

Thursday, 23rd November, 1950

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PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT



THIRD SESSION (FIRST PART)

of the

PARLIAMENT OF INDIA

(1950)

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

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PARLIAMENT OF INDIA

Thursday, 23rd November, 1950

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

DOLES TO DISPLACED PERSONS

*285. **Shri B. K. Das:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of East Bengal displaced persons receiving doles in October, 1950; and

(b) the policy followed in discontinuing doles to recipients?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) 2,42,440.

(b) Usually doles are given to camp inmates until their dispersal for rehabilitation. Doles to able-bodied men are discontinued only when remunerative work is provided. If a displaced person refuses such work or to disperse to a rehabilitation centre his dole is discontinued, but the doles of his dependents continue to be paid. Due to the heavy influx of displaced persons from East Pakistan doles were paid to destitutes even outside camps as a special case. These have been discontinued since 31st October, 1950, but special funds have been placed at the disposal of State Governments to mitigate any hardship that might be caused due to stoppage of cash doles in deserving cases. It is also open to such persons to seek admission into Government camps until their rehabilitation can be arranged.

Shri B. K. Das: May I know what has been the lowest quantity of dole and the highest quantity?

Shri A. P. Jain: It is all a uniform rate: Rs. 3-0-0 a week in the case of an adult, and Rs. 2-0-0 a week in the case of a minor.

Shri B. K. Das: Is it all paid in cash or in kind also?

Shri A. P. Jain: It may be paid either in cash or in kind. If it is paid in kind, the total value of the articles supplied cannot exceed that amount.

Shri B. K. Das: May I have an idea as to what has been the total number of recipients of these doles?

Shri A. P. Jain: It is not possible to give any such figures because a person may be on dole for some time and then he may be rehabilitated.

Shri Munavalli: What is the amount of money spent on doles so far?

Shri A. P. Jain: It is also not possible to give the total amount that has been spent. Roughly speaking, on an average, it works to Rs. 10-0-0 per person per month. As there are 2,42,440 persons, the amount may come to Rs. 25 lakhs a month.

Pandit Balkrishna Sharma: May I know the amount that has been placed at the disposal of the Bengal Government for distribution as doles in the case of people who have not been in the camps?

Shri A. P. Jain: A sum of Rs. 25,000 was placed at the disposal of the Bengal Government in October 1950. Thereafter, for the rest of the financial year, a sum of Rs. 50,000 per month is being placed at the disposal of the Government.

Shri Chattopadhyay: Does the number receiving doles include both Hindus and Muslims; and, if so, what is the number of Muslims who receive doles?

Shri A. P. Jain: These figures relate to persons living in the camps; no Muslims are living in the camps.

Shri Sonavane: May I know what saving has been effected by the discontinuance of giving doles?

Shri A. P. Jain: I cannot give that figure; but my rough estimate is that

it must be in the tune of four or five lakhs.

RELIEF CAMPS

*286. **Shri B. K. Das:** Will the Minister of Rehabilitation be pleased to state:

(a) what relief camps are maintained by the Central Government as well as by the State Governments and what is the population in each of them;

(b) which relief camps have been turned into colonies or shelters for want of alternative accommodation; and

(c) what has been the total dispersal of displaced persons from the relief camps since January, 1950?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) A statement showing the relief camps maintained by the Central Government as well as by the State Governments along with their population is laid on the Table of the House. [See Appendix III, annexure No. 19.]

(b) No relief camp has been turned into a colony or shelter for want of alternative accommodation. But where the site of a camp was considered suitable and where military barracks used for provisionally housing the displaced persons were considered fit for regular residential accommodation, after some modification, that camp was turned into a regular colony on a permanent basis. Such colonies are of three types as below:

A. By conversion of military barracks—

- (1) Chembur (Bombay).
- (2) Valivade (Bombay).
- (3) Chakrabhata (Madhya Pradesh).
- (4) Katni (Madhya Pradesh).
- (5) Mana (Madhya Pradesh).
- (6) Tilda (Madhya Pradesh).
- (7) Faizabad (U.P.)

B. By construction of entirely new houses and tenements—

- (1) Mulund (Bombay).
- (2) Purana Quilla (Delhi).
- (3) Kotla Ferozeshah (Delhi).
- (4) Ramnagar (Uttar Pradesh).

C. Partly by new construction and partly by Conversion of Barracks—

- (1) Kalyan (Bombay).
- (2) Pimpri (Bombay).
- (3) Kingsway (Delhi).

(4) Exhibition Grounds, Saharanpur (U.P.)

(5) Premnagar (Uttar Pradesh).

(c) The number of displaced persons dispersed from relief camps since 1st January 1950 is as follows:

(i) Displaced persons from West Pakistan.....0.11 lakh.

(ii) Displaced persons from East Pakistan.....1.3 lakhs.

Shri B. K. Das: May I know whether in every case of dispersal, previous arrangement for rehabilitation is made?

Shri A. P. Jain: Yes.

Shri B. K. Das: By what time does Government expect to liquidate this camp population?

Shri A. P. Jain: In the case of West Bengal, I have drawn up a programme to disperse the camp population by the end of the financial year. In the case of Jammu and Kashmir refugees, we have started dispersal of the refugees and we are trying to expedite it.

Shri B. K. Das: Will it be possible for Government to make arrangements for the rehabilitation of the entire camp population by the end of this financial year?

Shri A. P. Jain: It is on that expectation that we are proceeding.

Shri Chattopadhyay: Is any camp run exclusively for lady refugees coming from East Bengal?

Shri A. P. Jain: Yes; there are some camps. I can recollect two camps at the moment: Titagarh and Bansbaria.

Shri Chattopadhyay: May I know whether the camps for ladies are being closed down; and, if so, why?

[**Shri A. P. Jain:** There is no relief not closed. We have abolished the Titagarh camp and are transferring the inmates to other camps.

گھاتی جی - ایس - مسافر - پنجاب
 مہن اس وقت کئی شہنارتھی کھمپ
 موجود ہیں اور ان مہن کئی شہنارتھی
 ہیں جو رہ رہ رہ رہ رہت نہیں ہوئے ہیں۔

[**Gdani G. S. Musafir:** How many refugee camps are there in Punjab at present and what is the number of refugees who have not been rehabilitated so far?]

श्री ए० पी० जैन : पंजाब में इस वक्त कोई रिलीफ कैम्प नहीं है।

[Shri A. P. Jain: There is no relief camp in Punjab at present]

Shri Chattopadhyay: May I know whether it is a fact that because there are no adequate arrangements for the ladies in other camps, ladies have refused to vacate the Titagarh camp?

Shri A. P. Jain: The tale of the Titagarh camp has been a rather painful one. The Titagarh camp is situated in the midst of labour area where cases of delinquency were brought to my notice. It is unfortunate that a certain section of the people of Bengal are opposing the dispersal of the Titagarh camp, which, I think, is wholly justified even on moral grounds.

Pandit Munishwar Datt Upadhyay: What is the total yearly expenditure on the maintenance of these camps?

Shri A. P. Jain: The camps have not been run for a whole year; I cannot give the total annual expenditure.

Shri E. K. Chaudhuri: May I know if there are any relief camps in the Assam Valley, that is, in the districts other than Cachar, which are run directly by the State Government, and what is the number of refugees that are still there?

Shri A. P. Jain: A statement has been laid on the Table. That statement contains all these figures.

Shri B. K. Das: Is there any camp mainly meant for unattached persons, I mean persons unattached like children and women?

Shri A. P. Jain: Yes; I have already mentioned two, the one at Titagarh and the other at Bansbaria.

बाबू रामनारायण सिंह : डिसपर्सल का क्या अर्थ है ? क्या इसका यह मतलब है कि जो वहाँ के रहने वाले शरणार्थी हैं उनके लिए रहने का और रोजगार का प्रबन्ध हो जाता है तब वहाँ से उन्हें हटाया जाता है या यों ही हटा दिया जाता है ?

[Babu Ramnarayan Singh: What is the meaning of dispersal? Does it mean that refugees are dispersed from there only when arrangements have been made for their living and employment elsewhere, or they are dispersed just for nothing?]

श्री ए० पी० जैन : डिसपर्सल का यह मतलब है कि जब उनके रहने के लिए काफी इन्तिजाम हो जाता है तो उनको भेज दिया जाता है। उसके यह मानी नहीं है कि हर एक चीज मुहय्या हो जाती है। यानी जिस वक्त भी इस बात का अन्दाजा हो जाता है कि उनको बसाने का काफी इन्तिजाम हो गया है उसी वक्त उनको भेज दिया जाता है।

[Shri A. P. Jain: Dispersal means that when sufficient arrangements have been made for their living, they are dispersed from there. It does not mean that everything is arranged for them. That is whenever we are in a position to know that sufficient arrangement has been made for their rehabilitation, they are immediately dispersed.]

JOINT STOCK COMPANIES

*288. Shri Raj Kanwar: Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that some Managing Agents and Managing Directors of Joint Stock Companies issue balance sheets of their companies several months after the expiry of the period to which they relate;

(b) whether it is a fact that the Management of some Joint Stock Concerns issue Dividend Warrants to their shareholders several months after their declaration at the Annual General Meetings; and

(c) if the replies to parts (a) and (b) above be in the affirmative, what steps Government propose to take to safeguard the interest of share-holders in these matters?

The Deputy Minister of Commerce (Shri Karmakar): (a) and (b). Yes, Sir. Attention of Government has now and again been drawn to such cases.

(c) This matter will, amongst others, be considered by the Committee, which has recently been set up to examine the question of revision of the Indian Companies Act.

Shri Raj Kanwar: In the general interest of shareholders, do Government contemplate the possibility of statutory provisions being made for fixing a time limit in order to obviate

inordinate delays on the part of all concerned in such matters in future?

Shri Karmarkar: I am sure this will be one of the subjects that will be carefully considered by the committee that has been appointed.

Shri R. Velayudhan: May I know, Sir, whether this committee will consider the question of abolishing the managing agency system?

Shri Karmarkar: The terms of reference of this committee have been published in the Resolution of Government, in the Gazette of the 20th October, 1950, and there the hon. Member will find all the subjects that will be considered by the Committee.

O. G. L.

*289. **Shri Jhunjhunwala:** Will the Minister of Commerce be pleased to refer to the answer given on the 3rd August, 1950 to the supplementary question of Shri B. Das, raised on starred question No. 148, and state in what way the present loosening of hold on the O.G.L. will be in the interest of the country?

The Deputy Minister of Commerce (Shri Karmarkar): The liberalisation of the Open General Licence will no doubt result in greater volumes of commodities being imported from abroad. But in view of the international situation prices of essential goods have been rising and availabilities diminishing and it is therefore in the interests of the country to place on Open General Licence certain essential goods so that those who are able to import them now may do so without difficulty.

Shri Jhunjhunwala: What are the particular articles on which the prices have risen, thus necessitating this action of Government?

Shri Karmarkar: It is a well known fact that especially since the Korean War, world prices in almost all commodities have risen.

Shri Jhunjhunwala: But what are the commodities which made the Government to include them in the Open General Licence?

Shri Karmarkar: They are in the following Open General Licences—Nos. IV, XIV, XVI, XVII, XVIII, XIX and XX. The respective notifications contain all the items and if the hon. Member is curious I could read them out but it is a long list and I will be glad to supply him with a copy of it, if he wants.

Shri Jhunjhunwala: But I want only a few articles mentioned here

which it is in the interest of the country to control.

Shri Karmarkar: O.G.L. No. IV contains articles required by Consular Representatives and samples. No. XIV relates to commodities imported from the Persian Gulf and Portuguese India—and they are not many. No. XVI relates to machinery spare parts imported from soft currency areas. No. XVII deals with hides and skins imported, which are processed here and are meant for export abroad. No. XVIII has been suspended since 30th September and related to import of poultry from Pakistan. No. XIX deals with commodities imported by country-craft from the Middle-East and No. XX contains non-ferrous metals, drugs, medicines, essential raw materials for industrial use and also certain consumer goods.

Several Hon. Members: What are they?

Dr. Deshmukh: May I know if the Government consults any body of non-officials before modifying the orders under the O.G.L.?

Shri Karmarkar: As my hon. friend is already aware, there is what is called the Import Advisory Council on which are represented industry, commerce, consumers and general interests. That body meets once in a quarter and in the meeting there are extensive discussions held about any modifications sought by the public in respect of Government's import policy.

Prof. Ranga: In view of the fact that the last item is the most important in which the House is generally interested—the import of consumer goods—will the hon. Minister be good enough to give us some indication of what articles come under this category in the O.G.L.?

Shri Karmarkar: O.G.L. No. XX refers to these, and as far as I can see it contains numerous articles. If my friend wants only information in respect of consumer articles, I shall give them. I find it is a long list—cocoanut oil, milk-food for infants, sulphur, wood pulp, newsprint, hosiery.....

Mr. Speaker: That will do.

Prof. K. T. Shsh: What is the value of the trade in all these items in the O.G.L.? What is the proportion of that total to the total import trade of the country, in 1949-50?

Shri Karmarkar: I would have been glad to give all the information, but at the moment I have figures only for

the following for the period from September 1948 to August 1949. The total for leather belts is Rs. 30 lakhs as against the pre-O.G.L. total of 67 lakhs. For boilers, it was 4 crores and odd and during the corresponding period of the previous year it was 5 crores and odd. Shuttles come to Rs. 89 lakhs and for the corresponding period of the previous year, the figure is.....

Mr. Speaker: I am going to the next question.

INDIAN MILITARY MISSION, BERLIN

*290. **Shri Kamath:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that two officers of the Indian Military Mission in Berlin were recently arrested by the Soviet authorities; and

(b) if so, the reasons therefor?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes, two of the members of our Mission in Germany, who were on their way to West Germany from Berlin on duty, were detained at the Soviet Check Post.

(b) The reason for their detention was that the Officers, through inadvertence, did not secure Soviet visas on their passports. A protest was lodged with the Soviet authorities at Moscow, who have since expressed their sincere regret in respect of the detention of the officers.

Shri Kamath: I could not hear the answer to part (a) because of some talk here, Sir.

Mr. Speaker: They failed to have visas and were therefore detained.

Shri Kamath: May I know the designation or rank of these officers?

Shri Jawaharlal Nehru: They are Shri Kewal Kishen Singh, First Secretary of the Indian Military Mission. He went accompanied by Shri Srivastava the Reparation Inspector and Shri Agnihotri, his Assistant. The latter two gentlemen were stopped.

Shri Kamath: May I know, Sir, whether the Soviet authorities informed our Minister at Berlin about this arrest soon after this action was taken against these officers?

Shri Jawaharlal Nehru: As a matter of fact it was Shri Kewal Kishen, the First Secretary who had a visa, who informed the Embassy and he went and saw the Soviet authorities.

Shri Kamath: Is there at present direct liaison between the Soviet autho-

rities and our Mission in Berlin or is it through the British authorities?

Shri Jawaharlal Nehru: There is nothing through the British. There is a kind of consulate there—I would not call it exactly a consulate—with whom we deal. We do not deal with the British or Soviet consulates as such unless some particular matter arises. It is a very peculiar position in Berlin, as hon. Members must know.

Shri Kamath: Is it a fact that the Indian Military Mission or Embassy there is functioning quite independently of the three occupying powers in West Germany?

Shri Jawaharlal Nehru: Most of the dealings of our Mission there are with Western Germany; I mean our trade dealings. They are not with Eastern Germany. In effect we have very little to do with the Soviet Sector except when some particular question arises.

Shri Kamath: How many Indians are there at present in the Soviet Zone of Germany?

Shri Jawaharlal Nehru: I have no idea.

Shri Kamath: Are there any Indians at all?

Mr. Speaker: We had better go on to the next question.

LONDON COMMONWEALTH CONFERENCE

*291. **Shri Kamath:** Will the Prime Minister be pleased to state:

(a) whether any decisions were taken at the recent London Conference of Commonwealth Countries about economic aid to underdeveloped countries in South-East Asia; and

(b) if so, the nature and scope of those decisions?

The Prime Minister (Shri Jawaharlal Nehru): (a) The Conference has produced a Report indicating the total financial requirements of the Commonwealth countries in the area, over the next six years, for their development programmes and the extent to which external financial assistance would be necessary for the implementation of these programmes.

(b) The attention of the hon. Member is invited to the Report of the London Conference which will be laid on the Table of the House on the 28th November.

Shri Kamath: Will the aid be given to colonial territories such as Malaya in South-East Asia?

Shri Jawaharlal Nehru: I would suggest that the hon. Member reads the report. It is a long report.

Mr. Speaker: Let the hon. Member await the report.

Shri Kamath: Has this conference appointed any consultative or executive committee to review the working of the aid plan from time to time?

Shri Jawaharlal Nehru: Yes, I believe that some kind of a consultative committee has been appointed.

Shri Kamath: Is India represented on that?

Shri Jawaharlal Nehru: I suppose so.

Shri Rathnaswamy: May I know if at this conference there was any discussion on the question of ceding certain territories in South-East Asia to the U.S.A. for the purpose of building up military bases?

Shri Jawaharlal Nehru: I have never heard of any such proposal anywhere. Far from discussing it there it has not even been discussed in the market place.

Shri Kamath: At this conference in London was the question considered that the contribution from a Commonwealth country should have a proportion to the *per capita* or national income of the country concerned?

Shri Jawaharlal Nehru: It is far better that the hon. Member read the report and saw the whole context of it than for me to answer odd questions.

NEPA AND BALLARPUR MILLS PROJECT

*292. **Shri Kamath:** Will the Minister of Industry and Supply be pleased to state:

(a) whether the Madhya Pradesh Government have approached the Centre for any loan or other aid in connection with the Nepa and Ballarpur Mills project for the manufacture of paper and newsprint; and

(b) if so, whether any decision has been reached?

The Minister of Industry and Supply (Shri Mahtab): (a) The Madhya Pradesh Government asked for a loan of Rs. 3.5 crores for the completion of the two projects.

(b) When the request was originally made in April 1950, the State Government were informed that in view of the limited funds available, provision could be made only for

schemes of the highest priority. They were further informed that the position would be reviewed in the latter part of this year. The Madhya Pradesh Government approached the Central Government again in the matter. Their request was considered along with similar requests from other State Governments in the general review of the capital expenditure programme of the Central Government, but in view of the limited funds available, no financial assistance could be given for the Nepa and Ballarpur Mills projects.

Shri Kamath: When the Madhya Pradesh Government asked for some financial aid for this project, did the Central Government ask for a report on the past working of the project?

Shri Mahtab: All the necessary materials with regard to this project were obtained and examined.

Shri Kamath: Is the Government aware that a committee called the Shroff Committee was appointed to go into the working of this project and has Government called for the report of that Committee?

Shri Mahtab: Government have in their possession a copy of the report with regard to the Nepa Paper Mills. They have not got the report with regard to the other project.

Shri Kamath: Has the Government's attention been drawn to a speech by Shri R. K. Shanmukham Chetty, reported in the papers yesterday to the effect "I would urge the Government of India to actively participate in the financing of this project. I am confident that the Planning Commission would also give it a high priority."?

Mr. Speaker: Order, order. It does not arise as a question for eliciting information. It is already there in the papers.

Shri Hussain Imam: May I know whether it is a fact that to the Nepa project when it was floated, the public did not respond and did not subscribe the amount of share that was reserved for the public?

Shri Mahtab: That information I cannot give offhand. It was estimated originally that the project would cost about two crores but now it is reported by the Committee that it would cost about four crores, out of which the Madhya Pradesh Government have taken shares worth about Rs. 65 lakhs.

Dr. Deshmukh: Is the hon. Minister aware of the financial loss that

would be caused to the Madhya Pradesh Government and to the people as a whole, if the Central Government did not assist the State Government in this project?

Shri Mahtab: The Central Government would have been very pleased to sanction the money provided it was available.

Shri Kamath: Has this matter been considered by the Planning Commission also?

Shri Mahtab: I am not aware whether this project has been considered by the Planning Commission.

Mr. Speaker: There are so many Members who wish to put questions. I might go on to the next question.

PRICES OF ESSENTIAL COMMODITIES

*293. **Shri Tyagi:** (a) Will the Minister of Industry and Supply be pleased to state the considerations on which the maximum prices of essential commodities were fixed?

(b) Have the costs of production, manufacture and transport and other charges also been taken into account?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). Prices of controlled commodities falling under the Essential Supplies Act are, as a rule, fixed after an investigation by us. As regards commodities falling under the Supply and Prices of Goods Ordinance, prices in respect of goods wholly or largely produced in the country are fixed on the basis of the fair selling prices recommended by the Tariff Board if the cases of the industries have been investigated by that body, and in other cases, having regard to the prices prevailing on the 15th June provided that the cost of production has not changed appreciably since then. In regard to imported goods which are partly produced in the country and partly imported, prices are fixed, where necessary, with reference to landed cost and after consulting the trade interests concerned.

Shri Tyagi: Who finally fixes the price and whose advice or recommendation is taken?

Shri Mahtab: Generally we consult the Tariff Board in almost all matters. With regard to the rest there is a Price Advisory Committee and that Committee advises the Government.

Dr. R. S. Singh: May I know whether the Government of India maintain any parity between the prices of agricultural and industrial commodities?

Shri Mahtab: All these factors are taken into consideration when the prices are fixed.

Dr. Deshmukh: Who are the members of the Prices Advisory Committee?

Shri Mahtab: I lay on the Table a copy of the list. [See Appendix III, annexure No. 26.] It was also published in the Gazette.

ABDUCTED WOMEN

*295. **Sardar Hukam Singh:** Will the Prime Minister be pleased to state whether any abducted Hindu and Sikh women believed to be in the possession of Government officers of West Pakistan had been recovered during August, September and October, 1950?

The Minister of Transport and Railways (Shri Gopaldaswami): 94 women in all were recovered during August, September and October, 1950. According to the Search Service Bureau, New Delhi, three of them were alleged to have been at one time in the custody of *lambardars* and one of an *ex-Jamadar*.

Sardar Hukam Singh: What is the total number now believed to be in the possession of Government officers in Pakistan?

Shri Gopaldaswami: According to the Search Service Bureau the number of officials who are supposed to be in custody of abducted women was over 2,000. The officials according to them included *lambardars*, *jamadars*, school masters, pensioners and ex-military personnel—people who are amenable to official pressure. The Pakistan Government have contested this decision. They would not include amongst officials village officers, school masters and the rest. They have only conceded that there are 179 officers out of these 2,000, who can be described to be officials.

Sardar Hukam Singh: What steps have our Government taken during the last six months to recover these women?

Shri Gopaldaswami: They have been continually putting pressure upon the Pakistan Government, and as a result of it the total number of women in the custody of officials, to be recovered, is about 65.

Sardar Hukam Singh: Are any other special steps contemplated by this Government to be taken if these unhappy women are not recovered?

Shri Gopalaswami: At present I believe in Pakistan both the Government of Pakistan and certain non-official Committees are taking more active steps than before for recovering abducted women, and a certain amount of improvement has been noticed in the numbers recovered.

Sardar Hukam Singh: That is not an answer to my question whether our Government contemplate taking steps.

Mr. Speaker: It is not a direct answer, but the reply to the question is there.

Shrimati Velayudhan: May I know whether Shrimati Mridula Sarabhai recently visited Karachi to discuss with the Pakistan Government the recovery of abducted Hindu and Sikh women, and, if so, what was the result?

Shri Gopalaswami: That is a fact, and she has come to certain informal arrangements with officers in Pakistan for starting recovery work in areas where it has not been started and for expediting work in areas where it is already being done.

Shri Kamath: Was this matter, Sir, discussed by the Prime Ministers of India and Pakistan before the conclusion of the Indo-Pakistan agreement of the 8th April, 1950, or has it been considered during any of the meetings or conferences held during the post-agreement period?

The Prime Minister (Shri Jawaharlal Nehru): This matter has frequently been referred to in our conferences, whether of the Prime Ministers or at any other level. So far as East Bengal and West Bengal, etc., are concerned, the numbers concerned were relatively small, but the main question has been all the time of Western Pakistan and East Punjab etc.

Dr. M. V. Gangadharra Siva: May I know how many Scheduled Castes women were recovered, and whether they were converted before recovery or not?

Shri Gopalaswami: I am afraid I have no figures as to the numbers of Scheduled Castes women.

Shri Kamath: What, Sir, was the attitude of the Prime Minister of Pakistan or of the Pakistan Government's representatives at these meetings and conferences, to this question?

Mr. Speaker: I am afraid I would not allow this question.

Shri Kamath: But the Prime Minister was going to answer that.

Mr. Speaker: May be. It is a matter of opinion.

CASHEW-NUT

*296. **Shri Iyyanni:** (a) Will the Minister of Industry and Supply be pleased to state whether it is a fact that Travancore-Cochin exports cashew products to America and other countries?

(b) What is the total quantity and price of cashew-nut kernels exported to U.S.A. and other foreign countries in 1949-50 and up to the end of June 1950?

(c) Has any attempt been made to manufacture moulding powders out of cashew shell oil, which can be had in abundance in Travancore-Cochin?

The Minister of Industry and Supply (Shri Mahtab): (a) Yes, it does export cashew products.

(b) 1949-50—18,367 tons valued at Rs. 54,287,000. April-Sept. 1950—10,903 tons valued at Rs. 32,613,000.

(c). No, Sir.

Shri Iyyanni: May I know whether these moulding powders are used for certain industrial purposes, and why Government is not making an attempt to see that the cashew shell oil which is generally available in Cochin-Travancore is used for this?

Mr. Speaker: He is making a suggestion. What information does he want? He may put questions asking for information.

Shri Iyyanni: Do Government intend to use for this purpose the cashew shell oil that is available in the country?

