950.—</i>	
Oral Answers to Questions	453—478
Written Answers to Questions	478—482
<i>Monday, 27th February, 1950.—</i>	
Member Sworn	483
Oral Answers to Questions	483—503
Written Answers to Questions	504—514
<i>Tuesday, 28th February, 1950.—</i>	
Oral Answers to Questions	515—536
Written Answers to Questions	536—539
<i>Wednesday, 1st March, 1950.—</i>	
Oral Answers to Questions	541—563
Written Answers to Questions	563—565
<i>Thursday, 2nd March, 1950.—</i>	
Oral Answers to Questions	567—591
Written Answers to Questions	591—594
<i>Monday, 6th March, 1950.—</i>	
Oral Answers to Questions	595—616
Written Answers to Questions	616—623
<i>Tuesday, 7th March, 1950.—</i>	
Oral Answers to Questions	625—649
Written Answers to Questions	649—651
<i>Wednesday, 8th March, 1950.—</i>	
Member Sworn	653
Ballot of Questions	653—654
Oral Answers to Questions	655—676
Written Answers to Questions	676—685
<i>Thursday, 9th March, 1950.—</i>	
Oral Answers to Questions	687—711
Written Answers to Questions	711—713
<i>Friday, 10th March, 1950.—</i>	
Oral Answers to Questions	715—740
Statement by Minister of Commerce in connection with Starred Question No. 438 of 22nd February, 1950 <i>re</i> Import Permits	740
Written Answers to Questions	740—744
<i>Saturday, 11th March, 1950.—</i>	
Oral Answers to Questions	745—765
Written Answers to Questions	765—772
<i>Monday, 13th March, 1950.—</i>	
Oral Answers to Questions	773—794
Written Answers to Questions	794—803

CORRIGENDA

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

In Volume I,—

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

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

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

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

In Volume II,—

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

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

In Volume III,—

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

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

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

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

In Volume I,—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Volume II,—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Volume III,—

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

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

In Volume I—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(۱) صفحہ ۷۲۵ - سطر ۷ - دد شمشہی 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 نوکرہوی 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. 28, dated the 14th April, 1950.

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

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

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

In Volume III—

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

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

PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Friday, 10th February, 1950

The House met at Quarter to Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MOVE OF GOVERNMENT OFFICES FROM DELHI

*189. **Shri Sidhva:** (a) Will the Minister of **Works, Mines and Power** be pleased to state whether proposals are under consideration for the removal of several offices of the Government of India from Delhi to other parts of India to relieve tension of accommodation in Delhi?

(b) If so, which offices are contemplated to be so removed?

(c) Is it a fact that several Ministries are not in favour of removal of their offices from Delhi?

(d) What action do Government intend to take to see that offices which could be removed from Delhi are so removed?

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

(b) A list of the offices in respect of which decisions have been taken is placed on the Table of the House. The move of other offices is under consideration.

(c) Yes.

(d) The cases of those offices, the move of which has not been agreed to by the concerned Ministries, are still under examination by a Committee of the Cabinet.

Names of Offices agreed to be shifted out of Delhi

(1) Surveyor General of India, (2) Directorate of Marketing and Inspection, (3) Telephone Revenue Accounts Office of D.G.P. & T., (4) Development Branch of the D.G.P. & T., (5) Radio Stores Depot, (6) Radio Construction Unit, (7) Radio Development Unit, (8) Director of Seamen's Welfare, (9) D.A.G.P. & T. (Delhi and E.P. Circle), (10) D.G.H.S. (Part), (11) Medical Council of India, (12) Dental Council of India, (13) Pharmacy Council of India, (14) Nursing Council of India, (15) Salt Controller (Simla and Delhi Portions), (16) Indian Standards Institution, (17) Employees State Insurance Corporation, (18) Railway Clearing Accounts Office, and (19) E.P. Railway Headquarters.

Shri Sidhva: May I know, Sir, with reference to the list of offices that has been placed on the Table of the House, the total number of offices that are going to be shifted, where they are going to be shifted and the number of persons involved?

Shri Gadgil: The number is 19. The places to which these offices will be removed include—Mussoorie, Dehra Dun, Hyderabad, Kapurthala, Alwar, Bharatpur, Dholpur, Baroda and Bombay.

The officers involved would be 50 and other ranks would be about 4,000.

Shri Sidhva: May I know when they are going and whether they have agreed to go?

Shri Gadgil: The present position is that all these offices have already been asked to move before the beginning of the next financial year.

Shri Sidhva: May I know whether the office of the Union Public Service Commission is going to be shifted?

Shri Gadgil: Not in the first batch at any rate.

श्री भट्ट : जो आफिसेज बाहर जाने वाले हैं उनके कारकुनों के रहने की व्यवस्था भी है ?

Shri Bhatt: Have any arrangements been made for the residential accommodation of the staff of the offices that are to be moved out?

श्री गाडगिल : जो कुछ रहने की व्यवस्था हो सकती है वह की जायगी ।

Shri Gadgil: Whatever residential arrangements could possibly be made would be made.

Shri Tyagi: With reference to (c), the hon. Minister has stated that some Ministries are not in favour of moving to other places. May I know which of the Ministries are not in favour of moving from Delhi?

Shri Gadgil: Some Ministries are strongly not in favour of moving from Delhi and some others not so strongly.

Mr. Speaker: The question is which of them are not in favour of moving?

Shri Gadgil: I require notice of that.

Shri B. Das: May I know what action has been taken to bring the office of the Auditor General from Simla to Delhi?

Shri Gadgil: The present position is that it has been decided to bring to Delhi the office of the Auditor General, and as soon as accommodation is available, that office will be shifted.

Sardar B. S. Man: May I know whether the C.P.W.D. have taken note of the large number of vacant buildings and palaces in the East Punjab and States and why some of these offices have not been shifted there?

Shri Gadgil: All the vacant buildings and other available accommodation in many of the States have been taken into consideration and gradually offices are being asked to shift. From the list I have just read, the hon. Member will find that Baroda and Kapurthala are included.

Shri Shiva Rao: In the list of offices proposed to be shifted, is there one concerned with the manufacture of palm gur which, I understand, is located in Delhi?

Shri Gadgil: That is under consideration.

Shri Shiva Rao: What is under consideration?

Shri Gadgil: The removal of that office.

Mr. Speaker: Next question.

Shri Sidhva: I just want to ask one question. Sir. I want to know to whom this accommodation which will be available will be given; for residential purposes or any other purpose?

Mr. Speaker: My difficulty is that if I allow him, I must allow others.

"SERVICE FIRST" SCHEME ON BENGAL-NAGPUR RAILWAY

*190. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state whether it is a fact that the Bengal Nagpur Railway have introduced a "service first" scheme on their Railway?

(b) If so, what are the functions of the persons who run this scheme?

(c) When was this scheme introduced and how it is worked?

The Minister of State for Transport and Railways (Shri Santhanam): (a) to (c). Yes. A "Service First" scheme has been introduced on the B.N. Railway with effect from 17th October, 1949, which provides for the posting of a Gazetted Officer as an Orderly Officer, each day at each important station on that Railway. His duties are to visit trains and station premises to ensure security and comfort of passengers, to deal with complaints on the spot and to see that the service rendered to the travelling public is maintained at a high level. Daily reports are submitted by such officers to the Departments concerned on the action taken or proposed to be taken.

Shri Sidhva: May I know from the hon. Minister whether grievances are discussed on the spot and decisions given on the spot immediately?

Shri Santhanam: I do not know that decisions are taken immediately. If facilities are to be afforded and if expenditure is to be incurred, it will be referred to the Department concerned.

Shri Sidhva: Then, what is the advantage of this?

Shri Santhanam: The advantage is that responsible officers see things for themselves and if there is any necessity for improvement, that necessity is brought to the notice of the Department concerned summarily without all the usual correspondence.

Shri Sidhva: Since how long has this system been working and may I know whether this has been introduced on other railways?

Shri Santhanam: I have already stated that this scheme has been introduced on the B. N. Railway from the 17th October, 1949. Each Railway has been asked to adopt similar measures according to its own convenience and resources.

Dr. Deshmukh: What is the strength of the personnel? How many are employed?

Shri Santhanam: Where there are many officers, each officer takes the service by turn. That is the proposal.

Shri Tyagi: What is the estimated cost of this first service? May I know whether the officers go on running trains or whether they stay in the stations?

Shri Santhanam: There is no question of cost involved. This is in addition to their normal duties.

श्री भट्ट: अगर इसमें केवल खर्च करने की गुंजायश नहीं है तो दूसरे रेलवेज में क्यों नहीं शुरू किया जाता ?

Shri Bhatt: If not cost is involved why is this system not introduced in the case of the other railways?

Shri Santhanam: I have already stated that every Railway has been asked to adopt a similar scheme.

श्री भट्ट: आपने फरमाया कि इसके रिसोर्स रिज उसके माफिक किया जायेगा तो रिसोर्सिज की तो जरूरत नहीं है।

Shri Bhatt: You stated they would adopt it according to their resources, but these resources are not necessary.

Mr. Speaker: Order, order. Next question.

GUNITED HOUSES FOR RAILWAY EMPLOYEES

*191. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state whether Railways have built gunited houses in Bombay for their employees?

(b) If so, what is the number and what is the total cost involved?

(c) Was any contract given for the construction of these houses?

(d) How does the cost of this kind of house compare with the usual brick-built house?

(e) Do Government contemplate constructing more such houses for their employees in other places in India?

(f) What is the programme of Railways in regard to the construction of houses for their employees?

(g) Which class of employees are allotted these houses in Bombay?

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

(b) 96 houses have been completed and 28 are under construction the total estimated cost being Rs. 2.76 lakhs.

(c) All items of work were given on contract except guniting which was done departmentally.

(d) The cost of single-storeyed gunited houses for Class IV staff varies from Rs. 2,100 to Rs. 2,300 per unit against Rs. 4,000 for the traditional type. For multi-storeyed houses, the cost varies from Rs. 2,500 to Rs. 2,600 against Rs. 4,500 for the traditional type.

(e) Yes, where this type of construction is suitable.

(f) According to the funds available 4,000 to 5,000 quarters are being constructed annually.

(g) Though intended for Class IV staff, 88 units have been temporarily allotted to Class III refugees staff and 36 to Class IV staff.

Shri Kamath: What is the answer to part (b)?

Shri Gopalaswami: 96 houses have been completed and 28 are under construction the total estimated cost being Rs. 2.76 lakhs.

Shri Sidhva: May I know the answer to (f).

Shri Gopalaswami: According to the funds available 4,000 to 5,000 quarters are being constructed annually.

Shri Sidhva: May I know what is the accommodation in each house? May I also know whether the 96 houses which have cost 2.76 lakhs are single tenements. If that is so, what is the accommodation.

Shri Gopaldaswami: I think the accommodation is two rooms plus a kitchen and a yard.

Shri M. C. Shah: What is the area of each tenement in square feet—floor area?

Shri Gopaldaswami: 360 square feet.

Shri Frank Anthony: Is it a fact that the staff have been transferred irrespective of whether accommodation is available for them in different parts of the railways?

Shri Gopaldaswami: It may happen that in certain cases staff are transferred without accommodation being provided by the railway at that particular place. We cannot always ensure that accommodation is available.

Shri Frank Anthony: Is the hon. Minister aware that running staff are living in the open, in kitchens, in railway bogies and in disused lavatories?

Shri Gopaldaswami: The hon. Member appears to know more about this than I do, but I will inquire.

Shri Kamath: What is the quantity of cement used in the construction of each house and what is the type of roofing?

Shri Gopaldaswami: Roofing, I believe, is asbestos. As regards the quantity of cement, I am afraid, I must ask for notice.

Shri Kamath: In view of the fact that the answer shows that these houses are going to cost from Rs. 2,500 to 2,600, each, may I ask how many houses make one unit?

Shri Gopaldaswami: One unit is a house.

Shri Sonavane: Is there any rent charged from the employees and whether the cost of construction is recovered from the employees by instalments.

Shri Gopaldaswami: No cost will be recovered.

Shri Sidhva: May I know what is the difference in price between a pre-fabricated house and this gunite house.

Shri Gopaldaswami: About Rs. 1,000.

Shri R. K. Chaudhuri: What is this gunite material?

Shri Gopaldaswami: I think the stuff is pumped into the frame-work and that pumping is done with the aid of an instrument which is in the shape of a gun.

Shri Kamath: What is the estimated accommodation in every unit and for how many families?

Shri Gopaldaswami: One family.

Shri Kamath: Is there any proposal on the part of Government to use these houses for refugees also.

Shri Gopaldaswami: Refugee Railway staff are accommodated.

Shri Sonavane: What is the rent charged from the employees?

Shri Gopaldaswami: Some of these quarters have been let to Class III staff and rent is recovered from them, but for Class IV staff no rent is recovered.

Shri Sidhva: The hon. Minister stated that the cost will be Rs. 1,000 less than that for the pre-fabricated house and we know that the cost of a prefabricated house is Rs. 2,500.

Shri Gopalaswami: I am speaking subject to correction and I think pre-fabricated houses have been offered for sale at Rs. 2,500.

ROAD LINK BETWEEN INDIA AND TIBET

*194. **Shri A. B. Gurung:** Will the Minister of **Transport** be pleased to state the annual expenditure incurred from the Central Road Fund on the maintenance of the road beginning from Teesta in the district of Darjeeling, passing through Gangtok and linking Tibet?

The Minister of State for Transport and Railways (Shri Santhanam): No expenditure on the maintenance of roads is incurred from the Central Road Fund, but an average of about Rs. 1.7 lakhs a year is spent on the Teesta Gangtok section for ordinary maintenance.

Shri Chattopadhyay: May I know whether there is any proposal to start rail-cum-road transport for passenger and goods traffic facilities on this road?

Shri Santhanam: I have to ask for notice. It does not arise out of this question.

TISTA DAM PROJECT

*195. **Shri A. B. Gurung:** Will the Minister of **Works, Mines and Power** be pleased to state whether Government have finally abandoned the Tista Dam Project in West Bengal?

The Minister of Works, Mines and Power (Shri Gadgil): It is understood that the Government of West Bengal have held the Tista Dam Project in abeyance.

WATER-CLOSET IN CLASS II RAILWAY COMPARTMENTS

*200. **Dr. Deshmukh:** (a) Will the Minister of **Railways** be pleased to state what Department is responsible for the design of the re-modelled water-closet in the old 2nd class compartment converted into Class II compartment?

(b) What authority did finally approve the design?

(c) Are Government aware that the arrangement is inconvenient?

(d) Do Government propose to examine the matter?

The Minister of Transport and Railways (Shri Gopalaswami): (a) to (d). There are numerous types of passenger coaches in use on Railways at present and many of them are of non-standard designs, which have been developed by individual Systems. To obtain the information required to reply in detail to the hon. Member's question, it is necessary to know the Railway, the train, and if possible, the serial number and type of the railway carriage which is referred to.

Dr. Deshmukh: Is any standard arrangement being evolved by the Ministry?

Shri Gopaldaswami: The minimum standard of amenities has been prescribed by the Railway Board.

Shri Tirumala Rao: Is it a fact, Sir, that in many First and Second class compartments the water basin is situated just over the commode which is a source of great inconvenience?

Shri Gopaldaswami: I am not aware of the particular inconvenience referred to by the hon. Member, but I have noticed a certain amount of inconvenience which might result even from the new basin that has been provided in the new type of coaches and we are taking steps to improve that particular amenity.

Shri Tirumala Rao: Is it a fact, Sir, that the new basin provided in the East Indian Railway's Second class compartments holds hardly one pint of water?

Shri Gopaldaswami: I have not had the measurement made, but I will have it done.

Dr. Deshmukh: In view of the variety of arrangements in the various compartments will it be possible for the two hon. Ministers to visit them in turn and see the convenience of.....

Mr. Speaker: Order, order.

Shri Sidhva: May I know whether Government have introduced various designs of third class coaches? If so, how many and what is the latest design that they have approved of?

Shri Gopaldaswami: It does not seem to arise out of this question.

Shri Sidhva: I meant designs for second class, Sir.

Mr. Speaker: Next question.

HIMALAYAN AVIATION LTD.

***201. Dr. Deshmukh:** (a) Will the Minister of Communications be pleased to state the average number of passengers carried by the Himalayan Aviation Ltd. from the date of its commencement up to 15th January, 1950?

(b) What is the income derived by the Company (i) from passenger fares, and (ii) from the mails carried from the date of starting till 15th January, 1950?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) 47 per day on the company's night air mail services which commenced on the 15th October, 1949.

(b) (i) Rs. 4,86,084 for the period 15th October, 1949 up to the 31st December, 1949. The figure for the period from the 1st to the 15th January, 1950 is not yet available.

(ii) Rs. 6,43,406 for the period 15th October 1949 to 15th January 1950.

I may also add that the daily average of passengers for the month of January was 50.

TICKETLESS TRAVELLING ON RAILWAYS

*203. **Shri Bhatt:** Will the Minister of Railways be pleased to state:

(a) the total number of Railway passengers detected travelling without tickets in quarters of years 1948 and 1949 Railway-wise;

(b) whether the ticketless travelling is on the increase or decrease;

(c) if on the increase on certain railways what prohibitive measures Government have taken or propose to take in this regard;

(d) whether it is a fact that one of the causes leading to ticketless travelling is the insufficient and improper booking facilities at railway stations; and

(e) whether Government reward the Travelling Ticket Examiners for their zealous extra services, if so, in what manner and if not, why not?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (e). Information in the form asked for is not readily available and will be placed on the Table of the House when received.

(b) Comparative figures for April to August 1948 and 1949 are available and these indicate a slight increase in the number of passengers detected travelling without tickets.

(c) The increase in detection referred to under (b) is to be attributed to the more rigorous methods now employed. Preventive measures include more vigilant checking at station entrances and exits and on running trains; special Magistrates for summary trials and better provision of booking facilities.

(d) No; this state of affairs has been remedied.

श्री भट्ट : क्या जैसा आपने फर्माया, कि इसके लिये स्पेशल मैजिस्ट्रेट वगैरह मुकद्दर किये गए हैं, इसके सिवा और कोई दूसरा उपाय भी आपने सोचा है ?

Shri Bhatt: You have stated that special magistrates have been appointed for that purpose. Have you thought of any other remedy?

Shri Santhanam: We have intensified checking and we have occasional mass raids and the whole train checked and we are trying to carry out every suggestion which comes on our way.

श्री भट्ट : क्या माननीय मंत्री जी का ध्यान इस तरफ गया है कि टिकट न मिलने की वजह से बहुत से लोग गाड़ी में बिना टिकट के बैठ जाते हैं ?

Shri Bhatt: Has the hon. Minister's attention been drawn to the fact that many people get into trains without tickets just because they fail to get them?

Shri Santhanam: Sir, there were some difficulties last year about booking facilities but they have been improved all over and I think the complaints about lack of booking facilities are rare now-a-days.

श्री भट्ट : क्या माननीय मंत्री जी का यह विचार है कि यदि १०० आदमियों के लिये टिकट देने के लिये आध घंटे पहले खिड़की खुले तो १०० आदमियों को टिकट मिल सकता है ?

Shri Bhatt: Does the hon. Minister think that if the window is opened half an hour earlier for selling out tickets to 100 persons it will be possible to make them available to all the one hundred?

Shri Santhanam: Sir, we are now taking steps to see that the booking offices are opened sufficiently earlier for the purchase of tickets.

Sardar B. S. Man: Is it a fact that from the revenue point of view the ticketless travelling has proved profitable to the Railways and on that account the Railways are not checking ticketless travelling?

Shri Tirumala Rao: Is it a fact that on certain sections of the E. I. Railway ticketless travelling is increasing in the Upper Classes?

Shri Santhanam: I have no such information.

Shri Dwivedi: May I know if there are cases where members of the Railway staff have been travelling without tickets?

Shri Santhanam: Ordinarily the Railway staff have got their passes.

Dr. M. V. Gangadhara Siva: May I know whether the hon. Minister has exempted the poor blind and disabled ticketless travellers? If not, why not?

Shri Santhanam: We have given concessions to blind people and others travelling from certain institutions to their homes and *vice versa* but no person has been specially exempted by rules and allowed to travel without tickets.

Shri Bharati: Are there sufficient ticket examiners on the Railways—for instance in the Grand Trunk Express? I want to know whether the ticket examiners check the upper class passengers.

Shri Santhanam: In all big stations and junctions there are sufficient examiners who are expected to check tickets.

ठाकुर लालसिंह : कुम्भ या दूसरे मेलों के अवसर पर सैकड़ों हज़ारों की तादाद में साधू बगैर टिकट के चला करते हैं तो क्या ऐसे मौकों पर टिकट कलेक्टरों को इन्स्ट्रक्सन्स दे दिये जाते हैं कि उनसे टिकट न मांगा जाय, और अगर नहीं तो कितने साधुओं पर अब तक मुकदमें चलाये गए ?

Thakur Lalsingh: On the occasion of the *Kumbh* and other fairs hundreds and thousands of *Sadhus* travel without ticket. Are any instructions given to the ticket collectors on these occasions not to demand tickets from them? If not, how many *Sadhus* have been prosecuted so far?

Shri Santhanam: Sir, we do not propose to exempt *Sadhus* from paying tickets and we will take all steps to collect tickets.

Shri Kamath: From figures received, is the hon. Minister in a position to state which Railway takes the prize for ticketless travel?

Shri Santhanam: I have some figures both for 1948 and 1949 and I think almost all railways have their own records.

PANIPAT-GOHANA RAILWAY LINE

*204. **Master Nand Lal:** Will the Minister of Railways be pleased to state whether Government propose to re-lay the Panipat-Gohana Railway Line which was dismantled during the last World War and if so, when and if not, why not?

The Minister of Transport and Railways (Shri Gopalaswami): The question of restoration of the Panipat-Gohana Railway line is under consideration. The Eastern Punjab Railway Administration is preparing a financial appreciation of the restoration in consultation with the East Punjab Government and a final decision will be taken on receipt of the Railway's Report.

Shri N. S. Jain: Are the Government re-laying any railway which was dismantled during war in the coming year?

Shri Gopaldaswami: They are considering the question of restoring some of these lines. As to whether actual work will be undertaken depends on what provision we make in the budget for next year.

EDUCATIONAL FACILITIES FOR CHILDREN OF E.P. RAILWAY STAFF

*205. **Master Nand Lal:** Will the Minister of **Railways** be pleased to state whether any facility is given to the staff working at A Class Railway Stations of the E. P. Railway for the education of their children where no school exists and if so, what and if not, why not?

The Minister of Transport and Railways (Shri Gopaldaswami): Yes. Permanent Class III staff, and skilled workmen, who, owing to the absence of a school of the requisite standard at the station at which they are posted (including 'A' Class Railway Stations of the E. P. Railway), are compelled to send their children to boarding schools away from the station at which they are posted, are granted assistance from Railway Revenues towards the education of the children in accordance with the rules laid down in Chapter XI of the State Railway Establishment Code, Volume I, a copy of which is in the library of the House, and at the following rates:

<i>Pay of the employee</i>	<i>Limit of assistance</i>
Not exceeding Rs. 100 p. m.	Half of the fees for board and tuition.
Rs. 101 to Rs. 200 p. m.	1/3rd -do-
Rs. 201 to Rs. 300 p. m.	1/4th -do-

The assistance is subject in all cases to an over-riding maximum of Rs. 15 p.m. per child and to a maximum of Rs. 60 p.m. to any employee at any one time.

