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CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES

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Volume II, 1947

(29th November to 10th December, 1947)

First Session
OF THE
CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
1947



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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Tuesday, 2nd December, 1947.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

REORGANIZATION OF HIGH COMMISSIONER'S OFFICE IN LONDON.

502. *Prof. N. G. Ranga: Will the Honourable the Prime Minister be pleased to state:

(a) whether any review has been made since 15th August, 1947, of the proportion of the Indian and other personnel employed in the High Commissioner's office in London with a view to increasing the number of Indians, and improving their conditions of service;

(b) if so, what improvements have been effected;

(c) the present percentage of Indians in the officers rank and also in the clerical staff; and

(d) whether any report has been received from Miss Ranga Rao, who has been sent to study the possible ways of reorganising the Educational Department of the High Commissioner's office and if so, what are its main recommendations?

The Honourable Pandit Jawaharlal Nehru: (a) The High Commissioner has kept under constant review since 15th August 1947 the question of the employment of Indians in his office.

(b) and (c). It is not possible to effect any marked increase in the number of Indians within a period of a few months but between 1946 and 1947 in the grade of heads of Departments the number of Indians has increased from 33 1/3 per cent. to 50 per cent., in the grade of other officers from 24.5 per cent. to 33 per cent. and in the grade of clerks from 14.5 per cent. to 15.7 per cent. Apart from officers sent on deputation from India, qualified Indians are being appointed whenever available.

(d) No report has yet been received from Miss Ranga Rao.

Prof. N. G. Ranga: What steps do Government propose to take in order to increase the Indian proportion in the employees there? Do Government consider the advisability of sending any Indian personnel from India in order to augment the Indian personnel in the London Office.

The Honourable Pandit Jawaharlal Nehru: I really do not know what kind of steps my friend thinks we can take except to augment them. The India House in London is a huge establishment with many hundreds of employees. It was an inheritance from the India Office and many of the people from the India Office were transferred to it. We have to begin really more at the top than from below: and as a matter of fact most of the senior appointments have come to Indians. A large number of others are clerks and other more or less subordinate employees. In fact it is more expensive and more difficult to take a large number of subordinate employees from India. But first what we have

aimed at is to have all the senior employees from India and of course gradually to change all others.

Prof. N. G. Ranga: Is it a fact that Indian employees in India are many times more efficient than the lower paid or subordinate employees, whether English or Indian who are today employed in the High Commissioner's office?

The Honourable Pandit Jawaharlal Nehru: I have no doubt there are many efficient Indian employees. It is not so much merely a question of weighing up a person's efficiency. I cannot do it. I am not in charge. Anyhow, our objective is to have Indians employed there. But in all these Embassies and foreign establishments inevitably a number are employed locally as a matter of convenience. The main thing is that all the important employees—the heads of departments—as well as many others, should be from our country, both to receive training there and to guide our policy there, and we have therefore to do that as rapidly as possible. In fact, the change has been fairly rapid considering everything last year.

Shri K. Santhanam: Is it not the practice in Embassies to employ their own nationals to ensure secrecy and prevent disclosure of their affairs?

The Honourable Pandit Jawaharlal Nehru: I think that is generally the practice and undoubtedly to a large extent we shall have to follow it. But that practice involves far heavier expenditure than might otherwise take place.

Prof. N. G. Ranga: Isn't it a fact that in the new office opened by the Burma Government even the clerks have been imported from Burma and they happen to be Burmese? Will Government consider the advisability of recruiting as many of those Indian students who are in England today and who are willing to be employed in the India Office after completion of their studies?

The Honourable Pandit Jawaharlal Nehru: As I have said this is our definite policy. We have to leave it to the discretion of the High Commissioner and Deputy High Commissioner there in London how to give effect to it. They have given effect to it fairly rapidly, but in an intricate organisation, it is difficult to upset things. There are certain terms of service and tenures of service. Undoubtedly, it is our object to employ suitable students also whenever possible. But we have to consider whether the Indian student there would like to get into the India Office or would like to come here and be employed in other avenues in this country.

Shri B. Das: Does not the High Commissioner in London control the Stores Purchasing Department which is entirely manned by Britishers and they all work to the detriment of Indian commerce and industry?

The Honourable Pandit Jawaharlal Nehru: I believe so. That is so.

Shri B. Das: Isn't it high time that the Stores Purchasing Department in London should be completely Indianised so that no foreign influence works against India?

The Honourable Pandit Jawaharlal Nehru: That is our objective.

DEVELOPMENT OF EAST AFRICAN COLONIES.

503. ***Prof. N. G. Ranga:** Will the Honourable the Prime Minister be pleased to state:

(a) whether Government are aware of the recent programme of projects of the British Government to station a section of their Defence Forces in the East African colonies;

(b) how they are likely to affect the interests of Indians and the Africans themselves and whether any representations have been made to safeguard Indian interests in those colonies;

(c) whether British attempts to open up forests and to start big projects for the production of oil-seeds with the aid of special corporations have been studied by the Government of India;

(d) the share that may be allotted to Indians in the employment of personnel in the Technical and managerial sections and also in the cultivation work associated with these projects; and

(e) to what extent the development of these forests are likely to affect India's interests in the world oil-seeds market?

The Honourable Pandit Jawaharlal Nehru: (a) No.

(b) The projects referred to by the Honourable Member are not the concern of the Government of India, nor has the Indian community in East Africa made any representations to us about them. If Indian interests are likely to be affected, the Government of India will take suitable action.

(c) Yes.

(d) There is no provision in the scheme for giving Indians any specific share of employment either in the technical and managerial sections or in actual cultivation work connected with the scheme.

(e) On present estimates, these projects are not likely to affect India's position in the world oilseeds market for some time to come, in view of the existing overall world deficit in oils and fats.

Prof. N. G. Ranga: Have not Government any officer or officers in their Commonwealth Department whose business it is to watch such developments and their possible reactions upon Indian trade and also Indians in particular?

The Honourable Pandit Jawaharlal Nehru: These developments are watched not only by the External Affairs but by our Commerce Department.

Prof. N. G. Ranga: In view of the fact that plentiful information has already appeared in regard to these projects in the Manchester Guardian some months ago, how is it that the Government of India are not aware of the recent programme and purchase of so and so referred to in part (a) of this question?

The Honourable Pandit Jawaharlal Nehru: It is one thing for newspapers to publish stories of these projects which may or may not be put into effect but it is quite another thing to have official information. The point is how far they affect Indian interests there.

Pandit Hirday Nath Kunzru: May I know whether there is an efficient Indian Trade Commissioner at Mombassa?

The Honourable Pandit Jawaharlal Nehru: I am sorry I am unable to answer that question without finding out exactly how efficient a person is.

Seth Govinddas: Have the Government received any representation in this respect from the East African Indian Congress?

The Honourable Pandit Jawaharlal Nehru: On this particular subject I cannot straightaway give an answer but we are receiving representations from them frequently.

Pandit Hirday Nath Kunzru: Is it a fact that there is an Indian Trade Commissioner in Mombassa?

The Honourable Pandit Jawaharlal Nehru: I am sorry I cannot say offhand.

Pandit Hirday Nath Kunzru: There is a Trade Commissioner who is doing excellent work!

IRRIGATION PROJECTS IN RAYALASEEMA.

504. *Prof. N. G. Ranga: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether Government are aware that Rayalaseema (Ceded Districts) in the Madras province is specially liable to periodical famines;

(b) whether Government are aware that the Famine Commissions of 1897—1900 had recommended that irrigation projects especially the Sangameswar project should be developed in order to protect the five million people of this area from frequent famines;

(c) whether Government are aware that this is at present a deficit food area and there is great need for making it self-sufficient in food; and

(d) whether Government propose to develop the irrigation projects referred to in part (b) above?

The Honourable Shri N. V. Gadgil: The question pertains to the Honourable the Minister of Agriculture. It has therefore been transferred to the list of questions to be answered by him on the 8th December 1947.

Prof. N. G. Ranga: Has the Honourable Minister anything to say in regard to the irrigational aspect of this question?

The Honourable Shri N. V. Gadgil: In so far as the irrigational aspect is concerned primarily it is a matter for the provincial government. I however promise to consider favourably any reasonable request that might come from the provincial government.

Prof. N. G. Ranga: Have the Government of India received any representation from the Madras Government in regard to the Sangameswar project that has been referred to in the question?

The Honourable Shri N. V. Gadgil: Not so far.

Shri S. Nagappa: May I know whether the Government is not aware of the representation personally made by the Honourable Minister for P. W. D., Madras very recently to the Honourable Minister of the Central Government?

The Honourable Shri N. V. Gadgil: In the representation made by the Honourable Minister in charge of Irrigation from Madras this particular project was conspicuous by its absence.

Shri S. Nagappa: May I know whether it is not a fact that the Honourable Minister from Madras made a representation though not about the Sangameswar project but about the Krishna Pennar project, which is the only project that will solve the problem of Rayalaseema and this project was explained to the Honourable Minister, in regard to its importance, its utility value and its cheapness?

Mr. Speaker: The Honourable Member is arguing.

Prof. N. G. Ranga: Is it not a fact that I myself have made representations to the Honourable Minister in regard to this particular Sangameswar project?

The Honourable Shri N. V. Gadgil: It is a fact and the other fact is that this representation of the Honourable Member has been referred to the P. W. D. Minister of the Madras Government.

Shri S. Nagappa: Will the Honourable Minister visit this place in the near future so that he might see for himself the importance of this project?

The Honourable Shri N. V. Gadgil: If my visit is to convince me of its importance, I shall certainly undertake it.

EXPLOITATION OF MINERAL RESOURCES

505. *Prof. N. G. Ranga: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) what progress in mineral resources has been achieved after the Geological Survey Department was re-organised in 1945-46;

(b) how many survey parties are at present working and in what areas; and

(c) whether any definite policy has been formulated regarding the exploitation of our mineral resources in the interest of the public?

The Honourable Shri N. V. Gadgil: (a) The progress of investigations made by the Geological Survey of India in respect of the mineral resources, since 1945-46, when the reorganisation of that Department was started under the five-year plan, is shown in the †Statement I which is placed on the table.

(b) The number and disposition of the survey parties during the field-season which has just begun, is shown in †Statement II which is placed on the table. Treating each individual officer engaged independently in a particular survey, as a party, the total number of such parties is 93. A copy of the current year's field-season programme is also placed on the table.

(c) The policy formulated by the Government of India on the conclusions reached in the National Mineral Policy Conference held in January 1947 was outlined in the †press note dated the 11th April 1947, a copy of which is placed on the table.

Prof. N. G. Ranga: Would the Honourable Minister give an early opportunity to this House either in this session or in the next to discuss the policy formulated by the Government?

The Honourable Shri N. V. Gadgil: I think it would be better for the Honourable Member to take the opportunity.

Shri Raj Krishna Bose: Are the reports of the Geological Survey of India available to the Members of this House?

The Honourable Shri N. V. Gadgil: They are available to the general public. If any particular member makes a request that will be granted.

Shri M. Ananthasayanam Ayyangar: May I know if it would not be more desirable to intimate to the House from time to time any questions of major policy than that members should bring them up before the House? Will the Honourable Member try to bring such matters before the House himself?

The Honourable Shri N. V. Gadgil: I have full confidence in the vigilance of Honourable Members and I presume that they usually read the press communiques issued by the Government from time to time.

Shri S. Nagappa: May I know if the Government have made a geological survey especially of Rayalaseema, which is full of mineral resources? If not, will Government undertake such a survey now?

The Honourable Shri N. V. Gadgil: I want notice of that question.

DAMODAR VALLEY AND MACHKHAND PROJECTS

506. *Prof. N. G. Ranga: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) the latest position regarding the Damodar Valley, Machkhand and Ramapadasagar projects;

(b) how much they are expected to cost; and

†Not printed in these debates. A copy placed in the library of the House. *Ed. of D.*

(c) in what proportion the Government of India and the Provincial Government propose to share their cost of construction?

The Honourable Shri N. V. Gadgil: (a) (i) *Damodar Valley Project.*—Surveys and investigations of three out of a series of eight dams in the Damodar Valley have been almost completed. A bill to provide for the establishment of a Corporation for the development of the Damodar Valley in the Provinces of Bihar and West Bengal will be introduced in the Central Legislature.

(ii) *Machkhand Project.*—Construction work on this project has been commenced by the Government of Madras. Land acquisition proceedings, detailed exploration for the construction of the diversion weir and channels, jungle clearance, construction of quarters and roads and reconnaissance of the Machkhand—Vizagapatam—Rajahmundry 110 K.V. line and construction of the Rajahmundry—Bezwada 110 K.V. line are in progress. Orders for additional thermal plant at Bezwada and Vizagapatam have been placed. Specifications for plant and equipment for the main hydro-electric power station are under preparation and it is expected that tenders for this plant will be invited shortly.

(iii) *Ramapadasagar Project.*—This project is primarily the concern of the Madras Government. It is understood that the investigations of the project, which is estimated to cost between Rs. 125 and 135 crores, are in a very advanced stage and that detailed designs of the dam have been almost finalised and vetted by the American Engineers. The canal investigation is in progress and the detailed plans and estimates of one of the canals will be ready in another 4 months but an estimate made for one of the canals has given sufficient information to enable estimate to be prepared for the whole project. The revenue prospects have to be worked out in detail. At a meeting of the representatives of the Madras Government and the Central Government held on the 20th and 21st November, it was agreed *inter alia* that the Government of Madras might work at the revenue prospects and the cost of the scheme in greater detail and send up concrete proposals for financial assistance to the Government of India.

(b) Damodar Project.	Rs. 55 crores
Machkhand Project.	Rs. 7·52 crores.
Ramapadasagar Project between	Rs. 125 and 135 crores.

(c) *Damodar and Ramapadasagar Projects.*—The allocation of cost as between the Government of India and the Government of West Bengal and Bihar in respect of the Damodar Project will be as proposed in the Damodar Valley Corporation Bill. The question of allocation of cost in respect of the Ramapadasagar Project is still under consideration.

Machkhand Project.—The Government of India will not pay any portion of the cost. It will be divided between Madras and Orissa Governments in the ratio of 70:30.

Shri Mihirlal Chattopadhyaya: Will the Honourable Minister please state whether the survey work on the Damodar Valley Project is over or not?

The Honourable Shri N. V. Gadgil: The preliminary survey is undoubtedly over.

Shri Mihirlal Chattopadhyaya: Will the Honourable Minister please state how many years it will take for the Damodar project to materialise?

The Honourable Shri N. V. Gadgil: The present estimate is that it will be completed in a period of seven to eight years.

Prof. N. G. Ranga: May I know in how many years the other two projects, viz., Machkhand and Ramapadasagar, are expected to be completed?

The Honourable Shri N. V. Gadgil: There are provisional estimates and they all extend from seven to ten years.

Prof. N. G. Ranga: Will Government consider the advisability of expediting this Ramapadasagar project by stages?

The Honourable Shri N. V. Gadgil: That is the idea.

Prof. N. G. Ranga: Are we to understand that all the three projects—Machkhand, Ramapadasagar and Sangameswar—can be undertaken simultaneously without anyone of them blocking the way of any other project?

The Honourable Shri N. V. Gadgil: That depends upon the financial resources and the adequacy of the technical manpower.

Shri Mihirial Chattopadhyaya: In view of the enormous shortage of food-grains all over the country, will the Honourable Minister consider the advisability of calling the assistance of experts from outside, so that these projects may be expedited?

The Honourable Shri N. V. Gadgil: Mere import of experts will not do. What is really impeding progress is lack of machinery and Government is seriously considering whether part of the construction of some of these projects should not be given to foreign concerns.

Shri Mihirial Chattopadhyaya: Am I to understand that the importation of experts from outside is not considered necessary for giving effect to these schemes?

The Honourable Shri N. V. Gadgil: That does not follow from my answer.

Shri Raj Krishna Bose: Have Government decided as to how many dams are proposed to be constructed in the Machkhand Project?

The Honourable Shri N. V. Gadgil: I cannot reply that question offhand, but if the Honourable Member is very anxious to have information on that point I shall certainly give it to him in the lobby after some time.

Shri Rohini Kumar Chaudhuri: May I know whether, after meeting all this expenditure for the projects of Madras and West Bengal, anything will be left for the Brahmaputra Bharali or any such project for Assam?

The Honourable Shri N. V. Gadgil: Two things are reserved for Assam—goodwill and future.

Prof. N. G. Ranga: May I know whether Government propose to borrow money from abroad, if necessary, in order to undertake these projects?

The Honourable Shri N. V. Gadgil: That is a matter which is receiving consideration at a very high level.

Shri B. M. Gupte: May I know in which cases the Central Government bears part of the cost in connection with these projects and in which cases it does not?

The Honourable Shri N. V. Gadgil: Each case is considered on its merits, but generally it is done in cases in which two Provinces are involved and in which the avoidance of famine is an important element.

The Honourable Pandit Jawaharlal Nehru: Sir, may I say something about these various Projects which are proposed in order to throw some light on the situation? Government attach the greatest importance to the speedy working out of these various schemes, and we propose to take advantage of everything available, internal and external, experts here, experts from America and from every country—wherever we can get them from—the main objective being to get things done as quickly as possible both from the point of view of adding to our food resources and our power resources. Therefore we shall take advantage of all the assistance from outside which we can get in regard to this matter.

I might add that we are even now trying to get into contact with some American experts to discuss the question of major contracts being given over so that this might be worked out as speedily as possible on a contractual basis.

SMUGGLING OF ARMS AND AMMUNITION OUT OF GOA.

†507. *Shri Deshbandhu Gupta: (a) Will the Honourable the Prime Minister be pleased to state whether the attention of Government has been drawn to the statement issued by Mr. Joachim Dias, President of Goan Youth League, published in the *Hindustan Times*, dated the 6th November 1947, pointing out that 'arms and ammunition are being regularly smuggled out of Goa with the assistance of certain influential merchants of 'Panjim' through a cruiser which is regularly moving between Goa and Diu, a port next door to Junagadh'?

(b) If so, what action, if any, has been taken by Government to stop this illicit traffic in arms?

The Honourable Pandit Jawaharlal Nehru: (a) The Government of India have seen the report referred to but have no other reason to think that an illicit traffic in arms is being carried on with the assistance of a cruiser or similar war vessel.

(b) Does not arise.

ALL INDIA INDUSTRIES AND LABOUR CONFERENCE.

†508. *Prof. N. G. Ranga: Will the Honourable Minister of Labour be pleased to state:

(a) whether any efforts are being made to reach an agreement with States to evolve a common policy and programme for industries and labour; and

(b) whether an All-India Conference is proposed to be convened with the representatives of States and Provinces to evolve such a policy and to avoid the present diversity?

The Honourable Shri Jagjivan Ram: (a) Yes, Sir.

(b) So far as labour matters are concerned, there is a Labour Ministers' Conference consisting of Labour Ministers from all the Provinces and from important Indian States. The Conference meets twice a year, and discusses all important questions with a view to evolving a common policy.

It is also proposed to hold a Conference of Provinces and of important Indian States at Ministerial level on the 15th and 16th December 1947 to consider—

- (i) measures necessary for securing an immediate increase in industrial output to full capacity,
- (ii) planning for future industrial development,
- (iii) controls, and
- (iv) miscellaneous aspects of industrial policy.

The Honourable Shri N. Gopalaswami Ayyangar: Sir, my colleague, the Honourable Mr. Neogy has been urgently called away, and with your permission I propose to answer the questions standing in his name.

REHABILITATION OF REFUGEES FROM PAKISTAN

509. *Pandit Hirday Nath Kumeru: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether Government have prepared any scheme for the rehabilitation of the refugees from Pakistan? If so, what are its main features?

†Answer to this question laid on the table, the questioner being absent.

(b) What arrangements have been made by Government for rehabilitation of the non-agriculturists among refugees?

(c) Will every officer of the Government of Punjab, who has elected to serve in the East Punjab, be absorbed in the various Government services in the East Punjab or elsewhere?

The Honourable Shri N. Gopaldaswami Ayyangar: (a) and (b). The Honourable Member is referred to the answer to clause (e) of Starred Question No. 1 on the 18th November, 1947, and also to the statement made on the floor of this house on 29th November 1947.

(c) The responsibility for absorbing every officer of the Government of the Punjab, who has elected to serve in East Punjab, rests primarily with the Government of that Province.

Pandit Hirday Nath Kunzru: With regard to the answer to part (c) of the question may I know whether the Government of India has taken any interest in the matter?

The Honourable Shri N. Gopaldaswami Ayyangar: The Government of India have already informed the Government of East Punjab that the responsibility for finding employment for refugees from the North-West Frontier Province, Sind and Baluchistan will be taken over by them. The responsibility for finding employment for refugees coming from West Punjab is that of the East Punjab Government and that Government have already been written to establish adequate machinery for ensuring this.

Pandit Hirday Nath Kunzru: Is it a fact that every officer was allowed the option to serve either in India or in Pakistan?

The Honourable Shri N. Gopaldaswami Ayyangar: Yes, that is so.

Pandit Hirday Nath Kunzru: Does not that involve a responsibility on the part of the Government concerned to provide employment to the Government servant who chooses to serve within its jurisdiction? If so how will this be entirely a matter for the East Punjab Government, and how can the government servants who have decided to serve India be treated on the same footing as other refugees?

The Honourable Shri N. Gopaldaswami Ayyangar: The point is that there were government servants employed under the Provincial Government of the Punjab before the partition and many of them have got to be placed in jobs under the Provincial Government of East Punjab. The Government of India have asked the Government of East Punjab to set up machinery for placing such persons who have opted for India in jobs under them.

Pandit Hirday Nath Kunzru: May I take it that they will not be treated in the same way as the other refugees and that special arrangements will be made to see that they are absorbed either by the East Punjab Government or by the Government of India?

The Honourable Shri N. Gopaldaswami Ayyangar: Certainly. Every endeavour will be made to so absorb them.

Shri Mihirial Chattopadhyaya: Taking Pakistan to mean both Eastern Pakistan and Western Pakistan, may I know whether the Honourable Minister is aware that several lakhs of people from East Bengal have come over to West Bengal, and may I know what steps have been taken by the Government of India for the rehabilitation of those people?

The Honourable Shri N. Gopaldaswami Ayyangar: So far as that is concerned, I have only read newspaper reports. I have no official information as to the numbers that have migrated from East Bengal to India.

Shri Mihirlal Chattopadhyaya: Have the Government of West Bengal given any figures about the influx of refugees who have come into West Bengal from East Bengal?

The Honourable Shri N. Gopaldaswami Ayyangar: I should like to have notice of that question.

Shri Raj Krishna Bose: Have Government any information as to how many West Punjab officers have elected to serve in East Punjab?

The Honourable Shri N. Gopaldaswami Ayyangar: I should like to have notice again of that question.

TRANSFER OF RECORDS AND PROPERTY OF NON-MUSLIM INSTITUTIONS IN PAKISTAN

510. *Pandit Hirday Nath Kunzru: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether there are any non-Muslim institutions in Pakistan, the directors of which desire to shift to the East Punjab?

(b) If so, what steps have Government taken to secure permission for them to transfer the books, appliances, apparatus, etc., to the East Punjab?

The Honourable Shri N. Gopaldaswami Ayyangar: (a) Yes.

(b) The question of allowing facilities for the transfer of records, etc., of the banks and insurance companies, the head offices of which had been transferred to the Indian Dominion prior to the 15th August 1947 is under discussion with the Pakistan Government.

The Indian Dominion Government cannot intervene in cases of companies, the head offices of which are still in Pakistan.

In regard to cultural and other institutions, these must of necessity be governed by the conditions of their respective trust deeds. Where a transfer is desired and is possible, assistance will be given. All these points are likely to come up for discussion with Pakistan authorities in the near future.

Pandit Hirday Nath Kunzru: Are Government aware that in the case of some institutions impediments have been placed in the way of their transfer to districts in East Punjab?

The Honourable Shri N. Gopaldaswami Ayyangar: There have been some impediments, Sir, but the Government of India are trying to remove those impediments.

Pandit Hirday Nath Kunzru: Are Government taking any steps to obtain information with regard to the institutions that want to transfer from West Punjab to East Punjab and their requirements?

The Honourable Shri N. Gopaldaswami Ayyangar: We have collected a good deal of information about institutions of that character, but the general procedure according to which these transfers could be effected peacefully is now a matter of negotiation between the Dominion Governments.

HOUSES FOR REFUGEE-WIDOWS AND CHILDREN

511. *Pandit Hirday Nath Kunzru: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state what arrangements have been made by Government for taking care of the widows and orphans among the refugees and educating the children?

(b) Have Government considered the desirability of starting Homes for them, bearing in mind their social and cultural background?

(c) If so, what is their decision?

The Honourable Shri N. Gopaldaswami Ayyangar: (a), (b) and (c). East Punjab Government propose to set up homes for destitute women and children

at several places. In the meantime, steps are being taken to set apart sections in refugee camps for them. Lady Trivedi's Relief Organisation for refugee women and children has set up a home in Jullundur and proposes extension of its activities. Offers from existing homes have been received from Hissar and Simla and these will be utilized.

A Home for unattached women and children is working at Kurukshetra, where 322 women and children were admitted between 5th November 1947 and 25th November 1947. A comprehensive plan for economic rehabilitation, including vocational training like knitting activity which has already been introduced, spinning, tailoring etc. has been set up. A proper Employment Bureau and a Marriage Bureau are also to be organised. A provisional dispensary has already been opened.

A Women's Section has been established at New Delhi under the Ministry of Relief and Rehabilitation, for the welfare of refugee women and children. Schemes for training women in different Crafts and Professions are under consideration. Some of the crafts for which arrangements are being made are:—

- (a) Spinning and weaving.
- (b) Calico-Printing.
- (c) Dress-making.
- (d) Basketry and willow-work.
- (e) Fretwork and wooden toys, including rag-dolls.
- (f) Hand-knitting and embroidery.
- (g) Soap-making.
- (h) Preservation of fruits and vegetables.
- (i) Making of tin and linen buttons.
- (j) Bleaching and dyeing.
- (k) Weaving of nawar, tape and borders.
- (l) Typing.
- (m) Stenography.
- (n) Clerical and Commercial work.

Similar schemes for training children are also being considered. Arrangements are also being made for starting a Women's Home in Subzi Mandi at Delhi.

Pandit Hirday Nath Kunzru: With regard to part (b) of the question may I know whether it is the intention of the Government to mix up all the orphans indiscriminately or whether it is proposed to sort them out according to their mental development and the educational level reached by them?

The Honourable Shri N. Gopalswami Ayyangar: I am not in a position to give a categorical answer to that question, but the suggestion implied in it will certainly be considered.

Pandit Hirday Nath Kunzru: I had asked a question specifically on this point. Do Government mean to say now that they are not ready with their answer to this question?

The Honourable Shri N. Gopalswami Ayyangar: I do not see, Sir, that in the question itself the suggestion that the Honourable Member has made is expressed or even necessarily implied.

Pandit Hirday Nath Kunzru: What do the words "cultural background" mean then if not this?

The Honourable Shri N. Gopaldaswami Ayyangar: I thought the Honourable Member was referring to mental development.

Shri K. Santhanam: May I know, Sir, if any approximate estimates have been made of unattached women and children?

The Honourable Shri N. Gopaldaswami Ayyangar: I am afraid, Sir, we are not in a position to say that all the unattached women have come over this side. It is not possible to give an accurate estimate of those that have come over.

Shri Khurshed Lal: May I know if Government also propose to include in their scheme women and children who have come from the West Punjab to the United Provinces?

The Honourable Shri N. Gopaldaswami Ayyangar: If they have come from West Punjab, the scheme will certainly include them.

Prof. Shibben Lal Saksena: Has any attempt been made to number the orphans and widows who have to be taken care of in this manner?

The Honourable Shri N. Gopaldaswami Ayyangar: The numbers I think, Sir, will be available only after some time. A census is being taken both in East Punjab and here, and it will take some time before the numbers are computed.

Diwan Chaman Lal: May I ask if it is done on a compulsory basis or is it on a voluntary basis?

The Honourable Shri N. Gopaldaswami Ayyangar: At present it is on a voluntary basis, but the question of introducing compulsion in this respect will be considered.

FOOD SUPPLIES FROM PAKISTAN.

512. *Seth Govinddas: (a) Will the Honourable Minister of Commerce be pleased to state whether it is a fact that the Government of Pakistan have refused to take our textiles in exchange of their food, and that they have offered their food to Australia in return of Australian textiles?

(b) If the answer to part (a) above be in the affirmative, what action do Government propose to take to consolidate our position, so that we may not depend on food supplies from Pakistan?

The Honourable Shri N. V. Gadgil: (a) and (b). The question should have been addressed to the Honourable Minister of Food. It has accordingly been transferred to the list of questions for the 8th December 1947, when it will be answered by the Honourable Minister of Food.

INDIAN LABOURERS IN CEYLON.

513. *Seth Govinddas: (a) Will the Honourable the Prime Minister be pleased to state what is the present position of Indian labourers living in Ceylon?

(b) Is it a fact that the Prime Minister of Ceylon is coming to India to have talks with the Government of India?

(c) If the answer to part (b) above be in the affirmative, do Government propose to consider the advisability of entering into a definite agreement with Ceylon regarding the position of Indian labourers in Ceylon?

The Honourable Pandit Jawaharlal Nehru: (a) The Honourable Member presumably wants information about the political and civic rights of Indian labourers in Ceylon. If so, the position is the same as that of other Indians in Ceylon and was explained by me in reply to question No. 214, asked by Prof. N. G. Ranga on the 21st November 1947.

(b) Yes, Sir.

(c) I hope to discuss with the Prime Minister of Ceylon the position of Indians generally, including Indian labourers in Ceylon with a view to reaching a satisfactory agreement concerning their rights and status.

SEATTLE CONFERENCE CONVENTIONS.

514. *Shri K. Santhanam: (a) Will the Honourable Minister of Commerce be pleased to state whether it is a fact that the Maritime and Labour Advisory Committee have recommended immediate adoption of the conventions passed at the Seattle Conference of the I.L.O. last year?

(b) If so, what steps have been taken to ratify these conventions?

The Honourable Shri N. V. Gadgil: (a) and (b). The Seattle Conference adopted 9 Conventions affecting maritime labour. All the 9 Conventions were placed before the Maritime Labour Advisory Committee which recommended the adoption of 7 of them. Consideration of the remaining two being deferred to a later date. Many of the measures enumerated in the Conventions are such that they must, in the first instance, be discussed between the interests concerned *viz.* the seafarer and the shipowner with a view to the conclusion of collective agreements. They have also to be examined by Government from a wider angle. It is understood that negotiations between shipowners and seafarers are already under way and that schemes intended to give practical effect to these Conventions are also under the active consideration of Government at present.

Shri K. Santhanam: May I know, Sir, if the Honourable Minister is aware that there is today discrimination in the wages and conditions of service of Indian and European officers in British shipping companies operating in India?

The Honourable Shri N. V. Gadgil: Yes, Sir.

Shri K. Santhanam: May I know, Sir, if the Honourable Minister is aware that a large number of Indian officers, particularly those trained in the 'Dufferin', have left these companies because of the treatment given to the Indian officers by the British shipping companies?

The Honourable Shri N. V. Gadgil: This also is true.

Shri K. Santhanam: May I know, Sir, if the Honourable Minister will take any steps to see that such discrimination is put an end to?

The Honourable Shri N. V. Gadgil: That is already covered by the reply that the matter is under the active consideration of Government.

Shri B. Das: May I enquire, Sir, if Government is for bringing in such highly salaried Europeans or are they going to devise scales of salaries suited to India's capacity for these Indian officers and Indian seamen?

The Honourable Shri N. V. Gadgil: The policy of the Government of India in that connection is well-known, and certainly well known to the Honourable Member who has asked this question.

515* and 516.* [Withdrawn.]

INDIAN PERSONNEL IN U.N.O. SECRETARIAT.

517. *Pandit Lakshmi Kanta Maltra: (a) Will the Honourable the Prime Minister be pleased to state the amount of yearly contribution that the Indian Dominion has to make to the United Nations Organization?

(b) What is the number of persons employed on the permanent staff of the Secretariat of the United Nations Organization?

(c) Is any quota of personnel of the Secretariat staff fixed for the Indian Dominion and if so, what?

(d) Do Government propose to make a representation for increasing the strength of the Indian personnel therein having regard to the importance of the Indian Dominion and her contribution?

The Honourable Pandit Jawaharlal Nehru: (a) The attention of the Honourable Member is invited to the answer given to part (a) of question No. 219 asked by Shri B. A. Mandloi in the Constituent Assembly of India (Legislative) on the 21st November 1947.

(b) About 3,000, including those in posts of lower categories.

(c) No quota is fixed for any country under Article 101(3) of the United Nations Charter the paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity, and due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

(d) The attention of the Honourable Member is invited to the answer given to part (c) of the question No. 219 asked by Shri B. A. Mandloi in the Constituent Assembly of India (Legislative) on the 21st November 1947.

Pandit Lakshmi Kanta Maitra: May I enquire of the Prime Minister, Sir, if he will kindly enlighten the House as to the practice that is followed in making these appointments in the Secretariat of the U. N. O.?