Shri Mahtab: As a matter of fact, cashew-nut is exported for that purpose. Here no industry has yet taken it up, but our Council of Scientific and Industrial Research is investigating into the process of making useful resins out of that oil.

Shri R. K. Chaudhuri: May I know in what parts of India this nut is grown, and whether it is the same as is generally known as *kaju* and which is generally supplied in Prime Minister's tea parties?

Mr. Speaker: Order, order.

Prof. Ranga: What is being done by the Industry and Supply Ministry and otherwise also by Government to promote these exports, and if possible,

apart from carrying on research, also to manufacture these resins?

Shri Mahtab: As I have already said, the internal consumption of this material is much less than its export. Of course, the internal consumption has increased by about 200 per cent. in the course of the last ten years as the hon. Member has just said. This industry is really a monopoly of the Malabar Coast. When the Council of Scientific and Industrial Research finds out a formula as to how useful resins can be made out of this oil, only then can some industry be persuaded to work on it, or Government themselves may start the industry.

Shri Alexander: May I know how much of this oil is exported and to which countries?

Shri Mahtab: I have given the figures already. Cashew-nut oil is not manufactured here. Cashew-nut is exported and the oil is manufactured there.

INDIANS IN CEYLON

*297. **Shri Iyyanai:** (a) Will the Prime Minister be pleased to state whether a copy of the resolutions passed by the Committee of the Ceylon Temporary Residents' Association was received by Government?

(b) Have Government enquired into the disabilities and hardships caused by the working of the Exchange Control Regulations and the Immigration and Emigration Acts in force in Ceylon on the Indians residing there?

(c) What action have Government taken in this regard?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes.

(b) Yes.

(c) The Government of India have made representations to the Government of Ceylon from time to time on the disabilities referred to in the resolutions. Discussions are still in progress. In the meantime the High Commissioner has been taking up individual cases of hardship ad hoc with the authorities in Ceylon.

Dr. R. S. Singh: Is it a fact that there have been some illegal migrations from South India to Ceylon in recent months?

Shri Jawaharlal Nehru: I have no particular information on the subject.

Shri Joachim Alva: Sir, has Government taken note of the fire-eating speeches of a particular Ceylon Minis-

ter who wants Indians to be ejected and Ceylonese put everywhere?

Mr. Speaker: Order, order.

Shri R. Velayudhan: What efforts have the Government of India made to get the Ceylon Citizenship Act revised or amended, as it affects the Indian citizens in Ceylon?

Shri Jawaharlal Nehru: The normal steps an independent Government takes vis-a-vis another independent Government.

WOOLLEN HANDLOOM INDUSTRY

*298. **Shri S. C. Sampath:** (a) Will the Minister of Industry and Supply be pleased to state how much money was spent by the Handloom Fund Sub-Committee for the development of woollen handloom industry in India in 1950?

(b) Which of the States predominate in this industry and what is the spindleage and loomage in Indian Woollen Industry?

(c) Are all the productions from woollen handlooms consumed in India and if not, how much is exported?

The Minister of Industry and Supply (Shri Mahtab): (a) Rs. 5,555/-.

(b) A statement showing the Spindleage and Loomage in the Indian Woollen Industry exclusive of Cottage Industry is laid on the Table of the House.

(c) Practically all the production from handlooms except carpets and druggets are consumed in India and the export is negligible. In the case of carpets inclusive of floor rugs and druggets, 90 per cent. of the production is exported.

STATEMENT

Spindleage and Loomage in Indian Woollen Industry.

Name of State	Spindles	Powerlooms
(1) Bombay	33,832	490
(2) Punjab	29,335	923
(3) Uttar Pradesh	21,744	417
(4) Mysore	7,226	115
(5) Kashmir	4,094	18
(6) West Bengal	2,128	..
Total	98,359	1,963

Shri S. C. Samanta: What are the chief woollen goods that are produced in these handlooms excepting the carpets and druggets referred to by the hon. Minister?

Shri Mahtab: Handlooms usually produce blankets, rugs, shawls, carpets and druggets.

Shri S. C. Samanta: May I know the composition of the Handloom Fund Sub-Committee?

Shri Mahtab: I have not got the names. The Committee once met and this money was granted.

Prof. Ranga: Is it not a fact that this Handloom Committee—both the present one as well as the previous one—has met only once in the last three years?

Shri Mahtab: Probably, the hon. Member is referring to the Handloom Committee. But this is a Committee for handloom woollen products.

Prof. Ranga: What is the nature of the assistance that Government has given to this woollen industry by this big expenditure of Rs. 5,555?

Shri Mahtab: The only help that could be given was this Rs. 5,555 which was given in March, 1950 to Himachal Pradesh.

Shri S. C. Samanta: May I know how much of foreign and how much of Indian wool is being used by this industry?

Shri Mahtab: That can be easily known. We are exporting wool and also at the same time we are importing wool.

Shri S. C. Samanta: May I know the percentage of wool produced in India by handlooms and mills?

Shri Mahtab: There is no separate figure for handlooms. As a matter of fact, the statistics show only the woollen manufacturers. They do not show separately the handloom products and powerloom products.

Shri Chattopadhyay: May I know the amount placed at the disposal of this Sub-Committee, out of which Rs. 5,555 was distributed?

Shri Mahtab: As a matter of fact, there was no money specially allotted for this purpose. This was an *ad hoc* grant to Himachal Pradesh.

Shri Syamandan Sahaya: Will Government be pleased to state how much of this Rs. 5,555 was spent on T.A. and salaries and how much in actually helping the industry?

Shri Mahtab: The question may be put to the State Government. We merely paid the money to them.

HANDLOOM INDUSTRY

*299. **Shri S. C. Samanta:** Will the Minister of Industry and Supply be pleased to state:

(a) how much money was placed at the disposal of the Handloom Fund Sub-Committee for the development of the handloom industry in 1948-49, 1949-50 and 1950-51;

(b) the names of undeveloped areas to which the Sub-committee has allotted additional weightage grants; and

(c) what are the results therefrom?

The Minister of Industry and Supply (Shri Mahtab): (a) The Government of India established a Handloom Development Fund with a total grant of Rs. 10 lakhs. Out of this amount the Handloom Fund Sub-Committee recommended *pro-rata* grants to various States which were to be allowed after the scrutiny of the schemes received from those States for the development of handloom industry. So far an amount of Rs. 3,69,155 has been distributed to various States.

(b) Names of the areas which were considered by the Sub-Committee as undeveloped areas for the purpose of additional weightage grants are indicated below:

- (1) East Punjab.
- (2) PEPSU.
- (3) Jammu and Kashmir.
- (4) Himachal Pradesh.
- (5) Rajasthan.
- (6) Madhya Bharat.
- (7) Assam and Tribal areas.
- (8) Saurashtra, and
- (9) All Part 'C' States.

(c) The grants were made to all the undeveloped States except Rajasthan and Jammu and Kashmir this year and it is too early for these States to put into execution these schemes and expect results.

Shri S. C. Samanta: May I know whether the Handloom Societies and Associations that exist today have been informed about the existence of this Fund?

Shri Mahtab: The State Governments are quite aware of this Fund and they are administering the allotments made to them. They must have taken into

consideration the existence of these bodies.

Shri S. C. Samanta: Has the money placed at the disposal of the Committee been wholly expended or something has lapsed?

Shri Mahtab: Out of Rs. 10 lakhs, Rs. 3 lakhs and odd have been spent and the remainder will be spent before the financial year is over.

Shri S. C. Samanta: Is it a fact that the handloom industry is at stake for want of yarn and if so, what steps are Government taking to remove the yarn shortage?

Mr. Speaker: There were specific questions on this subject previously.

Dr. Deshmukh: May I know if the hon. Minister is aware that Madhya Pradesh has the largest number of handlooms, and in view of that, may I enquire what assistance has Madhya Pradesh been given?

Shri Hussain Imam: Madras has the largest number.

Shri Mahtab: The figures which are with me do not show that Madhya Pradesh has the largest number, but as I have already said, the grants have been made according to the looms working.

Prof. Ranga: Is it not a fact that although this Committee has suggested unanimously the allocation of these Rs. 10 lakhs as between different States for different schemes the funds have not been spent on the schemes suggested by it?

Shri Mahtab: I presume the hon. Member is suggesting that the State Governments have spent the money allotted to them otherwise.

Prof. Ranga: No. The Central Government has not given the money to the State Governments.

Shri Mahtab: As far as I am aware, the money has been given to them as decided by the Handloom Committee; if that has not been done, I shall look into that.

Shri Tyagi: May I know if the money given to this industry is for the purpose of putting up new looms or for some other purpose?

Shri Mahtab: The specific purpose for which the allotment of the grant is made is to improve the design, to improve marketing and to improve the machinery also.

Shri Tyagi: Has any arrangement been made to facilitate the supply of yarn to the handloom weavers?

Mr. Speaker: This is a repetition of the same old question.

Shri Mahtab: Since this question is being repeatedly asked, may I explain the whole thing? In 1948, when there was complete de-control of yarn, the situation worsened at that time, and it was found that mill cloth became so cheap that handloom cloth could not compete with it. Then, some steps were taken by Government. Recently, various other steps have been taken to encourage the handloom industry. As a result of that, the handlooms want more yarn.

Prof. Ranga: Not as a result of that.

Shri Mahtab: As a result of the reservation of specific fields of production for handlooms. I can prove this by facts and figures. As regards export of yarn, it has been completely stopped up to 30 counts and with regard to the rest only 25 per cent. of the production is now allowed to be exported. Even then we are considering the question of stopping all exports. Now, the point is that immediately the forward contracts are being fulfilled and the effect of these steps which have been taken will produce results only from December-January onwards.

Shri Tyagi: May I know from the hon. Minister whether his Purchase Department is making any purchases from the handloom industry?

Shri Mahtab: That is a question which goes counter to the other question. The question is not one of sale. It is not that the handloom people are not able to sell but that they are not able to get yarn.

JUTE GOODS EXPORT CONTROL ORDER

*300. **Dr. M. M. Das:** (a) will the Minister of Commerce be pleased to state the date on which the Jute Goods Export Control Order was promulgated?

(b) Has the purpose in promulgating this Order been achieved?

The Deputy Minister of Commerce (Shri Karnamkar): (a) The Jute Goods (Export Control) Order, 1949, was issued on the 10th October, 1949.

(b) Government feel that the purpose in view has materially been achieved.

Dr. M. M. Das: May I know whether any extra measures have been taken by Government to achieve this purpose?

Shri Karmarkar: I do not know what exactly my hon. friend means by 'extra measures'.

Dr. M. M. Das: Is there any proposal for Government itself taking up the responsibility of running the export trade in jute and jute goods?

Shri Karmarkar: If I understand the hon. Member aright, he refers to the possibility of State trading in jute and jute goods. Government have carefully considered that proposal, but for the present they have not thought it advisable to have any scheme of State trading in jute and jute goods.

Dr. M. M. Das: May I know the reason for Government deciding not to have State trading?

Shri Karmarkar: It is a long answer and I would, in addition, like to have notice.

Shri E. Velayudhan: What was the purpose behind the promulgation of this Order?

Shri Karmarkar: The purpose was four-fold: (1) to stop the possibility of increase in Indian costs on account of high prices which may temporarily obtain; (2) to prevent malpractices and speculative tendencies in the trade; (3) to minimise the threat of use of substitutes as packing material in our markets abroad; (4) to safeguard the long-term interests of the Indian jute industry.

Dr. R. S. Singh: Is it a fact that our jute goods are selling cheaper in the world market because of this Jute Goods (Export Control) Order?

Shri Karmarkar: I am afraid the position is exactly the opposite. The real complaint is that our jute goods are selling higher than the control prices.

Shri Tyagi: May I know when, for the first time, the Ministry of Commerce got information that our jute goods are being sold in foreign markets at higher than the controlled prices?

Shri Karmarkar: The information is not readily available with me, but if the hon. Member is particular I shall have a special search made as to the exact date.

Shri Himatsingka: Is the Government aware that all along after the promulgation of the order prices at which the export of jute goods is taking place are more than the controlled prices and that Government is losing a large revenue in the shape of dollars and income-tax?

Shri Karmarkar: I am very sorry to say that Government have all along been aware that in spite of their efforts to see to it that jute prices are controlled, anti-social elements have been busy with their own measures to make profits. Therefore black-market prices have been higher than the controlled prices.

Shri Himatsingka: Has the Government considered the desirability of removing price control so that India may get valuable dollars which she is losing now?

Shri Karmarkar: Yes, Sir. Government have carefully considered the advisability of decontrolling with a view to having as large an advantage as possible, both to Government and to those who deal in the export of jute goods. But after having given their best consideration, Government have come to the conclusion positively that in the best interests of the country jute goods manufacture should not be decontrolled.

Shri Jhunjhunwala: Since when, for the first time, did Government come to know that anti-social elements are working and jute goods are being sold at a much higher price than the controlled rate, with the result that Government is losing both by way of exchange and by way of income-tax?

Shri Karmarkar: As the hon. Member is aware, anti-social elements have been a recurring factor in our economic life today, unfortunately. But it has all along been the concern of Government to see that such anti-social elements do not prosper at the expense of the interests of the community.

Mr. Speaker: I am going to the next question.

Some Hon. Members: This is a very important question, Sir.

EXCHANGE OF ENCLAVES WITH PAKISTAN

*301. **Dr. M. M. Das:** (a) Will the Prime Minister be pleased to state whether it is a fact that Pakistan has proposed an exchange of their enclaves with the enclaves of the Indian Union, as a measure to stop border raids, specially on the Cooch-Bihar-Rangpur border?

(b) What are the respective areas and populations of the enclaves of Pakistan and the Indian Union?

The Prime Minister (Shri Jawaharlal Nehru): (a) No such proposal has been received by the Government of India from the Pakistan Government. At a meeting of the Chief Secretaries of West Bengal and East Bengal, held in April,

1950, it was decided that the question of the exchange of the Indian enclaves in East Bengal with Pakistani enclaves in Cooch-Bihar should be considered. It is understood that this matter is still under the consideration of the Government of West Bengal.

(b) The Pakistani enclaves cover an area of about 12,152 acres. Their exact population is not known. The Indian enclaves comprise an area of about 20,957 acres with a population of about 12,600.

Dr. M. M. Das: May I know whether Government is prepared to consider the readjustment of boundaries by the exchange of these enclaves, so that it may bring peace to our borders?

Shri Jawaharlal Nehru: Is the hon. Member talking of some other boundaries, or the enclaves?

Dr. M. M. Das: I am referring to the enclaves.

Shri Jawaharlal Nehru: I told him that the matter is being considered.

Dr. M. M. Das: May I know whether these border raids have ceased for the time being?

Shri Brajeshwar Prasad: The question of the transfer of territories rests with the Government of Bengal or with the Government of India?

Shri Jawaharlal Nehru: Speaking off-hand, I imagine that it rests with this Parliament.

Shri Brajeshwar Prasad: Why is the matter under the consideration of the Government of Bengal?

Shri Kamath: With regard to the Indo-Pakistan border in the west, is it a fact that there are frequent movements across the border and are those movements regulated by permits, formal or informal?

Shri Jawaharlal Nehru: Yes, there are permits. Of course, people may evade the permits, but the system is one of permits.

Shri Kamath: Has it been brought to the notice of Government that Muslims living on this (Indian) side of the border frequently cross over to their relatives on the other side of the border without permits?

Shri Jawaharlal Nehru: Is the hon. Member referring to any kind of flow or people going backwards and forwards?

Shri Kamath: Yes, Sir, I mean people going backwards and forwards.

Shri Jawaharlal Nehru: It is very difficult. It is easy to go from one side but it is very difficult to come back without a permit.

Shri Kamath: How is the border on our side protected by the army?

Shri Jawaharlal Nehru: I am afraid we are going much beyond the scope of the question.

MERCHANT NAVY TRAINING

***302. Dr. M. M. Das:** (a) Will the Minister of Commerce be pleased to state whether Government have considered the recommendation of the Merchant Navy Training Committee that a Ship-cum-Shore establishment for the pre-sea training of ratings be immediately set up?

(b) Do Government contemplate to implement the recommendation?

(c) What is the estimated expenditure (capital and recurring) for the proposed institution?

The Deputy Minister of Commerce (Shri Karmarkar): (a) Yes.

(b) Yes. As recommended by the Merchant Navy Training Committee the two *ex-Pilot Vessels* "Lady Fraser" and "Andrew" have been taken over and a scheme of training ratings was started on the "Lady Fraser" in June, 1950. It is hoped to put the other ship "Andrew" into commission shortly.

(c) The estimated expenditure on the scheme during the current financial year is Rs. 4,55,381 Capital and Rs. 6,09,400 recurring. The former includes Rs. 3.36 lakhs for the cost of the vessels and Rs. 1.17 lakhs for their repair charges. As the proposals for the expansion of the scheme are still under consideration, it is not possible to give a close estimate of expenditure in future years at this stage.

Dr. M. M. Das: May I know the number of ratings who are at present under training?

Shri Karmarkar: The full scheme has not yet been brought into operation. As a short term measure some sixty ratings have completed their training in the first batch of three months duration; another eighty trainees have been taken in the next batch of the same duration.

Dr. M. M. Das: May I know whether within a span of three months their training will be completed?

Shri Karmarkar: This is only an emergency training. The training proper, I think, will take a much longer time.

Dr. M. M. Das: May I know whether this training is given entirely free to the ratings?

Shri Karmarkar: Yes; the training is entirely free. In addition the trainees are provided with free food, clothing and lodging. They are also paid a pocket money of Rs. 2/8/- per head per week during the course of training.

PROVIDENT FUND SCHEME IN INDUSTRIES

*303. **Sardar Hukam Singh:** Will the Minister of Labour be pleased to state:

(a) whether there is a proposal to introduce a Provident Fund Scheme in the Textile and other major industries for the benefit of the workers; and

(b) if so, whether any scheme has been prepared?

The Minister of Labour (Shri Jagjivan Ram): (a) Yes. The attention of the hon. Member is invited to the answer given to the unstarred question No. 67 printed in the Debates of the Parliament of the 14th August, 1950.

(b) No scheme has yet been finalised. The outline of the scheme was discussed by the Standing Labour Committee at its recent meeting held on the 3rd November, 1950 when it was decided that a draft Bill should be prepared and examined by a small tripartite Committee consisting of Government representatives, employers and employees of the industries covered. The matter is on hand.

Sardar Hukam Singh: What would be the contribution of the labourers in the scheme?

Shri Jagjivan Ram: The entire scheme is being examined. One tentative suggestion was that it should be one anna in the rupee.

AMRITSAR BORDER INCIDENT

*304. **Sardar Hukam Singh:** (a) Will the Prime Minister be pleased to state whether it is a fact that Pakistani Police shot dead an Indian citizen on the Amritsar Border in the beginning of October, 1950, while he was grazing his cattle in his village lands?

(b) Was any action taken with regard to this incident?

(c) Have any other incidents of such attacks by the Pakistani Police occurred on the borders during the last six months?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes.

(b) The matter is under joint enquiry by the Police officers of Punjab (India)

and Punjab (Pakistan) and necessary action will be taken on receipt of their report.

(c) There was another similar incident on the 13th June, 1950.

Sardar Hukam Singh: Is it a fact that this border has been very quiet for about six months from April to September?

Shri Jawaharlal Nehru: That is not quite correct. According to my records there have been petty incidents in March, April and June.

Sardar Hukam Singh: Is it not a fact that there has been a considerable increase in the number of incidents during the months of September and October on this border?

Shri Jawaharlal Nehru: If the hon. Member wants figures they are as follows:

January—3 raids.

March—4 raids.

April—1 raid.

June—1 raid.

September—4 raids.

October—4 raids.

Sardar Hukam Singh: May I know whether any special steps are under contemplation to stop these border raids so frequently happening on this border?

Shri Jawaharlal Nehru: I do not think it is quite correct to say that there are frequent border raids, nor is it correct to say that they are serious. They are rather trivial and infrequent, and every step is taken to stop them.

WRITTEN ANSWERS TO QUESTIONS

PAUPERS' APPEAL

*287. **Shri Kesava Rao:** (a) Will the Minister of Law be pleased to state whether there is any provision in the Rules of the Supreme Court of India for what is known as "Paupers' Appeal"?

(b) If so, how many cases have come up for hearing under this head?

The Minister of Law (Dr. Ambedkar): (a) Yes, Sir.

(b) One pauper appeal and one petition praying for permission to proceed in *forma pauperis* have so far come up for hearing by the Supreme Court.

COTTON PURCHASE

*294. **Shri Sidhva:** (a) Will the Minister of Commerce be pleased to state whether any deal has been made with foreign countries for the supply of cotton for textile industry in India?

(b) If so, how many bales have been purchased and at what price?

(c) At what prices have the bales been given to millowners and what loss, if any, have Government suffered in this transaction?

The Deputy Minister of Commerce (Shri Karmarkar): (a) Yes, with the Government of Uganda. This relates to the 1950-51 crop of Uganda cotton.

(b) The deal covers 1.6 lakhs bales of Uganda cotton. The purchase price is expected to be fixed shortly.

(c) The cotton has not yet been imported into India; but it will be distributed to mills at cost price plus the shipping, insurance, etc. charges. Government will not therefore incur any loss in this transaction.

TIBETAN DELEGATION

*305. **Shri A. B. Gurung:** Will the Prime Minister be pleased to state the object of the Tibetan Delegation's visit to the capital of India?

The Prime Minister (Shri Jawaharlal Nehru): The Tibetan Delegation came to Delhi primarily for discussions with the Chinese Embassy on Sino-Tibetan relations.

TIBETAN WOOL

*306. **Shri A. B. Gurung:** Will the Minister of Commerce be pleased to state:

(a) the approximate quantity of wool which is being annually imported into India from Tibet; and

(b) the reasons for stopping Tibetan wool from being exported out of India?

The Deputy Minister of Commerce (Shri Karmarkar): (a) The annual average import for 1948-49 and 1949-50 is approximately 7 million lbs.

(b) At present export of raw wool of Tibetan origin, which is consigned from Kalimpong to Calcutta for onward shipment, is being allowed without any quantitative restrictions. The ban lasted only for a few days, i.e., from 8th July, 1950 to 6th September, 1950 when the internal supply position of raw wool which had become acute was under consideration.

PENICILLIN AND SULPHA DRUGS FACTORY

*307. **Dr. Deshmukh:** Will the Minister of Industry and Supply be pleased to state:

(a) the progress in the establishment of a factory for the manufacture of Penicillin and Sulpha Drugs;

(b) the amount that has been subscribed by Government so far for the establishment of the factory;

(c) the date by which this factory is likely to commence production; and

(d) the terms and conditions upon which the Swedish Firm, Messrs Karnbolaget, has agreed to give technical assistance to the Factory?

The Minister of Industry and Supply (Shri Mahtab): (a) A statement showing the progress of work on different items relating to the establishment of a Government Factory for the manufacture of Penicillin, Sulpha and Antimalarial Drugs is placed on the Table of the House. [See Appendix III, annexure No. 20.]

(b) Rs. 20 lakhs.

(c) Towards the end of 1952.

(d) Messrs. Karnbolaget have undertaken to give technical assistance for the design, construction, installation and operation of the Penicillin Plant in the proposed Government Factory and to give training at their works in Sweden to a number of Indian nationals selected for technical posts in the Factory. Further, they will give assistance in obtaining necessary equipment and raw materials for the Factory from Sweden and elsewhere. The Government of India have agreed to pay the firm an all-inclusive remuneration of 250,000 Swedish Kroner (about Rs. 2,20,000) or a corresponding sum in sterling currency in three instalments. The first instalment of 75,000 Kroner was payable within 30 days of the signing of the agreement and was paid in March, 1950. The second instalment of 75,000 Kroner shall be paid six months after the arrival in Sweden of the Indian nationals sent for training and the third 30 days after the Indian Penicillin Plant commences production of a quantity of 100,000 mega units per month of the 1st day of January, 1954 whichever is earlier.

MANGANESE

*308. **Dr. Deshmukh:** will the Minister of Commerce be pleased to state:

(a) the amount and value of manganese exported in 1949-50 and 1950-51;

(b) whether it is a fact that foreign demand for manganese has increased; and

(c) what the prevailing maximum and minimum prices for manganese in 1948-49 and 1949-50 were and what the present prices are?

The Deputy Minister of Commerce (Shri Karmarkar): (a) The quantity and value of manganese ore exported during the years in question were as follows:

Year	Quantity	Value
	Tons	Rs.
1949-50	738,792	5,84,82,000
1950-51 (April to September)	349,948	3,39,40,000

There were no exports of manganese metal.

(b) Yes, Sir.

(c) The information is not readily available but the average export price per ton was roughly Rs. 59 in 1948-49; Rs. 79 in 1949-50. The export price on 4th November 1950, which is the latest available quotation, was Rs. 93-7-8 per ton (Visakhapatnam).

IMPORTS FROM WEST GERMANY

***309. Dr. Deshmukh:** Will the Minister of Commerce be pleased to state the amount and value of the imports of raw films and pharmaceuticals, steel and cotton from West Germany in the years 1948-49, 1949-50 and 1950-51?

The Deputy Minister of Commerce (Shri Karmarkar): I lay on the Table of the House a statement containing the required information. [See Appendix III, annexure No. 21.]

INDIA'S CARRYING TRADE

***310. Shri Raj Bahadur:** Will the Minister of Commerce be pleased to state:

(a) the percentage of the country's trade carried on by foreign and Indian shipping respectively during the last 18 months; and

(b) the value of earnings made thereupon by foreign and Indian shipping respectively?