Shri Raj Bahadur: May I know whether similar facilities are available to children of Railway staff on similar stations on other lines?

Shri Gopaldaswami: I think they are.

WAINGANGA PROJECT

*206. **Shri Kannamwar:** Will the Minister of **Works, Mines and Power** be pleased to state:

- the amount which has been spent over the investigation of the Multi-purpose Wainganga Scheme in the State of Madhya Pradesh;
- whether the investigations of the Scheme have been completed;
- if not, whether Government propose to complete the investigation of the scheme;
- the amount which will be required to complete the same; and
- whether it is a fact that the scheme has been described as the greatest man-made lake in the world by the Chairman of the C.W.I.N.C.?

The Minister of Works, Mines and Power (Shri Gadgil): (a) to (d). The investigations of the Wainganga Project are being carried out by the Government of Madhya Pradesh and the Government of India have no information on the points raised.

(c) The Chairman, Central Waterpower Irrigation and Navigation Commission in comparing the estimated storage capacity of this reservoir of 33·07 million acre ft. with that of the Boulder Dam reservoir of 32 million acre ft., described it as likely to be bigger than the biggest man-made lake in the world. However, he has since advised the abandonment of the project in the form in which it was originally proposed.

Shri Kannamwar: May I know whether the staff working on this scheme with a contract for five years have been given notice of termination of their service?

Shri Gadgil: That is purely within the jurisdiction of the State Government of Madhya Pradesh.

Shri Kamath: Is it a fact that when the Minister visited Nagpur sometime last year, some of the vested interests there—malguzars round about the area—met him and represented to him against this scheme and it was partly because of that that the scheme was abandoned?

Mr. Speaker: Order, order. The hon. Member started with vested interest and has gone on making so many insinuations. He may ask for information, if he wants.

Shri Kamath: When the hon. Minister visited Nagpur last year, is it a fact that some of the Malguzars in that area represented to him against this scheme?

Shri Gadgil: It is a fact that the hon. Minister did visit Nagpur, when he visited the spot and he along with the experts came to the conclusion that the proposed site was least suited for a project of this character, the reasons being that that the length of the proposed dam would be 13 miles and the subversion of four lakh acres of good paddy land would be the result as against the doubtful possibility of ten lakh acres being made available after cutting down the entire forest. This will further result in less rainfall and from every point of view this scheme was not acceptable.

Dr. Deshmukh: May I take it that the hon. Minister also came to the conclusion that the scheme should be abandoned?

Shri Gadgil: I agreed with the technical and expert advice I was given.

Prof. Ranga: Are we to understand that no effort is being made to develop it in any modified manner?

Shri Gadgil: It is not correct. The Chairman of the C.W.I.N.C. suggested an alternative scheme at a certain point in the river Pranbita and the Madhya Pradesh Government was directed to investigate that.

Shri Kishorimohan Tripathi: Was the scheme placed before the Central Government before the preliminary survey was undertaken?

Shri Gadgil: No, Sir. It was at a later stage that the scheme was placed before the Central Government and the officers of the Central Government made various reports with the result that has been just stated by me.

Prof. Ranga: How is it that so much information has been supplemented now whereas the hon. Minister had earlier thought fit to say that Government had no information.

Shri Gadgil: If the hon. Member looks at the form of the question he will appreciate the answer I had given.

Dr. Deshmukh: Did the hon. Minister come to know during his visit that a sum of nearly 12 lakhs of rupees had already been spent on this project?

Shri Gadgil: That always happens in preliminary investigations when projects of this character are to be investigated. For example, I think nearly 25 to 30 lakhs have already been spent over the Ramapadasagar project and yet we have not accepted it on account of several reasons.

Dr. Deshmukh: What portion of the amount which has been spent was spent after the Central Government had examined or looked into the scheme?

Shri Gadgil: It is more or less a matter for the Madhya Pradesh Government to say but as far as I know, after the recommendations of the Chairman of the C.W.I.N.C. nothing substantial was done.

Shri Tirumala Rao: Is the same fate awaiting Ramapadasagar which has met this scheme?

Shri Gadgil: That is more than I can say.

Shri Kamath: What stage has been reached in the investigation of the modified scheme suggested by the Chairman of the C.W.I.N.C?

Shri Gadgil: So far as the Government of India are concerned they have not yet received any report from the Madhya Pradesh Government.

Shri Hossain Imam: As a result of such affairs, has the Central Government framed any scheme by means of which, provincial money is going to be spent only after scrutiny, so that wastage like this may not occur in future?

Shri Gadgil: It does not arise out of this.

Shri Hossain Imam: My question is: Has the Central Government any scheme for supervising provincial schemes before they are sanctioned?

Mr. Speaker: That is a different question now.

Shri Gadgil: Under the law in force before the Constitution was passed all that was possible for the Government of India to do was to give advice when required and to adjudicate other matters that were referred to it. Under the present Constitution more powers have been given and it is the intention of the Government of India to introduce a Bill which will regulate all such things.

Shrimati Durgabai: The hon. Minister stated with regard to Ramapadasagar that he had not accepted it; does it mean abandonment of the scheme or only that he has not accepted it for the present?

Shri Gadgil: The position is that it is such a huge project costing 130 crores of rupees and it will require nearly twelve years for completion. In view of this and in view also of the fact that the entire engineering staff would be required if we start the construction, not only this but also all the cement and steel available for the Province of Madras would be required, the Government of India thought that this project should wait till times are more propitious.

IRRIGATION AND MULTI-PURPOSE SCHEMES FOR MADHYA PRADESH

*207. **Shri Kannamwar:** (a) Will the Minister of Works, Mines and Power be pleased to state how much amount has been sanctioned for the State of Madhya Pradesh for the investigation of irrigation and multi-purpose schemes?

(b) What are the schemes that are at present under investigation in the Madhya Pradesh?

(c) How much amount has been spent over all the schemes other than the Wainganga Schemes?

(d) How much amount is still required for the completion of the investigation of all the schemes other than the Wainganga scheme?

The Minister of Works, Mines and Power (Shri Gadgil): (a) to (d). Estimates amounting to Rs. 102,30,816 were approved for the preliminary investigations of eight river valley projects in the Upper Mahanadi basin and three in the Narmada basin. Of these, only two, namely, Upper Mahanadi Dam Project and Jonk Dam Project have been taken up for investigation in the Upper Mahanadi basin and three namely Bargi Dam Project, Tawa Dam Project and Punasa Dam Project in the Narmada basin. Up to the end of December, 1949 a sum of Rs. 7,02,427 had been spent on these investigations. A further sum of Rs. 55,49,000 will be required for completion of these investigations.

Dr. Deshmukh: When is it likely that the investigations would be completed and on how many of these schemes?

An Hon. Member: In due course.

Shri Gadgil: My hon. friend suggests "in due course" but I would say that approximately two years will be required.

'GROW MORE FOOD' CAMPAIGN

*208. **Shri Chandrika Ram:** (a) Will the Minister of Agriculture be pleased to state the amount of grant given to the State of Bihar in the years 1947-48 and 1948-49 for 'Grow More Food' campaign?

(b) How many acres of land have been under cultivation in Bihar under the said campaign?

(c) What was the quantity of produce of various crops under cultivation under the scheme?

(d) Have Government made any attempt to reduce the acreage of cultivation under (i) sugar-cane; (ii) tobacco and (iii) other money-crops for increasing food production in Bihar?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) Rs. 5,26,283 in 1947-48 and Rs. 61,05,590 in 1948-49 were sanctioned as grant but Rs. 21,29,000 and Rs. 39,20,000 were in all actually spent in the two years respective'y.

(b) The acreage benefited by the Grow More Food campaign in Bihar in 1947-48 was 6,19,694 and 6,05,123 in 1948-49.

(c) The total extra production achieved in this area was 79,200 tons in 1947-48 and 53,224 tons in 1948-49. Information regarding each crop has been called for from the Bihar Government and will be furnished to the House.

(d) No.

Shri Jhunjhunwala: Did Government enquire as to what was the cause of not spending the whole amount?

Shri Jairamdas Doulatram: They have spent less on irrigation works, fertilizers and seed distribution and we are enquiring from them as to what were the reasons for not spending the whole amount.

Shri Kamath: Has any land been reclaimed in the State of Bihar during the two years under reference here?

Shri Jairamdas Doulatram: I would require notice of that specific question. I believe they must have reclaimed some land but I am unable to give the figures.

Shri Jhunjhunwala: Was any money earmarked for particular items such as so much for seeds, so much for irrigation works, etc.?

Shri Jairamdas Doulatram: Yes; we gave them according to each item. Separate sums were earmarked for each item.

Shri Jhunjhunwala: On irrigation they spent less?

Shri Jairamdas Doulatram: We gave them for irrigation, land development, distribution of seeds, livestock schemes and other miscellaneous schemes, including plant protection.

Shri Jhunjhunwala: On which items did they spend less?

Shri Jairamdas Doulatram: They spent less on irrigation works, fertilisers and on seed distribution.

Babu Ramnarayan Singh: What is the increase in produce during the period as a result of the Grow More Food Campaign?

Shri Jairamdas Doulatram: I gave the figures. 70,200 tons in 1947-48 and 53,224 in 1948-49. In the first year it cost about one rupee per maund and in the second it cost Rs. 2-10 per maund.

Babu Ramnarayan Singh: How was this result obtained?

Mr. Speaker: He means the extra food or the calculations?

Babu Ramnarayan Singh: How are these calculations arrived at?

Shri Jairamdas Doulatram: On the basis of certain standard yields. For instance, we know what is the extra yield as a result of using certain fertilisers, we take the acreage over which they were used and from that find out what was the extra production.

Shri Tirumala Rao: May I know what proportion of the grants made to the Bihar Government was spent for intensive production from the land already under cultivation and what proportion was spent for bringing fresh land under cultivation?

Shri Jairamdas Doulatram: I would require notice of that question.

Shri Lossain Imam: May I ask if the fertilisers were earmarked for all food grains or for any particular crop?

Shri Jairamdas Doulatram: For food grains.

Shri Kamath: In what proportion has the loan of Rs. 10 crores or so, which India obtained from the International Bank recently for the Grow More Food campaign, been distributed among the various States in India?

Shri Jairamdas Doulatram: Does it arise out of the question, Sir?

Mr. Speaker: No.

Shri Sidha: Arising out of the answer to part (b) of the question wherein the hon. Minister stated that 6 lakhs and odd acres of land has been under cultivation, may I know whether new land has been brought under cultivation or fallow land has been improved?

Shri Jairamdas Doulatram: I stated that the total acreage benefited in Bihar was 6 lakhs and odd. This was not all new lands. It comprises existing land on which fertilisers were used, existing land on which improved seed was used and also it may include some land which was specially reclaimed.

Sardar B. S. Man: From the figures given by the hon. Minister I find that in 1947-48 the increase in the food production was 79,000 tons whereas in the later year it has decreased to 50,000 tons. That is, instead of increasing it has decreased. What is the reason for this?

Shri Jairamdas Doulatram: We have asked the Bihar Government to explain this.

GANGA BRIDGE PROJECT

*209. **Shri Chandrika Ram:** (a) Will the Minister of Railways be pleased to state whether Government have abandoned the Ganga Bridge Project at Mokamah?

(b) Is there any proposal to construct the Ganga bridge at Patna instead of at Mokamah?

(c) If the answer to part (b) above be in the negative, will Government consider the proposal to construct a Rail-Road bridge at Patna?

The Minister of State for Transport and Railways (Shri Santhanam): (a) No, the work has not been abandoned but only postponed.

(b) No, there is no proposal at present for the construction of a rail-road bridge at Patna but the State Government have investigations in hand for the construction of a road bridge there.

(c) The Patna site has not so far been considered suitable for a rail-cum-road bridge but an alternative site near Futwah is being examined.

Shri Sidhva: What is the estimated cost of this bridge?

Shri Santhanam: The cost of the rail-road bridge at Mokamah was estimated at Rs. 12 crores.

Shri Chandrika Ram: May I know the difference in the estimated cost of the bridge at Mokamah and Patna?

Shri Santhanam: Patna was considered unsuitable for technical reasons, and the cost also was estimated to be Rs. 3 or 4 crores higher.

Shri Goenka: Why has this project at Mokamah been postponed?

Shri Santhanam: It has been postponed for two reasons. One is the shortage of funds for capital expenditure and the second is that a new channel developed during the floods of 1948 which has made the construction costlier. We are waiting to see whether that channel will be permanent or will dry up.

Shri Gautam: Which firm of engineers did the preliminary survey and how much did it cost?

Shri Santhanam: The Railway engineers, I think, carried out the preliminary survey and put up the estimates.

Shri Chattopadhyay: May I know whether the Government has examined the suitability of changing the alignment from Mokamah to Sakrigalighat in the Bengal-Assam link?

Shri Santhanam: The need for a bridge at Mokamah or somewhere near is so great that I think it is not possible to shift it to a distant place. But the question of a rail-road bridge at Futwah or some place nearer Patna is under investigation now.

Shri Goonka: Is it not a fact that this project was sanctioned by the Standing Finance Committee a year and a half ago?

Shri Santhanam: It is quite true, and it was also sanctioned by the Cabinet. But later reasons have forced us to postpone the scheme.

Babu Ramnarayan Singh: May I know when the project will be resumed?

Shri Santhanam: It has been postponed for a period of two years. It will be reconsidered at the end of two years.

Shri Jhunjhunwala: Has the Government considered the question of an underground bridge from the point of view of economy?

Shri Santhanam: Does the hon. Member mean a tunnel below the Ganges?

Shri Jhunjhunwala: Yes.

Shri Santhanam: Such a project has not been examined, so far as I know.

SABAYA AERODROME (BIHAR) ●

*210. **Shri Chandrika Ram:** (a) Will the Minister of Communications be pleased to state why the building material is lying unused at the Sabaya Aerodrome in the District of Saran (Bihar)?

(b) Is it the intention of Government to keep the aerodrome on a permanent basis?

(c) If the answer to part (b) above be in the affirmative, what steps, if any, are being taken to repair the roads and buildings there?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) to (c). The hon. Member is apparently referring to the Hathwa airfield. As this airfield is under the control of the Air Headquarters, the question should have been addressed to the hon. Minister for Defence. It has accordingly been transferred to the list of questions for the 17th February 1950, when the hon. Minister of Defence will answer it.

ARTIFICIAL INSEMINATION OF CATTLE

*196. **Shri S. C. Samanta** (on behalf of **Shri Barman**): (a) Will the Minister of Agriculture be pleased to state how many centres had been opened by the Government of India for work on artificial insemination of cattle?

(b) How many centres have been closed down?

(c) What are the results achieved so far?

(d) What are the recommendations made by the Advisory Board of I.C.A.R. during its sitting at Delhi in December, 1949?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) Four Centres were opened at Calcutta, Patna, Bangalore and Montgomery in 1945.

(b) The centre at Montgomery was closed down after the Partition, and it is proposed to hand over the remaining three centres to the respective States in which they are situated, with effect from 1st March, 1950.

(c) Altogether about 26,000 animals have been inseminated at these centres. The results have been encouraging and have demonstrated the practicability of its utilization in this country with a view to meeting the acute shortage of high quality sires.

(d) The Board recommended that the number of Artificial Insemination Centres should be increased as a considerable amount of field research on this subject still remains to be done, and that it has a direct bearing on the Grow More Food Campaign as it would help in producing more milk and better work animals.

Shri B. Das: What about the Jubbulpore cattle insemination project? Has that scheme been abandoned? The Economy Committee had recommended the Rs. 1 crore project which the I.C.A.R. wanted at Jubbulpore for cattle insemination. The hon. Minister did not mention it in his reply.

Shri Jairamdas Doulatram: I have no special information about Jubbulpore insemination project at the moment.

Shri Hossain Imam: May I know whether there is any proposal at present for opening new artificial insemination farms in other parts of the country?

Shri Jairamdas Doulatram: We have recommended that the States should take up the programme.

Shri Hossain Imam: Has the Central Government promised to give them any help in this matter?

Shri Jairamdas Doulatram: I am afraid I cannot commit myself at present.

Shri Deshbandhu Gupta: May I know the expenditure incurred by Government on these schemes so far?

Shri Jairamdas Doulatram: I would require notice of that question.

Shri Kamath: Have any reports been received by the hon. Minister to show that artificial insemination, being contrary to Nature, will have a detrimental effect on the cattle ultimately?

Shri Jairamdas Doulatram: The experience of other countries has not yet shown that it is so.

Shri A. P. Jain: What is the proportionate yield between natural insemination and artificial insemination from the same number of bulls?

Shri Jairamdas Doulatram: I am afraid I have not got that information. I would require notice.

Shri Iyyunni: What will be the cost of this artificial insemination so far as one head of cattle is concerned?

Shri Jairamdas Doulatram: I will require notice of that question also.

Shri Tirumala Rao: With regard to (c), the hon. Minister stated that 26,000 inseminations have been given. Has he got figures to show how many have materialised in actual calf births?

Shri Jairamdas Doulatram: Almost cent per cent.

IMPORT OF TRACTORS

*197. **Shri Jhunjhunwala** (on behalf of **Pandit M. B. Bhargava**): Will the Minister of **Agriculture** be pleased to state:

(a) the number of tractors imported in India during the years 1947-48, 1948-49 and up to the end of December, 1949 from foreign countries;

(b) the number of imported tractors, which are in operation in different States, and the number that are lying idle on account of want of repairs;

(c) the number of tractors which the Government of India intend to import in future;

(d) the countries from which such tractors are proposed to be imported; and

(e) the names of the States to which the tractors so far imported have been sent together with the number of tractors allotted to each of them?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) 200 tractors were imported during 1947-48, 156 in 1948-49, and 103 during the period 1st April, 1949 to the 31st December, 1949.

(b) and (e). Of the total of 462 tractors mentioned above, 351 were purchased on behalf of the State Governments who had accepted full financial responsibility and the tractors, on receipt, were handed over to them. The distribution of these tractors is shown in the statement placed on the Table. The Government of India have at present no information as to how many of these tractors are lying idle for want of repairs, etc. The balance of 111 tractors in possession of the Central Tractor Organisation are all in working order.

(c) Government have placed an order for 375 heavy tractors for land reclamation work. 91 of these tractors have already been received and the balance are expected to be received by the end of September, 1950.

(d) All the tractors referred to in (c) above are being imported from the U.S.A.

STATEMENT.

The 351 tractors imported by the Government of India during the period 1st April, 1947 to 31st December, 1949 on behalf of State Governments, have been distributed as follows:

Bombay Government	..	..	39	Tractors
U. P.	..	..	143	"
Bihar	..	..	29	"
Sind	..	..	6	"
Punjab	..	..	57	"
N.W.F.P.	..	..	2	"
Bengal	..	..	19	"
Assam	..	..	8	"
C.P.	..	..	20	"
Rampur	..	..	1	"
Mysore	..	..	14	"
Kashmir	..	..	2	"
Feridkot	..	..	2	"
(Befor PEPUSU Union was formed)	..	..	3	"
Patiala & E.P.S. Union	..	..	8	"
Total	..	..	351	Tractors

Shri Sidhva: May I know through which agency these tractors are indented? Through the Stores Department or by direct order?

Shri Jairamdas Doulatram: Through the Indian Stores Department or the Indian Supply Mission.

Shri Sidhva: I want to know actually through what agency orders were placed. If through the Ministry of Agriculture, were tenders invited?

Shri Jairamdas Doulatram: It was done through the Ministry of Industry and Supply.

Sardar B. S. Man: As regards the 375 heavy tractors which are to be purchased from America, may I know when their delivery in India will be completed?

Shri Jairamdas Doulatram: We expect the delivery to be completed by November this year.

Sardar B. S. Man: May I know where the 91 heavy tractors which have already arrived in India are working now?

Shri Jairamdas Doulatram: Some will start operations in Bhopal within five or six days.

Shri Goenka: What was the total cost of importing these tractors in 1947-48, 1948-49 and 1949-50?

Shri Jairamdas Doulatram: I think I had placed before the House in reply to some question, during the last session, all this information regarding the entire cost of all the tractors imported.

Sardar B. S. Man: The hon. Minister said that heavy tractors have arrived or are about to arrive for land reclamation work. May I know if Government have any idea when they will be able to complete the entire reclamation work, and also, after that what use Government is going to make of those heavy tractors?

Shri Jairamdas Doulatram: The full programme is for 7 years and probably the life of some of these tractors will only be five years. Even after the present 1951 programme is completed, we would continue to do reclamation because there is a very large area awaiting reclamation even after our present target is completed.

Babu Ramnarayan Singh: How many tractors are working under the Government of India?

Shri Jairamdas Doulatram: I have given the figure just now. It is 111.

Babu Ramnarayan Singh: And the number in the different States?

Shri Jairamdas Doulatram: 351 were purchased on behalf of the States Governments and they must be working there.

Shri Deshbandhu Gupta: May I know whether the Government of India keeps a record of the working of these tractors in the States?

Shri Jairamdas Doulatram: No.

Shri Deshbandhu Gupta: Does not even the Grow More Food Campaign section of the Food Ministry keep a record of it?

Shri Jairamdas Doulatram: We receive from them fortnightly reports regarding the work done by the tractors including reclamation and all other items.

Shri Jhunjunwala: What has been the working efficiency of the tractors working under the Central Organisation as compared to the efficiency given by the manufacturers?

Shri Jairamdas Doulatram. So far as the new tractors are concerned, they will come into operation only now. So far as those which were purchased from the Disposals are concerned, as against the total acreage which they were to reclaim, we reclaimed upto 90 per cent.

PETROLEUM

*198. **Shri Jhunjunwala** (on behalf of **Pandit M. B. Bhargava**): Will the Minister of **Works, Mines and Power** be pleased to state:

(a) whether Government intend to remove control over petroleum and if not, why not;

(b) the quantity of petroleum consumed in India during the year 1949;

(c) the quantity of petroleum produced in India during the year 1949;

(d) the countries from which it was imported in the year 1949; and

(e) what steps the Government of India have taken so far or intend to take to investigate and find out substitutes for petroleum and to make India self-sufficient in her requirement of petroleum?

The Minister of Works, Mines and Power (Shri Gadgil): (a) No, as we are unable to afford the foreign exchange that would be required for unrestricted consumption.

(b) 2,234,485 tons of major petroleum products were consumed upto the end of November, 1949. Figures for December, 1949 are not available.

(c) 1,47,674 tons of major petroleum products.

(d) Major petroleum products were imported during the year 1949 from (1) Abadan (2) Bahrein Island, (3) Saudi Arabia, (4) British Borneo, (5) Sumatra and (6) North East Indies.

(e) It would not be possible for India to be self-sufficient in petroleum products and substitutes until vast sources of natural petroleum are discovered in the country, or large funds found for extensive production of synthetic oil from coal. However, the production of power alcohol which is used as motor spirit in admixture with petrol, is being increased; and the question of producing synthetic oil from coal is under consideration.

Shri Chaliha: Is it a fact that large quantities of petroleum are lying in Assam without facilities for transport?

Shri Gadgil: That is only for the time being on account of transport difficulties.

Shri Chaliha: When will the transport facilities be given for the movement of this oil?

Shri Gadgil: As soon as they are available.

Prof. Ranga: Are any steps being taken to encourage imports from sources other than Anglo-American, that is, for instance, France?

