

Friday, 17th February, 1950



PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT

VOLUME I, 1950

(1st February to 13th March, 1950)

FIRST SESSION

OF

PARLIAMENT OF INDIA

1950

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CORRIGENDA

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

In Volume I,—

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

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

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

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

In Volume II,—

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

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

In Volume III,—

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

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

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

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

In Volume I,—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Volume II,—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In Volume III,—

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

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

In Volume I—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(۳) صفحہ ۶۳۷ - نہچے سے سطر ۷ - دد دیبجانی ۴۴ کے بجائے دد دیبجانی 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 کے بجائے دہ بودیز ۴۴ پڑھیں
(۲) صفحہ ۱۱۱۵ - سطر ۱ - دہ رنگناہن کے بجائے دہ رنگناہن ۴۴ پڑھیں
(۳) صفحہ ۱۱۳۰ - نیچے سے سطر ۱۳ - دہ آرگھانائہز کے بجائے دہ آرگھانہز ۴۴ پڑھیں

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

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

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

- (۱) صفحہ ۱۵۰۰ - نیچے سے سطر ۱۲ - دہ ہاوس ۰۰ کے بجائے دہ ہاوس ۴۴ پڑھیں
(۲) صفحہ ۱۵۱۲ - سطر ۷ - دہ مولما ۴۴ کے بجائے دہ مولانا ۴۴ پڑھیں
(۳) صفحہ ۱۵۱۲ - نیچے سے سطر ۳ - دہ کرن کے بجائے دہ کرن کے ۴۴ پڑھیں
(۴) صفحہ ۱۵۱۶ - سطر ۴ - دہ فوراً کے بجائے دہ فوراً ۴۴ پڑھیں
(۵) صفحہ ۱۵۱۶ - نیچے سے سطر ۱۲ - دہ ۷۷۱۰ کے بجائے دہ ۷۷۲۰ ۴۴ پڑھیں
(۶) صفحہ ۱۵۱۸ - سطر ۳ - دہ دالونکا کے بجائے دہ دالونکا ۴۴ پڑھیں
(۷) صفحہ ۱۵۲۵ - نیچے سے سطر ۲ - دہ ۱۹۳۱ کے بجائے دہ ۱۹۳۹ ۴۴ پڑھیں

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

- (۱) صفحہ ۱۵۳۷ - سطر ۶ - دہ اللہ کے بجائے دہ اللہ ۴۴ پڑھیں
(۲) صفحہ ۱۵۳۹ - سطر ۴ - دہ اللہ 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 کے بجائے دہ زپورت ۴۴ پڑھیں
(۳) صفحہ ۱۶۰۹ - سطر ۹ - دہ آزاد کے بجائے دہ آزاد ۴۴ پڑھیں
(۴) صفحہ ۱۶۱۵ - سطر ۱ - دہ ایس کے بجائے دہ ایس ۴۴ پڑھیں
(۵) صفحہ ۱۶۱۶ - نیچے سے سطر ۱۹ - دہ آندستریل کے بجائے دہ آندستریل ۴۴ پڑھیں
(۶) صفحہ ۱۶۰۱ - سطر ۷ - دہ لے کے بجائے دہ لے کے ۴۴ پڑھیں
(۷) صفحہ ۱۶۲۱ - نیچے سے سطر ۱۷ - دہ تہو کے بجائے دہ تہار ۴۴ پڑھیں
(۸) صفحہ ۱۶۲۲ - سطر ۱۲ - دہ م کے بجائے دہ ہم ۴۴ پڑھیں
(۹) صفحہ ۱۶۲۲ - سطر ۱۳ - دہ نفریس کے بجائے دہ کانفریس ۴۴ پڑھیں
(۱۰) صفحہ ۱۶۲۵ - نیچے سے سطر ۱۲ - دہ دراید کے بجائے دہ درامد ۴۴ پڑھیں

PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Friday, 17th February, 1950

The House met at a Quarter to Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

STERLING BALANCES

*288. **Shri Sidhva:** (a) Will the Minister of **Finance** be pleased to state whether it is a fact that in the House of Commons in reply to a question regarding scaling down of Sterling Balances Sir Stafford Cripps stated on or about 1st December, 1949 that a number of claims for war stores, fixed military assets etc. had already been settled and some were outstanding?

(b) In this statement, was the settlement related to India and if so, what are the details of such settlement, what is the amount involved and what are the claims which are still outstanding?

(c) What effect has this settlement on our sterling balances?

The Minister of Finance (Dr. Matthal): (a) Yes, Sir.

(b) I do not know if the Chancellor of the Exchequer had India in mind particularly. But as a result of the Indo-U.K. Financial Agreement of July, 1948, payment of £100 million was agreed upon from the No. 2 Account to the U.K. in full and final settlement in respect of all defence stores and fixed assets left behind in India by the U.K. Government. All matters arising out of the Defence Expenditure plan, except the adjustment of certain terminal benefits, were also settled fully and finally with the payment by the U. K. Government of a sum of £55 million. There are, therefore, no outstanding items so far as defence stores and fixed assets taken over by India are concerned.

(c) The Sterling Balances in Account No. 2 of India were reduced by £52.20 million on account of these transactions, without taking into account the further amounts due from Pakistan.

Shri Sidhva: The hon. Minister has stated in reply to part (b) of the question that there is no amount outstanding due to defence stores and fixed assets except the £100 million. May I know what this total amount of £100 million relate to?

Dr. Matthal: I do not quite know the point of the hon. Member's question. Probably I could make the position clearer by saying that the total amount that we paid to the U.K. Government in respect of defence installations and

stores in undivided India was £100 million. Out of that about £1.76 million was paid to us by Pakistan in block sterling on account of the defence installations located in Pakistan. Therefore £100 million less what was paid to us by Pakistan is the net amount we have had to pay to the U.K.

Shri Sidhva: Is there any conference that the British Government is going to hold in this matter?

Dr. Matthal: There is no outstanding matter on which to confer.

Shri B. Das: Has the attention of the hon. the Finance Minister been drawn to the irresponsible utterances of Mr. Churchill since this question was discussed in the House of Commons, that India owes more money on account of war surplus stores and war supplies, and that the Sterling Balances should be reduced, and if so, have the Government made any emphatic protest to the U.K. Government in regard to such irresponsible utterances?

Dr. Matthal: The statement made by Mr. Churchill was, I think, made first during the debate on Devaluation in the British House of Commons.

Shri B. Das: It was repeated again.

Dr. Matthal: My views with regard to that statement were stated here on the floor of the House in my speech on Devaluation. Mr. Churchill holds no official position in the U.K. and I do not feel called upon to reply to his utterances.

Shri Kamath: After this debate in the House of Commons in December, has India made it clear beyond doubt to the United Kingdom Government that she will not countenance any scaling down of Sterling Balances?

Dr. Matthal: The Government of India have expressed their view on this subject in unmistakable terms.

MASS IMMUNIZATION AGAINST T. B.

*289. **Shri Sidhva:** (a) Will the Minister of **Health** be pleased to state whether the Director of the Tuberculosis Research Centre of the World Health Organisation, suggested on his visit to India that mass immunization of children and young people is the most effective method to fight tuberculosis in India?

(b) If so, have Government considered this suggestion?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). Yes. Dr. Palmer, Director of the Tuberculosis Research Office of W.H.O. during his visit to India in November, 1949, suggested mass immunization of children and young people as the 'most hopeful' method of fighting tuberculosis in India. A statement showing the action taken is laid on the Table of the House. [See Appendix I, annexure No. 37.]

Shri Sidhva: With reference to part (b) of the question I wanted to know whether Government have considered the suggestion and if so, what are their proposals and recommendations?

Rajkumari Amrit Kaur: Everything is given in detail in the statement. I may say that Government are manufacturing B.C.G. vaccine in Madras. There are six teams working in India just now and a vigorous programme in this immunization through B.C.G. vaccination is going on.

Prof. Ranga: Has any attempt been made to estimate the possible cost of such a campaign as this mass immunization on the basis of the experience gained from these centres?

Rajkumari Amrit Kaur: I would have to have notice of the question as to how much exactly it is costing. Of course these foreign teams come and they supply us with fifty per cent. of the cost. But I could find out details and let the hon. Member know.

Shrimati Ammu Swaminadhan: May I ask how many people have been vaccinated with B.C.G. vaccine so far and what kind of reaction there has been on this vaccination?

Rajkumari Amrit Kaur: Upto the end of December 1949 about 4½ lakhs of persons were tested and over 1½ lakhs were vaccinated

सेठ गोविन्द दास : क्या यह वेक्सीनेशन का काम ह् प्रान्त में चलता है या एक विशिष्ट प्रान्त इसके लिए चना गया है ?

Seth Govind Das: Is the work in connection with the vaccination undertaken in every province or a particular province only is selected for the purpose?

राजकुमारी अमृत कौर : जी नहीं, जहाँ भी प्रान्तीय गवर्नमेंट चाहती है कि यह काम शुरू हो वहाँ पर हम शुरू करने की कोशिश करते हैं ।

Rajkumari Amrit Kaur: No, Sir. We make an effort to commence this work where a provincial Government may desire so.

Shrimati Ammu Swaminadhan: The hon. Minister stated that about 4½ lakhs of people had been tested but only 1½ lakhs were given the vaccinations. May I know why so few have been given the vaccination when as many as 4½ lakhs of people were tested?

Rajkumari Amrit Kaur: Because those that react positively to the test are considered not fit for the vaccination. It just shows what a tremendous diathesis there is in this country towards tuberculosis.

Shri Chattopadhyay: May I know the Provinces in which the immunization work is going on and the amount of money sanctioned by the Government of India?

Rajkumari Amrit Kaur: I will give a full statement to the hon. Member in regard to that.

Shri Kamath: Has not the experience gathered in other countries shown that this method of mass immunization will not be effective without an adequate diet and better sanitation?

Mr. Speaker: Order, order. I do not think it arises.

DISMISSAL OF INTERIM MINISTRY IN P.E.P.S.U.

*290. **Sardar B. S. Man:** (a) Will the Minister of States be pleased to state the circumstances and the reasons for dismissing the last interim Government of PEPSU?

(b) What is the character and the proposed duration of the present caretaker Ministry in PEPSU?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). I invite the attention of the hon. Member to the Notification issued in this connection by His Highness the Rajpramukh of Patiala and East Punjab States Union. A copy of the Notification is placed on the Table of the House. [See Appendix I, annexure No. 38.]

Sardar B. S. Man: In view of the compromise and the willingness of the main parties now to come together and work together, do Government contemplate to form a popular Ministry there comprising of representatives of the popular parties?

Sardar Patel: I have not seen the settlement or agreement between the parties. But whenever the parties are agreed upon and come to a common agreement, Government will always be willing to allow them to form the Ministry.

Shri Tirumala Rao: Is it a fact that the local Akali organisations are threatening 'direct action'?

Sardar Patel: Well, the Akali organisation is giving threat every other day!

NEW MATERNITY CENTRES

*291. **Seth Govind Das:** Will the Minister of Health be pleased to state:

(a) the number of new maternity centres opened during the year 1949-50; and

(b) the number of beds provided in new centres?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). A statement is laid on the Table of the House. [See Appendix I, annexure No. 39].

सेठ गोविन्द दास : क्या मंत्री महोदया यह बतायेंगी कि इन सेन्ट्रों में जो नये खोले गये हैं क्या चोपड़ा कमेटी की रिपोर्ट के अनुसार ऐसे सेन्टर भी खोले गये हैं जहां पर आयुर्वेदिक पद्धति के अनुसार काम चलाया जा रहा है ?

Seth Govind Das: Will the hon. Minister be pleased to state if among these newly opened centres are included some such centres which have been opened in pursuance of the recommendations of the Chopra Committee and where work is conducted on systematic Ayurvedic lines?

राजकुमारी अमृत कौर : जी नहीं ।

Rajkumari Amrit Kaur: No, Sir.

सेठ गोविन्द दास : क्या गवर्नमेंट इस पर विचार कर रही है कि इस तरह के सेन्टर खोले जायें जहां पर आयुर्वेदिक पद्धति चले ?

Seth Govind Das: Are the Government considering proposals to open such-like centres to conduct work on systematic Ayurvedic lines?

राजकुमारी अमृत कौर : चोपड़ा कमेटी की रिपोर्ट के बारे में एक कमेटी बैठी हुई है उन बातों के ऊपर भी सोच विचार करेगी । लेकिन मैं आप से कहना चाहती हूँ कि आयुर्वेदिक में maternity and child welfare के लिये बहुत कम हैं ।

Rajkumari Amrit Kaur: The Committee set up in connection with the Chopra Committee's Report will also take those things into consideration. I, however, may point out that there is very little scope in Ayurvedic system for the maternity and child welfare work.

सेठ गोविन्द दास : क्या मंत्री महोदया इस बात को जानती हैं कि चोपड़ा कमिटी ने अपनी रिपोर्ट में यह बताया है कि यह काम भी आयुर्वेदिक में किया जा सकता है ?

Seth Govind Das: Is the hon. Minister aware of the fact that the Chopra Committee's Report holds that work of this nature is practicable on Ayurvedic lines?

Mr. Speaker: If it is stated in the report it is there.

सेठ गोविन्द दास : उन्होंने अभी कहा है कि आयुर्वेदिक में यह काम

Seth Govind Das: She has just said that in Ayurvedic, this work

Mr. Speaker: That will be entering into an argument. The Question Hour is to be utilised for getting information, not for arguing the matter or for cross-examining.

सेठ गोविन्द दास : क्या मंत्री महोदया यह बतलाने की कृपा करेंगी कि चोपड़ा कमिटी की रिपोर्ट की बाबत जो कमिटी बैठी हुई है उसकी रिपोर्ट कब तक तैयार हो जायगी ?

Seth Govind Das: Will the hon. Minister be pleased to let me know as to when the Report of the Committee set up in connection with the Report of the Chopra Committee may be expected?

राजकुमारी अमृत कौर : यह सवाल तो इस सवाल से नहीं उठता है ।

Rajkumari Amrit Kaur: This question does not arise from the main one.

Mr. Speaker: I am afraid it will not be possible for me to agree with that view. The hon. Minister herself referred to a second Committee being appointed. It will investigate the question and then Government will consider it. So, the question is pertinent.

राजकुमारी अमृत कौर : बहुत जल्दी मुझे उम्मीद है कि इसकी रिपोर्ट तैयार हो जायगी ।

Rajkumari Amrit Kaur: I hope the report in question will be ready very soon.

सेठ गोविन्द दास : बहुत जल्दी का क्या अर्थ है ! हमेशा इस तरह का जवान मिलता है ।

Seth Govind Das: What is meant by 'very soon'. Always we have an answer of this type.

Mr. Speaker: He is now arguing.

श्री आर० के० चौधरी : मैं मंत्री महोदया से पूछना चाहता हूँ कि मेटरनटी सेंटर और मेटरनटी वार्ड में क्या अन्तर है ?

Shri B. K. Chaudhuri: Will the hon. Minister please let me know the difference between a maternity centre and a maternity ward?

श्री कामत : इस दूसरी कमेटी के ऊपर तीसरी कमेटी बंटाने का इरादा है गवर्नमेंट का ?

Shri Kamath: Do the Government propose to set up a third Committee over the second one?

Mr. Speaker: Order, order.

Sardar B. S. Man: May I know if Government propose to have more maternity centres in rural areas where now practically they are non-existent?

Rajkumari Amrit Kaur: Yes, Sir.

RELEASE OF REPATRIATED PRISONERS FROM PAKISTAN

292. Sardar Hukam Singh: (a) Will the Minister of **Home Affairs** be pleased to state whether the attention of the Government has been drawn to the U.P.I. news reported in *The Daily Tribune*, Ambala dated the 30th December 1949 referring to a Press Note issued by the Government of West Punjab announcing the release of all undertrial prisoners accused of offences of Communal nature and the letting off on bail of those who were charged of offences short of murder and had been repatriated last year from East Punjab?

(b) What is the number of the undertrials, accused of similar offences in our Jails on 15th January 1950 who were repatriated last year from West Pakistan?

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

(b) All the undertrial prisoners repatriated from areas in West Pakistan other than the West Punjab have been released. As regards the undertrial prisoners repatriated from the West Punjab, the Government of Punjab, who are concerned with them, have reported that on the 15th January 1950 there were 5 such prisoners in their jails, out of whom four are accused of murder and one of abduction and rape.

Sardar B. S. Man: Is it a fact that certain other prisoners are still to be repatriated from Pakistan and that they are in Pakistan jails?

Sardar Patel: I do not think so—I have no information

HISTORICAL MUSEUMS

***293. Shri Sidhva:** (a) Will the Minister of **Education** be pleased to state the names of historical museums existing in the Union of India?

(b) Are all these museums maintained by the Government of India? If not, by whom are they maintained?

(c) Is there any plan for expanding any of these museums and if so, which are those museums?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). A statement giving the names and other particulars asked for in regard to the historical museums in the Union of India is placed on the Table of the House. [See *Appendix I, annexure No. 40*].

(c) Museum is a state subject and any expansion in respect of museums controlled by the States has to be considered by them. The information asked for in respect of such museums is not available with the Government

of India. As regards Museums controlled by the Central Government, the National Museum at Delhi, the nucleus of which was opened in the Government House in New Delhi in August 1949, will be expanded appreciably during the next five or six years subject to the availability of funds. Steps have been taken to improve the museums maintained by the Central Government in Delhi, Sarnath, Nalanda and Nagarjunikonda in the matter of trained staff and publications, etc.

Prof. Ranga: Is it a fact that some of the finds from Nagarjunikonda have recently been transferred to Delhi, and if so, why?

Shri Khurshed Lal: I would like to have notice of that.

Shri Kamath: Has Government got a committee to decide from time to time which objects are fit for being sent to the Central Museum?

Shri Khurshed Lal: I would like to have notice of that.

Shri B. Das: What steps are Government taking to co-ordinate the work of the various museums so as to have one common policy for all the museums in India?

Shri Khurshed Lal: The museums in the States are controlled by the States. The Government are at present more concerned with the development of the National Museum at Delhi.

Shri B. Das: But they must have a common policy?

The Prime Minister (Shri Jawaharlal Nehru): It is desirable, of course, to have some policy, but it is equally desirable to have as many diverse tendencies there as possible to allow museums of all types and kinds. To restrict them in following their own tendency—whether it is a State Government or a municipality or any organisation—would be highly improper. There are public museums and private museums. To restrict them in that way would not be right. Obviously, what would be desirable is that the latest information about the science—or whatever it is—of museums should be available to all and thereby some co-ordination should be effected.

Shri R. K. Chaudhuri: May I know why a small museum in the town of Gauhati which is maintained by the Kamrup Kala Samiti has not been included in this list?

Shri Khurshed Lal: Museums which are known to the Government have been included in the list.

Shri M. A. Ayyangar: May I know if there is a proposal to send to the Central Museum the statues of all the Viceroy and Governors-General here, and other emblems relating to the United Kingdom?

Shri Jawaharlal Nehru: No, Sir, it is proposed—at least it has been suggested—that a special museum should be created for such emblems.

STRENGTH OF INDIAN NAVY

*294. **Sardar Hukam Singh:** Will the Minister of Defence be pleased to state the total strength of Indian Navy on 31st December 1949?

The Minister of Defence (Sardar Baldev Singh): It will not be in the public interest to disclose this information.

Sardar Hukam Singh: What percentage of the Navy consists of ships old and used and bought from other countries, and what percentage new ships?

Sardar Baldev Singh: Sir, if the hon. Member wants to know this information, he will have to give me notice. But I may inform the House that none of them is absolutely new. They are tried out there for a year or two and then only we purchase them.

Shri Joachim Alva: Sir, may I know what is the right of a private Member in this House? Will it be open to any Member of the House to go up to the Minister of Defence and ask in private information regarding the strength of the army?

Sardar Baldev Singh: Sir, may I say that such information as I can give him, I will be prepared to give him?

Shri Chajha: May I know whether the Government is intending to set up a Standing Committee for Naval Affairs, of the Members of Parliament?

Mr. Speaker: I am afraid the question does not arise.

MANUFACTURE OF AIRCRAFT

***295. Prof. K. T. Shah:** (a) Will the Minister of Defence be pleased to state what provision has been made for building military aircraft of different kinds, and for different purposes, as also for providing proper equipment and armament needed for such aircraft?

(b) How many such aircrafts have been actually built, and what armament or equipment for the same has been provided out of the country's own supplies, manufacture, or production, since 15th August 1947?

The Minister of Defence (Sardar Baldev Singh): (a) and (b). It is regretted the information cannot be furnished as it would not be in the public interest to do so.

Shri Rudrappa: May I know whether aircraft are actually built in India or only assemblage of parts is being done?

Sardar Baldev Singh: That is so at present. We assemble certain types of aircraft in our factory at Bangalore.

Shri Rudrappa: May I know the capital of the present factory?

Sardar Baldev Singh: I think that question should be directed to my hon. colleague, the Minister for Industry and Supply.

Shri Sidhva: In reply to a previous question, the hon. Minister stated that even if an hon. Member went to him privately he can have only that information which he can give. Under these circumstances, can Members who are part and parcel of this Government also be denied the information in private?

Mr. Speaker: He is arguing—he is not asking for information.

IMPORT OF ARMAMENTS, STORES AND EQUIPMENT FOR AIR FORCE

***296. Prof. K. T. Shah:** (a) Will the Minister of Defence be pleased to state what arrangement exists with regard to obtaining aircraft armament, stores, and equipment from foreign countries, and the mode and medium of payment for the same?

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

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

The Minister of Defence (Sardar Baldev Singh): (a) and (b). Arrangements in this regard are generally the same as those which obtain in respect of naval armament, stores, equipment, etc. explained in my answer to Starred Question No. 150 asked by the hon. Member on the 8th February 1950.

(c) No.

Prof. K. T. Shah: May I enquire if there is any arrangement by which officers or apprentices from India can be trained in the countries from which we buy such equipment?

Sardar Baldev Singh: Arrangement exists. In fact, we have quite a number of officers and men undergoing training at present.

Prof. K. T. Shah: If it is not against public interest, may I enquire how many such people have been deputed and to what countries?

Sardar Baldev Singh: I am sorry, as I said the other day in reply to a question by my hon. friend, it is not possible to give this information in public interest.

Prof. K. T. Shah: Is it not possible or is it not in public interest to do so?

Mr. Speaker: He said: "It is not possible to give it in public interest".

NON-IMPLEMENTATION OF RECOMMENDATIONS OF CHOPRA COMMITTEE

*297. **Shri D. S. Seth:** Will the Minister of Health be pleased to state:

(a) whether Government have received a circular letter No. 1121/M-49 dated 17th December 1949 from the office of All India Ayurvedic Congress protesting against the Government's decision for non-implementation of the recommendations of the Chopra Committee Report and appointing yet another Committee for the same purpose;

(b) the reasons for not accepting the recommendations of the Chopra Committee's Report; and

(c) whether Government propose to reconsider their decision in the light of the representation made by All India Ayurvedic Congress?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) One of the most important recommendations of the Chopra Committee is that an attempt should be made to synthesise the principles of the indigenous and modern systems of medicine and that this integrated system suitably combining the principles of both should be taught in the medical teaching institutions. As the theories and principles of modern scientific medicine are very different from those enunciated by Ayurveda and Unani, Government are convinced that the integration recommended by the Chopra Committee is impracticable. The evolution of an integrated system will be possible only after the methods of modern scientific research have been applied to the principles and practice of Ayurveda and Unani and it has been ascertained what is of proven merit and value in those systems. Any principle or practice which, on proper scientific scrutiny, is found to be of value, will naturally get absorbed in the broad stream of modern scientific knowledge which is neither eastern nor western, but which belongs to the whole world. The Committee which has been appointed under the chairmanship of Dr. C. G. Pandit

will make recommendations regarding the setting up of a research institute for the indigenous systems of medicine and the manner in which a study of the indigenous systems of medicine should be regulated.

(c) No.

सेठ गोविन्द दास : क्या गवर्नमेंट को यह बात मालूम है कि अभी भी इस देश में ज्यादातर इलाज आयुर्वेदिक होता है और ऐसी हालत में उसको वैज्ञानिक बनाने में क्या आसक्ति हो सकती है ?

Seth Govind Das : Is the Government aware that Ayurvedic system of treatment is still practiced more than any other in this country? If so, what objection could there be to bring this system on scientific lines?

राजकुमारी अमृत कौर : मुझे इन्तुम है कि ज्यादातर अभी इलाज, खासकर हमारे ग्रामों में, आयुर्वेदिक होता है, और मैं ने अभी आपसे कहा है कि जो कमेटी (Committee) बिठाई है वह इस बात पर सोच विचार कर रही है कि किसी तरह आयुर्वेदिक पढ़ने वालों को तालीम दी जाय और आज जो लोग मौजूद हैं उनका भी हम क्या उपयोग कर सकते हैं।

Rajkumari Amrit Kaur : I am aware that Ayurvedic system of treatment is practised more, specially in our villages, even now. I have just told you that the issues as how to conduct training of those desirous to learn this system as also how best to utilize the existing talent in this respect, are engaging the consideration of the Committee appointed to this end.

सेठ गोविन्द दास : जब चोपडा कमेटी ही इस काम के लिए नियुक्त की गई थी और जब उसने सिफारिशें कर दी हैं, तब इस नई कमेटी की क्या जरूरत है।

Seth Govind Das : What considerations have led towards setting up of this new Committee when the Chopra Committee had already been appointed for this purpose and they have even submitted their recommendations?

राजकुमारी अमृत कौर : यह कमेटी इस लिए बिठाई गई है क्यों कि चोपडा कमेटी ने जो रिक्मेंडेशन्स (recommendations) की हैं वह ज्यादातर हमें मंजूर नहीं हैं।

Rajkumari Amrit Kaur : The recommendations of the Chopra Committee are generally not acceptable to us and hence the appointment of this new Committee.

Shri Kamath : In view of the fact that the Chopra Committee was constituted by this Government, what are the reasons for appointing a second Committee to sit in judgment over the Chopra Committee?

Mr. Speaker : That has been answered already.

Shri B. K. Das : Except the setting up of the Research Institute, may I know what other steps Government is taking or going to take in respect of improving and promoting Ayurved and Unani systems?

Rajkumari Amrit Kaur: If hon. Members had studied the statement showing the action which it is proposed to take on the recommendations of the Chopra Committee—I laid that statement on the Table of the House last November—these questions would not be asked. If you like, I will again lay that statement on the Table of the House. This Committee is not only going to see how we can train those who practise the arts of Unani and Ayurved in the future, but it is also going to see how much research can be done in the matter of the indigenous practices that exist and also how we can incorporate those who have had a certain amount of basic scientific training in modern scientific medicine into the health services of this country.

सेठ गोविन्द दास : जौ यह दूसरी कमेटी बिउई गई हं क्या इसकी जो सिफारिशें होंगी उनको कार्य रूप में परिणत करना गवर्नमेंट के लिए लाजिमी होगा ?

Seth Govind Das: Are the Government committed to give effect to the recommendations to be made by this second committee?

Mr. Speaker: Order, order. That would be problematical at this stage. The Committee has not yet reported and we do not know what it is going to recommend. The hon. Member is trying to press his own point, namely, that encouragement must be given to Ayurved, and he is arguing, instead of asking for information. I have no quarrel with his argument. It may be quite right, but, under the rules, questions are to be asked only for getting information.

Shri Lakshmanan: What is the percentage of people treated under indigenous systems of medicine and what is the percentage treated under the allopathic system?

Mr. Speaker: Order, order. It is too general and does not arise.

श्री गौतम : अभी मिनिस्टर साहिबाने फरमाया कि दूसरी कमेटी इस लिए बनाई गई कि पहली कमेटी की रिक्मेंडेशन्स गवर्नमेंट को मंजूर नहीं थीं। क्या इस गवर्नमेंट को यह आम पालिसी है कि जब कमेटी की रिक्मेंडेशन्स मंजूर नहीं होती तो वह दूसरी कमेटी बना दे ?

Shri Gautam: The hon. Minister has just said that a second committee was set up because the recommendations made by the first one were not acceptable to the Government. May I know if it is the general policy of the Government to proceed with the appointment of a second committee in case they don't find the recommendations of the original committee acceptable to them?

Mr. Speaker: Order, order.

Shri Syamnandan Sahaya: May I know which of the main recommendations of the Chopra Committee did not find favour with Government, necessitating the appointment of another Committee?

Rajkumari Amrit Kaur: If you had listened to my reply to part (b), you would have seen where we differ. The main recommendation was the integration of the Ayurved and Unani systems in modern medicine. Until there has been some scientific research, we cannot have this integration. This Research Institute which is going to be set up will look into the question and see how we can prove what can be quickly taken in and absorbed.

FOREIGN SCHOLARSHIPS

***298. Shri Karmarkar:** (a) Will the Minister of Education be pleased to state when is the next selection of Government scholars for studies in foreign countries due and when do Government propose to make a selection for the same?

(b) What is the amount that Government propose to provide for and what is the number of Scholarships Government propose to allot during the year 1950-51?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) All preliminaries for the next selection of Government scholars under the New Overseas Scholarship Scheme 1949-50 had been settled and the selection of the candidates was about to commence, but due to financial difficulties the work had to be stopped.

(b) The matter is under consideration.

Shri Karmarkar: May I know whether any special provision has been made for lady candidates and members of the Harijan community?

Shri Khurshed Lal: The intention is to send the best people for training, irrespective of any other consideration.

Shri Karmarkar: May I know whether the selection will be restricted to teachers' in educational institutions as last year, or it will be thrown open to all candidates?

Shri Khurshed Lal: It will be open to people who are already in employment, whether in Government Departments or otherwise, so that the best advantage can be derived from the education abroad.

Prof. Ranga: Is it not a fact that Government have decided to abandon this scheme, in view of their inability to make use of scholars who return after studies and also in view of financial stringency?

Shri Khurshed Lal: That is why I said just now that we are sending people who are already in employment and for the particular kind of work they are doing, they are sent abroad so that the best advantage may be derived by that training.

Shri Tirumala Rao: Is it a fact that some of the students who were sent from here, who were in service at that time were, after returning from their foreign studies, again asked to occupy the same lower post?

Mr. Speaker: I am afraid questions have been put a number of times on this subject and the same things are being repeated.

Shri Tirumala Rao: May I make my position clear? The other day the Prime Minister made a statement that there was no co-ordination, that a large number of students were sent abroad and when they came back they were not being absorbed. We want to know what is the purpose of again selecting some more students and sending them abroad without any proper organisation here to absorb them back.

Mr. Speaker: If I remember aright, the Prime Minister and the Education Minister were referring to the years 1945 and 1946 when there was no co-ordinated policy. Therefore, they had to revise that policy. That was the reply, as I remember. Of course, I am not sure. However, I do not propose to allow further questions on this.

Prof. Ranga: Is the Education Ministry doing anything energetic in order to see that these returned scholars are absorbed?

Shri Khurshed Lal: Every possible effort is being made to utilise their services.

Shri Sonavane: In view of the constitutional reservation for Scheduled Castes, may I know the reason for not sending Scheduled Caste students?

Shri Khurshed Lal: I never said that Scheduled Caste students will not be sent. What I said was that when we are sending people to foreign countries for advanced studies, it is obvious that we should send only those who are in a position to benefit from such studies, irrespective of any other consideration.

RELIGIOUS TEACHING IN DENOMINATIONAL SCHOOLS IN CENTRALLY ADMINISTERED AREAS

*299. **Giani G. S. Musafir:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that religious education is still being imparted to students without the consent of their parents in certain denominational schools and colleges receiving state aid in Delhi and other Centrally administered areas; and

(b) if the answer to part (a) above be in the affirmative, the steps Government propose to take in the matter?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Government have not so far received any complaints either from students or from their guardians regarding the infringement of Article 28 of the Constitution of India.

(b) The Government will, however, bring this Section specifically to the notice of all State and State-aided schools in the Centrally Administered Areas.

DELHI RED FORT

*300. **Shri Kamath:** Will the Minister of **Education** be pleased to state:

(a) whether the Delhi Red Fort is closed to the public;

(b) if so, why and since when; and

(c) how long it will remain closed?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) to (c). The protected part of the Red Fort is generally open to the public but from 1st to 7th February, 1950, it was closed to the public in connection with the celebrations of the *Jashne Jamhuriat* in the *Dewan-i-Khas* which is situated in the protected part of the Fort.

Shri Kamath: Is it a fact that this was the first occasion in recent times when the protected part of the Red Fort was closed to the public?

Shri Khurshed Lal: I think it has not been closed for a long time.

Shri Kamath: Which parts of the Fort were closed?

Shri Khurshed Lal: The protected part which is under the Archaeological Department, because *Jashne Jamhuriat* was held in the *Dewan-i-Khas*.

Shri Kamath: Is it a fact that visitors were not issued tickets at the entry office for any part of the Red Fort during those seven days?