The Deputy Minister of Commerce (Shri Karmarkar): (a) and (b). Separate figures for Indian and foreign shipping are available only of the gross tonnage of ships which enter and are cleared at Indian ports. The tonnage of Indian and foreign ships which entered and cleared at Indian ports and

the percentage share of each, during the period from 1st February 1949 to 31st July 1950, are given below:

	Tonnage of ships entered and cleared.	Percentage share.
Indian ships	9,88,890 tons	4.4
Foreign ships	212,89,822 tons	95.6

This gives a rough idea of the country's trade carried by Indian shipping. Current statistics of exports from and imports into India, by quantity and value, make no distinction in regard to the nationality of the carrying ships. It is therefore not possible to give the actual information asked for.

AUTOMOBILES

***311. Shri Raj Bahadur:** Will the Minister of Industry and Supply be pleased to state:

(a) the number of automobiles (i) manufactured, and (ii) assembled in India during the last 18 months;

(b) the value and quantity of automobile parts imported from abroad and utilised in the manufacture or assembling of such automobiles during the above period; and

(c) the value and quantity of automobile parts imported as spares during the above period?

The Minister of Industry and Supply (Shri Mahtab): (a) to (c). A statement is laid on the Table of the House. [See Appendix III, annexure No. 22.]

MEOS (RESETTLEMENT)

***312. Shri Raj Bahadur:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of Meos resettled in Bharatpur and Alwar Districts of Rajasthan so far;

(b) the cost incurred by Government on their resettlement; and

(c) the number of permits granted to such Meos as have applied to bring back the members of their families and other kith and kin from Pakistan?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) 38,987 Meos have been settled in Bharatpur and 39,600 in Alwar.

(b) The expenditure incurred by Government in settling the Meos in Alwar is Rs. 2,44,038 and in Bharatpur Rs. 4,44,000.

(c) Considerable time and labour have to be spent in collecting the information required and it is doubtful whether the results achieved will be commensurate with the expenditure in-

curred. It has to be remembered that a large number of Meos came back to India before the Permit System was introduced. Some have undoubtedly trekked across the vast desert frontier. Therefore, even if figures of permits are collected, it will not give a complete picture of the Meos who returned from Pakistan to India.

ATOM AND HYDROGEN BOMBS

*313. **Prof. K. T. Shah:** (a) Will the Prime Minister be pleased to state what international agreements or arrangements, if any, have been concluded so far regarding the use of the Atom or Hydrogen Bombs in future wars between the leading countries of the world?

(b) Has any international control been agreed to be established and, if so, in what form and to what extent, regarding the manufacture of such weapons by any country, or the production of and trade in the raw materials needed to produce such weapons, as well as on the technical personnel required for the same?

(c) Has any international arrangement been made to place the study of and scientific research in the possibilities of Nuclear Energy for peaceful or warlike purposes under international authority?

(d) What suggestions, if any, have been made by India in that behalf?

(e) Has any international arrangement or agreement been made to guard against the premature or unauthorised leakage of any results achieved in the course of investigations or research in Nuclear Energy?

The Prime Minister (Shri Jawaharlal Nehru): (a) to (e). Various attempts have been made from time to time to evolve some kind of international machinery for the control and regulation of atomic energy and atom and hydrogen bombs. None of these attempts have thus far succeeded.

DISARMAMENT

*314. **Prof. K. T. Shah:** Will the Prime Minister be pleased to state what steps have so far been taken, through the agency of the United Nations, for the leading nations of the world to bring about progressive disarmament in all types of weapons, their parts and accessories, the means of their transport by land, sea, or air?

The Prime Minister (Shri Jawaharlal Nehru): There has been much discus-

sion in the United Nations and in some of its subsidiary organs about disarmament or the reduction and regulation of armaments. A resolution to this effect was passed by the General Assembly on the 14th December, 1946. Acting on this resolution, the Security Council established a Commission for Conventional Armaments in February 1947. The question of atomic energy was considered separately by other committees and commissions.

Owing to a conflict of views among the great powers, no decisions have been arrived at both in regard to conventional armaments and atomic energy. At the present moment, disarmament is not in fashion and rearmament is proceeding in many countries.

IRON QUOTA

*315. **Shri Ghule:** Will the Minister of Industry and Supply be pleased to state:

(a) the names of persons and companies who got quota of iron during the year 1950 in Madhya Bharat directly from the Centre; and

(b) the quantity which each one got and the purpose for which it was allotted?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). A statement is placed on the Table of the House. [See Appendix III, *annexure No. 23.*]

COAL

*316. **Shri Ghule:** (a) Will the Minister of Industry and Supply be pleased to state whether there are any persons or companies who get quota of controlled coal directly from the Centre?

(b) If so, what are their names, what is the quantity which each one gets and for what purpose?

The Minister of Industry and Supply (Shri Mahtab): (a) Yes, Sir. In respect of certain classes of industries allotments of coal are made on the recommendations of Central Sponsoring Authorities.

(b) A list of such industries and their respective recommending authorities is placed on the Table. [See Appendix III, *annexure No. 24.*] The allocation depends on the actual requirements of industrial unit.

CEMENT

*317. **Shri Ghule:** (a) Will the Minister of Industry and Supply be pleased to state whether Bharat has reached self-sufficiency in its requirements of cement?

(b) If so, why are Government not lifting the control over cement?

The Minister of Industry and Supply (Shri Mahtab): (a) Not yet; self-sufficiency is expected to be reached towards the end of 1951.

(b) The question as to the extent to which control over distribution of cement can be relaxed is now under consideration of Government.

EXPORT PRICES OF JUTE GOODS

*318. **Prof. S. N. Mishra:** Will the Minister of Commerce be pleased to state

(a) whether it is a fact that the Government of India in fixing Statutory maximum export prices of jute goods are losing considerable amount of foreign exchange;

(b) if so, to what extent; and

(c) whether Government are aware that the fixation of price has also led to the encouragement of black market?

The Deputy Minister of Commerce (Shri Karmarkar): (a) It is possible that there is some loss of foreign exchange as a result of the wide disparity between the Indian statutory prices and those prevailing in the foreign markets, particularly in the U.S.A.

(b) It is difficult to determine the exact extent of the loss.

(c) It is true in the sense that but for the fixation of a control price there could be no black market as there would be no standard or fixed price the excess over which could be called a black market price.

EVACUEE PROPERTY (RESTORATION)

*319. **Giani G. S. Musafir:** Will the Minister of Rehabilitation be pleased to state the number of Muslims, who have been restored their property once declared 'evacuee property', in India during the last year?

The Minister of State for Rehabilitation (Shri A. P. Jain): The information is not readily available and the collection thereof will, involve time and expense, not commensurate with the results to be achieved.

EVACUEES PROPERTY RESTORED IN PAKISTAN

*320. **Giani G. S. Musafir:** (a) Will the Prime Minister be pleased to state what is the number of such cases of Hindus, who have been restored their property in Pakistan once declared 'evacuee property' during the last year, in terms of the Delhi Pact?

(b) If the information referred to in part (a) above is not available with Government, do they propose to secure it from Pakistan?

The Prime Minister (Shri Jawaharlal Nehru): (a) and (b). The Evacuee Property law is not applicable to East Bengal and as such the question of restoration of any 'evacuee property' there does not arise.

The Delhi Pact has not been extended to West Pakistan and few Hindu migrants have returned there since the Pact. The question of restoration of 'evacuee property' in West Pakistan in implementation of the Pact does not, therefore, arise.

EXPORT AND IMPORT DEPARTMENTS (CORRUPTION)

*321. **Shri Kesava Rao:** Will the Minister of Commerce be pleased to state how many officials of the Export and Import Departments of the Commerce Ministry have been prosecuted during the last and the current year for corruption?

The Deputy Minister of Commerce (Shri Karmarkar): Four Officials were prosecuted during the last year. Seven Officials have been prosecuted during the current year.

REGISTRATION OF INDIANS IN CEYLON

*322. **Shri Ramalingam Chettiar:** (a) Will the Prime Minister be pleased to state whether Government are aware that there is a large number of Indians to be registered in Ceylon under the new Nationalisation Act?

(b) What steps have the Government of India taken to grant facilities for the registration of Indians?

(c) What representations have been made to the Government of Ceylon to facilitate the registration of the Indians?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes.

(b) and (c). The Ceylon Government are reported to have appointed a large staff to deal with the applications for registration. The Ceylon Indian Congress and other Indian Organizations are also assisting the prospective citizens to get their names registered.

There is no reason to think that the Ceylon Government will not open additional centres, if necessary. No special representation from the Government of India seems called for at present.

While no representation has been made to the Ceylon Government about registration, certain matters relating to immigration and citizenship have been taken up with them, and correspondence between the two Governments is still in progress.

FISCAL COMMISSION

*323. **Shri Chandrika Ram:** Will the Minister of Commerce be pleased to state what are the main recommendations of the Fiscal Commission which Government are going to implement in the near future and in what way?

The Deputy Minister of Commerce (Shri Karmarkar): As the hon. Member is aware, from a perusal of the Fiscal Commission's report, the recommendations cover a wide range of subjects. An Officer on Special Duty in the Commerce Ministry is now examining these recommendations. In respect of some of them consultations with other Ministries and even State Governments may be necessary. Until, therefore the examination has proceeded further, it is not now possible to say which of the recommendations will be implemented and when.

SCHEDULED CASTES PERSONS FROM PAKISTAN

*324. **Shri Chandrika Ram:** (a) Will the Minister of Rehabilitation be pleased to state what is the number of Scheduled Castes persons who have come (i) from West Punjab and Sindh; and (ii) from East Bengal?

(b) How many of them have been registered as voters for the coming general election?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The term Harijans is incapable of being defined precisely, as there are various groups and associations calling themselves Harijans. The Namasudras of East Bengal call themselves Harijans, but the Government of West Bengal do not agree to this.

Including Adidharmies and Mazhabi Sikhs from West Punjab, Bhils and Kolis from Sind and Namasudras from East Bengal, the number of those who came from (i) West Punjab and Sind is about 8,00,000 and (ii) East Bengal about 4,00,000.

(b) The number of displaced Harijans registered as voters is not available as displaced persons have not been enumerated separately.

IMPORT LICENCES TO DISPLACED PERSONS

*325. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Commerce be pleased to state the number of new-comers who were granted import licences during the period January-June, 1950?

(b) How many of them were displaced persons?

(c) Were the displaced persons given any special facilities and if so, what were they?

The Deputy Minister of Commerce (Shri Karmarkar): (a) The number of new-comers who were granted import licences during the period January-June 1950 was 6,004.

(b) The information is not available as no separate statistics were kept in respect of the number of displaced persons who were granted licences as new-comers.

(c) No special facilities were granted to displaced persons as such who applied as new-comers for import licences. Special facilities were, however, given to displaced persons who made imports through Karachi and Chittagong before the 15th August, 1947 and who are now residents in India, for the purpose of obtaining import licences. For details, the attention of the hon. Members is invited to paragraph 29 of the Commerce Ministry Public Notice No. 1(1) ITC/50, dated the 25th February 1950, a copy of which has been placed in the Library of the Parliament.

IMPORT LICENCES TO NEW-COMERS

*326. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Commerce be pleased to state whether the quota of import allotted for new-comers is distributed to the applicants State-wise?

(b) If not, what is the method employed?

The Deputy Minister of Commerce (Shri Karmarkar): (a) No, Sir.

(b) Reference is invited to paragraph 54 of the Ministry of Commerce Public Notice dated the 15th June 1950, giving the minimum qualifications of new-comers who are eligible to apply for a licence. Licences are granted pro-rata to all the eligible applicants in proportion to the value of the amount of income-tax paid by them or the amount of turn-over as certified by the Banks, where new-comers had not paid any income-tax. The whole process of dealing with eligible applications has been mechanised.

RESEARCH INSTITUTE AT AHMEDABAD

*327. **Shri Krishnanand Rai:** Will the Minister of Industry and Supply be pleased to state:

(a) whether Government have given any grant to the Ahmedabad Mill-owners Association for establishing a Research Institute; and

(b) if so, whether the Institute has yet been established or not?

The Minister of Industry and Supply (Shri Mahtab): (a) Yes; Rs. 19 lakhs was paid in the year 1947-48, as a capital grant. Further the Government of India has agreed to meet half of the recurring expenditure subject to a limit of rupees one and a half lakhs for five years.

(b) The Institute is not yet fully established.

INDIA'S AGENT IN LHASA

*328. **Shri Chaliha:** Will the Prime Minister be pleased to state:

(a) the position of India's Agent at Lhasa;

(b) what is the position of the Indian trade marts at Gyantse, Gartok and Yatung and the telephone lines connecting her trade marts in Tibet with stations within our territories; and

(c) whether our defence system in north-eastern frontiers has been strengthened?

The Prime Minister (Shri Jawaharlal Nehru): (a) India's Agent at Lhasa has been functioning there on the basis of the Simla Convention of 1914.

(b) The opening of Indian trade marts at Gyantse, Yatung and Gartok was finally authorised by the Anglo-Tibetan Convention of 1904 and was confirmed by the Simla Convention of 1914. The Anglo-Chinese Convention of 1906 allowed the Government of India to construct a telephone line from India to Yatung and Gyantse. This arrangement was confirmed by the Anglo-Tibetan Trade Regulations Agreement of 1914.

(c) Requirements for the defence of our frontier are constantly kept under review.

RESEARCH ON TEXTILE INDUSTRY

*329. **Shri Jagannath Mishra:** (a) Will the Minister of Industry and Supply be pleased to state whether a cess is being levied on cotton textiles industry for promoting research?

(b) What is the rate of such cess and when was the levy of the cess commenced?

(c) What is the amount of such cess that has accumulated up-to-date?

(d) Was there any scheme for research work before the levy of such cess and if so, what is that scheme?

(e) How many research centres have been started up-to-date?

(f) What amount has so far been spent on such research work?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). Not at present. A cess was levied from October, 1944 to 27th November 1947, on cotton textiles and yarn exported from India, at the rate of 3 per cent. of the maximum ex-factory price under the Cotton Textile Fund Ordinance. One of the objects of the levy was to promote technical research on cotton textiles.

(c) Rs. 2,34,20,833.

(d) No.

(e) None.

(f) Rs. 11,796.

YARN

*330. **Shri Alexander:** (a) Will the Minister of Industry and Supply be pleased to state the average quantity of yarn of counts 20 and 26 produced in one month?

(b) Is there any obligation on the spinning mills to produce any quota of 20 counts?

(c) What is the comparative cost of counts 20 and 26 per bale?

(d) Is it a fact that 12½ per cent. more price on yarn is realised from hand-loom weavers than from power-loom weavers and if so, why?

The Minister of Industry and Supply (Shri Mahtab): (a) The average monthly production of yarn of counts 20s and 26s is 20,536 bales and 4,351 bales respectively.

(b) No, Sir.

(c) The price per bundle of 10 lbs. of yarn of counts 20s and 26s is Rs. 15-6-0 and Rs. 19-4-0 respectively.

(d) The distribution of yarn to hand-loom weavers industry, powerloom factories and other miscellaneous consumers from out of the supplies made available to a State against its quota is the responsibility of the State Textile Authority concerned and therefore any variations in the margins over the ex-mill prices of yarn supplied to the handloom industry and powerloom factories would depend upon the method and manner obtaining in the State concerned subject to a maximum margin of 12½ per cent.

RUBBER PRODUCTION

*331. **Shri Damodara Menon:** Will the Minister of Industry and Supply be pleased to state:

(a) the total annual production of raw rubber in India;

(b) India's requirements in raw rubber;

(c) the price fixed for Indian rubber and the basis on which it has been fixed by Government;

(d) whether there has been a rise in the world price of rubber in 1950; and

(e) whether there has been a representation by Indian rubber growers that the price of Indian rubber should be made on a par with the world price?

The Minister of Industry and Supply (Shri Mahtab): (a) 16,000 tons per annum approximately.

(b) 20,000 tons per annum approximately.

(c) Rs. 90/8- per 100 lbs. of Group I rubber f.o.b. Cochin, with suitable differentials for other grades.

The price has been fixed on the basis of the cost of production as ascertained by a Government Cost Accountant plus reasonable margin of profit.

A statement showing current prices of various grades is laid on the Table of the House. [See Appendix III, annexure No. 25.]

(d) and (e) Yes, Sir.

STEEL FOR DISPLACED PERSONS' HOUSE-BUILDING SOCIETIES

*332. **Giani G. S. Musafir:** (a) Will the Minister of Industry and Supply be pleased to state whether it is a fact

that Government have allocated 5,000 tons of steel for the first quarter of 1951 to State Governments for Displaced Persons' House-building Societies?

(b) If so, what is the share of the Punjab State in these allocations?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). An initial allotment of 5,000 tons was placed at the disposal of the Ministry of Rehabilitation who are in charge of distribution of steel to the State Governments; that Ministry could not make any allotment to the Punjab within this quota, but they hope to make allotment from the additional quantity of steel which we hope to give them shortly.

**HINDUSTAN AIRCRAFT LTD.
(RAILWAY COACHES)**

14. **Dr. M. M. Das:** (a) Will the Minister of Industry and Supply be pleased to state whether Government contemplate to expand the Railway Coaches Manufacturing Section of the Hindustan Aircraft Ltd.?

(b) What is the present production capacity of this section of the factory (number of coaches per month)?

(c) What is the price paid by the Railways for each coach?

(d) How does the price of coaches manufactured in Hindustan Aircraft Ltd. compare with the price of imported coaches?

The Minister of Industry and Supply (Shri Mahtab): (a) Yes, Sir.

(b) Eight coaches per month.

(c) Rs. 1,08,880 per coach, fully equipped, but exclusive of the cost of underframe and wheel-sets which were supplied by the Railway Board.

(d) It is lower than that of imported coaches.

Thursday, 23rd November, 1950

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PARLIAMENTARY DEBATES

PARLIAMENT OF INDIA

OFFICIAL REPORT

Part II—Proceedings other than Questions and Answers.

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PARLIAMENTARY DEBATES
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OFFICIAL REPORT

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PARLIAMENT OF INDIA

Thursday, 23rd November, 1950

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

[Mr. Speaker in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

**STATEMENT BY THE PRIME MINISTER
RE CONFERENCE OF COMMONWEALTH
PRIME MINISTERS**

Mr. Speaker: The hon. the Prime Minister will make a statement.

The Prime Minister (Shri Jawaharlal Nehru): Hon. Members may have noticed in this morning's newspapers the report of the statement that the Prime Minister of the United Kingdom made in the Parliament of the United Kingdom to the effect that "we have invited the Prime Ministers of other countries attached to the Commonwealth for a Conference early in January". This invitation came some time ago and I informed the Prime Minister of the United Kingdom that I would make every effort to attend. I accepted the invitation. I pointed out also that while I would make every effort to attend, it would be very difficult to say, in view of all kinds of things happening in the world today, whether it would be ultimately possible for me to leave India or not. So I should like to inform the House of this that I shall make every effort to go, but a great deal depends on circumstances, on how other developments take place in this country and outside, and it is rather difficult to be certain as to what might happen by early January. At the present moment the date fixed for the Conference is

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January 4th and it is expected to last about ten days.

Prof. Ranga (Madras): Sir, can we ask a question?

Mr. Speaker: On a statement generally, our practice is that no questions are asked.

**RESOLUTION RE QUALIFICATIONS
FOR ELECTION TO PARLIAMENT
AND LEGISLATURES OF STATES**

Mr. Speaker: The House will now proceed with further discussion of the following Resolution moved by Prof. K. T. Shah on the 9th February, 1950:

"This House is of opinion that qualifications be laid down for membership of Parliament and Legislatures of States in the Union of India and that necessary steps be taken forthwith to give effect to them before the next election."

श्रीधरी रनबीर सिंह: अध्यक्ष महोदय, पिछली बार जब इस प्रस्ताव पर गौर हो रहा था तब मैं यह बता रहा था कि यह जरूरी नहीं है कि विद्या की बड़ी बड़ी उपाधियां लेने वाला पार्लियामेंट के या असेम्बली के मेम्बर के काम में अवश्य ही कामयाब हो। बल्कि इतिहास इस बात का साक्षी है कि हिन्दुस्तान में कई ऐसे महान्भाव, प्रताप, रणजीत सिंह और अकबर जैसे पैदा हुए जिन के पास न कोई बड़ी उपाधियां थीं और न वे कोई पढ़े लिखे ही थे लेकिन वे बहुत ही कामयाब ऐडमिनिस्ट्रेटर (administrator) साबित हुए। इस के अलावा जब के० टी०

[बीधरी रनवीर सिंह]

शाह साहब अपने प्रस्ताव को पेश कर रहे थे तो उन्होंने बताया था कि इस हाउस में बजट आदि पास होते हैं। मैं कहता हूँ कि इस हाउस में गवर्नमेंट ने जब जब बजट पेश किया है तो उस बजट में हाउस कब और कितनी कमी कर सका है या इस हाउस की देख भाल कितनी कायदा हो रही है यह किसी से छपी नहीं है। इस के अलावा दूसरी बात यह भी है कि आप के जितने एकेडेमिक क्वालीफिकेशन (academic qualifications) हैं, मेरा मतलब उपाधियों से है, उन में सिवाय बी० काम० (B. Com.) और एम० काम० (M. Com.) के कोई उपाधि ऐसी नहीं है कि जिस से फायनेन्स के विषय को बहुत अच्छे ढंग से समझने में मदद मिलती हो। मैं अब तो यह मानता हूँ कि किसी क्वालीफिकेशन की आवश्यकता नहीं है। वैसे यह ठीक है कि पब्लिक सेवा की क्वालीफिकेशन की मेम्बर के लिए जरूरत है। लेकिन इस का मतलब यह नहीं है कि इस प्रश्न को कि किसी ने पब्लिक की सेवा की है या नहीं किसी मैजिस्ट्रेट के ऊपर या किसी जज के ऊपर फ़ैसला करने के लिये छोड़ा जा सके। अगर इस का कोई जज है तो सिर्फ़ वही लोग हो सकते हैं जिन को कि चुनाव करना है। इस के अतिरिक्त जैसा कि उन्होंने बताया था क्वालीफिकेशन कोई पबकी और हमेशा के लिए नहीं होती है। जो क्वालीफिकेशन पहले ठीक समझी जाती थी यह जरूरी नहीं कि वे आज भी ठीक हो। तो मैं समझता हूँ कि इस के लिए किसी क्वालीफिकेशन की आवश्यकता नहीं है। और अगर... हाउस यह समझता है कि मेम्बरों के लिए कोई क्वालीफिकेशन होनी ही चाहिये

तो आज देश की जो आर्थिक दशा है उस को देखते हुए अगर आप यह क्वालीफिकेशन रख दें तो इस से देश को भी बड़ा लाभ होगा, और वह क्वालीफिकेशन यह हो कि जो कोई जब तक कम से कम पांच या सात या दस एकड़ नई ज़मीन को न आबाद करे, उस को काश्त में न लाय, वह मेम्बर नहीं बन सकता। अगर आपने ऐसी कोई क्वालीफिकेशन रखी तो देश का भी भला होगा और कम से कम जो आज की देश की जो आर्थिक अवस्था है उस से देश आज़ाद हो जायगा।

मैं अब अपनी पहली बातों को दोहरा कर हाउस का समय नहीं लेना चाहता। मेरे और बडुन से साथी हैं जो मुझ से ज्यादा अच्छे और इफ़ेक्टिव (effective) तरीके से इस का विरोध करेंगे। इसलिए मैं समाप्त करता हूँ।

(English translation of the above speech)

Ch. Ranbir Singh (Punjab): Last time when this resolution was being considered, I was submitting that a person possessing high educational degrees or diplomas is not necessarily successful as a Member of Parliament or Assembly. On the other hand, history shows that India has produced persons like Pratap, Ranjit Singh and Akbar, who neither possessed high degrees nor were they educated but who proved to be extremely successful administrators. Again when Mr. K. T. Shah was moving his resolution, he asserted that budgets are passed in this House. But I submit that on how many occasions and to what extent the House could effect a cut in the same whenever a budget has been presented by the Government in this House, and also to what extent the House has been successful in its criticism. Everybody knows that. The other point is that out of all the academic qualifications, I mean degrees, none except the degree of B. Com. and M. Com., helps us in comprehending the subject of finance in an effective way. As a matter of fact I feel that no qualification is necessary. It is alright that the qualification of social service should be necessary for a Member. But it does not mean that the question, whether a certain Member has done

some social service or not, should be left to a magistrate or a judge to decide. If there is any judge at all, it is the electorate. In addition to this, as he had said, qualifications are not permanent and everlasting. Qualifications that were considered good enough in the past are not necessarily so these days. So I think there is no necessity of laying down any qualifications for this. If the House at all feels that the Members must have certain qualifications, then keeping in view the present economic conditions of the country, only this qualification namely, that no one can be a Member unless he reclaims at least five or ten acres of fallow land and cultivates it, will be of any benefit to the country. If you lay down such a qualification, the country will be benefited and at least it will be free from its present economic condition.

I do not want to take more time of this House in repeating what I have already said. There are other colleagues of mine who will speak in a better and more effective manner, and therefore I take my seat.