Shri Gadgil: The Government of India will consider that.

Shri Sidhva: What is the total cost of establishment of control over petroleum?

Shri Gadgil: I don't think that question arises out of this, by any stretch of imagination.

Shri Sidhva: The question is about removal of control over petroleum. I want to know what is the cost involved in maintaining the control.

Shri Gadgil: It is insignificant. If the hon. Member wants more particulars, I want notice.

Dr. Deshmukh: What is the quantity of petroleum lying in Assam and how much of it has evaporated?

Shri Gadgil: I require notice, especially as regards evaporation.

Shri R. K. Chaudhuri: Is the hon. Minister aware that in Assam control over kerosene has been removed, and for the same reason is the Government going to remove the control over petroleum at least temporarily, in the Province of Assam?

Shri Gadgil: The difficulty is that the total quantity of petrol not merely in Assam but all over the country, is fixed up in terms of availability of foreign exchange, and if at any particular time we de-control in any particular area, the result will be not very desirable from the all-India point of view.

Shri Deshbandhu Gupta: May I know the quantity of power alcohol produced during the last year?

Shri Gadgil: I require notice of that.

Shri Kamath: Does Government propose to direct that power alcohol should be mixed with petrol before distribution all over the country?

Shri Gadgil: I understand that that is being done.

Shri Kamath: In what proportion?

Shri R. K. Chaudhuri: In view of the fact that it will take a long time to have the necessary transport facilities, does the Government realise that there will be a lot of evaporation and much of this petrol will be wasted? In view of that, do they propose to remove control in that Province at least?

Shri Gadgil: Well, the suggestion will be noted.

WRITTEN ANSWERS TO QUESTIONS

CARRIAGE OF MAIL

*192. **Seth Govind Das:** Will the Minister of Communications be pleased to state the proportion of mail carried by air to that carried by rail and road since the introduction of Night Air Mail Service?

The Deputy Minister of Communications (Shri Khurshed Lal): The attention of the hon. Member is invited to the reply given on the 2nd February, 1950, to part (c) of Starred Question No. 50 by Prof. K. T. Shah.

SHUTTLE SERVICES BY AIR

*193. **Seth Govind Das:** Will the Minister of Communications be pleased to state the policy of the Government regarding short distance shuttle services by air such as (i) Delhi-Meerut; (ii) Delhi-Hardwar; (iii) Delhi-Agra; (iv) between capital towns of States; and (v) different towns in the same State?

The Deputy Minister of Communications (Shri Khurshed Lal): As stated in reply to Dr. P. S. Deshmukh's Starred Question No. 297 on the 10th February 1949, the initiative for the operation of air services, whether for short or long distances and whether between capital towns of States or between different towns in the same States lies, with the air transport companies, Government providing the ground organisation and other facilities where this is justified by the requirements of traffic. The capital towns of most States

are served by air services but no company has applied for licences for short distance services like those mentioned in the question, presumably because they feel that these services will not be remunerative.

PILOTS, GROUND ENGINEERS AND TECHNICIANS

*199. **Pandit M. B. Bhargava:** Will the Minister of Communications be pleased to lay on the Table a statement showing:

(a) The total number of pilots, ground engineers and technicians working at present and during the years 1944-45 and 1948-49?

(b) What was the proportion of Indians *vis-a-vis* foreigners in each of these categories?

(c) Are there any Institutions for training in India and if so, at which places?

(d) What is the total amount of expenditure incurred on these Institutions by the Government of India, what is the number of trainees at such Institutions, and whether they are manned by Indian or foreign Instructors?

(e) Have Government arranged for the training of pilots, ground engineers and technicians, in foreign countries and if so, in which countries?

(f) What is the number of persons receiving such training in those countries and what assistance, financial or otherwise, such trainees are receiving from Government?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). I lay on the Table a statement giving the required information.

(c) and (d). Facilities for flying training are provided at 11 Flying Clubs in India which are—

(1) *Subsidised by Government.*—Delhi, Bombay, Madras, Calcutta, Patna, Bhubneshwar, Nagpur, Lucknow and Jullunder.

(2) *Non-subsidised.*—Mysore, Hyderabad and Jodhpur.

The total number of trainees at the Flying Clubs is 362. The total amount, consisting of annual subsidy of Rs. 30,000 per Club and pilot's bonus and flying subventions, which is being paid to the nine subsidized Flying Clubs during 1949-50 is Rs. 12,62,500.

In addition to the Flying Clubs, for the purpose of advanced and specialised training, Government has established two Civil Aviation Training Centres namely one at Saharanpur for the training of radio operators and radio technicians and the other at Allahabad for the training of Pilots, Pilot Instructors, Aerodrome Officers and Control Operators.

The recurring and non-recurring expenditure incurred on these Centres is estimated at Rs. 3.62 lakhs and Rs. 17.53 lakhs for 1948-49 and Rs. 12.09 lakhs and Rs. 37.87 lakhs for 1949-50. The number of trainees at Saharanpur and Allahabad are 49 and 43 respectively at present. All the Instructors at both the Centres are Indians.

(e) and (f). There are no standing arrangements for the training of Pilots, Ground Engineers or Technicians in foreign countries but trainees in aviation subjects are eligible under the Overseas Scholarship Scheme of the Ministry of Education and also for the United Nations Fellowships under the United Nations programme of assistance to under-developed countries. Under the Education Ministry's Overseas Scholarship Scheme, three persons were sent to United Kingdom for training for aeronautical engineering and air navigation last year. None is under training at present. Under the United Nations Fellowship Scheme, two persons are at present under training in the United Kingdom and the United States of America; the extent of Government assistance to them consists in the payment of half the cost of their passage.

STATEMENT

Total number of Pilots, Ground Engineers and other Technicians employed in Civil Aviation in India and the percentage of Indians

1938-39 1944-45 1949 (31-12-1949)

Name of the post.	1938-39		1944-45		1949 (31-12-1949)							
	Indians	Non-Indians	Total	Percentage of Indians	Indians	Non-Indians	Total	Percentage of Indians				
(i) Pilots "B" Licence	60	25	85	70.6	109	177	286	38.11	263	99	362	72.65
(ii) Pilot Instructors (including Check Pilots)									33	17	50	66.00
(iii) Ground Engineers	110	32	142	77.5	157	31	188	83.5	429	30	459	93.5
(iv) Other Technicians												

No reliable statistics are available.

IMPORT OF FOOD GRAINS

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

(a) the number of barter agreements concluded with foreign Governments since 15th August 1947 for the import of food grains into the country;

(b) the price and the quantity of food grains imported from and the goods exported to each country;

(c) the rate at which those food grains could be purchased in the open markets of those countries at the particular times; and

(d) whether these barter agreements have been advantageous to the nation?

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

(a) Six.

(b) A statement showing the commodities exchanged under these agreements is laid on the Table of the House. It would not be in the public interest to disclose the prices and values of commodities involved in these barter agreements.

(c) There were no free markets for the food grains in the countries concerned at the time.

(d) Yes.

STATEMENT

Commodities exchanged under the barter agreements since 15th August 1947

	Imports	Exports
ARGENTINE		
August 1947	320,000 tons maize 120,000 tons barley	60,000 tons hessian
October 1948	385,000 tons wheat 95,000 tons maize and barley	80,000 tons hessian
December 1949	390,000 tons wheat	50,000 tons hessian
U. S. S. R.		
July 1948	50,000 tons wheat	5,000 tons tea
January 1949	81,000 tons wheat	5,000 tons tea 5,000 tons raw jute 1,000 tons castor oil
PAKISTAN		
March 1948	20,150 tons rice	9,000 tons imported wheat 12,000 tons imported maize 1,500 tons imported barley

CO-OPERATIVE STORES FOR RAILWAY EMPLOYEES ON E. P. RAILWAY

12. Giani G. S. Musafir: (a) Will the Minister of Railways be pleased to state whether it is a fact that Government have offered facilities of payment of half the expenses and the grant of accommodation for co-operative stores of the Railway employees on the E. P. Railway?

(b) Is it a fact that the Ferozepore Divisional President of E.P.R.S.U. Head Quarter, Jullundur, offered to start a co-operative stores at Jullundur station and requested the Administration for necessary accommodation and financial aid?

(c) If so, when was this request received and what reply had the Administration given to the Union?

(d) How many other Unions have requested for these facilities and what action has been taken on these requests?

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

(a) On the recommendation of the Railway Grainshops Enquiry Committee, the Railway Board have issued orders that in order to encourage the promotion of co-operative stores entirely managed by Railway servants, assistance may be given by Railway Administrations in the form of (i) a subsidy amounting to not more than half the administrative and establishment charges for the first three years subject to the condition that the Provincial Co-operative Department concerned certifies that the store is working properly, and (ii) provision of suitable existing premises where convenient at a nominal rent

These orders apply to the E. P. Railway.

(b) **Yes.**

(c) The request was received by the Chief Administrative Officer, E. P. Railway, through the Divisional Superintendent, Ferozepore on the 27th December, 1949 and the E. P. R. S. Union was asked through him to submit a copy of the proposed rules and regulations for the management and working of the co-operative stores. A reply from the Union is still awaited.

(d) **None.**

COMPULSORY SAVING SCHEME FOR RAILWAY STAFF

13. Shri Sidhva: Will the Minister of Railways be pleased to state the total monthly amount of saving made in respect of the Railway staff under the Compulsory Saving Scheme?

The Minister of Transport and Railways (Shri Gopalaswami): About Rs. 9.2 lakhs.

POSTAL AND TELEGRAPH WORKSHOP, CALCUTTA

14. Shri Sidhva: (a) Will the Minister of Communications be pleased to state whether it is a fact that a proposal has been made by Government for the transfer of the management and control of the State-owned Postal and Telegraph Workshop in Calcutta to its workers?

(b) If so, what are the details of this proposal?

(c) What is the total asset of the Workshop?

(d) Has this proposal materialised?

(e) What is the reaction of this proposal on the employees?

The Deputy Minister of Communications (Shri Khurshed Lal): (a), (b), (d) and (e). The question of running the telegraph workshops at Alipore by the workers on a co-operative basis is under the consideration of Government in consultation with the workers' representatives. The proposals are still in the initial stage. The workers' representatives appear keen over the proposal.

(c) The book value of the assets in the Alipore Workshops was about Rs. 30 lakhs on the 31st March, 1947.

'OWN YOUR OWN TELEPHONE SCHEME'

15. Shri Sidhva: (a) Will the Minister of **Communications** be pleased to state the number of applications received under the new scheme for telephones on payment of Rs. 2,000 or Rs. 2,500 from each State?

(b) What is the total amount received with such applications?

(c) What arrangements have been made to provide telephones for those who have paid these deposits?

(d) What is the priority scheme for giving these telephone connections?

(e) How many telephone connections will be given immediately in each State under the new scheme?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The 'Own Your Own Telephone Scheme' has been introduced only in certain cities. The number of applications received at these places upto 31st January, 1950 is:

Ahmedabad	..	..	182
Amritsar	..	..	17
Bombay	..	..	2657
Calcutta	..	..	1029
Delhi	..	..	389
Kanpur	..	..	101
Madras		..	273
			—
		Total	4648
			—

The scheme has been extended to Nagpur from the 3rd February, 1950.

(b) Rs. 1,11,89,000.

(c) Action has been taken to lay additional cables and to increase the capacity of the exchanges.

Following definite arrangements have been made:

Ahmedabad.—Cables are being laid. Steps have been taken to instal additional equipment.

Amritsar.—Cables are being laid.

Bombay.—Cables are being laid. Installation of new equipment is in hand. 1000 lines of new equipment would become available in July 1950 and 1000 every subsequent month till the end of the year.

Calcutta.—Cables are being laid. Installation of new manual equipment has begun and some of it would be available by July 1950.

Delhi.—Cables have been laid.

Kanpur.—Cables are being laid. Installation of equipment is being planned.

Madras.—Cables are being laid. Transfer of Automatic equipment from Simla is being planned.

(d) The telephones will normally be given in the order in which deposits were received except in cases where technical difficulties such as paucity of cable pairs prevent this.

(e) The following approximate number of connections will be given by the end of February, 1950:

Ahmedabad	..	..	30
Amritsar			60
Bombay		..	350
Calcutta			350
Delhi		..	all who pay.
Kanpur	..		80
Madras	..	..	200

It is expected to give about 40 to 50 per cent. of telephones by June, 1950 and the balance by the end of 1950.

JUTE

16. Pandit M. B. Bhargava: Will the Minister of Agriculture be pleased to state:

(a) what percentage the production of Jute in India forms of the total production in India prior to partition?

(b) the States where cultivation of Jute is intended to be extended in India; and

(c) what steps the Government of India have taken so far to explore the possibilities of making India self-sufficient in her requirement of jute and jute goods?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) On the basis of an average for the three years ending 1946-47, the Indian Union produced 20.2 per cent. of the production in undivided India.

(b) Jute is at present grown mainly in West Bengal, Assam, Bihar, Orissa and Tripura and to a limited extent in Uttar Pradesh. Jute cultivation is proposed to be extended during 1950 in all these areas as well as in Travancore.

(c) The steps so far taken include extension of jute cultivation to culturable waste lands and current fallows, double-cropping of jute with *Aman* paddy where conditions are favourable, and intensive cultivation. With a view to exploring the possibilities of extending jute cultivation to States like Madras,

C. P. and Travancore, experimental cultivation has been undertaken and the results appear to be promising in some cases. As a result of these measures the production of jute increased from 16.6 lakh bales in 1947 to 19.8 lakh bales in 1948 and 27.7 lakhs bales in 1949 *i.e.*, by 19.3 per cent. in the first year after partition and by 66.7 per cent. in the second year.

FOOD GRAINS INVESTIGATION COMMITTEE

17. **Pandit M. B. Bhargava:** Will the Minister of Food be pleased to state:

(a) what have been the terms of reference and the investigations of the Committee appointed sometime back to enquire into the price and quality of food grains supplied in rationed areas and whether the said Committee has completed its investigations and submitted its report;

(b) the places visited by the said Committee, and what steps the Government have taken so far or propose to take to implement the recommendations of the said Committee;

(c) whether it is a fact that the Government propose to set up another Committee to tour round the country to study procurement schemes in the States; and

(d) if so, what would be the terms of reference of the said Committee, and by which date the Committee is expected to submit its report?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) A copy of the terms of reference of the Food Grains Investigation Committee is laid on the Table of the House. [See *Appendix I, annexure No. 22*].

The Committee has not yet completed its investigation and has, therefore, not submitted its report.

(b) The Committee has so far visited the States of Madras, West Bengal, Assam, Punjab, Uttar Pradesh, Bombay, Bihar, Travancore and Cochin and Patiala and East Punjab States Union. As stated in answer to part (a) the final report of the Committee has not yet been received and, therefore, the question of implementing the recommendations of the Committee does not arise.

(c) Yes.

(d) A copy of the terms of reference of the Procurement Committee is laid on the Table of the House. [See *Appendix I, annexure No. 23*].

The Committee is expected to submit its recommendations within three months from the date of appointment, *viz.*, the 7th February, 1950.

DAMAGE TO CROPS BY WILD BEASTS

18. **Pandit M. B. Bhargava:** (a) Will the Minister of Agriculture be pleased to state what is the extent of damage done by wild beasts to the standing crops in different parts of the country, particularly in the Punjab and the Uttar Pradesh during the years 1948-49 and 1949-50?

(b) What measures have been taken by the Government to prevent such damage?

(c) Is there any mechanical device to control this damage; if so, to what extent has this been used, and with what results and if not, why not?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) A certain amount of damage is done to the standing crops by wild animals,

particularly near forests and in the hilly tracts, but no reliable estimate has been made in any State as to the extent of the damage caused by them. The States are being asked to take steps to secure reliable information.

(b) The Government of India have advised the States to establish plant protection organisations the duties of which include prevention of damage to standing crops by wild animals, and have expressed their readiness to assist them in setting up such organisations.

(c) The common mechanical device to prevent such damage by small animals is trapping. In the case of big animals, pits with flimsy roofs are dug in which the animals fall and cannot come out. Information has been called for as to the extent to which these methods are being used.

ENQUIRY COMMITTEE ON SUGAR

19. Shri Sidhva: Will the Minister of Agriculture be pleased to state:

(a) whether Government have appointed an Enquiry Committee on sugar as promised in the last session during the course of debate on 24th December, 1949;

(b) if not, what are the reasons and when the Committee is likely to be appointed;

(c) whether Tariff Board report on sugar has been received; and

(d) if Government have taken any decision as to whether price or movement of sugar should be under Government control during the current year?

The Minister of Food and Agriculture (Shri Jairamdas Doulatram): (a) to (c). The report of the Tariff Board on sugar has been received and is being examined with a view to implementing the promise made to the House in December last that all aspects of the last year's sugar situation will be inquired into. Government expects to come to an early decision on this matter.

(d) The matter is under consideration.

Friday, 10th February, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

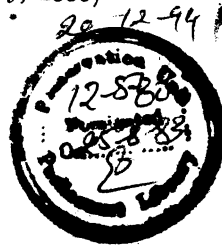
VOLUME I, 1950

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

First Session
of the

PARLIAMENT OF INDIA

1950



CORRIGENDA

to

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

In Volume I,—

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

पृष्ठ १८, आठवीं पंक्ति के आदि में "न्त" के स्थान पर "अन्त" पढ़ें।
3. No. 3, dated the 1st February, 1950,—
 - (i) Page 32, line 13 for "ule" read "rule".
 - (ii) पृष्ठ ७६, पंक्ति १८ में "पच्चास" के स्थान पर "पच्चीस" पढ़ें।
4. No. 4, dated the 2nd February, 1950,—
 - (i) Page 103, line 3 add "it" before "is".
 - (ii) पृष्ठ १०३, नीचे से दूसरी पंक्ति के अन्त में "जी" के स्थान पर "जीता" पढ़ें।
 - (iii) पृष्ठ १०६, के अन्त में 'आज हमको' के आगे "यह देखना होगा कि जो चीजें ह मने अपने विधान में रखी हैं उनको मुल्क के काम में लाया जाय। मैं 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 "इलको" के स्थान पर "इलाकों" 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 "detrimetall" 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 १५ के अन्त में 'यह' को हटा दें और १६ के आदि में "काम" के स्थान पर "महकमा" पढ़ें।
(ix) Page 637, omit "last line".
13. No. 15, dated the 20th February, 1950,—
(i) Page 659, line 12 for "acpital" read "Capital".
(ii) Page 662, line 21 from bottom for "of the" read "in the".
14. No. 17, dated the 22nd February, 1950,—
(i) Page 708, line 15 from bottom for "States" read "State".
(ii) Page 723, line 21 omit "It is" before "Jowan".
15. No. 18, dated the 23rd February, 1950,—
(i) Page 751, line 13 from bottom for "Begal" read "Bengal".
(ii) Page 758, line 24 from bottom for "turbulation on 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".

CONTENTS

Volume I—28th January, 1950 to 23rd February, 1950.

	PAGES
SATURDAY, 28TH JANUARY, 1950—	
Members Sworn	1—6
Deaths of Dr. Hari Singh Gaur and Shri B. L. Mitter	6—7
H. E. the Governor General's Assent to Bills	7
Banking Companies (Amendment) Bill—Extension of time for presentation of Report of Select Committee	7—8
Industrial Disputes (Appellate Tribunal) Bill—Extension of time for presentation of Report of Select Committee	8
Mines Bill—Extension of time for presentation of Report of Select Committee	8
Industries (Development and Control) Bill—Extension of time for presentation of Report of Select Committee	8—9
President's Address to Parliament	9
TUESDAY, 31ST JANUARY, 1950—	
The President's Address to Parliament	11—26
WEDNESDAY, 1ST FEBRUARY, 1950—	
Motion for Adjournment <i>re</i> Ruthless Persecution of Hindus in East Pakistan	27—28
Rules of Procedure and Conduct of Business	28—32
Panel of Chairmen	32
Motion on Address by the President	32—43, 44—84
Member Sworn	44
THURSDAY, 2ND FEBRUARY, 1950—	
Papers laid on the Table—Ordinances promulgated after November-December Session, 1949	85—86
Motion on Address by the President— <i>concl.</i>	86—145
FRIDAY, 3RD FEBRUARY, 1950—	
Papers laid on the Table—Amendments to Reserve Bank of India (Note Re-fund) Rules, 1935	145
Committee on Petitions	145
Motion on Address by the President— <i>concl.</i>	146—159
Insurance (Amendment) Bill—Extension of time for presentation of report of Select Committee	160
Point of Order <i>re</i> Courtesy to the Chair	160
Panel of Chairmen	161
Rehabilitation Finance Administration (Amendment) Bill—Passed as amended	161—185
Insolvency Law (Amendment) Bill—Passed as amended	185—193
Delhi Road Transport Authority Bill—Discussion on motion to refer to Select Committee— <i>not concluded</i>	193—195
MONDAY, 6TH FEBRUARY, 1950—	
Papers laid on the Table—	
Supplementary Statement showing action taken on remaining promises and undertakings given during Budget Session, 1949	197
Committee on Civil Aviation	197—199
Delhi Road Transport Authority Bill—Consideration of clauses— <i>not concluded</i>	199—250

TUESDAY, 7TH FEBRUARY, 1950—	PAGES
Papers laid on the Table—	
Petroleum Concession Rules, 1949	251
Annual Report of the Damodar Valley Corporation, 1948-49	251—252
Damodar Valley Corporation Budget Estimates for 1950-51	252
Delhi Road Transport Authority Bill—Passed as amended	252—283
Army Bill—Referred to Select Committee	284—308
Air Force Bill—Referred to Select Committee	308—309
Patents and Designs (Extension of Time) Bill—Passed as amended	309—312
WEDNESDAY, 8TH FEBRUARY, 1950—	
Congratulations to Parliament from Argentine	313
Postponement of Questions	313
Undesirable Immigrants (Expulsion from Assam) Bill—Consideration of clauses— <i>not concluded</i>	313—350
THURSDAY, 9TH FEBRUARY, 1950—	
Motion for Adjournment—	
Imposition of Curfew and Control of Bareilly by Military	351—352
Resolution re—	
Abolition of Night Air Mail and Passenger Service—Lapsed	352—353
Compensation to Refugees for losses—adopted as amended	353—401
Qualifications for Election to Parliament and Legislatures of States— <i>not concluded</i>	401—404
FRIDAY, 10TH FEBRUARY, 1950—	
Message from the President	405
Industrial Disputes (Appellate Tribunal) Bill—Presentation of Report of Select Committee	405
Mines Bill—Presentation of Report of Select Committee	465
Industries (Development and Control) Bill—Presentation of Report of Select Committee	405
Undesirable Immigrants (Expulsion from Assam) Bill—Consideration of clauses— <i>not concluded</i>	405—448
MONDAY, 13TH FEBRUARY, 1950—	
Undesirable Immigrants (Expulsion from Assam) Bill—Passed as amended	449—463
Emblems and Names (Prevention of Improper Use) Bill—Passed as amended	464—493
Indian Tariff (Third Amendment) Bill—Discussion on motion to consider— <i>not concluded</i>	493—496
TUESDAY, 14TH FEBRUARY, 1950—	
Papers laid on the Table—	
Constitution (Removal of Difficulties) Orders	497
Absence of the Speaker	497—493
Indian Tariff (Third Amendment) Bill—Discussion on motion to consider— <i>not concluded</i>	498—536
THURSDAY, 16TH FEBRUARY, 1950—	
Papers laid on the Table—	
Notifications under Central Excises and Salt Act, 1944	537
Banking Companies (Amendment) Bill—Presentation of Report of Select Committee	537
Army and Air Force (Disposal of Private Property) Bill—Introduced	537
Criminal Law Amendment Bill—Introduced	538
Indian Tariff (Third Amendment) Bill—Passed as amended	538—548
Business of the House	548
Administration of Evacuee Property Bill—Discussion on motion to consider— <i>not concluded</i>	549—572

	PAGE
FRIDAY, 17TH FEBRUARY, 1950—	
Control of Shipping (Amendment) Bill—Introduced	573
Indian Tea Control (Amendment) Bill—Introduced	573
Imports and Exports (Control) Amendment Bill—Introduced	573
Labour Relations Bill—Introduced	574
Administration of Evacuee Property Bill—Discussion on motion to consider— <i>not concluded</i>	574—585, 587—634
Business of the House	585—586
Leave of Absence from the House	586
Accident to K. L. M. Plane at Santa Cruz Air Port	634—640
MONDAY, 20TH FEBRUARY, 1950—	
Indian Railways (Amendment) Bill—Introduced	641
High Courts (Seals) Bill—Introduced	641
Army Bill—Extension of time for presentation of Report of Select Committee	641
Air Force Bill—Extension of time for presentation of Report of Select Committee	642
Control of Shipping (Amendment) Bill—Passed	642—647
Indian Tea Control (Amendment) Bill—Passed	647—673
Administration of Evacuee Property Bill—Discussion on motion to consider— <i>not concluded</i>	673—684
TUESDAY, 21ST FEBRUARY, 1950—	
Death of Shri Sarat Chandra Bose	685—686
Special Criminal Courts (Jurisdiction) Bill—Introduced	686
Indian Tariff (Second Amendment) Bill—Introduced	686
Capital Issues (Continuance of Control) Amendment Bill—Introduced	686
The Railway Budget for 1950-51	686—705
WEDNESDAY, 22ND FEBRUARY, 1950—	
Government Premises (Eviction) Bill—Introduced	707
High Courts (Seals) Bill—Passed	707—708
Indian Railways (Amendment) Bill—Passed	708—714
Imports and Exports (Control) Amendment Bill—Passed	714—748
THURSDAY, 23RD FEBRUARY, 1950—	
Statement re Recent events in East and West Bengal	749—755
Trade Unions Bill—Introduced	755
The Railway Budget—General Discussion— <i>not concluded</i>	755—801

PARLIAMENTARY DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Friday, 10th 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.