The Honourable Pandit Jawaharlal Nehru: Appointments are made by the Secretary-General or his Staff—sometimes by reference to other countries. They ask us to nominate a panel or suggest some names, but the appointments are made entirely by the Secretary-General of the United Nations.

Pandit Lakshmi Kanta Maitra: Sir, will the Honourable the Prime Minister kindly inform the House whether the Member Nations are particularly consulted when a particular vacancy arises or a particular type of post is created?

The Honourable Pandit Jawaharlal Nehru: In regard to appointments?

Pandit Lakshmi Kanta Maitra: Yes, Sir.

The Honourable Pandit Jawaharlal Nehru: That is entirely the discretion of the Secretary-General; he does, as a matter of fact, often consult them.

Pandit Lakshmi Kanta Maitra: Do I take it, Sir, that the Government of India has never been consulted so far in connection with any appointments in the U. N. O. Secretariat?

The Honourable Pandit Jawaharlal Nehru: Certainly not; they have been frequently consulted.

Pandit Lakshmi Kanta Maitra: Do I take it, Sir, that in these consultations the Government of India is presented with some *fait accompli*, or that pending the receipt of their instructions the appointments are made?

The Honourable Pandit Jawaharlal Nehru: Obviously these consultations are about senior appointments only and we have been repeatedly consulted; and our names have been sent. In the course of the last year, eight or ten appointments have been made from India—I think eight fairly senior appointments—after consultation with us.

Prof. N. G. Ranga: Is it not a fact, Sir, that one of the instructions given to the Secretary-General is that he should keep in mind the geographical distribution also of the personnel that he recruits?

The Honourable Pandit Jawaharlal Nehru: I cannot say, Sir; may be.

Prof. N. G. Ranga: Is it not a fact, Sir, that before he makes any important appointment, the Secretary-General is expected by convention to inform all the Governments concerned and ask them whether they have any suitable persons to suggest?

The Honourable Pandit Jawaharlal Nehru: Sir, this question has already been answered by me at the beginning; Mr. Ranga was evidently not following.

FOREIGN DIPLOMATIC EMBASSIES IN INDIA.

518. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable the Prime-Minister please give a list of the Diplomatic Embassies or Consular Offices that have been established by foreign countries in the Indian Dominion?

(b) Is there any Diplomatic Embassy or Consular establishment of the Union of Soviet Socialist Republics in the Indian Dominion?

(c) If not, has there been any proposal for such an institution in India by the Union of Soviet Socialist Republics?

The Honourable Pandit Jawaharlal Nehru: (a) I lay a statement on the table of the House.

(b) and (c). No Soviet Diplomatic or Consular post has as yet been established in India. An agreement for the exchange of Ambassadors was, however, reached some months ago and an Indian Embassy is already functioning at Moscow. The Soviet Ambassador-designate to India M. Kiril Vasilevitch Novikov, is expected to arrive in India shortly.

Statement

The foreign countries which have so far established Embassies or Legations in India are :—

Belgium.	Nepal.
China	The Netherlands.
France.	Siam.
Iran.	United States of America.

2. The following countries have Consular Offices in India :—

Afghanistan.	Iraq
Argentina.	Italy.
Belgium.	Lebanon.
Bolivia.	Luxemburg.
Brazil.	Nepal.
China.	The Netherlands.
Colombia.	Nicaragua.
Cuba.	Norway.
Czechoslovakia.	Portugal.
Denmark.	Salvador.
Dominion Republic.	Spain.
Ecuador.	Sweden.
Egypt.	Switzerland.
France.	Turkey.
Greece.	United States of America.
Hayti.	Venezuela
Iran.	

Pandit Lakshmi Kanta Maitra: Do I take it, Sir, that the Government of India has provided accommodation for them or have they arranged their own accommodation?

The Honourable Pandit Jawaharlal Nehru: We are providing accommodation for them.

STATEMENTS BY INDIA'S AMBASSADORS ON KASHMIR AND JUNAGADH

519. *Pandit Lakshmi Kanta Maitra: (a) Will the Honourable the Prime Minister be pleased to state whether India's Ambassadors in U.S.A. and U.S.S.R. have made any statements. In those countries, on behalf of the Government of India about the position and stand taken by the Government of India with regard to Kashmir and Junagadh?

(b) If the answer to part (a) above be in the affirmative, did they take the previous approval of the Government of India?

(c) If the answer to part (a) above be in the negative, do Government propose to advise the Ambassadors to make full statements about the real state of affairs so as to clear the position of the Government of India with regard to these matters? If not, why not?

The Honourable Pandit Jawaharlal Nehru: (a), (b) and (c). India's Ambassadors in the United States of America and U. S. S. R. have made no statements of the kind referred to by the Honourable Member in part (a). Our Heads of Missions, however, in all important capitals where we are represented, have been kept informed of developments in Kashmir, and where necessary, suitable action has been taken by them to clarify our position.

Pandit Lakshmi Kanta Maitra: May I know from the Prime Minister, Sir, whether he has taken steps to see that the tendentious reports which have appeared from time to time in the foreign Press are contradicted or set right by our representatives in those countries?

The Honourable Pandit Jawaharlal Nehru: I do not know what reports the Honourable Member specially refers to. I cannot give an answer vaguely as to which report has been contradicted and which has not.

Pandit Lakshmi Kanta Maitra: Do I take it, Sir, that the Honourable Member's attention has never been drawn to adverse reports affecting India's honour and prestige?

The Honourable Pandit Jawaharlal Nehru: I said I do not know which particular report he refers to. But it is the duty of our Ambassadors, and in this particular matter we have been in the closest touch with them to keep the Governments concerned on the other side fully acquainted with the true facts of the situation; and where desirable, also to take other steps to give publicity to our view-point. But it is not normally desirable for Ambassadors to rush to the Press.

Pandit Lakshmi Kanta Maitra: Then do I take it, Sir, that these Ambassadors are not permitted to make any statement without full approval of those statements by the Honourable the Prime Minister?

The Honourable Pandit Jawaharlal Nehru: Ambassadors have full discretion in the matter. They normally ask for our opinion or approval, but they can take action if necessary without that too.

Pandit Lakshmi Kanta Maitra: May I know whether the Honourable the Prime Minister's latest statement on the Kashmir situation has been supplied to the Ambassadors concerned to give them a correct idea of the situation here?

The Honourable Pandit Jawaharlal Nehru: Before that statement was made, at least on ten different occasions those facts were placed before the Ambassadors and Ministers.

Prof. Shibban Lal Saksena: Have they made those facts public there?

The Honourable Pandit Jawaharlal Nehru: Ambassadors function in connection with Governments, not so much on the public platform. They have their ways and means of giving publicity to things occasionally; but not, normally speaking, by holding Press conferences though sometimes that too is done.

INDO-BURMA IMMIGRATION ORDER

520. *Shri T. T. Krishnamachari: (a) Will the Honourable the Prime Minister be pleased to state the present position in regard to the Indo-Burma Immigration Order?

(b) What steps are the Government of India taking in that connection?

(c) Have the Government of India received any representations from Indian employees of the Burma Government about their impending dismissal and if so, whether Government have taken any action in the matter?

(d) Do Government propose to invite the co-operation of the Government of Pakistan in regard to this question?

The Honourable Pandit Jawaharlal Nehru: (a) Immigration of Indians into Burma is now governed by the provisions of the Burma Immigration (Emergency Provisions) Act, 1947 enacted by the Government of Burma under which no person can enter Burma without an immigration permit issued by the Controller of Immigration, Burma or Immigration Officers of the Burma Government who are stationed at the ports of departure in India. At present only three such officers are functioning in India—at Calcutta, Madras and Vizagapatam. It has been arranged with the Government of Burma that holders of evacuee identity certificates will be issued permits as a matter of course, while holders of departure and residence certificates, which were issued some time back by the High Commissioner in Burma and the Government of Burma respectively, will be given permits after such further enquiries as the Immigration Officers may choose to make. In the case of the latter as well as *bona fide* tourists and businessmen intending to visit Burma, permits will be only for three months in the first place but this period can be extended by the authorities in Burma after they are satisfied of the justification for further stay of the permit holders in Burma.

(b) The Government of Burma have assured the Government of India that the Act of June 1947 is a purely emergency measure and will remain in force only until an agreement is reached between the two Governments on the general question of immigration of Indians into Burma. The Government of India hope to start negotiations on the subject with the Government of Burma at an early date.

(c) Government have received representations from Burma Government employees of Indian origin both direct and through the High Commissioner for India in Burma regarding their future in Burma. The Government of Burma in a policy announcement have stated that their intention is not to discharge immediately all Government servants of Indian origin. On the contrary, those Government servants who are eligible for and will accept Burma citizenship under the new Constitution will be accorded equal treatment with Government servants of Burma origin; and while Burma citizens will be preferred for appointment to posts and for retention in posts in the event of retrenchment in particular services, endeavour will be made to cause as little hardship as possible to those who are non-citizens of Burma. We are giving close and urgent attention to this question and are collecting information about the number involved and other details with a view to exploring the possibility of finding alternative employment for those persons in India.

(d) We communicated with the High Commissioner for Pakistan in India on the subject and were informed by him that the Government of Pakistan

did not propose to take on any of the staff retrenched by the Burma Government. We were also informed that if the Government of Pakistan decided to make any approach to the Government of Burma in regard to compensation etc., they would prefer to do so independently.

Prof. N. G. Ranga: What is the procedure, Sir, that one has to follow in order to get permission to go to Burma to look after the Indian labour there? Is any passport or permit needed and who issues it?

The Honourable Pandit Jawaharlal Nehru: For a person who has not previously been in Burma?

Prof. N. G. Ranga: Yes, Sir.

The Honourable Pandit Jawaharlal Nehru: I could not give a precise answer to that without further enquiry.

Shri K. Santhanam: With reference to his answers to parts (c) and (d), may I know what is the position of those Government servants who are Pakistan nationals and who may not accept Burmese citizenship? Is the Government of India undertaking to absorb them in their own Government service or what is the position when the Pakistan Government have refused to have anything to do with them?

The Honourable Pandit Jawaharlal Nehru: Of course, but it is impossible to say at the present moment who is a Pakistan national and who is an Indian national.

Shri K. Santhanam: May I know if the Honourable the Prime Minister will consider an ordinary resident of Pakistan territories as a Pakistan national?

The Honourable Pandit Jawaharlal Nehru: We may presume that, but the Honourable Member is thoroughly aware that a few hundred thousand ordinary residents of Pakistan territory have walked across to the Indian Dominion.

Prof. Shibban Lal Saksena: Will the Honourable the Prime Minister consider the advisability of placing some official at Gorakhpur to help people who came away from Burma during the war because a very large number of people from Gorakhpur have gone to and reside in Burma?

The Honourable Pandit Jawaharlal Nehru: I do not know, Sir, about it.

TREATY WITH HIS MAJESTY'S GOVERNMENT

521. ***Shri T. T. Krishnamachari:** (a) Will the Honourable the Prime Minister be pleased to state whether Government have received any communication from His Majesty's Government for negotiating any Treaty with them?

(b) If not, do the Government of India themselves propose to take up this question with His Majesty's Government?

The Honourable Pandit Jawaharlal Nehru: (a) No.

(b) Government have no such intention at present.

Prof. N. G. Ranga: Is there any truth in the Press report that appeared recently that our Prime Minister has been invited by the British Prime Minister for some special consultations?

The Honourable Pandit Jawaharlal Nehru: There is this truth, that I have been invited by the British Prime Minister—not for any special consultation on any particular issue. This matter really arose from the fact that an invitation had been issued to me to attend the Princess Elizabeth's wedding and as I was unable to go owing to various circumstances, it was stated then that they will be pleased if I could go at a later stage to discuss various matters. No particular matter was mentioned. In my answer to that, I said I shall be happy to go if opportunity offered itself. Nothing definite has been done so far about it.

INDIANS IN EAST AFRICA

522. *Shri T. T. Krishnamachari: Will the Honourable the Prime Minister be pleased to state what action Government have taken in regard to the grievances of Indians in East Africa pertaining to immigration and their representation in the Legislature?

The Honourable Pandit Jawaharlal Nehru: The Honourable Member presumably refers to the Immigration bills published in April, 1947, by the East African Governments and the revised proposals for Inter-territorial Organisation in East Africa contained in Colonial Paper 210 of 1947. Suitable representations have been made to His Majesty's Government in U.K. through our High Commissioner.

Pandit Hirday Nath Kunzru: Is it a fact that the Indians in East Africa urgently requested the Government of India a few days ago to intervene in connection with the Immigration Bill, which was highly detrimental to their interests?

The Honourable Pandit Jawaharlal Nehru: But the Government of India did make representation thereon.

Pandit Hirday Nath Kunzru: But my question is whether the Government of India, a few days ago, received an urgent representation from the Indian community in East Africa in connection with this Bill which is being considered by the Kenya Council?

The Honourable Pandit Jawaharlal Nehru: I am afraid I cannot reply to that without enquiry.

RE-ENTRY OF INDIANS IN BURMA.

523. *Shri T. T. Krishnamachari: (a) Will the Honourable the Prime Minister be pleased to state whether the attention of Government has been drawn to a notification issued by the Immigration Department of the Government of Burma on the 4th September 1947 in regard to permits for re-entry into Burma?

(b) Is it a fact that a sworn affidavit is now necessary to secure re-entry and that permits and documentary evidence also have to be furnished along with the applications?

(c) Have Government received any representations from Indians proceeding to Burma, or from Indians who are already in Burma, in respect of this notification?

(d) Have Government taken or propose to take up this matter with the Government of Burma?

The Honourable Pandit Jawaharlal Nehru: (a), (b) and (c). Yes.

(d) The matter was taken up by our High Commissioner with appropriate authorities under the Government of Burma. Sworn affidavits are being required under executive instructions issued under the Burma Immigration (Emergency Provisions) Act, 1947. As a result of the High Commissioner's discussions with the Government of Burma it has now been decided that an affidavit may be dispensed with at the discretion of the Controller of Immigration, provided other evidence is produced by the applicant for a re-entry permit in support of his statement about permanent residence or connections with Burma. I may add that the Government of Burma have assured us that the Burma Immigration (Emergency Provisions) Act, 1947 will be replaced as soon as an agreement is reached between the two Governments on the question of immigration, and we hope to start negotiations on this subject at an early date.

Prof. Shibban Lal Saksena: Will the Honourable the Prime Minister be pleased to circulate copies of that Bill, so that when the negotiations take place, we may be able to give our opinions on the subject?

The Honourable Pandit Jawaharlal Nehru: I am prepared to place it on the Table of the Library. It is not an easy matter to circulate copies of it to Honourable Members, because we shall have to get it printed and so on. I do not think that all members are interested. If any one wishes to refer to it, he can do so in the Library.

Prof. N. G. Ranga: At what stage, may I know, does the Honourable the Prime Minister propose to consult the External Affairs Standing Committee in connection with the proposed negotiations with the Burmese Government in regard to this matter?

The Honourable Pandit Jawaharlal Nehru: This is a matter in regard to which I do not think we have fixed any date or anything about consultation on a particular issue. I do hope that the Standing Committee will be able to meet at a fairly early date to consider various problems.

REFUGEES TRAVELLING BY SEA.

524. *Shri T. T. Krishnamachari: (a) Will the Honourable Minister for Relief and Rehabilitation be pleased to state whether Government have any information regarding the total number of refugees who have left Karachi by the sea route between 1st September and 31st October 1947?

(b) How many of them went to the various ports in Kathiawar and how many to Bombay?

(c) How many Muslims have gone from Bombay and Kathiawar Ports to Karachi?

The Honourable Shri N. Gopaldaswamy Ayyangar: (a) The number of refugees who left Karachi by the sea route between 15th August and 31st October, 1947 was between 1,15,000 and 1,20,000.

(b) Of these 75,000 went to Bombay and the remainder to Kathiawar ports.

(c) Upto the 31st October 1947, 41,810 Muslim Civilians and 6,027 members of the Pakistan armed forces went by sea from Bombay to Karachi and 5,598 civilians from the Kathiawar ports to Karachi.

Shri T. T. Krishnamachari: May I enquire if the Honourable Minister has got any information in regard to those who left by air from Karachi and from Bombay?

The Honourable Shri N. Gopaldaswamy Ayyangar: We have information, Sir, but I am not in a position at once to give it.

STUDENTS EVACUATED FROM WEST PUNJAB.

525. *Pandit Hirday Nath Kunderu: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether Government have taken any steps to ascertain the number of Indian students evacuated from the West Punjab, who will need assistance in order to complete their education?

(b) If not, do Government propose to enquire into the matter now?

(c) Do Government propose to help deserving students as they helped some of the Indian students evacuated from Burma in 1942?

The Honourable Shri N. Gopaldaswamy Ayyangar: (a) No.

(b) Efforts will be made to collect the information.

(c) Yes, Government have sanctioned a scheme for giving loans to poor

refugee students and trainees in order to enable them to prosecute their interrupted studies or training in India or abroad.

Pandit Hirday Nath Kunzru: Are Government aware that the Commonwealth Relations Department gave students from Malaya and Burma who were unable to receive remittances from their parents not loans but grants for the prosecution of their studies?

The Honourable Shri N. Gopalaswami Ayyangar: I believe that is correct, Sir.

Pandit Hirday Nath Kunzru: Then, why are the Government in this case giving only loans and not grants?

The Honourable Shri N. Gopalaswami Ayyangar: Sir, the suggestion implied in the Honourable Member's question will be considered.

Pandit Hirday Nath Kunzru: Will the Government of India really consider the question of the poor students not merely with sympathy but with generosity?

The Honourable Shri N. Gopalaswami Ayyangar: Certainly, Sir.

Shri K. Santhanam: May I know whether the Government of India will consider the advisability of establishing a University town where all these students can be accommodated in proper institutions?

The Honourable Shri N. Gopalaswami Ayyangar: I do not know if the suggestion is for East Punjab. . . .

Shri K. Santhanam: Yes.

The Honourable Shri N. Gopalaswami Ayyangar: If that is so, the East Punjab Government is already engaged on the question of selecting a site for a new University town.

EVACUATION OF HINDU SIKHS FROM WEST PUNJAB.

526. ***Pandit Hirday Nath Kunzru:** (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state the number of Hindus and Sikhs in each district of the West Punjab before the 15th August, 1947, and how many of them have been evacuated from each of these districts?

(b) Do Government propose to give similar information regarding the North West Frontier Province districts?

The Honourable Shri N. Gopalaswami Ayyangar: (a) and (b). (i) The figures of population of Hindus and Sikhs in each district of the West Punjab and N. W. F. P. before 15th August 1947 are not accurately known, but a statement, according to the last Census in 1941, showing the number of Hindus and Sikhs in each district of the West Punjab and N.W.F.P. is placed on the table.

(ii) The total number of Non-Muslims evacuated by the Military Evacuation Organisation from West Punjab and N. W. F. P., from 4th September, 1947 to 25th November, 1947 was 25,41,555. The figures for the period prior to 4th September cannot be accurately determined. Figures according to Provinces or districts for evacuation are not available.

Number of Hindus and Sikhs in each district of West Punjab and N.W.F.P.

Province.	Name of district.	Hindu and Sikh population (as in 1941 Census).
West Punjab	1. Sialkot	3,73,773
	2. Gujranwala	2,06,471
	3. Sheikhpura	2,38,667
	4. Gujrat	1,54,896
	5. Shalpur	1,48,837
	6. Jhelum	65,718
	7. Rawalpindi	1,47,927
	8. Attock	63,323
	9. Mianwali	69,675
	10. Montgomery	3,66,295
	11. Lyallpur	4,25,067
	12. Jhang	1,42,034
	13. Multan	3,05,167
	14. Muzaffargarh	96,429
	15. D. G. Khan	68,571
	16. Biloch Tribes Frontier Tract	162
	17. Lahore excluding Kasur Tehsil but including Kasur town	4,51,587
	18. Gurdaspur (only Shakergarh tehsil)	1,37,126
	TOTAL	34,63,725
W.F.P.	1. Hazara	39,487
	2. Mardan	22,515
	3. Peshawar	75,242
	4. Kohat	21,876
	5. Bannu	37,583
	6. D. I. Khar	41,557
		TOTAL

(b) WRITTEN ANSWERS

UNITED NATIONS ORGANIZATION CHARTER.

527. *Mr. B. K. Sidhwa: (a) Will the Honourable the Prime Minister be pleased to lay on the table of the House a copy of the constitution (charter) of the United Nations Organization and that of several bodies under it?

(b) What is the annual membership fee?

(c) What amount have the Government of India agreed to contribute annually towards the cost of maintenance of the United Nations Organization?

(d) Who are the members of the present Delegation of the Government of India?

(e) What is the authority for implementing the decision of the United Nations Organization in the event of any member failing to execute its decision?

(f) What is the strength of the employees of the United Nations Organization and how many Indians are amongst the said employees?

(g) What steps Government propose to take to secure for India her due share in the United Nations Organization or in the several bodies created or established under it?

(h) What voice India has in the administration department of the United Nations Organization?

The Honourable Pandit Jawaharlal Nehru: (a) A copy of the Charter of the United Nations Organisation which covers the constitution of that body and of its principal organs is already in the library of the House.

(b) and (c). There is no fixed "membership fee". The contributions of the member States are fixed on a percentage basis and I would draw the attention of the Honourable Member to the answer given by me on the 21st November to part (a) of starred question No. 219 asked by Shri B. A. Mandloi.

(d) A list is laid on the table.

(e) I would refer the Honourable Member to Article 2(2), Article 6 and Chapter VII of the United Nations Charter.

(f) The total number of employees of the United Nations Organisation of all grades is about 3,000. As regards the employment of Indians I would invite the Honourable Member's attention to the replies given by me to parts (b), (c) and (d) of the question asked by Shri B. A. Mandloi, to which I have already referred.

(g) If the Honourable Member refers to the representation of Indians on the staffs of the United Nations Organisation and its ancillary bodies I would invite his attention to the answer that I have given to part (f) of this question. If, on the other hand, the Honourable Member has in his mind the effectiveness of India's participation in the activities of the United Nations, I can tell him that we have always tried to support the principles of the Charter according to our independent judgement and that this continues to be our policy.

(h) The administration of the United Nations Organisation is under the control of the Budgetary and Administrative Committee, on which India is represented.

India Delegation to the second regular session of the General Assembly of the United Nations which opened in New York on 16th September, 1947.

Representatives:

1. Mrs. Vijaya Lakshmi Pandit (leader).
2. Raja Sir Maharaj Singh.
3. Justice Sir Fazl Ali.
4. Sardar Dr. K. M. Panikkar.
5. Mr. M. C. Setalved.

Notes:—Sardar Panikkar arrived in New York after the session of the General Assembly had begun. Dr. B. C. Roy acted as Representative in his absence.

Alternate Representatives:

1. Mr. M. K. Vallodi.
2. Dr. P. P. Pillai.
2. Mr. B. R. Sen.
4. Mr. Sri Narayan Mahtha.
5. Mr. B. Shiva Rao.

Advisers:

1. Mr. N. Sundaresan.
2. Mr. Shavam A. Lal.
3. Mr. C. S. Jha.
4. Dr. K. S. Shelvankar.

Liaison Officer:

1. Mr. S. Sen.

Secretaries to the Delegation:

1. Mr. T. N. Kaul.
2. Mr. M. Gopala Menon.

Assistant Secretary to the Delegation.

1. Mr. B. N. Nanda.

Secretarial Staff:

1. Mr. P. N. Subramanian.
2. Mr. M. Viswanatham.
3. Mr. Harbanslal.
4. Mr. Sardari Lal Bhalla.
5. Miss Chandralekha Pandit (Private Secretary to the Leader):

Public Relations Officer:

1. Dr. Anup Singh.

LABOUR DELEGATIONS TO FOREIGN COUNTRIES.

528. *Shri V. O. Kesava Rao: (a) Will the Honourable Minister of Labour be pleased to state the total number of Labour Delegations that were sent to foreign countries during the years 1946-47 and 1947-48?

(b) Who are the Members of the Delegations?

(c) On what principles these members were selected?

The Honourable Shri Jagjivan Ram: (a) Delegations were sent to 4 International Labour Conferences and 8 Industrial Committees, meetings of which were convened under the auspices of the International Labour Organisation.

(b) A statement showing the names of the delegates and advisers is placed on the table of the House.

(c) According to the Constitution of the International Labour Organisation, Workers' and Employers' representatives should be chosen in agreement with the Industrial organisations which are most representative of Employers and Workers. The selection of workers' representatives was made in consultation with the All India Trade Union Congress or unions with a substantial membership of workers in the industry concerned. Employers' representatives were chosen in consultation with the two all-India Organisations of Employers, namely, (1) All India Organisation of Industrial Employers, (2) Employers' Federation of India. Government delegates and advisers were chosen according to their suitability for the purpose.

Statement of Labour Delegations sent to Foreign Countries from India during 1946-47 and 1947-48.

(A) The Maritime Session of the International Labour Conference at Seattle (June-July 1946).

Government Delegates:

1. Mr. M. K. Vellodi, C.I.E., I.C.S., Deputy High Commissioner for India, London.
2. Late Mr. S. R. Zaman, C.I.E., I.C.S. (Joint Secretary, Late Commerce Department, Govt. of India).

Advisers:

1. Capt. Davis.
2. Khan Bahadur Fazlul Karim.
3. Mr. C. P. Sirivastava.
4. Mr. W. B. England.

Employers' Delegate:

1. Mr. M. A. Master.

Advisers:

1. Mr. D. S. Erulkar.
2. Mr. S. N. Morarji.
3. Mr. H. M. Trivedi.
4. Capt. Cokerjee.

Seamen's Delegate:

1. Lt.-Com. Aftab Ali.

Advisers:

1. Mr. D. Mangat
2. Mr. Dinker Desai.
3. Mr. George Reed.
4. Mr. A. K. Mohammed.

(B) 29th Session of the International Labour Conference (Montreal, September-October 1946)**Government Delegates:**

1. Mr. S. Lall, C.I.E., I.C.S., Secretary to the Govt. of India, Ministry of Labour.
2. Dewan Chaman Lal.

Advisers:

1. Nawab M. A. Gurmani.
2. Mr. M. A. Mirza.
3. Khan Bahadur Mohd. Aslam.
4. Mr. W. B. England.

Substitute Adviser:

1. Mr. S. P. Saksena.

Employers' Delegate:

1. Mr. David S. Erulkar.

Advisers:

1. Mr. Y. S. Pandit.
2. Mr. N. W. Gurjar.
3. Mr. H. K. Srivastava.
4. Mr. Vidya Bhushan Shukla.

Workers' Delegate:

1. Mr. S. S. Mirajkar.

Advisers:

1. Mr. Sibnath Banerjee.
2. Mr. Abid Ali Jafferbbhai.
3. Mr. Tukaram Andoo Gaikwad.
4. Mr. N. V. Phadke.

(C) 30th Session of the International Labour Conference (Geneva, June-July, 1947)**Government Delegates:**

1. The Hon'ble Shri Jagjivan Ram (Labour Minister, Govt. of India).
2. The Hon'ble Mr. Gulzari Lal Nanda (Minister for Labour & Housing, Bombay).

Substitute Delegate:

1. Mr. S. Lall, C.I.E., I.C.S., Secretary, Ministry of Labour.

Advisers:

1. Mr. M. K. Kirpalani, I.C.S.,
2. Mr. M. A. Latif.
3. Mr. N. S. Mankikar.
4. Mr. M. A. Mirza.
5. Mr. S. P. Saksena.

Employers' Delegate:

1. Mr. N. H. Tata.

Advisers:

1. Mr. Purahottam K. Chauhan.
2. Mr. R. Basu.
3. Mr. D. H. Naseer.
4. Mr. T. S. Swaminathan.

Workers' Delegate:

1. Mr. N. M. Joshi

Advisers:

1. Mr. Manek Gandhi.
2. Mr. Adam Adil
3. Mr. B. G. Meshram.
4. Mrs. Shanta Mukherjee.

*(D) Conference of Near and Middle East of the I. L. O. (Istanbul, November 1947)**Observer:*

1. Mr. S. P. Saksena, Director, Labour Conference, Govt. of India.

INDUSTRIAL COMMITTEES

1. *Iron and Steel Committee (I Session), Cleveland, April 1946*

Government:

1. Mr. J. Vesugar, Member, Indian Supply Mission in U. S. A.

Employers:

1. Sir Jehangir Ghandy.
2. Mr. P. R. Balakrishnan.

Workers:

1. Mr. Manek Homi.
2. Mr. V. G. Karnik.

2. *Metal Trades Committee (I Session), Cleveland, April 1946**Government:*

1. Mr. J. Vesugar, Member, Indian Supply Mission in U. S. A.

Employers:

1. Sir Jehangir Ghandy.
2. Mr. David S. Erulkar.

Workers:

1. Mr. Fazal Ilahi Qurban.
2. Mr. K. T. Sule.

3. *Industrial Committee on Textile (I Session), Brussels, November, 1946**Government:*

1. Mr. M. K. Vellodi, Dy. High Commissioner for India, London.
2. Mr. A. S. Iyengar, Director of Labour Welfare, Bombay.

STARRED QUESTIONS AND ANSWERS

Employers:

1. Mr. Shantilal Mangaldas.
2. Mr. Naval H. Tata.

Workers:

1. Mr. Shamprasad Vasavada.
2. Mr. P. Ramamurthy.

4. Industrial Committee on Building, Civil Engineering and Public Works, Brussels, November, 1946

Government Delegates:

1. Rai Bahadur H. P. Sinha, Superintending Engineer, Central P. W. D.
2. Mr. A. S. Iyengar, Director of Labour Welfare, Bombay.

Adviser:

1. Sardar Bahadur Raghbir Singh, Chief Engineer, Patiala State, Patiala.

Employers:

1. Mr. S. C. Banerjee.

Workers:

1. Mr. K. N. Joglekar.
2. Mr. Deben Sen.

5. Industrial Committee on Coal Mining (II Session), Geneva, April 1947.

Government Delegate:

1. Mr. V. K. R. Menon, Acting Secretary, Ministry of Labour.

Adviser:

1. Mr. Syed Kazim.

Employers:

1. Mr. Chhaganlal K. Parekh.

Workers:

1. Mr. P. C. Bose.
2. Mr. Chapa' Bhattacharya.

5. Industrial Committee on Inland Transport (II Session), Geneva, May, 1947

Government Delegates:

1. Mr. V. K. R. Menon, I.C.S., Acting Secretary, Ministry of Labour.
2. Mr. S. M. Hasan (Hyderabad Government).

Advisers:

1. Mr. Mushtaq Ahmed Khan.

Employers:

1. Mr. N. H. R. Chinoy.
2. Mr. G. L. Mehta.

Workers:

1. Mr. B. K. Mukherjee.
2. Mr. Faiz Ahmed.

7. Industrial Committee on Iron and Steel (II Session), Stockholm, August 1947

Government:

1. Mr. V. Narayanan, Joint Secretary, Ministry of Labour.

Employers: (Not represented.)

Workers:

1. Mr. Mahindra Kumar Ghosh.
2. Mr. Taraprasanna Sinha.

8. *Industrial Committee on Metal Trades (II Session), Stockholm, September 1947***Government:**

1. Mr. V. Narayanan, Joint Secretary, Ministry of Labour.

Employers:

1. Mr. David S. Erulkar.

Workers:

1. Mr. K. N. Joglekar.
2. Mr. Ranen Sen.

IMPORT OF FOODGRAINS, CONSUMER AND CAPITAL GOODS

529. *Shri Banarsi Prasad Jhunjunwala: Will the Honourable Minister of Commerce be pleased to state:

(a) the variety, quantity and value of goods imported into India since 1st April, 1947 in the shape of (i) food grains; (ii) other consumer goods and (iii) capital goods from the United States of America, United Kingdom and other countries; and

(b) the variety, quantity and value of goods exported from India during the same period to (i) United States of America (ii) United Kingdom and (iii) other countries?

The Honourable Shri N. V. Gadgil: The information is being collected and will be placed on the table of the House in due course.

IMPOSITION OF DUTY ON RAW JUTE

530. *Shri Banarsi Prasad Jhunjunwala: (a) Will the Honourable Minister of Commerce be pleased to state whether the attention of Government has been drawn to an Ordinance promulgated by the Government of Eastern Pakistan imposing an export duty on raw jute coming into the Indian Dominion?

(b) If so, is it not a breach of the Standstill Agreement between the two Dominions?

(c) If the answer to part (b) above be in the affirmative, what steps are the Government of India taking in the matter to protect the interest of the Indian Dominion?

The Honourable Shri N. V. Gadgil: (a), (b) and (c). The question should have been addressed to the Honourable Minister of Finance. It has accordingly been transferred to the list of questions for the 6th December 1947, when it will be answered by the Honourable Minister of Finance.

LEVY ON EXPORT OF JUTE TO INDIA

531. *Shri Doshbandhu Gupta: (a) Will the Honourable Minister of Commerce be pleased to state whether Government are aware of the imposition of export levy by the Pakistan Government on all exports of jute to India?