श्री भट्ट : माननीय अध्यक्ष महोदय, पिछली मरतबा से इस प्रस्ताव पर बहस चली आ रही है और यह सुझाया जा रहा है कि धारा ८४ और १७३ में उस के 'ग' (g) भाग में जो लिखा गया है कि पार्लियामेंट (Parliament) और कोई क्वालीफिकेशन (Qualification) रखे उस के मुताबिक उम्मीदवारों को योग्य बनना पड़ेगा। हम जानते हैं कि सारी दुनिया में जहां जहां जनमतधिकार दिया गया है वहां वहां और कोई योग्यता नहीं रखी गई है। और यह क्यों नहीं रखी जा सकती है? इस की वजह भी है। मिसाल के तौर पर मैं बताऊंगा कि रशिया (Russia) में सन् १९३६-३८ के पहले और उस समय वहां जो योग्यतायें रखी गई थीं उन में से एक योग्यता यह रखी गयी थी कि जो आदमी श्रम से कोई चीज़ उत्पन्न करता है वह आदमी उम्मीदवार हो सकता है और धारा सभा में बैठ सकता है। दूसरी चीज़ें भी उस में थीं और यह भी था कि इंडस्ट्रियल

(Domestic industry) जो करे वह भी उस में आ सकता है।

श्री त्यागी : इंडस्ट्रियल इंडस्ट्री से आप का क्या मतलब है ?

Mr. Speaker: Order, order. That's not the way of arguing the matter in the House.

श्री भट्ट : लेकिन उस के बाद उस में जो परिवर्तन हुआ वह इस प्रकार का हुआ कि उस में से सब तरह की योग्यतायें निकाल दी गईं और केवल यही रखा गया कि जो १८ साल की उम्र का आदमी हो वह मत दाता हो सकता है और वह चुनाव के लिए खड़ा हो सकता है। तो हम देखते हैं कि जहां थोड़ा बहुत प्रतिबन्ध रखा भी था वह प्रतिबन्ध हटाया गया हम तो एक नया प्रयोग कर रहे हैं। उस प्रयोग में हम कितने सफल होंगे और कितने विफल होंगे यह तो देखने की बात है। लेकिन हम और कौन सी विशेष योग्यताएँ रख सकते हैं? हम ने अभी योग्यताओं में यह रखा है कि मत देने वाला २१ साल की उम्र का और यहां का बाशिन्दा होना चाहिये। अयोग्यताओं में हम ने रखा है कि जो २५ साल की उम्र का न हो वह हाउस आफ् दी पीपुल (House of the People) में नहीं आ सकता और जो ३० साल की उम्र का न हो वह ऊपरी भवन में नहीं जा सकता। हम ने यह योग्यता रखी है। इस की वजह यह है कि शायद उम्र के साथ अक्ल को भी जोड़ा गया है और जो ज्ञान है या समझदारी है वह उम्र के साथ आगे आगे चलती जाती है शायद यह माना है। मैंने उस समय यह कहा था कि बेहतर तो यह होता कि आदमी जब क्यादा पुल्ता हो जाये और जब ४० साल का हो तभी वह पुल्ता माना जाये और तभी वह यहाँ आ कर बैठ सके और छोटे छोटे आदमी न आ

[श्री मट्ट]

सकें। यह तो मैंने सुझाव इसलिये रखा था कि मैं इस उम्र के प्रतिबंध को नहीं मानता हूँ। २१ साल का लड़का या नौजवान जो बी० ए० और एम० ए० पास कर सकता है, जो आई० सी० एस० के इम्तिहान में २२ साल का बैठ सकता है और जो कलेक्टर बन सकता है और हुकूमत चला सकता है तो उस में कौन सी अयोग्यता है कि वह धारा सभा में आ कर यहां बैठ कर बहस न कर सके? लेकिन मित्रों को पसन्द आया कि कुछ उम्र की पाबन्दी होनी चाहिये। इसलिये यह २५ साल और ३० साल की पाबन्दी रखी गयी।

तो अब इस से ज्यादा और कौन कौन सी पाबन्दियां रख सकते हैं, कौन कौन सी योग्यतायें रख सकते हैं कि जिन से हमारा जो कार्य है वह सरल हो जाये, सुविधा जनक हो जाये और हम अच्छी रीति से धारा सभाओं में काम चला सकें।

क्या हम यह कहें कि सब लोग वकील होने चाहियें, क्योंकि यहां पर कानून बनाने का काम ज्यादा है और कानून में भी पेचीदा शब्द होते हैं, पेचीदा सवाल होते हैं, उस को हल करने वाले विभाग हैं वकीलों के, वैसे वकील ही यहां आ सकते हैं, तो क्या सिर्फ वकीलों को ही धारा सभाओं में भेजेंगे? मैं तो ऐसा मानता हूँ कि यह ठीक नहीं होगा। धारा सभाओं में वकील भी होने चाहियें, व्यापारी भी होने चाहियें, मालदार भी होने चाहियें, मजदूर भी होने चाहियें, किसान भी होने चाहियें, लेखक और कवि भी होने चाहियें और वे होने चाहियें जो जेल गये हों, या जेल जाने के वास्ते तैयार हों और जो जेल न जाने वाले हों, वह भी होने चाहियें, तो मेरा तो ऐसा मत है कि इन धारा सभाओं में सब प्रकार के आदमी होने चाहियें। अगर हम

यह कह दें कि वे जिन्होंने सिर्फ अक्षर ज्ञान प्राप्त कर लिया है ऐसे आदमी यहां होने चाहियें, तो धारा सभाओं में आने वाले बहुत से ऐसे आदमी होंगे जो सिर्फ अपना हस्ताक्षर करना जानते हैं, तो वह है अक्षर ज्ञान की योग्यता या आप उस से बढ़ कर चीख रखने वाले हैं, या किसी तरह का इम्तिहान पास कर लिया है, या तो विशारद हो गया है, या प्रथमा की परीक्षा पास कर ली है, तो इस तरह से हमारा काम सरल नहीं होता है। यह तो नहीं कहा जा सकता कि इतनी योग्यता रखने वाला आदमी वहां के लिए योग्य है और दूसरा कोई आदमी योग्य नहीं है। ऐसे ऐसे व्यापारी हैं, मालदार हैं, ज़मींदार हैं और ऐसे लोग हैं जिन की बुद्धि बिना अक्षर ज्ञान के चलती है और वे सिर्फ हस्ताक्षर कर सकते हैं। करोड़ों रुपये उन के पास पड़े हैं, और वह आप की बुद्धि से टक्कर ले सकते हैं। ऐसे आदमी इस देश में पड़े हैं। तो क्या वह आदमी इस भवन में बैठने के लायक नहीं हैं? मैं तो मानता हूँ कि व्यावहारिक दृष्टि से वह आदमी ज्यादा उपयोगी हैं। मैं किसी की बेइज्जती नहीं करना चाहता हूँ और किसी का अपमान नहीं करना चाहता हूँ, लेकिन माफ़ कीजिए ज्यादा पढ़े लिखे आदमी मामूली सीधे सादे प्रश्नों को ज्यादा उलझा देते हैं और सरल चीख जो है उस को वह ख्वामखा विकट बना देते हैं और प्रश्न को और जटिल कर देते हैं। मैं तो यह पसन्द करता कि ऐसी कोई पाबन्दी रखी जाती जिस से बहुत ज्यादा पढ़े लिखे आदमी यहां धारा सभाओं में न आ सके तो ज्यादा अच्छा था। मैं कोई योग्यता और अयोग्यता के विषय में नहीं कह रहा हूँ। मैं सिर्फ इतना ही कहना चाहता हूँ कि गद्गं हर तरह के आदमी की जरूरत है, चाहे वह सफेद टोपी पहनने वाला हो

चाहे साफा बांधने वाला हो और चाहे जटाधारी हो लेकिन सब तरह के आदमी उस में आने चाहियें। चाहे उस में बहिनें आयें, उस में हमें कोई एतराज नहीं है, क्योंकि हमें सर्वव्यापक चीज बनानी है और इस में सब वर्गों के प्रतिनिधि आने चाहियें। कोई अगर खेती करने वाला है या मजदूर है, तो सिर्फ़ चूँकि वह फलाने काम को करने वाला है, इसलिये उस में लघुता नहीं आ जाती। ऐसे आदमी भी यहां आने चाहियें, चरखा चलाने वाले आदमी यहाँ आने चाहियें। यह तो जैसे जैसे समय बीतता जायेगा, वैसे वैसे हम समझेंगे कि कौन आदमी अयोग्य है और कौन आदमी योग्य है। आखिर योग्यता का प्रमाण पत्र देने वाले और कौन योग्य हैं सिवाय मत दाताओं के, वह ही असली योग्यता का प्रमाण पत्र देने वाले हैं। और दूसरे योग्यता का प्रमाण देने वाले हैं राजकीय पक्ष (Party)। कई पक्ष हिन्दुस्तान में बन रहे हैं, कांग्रेस है, सोशलिस्ट (Socialist) हैं, कोई रामराज वाले हैं और कोई अपने को हिन्दु सभा पक्ष का कहते हैं और समय आने पर और और पक्ष पैदा हो जायेंगे, और यह सारे दल अपने अपने प्रमाण पत्र उम्मीदवारों को देंगे और वह लोग प्रमाण पत्र देते वक्त अपने अपने उम्मीदवारों की योग्यता को ध्यान में ज़रूर रखेंगे। मैंने इस विषय में बहुत सोचा है लेकिन कोई योग्यता नहीं सुझा सकता। यह ठीक है कि इस में अन्तर्राष्ट्रीय दृष्टि वाले आदमी भी होने चाहियें, अन्तर्राष्ट्रीय दृष्टि भी हो सकती है और रखनी चाहिये, लेकिन अगर सारे के सारे अन्तर्राष्ट्रीय दृष्टि वाले हैं आदमी बैठ जायेंगे तो अपने देश का क्या कौन करेगा? तो मेरा ख्याल है कि कोई पाबन्दी लगाना उचित नहीं है। जैसे हम यह पाबन्दी लगाने बैठ

जायें कि जिन को हिन्दी बोलना नहीं आता है, वे इस धारा सभा में नहीं बैठ सकेंगे, यह भी आज करना मुश्किल है, और इसलिये आज किसी प्रकार की पाबन्दी लगाने की बात नहीं हो सकती है। मैंने यह भी सोचा कि एक कमेटी बिठा दी जाये लेकिन कमेटी क्या करेगी और वह कौन सा माप अख्तियार करेगी जिस से हम यह कहें कि फलाने विशेष क्वालीफिकेशन (Qualification) अच्छी है? मैं मानता हूँ कि न कोई विशेष योग्यता रखने की बात आज पैदा हो सकती है और न कोई और योग्यता रखनी जानी चाहिये। धारा सभाओं में तो ऐसे आदमी आने चाहियें जो समझबूझ वाले आदमी हों, उन में सूझ बूझ हो याने साउण्ड कामनसेन्स (Sound Common-sense) होना चाहिये, तभी हमारा काम भली प्रकार चल सकेगा और देश का काम भी चलेगा और मत दाता जिस प्रकार उन से काम करवाना चाहते हैं, वह उस को कर सकेंगे। लेबर पार्टी (Labour Party) की मैं मिसाल देता हूँ। उस में ऐसे आदमी बहुत थे जिन्होंने प्राथमिक शिक्षा ही सिर्फ़ प्राप्त की थी। उनकी संख्या आधे जितनी थी।

आगे बैठने वाले जो हैं वह सीट्स (seats) के लिए झगड़ा भी कर लेते हैं और जो पीछे बैठने वाले हैं वह शान्ति से बैठे रहते हैं। हर जगह यही होता है। सिर्फ़ प्राथमिक शिक्षा का ज्ञान आवश्यक माना जाय कया? प्राथमिक अक्षर ज्ञान वाले पढ़ेंगे भी क्या और करेंगे क्या? आज बात तो यह है कि हमारे यहां का पुस्तकालय भी इतना घरीब है कि इस में जितनी चाहियें उतनी किताबें भी नहीं मिलती हैं। कल ही श्री रोहिणी कुमार जी ने यहां

[श्री भट्ट]

बतलाया था कि उन्हें एक विशेष नकल पोर्ट ट्रस्ट ऐक्ट की चाहिये थी वह भी उन को नहीं मिल पाई तो ऐसा अपना एक गरीब पुस्तकालय है और मुझे सचमुच बहुत ही अफसोस होता है कि धारा सभा का पुस्तकालय इतना गरीब है और इतनी कम तादाद में पुस्तक रखी गई है, इससे तो बम्बई का एक अच्छा पुस्तकालय कहीं बढ़िया है ।

मेरे बहने का मतलब यही था कि किसी प्रकार की आज दूसरी योग्यता रखने के बजाय हम उसी में संतोष मानें जो इस विधान में रखा गया है, वही पर्याप्त है और उस से अगर आगे जाने की जरूरत होगी तो एक चुनाव के बाद सोचेंगे कि कोई विशेष योग्यता रखनी चाहिये या नहीं । हमारे यहां आदमी जो आने वाले हैं वह पिछड़ी हुई जातियों में से आने वाले हैं, हरिजन लोगों में से आने वाले हैं, गांवों और देहातों के आदमी यहां आने वाले हैं, तो मेरी राय में कोई ऐसी बी० ए० (B. A.) बगैरह की पाबन्दी लगाना उचित नहीं है । ऐसे लोग यहां आवेंगे जो अपनी पंचायतों को अच्छी तरह से चलाते हैं, वहां की म्यूनिसिपल कमिटी (Municipal Committee) को अच्छी तरह से चलाते हैं तो क्या ऐसे आदमी नाकाबिल समझे जायेंगे ? मैं समझता हूं कि श्रीयुत गार्ह भी अब तो समझ लेंगे कि योग्यताओं के चक्कर में न पड़ कर जैसा आज है वैसा ही मान कर यह बात मत दाताओं पर छोड़ दी जाये कि कौन उम्मीदवार योग्य हैं और कौन अयोग्य हैं और यहां आने पर इस बात का निर्णय भली प्रकार हो सकेगा कि कौन आदमी अच्छा बोलने वाला है और कौन नहीं बोलने वाला है । अब बार वाले भी प्रमाण पत्र देते रहेंगे ।

Mr. Speaker: Order, order. The Hon. Member's time is over. I have been giving him warning for the last three minutes, since he has forgotten that there is a time limit. He may finish his sentence.

श्री भट्ट : माफ़ कीजियेगा, मैं सिर्फ इतना ही कहूंगा कि योग्यता का प्रमाण पत्र देने वाला दूसरा कोई नहीं है, मत दाता ही योग्यता का प्रमाण देने वाला है ।

(English translation of the above speech)

Shri Bhatt (Bombay): Mr. Speaker, Sir, the Debate on this resolution has been continuing since last time and it is being proposed that Parliament should, as provided in the Part C of the Section 84 and 173, lay down certain qualifications for Membership. We know that nowhere in the world, where general franchise is provided, has any qualification been laid down. Why can it not be laid down? There are reasons for it. For instance, I may tell you, the qualifications laid down in Russia in 1936-38, and even before that, included among others one to the effect that a man who produced something by his own labour could be a candidate for election and could take his seat in the Legislature. There were other qualifications too. According to one of these qualifications a domestic industrialist was also be entitled to be elected to the Legislature.

Shri Tyagi (Uttar Pradesh): What do you mean by domestic industry?

Mr. Speaker: Order, order. That's not the way of arguing the matter in the House.

Shri Bhatt: But after that some changes were made. As a result of this change all qualifications except one were removed. The only qualification retained was that every man not below the age of 18 could be a voter and could stand for election. So we find that where there existed a few restrictions they even were withdrawn. We are going to have new experiments here. It is yet to be seen how far we succeed or fail in this experiment. What other special qualifications can we lay down? We have laid down a qualification that a voter should have

attained the age of 21 years and must be an inhabitant of this place. Among disqualifications we have provided that no man below the age of 25 years can be elected to the House of the People. In case of the Upper House, the minimum age limit is 30 years. These qualifications have been laid down because probably intelligence has also been taken into account together with the age. Perhaps the idea appears to be this that the knowledge and intelligence go on developing side by side with the age. I had suggested to that it would have been better if only mature persons were to come here, and for this purpose only a person of forty years of age should have been considered as mature and not that who is below forty. I had made this suggestion because I do not believe in this age limit. What are the disqualifications of a youngman of 21 years of age, who can be a B.A. or M.A. A youth of 22 years can appear in I.C.S. Examination and become a Collector and run the administration what disqualification can prevent him from coming here and taking part in any Debate? But my friends liked to keep some age restrictions. As such these age limits of 25 years and 30 years were kept.

What other restrictions can be imposed and what other qualifications can be laid down so as to make our task in Legislature easier and more convenient?

Do we mean to say that all Members should be lawyers as much of the work here relates to legislation. Law includes complicated words and complicated issues. Only the lawyers can solve them. Should, therefore, the lawyers alone be sent to the Legislature? I believe that it will not be a proper thing to do. There should be lawyers, businessmen, rich men, labourers, cultivators and authors and poets in the Legislature. Apart from these not only those should be here who have been to jail or who are prepared to do so but also those who are not jail-goers. To sum up, every kind of person should be elected to these Legislatures. If we lay down that only literate persons should be allowed to seek election, then many such persons may find their seats here as can only put down their signatures, or else some stricter qualifications are to be laid down. Those who have passed some examination say Visharad or Prathama may also come but our task will not become easy. It cannot be maintained that only a person possessing these qualifications deserves that honour and others do not. There are certain businessmen,

wealthy people, zamindars and others who can only put down their signatures but their illiteracy does not affect their wisdom. They have got millions of rupees and they can even challenge your wisdom. There are such men in this country. Do these persons not deserve a seat in this House? I am of the opinion that for practical purposes such a man proves to be more beneficial. With respects to all, I want to submit that highly educated people make the ordinary issues look more complicated and make the simple things difficult and thus the problem becomes harder to solve. I would have, therefore, liked to have some restrictions imposed so that highly educated persons could not be elected to Legislatures. I am not talking about qualifications and disqualifications. I am only to say that every kind of person is required here; it does not matter if he wears a Gandhi Cap or a turban or keeps long hair on his head. But every kind of man must be there. We 12 NOON have no objection in women being there for we have to make our legislatures within reach of all and persons representing each and every group are to be taken in it. A person should not be supposed to be inferior simply because he is a cultivator or a labourer. Not only such persons but also *charkha* spinners should be elected. As to who is qualified or who is not qualified, we will make distinction as time will pass on. After all electorate alone can lay down the qualifications. No else can do it. In India there are others too who claim themselves to be competent enough to lay down the qualifications. There are several political parties as Congress, Socialists, advocates of Ram Rajya, Hindu Maha Sabha and others who will lay down qualifications for their respective candidates, and while doing so they will undoubtedly keep their qualifications in mind. Many other parties too will come into being when time comes. I have considered much on this subject but I cannot propose any qualifications. It is true that there should be persons having international views; but if all are such then who will care for the interests of our country? I, therefore, think that it is not proper to impose any restriction. If we were to make it a condition that every Member of this Legislature must be Hindi-speaking, then it will be a difficult task for the present. So today the question of imposing restrictions does not arise at all. I further thought that if a Committee is set up to adopt some standards to judge the qualifications required, it will be of no purpose. The question of laying down any special qualification does not arise to-

[Shri Bhatt]

day nor it should. Only such persons should come here who have got intelligence, wisdom and a sound common-sense. Then only our work and that of the country will go on smoothly. The electorate too will be able to work in accordance with our wishes. I give here an illustration of the Labour Party. There were many persons who had got only primary education. The front benchers scramble for seats and the back benchers remain seated quietly. Such a practice prevails everywhere. Should the primary education standard alone be supposed to be sufficient? How and where can ordinary literate persons study? The fact is that our own Library is so poor that it does not contain as many books as are needed. Only yesterday Shri Rohini Kumar told here that he required a particular copy of the Port Trusts Act but he could not get it. So such is our Library. I am really sorry that the Library of our Legislature is so poor and such a small number of books is kept here. A good Library of Bombay is far better than this.

What I mean to say is this that instead of laying down other qualifications we should feel satisfied with the qualifications already laid down in the Constitution. It is sufficient. If more will be needed, we will think over it after the elections. The Members of our Legislature are to come from amongst the backward tribes, the Harijans and the rural population. In my opinion, therefore, it is not necessary to provide for any academic qualifications. Those who run the affairs of their Panchayats and the Municipal Committees quite satisfactorily will come here. Will such Members be supposed to be inefficient? I believe that now Shri Shah too will appreciate the view that we should not bother ourselves with this problem of qualifications and leave it entirely to the electorate to decide as to who is qualified or who is not. On their coming here it will be clear as to who is a good orator and who is not. The Press will also be judging their qualifications.

Mr. Speaker: Order, order. The hon. Member's time is over. I have been giving him warning for the last three minutes, since he has forgotten that there is a time limit. He may finish his sentence.

Shri Bhatt: Excuse me, Sir. I will submit so much only that no other than the electorate itself is the best judge of the qualifications.

کہانی جی - ایس - مسافر : سہا
پتی جی - یہ پروفیسر کے - تی - شاہ کا

پارلیمنٹ

پرستار جو زیر بحث ہے اسکی اسپرٹ (spirit) بہت اچھی ہے - اس بات سے ہر ایک کو اتفاق ہوگا کہ پارلیمنٹ میں یا دوسری دھارا سبھا میں جو ممبر جائیں ان کو سوچہ بوجہ ہو - وہ کارروائی کو سمجھ سکتے ہوں اور ضرورت پڑے تو اس کی کارروائی میں یوگیتا کے ساتھ حصہ بھی لے سکتے ہوں - مگر یہ ریپوزیشن جس شکل میں یہاں پیسہ کیا گیا ہے اگر اسی شکل میں اسے پاس کر دیا جائے تو پھر بہت سی الجھنیں پڑ جانے کا اندیشہ ہے - یعنی جس کی طرف

چودھری (Chaudhary) سنگھ جی نے اشارہ کیا/کیا کہ جب ہم کوئی کوالیفیکیشن (qualification) مقرر کر لینگے تو پھر اسکی تشریح کرنے میں تکلیف ہوگی ویسے ایک مثال سے کسی بات کا اندازہ نہیں لگایا جا سکتا - اگر میں دو چار مثالیں ایسی پیسہ کر دوں کہ کچھ ایسے ہمارے اٹھوڑے نیتا ہوئے ہوں جنہیں بہت اچھا ایڈمنسٹریٹر (administrator) کہا جا سکتا ہے - یا دو چار اسکی القی مثالیں پیسہ کر دوں جہاں ایک آدمی زیادہ پڑھا تھا وہ کامیاب نہیں ہوا - تو ایک دو مثالیں دیئے سے کچھ فائدہ نہیں ہو سکتا - صاف ظاہر ہے کہ کئی جگہوں پر پڑھا لکھا آدمی کامیاب ہوتا ہے اور یہ بھی دیکھا جاتا ہے کہ کئی جگہوں پر تھوڑا پڑھا ہوا اس سے زیادہ کامیاب

ہو جاتا ہے جس کی کوئی ایسی تعلیمی کوالیفیکیشن نہیں ہوتی - مگر ان میں سوچہ بوجہ اور عام سمجھ اچھی ہوتی ہے - اور وہ اس سے زیادہ کامیابی حاصل کر لیتے ہیں - اس لئے میں سمجھتا ہوں کہ ان ممبران پر جو (پارلیمینٹ) یا کسی اور لیجسلیٹیو باڈی (Legislature) میں جانے والے ہوں - کوئی تعلیمی پابندی یا کوئی تگڑی کی پابندی قطعی کسی صورت میں نہیں ہونی چاہئے - پھر اگر یہ خیال کیا جائے کہ ایسا آدمی سوچہ بوجہ والا ہو - لائق ہو - سمجھدار ہو -

اور اس کے لئے کوئی ٹریننگ (Training) ہو تو اس کا کوئی معیار نہیں ہے - اس کی جانچ پہلے نہیں ہو سکتی - اس کی پورٹال نہیں ہو سکتی - کیوں کہ اس کا کوئی خاص معیار مقرر نہیں کیا جا سکتا، چلنے والوں پر ہی منحصر ہے اس لئے میں سمجھتا ہوں

کہ یہ ریڈولوشن پریکٹس ایبل (Practicable) نہیں ہے اور کوئی اس قسم کی پابندی نہیں لگانی چاہئے - میں ہمت جی سے اس بات میں متفق ہوں کہ اگر کسی سبھا میں بہت سے آدمی ہوں اور سارے آدمی بہت قسم کی ہائی کوالیفیکیشن (high qualification) کے ہوں - اچھے پڑھے لکھے ہوں تو کم میں رکارڈ کا باعث بھی بن جاتے ہیں - میں کوئی ایمان کے خیال سے نہیں کہتا - اگر کسی سبھا میں سب وکیل اکٹھا

ہو جائیں جو اچھے قانوندان ہوں اور جو آگے ہی بڑھنا چاہیں تو ظاہر ہے کہ وہ سبھا کوئی فیصلہ نہیں کر پائے گی - ہاں اس میں دو چار اچھے وکیل ہوں - سب باتیں جائزہ والے ہوں اور سمجھدار ہوں اور کچھ آدمی ان کے ساتھ ایسے ہوں جن کو ان میں اعتبار ہو - ان کے پیچھے ہاتھ کھڑا کرنے والے ہوں اور ان کی کارروائی کو سمجھتے ہوں تو وہ سبھا زیادہ کامیاب ہوگی بلکہ اس کے جس میں سارے ہی جھگڑا کرنے والے ہوں - میں نہیں کہتا کہ وکیل بڑے ہوتے ہیں - وکیل تو سوسائٹی کے آوشیک انگ ہوں اور سوسائٹی کو وہی سیدھے راستے پر چلا سکتے ہیں - مگر جب اس کے اندر یہ خوادہں پیدا ہو جائے کہ ہم بھی اس جگہ پر پہنچ جائیں جہاں دوسرا جا رہا ہے تو تب دونوں میں جھگڑا ہوتا ہے اور بجائے اس کے کہ ہم دوسروں کی مدد کریں جو آگے لگے ہوئے ہوں - ہم ان کا کھڑا پیچھے کھینچنے کی کوشش کرتے ہیں تاکہ ہم اس کی جگہ بیٹھ جائیں اور اس کو پیچھے دھکیل دیں - تو میں سمجھتا ہوں کہ یہاں ایسے صاحبان زیادہ اچھا کام کر سکتے ہیں جن میں خود کچھ بلکہ کا لالچ نہ ہو چلنی پہلی خوادہں سہوا ہو - ایسا نہ ہونے سے ہمیشہ کام بگڑ جاتا ہے - بعض دفعہ ہم دیکھتے ہیں کہ کئی ودوان پڑھوں میں جو مل کر کام کرتے ہیں -