Shri Khurshed Lal: Tickets are issued for that part of the Fort which is under the control of Archaeological Department and that part was closed in connection with the celebrations of the *Jashne Jamhuriat*.

Shri Raj Bahadur: May I know what were the reasons on account of which a part of the fort was closed to the public.

Shri Tyagi: May I know, Sir, whether it is a fact that the hon. Minister for Education wrote to the Chief Commissioner to open the Fort and in spite of that instruction it was not opened to the public?

Shri Khurshed Lal: I do not think the hon. Minister sent any such instructions.

Shri Kamath: In which part of the protected area of the Fort was the *Jashne Jamhuriat* held?

Shri Khurshed Lal: It was held in the *Dewan-i-Khas*.

Shri Kamath: Then why was the entire protected part closed?

Shri Tyagi: Which Ministry of the Government of India controls the Red Fort?

Shri Khurshed Lal: The protected part of the Fort which is under the Archaeological Department is controlled by the Ministry of Education; the other parts are under the Defence Ministry.

LOANS TO STATES

***301. Shri Buragohain:** Will the Minister of Finance be pleased to state:

(a) the names of the States in whose cases the Central loans for State Development Programmes budgeted for the year 1949-50 have been entirely stopped; and

(b) the date on which the Government took the decision to stop the said allotment of loans?

The Minister of Finance (Dr. Matthai): (a) and (b). The hon. Member should await my Budget Statement.

LEVY OF SALES TAX IN DELHI

***302. Shri Kunhiraman:** (a) Will the Minister of Finance be pleased to state whether it is a fact that Government have decided to levy Sales Tax in Delhi?

(b) If so, what is the estimate of income to be derived therefrom?

The Minister of Finance (Dr. Matthai): (a) and (b). The matter is still under consideration.

Shri Deshbandhu Gupta: May I know whether Government's attention has been drawn to the resolution passed by the Chief Commissioner's Advisory Council opposing the imposition of any sales tax, and, if so, whether that recommendation is being accepted?

Dr. Matthai: I have seen a newspaper report to that effect. Assuming that the Advisory Council came to that conclusion, it does not necessarily conclude the matter.

EXCAVATIONS IN NALANDA, VAISALI AND KUMHRAR

***303. Prof. S. N. Mishra:** (a) Will the Minister of Education be pleased to state the period during which there has been complete stoppage of excavations in the ancient ruins of Nalanda, Vaisali and Kumhrar and the reasons for the stoppage?

(b) Do Government propose to resume excavations in these places in the current year before the rains set in and if not, what are the reasons therefor?

(c) Have Government received any representation from the Vesali Sangh, an important non-official organisation of which the Chief Minister of Behar is the president?

(d) If so, have any steps been taken or are contemplated to be taken in regard to it?

(e) Do Government propose to take up excavations in the ancient ruins of Vikramshila?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The excavations at the ancient ruins of Nalanda, Vaisali and Kumhrar were stopped from the year 1936, 1922 and 1913 respectively due to the limitations of excavation staff and funds and the shifting of interest to the excavations at Harappa, Mohen-jo-daro and Taxila.

(b) Government propose to carry out some trial diggings at Vaisali during this winter.

(c) and (d). Yes, at the instance and in co-operation with the Vaisali Sangh, the excavations are being undertaken.

(e) Hon. Member is referred to the reply given on 1st April, 1949 to part (b) of starred question No. 1564. The staff for the Exploration Branch has been sanctioned only recently and it is now proposed to undertake exploration of known sites including Vikramshila for determining their comparative importance.

Prof. S. N. Mishra: May I know, Sir, what amount has been spent so far on excavations at Vaisali and Nalanda?

Shri Khurshed Lal: As I have already said, nothing has been spent at Vaisali and we propose carrying out some trial diggings there. As regards Nalanda, I would ask for notice.

PROMOTION OF CULTURE AND FINE ARTS

*304. **Prof. S. N. Mishra:** Will the Minister of Education be pleased to state:

(a) the steps taken so far for fostering Inter-Asian cultural relationship;

(b) the concrete efforts made for the promotion of culture and the fine arts in the country and the results thereof;

(c) the policy of Government for giving financial assistance to non-official organisations and institutions working in the sphere of culture and the fine arts; and

(d) the names of such non-official organisations and institutions receiving Government aid?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) to (d). A statement giving details of information required is placed on the Table of the House. [See Appendix I, annexure No. 41].

Shrimati Durgabai: May I know, Sir, whether it is a fact that the Ministry of Education has called a Conference of artists and musicians at Delhi, and, if so, whether that Conference met? If not, has the proposal been dropped?

Shri Khurshed Lal: A Conference of artists was held in Calcutta on the 29th and 30th of August, 1949

Prof. S. N. Mishra: May I know, Sir, what will be the attitude of Government if rival claims were advanced by a country like Indo-China for cultural relationship with India?

Mr. Speaker: That will be a hypothetical question at this stage.

Shrimati Durgabai: May I know, Sir, whether it is a fact that the Government had recently appointed a Committee of experts to advise on matters like the development of fine arts, and if so what is the scope of this Committee and who are the members constituting the Committee?

Shri Khurshed Lal: I am afraid I have to ask for notice of the question.

Shri Tirumala Rao: May we know the policy of Government for giving financial assistance to non-official organisations and institutions?

Shri Khurshed Lal: Government have a policy of giving financial assistance for which definite rules have been laid down.

Shrimati Durgabai: May I know, Sir, what is the total grant given by way of grants to the College of Karnatik Music at Madras and the Hindustani Music Academy at Lucknow?

Shri Khurshed Lal: I am afraid I have not got the figures with me.

Shri Sidhva: In connection with a question yesterday the Deputy-Speaker gave a ruling that when Government propose to place a long statement on the Table, the Member putting that question should be given a copy of it a few minutes in advance, so that he may put supplementary questions. I would request you to have this ruling circulated to the Ministries.

Mr. Speaker: I will consult the Deputy-Speaker and then decide.

SCHEDULED CASTES SCHOLARSHIPS

*806. **Prof. Yashwant Rai:** (a) Will the Minister of Education be pleased to state how many scholarships were granted to Harijan students this year to the Punjab students?

(b) How many students from the Punjab applied for the scholarships?

(c) On what basis has the quota of scholarships been allotted to the States?

(d) What are the conditions of granting scholarships?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) 46.

(b) 168.

(c) and (d). The primary consideration in the award of scholarships is merit. The financial position of the students is also taken into consideration. The Scheduled Castes and Other Backward Classes Scholarships Board, however, take steps to ensure that administrative units which contain a substantial proportion of members of Scheduled Castes and other Backward Classes are adequately represented in the final list of awards.

Sardar B. S. Man: May I know whether the four Sikh Harijan classes which were recognised as Scheduled Castes included in the Harijan Students' Scholarship scheme?

Shri Khurshed Lal: There is a complete list of Scheduled Castes and if my hon. friend refers to that list he will find whether the classes referred to by him are there or not.

Sardar Hukam Singh: May I know, Sir, whether effect is being given to the resolution of the Constituent Assembly about the inclusion of these castes

in the Schedule or whether the declaration by the President is being awaited, so far as the Harijan Students Scholarship scheme is concerned?

Shri Khurshed Lal: No additions have yet been made to the list.

SCHOLARSHIPS UNDER THE FULBRIGHT SCHEME

***306. Dr. R. S. Singh:** (a) Will the Minister of Education be pleased to state whether Indian students who intend to go privately to the United States of America for higher studies will be helped under a recent agreement signed between India and United States of America under the Fulbright Scheme?

(b) What facilities the Government sponsored Indian students will be given under that agreement?

(c) In what way the American students coming to India will be helped by that agreement?

(d) Does the agreement provide for establishing any joint machinery for the proper implementation of the terms agreed?

(e) If the answer to part (d) above be in the affirmative, what sort of machinery is that?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) to (e). The information required is contained in the text of the Fulbright agreement placed on the Table of the House. [See *Appendix I, annexure No. 42*].

Dr. R. S. Singh: Is it a fact that the agreement required that Indian students proceeding to America must not participate in political activities?

Shri Khurshed Lal: There is no such thing in that agreement as far as I know.

Shri Syamnandan Sahaya: Are Government aware that students who left for America before devaluation have suffered enormously in America and are not able to find the extra money required on account of the change in currency? If so, do Government propose to take any steps to help them?

Shri Khurshed Lal: Does it arise out of this question? Of course any cases of hardship brought to our notice will be looked into.

Sardar B. S. Man: Is it a fact that under the scheme the money is to be spent only in America?

Shri Khurshed Lal: Both in America and India.

Shri Tirumala Rao: Is there any organization set up to implement this scheme in the Education Ministry?

Shri Khurshed Lal: Under the scheme a Commission is to be set up consisting of four Americans and four Indians and the Chairman will be the Head of the American Diplomatic Mission here.

Dr. R. S. Singh: May I know whether the Indian students who are already in America would be given advantage of this scheme if they fulfil its requirements?

Shri Khurshed Lal: That will be a matter for consideration.

Shri Sidhva: May I know when that Commission is likely to be set up?

Shri Khurshed Lal: I think very soon.

IMPROVEMENT OF NATIONAL UNIVERSITIES

***307. Dr. R. S. Singh:** (a) Will the Minister of **Education** be pleased to state what steps, if any, have Government taken for the improvement of National Universities like Shri Kashi Vidyapitha, Banaras?

(b) Do the recommendations made by the University Commission cover the cases of such National Universities?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) The matter concerns State Governments primarily. The Central Government are, however, considering the question of recognition of the qualifications obtained from the Vidyapiths for purposes of Government employment.

(b) The University Education Commission have recommended:

- (i) that the Visva-Bharati, Santiniketan, and the Jamia Millia at Delhi be given provisional charters as Universities and be given suitable capital and recurring grants and
- (ii) that the University Grants Commission be constituted as the agency for determining the merits of requests for recognition as Universities.

Copies of the Report of the Commission are available in the Library of the House.

Prof. Ranga: May I know what steps have been taken to implement those recommendations in regard to Visva-Bharati and Jamia Millia?

Shri Khurshed Lal: Those recommendations are under consideration.

Shri Harihar Nath Shastri: Will the Minister be pleased to state whether the Kashi Vidyapitha approached the Central Government some time back for grants to its library and stipends to students? If so, were such grants given? If not, why not?

Shri Khurshed Lal: I should like to have notice of that question.

Dr. R. S. Singh: May I know why the case of Kashi Vidyapitha has been rejected?

Shri Khurshed Lal: I do not know of any such case.

Shri T. N. Singh: Is it a fact that the University Commission has recommended the grant of charters for Jamia Millia and Visva-Bharati and may I know why Kashi Vidyapitha has been left out?

Shri Khurshed Lal: The question be better asked from the University Commission.

SCHEDULED CASTES AND BACKWARD CLASSES SCHOLARSHIPS

***308. Shri J. N. Hazarika:** (a) Will the Minister of **Education** be pleased to state whether Government propose to award stipends to the pupils belonging to the Scheduled Tribes for higher studies in the foreign countries with a view to giving them better opportunities for securing administrative posts and other jobs?

(b) Who are the members constituting the "Scheduled Castes and other Backward Classes Scholarships Board"?

(c) What are its functions?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Not under this scheme, as this objective is covered by the General Overseas Scholarships Scheme of the Government.

(b) (1) Dr. Tara Chand, M.A., D.Phil. (Oxon.), Secretary, and Educational Adviser to the Government of India (Chairman).

(2) Shri A. V. Thakkar, M.P., General Secretary, Harijan Sevak Sangh.

(3) Dr. P. S. Deshmukh, M.P.

(4) Shri Sunder Lall, M.P.

(5) Shri V. C. Kesva Rao, M.P.

(6) Shri Chandrika Ram, M.P.

(7) Diwan Anand Kumar, Vice-Chancellor, Punjab University.

(8) Shri Ramananda Das, Secretary, Depressed Classes League, Calcutta.

(9) Dr. S. R. Sengupta, Principal, Bengal Engineering College, Howrah.

(10) Shri Brij Narain, Joint Secretary, Ministry of Finance.

(11) Dr. C. V. Ramchandani, Assistant Director General of Health Services.

Mr. K. L. Joshi, M.A. (London), Assistant Educational Adviser to Government of India (Secretary).

(c) To advise the Government of India in the award of scholarships and in administering the funds connected therewith.

Shri Kamath: Do Government make any differentiation as between scheduled castes and scheduled tribes while awarding these stipends and scholarships or do they take them as one entity?

Shri Khurshed Lal: They are awarded separately to scheduled castes and backward classes.

Shri Rathnaswamy: May I know the number of scheduled caste students that were sent to foreign countries in 1948 and 1949?

Shri Khurshed Lal: As I said this scheme is not meant for sending students abroad. This is meant for training being given in educational institutions in India.

Shri Barman: Have Government considered the desirability of granting special facilities to scheduled caste students for going abroad?

Mr. Speaker: That is a different question. This is concerned with education in India.

Shri Barman: Sir, the question is "Will the Minister of Education be pleased to state whether Government propose to award stipends to the pupils belonging to the scheduled tribes for higher studies in the foreign countries with a view to giving them better opportunities for securing administrative posts and other jobs?"

Shri Khurshed Lal: There are two things; one is advancement of education of scheduled classes in India; the other is education abroad which is open to all and for which candidates are selected and sent on merit. The consideration is those people who can take better advantage of studies abroad are sent.

Shri Barman: On the point of selection, have the Government considered the desirability of giving special privileges to scheduled classes in order that they may conform to the standard laid down in Article 335 of the Constitution?

Mr. Speaker: That has been replied to already.

Maulvi Wajed Ali: Is it a fact that there is no member on this Board from Assam? If so, will the Minister consider the question of including one?

Mr. Speaker: I am afraid it is a suggestion for action.

Shri Bharati: The question relates to Harijan Scheduled class and scheduled tribes. The Scholarship Board refers to scheduled caste and other backward classes. Do I understand that the scholarship is intended for the classes known as backward classes who are not scheduled castes or scheduled tribes?

Shri Khurshed Lal: It is meant for backward classes also.

Shri B. Velayudhan: Was there any special scheme for Foreign scholarship envisaged by Government to scheduled caste students before 1946?

Shri Khurshed Lal: I have no idea.

خواجه عنایت الہ : کیا گورنمنٹ نے بھکورتہ تلامذہ میں مسلمانوں کی بھی کسی
 حصص کو شامل کیا ہے -

Khwaja Inait Ullah: Have the Government included any section of the Muslim Community among the backward classes?

श्री खुरशीद लाल : जी नहीं ।

Shri Khurshed Lal: No, Sir.

Sardar B. S. Man: May I ask who amongst these members constitute the scheduled classes and backward class representatives or representatives of scheduled tribes in this Board?

Shri Khurshed Lal: I have just read out the names.

Sardar B. S. Man: May I know if any amongst them is a representative of the scheduled tribes or not?

Shri Khurshed Lal: Thakkar Bapa is considered as their representative.

Shri Sonavane: Arising out of the answer given by the Minister, may I know whether the merit of scheduled caste is considered from among all the general students or from the students of scheduled caste themselves, while taking consideration of merit for scholarships abroad?

Shri Khurshed Lal: For scholarships abroad nobody is considered on the basis of scheduled class or otherwise. The only consideration is that he should be a person who can take advantage of the facility of technical education which is given for our students in foreign Universities. It will be obvious that it will be difficult to get admissions for our students if they are not first class. If a scheduled class student is of that type, he will be sent.

CAMP COLLEGE, NEW DELHI

*309. **Master Nand Lal:** (a) Will the Minister of Education be pleased to state whether it is a fact that the East Punjab University Camp College, New Delhi, is financed by the Rehabilitation Ministry?

(b) Is it a fact that East Punjab University is removing this College after 1950?

(c) Is it a fact that most of the displaced students studying in the College are residents of Delhi and a majority of them are Government servants or otherwise employed?

(d) If so, do Government propose to adopt any measures to provide the displaced students with educational facilities?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) No Sir.

(b) Government understand that no final decision in this respect has been taken.

(c) Most of the students studying in the College are residents of Delhi, but only a minority of them are Government servants or otherwise employed.

(d) The matter is under consideration.

Shri Deshbandhu Gupta: Sir, may I know whether it is a fact or whether the Government are aware of it that recently, notices have been served on a large number of students and they will have to leave the college because they have not been able to pay their fees, and that the Government had promised to give them scholarships on behalf of the Rehabilitation Ministry, to about 100 students and that they are likely to lose their tuition if these notices are observed?

Shri Khurshed Lal: If the Rehabilitation Ministry had promised it, I do not know about it.

Shri Deshbandhu Gupta: Will the hon. Minister please make enquiries and see that these students do not have to suffer?

Mr. Speaker: Order, order, it is suggestion for action.

Shri Kamath: What is the total number of displaced students studying in this college?

Shri Khurshed Lal: The Camp College at present has 1,500 students on its rolls and 44 members on the teaching staff.

Shri Kamath: Sir, arising from part (d) of the answer, do Government propose to take suitable measures for these displaced students who are in the college, in case this college is closed?

Shri Khurshed Lal: The answer given specifically refers to the students of this college and the employment of the staff, and that matter is under consideration.

SABAYA AERODROME (BIHAR)

***310. Shri Chandrika Ram:** (a) Will the Minister of Defence 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 Minister of Defence (Sardar Baldev Singh): (a) and (b). Sabaya aerodrome is not required for future use of the Air Force and the project was auctioned on the 1st February 1950, together with certain unserviceable stores appertaining to the project, by the Lands Hirings and Disposals Service. Presumably the hon. Member is referring to the said stores.

(c) Does not arise.

Shri Tyagi: Sir, may I know at what cost was this aerodrome constructed?

Sardar Baldev Singh: I have not got the figure with me here, and if the hon. Member wants, I am prepared to supply it to him, later.

Shri Kamath: Have any other aerodromes been similarly abandoned?

Sardar Baldev Singh: Yes, a number of aerodromes have been abandoned, but to name them, I will require notice.

Shri Raj Bahadur: What is the money obtained by the auction?

Sardar Baldev Singh: The surplus assets were auctioned on the 1st February 1950, and the highest bids were as follows:

For buildings	...	Rs. 40,000
For pipe lines	...	„ 2,500
Unserviceable stores, furniture etc.	„	24,850

Shri Syamnandan Sahaya: May I know whether the Civil Aviation Department or the Provincial Government was consulted before auctioning off this particular aerodrome?

Sardar Baldev Singh: I believe so. The general policy is that we consult the Provincial Government and also the Civil Aviation Department.

Shri Syamnandan Sahaya: In view of the increase in air traffic, will the Government now abandon this policy of auctioning aerodromes?

Mr. Speaker: Order, order. The hon. Member is making a suggestion.

Shri Chandrika Ram: May I know whether the lands have been returned to their owners?

Sardar Baldev Singh: I have not got the information with me here. But as the auction was only of the building and the surplus stores, I believe the land thus vacated must have been returned to the owner.

Shri Tyagi: How many other aerodromes in Bihar have been abandoned by the Defence Ministry?

Sardar Baldev Singh: I will require notice.

Shri Raj Bahadur: What proportion does the amount realised from auction, bear to the initial cost of construction of the aerodrome?

Sardar Baldev Singh: I am not in a position to give the proportion. I will have first to get the actual figures of cost of construction of the aerodrome before I can give the proportion.

Shri Tyagi: On whose advice were these aerodromes abandoned?

Sardar Baldev Singh: As far as the air force aerodromes are concerned, on the advice of the Air Force.

Shri Tyagi: Was the matter placed before the Standing Committee for Defence?

Sardar Baldev Singh: If I may say so, the best judge as to which aerodrome is suitable for the Air Force, are the Air Force people themselves.

Shri B. E. Bhagat: Sir, may I know how many aerodromes will be kept on a permanent basis in Bihar?

Sardar Baldev Singh: There are a large number of aerodromes in Bihar. As far as I am concerned, I can give only information about aerodromes which are required for the Air Force, and even for them I will require notice.

Shri Kamath: Are the abandoned aerodromes still kept in such a condition that they could be used again immediately in the event of another war?

Sardar Baldev Singh: I believe those that are abandoned by us are not kept in a fit condition, and most probably the land is converted into agricultural land; but I cannot give definite information.

WRITTEN ANSWER TO QUESTION

EXCISE DUTY ON OIL AND OIL PRODUCTS

34. Shri Buragohain: Will the Minister of Finance be pleased to state the proceeds of excise duty on oil and oil products of Digboi levied and collected by the Government of India year by year for the four years 1946-50?

The Minister of Finance (Dr. Matthai): By "excise duty on oil and oil products" the hon. Member is presumably referring to Central Excise duty on Motor Spirit and Kerosene which are the only oil and oil products liable to Central Excise duty under the Central Excises and Salt Act, 1944. A statement showing the central excise duty assessed and realised on these two commodities during the financial years 1946-47 to 1949-50 (up to December 1949 only), is laid on the Table of the House. [See *Appendix I, annexure No. 48*].

Friday, 17th February, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME I, 1950

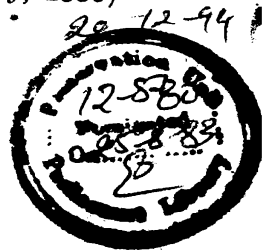
(28th January, 1950 to 23rd February, 1950)

First Session

of the

PARLIAMENT OF INDIA

1950



CORRIGENDA

to

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

In Volume I,—

1. No. 1, dated the 28th January, 1950,—

(i) Page (i) Col. 1, after line 4 insert "Ahammedunni, Shri V.C. (Travancore-Cochin)".

(ii) Page (ii), Col. 2, line 27 for "Rafi Ahmed, Shri" read "Shri Rafi Ahmed".

(iii) Page (iv), Col. 2, delete line 20.

2. No. 2, dated the 31st January, 1950,—

पृष्ठ १८, आठवीं पंक्ति के आदि में "न्त" के स्थान पर "जन्त" पढ़ें ।

3. No. 3, dated the 1st February, 1950,—

(i) Page 32, line 13 for "ule" read "rule".

(ii) पृष्ठ ७६, पंक्ति १८ में "पच्चास" के स्थान पर "पच्चीस" पढ़ें ।

4. No. 4, dated the 2nd February, 1950,—

(i) Page 103, line 3 add "it" before "is".

(ii) पृष्ठ १०३, नीचे से दूसरी पंक्ति के अन्त में "जी" के स्थान पर "जीता" पढ़ें ।

(iii) पृष्ठ १०७, के अन्त में "आज हमको" के आगे "यह देखना होगा कि जो चीजें हमने अपने विधान में रखी हैं उनको मूलक के काम में लाया जाय । मैं अर्ज करना चाहता हूँ कि अब जमाना बदल गया है" जोड़े ।

(iv) Page 110, line 5 from bottom for "humiled" read "bundled".

5. No. 5, dated the 3rd February, 1950,—

(i) पृष्ठ १८२, दूसरी पंक्ति में "इलाको" 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 "detrimetral" 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 "33½ percent".

(viii) Page 801, line 6 for "ward" read "award".

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PARLIAMENTARY DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Friday, 17th 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.

CONTROL OF SHIPPING (AMENDMENT) BILL

The Minister of Commerce (Shri Neogy): I beg to move for leave to introduce a Bill further to amend the Control of Shipping Act, 1947.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Control of Shipping Act, 1947."

The motion was adopted.

Shri Neogy: I introduce the Bill.

INDIAN TEA CONTROL (AMENDMENT) BILL

The Minister of Commerce (Shri Neogy): I beg to move for leave to introduce a Bill further to amend the Indian Tea Control Act, 1938.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tea Control Act, 1938."

The motion was adopted.

Shri Neogy: I introduce the Bill.

IMPORTS AND EXPORTS (CONTROL) AMENDMENT BILL

The Minister of Commerce (Shri Neogy): I beg to move for leave to introduce a Bill further to amend the Imports and Exports (Control) Act, 1947.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Imports and Exports (Control) Act, 1947."

The motion was adopted.

Shri Neogy: I introduce the Bill.

LABOUR RELATIONS BILL

The Minister of Labour (Shri Jagjivan Ram): I beg to move for leave to introduce a Bill to provide for the regulation of the relationship between employers and employees, for the prevention, investigation and settlement of labour disputes and for certain matters incidental thereto.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the regulation of the relationship between employers and employees, for the prevention, investigation and settlement of labour disputes and for certain matters incidental thereto."

The motion was adopted.

Shri Jagjivan Ram: I introduce the Bill.

ADMINISTRATION OF EVACUEE PROPERTY BILL—Contd.

Mr. Speaker: We will now proceed with the further consideration of the motion moved by the hon. Shri Mohan Lal Saksena on the 16th February, 1950, namely, "That the Bill to provide for the administration of evacuee property and for certain matters connected therewith, be taken into consideration."

Shri N. S. Jain (Uttar Pradesh): Sir, I was speaking about the conventions which we have to build up for our democracy when we adjourned last evening. Our conventions must conform to our culture and as we all know we have set as our motto: सत्यमेव जयते नानृतम् That is the principle; that motto represents all that our Hindu culture and Hindu thought, and for the matter of that, Indian culture and Indian thought, stand for.

With this motto on our lips we stand or fall. Mahatma Gandhi wrote once: 'Let every one of us be measured by his own yard-stick'. We stand before the world to be measured by the yard-stick which we have made. Now, there are circumstances and occasions when such a high principle puts us to test. It is on such occasions that our culture and traditions should come to our rescue.

My friend Mr. Kapoor was, I think, rather uncharitable and wrong, too, when he accused the Government of having a negative policy of doing the opposite of what Pakistan did in a given set of circumstances. I do not think our Government, headed as it is by a man whom we all know and revere, and whom I had the privilege of knowing since 1922 through all the period of turmoil and travail, are open to such a charge. I am sure our Government have a policy worthy of us and worthy of this ancient land of sages. It may be that at times that policy may be irksome to some and, sometimes, I myself feel doubtful about it.

A brochure has been supplied to us by the Government. A perusal of it would show that Pakistan has been doing not only wrong things but even preposterous things. But then, can anybody suggest that because Pakistan is doing wrong, we should not be doing the right thing? I do not think so. As far as this Bill is concerned—I am not moving my motion for referring it to Select Committee in view of the explanation given by the hon. Minister. But I would take this opportunity for putting forward my views within the four corners of the motto I have mentioned.

The first thing which I would urge upon the Government is that, consistent with our policy we should make the law fool-proof against dodgers and more stringent against disloyal elements. Certain provisions of this Bill were referred to by Mr. Kapoor the other day. I would suggest that the Government should be

prepared to amend the Bill according to the wishes of the people. We do not want a revengeful Bill, but we certainly want that we should have an effective legislation and one that would be backed by a firm determination to save the nationals of this country from the outrages that are being committed in Pakistan.

Mr. Kapoor referred to clause 2(d)(iii) which says:

"who has, after the 14th day of August, 1947, acquired by way of allotment or by means of unlawful occupation or other illegal means any right to, interest in or benefit from any property which is treated as evacuee property....."

and complained that it did not include the case of acquisition by other ways. I may point out to him that clause 2(e)(ii) covers the point raised by him. It says:

"has acquired, if the acquisition has been made in person, in any mode other than any of the modes specified in sub-clause (iii) of clause (d) of section 2."

But there is this difference, that the Government in their scheme of things want to declare a person an "intending evacuee" only in case that person is here and does any act which is covered by clause 2(e)(ii). They would not like to declare such property as evacuee property unless and until the person to whom that property belongs shifts to Pakistan. The manner of acquisition provided in clause 2(d)(iii) lays down that he must have abandoned India and proceeded to Pakistan. So I think that provision can stand as it is.

Then I would proceed to other provisions which are more important. There is a provision to the effect in the proviso to 2(e)(i):

"Provided that the transfer to Pakistan of any reasonable sum of money, for the purpose of financing any transaction in the ordinary course of his trade or for the maintenance of any member of the family of such person shall not be deemed to be a transfer of assets within the meaning of this sub-clause."

I am afraid this is very defectively worded. This permits the transfer of assets to Pakistan. These transfers, if at all, should be limited to genuine cases only and such 'genuine cases' should be defined as 'transfers sanctioned by the Custodian and the amounts transferred should be limited to the sums authorised by him'. If some such definition is adopted the sting will be removed from the proviso. I hope the Government will please look into it.

Then again there is clause 2(f) (2). There is the date '18th October 1949' in the definition of evacuee property. It says:

"any property.....belonging to any person who, after the 18th Day of October, 1949 has done or does any of the acts specified in clause (e) of section 2....."

I fail to understand the significance of this date. I could find out from my friends that it was due to the fact that the first Ordinance dealing with this affair was passed on this date and so the Government had some moral punctiliousness in declaring a property as evacuee property, because of the acts of certain individuals, without giving any notice of the intention of the Government that such acts would constitute the property being declared evacuee property. That punctiliousness may be very honourable but I do not think it is very practicable. However, I would request the Government and the hon. Minister to look into it and if they want to be punctilious it can be done by removing the date and adding a proviso to it, viz., that in the case of the property of such persons who might have performed any act mentioned therein before the said date, those provisions would not apply, if the person makes proper amends to the satisfaction of the Custodian and proves to him that he has maintained the *status quo*.

There have been so many transfers during the period following 15th August 1947 and I think to ignore them to have a soft corner for them would not

[Shri N. S. Jain]

be advisable. They must be given their due if the persons are prepared to make amends or to restore *status quo*. I hope the hon. Minister will kindly see to this.

There is another matter to which I would like to draw the attention of the hon. Minister. In clause 2 (f) it is said that evacuee property does not include any ornaments in the immediate possession of an evacuee. True that such ornaments should not be treated as evacuee property. But what about those ornaments which have been made out of the sale proceeds of immovable property and purposely done so? There are cases where people anxious to dodge this law have thought fit to sell their properties and to convert the sale proceeds into ornaments, etc., just to dodge the law. I would therefore like the hon. Minister to take note of it and see that only such ornaments are excluded from the operation of the Evacuee Property Law as were in the possession of the evacuee before the 15th August 1947 or which he can prove as having come into his possession not by converting his immovable property into that shape.

Then I would draw attention to clause 7 which reads:

"Where the Custodian is of opinion that any property is evacuee property within the meaning of this Act, he *may*, after causing notice thereof to be given in such manner as may be prescribed to the persons interested, and after holding such inquiry into the matter as the circumstances of the case permit, pass an order declaring any such property to be evacuee property."

Why "may": why not "shall"? The word "shall" has been used later on in this section, where they say "The Custodian shall from time to time notify.....". Why is the word "may" used in the operative part of the clause?

I would also draw attention to the fact that an "intending evacuee" has been created by this legislation and it is a thing which I might compare to the insolvency law. There may be occasions when justice may demand that a man after he has made proper amends is not to be considered as an intending evacuee and should not be subject to all that the word means. There should be some provision in the law by which an intending evacuee could have an opportunity of coming before the Custodian to prove his *bona fides*, to prove that he has made amends so that he could get a declaration that he is no more an intending evacuee, just as there is a provision in the Insolvency Law to discharge an insolvent.

These are some of the points I wanted to place before Government and I hope they would look into them and make the necessary amendments before the bill takes its final shape.

Before concluding I want to say a word to my Muslim friends. I know that they will be put to certain inconveniences and hardships also but they have to bear them gladly, knowing full well in what delicate position our State is. I hope they will co-operate with us and that they would consider it a part of their duty to allow this law to be implemented to the best satisfaction of the persons who are really affected, I mean the displaced persons.

I may also venture to say a word to my displaced friends. Their sufferings in the cause of *Dharma* are unparalleled and unique and are worthy of the culture which they profess. But there are circumstances which have prevented us from doing all that we ought to have done. It is not that there is not the wish to do it but it is because there are not the sufficient means to do it. We may not be able to rehabilitate them in that glorious manner in which they were living in their hearths and homes in Pakistan. But let us all try to do

our best to make them as comfortable as we possibly can and I might assure them that there is no amount of the goodwill lacking for them in this country. But I may also remind them that a fundamental mistake has been committed which cannot be undone or set right by committing more mistakes in other directions. We have to put up with all that we have done and I hope they would in all good humour try to take the responsibility for our doings instead of shirking it and put up with the travails and difficulties through which they are passing and have to pass, though that mistake was committed by us—their own brethren. With these few words I appeal to them to rise to the occasion and allow the Bill to be passed in the way it has been put before the House by Government with necessary amendments.

Mr. Speaker: Mr. Sahaya.

मास्टर नन्द लाल : मैं यह प्रार्थना करता हूँ कि साढ़े पाँच शरणार्थी इस हाउस में हैं, उनको तरजीह दी जाये तो अच्छा होगा ।

Master Nand Lal (Punjab): There are five and a half displaced persons in this House and I request that it would be better if preference is given to them.

मिस्टर स्पीकर : आज साढ़े पाँच बजे तक तो बैठना ही है ।

Mr. Speaker: We have to sit till five thirty today.