(b) Do Government propose to lay on the table of the House the correspondence exchanged on the subject between the Governments of Pakistan and India?

(c) What action Government propose to take in this respect?

The Honourable Shri N. V. Gadgil: (a), (b) and (c). The question should have been addressed to the Honourable Minister of Finance. It has accordingly been transferred to the list of questions for the 6th December 1947, when it will be answered by the Honourable Minister of Finance.

CITIZENSHIP OF PAKISTAN AND INDIAN UNION

532. *Shri Satish Chandra Samanta: (a) Will the Honourable the Prime Minister be pleased to state whether the citizens of Pakistan are considered as aliens in the Indian Union and *vice versa*?

(b) If the answer to part (a) above be in the affirmative, do Government propose to fix a date by which the citizenship of Pakistan and Indian Union may be interchangeable?

The Honourable Pandit Jawaharlal Nehru: This question should have been addressed to the Honourable Minister for Home Affairs and has accordingly been transferred to the Ministry of Home Affairs. It will be answered on a day allotted to that Ministry.

HARASSMENT OF PASSENGERS AT PARBATIPUR JUNCTION ON E. B. RAILWAY

533. *Shri Rohini Kumar Chaudhuri: (a) Will the Honourable the Prime Minister be pleased to state whether Government are aware that passengers proceeding from different parts of India to Assam through Pakistan area, are subjected to searches at Parbatipur Junction of the East Bengal Railway by Pakistan Police, Muslim League National Guards and other unauthorised persons who also molest them in different ways and commit extortions?

(b) If so, what steps Government propose to take to protect the citizens against such harassment?

(c) Is it a fact that in the last week of October, a merchant of Gauhati in Assam, had to pay a sum of Rs. 1,000/- at Parbatipur in order to save himself and his family from harassment?

(d) Do Government propose to make inquiries and take necessary steps to prevent recurrence of such events?

(e) Do the Government of India propose to depute officers of their own to Parbatipur Junction to watch and report the actual state of things and also to protect the passengers of India against molestations and extortions?

The Honourable Pandit Jawaharlal Nehru: (a) Government have received several complaints of this nature.

(b) On the basis of these complaints representations have been made to the Government of Pakistan through the High Commissioner for India at Karachi. No reply has so far been received from that Government.

(c) An instance of this nature relating to one Gograj Agarwala has been brought to our notice by the Government of Assam.

(d) I have sent a telegram on the 13th November to the Prime Minister of Pakistan to investigate the specific instance referred to in part (c) and to ensure that no harassment is caused to Indian nationals passing through Eastern Pakistan. To this, a reply is still awaited.

(e) Government will consider what steps should be taken after the reply from the Pakistan Government has been received.

IMPORT OF PETROL IN HYDERABAD STATE

534. *Shri B. M. Gupta: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) Whether it is a fact that the State of Hyderabad has imported in recent weeks more petrol than its quota;

(b) Whether the attention of Government has been drawn to the reports to that effect appearing in certain papers; and

(c) if the answer to part (a) above be in the affirmative whether Government propose to take necessary steps in the matter?

The Honourable Shri N. V. Gadgil: (a) The Government of India have made enquiries and are satisfied that the despatches of petrol to the State of Hyderabad during recent weeks have not been in any way abnormal. Actually

the State in question does not import any petrol; it is the Oil Companies who make despatches to their depots in the State and make deliveries against coupons in the same manner as to consumers in the Union of India.

(b) The answer is in the affirmation.

(c) Does not arise.

HOUSING ACCOMMODATION FOR GOVERNMENT SERVANTS

535. *Giani Gurmukh Singh Musafar: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether Government propose to encourage private enterprise for providing housing accommodation in New Delhi for Central Government Servants, so as to save tax payers' money on Governmental schemes; and

(b) whether Government are prepared to consider a scheme to allot plots of land free of charge in areas of New Delhi to their servants so as to enable them to construct houses at their own cost thereby relieving pressure on the existing accommodation and Government revenues?

The Honourable Shri N. V. Gadgil: (a) No Sir.

(b) No.

ALLOTMENT OF LAND BY U.P. GOVERNMENT FOR HOUSE-BUILDING

536. *Giani Gurmukh Singh Musafar: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether Government are aware that the Government of the United Provinces have allotted plots of land to their ministerial staff in Lucknow (Lachouha Road) for building houses;

(b) whether Government propose to make enquiries in the matter from the Government of the United Provinces as to whether such a scheme has proved beneficial both to the employees and the employers; and

(c) whether the Government of India propose to formulate such a scheme so as to save their revenues on projects for houses for their staff?

The Honourable Shri N. V. Gadgil: (a) No Sir.

(b) Yes.

(c) This would be considered on receipt of necessary information from the Government of United Provinces.

ALLOTMENT OF LAND TO CENTRAL GOVERNMENT SERVANTS.

537. *Giani Gurmukh Singh Musafar: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether Government are aware that the Delhi Improvement Trust has helped only moneyed-men, contractors and capitalists in acquiring lands for building purposes;

(b) whether Government are aware that competitive rates for plots of land in Delhi have rendered it impossible for middle class men to purchase plots so as to live in decent houses;

(c) whether Government are aware that capitalists or contractors purchase plots in lots at exorbitant prices thereby depriving men of ordinary means to acquire lands;

(d) what steps Government propose to take to help the middle class men, and more particularly the ministerial staff of the Government of India, who are hard hit by the present economic conditions and by the difficulties in getting decent housing accommodation; and

(e) whether Government propose to allot plots of land to the permanent servants of the Government of India free of charges or at a fixed nominal price?

The Honourable Shri N. V. Gadgil: The question should have been addressed to the Honourable Minister of Health. It has accordingly been transferred to the list of questions for 6th December 1947 when it will be answered by the Honourable Minister of Health.

CREATION OF COLONIES FOR CENTRAL GOVERNMENT SERVANTS

538. *Giani Gurmukh Singh Musafar: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether Government propose to consider a scheme of creating a number of colonies of 500 to 1,000 houses each (small double-storeyed bungalows) for Central Government servants near about New Delhi by allotting plots of land to their servants free of charge and by providing them with building materials at controlled rates; and

(b) if so, whether Government propose to consider the advisability of allotting the areas of Hardinge Avenue and Muttra Road for the purpose?

The Honourable Shri N. V. Gadgil: (a) No Sir.

(b) No Sir. The land available on Muttra Road and Hardinge Avenue is reserved to meet other requirements.

POSTS IN THE CENTRAL P.W.D.

539. *Shri Ram Narayan Singh: (a) Will the Honourable Minister of Works, Mines and Power be pleased to state whether it is a fact that the Government of India had sanctioned about 100 posts in Central P.W.D. about a year back?

(b) If so, whether the proposals have been given effect to; and if not why not?

(c) Are Government aware that the Sub-Divisional Officers of the Central P.W.D. are given much less pay and allowances than a temporary Engineer working in the same capacity and doing the same kind of work?

(d) What are the minimum technical qualification required of Central P.W.D. Sub-Divisional Officers and Assistant Executive Engineers?

(e) Has the Pay Commission put this category of service in Class II?

(f) If so, what is the period within which this proposal is likely to be given effect to?

The Honourable Shri N. V. Gadgil: (a) Sanction to the creation of 100 permanent posts of Assistant Engineers, which will constitute a new Service to be known as the Central Engineering Service, Class II, was issued in February 1947.

(b) The Service as such has not yet been formed. Draft recruitment rules prescribing the qualifications and other conditions of appointment to the Service have been framed and referred to the Federal Public Service Commission for their opinion, and actual appointments to the Service can be made only after the Commission's views on these draft rules have been received.

(c) Yes. Sub-Divisional Officers of non-Gazetted rank in the Central Public Works Department are on a lower rate of pay than the Temporary Engineers, even though both classes of officers do the same type of work.

(d) The minimum technical qualification prescribed for Assistant Executive Engineers, Class I, Assistant Engineers, Class II and Temporary Engineers, is the possession of a degree in engineering of the University standard. For Sub-Divisional Officers of non-gazetted rank, the qualification is an Overseer's Diploma of any recognised institution.

(e) and (f). The attention of the Honourable Member is invited to the observations of the Central Pay Commission in paragraph 19 at page 807 of their report. No definite recommendation was made by the Central Pay Commission to the effect that Sub-Divisional Officers of non-Gazetted rank in the Central P. W. D. should all be placed in the Class II Engineering Service. Those Sub-Divisional Officers who possess an Engineering Degree are being considered for absorption in the Central Engineering Service, Class II. This Service is likely to be formed during next year.

MOTION FOR ADJOURNMENT

AGREEMENT BETWEEN THE DOMINION OF INDIA AND THE NIZAM OF HYDERABAD AND BERAR

Mr. Speaker: I have received notice of an adjournment motion from the Honourable Dr. N. B. Khare. The Motion says:

"That the House do stand adjourned to discuss a definite matter of urgent public importance of recent occurrence, viz., the agreement made between the Dominion of India and the Nizam of Hyderabad and Berar on the 29th November 1947."

I may point to the Honourable Member two difficulties which I feel. If he has anything to say, I shall be glad to hear him before I give my ruling. I do not see any urgency about the matter. The agreement has already been made; that is one part of it. I find that there is also a Cut Motion proposed to be moved to Demand No. 27 to discuss "matters relating to the Hyderabad Agreement" and also a further Motion to "discuss the specific agreement with Hyderabad and the protection of the elementary rights of the citizens of the State." Of course, it may be said that these Cut Motions may not come for discussion at all; but in any case, the Demand will there, and the Honourable Member will have an opportunity when the Demand comes before the House to have his say on that question; but this second ground is a minor point comparatively. I really do not see any urgency about this matter. Has the Honourable Dr. Khare anything to say in this respect?

Dr. N. B. Khare (Alwar State): Sir the matter is definitely urgent, because the agreement involves violation of the sacred principle of the sovereignty of the people of India. I hope that the House will agree with me that this is a sacred principle and the second thing is that according to me it is beside the point whether the agreement has or has not have been entered into, as it is *ultra vires*. That is all I have to say I think it is urgent and so I plead that it should be allowed.

Mr. Speaker: The Motion does not say specifically that it is a censure Motion. The point about the agreement being *ultra vires* is one of argument and opinion. I do not think the matter is of an urgent nature and I cannot, therefore, give my consent to this.

ELECTIONS TO THE STANDING COMMITTEES FOR THE MINISTRIES OF STATES, TRANSPORT, COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE, GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION AND STANDING COMMITTEE FOR ROADS.

Mr. Speaker: I have to inform the Assembly that upto the time fixed for receiving nominations for the Standing Committees for the Ministries of States and Transport (other than Roads), Council of the Indian Institute of Science, Bangalore, Governing Body of the Indian Research Fund Association and Standing Committee for Roads, 12 nominations in the case of the first, 11 in the case of the second, 1 in the case of the third, 8 in the case of the fourth and 12 in the case of the last were received. Subsequently two members in case of the first and one in case of the second withdrew their candidature. As the number of

the remaining candidates was thus equal to the number of vacancies in each of these Committees, I declare the following members to be duly elected:—

I. Standing Committee for the Ministry of States.

- (1.) Dr. B. Pattabhi Sitaramayya.
- (2.) Pandit Hiralal Shastri.
- (3.) Shri Balwant Rai Gopalji Mehta.
- (4.) Shri R. R. Diwakar.
- (5.) Shri S. Nijalingappa.
- (6.) Shri Brajeshwar Prasad.
- (7.) Sir V. T. Krishnamachari.
- (8.) Shri Surendra Mohan Ghosh.
- (9.) Dr. Sir S. V. Ramamurty, and
- (10.) Mr. Hussain Imam.

II. Standing Committee for the Ministry of Transport (Other than Roads).

- (1.) Shri S. N. Sunavalli.
- (2.) Shri Sunder Lall.
- (3.) Shri P. Kushiraman.
- (4.) Shri Mukunda Behary Mallick.
- (5.) Shri P. Govinda Menon.
- (6.) Shri O. V. Alagesan.
- (7.) Shri Brijlal Nandlal Biyani.
- (8.) Shri K. Santhanam.
- (9.) Dr. Dharam Prakash, and
- (10.) Maulana Daud Ghaznavi.

III. Council of the Indian Institute of Science, Bangalore.
Pandit Lakshmi Kanta Maitra.

IV. The Governing Body of the Indian Research Fund Association.

- (1.) Acharaya J. B. Kriplani.
- (2.) Shri Shanker Dattatraya Deo and
- (3.) Dr. B. Pattabhi Sitaramayya.

V. Standing Committee for Roads.

- (1.) Shri Raghuraj Singh.
- (2.) Prof. Nibaran Chandra Laskar.
- (3.) Shri Ramprasad Patai.
- (4.) Shri S. Nijalingappa.
- (5.) Dr. V. Subrahmanyam.
- (6.) Shri B. N. Munavalli.
- (7.) Shri G. S. Guha.
- (8.) Shri Rohini Kumar Chaudhuri.
- (9.) Shri Mohan Lal Saxena.
- (10.) Shri C. M. Poonacha.
- (11.) Shri Yudhisthir Misra, and
- (12.) Shri B. P. Jhunhunwala.

Mr. Speaker: The House may now proceed with the further discussion of the Resolution moved by Shri V. I. Munishwami Pillai.

श्री मोहनलाल गौतम : यह जो आपने कमेटी बनाई है उसमें क्या आपको पता है कि तमाम मेंबर हिंदुस्तान में रहते हैं या कुछ पाकिस्तान के रहने वाले भी उसमें लिये गए हैं। मेरा यह ख्याल है कि दाऊद गजनवी साहब का नाम मैंने पाकिस्तान की किसी कमेटी में पढ़ा था—शायद पश्चिमी पंजाब की प्रांतीय मुस्लिम लीग की कार्य-कारिणी में। यह आपकी कमेटी में है क्या यह मुनासिब है ?

Shri Mohan Lal Gautam (U.P. : General): Are you aware of the fact that the Committee which you have formed consists of all members who live in India or it includes some of those who are settled down in Pakistan? I think I had read the name of Maulana Daud Ghaznavi in a certain Committee of Pakistan—probably in the Working Committee of the West Punjab Provincial Muslim League. He is included in your Committee; is it permissible?

Mr. Speaker: It is not a question for the Chair. I have not formed these Committees at all. As the Honourable Member knows on motions duly carried by the House, elections were held and I merely directed the elections here on the principle of proportional representation with transferable vote. Candidates were nominated under the rules and elections were held accordingly. It is, therefore, not a matter really for discussion with me. It is purely a matter to be settled amongst the Members themselves whether to include or exclude a particular candidate.

श्री मोहनलाल गौतम : क्या मैं पेश कर सकता हूँ कि जो साहबान आज हिंदुस्तान के नागरिक नहीं हैं उन्हें expell कर दिया जाय ?

Shri Mohan Lal Gautam: May I move that those gentlemen who are not citizens of India to-day should be expelled?

Mr. Speaker: No. Such a motion cannot be moved. It is an election which has duly taken place. The Members elected are the Members of the Constituent Assembly. They have been duly nominated and duly elected.

Shri Mihir Lal Chattopadhyaya (West Bengal: General): Is it necessary to take the consent of a Member who is put in a Committee?

Mr. Speaker: I do not know whether the consent was not taken. The nominations are not challenged up to this moment.

RESOLUTION RE AMELIORATION OF THE CONDITION OF SCHEDULED CASTES—contd.

Mr. Speaker: The House may take up the further discussion of the following Resolution moved by Shri V. I. Munishwami Pillai on the 27th November, 1947:

"This Assembly is of opinion that the Government of India should spend at least one crore of rupees each year for the next ten years for the amelioration of the condition of the scheduled castes by way of providing them with house sites and drinking water and also by way of supplementing the educational grants sanctioned by Provincial Governments."

Seth Govinddas (C. P. and Berar: General): Sir, I have sent a notice of an amendment to this Resolution. The notice of the amendment was sent late, but as the amendment makes the Resolution more comprehensive. I hope, Sir,

you will kindly allow that amendment to be moved. The amendment runs thus:

"That in the Resolution for the words 'spend at least one crore of rupees each year for the next ten years', the words 'take adequate steps' be substituted."

Mr. Speaker: I assume that Honourable Members are generally agreeable to have this amendment considered in the House. I am not asking whether they agree to accept it; the only question for me is whether I should waive notice. And if a substantially large number of members is willing to have this amendment considered, I should like to waive notice.

Several Honourable Members: Yes, yes.

Mr. Speaker: Then I waive notice about it. Amendment moved:

"That in the Resolution for the words 'spend at least one crore of rupees each year for the next ten years', the words 'take adequate steps' be substituted."

Seth Govind Das may now proceed with his speech.

सेठ गोविन्द दास : सभापति जी, जो सुधार मैं यहां पेश कर रहा हूं वह सुधार इस भावना से नहीं है कि इन कामों के ऊपर एक करोड़ रुपया खर्च न किया जाय। मेरे सुधार का मतलब यह है कि हरिजनों की जैसी अकस्था इस ससय इन बातों के सम्बंध में है वह इतनी बुरी है कि यह एक करोड़ रुपया भी शायद उसे दस वर्ष में सुधारने के लिए काफी न होगा। फिर मैं यह नहीं चाहता कि दस वर्ष तक इस काम को जारी रखा जाय। मेरा अभिप्राय यह है कि जब हम स्वतंत्र हो गये तब बहुत थोड़े समय के अन्दर इस काम को पूरा कर डालना चाहिये। दूसरे देशों में जहां पर बड़ी बड़ी क्रांतियां हुई हैं हमने देखा है कि बहुत बड़े बड़े काम थोड़े से वर्षों के भीतर हो गए, और यदि हम दस वर्षों तक सिर्फ एक करोड़ रुपया प्रति वर्ष इस सम्बंध में खर्च करेंगे तो मैं आपसे कहना चाहता हूं कि जो काम इस प्रस्ताव में कहा गया है, वह काम दस वर्ष में भी पूरा न कर सकेंगे।

मुझे यह बात मालूम है कि केन्द्रीय सरकार, इस कार्य को बहुत बड़े परिमाण में हाथ में लेना चाहती है। पहले तो यह काम बहुत दूर तक प्रांतीय सरकारें करेंगी और प्रांतीय सरकारों के पास यदि काफी साधन इन कामों के करने के लिए न होंगे तो उन गरीब प्रांतों के ऊपर जिन में काफी साधन उपलब्ध नहीं हैं, केन्द्रीय सरकार बहुत बड़े परिमाण में इस सम्बंध में खर्च करेगी।

हम लोगों ने हजारों वर्षों से अपने हरिजन भाइयों को इस बुरी अवस्था में रखा है कि जिस अवस्था में कोई भी मनुष्य इस संसार के किसी हिस्से में नहीं रहेगा। हमने जितनी ज्यादातियां अपने हरिजन भाइयों के ऊपर की हैं वह इतिहास में अभूतपूर्व हैं, और भारतवर्ष के स्वतंत्र हो जाने के पश्चात् हमारी केन्द्रीय सरकार, प्रांतीय सरकार और इस देश की जनता सबका परम कर्तव्य ही जाता है कि उन करोड़ों भाइयों की, जिनको मनुष्योचित अधिकार प्राप्त नहीं हैं, भलाई के लिए सबसे पहले ध्यान रखें उनका भलाई के लिए जो अधिक से अधिक व्यय किया जा सकता है, वह प्रांतीय सरकारें भी करें और केन्द्रीय सरकार भी करे।

[सेठ गोविन्द दास]

श्री मुनिस्वामी पिल्ले के प्रस्ताव में तीन बातें कही गई हैं। पहली बात है हरिजनों के घर के सम्बंध में। दूसरी बात है उनके पानी के सम्बंध में। तीसरी बात है उनकी पढ़ाई के सम्बंध में। मैं यह कहना चाहता हूँ कि पानी मनुष्य की सबसे पहली आवश्यकता है। भोजन के बिना फिर भी थोड़े समय तक कोई व्यक्ति रह सकता है परन्तु पानी के बिना मनुष्य नहीं रह सकता। हम देखते हैं कि जहां तक पानी भरने का सम्बंध है वहां तक, यद्यपि विधान परिषद ने हमारे मौलिक अधिकारों में यह बात कही है कि Untouchability would be a crime अब भी सब कुओं पर जो सार्वजनिक कुएं हैं, हमारे हरिजन भाई पानी नहीं भर सकते। जहां तक मकानों का सम्बंध है उनके मकान ऐसे स्थानों पर हैं, जो शहर से बाहर अत्यन्त गंदे और ऐसे हैं जहां पर मनुष्यों का रहना ही कठिन है। जहां तक शिक्षा का सम्बंध है, यद्यपि इस देश में शिक्षा का प्रचार अभी केवल हरिजनों में कम हो, इतना ही नहीं जो मवर्ण हिन्दू हैं उनमें भी बहुत कम है, परन्तु हरिजन तो शिक्षा के मामले में बहुत पीछे हैं। आज यदि हम इन तीनों चीजों को लें तो हमको मालूम होगा कि जहां तक प्रांतीय सरकारों का सम्बंध है कई प्रांतीय सरकारें ऐसी होंगी जिनके पास काफी द्रव्य नहीं है। मैं अपने गरीब प्रांत मध्य प्रांत का दृष्टांत आपके सामने देता हूँ। मध्य प्रांत संयुक्त प्रांत की तरह से, या बम्बई प्रांत की तरह से या मद्रास प्रांत की तरह से बनवान प्रांत नहीं है। मध्य प्रांत गरीब प्रांत है। मध्य प्रांत से भी अधिक गरीब प्रांत हैं जैसे आसाम और उड़ीसा। लेकिन मध्य प्रांत या ऐसे अन्य प्रांतों पर सारा भार छोड़ दिया जाता है तो मैं कहना चाहूंगा कि उममें पूरी कामयाबी जितने समय के अन्दर हम इस काम को करना चाहते हैं, उतने समय के अंदर, नहीं हो सकेगी। इसलिये मैं यह चाहता हूँ कि केवल एक करोड़ रुपया ही खर्च न किया जाय, उससे कहीं अधिक खर्च किया जाय और वह रुपया दस वर्षों तक एक करोड़ रुपया प्रति वर्ष खर्च न किया जाकर और भी थोड़े समय में खर्च किया जाय जिसमें दस वर्ष तक यह काम जारी हो न रहे, और हम दो या तीन या पांच वर्षों में इसको समाप्त कर दें।

इसलिये जो सुधार मैं यहां पेश कर रहा हूँ उसका अर्थ यह कभी न समझा जाय कि मैं यह नहीं चाहता कि दस वर्ष तक एक करोड़ रुपया प्रति वर्ष खर्च न किया जाय मेरा अभिप्राय यह है कि अधिक रुपया खर्च हो जिससे काम जल्दी खत्म हो जाय केंद्रिय सरकार एक करोड़ रुपये से भी ज्यादा। इस दिशा में दे। मैं आशा करता हूँ कि मेरा यह सुधार इस असेम्बली को स्वीकृत होगा।

(English translation of the above speech)

Seth Govinddas: Mr. Speaker, Sir, the Amendment that I have brought forward is not based on the idea that we should not spend one crore of rupees on such works. My amendment means that the condition of the Harijans, as it exists today, especially with regard to these things, is so bad

that perhaps the sum of one crore of rupees per annum will be too insufficient to better their lot even in ten years. I do not want that this work should be allowed to linger for ten years. What I mean is, that, when we have attained freedom, we must do this work as soon as we can. In other countries which have witnessed big revolutions it has been seen that very big achievements have been made in very short periods. If we spend one crore of rupees per year over ten years, then, I may tell you that we shall not be able to achieve in that time what we desire today by this Bill.

I know that the Central Government intend starting this campaign on a very large scale. In the first place, a great part of this work will be done by the Provincial Government; and where the Provincial Governments do not have enough means for doing these works, the Central Government will take the work in its hands on a very large scale.

For thousands of years we have made the *Harijans* live in such conditions as no one on the face of this earth would like to live in. The undue advantages we have been taking over them have no parallel in the history of the world. Now when India has become free, it becomes the first and foremost duty of both the Central and Provincial Governments, and of every Indian, to see that these crores of down trodden men are uplifted. The Central and the Provincial Governments must spend on their uplift the maximum money they can.

The Bill presented by Shri Munishwami contains three points. The first is concerned with the problem of housing for these *Harijans*. The second refers to water supply for them, and the third is connected with their education. I like to say that water is man's first necessity. A man may do without food for sometime, but he cannot do without water. So far as it is the question of drawing water, we find today that inspite of the fact that the Constituent Assembly has laid down among the primary rights of a man that "Untouchability would be a crime", the *Harijans* are not allowed to draw water from the public wells. So far as it is a question of their housing, the dwellings of these *Harijans* are situated in those slums outside the cities where it is well nigh impossible for a man to breathe. With regard to their education, I have to say that although illiteracy prevails not only among the *Harijans* but also among the so called caste Hindus, yet in education the *Harijans* are far backward as compared with the Hindus. If we take these three things into consideration we will find that, so far as the Provincial Governments are concerned, few are such which do not have enough funds. Take the example of my own poor province, the Central Provinces. The C.P. are not as rich as the U.P. or as the Presidencies of Bombay and Madras. The C.P. are comparatively poor. There are provinces, like Assam and Orissa, which are poorer than even the C.P. If we place this burden on the C.P. or on any such other province, we will fail to achieve success in the time we wish to have. I want, therefore, that we should spend much more than one crore of rupees per year on it. Let us not spend it as one crore per annum for ten years, but let us try to cut short the period so that the work may not linger for ten years; let us rather finish it, if we can, in two, three or five years.

It may not, therefore, be taken that my amendment means that I have objections to one crore of rupees being spent per annum for ten years. What I mean is that we should spend more to expedite this work. Let the Central Government earmark more than one crore of rupees for it. I hope the House will accept my amendment.

ज्ञानी गुरुमुख सिंह मसाफिर : साहबे सदर, इस प्रस्ताव के अल्फाज जो कुछ हैं या जो एमेण्डमेण्ट मेरे भाई ने पेश किया है वह भी, उसके भी अल्फाज कुछ हैं । असल में इसके अंदर जो स्पिरिट (spirit) काम कर रही है वह यह है कि हरिजनों को

[श्री गुरुमुख सिंह मुसाफिर]

उठाना चाहिये, शेड्यूल्ड क्लासेज (Scheduled Class) को उठाना चाहिये क्योंकि वह हमारे देश में इस वक्त बैकवर्ड क्लास (backward class) के तौर पर गिने जाते हैं। इस वक्त जब कि हमें आजादी मिल चुकी है तो मेरा ख्याल है कि एक दिन भी हमको यह नहीं मनना चाहिये कि इन भाइयों की हालत वही है जो इससे पहले जब कि हमें आजादी नहीं मिली थी, चली आई है। यह बड़ी अफसोसनाक बात है कि इस बीमवीं सदी में भी अब तक हमारे देशमें न सिर्फ यह कि जिनको अनटचेबिल (Untouchable) कहा जाता है वही मौजूद हैं, मगर हमारे देश के बाज हिस्सों में ऐसों साहवान भी हैं जिनको अनसीएबिल (Unseeable) कहा जाता है यानी जिनकी निगाह अगर मवर्ण हिंदुओं पर पड़ जाय तो सबर्ण हिंदू भ्रष्ट हो जाता है। इसके अलावा हमारे देश के कई हिस्सों में ऐसी जगह भी हैं जहाँ उनके पांव के ऊपर किसी का पांव आ जाय तो समझते हैं कि वह भ्रष्ट हो गया। इसलिए इन भाइयों को दिन के वक्त घर से बाहर निकलने की इजाजत नहीं है ताकि उनकी नजर किसी के ऊपर न पड़ जाय, या उनके पांव पर किसी का पांव न पड़ जाय। तो हमारे देश पर यह कलंक जो मूहत से चला आ रहा है वह इसी वक्त दूर करना चाहिये। इस वक्त भी इन डिस्टर्बेंसेज (disturbances) में भी हमने देखा है कि दो किस्म के लोगों का नुकसान बहुत ज्यादा हुआ है। एक वह जो पाकिस्तान के इलाकों में अपनी जुरत की वजह से अड़े रहे हैं, दूसरे वह जो कमजोर गिने जाते थे, और उनकी कमजोरी उनके लिये मौत का वायम हुई है। अड़ने वाले सिक्खों को इसलिये मारा गया कि वे अड़ते हैं। जो कमजोर थे उनको अपनी मभ्यता, अपना धर्म, अपना कल्चर (culture) सब कुछ छोड़ कर वहां रहना पड़ रहा है। परसों चौथे ही मने डा० अम्बेडकर का एक बयान पढ़ा था। कि पाकिस्तान के इलाकों में जो हरिजन हैं उनको दबाया जा रहा है। उनका मजहब तबदील किया जा रहा है। कल हिन्दुस्तान टाइम्स में मेरे मोहतरम डाक्टर षोइधराम गिडवानी का तार डा० अम्बेडकर साहब के नाम छपा है, जिसमें लिखा है "Harijans not allowed to migrate to India"। इस तार में भी उन्होंने इस बात को स्पष्ट किया है कि हरिजनों को कई बहानों से बिलोचिस्तान में और सिंध में मजबूर किया जाता है और बाज जगह लिखा है कि उन्हें arrest भी किया गया है। आखिर में उन्होंने बताया है कि "Backward Sindhi Sikhs called Labanas and Harijans Called Bagris were looted and forcibly converted to Islam."। तो मेरा मतलब यह कहने से यह है कि एक तरफ जो अड़ने वाले थे उनके मुताल्लिक कहा गया कि कोई सिक्ख मगरबी पंजाब में रहने नहीं पाये। मगरबी पंजाब में पाकिस्तानी अखबारों में उपरोक्त बातें लिखी हैं। दूसरे जो यह हरिजन भाई थे जो कमजोर गिने जाते थे उनको कनवर्ट (convert) किया गया है। उनको पहले लाने का इंतजाम करना चाहिये।

दूसरी बात जो मैं हाउस के सामने रखना चाहता हूँ और उसके मुताल्लिक अपने जजबात को स्पष्ट तौर पर जाहिर करना चाहता हूँ। वह है पानी और तालीम के मुताल्लिक जो मेरे भाई ने आपके सामने बताया है उन दोनों के मुताल्लिक मेरा जो तजुर्बा है मैं उसको आपके सामने जरूर अर्ज करूँगा। मैंने भी अपनी उम्र का काफी हिस्सा दस बारह साल अछूतों के उठाने के काम में लगाया है। तो एक बात तो साफ है कि इन्सान में जो एहसास कमतरी का पैदा हो जाता है वह उसको कभी भी उठने नहीं देता। हमारे इन भाइयों में जब तक यह ख्याल है, हमारे हिंदू भाइयों में यह अछूत गिने जाते हैं, इनको हरिजन कहा जाता है। सिक्खों में जो इस किस्म के लोग सिक्ख बन जाते हैं वह मजहबी सिक्ख कहे जाते हैं, और हमारे पंजाब में जो भी मुसलमान धर्म अख्यार करते हैं उनको मुसल्ली कहते हैं। यानी उन नामों से फिर वह वहीं के वहीं रह जाते हैं। उस नाम से ही इस किस्म का अहसास हो जाता है कि यह फलां जात से यहां आया है। इसी तरह पानी के इंतजाम की बात है अब भी पंजाब में और और जगहों पर भी अगर कुएं पर से कुत्ता पानी पी जाय तो उससे कुछ नुकसान नहीं होता। मगर अफसोस की बात है कि हमारे जैसे इन्सान हमारे भाई जो हमारे समाज के एक बहुत जरूरी हिस्सा हैं, उनमें से अगर कोई कुएं पर से पानी पी जाय तो हमारे लोग कहते हैं कि यह कुआं जो भ्रष्ट हो गया यह ऐसी भद्दी और छिनोनी बात है कि मैं तो कहता हूँ कि इस वक्त गवर्नमेण्ट आफ इंडिया को ऐमा सख्त कानून पास करना चाहिये कि जितने भी कुएँ हैं उनमें से किसी भी कुएँ के ऊपर अगर कोई आदमी इस किस्म का एतराज करे कि हम फलां जात के आदमी को पानी नहीं पीने देंगे, तो उसको उसी वक्त सख्त से सख्त सजा देनी चाहिये ताकि हिंदोस्तान के माथे से यह कलंक का टीका दूर हो जाय।

अगर हरिजनों के लिए हम अलहदा कुएं बनायेंगे तो इसमें एक बड़ी बुराई की बात हो जायगी इससे हरिजन फिर अलहिदा अलहिदा ही हो जायेंगे। जो भी कुएं बने हुए हैं उनके लिये हर जगह सहूलियत होनी चाहिये। घर जो अलहिदा बना दिये जाते हैं हमारे पंजाब में उनको ठट्टियां कहते हैं और वे गांव के बाहर बने हुए हैं। इस किस्म की ठट्टियां बना देना भी बड़ी नुकमानदेह बात है। हर जगह उनको रहने का हक हो। हर एक मुहल्ले में जहां कहीं वह जायें, रहें, कोई तमीज नहीं होनी चाहिये क्योंकि इन्सान बतौर इन्सान के इन्सान है। इन्सान के नाते वह इन्सान के माथे हर जगह रह सकता है। किसी भी जगह में उसे रहने से रोकना ज्यादाती है। अगर नाम पड़ना चाहिये तो वह सिर्फ पेशे के तौर पर नाम होना चाहिये कि फलां पेशे का, कोई सुनार है कोई लुहारी का काम करता है उसे लोहार कहते हैं, कोई इस वक्त जिमीदारी करता है उसे जिमीदार कहते हैं। नाम सिर्फ पेशे के ही लिहाज से होता है जात में नहीं।

[श्रीमान् गुरुमुख सिंह मुसाफिर]

असल में होना यह चाहिये कि स्कूल, घर, पानी सब मशरूका रहे। कोई ऊंच-नीच का भेद न हो। एक ही कुएं पर पानी सवर्ण और नीची जाति के लोग पियें। ऊंची और नीची जाति दोनों के बालक एक साथ स्कूल में शिक्षा ग्रहण करें। उसमें कोई रुकावट नहीं होनी चाहिये, ताकि फिर कोई मिस मेयो जैसी आकर हिंदुस्तान की तरफ उंगली न उठा सकें। और कोई यह न कह सके कि यह लोग इतने नीच हैं कि अपने भाइयों को जो इन जैसे इन्सान हैं, नीच समझते हैं। उनको कुओं पर पानी नहीं पीने देते। यह बात यकलस्त हमारे बीच से दूर होनी चाहिये।

साहबे सदर मैंने आपकी इजाजत से अपने जजबात का इन अल्फाज में इजहार किया है। मैं पूरी तौर पर मुत्तफिक हूँ कि बैकवर्ड क्लासेज (backward classes) के लिये जो कुछ भी गवर्नमेंट आफ इंडिया कर सकती है, करे। एक करोड़ नहीं, दस करोड़ या इससे ज्यादा रुपया उनकी अपलिट पर खर्च करे और यह जो बड़ा कलंक है, उसको जल्दी से जल्दी धो दे।

(English translation of the above speech)

Giani Gurmukh Singh Musafir (East Punjab: Sikh): Mr. Speaker, Sir, both the Resolution and the amendment introduced by my friends do imply something. As a matter of fact, the spirit which pervades them is that we should uplift the *Harijans*, that we should ameliorate the lot of the Scheduled Castes, for they are looked upon as a backward class in our country. Now, when we have achieved independence, I think, we should not delay matters even by a day lest people say that the plight of the *Harijans* continues to be as it has been in the past. We have won freedom and we should not now give any occasion for a complaint of this type. It is a pity that in this 20th century we still have in India not only those who are known as "Untouchables"; but in some part of India 40,000 people who are called "Unseeable" i.e., those about whom it is thought that if they cast a glance on a Caste Hindu, the latter gets polluted. There are places in India where a Caste Hindu thinks that a mere touch with a *Harijan* contaminates him. These men are, therefore, not allowed to come out during the day lest a glance or touch by any one of them pollutes the Caste Hindus there. Since ages our fair name has been stained by this black practice. We must remove it immediately now. Even in these days, during the recent disturbances, we have seen that it is two particular classes which have suffered the most: firstly those who were bold enough to stick to their places and secondly those who were regarded as weak and whose weakness proved to be the cause of their annihilation. The former were Sikhs and they were murdered because they refused to flee. Those who were weak have to live there at the cost of their civilisation, religion and culture. Only a few days back I read a statement by the Honourable Dr. Ambedkar wherein he said that the *Harijans* in the Pakistan are being molested or oppressed; that they were being forcibly converted. Only yesterday *The Hindustan Times* published the telegram from Honourable Dr. Choith Ram Gidwani to Honourable Dr. Ambedkar wherein it is stated that "Harijans not allowed to migrate to India." He has stated clearly in this telegram that the *Harijans* are being tyrannised in different ways, both in Baluchistan and in Sind. At places they have been even put under arrest. He concludes his telegram by saying that the "Backward Sindhi Sikhs called 'Labanas' and *Harijans* called 'Bagris' were looted and forcibly converted to Islam." The Sikhs have been the people who have always made bold to

stick to their places. About them it has been said that let no Sikh remain in the Western Punjab. This has been openly advertised in the Pro-Pakistan papers of the West Punjab. And those who were regarded as weak i.e. the *Harijans*, have been forcibly converted. We must first make arrangements for bringing them into India.