MESSAGE FROM THE PRESIDENT

Mr. Speaker: I have to inform the House that I have received the following message from the President:

"I have received with great satisfaction the expression of thanks by the Members of Parliament for the address I delivered to them at the commencement of the present session."

INDUSTRIAL DISPUTES (APPELLATE TRIBUNAL) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Labour (Shri Jagjivan Ram): I beg to present the Report of the Select Committee on the Bill to provide for the establishment of an Appellate Tribunal in relation to industrial disputes and for certain matters incidental thereto.

MINES BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Labour (Shri Jagjivan Ram): I also beg to present the Report of the Select Committee on the Bill to amend and consolidate the law relating to the regulation of labour and safety in mines.

INDUSTRIES (DEVELOPMENT AND CONTROL) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Industry and Supply (Dr. S. P. Mookerjee): I beg to present the Report of the Select Committee on the Bill to provide for the development, regulation and control of certain industries.

UNDESIRABLE IMMIGRANTS (EXPULSION FROM ASSAM)

BILL—*contd.*

Mr. Speaker: Clause 2 was under consideration, and we had disposed of some amendments in the consolidated list. Some amendments were received thereafter and I am calling those amendments, before proceeding further.

Pandit Thakur Das Bhargava (Punjab): I beg to move:

"That for clause 2, the following be substituted :

'2. If the Central Government is satisfied that any person or class or group of persons not being *bona fide* refugees, being ordinary residents of any of the territories now forming Pakistan or any place outside India before his or their coming into the State of Assam is or are staying in the State of Assam, the Central Government may by order—

- (a) direct such person or class or group of persons to remove himself or themselves as the case may be from the State of Assam within such time and by such route as may be specified in the order; and
- (b) give such further directions in regard to his or their removal as the case may be from Assam as it may consider necessary or expedient."

In regard to this amendment, my point is that, first of all, *bona fide* refugees should be excluded. I have sought to define the words '*bona fide* refugees' in an amendment appearing on the Order Paper as No. 4. As a matter of fact, unless these words are there, the apprehension is that *bona fide* refugees may be included as undesirables or as persons who have come into the State of Assam. With a view to see that these persons are protected from the ambit of this Act, it is necessary to use these words.

Further, a complaint was made in this House—and it seems to be perfectly justified—that if notices were to be issued to individual persons, the number of notices that will have to be issued will be very large. If five lakhs is the number of persons who are estimated to have come into the State of Assam, it is clear that the work of issuing individual notices to all of them will be tremendous. Moreover, my own apprehension is that the number is not merely five lakhs. It is usual for the State of Assam to make under-estimates of these persons. In regard to refugees also, their estimate is about one lakh and twenty thousand, whereas other private enquiries show that twice the number have come. So, my own fear is that the number of persons who are to be expelled may be much more than five lakhs. Even supposing it is five lakhs, it will be very difficult for any Government to issue so many notices and then go after every intruder individually. Unless the notices are issued against a certain class or group of persons, it will be difficult in reasonable time to evict these people from Assam to some other place. Therefore, my humble submission is that we should frame our law in such a manner that mass eviction may take place, and it is for that reason that I use the words "class or group of persons". When this is done, I hope notices will be issued to a certain class or group of people and it will be possible for the authorities to see that all members of those classes or groups go away from Assam. The number seems to be so large that even a battalion of the Army will find it difficult to throw these people out in reasonable time. Therefore, I submit that for these two reasons, it is essential that this amendment be accepted and the law made workable.

Mr. Speaker: Amendment moved:

"That for clause 2, the following be substituted :

'2. If the Central Government is satisfied that any person or class or group of persons not being *bona fide* refugees, being ordinary residents of any of the territories now forming Pakistan or any place outside India before his or their coming into the State of Assam is or are staying in the State of Assam, the Central Government may by order—

- (a) direct such person or class or group of persons to remove himself or themselves as the case may be from the State of Assam within such time and by such route as may be specified in the order; and
- (b) give such further directions in regard to his or their removal as the case may be from Assam as it may consider necessary or expedient."

Sardar B. S. Man (Punjab): On a point of information, there are other amendments of similar nature. May I know the procedure we are adopting? Are we to take one amendment first and later on the others?

Mr. Speaker: No. If the other amendments cover the same ground as this one—or are substantially of the same nature—then the fate of this amendment will decide the fate of the others. Hon. Members may speak on this amendment and bring out their points.

Shri Biswanath Das (Orissa): May I make a suggestion? We have given notice of certain amendments. I think the hon. Minister's reply in regard to the amendment just now moved by Pandit Bhargava will determine the course of our action. Therefore, I would suggest that the hon. Minister may give out his reaction as to whether he is willing and prepared to accept this amendment, in which case it will be easier for us to make up our minds.

The Minister of Transport and Railways (Shri Gopalaswami): I have no objection to do so. So far as Pandit Bhargava's amendment is concerned, while I cannot accept it in entirety, I am willing to indicate those parts of it which are acceptable to me. One important part of his amendment relates to the exclusion of *bona fide* refugees from this particular provision. So far as that is concerned, I have already indicated to the House that when a similar amendment of which notice was given three days ago comes to be moved, I would be prepared to accept the substance of it perhaps in somewhat modified language.

The other point that Pandit Thakur Das Bhargava made was that the particular clause should apply not merely to a person, but to a class or group of persons. So far as that is concerned, I am prepared to accept the principle of it; only I would omit the word "or group" retaining the word "or class". But the main objection to accepting my hon. friend's amendment as it stands is that it makes no reference to the Central Government being satisfied that the stay of a person or class of persons would be detrimental to the interests of India. I am not prepared to drop that from the clause as it stands in the Bill. Subject to what I have said, I am prepared to accept the substance of what he has moved, that is to say, with regard to *bona fide* refugees. My own idea is to suggest an amendment in the shape of a proviso to the whole clause which would exclude its application to *bona fide* refugees. It would also obviate the necessity for including any definition of "*bona fide* refugee" in the Bill itself. If the hon. Member is agreeable, he may drop this particular amendment and I shall certainly accept the substance of it in the form which I propose to indicate to the House.

Pandit Thakur Das Bhargava: Sir, may I with your permission, drop a suggestion for the consideration of the whole House and the hon. Member in charge of the Bill. There are many amendments to this clause by me and by other hon. Members. After all these amendments have been moved and discussed, then the final clause may be evolved by the hon. Member in charge and that may be accepted by the House. There are many individual amendments which have a bearing upon the question in issue. That would be a more desirable way of proceeding with this clause.

Shri Gopalaswami: That is what exactly I suggested. The alternative course is for the House to let me move a comprehensive clause in substitution of what is in the Bill. That will obviate a discussion over individual amendments.

Mr. Speaker: I was just considering as to what procedure I should follow. Such of the amendments which the hon. Members are keen on moving may just be moved. We had a very lengthy discussion at the consideration stage of the Bill. Instead of putting all the amendments to the House I would like

[Mr. Speaker]

the hon. Member in charge of the Bill to bring in his revised draft of the clause in the form in which he proposes and then the hon. Members, if they so like, may withdraw the amendments. If they wish that I should put them to the House I shall then put the amendments to the House.

That means every amendment moved will not be put to the House immediately, but the whole thing will be kept pending. Will that be acceptable to the House?

Shri Hossain Imam (Bihar): May I suggest an alternative method for your consideration? We may postpone consideration of clause 2 for the time being and proceed with clauses 3 to 6. During lunch recess hon. Members who have given notice of amendments may sit with the hon. Minister and draft out an agreed clause.

Mr. Speaker: I have no objection to follow that course. That will facilitate the work.

Shri Gopalaswami: I can straightaway read out the clause as it would stand.

Mr. Speaker: I thought hon. Members may perhaps like to convey to the hon. Minister their points of view. If they can have a discussion outside the House so much the better. I am agreeable to either course. Let us first ascertain which of the amendments hon. Members are keen to move. There is a large number of amendments to clause 2 and let me first ascertain which ones are going to be moved. I am calling out the names.

Shri Biswanath Das: I wish to move my amendments.

Pandit Thakur Das Bhargava: As a matter of fact, whatever amendments I have given, I want the hon. Minister to consider them.

Shri Meeran (Madras): I want to move my amendment No. 16.

Shri Biswanath Das: There are two important points on which I have given notice of amendments: the first is the substitution of the words "the Union of India" for the word "Assam" and the second one the substitution of the words "Assam and that his stay in that province is detrimental to the interests of India" by the words "the Indian Union." Both are important ones.

Shri J. B. Kapoor (Uttar Pradesh): My amendment has a much wider implication and I would like to move it.

Shri Raj Bahadur (Rajasthan): I would like to move my amendment No. 4.

Shri Sidhva (Madhya Pradesh): I do not like to move my amendment No. 16.

Mr. Speaker: That means practically all the amendments are to be moved, except one.

Shri Gopalaswami: He has not directly mentioned it but has brought it in indirectly somewhere.

Shri Biswanath Das: It is to clause 5.

Mr. Speaker: We will come to that later on. It seems that everybody is keen that his point of view should be taken into consideration. What procedure shall we follow then?

Shri Gopaldaswami: If amendments are formally moved, I can straightaway say which I am going to accept.

Mr. Speaker: I shall ask hon. Members to move their amendments formally. The hon. Minister will explain his position with regard to each amendment and then hon. Members may have their turn of speaking.

Sardar B. S. Man: Before the Hon. Minister says whether he is going to accept an amendment or not, we should be permitted to give our reasons. Otherwise we will not be able to influence his decision.

Mr. Speaker: The hon. Member has not followed me. Each hon. Member may move his amendment and then the hon. Minister will state his reactions. Afterwards each Member moving amendment may make his statement in support of his point of view, if he thinks it necessary after hearing the Minister. Anyway, they will get a chance to speak, and then ultimately an agreed solution in the form of a new clause will be brought before the House.

Shri J. R. Kapoor: In the meantime, the hon. Minister should keep his mind open.

Shri Gopaldaswami: Certainly. Open, all its doors open.

Mr. Speaker: The working of his mind is not under the control of anybody. I will take the amendments one by one.

Shri Meeran: May I suggest that the hon. Minister replies after hearing what we have to say, because otherwise he will not be able to know what is working in our minds.

Mr. Speaker: Hon. Members may first hear what the hon. Minister has got to say and then decide for themselves whether they would press their amendments or not. After hearing the hon. Minister, if they still urge their point of view, I shall give them an opportunity of explaining their amendments.

Sardar B. S. Man: If the hon. Minister first says, "No", it will be very difficult for us to convince him later on.

Mr. Speaker: I was not saying that the hon. Minister will give his decision on the amendments moved. He will give his reaction. They are not his decisions.

Shri Biswanath Das: I beg to move:

"That in clause 2, for the word 'Assam', the words 'the Union of India' be substituted, and consequential changes be made accordingly."

Mr. Speaker: Amendment moved:

"That in clause 2, for the word 'Assam', the words 'the Union of India' be substituted, and consequential changes be made accordingly."

I am reading from my consolidated list. If any amendment is left, hon. Members may point that out.

Pandit Thakur Das Bhargava: I beg to move:

"That in the heading of clause 2, the word 'undesirable' be omitted."

Mr. Speaker: This is only an amendment to the marginal heading. I have already ruled only two days ago that a marginal heading is not part of a Bill. If the word 'undesirable' is dropped from the main section, the word will have to be dropped from the marginal heading also.

Pandit Thakur Das Bhargava: The hon. Member in charge was agreeable to this.

Mr. Speaker: I was only saying that a marginal note is not part of a Bill. Therefore I cannot allow this amendment to be moved. So that goes.

Shri Kamath (Madhya Pradesh): I do not know whether your ruling is final, but in the Constituent Assembly Dr. Ambedkar, speaking on this subject, said that there has been a conflict of opinion on this matter. Some Assemblies or Parliaments have held that a marginal note is not part of a Bill and others have held otherwise.

Mr. Speaker: I have held this view ever since I was elected Speaker of the Bombay Legislative Assembly in 1937 and I have held that view consistently and I also understand that that has been the view ever since this Assembly began to function, not as Parliament.

Shri Meeran: I beg to move:

"That in clause 2, for the words 'is satisfied', occurring in line 2, the words 'is of opinion' be substituted."

Mr. Speaker: Amendment moved:

"That in clause 2, for the words 'is satisfied', occurring in line 2, the words 'is of opinion' be substituted."

Shri Gopaldaswami: I consider this amendment unnecessary. I do not propose as at present advised to accept it.

Pandit Thakur Das Bhargava: What about my amendment for the insertion of the words "in the opinion of the Central Government". Though the grounds on which both the amendments are based are the same, yet they are not identically the same. I want these words to be inserted so that the court may not be able to say whether a particular order was legal or not.

Mr. Speaker: I will come to that later on. He can move it.

Shri Biswanath Das: I beg to move:

"That in clause 2, for the words 'Assam and that his stay in that province is detrimental to the interests of India', the words 'the Indian Union' be substituted."

Mr. Speaker: Amendment moved:

"That in clause 2, for the words 'Assam and that his stay in that province is detrimental to the interests of India', the words 'the Indian Union' be substituted."

Shri Gopaldaswami: I do not propose to accept it.

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

"That in clause 2, the words, 'and that his stay in that Province is detrimental to the interests of India', be omitted."

Mr. Speaker: Amendment moved:

"That in clause 2, the words, 'and that his stay in that Province is detrimental to the interests of India', be omitted."

The next amendment is formal, instead of "that province" the words "that State" to be substituted. Does the hon. Minister want to move it?

Shri Gopaldaswami: Yes, Sir. I beg to move:

"That in clause 2, for the words 'that province', in line 4, the words 'that State' be substituted."

Mr. Speaker: Amendment moved:

"That in clause 2, for the words 'that province', in line 4, the words 'that State' be substituted."

Pandit Thakur Das Bhargava: I beg to move:

"That in clause 2, after the word 'is' in line 4, the words 'in the opinion of the Central Government' be inserted."

Mr. Speaker: Amendment moved:

"That in clause 2, after the word 'is' in line 4, the words 'in the opinion of the Central Government' be inserted."

Pandit Thakur Das Bhargava: I beg to move:

"That in clause 2, after the words 'the interests of India', occurring in line 5, the following be inserted:

'or the general public.'

Mr. Speaker: Amendment moved:

"That in clause 2, after the words 'the interests of India', occurring in line 5, the following be inserted:

'or the general public.'

Pandit Thakur Das Bhargava: I beg to move:

"That in clause 2, after the words 'the interest of India', occurring in line 5, the following be inserted:

'and the interests of the Scheduled Tribes of Assam.'

Mr. Speaker: Amendment moved:

"That in clause 2, after the words 'the interest of India', occurring in line 5, the following be inserted:

'and the interests of the Scheduled Tribes of Assam.'

Shri Gopaldaswami: I beg to move:

"That in part (a) of clause 2, for the words 'the Province of Assam' the word 'Assam' be substituted."

Mr. Speaker: Amendment moved:

"That in part (a) of clause 2, for the words 'the Province of Assam' the word 'Assam' be substituted."

Shri J. R. Kapoor: I beg to move:

(i) "That in part (a) of clause 2, for the words 'the Province of Assam' the words 'India or Assam' be substituted."

(ii) "That in part (b) of clause 2, for the word 'Assam' the words 'India or Assam' be substituted."

Mr. Speaker: Amendments moved:

(i) "That in part (a) of clause 2, for the words 'the Province of Assam' the words 'India or Assam' be substituted."

(ii) "That in part (b) of clause 2, for the word 'Assam' the words 'India or Assam' be substituted."

Shri Raj Bahadur: I beg to move:

(i) "That in part (a) of clause 2, for the words 'Province of Assam' the words 'territory of India' be substituted."

(ii) "That in part (b) of clause 2, for the word 'Assam' the word 'India' be substituted."

Mr. Speaker: Amendments moved:

(i) "That in part (a) of clause 2, for the words 'Province of Assam' the words 'territory of India' be substituted."

(ii) "That in part (b) of clause 2, for the word 'Assam' the word 'India' be substituted."

Shri Raj Bahadur: I beg to move:

"That after part (b) of clause 2, the following new part be added :

'(c) direct the forfeiture of such property or assets in the possession of such person as it may deem fit.'"

Mr. Speaker: Amendment moved:

"That after part (b) of clause 2, the following new part be added :

'(c) direct the forfeiture of such property or assets in the possession of such person as it may deem fit.'"

Shrimati Sucheta Kripalani (Uttar Pradesh): I beg to move:

"That to clause 2, the following Proviso be added :

'Provided that it shall not apply to a displaced person who has, before or after the commencement of this Act, come into Assam on account of civil disturbances or the fear of such disturbances.'"

In this connection I may, however, add that I had a talk with the hon. Minister and he had offered a different phrasing for this amendment, which is acceptable to me.

Mr. Speaker: Amendment moved:

"That to clause 2, the following Proviso be added :

'Provided that it shall not apply to a displaced person who has, before or after the commencement of this Act, come into Assam on account of civil disturbances or the fear of such disturbances.'"

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

"That to clause 2, the following Proviso be added :

'Provided that nothing in this section will apply to any *bona fide* refugee or displaced person.'"

Mr. Speaker: Amendment moved:

"That to clause 2, the following Proviso be added :

'Provided that nothing in this section will apply to any *bona fide* refugee or displaced person.'"

Pandit Thakur Das Bhargava: I beg to move:

"That in clause 2, the following new sub-clause be added as sub-clause (2) and the existing provision be renumbered as sub-clause (1) :

'(2) No court shall be competent to question the validity, legality and the grounds of the order, or direction made under this section.'"

Mr. Speaker: Amendment moved:

"That in clause 2, the following new sub-clause be added as sub-clause (2) and the existing provision be renumbered as sub-clause (1) :

'(2) No court shall be competent to question the validity, legality and the grounds of the order, or direction made under this section.'"

So the result will be that we have 17 amendments now moved and placed before the House including two formal amendments of the hon. Minister. As I said, the hon. Minister will give his general reactions to these and then hon. Members will be called upon to state, whatever they may wish to say, in connection with the amendments, and finally, the hon. Minister will reply and I take it that they will require some time for having a new formula for the new clause.

Shri Biswanath Das: May I inform you, Sir, that clause 5 has not been moved.

Mr. Speaker: That comes later on. We are considering clause 2 at present.

Shri Gopaldaswami: In making my remarks I shall not be able to keep to the order in which you took these amendments, but I will take them according to the typed lists and indicate my reactions to the amendments which hon. Members have indicated therein. I think this will help in the consideration of these amendments by the House. The first of these amendments which are proposed is I find item 10 in the first list, by my hon. friend Mr. Biswanath Das. His amendment is that in clause 2, for the words "Assam and that his stay in that Province is detrimental to the interests of India," the words "the Indian Union" be substituted. My reaction to that is that I cannot agree to the omission of the words "that his stay in the Province is detrimental to the interests of India" nor can I agree to the widening of the scope of the Bill, which the substitution of the words "the Indian Union" at the place indicated by the hon. Member would involve.

The next amendment standing in the name of the same hon. Member is that in clause 2 for the word "Assam" the words "the Union of India" be substituted. That also is a widening of the scope of the Bill which is confined to Assam. It would include, if the amendment is accepted, immigrants into any part of India and I am therefore not in a position to accept it.

The next one which is the same thing as the first amendment of the hon. Member from Orissa. I am afraid I cannot accept the amendment.

The next one is my own and I do not think I need give my reaction.

Next one is by Mrs. Sucheta Kripalani. I have already indicated that I shall accept the substance of it. I shall indicate the form in which I shall accept it. I think it might save the time if I indicate straightaway the form in which I shall be prepared to accept this. The proviso to clause 2 will run in the following terms:

"Provided that the provisions of this Section shall not apply to any person who after 14th August, 1947, on account of civil disturbance or the fear of such disturbances in Pakistan, has been displaced from or has abandoned his home in Pakistan and taken refuge in Assam."

That will obviate the necessity for a separate definition about *bona fide* refugees.

Shri J. E. Kapoor: That means for a few weeks he comes over to Bengal and...

Shri Gopaldaswami: We are trying to expel people from Assam and it is only refugees in Assam that can be included in the scope of the Bill. Then Sardar Man's amendment which reads "Provided that nothing in this section will apply to any *bona fide* refugee or displaced person." I am not prepared to accept that in the form in which it is proposed to be moved. I can accept it only in the form which I have read out to the House.

Then in the next list the substitute resolution has already been discussed on both sides and that will be a matter, I take it of agreement between hon. Members and myself after these amendments have been disposed of.

Then regarding No. 8 of Pandit Bhargava, I have already indicated my reaction to a similar amendment. This opinion apparently relates to the interest of India. My present position is that satisfaction really is not different from an opinion which the Central Government forms in such a connection. It is better to use in these enactments expressions used in several other enactments. So, I do not propose to accept the amendment.