[گہانی جی - ایس - مسافر]

جلنا کی بھلائی کے لئے کام کرتے ہیں - جب یہ خواہش آگئی کہ وہ کام کرتے کرتے کسی خاص رتبہ پر پہنچ جائیں تو جب وہ خواہش کے مطابق اس کرسی پر بیٹھ گئے تو وہاں ناکامیاب ہوئے - پارلیامینٹ میں بھی ہم دیکھتے ہیں کہ کئی دفعہ ایسا موقع آتا ہے ہم میں سے جو پارلیامینٹ میں بڑے بڑے زور سے سوالات کرتے ہیں - جلنا کی بھلائی کی باتیں کرتے ہیں وہ جب کسی خاص کرسی پر بیٹھتے ہیں تو ان کے سوچنے کا تھلگ بدل جاتا ہے - اس لئے میں تو سمجھتا ہوں کہ وہی پرتیئدھی زیادہ کامیاب ہو سکتے ہیں جو اپنے حلقہ کی صحیح رہنمائی کے لئے آکر بیٹھتے ہیں - ان کے سامنے کوئی خیال نہیں ہوتا کہ اگر ہم اس تھلگ سے بات کریں تو شاید ہم بھی اس سے کچھ آگے بڑھ جائیں - اس قسم کے لوگ زیادہ تر وہی ہوتے ہیں جن کے دل میں دوسروں کے لئے یہ خیال ہوتا ہے کہ جو یہاں بیٹھا ہوا ہے اگر وہ اس کام کے لائق ہے تو اسکی مدد کی جائے - اس کی اپنی کوئی خواہش نہیں ہوتی کہ وہ ضرور منسٹر (Minister) بن جائے اور نہ ہی وہ اکثر اسے یوگیہ سمجھا جاتا ہے کہ وہاں اسے بیٹھایا جائے - تو میں سمجھتا ہوں کہ وہی آدمی مفید رہنمائی اپنے حلقہ کی کر سکتا ہے بلکہ اس کے جس کو آگے پہنچانے کی خواہش ہوتی ہے -

تو میں ہاؤس کا زیادہ وقت نہیں لیتا - مگر جیسا میں پہلے کہہ چکا ہوں کہ ممبر ایسے ہوں جن کے سوچے ہوئے ہو - سمجھو ہو تاکہ وہ کارروائی میں حصہ لے سکیں اور اس کو اچھی طرح سمجھ سکیں یہ تو بہت ضروری ہے مگر کوئی پرتیئدھی لگانا یا کوئی کوالیفیکیشن مقرر کرنا کسی تھلگ سے اچھا نہیں ہوگا - اگر کوئی کوالیفیکیشن مقرر کر دی جائے گی تو ہمیں کافی وقت لگے گا پھر بھی ہمیں مفید آدمی اس بارے میں نہیں مایگی - یہ ایک قسم کا ایسا پرتیئدھی ہو جائیگا جو ہمارے درمیان رکاوٹ پیدا کریگا - اس لئے جیسا میں کہہ چکا ہوں میں اس ڈیزولوشن کی اسپرٹ کے تو حق میں ہوں کہ ایسا ہونا چاہئے مگر اس کا پاس کرنا ہمارے لئے مفید نہیں ہے - میں اس بات میں بہت جی سے متفق ہوں کہ کانسٹیٹوشن (Constitution) میں اس کا جو پرووژن (Provision) رکھا گیا ہے اس پر اکتفا کرنا چاہئے اور اسی تھلگ سے ہمارا کام ہونا چاہئے -

(English translation of the above speech)

Giani G. S. Musafir (Punjab): Mr. Speaker, the spirit of the Resolution moved by Prof. K. T. Shah is no doubt good. Everybody would agree on this point that the Members of Parliament or of other Legislatures should be men of reason; they should be in a position to understand the proceedings and should be able to take an efficient part in them, if required. But if the Resolution is passed in the form in which it has been presented I fear it would give rise to many complications, and as Chaudhri Ranbir Singhji has

pointed out if we were to lay down some qualifications it would be difficult for us to define them afterwards. Generally speaking one cannot judge a thing by giving a few illustrations. It would be of no use if I give you two or three examples showing that there have been some such illiterate leaders who proved good administrators, or on the other hand would give you one or two examples where a well-read man has not succeeded. Apparently a well-read man proves a success on many a post; while at the same time we see that a man of lesser education, who has not got such educational qualifications but is a reasonable man and has a good commonsense, proves more successful than the former in the other places. It is therefore my opinion that the persons who have to be the Members of Parliament or of other Legislative bodies should be totally free from restrictions of educational qualifications and degrees. Again if we take it for granted that a man should be wise, efficient and reasonable and besides this should possess some training then there is no standard for all this. We cannot judge it nor can we investigate it. Because no definite standard can be laid down. It all depends upon the electorate. Therefore I think that this Resolution is not practicable, and no restrictions of this sort should be laid down. I agree with Mr. Bhatt when he says that if a majority of the Members of the Legislatures possess high qualifications of various types and are well-read, they sometimes prove obstacles in the smooth working. I do not say this with any sense of disrespect. For instance if the Legislatures were to consist of lawyers entirely, it is apparent that such an assembly would fail to reach at any decision; on the other hand if there are three or four lawyers, all of them being wise and having knowledge of everything, and also some such people who say encore to them, who have confidence in them and who understand their work, it is clear that such an assembly would be more successful than the one where all the members are trouble mongers. I do not say that lawyers are bad. A lawyer is an essential part of our society, and it is he who leads the society on to the right path. But when such an ambition arises in his mind that he too should reach the position for which are trying then this leads to a clash between the two; and instead of helping those men who are ahead of us we try to pull them back so that we may occupy their place and throw them behind. In the light of this assumption my viewpoint is that only such gentlemen can work here smoothly who have no

ambition for self-gratification, but who consider service as their first motive. Everything gets spoiled in absence of such an approach. Sometimes we see that several learned men, who work together for the good of the people, do not prove a success on certain posts which they cherish to occupy by continuing their work. In Parliament as well we see that there are some people among us who talk about doing good to the people and put questions in forceful language, but when they occupy some chair, their mode of thinking changes. Therefore I think that only those representatives would prove useful who sit here for the right guidance of their constituencies. They have no such thoughts that if they would talk in such and such manner perhaps they too might go ahead. Such persons are generally those who think that if such and such member is fit for this work, he must be supported. He has no such desire of his own that he should necessarily become a Minister, and he is often not considered fit for that job. My viewpoint, therefore, is that only a person of such a type can guide his constituency in a better manner than the man who is ambitious and wants to go ahead.

I would not take any more time of the House, but would only like to repeat my words which I have said before that Members should be men of reason and discrimination so that they may be able to take part in the proceedings and understand them fully. This is essential. But it would be in no way good to impose restrictions or to fix any qualification. If any qualification is laid down, it would take a long time and even then we may not get suitable men for this purpose. Such sort of restrictions would give rise to obstacles. Therefore, as I submitted before, I am in favour of the spirit of the Resolution and that we should have something like this, but to pass it will do no good to us. I agree with Mr. Bhatt that we should be contented with the provision as it is outlined in the Constitution and our work should go on accordingly.

श्री एस० ऐन० बास : अध्यक्ष महोदय,
प्रोफ़ेसर के० टी० शाह ने जो प्रस्ताव
संसद् के सामने पेश किया है वह हमारे
सामने बहुत दिनों से है। इस समा के
सामने सरकार की ओर से बहुत से
क़ानून के मसविदे पेश किये जाते हैं

[श्री एस० ऐन० दास]

जिन पर विचार करने का पूरा मौका संसद् के सदस्यों को नहीं मिलता। लेकिन खुशी है कि इस प्रस्ताव पर, जो प्रोफेसर शाह ने हमारे सामने पेश किया है बहुत सोचने और विचारने का मौका हमें मिला है। जब हम यहां बैठते हैं तो हमें सिर्फ यही फ्याल होता है कि हम सदस्य हैं और हमारी राय की ही कीमत है। मेरा ख्याल है कि संसद् में बैठने के समय हमें हर मिनट इस बात का ख्याल रखना चाहिये कि हम जनता के प्रतिनिधि हैं और जनता के हित या जनता की राय के खिलाफ चलने का हमें अधिकार नहीं है।

यह बात सही है कि किसी प्रश्न पर विचार करते समय सदस्य को ही अधिकार है कि वह अपना निर्णय करे लेकिन प्रजातांत्रिक संस्था में बैठने के समय मौलिक बात यह है कि हम जनता के हित के खिलाफ न जायें। यह प्रस्ताव जो हमारे सामने अभी है उस प्रस्ताव में कहा गया है कि संसद् के सदस्यों की योग्यता हमें तै कर देनी चाहिये। विधान के मुताबिक संसद् के सदस्यों को यह अधिकार है कि विधान में दी हुई योग्यता के अलावा भी वे योग्यता का निर्णय कर सकते हैं। लेकिन मैं इस सभा के सामने यह कहने का दुःसाहस करता हूँ कि इस अधिकार का यदि हम ने प्रयोग किया तो मैं समझता हूँ कि हम प्रजातांत्रिक भावना के खिलाफ जायेंगे। हमारा ख्याल है कि हम जिस जनता के प्रतिनिधि हैं उस जनता को योग्य बनाने के लिये हम ने अभी तक इस विधान के मुताबिक कोई भी काम नहीं किया है। आज हमारे देश के अन्दर जितनी भी शिक्षा संस्थाएँ हैं उन सभी

शिक्षा संस्थाओं में पढ़ने के लिये रुपये की आवश्यकता होती है। आज यहाँ बैठ कर हम भले ही यह निर्णय कर दें कि अमुक शिक्षा प्राप्त व्यक्ति ही संसद् का सदस्य हो सकता है, परन्तु मैं समझता हूँ कि यह सब से बड़ा विश्वासघात जनता के प्रति होगा। जनता यह चाहती है और विधान में भी हम ने बताया है कि सामाजिक न्याय, राजनैतिक न्याय और आर्थिक न्याय सब को उपलब्ध हो। साथ ही साथ हम ने विधान में यह भी बताया है कि उन्नति करने का अवसर, चाहे वह आर्थिक उन्नति हो या शिक्षा सम्बन्धी उन्नति हो या दूसरी तरह की उन्नति हो, सब को समान रूप से मिलना चाहिये। संसद् के सदस्यों को याद रखना चाहिये कि हम ने उस विधान के मुताबिक आज हिन्दुस्तान की जनता को—जो भी शिक्षा संस्थाएँ हमारे मुल्क में क्रायम हैं—उन में प्रवेश पाने के लिये क्या अधिकार दे रखा है? विधान में कहा गया है कि निःशुल्क शिक्षा और अनिवार्य शिक्षा दस बरस में हम कर सकेंगे। हमारे लिए यह आसान है कि हम आज यह निर्णय कर दें कि संसद् के सदस्य की योग्यता बी० ए० (B. A.), एम० ए० (M. A.), मैट्रिक (Metric) इत्यादि हो लेकिन मेरा यह ख्याल है कि यह भावना प्रजातन्त्र के खिलाफ ही होगी। मेरा ख्याल है कि इस संसद् के लिए और इस संसद् के द्वारा निर्मित जो सरकार है उस के लिए यह जरूरी है कि वह हिन्दुस्तान की जनता के लिए सब से पहले अनिवार्य और निःशुल्क शिक्षा का प्रबन्ध करे। हम ने अपने विधान में जो आदर्श रखा है कि सब को सोशल (Social), इकानोमिक

(Economic) और पोलिटिकल (Political) जस्टिस (justice) मिलेगी, उस का यह तकाजा है कि हमारे देश में जो भी शिक्षा संस्था हो उस में कोई भी आदमी प्रवेश पाने से बंचित न रह जाये। जब हम अभी तक ऐसा प्रबन्ध नहीं कर पाये हैं और निकट भविष्य में भी ऐसा करने का हमें अबसर मिलेगा यह नहीं कहा जा सकता, तो आज इस संसद् में बैठ कर जो एक प्रजातान्त्रिक संस्था है और प्रजातन्त्र के लिए जिस का निर्माण हुआ है अगर हम यह निर्णय करते हैं कि संसद् के सदस्य की योग्यता मैट्रिक, बी० ए०, या एम० ए० होनी चाहिये, तो मैं समझता हूँ कि उस जनता के प्रति जिस की तरफ से हम यहां बैठे हुए हैं यह एक विस्वा-घात होगा। अंगरेज लोग कहां करते थे कि हिन्दुस्तानी स्वराज्य के लायक नहीं हैं। वे कहते थे कि हिन्दुस्तान की जनता में अशिक्षा है, अज्ञानता है और वह प्रजातन्त्र की पूरी जिम्मेदारी नहीं उठा सकते, इसलिए हिन्दुस्तान को स्वराज्य नहीं देना चाहिये। लेकिन क्या इस संसद् में कोई भी ऐसा सदस्य है जो कि यह कहे कि हिन्दुस्तान को स्वराज्य नहीं मिलना चाहिये था। जब हम स्वराज्य के लिए लड़ते थे तो हम ने जोरों से कहा था कि योग्यता अयोग्यता का इसमें सवाल ही नहीं है। स्वराज्य तो हमारा जन्मसिद्ध अधिकार है और हम उस को ले कर रहेंगे। इसी तरह से मैं यह कहने का दुःसाहस करता हूँ कि किसी भी बाल्य जनता को जो शरीर से निरोग है, जिस का चरित्र शुद्ध है और जिस में नैतिकता है उस को इस बात का अधिकार होना चाहिये कि वह इस प्रजातान्त्रिक संस्था में अर्थात् इस संसद् में आकर अपने विचार प्रकट कर सकें। मैं समझता हूँ कि इस के

अलावा किसी भी तरह की योग्यता का निर्णय करना प्रजातन्त्र के सिद्धान्त के खिलाफ होगा। यह मैं मानता हूँ कि देश के कामों को चलाने की जिम्मेदारी इस प्रजातान्त्रिक संस्था संसद् पर है। मैं यह भी जानता हूँ इस संसद् का एक टेकनीकल काम है, राजकाज चलाने एवं कानून बनाने का। मैं समझता हूँ और यह बात सही है कि, इस संसद् के काम को देखते हुए यहां ऐसे आदमी की जरूरत है जो यहां आ कर प्रजा के हित में विधान को चलाने के लिए जिन जिन कामों की आवश्यकता है और जिन से देश की उन्नति और तरक्की हो सकती है और देश का विकास हो सकता है, और विधान को लागू करने के लिए जिन जिन कामों को करने की आवश्यकता है उन को पूरा करने की मानसिक शक्ति रखता हो। लेकिन इसका निर्णय करने का अधिकार संसद् को नहीं है, इसके निर्णय करने का अधिकार जनता को है। यह तो निर्वाचन क्षेत्र में निर्णय किया जायेगा। हर निर्वाचन क्षेत्र की जनता यह जानती है कि कौन सा व्यक्ति उन के बीच में ऐसा है जो संसद् के सदस्य की जिम्मेदारी को निबाह सकता है। यह बात मानते हुए कि हिन्दुस्तान में शिक्षा सम्बन्धी अज्ञानता है, और वह भी इसी लिए है, कि हम शिक्षा का प्रबन्ध नहीं कर पाये हैं, मैं मानता हूँ कि हिन्दुस्तान की जनता की साधारण बुद्धि इतनी है कि वह अपने प्रतिनिधि को ठीक ढंग से चुन सकती है। हो सकता है कि आज भले ही इस संसद् में कुछ ऐसे सदस्य आ गये हों कि जिन को साधारण समस्याओं को समझने की ताकत न हो, लेकिन मैं चिन्ती के साथ आप से यह बात कह सकता हूँ कि जब जनता को यह निर्णय करने का अधिकार होगा उस समय आप

[श्री एस० एन० दास]

देखेंगे कि संसद् में कोई भी आदमी ऐसा नहीं आ सकेगा जो साधारण तौर से देश की समस्याओं को समझने की योग्यता न रखता हो। पार्टी से सम्बन्ध रखने वाले लोग, चाहे वह किसी भी पार्टी के हों, पक्षपात के ख्याल से या मुंह देखे से चुनाव कर सकते हैं, लेकिन मेरा ख्याल है कि जब आम चुनाव में जनता के सामने उम्मीदवार जायेगा तो चाहे वह किसी भी दल का उम्मीदवार हो, जनता उस को अपनी जानकारी की कसौटी पर कसेगी और उचित निर्णय देगी। इसीलिए मेरा ख्याल है कि इस संसद् के सदस्यों को इस बात के निर्णय करने का अधिकार नहीं है भले ही हम लोगों ने विधान में इस बात का जोड़ दिया हो कि योग्यता क्या होनी चाहिये इस का निर्णय संसद् करे। मैं समझता हूँ कि यह निर्णय करने का अधिकार एक मात्र जनता को ही होना चाहिये। दूसरे किंगी को इस का अधिकार नहीं है।

मैं आप से एक बात और कह कर ख़त्म करूँगा, मैं आपका ज्यादा समय नहीं लेना चाहता। मैं फिर यही कहूँगा कि अगर हम लोग संसद् में बैठ कर आज यह निर्णय कर दें कि अमुक योग्यता के ब्यक्ति ही संसद् में आयेंगे तो मैं समझता हूँ कि हम विधान के खिलाफ जायेंगे। मैं तो यही मानता हूँ कि हमें एक ही योग्यता निर्धारित करना चाहिये और वह योग्यता यही है कि हम विधान के प्रति जिम्मेदार रहेंगे जैसा कि हम शपथ लेते समय कहते हैं। जो विधान हम ने तैयार किया है वह प्रजातान्त्रिक है और वह ऐसा है कि जिस में हर एक हिन्दुस्तानी नागरिक को सामाजिक, राजनैतिक और आर्थिक स्थाय उपलब्ध होगा। हर एक नागरिक

को हमें समानता का अधिकार और समान अवसर देना चाहिये। अगर ऐसे विधान के अन्तर्गत हम सदस्यों के लिए कोई योग्यता रखना चाहते हैं तो हमारा कर्त्तव्य है कि हम एक ही योग्यता रखें और वह यह कि वह सदस्य प्रजातन्त्र में विश्वास करने वाला हो, वह प्रजातन्त्रात्मक सिद्धान्त को मानने वाला हो और यही एक योग्यता है जिस को जो न माने वह संसद् में सदस्य न हो सके। दूसरी जो भी योग्यता हो उस को निर्णय करने का अधिकार प्रजातन्त्रात्मक सिद्धान्त के मुताबिक हिन्दुस्तान की जनता को है। मैं तो कहता हूँ कि यहां जो ३०० सदस्य इस समय आ गये हैं वह जनता के चुने हुए प्रतिनिधि नहीं हैं। इसलिए हमें यह अधिकार नहीं है कि किसी भी तरह की योग्यता का, चाहे वह एकेडेमिक (academic) योग्यता हो या और कोई योग्यता हो, निर्णय करें। इसलिए मैं इस प्रस्ताव का पूरे तौर पर विरोध करता हूँ। मैं इसलिए विरोध नहीं करता हूँ कि संसद् के सदस्यों में कोई योग्यता नहीं होनी चाहिये, मैं इसलिए विरोध करता हूँ कि संसद् के सदस्यों को इस बात का निर्णय करने का अधिकार नहीं है कि सदस्यों की क्या योग्यता हो। इन्हीं शब्दों के साथ मैं इस प्रस्ताव का विरोध करता हूँ और उम्मीद करता हूँ कि हमारे दूसरे सदस्य भी मेरे विचार का समर्थन करते हुए इस प्रस्ताव का विरोध करेंगे।

(English translation of the above speech)

Shri S. N. Das (Bihar): Mr. Speaker, Sir, the Resolution moved by Prof. K. T. Shah is before us from a long time. Generally speaking the Members do not get sufficient opportunity to consider a majority of the draft bills which are moved in this House on behalf of the Government. But it is gratifying that we have had a good opportunity to consider Prof. K. T. Shah's motion. When we sit

here we only think that we are the Members and our opinions have some value. I think that while taking our seats in Parliament we should always keep in our minds that we are representatives of the people and that we have no right to go against the opinions or the interests of the people.

It is true that while expressing his opinion on a certain question a Member is entitled to take his own decision, but the fundamental thing is that we should not go against the interests of the people at least when we are taking our seats in a democratic body. The Resolution which is before us now is that we should decide about the qualifications of the Members of Parliament. According to our Constitution the Members of Parliament are authorized to decide about the qualifications other than those laid down in the Constitution. But I venture to say on the floor of the House that if we practise this right, I think we are going against the democratic spirit. We understand that according to our Constitution we have done very little so far to raise the standard of those people whom we represent here. We require money to get education in any educational institution that exists in our country at present. While sitting in this House we may rightly decide here today that only a person of such and such qualification is eligible to become a Member of Parliament; but I consider it to be the greatest betrayal of our people. People want it and we too have laid it down in our Constitution that social, political as well as economic justice will be available to all. Also we have mentioned it in the Constitution that everybody should get equal opportunities of progress may that be economic, educational or any other progress. The Members of Parliament should keep in mind as to what rights we have given to the people of India to enter the educational institutions of the country in accordance with what we have laid down in our Constitution. The Constitution says that we will introduce free and compulsory education in ten years. It may be easy for us today to decide that the qualifications of a Member of Parliament should be B.A., M.A., Matric, etc., but in my opinion such an approach would be against democracy. I am of the opinion that it is essential for this Parliament and for the Government formed by this Parliament, to arrange to provide people of India with free and compulsory education first of all. Our ideal in the Constitution that social, economic and political justice will be available to all, demands that nobody should be deprived of the facility to enter any

educational institution of our country. When we have not been able to provide such facilities so far and when we are not sure whether we shall get such an opportunity in the near future, I think we are betraying those people on whose behalf we are sitting in this House if we decide in this House, which is a democratic body and which is meant for democracy, that the qualifications of a Member of Parliament should be Matric, B.A., or M.A. Britishers used to say that Indians were not fit for Independence. They used to say that people of India were uneducated, ignorant and that they were unable to shoulder responsibilities of Democracy, therefore India was not to be given Independence. But is there any Member in the House who will say that India ought not to have got Independence? When we fought for freedom we declared it openly that there was no question of efficiency and inefficiency in it. Freedom was our birth right and we will achieve it. Likewise I dare say that any adult who is physically sound, and has a good moral character should have a right to come to this democratic body e.g. this Parliament, and express himself. I am of the opinion that it would be against the principles of Democracy if we decide about any sort of qualifications other than these. I accept that it is the responsibility of this democratic body e.g. Parliament, to run the affairs of the country. I know it as well that the Parliament's work is a technical one; of administration and of legislation. I understand and this is true that keeping in view the work of Parliament such a man is needed here who has a will power to perform all those functions which are needed for application of constitution in the interests of the people, for progress and development of the country and for enforcing the Constitution. But the Parliament has no right to take a decision in that respect, it is the right of the people. People of every constituency know it as to who is the man among them who can fulfil the responsibilities of a Member of Parliament. Accepting this that there is ignorance in India so far as education is concerned and that too because we have not given them facilities for education, I hold that people of India have as much of commonsense as would enable them to elect their representatives rightly. May be that we have some such Members in Parliament today who are unable to understand the general problems, but I challenge you that when people will have the right to decide you will see that not a single man will be able to come to this House who does not have

[Shri S. N. Das]

the ability to understand the problems of the country in general. Party men, belonging to any party, may select some one due to their partisanship or on grounds of personality, but my opinion is that when in a general election a candidate, may he be of any party, will approach people, they will test him on the criterion of their own knowledge and will give their right decision. Therefore in my opinion the Members of this House are not entitled to decide this issue even though we may have this clause in our Constitution that the Parliament should decide as to what the qualifications should be. My opinion is that only the people have the right to decide it. None other has this right.

I would finish up my speech after submitting one thing more. I do not want to take much of your time. I would repeat it that if we in Parliament today were to decide that only persons of such and such qualification should come in Parliament, I am of the opinion that it would go against the Constitution. I hold that we should fix up only one qualification and that is that we will be responsible to our Constitution as we pledged ourselves at the time of taking oath. The Constitution that we have framed is a democratic one and under this every Indian citizen will secure social, political and economic justice. We should give equal opportunity and right of equality to every citizen. If under this Constitution we desire to set up some more qualifications for the Members, it is our duty that we should set up only one qualification and that is that a Member should have faith in democracy and should be an up-holder of the democratic principles. This is the only qualification and anyone who denies it should not be allowed to become Member of the Parliament. According to the democratic principles the right to decide about the qualifications other than this belongs to the people of India. I dare say that the 300 Members who have come at this time are not the elected representatives of the people. Therefore we are not entitled to decide about any sort of qualifications, academic or otherwise. So I fully oppose this Resolution. I do not oppose it on the ground that the Members of Parliament should have no qualifications, but I oppose it on the ground that Members of Parliament are not entitled to decide as to what the qualifications of the Members should be. With these words I oppose this Resolution and hope that the other Members too will oppose it while supporting my views.