The second thing which I want to place before the House and on which I want to express my feelings clearly is the question of water supply and education. My friend has already spoken about them. I must also place before you my personal observations and experiences of these things. I have also spent a great part of my life, about ten to twelve years, in the task of uplifting the *Harijans*. One thing is clear and it is that the inferiority complex, when once it gets hold of a man, does not let him progress. These untouchables are known as *Harijans* amongst the Hindus; they are called *Mazhabi* Sikhs among the Sikhs and the new converts among the Punjab Muslims are called *Mussallis*. So long as these depressed classes have this idea amongst themselves that they belong to this particular sect, so long as they think that they have this label affixed to them, it is difficult for them to progress. The very name gives them this complex that he belongs to a depressed class.

Same applies to the system of water supply. Even today we find in the Punjab and in other parts of this country that if a dog drinks water at a public well, people do not feel averse to it, but it is a pity that if a human being, an image of God, our own flesh and blood, an important limb of our own society, drinks water at a well, the public feel that the sanctity of the well is polluted. This is simply deplorable. I feel Government of India should immediately enact such a rigid law that if any man objects to any person, of whatever class or creed, drinking water at any of the existing wells, the objector should be punished severely so that this black stain is washed off the fair name of India. If we make separate wells for the *Harijans* it would be a very bad thing. This will stand in the way of our bringing the *Harijans* closer to us. They must have the right to use all the existing wells.

Their secluded colonies are known as *Phathis* in the Punjab; and these are built in an isolated part outside the city. To make *Thathis* of this kind is also harmful. The *Harijans* should have the right to live in whatever locality they choose. There should not be any demarcation of localities. Men are after all alike. Through the relation of man with man he can live wherever he likes. To prevent him from living where he likes will not be fair. If names have to be given at all, they should be given according to the professions. If a man is to be labelled he should be labelled as an artisan: A goldsmith may be labelled as a member of the community of goldsmiths; a blacksmith may be known as a member of the community of blacksmiths and an agricultural worker may be called an agriculturist. Classifications should be only made according to professions, not according to birth.

As a matter of fact, the schools, the houses and the water supply system should be alike for all. There should be no classification. The Caste Hindus and the Scheduled Castes should share the same well. Children should receive education in the schools, irrespective of their castes. There should be no restrictions so that no Miss Mayo gets an opportunity for raising even a little finger against our country. Let no one get an occasion for criticising that we are so degraded that we do not regard our brethren, our own flesh and blood, as human beings. Let no one say that we look down upon them, that we do not let them share our wells. This gulf between ourselves must disappear immediately. Sir, with your permission I have given vent to my feelings. Let the Government of India do whatever it can for these backward classes. Not only one crore, even if ten crores or more is required, let the Government spend it for uplifting the *Harijans*. It is a slur on us and the sooner it is removed the better.

Prof. Shibban Lal Saksena (U.P.: General): I had an amendment to this resolution.

Mr. Speaker: I thought the only amendment before the House was the amendment of Mr. Nagappa.

Pandit Thakur Das Bhargava (East Punjab: General): All the other amendments were not moved.

Mr. Speaker: Were the Honourable Members asked to move them?

Pandit Thakur Das Bhargava: There was no time.

Mr. Speaker: All right; after Prof. Yashwant Rai has spoken I will call upon Prof. Saksena to move his amendment.

प्रोफेसर यशवन्तराय : स्वीकर महोदय, श्रीमान् जी, जो रेजोल्यूशन श्री मनिस्वामी पिल्ले जी ने हाउस के सामने रखता है कि एक करोड़ रुपया प्रति वर्ष दस लाख के लिये हरिजनों की एजुकेशन (Education) पर, घर बनाने पर और पानी का प्रबंध आदि करने पर खर्च किया जावे, इसका मैं समर्थन करता हूँ। यह रुपया चाहे हम एक करोड़ नियत करें या दस करोड़ परन्तु इसमें हम हरिजनों पर कोई एहसान नहीं करेंगे। और नाही ऐसा करने से उनकी हालत में कोई खास अंतर आयेगा। यह तो हमारी नेशनल गवर्नमेण्ट का पहला फर्ज है कि वह प्रायश्चित रूप से ऐसा करे।

हिन्दू जाति ने हजारों वर्षों से इन विचार गरीबों को पददलित कर रखा है और जो उनके समान अधिकार थे उनमें सर्वदा इनकी वंचित कर रखा है। इसलिये आज अगर हमारी अपनी नेशनल गवर्नमेण्ट कायम हो गई है तो उसमें हम आशा करते हैं कि यह जो छूआछात का कलंक हिन्दू जाति के माथे पर लगा हुआ है उसको जल्दी से जल्दी दूर करे। यह छूतछात हिन्दू धर्म के अंदर बाद में प्रवृष्टि हो गई है। अगर हम हिन्दू जाति के वेद शास्त्रों को लें तो उन में कहीं भी छूआछात का जिकर नहीं आता है। पहिले वर्ष शब्द को ही ले लीजिये। इसकी व्याख्या यू है

“वर्णो वृणोते इति प्रापणोते”।

वर्ण एक ऐसी चीज है जो कि प्राप्त (acquire) की जाती है और इनहेरिट (inherit) नहीं की जाती है। अगर यह सवाल किया जावे कि यह पांचवां वर्ण है तो मैं इस बात को नहीं मानता हूँ क्योंकि मनुस्मृति में लिखा हुआ है

“ब्राह्मणः क्षत्रियोः वैश्यः त्रयो तीन वर्णाः द्विजातियः

चतुर्थो शूद्रः नास्तितुः पंचमः।”

अर्थात् ब्राह्मण, क्षत्री, वैश्य यह वर्ण द्विज हैं। चौथा वर्ण शूद्र है। और पांचवा कोई वर्ण नहीं है। सो अछूत जातियां चौथे वर्ण में हैं और हिन्दू जाति का एक अंग है। जहां तक खाने पीने का सवाल है मनु भगवान लिखते हैं

“आधिकः कुल मित्रं च गोपालो दास नापितौ

एते शूद्रेयु भोज्याऽप्रा यश्चात्मानं निबेदयेत्”

अर्थात् सब शूद्रों के हाथ का पकाया हुआ भोजन खा लेना चाहिये और उसका भी जो साफ तौर पर अपन आप को बता देवे।

वास्तव में पुराने समय में जात पान जन्म पर नहीं थी बल्कि आक्यूपेशन (occupation) पर थी। इसको साबित करने के लिये एक उदाहरण काफी है

“गणिका गर्भसंभतोः वशिष्ठस्यः महागुनिः”

गानिगुरु वशिष्ठ गणिका (शूद्रा) के पेट से पैदा होकर महाराजा गमचन्द्र जी के कुल के पुरोहित बने। एक यह भी समय था कि हम इस कदर उन्नत थे और हिंदू जाति का हाजमा ठीक था कि जो भी हमलावर हूण सैक्सन (Huns—Saxons) और युनानि यहां पर आये उन सबको हमने एब्जोर्ब (Absorb) कर लिया। लेकिन मुसलमानों के भारत आगमन के समय हम इनके कमजोर हो गये थे कि उनको हजम (Absorb) न कर सके और उसका नतीजा यह हुआ कि देश को दो भागों में तकसीम करना पड़ा।

इसलिए हमें यह देखना है कि इस जात पात के मसले को अब हम हल करें। जात पात को जन्म से हटाकर कर्म पर किया जावे। हम नये विधान में यह पास कर चुके हैं

“Untouchability in any form will be considered a crime!”

यह चीजें सिर्फ कागजों पर ही नहीं रहनी चाहिये बल्कि हमें इनको प्रैक्टिकल शेप (Practical Shape) देना चाहिये। सिर्फ गवर्नमेंट के एक करोड़ या दस बीस करोड़ रुपया खर्च कर देने से कुछ नहीं बनेगा। हमें तो अछूतों को हिंदुओं के साथ मिलाकर एक करना है। जब हम फौरेन कन्ट्रीज (Foreign countries) में जाते हैं तो हमारा मित्र शर्म के मारे झुक जाता है कि हमारे देश में एक कुत्ता तो तालाब में पेशाब कर सकता है परन्तु एक हरिजन उस तालाब में से पानी नहीं पी सकता है। यह कितनी शर्मनाक बात है। इसलिए हमें इस कलंक के टीके को हिंदु जाति के माथे पर से धोना है। छूतछात को शीघ्र ही समाप्त करके। जात पात के मारे भेद भाव मिटाकर आपस में खान पान का व्यवहार करना है। तभी हमारी गणना संसार की स्वतंत्र जातियों में हो सकेगी। मुझे एक बात का बहुत अफसोस है कि इस स्वतंत्रता के जमाने में भी ईस्ट पंजाब में हरिजनों को तंग किया जा रहा है। उच्च जातियों के लोग उन्हें यू० पी० या सी० पी० जाने के लिए मजबूर कर रहे हैं मैंने अपने इलाके का दौरा किया और लोगों से प्रार्थना की कि वे ऐसा न करें। इसी मिलमिले में मैंने ईस्ट पंजाब के सभी मंत्रियों से प्रार्थना की। सेंट्रल गवर्नमेण्ट से भी मेरी प्रार्थना है कि ऐसी बातें नहीं होनी चाहियें और हरिजनों को नाजायज तंग करने वालों को उचित दंड देना चाहिये।

श्रीमान् जी, अन्त में मैं आपसे प्रार्थना करता हूँ कि इस रेजोल्यूशन को स्वीकार कर लिया जावे और हरिजनों को उन्नत करने के लिए जितनी भी अधिक से अधिक कोशिश हो सके वह हमें करनी चाहिये।

(English translation of the above speech)

Prof. Yashwant Rai (East Punjab: General): Mr. Speaker, Sir, I support the Resolution presented before the House by the Honourable Mr. Munishwami Pillai suggesting that a sum of rupees ten million be spent every year for the next ten years on the education, building of houses, and providing of arrangements for water-supply etc. for the Harijans. It is no obligation on them if we allot Rupees ten million or even a hundred million for them. It will not make much difference in their present condition. It is, in fact, the very first duty of

[Prof. Yashwant Rai]

our National Government to make such an allotment as an atonement.

The Hindu-society has for thousands of years treated these poor people as down-cast and has taken away their equal rights from them. Since we have our own Government now we expect from it that it will soon remove the blot of untouchability from the society. Untouchability got into the Hindu fold at a later stage. If we study the *Vedas* and the *Shastras* we find no mention of untouchability there. Defining the word वर्ण which stood for classification, the interpretation given to it, is as follows—that it is acquired, it is not inherited. If it is considered that there is a fifth group then I am not prepared to accept it, as it is clearly stated in Manu-Smriti that the first three classes, i.e. the *Brahmans*, the *Kshatriyas* and the *Vaishyas* are the twice born, the fourth is the *Shudras* and a fifth does not exist. Therefore the *Harijans* belong to the fourth group and are a part and parcel of the Hindu Society. As to the question of dining with *Shudras*, Lord Manu has declared—we should eat the food cooked by the hands of *Shudras* especially when a *Shudra* has openly declared his identity.

The classification existed in the past in fact on occupation and not on the birth of a man. To illustrate the point, only one example will suffice.—Guru Vasishtha who was born of a *Shudra* lady became the ecclesiastical head of Shri Raja Ram Chandra's dynasty. There was a time also when our society was culturally so strong that even the invaders of our country—the Huns, Saxons and the Greeks were absorbed in our society. But by the time of Muslim invasion in India we had gone down so much and could not absorb them that the division of the country into two parts today is the outcome of that weakness.

We have therefore to take the problem of solving untouchability into our hands now. Distinctions must be made on the consideration of occupation and not on consideration of birth. In our new constitution we have passed—"Untouchability in any form will be considered as a crime", but this should not remain on the paper only as a dead word, it should be put into practice. It will not help at all, if the Government spends Rupees ten million, hundred millions, or even two hundred millions; we have to amalgamate the untouchables with Hindus and form them into one society. When we go to other countries we have to cast down our heads in shame as we have privileged a dog, in our country, to pollute the water of a tank, but have forbidden a *Harijan* even to touch that water. It is a shameful affair for us. We will therefore remove this blot of infamy from Hindu society by doing away with untouchability. Casting away the distinctions of caste we have to renovate the system of inter-dining amongst us. Only then we will be worthy of occupying a seat with other free nations of the world.

I regret to say very much that even when the country is free, *Harijans* in the East Punjab are being harassed. People of higher classes are compelling them to go to the United Provinces or to the Central Provinces. I toured the country in my jurisdiction and requested the people not to do so. I also requested the Ministers of East Punjab to make such appeals and it is my earnest request to the Central Government also to see that such things do not happen, and those who harass the *Harijans* are dealt with accordingly.

Sir, in the end I request that this resolution may be accepted, and no stone should be left unturned to uplift the *Harijans*.

Mr. Speaker: I should like to be clear about the amendments sought to be moved.

Prof. Shibban Lal Sakseena: I do not want to move my amendment but I would like to speak on it. The Honourable Minister has said that he would accept Seth Govind Das's amendment.

Mr. Speaker: There are two amendments in the name of Shri H. J. Khandekar. Does the Honourable Member propose moving them?

Shri H. J. Khandekar: (C.P. and Berar: General): I do not propose to move them but I would like to speak on them.

Prof. Shibban Lal Saksena: Sir, ever since 1930 when Mahatma Gandhi said at the Second Round Table Conference that he would resist the separation of the depressed classes from the Hindu community with his life and then in pursuance of his pledge he undertook the great fast in Yeravda Jail, the whole country has been inclined to wipe out this blot on the Hindu community. It is really a matter of great shame that even after 17 years of that great decision of our leader there should be such feeling of bitterness among our *Harijan* friends, which is a real reflection of the situation as it obtains in the country. As one who has been continually moving among the depressed classes and who has devoted since 1930 a great part of his time to the service of these people I can say that it is really very great forbearance on their part that they are not more bitter. Some people who had read the statement of the Honourable Dr. Ambedkar were complaining that the Honourable doctor was very bitter, in spite of the fact that he was a member of the Government. There are some things about which when a man feels bitterly it is better that he should give expression to his feelings rather than conceal them. Nothing that the doctor can say is sufficient to make us realise how cruelly we caste Hindus are still behaving towards the *Harijans*. In this resolution it is suggested that some amount of money should be spent every year to get this blot of untouchability removed. I would give ten times that money if money could wipe out untouchability from our midst but my reading of the situation is different. I have seen people poorer than the *Harijans*. Even rich *Harijans* are worse off than poor caste Hindus, for they suffer from a social leprosy which makes poverty altogether unbearable. So this untouchability is a far bigger problem than a mere economic problem. It is a kind of leprosy which is not attached to any other part of the Hindu community. I spent one year in 1930 among the sweepers of Cawnpore municipality. There are about 1,200 families. I tried to make a survey of each family in that city. I was shocked to see the condition of the houses of those sweepers. The income of those people was ordinarily much more than that of other poorer people in the city. Both their men and women earn from the municipality as well as from private houses. Sometimes their incomes average between Rs. 30 to 40, whereas there are other people in the city who earn Rs. 8 or Rs. 10. But those people who earn Rs. 8 or Rs. 10 were sometimes better off than these sweepers. The entire earnings of the sweepers were taken away by the moneylenders. One moneylender had lent Rs. 10 and for 10 years he had charged them Rs. 1/4 as interest.

In this way these families give whatever they earn to the moneylender and live under his mercy. For nobody else would touch them or have dealings with them. It is not merely an economic problem. This solution would not really help them. It will help them to some extent but not completely. As Mahatma Gandhi has said it requires a complete change of heart on the part of the Hindu community. If you continue the sin of untouchability the Hindu community shall die. I therefore want to say to those friends of mine who represent the caste Hindus, and through them to the whole country at large, that unless we realize the great sin that we have been committing to which our great leader has repeatedly drawn our attention and sincerely wash our hands of the sin we shall not be called a great nation which we should be after the 15th of August. That this untouchability should still continue to exist and be discussed here is I think itself a matter for shame. That some part of our great community should be considered to be unfit even for touch by us, whose shadow pollutes us, is shameful. Even now I have seen villages where people will not allow them to drink water from village wells or to go in *palkis* for marriage. I wish that our Government should take very severe action in such matters. Whatever law may have to be passed I wish that such social disabilities must become a thing of the past and should not be tolerated any more. Although

[Prof. Shibban Lal Saksena]

the amendment of my Honourable friend Seth Govind Das gives Government full power and does not limit them only to spend Rs. 10 crores per year I would suggest to the Honourable Minister that Government should spend as much as is necessary and take all necessary steps to see that this sin is removed. I was one of those who in the Consenbly made an amendment to remove the provision to treat the Scheduled Castes as a separate community as had been originally suggested by the Minority Rights Committee Report. The *Harijans* are really a part of the Hindu community. This should not be so merely in name. That is possible only when we refuse to consider those friends of ours as untouchables, as something separate. Our Government must launch a sort of crusade against untouchability after making a comprehensive all round plan.

Sir, I support the amendment of Seth Govind Das and I hope that all the aspects of the problem will be borne in mind. I trust that within five years this thing will be a thing of the past and shall not tarnish the fair name of the Hindu community and of our country any more.

(At this stage Mr. Khandekar stood up to speak).

Shri M. S. Aney (Deccan and Madras States Group): Sir, Mr. Khandekar has spoken on the Resolution.

Mr. Speaker: Has the honourable member spoken already on this Resolution?

Some Honourable Members: He has not spoken.

Mr. Speaker: So far as the official reports go, I find the Honourable Member has not spoken. As he has put in an amendment his views should be heard so that other speakers may have an occasion to hear them before making their observations.

श्री एच० जे० खण्डेकर : सभापति महोदय, मेरे लायक दोस्त मुनिस्वामी पिल्लई ने जो रेज्यूलेशन पेश किया है और उसके साथ सेठ गोविन्द दास जी ने जो एमेंडमेंट पेश किया है उन दोनों के लिये मैंने संशोधन भेजे थे जिनको मैंने अब वापिस ले लिये हैं। इन संशोधनों का अर्थ यह था कि सरकार ने हरिजनों के उद्धार के लिये हर साल एक करोड़ रुपया खर्च करने के लिये रक्खा है उसकी जगह पर सरकार को लगातार दस साल तक हर साल दस करोड़ रुपया खर्च करना चाहिये। साथ ही साथ हरिजनों के उद्धार के लिये एक अलग डिपार्टमेंट खोला जाय और एक अलग मिनिस्टर बनाया जाय। यह मेरे संशोधन का अर्थ था। लेकिन मेरे लायक दोस्त सेठ गोविन्ददास एक संशोधन ले आये हैं और वह मेरे संशोधन से अच्छा है क्योंकि उसमें लिमिटेड (limited) पैसा और लिमिटेड टाइम नहीं है इसलिये मैंने अपना संशोधन वापिस ले लिया। सरकार अगर इस बात के ऊपर डटी रहे कि हरिजनों का उद्धार जल्दी से जल्दी किया जाय तो शायद हर साल दस करोड़ से भी ज्यादा रुपया खर्च कर सकती है। और दस साल के अंदर ही अंदर हरिजनों का उद्धार कर सकती है। और हरिजन उद्धार के लिये अलग मिनिस्ट्री भी बना सकती है। इस जरूरत को लेकर मैं इस संशोधन को सपोर्ट कर रहा हूँ और मैंने अपना संशोधन इसीलिये वापिस लिया। मुझे आशा है कि आज की पापुलर सरकार इस ओर ध्यान देगी।

सभापति जी, हरिजनों का मामला आज देश में एक अहम मामला हो गया है। अहम तो वह हो गया है मगर मैं तो कहूंगा कि वह सिर्फ कोरे ही शब्दों में रह गया। है

जब-जब हरिजनों का सवाल इस हाउस के सामने आता है तो मुझे बहुत दुःख क साथ कहना पड़ता है कि इस हाउस के जो मेंबर अपने को हरिजनों से प्रेम करने वाले कहते हैं वह हरिजनों के मामले के वक्त अपनी जगहों से बाहर चले जाते हैं। जब कि वह हरिजनों के प्रति सच्चा प्रेम दिखलाते हैं तब बाहर जाने का नजारा हमारे सामने क्यों आ जाता है ? महात्मा गांधी जी इस उद्धार के कार्य के लिये करीब २७ साल से प्रयत्न कर रहे हैं। उन्होंने हरिजनों के लिये सन् १९३२ ई० में पूना में एक आमरण अनशन किया। उन्होंने इस उपवास में यह कंहा कि हरिजनों को हिंदुओं के साथ रक्खा जाय। मगर अभी तक हिंदू हरिजनों को टेढ़ी ही नजर से देखते हैं। हरिजनों के लिए उनके दिल साफ नहीं हैं। महात्मा गांधी जी अगर कोई छोटी सी बात कहते हैं तो आज की सरकार उस पर फौरन कार्रवाही करती है और उसमें उसका असर आ जाता है। मगर आज २७ वर्षों से महात्मा गांधी जी हरिजनोद्धार की कोशिश कर रहे हैं मगर हमारी सरकार की तरफ से अभी तक इस ओर कुछ कार्रवाई नहीं की गई है। जैसा कि मैंने कल कहा था कि सरकार के इस वजट में हरिजनों के उद्धार के लिये एक पैसा भी नहीं रक्खा। हरिजनों का जो मसला है वह आज की सरकार के सुविधा के लिये कोई फायदेमन्द नहीं है इसलिये वह महात्मा गांधीजी की बात को भी क्यों मानें ? इससे हमें यही मालूम होता है कि किसी खास कारण से या राजनैतिक कारण से यह बात हमारी सरकार से बोली जाती है हरिजनों के सुधार के लिये नहीं। मैंने मिनिस्टर आफ हेल्थ की तकरीर सुनी तो मुझे बड़ा दुःख हुआ। मुझे मालूम नहीं कि मिनिस्टर साहबा मराठी जानती हैं या नहीं मगर सभापति जी आप तो मराठी जानते हैं और संत तुक्काराम जी ने यह कहा है "कि जावे त्याचे वौशी नेव्हा कडे" उसका अर्थ यह है कि जब तक मिनिस्टर साहबा आप खुद हरिजन नहीं बनते तब तक आप हरिजनों के दुःखों के बारे में क्या जान सकते हैं कि वह आज किस स्थिति में हैं और उनको क्या चाहिये। आपने तो खांडेकर को देख लिया, नगप्पा को देख लिया, और डाक्टर अम्बेडकर साहब को देख लिया, जग जीवनराम जी को देख लिया और यह धारणा बना ली कि सभी हरिजन इस अवस्था में होंगे। आपने उन देहातों में हरिजनों को नहीं देखा जिनको पीने के लिये भी पानी नहीं मिलता। रहने के लिये घर नहीं, पहनने के लिये कपडा नहीं, खाने के लिये पेट भर अनाज नहीं, बच्चों की पढ़ाई के लिये कोई व्यवस्था नहीं और जिनकी बीमारी में कोई दवा का इंतजाम नहीं है। ऐसे हरिजन आपके सामने कभी नहीं आये हैं। तो आप उनकी हालत क्या जानें ? हरिजनों के प्रति हिंदू जाति का जो बुरा व्यवहार है उसका परिणाम आपको १९११ की सेंसस (census) से लेकर १९४१ के सेंसस (census) तक देखने से मिल सकता है। सन् १९११ में हरिजनों की तादाद ९॥ करोड़ थी और सन् १९४१ में सिर्फ अब ४ करोड़ रह गयी है। और मुसलमान सन् १९११ ई० में ५ करोड़ थे और अब १० करोड़ मुसलमान हो गये हैं। इन ३० सालों के अंदर ९॥ करोड़ अछूतों में से अब ४ करोड़ अछूत रह गये हैं। यह सब किसका कसूर है। यह केवल हिंदू समाज का हरिजनों के प्रति जो व्यवहार

[श्री एच० जे० खन्डेकर]

रहा वह उसका परिणाम है। यह सब हिन्दू सोसाइटी ने किया और यह बहुत भारी पाप किया। मगर हरिजनों ने इस पर भी हिन्दुओं को हर प्रकार की मदद की और उनके लिये अपना खून तक बहाया। सन् १९२४ और १९२७ में जब नागपुर में हिन्दू मुसलमानों के झगड़े हुये तब राम-मन्दिर और दूसरे मन्दिरों को बचाने के लिये हरिजनों ने अपना खून बहा दिया और मन्दिरों की रक्षा की थी। अन्त में हमारे हिन्दू भाइयों ने हरिजनों को उसका यह इनाम दिया कि उन मन्दिरों पर यह बोर्डस (Boards) लगा दिये कि "अछूतोंको आना मना है"। इस तरह से हमारे साथ सलूक किया जाता है। बहुत मेम्बरान और लीडरान मुझसे कहते हैं कि तुम अपने को हरिजन क्यों कहते हो। आप तो हिन्दू हैं। मैंने तो कल बताया कि हम हिन्दू हैं और हिन्दू ही रहेंगे और हिन्दू ही रह कर मरेंगे। मैं उनमें नहीं हूँ कि हिन्दू होते हुए अपने को हिन्दू न कहें और हिन्दू रह कर न मरें। परन्तु आज किसी न किसी स्वार्थ से क्यों न हो उन हरिजन भाइयों की भी आंखें खुल गई और अब वो भी अपने आप को हिन्दू कहने लगे। इन सब बातों को देखते हुए जो हरिजनों के ऊपर अन्याय होते हैं और उनकी हालत बुरी है उन सबको दुरुस्त करने के लिये यह प्रस्ताव है। सभापति जी, इस तरह का जब हमारे साथ ट्रीटमेंट (treatment) होता रहा तो हम हरिजनों में एक पक्ष निर्माण हो गया। वह दल यह कहता है कि हमको हमारा हक चाहिये वह नहीं मिला तो नेहरू सरकार को हम तोड़ देंगे। उस दल के नेता डा० अम्बेडकर साहब ने अपनी पुरानी डिमांड्स (Demands) C.A. में वापिस लेने के बाद उनको क्या हक चाहिये यह बात मेरी समझ में नहीं आती और वह इस प्रकार से अंदोलन कर रहा है। उन लोगों के नेता डा० अम्बेडकर आज इस गवर्नमेंट में हैं। डाक्टर अम्बेडकर साहब को इस नेहरू सरकार को तोड़ देने वाले उनके शिष्यों का आंदोलन मालूम है परन्तु वे चुप हैं। इससे नेहरू गवर्नमेंट तोड़ने में उनका भी अंदरूनी हाथ होगा यह अगर मैंने कहा तो मेरी गलती नहीं होगी। डा० साहब हाँस (House) में बैठे हैं और मैं उनके और उनके भक्तों के सम्बंध में बातें उनके मुँह पर बोल रहा हूँ। इन सब बातों को देखते हुए भी आप हरिजनों की हालत पर गौर नहीं करते। अगर ऐसा नहीं किया गया तो इस हिन्दुस्तान में मुस्लिम लीग (Muslim league) की तरफ से एक दल ऐसा है जो कि इन हरिजनों को अपने में मिलाकर इस हिन्दुस्तान के अंदर एक दूसरा पाकिस्तान पैदा करना चाहता है। इसमें हैदराबाद (Hyderabad State) स्टेट का भी हाथ हो सकता है। दूसरी तरफ से हिन्दुस्तान से मुस्लिम लीग तोड़ने की भाषा बोली जाती है। इसके साथ ही साथ कुछ रिएक्शनरी-गट (Reactionary element) अछूतों में भी है जो मुसलमानों के हाथों में मिलने का जाल रच रहा है और इस हिन्दुस्तान के अंदर पाकिस्तान बनाना चाहते हैं। उस जाल रचने वाले पार्टी के नेता डा० अम्बेडकर साहब यहां सरकार में बैठे हैं। इस प्रकार का जाल रचने के अपराध पर डा० साहब की पार्टी के कुछ कार्यकर्ता आज भी सी० पी० के जेलों में बन्द हैं।

इन विचारों के ऊपर भी सरकार को ध्यान देना होगा। गौर ही नहीं जैसा कि कल मैंने अपने भाषण में कहा था कि आने वाले बजट में हरिजनों के लिये जरूर कुछ रखा जाना चाहिये। मैं मंत्री महोदया से यह प्रार्थना करूंगा कि वह तो ज्यादातर महात्मा जी के साथ रहती हैं और उनको महात्मा जी के हरिजनों के प्रति क्या ख्यालात है वह उनको मालूम ही होना चाहिये। महात्मा जी ने अपनी प्रार्थना सभा में कहा था अगर इस देश का पहला कोई प्रेसीडेंट (President) बनाया जाय तो वह एक हरिजन स्त्री होनी चाहिये। मगर सभापति जी महात्माजी की यह बात मानने के लिये मिनिस्टर साहिबा या और कोई तैयार नहीं है ऐसा मालूम होता है क्योंकि प्रांतों में भी मिनिस्टरी में हरिजनों का लिमिटेड (Limited) नम्बर है। और वह है एक गवर्नमेंट आफ इंडिया (Government of India) की कैबिनेट में दो से ज्यादा हरिजन नहीं लिये। Ambassadors में, गवर्नरस (Governors) में और बड़ी नौकरियों में एक भी हरिजन नहीं है। इससे साफ हो जाता है कि हरिजनों के मामले में महात्माजी की बातों को हमारी सरकार के पास में कोई कीमत नहीं है।

• एक माननीय सदस्य : West बंगाल में दो हैं।

श्री एच० जे० खड्गेकर : I am subject to correction. I am speaking generally and about those old provinces, where congress took office. West Bengal is a new province where circumstances forced to take two Harijan ministers.