Regarding amendment No. 10, I do not see the need for adding the words 'for general public'. My present reaction is not to accept it.

[Shri Gopaldaswami]

Regarding No. 11, the insertion of the words 'and interest of the scheduled tribes of Assam', the interest of India must be considered to include interest of the scheduled tribes of Assam and I therefore see no need to insert these words in addition to what we have in the clause.

[SHRI HOUSSAIN IMAM *in the Chair*]

Regarding item 12, I propose to accept an amendment which would mention 'India' in sub-clause (a) of clause 2. That, I take it, will satisfy the mover of this amendment also.

Regarding No. 14 by Shri Raj Bahadur, I consider that for the purposes of this piece of legislation, it is unnecessary for us to change this and I do not therefore propose to accept it.

Then No. 15 of Pandit Thakur Das Bhargava:

"That in clause 2, the following new sub-clause be added as sub-clause (2) and the existing provision be renumbered as sub-clause (1):

'(2) No court shall be competent to question the validity, legality and the grounds of the order, or direction made under this section.'

As a matter of fact when the Bill was being drafted, the exclusion of the jurisdiction of the courts from having anything to do with action taken under this bill was pressed upon us. We thought that the wiser course is not in terms to exclude the jurisdiction of the Court. We felt some doubts whether in view of the provisions of the new Constitution we could, with reason, take such a power into our own hands. That is why we worded clause 2 so as by its own language to exclude the courts having any jurisdiction to call in question any order that may be issued. That is why we said "If the Central Government is satisfied, it may issue an order." As I have already indicated, the advice we have is that it is sufficient to exclude courts from considering the right or wrong of either the satisfaction of the Government or of any other based upon such satisfaction.

In the third list my friend Mr. Kapoor proposes "That in part (a) of clause 2, for the words 'the Province of Assam' the words 'India or Assam' be substituted." I propose to accept it. Item 2 is consequential and I propose to accept that also. That is all, Sir.

Shri Biswanath Das: May I suggest that instead of leaving the whole thing to discussion, why not adjourn for 15 or 25 minutes so that we may meet and discuss the whole question with the hon. Minister in charge and come to an agreed conclusion and place before the House an agreed formula?

Mr. Chairman: If hon. Members are not anxious to express their views before they have had an opportunity of discussing their amendments with the hon. Minister and coming to a decision, I have no objection to adjourn the House.

Sardar B. S. Man: We would certainly like to press our views, in view of fact that there is vast divergence of opinion between the hon. Minister and ourselves. It is a matter of principle that we would like to press our views irrespective of the fact whether the hon. Minister accepts them or not.

Pandit Balkrishna Sharma (Uttar Pradesh): Sir, my submission in this matter is that instead of pressing or ventilating our views before the House as such, you may be pleased to give an opportunity to such of us as have moved amendments to meet the hon. Minister across the table and there as far as possible try to convince him. Otherwise after lunch the same questions will arise. If you adjourn the House now it will give us an opportunity of meeting

the hon. Minister. We will try to convince him of our view points and if possible, after Lunch come before the House with an agreed form of Clause 2.

Mr. Chairman: If the hon. Minister is agreeable I have no objection to adjourn the House.

Shri Gopaldaswami: I have no objection, Sir.

Shri Sidhva: In that case this particular clause may be adjourned and the House can continue with the rest of the business.

Mr. Chairman: Hon. Members are anxious to have time to discuss with the hon. Minister. It will save the time of the House if we adjourn now.

Pandit Thakur Das Bhargava: Sir, I would suggest a middle course. Many of us will be quite happy to meet the hon. Minister in charge and express their view points. But as suggested by Sardar Bhopinder Singh Man if there are certain points on which there may be disagreement, they may be taken up against by the House.

Shri Raj Bahadur: That goes without saying.

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]

Mr. Speaker: The House was considering clause 2 of the Undesirable Immigrants (Expulsion from Assam) Bill when it adjourned. May I know what is the position about the amendments?

Shri Gopaldaswami: Sir, I had a discussion with practically all Members who have given notice of amendments to clause 2 and we have arrived at an agreed draft. We also discussed other amendments of which notice has been given, and for satisfying the hon. Members who have given notice of such amendments, we have incorporated in clause 2 what in those amendments Government are prepared to accept. If you will permit me, Sir, I can read out the draft as agreed to amongst us.

Mr. Speaker: Is it therefore now agreed that all the amendments that have been moved to this clause will now be withdrawn?

Several Hon. Members: Yes.

Sardar B. S. Man: May I submit that this "agreed draft" relates only to those amendments which are acceptable to the hon. Minister and that there are still certain amendments which he is downright not prepared to accept at all? The divergence of opinion between him and the movers of the amendments is great. For example there is one of the amendments standing in my name which seeks to delete from the clause the words "and that his stay in that Province is detrimental to the interests of India". I claim that these words ought to be deleted.

Mr. Speaker: I do not want to say that these amendments should be withdrawn. My point of enquiry was, which of the amendments are going to be dropped out in view of this agreed amendment? I thought that all the Members had gathered together and that perhaps, they were all agreed about the draft. Of course, any agreed draft could not satisfy each and everyone. But this appears to be the maximum possible agreement, as I understand. Whatever it may be, I would like to know, after this has been moved, which amendments are going to be withdrawn and which have to be put to vote. If that is clarified I shall immediately put the propositions for withdrawal and then put the other amendments to vote.

Shri R. K. Chaudhuri (Assam): Before we agree to the withdrawal of any of the amendments I would like to have some clarification with regard to the proposed amendment? Can I seek that clarification now?

Mr. Speaker: Was he not present during the course of the discussion? If he was, I do not think we should take the time of the House.

Shri R. K. Chaudhuri: Sir, I do not want to take much of the time of the House. I wanted to know whether, in addition to the direction to the person "to remove himself", if the person does not remove himself, the officer executing the orders can remove the man in the manner contemplated in the clause. I want to know whether at the same time these two orders can be passed.

Shri Gopaldaswami: That is provided for in clause 4 which deals with giving effect to the orders.

Mr. Speaker: I do not think any further speeches are now necessary. Let the hon. Minister move the amendment.

Shri Gopaldaswami: I beg to move:

"That for clause 2, the following be substituted :

"2. *Power to order expulsion of certain immigrants.*—If the Central Government is of opinion that any person or class of persons, having been ordinarily resident in any place outside India, has or have, whether before or after the commencement of this Act, come into Assam and that the stay of such person or class of persons in Assam is detrimental to the interests of the general public of India or of any section thereof or of any Scheduled Tribe in Assam, the Central Government may by order—

- (a) direct such person or class of persons to remove himself or themselves from India or Assam within such time and by such route as may be specified in the order; and
- (b) give such further directions in regard to his or their removal from India or Assam as it may consider necessary or expedient :

Provided that nothing in this section shall apply to any person who on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been displaced from or has left his place of residence in such area and who has been subsequently residing in Assam."

Mr. Speaker: Before I put this to vote I would like to know which of the amendments are going to be withdrawn.

Shri Rasool Khan (Bombay): On a point of information, Sir, the amendment talks of "India or Assam". Will it not mean that Assam is outside India?

Mr. Speaker: No, it does not mean that.

Pandit Thakur Das Bhargava: I beg leave to withdraw all my amendments.

The amendments were, by leave, withdrawn.

Shri Biswanath Das: I beg leave to withdraw both my amendments.

The amendments were, by leave, withdrawn.

Shri Meeran: I beg leave to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Speaker: In view of the amendment which the hon. Minister has now moved I take it that his earlier amendment does not stand now.

Shri Gopalaswami: Yes, Sir. I beg leave to withdraw them.

The amendments were, by leave, withdrawn.

Shri J. R. Kapoor: I beg leave to withdraw my two amendments.

The amendments were, by leave, withdrawn.

Shrimati Sucheta Kripalani: I beg leave to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Speaker: I find that the hon. Member, Mr. Raj Bahadur, is not in the House. I think I must put his amendments to vote.

Sardar B. S. Man: Sir, I beg leave to withdraw my second amendment which seeks to add the following Proviso to clause 2, namely, "Provided that nothing in this section will apply to any *bonafide* refugee or displaced person".

The amendment was, by leave, withdrawn.

Mr. Speaker: So, I believe, I have to put to the House four amendments in all.

Sardar B. S. Man: Sir, may I speak a few words on my first amendment? The purpose of my amendment by which I seek to delete from this clause the words "and that his stay in that Province is detrimental to the interests of India," is this. When the purpose of this Bill is to eject certain undesirable trespassers, and when we do agree to the fact that the situation is so serious that immediate action is needed, I consider that this sort of provision by which an exception will be made in favour of those undesirable trespassers and immigrants whose stay in the Province is not expressly "detrimental to the interests of India", will completely defeat the object we have in view. By so doing we will be frustrating the very purpose of the Bill. During the debate, Members from Assam, two of whom are *ex-Ministers*, have themselves expressly stated their opinion that by this Bill they will not be able to cope with such a stupendous job and that out of five lakhs of trespassers who are there hardly 5 per cent. will be ejected. When we say that only those people are to be ejected whose stay is detrimental, it means even if a person is there who is quite useless, even he will be permitted to stay. A person who is tilling the soil, probably bringing the fallow land under the plough, will by no stretch of imagination be considered a "detrimental person". Therefore, we are taking a great responsibility upon ourselves by first having to prove that his stay is

[Sardar B. S. Man]

detrimental. If his stay is not detrimental, or if it is short of being detrimental, he will be permitted to stay. Thus we are throwing upon ourselves a great onus of proof. I consider that these people, from the very inception of their immigration, are undesirable persons, and therefore, in no way should we try to dilute the stringency of the clause by having the words "whose stay there is injurious". I want these words to be deleted and want that undesirable immigrants who have come over should straightaway be ejected.

As regards discretion, we have already got that power. The words are, "the Central Government may by order". The latitude is there. If we want to keep people whose presence is very useful to India, we can make an exception. Therefore, Sir, I consider that in this clause there is enough scope for the Central Government to make an exception in favour of those whom they may like to retain. In other cases, as a rule, these undesirable immigrants should be ejected. Therefore, I request that this line of the clause should be deleted as suggested in my amendment.

Shri Gopaldaswami: Sir, I do not know if any words from me are necessary straightaway to reject this amendment. It would mean that any person from any country outside India who merely comes into Assam may be even for a temporary purpose or for a holiday visit, would be liable, at the discretion of the Government or such persons as they delegate their authority to, to be ejected from Assam. That will produce a state of relations between us and other countries which, as a civilised State, we cannot contemplate with anything like equanimity. Now, I wish to say that that is not the object of this legislation at all. There will be intercourse between even East Bengal and Assam, and it is only people who, as a result of that intercourse, come into Assam and disturb the economy of Assam that we should take power to eject from Assam—not every person. We may say that we have got the discretion to do it or not, but we shall not take even discretion for the purpose of facing the possibility of the power being used against persons against whom it should not be used in the ordinary course. I very strongly oppose this amendment.

Shri J. E. Kapoor *rose*—

Mr. Speaker: I do not think any further discussion is necessary now. We have already taken sufficient time.

Shri J. E. Kapoor: Sir, I wanted to move a little amendment to Shri Gopaldaswami's amendment.

Mr. Speaker: His amendment is not before the House. He has moved it and I will place it before the House.

Shri Chaliha (Assam): I support the wording as it is in the Bill for the obvious reason that it will definitely create a havoc if we allow the amendment of Sardar Man to be passed by this House. There are many people who with honest intentions might have settled in Assam and who for some reason or other might have incurred the displeasure of somebody. In such a case, probably recourse to this Section will be taken and the person may be told that in the opinion of the Government he is not wanted there. It will really be a great hardship to such a class of people.

Pandit Thakur Das Bhargava: The word 'may' is there. It is all discretionary even then.

Shri Chaliha: But the law might be applied to a class of persons as well whom you want to protect. If it is an infiltration of tribal people and a Sikh

gentleman is residing there, he might consider that in his opinion they should be ejected. In such a case the Government of India will be justified in having this provision. It will have to be proved that a person is detrimental not in his opinion but really detrimental. In order to protect the people whom he is really meant to protect, this discretion should be there. Otherwise, the Government of India will have no hand in the matter. Therefore, I think that the Government of India and hon. Shri Gopalaswami have very rightly put in this wording.

Shri E. K. Chaudhuri: Sir, I want to support Sardar Man.

Mr. Speaker: No further support is necessary.

Shri E. K. Chaudhuri: But I think it will be very difficult to work the provision.

Mr. Speaker: The question is:

"That in clause 2, the words 'and that his stay in that Province is detrimental to the interests of India' be omitted."

The motion was negatived.

Mr. Speaker: Shri Raj Bahadur is not present. I will put his amendment to the House. The question is:

"That in part (a) of clause 2, for the words 'Province of Assam' the words 'territory of India' be substituted."

The motion was negatived.

Mr. Speaker: The question is:

"That in part (b) of clause 2, for the word 'Assam' the word 'India' be substituted."

The motion was negatived.

Mr. Speaker: The question is:

"That after part (b) of clause 2, the following new part be added:

"(c) direct the forfeiture of such property or assets in the possession of such person as it may deem fit."

The motion was negatived.

Mr. Speaker: Amendment moved:

"That for clause 2 of the Bill, the following be substituted:

"2. Power to order expulsion of certain immigrants.—If the Central Government is of opinion that any person or class of persons, having been ordinarily resident in any place outside India, has or have, whether before or after the commencement of this Act, come into Assam and that the stay of such person or class of persons in Assam is detrimental to the interests of the general public of India or of any section thereof or of any Scheduled Tribe in Assam, the Central Government may by order—

(a) direct such person or class of persons to remove himself or themselves from India or Assam within such time and by such route as may be specified in the order; and

[Mr. Speaker]

(b) give such further directions in regard to his or their removal from India or Assam as it may consider necessary or expedient :

Provided that nothing in this section shall apply to any person who on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been displaced from or has left his place of residence in such area and who has been subsequently residing in Assam."

Shri J. R. Kapoor: There is one slight amendment which I propose to move, which is in keeping with the intention of the new amendment and in fact is in fulfilment of its very object. I propose that in place of the words "having been ordinarily resident" we should have the words "has or have been ordinarily resident." As I understand the object of Shri Gopaldaswami Ayyangar's amendment, he wants to take out of the jurisdiction of the court the question as to whether the order of the Central Government is a proper one or not. If we have the words "having been ordinarily resident", then this will be a question of fact, which the court can go into to decide whether it is a fact or not. What I want is, if the Central Government is of the opinion that a person or a group of persons has been ordinarily resident in any part outside India, then the opinion of the Central Government to that effect should be the final determining factor, and it should not be open to any court to question the propriety of that opinion. Otherwise, the very object with which this new amendment is being moved will be frustrated—at least to a very great extent. Hence, I submit that my amendment is necessary, and it may well be accepted.

Shri Gopaldaswami: This particular point was discussed at the Conference I had with hon. Members, and I had myself raised this question when the matter was under discussion before the original draft of the Bill was framed. I myself felt some doubt as to whether in the clause as it stood the question as to the factum of a person having resided in Pakistan could be litigated in a court of law, and I have been advised that that is not so. The power is the power of direction and whatever is antecedent to that power goes along with it. The Government of India could exercise that power only if it comes to the conclusion that the person had been resident in Pakistan. We have now changed the words, therefore, into "if the Central Government is of opinion". That opinion covers both the factum of residence and the other part of the clause. It would not be open to a court of law to go into the factum of the man's residence in Pakistan so long as the order has been issued by the Central Government. I have been cited cases in courts of law on the interpretation of similar language in other enactments, and this is the view that has been held by the courts. I do not think, therefore, that it is necessary to make the change proposed by my hon. friend.

I might also mention here that the particular form in which he wants to put it will not achieve his object. What he says is that instead of using the words "having been" we should use the words "has or have been". It should really be "had been" or something like it. But for the reasons I have already stated, his amendment is unnecessary.

Pandit Thakur Das Bhargava: May I say a word? As a matter of fact, the object of my hon. friend Mr. Kapoor and that defined by the hon. Minister are both the same. They both want the same thing. The only question is about the words. Now, a reference has been made to certain rulings, which we have not got before us. It is absolutely clear that "had been" would leave no doubt. Therefore, why make a thing doubtful? Why leave it to the interpretation of the courts? If the object is the same, namely, that the court should not be able to pry into the opinion of the Government, then it is better to have the words "had been" rather than "having been". As it is, it is quite ambiguous.

Shri Alladi K. Ayyar (Madras): The form in which the amendment of the hon. Minister has been put is all right. I think that there is no difficulty whatever, because originally the word used was "satisfied". Some of the courts have taken the view that it may be within the jurisdiction of a court to find out whether there is any material for the satisfaction arrived at by the Government. To get over that difficulty, the expression 'is of opinion' has been substituted. Therefore, the opinion cannot be canvassed by a court of law. The very fact that the Government has moved in that direction shows that the Government is of that opinion, and a court will not be in a position to come to the conclusion that the Government has not formed the opinion which it has given expression to by means of the order it has made. Then, the only question is whether the word 'opinion' qualifies the whole of the latter clause. I think the word 'opinion' covers and governs the whole of the latter part of the clause 2. Therefore, the Government remains the sole judge of the question whether a person was resident ordinarily outside India, whether he has come here temporarily and whether it is in the interests of the general public that an order for his expulsion should be made or not. Under these circumstances, I submit that the clause as moved by the hon. Minister serves the very purpose which the latter amendments seek to achieve.

Shri J. R. Kapoor: I only want to ascertain from my hon. friend Mr. Alladi Krishnaswami Ayyar as to whether he is definite about the point that the opinion of the Central Government even with regard to the question as to whether a person had been ordinarily residing outside India will be the final determining factor and under the present wording of the clause it will not be open to any court to give a decision on that question of fact.

Mr. Speaker: That is what he has expressed now very clearly. He is very clear that the same object will be served by having this wording. He is very clear on that point. Does the hon. Member want me to place his amendment before the House?

Shri J. R. Kapoor: No, Sir.

Shri Hossain Imam: May I know whether the words "Central Government" are now to be used in the Legislature or whether they should be substituted by the words "Union Government"?

Shri T. T. Krishnamachari (Madras): We are still following the wording in the General Clauses Act, and no change has been made. I do not think there is anything wrong.

Mr. Speaker: I think the matter has been sufficiently discussed and I am not inclined to allow any further discussion. The House adjourned
 3 P.M. half-an-hour earlier in order to have this clause discussed at a private conference and if hon. Members are to repeat the same points over and over again, the purpose of our having adjourned earlier would be lost.

Shri R. K. Chandhuri: We had no opportunity of discussing the particular point which I now want to bring to the hon. Minister's notice. Perhaps, it is not known to many hon. Members of this House as to how these immigrants trouble Government. Clause 4, of course, enables speedy removal of these immigrants, but a lot of mischief may be caused in the meanwhile. When the Government think that, in their opinion, such persons should remove themselves, they should at the same time be able to give immediate direction, so that the removal may be effected at once.

Shri Gopaldaswami: May I draw the attention of the hon. Member to sub-clause (b) of clause 2 which reads "give such further directions in regard to his or their removal from India or Assam as it may consider necessary or expedient."

Mr. Speaker: So, I am putting the amendment to the House. The question is:

"That for clause 2 of the Bill, the following be substituted:

'2. *Power to order expulsion of certain immigrants.*—If the Central Government is of opinion that any person or class of persons, having been ordinarily resident in any place outside India, has or have, whether before or after the commencement of this Act, come into Assam and that the stay of such person or class of persons in Assam is detrimental to the interests of the general public of India or of any section thereof or of any Scheduled Tribe in Assam, the Central Government may by order—

(a) direct such person or class of persons to remove himself or themselves from India or Assam within such time and by such route as may be specified in the order; and

(b) give such further directions in regard to his or their removal from India or Assam as it may consider necessary or expedient:

Provided that nothing in this section shall apply to any person who on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been displaced from or has left his place of residence in such area and who has been subsequently residing in Assam."

The motion was adopted.

Mr. Speaker: The question is:

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

The motion was adopted.

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

Shri Buragohain (Assam): I am not moving any of my three amendments, as they have now become inconsistent.

Shri Rasool Khan: I want to place my view in regard to my amendment which reads:

"That for part (b) of clause 3, the following be substituted:

'(b) Provincial Governments or any officer subordinate to those Governments.'

The object of my amendment is to guard against the eventuality of these undesirable persons migrating or trespassing into other parts of the country. In that case the other provinces must also be empowered to take the same action for which the Government of India and the Government of Assam are assuming certain powers.

Shri Gopaldaswami: The answer to that argument is that the scope of the Bill is restricted to expulsion from Assam and it is certainly unnecessary that the other State Governments should be the delegates of the Central Government in regard to this particular measure.

Shri Rasool Khan: In that case I do not wish to pursue my amendment.

Shri Gopaldaswami: I beg to move:

"That in part (b) of clause 3, the word 'Provincial' be omitted."

Mr. Speaker The question is:

"That in part (b) of clause 3, the word 'Provincial' be omitted."

The motion was adopted.

Shri J. E. Kapoor: I beg to move:

"That in part (b) of clause 3, the following be added, at the end:

'authorised by it in this behalf.'"

After the incorporation of my amendment, part (b) will read as follows:

"(b) the Provincial Government of Assam or any officer subordinate to that Government authorised by it in this behalf."

Sub-clause (b) of clause 3 as it stands at present means that the Central Government by a notification may direct any subordinate officer of the Assam Government over the head of the Assam Government without making any reference to them on the subject and authorise that subordinate officer to carry out the provisions of this Act, even though the Assam Government itself has no such authority on the subject. It appears to me, Sir, to be something which is contrary to the principle of discipline. A subordinate officer of the Assam Government should not be asked by the Central Government directly to do a thing unless and until the Assam Government also has been delegated the same authority by the Central Government. I am sure, that this implication of the sub-clause has escaped the attention of the hon. Shri Gopalaswami Ayyangar. I know that he would be the last person to enact any legislation which would undermine discipline among officers in any State. If I may not be guilty of repetition, I would once again say that it would look very odd for the Central Government to deal directly with an officer of a State over the head of the State Government and without any consultation with that Government. I am sure my argument will appeal to the hon. Shri Gopalaswami Ayyangar.

Shri Gopalaswami: I am so sorry that that argument does not appeal to me. The point for our consideration is how these officers subordinate to the State Government should be selected for the purpose of delegating the Central Government's powers. Now, the hon. Member gave me the credit of not being a party to an officer of the State Government being empowered without the knowledge of the State Government itself. I would not myself propose any such absurd thing. He might perhaps extend that credit to the Government of India as a whole and not to me as a mere person. It is impossible that the Government of India would try to clothe a State officer with authority without the knowledge of the State Government.

Shri J. E. Kapoor: And without the same authority being vested in the State Government.

Shri Gopalaswami: Now, in the ordinary course we will either delegate the power to the State Government itself, or to officers recommended by that Government. The recommendation of that Government, or consultation with it before such delegation, is implicit if you trust the Government of India. If you think that the Government of India will always act wrong-headedly you can assume that it is possible under the law to pick out an officer of the State Government and ask him to exercise our power, whatever that Government might say. Well, for one thing, I do not think any reasonably minded officer of a State Government will take orders from the Government of India without reference to his own Government.