Shri Gautam (Uttar Pradesh): His point is that there are five and a half refugees in this House and he requests the hon. Speaker to give them an opportunity to speak.

An Hon. Member: Who is the half?

Mr. Speaker: Order, order.

Shri Syamnandan Sahaya (Bihar): This Bill has not come a day too soon and is therefore most welcome. We listened yesterday with great attention to the long apologia of my hon. friend the Minister of State for Rehabilitation and even the longer strike-but-not-wound speech of my esteemed friend Mr. Jaspat Roy Kapoor. I started thinking within myself for whom these apologies were really meant. If our hon. friends thought that these are going to have any good reaction on the evacuees who have left this country they are sorely mistaken. And if they feel that they are meant for the Indian Muslims, to whom a word has been said by almost every speaker before me, they are again sorely mistaken. For, the Indian Muslim has suffered more at the hands of evacuees than anybody else. Having gone away to Pakistan these evacuees have left their brother Muslims here in the lurch and should not and could not expect any sympathy from them now.

In the discussion yesterday a great deal was made of the refugees problem in India. I stated on a previous occasion that these refugees are the living martyrs of Indian independence and are a debt of honour on every citizen of the Republic which must be discharged in a spirit of sympathy and gratefulness. But I looked in vain throughout the clauses of this Bill to find out what real relief was going to come to the refugees as a result of this Bill, and I must say that I was sorely disappointed. If that was not the intention or the object of the Bill I do not see why my hon. friend Shri Saksena laid such great stress on the refugee problem. This Bill appears to me like a Court of Wards Bill to look after the interests of those who have left this country—whether for their good or for the good of the Government is more than I can say. But I can certainly say that the Bill does not indicate anywhere that it is for the good of the refugees.

[Shri Syamnandan Sahaya]

In the discussion that has so far taken place in this House several things were said about our difficulties and the hon. Minister in his speech, perhaps as a result of certain questions put to him, also talked of war and the costliness of it. I felt rather sore about it. It would have been better if no mention of war had been made at all. But if a mention was made, to have rejected it on the ground of costliness is in my opinion, to say the least of it, most impolitic. We talked yesterday of the various difficulties confronting us and some of us were even in a philosophic mood about *satya*, *ahimsa* and other things and I was reminded of a Sanskrit couplet which is:

क्षुद्र शत्रुर्भवदेयस्तु विक्रमाग्नेव लभ्यते ।
तमाहर्तुम् परिसेव्य तस्मात् सदृश सैनिकः ॥

That is, if you have to deal with an opponent unworthy of your steel you have to find an army suitable to the standard of the opponent. We have tried to consider this matter from various standpoints including the moral and philosophic, but the Government have conceded in this House on more than a hundred occasions, in reply to questions, and in connection with Resolutions and Bills, that their success in the direction of arriving at a settlement has been very meagre indeed—to put it moderately. It was time the Government decided to take some other action in this matter.

Friends here referred yesterday to other actions and I was keenly watching if any definite suggestion would be made. One is really hard put to it to make a definite suggestion in a matter like this. But with your permission and that of the House I shall make a suggestion. One of the main things which I would suggest is that in the matter of our dealings with Pakistan we have been following a second-hand policy which naturally lacks the fervour, the initiative and the conviction of an original proposition. What we do is that when we hear that a certain Act has been passed in our neighbouring State we immediately rush to get a copy thereof and start thinking what we could do and when we frame something on those lines, in the ultimate analysis it is found to be a half-hearted measure. Therefore, the first thing that I would suggest is that we must have some initiative about it instead of merely following up decisions made elsewhere.

The second thing which I would like to suggest is this. Perhaps it might be considered as somewhat preposterous. I know I make myself open to that charge, and I am not afraid of it. Someone said yesterday in this House that the property that the evacuees had left in this country was to the tune of about Rs. 600 crores and that the property left behind in Pakistan by the refugees was to the tune of Rs. 2,000 crores. I do not know the figures. In fact no accurate figure could possibly be produced by anybody. But assuming that these figures were correct, the least we could do was to dispose of these properties valued at Rs. 600 crores and give to the refugees in India at least 33 per cent. of what they had left behind. The sale will be on one condition, namely, that if ever a settlement is arrived at between Pakistan and India and India got her Rs. 2,000 crores, these who take these properties now will have to return them to the evacuees who may sell them at any price they like. This matter requires, in my opinion, immediate consideration because the value of properties is going down. Whether we like it or not, whether we say it or not, the fact remains that a period of depression either has set in or is setting in. One of the tests of this is that although there are goods in the market there are no buyers—that is the first symptom of depression. I say, therefore, that if the Government are not alert, if they do not act promptly, the value of these properties will go down tremendously and the Refugees will

not be able to get even what they can now. After all, what are the Government doing today? Under this Bill they want to take over the administration of these properties. I know the difficulties of Government administration. They will have to spend more than they will have recovered. Yesterday we listened to a reply to a question that Government had spent Rs. 104 lakhs in order to recover Rs. 154 lakhs. Therefore an outright disposal is far better than a prolonged liquidation.

Going through this Bill carefully, I find that there are certain provisions by which a beneficiary of evacuee property is likely to retain the possession of his interests in that property. There are other provisions also which leave a great deal of loopholes and which will, in my opinion, make this Bill comparatively less effective than is aimed at. In fact, I myself wanted to send notice of a motion for reference of this Bill to a Select Committee, but finding that several friends had done so I did not send it. I feel that this Bill deserves greater consideration at the hands of the Government and of this House. It may be too late for me to make any proposal for a Committee, but I will certainly say that the Government in passing this Bill now is trying to hustle it through. This is a very important matter which is confronting the country at the present time and my own opinion is that this Bill should receive greater consideration. The points which have been raised here by my friend Shri Kapoor and by my other friends, show that there are serious defects in the Bill. All the points which were made today were in favour of referring this Bill to a Select Committee or at least to devoting greater consideration to it. I hope when the time for considering the amendments clause-wise comes, Government will give due consideration to those suggestions and will be able to amend the Bill in a manner that will bring about the achievement of the objectives which we have at heart.

In this matter of the settlement of the refugee problem and the settlement of the evacuee problem, I have a kind of a feeling that we desire to please everybody and have a vacillating policy. It is time that something very definite and very specific was decided in this connection by this House and also by the Government. I concede that the Government have in their hands greater information on this refugee problem and the evacuee problem than what I as an individual can have, but I must state that the position is very serious in all conscience and any attempt at trying to help the refugees and trying not to wound the susceptibilities and feelings of the evacuees, in my opinion, is like what a Persian poet said:

هم خدا خواهی وهم دنباله دون
این خیالست و متعالمست و چارون

You desire to help the refugees, you desire not to wound the susceptibilities of the evacuees. This thought and the achievement thereof is exceedingly difficult, verging on lunacy.

Sardar Hukam Singh (Punjab): I have had the advantage of listening to hon. Members. I am really grateful to them for all the sympathy that has been shown by every speaker on the floor of the House. Yesterday I heard the hon. Minister with rapt attention but I must confess that I was utterly disappointed after I had heard him. And I must say that all refugees must have felt like myself. If his speech was meant to placate or appease certain sections of our people who believe in the two-nation theory, then it might have achieved that object, but so far as the refugees are concerned they look forward to a solution of their problem and in that regard I dare say the announcement of the hon. Minister has failed.

[Sardar Hukam Singh

The question of the solution of the refugee problem and the compensation to be paid to them and the question of evacuee property which is before us now, are intimately connected with each other and we cannot divest one from the other. Any empty assurances or condolence resolutions at this stage cannot satisfy the refugees. They want tangible and definite proofs, they want that no uncertainty should be left so far as their future is concerned. When the refugees find that all possible sources from which any monies could be raised are being closed, when all avenues which could give them possibilities of any satisfactory solution of their problems are being shut out, then they get frustrated. When it is clear to them that the Government is not trying to formulate a definite policy and have a plan before them as to how this problem is to be tackled, they certainly feel great resentment. I am convinced that all property left behind in Pakistan has been virtually confiscated. They are not collecting any income from properties. So far as the agricultural property is concerned, they are not collecting any rents for them beyond the actual land revenue that is due to the Government itself. So far as the urban property is concerned, they have remitted 80 per cent. of the rent and only 20 per cent. is being collected which perhaps would be the cost of collection.

Nothing is to be collected for the refugees who have left their properties there. I do not say that the properties have been confiscated or that rents have not been collected and we cannot hope to get anything out of Pakistan. It is our Government which says such things in this brochure. On the one hand, Government has made the confession that it has utterly failed, that the properties have been confiscated and there is no hope of getting anything out of Pakistan. On the other hand, it is giving empty assurances and platitudes to the refugees. When it does that, I wonder whether Government is deceiving itself.....

Shri R. K. Chaudhuri (Assam): On a point of information, may I know what the Pakistan Government is doing in respect of the property which is in its possession? Is it paying any rent to the owners?

Sardar Hukam Singh: No, none.

I was saying that we find on the one hand that Government is making confessions that there has been actual confiscation of the property of the refugees, that everything has been grabbed, that they are not collecting any rents for those properties and that they are not prepared to listen to anything, and on the other hand, we find it is giving assurances to us. I am amazed whether Government is trying to deceive itself or is trying to deceive the refugees. I must tell Government frankly that the refugees cannot be deceived at this stage. They have realized that their only hope lies in the legislation now before the House and if nothing is done even now, they would certainly lose all hope. It was when I realized that there was no hope of getting any solution from Pakistan that I sponsored a Resolution, which was discussed here on the 9th of February. That Resolution was dubbed by my hon. friend Pandit Thakur Das Bhargava as "Preposterous and impossible". Quite right. It may have been so in his estimation. I made certain concrete proposals in moving my Resolution, but they were not accepted. If my Resolution was preposterous and impossible, I must be permitted to say that the substitute Resolution was vague, indefinite and effeminate.

An Hon. Member: Good retort.

Sardar Hukam Singh: That Resolution means nothing at all. As was observed by the hon. Shri N. Gopalaswami Ayyangar, there was very little difference between it and the policy Government was pursuing at the present time. I agree with him entirely. The Resolution only asks Government to fiddle on merrily with the refugee problem without seeking a solution. I shall show presently how we are not proceeding towards finding a solution, but rather we are receding from it. It is curious that the hon. Minister Shri Gopalaswami said at that time that he did not despair of finding a satisfactory solution of this problem, if only he got an opportunity to sit across the table with the other country. Very beautiful, as if he had got no opportunity hitherto of sitting across the table with the other country! I will just show, from his own statements, that whenever he has sat across the table, he has always failed and brought no results. I have every sympathy for him. He is very sincere and very energetic, and I must join with my hon. friend Jaspal Roy Kapoorji in saying that he is a talented man and can negotiate very well. At the same time, I can judge him only by the results achieved, and because that is zero, I do not care what he has been doing. Let us see how many opportunities he has had of sitting across the table with the other country.

The first time when this question of evacuee property was taken up was on the 29th August 1947. "It was agreed that each Government should appoint a Custodian of Refugee Property. Close liaison between these Custodians will be arranged. Representatives of India and Pakistan repeat that illegal seizure of property will not be recognised." Quite right. These were very good decisions. Refugees would not have wished any further safeguard if only these had been scrupulously maintained. But what happened? Immediately after the formulation of these principles, Ordinances were issued in West Punjab and East Punjab in implementation. Simultaneously with that, the West Punjab Government came out with another Ordinance, called "The Economic Rehabilitation of Pakistan Ordinance". Under that Ordinance, the whole property was grabbed. That was the first implementation from the other side.

I might, here, digress a little. When, on the 9th, my hon. friend Bakshi Tek Chandji criticised the policy of Government as 'planless and tactless', it was resented by the hon. Minister of State, who said that the Rehabilitation Ministry had got beautiful plans. The illustration of Rajpura township was given. I agree that was certainly an ideal plan. If, after spending a few lakhs of rupees, it downed upon this Government that the refugees would also require water to sustain themselves, what else could be desired? So the Rajpura township scheme had to be abandoned. If this is the planning, certainly it is admirable, and if these are the engineers who take credit for this beautiful planning, then I would advise Government to recommend them for the next Noble Prize.

Now, Pakistan showed us the first implementation by simultaneously passing another Ordinance to defeat the first one that agreed to the non-recognition of illegal seizure of property and to its restoration to the rightful owners. After that, we come to the first Inter-Dominion Conference at which again the hon. Minister had an opportunity of sitting across the table with the other country. This Conference took place from 18th to 20th December 1947. It was decided there that each Dominion should devise its own scheme for the evacuee property and that a report should be made to a Joint Committee by the 5th of January 1948, and that Joint Committee was to send a report not later than the 12th of January. There were hopes that some decision would be arrived at. Even though Pakistan had not implemented the original decisions, still there was some hope, because now they had sat across the table. So it was expected that some results would be shown.

[Sardar Hukam Singh]

Before that fateful 12th January came, when the matter was to have come before the Inter-Dominion Conference, this was implemented by Pakistan by two incidents. One was the Karachi riots in which those Hindus and Sikhs who remained were squeezed out and forced to leave that country and the other was the Gujarat train tragedy in which all the Hindu and Sikh passengers were looted or murdered and the women raped and kidnapped. This was the implementation of the agreement on the part of Pakistan. Of course, our representatives went there with the results of the First Conference and protested against the manner in which Pakistan had implemented the agreement. Pakistan as usual, gave the assurance that they would make a thorough enquiry about it. But evidently no reply has yet been received from Pakistan.

Then, the Joint Official Committee met at Lahore about the 25th of March at which it was agreed that joint valuation boards should be set up to assess the value of the properties, so as to adjust the difference in each other's accounts. At the meeting of the Joint Valuation Committee it was decided that the incomes accruing from the property left by the displaced persons in each Dominion should be restored to their rightful owners.

Then came the Second Inter-Dominion Conference where the consideration of this question was to have come up. But meanwhile troubles had started in East Bengal. So far as the question of Bengal was concerned, it had its own problems. The Second Inter-Dominion Conference which met at Calcutta from the 15th to the 18th April 1948 decided that there should be management boards on which the minorities would be represented. But no progress could be made and therefore another Inter-Dominion Conference was called at Lahore on the 22nd of July 1948. But what was the outcome of the Conference? Instead of arriving at any decisions, the Pakistan representatives said that they had not sufficient data to proceed on and that, therefore, this subject should be postponed for consideration at a later meeting. But actually, as the brochure says, what happened was:

"In actual practice, a hunt began for all movable evacuee properties in Western Punjab, and they were all seized on one excuse or another. To take only one of the many cases, the Kashmir Express Company had extensive godowns at Rawalpindi where many non-Muslims had stocked their belongings. These were seized despite the protests of its European manager.....The Pakistan Government extended the confiscatory provisions of the West Punjab Evacuee Property Ordinance, and the West Punjab Rehabilitation Ordinance to the whole of West Pakistan."

All this was done without any reference to, or consultation with the Government of India. As usual, the Government of India came to know of the Ordinance from other sources.

Then we come to the Fourth Inter-Dominion Conference held in Delhi from the 6th to the 9th of December 1948. By March 1948, it was reported that large numbers of Muslims wished to return to India. Individuals started tricking in. Following their liberal policy, the Government of India ordered the resettlement of nearly one hundred thousand Muslims in East Punjab, Alwar and Bharatpur. But what was Pakistan's reaction to this generosity? Far from giving a reply to their representation Pakistan did not even care to acknowledge the communication. "Indeed, such public speeches as were made indicated that the leaders of Pakistan did not contemplate any return of non-Muslims to that country." Naturally the displaced persons in India pointed out that the Muslims were getting the best of both the worlds and as a result of this a permit system was introduced. It was in this atmosphere that the Inter-Dominion Conference met in New Delhi. As usual, "the representatives of the Government of Pakistan stated that they were not in a position to give their considered views on certain important items in the Minutes of the Inter-Dominion Conference of July 22nd." So, this Conference also ended without achieving any results.

Then came the Fifth Inter-Dominion Conference which was held at Karachi. There were expectant hopes that at least at this Conference the vexed question of evacuee property would be settled and sale and exchanges of property would be allowed. In fact the Conference came to an agreement providing for the exchange of property.

[MR. DEPUTY-SPEAKER *in the Chair*]

But how was this implemented? This is what the brochure says:

"Almost the first thing the Pakistan Government did immediately after the Karachi Agreement was to issue an Ordinance under which every person leaving Pakistan had to obtain an income-tax clearance certificate unless he had gone there for less than 15 days and was in possession of a return ticket.....One of the important provisions of the Karachi Agreement was to ensure the receipt of rent for property by the evacuee owners."

But what the Government did was that they refused to collect any rents. As I submitted some time back, so far as agricultural property was concerned, they passed an order that they would collect only the land revenue that was due to Government and not a pie more.

Though it was first contemplated, not only contemplated but rather the Pakistan Government as well passed an order in their Dominion that they would collect six times the land revenue as the rent of the land which would be placed at the credit of the refugee. Our Government did likewise but when the question came to implementation they refused to collect any rents and they are now collecting only land revenue. When representations were made by our Government they only said 'Our object is to rehabilitate the refugees and because they are not in a position to pay anything, nothing more can be collected.' But the prompt reply went from this side that we are collecting full rent. I do not know whether it is a good thing or not but if it comes to settling the accounts at some future date, certainly we would be the losers and even if you go to an impartial tribunal, they have a strong case as they have said clearly that they are not collecting anything and they have to rehabilitate the refugees. We say we are collecting everything and the money is lying with the Custodian as Trust and we will have to pay to those people whenever the question of settlement comes. Here the refugees are being forced and blood is being sucked out of them and because they are in such circumstances, the highest rents are being collected while on the other side they collect no rents at all.

Then after this Karachi Conference came—the Sixth Inter-Dominion Conference—the second Karachi Conference which was held on the 25th and 26th June 1949 and the result was the same. As a consequence of that decision certain sales and exchanges were allowed. It is put down here that the working of the agreement showed that 19 exchanges and 13 sales were allowed in India but only one sale at a very low price was permitted in Pakistan. That was how that agreement worked. Both in spirit and letter the Karachi Agreement has been violated by Pakistan but India has been accused of its violation. This has been the case of every agreement entered into between India and Pakistan. Every time they have violated and accused India of violation. I just recollect the remarks of my hon. friend Shri Jaspat Roy Kapoor who said that he had heard—with apologies to the Sikh friends of his—that the Sikhs there in Pakistan knew only one formula *viz.*, to do the reverse of what Pakistan were doing. I also said that was true though with little variation that it was not Sikhs alone but it was the Punjabis who used to do that and because they had that experience, as they had lived with those Pakistanis, they therefore knew them well and I say it on the floor of this House that unless there is some Punjabi to do these things, you cannot achieve anything because I am sure no pledges would be kept and no promises would be performed. We know how to deal with them.

[Sardar Hukam Singh]

After all these Conferences, though my friend Mr. Gopalaswami Ayyangar still wishes to sit across along with those people, what is the conclusion that the Government draws from all these conversations and this is what the Government say:

"While the Government of India feel that the property left behind by evacuees on either Dominion cannot be used by the Governments concerned without paying their compensation to owners, the Pakistan Government wish to use such property for the benefit of their Muslim Nationals without any compensation and without payment of rent."

This is more important:

"It is no use maintaining theoretical ownership rights, if the owner can neither receive current income nor be allowed to dispose of his property. The action of the Pakistan Government amounts to a virtual confiscation of all non-Muslim evacuee property."

This is what we have been asked to believe and we have believed that but I wonder after even coming to this conclusion if Shri N. G. Ayyangar says that he is not despaired of a satisfactory solution of this problem, if he has a chance to sit across the table with the other party, God help him.

There is another reason that he gave for Pakistan's unpreparedness to agree to any solution of this problem which is given on page 61.

"The question may well be asked why such a fair proposition is not accepted. The fact is that the vast non-Muslim property has enabled the Pakistan Government to rehabilitate their displaced persons without any expenditure while the Government of India have already spent nearly seven hundred million rupees on the relief and rehabilitation of non-Muslim displaced persons, and are likely to spend another one thousand million before the problem is brought under reasonable control. If the Pakistan Government were to accept liability for the assets they are using they may have to pay a very considerable amount to India to liquidate it. Even if they were to pay current fair rents, the amount may not be small."

He came here after that Conference at Karachi defeated, frustrated and hopeless. Then he called a Conference of displaced persons here and because he had lost all hopes of finding any solution, therefore, he looked to his own resources as to whether he could satisfy the refugees from sources within the country and then he assured them that:

"I think nobody in the Government of India wants to deny this. Some compensation will be paid. It may not be in the shape of cash, it may not be in the form which the refugees might desire to have. It may be partly in land, partly in house property and partly perhaps in cash."

So after he lost all hopes, he came here and collected these refugees and gave them this assurance that compensation would be paid and we thought that perhaps now he would tap his sources. But that was in July, and it is certainly a wonder that after six months when this Resolution comes here in this House.....

Shri Sondhi (Punjab): Eight months.

Sardar Hukam Singh: Yes, eight months. I stand corrected. When after eight months this Resolution comes before this House, then he again jumps back all these eight months to the original position and says that tax is not to be levied, that government waste lands cannot be sold. We cannot raise sufficient funds, and he says that he has not despaired of finding a solution, and that he would get compensation from the Government of Pakistan. This means that we have been set back or thrown back by about eight months and the refugees are to be dragged from pillar to post, or what should I say, they are to be thrown

from this time now, back to a time about eight months ago. Shri Gopalswami Ayyangar gives also explanation as to why Pakistan is hesitant to give this compensation. This is what he says:

"Many things have happened since then and it has not been possible to persuade so far the Pakistan Government to see the right point of view in regard to the settlement of this compensation. But I wish to tell you what swayed Pakistan in this hesitation."

And then he says:

"It is the huge discrepancy that they apprehend might crop up between the values of property in their Dominion and the value of property in our Dominion. Being a new State Pakistan thought it would be difficult for them even to look at the possibility of their meeting any difference out of their own resources."

There is this huge difference in the values, and therefore Pakistan is not prepared or cannot pay that much difference that might be found when we go into the accounts. If that be so, let us examine our own policy, the policy that we have been and are still following so far. Have we done anything to bridge this gulf? No. We have not done anything to decrease this discrepancy, this huge amount that is due from Pakistan. We are rather increasing this difference more and more and making it more impossible for any solution to be found even afterwards.

Both these governments, the Government of Pakistan and the Government of India, I must say, have not co-operated in anything so far except in this, that they have both done their best to increase this discrepancy. Pakistan has made demands and is pursuing a consistent policy of grabbing more and more property of non-Muslims, as much of it as possible, and therefore, that Dominion is increasing that discrepancy every day. And India also is helping in that process of increasing this difference in costs, by releasing more and more property and pursuing a more and more liberal policy. We may say that we are more righteous, that we are more correct, that we are more, whatever you may say, and we may take pride in these principles. But I dare say, these are all wrong notions of justice and you are proceeding in the wrong way. That is not the correct way. You want one thing and you are pursuing a policy which is taking you just the other way. Therefore, my submission is that Pakistan and India are both pursuing a policy that is detrimental to the interests of the refugees in India. This discrepancy is being increased every day, and it will not be possible, in the words of Shri Gopalswami himself, to "bridge that gulf" whatever we might do afterwards.

Mr. Deputy-Speaker: Is the hon. Member likely to take long?

Sardar Hukam Singh: Yes, Sir.

BUSINESS OF THE HOUSE

Mr Deputy-Speaker: I have to inform hon. Members that on account of heavy Government Business, the House will sit on Saturday, the 25th February, for the transaction of Government Business and not for the transaction of private Members' Business.

A suitable day in April will be allotted for Private Members' Business in due course, in lieu of the 18th February, for which the meeting has already been cancelled.

As already announced yesterday, all the starred and unstarred questions for the 18th February will be transferred to the 25th February.

Shri Kamath (Madhya Pradesh): On a point of clarification, will there be any one day for Private Members' Bills in this session? Will there be one day or two days?

Mr. Deputy-Speaker: There will be two. There will be another day fixed. This will be in addition.

Shri Kamath: Already there is the 10th of April.

Mr. Deputy-Speaker: Yes, and this will be sufficiently in advance.

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]

LEAVE OF ABSENCE FROM THE HOUSE

Mr. Speaker: An hon. Member of this House, Rev. D'Souza has written to me from New York asking for the leave of the House to remain absent till June. This is what he writes:

"I regret to inform you that circumstances are not permitting me to attend the present session of the Assembly."

He means Parliament, of course. When he left it was the Constituent Assembly. He still continues to call Parliament by that name.

"Having been sent to the United States as one of the delegates of India for the IV. General Assembly of the United Nations, I continued my stay here for two months in order to visit the Universities in the States.....I had the authorisation of the President of the Constituent Assembly for my absence till the 26th of January. I hope to be able to attend the session of June and thereafter."

Is it the pleasure of the House to grant him leave?

Hon. Members: Yes.

Mr. Speaker: Leave granted.

ADMINISTRATION OF EVACUEE PROPERTY BILL—Contd.

Sardar Hukam Singh: When we rose for Lunch I was submitting to this hon. House that the fears which have been described as the chief cause of the reluctance of Pakistan to come to a settlement are being increased and that our wishes go just the other way. When I say that I do not mean to cast any aspersions on the honesty of our leaders or on the sincerity of the hon. Minister of State for Rehabilitation, I do realise that the hon. Minister of State Shri Mohanlal Saksena has always felt for the refugees. But I do maintain that he also, in spite of his best intentions and his sympathies and his sincerity, has felt helpless under the circumstances. Last year I remember, in his Budget speech, he showed all the sympathies he could show, and then, as a last resort, he advised the refugees to take to simple living and high thinking. Now, after one year when we are coming to another Budget debate, we had an indication in his yesterday's speech of what he is going to give us. He has quoted certain *Rishis* now. I assure him we feel grateful to him, but I would point out that a hungry man requires food and not a quotation from the Scriptures. As I submitted already, we are in need of some tangible things and definite results. These good counsels cannot console us and sustain us for long.

Now coming to the present legislation, I should say that the Government should make up their minds and be clear as to what is expected from them. In the matter of this legislation we should keep in view the corresponding legislation across our borders or we should proceed independently regardless of what happens there, wedded as we are to certain basic principles and pledges as we stand to certain international obligations. We have to be assured whether rehabilitation of refugees under the present notions of the Government means only gainful employment with no reference to the past and regardless of what a refugee owned and earned when he was in Pakistan; whether or not there would be any time limit during which the refugees shall have to watch the persistent efforts of the Indian Government to seek justice from Pakistan and after which the Government would seek other remedies; and lastly, whether the Government of India, if and when they are convinced that there is no hope of getting any redress from Pakistan—I doubt whether we would ever get redress from them—would make the evacuee property here available to the refugees or whether they would hold it in trust to be restored to the evacuee-owners along with the income derived therefrom. These are the points that I request the Government to make clear and make up their minds upon. Then alone we can decide upon the attitude that we should adopt towards this legislation.

After what they have seen and experienced, the refugees believe that they cannot get a single pie from Pakistan from the property they have left behind. The Pakistan Government have confiscated all that property and would continue the same policy in future as well. So, the refugees have no hope of getting any justice from Pakistan under the present policy of the Government. They feel that these representations, protests and all that would not be of any avail with that Government. They feel also that our Government are not prepared to go further than that. War has already been ruled out. That is very good. We would not go to war unless attacked and Pakistan need not attack us because they have got everything they desire by their war of nerves. Why should they attack us, for the present at any rate?

Then there was another possibility which has also been ruled out on the 9th February. That was whether the refugees could get anything by a special tax

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imposed in this country or by the sale of waste lands or other sites. That taxation was disapproved by one of my hon. friends on the ground that it would estrange the feelings between the original inhabitants and the real proprietors inhabiting this land and the 'foreigners' who have come and sought shelter here. If that be the case certainly the refugees would not desire that any tax should be levied on all citizens of this country. Secondly as regards the possibility of raising funds by the sale of waste lands or sites it was said that it would close all future possibilities of development of our country. So that was also ruled out by the discussion on that date. Therefore ultimately I find no other source but to resort to this legislation by which the refugees' claim would at least be partly met. I agree when the Government said that it was foolish to give up those claims of ours on the other side and that it would be suicidal. Let those claims continue but the Government should make up their mind. I have already asked them a question, namely if in spite of their efforts they come to the conclusion that they cannot have anything for the refugees from Pakistan shall they have to fall back on these properties or not? Meanwhile if these properties are to remain in trust, as is apparent from the Statement of Objects and Reasons of this Bill, how can they be best utilised for the benefit of the refugees? If we once make our mind that even as trustees for a temporary period this is the property that would be available to the refugees the question is how best can we make use of it, whether we should enact this legislation in a way whereby while we should not harass any loyal and faithful citizens of India there shall be no undue expropriation of property. On behalf of the refugees as a whole I might assure the House that they do not want that the Government should give up its basic principles. They do not desire nor ask that there should be any undue harassment of loyal and faithful citizens, who have as much right to enjoy their properties here as anybody else. If the Government want to enforce the law without detriment to the loyal and faithful citizens and only want to make available to the refugees, even temporarily the properties of persons who have transferred their loyalty to the other side, I desire to make it clear that so far this subject has not been viewed in that perspective. The shrieks of refugees have not been heard. Under the July Ordinance of U. P. certain properties were taken. The refugees raised a hue and cry that the law was liberal and that it should be made more strict. My hon. friend Mr. Jaspat Roy Kapoor mentioned the story of a Chaturvedi who wanted to learn six Vedas. I would quote a Punjabi saying:

Mangi si hethnun, mil gai upar nun.

An Hon. Member: What does it mean?

Sardar Hukam Singh: There was a traveller who had yet to perform much of his journey when he felt very tired. He prayed to God to give him a mare to ride the rest of the way. After a little distance he saw a police officer or magistrate whose mare had just calved a filly which had to be carried. When this officer saw this ignorant and poor traveller, he called him and ordered him to carry that filly on his head which he had to do. All along the way the poor traveller was accusing himself that he had made some mistake in making his appeal to the Almighty. When he prayed for a mare perhaps God did not understand that he wanted one to ride and not to carry on his head. That is what happened with the refugees. They held protest meetings, they had huge gatherings and passed resolutions that there should be some changes

in the Ordinance of July, so that some more property of persons who were not loyal to India or had at some time or other acquired property in Pakistan through their relatives partners or others, might be taken over by Government. But what came out? The October Ordinance was the result, which was the reverse of what the refugees wanted. This is the result of that Ordinance:

"But the new Ordinance, instead of plugging the loopholes and making the circumvention of evacuee laws well nigh impossible, has opened the field to a certain section of Mussalmans to enjoy with impunity the benefits of dual citizenship—to be Pakistan nationals for all intents and purposes and yet have the advantages of being citizens of India. This is the unfortunate part of the tragic working of evacuee laws in India. Out of 800 houses and 16 business concerns taken over in Lucknow, under the U.P. Administration of Evacuee Property Ordinance in August last, no less than 350 houses and 6 business concerns have been released so far under the new Evacuee Property Ordinance recently promulgated by the Central Government."

Of course objections against others are also pending and I do not know whether other premises have also been since released or not. This does not mean that under the U.P. Ordinance these houses and premises and firms had been taken over in an unlawful or illegal manner. But it only showed the effect of the change that had been brought out in the new Ordinance of October 1949. Under this Ordinance the refugees felt more frustrated, they were bewildered and could not realize what was going to be their future. Anyhow this Ordinance had very good effect in Pakistan and our Deputy High Commissioner sent to this Government a report of the reactions of Pakistan about this change. We were given a small note about it which I would like to read to the House:

"The new India Evacuee Property Ordinance has had a good reception. Officials of the Pak Foreign Office did not disguise their satisfaction and said they hoped that persecution of Indian Muslims would now cease. They wished that Pakistan had been allowed to see the Indian Ordinance in draft as they might have modified their own Ordinance accordingly."

We can very well see that if we felt displeased with it, it had very good reaction there. But what was the result? If they felt that they would have been glad to have had the Ordinance in draft, when they had actually got it what did they do in real legislation? They promised that they would change their Ordinance accordingly. But I enquire of my hon. friend whether even now they have made a change in it. There are empty words and shallow platitudes. They do not mean anything.

Shri Hossain Imam (Bihar): May I interrupt for a moment? Will the hon. Minister kindly corroborate this statement of the hon. Member?

The Minister of State for Rehabilitation (Shri Mohan Lal Saxena): I do not want to intervene at this stage. I will reply at the proper time.

Sardar Hukam Singh: But even if they had made a change, there is this difference that while they have expropriated all property by executive action we are proceeding with regular laws and we mean to abide by them, as we should. I also endorse the feelings of those who say that we should not be guided by what Pakistan does, though I have different reasons for doing so. They mean that even if Pakistan does anything unjust we should remain liberal and 'just' according to our own notions—though I do not agree with them about it being 'just'—and should proceed with the same liberal spirit whatever Pakistan might do. I agree with half of that proposition, namely, that we should not be guided by what Pakistan does, not because by following that we will be committing any mistakes or will be giving up our noble principles

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but because I feel that they have confiscated all the property, and law or no law does not matter there. Of course we should formulate our law as we feel right and correct without regard to what is done in Pakistan, because even if they make their law liberal that cannot have any effect now under the circumstances which we have so far experienced.