इन चन्द शब्दों के साथ मैं मंत्राणी महोदया से प्रार्थना करूंगा कि इस रेज्यूलेशन (Resolution) को और उसके साथ हमारे दोस्त सेठ गोविन्ददास जी की तरमीम को स्वीकार करें और जिसमें ज्यादा से ज्यादा हरिजनों का उद्धार हो ऐसी कोई योजना तुरत बनावें और उसे काम में लावें। मैं इस रेज्यूलेशन (Resolution) को सपोर्ट (support) करता हूँ। और अपना भाषण समाप्त करता हूँ।

(English translation of the above speech)

Shri H. J. Khandekar: Mr. Speaker, Sir, I have withdrawn the notice of amendments given by me to both the Resolution moved by my Honourable friend Mr. Munishwami Pillai and amendment thereto moved by Seth Govind Das. These amendments meant that the Government has provided one crore of rupees each year for the amelioration of the condition of the Harijans. In lieu of this amount, the Government should spend at least ten crore of rupees each year continuously for the next ten years. Simultaneously a separate Department should be created for the uplift of Harijans and a separate Minister appointed. This was the purport of my amendment. But my Honourable friend Seth Govind Das has brought up an amendment and that is better than mine, because it does not prescribe any limited amount or time. I have, therefore, withdrawn my amendment. If the Government is pledged to the urgency for the immediate redemption of the condition of the Harijans then perhaps it may be possible for them to spend money over and above the target of rupees ten crores for each year and it can then ameliorate the condition of Harijans within the period of ten years and also set up a separate Ministry for

[Shri H. J. Khandekar]

the *Harijans* uplift. Keeping this urgency in view, I am supporting this amendment and that is why I have withdrawn my amendment. I hope that the present popular Government will devote its attention to this matter.

Mr. Speaker, the problem of *Harijans* has today assumed the role of a vital issue in the country. Though it has become important, yet I would assert it is still confined to bare words. I am constrained to say that whenever the problem of *Harijans* is brought up before this House, the members who profess to be friends of *Harijans* leave their seats. If they express real love for *Harijans* then why do they walk-out. Mahatma Gandhi is exerting for their redemption for the last 27 years. He observed at Poona in the year 1932 a fast-unto-death for the cause of *Harijans*. During this fast, he exhorted that the *Harijans* should be associated with the Hindus. But even uptil now the Hindus look towards the *Harijans* with distorted vision. Their hearts are not clean towards *Harijans*. When Gandhiji says something, the present Government takes immediate action on this and that produces its effect.

But even today Mahatma Gandhi is endeavouring for *Harijan* uplift for the last 27 years; but no action in this respect has uptil now been taken by our Government. Just as I stated yesterday, this Government has not provided in the Budget even a single penny for the uplift of *Harijans*. The problem of *Harijans* not being in the interests of the present Government, why should they act upon the advice of Mahatma Gandhi? From this we observe that our Government speaks about the matter from any special or political reasons and not for the uplift of *Harijans*. I was deeply pained to hear the speech of the Honourable Minister of Health. I am not aware if the Honourable Minister of Health knows *Marathi* or not, but Mr. Speaker, you know *Marathi* and *Sant Tukaram* has said "ki javay tiachay vounshi navha karay" which means that until the Honourable Minister herself does not become a *Harijan*, she cannot realize anything about the miseries of the *Harijans*—what is their condition today and what are their requirements. You know Khandekar, Nagappa, Dr. Ambedkar and Shri Jagjivan Ram and then formed a conviction that all the *Harijans* are like them. You have not come across the *Harijans* in those villages where they do not get even drinking water. They have no houses to live, no cloth to put on, no foodgrains to provide them with a square meal, no institution for the education of their children and no medical arrangements during their illness. You have never come in contact with such *Harijans*. How can you then know their conditions? The outcome of the ill-treatment meted out to *Harijans* by the Hindu community would be found from the Census figures for the year 1911 onwards. In the year 1911 the *Harijans* numbered 9½ crores and in 1941 the number has come down to 4½ crores. The number of Muslims in 1911 was five crores and now it has gone upto ten crores. During these 30 years, only four crores of untouchables have been left out of 9½ crores. Who is to be blamed for all this? This is the direct outcome of the treatment meted out to the *Harijans* by the Hindu community and they have committed a great sin. During the years 1924 and 1927 when Hindu-Muslim riots took place in Nagpur, the *Harijans* shed their blood to protect the 'Ram-Mandar' (Lord Rama's Temple) and other temples and had safeguarded the temples. Ultimately our Hindu brethren rewarded the *Harijans* for this by placing boards on these temples "Harijans are prohibited to enter". This is the treatment meted out to us. Many of the members and leaders ask me "Why do you call yourself a *Harijan*? You are a Hindu". I had explained yesterday that we are Hindus, shall remain as Hindus and die as Hindus. I am not one of those who being a Hindu should not call himself a Hindu and should not die as a Hindu. But the eyes of these *Harijan* brethren have been opened today—may be on account of selfish motives and now they also claim themselves to be Hindus. Keeping all these things in view and the social injustice to which the *Harijans* are subjected to, they are

Mr. Speaker, when we were subjected to this sort of treatment, a new party amongst the *Harijans* was formed. That party demands "we want our rights and if we do not get these, we will bring down the Nehru Cabinet". I do not precisely follow what are the rights which Doctor Ambedkar—the leader of that party wants after the withdrawal of his old demands in the Constituent Assembly. The leader of that party Dr. Ambedkar who is carrying on agitation in this manner is today a member of this Government. Dr. Ambedkar is fully aware of the agitation carried on by his followers for the fall of Nehru Government but he is keeping quite silent. He will also be playing some part in this surreptitious move for the fall of the Nehru Government and I am not wrong in saying this. The Honourable Doctor is present in the House and I am exposing things related to him and his devotees right in his face. In view of all this you have to consider over the condition of *Harijans*. If this is not done, then the group that exists in India who is in clique with the Muslim League and wants to set up another Pakistan in the Indian Dominion will swallow the *Harijans*. It is possible that the Hyderabad State may also have some hand in it. On the other hand speeches exhorting the dissolution of the Muslim League in India are being delivered. Simultaneously there also exists some reactionary element amongst the depressed classes who is contriving at joining hands with the Muslims and want to set up Pakistan within this India. The leader of that reactionary party—Honourable Doctor Ambedkar is occupying Treasury Benches here. Many of the workers of the Honourable Doctor's party are still behind the prison bars in the Central Provinces who were found guilty for hatching this conspiracy.

The Government shall have to consider these views. Not merely considering over it, but just as I pointed out yesterday, they should make some provision for *Harijans* in the ensuing budget. I will implore the Honourable Minister of Health that she should be aware of the views which Mahatma Gandhi has towards the *Harijans* since she spends most of her time in his association. Gandhiji had stated in his prayer meeting that when any first President of this Country is elected, it should be a *Harijan* lady. (But, Sir, neither the Honourable Minister nor any one else is prepared to act upon the statement of Mahatma Ji. It so looks, because in the Provincial Ministries also there is a limited number of *Harijans*. Not more than two *Harijans* have been included in the Cabinet of the Government of India. There is not a single *Harijan* who holds the office of a Governor or Ambassador or any other high job. From this it follows that this Government has got no regard for the statements of Mahatma Gandhi.

An Honourable Member: There are two in the West Bengal.

Shri H. J. Khandekar: I am subject to correction. I am speaking generally and about those old provinces where Congress took office. West Bengal is a new province where circumstances forced to take two *Harijan* Ministers.

With these few words I would request the Honourable Minister of Health to accept this Resolution along with the amendment moved by my Honourable friend Seth Govind Das. and urgently formulate and act upon a plan which may result in the uplift of *Harijans* to the greatest possible extent. I support this Resolution and close my speech.

पंडित ठाकुरदाम भाषीन : मान्यनीय स्पीकर साहब, यह रेजोलूशन (resolution) !

जो जनाब के रूबरू मौजूद है जो मिस्टर मनुस्वामी साहब ने पेश किया है उसके बारे में दो, तीन बातें अर्ज करना चाहता हूँ । मैं सख्त अफसोस करता हूँ कि मैंने जो एमेंडमेंट । कल पार्टी के अन्दर दिया था, वह गलती से जनाब के पास नहीं पहुंच सका और चूकि

इसमें बहुत देर होगई है, इसलिये मैं इस ऐमेंडमेंट को मूव नहीं करना चाहता। मैंने जो ऐमेंडमेंट भेजा था उसको किसी हद तक सेठ गोबिन्द दास का जो ऐमेंडमेंट है, उससे वह मतलब हल हो जाता है। इस वजह से मैं इस पर इकतफा करुंगा कि सेठ गोबिन्द दास ने जो ऐमेंडमेंट दिया है, उसको समर्थन करूं। मैं यह मुनासिब नहीं समझता कि जनाब के रूबरू हरिजनों के मसले पर कोई लेक्चर झाड़ू, या हरिजनों की पालिसी के ऊपर कुछ अर्ज करूं। मैं तो जो यह रेजोलेशन जनाब के सामने है, उसके चन्द प्रैक्टिकल (Practical) पहलुओं पर अर्ज करना चाहता हूं। मेरे स्याल के मुताबिक एक करोड़ या पांच करोड़ या दस करोड़ की रकम का तायून करना हमारे वास्ते मुनासिब नहीं है। असलियत यह है कि जितना छोटा यह रेजोलेशन जनाब के रूबरू पेश किया गया है, उसमें से अगर एजुकेशनल ग्राण्ट (Educational grant) को निकाल दिया जाय, तो बाकी जो टुकड़ा रह जाता है, वह इतना 'narrow' है कि उस पर किसी रकम को खर्च करने की जरूरत नहीं है। अगर जरूरत है तो इस वक्त यह है कि गवर्नमेंट बड़े जोर शोर से इन बातों की अमली तौर से कराने की चेष्टा करे। मसलन् हाउस साइटस ('housesites') का मामला सिर्फ रुपये के खर्च से तय नहीं हो सकता, एक करोड़ रुपये के खर्च से या दस करोड़ रुपये के खर्च से यह मुमकिन नहीं है कि गवर्नमेंट 'housing' के वास्ते सब जगह जमीन खरीदे और हरिजनों को मुफ्त जमीन मकानों की वह देदे। क्या इससे उनका मामला तय हो जायगा। हरगिज नहीं। असल सवाल यह है कि हरिजनों के जो मकानात हैं, उनमें उनको 'inheritable rights' हासिल नहीं हैं। पंजाब में और देहली में हरिजनों को जमीन खरीदने का भी अस्तियार नहीं है। सन् १९२७ में मैंने सबसे अब्बल एक सवाल इस अग्र का इस असेम्बली में भेजा था, जिसका जवाब मुझे तसल्ली बरूसा नहीं मिला। यह बड़ा खराब सिस्टम (system) है जो बदकिस्मती से हरिजनों के लिये आज तक कायम है कि हरिजनों के मकान 'non-proprietary' मकान हैं। एक हरिजन चाहे मर जाय, वह मकान अपने रिश्तेदार को नहीं दे सकता। न उसको बेच सकता है। इस खराबी (disability) को दूर करने के लिये तरमीम कानून में होनी चाहिये न कि हरिजनों के जितने मकान हैं उनका 'tenure proprietary basis' पर हो जाय। उनको अस्तियार होगा कि मकान पक्के बना सकें और उनको बेच सकें और अपने रिश्तेदारों को 'inherit' करा सकें। मैं बदकिस्मती से ऐसे इलाके से आता हूं, जहां बहुत से लोगों को पानी पीने को नहीं मिलता। मैं चाहता हूं कि सिर्फ हरिजनों के वास्ते अलहिदा कुएँ न बनवाये जायें। मैं इस बात का सस्त मुखालिफ हूं कि हरिजनों के वास्ते अलहिदा 'drinking wells' ड्रिंकिंग वेलस बनाये जाय। जहां तक हरिजन खुद अपने वास्ते बनाना चाहते हैं उनको पूरी 'facilities' दी जाय। सरकार फौरन उनके लिये जमीन acquire करे। अगर सरकार कुएँ बनावे तो कुएँ सब जाति वालों के लिये एकसां open होने चाहिये। यह कहना कि कोई छूतछात न रहे, आसान

है, लेकिन इसको गांवों में enforce करना मुश्किल है। यह चीज महज Legislative measure से हल होने वाली नहीं है। जहां तक स्कूली शिक्षा का सम्बंध है, मैंने उसके मुतल्लिक हाउस में बड़ी बड़ी तकरीर सुनी हैं। महात्मा गांधी की कृपा से विधान परिषद् ने इस चीज को तस्लीम कर लिया। मुझे वह दिन याद है जब सन् १९२८ में इस जगह से लाला लाजपतराय ने एक Amendment पेश किया, कि हरिजनों के कुओं से पानी लेने का व सड़क के इस्तैमाल का व नौकरियों का पूरा अधिकार हो और एक करोड़ रुपया गवर्नमेंट आफ इंडिया अछूतों के वास्ते दे। वह उस वक्त हाउस में यह प्रस्ताव पास नहीं हो सका और बहुत से लोगों ने उसके बरखिलाफ वोट दिया। लेकिन आज वह जमाना गुजर गया। जहां तक हक का सवाल है, उस पर ज्यादा बहस करने की जरूरत नहीं है। गांव में स्कूलों में जो हरिजन लड़के पढ़ते हैं उनको हर एक को आप वजीफा दें और हर एक मास्टर को दें जो उनको पढ़ाता है। चाहे कितना ही थोड़ा दें लेकिन पढ़ने वाले छात्र को लड़की हो या लड़का और पढ़ाने वाले को फी छात्र कुछ न कुछ जरूर दें।

जहां तक कालेजज (Colleges) के सवाल हैं मैं देखता हूं कि कितने ही लड़के हमारे जिलों में आते हैं वह कालेजों में पढ़ना चाहते हैं, वह गरीब हैं, इसलिये उनके ऊपर जितना रुपया खर्च किया जाय कम है। यह सारी गवर्नमेंट और (Constituent Assembly) (committee) (कान्स्टीटुयन्ट एसेम्बली) 'कमीटिड' है कि अछूतों को बराबरी का दर्जा दिया जाय, लेकिन यह इस तरह रुपया ही देने से नहीं होगा यह तो Change of heart हो तभी होगा। जहां आप बड़ी नौकरियां देते हैं वहां हरिजनों में जो लायक हों उनको नौकरियां दें। उसके लिये इस (Resolution) रैजुओल्यूशन में तो जिक्र नहीं है, क्योंकि यह (Resolution) रैजुओल्यूशन बहुत (narrow) नेरो है जो हाउस (House) के अंदर इस तरीके से आना नहीं चाहिये था, लेकिन मैं अदब से अर्ज करूंगा कि अगर आप ऐसा करेंगे, उनको नौकरियां देंगे तो उनका सवाल काफी हल हो जायगा। मैं दो साल से जब से इस assembly में आया हूं हमेशा बजट के मौके पर अर्ज करता रहा हूं कि मामूली नौकरियां जो उनको दी जाती हैं उनके अतिरिक्त जितनी नौकरियां इनको देनी मुमकिन हैं दी जायें—जब तक पढ़ा लिखा नौकरी के लायक हरिजन मिल सके कुछ वर्ष के लिये औरों को न दी जावें। हरिजनों को पुलिस में भरती करें, इनको पटवारी, गिरदावर बनावें, स्कूल मास्टर व हैड मास्टरी की नौकरियां दें—इन नौकरियों से इनको बराबरी का अहसास होगा। जिले हिसार में एक चमार तहसीलदार है, इस वजह से चमार अपना Status ऊंचा समझने लगे हैं। बड़ी नौकरियों में इनको पूरा हिस्सा दीजिये। और काफी मुद्दत तक जब तक इनको बराबरी का अहसास न हो इनके लिये एक रूल बना दीजिये कि अछूतों के लिये (percentage) प्रसेन्टेज का कोई सवाल नहीं है कि उनका (percentage) प्रसेन्टेज क्या है। मैं महात्मा गांधी के इस बकीदे में पूरा विश्वास रखता हूं कि अगर हिंदुस्तान के अन्दर अछूतपन रहेगा तो न

[Pandit Thakur Das Bhargava]

[(Hinduism) हिन्दुधर्म रहेगा न हिन्दुस्तानी रहेंगे। यह सारा सवाल इस तरह का है कि हमारी रोहानी जिन्दगी और मौत का सवाल है। हमारे लिये आज यह सवाल नहीं है जैसा खांडेकर साहब कहते हैं कि अछूत मुसलमानों से लड़ेंगे मैं यह परवाह नहीं करता कि यहां मुसलमान रहेंगे या नहीं या मुसलिम लीग रहेगी या नहीं और अछूत मुसलमनों से लड़ाई के समय हिंदुओं का साथ देंगे। मैं इस सवाल की merits (मैटर्स) पर कहना चाहता हूं कि हम अछूतपने को कायम रख कर जिंदा नहीं रह सकते और न रहना चाहते हैं। इनको बराबरी का दरजा देकर ही हम जिंदा रहेंगे। मैं मिस्टर खांडेकर साहब से कहना चाहता हूं कि जितनी उन्होंने अपील की है हमारी Hon'ble Minister of Health से, उनका अपील करना फिजूल है। अगर राजकुमारी अमृतकौर महात्मा गांधी की जो भक्त हैं उनकी तकलीफ को नहीं जानतीं, अगर वह इस चीज को नहीं समझतीं तो मैं अदब से कहना चाहता हूं कि इस हाउस का कोई मेम्बर नहीं समझता मुझे पूरा अहसास है कि हमारी मिनिस्टर साहिबा इस पर पूरी तवज्जह देंगी और यह Resolution यहीं तक महदूद नहीं रहेगा बल्कि इसको अमली जामा पहनाया जायगा। और अगले तीन चार सालों में हम देखेंगे कि इस कदर तबदीली आजायगी कि (Scheduled Castes) शिड्डलड कास्ट्रेस का नाम उड़ जायगा और हमें कहने कि जूरंत हो जायगी कि Constituent Assembly जब आई तो उसने इस तमीज को कायम नहीं रक्खा और अछूतों को मुनासिब जगह हिन्दुस्तान में दिलाई कि वह सब बाकी जनता के बराबर व हमसर हो गये।

(English translation of the above speech).

Pandit Thakur Das Bhargava: Honourable Mr. Speaker, Sir, I have to say something about the Resolution which has been brought before the House by Mr. Mannushwami. I regret to find that due to some mistake the amendment which I gave to my party yesterday has not reached you. I do not want to move this amendment for it is too late now to do so. The amendment moved by Seth Govind Das comes very near mine. It will suffice, therefore, if I support the amendment moved by Seth Govind Das. I do not feel it proper to either sermonise on *Harijans* before this House or to criticise the policy of the Government regarding the *Harijans*. I like to say some thing about a few aspects of this Resolution. In my opinion it is not proper for us to fix the sum of a few crores for this work. As a matter of fact, the Resolution presented to us is so limited that, if we do not take into consideration the Educational Grant, it becomes too narrow to deserve any amount. What is required at this time is that the Government should endeavour to put these things into practice with as much force as it can.

The question of sites for the houses for *Harijans* cannot be solved with money alone. It is not possible for the Government to spend one crore or ten crores of rupees for purchasing lands for housing at different places. It is neither possible for the Government to give it gratuitously to the *Harijans*. Will this gift of houses solve the problem of untouchability. Impossible! The fact is that the *Harijans* do not have the "inheritable rights" over the houses they live in. In the Punjab and in Delhi they do not have the right even to purchase lands. In the Assembly of 1927, I put the first question of this kind to the House; but I failed to get a satisfactory reply. It is a very bad system, and

unfortunately, it exists for the *Harijans* even today; all the houses occupied by the *Harijans* are "Non-proprietary" houses. Even when a *Harijan* dies, his house can neither be given to any of his relatives nor can it be sold. To remove this 'disability' the law must be amended. So that all the houses of *Harijans* should be on "tenure property basis". They should have the right to construct *Pacca* houses, to sell them and to inherit them.

Unfortunately, I happen to belong to a place where people do not get enough water to drink. I feel that separate wells should not be made for the *Harijans*. I am strongly against the view that new drinking wells should be constructed for the *Harijans*. So long as the *Harijans* themselves desire to build separate wells, they should be given all the facilities; the Government should immediately acquire lands for them. But if the wells have to be made by the Government, they should be open to all, irrespective of caste or creed. It is easy to say that there should be no untouchability; but it is difficult to enforce it in the villages. This is not such a thing as can be solved simply by legislative measures.

I have listened to many speeches made in this House on the question of Education in the Schools. Due to the kind efforts of Mahatma Gandhi the Constituent Assembly have recognised this thing as among fundamental rights of a man. I remember the day when in the year 1928 late Lala Lajpat Rai moved an Amendment in the then Assembly to the effect that the *Harijans* should have equal rights for drawing water from the wells, for using the public highways and for taking employments under the Government; I remember that he asked the Government to spend one crore of rupees for the uplift of the *Harijans*. The amendment could not be passed by the House; many members voted against it. But the days have changed. So far as it is a question of rights we need not enter into much discussion. Let every *Harijan* student studying in the schools in the countryside receive a scholarship; let every teacher get this help who teaches them. Does not matter how small it is, but let them have it nevertheless. As regards the Colleges, I find that many youngmen come into our districts; who want to carry on their studies in the colleges; they are poor and no amount of money would be too much for helping them.

1 P.M. This Government of ours and the Constituent Assembly stand 'committed' to the fact that *Harijans* must get equal rights. This can be achieved not through spending money like that but through a change of our hearts. If capable *Harijans* are available they should be recruited to Superior Posts. This Resolution makes no mention of it. It is very narrow in its outlook; and it should not have been brought before this House like that. With respect, Sir, I submit, that if we follow this policy, if we give them good jobs, this problem will be solved to a great extent. For the last two years, since I have been elected to this Assembly, I have been requesting the Government that besides the ordinary posts, the *Harijans* should be given all such jobs for which they are eligible. Time and again, I have reiterated that for some years recruitment to the Government Services should be made only from amongst the scheduled castes; so long as an educated *Harijan* is available he should be taken into the Government. *Harijans* should be recruited in the Police; they should be given the posts of *Patwaris*, *Girdawars*, Schoolmasters, and Headmasters, etc. These posts will remove the inferiority complex which prevails among them. There is a *Tehsildar* in the district of Hissar. By caste he is a Chamar (tanner). The latter class feel proud of this *Tehsildar*. Let the *Harijans* get their due share in the Superior Services. Let a regulation be made that for the Scheduled Castes there is no question of percentage.

I fully share the belief held by Mahatma Gandhi that there will be left in this country neither Hinduism nor any Indian so long as 'Untouchability' remains in India. This is a question of our spiritual life and death. The question before us today is not as my friend Mr. Khandekar has said that the scheduled

castes will fight against the Muslims. I do not care whether the Muslims and the Muslim League will remain here or not; I do not care whether the Scheduled Castes will side the Hindus or the Muslims in the event of a war between the two communities. It is on the merits of this question, I say that we will be wiped out of existence if 'untouchability' is allowed to continue in India. We must give equal rights to all if we have to exist. May I tell Mr. Khandekar, that the appeals he has made to the Honourable Minister for Health, are not of much use. Shrimati Rajkumari Amrit Kaur is a disciple of Mahatma Gandhi; and if she does not appreciate the difficulties of the *Harijans*, then, with respect I would submit, Sir, that none of us here can do it. I have full confidence that our Honourable Minister for Health will devote her attention to it; I hope this Resolution will not remain only on the records but will be put into practice. I feel confident that in the next three or four years there will be such changes as will eliminate the very words 'scheduled caste'. Let us hope that we shall be enabled to say that the first thing our Constituent Assembly did was that it put an end to the bad system of untouchability, gave equal rights to the scheduled castes and brought them on equal footing with all.

धर्म प्रकाश सभापति म्होऽय, में अधिक बहस में नहीं पड़ना चाहता

कि हिंदुओं और हरिजनों के तालुकात क्या हैं और न इस बहस के लिये समय है। इस समय तो प्रश्न अपने सामने यह है कि जो प्रस्ताव आपके सामने उपस्थित किया गया है और जो रुपये की मांग की गई है इसके लिये जरूर स्वीकार किया जाना चाहिये।

में समझता हूँ कि सब से अच्छा यह होता कि हमारे (Finance Minister) फ़ाईनेन्स मिनिस्टर साहब अपना फ़ाईनेन्स बिल पेश करते समय खुद इस बात का ख्याल करते और उसमें इसकी गुंजाइश रखते। लेकिन वह नहीं हुआ। इसी लिये शायद इस बहस की थोड़ी बहुत जरूरत महसूस हो रही है। मगर में समझता हूँ कि आज परिस्थिति बतलाती है और हमारा जो कुछ हाल है उस पर में कह सकता हूँ कि शायद ही इस हाउस के अन्दर कोई भी व्यक्ति ऐसा हो जो इस बात को न चाहता हो कि यह हक दिया जाय। जब बहुत से सदस्य इस बात को चाहते हैं और हरिजनों का इस पर आन्दोलन भी हुआ और साथ ही गवर्नमेंट भी हमारी इस बात के लिये (bound) बाउन्ड है और वह कह चुकी है कि हम अस्पृश्यताकी इस खराबी को दूर करने में कोई कसर बाकी न रखेंगे। ऐसी अवस्था में इस बहस में पड़ना में समझता हूँ मुनासिब नहीं है लेकिन में कहना चाहता हूँ कि आज क्या ही अच्छा होता कि इस प्रस्ताव के पास होने से पहले हमारे फ़ाईनेन्स मिनिस्टर (Finance Minister) या हमारे (Prime Minister) प्राईम मिनिस्टर साहब स्वयं इस बात को स्वीकार कर अपना ऐलान कर देते कि एक करोड़ क्या दस करोड़ भी खर्च करना पड़ा तो हम उसे स्वीकार करेंगे।

एक बात में और अर्ज करना चाहता हूँ। भागव साहब ने कहा कि जहां तक मकान और जमीनों को देने का प्रश्न है गवर्नमेंट उसे कभी नहीं कर सकती कि वह जमीन खरीदे और हरिजनों को मुफ्त जमीन दे, या इसी प्रकार रुपया खर्च करके अलग मकान बनवायें उन्होंने पंजाब की हालत बयान की कि पंजाब में यह दिक्कत है कि वहां हरिजन जमीन नहीं खरीद सकते। लेकिन उन्हें नहीं भूलना चाहिये कि आज जहां जमीन खरीदने का उन्हें अधिकार भी है, वहां लाखों जगहें ऐसी हैं जहां रहने के लिये जगह तो क्या आप वहां जाना

भी पसंद नहीं करेंगे। मैं कहना चाहता हूँ कि वहाँ के लोगों का यह फर्ज है कि उनके रहने सहने का इंतजाम करें, लेकिन वह नहीं करते। मुझे यह भी मालूम है कि हमारी प्रांतीय सरकारों ने ग्राम सुधार के जरिये यह कोशिश की कि उनकी बस्तियाँ अच्छी बन जावें, लेकिन उन्होंने जो ग्राम सुधार की कमेटियाँ बनाई हुई हैं धन की कमी के कारण वह तमाम काम कर नहीं सकतीं। मेरे कहने का मंशा यह है कि हाउस का मसला इतना गंभीर है कि भार्गव साहब जैसे आदमियों का देखना मुश्किल है आप ऐसी बस्तियों में जायें जहाँ बीमारी फैलने वाली है। हरिजन लोग वहाँ रहते हैं, वहाँ अगर कुछ भी नहीं हो सकता है तो कम से कम केंद्रीय गवर्नमेंट के जरिये उनकी बस्तियों को स्वच्छ जगहों में बसाया जाय।

इस कार्य के लिये रुपये और सही प्रबन्ध की अत्यंत आवश्यकता है। अतः केंद्रीय सरकार का कर्तव्य हो जाता है कि वह उदारता पूर्वक अपने फंड (fund) से जमीन और अच्छे मकान बनवाने की हर प्रकार सुविधा प्रदान कर अपने कर्तव्य का पालन करे। ताकि हरिजन भी दूसरों की भांति मानव जीवन उन्नति बना सकें।

(English translation of the above speech).

Dr. Dharam Prakash (U. P.: General): Mr. Speaker, Sir, I do not want to prolong the discussion on the relations existing between the Hindus and the *Harijans*. I do not think we have got much time for it either. The question which faces us at this time is whether or not we should accept the demands made by the Resolution that has been presented to us.

I think it would have been better if our Honourable Finance Minister had himself paid attention to it and had made provisions for it in the budget that was presented to us. But that he has not done. Perhaps that is why we are feeling the necessity of this debate. I realised that our present circumstances advise us to give equal rights to the *Harijans*; and I am sure, there is none in this House who will dissent. The Government of India have already proclaimed that no pain will be spared in putting an end to the practice of untouchability. When a large number of the representatives of the people desire this change, when the *Harijans* have already been agitating and when the Government feel bound to do it, I think, there will be little use entering into arguments and making it a point for a debate. I wish that before the Resolution is put to vote, it should be accepted and announced by the Honourable the Finance Minister, or by the Honourable Prime Minister himself, that they were prepared to spend not only one crore of rupees for this work, but, if need be, they would spend even ten crores.

Sir, I would like to say one thing more. Mr. Bhargava stated that so far as it was the question of giving lands and houses, the Government could not afford to buy and give these to the *Harijans* gratuitously. He told us that the Government could neither afford to construct separate houses for them. Talking about the Punjab, he said that the *Harijans* were not permitted to buy lands. But, Sir, let him not forget that these *Harijans* have been allowed to buy lands; but, it is a pity, that these places are such that not to say of living there one would not like even to go there. I like to say that it is the duty of the public to see that these men are properly accommodated. But that they do not do.

I am not unaware of the fact that the Provincial Governments endeavoured to improve the conditions of these localities by means of the Rural Uplift Campaigns. But the Rural Uplift Committees appointed for making these campaigns a success are handicapped by the shortage of funds. What I mean

[Dr. Dharam Prakash]

to say is that the problem before the House is so serious that it is rather difficult for men like Mr. Bhargava to appreciate its seriousness. Just visit these places, Sir, which are threatened with the outbreak of epidemics. These are inhabited by the *Harijans*. If nothing more can be done, let the Central Government at least try to improve the sanitary conditions of these localities. This requires badly both money and proper management. It becomes obligatory, therefore, on the Central Government to spend liberal amounts for purchasing lands and for constructing good houses in all possible ways so that a *Harijan* is also enabled to live the life of a human being.

Mr. Speaker: The House may now adjourn till 2-30 in the afternoon.