[Shri Gopaldaswami]

If he did so, it will be a much greater breach of discipline than if he acted under the authority of the Central Government itself. I am afraid the hon. Member has conjured up some extraordinary act on the part of the Government of India for the purpose of asking for an amendment which is wholly and absolutely unnecessary.

Mr. Speaker: May I put it to the House?

Shri J. R. Kapoor: No, Sir, I may well keep it absolutely to myself.

Mr. Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4 was added to the Bill.

Shri Gopaldaswami: With regard to clause 5, we discussed it before lunch and we agreed that there should be a redraft. I would read out the redraft to the House and would move it as an amendment. I beg to move:

"That for clause 5, the following be substituted :

5. *Penalties.*—Any person who,—

(a) contravenes or attempts to contravene or abets contravention of any order made under section 2; or

(b) fails to comply with any direction given by any such order; or

(c) harbours any person who has contravened any order made under section 2 or has failed to comply with any direction given by any such order,

shall be punishable with imprisonment which may extend to three years and shall also be liable to fine."

Mr. Speaker: What about the amendments? Are any of them going to be moved? tobe

Shri Kamath: I am moving my amendment.

Pandit Thakur Das Bhargava: I want to move an amendment to the amendment which has just been moved.

Mr. Speaker: The amendment on the Order Paper is not going to be moved?

Pandit Thakur Das Bhargava: Not necessary, Sir. I beg to move:

"That in clause 5, the following be added at the end :

'and forfeiture of his property.'"

What I want to do is that the harbourer must be liable to forfeiture of his property also.

Shri Gopaldaswami: May I point out that this point was raised by Pandit Thakur Das Bhargava in our discussions and it was decided there that this might be dropped. I do not know whether he had any mental reservations then about moving it here.

Pandit Thakur Das Bhargava: I had no mental reservations at all. I submitted this point for the consideration of the Hon. Minister in charge of the Bill, but he did not accept it. That is the position. Now I want to appeal to the House to get it accepted.

Mr. Speaker: He may move his amendment, but how will he word it?

Pandit Thakur Das Bhargava: I have not got the amendment with me. Therefore I would leave it to you.

Mr. Speaker: I am trying to adjust it. The amendment would be—

“Add at the end:

‘Provided that the person who is found guilty under clause (c) shall also be liable to forfeiture of his property.’”

‘His whole property’ or ‘his property’

Pandit Thakur Das Bhargava: When we say ‘his property’, either whole or part is included in it.

Mr. Speaker: Amendment moved:

“That at the end of Shri Gopalaswami’s amendment to clause 5, the following be added:

‘Provided that the person who is found guilty under clause (c) shall also be liable to forfeiture of his property.’”

Shri B. Das (Orissa): “may” will be better.

Shri Kamath: I beg to move:

“That in clause 5, after the word ‘imprisonment’ the words ‘of either description’ be inserted.”

Mr. Speaker: Amendment moved:

“That in clause 5, after the word ‘imprisonment’ the words ‘of either description’ be inserted.”

Pandit Thakur Das Bhargava: I understand that the manner in which this offence is committed is just like this. There are a number of people in Assam who have got possession, illegal possession or perhaps legal possession, of land in Assam. They call their brethren or friends or those whom they want to see settled in Assam, to Assam and harbour them...

Pandit Balkrishna Sharma: From across the border.

Pandit Thakur Das Bhargava: From Mymensingh district and other districts of East Bengal, and then they are passed on as old inhabitants of Assam. Land is trespassed upon and whenever any question arises, it is very difficult to find out whether these men came five years before or two years before or just one month before, because after all the oral evidence can be furnished by his compatriots or caste fellows or relations to the effect that he has been in possession of this land for the last ten years or five years or whatever the period he alleges it to be. Now, unless and until the harbourers are sought to be proceeded against, I do not think this Bill has got any chance of being successful. If five lakhs of people take it into their heads to defy the law, they will first of all be sent to jail and then the other problem for us is to feed them. Then Government have to give by way of grants alone a large sum of money if they are to be in the jail. Then you shall have to build other jails and it will be a very difficult question. Therefore, this Act can only be effective if we can succeed in seeing that these undesirable people are pushed off. Nothing will be more telling or more effective than the prospect of this kind of punishment, that is, if the harbourer goes on with his nefarious trade then his property is forfeited and that his land is liable to forfeiture. This will have a very good effect and will induce him to see that those persons are turned away. I do not want to cast any slur on any person, but I know that even among Congressmen who very gladly went to jails, when the question came of the realization of a fine or forfeiture of property, everyone found that it was too hard. This provision will be a very good check and will be very effective if

[Pandit Thakur Das Bhargava]

there is a prospect that the property may be seized. If this provision is not made in this Bill, the Bill as it stands, can be productive of more mischief than good to us. If those people started non-co-operation and started going to jails, it will be a very difficult position. I, therefore, beg of the hon. Minister in charge of the Bill to kindly consider it from this standpoint and come to a decision. My amendment will be the only effective thing. I commend it to the House for acceptance.

Shri Kamath: Sir, my amendment, slight as it is, is modelled on the lines of the Indian Penal Code which so far as drafting is concerned is universally regarded as almost the last word. The House may not be quite able to appreciate the necessity for this amendment but if a case under this Act goes before a Court of Law, it will be naturally faced with the question whether imprisonment should be simple or rigorous. In the Indian Penal Code wherever simple imprisonment is intended, the section makes it clear that imprisonment shall be simple and the word 'simple' is used, and where either simple or rigorous imprisonment can be awarded for the commission of a particular offence, then the language used is "imprisonment of either description". Therefore, I think that in this Bill also we must make it clear, so far as this matter is concerned, whether imprisonment to be awarded should be simple or rigorous, and unless this amendment is accepted, I fear that there might be a doubt or ambiguity in so far as this clause of the Bill is concerned. I therefore move this amendment and commend it for the acceptance of the House.

Shri Gopalswami: Sir, I may first dispose of Mr. Kamath's amendment. I think there would be no doubt created even if we retain the existing provision in the Bill. He has quoted from a very high authority, namely the drafters of the Indian Penal Code who in similar situations have used the expression "imprisonment of either description". The legal advice available to me is that those words are unnecessary. At the same time, I feel that I should not let go this opportunity of honouring myself by accepting Mr. Kamath's amendment.

Shri Kamath: I feel honoured.

Shri Gopalswami: As regards my hon. friend, Pandit Thakur Das Bhargava's amendment, I am afraid, that his estimate of the uselessness of the provisions of this Bill if it did not contain the proviso that he has suggested to the new draft of clause 5, is, I think, totally exaggerated. After all, what are we trying to do? We are trying to push out persons who have come into Assam, perhaps in search of a living, making a home for themselves there and so on. We do not want them. No doubt they may be disturbing the economy of Assam and we provide a sufficient amount of punishment in both ways. We provide punishment for the people who come into Assam in this way and disturb our economy. We also provide punishment for those people in Assam who try to harbour these people and assist them in disturbing the economy of Assam, namely imprisonment of either description plus fine which is provided in this re-drafted clause. That is, I believe sufficient deterrent for people living in Assam from continuing their practice of harbouring these people. It seems too drastic a power for us to take namely that of forfeiting the harbourers' property which may extend to over thousands of acres, for instance, or several houses worth large sums and so forth. It may technically give the court a discretion to order forfeiture of property in circumstances which, in my opinion, and I hope in the opinion of the House would not warrant the deprivation of property that it involves. I am sorry, I am unable to accept that amendment.

Shri E. K. Chaudhuri: Sir, I wholeheartedly support the amendment moved by my hon. friend, Pandit Thakur Das Bhargava. I do say most emphatically that this Bill will be a dead letter unless the amendment of Pandit Bhargava is accepted. My hon. friend the Minister perhaps is not conversant with the actual state of things in the Province of Assam. There are nearly ten lakhs of Muslim immigrants in the Province and these are the persons—not all of them, of course, these are the class of persons who generally are sheltering these people who have recently come to the Province of Assam. They give them food; they give them shelter and they also find occupation for them. I shall tell you how they find occupation for this class of people. In the past these immigrants have forcibly occupied some places in the grazing reserves. There is no ordinary land available for settlement in that Province, but there are lands in the grazing reserves and in the past land has been acquired by wrongfully squatting on these grazing reserves and it has been so unfortunately because the Government in the past have been unable to turn them out of their lands. They have at least been obliged to lease these lands to them. That is what they have done now. These immigrants fear nothing; they do not fear the jail. If the hon. Minister in charge of jails visits the jails in Assam, he will find that most of the inmates of the jails are from this class of people. They do not fear jail at all but they dearly love the lands which they got either lawfully or unlawfully. Their stake is there and they are harbouring these immigrants. If they are made liable to forfeiture of their property, that will have a very salutary influence on them. So I would most respectfully request the hon. Minister—if he wants to have real results out of this Bill—that he should agree to this forfeiture clause. Otherwise, it would be very difficult to remove such a large class of people who have already come there. The punishment of three years is no punishment; it has no dread for them. If you only come and visit our jails, you will find the number of lifers in the jails are coming from this class of people.

Shri Tyagi (Uttar Pradesh): Is there a jail which will accommodate five lakhs of persons?

Shri E. K. Chaudhuri: No. No jail will accommodate one lakh of people.

It will be impossible to have a jail of that kind. Either remove them forcibly or threaten them with forfeiture of property in case of conviction. That will have the desired result. We have seen in the past people who had been evicted and their houses demolished, building their houses in three or four months. My hon. friend Mr. G. S. Guha who was Deputy Commissioner in Assam will be able to testify to that. They love the land and if they fear anything, it is the forfeiture of their land. So this will have a very salutary effect and I would request the hon. Minister to take our experience in this matter and agree to this forfeiture clause. After all it will be very difficult to have a conviction and punishment. Already there is provision for cancellation of lease and they are used to this. If this forfeiture clause is there, we shall really be able to do something otherwise this will be a dead letter and it will only be an eye-wash that Assam is being protected.

Shri Buragohain: I rise to support the amendment of my friend Pandit Bhargava and I also endorse the words that have been said by my friend Mr. Chaudhuri. After all the main problem is really the harbouring and therefore the present amendment seeks to penalize the harbourers more than those who have come into the province. I was telling the House the other day that the position is already very serious and these measures are not going to be effective. Mr. Chaudhuri was the Revenue Minister in Assam who took measures of eviction in 1945 and out of three lakhs people that crossed the border into Assam between 1943 and 1945 he succeeded in evicting only about 3000 families and even with those 3000 he was not quite successful as he has just told the House. To-day you evict them and they come back tomorrow and

[Shri Buragohain]

this process was going on. Unless these persons who really harbour these trespassers into Assam are punished, the measure that is now sponsored here will not be effective. The other day I was telling that the position in the border districts is very serious. My information is that out of half a million that have crossed the borders after Independence, the majority have gone into the border districts and this has disturbed the population position there and already the muslim population is much above 50 per cent. That is why I warned the House that this position may well be bolstered up by Pakistan as a counter-blast against our case in Kashmir. The amendment seeks that these harbourers should be punished with forfeiture of property, so that they may persuade them to return to their own country. With these few words, I support the amendment of Pandit Bhargava and I would appeal to the hon. Minister to reconsider the whole position and accept the amendment.

The Conference that we had, as far as I know, during the lunch hour did not apply its mind to this aspect of the matter. It was raised by Pandit Bhargava, but the hon. Minister did not quite discuss this matter with all those hon. friends who were there.

Mr. Speaker: Let us not go into that. The Conference be left to itself.

Shri Borooah (Assam): Sir, I rise to support the amendment moved by my friend Mr. Bhargava. I also endorse every word of Mr. Chaudhury and Mr. Buragohain. This clause recommending forfeiture of property may sound a little unusual here but in Assam this has been in practice and followed by not only the Congress Government but by the League Ministry as well. The House may not be aware that in Assam there was a system called the line system according to which there was a line drawn between the areas occupied by immigrants and the areas occupied by local indigenous people. Under this system which worked till six or seven years ago, no immigrant was allowed to pass into the land occupied by the Assamese and the *patta* holders or land owners within the Assamese land were also not allowed to sell the land to the immigrants and any indigenous person selling his lands was liable to forfeiture of his lands and it is a fact that thousands of *bighas* of land were forfeited under this law. Land laws in Assam are not yet codified and they are covered by Assam Land Revenue Manual which consists of Executive Orders. Even this drastic order had no salutary effect on the encroachment by the immigrants. Therefore I am quite sure that the particular measure which might look very drastic here will look rather innocent in the eyes of the immigrants who are not known for their lawful habits. Mr. Chaudhury who was the Revenue Minister of Assam for a long time was telling us that he found it difficult to stop unlawful encroachment on Government lands by immigrants. Mr. Buragohain was giving facts and figures. He was also Minister at that time. Out of those three lakhs of people only 8000 could be evicted. Even today in spite of this agreement, which took place between the League Ministry and the Congress Party in 1945 and under which these eviction orders were issued in 1945, not less than 20,000 *bighas* of land are still in unauthorized possession of the immigrants in my district alone and even today the Assam Government has not been able to evict them.

Therefore, unless the hon. Minister accepts the amendment I am afraid this Act is not likely to be very effective. A tree is judged by the fruit it bears. In Assam there are so many drastic executive orders which have the force of law with regard to land settlement and encroachment on land by immigrants. Unfortunately all these have been more or less dead letters. They were only provincial measures. I do not want that an Act passed by the Sovereign Republic of India should find itself in the very poor company of the provincial measures which were shelved as dead letters.

The other day I was expressing my doubts about the effectiveness of this Bill without measures for stopping encroachment or immigration into Assam. Even today I feel that that effectiveness can be enhanced, though not to the fullest measure, by acceptance of this amendment by the hon. Minister. You may pass a law under which five lakhs of people may find themselves liable to be put into prison. It is one thing to pass such a law and quite a different thing to put all these five lakhs of people into prison. An hon. Member asked where will you have the jails to put these five lakhs of people in? The only way to put them into prison is to declare the whole of Assam as a penal settlement.

Shri Tyagi: And you will be the Warden there.

Shri Borooah: I therefore request the hon. Minister to make the law effective, which he surely wants to do; but unless this particular amendment, suitably amended, is accepted it will not be possible. With these words I commend Pandit Bhargava's amendment for the acceptance of the House.

Shri Borooah: I therefore request the hon. Minister to make the law effect-
Thakur Das Bhargava and I congratulate him on his courage in having brought forward that amendment. Somehow the Government whether represented by Shri Gopaldaswami Ayyangar or others still continue to have an appeasement psychology. What is the use of half-hearted policies? Have we succeeded anywhere? Our Government has miserably failed in every field where it affects their relations with the Government of Pakistan. We hear of 4,000 returned Muslims waiting at Banaras and wanting to be absorbed. Has anybody from India gone to Pakistan and been absorbed there? We know the whole question of Assam. Many of us who have taken considerable interest in the problems in those years know what happened. In those days we were helpless but today with our own Republican Government we are not going to talk of moral, philosophical or ethical principles on a matter on which hinges the security of India. Everybody knows that Assam on our North Eastern border is a most tender spot not only as between India and Pakistan but as against Communists and British Quislings who are fanning up the Communists on the North Burmese border. Here for the first time the Government has brought a measure. Let it be drastic! It is a security measure. It has nothing to do with the ordinary principles of law, so that we should interpret it lightly and give lighter punishments. The instances cited by our friends from Assam show that it is an organised effort to have Assam and incorporate it as part of Pakistan. It is no use Mr. Gopaldaswami Ayyangar pleading that the punishment proposed is too drastic. I think the whole House will support the just amendment which my hon. friend Pandit Bhargava has moved and I appeal to the House to support it unanimously so that there is the fear of hell for every immigrant in Assam.

Shri J. N. Hazarika (Assam): Sir, the people who might be generally har-
bouring and shall be affected by this Bill may be Indian citizens and their case therefore should be taken into consideration. If the House accepts the amendment proposed by Pandit Bhargava very careful attention should be given to it, because the fundamental rights regarding property have been very clearly laid down in the Constitution. It is true that the immigrants who are penetrating into Assam are a very stout and stubborn lot and they are not generally afraid of law and order. When eviction is ordinarily resorted to, elephants and arms have to be used by officials. The immigrants penetrating into the villages are the common class of cultivators and come into clashes with the scheduled tribes for whom scheduled areas have not been created under the new Constitution. Under the Constitution certain scheduled civil areas have been created in the plains of some other States, but such areas have not been created in

[Shri J. N. Hazarika]

Assam. I would draw the attention of the House and the hon. Minister to the fact that the protection of the tribal people should be borne in mind. The immigrants can die for their property and if their property is made liable it might be more effective. I would suggest that the amendment of Pandit Bhargava suitably amended would be more appropriate for the situation.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That the question be now put."

Mr. Speaker: I think the matter has been sufficiently debated and I find that the same arguments are repeated. The question is:

"That the question be now put."

The motion was adopted.

Shri Gopaldaswami: Sir, I do not wish to prolong this debate unnecessarily. But I have been almost astonished at the manner in which this amendment has been pressed. I quite understand the feelings of hon. Members from Assam as regards the amount of disruption in Assam's economy that has been caused by the influx over the past years and perhaps during the past few months. That is a natural feeling of excitement on their part. But I am really surprised at this matter being pressed by my hon. friend Pandit Thakur Das Bhargava for whose discretion and good sense I have always the very highest respect. I might tell hon. Members straightway that this particular penalty clause might be applied against citizens of India, because what is attempted to be punished by this proviso with forfeiture of property is intended to apply only to offences of which a person is found guilty under sub-clause (c) of clause 5, that is, harbouring a person who has contravened any order issued. I think a number of hon. Members from Assam assumed that this proviso was going to apply to the persons who *contravene* these orders.

Some Hon. Members: No.

Shri Gopaldaswami: The proviso will not apply to them. The proviso is intended to apply only to those who *harbour* such offenders, and amongst the harbourers there might well be citizens of India.

An Hon. Member: What if?

Mr. Speaker: Order, order. The hon. Minister is putting his case.

Shri Gopaldaswami: There are various circumstances under which citizens of India might come under the clutches of this particular proviso. Hon. Members should remember that forfeiture of property even under the Indian Penal Code has been provided only for the most heinous of offences. It is a very rare thing in the Indian Penal Code—the provision of punishment of forfeiture of property. For instance, in such cases as "waging war against the King" such punishments are provided.

An Hon. Member: This is also a traitorous offence.

Prof. Ranga (Madras): "Waging war against the King" was not considered a "heinous offence" in 1942.

Mr. Speaker: Order, order. Let there be no running commentaries.

Shri Gopaldaswami: If it is a question of waging war against the Republic, I would myself subscribe to the provision of forfeiture of property. But the offence for which this punishment is now asked for.....

Shri Tyagi: Harboursing the enemy is also a crime.

Shri Gopaldaswami: Sir, I do not think I need continue this. I consider that this is too drastic a power to take for the Government of India. And I am sure that if I had any little reputation for reasonableness I shall lose it if I accept this amendment.

Mr. Speaker: I shall first put Pandit Thakur Das Bhargava's amendment to the House. It is an amendment to the amendment to clause 5.

The question is:

"That at the end of Shri Gopaldaswami's amendment to clause 5, the following be added:

Provided that the person who is found guilty under clause (c) shall also be liable to forfeiture of his property."

The motion was negatived.

Mr. Speaker: Coming to Mr. Kamath's amendment, it has been accepted and a statement has been made on the floor of the House by the hon. Minister, but I am not inclined to place this amendment before the House for the simple reason that there is a provision in the General Clauses Act, which says that "imprisonment" shall mean "imprisonment of either description" as defined in the Indian Penal Code. So that the inclusion here of the words as stated in the amendment will make the draft inartistic and inconsistent with the other laws in which "imprisonment" has been used.

Shri Kamath: All right, Sir, it is a minor matter and I withdraw the amendment.

Mr. Speaker: I shall now place before the House the original amendment for substitution of clause 5.

The question is:

"That for clause 5, the following be substituted:

5. *Penalties.*—Any person who,—

(a) contravenes or attempts to contravene or abets the contravention of any order made under section 2; or

(b) fails to comply with any direction given by any such order; or

(c) harbours any person who has contravened any order made under section 2 or has failed to comply with any direction given by any such order,

shall be punishable with imprisonment which may extend to three years and shall also be liable to fine."

The motion was adopted.

Mr. Speaker: The question is:

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

The motion was adopted.

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

Shri Kamath: Sir, I move:

"That in clause 6, the words 'or intended to be done' be omitted."

[Shri Kamath]

This particular clause, as the House will see, reads as follows:

"No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act."

That is, no suit, prosecution or legal proceeding will lie against a person for anything which is *actually done* or merely intended to be done. I cannot see quite clearly how for anything *intended to be done*, a suit, prosecution or other legal proceeding can lie. But if the language used here is on the same lines as that used elsewhere, in regard to which I look to my non. friends Shri Gopalaswami Ayyangar and Shri Alladi Krishnaswami Ayyar for light and guidance, if they say that the clause may be retained as it is and that my amendment is not quite necessary, I do not wish to press it. But I feel that these words "or intended to be done" are unnecessary and that it is adequate for our purposes to say "No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done under this Act". The words "intended to be done", without any detraction from the meaning of the clause, may be safely omitted.

Shri Alladi K. Ayyar: Having regard to the nature of the legislation I think the clause as it is is quite in order.

Shri Kamath: Then let it stand. I do not press my amendment.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Shri Gopalaswami: Sir, I have to move an amendment which has been necessitated by the fact that an Ordinance had to be issued and this Bill, when passed into law, will supersede that Ordinance. I beg to move:

"That after clause 6, the following new clause 7 be added:

7. Repeal and Saving.—(1) The Undesirable Immigrants (Expulsion from Assam) Ordinance, 1950 (I of 1950), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of my power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken."

Mr. Speaker: The question is:

"That after clause 6, the following new clause 7 be added:

7. Repeal and Saving.—(1) The Undesirable Immigrants (Expulsion from Assam) Ordinance, 1950 (I of 1950), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken."

The motion was adopted.

New clause 7, was added to the Bill.

Mr. Speaker: Then I will put clause 1.

Shri Gopaldaswami: Sir, there is a small amendment here. If Mr. Kamath had moved it, I would have accepted it, but I will move it. I beg to move:

"That in sub-clause (1) of clause 1, for the figures '1949', the figures '1960' be substituted."

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 1, for the figures '1949', the figures '1960' be substituted."

The motion was adopted.

* **Mr. Speaker:** So, I will put clause 1, as amended, to vote.

Shri Gopaldaswami: Sir, there is one point before you put it. Some hon. Members are very particular about removing the word 'undesirable'. We did remove it in the marginal note to clause 2. I think it would be consistent with what we have already accepted that in clause 1 we may simply say, 4 P.M. "This Act may be called the Immigrants (Expulsion from Assam) Act". I beg to move:

"That in clause 1, the word 'undesirable' occurring in line 1 be omitted."

Mr. Speaker: The question is:

"That in clause 1, the word 'undesirable' occurring in line 1 be omitted."

The motion was adopted.

Mr. Speaker: The question is:

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

The motion was adopted.

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

Shri Gopaldaswami: I beg to move:

"That for the Enacting Formula the following be substituted:

'Be it enacted by Parliament as follows:—'

Mr. Speaker: The question is:

"That for the Enacting Formula the following be substituted:

'Be it enacted by Parliament as follows:—'

The motion was adopted.

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

Shri Gopaldaswami: Sir, then there is my amendment that the Preamble be omitted.