Shri Karunakara Menon (Madras):
Sir, I oppose the resolution moved by Prof. Shah and support the amendment

moved by Dr. P. S. Deshmukh, which reads:

"no qualifications in addition to what has already been provided for in the Constitution of India shall be laid down for membership of Parliament and Legislatures of States in the Union of India."

I have great pleasure in supporting this amendment for more reasons than one. There are certain qualifications prescribed in the Constitution with respect to age and citizenship and no further qualifications are necessary, at any rate at this stage of the progress of our country.

I might say that except Ireland no other country has fixed qualifications for membership of Parliament. It is true that some American States have fixed certain general qualifications such as "men noted for wisdom and virtue." But even these are of an extremely general character. They have not specified the qualifications necessary for a member. But the Irish Constitution prescribes that persons who are elected should be people who have done honour to the country by reason of their useful public service or who because of their special qualifications or attainments represent important aspects of national life. So it is only in Ireland that we find some specification of qualifications required for a member of Parliament. On the other hand other nations have confined their attention more upon disqualifications, more upon excluding persons than upon inviting persons by stating what qualifications they should possess. By taking this positive aspect, that is to say, by prescribing the qualifications for members we will be restricting the number of members to be elected to Parliament: whereas in the disqualifications as prescribed in the Constitution the number of members who can come to the Parliament will be more than otherwise. That is the proper method to be followed. Of course in our Constitution we have laid down that the Parliament has the power to prescribe the qualifications necessary for a Member. It is now too late to alter it but I would have much liked that the Constitution had stated that the disqualifications which will stand in the way of a citizen becoming a Member of Parliament be prescribed. Under Article 84 the Parliament has the right to prescribe the qualifications but it ought to have been the other way. Anyhow it is there. Suppose, we do not prescribe certain qualifications and a Member is elected who is lacking even the ordinary qualifications required for a Member. The Parliament then is supposed to

have the plenary power of looking into and investigating whether that Member is qualified as a Member or not. That is the opinion expressed by a learned author, Mr. Luce, in his book "Legislative Assemblies" on page 207. He says:

"Turning to the negative phase of the matter, observe that the scope of the word 'qualifications' has not escaped dispute. Does it mean those that are set forth in the fundamental law, or may the adjudicating body use its own judgment in respect of particulars not therein covered? Much is to be said for the contention of the strict constructionist that legislative bodies have no powers not expressly delegated, but my own belief is that in this matter the weight of commonsense is with those who argue for plenary powers. Is it not absurd to suppose that an assembly may not exclude an idiot or a leper? And if it be granted that an assembly may in any case whatever go beyond the written word, how escape the conclusion that the matter is one of judgment?"

Therefore even if we do not prescribe the qualifications, the defects may be so great in a Member elected that the Parliament has the plenary power of investigating his case and excluding him. This aspect of the matter has also to be taken into consideration.

After all this Parliament is a provisional Parliament, which is more or less nominated by the legislative bodies of the various States and it is only proper that a permanent Parliament elected on adult franchise deals with the question of qualifications that ought to be prescribed for a Member of Parliament.

Also the special nature of the country has to be taken into consideration. There are seats provided for scheduled castes and scheduled tribes under the Constitution and we know that taking India as a whole not even 15 per cent. of the people are literate, and in the case of the scheduled castes and scheduled tribes the illiteracy is still more among them. It would also be very difficult, if you prescribe qualifications, for these helpless people to select their representatives to the Parliament. After all it is a matter for the discretion of the people to decide who ought to be elected and who not. A person may not be a very learned man or passed any examinations, but he might have done real

service to the country and his constituency might think that the only way in which they could reward him for his services would be to send him to the Parliament. Perhaps such a Member may not be able to take part in the deliberations of Parliament but by his personal influence he might be able to render service to his constituency by being a Member. Therefore it would be an injury to the nation to exclude a person simply because he is not a graduate or does not possess certain other qualifications.

With these words, Sir, I support the amendment moved by Dr. Deshmukh.

श्री जॉन्स : माननीय सभापति महोदय, मैं इस समय यहाँ पर माननीय के० टी० शाह ने जो रिजॉल्यूशन (Resolution) यानी मन्तव्य पेश किया है उस का विरोध करने के लिए खड़ा हुआ हूँ। संविधान सभा ने विधान सभा के लिए और संसद् सभा के लिए किस प्रकार के उम्मीदवार और किस प्रकार के सदस्य लिये जायें इस के लिए जो योग्यतायें रखी हैं वे केवल वही हो सकती हैं, यानी उच्च के बारे में कि जो सदस्य बने वह बालिया हो, वह नाबालिया न हो और वह पागल न हो। इसी तरह संसद् के लिए भी योग्यतायें रखी हैं। एक योग्यता और है और वह आर्थिक योग्यता है। आजकल संसार की जो स्थिति है और हमारे देश की जो आर्थिक स्थिति है उस को देखते हुए यह उचित नहीं है कि कोई आर्थिक प्रतिबन्ध लगाया जाये। हाँ, यह हो सकता है कि वह दिवालिया न हो या ऐसा व्यक्ति न हो जिस ने धन का दुरुपयोग किया हो। ऐसा आदमी संसद् में या धारा सभा में न लिया जाये। सम्भव है कि माननीय के० टी० शाह के मन्तव्य से साक्षर होने की योग्यता का प्रतिबन्ध लगाया जाये। वे समझते होंगे कि ८वीं क्लास या मैट्रिक (Metric) या बी० ए० (B. A.), एन० ए० (M. A.) पास आदमी ही संसद्

[श्री जांगड़े]

में या धारा सभा में आये और आ कर देश की सेवा करे। आप समझते होंगे कि संसद में या धारा सभा में आगे सब मूर्ख और बगैर पढ़े लिखे लोग ही इकट्ठा हो जायेंगे और इस से इस का स्टैंडर्ड (Standard) नीचा हो जायेगा। शायद ऐसा आप समझते होंगे।

परन्तु आज मैं आप को यह बतलाना चाहता हूँ कि यदि आप ने यह शिक्षा की योग्यता रखी कि कोई भी सदस्य जब तक वह मैट्रिक या बी० ए० न हो, संसद् में या विधान सभा में नहीं आ सकता, तो आप गरीबों के प्रति, काश्तकारों के प्रति और देहाती जनता के प्रति बहुत ज्यादा अन्याय करते हैं। इसलिए मैं आप को बतलाना चाहता हूँ कि आजकल की जैसी शिक्षा प्रणाली है, उस से आप यह नहीं समझ सकते हैं कि अमुक आदमी का दिमाग कैसा है और आजकल की शिक्षा के अनुसार ही आप किसी आदमी के दिमाग का प्रमाण नहीं पा सकते हैं। एक आदमी अगर मैट्रिकुलेट (Matriculate) है या ग्रेजुएट (Graduate) है, तो सिर्फ उसी से आप यह नहीं समझ सकते कि यह बहुत बड़ा विद्वान है और अच्छा भाषण देने वाला है, देश की सेवा करने वाला है, ऐसा कोई प्रमाण इस शिक्षा और डिग्री (degree) से नहीं मिलता है। इन डिग्रियों से यह कोई प्रमाण नहीं मिल पाता कि अमुक व्यक्ति राज्य कार्य को भली प्रकार चला सकेगा या गवर्नमेन्ट की टीका टिप्पणी करने की योग्यता रखता है। यहां पर भी हमारी संसद् में ऐसे बहुत से सदस्य हैं जो अंग्रेजी बहुत नहीं पढ़े हैं, परन्तु बोलते ऐसे हैं कि आजकल के ग्रेजुएट भी वैसा न बोल पायेंगे। आजकल की शिक्षा जैसी है, उस से आप यह नहीं कह सकते कि शिक्षा

ही किसी आदमी की योग्यता का प्रमाणपत्र या सर्टीफिकेट (Certificate) है।

Deputy / [MR. SPEAKER in the Chair.]

जहां आप ऐसा कहते हैं तो आप हमारे प्रति अन्याय करते हैं। आप उन तमाम हरिजनों, पिछड़ी हुई जातियों और आदिवासियों के प्रति अन्याय करते हैं। यदि आप शिक्षा की योग्यता रखते हैं तो दलित जातियों में से हरिजनों में से कोई भी सदस्य संसद् या विधान सभा में आ ही नहीं सकेगा। यह बात दूसरी है कि संसद् में या विधान सभा में योग्य आदमी व पढ़े लिखे आदमी आने चाहिये, परन्तु योग्यता को आप कहने मात्र से या कानून और पाबन्दी लगा देने से नहीं आंक सकते। मैट्रिकुलेट होना चाहिए या ग्रेजुएट होना चाहिये या कैसी योग्यता होनी चाहिये, इस का निर्णय तो पोलिटिकल पार्टी या राजनैतिक संस्थाओं को करना चाहिये। एक अपढ़ आदमी जो देहातों में काम करता है, गरीबों की सेवा करता है, और मजदूरों के बीच काम करता है और यदि वह देश की अच्छी सेवा करता है और यदि वह जनता के दुखों को अच्छी प्रकार समझता है और उन को दूर कर लेता है, तो मैं कहूंगा कि ऐसे आदमी के मुकाबिले आप का ग्रेजुएट और मैट्रिकुलेट जनता में वोट में हार जायेगा। यह बात मैं आप के सामने दावे के साथ कहता हूँ। हमारे देश में आज सब से ज्यादा नैतिकता की ज़रूरत है, उस के स्तर को ऊंचा उठाना है, आजकल की मैट्रिकुलेशन और ग्रेजुएट की जैसी शिक्षा प्रणाली है, उस की योग्यता की ज़रूरत नहीं है। हमें सेवा भाव की ज़रूरत है, हमें नैतिकता की ज़रूरत है, हमें ऐसे आदमियों को भेजने की ज़रूरत है जो देखें कि उस के मतदाताओं की क्या

क्या जरूरतें हैं, उन को पूरा करने की जरूरत है।

हमारे देश की जो शासन पद्धति है, वह पाश्चात्य पद्धति के अनुरूप है, उस को हमें निकालना है। हमारे देश की स्थिति और पाश्चात्य देश की स्थिति में बहुत फर्क है। मेरे मित्र श्रीयुत के० टी० शाह यह समझते होंगे कि जैसी विद्या पाश्चात्य देशों में प्रचलित है, उसी के अनुसार हमारे देश में भी शिक्षण की योग्यता सदस्यता के लिये क्रायम की जाये। परन्तु हमारे देश की परिस्थिति दूसरे पाश्चात्य देशों की स्थिति से बिलकुल भिन्न है और उसमें बहुत अन्तर है और इस कारण हम वहाँ की शिक्षण योग्यता को यहाँ इस देश में क्रायम नहीं कर सकते। कौन व्यक्ति लोकल बोर्ड (Local Board) में जाने लायक है, कौन आदमी डिस्ट्रिक्ट बोर्ड (District Board) के लायक है और कौन आदमी विधान सभा में लाना है, इस का निर्णय तो मतदाता ही कर सकते हैं, इस चीज का निर्णय कोई विधान सभा या संसद् करने वाली नहीं है। आजकल के राजनैतिक दल इतने बेवकूफ नहीं हैं कि वह इस का भी निर्णय न कर सकें कि कौन व्यक्ति नगरपालिका में जाने चाहियें और कौन धारा सभाओं में जाने चाहियें। वह राजनैतिक दल अपने अपने उम्मीदवारों की योग्यताओं को उन का नाम भेजने से पहले अच्छी तरह जांच कर सकेंगे कि कौन व्यक्ति किस स्थान के लिये उपयुक्त है और वह उसे वहाँ के लिये नामिनेट (nominate) करेंगे। उस को आप कानून के द्वारा नहीं आंक सकते और कानून द्वारा आप इस का निश्चय नहीं कर सकते हैं।

माननीय अध्यक्ष महोदय, मैं नहीं समझता हूँ कि माननीय श्री के० टी०

शाह शिक्षण की योग्यता से क्या मतलब रखते हैं। शायद उन का आशय वहाँ पर केवल डाक्टर, वकील या जो इन्जीनियरिंग (engineering) पास हों, ऐसे लोगों को भेजना है। क्या संसद् में सिर्फ डाक्टर, वकील और इन्जीनियर ही आ सकें, तो मेरा कहना है कि मैं उन के इस विचार से सहमत नहीं हो सकता।

असल बात तो यह है कि यहाँ पर न वकीलों की जरूरत है, न डाक्टरों की जरूरत है, न इंजीनियरों की जरूरत है, यहाँ पर तो ऐसे लोगों की जरूरत है जो कि कौमन सेंस (commonsense) रखते हों जो भूतकाल से आदर्श लेकर भविष्य की बनाना जानते हों और जो देश की परिस्थिति को भली प्रकार जानते हों तथा जिन्हें देश की आर्थिक अवस्था और राजनैतिक अवस्था का पूरा पूरा ज्ञान हो। इसमें न वकील की जरूरत है, न डाक्टर की जरूरत है और न इन्जीनियर की जरूरत है। जिस आदमी के पास व्यापक साधारण ज्ञान और अनुभव हो वह इसके लायक हो सकता है। और साधारण ज्ञान को पहचानने वाले मतदाता और राजनैतिक दल ही हों सकते हैं। इतना मैं कहना चाहता हूँ।

(English translation of the above speech)

Shri Jangde (Madhya Pradesh):
Sir, I have stood here to oppose the Resolution moved by Shri K. T. Shah. The Constituent Assembly has laid down certain qualifications for Membership of the Legislature and Parliament. These qualifications are that the Member should not be minor and insane. Similarly, qualifications have been laid down for the membership of Parliament. There is one more qualification that of financial soundness. It is not proper to put any financial restriction in view of the present world situation and the prevailing economic circumstances in our own country. This, of course, is right that one should not be an insolvent or may have misappropriated money. Such a person must not be taken in Parliament or the Legislature. The Resolution of Shri K. T. Shah may

[Shri Jandge]

possibly lay down the qualification of being literate. He might be of the opinion that only such persons should come to the Parliament and serve the country who have passed the eighth standard or the Matric or who are B.As. or M.As. He probably thinks that worthless or illiterate persons in future would get admission into Parliament and this will lower its standard. But I wish to tell you that if an educational qualification, say that of Matriculation or B.A., is imposed for eligibility for the Membership of Parliament or the Legislature, it would be doing a great injustice to the poor, the cultivators and the village people. May I make it clear that the present education system is not suggestive of the qualities of mind of a particular person and, therefore, you cannot judge the qualities of a person's mind on the standard of the present system of education. A person's being a Matriculate or a Graduate does not give us an indication of his being a big scholar, a good speaker or a patriot. These degrees do not go to prove that a particular person possesses the ability to carry on administration properly or has the capability to criticise the Government. Here in our Parliament there are many such persons who have not read English sufficiently and yet speak with a fluency with which a graduate would not. From the education as it is today, you cannot draw conclusion that education alone is a 'certificate' of a person's ability.

(MR. DEPUTY-SPEAKER *in the Chair*)

If you say so, you do injustice to us; you do injustice to all the Harijans, the backward communities and the aboriginals. If you lay down an educational qualification, no person from amongst the depressed classes or the Harijans would be able to become a Member of Parliament or the Legislature. This is another thing that able and literate persons should be Members of Parliament or Legislatures, but you cannot judge that ability by imposing any legal restriction. It should be for the political parties to decide whether a candidate should be a Matriculate or a Graduate or should have any other qualification. An illiterate person who works in the villages, serves the poor, moves amongst the labourers and understands well the woes of the people, serves the country in a better manner and, I dare say, a Matriculate or a Graduate would be defeated against him in an election. What we need most in our country today is morality. We have to raise its standards. We do not require the qualification of Matriculation or graduation as it exists today in the

context of the present system of education. We need a desire for service, we need morality, we need such persons to be sent to Parliament who may look into the requirements of their electors and fulfil them.

Our administrative set up is similar to that of the West, and we have to do away with it. Conditions in our country differ widely from the conditions of the countries of the West. My friend, Shri K. T. Shah, may be of the opinion that we should lay down an educational qualification for Membership in accordance with the Western educational system. But the circumstances prevailing in our country are entirely different from those of other countries and, for this reason, we cannot in this country impose a qualification that evolves from their type of education. Who are the people suited to go to local boards, district boards or legislature can only be decided by the electors. This cannot be decided by any Legislature or Parliament. Political parties of today have sufficient sense to choose the persons who are suitable to go to the Municipalities or Legislatures. These political parties can very well judge the suitability of a candidate for appropriate place before sending him there and will nominate him after due consideration. We cannot decide this issue by legislation.

Sir, I am unable to understand what Shri K. T. Shah has in mind by educational qualification. Perhaps he means that those persons are to be sent there who have qualified as doctors, pleaders or engineers. I do not agree with him that only doctors, pleaders and engineers should come into Parliament. The reality is that we do not need here pleaders or doctors or engineers, here we need persons possessing commonsense, persons who may build the future from the ideals of the past, persons who may be well acquainted with the situation in the country and who may have full knowledge of the economic and political conditions of the country. This requires neither pleaders nor doctors nor engineers. Persons most suitable for the purpose are those possessing wide general knowledge and sufficient experience; and general knowledge can only be judged by electors or political parties. This is all I want to submit.

The Minister of Industry and Supply (Shri Mahtab): I think it is my duty to place my own views before the House with regard to this very important subject, because at one time, when the Constitution was on the anvil in

the Constituent Assembly, I gave considerable thought to the matter.

This Resolution as it stands has at its back a considerable apprehension with regard to the outcome of the experiment of adult franchise upon which we have embarked. Had there been no adult franchise this question perhaps would not have been raised here. The fear perhaps is that our general population which is ignorant and illiterate might send many wrong people to the legislatures, ultimately setting up a wrong standard of administration for the country and also perhaps ruining the administration at last. This is the apprehension which I presume is in the mind of the Mover of the Resolution.

It may be conceded that this fear has some justification, but the question is that no qualification can possibly be prescribed, unless it be an academic one, which can be measured. We cannot say only wise people should be selected. Who is to judge whether one is wise or not? The only standard that can be applied is a University result or any other examination result. Even if we concede that there should be some examination result to qualify a man to be a candidate, there is considerable difficulty. There are many areas in the country where there are no schools. Now, should we impose a man from outside on that constituency and supposing there are a few educated people in a particular constituency and those people are very unpopular as they generally are in their own areas, then what would happen? So, in practice the rules which we may make will put the electors in a very difficult and embarrassing position.

With regard to the examinations, are we sure that those who have passed some examination are quite good even from the point of view of that examination? Recently, I made a study of the examinations which have been held by various Public Service Commissions and the results.

Shri Tyagi: Does the hon. Minister mean that the candidate should come through the Public Service Commission?

Shri Mahtab: What I say is that those who had passed University examinations were examined by the Public Service Commissions, because these Commissions have no regard for the results of the University examinations. Most of the hon. Members must have read a recent news item

from U.P. as to how some of the candidates fared in the Public Service Examination. Many M. As. did not even know where Shrimati Vijayalakshmi Pandit was working. Most ordinary things they were ignorant about. This is known from the Public Service Commission examinations. Suppose because of our rules they are elected, what will be the result? The House will consist of these people who do not know most ordinary things and the House will become completely unreal. Taking into consideration all these factors, the best course seems to me to leave it to the parties to decide. The standard will be laid down by the respective political parties. We cannot replace commonsense by artificial laws, rules or regulations. After all, political parties are competing for taking charge of administration. If they are serious about it—and we presume they are—they must see that only those people who will be quite competent to deal with matters that arise in this House are chosen by them. They will take into consideration their respective qualifications. By this time, all of us know what sort of matters are dealt with here and what class of people we require here. Lawyers are required here. Businessmen are required here. Those who know law and those who know commerce and industry are required here. Naturally, the political Party which will bid for power must select people who know all these things. They cannot select people who do not know anything of these things and run the risk of carrying on the administration, inefficiently.

Probably, the fear arises from the fact that in the past—I am just trying to probe into the mind of the Mover of the Resolution and those who spoke in his favour—jail going was a great qualification for being elected to the legislatures. This resolution is probably intended to do away with that. But that cannot be done away with by any rules. It is a question left entirely to the political parties and to the sentiments of the electors. That sentiment may be justified or unjustified but that cannot be taken away merely by passing a resolution here or by making a rule here. Supposing Dr. Ambedkar is persuaded to make a rule that only Matriculates or those who possess such certificates will be entitled to stand, in that case, if the idea is that we would perhaps exclude many jail going persons, or that the scope of selection would be wider, even then the difficulty will arise as I have already explained. I think Dr. Rajendra Prasad in one of his speeches in Nagpur when he was the President

[Shri Mahtab] of the Constituent Assembly said that the Constituent Assembly had committed a mistake in not prescribing any qualification for the candidates. After that, I applied my mind to it and tried my utmost to find out a formula as to the qualifications. I make bold to say that no formula can be prescribed for this. It is an impossible proposition. If you bring in the academic qualifications, that will be a greater mistake.

Shri Tyagi: Then where shall I go?

Shri Mahtab: I do not approve of the mistake of having any academic qualification. So far as this Resolution is concerned, I suppose all the political parties—whatever their numbers may be—are represented here; this resolution will set those political parties thinking as to what they should do. They should take into consideration the necessities of the situation and the requirements of the House and then the matter should be left to their commonsense. Let not any attempt be made to replace commonsense by any rules. That is all that I would say.

Shri Alagesan (Madras): It is good that this question is being discussed at this stage in the House, as it is likely to be taken up very shortly in a more concrete form when the hon. the Law Minister may bring an Electoral Bill. Perhaps, since the elections have been postponed, he may prefer to bring forward the Hindu Code Bill. Anyhow, this matter will be engaging our attention very shortly.

Sir, opposition to this resolution should not be taken to mean that those who oppose want legislators to be uneducated men and women. The most plausible argument that has been advanced for prescribing some kind of educational qualification for membership of the legislatures is that those who are charged with the task of interpreting and administering the law are required to possess a very high qualification, whereas those who make the law are not required to possess any. But if we look into it a little more carefully, we will be able to find the flaw in this argument. If that is the position, how is it enough if those who make the law possess 'some qualification'? That will not be enough. They should possess equal, if not better, educational qualification than those who administer the law and interpret the law. In that case, the Houses of the Legislature will have to be filled by lawyers and I think the hon. Members who preceded me and

who spoke in Hindi gave us an idea of what the Houses of the Legislature would look like if they are going to be composed of lawyers alone. Then, let us take the mechanical side of legislation, namely, drafting of Bills etc. If that is the object in view, then we should have the Houses filled by draftsmen, because they do the drafting. That will lead us to an absurdity. Either the Houses will have to be filled with lawyers or with draftsmen. But the mechanical side of the legislation is not the main point. Legislation flows from policies, as a result of policies and to give effect to policies. These policies are made by political parties and they are placed before the electorate for their verdict at the time of the election. Once these policies are accepted, then anybody who is trained in the art of making technical legislation can do it and the Members of the Legislature need not bother very much about it.

In this connection, I wish to draw the attention of the House to what happened in Madras during the Premiership of no less a person than Shri Rajaji. It was Shri Rajaji who decided that the burden of the debt of the agriculturists should be reduced and he brought forward a measure called the 'Agriculturists' Debt Relief Act.' This measure was passed by the Legislature, but it was common opinion—among the lawyers, at any rate—that there was no other legislation with greater anomalies and loopholes. So it had to be amended several times later. It was said also that because Shri Rajaji was more conversant with criminal law, he failed to see that a perfect civil law was made. This leads us to the position that even in making laws we have to discriminate. To bring forward criminal legislation we should have people who are well versed in criminal law and for civil legislation we should have people who are well versed in civil law; that will be an impossible position.

Sir, now let us take the practical side. Is it possible to prescribe any educational qualifications? What qualifications shall we prescribe? Shall we say that it is necessary for a Member of the Legislature to be a graduate? In that case I cannot be here and in self-interest I may have to oppose it and most of my colleagues will do the same. They will join me and oppose the prescription of that qualification. Then, shall we say it should be a matriculation pass? Even then it will be too restrictive and many public-spirited men may not be

able to enter the legislatures. Then, Sir, shall we say fifth class? That will be too low and what can a man, who has read up to fifth class know about legislation and legislation making. Then, Sir, shall we say mere literacy will do—he who can sign his name in any of the languages of India shall be eligible. Then the question arises as to what difference it makes if he should be able to do it before his election to the legislature or after it. So, when we consider this question in a practical way we are led to all sorts of difficulties and absurdities and we are unable to prescribe any educational qualifications.

Let us examine whether there is anything wrong in the present arrangement. We are aware that qualifications are prescribed for other professions and other avocations. In a way all qualifications really state the disqualifications in an indirect way. We say a non-law degree holder cannot practise law; a non-medical degree holder cannot practise medicine. So the qualifications that are prescribed for other professions are exclusive in nature. Here the qualifications that you will prescribe for Members of Legislature cannot be exclusive in the very nature of things. You cannot say that a lawyer cannot be a legislator; or a doctor, or an engineer, or a shop-keeper or a businessman, those people, though they may be educated, cannot be Members of Legislature. We cannot say that. When two people stand and offer themselves before the electorate, the electorate has got every chance to study their respective educational qualifications and they will choose one of the two. If the man chosen happens to be the less educated of the two, there should have been something else in him which made the electorate choose him. So we arrive at the conclusion that something more than mere educational qualification is important.