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

The Assembly re-assembled after Lunch at Half-Past Two of the Clock,

Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

डाक्टर धर्म प्रकाश: सभापति महोदय इससे पूर्व कि मैं आपके सामने अपने विचार रखूँ पहिले दो बातें आपके सामने रखना चाहता हूँ। पहली बात पानी के सम्बंध में है जो मूल प्रस्ताव का आशय है। कुएं और नलों की तकलीफ अगर आपको देखनी है तो आप देहात में जाइये। आजकल के जमाने में भी हरिजन गंदे तलाबों में से पानी लेने के लिये मजबूर हो रहे हैं। प्रांतीय सरकारों ने इस चीज को रोकने के लिये कानून भी बनाये, आंदोलन भी किया, मगर दुःख के साथ कहना पड़ता है कि हरिजनों को अभी इस कठिनाई का सामना करना पड़ रहा है। प्रांतीय सरकारों ने यह कानून भी बनाया कि उनको सार्वजनिक कुओं, तलाबों और नलों से पानी लेने की सुविधा मिल जाय मगर सब व्यर्थ ही रहा है। पानी मनुष्य के लिये एक आवश्यक चीज है इसलिये गवर्नमेंट का कर्तव्य है कि इस की सुविधा हरिजनों के लिये अवश्य प्रदान करें। हमारी सेंट्रल गवर्नमेंट (Central Government) को अपने बजट में इस के लिये अधिक से अधिक गुंजाइश रखनी चाहिये। इसे केवल प्रांतीय सरकारों का ही विषय नहीं समझना चाहिये।

दूसरी बात हरिजनों के मकान के सम्बंध में है। आज लाखों दलित वर्ग के लोग बे घर बार हैं और करोड़ों प्राणी तो ऐसी बस्तियों में रहते हैं जहां जाकर आप नाक बंद करके भी खड़े नहीं हो सकते। शहरों में आप मेहतर भाइयों के और गांव में चमड़ा पकाने बरंगने वाले चर्मकार भाइयों की बस्तियों में जाइये तो आपको पता चलेगा कि वे नारकीय जीवन बिताने को मजबूर हो रहे हैं। देहात में प्रांतीय सरकारों ने ग्राम सुधार के जरिये उनकी सफाई और कुएं इत्यादि के लिये कुछ सुविधा रखी हैं किन्तु वह इतनी सीमित हैं कि जिले के केंद्र के उन चन्द गांवों के अतिरिक्त अन्य गांवों में उस स्कीम के द्वारा कुछ भी सुधार का काम नहीं किया जा सकता। इसी प्रकार शहर की म्यूनिसिपैलिटियाँ और कारपोरेशन (Municipalities and Corporation) में भी उनकी बस्तियों की हालत सुधारने में आर्थिक कठिनाई की आड़ लेती हैं।

इसके अतिरिक्त जो मैं कहना चाहता हूँ वह यह है जैसा कि हमारे खांडेकर साहब ने कहा है कि कुछ हरिजन मुस्लिम लीग से पैक्ट (Pact) करके भारत में भी पाकिस्तान बनाने का षडयंत्र कर रहे हैं। यह कोई महत्वपूर्ण खतरा नहीं है सबसे बड़ा खतरा तो यह है कि महात्मा गांधी ने अपना अधिकांश जीवन इस उद्धार के लिये खर्च कर दिया है उनका

कहना है कि वगैर हरिजनों के उन्नति के हम देश की उन्नति नहीं कर सकते। उनको समाज में बराबर के अधिकार होने ही चाहियें। पूज्य गांधी जी ने सन् १९३२ ई० में कहा था कि जब तक हरिजनों की वास्तविक उन्नति नहीं हो जाती तब तक मैं अपने को उनके पास गिरवी समझता हूँ। मैं आपसे यह अपील करता हूँ कि राष्ट्रीय सरकार के होते हुए हमें वास्तविक उद्धार करना चाहिये ताकि कम से कम महात्मा गांधी जी को तो गिरवी होने से छुड़ा सकें यदि हम ऐसा न कर सके तो यह हमारे समाज और राष्ट्र के लिये एक धब्बे की बात होगी। भार्गव साहब ने जैसा कहा कि ब्रिटिश गवर्नमेंट (British Government) ने स्वर्गीय लाला लाजपतराय के एक करोड़ के संशोधन को पिछली सेंट्रल असेम्बली (Central Assembly) में ठुकरा दिया था जिसकी देश के कोने कोने से निन्दा की गई थी, वह हमारी राष्ट्रीय सरकार न करेगी और न कोई इसका विरोध ही करेगा। मैं आपसे यह अर्ज करना चाहता हूँ कि हमारे सामने एक करोड़, ५ करोड़ और दस करोड़ का सवाल नहीं है। बल्कि सवाल यह है कि किस प्रकार समस्या का हल किया जाय। हरिजनों को समान अधिकारी बनाने के लिये गवर्नमेंट का मुख्य कर्त्तव्य है कि वह बजट (Budget) में अधिक से अधिक गुंजाइश रखे। बदलती हुई परिस्थिति को सामने रखते हुए मैं कह सकता हूँ कि आज हरिजनों के उत्थान का ईसाई, मुसलमान, पार्सी, सिख, हिंदू कोई विरोधी नहीं है। अतः इसे विवाद का विषय न बना कर सरकार को स्वयं चाहिये कि मूल प्रस्ताव और संशोधन को तुरंत स्वीकार करले।

इसके साथ ही साथ जसा खांडेकर साहब ने संशोधन रखा था कि एक अलग डिपार्टमेंट (Department) एक हरिजन मिनिस्टर के मातहत हरिजनों के लिये होना चाहिये उन्होंने वापिस ले लिया इस संशोधन को वापिस ले लेने पर मैं ज्यादा जोर नहीं देता फिर भी इतना अवश्य कहूंगा कि आज जो नौकरियां हरिजनों को निश्चित कर रखी हैं वह भी उन्हें प्राप्त नहीं हो रही हैं और सही तौर पर ऐसे होनहार नवयुवकों की कोई सुनने वाला नहीं है। अतः मैं चाहता हूँ कि वर्तमान मिनिस्ट्रों में से ही किसी एक के सुपुर्द हरिजनों का महकमा कर दिया जावे ताकि हरिजनों का कष्ट दूर हो और शिकायत का अवसर न मिले।

इन शब्दों के साथ मैं इस प्रस्ताव का और सेठ गोविन्द दास जी ने जो संशोधन रखा है उसका समर्थन करता हूँ और मैं आप से अपील करता हूँ कि जल्दी से जल्दी इन कार्यों को अमली जामा पहनाने की कोशिश की जाय।

Dr. Dharam Prakash: Mr. Speaker, Sir, before I give my own views on the Resolution, I feel I should draw your attention to two facts. The first concerns the water supply which is the object of the original Bill. You must go to the villages if you want to acquaint yourself with the problem of wells, pipes and taps. Even in these days the *Harijans* are forced to draw water from stagnant water pools which stink. To check it laws were enacted by the Provincial Governments; agitations were made, but I am pained to say that, in spite of all this, the *Harijans* have still to face this difficulty. The Provincial Governments even made laws to enable them to draw water from the public

[Dr. Dharam Prakash]

wells, tanks and taps, but all this has borne no fruits. Water is a prime necessity of man. It should be the duty of the Government to see that the *Harijans* get this facility. Our Central Government must make the maximum provision for it in their Budget. It should not be thought that this is a subject only for the Provincial Governments.

The second thing concerns the houses for the *Harijans*. Lakhs of Scheduled Caste men are without any houses; and crores of them are living in such places which are too stinking to let you stand there. If you visit the localities of the sweepers in the cities and of tanners in the countryside you will feel that they have been forced to pass their time in a virtual hell. The Provincial Governments have no doubt taken steps to improve their lot in the villages. By means of the Rural Uplift Campaigns they have attempted to give them the facilities of wells and sanitation. But this scheme is too limited to be extended to the villages beyond the important places of the districts. Much improvement cannot, therefore, be expected from it. In the same manner the Municipal Committees and Corporations of towns offer the excuse of financial difficulties, and the sanitation of their adjoining colonies is neglected. Under the circumstances, therefore, it becomes the duty of the Central Government to spend money from its own funds for providing every kind of facility to the people for constructing good houses. It would be doing its duty, and thus, like others, the *Harijans* will also be enabled to live the life of a man.

Besides this I have one thing more to say. Mr. Khandekar has said that some *Harijans* have entered into a pact with the Muslim League and are hatching a plot for having another Pakistan in India. This is a baseless danger. Mahatma Gandhi has spent a greater part of his life for the uplift of *Harijans*. He says that without uplifting the *Harijans* it is difficult for us to progress. He advocates that the *Harijans* must have the rights as others in this society. In 1932 Mahatma Gandhi said that he would consider himself as morally bound to the *Harijans* so long as their condition was not bettered. I appeal to you, to this National Government, to uplift these *Harijans* in the real sense of the word, so that we may be able to relieve Mahatma Gandhi from this moral duty. It will be a slur on our society and on our nation if we fail to do it.

Mr. Bhargava said that the British Government had rejected the Amendment for one crore proposed by the late L. Lajpat Rai in the then Central Legislative Assembly. That was severely criticised by the public throughout the length and breadth of this country. Our National Government will not do that, and nobody would oppose it. May I say that it is not a question of a crore or five or ten crores. It is the question of how to solve this problem. The prime duty of the Government should be to make the maximum provision for the *Harijan* uplift so that equal rights may be given them. Looking at the kaleidoscopic changes going on in the world before us I can say that none of us Christians, Muslims, Parsees, Sikhs or Hindus will have any objection to the uplift of the *Harijans*. Let the Government, therefore, not make it a point for a debate, but accept the original Resolution and the Amendment without any delay.

Besides this, as Mr. Khandekar has put in his amendment, there should be a separate Ministry under a *Harijan* Minister for the uplift of the *Harijans*. Mr. Khandekar has withdrawn his amendment. I do not want to dilate on this withdrawal, but I must say that the *Harijans* are not getting even the posts that have been reserved for them. To tell the truth, nobody cares for these promising youngmen. I like to say that the work for *Harijan* uplift may be entrusted to one of the existing Ministers so that the grievances of the *Harijans* may be redressed and no occasion given for a complaint.

With these words, Sir, I support this Resolution and the Amendment proposed by Seth Govind Das and I appeal to you to these things into practice as soon as possible.

Naziruddin Ahmad (West Bengal: Muslim): Sir, I rise to support the resolution as it would be amended by my Honourable friend Seth Govind Das. I think the amendment puts the Resolution on a much better footing and makes it more elastic and capable of greater expansion. The original Resolution tied the Government down to certain specific amounts of money and the amendment has certainly considerably widened its scope. In expressing my sympathy for the disabilities and difficulties of the *Harijans* I should point out that the entire House has the fullest sympathy for the movement—not merely sympathy but generous sympathy. What is, however, of greater importance is some manifestation of our sympathy in a practical shape. It is evident there are places—I hope they are rare places—where *Harijans* are not allowed to touch water buckets although they have been allowed to touch the ropes. It is said that a caste Hindu alone must touch the water bucket and pour the water to the pots of the *Harijans*. There are also other kinds of disabilities disclosed in the House, namely, that in the U.P. and the Punjab house properties of *Harijans* are not heritable so far as their heirs are concerned; I hope some legislative or other measures will be adopted to rectify the injustice. The *Harijans* today are the social and political outcastes. What we find in this House and in other advanced places is not the real index to the condition of the *Harijans*. As has been lucidly pointed out by Mr. Khandekar, in order to see the problem in its true colours, we should go to the villages. Really the orthodox opinion is against giving any rights to the *Harijans* which would enlarge their religious and social status. I hope and believe that the entire country is awake; the whole of political India is not merely sympathetic but enthusiastically ready to do anything to improve their lot. The *Harijans* very naturally feel that the process of emancipation is hopelessly slow; but it must be remembered that mankind is notoriously slow and conservative in the matter of social and political habits and customs. There is an age-long prejudice to get over and it must take some time to completely eradicate the social evil. I however feel that judged in the background of history the process is not really slow but rather quick enough. It is apparent that untouchability and unseeability are quickly breaking up. There is the impact of education on these bad customs; the pressure of civilization and of nationalism and democracy are having their full play in removing the disabilities from which the scheduled castes are so long suffering. In fact I feel that a real gigantic nationalist effort is in full operation and nationalist forces are sincerely and powerfully moving in the direction of removing the evil of untouchability, and I believe the movement is well on the way. I submit, however, that the scheduled castes, suffering as they have been for long from the effects of social dealings, should have a little patience.

Shri S. Nagappa (Madras: General): We have waited for centuries.

Mr. Naziruddin Ahmad: But the disabilities created and existing for centuries cannot be removed by any human agency in the course of a few months. The present Government has taken over in right earnest on the 15th August and they are doing their best, in fact the maximum that they are able to do. Their hands are, however, full, and though it may be said that no mention has been made of the scheduled castes in the budget, still the impact of the problem on the budget is quite apparent, because in every department there is scope and desire for doing something for the scheduled castes. I believe everything is being and will be done and I hope that before long the scheduled castes will regain their rightful place as free and respected citizens of India and of the world. I believe the problem is partly psychological and partly social; but the combined operation of all these forces plus the national drive which this Government is determined to give will before long effect a cure of the social malady.

Sir, I again express my fullest sympathy for the difficulties of the scheduled castes and hope that in the near future their disabilities will be removed.

*श्री राम सहाय : सभापति महोदय, इस विषय में जो चर्चा हो रही है

खास तौर पर खांडेकर साहब के भाषण को मैंने सुना। इसमें कोई शुबह नहीं है जैसा कि उन्होंने कहा था कि हरिजनों के तकलीफ के बारे में वह ३ दिन तक हाउस को उनकी दयनीय हालत का बयान करके रुला भी सकते हैं। मैं इन बातों को मानता हूँ। अपने जाति तजुबों से जो मैंने हरिजनों की सेवा करके हासिल की है मैं उनको यह यकीन दिलाना चाहता हूँ कि उनका यह विचार करना कि आम जनता उनके प्रति सद्भावना नहीं रखती है। सही नहीं है। आज वर्षों से हरिजनों की हालत हर तरह से सताये जाने से इतनी खराब हो गई है कि उनको अपने हकूकों की हिफाजत का ऐहसास तक नहीं रहा। उनको आज हकूक दिये गए हैं और दिये जा रहे हैं। उन विचारों को यह भी मालूम नहीं है कि किस तरह से उनका उपयोग किया जाय। Orthodox (आर्थोडक्स) लोगों की मुश्किलत के बारे में सबको अच्छी तरह से मालूम है। वह नहीं चाहते हरिजन उनकी बराबरी कर सकें मगर इसकी जिम्मेदारी हरिजनों पर भी है जब तक वह अपने हकूक का इस्तेमाल करना नहीं सीखेंगे उनकी हिफाजत मुश्किल है हम लोगों पर भी इसकी जिम्मेदारी है हम इस से बच नहीं सकते न ही बचना चाहते हैं लेकिन इस तरह काफी वक्त लगता जा रहा है जो सुधार गैर सरकारी तरीके पर किये गये और किये जा रहे हैं उनमें समय लगना जरूरी है।

मैं माननीय नागप्पा साहब से यह अर्ज करूंगा कि वह मेरा पूरा भाषण सुनने के बाद नतीजा निकालें बीच में कोई बात न कहें। मैं श्रीमान् के द्वारा उनसे यह निवेदन करूंगा कि मैं बहुत सी ऐसी मिसालें पेश कर सकता हूँ जिससे उनको यह इतघीनान हो जायगा कि दरअसल हरिजन अपने हकूकों की हिफाजत नहीं करना जानते। मैं यहां इसलिये आपके सामने खड़ा नहीं हूँ कि मैं यह कहना चाहता हूँ कि सुधार की आवश्यकता नहीं मैं यह बताना चाहता हूँ कि सोशल रिफार्म (Social reform) गैर सरकारी संस्था द्वारा होने पर देर लगती ही है। मेरी अरज यह है कि ऐसे कायदे और कानून बनाये जायें जिससे हमसुधारों को जल्दी से जल्दी कार्यान्वित कर सकें। जब तक हम कोई सख्त कायदे कानून न बनायें तब तक हम इस मसले को आसानी से हल नहीं कर सकते हैं। जहां एक कायदा यह होना चाहिये जिससे Orthodox (आर्थोडक्स) लोगों को मजबूर कर सकें। वहां दूसरे ऐसे कायदे भी बनाये जायें जिससे हरिजन अपने राइट्स को उपयोग करने के लिये मजबूर किये जाएं। जब तक हम ऐसे कायदे कानून नहीं बनाते तब तक जैसा खांडेकर साहब ने और नागप्पा साहब ने कहा है कि जल्दी से जल्दी सुधार किया जाय वह नहीं हो सकता है। एक करोड़ क्या १० करोड़ रुपया बजट में रखने से भी असली गरज पूरी न होगी।

इसलिये सभापती जी, मैं निहायत अदब से यह प्रार्थना करूंगा कि हमें इसी दश में सोचना चाहिये। मैं ला-मिनिस्टर (Honourable Law Minister) साहब और श्री जगजीवन राम साहब से यह प्रार्थना करूंगा कि वह इस बारे में पूरा पूरा विचार करके इस तरह के कायदे और कानून बनायेंगे।

मैं एक बात और यह अर्ज करना चाहता हूँ कि भंगियों की हालत मामूली दींगर मजदूरों से अच्छी होती है। वह एक परिवार में चार, पांच आदमी होते हैं। चारों, पाँचों आदमी म्यूनिसिपैलिटी (Municipality) में नौकरी करते हैं और महज मामूली महनत झाड़ू इत्यादि का काम करने से साधारण मजदूर से वह ज्यादा पैदा करते हैं। उनमें से बहुतेरों को खाने को और कपड़ा उनकी बृत से मुफ्त मिल जाता है इस तरह यह महज आर्थिक मसला नहीं है। सवाल दरअसल उनके सोसाइटी में मूव (move) होने का है। हमको कोई ऐसा तरीका सोचना चाहिये जिसके जरिये हरिजन लाजिमी तौर पर सोसाइटी में मूव (move) हो सकें। जैसा इस रेजोलेशन (Resolution) में मकान के बारे में बतलाया गया है, मैं अर्ज करूँगा कि यह मकान इस तरह से बनाकर जैसे कोई colony (कालोनी) बना दी जाय, कोई उपयोग होने वाला नहीं यह बिल्कुल वैसी ही बात होगी जैसे हरिजन आज अछूत समझे जाते हैं। उसी तरह से उस कालोनी में अलहदा रहने से अछूत रहेंगे उनको तो मकान ऐसी आबादी में होना चाहिये जहाँ सवर्ण हिंदू आर्थोडिक्स (Orthodox) रहते हैं, ताकि उन्हें उस सोसाइटी में लाजिमी तौर पर हिल मिलकर रहने का मौका मिले। जब तक हम ऐसा नहीं करते, तब तक हरिजन और सवर्ण के भेद भाव को मिटाना मुश्किल होगा। मुझे बतौर प्रेसीडेंट म्यूनिसिपैलिटी (President of Municipality) एक शहर के इस बात का अच्छी तरह से अनुभव किया है और अच्छी तरह से देखा है कि उनके सामने महज आर्थिक सवाल ही नहीं है महज (Social reforms) सोशल रिफार्मस के तरीके पर जो (reforms) रिफार्मस लाना चाहेंगे उसमें बहुत समय लगेगा। अभी अभी मेरे भाषण के दौरान मैं मिस्टर नागप्पा बहुत परेशान हो रहे थे, मेरा मकसद हरिजिज यह नहीं है कि मैं इस काम में किसी तरह का रोड़ा अटकाने खड़ा हुआ हूँ, या हरिजनों के खिलाफ कोई बात रखना चाहता हूँ। मैं चाहता हूँ कि हाउस को बतला दूँ कि जब तक हम इस किस्म के (reforms) रिफार्मस लेजिसलेशन (Legislation) के रूप में नहीं लायेंगे, तब तक हम उनकी तरक्की और भलाई नहीं कर सकते। मेरा यह (suggestion) सज्जेशन नहीं है कि हमें मकान और पानी के बारे में कुछ नहीं करना चाहिये। मेरा यह कहना है कि पानी तो जहाँ से दूसरे लोग पानी लेते हैं, उसी जगह से वह पानी ले सकें, उसके लिये हमें सस्त कायदा बना देना चाहिये। मकानों के बारे में यह जरूर अर्ज करना है कि उनके लिये (specially) सपैशली उन्हीं मोहल्लों में जहाँ के लोग हरिजनों से बचना चाहते हैं, वहाँ जमीन हासिल करके उसका मावजा देकर उनके मकान बना देना चाहिये। जब तक हम इन सब बातों पर इस तरह नहीं सोचेंगे, तब तक कोई नतीजा निकलने वाला नहीं है। मैं अर्ज करूँगा कि महात्मा गांधी की कृपा से जहाँ यह मसला बहुत जोरों के साथ हिंदुस्तान ने अपने हाथ में लिया है। स्वामी दयानन्द ने तो आज से बहुत पहिले हरिजनों के बारे में आवाज उठाई थी उस वक्त लिप सिम्पैथी (Lip sympathy) का कोई सवाल नहीं था मि० खांडेकर ने हाउस में कई बार लिप सिम्पैथी (Lip sympathy) की आवाज उठाई है। मैं उन्हें विश्वास दिलाना चाहता हूँ कि बहुत से लोग

[श्री राम सहाय]

सच्ची हादिक सहानुभूति रखते हैं। स्वामी दयानन्द के समय देश में (orthodoxy) आर्थोडक्सी इस कदर फैली हुई थी कि लोग उसको अच्छे तरीके से ग्रास्प (grasp) करने की ताकत नहीं रखते थे। इस मसले का हल उस समय नहीं निकल सका। अब हमारे सामने महात्मा गांधी की कृपा से वह समय आया है जब हर शस्स की जुबान से हम सुनते हैं कि हरिजनों का उद्धार होना चाहिये और आज हम देख भी रहे हैं कि बहुत से जराय उनके लिये सोचे जा रहे हैं फिर लिप सिम्पेथी (Lip sympathy) की बात कहना अन्याय होगा। मैं अन्त में इतना ही निवेदन करना चाहता हूँ कि जब तक हम इस मसले को हर तरीके पर कानून बनाकर आर्थोडक्स (orthodox) और हरिजनों दोनों को मजबूर न कर दें कि आर्थोडक्स (orthodox) हरिजनों को उनके हकूक इस्तेमाल करने देने को बाध्य रखे जायें और हरिजन अपने हकूक का फायदा उठाने के लिये बाध्य किये जायें तब तक हम कुछ नहीं कर सकते। अभी भार्गव साहब ने वजीफा वगैरह देने की बात कही। मैं एक मिसाल देना चाहता हूँ। हरिजन के बच्चे जो शिक्षा के लिये स्कूल जाते हैं, तो वहाँ उनको चार आठ आने वजीफा दिया जाता है जो उनके लिये संतोषजनक नहीं होता। कारण यह है कि वह (Municipality) म्यूनिसिपैलिटी में एक घंटे झाड़ू लगाकर चार-पांच रुपये कमा लेते हैं। इस तरह वह पढ़ने की बनिस्बत झाड़ू वाला काम ज्यादा पसन्द करते हैं और उनको पढ़ने लिखने में बिलकुल रुचि नहीं रहती जब तक कायदा बनाकर बच्चों को पढ़ने के लिये मजबूर न किया जायेगा कोई उपयोग नहीं। बदकिस्मती से हिंदुस्तान में अछूतपन हर जगह है। एक हरिजन बसोड भंगी हरिजन को नहीं छूना चाहता। चमार हरिजन भंगी बसोड हरिजन को नहीं छूना चाहता। यह हरिजन की बात रही। सवर्णीय में अभी थोड़े समय पहिले जो लड़का बिलायत पढ़ने जाता था, लौटने पर उसके मां बाप उसको (family) फैमिलि में नहीं रखना चाहते थे और वह अछूत की तरह समझा जाता था मां बाप भी उसके साथ खाना खाना पसन्द नहीं करते न उसके हाथ का छुआ खाना पसन्द करते थे यह बीमारी बहुत पुरानी और (Chronic) क्रानिक हो गई है और इसका जड़ से जाना बहुत मुश्किल है। लेकिन अब समय आ गया है जब सरकार को सस्त कानून बनाकर अमली तौर से इस (evil) ईवल (root out) रूट आउट करना है।

(English translation of the above speech).

Shri Ram Sahai (Gwalior State): Mr. Speaker, Sir, I have listened to the speeches made in this House on this issue, particularly the one made by Mr. Khandekar. There is no doubt, as he said, that he can even make the House shed tears for three days at a stretch if he were to describe to us the pitiable conditions of the Harijans. I agree with him there. From my personal experience that I gathered while serving the Harijans I like to assure them that they are mistaken if they think that the public do not care for their welfare. For so long have these Harijans been oppressed in so many different ways that they have lost even the sense of the protection of their rights. Rights have been and are still being given them. But these poor men even do not know how to make the best use of their rights. No body is unacquainted with the objections of the orthodox public. They do not want the Harijans to come upto their level.

But the *Harijans* are also responsible for it. So long as they do not learn how to use their rights, it is difficult to protect them. We also owe a responsibility to them. We can neither wash our hands of it nor do we desire it. This is taking a lot of time. The reforms that have been made and are still being made unofficially are bound to take some time. I have to request Honourable Mr. Nagappa that he may first listen to my speech in full and then draw his conclusions. I request him not to interrupt me when I am speaking. Sir, through you I would like to tell him that I can give him many such examples as will convince him that it is true that the *Harijans* do not know how to protect their rights. I have stood up not to say that the reform is not required, but to tell the House that it is bound to take some time if the social reforms have to be made through unofficial organisations. What I mean is that such policies be chalked out and such laws made as should enable us to make reforms in the shortest possible time. So long as we do not frame stiff laws and enforce them rigidly it will be difficult for us to solve this problem. If we make a law for forcing certain things on orthodox people, we must not forget to make laws which should force the *Harijans* to use their rights. Without making such laws it is difficult to expedite the reforms as suggested by Mr. Khandekar and by Mr. Nagappa. Not to speak of one crore, even a provision of ten crores in the Budget will not solve the real problem. Therefore, Sir, with respect, I would request the House to consider it along these lines. I request the Honourable Minister for Law and the Honourable Shri Jagjiwan Ram to consider these suggestions fully and to frame laws of this kind.

Sir, I would like to request one thing more. The sweepers are already better off than ordinary labourers. A sweeper's family consists of about four to five members and all these are employed by the Municipality. Their work is light simple sweeping, etc., and their income is much more than that of an ordinary labourer. Many of these sweepers get in addition to their wages, eatables and clothes from their patrons. It is, therefore, not simply a financial problem. In fact, it is a question of their moving in society. We should think out a way which should make the *Harijans* 'move' in the society. It has been proposed by this Resolution that new houses should be built as if to form a colony. I believe this is not going to be of much use. It would mean little change. Just as the *Harijans* are thought to be untouchables these days, their separate houses will not better their lot. They will be looked upon as untouchables again. They should live in those places where the orthodox among the Caste Hindus reside. They must be provided with the opportunity of mixing with the latter. Until and unless we do that it will be difficult to bring the *Harijans* and the Caste Hindus closer. As a President of a Municipal Committee I have experienced it well and I have seen it well that it is not simply a financial problem for the *Harijans*. If it is social reforms that we want to make it will take a long time. Just now, when I was speaking, Mr. Nagappa was feeling vexed. It is not at all my intention that I should place a hurdle in the progress of this work; nor do I desire to say anything harmful to the interest of the *Harijans*. I want to tell the House that we will not be able to raise the standards of the *Harijans* or render a service to them so long as we do not give such reforms the shape of law.

My suggestion may not be taken to mean that we should not do anything for their houses or for their water supply. What I mean to say is that they should be enabled to draw water from the wells which the public use. We should enforce this thing rigidly. About the houses I must say that these should be built for the *Harijans*, specially in those *mohallas*, where people want to avoid them. We must procure lands in these *mohallas* and build houses for the *Harijans*, even if we have to pay compensation to others. Little improve-

[Shri Ram Sahai]

ments should be expected without our thinking along these lines. May I say that it is due to the kind efforts of Mahatma Gandhi that India has taken this work in its hands. Of course, Swami Dayanand did raise a voice against untouchability. It was not a question of mere 'lip sympathy' to which Mr. Khandekar has referred so often in this House. May I assure him that there are many persons who have sympathy with these people from the very cores of their hearts. Orthodoxy had got so strong a hold on the minds of the public in the days of Swami Dayanand that people did not have sufficient courage and strength to grasp this problem in a proper way. No remedy could be found for this disease then. The kind efforts of Mahatma Gandhi have placed us on the threshold of such an era that we find it on the lips of almost every body that the *Harijans* must be uplifted; we find today that many different methods are being contemplated by which it may be achieved. It would be doing injustice to the people if we think that it is 'lip sympathy' that they show. In the end I would say that so long as we do not frame laws for regulating all the aspects of this problem, so long as we do not force these things both on the Orthodox Caste Hindus and on the *Harijans*, so long as we do not force the Orthodox Caste Hindus to respect the rights of the *Harijans* and the latter to make the best use of these rights, we will not succeed in our work.

Shri Bhargava has just now talked of scholarships. I would like to quote an example. The *Harijan* children receive stipends when they go to the schools. These stipends give them four to eight annas which can hardly give them any relief. These people are not satisfied, for they earn four to five rupees from the Municipality by simply sweeping the roads for an hour or so. These men therefore prefer the jobs of sweepers to that of students and consequently they develop a distaste for education. Unless we make laws for compulsory education, good purpose will not be served.

Unfortunately, untouchability exists even among the *Harijans* themselves. A *Harijan* does not like to touch a *Basod Bhangri*; a *Chamaar* (Tanner or Cobbler) does not like to touch a *Bhangi Basod*. This is about the *Harijans*. Even among the Caste Hindus it was found that when a youngman returned from England after completing his education, his family did not like that he should continue to live with them. He was looked upon as an untouchable. This is a disease which has become 'chronic'. It is not easy to root it out. But the time has come when the Government should frame stiff laws and enforce them rigidly if it desires to root out this evil.

Shrimati Dakshayani Velayudhan (Madras: General): It is a known fact that Gandhiji is the greatest champion for the uplift of the *Harijans* and the change that we have noticed in the last 15 or 20 years is due to the work of Gandhiji and nobody else. I think somebody remarked here that when Gandhiji says something in his evening prayer speech it moulds the work of the Ministry, and if Gandhiji says anything about the *Harijans* its effects are not felt so deeply. The reason for that is that the disabilities of the *Harijans* are something like a chronic disease. It will take a very long time to be cured. In my opinion it is not a right policy to find fault with the so-called Caste Hindus, because it is the so-called Caste Hindus who have come forward and they are prepared to elevate us from our depressed condition. What we have to do is to cooperate with them in all their efforts and not to doubt the *bona fides* of their sincerity. It needs no emphasis that the *Harijans* form a vast community and that they are a community which has no proper dwellings or arrangements for drinking water. These are the main items that

find place in the Resolution. But there are other items also. The disabilities of the *Harijans*, I think, cannot be removed if a certain amount of money is allotted. It is not the amount that matters, it is the method of dealing with the welfare of the *Harijans* and also the spirit in which the ameliorative work is undertaken that is of importance.

I think one Honourable Member pleaded for a separate department for the uplift of the *Harijans*. In my opinion that plea should be discouraged. My reason for it is this. What will be the work of this separate department? Is it to provide dwellings, wells and tanks for the *Harijans*? These methods will lead only to isolationism, which is the one thing which we should avoid. Only when this isolation is removed the *Harijans* will find a place along with other communities. Even the *Harijans* have begun to detest the word *Harijan* or Scheduled Caste or Depressed Classes or any other term. The best way to wipe off these terms is not to create a separate department for them and I think the creation of a separate department will only perpetuate their separate entity and isolation. The present-day educated people of the *Harijan* community are not in favour of having a separate department and they are not in favour of having a caste label either. If their leaders here advocate that there should be a separate department for them or that there should be separate welfare work for the *Harijans*, I do not think the present day generation will consent to that. In my opinion the *Harijan* uplift can form part of an All-India welfare scheme for all backward classes. Priority can be given to the uplift of the *Harijans*, because they were expecting too much from the Congress or National Government. Therefore it will be only in the fitness of things that some sort of priority is given to them in the all-India welfare work.

The other day the Honourable the Minister for Health intervened in the debate and gave an assurance that whatever may be the welfare work that is taken up by Government the problem of the *Harijans* will have priority. We have to believe that assurance and put our trust in it. I must admit that the *Harijans* in India are fortunate in having leaders who are wedded to certain principles based on definite ideologies. Look at the fate of the *Harijans* in Pakistan and what price they had to pay for securing a seat in the Pakistan cabinet. They were advised to go about having some sort of band or badge. The House is aware how the *Harijans* in India revolted at the very idea.

The other day we saw a statement by Dr. Ambedkar. He was finding fault with the Congress for forcing *Harijans* to become members of the Congress. If the *Harijans* decline to be members of the Congress the fault falls upon nobody else but on Dr. Ambedkar, because he is the only person who has created that hatred among the *Harijans* towards that great organisation, the Congress. An appeal made by Dr. Ambedkar to his fellow brethren to join the Congress I think will have the greatest effect. In my opinion there is nothing to be afraid of. When the Health Minister has given us an assurance, we must know that she is a great disciple and true follower of Gandhiji, who is, I must say, the Saviour of the *Harijans*.

In spite of all the welfare work that may be undertaken by the Central and Provincial Governments in my opinion only a socialist state can bring about salvation to the *Harijans* and my request to the *Harijan* members is that their efforts should be directed towards the establishment of a socialist state in India, which will deal with the problem of all the backward classes irrespective of caste or creed.