Mr. Speaker: That is a negative of the original proposition. I am putting the proposition which the House may negative. That is the procedure.

The question is:

"That the Preamble stand part of the Bill."

The motion was negatived.

Shri Gopaldaswami: Sir, I move:

"That in the long Title, for the word 'undesirable', the word 'certain' be substituted."

Mr. Speaker: The question is:

"That in the long Title, for the word 'undesirable', the word 'certain' be substituted."

The motion was adopted.

Shri Kamath: Sir, I move:

"That in the long Title, as amended, for the words 'for the expulsion from Assam of certain immigrants', the words 'for the expulsion of certain immigrants from Assam' be substituted."

I find that my friend, the hon. Mr. Gopaldaswami Ayyangar is today in an accepting mood and I feel that he will not hesitate to accept this one too. The title, as it stands, is in my humble judgment—my knowledge of the language is very meagre—very clumsy. As it stands it will read as follows:

"A Bill to provide for the expulsion from Assam of certain immigrants."

Pandit Balkrishna Sharma: But your amendment may mean immigrants from Assam?

Mr. Speaker: Order, order. There should be no cross-conversation. The hon. Member should address the Chair.

Shri Kamath: I just caught a little of what my friend Pandit Sharma said. He feared that immigrants from Assam may also be meant. I do not quite understand what he means. The Bill provides here for all immigrants from whichever quarter they come—from Assam, China or Burma or from anywhere else. The object of the Bill is to expel from Assam certain immigrants. As such, it is much more correct, and much more aesthetic from the point of view of language, to refer to the expulsion of immigrants from Assam and not to expulsion from Assam of immigrants—it is very clumsy and awkward. I do not know if my friend, Mr. Gopaldaswami Ayyangar would like to keep it as it is and not accept my amendment.

Shri Gopaldaswami: I am sure if I am to consult my drafting pundits they would brief me to oppose Mr. Kamath's amendment. But I have too high a respect for Mr. Kamath's aesthetic sense as well as his knowledge of King's English—though we have lost the King, we still speak in King's English—I have too great a respect for him in such a matter to say "No" to what Mr. Kamath has suggested. I accept his amendment.

Mr. Speaker: The question is:

"That in the long Title, as amended, for the words 'for the expulsion from Assam of certain immigrants', the words 'for the expulsion of certain immigrants from Assam' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

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

The motion was adopted.

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

Shri Gopaldaswami: Sir, I move:

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

Mr. Speaker: Motion moved:

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

Shri Hossain Imam: Sir, I welcome this measure as an example of the way in which this House has materially improved the measure and made it unexceptionable. The thanks of all of us are due to the hon. Minister in charge and the Members who had moved amendments, for the accommodating spirit and reasonableness shown by both the sides.

It is, Sir, a very patent thing that every country has the inherent right of choosing who will be its nationals and those who are non-nationals have no right to stay in the country, if their stay is detrimental.

I also welcome the fact that the hon. Minister was, if I may put it so, a little vehement in opposing certain of the amendments. I think he was actuated by the feeling of how our actions may have repercussions in the international world, more than by anything else. I think this is an occasion when we should gratefully accept this measure as in the interests of India.

Shri Chaliha: Sir, I am glad that this House has taken a keen interest in this measure. A certain amount of heat was engendered, but the cold manner in which the hon. Mr. Ayyangar has dealt with the points, as also the restrained manner in which our zeal was expressed, have placed the discussions on a proper level and we are all glad for it. But before administering this Act, it is necessary to put up a machinery in Assam. Otherwise, if you simply entrust its execution to the Assam Government, there will be difficulty. I think the Central Government should undertake the responsibility and bear the expenditure and not leave it, as they usually do, to the State Government.

[MR. HOSSAIN IMAM in the Chair]

A Department should be specially set up for this purpose. I should also like to warn the House and the Government not to be too stringent in the execution of this Act. This Act should be administered with caution and a certain amount of imagination. If it is executed too literally, probably the repercussion would be very severe. Already a cold war is being waged and it is going on. If we take stringent measures under the pretext of this Act, we shall probably land ourselves in difficulty. There is also another thing. Before the Act is administered, the repercussion on the other side of the border from a defence point of view should be carefully looked into. The hon. Minister who will be in charge of executing this Act should consult the Minister of Defence and they should satisfy themselves about the condition of our defences on the southern and eastern borders of Assam, before undertaking wholesale expulsion of these immigrants. Otherwise, I fear there will be great danger to us. With these words, I wish to warn the House not to take this Act light-heartedly and the Central Government to execute it with patience and in as conciliatory a manner as possible.

पंडित ठाकूर दास भार्गव : जनाब चेयरमैन साहब, इस बिल के पास होने का वक्त आया है और मैं नहीं चाहता कि मैं इस बिल को बगैर खयालत का इजहार किये पास होने दूं जिनको मैं जाहिर करना चाहता हूं। मैं सबसे अक्वल श्री गोपालास्वामी आयंगर साहब को मुबारिकबाद देता हूं और मेम्बर साहबान की तरफ से कि उन्होंने इतना जरूरी बिल हाउस के सामने रक्खा। दरअसल हमारी यह बदकिस्मती है कि हालांकि बीस कैबिनेट के मिनिस्टर साहबान अपने अपने ओहदे को कायम किये हुए और अच्छी तरह काम चलाते हैं, ताहम दिक्कत यह है कि हिन्दुस्तान की ओवरआल पिक्चर

[पण्डित ठाकुर दास भागव]

(overall picture) में, जो कि किसी खास महकमे में नहीं, आम है, इन बातों पर काफी अहमियत नहीं दी जाती और उनका खयाल नहीं किया जाता। इसी गरज से मैंने पहले यह तजवीज की थी कि जैसे श्री गोपालास्वामी आयंगर हमारे मिनिस्टर विदाउट पोर्टफोलियो (Minister without Portfolio) थे, उसी तरह से यहां के प्राइम मिनिस्टर साहब या डिप्टी प्राइम मिनिस्टर साहब को कोई पोर्टफोलियो (Portfolio) न दिया जाय बल्कि जनरल इन्टरेस्ट (general interest) देश का उनके सामने रक्खा जाय। हमारी खुशकिस्मती है कि श्री गोपालास्वामी आयंगर एक दौर में आसाम तशरीफ ले गए और वहां जा कर इस बात को महसूस किया और आसाम की हालत की इस बिल के द्वारा देश के सामने रक्खा जिसके ऊपर सारे हिन्दुस्तान की सिक्योरिटी (security) का सवाल मूनहसर है। मैं यह कहना चाहता हूं कि यह मामला इतना सीधा नहीं है। मैं इन तीन दिनों में जब तक यह बिल हाउस में चला है अपने आपको अपनी तसल्ली नहीं करा सका कि क्यों ढाई साल के वक्त में हमारी गवर्नमेंट के किसी अफसर ने इस बात की परवाह नहीं की कि किस तरह से एक दूसरे मुल्क से लोग आ कर हमारे मुल्क पर एक तरह से हमला करते हैं, एक आदमी नहीं, अगर एक लाख, दो लाख आते, पचास हजार आते तो मैं समझता कि कोई बात नहीं, लेकिन ऐसी हालत में क्यों गवर्नमेंट खर्गोश की नींद सोती रही और क्यों हमारी गवर्नमेंट ने जब उसको पता चला कि ऐसा हो रहा है तो कोई कदम न उठाया। जिस वक्त कान्स्टिट्यूएंट असेम्बली (Constituent Assembly) हुई, उस वक्त तवज्जह दिलाई गई, लेकिन हमको नहीं मालूम कि हालात क्या हैं, क्यों हमारी गवर्नमेंट सोती रही है और हमारे मुल्क में पांच लाख आदमी बाहर से आ जायं और इस गवर्नमेंट की आंख न खुले। मैं नहीं समझ सकता। मैं इसको जानता हूं कि जब श्री गोपालास्वामी आयंगर ने यह बिल पेश किया तो कई दफे कहा कि यह अनफोरचूनेट (unfortunate) है। यह ऐसा सवाल है कि जिस पर ज्यादा तवज्जह देनी चाहिये। सिर्फ अनफोरचूनेट (unfortunate) कहना काफी नहीं है। मैं देखता हूं, मिनिस्टर अपना काम कितनी अच्छी तरह करते हैं, लेकिन जब भी ऐसा मामला आता है जिसके अन्दर बुनियादी बात होती है, मैं देखता हूं कि गवर्नमेंट आफ इंडिया के अन्दर वैसी तवज्जह नहीं होती जिसकी कि उनसे उम्मेद की जाती है। मुझे अफसोस है कि मैं इस मामले को नजरअन्दाज नहीं कर सकता, और मैं कहना चाहता हूं कि मैं आयन्दा ऐसी बात नहीं देखना चाहता कि जिसमें बीमारी का इलाज उस वक्त किया जाय जब बीमारी गले तक पहुंच जाय। अगर शुरू से इसका इलाज होता तो क्यों जरूरत पड़ती कि हम इस तरह का बिल पास करें।

आज इसका नतीजा यह है कि हमारे खिलाफ पाकिस्तान में प्रोपेगेंडा किया जायगा, हम रोज कहते हैं कि हम किसी के खिलाफ लड़ना नहीं चाहते हैं, हम सब जगह पीस (peace) चाहते हैं, लेकिन जब पांच लाख लोग एक दम पाकिस्तान में दाखिल होंगे तो वह जरूर कहेंगे, उनको बहाना मिलेगा कहने का, कि सिर्फ वही लोग नहीं आये थे जो गये थे बल्कि और ज्यादा भेज दिये गये हैं। आज इस बिल की शकल ऐसी मालूम होती है जो हमें पसन्द नहीं है, हम नहीं चाहते कि किसी यहां के नेशनल (national) के खिलाफ यह बिल इस्तेमाल हो, हम नहीं चाहते कि कोई नेशनल हिन्दुस्तान का हमारे ऊपर कोई अंगली उठा सके कि हिन्दुस्तान के अन्दर इस किस्म का ला (law) पास हुआ है। लेकिन मैं यह जानना चाहता हूँ कि इन तीस महीनों में क्या किसी ने इस बात की परवाह की कि आसाम में क्या हो रहा है? मैं अर्ज करना चाहता हूँ कि अब जब हमारी आंख खुली है तो हमें अच्छी तरह से आंख खोलनी चाहिये। यह पांच लाख आदमियों का किस्सा मामूली किस्सा नहीं है, एक बिल पास करने से पांच लाख आदमी नहीं चले जायेंगे। मैं यह देखता हूँ कि यह लोग इस तरह की मुसीबत हमारे यहां डालेंगे कि ला एंड आर्डर (law and order) रखने की प्राब्लेम (problem) खड़ी हो जायगी। बेहतर यह होता कि इस बिल को बजाय, जैसा त्यागी साहब ने कहा, एग्जिक्यूटिव ऐक्शन्स (executive actions) के जरिये इन आदमियों को हमारे मुल्क से बाहर कर दिया जाता। लेकिन जब ऐसा नहीं किया गया और जब दूसरा तरीका हमने अस्त्यार किया है तो मैं कहना चाहता हूँ कि सिर्फ नोटिस जारी करने से यह मामला दुरुस्त नहीं होगा। मैं कहना चाहता हूँ कि आप आसाम गवर्नमेन्ट की लिमिटेशन्स (limitations) को मुलाहिजा फ़रमियें। जिस आसाम गवर्नमेन्ट के अन्दर दो तीन मिनिस्टर ऐसे हैं जो उन लोगों के वास्ते जो बाहिर से आए हैं जरा कम से कम अपनी तबियत में थोड़ी बहुत हमदर्दी रखते हैं। जहां एस०डी०ओज० (S. D. O.) और आई० सी० एस० ऐसे हैं जो इस कानून को जोरों से नहीं चलने देंगे। उस गवर्नमेंट को कितनी मुसीबत होगी। इसी बात को देखते हुए श्री गोपालास्वामी आयंगर ने कहा कि यह बिल खास तौर पर सेन्ट्रल गवर्नमेन्ट (Central Government) की तरफ से चलाया जायगा, और ऐसे अफ़सर भेजे जायेंगे जो सक्ती से इस पर अमल करें और उन को निकाल दें जो बाहर से आये हैं और साथ ही उन मुसलमानों को जो यहां रहते चले आ रहे हैं उन्हें हम नहीं निकालना चाहते और न हमारा मतलब है कि जो हमारे लोग यहां रह रहे हैं उनके बरखिलाफ़ कुछ किया जाय। लेकिन साथ ही मैं अर्ज करना चाहता हूँ कि जो साहिबान दस पचास ब्रस से यहां रहते हैं वह वह फ़ेल करते हैं जो मुल्क से गहारी करने वाले करते हैं, उनके साथ हमारी कोई हमदर्दी नहीं है। अगर वह लोग उन्हें अपने यहां हारबर (harbour) करते हैं तो वह ऐसे ही जिम्मेदार हैं इस जुर्म के जैसे गहारी करने वाले क्योंकि उन की

[निष्ठित ठाकुर दास भार्गव]

बीजूदमी देश के लिये अच्छी नहीं। कल अगर पाकिस्तान से झगड़ा हो जाय तो जैसा मिस्टर तजम्मूल हुसैन साहब ने फ़रमाया मुल्क के लिये यह फिफ्थ कालम (fifth column) का काम करेंगे और दुश्मनों की जासूसी करेंगे। यह ऐसे झगड़े पैदा करेंगे जिन पर हम काबू न कर सकेंगे। जो लोग उन को हारबर करते हैं मैं नहीं समझता कि वह किसी तरह हमारा साथ दे सकते हैं। मैं इसी बात को उठाना चाहता था जिसकी वजह से मैंने यह अमेंडमेन्ट (amendment) दिया था, कोई भी इस अमेंडमेंट को जिसको आनरेबल मिनिस्टर इन्चार्ज (hon. Minister in charge) साहब जिनके वास्ते हमारे दिल में इज़्ज़त है, जिन के एक एक लफ़्ज़ की हम कदर करते हैं, पसन्द न किया हो देकर खुश नहीं हो सकता। लेकिन मैं जानता था कि आसाम के मੈम्बर क्या चाहते थे, और मेरी अपनी फीलिंग (feeling) है कि अगर कोई हिन्दुस्तान में रहने वाला बाहर से आने वाले लोगों को हारबर करता है वह हिन्दुस्तान का वफ़ादार नहीं है क्योंकि वह इस मुल्क पर कब्ज़ा करने के लिये आये हैं। इस लिये मैं अज़्र करना चाहता हूँ कि अच्छा होता कि इस अमेंडमेन्ट को मन्ज़ूर कर लिया गया होता। लेकिन चूँकि हम श्री गोपालास्वामी साहब को अपने इस हाउस (House) के एल्डर स्टेट्समैन (elder statesmen) में से एक समझते हैं और उन्होंने इसको कबूल करना ठीक नहीं समझा है, इसलिये मैं इसका गिला नहीं करता। मैं उनके जजमेंट (judgement) को अपने जजमेंट से ज्यादा वक़्त देता हूँ। मेरा ख्याल था कि यह ड्रस्टिक (drustic) तभी होगा जब कि मेरा अमेंडमेंट (amendment) मंज़ूर कर लिया जाता। उनका दिल बहुत नर्म है। वह नहीं चाहते कि किसी को तकलीफ़ दें। लेकिन मेरा दिल सख्त है और मैं चाहता हूँ कि ड्रस्टिक एक्शन (drustic action) लिया जाय। मैं उनके सामने सर तसलीम खम करता हूँ और मैं जानता हूँ कि उनकी राय ज्यादा सही होगी, इसलिये मैं गिला नहीं करता। अगर हम इस कानून पर सख्ती से अमल नहीं करेंगे तो यह सिर्फ़ एक कागज का टुकड़ा ही रह जायगा। इसलिए मैं दोबारा जोर देता हूँ कि इस पर सख्ती से अमल किया जाय। अच्छा तो यह होता कि हर १५ दिन बाद गवर्नमेंट इस हाउस को रिपोर्ट करती कि कितने आदमी निकाले गये हैं। अगर आप इस तरह से इजाजत देते रहेंगे तो सात करोड़ रुपया इन लोगों के पेट भरने के लिए खर्च करना होगा। सारे देश में शिकायत है कि हमें रिफ्यूजीज (refugees) को बसाने के वास्ते रिसोर्सेज (resources) नहीं हैं, और यह पांच लाख आदमी हमारी जमीन पर कब्ज़ा किये हुए हैं और उनके साथ नरमी से बरताव किया जा रहा है और क़त्ल जाना है कि हम बाहर से आने वाले को तकलीफ़ नहीं देना चाहते। यह उसूल तो

बहुत अच्छा है मगर चैरिटी बिगिन्स एट होम (charity begins at home). यहां के रिप्यूजीज को तो सर ढकने के लिये जगह नहीं है और उनके लिए जमीन नहीं है और दूसरी तरफ हमने इन पांच लाख आदमियों को अपनी जमीन पर कब्जा करने की इजाजत दे रखी है। मैं समझता हूँ कि यह कमजोरी की हद है। हमारी गवर्नमेंट को ऐसी कमजोर पालिसी (policy) नहीं रखनी चाहिए बल्कि मजबूत पालिसी रखनी चाहिये। जहां पाकिस्तान का या पाकिस्तान वालों का सवाल आता है, हम देखते हैं कि हमारी गवर्नमेंट कमजोरी से काम लेती है। मैं बहुत दफ्ता इसके बखिलाफ आवाज उठा चुका हूँ। मैं बहुत अदब से अर्ज करना चाहता हूँ कि पाकिस्तान और पाकिस्तान वाले इन छोटी-छोटी बातों में हमारी नरमी को एप्रीशियेट (appreciate) नहीं करते हैं। हमने एक एक चीज में देखा है कि आप साफ तरीके से कदम कदम पर यह देख कर काम करते हैं कि उनको तकलीफ न हो। मगर आपकी यह जो पालिसी है वह आपको डिवीडेंड (dividend) नहीं देगी। यह पालिसी हमारे देश की समझ में नहीं आसकती। आज आप इस सवाल को उस शरणार्थी के नुक्ते निगाह से देखिये कि जिसको वहाँ से निकाल कर यहां भेज दिया गया है। जो जायदाद वह वहां छोड़ आये हैं उसका प्राबलम (problem) हल नहीं हो रहा है। जो सोना और चांदी वह जमीन के नीचे छिपा आये हैं उसको लेने उनको नहीं जाने दिया जाता। पाकिस्तान ने उनकी मूवेबल प्रापर्टी (movable property) वापस नहीं की। पाकिस्तान की गवर्नमेंट के पास उनका जो रुपया जमा है वह अभी तक नहीं मिला। और हमारे मुक्त में आकर पांच लाख की तादाद में तीस महीनों में पाकिस्तानी आते हैं और जब उनको निकालने का सवाल आता है तो हमारे बड़े बड़े आदमी जिनकी हम इज्जत करते हैं वह कहते हैं कि अगर कोई आदमी हमारे यहां बाहर से आ जाय तो क्या हमको उसे निकाल देना चाहिए। मैं इस ऊंचे स्थान की इज्जत करता हूँ, पर मैं बड़े अदब से अर्ज करना चाहता हूँ कि यह दुनिया गोश्त और खून की बनी हुई है महज आसमानी चीजों की नहीं। इसलिए हमें ऐसी पालिसी बनानी चाहिए जिससे हर एक आदमी की तसल्ली हो। मैं अदब से अर्ज करूंगा कि गोपालास्वामी साहब जो हमारी इस पालिसी के चलाने वाले हैं और जिनका इस पालिसी के चलाने में बड़ा हिस्सा है, वह इस पालिसी को तबदील करायें। आप ऐसा करें अगर आप चाहते हैं कि हिन्दुस्तान के आदमी दरअसल समझें कि हम भी रिपब्लिक (Republic) के आदमी हैं। सिर्फ यही हमारे लिए काफी नहीं है कि हम यह समझकर कि हम रिपब्लिक के आदमी हैं अपना सिर ऊंचा करके चलें, बल्कि होना यह चाहिए कि अगर कोई हमारे ऊपर हमला करे तो हम सिर्फ उसे हटा ही न दें बल्कि उसको यह भी जता दें कि हमारे ऊपर हमला करना उसके लिए मुफीद नहीं होगा।

(English translation of the above speech)

Pandit Thakur Das Bhargava: Sir, it is time that this Bill should be passed and I do not want that I should like this be passed without expressing my views on it. First of all, I should like to congratulate the hon. Shri Gopalswami Ayyangar on my behalf as well as on behalf of the hon. Members that he has placed such a vital measure before this House. As a matter of fact, it is our misfortune that although twenty Cabinet Ministers are holding offices and efficiently running their respective departments, yet the difficulty is that in drawing out an overall picture of India, which does not relate to any particular department but is of a general nature, adequate importance is not attached to such matters and these are not looked after. It was with this end in view, that I had previously proposed that just as the hon. Shri Gopalswami Ayyangar had acted as Minister without Portfolio, similarly no portfolio should be allocated to our Prime Minister and the Deputy Prime Minister, but the general interest of the country should be placed before them. It is our good luck that the hon. Shri Gopalswami Ayyangar happened to visit Assam in one of his tours and after going there he felt this and placed before the country the conditions prevalent in Assam through this Bill on which depends the security of the whole of India. I would like to say that this is not such an easy thing. For the last three days this Bill has been discussed in the House and I have not been able to satisfy myself as to why none of the officers of our Government have taken care of this that how during the last two and a half years the people from another land have been invading our country in one way or the other. Not one man, but even if one lakh, two lakhs or fifty thousands had come, it would not have mattered, but why our Government had been sleeping like a hare and why did not they take any action in spite of the knowledge they had of what was happening? When the Constituent Assembly was in session, attention was drawn towards this, but we did not know what was the real situation. Why has our Government been sleeping, that five lakhs of foreigners may immigrate into our territory and their eyes should not open. I cannot understand this. I know this much that when the hon. Shri Gopalswami introduced this measure, he frequently mentioned that this is unfortunate. This is an issue towards which more attention should be devoted. It is not merely sufficient to describe it as 'unfortunate'. I find that however, efficiently the hon. Ministers may be running their respective departments, but whenever such an issue arises, the Government of India do not devote their attention in the manner in which they are expected to do. I am sorry I cannot overlook this matter and I would like to say that I do not want to see any such thing in future that the malady should be treated at a stage when it has had assumed menacing proportions. Had this problem been tackled from the very outset, then we would not have felt the necessity of passing such a Bill. What is the result to-day? Propaganda will be carried on against us in Pakistan. Everyday we assert that we do not want to fight against anyone, we want peace everywhere, but when five lakhs of people will enter Pakistan all of a sudden, then they will surely get an opportunity to say that not only had those people gone there who had migrated but many more have been sent. Today this Bill has been presented in such a form which we do not appreciate. We do not want that the provisions of this Bill should be enforced against any national of this Dominion, nor do we like that any Indian national should raise his finger towards us that such kind of law has been passed in India. But I would like to know whether anybody made an attempt to know during the past two and a half years as to what is happening in Assam? I wish to submit that when we have begun to realize the gravity of the situation then we ought to realize the fullest possible implications. The problem of five lakhs of people is not a child's play. These five lakhs of people will not leave the country simply by passing this Bill. I can foresee that these people would create so many difficulties for us that we would have to face the very difficult problem of maintaining law and order. It would have been better, as has been suggested by