So far as the present legislation is concerned, there are two or three things that have to be scrutinised very carefully. As has been stressed by many hon. Members, the main thing is the definition of "evacuee" and "intending evacuee". The difference that exists between the two terms has been pointed out here by more than one hon. Member. Then there is a vast difference between the vesting of properties in Pakistan and here. All property left by refugees in Pakistan vests in the Custodian, regardless of the fact that the man is living there in Pakistan and is carrying on his business there. It is for that person to go and establish that his property should not be treated as evacuee property. The case is quite the reverse here. A notice has to be given, the person has to be heard, his evidence adduced, and then a decision is to be given. That is not all. The difference further on is even more glaring. While the order of the Custodian there finishes the whole matter, a series of appeals begin here under our law. When the decision is by the Deputy, Assistant or Joint Custodian, as was observed by my hon. friend Shri Mohan Lal Saksena, an appeal would lie to the Custodian first. Then there is an appeal to the special District Judge, then a further appeal to the Custodian-General, and then in some cases to a bench of the High Court. What would be the result of this you can very well judge. Under such circumstances there would be fraudulent concealment of evidence, inordinate delay in deciding cases and in the process of litigation. Can anybody hope that something would come out of this prolonged litigation? We heard only yesterday that Rs. 105 lakhs, as was pointed out by my hon. friend Mr. Sahaya, had to be spent on catching ticketless travellers on the railways and Rs. 158 lakhs were collected out of them as fares and fines. Similarly this litigation would exhaust and consume all the income that would have accrued from this property, and nothing would come out of it or be saved for the refugees or for the evacuees or for anybody.

Then the Pakistan law is retrospective and it is said the property "would be deemed to have vested since the 1st of March", though there was no trouble up to the day of partition, at least there.

Then, Pakistan does not permit any transfer of money and other assets to India. There even when one member of a joint Hindu family or one partner in a firm has come over to India, the whole property is taken over as evacuee property, while in India the law as it stands now under the Ordinance which is being incorporated in this Bill, says that only the property of that person who has gone over to Pakistan shall be declared evacuee property. Cases have been pointed out by my friend where certain gentlemen have sent their own families or their dependent brothers or relations to Pakistan. There they have acquired a certain interest in the properties which our refugees have left there and they are enjoying the properties here as well. There are cases even here which have come to my notice where even friends are holding charge of those properties; they have not so far been declared evacuee property. Under these circumstances, as the law stands now or as it is contemplated under the present Bill, there will be little property that would be available to the Custodian. As I said, we should not harass anybody and I assure again that we should not harass any loyal or faithful citizens of India, be they

Muslim or anybody else,—the refugees do not want that—but the properties of those persons who really have their interests in Pakistan must be taken over, must be taken possession of, and that cannot be done unless this present Bill is changed in material particulars.

Before resuming my seat, I want to say that this legislation should be dealt with in a clear atmosphere. We should be clear in our minds whether these properties are to be held in trust and restored to Pakistanis irrespective of the fact whether we get anything or not. If that be the principle, then we should be clear in our minds, and there would be no quarrel. But I only want to say that the Government has certain obligation and responsibilities to the refugees which they must realise. I say that because I feel that as things have been moving up to now, there is absolutely no hope of getting anything from any other source. Therefore, the anxiety of the refugees is that this law should be made as strict as possible.

خواجه عابدت الہ : اس بل کو ہاوس میں لاتے وقت ہمارے سامنے کڑی ہوئی تکلیف دہ باتوں کی یاد ضرور آتی ہے۔ اس میں کوئی شک نہیں کہ جس وجہ سے اور جس مجبوری سے۔ ہم اس بل کو پاس کرنے کے لئے پیسہ کر رہے ہیں۔ وہ بہت تکلیف دہ چیز ہے۔ ہم ان تکالیف کو یاد کر کے اپنے زخموں پر نمک پاشی کر رہے ہیں جو پارٹیشن (partition) کے وقت ہمارے بھائیوں کو اپنے گھر بار چھوڑ کر دوسری جگہ جانے میں ہوئیں۔ اور اس بل کے سلسلے میں جن آنریبل ممبروں نے ریفوجیز (refugees) کے متعلق کہا ان کے جذبات کے ساتھ مجھے پوری ہمدردی ہے اور میں انکی باتوں کی داد دیتا ہوں کہ یہ بالکل صحیح واقعہ ہے۔ یہ بالکل صحیح بات ہے۔ کہ ریفوجیز کے متعلق جو کام ہماری گورنمنٹ کو جتنا کرنا چاہیئے تھا اتنا انہوں نے نہیں کیا ہے اور میں اپنی گورنمنٹ پر زور دوں گا کہ وہ اور جتنے کام ہیں ان سب سے شہنشاہتوں کے کام کو ضروری سمجھ کر پہلے کرے۔

بل کی طرف آنے سے پہلے میں ایک بات آپکو اور ہاوس کو عرض کر دینا چاہتا ہوں۔ کہ ہمارے سامنے ایک صاف صاف نقطہ نظر ہونا چاہیئے۔ ہم جس بل پر اس وقت بحث کر رہے ہیں وہ ایجوکیٹیو پراپرٹی (evacuee property) بل ہے۔ ریفوجیز کا بل نہیں ہے۔ اس وقت تک جتنے آنریبل ممبر صاحبان نے تقریریں فرمائی ہیں۔ میں سنتا رہا ہوں کہ وہ سب ریفوجیز کا معاملہ اس بل سے ملا دینا چاہتے ہیں اور جہانتک ہو سکا ہے اس بل کے ساتھ ساتھ ریفوجیز کے معاملہ کو ضرور لیا گیا ہے۔ میں تو سمجھتا ہوں کہ اس بل کے لئے وقت اس بل کے لئے واڈن نے اس کے آپجیکٹس اینڈ ریڈنس (objects and reasons) غلط لکھے ہیں۔

[خواجہ عنایت الہ]

انکو صاف صاف لکھنا چاہیئے تھا کہ اس بل کے آپجیکٹس اینڈ ریفرنسز ریفریوجی پرابلم (refugee problem) کا حل ہے یا نہیں۔ اس لئے ہم کو اس بل کو سوچتے وقت اس بل کے آپجیکٹس اینڈ ریفرنسز کو کبھی نہیں بھولنا چاہیئے۔ مہں اس بل کے آپجیکٹس اینڈ ریفرنسز سے یہ سمجھتا ہوں کہ اس کا آپجیکٹ ریفریوجی پرابلم کا حل ہرگز نہیں ہے۔ اور یہ بھی صحیح ہے کہ اس بل کے بن جانے سے ریفریوجی پرابلم حل بھی نہیں ہوگا۔ ہم کو یہ کہتے وقت ضرور تکلیف ہوتی ہے اور ہم آنریبل منسٹر صاحب سے معافی مانگتے ہیں جنہوں نے اس بل کو پیش کرتے وقت یہ کہا تھا کہ ہسکو تسپلہسٹڈ پرسنس (displaced persons) کے فیئلنگس (feelings) کا خیال رکھنا چاہیئے۔ ہم کب منع کرتے ہیں کہ آپ تسپلہسٹڈ پرسنس کے فیئلنگس کا خیال نہ کہیں۔ بلکہ ہم تو آپ پر الزام لگاتے ہیں کہ آپ نے کبھی ان کا خیال نہیں رکھا اور اب بھی نہیں رکھ رہے ہیں۔ مگر کہا جو بھی قانون آپ بنائینگے اس میں صرف تسپلہسٹڈ پرسنس کے فیئلنگس کا خیال رکھینگے۔ ہم کہتے ہیں کہ آپ ان کے فیئلنگس کا خیال رکھیں اور ایک بل کو لا کر اس سوال کو ختم کر دیں اور جب تک اس بل کو نہ بنالیں تب تک آگے پروسیڈ (proceed) نہ کریں۔ مگر یہ بل جو آپ کے سامنے ہے وہ تو اویکوئی ریڈیترتی کا بل ہے۔ مہں آپ سے عرض کرونگا کہ اس بل کو سوچتے وقت اس ہاؤس کی مہجارتی (majority) کو جو کہ کانگریس کی مہجارتی ہے اسے کانگریس کا چشمہ لگا کر سوچنا پڑیگا۔ کانگریس کی آنکھوں سے دیکھنا پڑیگا۔ اور کانگریس کے کانوں سے سننا پڑیگا۔ مہں آنریبل اسپیکر سے درخواست کرونگا کہ اس بل پر سوچنے سے پہلے یا اس بل کو پاس کرنے سے پہلے ہر ممبر کو اس بات کا دھیان رکھنا چاہیئے کہ اس ہاؤس کی مہجارتی مہاتما گاندھی کے اصولوں کو مانتی ہے مہاتما گاندھی کے اصولوں پر چلنے کا عہد کر چکی ہے اور اپنے ووٹروں سے اور اپنے ان لوگوں سے جن لوگوں نے انہیں چنا ہے ان اصولوں پر عمل کرنے کا وعدہ کر چکی ہے اس کے ساتھ مہں یہ صاف کر دینا چاہتا ہوں کہ مجھے ان لوگوں سے کوئی ہمدردی نہیں ہے جو اویکوئی ہو چکے ہوں اور جنہوں نے ہندوستان کو چھوڑ دیا اور جو تو نیشن تھیوری (Two Nation theory) مانگتے تھے۔ نہ صرف ان کے ساتھ بلکہ ان کی جائداد

کے ساتھ یہی کوئی مدد دینی چاہیے نہ ہوں ہے اُنکی جائیداد کے لئے جو دفعات اس بل میں لکائی گئیں ہوں اگر اس سے آٹھ لاکھ دفعات سخت لگانے چاہئیں تو میں سب سے پہلا ٹکڑھوں گا جو اس کو سپورٹ (support) کرونگا۔ اور میں تو یہاں تک کہنے کے لئے تیار ہوں کہ جو دفعات اس میں لکائی گئی ہوں وہ زیادہ سخت نہیں ہوں اس سے کہیں زیادہ سخت دفعات اس میں لکائی جائیں لیکن اس کے ساتھ میں یہ ضرور کہونگا کہ آپ کو یہاں کے رہنے والوں کا بھی اسی طرح سے دھیان رکھنا ہوگا جس طرح سے آپ ریفرنڈم کا خیال رکھتے ہیں۔ یہاں کے رہنے والے اس طرح کے ہندوستانی ہیں جس طرح کے اویکونٹی یہاں کے ہندوستانی باشندے بن چکے ہوں اور اویکونٹی اور یہاں کے رہنے والوں میں کوئی فرق نہیں رہتا ہے۔ لیکن جو یہاں سے چلے گئے ہوں اور اویکونٹی ہو چکے ہوں ان کے لئے یہ قانون تھیک نہیں یہ قانون ان کے لئے اور بھی سخت بنایا جائے لیکن میں ان کے لئے پھر کہونگا کہ جو یہاں کے کانسٹیٹیوشن (constitution) کی رو سے یہاں کے باشندے ہونیکا حق رکھتے ہیں کوئی تفرس (difference) نہیں ہونا چاہیئے۔

یہاں پر اکثر کہا گیا ہے کہ پاکستان کہا کر رہا ہے یہ بالکل صحیح ہے اور اس سانس کو خیال رکھنا چاہیئے کہ دنیا کے ملکوں میں اس کو اور واضح کرونگا کہ اگر ہم دنیا کے سارے ملکوں پر دھیان نہیں رکھینگے تو ہم دنیا کی سیاست میں حصہ نہیں لے سکتے اس میں شک نہیں کہ ہمیں ضرور دھیان رکھنا چاہیئے کہ پاکستان کہا کر رہا ہے مگر ہم کو یہ ہرگز نہیں بھول جانا چاہیئے کہ پاکستان نے ہمیشہ ایک مذہبی حکومت بنانے کی خواہش کی اور آج بھی وہ اسلامی حکومت کا دعویٰ کرتا ہے لیکن ہمارے یہاں کوئی بھی مذہبی جماعت یا مذہبی حکومت نہیں ہے سیکولر استیٹ ہے اور سیکولر رہیگی۔ اور یہاں ہر ایک کو برابر حقوق دئے جائینگے۔ پاکستان جو بھی قانون بناتا ہے اس میں وہ قرآن کا حوالہ دے دیتا ہے حالانکہ وہ قرآن کے بالکل خلاف ہوتا ہے اور وہ قرآن پر عمل نہیں کرتا۔ ایسی حالت میں جو کچھ پاکستان کر رہا ہے اس کے اعتبار سے وہ اسلامی اصولوں کا دھویدار نہیں ہو سکتا۔ کیا ہم بھی اس کی نقل کریں اور اگر ہم اس کی نقل کریں گے تو یہ کہاں کی عقل مندی ہوگی۔ میں جانتا ہوں کہ پاکستان غلط ہے اس نے بڑے سے بڑے کام کئے ہیں کیا آپ یہ چاہتے ہیں کہ ہم بھی اسی طرح سے بڑے اور غلط کام کرنا شروع کر دیں۔ میں سمجھتا ہوں کہ یہ تھیک نہیں ہے۔ اور نہ یہ مہاتما گاندھی نے ہسکو بتایا ہے نہولوں کہتا تھا کہ اس کی ڈکشنری (dictionary) میں کوئی امپاسیبل

[خواجہ عنایت الہ]

(impossible) لفظ نہیں ہے اسی طرح ہمارے مہتاجی کی دکشوری میں کوئی دشمن کا لفظ نہیں ہے ہم کسی کو دشمن سمجھکر اس پر ظلم نہیں کر سکتے ہم تو دنیا کو امن کا پیغام سنانے کے لئے مہتاجی کے الفاظ اور مہتاجی کی تعلیم کو دنیا میں پھیلانے کے بلند بانگ دعویٰ کر رہے ہیں - یعنی ہم دنیا کو بھائی چارہ اور امن کا پیغام دینا چاہتے ہیں -

श्री सौधी : चौधरी खलीकुज्जमा भी यही कहते थे ।

Mr. Speaker: The hon. Member need not take notice of these interruptions. He may proceed with his own speech.

Shri B. Das: This is his maiden speech. We should not interrupt.

خواجہ عنایت الہ : میں عرض کر رہا تھا کہ ہمکو بدلہ لینے کا خیال نہیں رکھنا چاہیئے - دکھ ضرور ہے مگر اس دکھ کی وجہ سے ہمکو بدلہ نہیں لینا چاہئے - میں نے پہلے ہی اپنے ان بھائیوں سے جو ڈسپلینڈ پرسنس ہیں معافی مانگ لی ہے مجھکو ان کے ساتھ ہمدردی ہے اگر وہ ریزولوشن (resolution) جو سردار حکم سنکھ پدیس کرنے والے تھے اگر پلہس (place) ہوتا تو سب سے پہلے میں ہی اس کو سپورٹ کرتا تاکہ اتنا روپیہ ہو جائے جس سے کہ ڈسپلینڈ پرسنس اچھی طرح سے آباد ہو جائیں -

میں اپنے آنریبل ممبر ڈیور صاحب کے الفاظ کے ساتھ پورا پورا سمہت ہوں - یعنی یہ کہ ہم اپنے فرض سے اس لئے باز نہیں آ سکتے کہ ہم سے کوئی ناراض ہو جائے مگر میں اس کو اور بڑھا دینا چاہتا ہوں کہ ہم اپنے فرض سے اس لئے باز نہیں آ سکتے کہ ہم سے کوئی ناراض ہو جائے اور ہم اپنے فرض سے اس لئے بھی باز نہیں آ سکتے کہ کوئی ہم سے خوش ہو جائے - ہم اپنے فرض کو چھوڑ کر ڈسپلینڈ پرسنس کو دکھ نہیں دے سکتے - میں سمجھتا ہوں کہ ان الفاظ کے ساتھ کہ ہم یہ قانون ڈسپلینڈ پرسنس کے لئے بنا رہے ہیں آپ ڈسپلینڈ پرسنس کو دھوکا دے رہے ہیں - ڈسپلینڈ پرسنس کی جائیداد جو دو ہزار کروڑ روپیہ کی کہی جاتی ہے اس کو چھ سو کروڑ روپیہ کی جائیداد کے مقابلہ میں لانا ڈسپلینڈ پرسنس کو اگر دھوکا دینا نہیں ہے تو پھر کیا ہے؟ یہاں پر یہ سوال آتا ہے کہ ہم اس طرح ایوبیکویز جو چلے گئے ہیں یا جو جانا چاہتے ہیں ان کی جائیداد پر قبضہ کو لیں گے تاکہ ان لوگوں سے جو ہمارے دشمن تھے یا جو ہم سے دشمنی رکھتے تھے ایسا سلوک کرنے سے بدلہ ہو جائے مگر میں کہتا ہوں کہ آپ ان سے ایسا سلوک کیجئے کہ جس کی آپ کو قانون اجازت دیتا ہے - یا جس کی آپ کو انٹرنیشنل (international) قانون اجازت دیتا ہے - میرے خیال میں ڈسپلینڈ پرسنس اور

ایویکیوز کے لئے الگ الگ قانون بنانا چاہیئے - اس قانون سے تو یہاں کے عام مسلمانوں کی زندگی تاح ہو جائے گی اور ان کو روز کسٹودین (Custodian) کے دروازے پر کھڑا رہنا پڑے گا - کیونکہ آپ یہ جانتے ہیں کہ قانون کو چلانے والے کتنی ایمانداری اور کتنی فراخدلی سے کام کرتے ہیں -

آج آپ جو قانون بناتے ہیں اس کا انٹریپرٹیشن (interpretation) کس طرح ہونا چاہیئے اور اس کو کس طرح لاگو کرنا چاہیئے اور آج کل وہ کس طرح غلط طریقے سے لاگو ہو رہا ہے - اس کی مثالیں کیا آپ کے سامنے موجود نہیں ہیں - جب ہمیں تو میں چاہتا ہوں کہ یہ قانون اتنا وسیع اختیارات کا نہیں ہونا چاہیئے - ہمیں اس کو صاف صاف الفاظ میں بنانا چاہیئے کہ جس سے اس میں کوئی چیز باقی نہ رہے - جس میں یہ صاف ہو جائے کہ جو لوگ ایویکیوزی ہوں یا جو اب ایویکیوزی ہونا چاہیں ان کے ساتھ حکومت جتنی سختی کرنا چاہتی ہے کرے اور ان کا سب کچھ لیلے کو تیار ہے تو لے - مگر جو ایویکیوزی نہیں ہیں یا نہیں ہونا چاہتے ہیں اور کانستی ٹیوشن کی رو سے جو اس وقت ہندوستانی قرار دئے جا چکے ہیں ان کے ساتھ کسی کسٹودین کو یا اسٹنڈنٹ کسٹودین یا سب کسٹودین کو پریشان کرنے کا اختیار نہ رہے - کیونکہ میں جانتا ہوں کہ یہ کسٹودین کی لڑی آپ کے کسٹودین جنرل (Custodian General) سے لے کر تھوڑے کلاس مجسٹریٹ تک پہنچ جاتی ہے - یہ قانون ایسا صاف ہونا چاہیئے کہ کوئی مجسٹریٹ بھی ان لوگوں کے ساتھ جو ہندوستان میں رہنے والے ہیں اور جو ہندوستان میں رہنا چاہتے ہیں زیادتی نہ کر سکے -

ایک بات اور یاد رکھنے کی ہے - آپ نے ہمیشہ پاکستان کا حوالہ دیا ہے - میں آنریبل اسپیکر کا دھیان اس طرف دلاؤں گا کہ پاکستان کے پاس اس وقت کتنے نان مسلم (Non-Muslim) باقی رہ گئے ہیں جن کے لئے وہ قانون بنانا ہے یا جن کے اوپر وہاں کے قانون کا اثر پوتا ہے - ایسٹ (East) اور ویسٹ (West) بنگال کو چھوڑ دیجئے کیونکہ وہاں دونوں ذاتیں بستے ہیں - وہاں مسلمان بھی ہیں اور نان مسلم بھی ہیں - وہاں تو وہ قانون لاگو نہیں ہے - ویسٹ پنجاب اور فرنٹیئر (Frontier) میں جہاں وہ قانون ہے وہاں پر کتنے آدمی ان کی رعایا میں ایسے ہیں جو نان مسلم ہیں اور جن پر اس کا اثر پڑ سکتا ہے - آپ خود اس پر غور کریں کہ وہاں پر کتنی رعایا پر اس کا اثر پوتا ہے اور یہاں آپ کے قانون کا اثر چار کروڑ مسلمانوں پر پڑنے والا ہے - اگر وہاں پر بھی دو چار لاکھ ہندو ہوتے تو وہ سوچتے کہ اس قانون کا اثر انہی آدمیوں پر پڑنے والا ہے اور وہ قانون بناتے وقت اس کا شائد لحاظ کرتے -

[خواجہ عنایت الد]

ایک معزز ممبر: وہ لوگ وہاں سے چلے آئے ہیں۔

خواجہ عنایت الد: چلے آنے کی بات نہیں ہے۔ ہم جو لوگ چلے آئے ہیں ان کی بات نہیں کر رہے ہیں۔ آپ جو فیکٹس اینڈ فگرس (facts and figures) ہیں ان کو دیکھئے کہ ویسٹرن پاکستان میں کتنے نان مسلم موجود ہیں جن کے اوپر پاکستان کے قانون کا اور وہاں کے آرٹیکلز کا اثر پڑتا ہے۔ اور آپ کے قانون کا اثر کتنے آدمیوں پر پڑے گا اور آپ کی اس رپورٹ کے مطابق جس میں یہ لکھا ہے اور جس کا حوالہ آپ دے رہے ہیں۔ یہ گورنمنٹ کی رپورٹ ہے کہ ہندوستان کا ۹۳ پرسینٹ (percent) حصہ رائٹس (riots) سے ان افییکٹڈ (unaffected) رہا جہاں پر لوگ رہ رہے تھے اور اب بھی رہ رہے ہیں۔ ہاں جو لوگ والنٹریلی (voluntarily) جا چکے ہیں یا جاتا چاہتے ہیں ان کی جائیداد آپ اپنے قبضہ میں رکھیں اور جو اب جائیں ان کی بھی آپ اپنے قبضہ میں کر لیں۔ اس سے تسلیہستہ پرسنس کو جو فائدہ پہنچ سکتا ہو پہنچائیں۔ مگر اس سے ان کو کیا فائدہ پہنچے گا مگر جو چار کروڑ آدمی یہاں پر بستے ہیں ان کا آپ کو اس قانون کو بگاڑنے کا کیا فائدہ پہنچے گا۔ وہ آپ کے جیسے تریو (True) اور لائل (loyal) رہے ہیں ویسے ہی رہیں گے۔ اور اگر وہ نہیں رہیں گے تو آپ کے پاس غداری کا قانون موجود ہے۔ بغاوت کا قانون موجود ہے اور اور بھی قانون موجود ہیں اور آرڈیننس (ordinance) بھی موجود ہے۔ اور اگر کوئی نہیں ہے تو بنایا جا سکتا ہے۔

ہاں۔ آپ کہہ سکتے ہیں کہ کچھ لوگ ایسے ہیں جو اس وقت تو پارٹیشن چاہتے تھے مگر آج نہیں چاہتے۔ اور آج وہ یہیں موجود ہیں۔ مجھے ان کا زیادہ تجربہ ہے۔ میں ان لوگوں میں سے ہوں جو ہزاروں میں سے ایک ان مسلمانوں کے مقابلہ میں کھڑا ہوا کرتا تھا۔ سنہ ۱۹۲۲ع سے میں کانگریس میں ہوں جو لوگ کہ پاکستان پاکستان کرتے تھے۔ وہ لوگ مجھکو کہہ ہی کہہ ہی کہتے تھے کہ یہ تو مسلمان ہی نہیں رہا۔ مجھ کو آپ سے زیادہ دکھ ان لوگوں نے دیا ہے۔ مگر میں کیا کروں۔ اگر مہاتما گاندھی کے بجائے ہمارا بھی کوئی لیڈر مسٹر جناح صاحب جیسا ہوتا تو ہم بھی فتویٰ دے دیتے کہ جہڑوں نے گناہ کیا ہے ان کو مٹا دیا جائے۔ مگر کہا کروں ہماری تو رگ رگ میں مہاتما جی کے اُپدیشی بھرے ہیں کہ دشمنوں کے گناہوں کو بھی جہاں تک ہو سکے معاف کر دیا جائے۔ اور چنانچہ ہم نے ان کو معاف کر دیا۔ اگر وہ یہاں جیسا کہ

کاشتگی ٹیوشن میں کہا گیا ہے - باوجود اس کے کہ وہ پاکستان چاہتے تھے اور وہ ہندوستان میں ہوں تو وہ ہندوستانی قرار دیدئے گئے - اسلئے ہم کو انکی پرازی باتوں کو یاد کر کے دھرانا ٹھہکا، نہیں ہے -

श्री साँधी : चौधरी खलीकुज्जमा भी यही कहा करते थे ।

خواجه عنایت اُلہ : مجھے اور کچھ نہیں کہنا ہے - مجھے ایک بات کی تکلیف ہو رہی ہے - معامہ نہیں آنوبل کھور صاحب نے ہم پر کیوں پتی (pity) فیئل (feel) کیا - انہوں نے اپنی تقریر میں کہا کہ مجھے نیشلسٹ مسلمانوں پر پتی (pity) فیئل ہوتی ہے - میں ایک نیشنل مسلمان ہونے کے ناتے اس فیئلگ آف پتی (feeling of pity) کو اپنی ہانک سمجھتا ہوں - آپ ہمارے اوپر اعتماد رکھ سکتے ہوں - ہمدردی رکھ سکتے ہیں - مگر ہم اس پتی کی فیئلگ کو نہیں سمجھ سکتے - آپ ہم پر پتی کیوں فیئل کریں - جو کام آپ کر رہے تھے آپ بھی اپنی کانسلنس (conscience) کے ماتحت کر رہے تھے اور جو کام ہم کر رہے تھے ہم بھی اپنی کانسلنس کے ماتحت کر رہے تھے - اس وقت ہمارے بہت سے بابا - چچا - بھائی وغیرہ رشتہ دار ہم پر پتی فیئل کرتے تھے - مگر ہم نے ان کی پتی کی فیئلنگز کا احساس نہیں کیا - ہم آپ کی دوستی کا احساس کرتے ہیں - ہم آپ کی ہمدردی کی قدر کرتے ہیں - مگر آپ کی پتی سے ایسا معلوم ہوتا ہے کہ گویا آپ ہمارا چھوٹا درجہ بنا رہے ہیں - کیونکہ کسی پر ہم کرنا ایسا ہی معلوم ہوتا ہے - ہم نہیں چاہتے کہ کوئی ہم پر رحم کرے - آپ ہمارے اوپر اعتماد کریں - ہم پر بھروسہ رکھیں - ہم سے دوستی رکھیں - اور کوئی موقع آئے تو ہم نہ کریں - اگر کوئی ایسا موقع آ جائے تو آپ ہم پر پتی نہ کریں - اس پتی سے ہم کو تکلیف ہوتی ہے -

श्री ज० आर० कपूर : मैंने तो यही कहा था और आपकी तारीफ की थी ।

خواجه عنایت اللہ : تو میری عرض مختصر یہ ہے - میری تقریر کا سم ایلڈ سبسٹینس (sum and substance) یہ ہے کہ میں چاہتا ہوں کہ اس بل میں اوپیکھوٹی کے لئے یا انٹنڈنگ اوپیکھوٹی (intending evacuee) کے لئے جو بھی چاہیں قانون بنائیں - ہم کو اس میں کوئی عذر نہیں ہے - مگر ان لوگوں کو یعنی کسٹوڈینس کو اتنے وسیع اختیارات نہ دیں کہ جو الفاظ قانون میں موجود ہیں ان کا وہ غلط استعمال کر کے ہندوستان کی رعایا کے ایک بہت بڑے حصہ کو تکلیف پہنچائیں - اور طرح طرح کی مصیبتوں میں قالیں - میرے کہنے کا صرف یہی مطلب ہے کہ ہم اس قانون کو اتنے صاف الفاظ میں بنائیں اور اتنے واضح الفاظ میں بنائیں کہ کسٹوڈینس ہمارے اصلی مقصد کو صاف سمجھ لے اور ہمارا اصلی مقصد یہی ہونا چاہیئے کہ اوپیکھوٹی (evacuee) کی پراپٹی کو اور

[خواجہ صلیت علیہ]

اُن لوگوں کی پولیٹری کو جو کہ واقعی انٹلنگ ایجینسی ہیں اُن پر وہ دخل رکھے یا اُن پر سپرویزن (supervision) رکھنا چاہے تو رکھے اور قبضہ کرنا چاہے تو کر لے۔ مگر جو لوگ اس میں نہیں آتے ہیں اُن لوگوں پر اس سے کوئی حرف نہیں آسکے۔ میرا مطلب صرف یہی ہے کہ اس قانون کو بناتے سستے اس بات کا لحاظ رکھا جائے۔

(English translation of the above speech).

Khwaja Inait Ullah (Bihar): The introduction of this Bill in the House is bound to revive in us memories of painful events of the past. It is undoubtedly true that the circumstances under which we are compelled to bring forward this legislation are extremely unfortunate. By recounting these hardships we are reviving old sores caused by the uprootment and migration of our brethren from their homes as a result of the Partition. I fully sympathise with the sentiments expressed by the hon. Members about the refugees and I should bear them out that it is quite true and correct that our Government has not done as much for the refugees as they should have. I would accordingly urge upon our Government that of all the problems on hand they should give top priority to that of the refugees.

Before I turn to the Bill I wish to make one submission to you and to the House, which is that we must be absolutely clear about our standpoint. The Bill under discussion is an 'evacuee property bill' and not a 'refugees' Bill'. In all the speeches made so far by the hon. Members, as I have been hearing, they had a tendency to identify the problem of the refugees with this Bill. As far as possible they have made it a point to keep referring constantly to the refugees' problem while dealing with this Bill. I feel that those charged with the introduction of this Bill have misdrafted its objects and reasons. They should have stated explicitly whether or not the solution of the refugees' problem constituted one of its objects and reasons. Hence, in considering this Bill we should never lose sight of its objects and reasons. In so far as I comprehend the objects and reasons of this Bill I think that the solution of the refugees' problem does not at all come within their province. Moreover, passing it is not going to solve that problem. It is indeed painful having to say so and I apologize to the hon. Minister who remarked in introducing this Bill that we must have regard for the feelings of displaced persons. Who says you should have no regard for the feelings of displaced persons? On the other hand, my charge against you is that you have never had that regard and are not having it now either. But, then, are you going to be actuated by regard for the feelings of displaced persons alone in the enactment of any and every law? I say, do have regard for their feelings and bring forward a bill and settle this problem once for all, refusing to proceed any further until that measure is enacted. The Bill at present before you, however, is a bill relating to evacuee property. I would submit to you that in considering this bill the majority in this House which is a congress majority will have to view it through the congress spectacles; they will have to see with the congress eyes; they will have to hear with the congress ears. I would submit to the hon. Speaker that before considering this Bill or passing it every member should keep the fact in view that the majority of this House professes the principles preached by Mahatma Gandhi, that they are pledged to practise those principles and that before their electors they have promised to act upon them. At the same time I wish to make it clear that I have no sympathy with those people who have become evacuees, who have left India and who believed in the 'two-nation theory'. Not only have I no sympathy with them I have none with

their property either. Were the provisions in this Bill pertaining to their property to be made eight times more stringent I would be the first man to support them. I am even prepared to assert that the provisions herein made are not sufficiently rigorous and that they ought to be much more so. But, at the same time, I must say that you will have to show the same regard for People living here as you are showing for the refugees. Those who are living here are as good Indians as the evacuees. Those remaining here have become Indian nationals and there is no longer any difference between the evacuees and those living here. But this law is not adequate for those who have migrated from here and become evacuees. It should be made still more stringent for them. But, as for those who are entitled to be treated as this country's nationals according to its constitution, I would repeat, there should be no differential treatment.