श्री चन्द्रिकाराम : (बिहार : जनरल) सभापति जी, मैं यह बता देना चाहता हूँ कि इस प्रस्ताव के माने हैं क्या ? और यह प्रस्ताव लाया क्यों गया । मुनि स्वामी पिल्ले जी हमारे पुराने नेता हैं । और बहुत वर्षों से उन्होंने सामाजिक उद्धार के लिये आन्दोलन—हरिजनों के uplift

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(अपलिफ्ट) के लिये किया है। उन्हें हरिजनों के प्रश्नों के तत्व मालूम हैं और इसीलिये उन्होंने यह प्रस्ताव आपके सामने रक्खा है इस सरकार के पहले जो सरकार कायम थी उसने हरिजनों की भलाई के लिये तीन लाख रुपया अलग कर दिया था। उन तीन लाख रुपयों से हरिजन लड़कों को वजीफे दिये जाते थे और उन्हें पढ़ाया जाता था। एवं बाहर विदेशों में भी भेजा जाता था अब जब यह आजादी आ गई १५ अगस्त के बाद तो हरिजनों को कुछ अधिक फायदा होना चाहिये। अधिक लड़के बाहर भेजे जायें और एक certain amount (सर्टिन अमाउंट) उसके लिये तय किया जाय, यह नीयत थी उनके प्रस्ताव लाने में।

दूसरी नीयत यह थी कि जब देश की आजादी के लिये जो लड़ाई हुई है उसमें समाज के सब लोगों ने, साथ ही हरिजनों ने भी काफी contribute (कंट्रीब्यूट) किया है। जो hon'ble member (आनरेबल मेम्बर) हरिजनों के यहां हैं सबको मालूम है कि उन्होंने देश के लिये जो कुर्बानियां की हैं वे बहुत काफी हैं। और साथ ही साथ जो प्रगतिशील society (सोसाइटी) कायम होने वाली थी, आगे उसमें उनका हाथ बग़ावर रहा है। और आज जब यह हमारे महात्माजी के आशीर्वाद से कामयाब हुए हैं तो उनको यह आशा थी कि इस सरकारके अन्दर कुछ न कुछ उनके लिये अवश्य ही किया जायगा। इसी से वह यह प्रस्ताव लाया गया। प्रस्ताव का मकसद यह है कि इन विषयों पर इस हाउस के बीच जहां हिंदुस्तान के सब प्रांतों में और देशी राज्यों में लोग आये हुये हैं इस बात को समझाने की कोशिश करें कि हरिजनों के सवाल क्या हैं? उनके problems (प्राबलमस) क्या हैं? इस प्रस्ताव में दो तीन बातों का इजहार किया गया है। पहली बात उनके घरों के लिये है। घरों की समस्या जितनी कठिन है उसको non-Harijans (नान-हरिजनस) मेम्बर बहुत कम realise (रीयलाईज) कर सकते हैं। घरों के सवाल के दो हिस्से हो सकते हैं, एक देहातों के लिये, दूसरा शहरों के लिये। हम देहातों की बात नहीं कहते, इस लिये कि वहां हरिजनों की ऐसी जानियां हैं जो जानवरों के दर्जे में रखी जा सकती हैं। मैं मिसाल के तौर पर यह नमूना देता हूँ जिनकी संख्या काफी है, वह है मुसहर जाति। वह भिन्न भिन्न नामों से पुकारी जाती है। इसका काम खेती बारी करना है। जब किसी को खेती बारी करने वालों की कमी होती है तो दूसरे गांवों में जाकर उन्हें खरीद लाते हैं और दो एक वर्ष रख कर भगा देते हैं। यह देहातों की हालत है।

शहरों की बात देख लीजिये। जितने लोग शहरों में रहते हैं, उनके स्वास्थ्य में भंगी या मेहतर का सबसे बड़ा हाथ रहता है। अगर वह शहरों में strike (सट्राईक) कर दें काम बन्द कर दें, तो आपका स्वास्थ्य खराब हो जायगा। और हैजा और प्लेग के आघात हो जायेंगे, लेकिन उन मेहतरों के रहने का क्या इंतजाम आपने किया है? आपको सोचना चाहिये कि उनके लिये क्या किया जाय। उनके हाथ बंधे हैं इस लिये वह

कुछ नहीं कर सकते। उनके पास रुपये की कमी है। इस लिये प्रार्थना की गई है कि उनके छोटे छोटे हलकों के लिये सरकार यहां से रुपये grant (ग्रांट) करके मदद करे। जिससे उनके रहने के लिये काफी इंतजाम हो जाय, यह होना चाहिये।

दूसरी बात उनके पानी के लिये कही गई है। पानी का सवाल इतना कठिन है कि उसको बहुत कम आदमी महसूस करते हैं। अभी इसी २८ तारीख को हमको पंजाब जाने का मौका मिला। रोहतक जिले में मैं २८ तारीख को गया। वहां हरिजनों की सभा में उनकी काफी तादाद आई हुई थी। वहां कम से कम ५० दरखवास्तों इस तरह की आई कि जहां कुएं में पानी पीने का इंतजाम उनके लिये नहीं था। आज इस दुनियां में Time & space (टाईम एंड स्पेस) खत्म हो चुका है, आज atom bomb (एटम बाम्ब) की बातें हम करते हैं वहां पर इस देश में इसी जगह पर आज नागरिकों की सब से बड़ी primary necessity (प्राइमरी नैसेसिटी) है drinking water (ड्रिंकिंग वाटर) की जिसका इंतजाम नहीं है। जिस वक्त प्रबन्ध सब के लिये किया जाता है वहां एक कुआं भी उनके लिये नहीं बनता है। ऐसा मुझे अनुभव है, मैं अपने प्रांत की बात बताऊं, जहां २६ कुओं के बनने की मंजूरी की गई वहां २३ कुएं Caste Hindus (कास्ट हिन्दूस) के लिये बन गये। हरिजनों के लिये कहा गया इस वक्त रुपये की कमी है। असल रुपये की कमी का प्रश्न नहीं है, हृदय परिवर्तन की जरूरत है। लोगों ने कहा इसके लिये कानून बना देना चाहिये। मैं आपको बतलाऊं कि जब मदरास में Temple Entry Bill (टेम्पल एन्ट्री बिल) पास किया गया तो मदुरा के मंदिर में हरिजन गए और हरिजन जब चले गए तो वहां के Board (बोर्ड) के मॅबरों ने फैसला किया कि उन हरिजनों पर मंदिर अपवित्र होने का दावा किया जाय। इस फैसले को जो रिपोर्ट थी उसकी क्या हालत हुई। उस वक्त जून ४६ में मुकदमा Federal Court (फेडरल कोर्ट) तक आया, इस मुकदमे में इस आनरेबल हाउस के एक मेम्बर involved थे जिनका नाम श्री पी० कक्कन है। अगर यह कानून भी पास कर दें तो यह कानून का बर्ताव गवर्नमेंट के हाथों में रहता है, वह रहता है हिंदुओं के हाथों में सवणों के हाथों में जो बड़े हैं पैसे में, रुपये में, प्रभाव में, और और बातों में। वहां हरिजनों को मुकदमा लड़ने में आठ हजार रुपये लगे थे। अब बताइये कानून से उनकी रक्षा कहां से हो सकती है ?

इसलिये इस प्रस्ताव का मकसद एक भाई ने यह बताया कि यह हरिजनों का सवाल है, तो psychological (साइकालोजिकल) है, social (सोशल) है। मैं कहता हूँ वह economic (इकनामिक) भी है, यह आर्थिक सवाल सबसे पहले है। सबसे पहली बात यह है। छूत छान का प्रस्ताव आप पीछे रख दें, मन्दिर में जाने का प्रस्ताव पीछे रख दें। अभी हमें आर्थिक सुविधा दीजिये। हमारे बच्चे पढ़, लिख जावें, वह पूर्ण रूप से नागरिक बन जावें। कल कारखानों में उनका हाथ हो जाय, उनके पास जमीन

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हो जाय, आपसे आप यह मन्दिर का दरवाजा भी उनके लिये खुल जायगा। इसलिये हम समझते हैं और शायद ठीक समझते हैं कि उनका सवाल economic (इकनामिक) है, वह psychological (साइकालोजिकल) और social (सोशल) नहीं है। आज कल के जमाने में अपने बच्चों को मन्दिर और मस्जिद भेजता कौन है? एक लेखक ने बताया है कि विलायत में गत लड़ाई के पहले लोग सैकड़ें ७५ चर्च जाया करते थे। इस लड़ाई के बाद सैकड़ा पीछे २५ भी नहीं जाते। इन देशों की बात छोड़ दीजिये आप अपने घरों के बच्चों और लड़कों को देखिये कि वे मन्दिरों में कितनी दिलचस्पी लेते हैं। अब इस Temple entry (टैम्पल एन्ट्री) का कोई प्रश्न हमारे सामने नहीं है। हो सकता है कि देश की बात देख करके अब हरिजनों के लिये यह हो जाय कि हमको भी भगवान के दर्शन की जरूरत है। कोई कुछ भी कहे हमें तो केवल आर्थिक भगवान के दर्शन होने चाहिये। वह दर्शन सत्रसे जरूरी है। अगर उनको खाने को नहीं देते हैं, और पहनने को कपड़ा नहीं है, उनके पढ़ने का कोई इंतजाम नहीं है, उनके पीने को पानी नहीं है। ऐसी हालत में अगर हम मन्दिर खोल दें तो कोई फायदा नहीं है और न होगा।

जहां तक education (एजुकेशन) की बात कही गई है। मैं इस बात को समझता हूं सारे मंत्री जो यहां हैं, वह कांग्रेस के हैं, सबको सब के साथ गांधी जी का आशीर्वाद है लेकिन उनके पास कितना काम होता है। मुझे हिंदुस्तान के करीब करीब सभी सूबों की जानकारी है, जहां कुछ काम होता है। मैं अपने प्रांत को लेता हूं। बिहार में उनकी शिक्षा के लिये तीन लाख रूपया दिया गया है। उस तीन लाख रुपये में करीब २५,९६० रुपये उनके Scholarship (सकालरशिप) के लिये हैं, और बाकी शिक्षाके अन्य सामान के लिये हैं। आपको मालूम है बिहार में जनवरी से स्कूलों का सेशन शुरू होता है, लेकिन अब तक दिसम्बर में भी रूपया बंट नहीं सका है।

उसके बाद यू० पी० में आइये। उसमें अगस्त महीने में वहां जाने का मौका मुझे मिला था। वहां Scheduled Castes (शिडूलड् कास्टस) के एक अफसर गए थे जिनसे मैंने कुछ सवाल किये थे। वहां Eastern U.P. (ईस्टर्ण यू० पी०) में पच्चीस हजार लड़कों की तादाद बताते हैं और जो ग्रांट रुपये की उनके लिये की गई है वह किताबों के लिये ६०० रुपये की है। रहने के लिये इंतजाम है। एक सभा में मैंने २५० एप्लीकेशन (applications) कुएं के लिए देखी हैं, उन applications (एप्लीकेशनस्) को U. P. Ministry (यू० पी० मिनिस्ट्री) के पास भेजा है, आज तक कोई जबाब नहीं आया है।

मैं आगे बतलाऊं मदरास की बात लीजिये जिसमें राजाजी पहले थे। उनकी मिनिस्ट्री का बहुत बड़ा नाम था, श्री प्रकाशम के जमाने में एक करोड़ रूपया हरिजनों

के लिये दिया था, लेकिन यहां मदरास के (Hon'ble Member) आनरेबल मेम्बर हैं उनसे पूछिये कि एक भी पैसा उनके लिये खर्च किया गया है? इसके बाद हम को परेशानी है और हरिजनों के लिये जितनी उनके पास (Sympathy) सिम्पेथी है, सहानुभूति है हम जानते हैं लेकिन आज भी मैं शायद गलती नहीं कर रहा हूं कि हरिजनों की वास्तव में क्या हालत है। उनके खाने-पीने, रहने और पढ़ने का क्या इंतजाम किया जाता है। यह तो सिर्फ (Change of heart) चेंज आफ-हार्ट ही से हो सकता है। इसे एक करोड़ या दस करोड़ रुपया नहीं हल कर सकता। सवाल यह है कि आप किस हद तक इसमें कोशिश कर रहे हैं। पिछली सरकार तो विदेशी होने के नाते हमको गुलाम बनाये रखना चाहती थी। इसमें उसकी (political expediency) पोलिटिकल एक्सपीडियेंसी थी। लेकिन आज जब हमारी अपनी आजाद सरकार है, हमें उस दिशा में कदम बढ़ाना चाहिये। मेरा सवाल यह है कि (Con'tro) सेन्ट्र आज उनके लिये क्या करता है? यह सवाल करोड़ और लाख का नहीं है। सवाल यह है कि गवर्नमेंट उसमें क्या करने जा रही है। मैं तो यहां तक कहता हूं कि सरकार अगर उस गरीब तबके के लिये जिनके पास खाने को अन्न और पहनने को कपड़ा नहीं है, कुछ नहीं कर सकी, तो उसका थोड़े समय के बाद हिंदुस्तान में कायम रहना मुश्किल हो जायगा। इसलिये यह एक बड़ा भारी प्रश्न है और देश के १/४ या १/५ ऐसे लोगों का प्रश्न है जिनका जीना मरना आपके साथ निर्भर करता है। आप खेतों में जाइये, वहां क्या हालत है। यहां तो बड़े बड़े किसान नेता हैं और लम्बी लम्बी किसानों की बात करते हैं।

हलवाहों की क्या हालत है। दिन भर कड़ी धूप में मेहनत करते हैं। सिर्फ एक बीघा खेत उनको जोतने के लिये दिया जाता है। आप जानते हैं कि मेरे पास बहुत सी जगहों की रिपोर्ट है कि उनके घर जलाये जाते हैं, उनके घर ले लिये जाते हैं, उनके पास घर नहीं है। हमको सुनकर आश्चर्य हुआ कि उनको पंजाब में जमीन खरीदने का हक नहीं है। यह एक बड़ी भारी कुरीति है जिसे हमें हटाना चाहिये। गांधी जी इस दिशा में लगे हुए हैं और उन्होंने इसके लिये लड़ाई की है, लेकिन हम और आप और दूसरे लोग जिनके पास ताकत है जो सरकार को बनाते हैं, सरकार के कामों को अमल में लाते हैं क्या कर चुके हैं। अगर यह सरकार जो नेशनल गवर्नमेंट है, ऐसे गरीब तबके के लिये कुछ नहीं कर सकी तो यह सरकार दावा नहीं कर सकती कि गरीबों की यह सरकार है। अधिक न कहकर मैं अपना भाषण समाप्त करता हूं। मुझे आशा और विश्वास है कि स्वास्थ्य विभाग की मिनिस्टर साहिबा जो यहां इस समय मौजूद हैं, वह अधिक से अधिक इस तरफ काम करने की कोशिश करेंगी।

(English translation of the above speech)

Shri Chandrika Ram (Bihar: General): Mr. Speaker, I should like to tell what the purport of this Resolution is, and why this Resolution was moved.

[Shri Chandrika Ram]

Shri Munishwami Pillai is our veteran leader, and for many years he has carried on agitation for social reformation—for the cause of uplift of the *Harijans*. He knows the essence of the *Harijan* problem and for this very purpose he has moved this Resolution. The Government that preceded the present Government had reserved a sum of Rupees three lacs for the welfare of *Harijans*. These three lacs were utilized towards the grant of scholarships and education to *Harijans* and also in sending them to foreign countries. Now with the advent of independence, after the 15th of August, the *Harijans* should also enjoy a little more benefit. A great number of students should be sent abroad and certain amount should be fixed for them. This was his intention in moving the Resolution.

The second intention was that the *Harijans* have also made sufficient contribution along with other members of the society in the struggle for country's freedom. The Honourable Members who are representing the *Harijans* here are aware of the fact that the sacrifices which they have made for the country are quite adequate. Simultaneously they have played an equal role in the formation of progressive society. And now to-day when they have achieved success through the blessings of Mahatma Gandhi, they hoped that something would certainly be done for them by this Government. Keeping this in view, this Resolution was brought up. The object of the Resolution is to impress upon the representatives of all Provinces and States in India who are present in this House as to what are the problems affecting the *Harijans*. This Resolution mentions about two or three things. The first thing relates to their houses. The Non-*Harijan* members can hardly realize the acuteness of the housing problem. The housing problem can be split up into two parts *viz.*, one relating to rural and the other to urban areas. We do not refer to the rural areas, because it is inhabited by certain classes of *Harijans* who can be placed in the category of animals. For instance, I quote the case of 'Mushhar' community who are in a considerable number. It is called by various names. Their profession is farming. When anyone is short of farmers, he goes to other villages and buys them and shunts them off after keeping for a year or so. This is the condition prevailing in the rural area.

Look to the cities. The sweepers or scavengers play an important role in the preservation of the health of people in the city. If they go on strike in the cities and suspend their work, then your health is likely to be deteriorated. And you will fall prey to Cholera and Plague. But what arrangements have you made for housing these sweepers? You should consider what should be done for them? Their hands are tied down and hence they cannot do anything. They lack money. Therefore, it has been requested that the Government should help the small towns and municipalities inhabited by them with grant of funds, which may enable them to make adequate housing arrangements. This should be done.

The second thing has been pointed out in connection with their drinking water. The question regarding the water supply is so acute that very few people realize this. Recently on the 28th of the last month we have an opportunity to go to the Punjab. I went to Rohtak District on the 28th *ultimo*. There was a large number of *Harijans* present in the meeting. At least 50 such applications were received which mentioned that there did not exist any arrangement for their drinking water from the well. To-day the theory of "Time and space" is no longer existing in this world. To-day we talk about "atom-bomb". Here in this country to-day the foremost primary necessity of citizens is drinking water for which there are no arrangements.

When arrangements are made for all, not a single well is constructed for their use. This is my knowledge. In the case of my own Province where sanction was granted to the building of 26 wells, 23 wells were constructed then for the use of Caste Hindus. As regards *Harijans* it was stated that at present

there was shortage of funds. Indeed the question of shortage of funds is not involved, but it requires change of heart. The people asserted that a law should be framed in this direction. I may tell you that when the Temple Entry Bill was passed in Madras, the *Harijans* went to the temple at Madura, and after they had left, the Board of the temple decided that a suit should be filed against them for the sacrilege of the temple. What happened to the report of this decision? At that time in June 1946, the case was brought upto the Federal Court. In this case an Honourable Member of this House namely, Mr. P. Kakkan was involved. Even if we pass this law, its execution lies in the hands of the Government, the Hindus, caste Hindus, who are affluent in money, influence and other respects. It costs the *Harijans* a sum of Rupees eight thousands to fight this suit. Now, tell me how can they be protected by the enforcement of law?

Therefore, one of my Honourable friends described the aim of this Resolution as a problem affecting the *Harijans* which is psychological and social. I say it is economic also; this economic aspect has got a premier place. This is the first thing. Set aside the Resolutions regarding untouchability and temple entry. For the present give us financial facilities. Our children may get education, they may become full-fledged citizens. To-morrow they may get share in the factories, acquire land and then the doors of the temple will automatically be open to them. Therefore, we do understand perhaps correctly that their problem is economic and not psychological and social. Who sends his children to the temples and mosques now-a-days? A certain writer has observed that before the last war only 75 per cent. of the people used to go to the Church. After this War, even 25 per cent. do not go. Leave aside these countries, you may just look to children and boys in your own homes and see how much interest they take in temples. Now there is no question relating to this temple entry before us. It is just possible that keeping in view the conditions prevailing in the country, the *Harijans* also feel the need of visiting the sacred shrine of God. Let anybody say anything, we simply want to have vision of the "God of wealth". This is very necessary. If you do not give them to eat, and there is no cloth to put on, there are no arrangements for their education, there is no drinking water for them, and in these conditions, if we throw open the temples, then it does not and will not serve any useful purpose.

So far as education is concerned, I realize this. All the Ministers who are here are Congressites and every one of them carries the good wishes and blessings of Mahatma Gandhi, but how much work have they done? I know almost all the provinces in India where some work is done. I take the case of my own Province. In Bihar Rupees three lacs have been granted for their (*Harijans*) education. Out of this three lacs, approximately Rs. 25,960 are meant for their scholarships, and the balance is to be utilized for the purpose of other things and material connected with education. You are aware that the session of schools in Bihar starts in January, but it is December now and the money could not yet be distributed.

After this take the case of United Provinces. I had an occasion to go there during the month of August. I have put certain question to an Officer of the scheduled castes who happened to go there. The number of students in Eastern U.P. is estimated to be about 25 thousands and the grant of money which has been sanctioned for them amounts to Rs. 600 and that too for books. These are the arrangements which exist in words.

I have seen 250 applications for wells in a certain meeting. Those applications had been sent to the U.P. Ministry and no reply has been received till to-day.

I may further tell the case of Madras Government which formerly included Raja Ji. His Ministry carried a great name. During the regime of Shri

[Shri Chandrika Ram]

Prakusam, a sum of Rupees one crore was allotted for the *Harijans*, but just enquire from the Honourable Members from Madras who are present here if any penny had been spent for their sake.

After this we are bewildered and we know the sympathy and fellow-feeling which they have got towards the *Harijans*. But even to-day, if I mistake not, what is the genuine condition of *Harijans*? What are the arrangements made for their boarding, lodging and education? This can only be achieved by the change of heart. This cannot be solved either by one or ten crores. The question is to what extent are you making efforts in this connection? The erstwhile Government being an alien wanted to keep us under the heels of slavery. This was on account of its political expediency. But now-a-days we have our own free Government. We should step forward towards that direction. The crux of my question is what the centre is doing for them to-day. This is not concerned with crores or lacs. The point is what are the Government going to do towards this? I say even to this extent that the Government which has not been able to do anything for the benefit of this poor class who have no food to eat and no clothes to put on, will find it difficult to hold itself in India after the lapse of some time. Therefore, it is a very vital issue which affects 1/4th or 1/5th of our countrymen whose very existence in this world depends upon you.

You look to your field and what is the condition there? There are many leaders of agriculturists here and they indulge in long talks which are symbolic of peasants. What is the condition of ploughmen? They toil very hard during the hot sun in the day time. They are given only one *bigha* (a land measure which is 5/8 of an acre) of land for ploughing. You know that I am in possession of reports from various places that their houses are burnt, their houses are forcibly occupied, they have no houses. We will be surprised to learn that they have no right to purchase land in the Punjab. This is an evil practice which we should wipe off. Mahatma Gandhi has devoted his energies towards this direction and he has struggled for this, but I, you and other people who wield power and form the Government, give practical effect to the Government's task—what have we done?

If this Government which is a National Government fails to do anything to ameliorate the condition of the lower strata of Society, then it cannot claim itself to be the Government of the poor. Without saying anything further, I would close my speech. I hope and trust that the Honourable Minister of Health who is present here will try to do her utmost towards this direction.

The Honourable Rajkumari Amrit Kaur (Minister for Health): Sir, I wish to assure the House that I am in agreement with every word that has fallen from the lips of those who have supported the resolution as amended by Seth Govinddas. As I said before, the Government policy is absolutely clear and definite. Untouchability must go and Government is pledged to resort to every means in its power so that this curse shall be eliminated from this land. There are Acts for the removal of social disabilities in practically every province. It is only right that they should be there, and as I said the other day, the Bombay Act is now going to be applied to all the Centrally Administered Areas also. But I am painfully aware of the fact that while these Acts do obtain and are on the Statute Book, they are observed in the breach rather than in observance, and for that I do feel that the Provincial Governments as well as the Centre should have some machinery to see that the law is not disobeyed. I shall not hesitate from the Centre to give this directive to all the Provinces, and I hope that not only Provinces, but all the States will also bring these laws on to their Statute Books. I had occasion to tour Kathiawar during a drought period, and it hurt me beyond measure to see that while cattle and dogs could come and drink water from the *chaubachas* or tanks near the wells, *Harijans* could not come to quench their thirst even there. Government is aware, I

repeat, of all these disabilities. I know also that money is necessary for the provision of wells not only for *Harijans* but for everybody where there is no pure water available. I know also that the housing needs of *Harijans* and of all the poor are a crying urgency and need immediate action. I know also that money is needed for educational and economic uplift. Government will do everything within its means to supply this need because I also feel with the speaker who spoke last that economic uplift and educational opportunities for the scheduled castes, and indeed for all backward classes, are the chief means of raising their present standards. But I do want to say this to the mover of the original Resolution that in the development schemes that the Government has in view I am quite sure that the scheduled castes will get all the financial need that is necessary, and I hope it will be more than what he asked for in his Resolution. For the Centrally Administered Areas I would like to say that we shall try to do everything that we possibly can from the point of view of housing for *Harijans*, for drinking water for them, as well as for educational facilities for them. Government is aware of these responsibilities. But I do also want to warn Members in this House who are going to pass this Resolution today to speak with the same eloquence and work with energy so that all those people whom they represent will banish untouchability in their respective areas, because however much money may be given from Government, however many laws are passed for the removal of untouchability, there has got to come that heart-change among those who have so far practised this evil custom, and that is the best way of removing this inhumanity from our society. In accepting Seth Govinddas' amendment to the original resolution, I wish to assure the House on behalf of Government that we shall not rest content until the word 'scheduled castes' is banished from our vocabulary, and I also wish to assure Shri Thakurdas Bhargava that this Resolution will not be interpreted in a narrow sense. It is not only house sites or drinking water facilities or scholarships that are required, but the removal of all disabilities so that the scheduled castes may have the fullest opportunity of self-development and that they may attain an equal status with every other citizen of this country. I submit also that no separatism is needed for them in the matter of drinking water or for anything else. They are eligible for houses for living wherever they want to, for drinking water from wherever they want to, for going to any educational institution they want to go, etc. For after all, they are part and parcel of the great Hindu community and nothing else.

Mr. Speaker: There is the Resolution and there are two amendments; I understand one is going to be accepted by the Honourable Minister. What about the amendment of the Honourable Member Mr. Nagappa?

Shri S. Nagappa: Sir, in view of the assurance given by the Honourable the Minister, I beg leave of the House to withdraw my amendment.

The Amendment was by leave of the Assembly withdrawn.

Mr. Speaker: Then there is the other amendment of Seth Govinddas which I shall now put to the House. The question is:

"That in the Resolution for the words 'spend at least one crore of rupees each year for the next ten years', the words 'take adequate steps' be substituted."

The motion was adopted.

Mr. Speaker: I shall now put to the House the amended Resolution. The question is:

"This Assembly is of opinion that the Government of India should take adequate steps for the amelioration of the condition of the Scheduled Castes by way of providing them with house sites and drinking water and also by way of supplementing the educational grants sanctioned by Provincial Governments."

The motion was adopted.

RESOLUTION RE APPOINTMENT OF STATUTORY LAW REVISION COMMITTEE

Dr. Sir Hari Singh Gour (C.P. and Berar: General): Sir, I beg to move the Resolution which stands in my name, which runs as follows:

"This Assembly is of opinion that a Statutory Law Revision Committee be appointed to clarify and settle the questions of law which require elucidation."

All Members of the Assembly will remember that a Statutory Committee of the kind I am advocating to renew, was formed in the first Assembly and continued for a number of years. The reason why that Committee came into existence may be briefly stated as follows. As far back as 1830, James Mill, the father of John Stuart Mill, in his History of India, pointed out that the Indian Administration cannot be adequately or effectively administered unless the people know the laws they have to obey, and that for that purpose the Indian Law must be codified. In saying so, he was following the precedent of the Roman Republic where the first thing after the establishment of the Republic was the codification of Roman Law and the same thing happened in France. The result was that Lord Macaulay was appointed as the first Law Member of the Government of India to codify the Indian Law, particularly Hindu Law which was in a chaotic state of confusion. In addressing the students and Professors of the Sanskrit College in Calcutta, Lord Macaulay said that he had come to codify Indian Law and that before the students emerged from that College after the completion of their studies, they will be given a handbook of Indian Law which will replace the *Shastric* Law which very few people understood and very few people care to understand. Well, he tried his hand and gave up in confusion that the Hindu Law was incapable of codification; and the same thing was reported by three or four Royal Commissions.

The question of the codification of Hindu Law was in suspense and the recent attempt at codification is due to causes to which I need not advert because, as Honourable Members will see, I am not asking the House for either the codification of Indian Law or for that matter for the reform of the personal Law of any community—Hindu or Muslim. I am only asking for the constitution of a Statutory Law Revision Committee, *vis.* a Committee that will go into the Statute Law of this country and try to clarify and improve it. I have mentioned that from 1835 down to very recent times various Royal Commissions had been appointed for the purpose of drafting various branches of Indian Law; those Commissions have all added an appendage to their Reports to the effect that the Government of India should revise the Statute Law every ten years—in other words, that a decennial revision of Indian Law became a legal necessity. When a Member of this Assembly I drew the attention of the Government that for several decades this confusion of Law has continued to remain unchecked and the time and money of the litigants and the valuable time of the courts is spent in understanding what the Statute Law is. The Secretary of State of the then bureaucratic Government of India saw the justice of the claim made and immediately sanctioned the proposal of the Government of India to start a Statute Law Revision Committee. That Committee has existed for a long time and has done, I venture to submit, much work. But when in the later days the Legislative Assembly got busy with other work, the Statute Law Revision Committee was permitted to die a very unnatural death.

Now, Sir, since the 15th of August we have become independent and it is absolutely necessary, I say axiomatic, that we should help the litigating public and the courts to understand the Law. Now, Sir, I happen to be a practising at the Bar for many years and I find that about one-third of the time of the courts is spent—may I say misspent—in trying to understand Law which is either unintelligible or which contains lacunae which it is the duty of this Legislature to remove. I happen to have the misfortune of moving several Bills overruling the wrong decisions of the Lordships of the Privy Council—the

question of attestation, the question of limitation, and numerous other fills—but that is a very circuitous method of correcting the Law. A plain, straightforward course is to have a Statute Law Revision Committee that understands what the difficulties are and tries to meet them. Now, Sir, it was said and rightly said that if you start a Statute Law Revision Committee today it will cost money. The late Statute Law Revision Committee was an honorary one. It did not cost the Government a single pie. Only the Secretary was paid and he was deputed by the Legislative Department to make a table of cases which required elucidation or correction. He spent about three months contacting the various High Courts in the Provinces and prepared a list of cases that called for notice of the Statutory Law Revision Committee. The Committee did not take more than three months to settle the question which had been engaging the attention of the law courts for several decades. You will thus understand to what degree the Statute Law Revision Committee have served the people of India.

Since about 15 or 16 years, Sir, that Committee has been in suspense and I drew the attention of the Law Member to the fact that I have again found in my practice throughout India and in the Privy Council cases after cases where the Lordships have said that they did not understand a particular branch of the law and therefore did not wish to interfere with the prerogative of the legislature to enact or improve it. But the Law Member then was of the Government that is now defunct and he said that he could not take action because his time was engaged in the codification of Hindu law. The matter stood there.

Now, Sir, the question has become an urgent question. It might be said that we are all members of the Constituent Assembly and that the matter might be placed before that Assembly. Do members remember and realise that that Constituent Assembly is made for the purpose of making a constitution for India and it is not a Revision Committee for the purpose of revising the existing statute law of the country. Therefore that Committee would be doing wrong if it busied itself with the correction and amendment of the existing statute law. I therefore submit, Sir, that the only legislative body that has the power and duty should exercise the function of revising the statute law is the body over which you preside, and therefore I move my Resolution in the full hope that this House will accept it.

Mr. Speaker: Resolution moved:

"This Assembly is of opinion that a Statutory Law Revision Committee be appointed to clarify and settle the questions of law which require elucidation."

[At this stage Mr. Speaker vacated the Chair, which was then occupied by Pundit Thakur Das Bhargava (one of the panel of Chairmen)]

Dr. P. S. Deshmukh (C.P. and Berar: General): Sir, I appreciate very much the Resolution that has been so ably moved and I hope that the Honourable the Law Member would find it possible to accept it. From the reasons and arguments advanced by Sir Hari Singh Gour for the re-constitution of this Committee that once existed appear to me quite convincing, I could not understand how exactly it went out of existence, because he merely contented himself by saying that it died an unnatural death, and did not disclose the reasons. The ground on which I support his Resolution is that, with the attainment of independence by India, we have come to a stage when we ought to examine the fundamentals of all the laws as well as the procedure which obtains in the country at the present day. Sir Hari Singh referred to the various conflicting opinions, as well as the expense of money and time that it involves for the litigants not being sure of one interpretation or the other and also the courts not being certain of the validity of their interpretation. Not only from this point of view is it necessary that there should be such a Committee but from the point of ensuring social justice and convenience to the litigant public has the

[Dr. P. S. Deshmukh]

stage now come for us to examine the existence of every statute in India and see whether it does not conflict with any other and to what particular extent it conforms to the ideas and requirements of the Indian society.

I may, Sir, give an instance. The law of adoption is embodied in the Hindu Code. It is not yet a codified law and it is being interpreted in various places in various different ways. About 18 years back there was a certain interpretation by the Privy Council. That one interpretation, Sir, led to hundreds of adoptions with the result that at least in my part of the country so many families have been entirely disrupted because it is thought that it is possible under that interpretation—whether it is correct or not—for anybody to adopt anybody else. A father can adopt his own daughter's son and in fact, it appears as if there would be no prohibition even if the son were to adopt his own father. The situation, Sir, is as ridiculous as I have described it and there are very curious instances and ways in which adoption is resorted to. So far as this is concerned, I would like to bring to the notice of the House that it is a matter for very serious consideration whether the law of adoption and its interpretation, as it is understood today, should be allowed to continue, because it is disrupting society. Now, Sir, for want of such a Statute Committee we have only the individual intelligence of the Honourable Members in this House and the various legislatures to look after this matter. I think it would be better if an opportunity is afforded for the posting of the legal acumen in the country so that the public may have proper guidance not only in the matter of interpretation of laws or the possibility of enacting or passing them in the Legislatures, but also to examine what effect any particular law which is in existence has on society.