Then if you are going to accept this proposition that educational qualification is necessary for the membership of legislature, then it is much more necessary for Ministership. It is but a natural corollary that if Members should possess some educational qualifications, Ministers should possess a much higher qualification. Then it follows that the Defence Minister should be very good in the art of war—he should know at least how to brandish a sword and use firearms. The Health Minister should be a doctor himself, though I am told that doctors do not make very good Ministers of Health, and doctors themselves do not

want a doctor to be a Minister of Health. Then the Minister for Works, Mines and Power has to dam up the great rivers of India and he should know at least swimming, if not masonry, lest he should fall inadvertently and something should happen to him. In no case is the absurdity of prescribing qualifications more obvious than in the case of the office of the Speaker, for if the Speaker were to mistake his name for his duties, then the life of the Parliament will be impossible. Sir, what we come to is this that democracy at least helps us in getting over the tyranny of the experts. That has been the experience of all other countries which have got longer association with democracy and which have worked democracy for a greater period than we have done.

Then, Sir, does it mean that I stand for no qualifications for Members of Legislature? Do I say that the Members of Legislature should be the least qualified in the country than any class of persons? Not at all. There is an inherent quality or qualification in the act of entering and being in public life. It is a very difficult thing; it is not possible for many. It is not all that can enter and be in public life. It is not all that can forget their own, sacrifice themselves and instead of thinking of themselves think of others. That is the biggest qualification. For the majority of people, be they educated, or qualified in other respects, it is not possible,—thinking of the country as a whole and acting for it. That is the test for a man who wants to enter the legislature. The intensity and sincerity of it will be tested at the time of the elections and the test is not an easy one. So, Sir, if anyone passes this test irrespective of educational qualifications, he is fit to be a representative of the people here in this House and in the various legislatures which the New Constitution has created.

Sir, I wish to say only one thing more and as my time is up I shall be brief. During the last British General Elections a certain British newspaper asked its readers to give marks to the various candidates under ten heads: personality, political sagacity, educational background and general knowledge, understanding and capacity, speaking ability, imagination and creative faculty, moral courage, judgment, contribution to social and economic welfare and loyalty to colleagues. Under these ten heads that newspaper invited its readers to give marks to the leading candidates. So,

[Shri Alagesan]

Sir, it is not only educational qualifications that go to make a legislator. As democracy grows in this country, we will create a healthy tradition and proper persons will be elected to the Legislatures. Let us hope they will possess not merely a knowledge of the three R's but all these ten qualifications and even more.

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

The House reassembled after Lunch at Half Past Two of the Clock.

[MR. SPEAKER in the Chair]

Shri Barman (West Bengal): Sir, I have grave doubts in my mind whether this provisional Parliament has got the right to legislate any measure as the one desired by Prof. K. T. Shah. Apart from the question of desirability, I think that this provisional Parliament if it tries to lay down certain rules so as to limit the right of being a Member of a Legislature or of the Parliament, or if it legislates any such thing, will contravene the Constitution itself. The Constitution has laid down certain qualifications for voters and also age limit and a few other things for those who will be Members of Parliament or of the Legislatures of the different States.

Mr. Speaker: Which article is he referring to? When he says it is against the Constitution, what particular article has he in view?

Shri Barman: Sir, I am speaking generally.

Mr. Speaker: I may invite the hon. Member's attention to article 84 so far as the Parliament is concerned, and I believe there is a similar article about the State Legislatures also. It clearly says that a person shall not be qualified to be chosen to fill a seat in Parliament unless he is firstly a citizen of India, secondly, is in the case of so and so not less than so many years of age and thirdly—and that is the most important part—"possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament".

Shri Barman: Sir, I stand corrected. I was under a wrong impression as regards that. Still I think it will not be proper for us in this sense, that after all, this provisional Parliament does not directly represent the electorate provided for by the Constitution itself. We are representing here the people under indirect election through the State Legislatures, and those Legislatures were elected at a time when

this extended franchise, that is adult franchise, was not the law. Now that the Constitution has given an extended franchise it is for the people themselves under the adult franchise system to say what kind of qualifications a Member should possess in order to represent them in the Legislature or Parliament. So if we legislate in any way in this respect, even though it may not be barred under the Constitution as you have pointed out, yet in essence you will be circumscribing some of the rights that the future Parliament elected under adult franchise may themselves think proper or improper. That is the point.

As regards the question whether we should lay down any qualifications I beg to say this that obviously only a limited percentage of our population had the right to vote. Now, as we know, in our country ninety or at least eighty per cent. of the people are not literate. If we lay down any kind of qualification, as previous speakers have pointed out it must presumably be academic qualifications apart from others. Then we practically stifle the voice of eighty per cent. of our population who are illiterate. That, again, is not proper for us to do. On this ground I say that, though as you have now pointed out it is quite constitutional for us to legislate in this matter, still on grounds of propriety we should not do so.

Shri T. Husain (Bihar): I have risen to oppose the motion moved by my hon. friend Mr. K. T. Shah. In democracy the people of a country are the masters of their own country, and we as Members of Parliament are no more than their sole representatives, spokesmen and servants. Are we to bind down our masters, the people of the country. Should we say to them: "Thou shalt do this and thou shalt not do that"? Are we to tell them that they should send a particular type of people as their representatives, as Members of Parliament, or are we to leave it to their discretion? We as Members of Parliament, as representatives of the people, can make and unmake anything, we can do anything we like provided we do not go against the wishes of the people, because if we do so they may turn us out. I take the worst case. Suppose it is the desire of the people of India to send as their representatives all idiots; well, Sir, it will be a Parliament of idiots. But they can do so. Why not? And then the biggest idiot among them will be chosen as their Prime Minister. Nobody can stop that. At any rate there will be no disagreement among them, because we know that fools never disagree. There will be no speeches in

Parliament; they will decide everything in their own practical way. I think, Sir, where learned and highly educated people have failed the simple and uneducated people may succeed perhaps in solving the food problem for instance. They might refuse to become—because they will not understand—a member of the United Nations Organisation. They will not go to them and say, "We request you to solve the Kashmir problem". They will order their Commander-in-Chief to take the whole of Kashmir. Nobody can prevent them from doing so. And if there is any opposition from Pakistan they might take the whole of Pakistan as well. They might also be able to solve the refugee problem.

Lincoln—the great Abraham Lincoln—who was one of the greatest Presidents of the United States of America had no educational qualification.

An Hon. Member: He was a barrister.

Shri T. Husain: He had not read much. Up to the age of fourteen he could not read or write even his own name. He learned things himself. And what did he do? He united the United States of America as it is now. By one stroke of the pen he abolished slavery from his country. If people with no qualifications can do that, there is absolutely no reason why Members of Parliament should have special educational qualifications. My hon. friend Prof. K. T. Shah says that they must be educated men like advocates and lawyers. My experience about lawyers is very sad, Sir. If a lawyer has a decent practice which gets him an income of more than Rs. 40 a day in a Court of Law, he would never attend the meetings of Parliament; this is happening every day and I consider that they are absolutely unfit to be Members of Parliament.

We have got our experience of law courts. In every democratic country there is a jury system and the jurors are mainly chosen from among those who are not educationally well qualified. They are sole judges of facts and the judges cannot interfere with them. It generally happens that their verdicts are accepted by the High Courts.

Then I would say that the Mother of Parliaments is the House of Commons and there, no educational qualifications are prescribed for its Members. If in England, you do not have it, there is no reason why we should have special educational qualifications here? I would ask the House to trust the voters and let them send anybody they like and we should not bind their

hands in any way in this matter. With these few words, I oppose the Resolution moved by Prof. K. T. Shah.

श्रीमती उमा नेहरू : श्रीमान् जी, श्री शाह साहब का जो प्रस्ताव है और उन्होंने जो क्वालीफिकेशनस् (qualifications) रखी हैं उन को पढ़ कर बराबर यह विचार होता है कि आखिर इस पार्लियामेंट (Parliament) में जो नुमायन्दे आये हैं, वह तो पीपुल (people) के नुमायन्दे हैं। इस वक्त जो हम यहां हैं, और जो सूरत हमारी है, जिस तरह से यहां भेजे गये हैं, गा कि अभी इलेक्शन (Election) के जरिये से नहीं आये जैसे आना चाहते थे, लेकिन इस में कोई सन्देह नहीं है कि हम जितने हैं श्यादा तब यहाँ पर वह पीपुल के नुमायन्दे हैं। हम लोग जो हैं जनता ही के नुमायन्दे हैं। जिन्होंने हमारा डायरेक्ट इलेक्शन (Direct Election) किया है, वह असेम्बली (Assembly) मुल्क की है और वह चुने हुये जनता के लोग हैं जिन्होंने कि हम को यहां भेजा है। अलावा इस के कि हमारी दूसरी सूरत बिल्कुल यहां पर यह है कि हम बिल्कुल पीपुल के, जनता के सेवक हैं। हमको जनता इसी भाव से देखती भी है। अब जो यह विचार है कि नुमायन्दे कैसे होने चाहिये, यह तो मैं नहीं कह सकता, जैसे कि मेरे कुछ भाइयों ने कहा कि यहां पर बिल्कुल ईडियट्स (idiots) आयें, फूल्स (fools) आयें, यह कैसे हो सकता है। यह भी मैं नहीं कह सकती कि यहां निरे बेवकूफ लोग आयें, क्योंकि बेवकूफों में हमेशा मतभेद होता है, बेवकूफों का कभी आपस में मेल नहीं हो पाता। तो यह न कह कर मुझे सिर्फ इतना कहना है कि बहुत गौर से मने सारा यह डिबेट (debate) सुना और सुनने के बाद मैं तो इस नतीजे पर आई हूँ कि हमारे देश के ही नहीं बरन् सारे संसार भर के जो बड़े भारी पुरुष समझे गये, श्री टैगोर जी, उन के पास कोई

[श्रीमती उमा नेहरू]

एकेडेमिक क्वालीफिकेशन (academic qualification) नहीं थी, और वह मैट्रिकुलेशन (matriculation) भी पास नहीं थे, लेकिन आज सब जानते हैं कि संसार ने कोई दूसरा टैगोर पैदा नहीं किया, आज वह टैगोर हमारे हैं। इसी तरह से हमारे प्रान्त में भी इलाहाबाद में श्री सी० वाई० चिन्तामणि हुए थे, वह भी काफ़ी योग्य थे, उन्होंने भी कोई एकेडेमिक इम्तिहान पास नहीं किये थे। बंगाल में श्री शरतचन्द्र चटर्जी नाबलिसट हुये हैं और वह बंगाल के कलकत्ता के डिस्ट्रिक्ट कांग्रेस कमेटी (District Congress Committee) के प्रेजिडेंट भी रह चुके थे, उन्होंने भी कोई एकेडेमिक क्वालीफिकेशन नहीं हासिल की थी। तो मुझे इसमें इतना ही कहना है कि आज जब मैं देखती हूँ कि हमारे जो ग्रेजुएट्स (Graduates) हैं और और डिग्री प्राप्त हैं और ऐसे ऐसे एम० ए० (M. A.) हैं जो एक फ़िकरा भी अंग्रेज़ी का सही नहीं बोल सकते हैं न लिख सकते हैं और अगर लिखते हैं तो गलतियाँ उसमें इतनी होती हैं कि कुछ समझ में नहीं आता कि कैसे उन्होंने परीक्षा पास की थी। मैं तो यह देख कर इसी नतीजे पर आई हूँ कि जो भी यहां आयेंगे वह पोलिटिकल पार्टियाँ (political parties) के ज़रिये से आयेंगे और जो पार्टियाँ हमें यहां भेजेंगी, उन पर हमारी क्वालीफिकेशन और योग्यता का निश्चय करना उन पर निर्भर होगा। जनता ही हम को चुन कर भेजेगी, वह इस का निश्चय करेगी। इसलिये यह हमारा सोचना बेकार है कि हमारी क्या क्वालीफिकेशन होनी चाहिये ताकि हम इस दरबार में घुस सकें। ऐसा न कर के मैं समझती हूँ कि यह ज्यादा अच्छा होता अगर शाह साहब ने यह क्वालीफिकेशन रखी होती कि पार्लि-

यामेंट के लिए पहली क्वालीफिकेशन यह होनी चाहिये थी कि वह अपनी मादरी ज़बान को अच्छी तरह से जानता हो, वह लिखना पढ़ना जानता हो, वही पार्लियामेंट का मेम्बर होना चाहिये।

दूसरी क्वालीफिकेशन यह होनी चाहिये कि वह खादी का कपड़ा पहिनता हो और उस को कातना भी जानता हो, ऐसा आदमी इस पार्लियामेंट का मेम्बर होना चाहिये। तीसरी क्वालीफिकेशन यह होनी चाहिये कि जो मैनुएल लेबर (manual labour) करना जानता हो, उस को भी इस का मेम्बर होना चाहिये। चौथी क्वालीफिकेशन यह हो कि वह इंडियन कल्चर (Indian culture) के बारे में कुछ पढ़ा लिखा हो, और पांचवीं क्वालीफिकेशन यह होनी चाहिये कि उस ने जेल यात्रा की हुई हो और छठी बात यह होनी जरूरी है कि वह कामनसेन्स (Commonsense) रखने वाला आदमी हो और सातवीं बात यह होनी चाहिये कि अगर वह अंग्रेज़ी बोलता हो तो उस की ग्रामर (Grammar) शुद्ध होनी चाहिये और उच्चारण भी उस का ठीक होना चाहिये और सब से बड़ी चीज़ यह है कि वह देशी पोशाक को ठीक पहनता हो, और ऐसी पोशाक जो न हिन्दुस्तानी है न अंग्रेज़ी ऐसी खिचड़ी पोशाक न पहनता हो, वही पार्लियामेंट का मेम्बर हो सकेगा।

(English translation of the above speech.)

Shrimati Uma Nehru (Uttar Pradesh): Sir, going through the resolution moved by Mr. Shah and the qualifications laid down by him therein one feels that after all the representatives in this Parliament are people's representatives. We are here at this time and are holding a certain position but we have been sent here in a certain manner, though not by election as we desired, but there is no doubt that most of us here are people's representatives. We are the representatives of the people. In the Provincial Assemblies, which have elected us

directly, there are persons elected by the people and they have sent us here. We are in a different position here, nevertheless we are servants of the people and of the masses. People also look upon us in the same spirit. Now regarding the qualifications of Members here, I cannot say as some of my friends have said, that fools and idiots should come here. How can that be? I cannot also say that only fools should come here because fools always differ among themselves and they never reach to an agreement. I have only to say that I have heard the whole Debate attentively and have come to this conclusion that Dr. Tagore who was considered to be a great man of India, nay of the world, had no academic qualifications, he was not even a Matriculate. But everybody knows that no second Tagore has been born. That Tagore is ours. Similarly there was Mr. C. Y. Chintamani of Allahabad in our province; he was also a very able man but he had never passed any academical examination. Shri Sarat Chandra Chatterjee was a great novelist of Bengal and was also the President of District Congress Committee, Calcutta. He too had never obtained any academical qualifications. So regarding this, I have only to say that, seeing our graduates and degree holders and M.As. who cannot speak or write even a single sentence of correct English or if at all they write, it is full of mistakes, that one wonders how they could manage to pass the examinations, I have come to this conclusion that those who will come here will come as representative of political parties and it will be for those political parties, who send us here, to decide about our qualifications etc. People will elect us and they will decide it. Therefore it is useless for us to discuss the qualifications necessary to become a Member of this House. In my opinion it would have been better if Prof. Shah had proposed that the first qualification to be a Member of Parliament should be that he must know his mother tongue very well and must be literate. Only such a person should be a Member of the Parliament. The second qualification should be that he wears Khadi and knows spinning also. The third qualification should be that he can do manual work. The fourth, that he must know something about Indian culture and the fifth that he must have been to jail. The sixth should be that he possesses common-sense and the seventh qualification should be that, if he speaks English, his grammar and pronunciation should be correct. The most important thing is that he wears national dress in a proper manner and does not put on such a dress which is neither English nor Indian but a mixed one. Only

such a person should be a Member of Parliament.

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

"That the question be now put."

Mr. Speaker: The question is:

"That the question be now put."

The motion was adopted.

Mr. Speaker: I may say at this stage before Prof. Shah replies that, a question was raised last time as to whether certain amendments were in order, being the negative of the original proposition. I had not then considered the matter; I said at that time, I will consider the matter, and though there appears to be some technical difference between the amendment of Mr. B. R. Bhagat and Dr. Deshmukh, it appears to me that both of these are substantially negative of the original proposition.

Dr. Deshmukh (Madhya Pradesh): May I explain my amendment, Sir?

Mr. Speaker: It is before me. I have heard him and I have heard the debate.

Dr. Deshmukh: Not so far as my amendment is concerned, Sir. In two seconds, I can explain what I meant.

Mr. Speaker: There is one difference between the two amendments. Mr. Bali Ram Bhagat's amendment does not touch and it leaves alone the latter part of the Resolution which says "that necessary steps be taken forthwith to give effect to them before the next election". In Dr. Deshmukh's amendment, this portion is also deleted. What has he to say now?

Dr. Deshmukh: This amendment of mine I claim Sir, is in order. That is my submission. There is a provision in the Constitution by which this House is competent to determine the qualifications. I want it to be resolved by this House in a more or less positive manner that there shall be no further qualifications laid down. This will obviate the necessity of bringing forth any Bill. Any Bill to be brought by Government to determine the qualifications in addition to whatever has already been laid down in the Constitution would be unnecessary. So, my purpose is more or less constitutional because I want to prohibit Government from undertaking any such thing hereafter, and since this opportunity has come to us by the Resolution proposed by Prof. Shah, the House should take that opportunity to determine this question once and for all and resolve

[Dr. Deshmukh]

that no additional qualification except what has been laid down in the Constitution should be prescribed, and that there should be no further debate or agitation of this question. As a matter of fact, this question was decided in the Constituent Assembly and similar amendments were thrown out by the Constituent Assembly. Unfortunately the same question is being agitated again. What I want to prohibit is a repetition of a similar debate at any future time especially because there is in the Constitution a provision by which Parliament is authorised to determine what other qualifications may be laid down. That is my contention.

Mr. Speaker: As I see the Resolution of Prof. Shah, I think it is restricted only to clause (c) of article 84 of the Constitution.

Shri Naziruddin Ahmad (West Bengal): And also Article 173.

Mr. Speaker: Both are in identical terms. As Dr. Deshmukh said, the Constitution itself provides two qualifications. Therefore, I interpret the Resolution of Prof. Shah as meaning, when he says that qualifications be laid down, that qualifications as mentioned in clause (c) be laid down. That is the proper meaning of the Resolution. Therefore, to say that no other qualification than those that are laid down in the Constitution, should be laid down, really is negative of the original resolution. That is how it comes to. However he may place it, the substance of it is a negative of the motion. But, I must say that a distinction between the two amendments is that the latter part of the Resolution is kept alive by Mr. Bhagat's amendment, whereas Dr. Deshmukh's amendment does away with the latter part, and correctly so. The maintenance of the latter part really is of no effect, because, the Constitution itself has made a provision and nothing further remains to be done. There is no point in saying thereafter that steps be taken forthwith to give effect to them before the next elections. Steps will be taken, of course, certainly during the course of the elections. Therefore, I feel clear that these two amendments, being negative of the original proposition, are out of order.

As regards the other argument, Dr. Deshmukh wants to settle this question once for all. So long as the Constitution stands, I do not see how this House or any other House could be prevented from agitating the same question over and over again. This Resolution will not be binding at all times.

Prof. K. T. Shah (Bihar): I am grateful to those hon. Members who have agreed with me in the basic idea that I have tried to place before the House, and still more grateful to those who have disagreed with me, because they have been good enough to throw some new light on items or aspects of my proposition which might have escaped my attention. May I also say, Sir, that I am very grateful to you, for pointing out that there is nothing constitutionally wrong, improper or against the Constitution for me or anybody to bring forward a motion like this.

I do not wish to spend any more of the time of the House on this matter because the proposition is very clear. But I would like the House to note that I do not propose, in this motion, to indicate any definite qualification. I have only invited the House to express an opinion and take steps to define such qualifications as the House in its wisdom may think proper. The remarks of those, therefore, who have opposed this motion on the ground that I am suggesting this or that or a third qualification, are, if I may say so, irrelevant and utterly out of place, because no such qualification has, at least in this motion, been prescribed. If they claim to have clairvoyance and know my mind before I state it, I cannot, of course, object to that. But, I must say that if you proceed on the assumption that I have this or that qualification prescribed or suggested in this motion, then you are doing injustice to the motion.

I am, in the second place, distressed to find such a deep-set distrust of learning, knowledge or information, that, in some quarters, has been displayed this morning. One hon. Member has gone so far as to suggest that too much of learning may only result in confusion. I am afraid that it is a proposition that I can no more accept than I can accept the proposition of another hon. Member who ventured to suggest that fools never disagree. I think that if there is some knowledge, the chances of agreement are much greater than when there is no knowledge, and it is a body of fools. This, however, is a matter on which I have no personal experience; and if the hon. Member speaks from personal experience, I cannot but welcome him to his opinion.

The suggestion, moreover, that a qualification like a University Degree may be in my mind, or that it may be suggested, is also very far from my own opinion of the matter. May I say, Sir, that I have been connected with Universities for the last 35 years, and

perhaps none could be more disillusioned as I am about the value of University examinations. I place no trust in them. I do not think that they give you really any guarantee of what has been called in this House commonsense or good sense, or even any practical understanding of the problems before them. It is a misfortune that our system of education is one designed by the past rulers of this country for their own purposes, which we cannot share now; and I hope that, at the earliest opportunity, that system would be so altered and radically changed as to give us a greater scope for the more welcome quality of commonsense. I have known people who claim the highest University Degree to whom the simplest question, like—and this is within my own knowledge—'what is the capital of Brazil' would draw the answer, Mexico. A newspaper editor or proprietor coming at the same occasion on the same spot, finding us laughing on the answer, amended the proposition by saying that Mexico is not the capital of Brazil, but Brazil is the capital of Mexico. These are the people who supply our daily information and education by their learned editorial articles and so on. If you, therefore, think that I am in any way enamoured of University Degrees, or those who care to sit in judgment as universal teachers in the shape of newspaper editors, I respectfully submit that that would also be an injustice to me.

At the same time, I must confess that I do not share the distrust of some people of learning, knowledge or information. It is possible that the more you know, perhaps, the more you may feel diffident; the more you may see the other side. In fact, I have in my own experience found this—the more you come to know and to study and think, the less you are positive, the less you are ready to dogmatise, and to be dictative. The more you know the more you feel your responsibility. The less you know the more you are anxious to show off and the more you speak. The more you speak the less you are understood, and the less you are understood the more you are admired, because nobody wants to admit that he is so wanting in brains as not to understand what he hears. And so the less you are understood the more you will be honoured and admired.

That being the position, Sir, I am afraid it is not for me possible to accept that only, or even mainly, educational standards of the type that we are familiar with should be prescribed. If they are prescribed they would not be and will not be, as far as I am

concerned, of such a level as a university degree. They will have to be much more modest, probably of the pattern that was suggested by an hon. fair Member of this House,—something like knowing one's own language, knowing one's own culture, doing some productive work, knowing something of his neighbour's difficulties. These are things which are much more important. Public service, selfless social service of some kind, which I had ventured to suggest when the Constitution was in progress in the other House, might also be a qualification. And there may be others of the kind which we have not thought of.

In this motion, Sir, I am not at any rate venturing to lay down any definite category of positive qualifications for Members. The Constitution lays down some qualifications which have been approved. And if some more qualifications are necessary, the Constitution authorises Parliament, if it thinks fit, to add such other qualifications. These, in my opinion, are necessary and desirable. At the risk of being regarded a reactionary, I am prepared to say, Sir, that democracy would succeed only in proportion as its leaders and spokesmen are well informed, fully sympathetic with the people, have lived amongst the people, think with the people, feel with the people, and work for the people.

That being so, I would insist upon qualifications of that kind as suitable, and as necessary even, for the proper discharge of the duties that are laid down upon us by the Constitution, and that will be laid on us by our own conscience.

Sir, those who have no conscience of this kind and those who lack in ideals, those who lack in sympathy for the people whom they represent and for whom they propose to work,—they would not be really fit people, however much they may secure public support from the tabloid knowledge that the newspapers nowadays convey.

Ever since I studied—perhaps it was my misfortune—works like Plato's classic "Republic", I have felt convinced, and I personally believe that it is also the essence of our own *sanskrit*, that there must be अधिकार—*Adhikar*—a degree of qualification must be there for discharging any duty that you undertake. I fear there may be a class of people who think that the best people to have are the fools, because they will never disagree, and will carry on quietly. Sir, with the utmost respect to the hon. Member

[Prof. K. T. Shah] who laid down that proposition, I beg to differ. After all, the Constitution itself provides that lunatics, or at least certified lunatics, who are known, proved and believed to be lunatics, must be excluded.

I have also no hesitation in saying that these qualifications like common-sense, practical knowledge etc. are very difficult to measure, and therefore to prescribe them concretely in a categorical piece of legislation would, no doubt, be difficult. But I am not prepared to despair. I am not prepared to say that it is utterly impossible to lay down these qualifications, if only we set our minds to the task, if only we put our shoulders to the wheel.

Sir, I feel, too, that the entire system of democracy as we have inherited it from the British is based on a social system, is founded on a social motive force different, I venture to submit, from the ancient and inherited culture, and the conception of social duty in this country. You cannot forget, Sir, however unfashionable it may sound today, that this was the country where *varnashram Dharma* was understood. And *Varnashram Dharma* was founded on the functional division of society, where the different functions determined the different divisions of society. You might abolish caste. You might discard them. You might consider them absolutely obsolete and out of place. But, again at the risk of being considered a reactionary, I am prepared to state that unless and until democracy in this country is reorganised on the functional basis, unless and until everybody understands the vote that he casts, and the purpose of his vote, and unless and until everybody understands the basic idea for which his work is done, I am afraid democracy will degenerate, either into mobocracy, or, alternatively, into a still worse form of dictatorship.