It has frequently been remarked here, "What is Pakistan doing?" That is right. This House should take note of what is being done by other countries of the world. I would elucidate it still further and say that if we do not keep all the countries of the world in view we would not be in a position to take part in world politics. Undoubtedly we must take note of what is being done by Pakistan, but, then, we must never forget that Pakistan has always wanted to establish a theocratic state and even today it claims to be an Islamic state. But we have no religious or theocratic Government here; ours is a secular state and it shall remain a secular state and all people shall enjoy equal rights here. Whatever law is made by Pakistan it makes a reference therein to the Qoran, even though it may be quite contrary to the precepts of the Qoran which Pakistan does not follow. Under the circumstances, Pakistan cannot, in view of its practices, claim to be a follower of Islamic principles. Should we copy them and, if so, will that be a wise course? I know Pakistan is in the wrong and that it has done the vilest acts. Do you want that we too should similarly start doing wrong and foul acts? I think that would not be right nor is it in accord with what Mahatma Gandhi taught us. Napoleon used to say that there was no such word as 'impossible' in his dictionary. Similarly in the dictionary of our Mahatmaji there is no such word as 'enemy'. We cannot treat anyone as an enemy and subject him to oppression. We are loud in our professions that we are out to carry the message of peace to the whole world and to spread the word and teachings of Mahatmaji everywhere, which means that we want to convey the message of peace and brotherhood to the world.

Shri Sondhi: Chaudhri Khaliq-uz-Zaman used to say the same thing.

Mr. Speaker: The hon. Member need not take notice of these interruptions. He may proceed with his own speech.

Shri B. Das (Orissa): This is his maiden speech. We should not interrupt.

Khwaja Inait Ullah: I was submitting that we should not entertain feelings of revenge. We do feel aggrieved but this grievance does not justify our taking revenge. I have already apologized to those of my brothers who happen to be displaced persons. I sympathize with them. Had the resolution which Sardar Hukam Singh intended to move been moved I would have been the very first person to support it so that we might collect enough money to be able properly to resettle the displaced persons.

I fully agree with my hon. friend, Mr. Kapoor, when he says that we cannot forsake our obligations for fear lest somebody should get displeased. However, I should like to amplify that statement and say that whereas we cannot be deterred from our duty for fear of incurring someone's displeasure, we cannot at the same time forbear to do our duty with a view thereby to please somebody. We cannot forsake our obligations and thereby cause hardship to displaced

[Khawaja Inait Ullah]

persons. I think that by saying that you are enacting this legislation in the interests of displaced persons you are **deceiving them**. What else are you doing if not deceiving them when you set their property said to be valued at two thousand crores of rupees against property worth six hundred crores of rupees? Another question arises at this stage. It is argued that by taking possession of the properties of the evacuees who have left or who want to leave we shall be wreaking vengeance upon those who were our enemies or who professed enmity against us. I would say, however, that you should meet out such treatment to them as is allowed by the law of the land or as is sanctioned by international law. In my opinion separate legislation should be enacted for the displaced persons and the evacuees. The present measure would embitter the life of Muslims at large who would have to be constantly in attendance upon the Custodian. You are, of course, familiar with the kind of integrity and liberality exercised by those charged with the enforcement of law. How should this law which you are out to frame today be interpreted and applied but how wrongly is it being administered these days? It cannot be that no instances of such misapplication have come to your notice. In view of this I want that this law should not confer such wide powers. We should make its wording clear and explicit so that nothing may be left vague. With those who are evacuees or want to become evacuees the Government may deal as strictly as they like and may, if they so desire, take over everything belonging to them. But let no Custodian or Assistant Custodian or Sub-Custodian any longer have the authority to harass those who are not evacuees or do not wish to be so and who have been declared to be Indian nationals under the constitution. I know that this chain of custodians runs from your Custodian General down to the third class magistrate. This law should be so explicit that not even a magistrate should be in a position to deal high-handedly with these people who are inhabitants of India and want now to live here.

There is one thing more to remember. Speakers in this House have often made references to Pakistan. I would draw the attention of the hon. Speaker to one fact. How many non-Muslims are still left in Pakistan for whom she is making that law or who are affected by the laws of that country? Let us leave alone East Bengal and West Bengal since they are inhabited by both the communities, the Muslims and the non-Muslims. Besides, that law is not applicable to them. How many non-Muslims are there among the people in the West Punjab and the Frontier Province who might be affected by that law? Just consider what is the number of people affected thereby. Here, however, your law is going to affect four crores of Muslims. Had there been two or three lakhs of Hindus there as well they would have considered that their law was going to affect so many people and they might, in that case, have had regard to that fact in framing the legislation.

An Hon. Member: Those people have come away from there.

Khawaja Inait Ullah: 'Coming away' is not the point. We are not referring to those who have come away. You should see the facts and figures to know how many non-Muslims are there in Western Pakistan who are affected by Pakistan's acts and ordinances and how many people are affected by your law. This is in accordance with your own report to which you have referred. It is an official report which says that 93 per cent. of India remained unaffected by the riots and that people were living and are still living there. Of course, you may keep in your possession the property of those people who have left or want to leave voluntarily. You may also take possession of the property of those who may leave henceforth and thereby you may render whatever benefit you can to the displaced persons. But, what would they benefit thereby? You must,

however, have regard for the four crores of people living here while you are framing this legislation. They will continue to be as true and loyal to you as they have been so far and in case they are not so you are already armed with the law of treason, the law of sedition and various other laws and ordinances. In case there be no such law it can be enacted now.

Of course, you might say that there are some people who wanted the partition then but do not want it any more and that they are still living here. Now, I happen to know more about them. I am one of those people—one in a thousand—who used to stand up against those Muslims. I have been in the Congress since 1922. Those who used to raise the cry of 'Pakistan' would sometimes say to me, "You are getting a lot of money from the Congress". Finally, they would even say, "He is no longer a Muslim". Those people have caused greater suffering to me than to you. But what can I do? Had we too had, in place of Mahatma Gandhi, some such leader as Mr. Jinnah we too would have given the fiat, 'let all those who have sinned be exterminated'. But I am helpless. We are steeped in the teachings of Mahatmaji which lay down that even the enemies must, as far as possible, be forgiven their sins. Accordingly we have forgiven them. Since they have remained here and are living in India, even though they wanted Pakistan, they have been declared to be Indian nationals under the constitution. It is not proper for us, therefore, to revive and recount old stories.

Shri Sondhi: Chaudhri Khaliq-uz-Zaman also used to say the same thing.

Khwaja Inait Ullah: I have nothing more to say. I am pained by one thing. I do not know why my hon. friend, Shri Kapoor, felt pity for us. He remarked in the course of his speech that he felt pity for nationalist Muslims. As a nationalist Muslim I regard this feeling of pity as an insult to me. You may have confidence in us, you may have sympathy for us, but this feeling of pity is beyond our comprehension. Why should you feel pity for us? Whatever work you were doing you were doing according to the dictates of your conscience and whatever work we were doing we did according to the dictates of our conscience. Then, a number of our relations, father, uncle, brother etc. used to feel pity for us but we did not take notice of their feelings of pity. We prize your friendship, we appreciate your sympathy, but this pity of yours sounds as if you were placing us in a lower grade because that is implied in an expression of pity for someone. We do not want that anyone should pity us. You may of course have reliance on us, repose trust in us and be friendly with us, but, if an occasion arises, show us no mercy. Have no pity for us in case of any contingency. This pity hurts.

Shri J. R. Kapoor (Uttar Pradesh): That is exactly what I said and gave you praise.

Khwaja Inait Ullah: Briefly, the sum and substance of my speech is this that you may make whatever provisions in this Bill you like with regard to an evacuee or an intending evacuee and we shall have no objection but you should not invest the custodian with such vast powers that he might misapply the provisions of the law and thereby cause harassment to a large section of the Indian people and subject them to all kinds of hardships. All that I mean to say is that we should make the wording of this law so clear and explicit that the custodian should clearly understand our real intention and our real intention should only be this that he should keep his control or exercise supervision over the property of evacuees and those who are genuine 'intending evacuees' and might, if he likes, take possession of the same, but that no harm should come, by virtue of this law, to those persons who are not affected by it. What I want is that this consideration must be kept in view in the framing of this legislation.

Prof. K. K. Bhattacharya (Uttar Pradesh): I must avail myself of the opportunity that has presented itself of making a few observations before this House. While I was listening to the speech of the hon. Shri Mohan Lal Saksena, I found little substance in the speech; I am sorry to say, except by quoting Mahatma Gandhi, Shri Arobindo and other saintly persons, he did not bring out all the reasons for introduction of this Bill. The Bill, I think has been hastily conceived, and put before the House and the House is being cajoled, I should say, into passing of the Bill. Sir, I am sorry for the expression that I am using but I am saying it deliberately because I am a new Member in the House—I am not an old Member and I was not conversant with the previous Ordinances that had been framed in this connection. Furthermore, I may tell you that the Ordinances and the Brochure that I had read recently warranted the conclusion that the Bill should be discussed by the House for a longer time. Well there was a notice to refer it to a Select Committee but that has fallen flat. I do not want to press it because the mover of that amendment did not press it.

Sir the Congress Creed is *Fiat justitia ruat coelum*, i.e., let justice be done though the heavens may fall. I think the last speaker in a heated moment said that the Nationalist Mussalmans stood by us and therefore the Nationalist Mussalmans do not want to go out of India. I yield to none in my respect for the Nationalist Mussalmans but may I tell you that there is no certainty to-day that some Nationalist Muslims and all those who were Muslim Leaguers yesterday may not leave for Pakistan to-morrow. I am not certain. For example no less a formidable figure than Chaudhry Khaliq-ul-Zaman to the Muslim Leaguers said—'Pledge your support fully to the Constitution and Independent India' and a few days later, he just stealthily, with certain secret documents decamped for Pakistan. I am not in favour of some provisions in the Bill. No evacuee from India is entitled to any consideration nor should any relation of that evacuee who may be planted here be permitted to send any money to that evacuee. That evacuee has forfeited the confidence of India and is not entitled to a penny of Indian money. For the matter of that we cannot allow him to touch a single penny because with all the assurances given by Indian Government, in the face of bitter provocations that have been given by Pakistan the Indian Ship of State is keeping steadily on its keel, whereas we find as a result of the brutal policy of Pakistan not merely innocent men but children and women are flocking into the Indian Dominion. Is it not the duty of the Indian Government to protect those displaced persons? Any Government that failed, to protect them fully is, I should say, not doing the right thing. I therefore ask you most humbly and respectfully that the Indian Government's first duty is to give the amplest protection to the displaced persons because at the time that partition took place we did not take the referendum from those people. They were treated like chattels and therefore they have a right to ask us—'What about rehabilitating us? Give us freedom to express our personality to the highest pitch. We are fed insufficiently, clothed inadequately and housed in terrible conditions of overcrowding but what have you done for us?' Half the problems of the Government of West Bengal would have disappeared like mists before the rising sun if the refugee problem had been successfully tackled. Why has it not been tackled? Paucity of funds. All the nation-building departments to-day under the Government of India are being held up because of the refugee problem and who is responsible for that? Not the Government of India, not Pandit Jawaharlal Nehru or the Deputy Prime Minister, not Mahatma Gandhi, the apostle of peace. I was stunned at the deliberate policy of Pakistan which under the leadership of Mr. Mohammad Ali Jinnah took up the attitude which Hitler took up for the expulsion of Jews. The Sikhs and the Bengali and the Punjabi and Sindhi Hindus are not Jews. They are the original inhabitants, they are the creators of Lahore, Calcutta and Karachi. So you can easily imagine the depth of anguish of those displaced persons. I am in favour of tightening up the rope against the evacuees. I am not in favour of giving them

a lot of rope so that they cannot escape the consequences. May I ask the hon. Minister in charge of Rehabilitation why he had not consulted the Custodian General—Mr. Achuram? He is the Custodian General. In framing this bill why did you not send for a report from him? What use will this Bill be in actual work, he could have stated. May I say this lacuna is a serious one? And I tell you this should have been filled up and the hon. Minister in charge of Rehabilitation must be prepared to make a statement regarding this matter on the floor of this House for this omission. The bill says that against the order of the District Judge a revision application can be filed in the High Court by the Custodian General. Why all this paraphernalia? Why should the Custodian General be a shuttlecock? He should have almost the final voice and his decision must be almost final. Abolish the District Court jurisdiction. Give jurisdiction to the High Court only, and abolish the intermediary jurisdictions in the shape of appeals to District Judges.

It is a well known fact—and I am telling you with all sincerity—that there are many instances on record where women have been left in India and men-folks have gone to Pakistan. They have the best of both worlds, cream, pudding and plums in both India and Pakistan. That should not be allowed.

Shri Syamnandan Sahaya: And Cheese!

Prof. K. K. Bhattacharaya: They are getting the best of both worlds and should not be allowed to do so. Now the definitions of 'evacuee', 'evacuee property' and 'intending evacuee'—these three must be framed in such a way that there is no scope for ambiguity or evasion. The discretion must be given to the Custodian General with regard to all these matters.

We are pledged—at any rate I am pledged to Congress creed and I shall support the Government, as it is the bounden duty of all of us, and bound as I am by ties of affection and love to the memory of Mahatma Gandhi. Much is said about the Muslims who stood shoulder to shoulder in our struggle for freedom. Is there anywhere any reflection upon their loyalty? No, but it is a well known fact today that barring the Nationalist Muslims who stood by us in our gigantic struggle against British Imperialism and who could bare their chests before the British bayonets, the other Muslims who were Muslim Leaguers have now gone to the camp of Communists to disrupt the Government or have stealthily come to join the ranks of Congress. Tomorrow they leave India on some pretext or other and therefore it is up to this House to see to it that we do not give an opportunity to these persons to exploit India any more. I want this to be said clearly and firmly that we stand pledged to the security of India. As I said, let justice be done to all. At the same time the supreme interests of the State cannot be jeopardised. But, anyone who reads this brochure will tell you that it is a pathetic tale of the failures of six Inter-Dominion Conferences. It is pitiful reading. I was reading it this morning and I also read a few pages last night, and I felt—what shall I say—my feelings were not of bitterness, but one of utter frustration that all these efforts should have failed. The Pakistan Government rides rough-shod over all our rights, and here we must not be saying, "No, we will not do anything; you can have the best of both worlds." Do you know that outside this House the feeling is that here the policy is one of appeasement of Muslims. I may tell you that I am not a subscriber to that view, but rightly or wrongly the impression has gone round that this House is for appeasement of the Muslims. That of course is not a correct view. But we must declare from here that we stand for justice, and we must be firm, and firm to the degree of meting out the severest punishment to those who want to violate the territorial rights of our people or trample on their rights. That position must be made clear.

I want to mention only one thing more. It is a well known principle laid down by the great judges of England and acted upon also by the British and

[Prof. K. K. Bhattacharya]

also by the great men of all countries that self-preservation is one of the most fundamental principles of national as also of international law; and a nation that does not follow this principle of self-preservation imperils the very safety of itself, nay imperils its very existence. In the last two World Wars, it has been laid down, once in *Liversidge v. Anderson* in World War II and before that, in *Ex-parte*—Halliday, in the First World War that '*Calus populi est Suprema lex*'. Safety of the State must, after all, be above all other considerations. The State must be preserved. I am not saying that the Indian State must be preserved by chicanery, by perjury, by bribery, by corruption, but it must be preserved by justice and firmness and by tackling these problems which require immediate solution by such actions as commend themselves to this House and to the Members of this House, as also to the people at large.

One word more and I have done. I have here three amendments, but I do not want to move them, though I would like to give you their gist. There are other amendments which I could have poured in, but I will mention only these three. Clause 2 says, "'allotment' means the grant by the Custodian, or any other person duly authorised by the Custodian in this behalf, of a temporary right of use and occupation of any immovable property of an evacuee to any person otherwise than by way of lease;". Why should lease be stopped? That is one thing I would like the hon. Minister to explain in the course of his reply.

And secondly for part (d) (ii) of clause 2, the following should be substituted *viz.* "who is resident in any place forming part of Pakistan".

Thirdly, that for part (d) (iii) of clause 2, the following be substituted namely "who has after the 14th day of August 1947, acquired by way of allotment or by means of occupation or other means any right to, interest in or benefit from any property which is treated as evacuee or abandoned property which is under any law for the time being in force in Pakistan".

[SHRIMATI DURGABAI in the Chair]

Every such person may say that he can manage his property through some authorised person. My request is that when a person has left for Pakistan, then his property must be declared evacuee property. Madam, you will also safeguard the interests of the evacuees and also of the people in the Indian Union by insisting upon the fact that once a person has gone to Pakistan leaving behind, for instance his father or mother here, in that case the father and the mother would not be entitled to be sent any money even for maintenance of such a person. Why should this opportunity be given even for maintenance? If small amounts are given, that is understandable, but once you give this loophole, then lots of money will pour in for all sorts of reasons, for education of a son in America, for treatment of another in Bombay, and for conducting an air voyage for him to Cairo and so on. All these excuses will be trotted out. Therefore we must be on our guard against such probable violations of the law.

When I was looking through this Bill, I was pained to see the unenviable position of the Custodian General and the whole brotherhood—of Deputy Custodians and Assistant Custodians and so on. They will be constantly under fear of their orders being challenged by District Judges. I cannot understand why when you once insist on subordinate legislation, as is done in England, you go into these details? You need frame only the skeleton legislation, leaving the rules to be framed by the House or the Executive. Hear I find a complete legislation sought to be framed in details and powers given which are unwarrantable, long and tedious. Madam, I would, therefore ask you, and through you the Members of this House that it is time for us to realise the position. Do not give such limited powers to the Custodian General or the other Custodians. If you do that, you do it at your peril. The administration of evacuee property

would not be well done and the result would be chaos; and whatever might be earned would be lost, as one member said, in litigation. It will provide meat and drink to the lawyer class. This Bill will do that. Lawyers will bless the Members of this House for giving them opportunity for appearing in increasing numbers for fighting cases that will flood the law courts over these matters.

I would respectfully urge one more point and I have done. It is necessary for us to remember that while in this House we are pledged to pursue a just policy and uphold the banner of nationalism and consolidate the State, we must not allow loopholes by means of which the provisions of this Bill may be made ineffective and perhaps rendered a complete nullity.

लाला अचिन्त राम : माननीय सदर साहिबा, सबसे पहले में आनरेबिल श्री मोहनलाल सक्सेना जी का शुक्रिया अदा करता हूँ कि इन्होंने पिछले दो सालों से निहायत शान्ति और सब्र के साथ अपने महकमे को चलाया है। शान्ति और सब्र की इस वास्ते भी खास तौर पर ज़रूरत थी कि अक्सर जो शरणार्थी भाई हैं वह अपनी मुसीबतों से तंग रहते हैं और अपनी तंगी का इज़हार उनके सामने करते हैं। यह उसके बावजूद भी ठंडे रहते हैं। इस वास्ते भी आप इस मुबारकबाद के मुस्तहक हैं। आप खुद ही फरमाते हैं कि इस वक्त तक आप शरणार्थी मसले को बहुत हद तक हल नहीं कर पाये हैं। आप इससे अच्छी तरह वाकिफ़ हैं। लेकिन शरणार्थियों की जो शिकायत है वह यह नहीं है कि आप उनसे तंग मिज़ाजी से सलूक करते हैं। उनको आपसे यह शिकायत है कि आप अपने फैसले के मुताबिक़ अमल नहीं करते। वह क्या बात है। गुज़िस्ता साल भी आपने अपनी मजबूरियों का इज़हार किया था। आपने कहा था कि मैं क्या करूँ, मेरी साथी जो मिनिस्ट्रियाँ हैं वह मेरी मदद नहीं करती। यह बात सच है। आपके फैसले पर अमल नहीं होता है। किसी मिनिस्ट्री पर भी उनका वह असर नहीं है जो कि होना चाहिए। यह बात भी साफ़ है कि हिन्दुस्तान में जो गवर्नमेंटें हैं उनपर भी उनका असर नहीं है। आपका गवर्नमेंट पर असर नहीं है, आपकी बात नहीं चलती। हालांकि आप सूबों को रुपया देते हैं पर उनकी गवर्नमेंट पर आपका असर नहीं है। आप गवर्नमेंट से इस बात की इन्तहा कोशिश करते हैं कि फ़लां मिनिस्ट्री से हमको अच्छा अफसर दीजिये ताकि हमारा काम अच्छी तरह चले। आप मतालबे पर मतालबा करते हैं पर आपको कोई अच्छा आदमी नहीं मिलता। यह बात नहीं है कि आपकी मिनिस्ट्री में अच्छे आदमी नहीं हैं लेकिन उनकी तसल्ली के मुताबिक़ आदमी नहीं मिलता। उनके हाथ पांव इतने बंधे हुए हैं कि वह न दायें हिल सकते हैं न बायें हिल सकते हैं। न यह गवर्नमेंट और दूसरी गवर्नमेंटें ताव्दुन करती हैं। न अच्छा स्टाफ़ मिलता है। इस तरह हमारा मतलब हल नहीं हो सकता है। हमारा गिला तो आपसे यह है कि आप गवर्नमेंट से कहिये कि इस महकमे के मुताबिक़ जो आपका फैसला हो वह आखिरी फैसला हो।

[लाला अचिन्त राम]

अगर वह ऐसा नहीं कर सकते तो मैं मुअदबाना गुजारिश करूंगा कि एक मामूली कागज पर आप अपना इस्तेफा लिखकर भेज दीजिये। इससे शरणाथियों को फायदा होगा और गवर्नमेंट को भी फायदा होगा। जो मिनिस्ट्रियां आपकी बात नहीं मानतीं उनके कान भी खड़े हो जायेंगे और वह भी पोजीशन से वाकिफ हो जायेंगी लेकिन इस तरीके से नहीं हो सकता। मैं आपकी जिम्मेवारी का कायल हूं, आपकी मुहब्बत का कायल हूं, मैं आप पर आशिक हूं लेकिन इससे हमारा कोई मतलब नहीं निकलता। मैं आपसे यही कहूंगा कि आप तमाम बातों का ठीक जायजा लीजिये और इस बात का फ़ैसला कीजिये और गवर्नमेंट को आगाह कीजिये।

आपने अभी बड़ी खूबसरती के साथ कहा कि हमारा लोगों के साथ पूरा कन्टेक्ट (contact) है, हम उनकी हालत जानते हैं कि लोग नाराज हैं, बदजन हैं, लेकिन आप यह बातें गवर्नमेंट को क्यों नहीं कहते हैं। इसका नतीजा क्या होता है। यहां रिजोल्यूशन पेश होता है। किस वास्ते पेश होता है। तमाम रिफ्यूजीज का मतालबाहै कि हमें मुआवजा मिले और यहां पर एक रिजोल्यूशन लाया जाता है जो कलरलेस (colourless) है और जिसका न सिर है और न पैर। गवर्नमेंट शान्ति पर है, शरणाथियों की हालत बिगड़ती जा रही है और वह गालियां दे रहे हैं। उनका इससे क्या फायदा होता है। वह गवर्नमेंट से नाराज हैं, आप काम क्या करते हैं। अगर आप इन बातों को नहीं निबाह सकते तो आप एक कदम पीछे क्यों नहीं हट जाते। यह मामूली सी बात है, कोई मुश्किल बात नहीं है। आपने अभी कहा कि आप लोगों का कोआपरेशन लेते हैं और शरणाथियों के लीडर्स की राय का ख्याल करते हैं। मैं आपको इसके लिए मुबारकबाद देता हूं। आपने पिछली जुलाई में एक बड़ी कान्फ़ेंस बुलाई थी। और आपने और आपके मिनिस्टर साहब ने वहां पर तकरीरें की थीं और कहा था कि अगर आप लोगों को रूपया नहीं दे सकेंगे तो जायदाद देंगे और अगर वह नहीं दे सकेंगे तो बान्ड्स (bonds) देंगे और इस तरह मुआवजा देंगे। लोग इससे बहुत खुश हुए। लेकिन जैसे जैसे दिन बीतते गये जोश कम होता गया और उम्मीद कम होती गई। पहले तो तमाम मुल्क के अन्दर खुशी की लहर दौड़ गई मगर ज्यों ज्यों दिन बीतने लगे, एक महीना, दो महीना, चार महीना और पांच महीना बीत गया मगर कुछ नहीं हुआ। तो जो ताव्बुन शरणाथियों का आपके लिये था उसका उलटा असर पड़ा और लोगों के अन्दर मायूसी आ गई।

आपको मालूम होगा कि उस कान्फ़ेंस के अन्दर एक कमेटी बनाई गई थी। वह एक नानआफिशियल कमेटी (Non-official Committee) थी और यह कहा गया था कि जो काम किया जायगा उसके मशवरे से किया जायगा। लोग

इससे बहुत लुग थे कि गवर्नमेंट बड़ी उदार है और लोगों को कान्फिडेंस (confidence) में ले रही है। उस कमेटी में पांच आदमी नामिनेट (nominate) किये गये। लेकिन क्या हुआ! उनका मतलब था कि बहुत जल्द एक कानून बने जो कि तमाम हिन्दुस्तान पर लागू हो प्रापर्टी (property) के बारे में। लेकिन एक आर्डिनेन्स जारी हो जाता है और उस कमेटी के मेम्बरों को उसकी खबर तक नहीं होती। और वह हक्के बक्के रह जाते हैं कि यह क्या हुआ, हमसे तो कहा गया था कि तुम्हारी मर्जी के मुताबिक काम होगा, लेकिन यह आर्डिनेन्स बन जाता है और हमको खबर तक नहीं होती। इसलिए उस पांच आदमियों की कमेटी ने इस्तीफा दे दिया। इस तरह से शरणाथियों की राय पर अमल किया जा रहा है। यह एक छोटी सी मिसाल है। मैं समझता हूँ कि इससे सारी मिनिस्ट्री के कान खड़े हो गये। अब वह शरणाथियों से जरा अच्छी तरह बात करते हैं गो करते वही हैं जो उनकी मरजी होती है।

आपने फरमाया कि हालत यह है कि शरणाथियों के जो लीडर कि मर चुके थे वह फिर जिन्दा हो रहे हैं। मैं आपसे पूछता हूँ कि उनको जिन्दा होने का मौका कौन दे रहा है। आप खुद कह रहे हैं कि आप कुछ नहीं कर सके। आप जो करते हैं वह यह कि आप एक रिजोल्यूशन लाते हैं यह प्रस्ताव पास करके कांग्रेस पार्टी समझती है कि हमने शरणाथियों के प्रति अपना फ्रज अदा कर दिया। मिनिस्ट्री अपनी जगह पर खुश है कि उसने अपनी जिम्मेदारी अदा कर दी। गवर्नमेंट अपनी जगह पर सन्तुष्ट है। लेकिन शरणाथियों पर उलटा असर पड़ रहा है। जिससे लोग और नाराज हो जाते हैं। ऐसी हालत मैं कैसे मुरदा लीडर जिन्दा नहीं होंगे आप उनको जिन्दा करते हैं।

आपने फरमाया कि इवैक्यूई प्रापर्टी (Evacuee property) का मसला गवर्नमेंट लेवल (level) पर हल होगा। भाई मिनिस्टर साहब, यह बात सुनते सुनते हमारे कान पक गये कि गवर्नमेंट लेवल पर फंसला होगा। आप यह बात किसको सुनाते हैं, आप यह खबर किसको देते हैं। हम तो इससे थक गये। आप कहते हैं कि शादी होनी चाहिए लेकिन दूसरी पार्टी भी तो राजी हो। हम भी चाहते हैं कि शादी हो लेकिन दूसरी पार्टी तो मानती ही नहीं। आप कहते हैं कि शादी कर लीजियेगा, आपको मौका मिलेगा तो आप कर लें। आप मतलब की बात कहिये।

کیانی جی - ایس - مسافر : آدھی شادی تو ہوئی ایک فریق رضامند ہے -

लाला अचिन्त राम : उनकी शादी तो हो गई मगर शरणाथियों की तो नहीं हुई। आप तमाम दुनिया को बतलाना चाहते हैं कि आप जायज बात करना चाहते हैं मगर पाकिस्तान नहीं चाहता। लेकिन आपके इन इरादों का क्या असर

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हो रहा है। पाकिस्तान ने १२ या १४ फ़ैसले तोड़े लेकिन आज आप देखें कि क्या असर डू पाकिस्तान की तरफ दुनिया ज्यादा है और आपके बखिलाफ है। काशमीर के ही मसले पर उनकी तरफ राय ज्यादा है। हमारे लायक आनरेबल प्राइम मिनिस्टर फ़ारेन अफेयर्स (Foreign Affairs) के इनचार्ज (Incharge) हैं, लेकिन इस फ़ारेन अफेयर्स के अन्दर राय आम्मा हमारे खिलाफ है दूसरे देशों में हमारे खिलाफ राय है क्यों कि प्राइम मिनिस्टर साहिब मसरूफ हैं। यह अभी जो आपने इवेक्यूई बिल पेश किया है इसके सन्बन्ध में आनरेबल मेम्बर खाजा इनाइतउल्लाह ने कहा है कि उसका और शरणार्थियों की जो मौजूदा प्राबलम (problem) है, उनका आपस में क्या ताल्लुक है। मेरे दिल में खाजा साहिब के लिए बड़ी इज़्जत है, और मैंने देखा है कि कमेटियों के अन्दर उनका एटीच्यूड (attitude) बहुत रीज़नेबल (reasonable) रहता है, लेकिन उनकी तकरीर हुई, उससे उनका यह प्रश्न मुझे समझ नहीं आता कि शरणार्थियों का इवेक्यूई बिल (Evacuee Bill) से क्या वास्ता है। बड़े गज़ब की बात है। एक बहिन प्यास से मर रही है, और आप उसे कनस्तर पानी का देते हैं और कहते हैं कि यह नहाने के लिये है, पीने के लिये नहीं है। गज़ब करते हैं, पहले उसे पेट में लगी प्यास तो बुझा लेने दीजिये। वह तो प्यास के मारे मरी जा रही है, और आप उसे नहाने को कहते हैं। इसलिये मैं कहता हूँ कि उनके सोचने और हमारे सोचने में जमीन आसमान का फ़र्क है। वज़ीर साहब कहते हैं कि उन्हें डिसप्लेस्ड परसन्ज़ (displaced persons) का ख्याल है और वह उसी में दिन रात मशगूल रहते भी हैं, यह सब वह ठीक फ़रमाते हैं, लेकिन आखिर मक़सद तो आपका यही है कि किस तरीके से आप शरणार्थियों के मतालबात को पूरा करें, उनकी तस्कीन करें, उनको मुआविज़ा दें, ताकि उनके ज़रूमों पर मरहम पट्टी हो सके। क्या आपने कभी सोचा कि जिस मक़सद के लिये आप यह बना रहे हैं, इवेक्यूई प्रापरटी बिल, उससे आपका मक़सद क्या हल होता है। मैं अपने तर्क बिल्कुल शक़ नहीं रखता कि आप अपने मक़सद में सोलह आने नाकामयाव रहेंगे, यह मेरा फ़ैसला है अपनी अब्बल के मुताबिक। पूछिये कैसे। पहले तो जनाबआला, आपने लोगों के दिलों को मज़रू किया काफी अरसे इस बात पर कि आया गवर्नमेन्ट आफ इंडिया की मोरेल और लीगल रिसपौनसिबिलिटी (moral and legal responsibility) रेफ्यूजीज़ को इवज़ाना देने के लिये है भी या नहीं। इस मसले पर काफी अरसे तक बहस होती रही। और पंडित जी ने कह दिया कि हमारी रिसपौनसिबिलिटी (responsibility) नहीं है। खुदा खैर करे, बिल आखिर इस बात का फ़ैसला हुआ और गवर्नमेन्ट आफ इंडिया (Govt. of India) ने माना कि उसकी मोरेल और लीगल रिसपौनसिबिलिटी (moral and legal

responsibility) है। और श्री गोपालस्वामी आयंगर ने तकरीर की कि उनकी जिम्मेदारी है कि वह रेफ्यूजीज को कम्पन्सेशन (compensation) दें। डेढ़ साल इसको फ़ैसला करने में लग गया। हम बराबर इस बात को कहते रहे कि यह जो इवैक्यूई ला (Evacuee Law) है, इसको सारे देश में एकसा लागू कर दीजिये। इसका फ़ैसला करने में भी डेढ़ साल लग गया और अब जाकर यह फ़ैसला किया गया कि इसको सारे देश में लागू किया जायेगा। यह आपकी रफ्तार है काम करने की। १९५० के अन्दर यह बिल लाया जाता है, और सन् ५२ तक आप इस पर गौर फरमाते रहेंगे कि रेफ्यूजीज के क्लेमज़ की क्या कीमत है, ढाई बरस आप उनको कम्पन्सेशन (compensation) देने में लगा देंगे, तो क्या इस तरीके से और रफ्तार से आपका मकसद हल होगा, मैं कहूंगा हरगिज नहीं। जिन रेफ्यूजीज को आज रुपये की सस्त ज़रूरत है, एक कौड़ी उनके पास नहीं है, वह क्या तब तक ज़िन्दा रह सकते हैं। मैं जानता हूँ कि लाखों आदमी घबके खाते फिरते हैं, उनके लिये मकान तक नहीं है। वहाँ फ्रँस्ट क्लास जो डाक्टर थे वह यहाँ बाज़ार में बिना मकान के घबके खाते फिर रहे हैं। लेकिन आज उनको मकान तक नहीं मिला है। उनके पास पैसा नहीं रह गया है। जो कुछ उनके पास थोड़ा बहुत बचा खुचा था, वह खा चुके हैं। पाकिस्तान में हमारे आदमी तबाह हुए, स्त्रियों की बेइज्जती हुई, लेकिन हमारे अपने देश में स्त्रियाँ बेइज्जती की ज़िन्दगी गुज़ार रही हैं। रुपये की आज उनको ज़रूरत है, दो बरस बाद उनके किस काम का। मरीज़ आज बिना इलाज और दवाई के मर रहा है, तो क्या दवाई उसके मर जाने के बाद करेंगे। आपकी इस मौजूदा रफ्तार से तो यही पालिसी जाहिर होती है और इसलिए मेरे दिल में कोई शक़ो शुबह नहीं है। इस वक़्त जैसा आप फरमाते हैं यहाँ ६० लाख रेफ्यूजीज हैं और उनकी हालत रहम के काबिल है। जो कुछ मैंने देखा और सुना है यह सारे के सारे रेफ्यूजीज इस गवर्नमेन्ट के खिलाफ़ हैं, आई. एन. ए. (INA) वाले आपके खिलाफ़ हैं। आखिर फिर इलाज इसका क्या है। रेफ्यूजीज जो सारे आपके खिलाफ़ हैं, उनका गवर्नमेन्ट के खिलाफ़ चाज़ यह है कि क्या मर जाने के बाद उनकी मदद की जायेगी। गवर्नमेन्ट जो है वह स्लो (slow) है, डिसेसन (decision) में और स्लो है उसके एक्सीक्यूशन (execution) में, और किसी क़दम को बहुत देर में सोचती है। उसकी इस पालिसी से रेफ्यूजीज सत्तर लाख बन चुके हैं, न आज उनको तस्कीन है और न होगी और जैसा कि मेरे दोस्त ने अभी बतलाया २० लाख रेफ्यूजीज ईस्ट बंगाल से भाग कर इधर आ गये हैं। उनके लिये आपकी पालिसी क्या है। लगातार ढाई बरस से इस बात की दुहाई दी जा रही है कि वहाँ ईस्ट बंगाल में हिन्दू अपनी जगहों पर बैठे रहें, भागें नहीं, लेकिन होता क्या है, वहाँ से उनको भागना पड़ रहा है और वह रेफ्यूजीज बन गये हैं। मैं