I do not know, Sir, if many Members are aware that in the opinion of some people who have observed the administration of law in this land, the laws substantive as well as procedural which are essentially copied from the English enactments, which themselves are based on the Roman Law are not altogether akin to the genius of the Indian people. I have heard complaints about the way in which we have taken the Evidence Act. The Evidence Act, which is in force in India is considered to be one of the best enactments in the world. It is supposed to be fool-proof, and yet we are so clever at hair-splitting that by having recourse to the same act or as a result of having to administer the Evidence Act, we have made it serve the purpose lying cleverly as I think no other nation in the world has done. I personally feel, Sir, that it is necessary that we have an Evidence Act, which will suit our peculiar circumstances and social behaviour. In the same way I consider it necessary to fundamentally alter even the Criminal Procedure Code. All these things, Sir, in my humble opinion, require to be revised and considered from a very radical standpoint. Also it is necessary to examine how far the administration of law in the New India leads to the administration of justice. In many cases it is my experience—there are many people probably who are practising lawyers who share my feeling—that disproportionate sums of money and energy are spent on very trifling matters. Now that is one of the things which can also be examined by a Committee like this by recommending for instance that even paltry cases should be dealt with by Judges who are paid properly. We all know how cases of simple assault falling under Section 323 of the Indian Penal Code are dealt with by the Bench Magistrates. They drag on for weeks and weeks and sometimes take as long as nine months or a year and several hundreds of Rupees are spent by both sides. All that requires to be examined, Sir, because I think the law as it is administered today is not conducive to the welfare and well-being of the people and least conducive for teaching them to tell the truth. It always encourages falsehood and for that I think the legal profession is probably responsible. Thus not only in the interest and welfare of the people but also for improving the morals of our nation, I think there ought to be a Body which will examine from time to time not only the laws as they exist but the way in which

they are administered. Probably, in making these remarks, I am expanding the scope of the Resolution, but I am sure, Sir, there would be no difficulty when we come to the appointment of the Statutory Committee itself to define more precisely as to what should be its exact functions. I would not mind if some of the suggestions I have made do not actually fall within the powers of that Committee, but I may agree with Sir Hari Singh Gour that however limited or wide the scope of the Committee may be, its reconstitution is absolutely necessary. I hope, Sir, therefore that the Honourable the Law Member would look at the Resolution kindly and accept it.

Mr. Naziruddin Ahmad (West Bengal: Muslim): Mr. Chairman, Sir, I also rise to support the Resolution. It is absolutely necessary to keep the law abreast of the times and for that purpose to have periodical revisions. Statute laws are more or less stiff and artificial, but the needs of society are growing every day, and Statute laws should be continuously kept up-to-date by periodical revision. The general grounds in support of the resolution, I may say, Sir, that have been ably and authoritatively placed before the House by the greatest exponent of law, namely, Sir Hari Singh Gour and it does not require to be repeated. I should like to draw the attention of the House to the serious anomalies and inconsistencies which exist in our laws today. The Independence of India Act has created an absolutely new situation. The adaptation of the Government of India Act has only touched a fringe of the changes necessary; it has effected changes only in the Government of India Act, but in the new set-up of things all our Statute laws require to be carefully and thoroughly recast to make them up-to-date. There are, as has been pointed out a large number of anomalies here and there between the various laws and they require to be corrected and the law simplified; the law of Procedure, the law of Evidence and other allied laws require to be simplified to make litigation cheaper, more expeditious and more effective. Then again, there is always likely to be an eternal conflict in a federated country like this between the Provincial and Central laws. There will always be a tendency, perhaps an unconscious one to encroach upon each others domains. This should require careful consideration to free them from conflicts. To do all these is not the work of a Department alone; it is rather the business of experts and a Law Revision Committee which is proposed will I hope have such distinguished members as Sir Hari Singh Gour and the Honourable the Law Member and others. In my view, mere departmental routine procedure will not be able to effect the changes which are necessary in a progressive country like ours. With these few words, Sir, I support the Resolution.

The Honourable Dr. B. R. Ambedkar (Minister for Law): Mr. Chairman, I may at once say that the object of the Mover is quite laudable and that he has my full sympathy in the Motion that he has made. Sir, there is no doubt that periodical revisions of law in a modern society is an absolute necessity. When a popular Legislature engages itself in the task of legislation, touching every aspect of the society which it governs, there are bound to be created certain problems, which it is necessary for some expert legal body to examine and to rectify. First of all, it happens that a draftsman in order to put an idea in the form of a law suggests certain phraseology, which he thinks is appropriate and complete enough to embody the intention of the Legislature. In a certain stage the Judiciary and the Members of the profession find that the phraseology used by the draftsman is mistaken and does not carry the intent which the Legislature had. That problem therefore becomes a problem which somebody has got to look into and rectify to bring it in consonance with the original intention. It often happens that when a Legislature is engaged in a course of legislation over an extensive period certain inconsistencies unconsciously creep in. It is not always possible either for the draftsman or for the Legislature to examine every piece of legislation that is brought before it with a view to find out whether that piece of legislation is consistent with other

[Dr. B. R. Ambedkar]

legislation which has preceded it. Therefore in course of time these inconsistencies accumulate. They trouble lawyers, they trouble judges and they also trouble the litigating public. It also often happens that in modern times when a legislature is so busy that it is unable to give the whole of its time to codifying the whole of the law on a particular subject it tries to discharge its responsibilities by undertaking what we call fragmentary and piecemeal legislation. This accumulation of piecemeal and fragmentary legislation again in course of time creates a problem. People cannot understand what the law is and consequently a problem of codification arises. Therefore it needs no special pleading to suggest that a statute law revision committee is necessary. I think the Government of India long ago accepted the necessity of having a statute law revision committee. In fact as soon as the Montagu-Chelmsford reforms came into operation and when it was found that there was a popular legislature and that popular legislature was more likely to undertake legislation of social reform than the previous legislature had been likely to do, the Government of India *pari passu* and simultaneously with the introduction of the Montagu-Chelmsford reforms introduced and established what was called a Statutory Law Revision Committee in 1921. Therefore there is no difficulty in my accepting the underlying purpose which my Honourable friend Sir Hari Singh Gour has in mind, namely, that there should be a statute law revision committee. The only point of difference between him and me is whether we should forthwith proceed to establish a statute law revision committee that he has in mind or whether we should leave the matter to Government to think about the most appropriate time and the most appropriate machinery which could carry out the purpose which both he and myself have in mind.

In regard to the Statutory Law Revision Committee of the type that was set up in 1921, I should like to inform the House of the work that it did and whether it could not have done something better. The Statute Law Revision Committee was appointed in 1921 and lasted up to 1932. After 1932 it died; whether it died a natural death or an unnatural death is not a matter which I propose to disquisition about. But I should like to tell the House that during these eleven years that the Committee was in session from time to time the work that it did was the codification of the Merchant Shipping Act, the Criminal Tribes Act, the Indian Succession Act, the Forests Act and the Tolls Act. Now, Sir, without any intention of casting any reflection upon the work of the Committee, I think it will be agreed that the production of five laws in a period of eleven years is certainly not an enormous piece of work which could be expected from a Committee of this kind. On the other hand when the Committee was dissolved and when the responsibility fell upon the Government of India to do the work which the Committee was appointed to do—if I may say so again without reflection on the work of the Committee or without trying to take any credit for the Legislative Department of the Government of India—the Acts produced after the Committee were the Sale of Goods Act, 1930, the Partnership Act, 1932, Factories Act, 1934, Tariff Act, 1934, Petroleum Act, 1934, Insurance Act, 1938, Motor Vehicles Act, 1938 and Arbitration Act, 1940. Any one who knows these Acts will admit that each one of them is an enormous piece of legislation. The reason why the Statute Law Revision Committee failed to fulfil the promise which it was expected to fulfil was that there was a great defect in the composition and constitution of that Committee. First of all, the Committee consisted of six members; it was elected mostly from members of the legislature. No doubt the members who were elected were elected purely on the basis of their legal knowledge and legal acumen, but in my judgment that was a pure accident. The Chairman of the Committee was the President of the Council of State. I fail to understand what

virtue there was in appointing the President of the Council of State as Chairman of this Committee which, as all of us know, requires specialised legal knowledge.

The second difficulty about the Committee was that its members were not paid members. I do not wish to suggest that if members are not paid they do not discharge the duty which all people are conscientiously required to do. But it did happen, and it is a fact, that the Committee met very seldom. The members of the Committee having been drawn from the legislature met only during the sessions, and when they were asked that now that they were present in Delhi they might devote some portion of their time to the discharge of their functions as members of the Statute Law Revision Committee, all of them pleaded that their legislative work was more important than the work of the Committee. At the end of the sessions all of them naturally repaired to their homes in order to perform either their personal or their professional duties. The result was that the Committee was not able to devote all the time that it was expected to devote. Now obviously my Honourable friend Sir Hari Singh Gour will agree that if his purpose is to be carried out we must have an altogether different sort of Committee. It is no use having a Committee of the sort that we had and which, for the reasons I have mentioned, did not fulfil the functions with which it was charged.

Now, Sir, there are two ways, in my judgment, of doing the thing. First of all we might have a permanent Commission sitting for no other purpose except that of revising and codifying the statute. Secondly, if it is to be a permanent body it undoubtedly must be a body of experts who know their job. And I think every one will agree that if experts are to be called away from their professions we must make it worth their while to come and serve on the Committee. Obviously it is a matter of cost. That being so, it is not possible for me to say off-hand that without examining the question of cost it will be possible for Government to say here and now that we shall agree to appoint a Statute Law Revision Committee of any sort that might be suggested either by Sir Hari Singh Gour or by any other member of the legislature.

There is also another way of carrying the purpose into practice. That might be by the appointment of a small standing committee consisting of the Law Minister of the Government of India, a Judge of the Federal Court, the Advocate-General of India, one or two Judges of the High Courts in India and two or three eminent lawyers. The Committee might be asked to sit at stated periods of the year and a person from the Law Department of the Government of India may be deputed to act as a Secretary, to collect the information and to place it before the Committee for the Committee to take notice of what might be done.

As I say these are various ways of carrying the purpose into effect. That as I said requires time and examination and it is not possible for the Government, besieged as it is with an infinity of problems of all kinds to find time for the work which it will have to do if I were to accept the resolution of Sir Hari Singh Gour with the immediacy with which I believe he has charged it. Therefore, what I would like to suggest is this: that Sir Hari Singh Gour would realise that so far as the ultimate purpose is concerned, there is no difference of opinion between me and him. Both of us are agreed that this is a matter which the Government of India ought to take into consideration. The only difference is when and how, and that is a matter on which he need not press the Government for the immediate issue. Therefore my suggestion is this: that as I have given a reply which meets more than half the ground on which he stands, I think he will agree that it will be gracious on his part to withdraw it.

Dr. Sir Hari Singh Gour: I am obliged to the Honourable the Law Minister for giving me half a loaf and still keeping me standing for the other half

[Dr. Sir Hari Singh Gour]

The position is this. I am not myself enamoured of the prestine Law Statutory Committee. I have only mentioned it that it was the precursor of the kind of Committee I have in mind but do not ask for a duplication of that kind of Committee, but merely the kind of Committee we should now constitute. Sir, that Committee was constituted for revising the law and I happen to remember that that Committee drew the attention of the Government of India to the fact that there was in reality and in law, the law of extritoriality applicable to all Europeans—not Englishmen, but all Europeans, and a special chapter was enacted in the Code of Criminal Procedure for the trial of such Europeans. Honourable Members know what is the meaning of that chapter. They were liable to be tried by their own countrymen and by a jury of their own fellow-country-men and I do not know whether Honourable Members know the notorious case of O'Hara who killed an Indian and was ordered to be sentenced, and the whole regiment rose up in revolt against it. And thereafter the Government of India became wise and never tried a European in any case however serious.

When the Statute Law Revision Committee was in existence, the attention of this House was drawn to the fact that this obnoxious law, creating extritorial jurisdiction in favour of Europeans must be abrogated and a special Committee was appointed, and after long long periods of promises and confabulations, we came to a compromise and that compromise was embodied in the new Criminal Procedure Code.

Now, Sir, the Honourable the Law Minister has talked of the work that is being done by the Law Department of the Government of India. Most of the work that is done by the Government of India is to collect more money, but it was not the work of a character which would commend itself to this House. I should have expected, Sir, that after the Europeans had left India and the Indian Independence Act came into law on the 15th August, the first step they would take would be to repeal that chapter dealing with Europeans in India. Is there a single Honourable Member who thinks that they could have done less than what was absolutely necessary for the purpose of safeguarding the rights of the people of India and establishing a uniform state of criminal law in the country? What have they done? Nothing. The Europeans are gone but their privileges remain. They are still enshrined in a chapter of the code of criminal procedure.

Sir, the Honourable Minister has asked me to take his assurances and wait and see. I am afraid I am not prepared to wait and see such things as these for the honour of my country and for the honour of my countrymen. I cannot stand any longer the stamping by a European as a superior race and having his own laws and his own jury to try him. If the Government had taken timely steps to rectify this law I should have got up and thanked him for doing a public service for stamping out this large blot of criminal procedure which still stands as an eye-sore to me and an eye-sore to my fellow-countrymen in this country.

There are other Acts of the Indian Legislature. Lord Macaulay, when he drafted the Act of 1860, and it became the Penal Law, he had enacted a most drastic Act, the like of which India and the civilized world has never seen. In the report of the Select Committee he pointed out that:

"I have provided punishments to a people who are still in a primitive state of civilization. But I hope that when they emerge from that stage, the sentences that I have enacted in this Code will be revised."

These are the words of Lord Macaulay and this is the promise given by the Select Committee that made the Penal Code of India. What has been done? When this Statute Law Revision Committee was in being, it was pointed out to the Government of India that the sentences which the Penal Code has

enacted were in many cases not only prohibitively cruel but Draconian in their construction and tone, and as the author of the Penal Code promised, this would be compromised.

I would not like to detain this House one moment longer than is necessary but let the Honourable Members take my word for it that the Indian Penal Code requires as much revision as the Code of Criminal Procedure, and so far as such other laws of India are concerned, some of my honourable friends have pointed out and referred to the Indian Independence Act, and I am quite sure that if I had more time I should have given further details of the various Acts of the Indian legislature which the Statute Law Revision Committee should revise—revise because it is the master of itself and it is not dictated to by a gentleman sitting in Whitenall, following the policy of the British Cabinet and not subservient to the wishes of the people of India. It is for this reason that I am afraid to wait and see. I hope the Honourable the Law Minister will take a reasonable time. I am not for a moment asking him that the Statutory Law Revision Committee should be brought into existence tomorrow and that it should finish its work the next day. What I do want is that there must be an earnest beginning to start the work of the Law Revision Committee. You can appoint a Secretary and you can appoint a Judge of the Federal Court. I am not sure about the Advocate General and the rest. But you can appoint men with legal talent and ability to do the work and collect materials to be laid before the Statute Law Revision Committee. I think, Sir, if this is done we shall have made a good beginning but in the meantime I wish to point out that the Criminal Procedure Code contains most obnoxious provisions in favour of Europeans, which were enacted at the time when the British were masters of this country and which the previous Assembly amended as a weak compromise, because they could do no more, be immediately repealed. We are not now in the region of compromises. We therefore ask the Law Minister to remove from the Code of Criminal Procedure this provision in favour of Europeans. I would ask them to see the report that preceded the enactment of the Indian Penal Code about what I have said regarding the denunciation of crimes and sentences which require to be revised. One hundred years have passed: the Government of India have done nothing. One hundred years have passed, their attention was drawn and has been drawn from time to time to these facts but I do not blame the Government of India of the pre-August days but I ask the Government of India of post-August days, what have they done and what has their department done to establish the real independence of this country?

Honourable Members know that when the Roman Republic was established the first thing that it did was to codify their laws. The laws of Justinian, Gaius and Ulpian etc. are the standard books prescribed for law examinations up to date. I hope we shall follow the great example of the Roman Republic and try to codify our laws, so that future generations in this and all countries of Asia and Europe may follow them as their safe and reliable textbooks. These are the things which I should expect the Law Department of the Government of India to do.

Law is the main branch of a state. It is not a minor branch: it is the main branch. The administration of the country depends upon the administration of its laws and the administration of laws depends upon their provisions which the judges are called upon to administer. Therefore I suggest, as my Honourable friend to my right has pointed out, that we should have immediately a Statute Law Revision Committee. Appoint a Secretary and give him the work of preparing a brief for the use of the Statutory Law Revision Committee. As to the composition of the Committee I am quite sure that the Honourable the Law Minister will consult the wishes of this House and will appoint such a committee as will command the confidence of this House.

[Dr. Sir Hari Singh Gour]

Sir, I am very glad that this subject has come before this House. I am very glad that it has awakened the minds of many people to the dire necessity of amending our laws out of self-respect to ourselves. If I understand the Honourable Minister to carry out the purpose of my resolution I am glad to withdraw it.

Mr. Chairman: Has the Honourable Member leave of the House to withdraw the Resolution?

The resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) ACT

Shri Jainarain Vyas (Jodhpur State): Sir, I have tabled a resolution to repeal the Princes Protection Act of 1922 and the States Protection Act of 1934. These obnoxious pieces of legislation were not liked by the members of this House when they were introduced as Bills and they were vehemently opposed. As a matter of fact the Princes Protection Act of 1922 was not permitted to be introduced in this House and had to be certified by the then Viceroy, Lord Reading. The other Act of 1934 was also strongly opposed among others by Mr. Gadgil, who is now a Minister, Sir Hari Singh Gour, Mr. Neogy and others and as such these Acts should not be on the statute book of free India. But I understand that the Govt. of India has asked the members of the Laws Enquiry Committee to go into this matter and to recommend whether these acts should be repealed or amended. Since the Government is acting in the matter I do not think it will serve any purpose if I move this resolution in this House. I hope the Government would not allow these acts to remain on the Statute Book or let these acts disfigure the statute book of Free India. Sir, I do not want to move my resolution.

RESOLUTION RE SCIENTIFIC RESEARCH INTO AYURVEDA SYSTEM OF MEDICINE

Shri H. V. Kamath (C. P. and Berar: General): Sir, since I sent in my resolution on the subject of Ayurveda I have learnt from the Honourable the Minister of Health that the Government of India adopted a very similar resolution late last year and have travelled a long way in the direction of implementing the same. At an All-India Health Conference convened in October.....

Mr. Chairman: If the Honourable Member does not want to move the resolution I do not think the speech is permissible. Either he moves the resolution or does not: there is no third course.

Shri H. V. Kamath: In that case, I shall formally move the resolution. I want to say why I am withdrawing it.

Mr. Chairman: Let the Honourable Member first move the resolution and then make his speech.

Shri H. V. Kamath: Sir, I move:

"This Assembly is of opinion that the State should actively promote and foster research, on a scientific basis, into the ancient Indian system of Ayurveda."

It is needless for me to expatiate on the need for the State for the Government of Free India, to undertake scientific research into our indigenous systems of medicine. Ayurveda has been a system which was looked upon by our ancient doctors, sages and seers not merely as a science of medicine but as a Veda, rather as the Fifth Veda. That is why it was called Ayur Veda. After the four Vedas this science was exalted to the position of a Fifth Veda. It is well known how this system flourished in ancient times and spread not merely in India but in countries abroad as well. They say that imitation is the sincerest form of flattery. In the days preceding

the War I came across a German pharmaceutical company who used to manufacture Ayurvedic drugs. They were using the same name and putting them on the German market. For instance *makaraanwai* was put on the Berlin market by a German manufacturing concern and it was very popular in Germany as well as in the rest of Europe. This is only one instance among many others to show the efficacy and the popularity of the system of Ayurveda. Unfortunately this science later on fell into the hands of quacks perhaps and therefore it got into disrepute. The science of Ayurveda got shrouded in mystery, as also the science of *Hathayoga*. I am mentioning *Hathayoga* because that formed part of the science of physiology and anatomy which our doctors knew and practised in the olden times. These two systems of Ayurveda and *Hathayoga* were interwoven and very intimately connected because anatomy and physiology are ancillary and essential to any system of medicine. Today Western doctors are amazed at the knowledge that our doctors, our *Hathayogis*, our ancient physicians had developed and treasured in their books. I hope, Sir, that with the new Government in office, with a Government of Free India in office, there will be a renaissance of our culture in all directions, a comprehensive renaissance, or a multi-petaled flower of the Indian culture as Rabindranath Tagore very often used to emphasize. This renaissance has been taking place for the last one hundred years or more and we have evolved through various stages in spite of our social degradation, in spite of our political slavery and in spite of a hundred and one obstacles that have beset our onward path to freedom. It is fortunate, Sir, that we have ultimately arrived at our goal, but we cannot afford to rest on our oars. We have to use this freedom as a means to an end, a means to the happiness of the people, the physical, mental and spiritual happiness of the individual as well as of society. If Ayurveda is encouraged, fostered and promoted by the state, it will not merely revive our ancient science, but it will also open up avenues of trade and commerce with foreign countries. There will also be an outlet for the energies of our people, and increase in our foreign trade. It is needless for me to say that our products, even our tooth pastes like Kopran and Neem, are sold in Europe and America at the present day, and if these Ayurvedic products are put on the market after scientific research on proper lines I have no doubt in my mind that they will open up large avenues of trade and commerce to our country.

I am gratified to note that this Government did adopt a very similar resolution late last year, in October 1946 to be exact. At an All-India Health Conference convened by the Government of India—the then just installed Interim Government of India—at which conference were present Provincial as well as Central representatives, a resolution was unanimously adopted that—

“In accordance with the recommendations of the National Planning Committee this Health Conference resolves that adequate provision should be made in the Centre and the Provinces for research in and application of the scientific method of investigation of the indigenous systems of medicine like Ayurveda and Unani with reference to the maintenance of health and the prevention and cure of disease;

Further for starting schools and colleges for training for diploma and degree courses in indigenous systems of medicine;

And for post-graduate courses in Indian medicine for graduates in Western medicine.”

Subsequent to this I am glad to learn that Government have set up a Committee to implement this Resolution and the report of this Committee is scheduled to be out and before us by the end of February 1948. That day is not very far off and when the report is presented to us we will have an opportunity of discussing the entire matter afresh with very many new ideas before us. I thought that at this stage there would not be much point in pressing this Resolution of mine. That is what I wanted to say, but unfortunately, Sir you were pleased to hold otherwise. Even now, if you permit me to withdraw the resolution I shall do so. Otherwise you may please treat it as having been

[Shri H. V. Kamath]

moved. Then I hope and would request the Honourable Minister of Health to make a statement as regards the policy of the Government in this regard.

Mr. Chairman: Resolution moved:

"That this Assembly is of opinion that the State should actively promote and foster research, on a scientific basis, into the ancient Indian system of Ayurveda."

The Honourable Member has expressed his desire to withdraw the Resolution. May I know if the House is pleased to grant leave to the Honourable Member to withdraw the Resolution?

Some Honourable Members: Yes, yes.

Shri M. S. Aney (Deccan and Madras States group): Sir, the Honourable Member has moved a Resolution which is now before the House. At the beginning itself it was repeatedly asked of him whether he wanted to move it or not. He said that he wanted to move it and he has now done so. That is what has taken place. In these circumstances I do not know whether he can immediately, after making his speech in support of the motion, say 'I want to withdraw the motion'. It is of course for the House, I think, after hearing any statement of the Honourable Minister, to allow it to be withdrawn. But for the same Member to move a resolution and immediately thereafter to withdraw it is, I think, a procedure which should not be encouraged.

Shri Mohan Lal Saksena (U.P.: General): Since there is another Resolution to come, the Honourable Member may be allowed to withdraw it.

Mr. Chairman: It is certainly an unusual procedure for an Honourable Member to insist first of all that he is out to move a resolution and then, in the course of the same speech, to say that he is not pressing it. But at the same time I do not see that any advantage would be gained if the House does not agree to give him leave. That is why I put the question before the House that if it gives him leave, he will be allowed to withdraw the resolution.

Shri H. V. Kamath: I asked permission for withdrawing it only after moving the resolution.

Mr. Chairman: You cannot do so in the same speech. You cannot in the same breath blow hot and cold. Does the House give leave to the Honourable Member to withdraw his Resolution?

The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE TRAINING OF PERSONNEL FOR A NATIONAL MERCANTILE MARINE

Shri K. Santhanam (Madras: General): Mr. Chairman, Sir, I beg to move the following Resolution:

"This Assembly is of opinion that immediate steps be taken by the Government of India for expanding the facilities for training in various branches of mercantile marine services so as to ensure an adequate and efficient personnel for a national mercantile marine."

In view of the shortness of time, I shall not go into the details which I have prepared for this occasion. The position today is this. Out of the total world tonnage of 66 millions, the United States of America has 34 million tons and the United Kingdom and Dominions 15 million tons, while India has 25, that is 250,000 tons, and even for this small mercantile marine we have not got enough personnel, and today, even though you buy ships, you may spend money but you cannot man the ships. That is the position today and the only institution for training officers is the *Dufferin* which gives us 25 executive

officers and 25 engineers per year, and out of these 50, 15 drop off owing to many reasons, so that only 35 officers are being produced every year. These officers are not sufficient to man even the small mercantile marine which we have today. Sir, in the report of the Reconstruction Policy Committee on shipping it has been recommended that India should aim to have within the next seven years 2 million tons. If we are to have 2 million tons of shipping, we must have nearly 4,000 officers, that is to say we must annually produce 200 officers, and if we allow for wastage and reserve, we must produce at least 125 executive officers per year and 125 engineer officers. For this purpose, we want to have a real institute, a mercantile marine institute which will have nearly 500 to 600 students during the whole course. Therefore I suggest to the Honourable Minister in charge that he should take immediate steps to establish such an institute so that it will give all the officers that we need as early as possible. It has been suggested to me that there is already in the Trombay island near Bombay, which is 8 miles distant from Bombay by sea and 18 miles by road, naval barracks which will accommodate this very institute so that the Government of India need not go into further expenditure, and therefore I do suggest that the Government should take steps to acquire this place and start this institute, and if necessary expand it further.

There is also one other point which I would like to suggest, that is there are no coaching facilities for these officers for higher certificates, and immediate steps should be taken to provide these facilities. The Maritime Union of India is taking some steps to provide these facilities, but in response to their application for a grant the Government of India have not helped them so far. I hope the new Government that has come into being will do its part not only to build up the institute which I have suggested, but also to provide all facilities for our students to get the highest possible certificates. Now they have to go to London for many of the higher certificates. I think sufficient provision should be made in this country for them to get all certificates so that they need not be dependent upon foreign facilities. Sir, I do not want to take up the time of the House because I am more anxious that the Minister should have an opportunity to give us the necessary assurance for this purpose than that I should go into this question in any detail. I think that a small expert committee should be appointed to give the Government a proper scheme for training the requisite number of officers, and they should also take steps not only to get officers, but also to train the men and, to train all the ancillary services so that large numbers of our people may take their due share in our shipping and so that we can have an adequate mercantile marine. It is only when we have an adequate mercantile marine we can provide for our naval defence. It is no use merely depending on naval units. During the war it was the mercantile marine of the United States of Britain that came to the assistance of the Government. Their merchant ships were converted into naval units: all their officers were drafted into the Navy. Similarly it is only if we have a large number of trained personnel in our mercantile marine that when there is war or other difficulty we can get enough number of officers and seamen. Therefore I commend this resolution, Sir, and I hope it will be unanimously accepted by the House.

Mr. Chairman: Resolution moved:

"This Assembly is of opinion that immediate steps be taken by the Government of India for expanding the facilities for training in various branches of mercantile marine services so as to ensure an adequate and efficient personnel for a national mercantile marine."

The Honourable Shri N. V. Gadgil (Minister for Works, Mines and Power): Mr. Chairman, I am very much obliged to my Honourable friend Mr. Santhanam for having given me an opportunity to enunciate the policy of the Government with respect to the matter raised in this Resolution. I want to say in the beginning that Government accept this resolution. Having done that, I just want to give very briefly some facts which will go to show that the

[Shri N. V. Gadgil]

urgency of this question has not escaped the attention of the Government. Only a few days ago the Honourable Mr. Bhabha, while addressing the Conference of representatives of shipping interests, stated that it has been accepted by the Government that the target for the increase in Indian tonnage for the coming five years would be 2 million tons. It is obvious that this is not enough unless there is properly trained personnel to run our ships. My friend, the Honourable Mr. Santhanam, has given some idea as to the number that would be required in order to run efficiently this tonnage. Very hurriedly for obvious reasons he gave a picture in which a complete scheme for training the entire personnel was visualized. In this connection I might bring to the notice of my friend the Honourable Mr. Santhanam, as well as the House, that in order to see that the Indian tonnage is not only increased but the shipping industry is owned, managed and run by Indians, the principle having been accepted, the Government have appointed a small committee, as has been visualized by my friend Mr. Santhanam, consisting of Captain H. I. Davis, Dr. S. R. Sen Gupta, and Mr. M. A. Master of the Scindia Steam Navigation Company.

This small Committee has been asked to report as early as possible and the Terms of Reference are so wide that I am sure they will satisfy every Member of this House; for, they embrace among other things—

“(a) To consider what measures can usefully be taken :—

- (i) to expand the existing facilities for preliminary training of cadets for sea-service; and
- (ii) to provide higher stages of training in navigation and engineering to prepare candidates for Board of Trade or equivalent certificates;

(b) The Committee will also examine and report as to :—

- (i) whether for the purposes of higher training an independent Nautical College should be run or whether Nautical Classes should be opened in the existing Government or private institutions;
- (ii) whether such a Nautical College should train for Ship Surveyor's Course and “Extra” examinations besides for ordinary certificates of competency;
- (iii) whether such a College could undertake to train Nautical Surveyors, Engineer and Ship Surveyors and Examiners of Engineers and Masters and Mates for the Mercantile Marine Departments;
- (iv) whether and if so what arrangements should be made for the holding of Extra Master's and Extra First Class Engineer's examinations in India;
- (v) whether facilities for higher training should be provided to only those cadets who take advantage of the preliminary training scheme or to all candidates who come forward for such training;
- (vi) what method should be adopted for the selection of candidates for higher training;
- (vii) what fees should be charged for higher training;
- (viii) what should be the length of course of and the curriculum for higher training; and
- (ix) what arrangements should be made for the recruitment of coaching staff required for the Nautical College.

(c) The Committee will be competent to make such other recommendations as seem germane to the subject.”

You will see, Mr. Chairman, that the Terms of Reference are so wide that nothing more can be included in the same. At the same time, Sir, the Proceedings of this House covering the discussion on this particular subject, I promise to forward to the Chairman of the Committee for such consideration as he may consider necessary. I also earnestly request those Members who have taken a keen interest in this subject to make such useful and constructive suggestions as they can to the Chairman of the Committee directly, or if

they so desire they may forward them to Commerce Ministry which will forward them to the Chairman of this Committee.

I agree with my friend Mr. Santhanam that there is another aspect which is far more important than merely manning the Mercantile Marine. In times of war this staff is bound to be taken over for the purpose of defence—in other words, this is the second line of our Naval defence. From that point of view all I can say is that cost will not be a consideration in evolving any scheme which will secure an adequate number for running the ships the target of which has been very recently fixed at 2 million tons in the coming five years.

I do not think I should detain the House any more but once more I want to thank my friend Mr. Santhanam for having given this opportunity to Government to clarify the position, I hope to the satisfaction of the whole House.

Shri M. S. Aney (Deccan and Madras States Group): When is the Committee's Report likely to be available?

The Honourable Shri N. V. Gadgil: As early as possible but within six months.

Shri M. S. Aney: When was the Committee appointed?

The Honourable Shri N. V. Gadgil: About a fortnight ago.

Mr. R. K. Sidhwa (C. P. and Berar: General): On a point of information, Sir, may I know whether the Board of Trade Examination which is now held for all these purposes in England will also be instituted in India?

The Honourable Shri N. V. Gadgil: That is a matter on which the Committee will certainly report, and if it does, my friend may rest assured that the Government will accept their recommendations.

Shri K. Santhanam: Sir, I have no desire to take up the time of the House and would gladly forward my own suggestions to the Committee. I am grateful to the Government for accepting this Resolution and I hope this Committee will be asked to expedite its proceedings and come to effective conclusions as early as possible and I hope that as soon as the conclusions have been received by the Government, the Honourable Minister will not take much time and will come to a final decision as early as possible so that there will be no more delay in training the necessary personnel for our Mercantile Marine. Sir, I hope House will unanimously accept the Resolution.

Mr. Chairman: The question is:

"This Assembly is of opinion that immediate steps be taken by the Government of India for expanding the facilities for training in various branches of mercantile marine services so as to ensure an adequate and efficient personnel for a national mercantile marine."

The Motion was adopted.

श्री० राम सहाय: सभापति महोदय, डाक्टर पट्टाभी ने जो रेज्यूलेशन नेशनल मिलीशिया के बारे में पेश किया था और उस के सिलसिले में डिफेंस मिनिस्टर साहब ने जो आश्वासन दिया था उसको देखते हुए मैं अपना रेज्यूलेशन पेश नहीं करता हूँ ।

Shri Ram Sahai: Mr. Chairman, in view of the assurance given by the Honourable the Defence Minister in connection with the resolution moved by Dr. Pattabhi regarding National Militia, I do not move my resolution.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 3rd December 1947.