Shri Tyagi, if instead of passing this Bill here the unauthorized persons may have been driven out of our country through executive action. But when this procedure has not been resorted to and we have taken upon ourselves a definite line of action then I beg to submit that the conditions would not get better and no useful purpose would be served simply by serving a notice. I wish to draw your attention to realize the limitations of that Assam Government whose two or three Ministers have open and active sympathies for those persons who have gate-crashed into Assam. Some of the S.D.Os. and I.C.S. officers posted in the Province are such that they would not let this Act work smoothly there. What predicaments the Government of that Province would have to face? Taking this very fact into consideration Shri Gopalaswami Ayyangar had stated that this Bill would particularly be enacted by the Central Government and such officers would be posted who would strictly enforce this law there and would drive out those persons who have infiltrated into the Province from outside. At the same time we do not want to drive out those Muslims who have continuously been living in the Province and besides we do not mean to take any action against those who have been living like loyal citizens. But besides all this I wish to submit that I have not in the least any sympathy for those persons who have been living in the Province for the last ten or fifty years but still indulge themselves in such unlawful activities as the traitors of the country do. If these persons harbour and conceal these insurgents then they also are as much guilty of this offence as are the traitors of the country and the presence of such persons will not at all be conducive to peace and prosperity of the country. If a war breaks out with Pakistan tomorrow then as Shri Tajamul Husain has said these persons will certainly turn fifth columnists and will surely work as enemy spies. They would kick up such controversies and troubles that we would not be able to subdue. I do not understand how these people who harbour such persons can take sides with us. I had wanted to raise this point and to meet this very end I had given notice of my amendment. There is not a single hon. Member who would have liked to move such an amendment that might cause pain instead of any relief to the hon. Minister in-charge, for whom we have great respect in our hearts and whose every word we cherish. But I knew what the hon. Member from Assam wanted and I have a feeling that those persons of this country, who harbour and give shelter to the enemy agents, who have infiltrated simply to sabotage the peace and prosperity of our country, are not in the least loyal citizens of India. Therefore I beg to submit that it would have been better if this amendment were accepted. We, however look upon the hon. Shri Gopalaswami as one of the elder statesmen in this House and because he, as such, has thought it fit to turn down that suggestion, I have nothing to complain now. I attach more importance to his judgment than to my own. In my opinion the measure contemplated could be made drastic only through accepting the amendment I have put forth. His is a very compassionate mind. He wants to bring no inconvenience to anyone. On the contrary, I possess a stout heart and I plead for a drastic action in the matter. I, nevertheless, bow my head in submission to him and, believing in his judgement to be more accurate, I do not entertain any grievance about it. If we fail to enforce this law rigidly, its worth will be mere the paper on which it is written. I, therefore, respectfully re-emphasize to enforce it very strictly. It would have been better if the Government could, every fortnight, report to the House as to the number of persons expelled within that period. If you continue to permit them in this way, you will have to incur an expenditure of seven crores of rupees to feed them. A country-wide complaint as to our resourcelessness to rehabilitate the refugees, is heard. But here we find these five lacs of individuals with illegal occupation of our lands and still receiving a lenient treatment. All this is being done with a desire to avoid any inconvenience or hardship coming to the foreign squatters. This is all right as a principle but we should also know that charity begins at home. The refugees in the country have no shelter nor any lands. But

[Pandit Thakur Das Bhargava]

here we continue to permit those five lacs of persons to remain in illegal occupation of our lands. I construe it as the height of our weakness. Our Government should not pursue a weak policy; they should rather adopt a strong attitude. It is observed that our Government, as a matter of course, adopt a weak attitude in dealing with the issues which concern Pakistan or the Pakistanis anyway. I have raised my voice several times in opposition to that attitude. I wish to make a respectful submission that Pakistan and the Pakistanis never show an appreciation of our mild approach to these minor issues. In almost everything and at each step we have watched you to be openly careful not to embarrass them anyway. But this weak policy of yours is not going to pay any dividends at any time. Our country is unable to understand this policy. Just consider this problem from the viewpoint of a refugee who has been forcibly evicted from his home and sent here. The issue of evacuees' property is no nearer its solution and they are not permitted to go there to take back their gold and silver left in concealment underground. Pakistan has neither returned them their movable property nor has the Pakistan Government, so far, handed over their deposits. On the other hand when as many as five lacs of Pakistanis pour into our country within a period of thirty months and the country is faced with the issue of their eviction, our honoured great men advise us not to expel those who come to us from outside. I admire this lofty idea. I will like, however, to submit respectfully that this world of ours is made of flesh and blood and is not merely an ethereal existence. We should, therefore, formulate a policy which may be of satisfaction to all. I will request the hon. Shri Gopaldaswami to work for a change in this policy. He is the man responsible for working of that policy and he has to play a prominent part in its pursuit. Please adopt this line of action if you want to make the Indian people conscious of their status as the citizens of a Republic. The mere knowledge of our being so cannot make us walk with our heads high. What, on the contrary, we should do is not only to beat back all aggressors but also to teach them a good lesson that any attack on us can be of no profit to them either.

Shri J. B. Kapoor: Sir, I welcome this measure in so far as it goes and I congratulate my hon. friend Shri Gopaldaswami Ayyangar for having brought forward this piece of legislation before Parliament, even though at a late stage, for we have been told that about five lakhs of immigrants have already come into Assam. But I cannot congratulate Shri Gopaldaswami Ayyangar today for the very unresponsive attitude which he has adopted so far as the very important question of punishment which should be inflicted on the harbourers is concerned. Sir, this is a measure which primarily affects the people of Assam and I should have thought that in a measure of this type the views and wishes and opinion of hon. members from Assam should have carried due weight and due consideration. After all it is the people of Assam who know whether the measure is going to be of use to them or not. And we find here that each and every Member representing the State of Assam is definitely of the view that the object of this Bill cannot be achieved unless and until the amendment which Pandit Thakurdas Bhargava has moved suggesting that a deterrent punishment should be inflicted on the harbourers is accepted. That unanimous view of Members of Assam has been summarily rejected and even with an amount of ridicule for which I respectfully submit I for one was not prepared.

Sir, I would like to know, since this piece of legislation has been in the form of an ordinance for more than a month now, what has been the effect of that ordinance. What has been the achievement of the Central Government so far? How has the ordinance been implemented? How many of these five lakhs of immigrants have been turned out during the period of a month?

Shri R. K. Chaudhuri: Not one.

Shri J. R. Kapoor: I am informed by my hon. friend Mr. Chaudhuri that not one has been turned out. If this legislation which was in existence in the form of an ordinance has been so ineffective so far, then how does my hon. friend Shri Gopalaswami Ayyangar think that with the help of a legislation very much of the same type, he will be able to turn out five lakhs of immigrants?

Pandit Thakur Das Bhargava: He said many have been turned out.

Shri J. R. Kapoor: My friend from Assam says that not one has been turned out. By that he evidently means not a very substantial number. Perhaps about 500 or 1000 persons may have been turned out. I would very much like the hon. Shri Gopalaswami Ayyangar to enlighten the House on this matter.

Therefore, the one question that crops up is: Do we or do we not mean business? What is the object of this legislation? The object of this legislation, we are told, is to push out the immigrants from Assam. But this legislation as it stands—may I say with all respect—is almost a standing invitation to people to come to Assam. I repeat, Sir, that it is not a legislation which will have the effect of pushing out the immigrants. And why? Why do people come to Assam and who are the people who are coming? People are coming to Assam from outside India for two reasons. One is political and the other is economic. The political reason is that the immigrants want to give a different shape to the State of Assam. Well, you say in this Bill: "If you come here, we shall detain you for full three years in our jails." But that is the very object of those people who come into Assam. Five lakhs have come in. Not that they will be turned out, but they are going to be detained for three years, given enough of food and shelter and properly looked after.

Prof. Ranga: And family allowances also!

Shri J. R. Kapoor: There are those who have not yet come. To them you say, "Come here if you choose; if you come here, you need not worry yourselves about your problems of food and residence. Food and residence there is already here in our jails. You shall have these things free of charge for two or three years."

Then, Sir, people come for economic reasons, and I have again repeated that people who have no food outside, no place to live outside, people who have no means of livelihood outside, they want to come to Assam to secure relief, to secure food, residence, etc. They will have all these readily for two or three years. So I submit, Sir, that this legislation will not have the effect of pushing out people, but will have the contrary effect. *(Interruption)*. I welcome the principle of the Bill but I wish it were improved by accepting the amendment moved by Pandit Bhargava. I welcome the principle of the Bill. I welcome the fact that the necessity for such legislation has been realised by the hon. Minister in charge of this Bill.

Sardar B. S. Man: After two years and a half.

Shri J. R. Kapoor: Then, Sir, during the course of one of his speeches a question was put to us by Shri Gopalaswami Ayyangar with a certain amount of emphasis, with a certain exhibition of temper also, a temper which rarely comes to Shri Gopalaswami Ayyangar—I do not know why he should have been so perturbed—as to whether it is our intention that the citizens of this country should be liable to forfeiture of their property, when such a penalty cannot be imposed on immigrants? Sir, it should have been clear to Shri Gopalaswami

[Shri J. R. Kapoor]

Ayyangar that immigrants stand entirely on a different footing from the citizens of this country. Immigrants come here for their selfish ends. Apart from political considerations, they come here in search of food and shelter. If our citizens harbour these people, they certainly are not loyal citizens of this country. They are certainly disloyal citizens if they harbour these persons who are aliens, foreigners, who owe no loyalty to us. With all respect to Shri Gopaldaswami Ayyangar, I ask him whether he thinks that such a citizen, who in reality is not a citizen, who is a disloyal citizen, who is acting in a manner which is contrary to the interests of India, whose conduct is detrimental to the interests of India—to use the words which have been used in this legislation—is entitled to our consideration, whether such a fifth columnist is entitled to sympathy. I have absolutely no doubt in my mind, on a sober and serious consideration of this subject Shri Gopaldaswami Ayyangar would certainly regret that he did not accept the amendment which was moved by Pandit Bhargava.

There is one more reason why this Bill should have been amended in the form suggested by Pandit Bhargava. I have always, ever since my infancy, been told that prevention is better than cure, but here I find that the suggestion which was made in order that this catastrophe—I can very well call it a catastrophe so far as Assam is concerned—may be prevented, has not been accepted. We have been told by our friends from Assam that these people come from outside the borders of India, fully believing that they will find shelter with some people who are already residing in the State of Assam. It is that inducement, it is that encouragement, it is that facility, which prompts people from outside India to come to Assam. If we had provided that anybody who invites or harbours persons coming into Assam after they have been ordered to go away, will have his property forfeited, then this inducement would not be there for persons to come to Assam. Therefore, I submit, Sir, that the best remedy to meet the situation was to have in this legislation this one particular clause, because then at least no more new immigrants would have come, and the existing immigrants would have been pushed out, as they would find no assistance from any person already residing in Assam, they would find no place of shelter, no food or facility. Therefore, I submit, Sir, that if there was one effective remedy to meet the situation, it was the suggestion made by Pandit Bhargava which was so enthusiastically and unanimously supported by all Members from Assam. Sir, the hon. Shri Gopaldaswami Ayyangar may be thinking that to provide for forfeiture of property in the case of harbourers would be opposed to the ordinary principles of jurisprudence. True, that is so, but these principles of jurisprudence do not apply to an emergency, or to an abnormal legislation. Certainly this legislation is being enacted to meet not a normal situation. This is an abnormal piece of legislation to meet an extraordinary situation, an abnormal set of circumstances. Therefore, Sir, it would have been perfectly justified even from the point of view of jurisprudence, propriety and equity to have provided in this legislation that a man who harbours a declared immigrant, an immigrant who has been ordered to leave the borders of Assam or India, will have his property forfeited. In this view of things, Sir, I submit that this Bill is very defective and I hope that before long Shri Gopaldaswami Ayyangar would realise that this Bill does not really serve the purpose which he has in view and would come before us with a request that we may give him the necessary authority which we were so anxious to give him today.

Mr. Chairman: I appeal to hon. Members that as time is very short, they may exercise some restraint so that a larger number of people may participate in the debate.

Prof. Banga: Sir, I have only a few things to say. My hon. friend, Mr. Gopalaswami Ayyangar, expressed how shocked he was at the amendment proposed by Pandit Bhargava, but, Sir, I am myself shocked at the way in which our Government has failed in its elementary duty of preventing aliens or foreigners from coming to our own country without permission. They have slept for such a long time when as many as five lakhs of people have come into our territory. They did not lack any warning because the Calcutta papers have been warning us time and again that this unholy process was going on. Yet our Government did not make any move. They were taking neither preventive action nor curative action. They were failing in the elementary duty of safeguarding the elementary interests, the fundamental interests of our State and our society. Some of my friends were showering congratulations on our esteemed friend, Shri Gopalaswami Ayyangar. I am also prepared to offer another bouquet in that manner to my friend, but I am not prepared to congratulate our Government, five lakhs of aliens coming into our territory and our Government doing nothing up till now to prevent it. At long last it wakes up and brings forward this Bill, but our friends from Assam say that this is neither preventive nor curative.

Our friend Mr. Jaspal Roy Kapoor just now has made out quite a point that it is more an invitation to these people to come over to our side and then be detained for three years and get themselves fed in these days of starvation, in these days of unemployment and economic depression both in India as well as in Pakistan. Sir, my complaint is that somehow or other in regard to this fundamental question of India's citizenship, the safeguarding of it and preventing aliens from coming into our own country and queering the pitch on our side and making it possible for the other side to have some friends on our side, our Government somehow or other has not been blessed with the proper leadership and proper guidance and proper administrative leadership. It is easy for my hon. friend to go home and then say to himself: "I have got this thing passed", and for those advisers also to go on smiling in their sleeves just because when the question was raised, we were all prepared to support them. But let them not forget the fact that they are trying the spirit of this House, the atmosphere of this House, the patience of this House rather too much. Therefore, Sir, I would like to request them, not one Minister but the whole of this Government, to be much more considerate in regard to the feelings of this House and about their own fundamental duty towards the citizens of this country. I need not say anything more and particularly on this occasion when I feel very strongly in this matter.

Shri Joachim Alva (Bombay): Sir, I welcome this Bill. We who come from Bombay are almost surprised and we also note with great regret as to how many difficulties our friends from Assam have been grappling with. Assam as you know was the spring-board on which Mohammad Ali Jinnah rose to power. We are no doubt aware that he was vanquished on the great front of Kashmir which is represented by the Premier of Kashmir who is now in this House. We regret that just 45 lines in one sheet of paper should have caused so much discussion and argument. I may say that Fifth Columnists in every State are uninvited; and uninvited guests or intruders in a State are unwelcome everywhere. Assam today is faced with that danger for the last three years. Assam may have to face worse dangers when South East Asia may become the spring-board of another war. After all the worst laws that we will be enacting are not the final remedies to prevent Fifth Columnists. Citizens of every State whether we remain small enough or big enough including Assam will have to protect themselves against the Fifth Columnists or against any kind of invaders that come into their territory. I for one, would want you to know that Sikhs and

[Shri Joachim Alva]

Hindus were wiped off from Pakistan without the enactment of any laws and today it is so painful to find that we have to enact a law to clear out undesirable people. As I said whole populations were wiped off from the neighbouring State of Pakistan without enacting any laws and even today within the iron frontiers of Pakistan no one would dare to go there. Today for our own State of Assam, the right arm of India, we have to enact this law. A statesman of the type of the hon. Minister Shri Gopaldaswami Ayyangar had to stand up and put up a fight and say that we shall not let property be confiscated. Our experience in Bombay is that we have got about 10,000 undesirable citizens, men who are deported, men who have gone to jails six or eight or ten times. I have lived with them in the Nasik Jail and I have eaten with them. They come back and find that the Police are not able to do anything at all. My final appeal is that you should make hearts and bodies strong to eject the invader. We shall have to do it in Assam. No Police can protect the people against these invaders or your own Fifth Columnists and unless your hearts and bodies are strong as steel, you cannot protect the State. You are the final defenders of the State. Whatever ordinances you may pass may not protect you. They are mere thin sheets of armour that will fall by the sword of invasion or the first underground activity of the Fifth Columnists. I mention the Fifth Columnists because India is an immense sea for the known and unseen activities of Fifth Columnists. As I said we realize the difficulties and the dangers in which the people of Assam are placed. As I said Mohammed Ali Jinnah rose to power on Assam and Assam may still be the spring-board of another action. We may enact whatever laws we may like but they cannot be enforced. Not all the lawyers in the law courts, not all the pleadings of the Governments nor all the arguments can protect the citizens of a State from invasion or the crushing influence of the Fifth Columnists. Long before Hitler rode into Paris, he had paralyzed the hearts of the citizens of Paris and that may be so here. Five lakhs of infiltrated men is a great problem. I am told by my friends from Assam that these people have gone and occupied not the tribal lands because the tribal folks will shoot them down with bows and arrows; but they have taken the fertile lands. The British Government once enacted severest measures in this country. They said they will confiscate their lands and confiscate the property of people, who are harbouring their enemies and yet as you know, nothing of that sort finally prevailed in crushing Indian nationalism. In enacting a law we must see that we do not make it all harder. If you have mere death penalties today you shall have a population which shall be fearless of the impositions of death. So we have to watch as to which weapons we have to pull out.

As I said, Sir, I welcome this measure and I take my hat off to the hon. Mr. Gopaldaswami Ayyangar for having stood up against hardships that would follow the confiscation of property. He is an aging statesman and I find that he is in fine mettle against forces of reaction.

Pandit Balkrishna Sharma: Sir, I hope you will excuse me if at this stage of the third reading of this Bill I strike a rather different note from the ones that we have heard in this House from hon. Members. To me, Sir, this occasion is not an occasion for any congratulation nor for any satisfaction, for the very simple reason that I feel sad at heart when I find myself in such a situation that this House has been compelled to take into consideration a measure like this.

By this enactment Parliament is providing for the expulsion of what we have called so far 'undesirable immigrants' but now in the amended form we have called them 'certain immigrants'. I do not relish this urgent need of a measure like this and the reasons are not far to seek. From time immemorial we have, as a Nation, believed in an open door policy. We have never banged our doors against those who wanted to come and settle in this country and to adopt it

as their own. Our hospitality has been a by-word in the history of human relationship and all manner of human species can be found in this country. In this very House if you will see the features of the Members present, you will not find it very difficult to discern Semitic, Mongolian, Seythian, Dravidian and Aryan traces which shows clearly that this country of all the countries, has never believed in shutting her door against those who wanted to come and settle here. My friend was doubting whether we had any semitic traces in our blood but he will be glad to know that we have had the authority of the historians who say that the Chitpavan Brahmins are the jews who have been converted into Brahminism. I don't know if any Brahmins in the South will take exception to it.

Shri Tyagi: On a point of Order. Mr. Kamath being a Chitpavan Brahmin...

Mr. Chairman: I would ask the Members to confine themselves to the Bill.

Pandit Balkrishna Sharma: I beg to submit that it was not out of any pusillanimity on our part that we continued to behave throughout history in the manner we did. It has always been with us a great principle that all human beings are in essence image of God and that the discrimination between man and man of this or that country, of this or that race, of this or that religion is an outrage not only against the dignity of man but against the very Godhood. Of course discrimination between man and woman is necessary in order to keep the society growing. We always believed in the principle that it is the petty-minded alone who think in terms of thine and mine but to men of broad sympathy the whole world is one family. The situation however has so developed on the side of our frontier in the North-East that we must give earnest thought to it. Holding fast to our principles of non-discrimination we must see to it that the mischief-mongers do not monkey with our border area. One may ask how do I reconcile my tradition of hospitality with this Bill which provides for expulsion of immigrants. The answer is very simple. My hospitality is for men—I have not extended and I shall not extend it to those who have refused to behave like men. Desparadoes and thieves cannot lay claim to my hospitality. It is well that many of the suggestions which were placed before the hon. Minister were accepted by him. In a way the scope of the Bill has been broadened. In a way the suggestions that were placed by my friends Mr. Biswanath Das and Pandit Bhargava have been accepted. I am really not yet convinced why the hon. Minister should not have accepted the suggestions—the last one—that was placed before him and before the House by Pandit Bhargava. He very rightly asked us the question whether we should like to put our own nationals at a disadvantage by providing in this legislation for the forfeiture of property because after all the harbourers will be our own nationals. It is not the national of any other country who can be called a traitor. The traitor is always my own national; he alone can be branded a traitor; and if my national behaves in a treacherous manner, then there is no reason why we should show any leniency to him. We are calling for trouble by not having accepted that amendment.

The situation as has arisen no doubt is a complicated situation but as was pointed out by friends from Assam it is not all of a sudden that the situation has so developed. We can not but recall to our minds the history of this attempt on the part of a certain section of the then undivided India to make Assam a province predominantly consisting of one particular people who observe one faith. That has been the attempt continuously going on for the last ten or twelve years—perhaps more. I have read of it since 1933 and 1934 when we were in gaol and we knew that a persistent attempt was being made by some people either to convert the Assamese to a particular religion or to bring people from the border areas of a particular religion in order that a substantial portion of Assam may become of one religion and therefore may be given, when

[Pandit Balkrishna Sharma]

the time comes, to sections of a particular class of Indian society which observed certain religion. I think my friend Mr. Chaudhury also can tell many stories and perhaps even at a time when he himself was the Minister in the Assam Government, things were going on there under his very nose and perhaps he found himself powerless to put a stop to that. Therefore I say that this is not a recent history and that this is a history which has been repeating itself time and again and as my friend Mr. Borooah and Mr. Buragohain pointed out, I will not be in the least surprised if after some time claims are made on certain territories of Assam on the ground that that territory was mostly inhabited by people who profess a certain religion. That may be in the nature of a counter-blast of us in regard to our Kashmir dispute. That has been all along the policy and that policy has been going on in Assam for the last so many years. The question naturally arises as to whether this Bill which we are passing today will meet the exigencies of the situation.

There are two sides of the question. One concerns the immigrants and the other concerns those who are refugees and for whom provision has been made in the Bill by the hon. Minister having accepted the amendments moved by my friends here. So far as the refugees are concerned I think I will not be out of order if I try to bring to the notice of this House the plight of refugees in Assam and the way they have been treated. I have before me a cutting from a newspaper,.....

Shri Kamath: On a point of order, Sir, while I have great regard for my hon. friend and his very admirable exposition, is all this detailed discussion relevant to the third reading?

Mr. Chairman: I was just going to point out to the hon. Member that any reference to the condition of the refugees in Assam is not pertinent to the discussion on the Bill.

Pandit Balkrishna Sharma: I have no go except to bow to your decision, though I beg to differ from it. Even the Bill itself mentions the refugees, though not by name but by meaning and therefore any discussion about the refugees in Assam may not be out of place.

Mr. Chairman: I would like to mention that any reference to the refugees, namely that any of the provisions of this Bill will harm them in future would be perfectly relevant but what has been done before the Act was passed to the refugees would not be pertinent.

Several Hon. Members: It is past five o'clock, Sir.

Mr. Chairman: If the hon. Member will conclude in a few more minutes the House might sit. How long will the hon. Member take?

Pandit Balkrishna Sharma: I won't take more than 15 minutes, Sir. May I be permitted to continue on Monday?

The House then adjourned till a Quarter to Eleven of the Clock on Monday, the 13th February, 1950.