[लाला अचिन्त राम]

आपसे पूछता हूँ कि भाई अगर आपकी पालिसी सही है, तो कामयाब क्यों नहीं होती। एक लाख नहीं, दो लाख नहीं, तीन लाख नहीं, चार लाख नहीं, पूरे बीस लाख आदमी आज ईस्ट बंगाल से चलकर हिन्दुस्तान में आ गये हैं। आप कह सकते हैं कि हम तो देखिये उनकी भलाई के लिये बात कहते हैं, लेकिन वहाँ के हिन्दू हमारी बात समझते नहीं हैं।

[MR. DEPUTY SPEAKER in the Chair]

वह ऊँचे उम्रों के लिये कुर्बानी करने को तैयार नहीं हैं। लेकिन अस्थिरता यह है कि पाकिस्तान में उनका ठहरना नमूमकिन बना दिया गया। मेरा खुद का इरादा पाकिस्तान में रहने का था, लेकिन मैंने हालत से मजबूर होकर सोच विचार कर फ़ैसला किया कि मैं पाकिस्तान में नहीं ठहर सकता। मैं आपसे सवाल करता हूँ कि जो आदमी यहाँ बैठे हुए हमें उपदेश देते हैं कि पाकिस्तान में हिन्दू बने रहें, वह यहाँ न आये, अपनी जगहों पर डटे रहें, मैं उनसे कहूँगा कि उपदेश देना और बात है और अमल करना और बात है। कितने ऐसे उपदेशक हैं जो अपना नाम पाकिस्तान में रहने के लिये दे सकते हैं? क्या ऐसे दस हजार आदमी भी निकलेंगे? उपदेश देना कि इसमें पाकिस्तान का भला है, हिन्दुस्तान का भला है, महात्मा गांधी यह कह गये हैं और आपके महात्मा मुनि लोग यह कह गये हैं, यह सब कहना आसान है, लेकिन मैं कहता हूँ कि अमल करना बहुत मुश्किल है। अगर आप समझते हैं कि यह बात ठीक नहीं है, तो एक रास्ता और रह जाता है हमारे पास। अगर आपकी पहिली पालिसी कामयाब नहीं है। मगर आपकी यह पालिसी भी कामयाब नहीं होती। आप हिन्दुस्तान में से सवा करोड़ हिन्दू नहीं निकाल सकते जो कि उन हिन्दुओं की जगह ले लें जो कि पाकिस्तान से आ रहे हैं।

दूसरा एक रास्ता और है। वह रास्ता यह है कि इस वक़्त हिन्दुस्तान में ३० करोड़ की आबादी है। आप फ़ैसला कीजिये कि तीस की बजाय डेढ़ करोड़ और बढ़ा दें। यहाँ एक करोड़ या सवा करोड़ आदमी और रहें। आप एक प्रोग्राम (programme) बना लीजिये कि पंजाब, मद्रास, सी० पी०, यू० पी० सारे प्रान्तों में दस लाख आदमी बांट दें। लेकिन मैं जानता हूँ कि इस बात में भी आपकी कामयाबी नहीं होगी क्योंकि मुझे इस बात का तजुर्बा-ढाई बरस से हो चुका है। आज इस वक़्त कैम्पों में ७ लाख आदमी रिफ्यूजीज़ (refugees) पड़े हैं। सात लाख रिफ्यूजीज़ के लिए बाबजूद जवाहरलाल जी की अपीलें (appeals) के, सरदार पटेल की अपीलों के यहाँ दस हजार आदमी ऐसे नहीं निकल सके जो कि अपने मकान

इस बात के लिये सरेंडर (surrender) कर देते कि वहाँ रिफ्यूजीज रह सकें। तो मैं आपका कैसे भरोसा कर सकता हूँ कि आप हिन्दुओं को यहाँ बसा लेंगे। मुझको आप में तारूत नहीं मालूम होती कि जो ५० लाख आदमी यहाँ आये हैं उनको आप बसा सकेंगे। आज हम अपील करते हैं कि उनको मकान दे दो, उनको जमीन दे दो ताकि वह रोटी कमा सकें। मगर कोई नहीं देता। यह कहा गया था कि उनके खाने के लिये कम से कम अनाज ही दे दो। मगर इसमें भी गवर्नमेन्ट की पालिसी आज फ़ैल (fail) हो रही है। मुल्क में अनाज है लेकिन नहीं मिलता। तो असल बात क्या है। मैं समझता हूँ कि असल बात यह है कि पबलिक (public) के अन्दर आपके ऊपर भरोसा नहीं रहा और आपका पबलिक के अन्दर विश्वास नहीं रहा। आप पबलिक की नब्ज को नहीं पहचान सके। आप लोन (loan) फ्लोट (float) करते हैं तो रुपया नहीं मिलता, आप अनाज चाहते हैं तो अनाज नहीं मिलता, आप मकान चाहते हैं तो मकान नहीं मिलता, आप जमीन काश्त के लिये चाहते हैं तो जमीन नहीं मिलती। क्यों नहीं मिलती, क्या कारण है? असल बात यह है कि न तो आप लोगों के हैं और न लोग आपके हैं। न लोगों की नब्ज को आप समझते हैं और न लोग आपका विश्वास करते हैं। इसलिये इस प्रपोज़ल (proposal) पर अमल करना कि आप सवा करोड़ हिन्दुओं को यहाँ ला कर बसा लेंगे आप के लिये मुमकिन नहीं है और इसमें कामयाबी नहीं हो सकती।

पहली बात यह थी कि आप हिन्दुओं को वहाँ रखते। मगर वह नहीं हो सका। महात्मा गांधी जी के कहने पर भी और जवाहरलालजी के कहने पर भी यह मुमकिन नहीं हो सका। वह नामुमकिन बात है। नम्बर दो यह है कि आप यहाँ सवा करोड़ हिन्दुओं को बसा लें। यह भी मुमकिन नहीं मालूम होता। तीसरा प्रपोज़ल यह है कि यहाँ से जितने हिन्दू वहाँ से आ गये हैं उनके बजाय आदमी भेज दिये जायें। यह भी आपसे मुमकिन नहीं मालूम पड़ता। इसको भी आप सोच लें और उस पर गौर कर लें। हमारे यहाँ इतने देशभक्त हैं तो जितने लोग वहाँ से आये हैं उनके बजाय यहाँ से आदमी छांट कर वहाँ भेज दिये जायें और इस तरह जगह तबदील कर ली जाय। जैसा कि पहले जवाहरलालजी ने कहा था कि पंजाब से हिन्दू नहीं आवें, वे वहीं बने रहें। मगर यह मुमकिन नहीं हुआ। वहाँ से लोगों को आना पड़ा। इस वक्त हमारी सैक्यूलर स्टेट (Secular State) बनी है और हमारी इस हिम्मत के होते हुए भी मैं समझता हूँ कि हमारी गवर्नमेंट इसमें कामयाब नहीं हो सकती। मैं नहीं समझता कि इस तरह की तबदीली गवर्नमेंट करा सकती है।

श्री त्यागी : आपका मतलब है कि और पापुलेशन तबदील की जाय ?

लाञ्छित राम : यह मेरा प्रयोजन है और मैं नहीं कहता कि आप इस पर अमल करें। यह मैं नहीं कहता कि इसी पर जरूर अमल किया जाय। मैं तो कहता हूँ कि यह सब आल्टरनेटिव (alternative) हैं और इस तरह से ये आल्टरनेटिव मैं ने आपके सामने रखे। पहला यह कि आप हिन्दुओं को वहाँ रखें, दूसरा यह कि सवा करोड़ हिन्दुओं को यहाँ बसा लें, थर्ड आल्टरनेटिव (third alternative) यह है कि हिन्दुओं को मुसलमानों से तबदील कीजिये। तो यह तीनों आल्टरनेटिव मैं ने आपके सामने रखे मगर आप इन में से किसी पर अमल नहीं कर सकते। तो फिर मैं कहता हूँ कि आपके लिये सिर्फ एक ही आल्टरनेटिव रह गया है और वह आल्टरनेटिव क्या है। वह आल्टरनेटिव यह है कि आप पाकिस्तान को साफ़ तौर पर कह दीजिये कि हमने बहुत बरदाश्त की। बीस लाख आदमी आज पाकिस्तान से आपके बंगाल में आ गये हैं। अगर यही हालत रही और एक लाख आदमी ज्यादा से ज्यादा और आये तो फिर हम को यही फ़ैसला करना पड़ेगा जो हमने हैदराबाद के बारे में किया। और आपके लिये इसके सिवा और कोई रास्ता नहीं है। और मैं समझता हूँ कि इस काम के अन्दर देश के अन्दर जो मुसलमान देशभक्त हैं वह हमारी मदद करेंगे। हमको यह अच्छी तरह समझ लेना चाहिये कि यही हालत रही, अगर वहाँ से हिन्दू आते रहे तो बरखादी हो जायगी। उसका साफ़ नतीजा यही होगा कि ईस्ट बंगाल (East Bengal) को तर्कसिद्ध किया जाय और डेढ़ करोड़ आदमियों के लिये जगह मुहय्या की जाय। अगर वह खुशी से दें तो अच्छी बात है, नहीं तो हैदराबाद की तरह ली जाय। क्योंकि that is the only alternative। आप इस पर सोचिये। यह पत्र वार्ते, पत्रों में आपके सामने रखता हूँ। अगर कोई छठी बात हो, सातवीं बात हो तो आप बतावें और अगर वह अच्छी हो तो उस पर अमल किया जाय। लेकिन यह बात साफ़ है कि आप वैसीलेशन (vacillation) में रहे जैसे कि आप पंजाब के बारे में रहे तो जैसे कि वहाँ के हिन्दू-वहाँ मर गये वही हालत बंगाल की भी हो जायगी। यह मैं भी चाहता हूँ कि महात्मा गांधी के अखलाक का यहाँ राज्य हो। लेकिन महात्मा गांधी ने अपने सामने, अपनी आंखों के नीचे, अपनी मजबूरी से यह सब कार्रवाई देखी कि पंजाब से, वेस्ट पंजाब (West Punjab) से हिन्दू यहाँ हिन्दुस्तान में आये। महात्मा गांधी ने अपनी मरजी के खिलाफ़, अहिंसा के उसूल के खिलाफ़ इस बात को सैंक्शन (sanction) दी कि काश्मीर में जा कर लड़ो और आपकी फ़ौजों ने पाकिस्तान की फ़ौजों से लड़ाई की। क्या वह महात्मा गांधी के उसूल के खिलाफ़ था? मैं कहता हूँ कि नहीं। मैं नहीं चाहता कि लड़ाई हो। मैं लड़ाई के खिलाफ़ हूँ। मैं चाहता हूँ कि दुनिया की निजात आखिरकार अमन और सुलह में ही होगी। मगर आपके पास और कोई रास्ता नहीं है जिसको आप अस्तियार कर सकें।

This vacillation will lead you nowhere. It must end. ऐसा नहीं जैसा कि फ़ारसी में एक मिसरा है : ता तरयाक़ अज़ इराक़ आबुरदा शुबद, मारगु-जीदा मुर्दा शुबद ।

एक माननीय सदस्य : आप अंग्रेज़ी क्यों बोलते हैं ?

लाला अचिन्त राम : I speak for your interest so that you may understand me. You may not go without understanding me. तो मैं यह बात कहता हूँ कि आपको जो यह पालिसी है, जिस पर आप ढाई साल से अमल कर रहे हैं उससे मेरे दिल में यकीन है कि जो ६० लाख रिफ्यूजीज़ (refugees) यहाँ हैं उनका फ़ैसला नहीं हुआ है और न आप उनका फ़ैसला कर सकेंगे । जब तक कि आप इस पर सोचते रहेंगे उनकी चिंता बन जायगी और वह मर भी जायेंगे । और इसी तरह सवा करोड़ रिफ्यूजीज़ और आने वाले हैं उनसे देश और भी तबाह हो जायगा ।

आपने इस बिल में एक प्रावधान (provision) यह किया है कि आप यहाँ से इस बात की इजाज़त दें कि जो इवैक्यूई इंटेंडिंग (evacuee intending) है वह यहाँ से बाहर रूपया भेज सके, किसके लिये, अपने करीबी रिश्तेदारों के लिये, अपने डिपेंडेंट्स (dependents) के लिये । मैं आपकी खिदमत में अर्ज़ करना चाहता हूँ कि मैं इस बात के सल्लत मुखालिफ़ हूँ । मैं समझता हूँ कि यह आपका ख्याल कि हम आज पाकिस्तान से उसी लेवल (level) पर बरताव करें जिस पर कि इंग्लिस्तान से करते हैं, या फ्रांस से करते हैं, यह बिल्कुल ग़लत है । हम पाकिस्तान से इंग्लिस्तान या फ्रांस या अमेरिका के बेसिस (basis) पर बरताव नहीं कर सकते जहाँ से कि आये दिन हमारे साथ इस तरह का सलूक होता है । हम उनसे कहते हैं कि ज़मीनों का फ़ैसला कीजिये । वह कहते हैं कि हम ज़मीनों का फ़ैसला कैसे करें । आप नहरों का पानी लेते हैं तो हमारी ज़मीनों की क़ीमत वहाँ कम हो जायगी । हम इस बात से डरते हैं कहीं क़ीमत कम न हो जाय । इसलिये फ़ैसला करते हैं कि पानी लेते रहो । हमारी ज़मीनों पानी के बग़ैर खाली पड़ी हैं, दरबाद हो रही हैं, उनको पानी नहीं मिलता, मगर इम स्वाहिश से कि कहीं हमारी ज़मीनों की वहाँ क़ीमत कम न हो जाय हम उनको पानी देते रहते हैं । यह आपकी पालिसी है ।

I say this must end and must end immediately and at once.

इसी तरह हमें बिजली की ज़रूरत है लेकिन हमें यह बिजली नहीं मिलेगी और उनको मिलती रहेगी क्योंकि हमें पाकिस्तान को खुश करना है । मैं अपने भाइयों से बर्ता हूँ कि इसमें नाराज़गी की बात नहीं है । हमें यहाँ बिजली की ज़रूरत है, हमें हमारी ज़मीन के लिये यहाँ नहरों के पानी की ज़रूरत है । मगर इस डर से कि हमारी ज़मीनों की क़ीमत

[लाला अचिन्त राम]

कम हो जायगी हम अपनी जमीनों को यहां डेवलेप (develop) नहीं कर सकते। इस तरह वह हमारी नहरों के पानी का फ़ायदा भी उठा रहे हैं और हमें रेंट (rent) भी नहीं देते हैं। हमारी जमीनें इधर यहां बरबाद हो रही हैं। यह पालिसी आपकी नहीं चल सकती।

इसी तरीके पर बार बार यह सवाल आता है कि जो डाउटफुल लायल्टी (doubtful loyalty) के आदमी हैं उनका हम क्या करें। मेरा जवाब यही है कि the people of doubtful loyalty must leave this country as soon as possible. तो इस तरह से मेरा यह कहना है कि जो रुपया भेजना चाहें उनसे कह दिया जाय कि दो महीने के अन्दर या तीन महीने के अन्दर या तो वह अपने रिश्तेदारों को यहां पर बुला लें और हमारे यहां के लायल सिटीजन (loyal citizen) रहें। मगर ऐसा वह नहीं करते तो फिर they should leave this country. There is no other alternative. जो मुसलमान पाकिस्तान जाना चाहते हैं मैं कहता हूँ कि होसके तो गवर्नमेंट उनकी जायदाद भी खरीद लें।

मैं अपने भाई से पूछना चाहता हूँ कि यहां हिन्दुस्तान में ४ १/२ करोड़ मुसलमान हैं। उन में से कितनों ने पार्टिशन (partition) के लिये वोट (vote) दिया। अगर ४ १/२ करोड़ में से ज्यादा तादाद ने मुल्क के पार्टिशन के लिए वोट दिया है तो उनको जो चीज़ चाहिये थी वह उनको हासिल हो गई है और अब वह क्यों हम लोगों के बीच में बैठे हैं। क्या वजह है कि आज ६ महीने के अन्दर, दो महीने के अन्दर और एक साल के अन्दर उनमें इस तरह की तबदीली आ गई है। अगर वह सच्चे देशभक्त हैं तो वह अच्छी तरह से इस देश के अन्दर रह सकते हैं और अगर उनके दिलों में वही पुरानी बातें भरी हुई हैं तो यह सब से अच्छा होगा कि वह इस देश को छोड़ कर चले जायें। मैं तो यह देख रहा हूँ कि जिस तरह से ५ लाख आदमी आसाम के अन्दर चले गये हैं और वहां पर पूरा पाकिस्तान बनाने को तैयार हैं उसी तरह से वे सारे हिन्दुस्तान के अन्दर कई पाकिस्तान बना देंगे। ५ लाख आदमी वहां पर आये हैं; वह ५ लाख आदमी वहां पर क्या करेंगे। वे वहां पर एक पाकिस्तान बनायेंगे। इस तरह से वहां पर ५ लाख आदमियों को हारबर (harbour) करने वाले भी हैं। आसाम में जो मुसलमान आ रहे हैं उनको लाने वाले कौन हैं—वहां की पुलिस में फ़िफ़थ कालमिस्ट्स (fifth columnists) हैं। आज आसाम के अन्दर पाकिस्तान बन गया और बनकर रहेगा। बिहार के अन्दर भी कितने ही इस तरह ईस्ट बंगाल से मुसलमानों को हारबर करते हैं और वहां पर भी एक दूसरा पाकिस्तान बन जायेगा।

इसकी वजह यह है कि हम लोग अच्छी तरह से नहीं सोचते हैं कि कौन सच्चा सेवक है और कौन लौयल (loyal) है और कौन लौयल नहीं है। जो देशभक्त हैं, जो देश के सेवक हैं उनके लिये हमारा फ़र्ज हो जाता है कि हम उनकी हर तरह से सेवा करें उनके लिये हम जान भी दें। मगर जिनकी लायलटी डाउटफुल है उनके लिए तो यही अच्छा है कि वह हमारे इस देश को जितनी जल्दी हो सके छोड़ कर चले जायें। कोई हर्ज नहीं कि वह पाकिस्तान में रहें, बड़े शौक से रहें, हम उनकी मदद वहाँ पर ही कर देंगे। लेकिन हम नहीं चाहते कि अब इस हिन्दुस्तान में और पाकिस्तान बनें। जिस तरह से हम आज आसाम में देख रहे हैं कि वहाँ पर दूसरा पाकिस्तान बनने जा रहा है अगर ऐसा ही होता रहा तो हम कुछ ही दिन में देखेंगे कि बिहार और बंगाल में भी पाकिस्तान बन जायेगा और एक समय वह आयेगा कि सारा हिन्दुस्तान पाकिस्तान बन जायेगा।

मैं कहता हूँ कि हिन्दुस्तान की गवर्नमेंट की पालिसी कितनी कामयाब हुई है बमुकाबले पाकिस्तान के। वह पंजाब जो फिरकाप्रस्त था आज उसकी हालत क्या है, यह देख कर आप हैरान होंगे। आज अम्बाला में हजारों मुसलमान बस रहे हैं। गुड़गांवा में भी हजारों मुसलमान इस समय आबाद हैं। गुरदासपुर जो कि पंजाब में है वहाँ भी आपको सैकड़ों मुसलमान इस समय बसे हुए मिलेंगे। मलेरकोटला में भी आपको हजारों मुसलमान बसे हुए दिखाई देंगे। इसके मुकाबले में अगर आप वेस्ट पंजाब (West Punjab) में देखेंगे तो आप हैरान होंगे। वहाँ पर एक भी हिन्दू इस समय आपको किसी शहर में भी नहीं मिलेगा। जो है भी वह वहाँ से भाग कर चले आ रहे हैं। वह लोग जब वहाँ पर आते हैं अगर आप लोग उनकी हालत को देखेंगे तो बहुत ही दर्दनाक आपको मालूम होगी। इस तरह से जो थोड़े हिन्दू वहाँ पर थे भी उनकी पाकिस्तान की गवर्नमेंट ने यह हालत कर दी। लाहौर में जो थोड़ी सी हिन्दुओं की दुकानें थीं वह भी खाली कराली गईं। यह कामयाबी हमारी गवर्नमेंट की है।

इस समय गुड़गांवा के अन्दर करीब १ १/२ लाख मुसलमान बसते हैं। इस बात का हमको गर्व है। मगर हम यह नहीं चाहते हैं कि इन लोगों को किसी प्रकार का कष्ट पहुंचाया जाय। ये लोग भी उसी तरह से रहें जिस तरह से हमारे और लोग रहते हैं। मगर मैं मिनिस्टर साहब से यह अर्ज करना चाहता हूँ कि यह जो आपकी स्लो पालिसी (slow policy) है उसको आप बन्द कीजिये। जो डाउटफुल मुसलमान हैं उनको आप शौक से पाकिस्तान जाने दीजिये। हम पाकिस्तान की ज़रूरत के समय मदद करेंगे। जब उन पर कोई एग्ग्रेसन (aggression) करेगा तो हम मदद करेंगे। इस लिए मैं मिनिस्टर साहब से कहूँगा कि वह इन बातों को अच्छी तरह से सोच कर फैसला करें।

(English translation of the above speech)

Lala Achint Bam (Punjab): First of all I should like to express my gratitude to the hon. Shri Mohan Lal Saksena for the great patience and forbearance with which he has run his Department during the last two years. Patience and forbearance were particularly needed because the displaced persons are generally anguished and trouble-stricken and give vent to their grievances before him. In spite of all this, he does not lose his balance of mind. For this reason also, he deserves to be congratulated. You yourself say that until now you have not been able to solve the refugee problem. You know this very well. The complaint of the refugees against you is not that you treat them badly, but that you do not implement your decisions. What is this? Last year also you had expressed your difficulties. You said what should I do, my fellow-Ministries do not co-operate with me? This is true. Your decisions are not carried into effect. These do not carry any weight with either of the Ministries as it should be. This is also quite obvious that these do not have any effect on the Government of India. You do not exercise any influence over the Government, you have got no say. Although you give money to the States, yet you have got no hold on their Governments. You put a great pressure upon the Government for the transfer of capable Officers from other Ministries to secure the efficient working of your Ministry. You make oft-repeated demands, but you do not get any efficient man. This is not the reason that there is a dearth of efficient men in your Ministry but you cannot get anyone according to your satisfaction. Their hands and feet are so tied that they can neither move to the right nor to the left. Neither is there any co-operation between this Government and the other, nor is efficient staff available. In this manner, we cannot achieve our object. Our complaint is that you should insist upon the Government that your decision in respect of this Department should be treated as final. If they cannot accept this, then I would respectfully submit that you should tender your resignation on an ordinary paper. This would benefit the refugees and the Government too. This will also serve as an eye-opener to those Ministries who do not accept your decisions and acquaint them with the real state of affairs. But this cannot be done in this way. I fully realize your responsibility. I love you and admire you. But this cannot serve our purpose. I would request you with all the emphasis that you should take a correct stock of the entire situation and arrive at an early decision and apprise the Government.

You have just now stated very beautifully that you have got full contact with the people. You know then condition that they are angry and annoyed, but why don't you convey these things to the Government. What are its consequences? A resolution is moved here. What for is it moved? It is unanimously demanded by the entire refugee community that they should be paid the compensation and a Resolution is sponsored here which is colourless and has got no head or tail. The Government are complacent, but the condition of the displaced persons is deteriorating and they are abusing. What do they gain out of this? They are annoyed with the Government. What work are you doing? If you cannot tackle these problems, then why don't you retire at once. This is quite an easy thing; there is nothing difficult in it. You have just stated that you enlist the co-operation of the people and give due consideration to the opinion expressed by the leaders of the displaced persons. I should like to congratulate you for this. In July last, you had convened a big conference and you and your Minister had delivered speeches there and declared that in case you cannot pay compensation to the people in the shape of cash, then it may be in the form of property and if it cannot be done in this form, then bonds will be issued. The people felt very much pleased with this. But as time passed on, the enthusiasm began to dwindle and the hopes were frustrated. In the first instance, a wave of joy ran throughout the entire country, but as days rolled on, a month, two, three, four and even five months passed on, and nothing happened. Thus the spirit of co-operation which the refugees cherished for you produced a reverse

effect and the people became desperate. You must be knowing that a Committee was set up during that conference. That was a non-official Committee and an assurance was given that everything will be done after consultation with that Committee. The people felt much gratified over this that Government is very liberal and taking them into confidence. Five persons were nominated on that Committee. But what happened! They demanded that a legislation in respect of property extending to the whole of India should be framed forthwith. But an Ordinance is promulgated and the members of that Committee are not at all consulted in the matter. They are simply bewildered to see as to what happened. We were told that every action would be taken in consonance with our wishes, but this Ordinance is framed and we are not consulted in the least. Therefore, those five persons constituting the Committee tendered their resignation. This is how the opinion of the displaced persons is acted upon. This is only a small instance. I think this caused a stir in the entire Ministry and now they are treating the displaced persons somewhat better, although they do whatever they deem fit.

You said that the long dead leaders of the displaced persons are resuscitating. May I know who is giving them an opportunity of resuscitation? You are, yourself, saying that you could not do anything. What you do is that you bring forth a Resolution and by passing this, the Congress Party feel that they have discharged their obligation towards the refugees. The Ministry itself is satisfied that it has fulfilled its responsibilities and the Government themselves are Complacent. But all this is producing a reverse effect on the refugees and this annoys the people all the more. In such circumstances, how will not the dead leaders re-appear? You revive them. You said that the problem of evacuee property will be tackled at governmental level. I would tell the hon. Minister that we are tired of hearing such thing that it will be decided at governmental level. To whom are you telling this thing? To whom are you giving this news? We are fed up with us. You say that marriage should be solemnized but the other party too should be ready. We also want that marriage should be performed but the other party is not at all willing. You exhort us to celebrate the marriage. You may marry when you get an opportunity. You should come to the point of issue.

Giani G. S. Musafir (Punjab): Half of the marriage is performed—one of the parties is willing.

Lala Achint Ram: His marriage has been performed, not that of the displaced persons. You want to tell the whole world that you want to be just in everything, but Pakistan does not want to do so. But what is the effect of all these your intentions? Pakistan violated 12 or 14 agreements, but you 4 P.M. may just see what is the result to-day. Pakistan commands more support in the world while you have got many opponents. Even on the Kashmir issue, world opinion is favourable to them. Our illustrious Prime Minister is in charge of foreign affairs, but the public opinion in the sphere of these foreign affairs is against us. The opinion prevalent in other countries is against us, because our Prime Minister is busy. With regard to this Evacuee Property Bill which you have just now moved my hon. friend Khwaja Inait Ullah has pointed out that it has got nothing to do with the present problem facing the refugees. I have a great respect for the hon. member and I have found that this attitude has been very reasonable during the course of deliberations in the committees. But I cannot understand from the observations made by him in his speech as to how does this Evacuee Property Bill concern the displaced persons. It is really very bewildering. A lady is dying of thirst, and you give her a tin of water and say that it is intended for bathing and not drinking purposes. This is really very strange. You should first let her quench the thirst. She is dying of thirst and you tell her to take a bath. Therefore, I say that there is a difference of heaven and earth between his and our thinking. The hon. Minister says that he is anxious about the woe of the displaced persons and he keeps

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himself engaged day and night with this problem. All this is true. But ultimately your aim is as to how the demands of the displaced persons should be met with? How should they be solaced? Should the compensation be paid to them so that their wounds may be dressed? Have you ever thought that the object with which you are framing this Evacuee Property Bill serves your purpose? Personally, I have got no doubt in my mind that you will utterly fail in achieving your aims and objects. This is my considered opinion. You may ask, how? Sir, in the first instance you injured the sentiments of the people for a long time on the ground whether or not the Government of India have got any moral and legal responsibility to pay compensation to the refugees. This question had been discussed at length for a considerable period and the hon. Prime Minister stated that they had got no responsibility. By the grace of God, ultimately this issue was decided, and the Government of India admitted that moral and legal responsibility devolved upon them and the hon. Shri Gopalswami Ayyangar during the course of his speech conceded that it was their responsibility to give compensation to the refugees. It took one and a half year to decide this matter. We have been repeatedly emphasizing that this Evacuee Law should be simultaneously enforced throughout the entire country. This also took one and a half year to decide this and now it has been decided that it shall be extended to the whole country. This is the speed at which you are working. This Bill is brought up in the year 1950 and you will continue to consider till 1952 as to what is the value of the claim submitted by the refugees. You will take two and a half years to pay them compensation. Will you be able to achieve your object in such a manner and speed? I will say, certainly not. How long can these refugees live who are to-day in dire need of money and have not got even a single penny? I know that lakhs of people are being driven from post to pillar. They cannot even be provided with any accommodation. Even those who were first-class doctors there are roving here on the streets for want of any accommodation. But to-day they are not even able to get any house. They have got no money left with them. They have consumed whatever little they had saved. Our people were ruined in Pakistan, our women were molested, but in our own Country the women are having a life of dishonour. They are in need of money to-day, they may not require it two years later. The patient is dying to-day for want of treatment and medicine. Will you give him medicine after he has died? This policy is quite manifest from the present trend of your line of action and, therefore, I have not the least doubt in my mind. At present, just as you have stated, there are sixty thousand refugees living here and they are in a pitiable plight. Whatever I have seen and heard is that all these refugees are against this Government. The I.N.A. personnel are also against you. After all what is the remedy for this? All the refugees who are against you have levelled a charge against the Government as to whether it will help them after death. The Government are slow—in taking the decision and execution thereof—and it thinks of taking any step after a long time. Such a policy pursued by them have rendered seventy lakhs of persons as refugees. They have got no solace today and they will not have any. And just as my hon. friend has stated that twenty lakhs of refugees have run away from East Bengal and come to this side, what is your policy in respect of them? During the past two and a half years it has been repeatedly asked that the Hindus in East Bengal should stick to their places and need not run away. But what happens—they are forced to run away from there and they have become refugees. I would like to know that in case your policy is an appropriate one, then why does not it succeed? The problem is not facing merely a lac or two or even three or four lacs of them. Twenty lacs of people have crossed over to India from East Bengal. You have the liberty to hold your advice quite in keeping with the interests of the Hindus there and pass judgement on their incapacity to understand it.

[MR. DEPUTY-SPEAKER *in the Chair.*]

You may charge them for lack of a spirit to sacrifice to uphold the high principles. The truth, however, remains that their stay in Pakistan has been made an impossible one. Personally speaking, I had an intention to stay on there but circumstances compelled me otherwise and after much thinking I had to decide that my stay in Pakistan was an impossible thing. I wish to submit it to those who preach sermons to the Hindus in Pakistan to remain true to their religion, to be steadfast in their places and not to come here, that sermonizing is something different from translating that sermon into action. May I know as to how many of these preachers are willing to offer themselves for residing in Pakistan? Will it be correct to assume that even ten thousands of such persons will come forward? It is easy to preach on topics of interest to Pakistan or India and to quote Mahatma Gandhi or the sages and saints of the past, but, to my mind, translating all those things into action is always an uphill task. If, however, you consider my opinion to be inaccurate, there is only one way left to you to achieve success in the pursuit of your policy, hitherto conducted unsuccessfully. In following that course too you will fail as you cannot find out even a crore and a quarter of such Hindus in India who can replace an even number coming from Pakistan.

There is yet another way open to us. We know India's population to be near about 30 crores at the present time. A decision has to be taken to accept an increase of a crore or a crore and a quarter of persons in that population and to let that number live here in this country. According to a well chalked-out programme, the States of the Punjab, Madras, Madhya Pradesh, Uttar Pradesh and all other States may be asked to absorb a quota of ten lacs each. But I know you will not succeed even there. I base this view of mine on the experience of affairs gained by me during the past two and a half years. Seven lacs of persons are inhabiting the camps even at the present time. In spite of the appeals from the hon. Shri Jawaharlal and the hon. Sardar Patel, not even ten thousands of persons have come forward to surrender their houses to afford accommodation to these refugees. How can, then, I have faith in your capacity to rehabilitate the Hindus here? I don't find you strong enough to be capable to face this issue of rehabilitation of 50 lacs of people. These days we appeal for giving them residential accommodation and other lands so that they are enabled to earn their living. But nobody seems to respond. An appeal was made to spare, at least, food-grains to feed them. But the Government's policy in this respect, too, appears to be meeting a failure. A deficit of food-grains is felt despite their presence in the country. What then is the reality of the situation? To me it appears that the public have lost confidence in you now and neither you seem to trust them any longer. You have proved unable to feel the pulse of the public. The required money is not forthcoming in response to the loans floated by you. Your procurement drive of food-grains is not meeting success; your attempts to make available any residential accommodation have proved to be in vain, nor your wishes to bring more lands under the plough have been fulfilled. Why is it so? What are the reasons behind this all? To speak the truth, neither you owe the people nor the people at large owe you any longer. On one hand, you have failed to gauge the public sentiment and the public, on the other has lost confidence in you. You cannot therefore, be expected to give a practical shape to the proposal of rehabilitating here a crore and a quarter of evacuee-Hindus. You will not be successful therein.

The first requisite was to so manage as to enable the Hindus to continue living there. But their stay there has proved impossible in spite of the hon. Shri Jawaharlal's and Mahatma Gandhi's counsels to that effect. That is an established impossibility. Secondly you should have proceeded with the rehabilitation here of those one crore and a quarter of the Hindus. This course also appears to be impracticable now. The third course was to send as many men away from here as have come from across the border. This again, is seemingly

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an impossible way. You may take this into consideration and give due thought to it. We have got so many patriots in our midst. We may undertake a selection of people to be sent in lieu of those coming here and thus change places among ourselves as suggested by the hon. Shri Jawaharlal the other day in asking the Punjabi Hindus not to come here and instead to hold on to their places. But that has not happened and the people had to come away from there. Ours is now a Secular State and in spite of our courage to establish it as such, our Government are unable to overcome this work of great magnitude. I consider the Government to be incompetent for under taking a transfer of this type.

Shri Tyagi (Uttar Pradesh): May I infer that you mean thereby, a further transfer of population to be undertaken?

Lala Achint Ram: This, of course, is my proposal in individual capacity and in offering it I do not ask you necessarily to act upon it. These are the alternatives that I can think of and I have placed them before you as such. In re-enumerating them, I may firstly suggest to take steps to enable the Hindus to remain there; secondly to absorb one and a half crores of them in the life of this country and thirdly to agree to an exchange of those Hindus for the equal number of the Muslims. These very three alternatives I have placed before you and while doing so, I consider you to be incompetent to act upon any of them. Thereafter, I think, only one alternative is left open to you. What could be that? It is to convey to Pakistan in no uncertain terms that we have had enough of that 20 lacs of persons have poured into this side of Bengal from Pakistan. If such conditions continue to prevail and say, even if one lac more of people come away from there, we shall have no option but to take a decision as we did in the case of Hyderabad. You will have no other choice. In my opinion the patriotic Muslims in this country will assist us towards implementing this decision. Let you be under no misgivings that a complete devastation will overtake us in case we continue to allow so many Hindus being forced out from there. The result is clear. East Bengal will have to be cut into two and a region made available to a crore and a half of people to live in. It will be a welcome thing if they surrender such region voluntarily, failing that we may proceed to have it in the way we have had Hyderabad because that is the only alternative. You may please consider it. I put these five points to you. If, however, there is a sixth or a seventh point that you can think of and which you deem to be better, the same may be acted upon. But you must become clear about one thing. If you adopt the same attitude of vacillation as you did in the case of the Punjab, Bengal will suffer no dissimilar fate than the Punjab where the Hindus were killed in the land of their birth. I also desire that moral principles of Mahatma Gandhi should reign supreme in this land. But Mahatma Gandhi was a helpless spectator to witness all those ugly happenings and the migration of the Hindus from the West Punjab to India. Against his will and contrary to his principle of non-violence, the Mahatma had to accord his sanction to wage a war on the Kashmir issue and your armies did fight their Pakistan counterpart. Was that all a violation of Mahatma Gandhi's principles? I emphatically maintain that it was not. I don't want war and I am opposed to the idea of a war. I believe that the way of deliverance for the world lies ultimately in peace and reconciliation. I, however, see no other alternative that you can adopt. This vacillation will lead you nowhere. It must end. Let you beware of the fate that may overtake a snake-bitten person who may expire before the infallible medicine to cure him can be brought from a distant land as described in the following Persian Couplet:

*"Ta taryaq az Iraq avunda Shawad,
Margazida murda bavad."*

An Hon. Member: Why do you speak in English?

Lala Achint Ram: I speak for your interest so that you may understand me. You may not go without understanding me.

My submission, therefore, is that the policy followed by you during the last two and a half years has not solved the problem of 60 lacs of refugees and if you continue to follow it, I am sure you are bound to fail again in solving the new issue. Doom may well overtake them by the time you have thought over it and taken a decision. The country will be plunged into further ruin with the expected inflow of those one crore and a quarter of refugees.

You have provided here in this Bill that the intending evacuees can send money to their close relations and dependents residing outside the territory of this country. Respectfully I want to raise my voice in staunch opposition to this idea. I consider this policy of yours to have dealings with Pakistan at the same level at which you have with England or France to be wholly untenable. I am positive that we cannot adopt the same basis with regard to Pakistan as we have adopted regarding England, France or America. Pakistan gives us every-time a bad deal. We ask them to decide about the lands. They retort their inability to do so, as the withdrawal of the supply of canal water to those lands will bring down their prices. We fear such reduction and agree to continue the supply of water. Our lands there are lying waste and barren for want of water but we continue supplying water lest the prices should come down. This is how your policy works.

I say this must end and must end immediately and at once. Similarly we are in need of electricity. We are unable to get it whereas they are to have a continuous supply. It is ensured because of our attitude of appeasement towards Pakistan. I implore my hon. brethren to realize that there is nothing to be angry over such a submission. We certainly need electricity and water for our lands. But the fear of reduction in prices of our lands there is blocking the path to develop our lands even here. They are, thus, availing benefit of our canal-water and at the same time, making no payment by way of rent thereof. Here our lands are going barren. This policy of yours simply cannot work.

In the same way, time and again, we have to face the issue of persons with doubtful loyalty to the State. My solution to this is that the people of doubtful loyalty must leave this country as soon as possible. So, I submit those intending to send money to their relatives, should be asked to call such relatives back within a period of two or three months and ask those persons to live here as the loyal citizens of the State. In case they fail to comply with it, they should be asked to leave this country. There is no other alternative. I submit that if possible the Government should purchase also the property of such Muslims who intend to migrate to Pakistan.

I want to put one query to my hon. brother. Here in India as many as four and a half crores of Muslims live. May I know as to how many of these actually voted for the partition of the country? If out of these four and half crores, a majority have voted for the country's partition, there is no justification in their remaining here in our midst. They have achieved the ideal they had aspired for. What has made them change their behaviour within these two or six months or within a year? They can live in the country quite alright provided they are the trusted patriots. If, however, the same old ideas dominate their minds, it will be much better if they leave this country. Looking from the way those five lacs of Pakistanis have poured into Assam and thus have set a stage to establish another Pakistan, to me it appears that they have every chance to establish a number of Pakistans within the country. What do those five lacs of people coming in Assam intend to do? They will have another Pakistan there. Similarly there are also persons here who harbour these five lacs of intruders. Who are the persons responsible to bring these Muslims into Assam? There are fifth-colonists in the Assam Police. To-day there is virtually a Pakistan in Assam and it is bound to become a reality sooner or later. In Bihar also there are many persons who harbour a considerable number of Muslims from East Bengal—that region is also likely to become a Pakistan.

The reason for that lies in our erroneous discrimination between a true and loyal servant and the disloyal ones. We are duty bound to serve the true

[Lala Achint Ram]

patriots and servants of the country and sacrifice even our lives for their sake. But it is the interests of persons with doubtful loyalty themselves to leave this country as soon as possible. There is no harm in their residing in Pakistan. They may do so by all means. We shall help them even there. But we certainly don't want to see India becoming another Pakistan. We don't wish any repetition of all that is happening in Assam towards the establishment of another Pakistan and which process, if continued, may result in creation of Pakistans both in Bihar and Bengal and convert even the whole of India into the same.

May I draw a comparison between the success of the Government of India's policy and the one pursued by Pakistan? You will be surprised to know the conditions prevailing in the Punjab, known generally as an abode of the communalists. Several thousands of Muslims are living in Ambala even now. Similarly several thousands of them are inhabiting the Gurgaon district. So you will come across hundreds of them in Gurdaspur, also in the Punjab, as also in the place known as Malerkotla. But, looking across to the West Punjab, you will feel a sort of surprise. Not a single Hindu will be found in any of the cities there. Taking that there were any, they are fleeing to this place from there. On their arrival here, you will find them in a pitiable condition. So the Pakistan Government has reduced those few remaining Hindus to this condition. A few shops still belonging to the Hindus, have been got dispossessed of them. This is the success that our Government have achieved.

At the present time nearly a lac and a half of Muslims live in Gurgaon district. We are proud of this fact and don't wish any harm coming to these people. We wish them to live here in the way other people do. What I want to submit to the hon. Minister is that he should put an end to this slow policy. I want them to encourage the migration to Pakistan of Muslims of doubtful loyalty. We shall extend all possible help to Pakistan in its times of need or in event of any aggression against it. I want the hon. Minister, therefore, to decide after giving a careful consideration to all these factors.

Shri T. N. Singh (Uttar Pradesh): I have listened to the speeches so far very carefully and have given full thought to the problem for some time now. I was really much disappointed by the opening speech of our Minister for Rehabilitation because while in one breath he talked of truth and *ahimsa*, he forgot that at the same time this Evacuee Property Bill is by its very nature a sort of counterbalancing or, if you may put it so, a retaliatory measure. In the brochure that we have been supplied, I find that the history as traced in that booklet is just one series of steps taken by the Pakistan Government and what we have done to counteract those measures. Now, Sir, may I ask whether according to those high-sounding principles of truth, *ahimsa* and all that, this measure is in keeping with that mentality? I am not at all convinced that it is. I wish the Minister for Rehabilitation had not gone into philosophy and quoted the *Upanishads* or quoted Shri Arobindo Ghosh and tried to sermonise on virtues which are probably absolute or relative—I do not know what he meant. If truth is the real thing to judge by, I would like the House to find out whether we are trying to base this legislation on actual facts of the case because truth can never be something entirely divorced from facts. Let me point out to a telling sentence in the brochure itself:

"The Pakistan representatives knew full well that their law meant virtual confiscation of property of non-Muslims in Western Punjab and the N.W.F.P."

If that is the mentality, if that is the problem which we are faced with, then certainly some steps have to be taken commensurate with the situation. That is why I personally feel that it is best to divest all sentiment in considering this legislation and think coolly only of the counterbalancing steps to be taken. Otherwise there will be no use in having any retaliatory measures that we may think of or suggest.

The actual object of this legislation, as I understand it, is to find a way whereby the economic losses may be minimised both here and there. We want to bring out a measure whereby the evacuees' property will remain more or less intact so that if and when a final settlement comes people may not be losers on either side. I think that is the object of this legislation. If that is so, I want to ask this question. The other side is prepared to confiscate your property. By preserving the evacuee property here, how are you going to equate it? It is said you cannot equate it. On the one side you have a loss of over Rs. 2,000 crores, on the other side there is only a loss of Rs. 600 crores. That is true, but does it justify your losing even the 600 crores? That is the argument that I have heard here and I was really amazed at it. If this is commonsense, if this is truth and *ahimsa*, then I am certainly amazed to hear of these interpretations of truth and *ahimsa*.

There is another thing which is of very great importance but to which, I am sorry, people have not attached sufficient importance. The evacuees' property may be a sacred trust to us. I can understand that position if the Government takes it, but what about the intending evacuee? Even in other countries there have been instances where when people change their country and their nationality, their property is confiscated. It is a very serious thing for one to remain here and at the same time try to leave it and give up his nationality. Under the Constitution, we have conferred the nationality of our Bharat on every citizen, whosoever he may be, who is living here. Now, if such a man with whom we have been so generous and whom we want to have as our own despite whatever may have happened in the past, if such a man living here and prospering here is thinking all the time of joining another country, of leaving this nation, of abandoning this nationality, may I ask whether such a person should be treated with any consideration? Yet that is what we want to do under this Bill.

That is my most serious objection to the provisions of this Bill. The Bill as it stood was not so bad, but the amendments are likely to make it worse. I would urge the hon. Members and the Government to reconsider their positions.

I do not want to say more. One can go on dealing with the refugee problem at length. We know our brethren have suffered. The question was raised that there are 60 lakhs of people whose votes should carry weight. That is not the only consideration. The real consideration is the merit of the case. I do sympathise with my refugee brethren. I feel for all they have suffered. We all feel for it. Is there any Indian who will not sympathise with their sufferings? That sympathy is there. But mere sympathy would not help. The problem of rehabilitation is a very difficult one. It has to be handled with imagination and active effort. I do not want to comment whether that is being done or not. It is for the House to judge, for the nation to judge. Perhaps, it is judging and will continue to judge. We all want that our brethren should be rehabilitated as soon as possible. Probably, this legislation may have helped in that regard. Government should take that view. It is a humanitarian task also. If this legislation is effective, useful, proper and not wrong in any way, it will help the rehabilitation of the refugees. With these words I generally support the Bill.

मास्टर नन्द लाल : इस बिल का सम्बन्ध हम शरणार्थियों के साथ है।

जहाँ तक पंजाब के शरणार्थियों का ताल्लुक है, यह शरणार्थी अपना सब कुछ बरबाद करने के बाद यहाँ आये। उन की ओरतें छिनी गईं और कितने ही आदमी मारे गए। वह हिन्दुस्तान की सरहद में हिन्दुस्तान की जय के नारे लगाते हुए दाखिल हुए थे। उन का यह दावा था और बजा तौर पर सही दावा था कि वह वही

[मास्टर नन्द लाल]

पंजाबी हैं, जिन्होंने ने हिन्दुस्तान की तहरीके आजादी की बुनियाद जलियांवाले बाग में रखी थी और सब से पहली कुर्बानी की। यह वही लोग ह, उसी पंजाब से ताल्लुक रखते हैं, जिस पंजाब ने इंडियन नेशनल कांग्रेस (Indian National Congress) की मुकम्मिल आजादी की तहरीक को रावी के किनारे पर तय किया और यह बदकिस्मत वही लोग हैं जिन लोगों ने हिन्दुस्तान की आजादी के यज्ञ में आखिरी आहुति दी और हिन्दुस्तान आजाद कराया। इस लिये उन लोगों को यकीन था कि हिन्दुस्तान के अब्बाम और हिन्दुस्तान की गवर्नमेंट भी अपनी है और वह उनके साथ पूरी हमदर्दी करेंगे। सक्सेना साहब ने, हमारे मिनिस्टर साहब ने फ़रमाया कि हम उतना काम नहीं कर सके जितना करना चाहिये था। लेकिन मैं समझता हूँ कि कुछ भी हमारे लिये नहीं हुआ, और क्यों नहीं हुआ। इस की कई वजूहात हो सकती हैं। लेकिन मैं सिर्फ़ एक चीज आप लोगों के सामने रखना चाहता हूँ जो मेरा नुकता निगाह है। मैं मानता हूँ कि हमारी गवर्नमेंट ने शरणाथियों को बसाने के लिये काफी रुपया खर्च किया। हमारे आनरेबिल प्राइम मिनिस्टर (Prime Minister), हमारे आनरेबिल डिप्टी प्राइम मिनिस्टर (Deputy Prime Minister) और हमारे आनरेबिल स्टेट मिनिस्टर (Minister of State) साहब के दिल के अन्दर शरणाथियों का काफी दर्द है और काफी स्वाहिश रखते हैं कि यह बसायें जायें। लेकिन अगर इस स्वाहिश के रखने के बावजूद हमें नहीं बसाया गया तो इस की वजह क्या है? मैं समझता हूँ कि वह साधन ठीक नहीं हैं जिन साधनों से हमें बसाया जा रहा है। जिस तरीके से हमें बसाने का इन्तज़ाम किया गया है वह फंडामेन्टली (Fundamentally) गलत है। हमारे बसाने के लिये एक आरजी महकमा, टेम्पोरेरी डिपार्टमेंट (Temporary department) बना दिया गया और यह स्वाहिश रखी गई कि यह डिपार्टमेंट जो हम ने बनाया है चन्द दिनों के अन्दर, चन्द सालों के अन्दर उन शरणाथियों को बसा देगा यह बात बुनियादी तौर पर गलत है क्योंकि रिहैबिलिटेशन डिपार्टमेंट (Rehabilitation department) और रिफ्यूजीज (Refugees) के इंटेरेस्ट (Interest) आपस में क्लैश (Clash) करते हैं। अगर हम बस जाते हैं तो यह डिपार्टमेंट टूट जाता है और यह जारी रहता है तो हम पड़े रह जाते हैं। आप इन डिपार्टमेंट के लोगों की ह्यूमन साइकोलोजी (human psychology) को समझें। क्या वह बेवकूफ़ हैं कि अपना उजाड़ चाहें और हमें बसायें, वह चाहें कि वह खुद तो मौकूफ़ हों और यह बस जायें? यह बुनियादी वजह है। आप लोगों को तो शायद पी ब्लॉक (P Block) जा कर घंटों खड़ा नहीं होना पड़ता

Pandit Krishna Chandra Sharma : May I ask how these observations are relevant to the Bill under consideration ? This is a long story. The previous speaker has taken an hour or so. Now the hon. Member is also talking for a long time. It is all irrelevant. There is no connection whatsoever.

Mr. Deputy Speaker: The hon. Member would kindly make his speech relevant.

मास्टर नन्द लाल : जनाब वाला, मैं तो कह रहा हूँ कि यह फंडामेंटल तौर पर गलत है कि जो इस बिल को पेश किया जा रहा है। जो इन्तजाम बनाया गया है कस्टोडियन (Custodian) डिपार्टमेंट का या कोर्ट आफ वार्ड्स (Court of Wards) का यह गलत तरीका है। अगर कुछ बेहतर तरीका है तो यह है कि यह इन्तजाम पर्मानेंट (Permanent) डिपार्टमेंट के पास दे दिया जाय, हेल्थ मिनिस्ट्री (Health Ministry) को या वर्क्स माइन्स पावर (Works, Mines and Power) मिनिस्ट्री को या किसी और मिनिस्ट्री को दे दिया जाय। पर्मानेंट सर्विस (Service) वालों के पास अगर रिहैबिलिटेशन का यह काम होगा तो वह इस को बेगार समझ कर जल्दी से जल्दी खत्म करने की कोशिश करेंगे। जब तक यह आरजी महकमे में यह काम रहेगा तब तक उन्हें अपनी नौकरी की परवाह बनी रहेगी और यही वजह है कि अब तक हम आबाद नहीं हुए हैं। जो यह बिल हमारे सामने रक्खा गया है और जिस के लिये कहा जाता है यह डिसप्लेस्ड पर्सन्स (Displaced persons) के लिये बनाया गया है, लेकिन अगर कोई भी पहले सफे से आखिरी सफे तक देख डाले तो भी कहीं भी डिसप्लेस्ड पर्सन्स का जिक्र नहीं आया है। कहीं भी रिफ्यूजी का नाम नहीं है। जहां बलाज १० में पावर्स आफ कस्टोडियन (Powers of Custodian) लिखी हुई हैं वहीं यह पावर दी गई है कि उस को अख्यार होगा वह किसी जायदाद पर किसी को मैनेजर मुकर्रर करे या किसी के हवाले कर दे, और कहीं रिफ्यूजी का शब्द तक नहीं है। उसको देखने के बाद ऐसा लगता है कि इस बिल को बनाने के बजाय जो जायदाद मुसलमानों से हासिल हो अगर ऐस्टेट आफिसर (Estate Officer) के हवाले कर दिया जाता तो अच्छा था। वही कस्टोडियन डिपार्टमेंट या कोर्ट आफ वार्ड्स बना दिया जाता और उसे हक दे दिया जाता कि किसी तरह पर उसे इस्तेमाल करे। मेरी समझ में नहीं आता कि इस बिल के अन्दर डिसप्लेस्ड पर्सन्स या किसी बदकिस्मत रिफ्यूजी के लफ्ज को शामिल न करने की क्या वजह है। जरूरी था कि इस में लिखा जाता कि जो जायदाद ली जा रही है वह डिसप्लेस्ड पर्सन्स को ही दी जाय क्यों कि किसी और का राइट (right) नहीं है। जो

[मास्टर नन्द लाल]

जायदाद हमारी तरह बदकिस्मत मुसलमान छोड़ कर चले गए हैं उस का हक अगर कोई लेना चाहे तो वही ले सकता है जो कि उसी तरह बरबाद हो कर आये हैं न कि और। इस लिये मैं समझता हूँ कि सब से बड़ी गलती इस के अन्दर यह है कि इस वक्त यह बिल आप लोगों के सामने पेश है। १८ अक्तूबर से बराबर हम क्या देख रहे हैं? आप फिगर्स (figures) ले लें पी प्लक से। पंजाब के अन्दर जब से यह बिल ऑर्डिनैन्स (ordiuance) की सूरत में जारी हुआ है तब से लिटिगेशन (litigation) कितना बढ़ गया है। जायदाद के मुतालिक इतना लिटिगेशन बढ़ गया है लेकिन फंसले नहीं होते। मैं रोज देखता हूँ और मुझे अफसरान के पास जाने का मौका मिला, है मैं देखता हूँ आठ बजे तक कस्टोडियन बैठे रहते हैं, पंडित कैलाश चन्द्र, दिक्षित जी और जैतली जी आठ आठ बजे तक बैठे रहते हैं, लेकिन काम खत्म नहीं होता। खत्म कैसे हो, क्योंकि इस से लोगों को जायदाद के बेचने का मौका मिल गया है, और आप को पता होगा कि इस ही वजह से अब मिस्टर जैतली डिप्टी कस्टोडियन का फंसला निकला है। आपने पढ़ा होगा कि कोई मोहम्मद उमर रईस हैं, उन की जायदाद का एक झगड़ा है, वह अपनी जायदाद को रिलीज (Release) कराना चाहते थे और अगस्त के अन्दर रिलीज के लिये अर्जी दी।

वह किसी न किसी तरीके से हमारे आनरेबिल ला मिनिस्टर साहब से कोई सार्टिफिकेट (certificate) लेने में कामयाब हो गया। न मालूम किस तरह उन्होंने वह सार्टिफिकेट हासिल किया कि वह इवैक्यूई (Evacuee) नहीं है। उसको देखकर असिस्टेंट कस्टोडियन (Assistant Custodian) ने वह जायदाद रिलीज कर दी। मिस्टर जैतली के पास जब वह फायल (file) गई तो, क्योंकि वह जूडिशियल माइन्ड (judicial mind) के आदमी हैं, उन्होंने उस जायदाद को फिर कस्टोडियन के हवाले कर दिया और कह दिया कि यह इवैक्यूई प्रापर्टी (Evacuee property) है और यह रिमार्क (remark) पास किया कि यह सार्टिफिकेट नहीं माना जा सकता क्योंकि उन्हीं दिनों गवर्नमेन्ट ने यह हिदायत दी थी कि कोई सिफारिश मंजूर न की जाय। सैकड़ों की तादाद में मुसलमान जो कि वेस्टर्न पंजाब (Western Punjab) में चले गये हैं वह अपनी जायदाद को लेने आ गये हैं। वह अपनी जायदाद पर कब्जा करते हैं, और पगड़ी लेकर उसे दे जाते हैं और यहाँ नहीं रहते क्योंकि उन को हिन्दुस्तान से मोहब्बत नहीं है। मैं समझता हूँ कि इस लिटिगेशन बढ़ने का कारण आपकी इन्टेंडिन्ग इवैक्यूई (intending evacuee) की तारीफ है जिसने हमारे कम्पेन्सेशन (compensation) मिलने की सारी आशाओं पर पानी फेर दिया है। कम्पेन्सेशन मिलने के

लिए सब से पहली चीज जिस पर कि हमारी निगाह थी वह मुसलमानों की छोड़ी हुई जायदाद थी और हम समझते थे कि उस से तो हमारा कुछ मुआविजा मिल ही जायेगा। और मेरा तो यह दावा है कि अगर उस तमाम प्रापर्टी पर कब्जा किया जाय जो कि मुसलमान यहाँ छोड़ कर पाकिस्तान चले गये हैं तो हमारे कम्पेन्सेशन का बड़ा भारी हिस्सा पूरा हो सकता है। लेकिन कब्जा करने की बजाय वह प्रापर्टी वापस देते जा रहे हैं। कुछ क्लॉजेज (clauses) में यह दिया हुआ है कि जो शख्स पाकिस्तान जाना चाहता है वह इंटेंडिंग इवेक्युई करार दिया जायगा, लेकिन दूसरी तरफ आप यह क्यों नहीं कहते हैं कि वह शख्स पाकिस्तान का वफ़ादार है, और हिन्दुस्तान के लिए ग़द्दर है और हिन्दुस्तान की गवर्नमेंट उसको अपने यहाँ से बाहर करने के लिए तैयार नहीं है? एक तरफ आप उस को पाकिस्तान जाने व ला करार देते हैं और दूसरी तरफ उस को यहाँ रहने की इजाज़त देते हैं। तो जब तक वह यहाँ रहेगा हमें उस पर सी० आई० डी० लगाना पड़ेगा। जब हम ने उस को पाकिस्तान का वफ़ादार करार दे दिया और अगर उस को अपने मुल्क के अन्दर रहने की इजाज़त देंगे तो उस पर सी० आई० डी० रखना लाज़िमी होगा तब कि वह देखे कि वह क्या हरकतें करता है, पाकिस्तान को क्या रिपोर्ट देता है और दूसरे लोगों से क्या कहता है। और उसकी जायदाद उस के पास रहेगी। इतनी रियायत करने की हम कोई ज़रूरत नहीं समझते। इन तरीकों से हमारा रिहैबिलिटेशन नहीं हो सकता। इस वक़्त जो निकल कर आये हैं वह रिहैबिलिटेड नहीं हो सकते। उन के दिलों से उन के मुल्क की मुहब्बत नहीं जा सकती। शायद हमारी आने वाली नस्लें रिहैबिलिटेड हो जायं। हमारे रिहैबिलिटेशन का तो तरीका यही है कि हम वापस जा कर अपने घरों में रहें, जिन घरों की कि हम छोड़ कर आये हैं। आप के सिरोँ पर से भी मुसीबत टल जायगी और हम भी अपने घरों में बस जायंगे। कुछ साहिबान कहते हैं कि जंग का ऐलान करो। लेकिन मैं ऐसा नहीं चाहता। मुझे अपनी गवर्नमेंट की जो पालिसी (policy) है उस से कोई ऐतराज नहीं है। कैरेक्टर (character) सब से बड़ी चीज है और कैरेक्टर का जो दावा हमारी गवर्नमेंट करती है मैं उससे मुत्तफ़िक हूँ। मुझे यकीन है कि हमारी गवर्नमेंट अपने कैरेक्टर पर कायम रहते हुए जंग का ऐलान नहीं करेगी। लेकिन मैं समझता हूँ कि हमारे पाप, जिन की सजा हमें मिली है, वह खत्म हो रहे हैं और हम लाज़िमी तौर पर अपने घर वापस जायंगे और पाकिस्तान जल्दी ही जंग का ऐलान करेगा। इसके बग़ैर उसका कोई चारा नहीं है। यही एक चीज उस के पास है जिसके नाम पर उस ने अपने मुल्क को उभार रखा है। आज

[मास्टर नन्द लाल]

उस ने काश्मीर के सवाल पर अपने मुल्क को इतना उभार रखा है कि वह जंग शुरू करने पर मजबूर होगा और हमारी गवर्नमेंट उस को कुचल देगी और हम वापस जाकर रिहैबिलिटेड हो जायेंगे।

इसके बाद मैं यह अर्ज करूंगा कि बहुत से मुसलमान जिन को हिन्दुस्तानी करार दिया जाता है वह अपने असेट्स (assets) पाकिस्तान भेज रहे हैं। अगर किसी घर में दस मेम्बर (member) हैं तो एक मेम्बर यहां रह जाता है और प्रापर्टी की देखभाल करता रहता है और बाकी मेम्बर वहां रहते हैं। मैं कहता हूँ कि इतनी फ़राखदिली की ज़रूरत नहीं है। इस तरह आप हिन्दुस्तान के दुश्मन को इजाज़त देते हैं कि वह यहां से दुश्मन को पैसा भेजता रहे। यह चीज़ ग़लत है, ऐसा नहीं होना चाहिए। जैसा कि लाला अचिंत राम जी ने कहा कि आप को यह करना चाहिए कि अगर किसी को यहां रहने की इजाज़त देते हैं तो उस से कहें कि वह तीन महीने के अन्दर अपने बच्चों को यहां ले आये और अगर वह नहीं लाता तो उस के लिए कोई बन्दोबस्त की ज़रूरत नहीं है और उसको गवर्नमेंट इजाज़त न दे।

जो ट्रेड (trade) के लिये इजाज़त दी गई है उस में भी लोग फर्नी चीज़ें बना लेते हैं। किसी से वहां से लिखवा देते हैं कि हमने १० हजार का गन्दुम खरीदा है, और पांच हजार का घाटा हो रहा है, पांच हजार भेज दो, नहीं तो हम बेचे देते हैं, और वह रुपया भेज देता है। तो आप साफ़ क्यों नहीं कहते कि एवेक्युई वह है जो हिन्दुस्तान को छोड़ कर जाता है और आप को इतला दे जाता है कि वह वापस नहीं आयेगा और उस की प्रापर्टी को आप एवेक्युई प्रापर्टी करार देंगे और जो प्रापर्टी वह बेच नहीं सकेगा उस की रकम आप उस को देंगे। तो इस तरह सारी प्रापर्टी बिक जायगी और हम को कुछ नहीं मिलेगा। आप हमसे यह साफ़ कह दें कि हम को कुछ नहीं मिलेगा तो हम अपनी ज़िन्दगी बसर कर लेंगे। अपनी मेहनत से ज़िन्दगी बसर कर लेंगे। हम ने किसी से भीख नहीं मांगी और अपनी मेहनत से अब तक अपनी रोटी कमाई है और अगर इस तरह ईश्वर को हमारी ज़िन्दगी कायम रखनी है तो कायम रहेगी। लेकिन हम को खाली आशाओं पर न रखिये और अगर हो सके तो कोई ठोस चीज़ कीजिये, और अगर नहीं देना चाहते तो साफ़ कह दीजिये। इस बिल से हम को कोई ठोस चीज़ नहीं मिलेगी। इन से तो उन मुस्लिम लोगो मुसलमानों को ही फायदा होगा जो कि यहां बैठे हुये हैं, और किसी को फायदा नहीं पहुंच सकता। मैं किसी मुसलमान का दुश्मन नहीं हूँ। लेकिन मैं अपने भाई इनायत उल्ला से इत्फ़ाक़ नहीं करता कि जो मुसलमान शहरी हक़ूक़ हासिल किये हुए है उस पर क्यों शक

किया जाता है। मैं ऐसा नहीं समझता। अगर ऐसा है तो इन्टैन्डिंग इवेक्यूई का क्लोज रखने की ज़रूरत नहीं है। मैं इस बात को मानता हूँ कि विलवमंगल की तरह एक मुस्लिम लीगी मुसलमान एक मिनट में हिन्दुस्तान के लिए ईमानदार बन सकता है, यः कोई बड़ी बात नहीं है। लेकिन लाखों मुसलमान जिन्होंने मुस्लिम लीग का झंडा लहराया और मुस्लिम लीग का काम करते रहे हैं उन पर नज़र रखना क्रुदरती बात है। अगर खलीकुज्जमां साहब बफादारी का ऐलान करके धोखे बाज़ी न करते तो इस तरह की निगाह रखने की ज़रूरत न थी। इसलिए मैं नेशनलिस्ट (nationalist) मुसलमानों से भी कहूंगा कि इस वक्त मुस्लिम लीग के लोगों का ख्याल रखें और वह हकूमत को यह बता कर मदद करें कि उनमें कौन गद्दार है और कौन ईमानदार है जो कि कांग्रेस के साथ चल सकते हैं। कांग्रेस सरकार पर काफ़ी ज़िम्मेदारी है और काश्मीर का मसला एक खतरनाक मसला है और उस को हल करने के लिए ज़रूरत है कि इन तमाम मुसलमानों की छान बीन की जाय। मैं नहीं चाहता कि कोई मुसलमान हिन्दुस्तान से चला जाय, बल्कि हम तो फख्र करते हैं कि मुसलमान हमारे हिन्दुस्तान में रहते हैं, वह हमारे भाई हैं और हमारा यह धर्म होना चाहिये कि उनके दिमागों से यह ख्याल हटा दें कि वह अपने आपको इनफ़ीरियर (inferior) समझें; बल्कि अपने को बराबर समझें। और हम उनकी पूरी पूरी मदद करें। लेकिन हमें उन मुसलमानों से डरना चाहिये जो यहां रहते हुये और हमारे इस बर्ताव से नाजायज फायदा उठाना चाहते हैं और हिन्दुस्तान के साथ गद्दारी की इच्छा रखते हैं। और मैं मिनिस्टर साहब से दरख्वास्त करूंगा जैसा मैंने पहले अर्ज किया कि क्लोज १० के अन्दर वह यह करार दें और मेरी यह तरकीब मंज़ूर कर लें कि वहां ऐनी परसनस् (any persons) की जगह रेप्यूज़ी रख लिया जाय।

(English translation of the above speech)

Master Nand Lal: The Bill in question relates to us, the refugees. So far as the question of refugees from West Punjab is concerned, all of these refugees came here after losing everything they had in this world. Their women were abducted and a lot of their relations killed. They had entered the Indian territory shouting the slogans of Jai Hind. They claimed and no doubt they rightly did so that they were Indians and belonged to Punjab. They had laid the foundation of this movement for the independence of the country in the Jallianwala Bagh and were the first to sacrifice themselves at the altar of independence. They are the same persons and belong to the same undivided Punjab who had taken upon themselves to fulfil the pledge of complete independence taken by the Indian National Congress on the banks of Ravi, and these unfortunate fellows are those very persons who gave the ultimate and final sacrifice at the altar of Indian independence and thus through their sacrifices liberated India. For this reason they had the strongest possible conviction that the people as well as the Government of India were their own and would surely sympathize with them in their misery and plight. The hon. Minister Shri Saksena has given out that the Government could not do as much

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as she ought to have done. But I think that nothing has been done for us, and why nothing has been done? There may be some reasons for this state of affairs, but I wish to submit before you only one thing and that represents my viewpoint. I acknowledge that our Government has spent a lot of money on the rehabilitation of the refugees. Our hon. Prime Minister, our hon. Deputy Prime Minister and our hon. Minister of State do have a soft corner for the refugees in their heart of hearts and earnestly wish that they may be rehabilitated. But in spite of all these good wishes and earnest desires we have not been rehabilitated as yet, then what is the cause of all this? I think that the methods and ways and means that are being adopted to rehabilitate us are not at all correct. The methods that are being adopted to rehabilitate us are fundamentally wrong. For the rehabilitation of the refugees a temporary department was set up with the anticipation that this temporary department, would be able to rehabilitate these refugees within a few days or within a few years. This anticipation was basically wrong because the interests of this Rehabilitation Department and those of the refugees clash with each other. If the refugees are rehabilitated then off goes this department and on the contrary if this department continues then we get driven from pillar to post. Just try to understand the human psychology of the personnel of this department. Are they fools to wish for their own uprooting in order to rehabilitate us? Are they fools to try for their own dismissal from service so that we may be settled down? This is the root cause of all this trouble. Perhaps you have not got to go and stand for hours together in the P. Block.

Pandit Krishna Ohandra Sharma (Uttar Pradesh): May I ask how these observations are relevant to the Bill under consideration? This is a long story. The previous speaker has taken an hour or so. Now the hon. Member is also talking for a long time. It is all irrelevant. There is no connection whatsoever.

Mr. Deputy-Speaker: The hon. Member would kindly make his speech relevant.

Master Nand Lal: Sir, I was submitting that the presenting of this Bill is wrong fundamentally. The methods that have been suggested therein resemble the activities of the Court of Wards and so are absolutely wrong. It would have been a far better method had this rehabilitation work been entrusted to some permanent department of the Government like the Health Ministry or the Ministry for Works, Mines and Power or to any other Ministry of the Central Government. If this work of rehabilitation would be entrusted to the persons in permanent service then they thinking it to be an extra and forced duty would try to finish it at the earliest. Till the time this rehabilitation work would rest with a temporary department the personnel of that department would always care for their services only and that is the main reason why we have not been rehabilitated as yet.

About this Bill, that is before us, it is alleged that it is meant for the displaced persons, but if you were to go through this Bill from cover to cover you would find that at no place any mention has been made of the displaced persons. Nowhere does the name of 'refugees' even occur therein. In clause 10, wherein the powers and duties of the Custodian have been mentioned, it has been laid down that the Custodian would have a right to appoint any manager for the property or to authorise any person to take possession of it, and in this clause also there is not even a mention of the word 'refugees' anywhere. After carefully studying this Bill one comes to the conclusion that instead of bringing this Bill it would have been far better if the property of the Muslim evacuees would have been vested with the Estate Officer. The same Estate Office may have been changed into some sort of Court of Wards and authorised to make the best and proper

use of the properties vested with it. I cannot understand and do not see any reason why there is no mention at all of the unfortunate displaced persons or refugees in this Bill. It was essential that it should have been clearly mentioned in the Bill that the evacuee property, that is being taken over, will be given to the displaced persons only because nobody else has got a right over it. If any persons were to be given rights over the property, that has been left by those Muslim evacuees, who are as unfortunate as we are, then they should have been those persons, who have been forced to migrate to this country leaving their everything there, and not any one else. Therefore I think the greatest defect of this Bill is that it has been introduced at this time. What have we continuously been seeing since 18th October? Litigation has increased very considerably since the time this Bill has been enforced in Punjab in the form of an Ordinance. You can get the figures from P. Block. Though the litigation about property has increased manifold yet no decisions are made. I have had occasions to meet the officers and I see that the Custodians sit up to eight o'clock in the night. Mr. Dixit, Pandit Kailash Chandra and Shri Jaitely sit up to eight o'clock in the night and yet the work is not finished. And how can it finish? Because by the promulgation of this Ordinance the people have come across a chance of disposing of their properties, and perhaps you might be knowing that for this very reason Shri Jaitely, the Deputy Custodian, had to give a ruling on the matter. Perhaps you must have read that there is some big monied man named Mohammad Umar. There was some dispute about his property. He wanted to get his property released and so in August he filed an application for the release order. Somehow or the other he managed to get some sort of certificate from our hon. Law Minister. I do not know how he managed to get a certificate testifying that he was not an evacuee. On the authority of that certificate the Assistant Custodian released the property. When the file was put up before Shri Jaitely, then he, being a judicial minded man, again vested the property with the Custodian and declared it to be evacuee property. He also wrote the remark that the certificate was inadmissible because quite recently the Government had issued a directive that no recommendations of any sort were to be entertained. Hundreds of Muslims who have migrated to West Punjab have now returned to get their properties released. They get their properties released, take possession of them and after charging a fat *pugree* or premium dispose them of. They do not stay in India simply because they have no love for this country. I think that your definition of the word 'intending evacuee' is the root-cause of this increase in the amount of litigation. This definition has marked a death-knell of all our hopes of ever getting any compensation. The only thing that in our opinion could have paid out any compensations to us was the property left by the Muslims and we had all along been thinking that we would be able to get some compensation out of this property. I can say with all the emphasis at my command that had all the property, that has been left here by those Muslims who have migrated to Pakistan, been taken over then a major part of our compensation could have been paid. But instead of being confiscated, the properties are being released and handed back. In some clauses of this Bill it has been mentioned that any person who intends to migrate to Pakistan will be deemed an 'intending evacuee', but at the same time why you do not declare openly and in as many words that the said person is loyal to Pakistan and hence a likely traitor to India and so the Government of India is not prepared to let him go out of India? On the one hand you declare him an intending evacuee prepared to migrate to Pakistan; while on the other you allow him to stay here. Till the time he will stay in this country we will have to appoint C.I.D. to shadow him. When we have once declared him a faithful ally of Pakistan and then if we would allow him to stay in this country then it would become imperative to have him shadowed by the C.I.D. so that we may have full reports of his activities and know what information he sends out to Pakistan or else what he says to other people, and the fun is that above all this he will still

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remain in possession of his property. We do not see any necessity of showing so much leniency and consideration towards such fellow. By adopting such methods the refugees cannot be rehabilitated. The displaced persons can never be rehabilitated in this way. These persons cannot forget their love for their places of birth. It is just possible that our future generations may be rehabilitated. The only method possible of our rehabilitation is that we may return to our original homes which we have been forced to leave. In this way not only the burden will be off your heads but we also will be rehabilitated. Some of my friends suggest that a declaration of war be made. But I do not belong to his school of thought. I have not the least objection against the present policy of the Government. Character is the greatest of all the virtues and I fully support the claim of our Government of maintaining an unstained character. I am confident that our Government being wedded to this love of character will never declare war. But I think that our sins for which we have been punished are soon coming to an end, and we would certainly return to our original homes because Pakistan will surely declare war very soon. There is no other alternative with Pakistan except this. This is the only means at the disposal of Pakistan with which she has agitated the entire length and breadth of the country. On the Kashmir issue the Pakistan Government has so much agitated the public mind that they would certainly be obliged to declare open warfare. Our Government would give them a crushing defeat and thus we would return to rehabilitate ourselves there in our original homes.

After this I would like to submit that a lot of Muslims who claim to be the nationals of India are transferring their assets to Pakistan. If a family consists of ten members then one of them stays here and looks after the property, and the other nine migrate to Pakistan. I say that so much generosity is not at all required. In this way you permit the enemies of India to remit from here more and more money to other enemies outside the country. This policy is totally wrong. It should not have been so. As my friend Shri Achint Ram has suggested the right procedure would have been that if some one is allowed to stay here in this country then he should be asked to bring his family back within three months time and if he fails to do so then there is not the least necessity of making any arrangements for him and the Government must not allow such persons to stay in this country any longer. Such persons adopt some very unfair means in trades and businesses they are permitted to do. They ask some one out there to write them a letter to the effect that he had purchased wheat worth Rs. 10,000 and as he stands to face a loss of Rs. 5,000, so Rs. 5,000 may be remitted, else the stock would have to be sold at a loss, and his counter-part here remits the said amount. Then why do not you declare openly and in as many words that an evacuee is that person who migrates from India after giving you intimation that he would not return, then in such cases you would declare the property to be 'evacuee property' and if he would not be able to sell it himself before his migration then you would remit him the price of the same afterwards. So in this way the whole of the property will be sold and we would get nothing. You may tell us in plain words that we will not be given any compensation whatsoever, then we would anyhow try to make two ends meet. We would labour and toil and would thus make a living. We have never begged alms from anyone and have earned our daily bread with the sweat of our brow and if God wishes to keep us going in this way then we will live so. But do not feed us on hollow and empty promises only, and if it be within your power then do something substantial for us, and even if you do not at all want to give us any thing then say so plainly and in as many words. We would not get any substantial help from this Bill. This Bill would help those Muslim Leaguers all the more who are staying behind in this country. This Bill cannot help anybody else. I do not bear any enmity against any Muslim, but I do not

fall in line with the views expressed by my friend Khwaja Inait Ullah that why those Muslims, who are enjoying the rights and privileges here, should at all be suspected. I do not agree with him. If this is not the case then there is no necessity at all of having a clause in the Bill in question about the intending evacuees. I agree that like the proverbial Vilwamangal a staunch Muslim Leaguer Mussalman can be transformed into a true national of India within a single minute, this probability is not beyond comprehension. But it is also natural to have an eye on the activities of those millions of Muslims who have been doing Muslim League propaganda and had hoisted the League flags. Had Ch. Khaliquzzaman not deceived us in this manner after openly declaring his allegiance to India then such a step would not have been at all necessary. Therefore I would ask the Nationalist Muslims to keep an eye on such Muslim Leaguers and help the Government by giving information as to which of them are traitors and which are honest people and can fall in line with the Congress party. A great deal of responsibility devolves upon the Congress Government. The problem of Kashmir is a dangerous one and in order to solve it successfully it is essential to enquire into the whereabouts of all these Muslims. I do not want that any Muslim should migrate from India, but on the other hand we feel proud of the fact that even today Muslims live in our country. They are our brothers and it should be our bounden duty to dispel from their minds the idea that they are in any way inferior to us, and we should give them fullest possible help. But we must be cautious of those Muslims who while living here enjoy all possible help and still wish to turn traitors to the country. I would request the hon. Minister that as submitted before he should better accept my amendment and definitely lay down in clause ten that instead of the words 'any persons' occurring in the said clause the word 'refugee' be substituted.

Shri B. K. Das (West Bengal): I am doubtful whether I shall be able to do justice to the subject in the time at my disposal. It has been observed that Pakistan has violated all agreements regarding the evacuee property in Western Pakistan. We must look at this question from another point of view. We must say that Pakistan has at least been faithful to the agreement that was reached regarding the Eastern parts of our country. The Ordinance that they have promulgated on the 15th October is not applicable to East Bengal where the agreement will stand. If we are still hopeful that at some future date there will be a solution regarding our evacuee property, we must look at this question taking the whole matter into consideration. Twenty lakhs of people came over to this part of Bengal and a large number of people are now flocking. The situation in East Bengal is grave and if to-day thousands are coming, it may be that in course of time this will develop into lakhs. If we have to face such a situation we must take into consideration what will become of the property left behind. We know those people when they came were not able to bring much of their moveable property—not to say of the immovable property. Many of them could not dispose of that property. Some might have been able to make some exchanges but it is a fact that their properties are left to their own fate. If a solution is found regarding evacuee property, we must see that something is done about the property that is there. If Pakistan has observed the agreement regarding that property we can still hope that there may be some time when this question can be solved. If some day, or if it is to be believed that the time has now arrived when we must say that there is no chance of a solution of that problem on a Governmental basis, then we should take the whole question and we should also think what will become of that property on the other side. The Bill provides that not only the evacuees but the case of intending evacuees also will be taken into consideration. There are provisions where such a discrimination can be made and on what circumstances people will be deemed as intending evacuees. Provision has been made that some of the people who are related to people on that side who have gone over to Pakistan will be able to send some money in the course of their trade or for maintenance

[Shri B. K. Das]

of the members of their family. There may be loop-holes—I admit, that this provision is misused. But if stringent rules are framed and if this provision is worked with caution, I have no doubt that those people who have *bona fide* intentions will not have to suffer. To-day there are people in Bengal who have intimate relations and who have also to keep connection with people who have been left behind in East Pakistan. To-day we cannot be blind to the fact that people who have come to this side still have to maintain intimate connections with people who are left in East Bengal. We must also think if to-day we take up this position that there is to be no intercourse, and no maintenance of relations, then we must think of our own people also who are in West Bengal. From these considerations I think that we must handle this matter with care and I am glad that this Bill has taken cognizance of all these facts. Suggestions have been made by several Members.....

Shri Soudhi: It does not apply to Bengal at all.

Shri B. K. Das: But if it be applicable to Bengal, we should think of the fate of the people in Bengal to-day. It does not apply—I admit—but when we will take that position that whoever has connections in West Pakistan, whoever has to maintain a member of his family there, whoever has to bear some pecuniary relation with anybody living in West Pakistan must be so dealt with that he will not be able to have any connection, then we must think that if the provisions of the Ordinance that Pakistan.....

Mr. Deputy-Speaker: There is another business and it is now 5 O'Clock. The hon. Member will continue his speech on Monday.

ACCIDENT TO K.L.M. PLANE AT SANTA CRUZ AIRPORT.

Shri Kamath (Madhya Pradesh): Under the new rules which were announced by the Speaker the other day for the conduct of business in this House, I am raising this discussion on this particular matter, namely the report of the Committee appointed to investigate into the fatal accident to the K.L.M. Plane on 12th July 1949 at Santa Cruz, Bombay.

[MR. SPEAKER in the Chair]

The House is well aware of the details of this accident and I need not go into them over again. This matter, Sir, was the subject of questions and answers on the 2nd of February in this House, and in my humble judgment, the answers given to certain questions asked of the Minister were not satisfactory or adequate. I am referring in particular to a question which I asked. It is this:

“Is it a fact that the last page of the aircraft radio log book for that day was found missing, and whether the spokesman of the K.L.M. Dutch Company thought that there was no error of judgment on the part of the pilot, but that there was some sort of a wrong direction from the airport?”

And the Deputy Minister of Communications replied, “I do not think the K.L.M. said that there was no error of judgment.”

The Deputy Minister of Communications (Shri Khurshed Lal): My reply was that the K.L.M. have said that there was no error of judgment, but I do not agree with them.

Shri Kamath: I am reading from the official record, from the reporters' copy that is with me here.

Shri Sidhya (Madhya Pradesh): On a point of information. There was another instance of a similar correction the other day, and I want to know the

correct procedure. I wanted to invite your attention to this, Sir. One word is used in the reply given here, and when the copy is corrected by the Minister, another is used, and that is most improper. I find my friend Mr. Kamath too has a similar case, of some change having been made. If you allow such corrections to be made by a Minister, it will upset the whole record. It is most improper.

Mr. Speaker: The hon. Member has hurried himself into making observations without trying to know the true facts. He knows that when answers are orally given, they are read. Copies are, of course, struck, and many times corrections are made after the copies are sent to this Office. Those corrections are incorporated before the copies are placed on the Table. But, it oftentimes happens, as has happened in this particular case, that the Minister, when actually replying, may make some changes, and those changes are then further incorporated later on. It is also the experience of Members that though speeches taken here by the reporters, substantially represent for all practical purposes, what the Members have said, still Members think it necessary to have them with them for correction, and corrections are made. It does not mean that those who make the corrections introduced something else as an after-thought. It is not like that. Then hon. Members also have seen the cyclostyled copies of the Debates and if they are carefully read, it will be seen that, on every page it is written—"Uncorrected—Not for Publication." and.....

Shri Sondhi (Punjab): But, Sir, can 'yes' be changed into 'no'?

Mr. Speaker: I have not finished. This is an uncorrected copy which means that there is always scope for correction, and therefore, if any correction is made subsequently, it is not a proper and legitimate inference to draw that something is added, and that the addition is improper. Such an allegation implies that the report taken is correct, absolutely correct and nothing but correct, and anything changed means an after-thought and an impropriety.

I was pointing out this particular aspect to the attention of the hon. Member, and that is why I have taken a little time in explaining the position. It is not as if any Member can correct anything in any manner he likes. Cases have come to me of corrections of speeches by Members, and I have seen Members adding something which obviously they had not spoken, but trying to improve upon an argument or something like that. Of course, there is nothing immoral in it, because after all it becomes a permanent record and it is a natural desire of everybody to see that he is not seen by posterity in a particular form, but in a better form. But while I have permitted all kinds of grammatical corrections, or corrections of a word here or there, or change of a clause from one place to another: I have always put down any material correction, which means deviation from the substance of what the Member has said: whether he is a Member or a Minister, it makes no difference at all. That is the real position.

Now, I do not think I need discuss this matter any further. Has Mr. Kamath finished?

Shri Kamath: No, Sir.

Shri Sidhya: But Sir, with your permission again. I was referring to a written answer and this written answer has been corrected. It was "No" here in the written answer, but.....

Mr. Speaker: I have seen the particular case to which the hon. Member is referring and I have seen the original record also. In the copy which finally came there were a few corrections. That means copies are being corrected again, and the advance copy that comes does not necessarily contain all the corrections. He need not immediately come to the conclusion that, after the written reply was given here, something else was given. Hon. Members know

[Mr. Speaker]

that copies come here atleast half an hour earlier. I know the hon. Member refers to a particular reply given by the hon. Rehabilitation Minister.

Shri Sidha: Yes, Sir. In reply to my question to the Minister of Rehabilitation, as to whether the evacuee question was to be referred to the U.N.O., he said, "No". But in the copy the reply is, "It does not arise", and finally it is scored out and stands as "Government have not taken a final decision."

Mr. Speaker: The reporter's script said, "No." That is what the reporter's copy says. If hon. Members are to raise points of this kind, the only course for me is not to supply uncorrected copies to them; but that probably will be a greater difficulty. They should take the corrections as absolutely *bona fide*.

Shri Kamath: I accept the correction as made by the Deputy Minister, in his answer to my question. As a matter of fact, that forms the second part of his answer given on the 2nd February. My second question was:

"Is it a fact that the last page of the aircraft radio log book was missing, and if so what action was taken against the person responsible for it."

To this the Minister himself replied, "I think the report does not....."

Shri Tyagi (Uttar Pradesh): On a point of order. Sir, will you permit discussion of the replies of an hon. Minister in his absence? I can understand the reply given by the Deputy Minister being discussed here, because he is present here and he can reply. But discussing replies given by an hon. Minister in his absence will not be a good precedent.

Mr. Speaker: It is collective responsibility.

Shri Kamath: The Minister has answered, "the report does not mention that".

May I read from the summary of the report, a copy of which has been placed in the Library? I am reading at page 18.

"The loss of the last page of the aircraft radio log book made it impossible to check whether the final instructions contained in the last four entries in the Approach Control log book tallied with those recorded in the aircraft log. The most significant entry is the one pertaining to climbing to 800 ft after it became clear that the aircraft was not attempting a down wind landing."

And the Committee goes on to say:

"The advice if passed was not sound as an altitude of 800 ft. is not a safe altitude for an aircraft proceeding in I.F.R. conditions towards the east of the airport."

"The best course under these conditions would have been to turn the aircraft towards the sea and either to hold it under cloud base or to send it up to safety level until the weather cleared sufficiently to enable a visual approach to be made for landing on runway 23 or to divert the aircraft to another airport. The Air Traffic Controller did not pass such advice to the aircraft."

This was the vital point raised by me, as to whether the Air Traffic Controller at Santa Cruz was entirely blameless or not. The Santa Cruz airport is an international airport and therefore safety conditions there must be O. K. But here the Committee appointed by Government say that the Air Traffic Control and the Approach Control are not free from blame in this matter of the fatal accident to the K. L. M. Constellation Plane.

Now, may I refer to the conclusions found in this report where the causes have been described? The report says:

"Direct Cause. The pilot committed an error of judgment in attempting to land on runway 23 by executing a circling procedure....."

Here the K. L. M. Chief of Operations has been quoted by P. T. I.—Reuter from the Hague on 30th December, as saying that the Royal Dutch Airlines do not accept any suggestion that an error of judgement on the part of the pilot was the direct cause of the Constellation crash at Bombay last July.

Pandit Balkrishna Sharma (Uttar Pradesh): On a point of information, may I know if this committee, whose report my hon. friend was reading from, had also on it a member who may be equivalent to the Director-General of Civil Aviation here?

Shri Kamath: Here the Committee say in the opening paragraph.....

Mr. Speaker: The chief object of raising this discussion is not to come to any conclusions about this or that particular thing. The object is only to get correct information as much as possible, without any further comment, as it is not possible to get this by means of short supplementaries. Members who put questions will kindly remember that.

Shri Kamath: May I reply to the point raised by Pandit Balkrishna Sharma? The representatives of the Dutch Government were associated with the enquiry.

Mr. Speaker: If the hon. Member goes on explaining things that way, there may not be much time for the hon. Minister's reply.

Shri Kamath: The points for consideration are, firstly whether, in accepting the findings and the recommendations of this Committee appointed by the Government themselves, the Minister has held or proposes to hold an enquiry into the carelessness or negligence or remissness of those who were in charge of the Approach Control and the Traffic Control at Santa Cruz air-port, because the Committee is definite on this point. Firstly, there was the advice from the Air Traffic Control to land on runway 23. There are three runways. One was out of order and the other two have been discussed here in the report. The conclusions are "(1) Advice from Air Traffic Control to land on runway 23 and lack of advice from Air Traffic Control to 'Hold' until the weather improved or to 'Divert' to another aerodrome....." This is one of the causes of the accident. Another indirect cause was: "Advice from Approach Control to climb to 800 feet if such advice was passed."

The last page of the aircraft radio log book was missing. It is regrettable that it was found missing. I would like to know whether the Government did hold an enquiry as to whether it was tampered with by anybody so as to conceal or remove any evidence of the fact that this advice to climb to 800 feet was passed by the Approach Control. These are the vital points. Unless and until a searching enquiry is made into these two points and the responsibility or the guilt of the Air Traffic Control and the Approach Control in regard to this matter is ascertained and the person or persons responsible are brought to book and punished properly, the safety of the air travellers would be at stake. Unless this is done I am afraid the discipline and the morale of the entire service will crack. I would like to have information on these points whether Government have considered these two findings of the Committee.

Mr. Speaker: He need not repeat them.

Shri Joachim Alva (Bombay): I have given intimation about my desire to put two questions. Do you allow comments or only questions for information?

Mr. Speaker: No comments, only questions for information will be allowed.

Shri Joachim Alva: I have no comments to make. I would like to ask whether any of these six recommendations made in the report which contains suggestions also have been carried out. I accept the report *in toto*. No one regrets more than ourselves the disaster which took place in Bombay and we pay our respects to the deceased.....

Mr. Speaker: That is all irrelevant.

Shri Joachim Alva: I would like to know whether the six recommendations made in the report have been carried out.

Pandit Balkrishna Sharma: May I, with your permission.....

Mr. Speaker: The rules require that previous intimation must be given. I shall read out the rules.

Pandit Balkrishna Sharma: I will take only a minute.

Mr. Speaker: I shall read out the rule. It runs: "There shall be no formal motion before the House for voting. The Member who raises the question may make a brief statement." Of course Shri Kamath has made a long statement. The Minister concerned replies thereto. Any Member who has previously intimated to the Speaker his desire to put questions may be permitted to do so for the purpose of elucidating any matter.

Pandit Balkrishna Sharma: May I put a question whether this log book the last page of which was found missing was in the air plane or in the radio station?

Shri Khurshed Lal: I am very grateful to Shri Kamath for giving me this opportunity of clearing up certain matters. He has dwelt at some length on the remarks made by the Chief Officer of the K. L. M. Constellation plane. I would only draw the attention of the House to the fact that this report was prepared in consultation with the Director-General of Civil Aviation in Holland and that the report as well as the summary released for publication have both the approval of the Director-General of Civil Aviation in Holland. They agree with everything stated therein. I hope that my hon. friend Mr. Kamath will understand the anxiety of the K. L. M., which is after all a commercial body, not to take upon itself the responsibility for this accident. There can be no question that the Committee came to the conclusion that the pilot is to blame for the accident. I say this with some diffidence because the pilot is no more there to defend himself.

Now, much is sought to be made of the page of the log book found missing. It must be remembered that this log-book was in the plane, that the plane met with a serious accident and there was fire aboard. The log-book that we have got with one page missing was found with the pages scattered all over the place. We had to collect the pages and paste them and clean them. In these conditions we could not get the last page. Perhaps that last page was the one which at the time of the accident the radio officer was using. It might have been in the engine room. We do not know. So we have not been able to trace the last page of the log book. In this matter, I want to dispel the suspicion that there is anything hanky-panky about it. Every effort has been made to trace the log book.

After all what is the importance of that book and the missing page? It would have only indicated whether the last instructions which were given to the Pilot were actually received by him or not. All the entries in the log book of the Control Tower and those in the log book which we have recovered tally. There is no reason to suppose that the entries in the last page, if that page had been found would not have tallied also.

Coming to the cause of the accident it is very easy for any committee or any body of men sitting after the event to reconstruct the whole thing as it were and to come to certain conclusions. But we have to take things as they happened. What are the actual facts? This aircraft flew in perfect condition from Delhi to Bombay. The traffic control was able to bring this aircraft from above to a height below the clouds, to a position in which the pilot could see the aerodrome with his own eyes. The most difficult part of the operation was to bring down the aeroplane from above the clouds to a position at which the pilot could see the aerodrome for himself and decide whether he should land or not. At that point when a pilot is in a position to see the aerodrome for himself it is primarily for the pilot to decide whether he should make a landing or not. The control officer cannot tell the pilot who is wanting to land not to land. But it must be remembered that the control officer could not at that time have given that direction because prior to the landing of this plane five planes had taken over from that aerodrome that morning and a few minutes after that accident another aircraft landed at that particular aerodrome in perfect safety. The misfortune in this case was that the pilot was new to this aerodrome: he had never seen it before. He had come there under peculiar conditions and we have reasons to believe that he had not cared to master or had not with him the full data about this particular aerodrome.

My hon. friend thinks that the control officer at that particular moment should have directed the pilot not to land. The Committee have also said that. I am also prepared to say that it would have been better if that advice had been given, but I am not prepared to say that under the circumstances that advice was obligatory or no other advice could have been given. Here was the pilot seeing the aerodrome for himself, seeing the conditions prevailing in that aerodrome. The control officer had every reason to assume that the pilot knew that there was a hill nearby, 664 feet high, at a distance of 1.5 kilometers from this aerodrome. The control officer could have no reason to believe that he should give this advice to that particular pilot was after all handling a Constellation, a very big aircraft, and who was presumed to be a very experienced pilot—that the control officer should have given him this advice that he should go back and not land, particularly, as I have said, when five aircraft had taken off that very morning and one aircraft had landed immediately after this accident without any mishap.

It is an unfortunate accident. The report has revealed that there are many things which require to be done at the Santa Cruz Aerodrome. My hon. friend asked when we are going to do them. As I said in answer to a question the other day, we are going to do some of them next year. Many of the things require considerable amounts of money and they will have to be done as and when we get the money. Meanwhile we are going to ensure that if possible, under such circumstances the pilot may be advised to divert the plane.

Shri Kamath: May I know whether the attention of the hon. Minister has been drawn to these two conclusions specifically, *viz.*, Advice from Air Traffic Control to land on runway 23 and lack of advice from Air Traffic Control to 'Hold' until the weather improved or to 'Divert' to another aerodrome, and secondly, advice from Approach Control to climb to 800 feet in those conditions? May I know whether Government accept these findings and agree that both the Air Traffic Control and the Approach Control gave wrong advice? If so, what action has been taken by them against those in charge of the Controls?

Shri Khurshed Lal: As I said, it is quite easy sitting after the event comfortably in an arm chair getting the evidence and saying that such and such a thing would have been better. I accept that it would have been better if that

[Shri Khurshed Lal]

advice had been given. But I do say that it was no part of duty of the Control Officer to give the advice to the pilot not to land when he had got the pilot down from the clouds to a position from where he could see the aerodrome for himself as also see the conditions prevailing there. At that particular moment it became the duty of the pilot and the pilot alone to decide whether he was to land or not. The pilot at no point had said that he was finding the conditions difficult and that he should be asked to hang over or that he should be diverted. The pilot always said that he was landing and when he said that he was landing, seeing the aerodrome and the conditions there for himself it was no part of the duty of the control officer to ask him not to land. In fact according to international convention a pilot cannot be asked not to land when he is wanting to land.

Shri Kamath: The point is not that right advice was not given: but that wrong advice was given.

Mr. Speaker: He has already clarified the position.

Shri Syamnandan Sahaya (Bihar): Sir, would you allow a supplementary question without previous notice after the hon. Minister has answered?

Mr. Speaker: That will be against the rules. As I said, the idea is to get further clarification and information and Members interested in the particular question should come prepared and give previous intimation.

Shri Syamnandan Sahaya: Although the written answer will be there, what further clarification the hon. Minister will give will not be available to us before. If a question arose out of the subsequent answer given which hon. Members did not know could supplementaries be asked without notice?

Mr. Speaker: My point was not that supplementaries should be given in writing but that Members must give intimation that they want to put questions, so that anybody may not get up at the last moment and put questions.

Shri B. Das (Orissa): Sir, I was such a signatory and can I put a supplementary question?

Mr. Speaker: The time is up now to adjourn for the day.

Shri Kamath: Is Government not going to examine the matter at all about the wrong advice.....

Mr. Speaker: The hon. Member is pursuing the matter in a different form, which is not open for discussion now.

The House then adjourned till a Quarter to Eleven of the Clock on Monday, the 20th February, 1950.