Sir, I say with the utmost respect and with some hesitation that we are nowadays having a one party government. Some hon. Members have expressed the sentiment that the candidates will be chosen by Parties, and that the Parties will see to it that they are properly and adequately qualified. Sir, I am not very much of a believer in the sense of responsibility that Party Leaders will have for invariably choosing properly qualified individual candidates. There are a number of influences that will work, not necessarily considerations of proper qualifications and suitability for the post.

But even supposing that it is so, that it is possible for us to trust Party Leaders in this matter, I would further

add, nevertheless, that so long as we have the overwhelming domination of one Party, so long as different shades of opinion exist in the same people, united as we are and as we must be in our love of our country and the benefit of the people, I say, so long as there is no room, no considerable scope for organised Parties differing on basic ideal for political action, and there is the domination of one Party—and the domination of one party only,—prevails, I am afraid the interests of the country and the generations to come will not be adequately served.

It was for this purpose that I had put forward this idea that the House should express its opinion whether it is desirable to lay down some qualifications, in addition to those which have been prescribed in the Constitution both positively and negatively, in accordance with the authority given to Parliament; and if that is found desirable and agreed to, then steps be taken to implement it. I have been told that a more fit occasion would have been when the consideration of the hon. the Law Minister's Bill for the Representation of the People Act came up. I shall certainly hold my patience till then, if he would be prepared to make any such announcement. If they have any such intention, then I would certainly not press my Motion. But in so far as there is no such indication to show that the Government's mind is moving in this direction at all, I am afraid I must press it, though I may add that the indications that I have found in this House do not make me sanguine about the Motion being accepted. In fact, I would be very much surprised if any Motion of mine could be accepted. A friend told me, or rather advised me, that if I wished to see a bad thing prevented, I should try to support it. The very fact of my support would be sufficient to prevent it from happening. And if I wanted a good thing to be passed, he said, I must oppose it, for the very fact of my opposition would suffice to pass it. If that be the attitude, I suppose I should not proceed far with this Motion, that I should not press it. But I am so convinced of the rightness of my own proposition that even at the risk of it being defeated, I am going to press it.

Mr. Speaker: Now I must take up the amendments. I would like to know if hon. Members who have moved them wish to press them.

Shri B. K. Das (West Bengal): I would like to withdraw my amendment.

The amendment was, by leave withdrawn.

Mr. Speaker: There is the amendment of Prof. S. N. Mishra. He is not in the House and I must put it to the House.

The question is:

That after the words "Union of India" the words "without prejudicing in any way the interests of tribal and other backward areas" be inserted.

The motion was negatived.

Shri Rathnaswamy (Madras): Sir, I desire to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Speaker: Dr. R. S. Singh is not in his seat. I shall therefore put his amendment to the House.

The question is:

That after the words "Union of India" the words "without prejudicing in any way the interests of illiterate and propertyless persons" be inserted.

The motion was negatived.

Shri Sarwate (Madhya Bharat): Before you proceed further with the amendments would you not like, Sir, to call upon Dr. Ambedkar and enquire whether he would like to make any statement on the suggestion which Prof. K. T. Shah has made?

Mr. Speaker: I do not think it was necessary for me to call upon him. If he had tried to catch my eye, certainly I would have called him.

The Minister of Law (Dr. Ambedkar): I do not want my friend Prof. K. T. Shah to feel that I have not sufficient respect for him by not speaking on his motion and if you will, Sir, permit me at this stage I would like to say a few words.

Mr. Speaker, I must confess that when I got the text of the Resolution moved by Prof. Shah I was considerably puzzled, because I felt that in a Resolution of this sort there should not merely be words indicating to Government that there exists in the Constitution a certain article which permitted them to legislate on it but should have also included in it specific suggestions as to what the Government should do in a legislation of this sort. As I said, I was considerably puzzled and therefore it was very difficult for me to come to any definite conclusion as to the attitude I should adopt with

regard to this Resolution. I now see that the object of Prof. Shah in framing the Resolution in the terms in which he has framed it was really deliberate. He wanted the House to give him some idea as to what should be incorporated in a legislation under sub-clause (c) of the relevant article in the Constitution. Well, I have no objection to a procedure of this sort but I should have thought that if Prof. Shah was so keen as he appeared to be for a legislation of this sort, he should not have had an empty mind without any kind of a suggestion of his own. However, I suppose those who have supported his resolution have correctly interpreted his mind and taking into account the various speeches that have been made in support of Prof. Shah's Resolution, it appears that many Members who are keen about adding some qualification other than those mentioned in the Constitution have in their mind some kind of an educational qualification. But none of them has been very precise: none of them has given me any idea as to what is the standard of education that they would like to prescribe in order that the candidate may become lawfully entitled to stand.

Now it seems to me that education can hardly be the sole qualification for membership of this House. If I may use the words of Buddha, he said that man requires two things. One is *Gyan* and the other is *Sheel*. *Gyan* without *Sheel* is very dangerous: it must be accompanied by *Sheel*, by which we mean character, moral courage, ability to be independent of any kind of temptation, truthful to one's ideals. I did not find any reference to the second qualification in the speeches I have heard from Members who have supported Prof. Shah. But even though I myself am very keen to see that no Member enters this august Assembly, who does not possess *Sheel* in adequate degree, I find it extremely difficult to find any means or methods to ensure that valuable qualification.

Coming to the question of education, I do not wish to be understood that I regard ignorance to be a virtue: let that be quite clear. I regard education to be a very necessary qualification for possessing that degree of competence which is very necessary for the performance of one's duty. In this House there are people who, although they are not educated, are very competent to voice the grievances of the class whom they represent. I am sure about it. A more educated person would not be able to discharge that function, because he does not know and does not have that experience.

[Dr. Ambedkar]

But my friends who come from these classes and with whom I have naturally very great sympathy do not realise that what is more necessary for bringing relief to the class of people whom they represent is not merely making speeches in this House but to suggest remedies for the removal of their grievances. To make speeches and to ventilate grievances is a very easy matter but to formulate remedies is a very difficult matter. It requires education and therefore education even from the standpoint of the backward classes, scheduled classes or tribal areas is a very necessary ingredient. How can we ensure it? When I examined the suggestion that there ought to be some kind of educational qualification, I found that a proposition which is very good in theory or in its academic aspect cannot be given effect to without producing other evils. That is my difficulty. Where will you fix the standard? Will you say that only B.As. should be qualified to be Members of this House? Supposing you do that, what is the result? Members probably might know that there are many people who are educationally and intellectually far more competent than any graduate, although they have never been inside any college or university. There are any number of them. Are you going to shut out these people who have privately educated themselves, who are equally competent or better than B.As. or M.As., merely because they have not been able to obtain a certificate from a university? I think that would be a very unfortunate result.

Take another consequence. In this country education is in the lowest grade. Not only that is so but for some reason which all of us know, education has not been universally spread among all the communities in this country. There are communities which are highly educated and there are communities where education is very, very low. Supposing you make B.A. or even matriculation as a standard, are you not making the membership of this House to be a monopoly of the few? I fear that will be the consequence. Supposing you lower down your standard, say, for instance, to the fourth standard, to the study of the three Rs. or to literacy in order that no community may be excluded from the opportunity of sending its members to this House. Is that qualification any good? It is of no value at all.

Therefore, my submission is this, that it is a good thing. I am not going to outcry the feeling that there ought to be some education in Members who come to represent their various constituencies in this House. But I just

cannot see how you can give legal effect to it. Therefore, my suggestion is that this is a matter which had better be left to the people themselves, or to the political parties who will run the Government. I have no doubt about it that if the political parties, for their own particular purposes, do not attend to this matter, people themselves in course of time will attend to it. People are not going to allow persons who cannot discharge their functions properly in this House to be continued and returned for ever. They want results. They want their welfare to be attended to, and I am sure about it that they will realise that the only instrumentality through which they can achieve this purpose is to send good men to this House. Therefore, I think the proper course is to leave the matter to the people.

Now, Sir, my friend Prof. K. T. Shah in a somewhat desperate mood said that he knew the fate of this Resolution. That was because not that his Resolution was bad on merits but because he was the Mover of it. I like to assure my friend Prof. K. T. Shah that I have no such personal prejudice against him, and certainly I am not the man to reject a Resolution moved by a person because I happened to disagree with him or I happened to dislike him. There are many people in this House who have personal prejudices—probably personal antagonisms—between themselves, but I am sure about it that no Member is going to allow these prejudices to stand in the way of doing the work which this House is always engaged in doing. Therefore, I hope that he will not carry such views in his heart when he finds me opposing his Resolution.

Sir, I do not think that any purpose would be served by forming a Committee because, as I find, nothing workable has emerged from the debate. If I had found that any concrete suggestion had emerged from the debate which it was possible to give effect to in terms of law, I certainly would not have hesitated to accept that recommendation. My friend Prof. K. T. Shah said that he did not despair at this stage of finding a formula which he might give legal effect to. I was waiting to hear from him further some concrete suggestion and the method by which he would give it a legal form, but he abruptly ended by saying that he did not despair of it, without throwing any light as to how the matter could be dealt with. Of course, this matter I know will be agitated on the Motion which I hope I shall be able to make during this Session for the consideration of the People's Representation Bill, because it is there

that this matter is being specifically put before the House, namely, the qualifications and disqualifications. And no matter what the desire of my friend Dr. Panjabrao Deshmukh may be, nothing can take away the liberty of the House to reagitate this question in the form of an amendment when the Bill comes. For the moment, I am afraid I cannot accept this Resolution.

Mr. Speaker: I was just placing before the House the amendments.

Shri Kamath (Madhya Pradesh): Sir, as the question is coming up before the House later in the Session, I beg leave to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Speaker: Then there is an amendment moved by Shri S. N. Mishra. The question is:

That before the word "qualifications" the words "minimum educational" be inserted.

The motion was negatived.

Mr. Speaker: Then as regards the Resolution. The question is:

"This House is of opinion that qualifications be laid down for membership of Parliament and Legislatures of States in the Union of India and that necessary steps be taken forthwith to give effect to them before the next election."

The motion was negatived.

RESOLUTION RE THE ADMINISTRATION OF THE LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL, NEW DELHI

Mr. Speaker: Item No. 2 on the agenda is in the name of Kaka Bhagwant Roy. I understand that a suit has been pending in the Court of the Civil Judge, New Delhi, regarding the affairs of the Lady Hardinge Medical College and Hospital. That fact, the hon. Member has also admitted to me. I do not see how his Resolution can be permitted in view of the fact that the matter is *sub judice*.

Kaka Bhagwant Roy (P.E.P.S.U.): Sir, I would not press the Resolution and would bow down to your wisdom. But I may very respectfully submit that the case pending in the Court of Law here in Delhi has very little to do with the facts which I wanted to place before the House regarding the management of the Lady Hardinge

Medical College. So, as assured by you in the morning that proper steps will be taken and some sort of remedy done, I will not press the Resolution now.

Mr. Speaker: It seems the hon. Member has misunderstood what I had stated to him. I need not go into the conversation. I would merely restrict myself to the point at issue. I understand the suit is for restraining the Government from taking over the management of the Lady Hardinge Medical College. I also understand—I may be corrected if I am wrong—that Government decided to take over the management for the purpose of better administration of the College, and the suit has been filed by one of the members of the Governing Body or by some office-holder.

Kaka Bhagwant Roy: No, Sir. It is from an old student of the College.

Mr. Speaker: By some old student, alleging that the action of the Government was perhaps *ultra vires*, that under the constitution of the Medical College they could not do it. We are not concerned very much with what exactly the plaintiff's allegation is. The substantial point at issue is that the question of administration of the College, if not directly, indirectly, is bound to be the subject-matter of proceedings in the Court. That is the chief question. The hon. Member was good enough to admit that his proposition was connected with it—though he said, "very little" connected, not much more. Whatever the degree of connection, undoubtedly the matter is *sub judice*.

Shri B. Das (Orissa): This is the first time that a particular issue is made *sub judice* and this Sovereign Parliament is told that that issue cannot be discussed. Formerly, when questions used to be asked, the previous Government mostly used to reply that the question was *sub judice* and could not be replied. This is an important privilege of the House and it also raises a very complicated legal and constitutional question. I am glad to find that my hon. friend Dr. Ambedkar is here. I would like him to say whether a particular case hanging somewhere over a certain administration precludes the Members of this Parliament from discussing that subject. I want to know the constitutional position.

Mr. Speaker: I do not think that there is really any occasion or necessity for going into the constitutional position. The position is very clear.

[Mr. Speaker]

The Constitution has all along maintained the position that there shall be independence of the judiciary, and therefore there shall be no interference in matters which are pending adjudication before the courts. Our rules also are based on that ground. Questions have been disallowed and so far as resolutions are concerned, our rule 116 is very clear. It says:

"It shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

The question is not about this or that matter or the Sovereignty of this House. It appears to me, from various observations made by Members at different times that we carry very special notions about Sovereignty. The House is no doubt supreme. It can legislate differently, if it likes. But there are certain principles on which the Constitution proceeds and this House will be well advised, even if there is any right, to keep off from matters which are pending enquiry before the courts. I do not think we should have any arguments over this question. To me the point is very plain. If Members want any further constitutional enlightenment, I am sure the hon. the Law Minister will enlighten them, not in this House necessarily, but elsewhere. That means we go to the next Resolution.

Shri Deshbandhu Gupta (Delhi):

Before you do so, I want to correct you on one point. The point at issue before the court is not whether Government is taking over the institution for bettering the administration, and that this is being challenged. The point that has been raised is—not that I am opposed to this resolution or I am asking for it to be discussed—but the chief objection taken by the students is that there is a Trust running the institution at the moment and one of the articles is that it will be an institution for the girl students and it will be manned by.....

Mr. Speaker: Order, order. We need not go into the merits of the plaintiff's case and give it publicity from this House. The point before the House is whether the administration of the institution should be or should not be conducted as it has been hitherto done.

The Minister of Health (Rajkumari Amrit Kaur): I would like to make a statement, as I see that the House is extremely interested in the Lady Hardinge Medical College and Hospital. No one is more interested than I am in this institution and ever since I became Health Minister I have been worried in more respects than one because of the lowering of the standards

of the College. Therefore, no one rejoiced more than I did when the Governing Body passed a resolution asking Government to take over the administration, because I was convinced that by doing so the administration of the College would be greatly improved and the standards brought up to the required level. In view of that resolution, some women members of the medical profession were rather afraid that the administration coming into the hands of Government might mean a change in the policy of the College and might perhaps mean the introduction of co-education. They therefore asked for an injunction.

Now, I wish to submit that it is impossible to discuss the affairs of the College without trenching on negotiations which are now going on between Government and the party that has gone to court against us in order to come to a settlement with the approval of the court. But I would like to give this assurance to the House and to the hon. Mover that I shall be willing and glad to furnish them with any information that they wish to have in regard to the Lady Hardinge College. There is nothing to hide and if they would only come to my office at any time I shall be extremely grateful to have an opportunity to give them all the information they want to have in connection with the College. I shall be glad if they will take an interest in the College and hear from me and get information on any point they want.

Mr. Speaker: I think that settles it. Next Resolution.

RESOLUTION	RE	DESTITUTE
FAMILIES	OF	POLITICAL
SUFFERERS.		

Shri Kamath (Madhya Pradesh): I beg to move:

"This House is of opinion that suitable arrangements should be made by Government for the maintenance of destitute families of political sufferers in the national liberation movement including those that participated therein during the first two decades of this century."

"Sir, I need not waste much time in commending this Resolution for the unanimous acceptance of this House knowing, as I do, that this House is composed—or at any rate, a large portion of it—of people who have taken active part in the freedom struggle.

[Mr. DEPUTY-SPEAKER in the Chair]

They have always sympathised with those of their countrymen and women

who, having sacrificed their all—some of them having been pauperised in this movement—are practically destitute today. My Resolution covers the national liberation movement right from the movement against the partition of Bengal till the unfortunate partition of the country itself; right from the day when the *mantra* of 'Swaraj is our birth-right' was taught till the day when Mahatma Gandhi called the Congress and the country to demand—and also enforced the demand—that the British do quit India; right from the invocation of the *mantra* of *Vande Mataram* to the invocation of the *mantra* of *Jai Hind*. This, in short, is the period covered by my Resolution. During this long period of forty years or more, millions—or at least hundreds of thousands—of our countrymen have taken an active part—some a very prominent part, and others a humbler and little less prominent part—and have fought for the freedom of the country. They have borne the brunt of the *lathi* and the bullet; they have gone to jail. They have been murdered in jail; they have been murdered outside jail. Yet, the flag, the banner of freedom was kept aloft because of the spirit that animated these hundreds of thousands of our countrymen and women. I realise that perhaps there are in this House a few who did not take such an active part in the freedom struggle, but I shall not venture to say that any of them opposed the freedom struggle at any time. Whatever their reasons may have been, or whatever the circumstances may have been, that prevented them from taking an active part in the freedom struggle, I am sure that at no time did they actively oppose the struggle for the freedom of India. The Congress itself, under whose aegis mainly the struggle was waged, underwent many vicissitudes of fortune, and the policy of the Congress itself was transformed or changed from time to time. From the emergence of Lokamanya Tilak on the political stage of India up to the day when Netaji Subhas Chandra Bose called the civilians and soldiers in East Asia to throw the British out of India, the one consistent note that has been ringing is an intense passion for liberating the country from foreign domination. Mahatma Gandhi was the great bridge that spanned Lokamanya Tilak and Netaji Subhas Chandra Bose, and it was under his inspiration mainly that the latter campaigns of the struggle were waged in this country.

I would, Sir, here like to refer to one aspect of this matter and that is this. It might be objected to by some friends that the deeds or the acts of those who were committed to a policy

of terrorism or violence should not be approved by this House. I, Sir, cannot support that stand. Whatever may have been the acts committed by those people who were not wedded to the policy of *ahimsa*, it cannot be gainsaid that even those who committed violent acts were motivated only by one over-powering, over-mastering desire, and that was to free the country from alien domination. The classic defence of Mr. Bhulabhai Desai in the historic trial of the I.N.A. officers has conclusively vindicated the right of a subject nation to rebel against foreign domination in whatever way that nation deems proper. And, if I remember aright, our Prime Minister himself at various stages in his political career has not hesitated, if not to applaud, at least to understand and in a measure to appreciate the sacrifices made by men like Gopinath Saha in Bengal and Bhagat Singh in the Punjab. And lately when in 1946 he went to East Asia, in Singapore he was among the first to send a wreath to be laid on the memorial erected by Netaji Subhas Chandra Bose for the soldiers of the Indian National Army, a memorial which unfortunately was demolished by the returning British authorities. Therefore, I for one would not like to make any distinction between those who fought as *satyagrahis*, non-violent soldiers, and those who made supreme sacrifices in a violent manner, but motivated solely by the desire to liberate their motherland.

Sir, my resolution restricts itself only to destitute families of such political sufferers. Many political sufferers, many workers, high and low, prominent and humble, have found their place in the new set-up and life of free India. But there are a fairly good number whose families today in various parts of the country are, if not completely starving, at least semi-starving and it behoves Government to make some arrangement for the maintenance of such destitute families.

Dr. Rajendra Prasad, the President of our Republic, when he was on a visit last year—that was at the time when he was President of the Constituent Assembly—to Jubbulpore to lay the foundation stone of a *shahheed smarak*—martyrs' memorial,—observed that one thing pained him most even today and that was the failure on the part of Government to provide for the maintenance of those political sufferers who have been reduced to penury in other countries, Sir, countries like Germany, countries like Russia, countries like China, it has always happened that after the victory of the party struggling for freedom, when it

[Shri Kamath]

assumed power, it lost no time in providing for the workers who took part in the struggle for freedom. I am told that in the Governmental programme of the new China preferential treatment is accorded to all those workers and their families who had helped and suffered in the liberation struggle. When our Congress formed the Government here three years ago, it is unfortunate that they did not pay any serious attention to this matter. As a result of that there has been wide discontent now in the land. Many workers have asked openly: "Is it our own Government, is it our own leaders who called us to die for the motherland, to give up all for the sake of the motherland, is it the very same leaders who have formed the Government today? If they are the same leaders, why have they forgotten us? We are here rotting; we are reduced to penury." This is the language used by many workers, not privately, but in public; and it is, therefore, very essential that we should lose no time in arranging for the maintenance of such political sufferers.

Then, Sir, I have only one other point to make. In December 1948, Government made a decision about Government servants who had suffered in the liberation struggle. On the 24th of December 1948 the Ministry of Home Affairs issued the following press note:

"Persons who were dismissed or removed from service because of their association with the national movement will be eligible, to a grant, with retrospective effect from the date of the termination of such appointments, of such pension or gratuity as would have been admissible to them on those dates had they been retired from service on grounds of ill-health. Persons who were granted a compassionate allowance less than that admissible on the above basis, will be eligible for a corresponding increase of such allowance."

Then it went on to say:

"The benefit of this relief will be extended to ex-Government servants who resigned their appointments—whether such resignation was voluntary or forced, provided it is proved that such resignation was preceded or followed by actual participation in the national movement....."

Thus so far as Government servants are concerned they have made ample provision. It remains for me to ask the Government, when they have made provision for the Government servants

many of whom perhaps are not so destitute, what prevents them from making similar provision for the others who braved the brunt of the struggle during a long period of forty years or more. I am given to understand that some State Governments have made some sort of provision, like Bihar. The Punjab Government has also lately adopted this policy. Madhya Pradesh has also done something in this matter. Madras also has done something in this direction. What I want to bring home to the House is this that in this matter, Government should accept the principle that is embodied in my Resolution and lay down lines on which relief should be granted, and on that basis arrangements should be made all over India for the maintenance of these sufferers. Because, I understand so far as my own Province namely Madhya Pradesh is concerned, there are certain families of—well, the names are well-known in the whole of India—Chimur and Ashti who suffered very much in 1942-43 but who have been completely forgotten by Government; on the other hand some very rich *Malguzars* who were not in need of relief have been granted relief far above their needs. That sort of policy should not be followed. The needy should be picked out and given preference first. The lines of relief should also be clearly laid down.

Before I close I will only say this. Let it not be said of us that in the hour of victory, in the hour of attaining to position, pelf and power, we forgot those hundreds of thousands of humble workers who had fought with us shoulder to shoulder against alien domination for the liberation of India. There is no statue or memorial to the unknown *satyagrahi* anywhere in India. In all countries, at the close of a war, relief is provided for the disabled soldiers and veterans, and in almost all countries there is erected a cenotaph or memorial to the unknown soldier. Have Government tried to erect a memorial anywhere in India to the *satyagrahi* or unknown soldier in the fight for freedom? It is high time that Government at least now did see to this matter, and not merely give relief as I have suggested in the Resolution but also build a memorial to the humble *satyagrahi*, and further, give what I may say gallantry awards to such soldiers who have sacrificed their all and have distinguished themselves in the struggle for freedom.

Sir, I have done. Let it not be said that we consigned these humble soldiers to oblivion. Let us resolve today in this House, and let us highly resolve that we have not forgotten them; nay, not merely that we have not forgotten

them, but that we cherish them and do everything in our power to mitigate their suffering today in the same comradely manner as we marched along with them during those dark days of the liberation struggle.

Mr. Deputy-Speaker: Resolution moved:

"This House is of opinion that suitable arrangements should be made by Government for the maintenance of destitute families of political sufferers in the national liberation movement including those that participated therein during the first two decades of this century."

Some amendments have been received. There is one amendment in the name of Shri Basanta Kumar Das. Does he intend to move that?

Shri B. K. Das (West Bengal): Sir, I move:

That for the original Resolution the following be substituted:

"This House is of opinion that suitable arrangements be made by Government for the maintenance of destitute political sufferers who took part in the national liberation movement and their families and a Committee be appointed to prepare a scheme for rendering such help either in collaboration with the State Governments or otherwise".

Mr. Deputy-Speaker: All the amendments will be moved one after the other and then the general discussion will go on both on the Resolution and the amendments. Amendment moved:

That for the original Resolution the following be substituted:

"This House is of opinion that suitable arrangements be made by Government for the maintenance of destitute political sufferers who took part in the national liberation movement and their families and a Committee be appointed to prepare a scheme for rendering such help either in collaboration with the State Governments or otherwise".

Shri Kannamwar (Madhya Pradesh): Sir, I move:

That for all the words beginning with the words "including those" to the end, the following be substituted:

"from the year 1920 to 1944".

Mr. Deputy-Speaker: Amendment moved:

That for all the words beginning with the words "including those" to the end, the following be substituted:

"from the year 1920 to 1944".

The third amendment is in the name of Giani Gurmukh Singh Musafir. I am afraid it is out of order. The amendment is to add the words "and such destitute families which suffered on account of partition". The Resolution relates only to political sufferers. The amendment extends the scope of the Resolution and is foreign to it. Therefore that need not be moved. His next amendment is in order and may be moved.

Giani G. S. Musafir (Punjab): I beg to move:

That at the end of the Resolution the following be added:

"and that a committee be appointed to enquire into the cases and prepare a list of such destitute families within six months".

Mr. Deputy-Speaker: Amendment moved:

That at the end of the Resolution the following be added:

"and that a committee be appointed to enquire into the cases and prepare a list of such destitute families within six months".

Now the discussion will go on both in regard to the Resolution and with respect to the amendments that have been moved.

The Prime Minister (Shri Jawaharlal Nehru): I suppose there is hardly a Member of this House who will not support the general idea which underlies this Resolution—not the Resolution itself, about that I shall speak a little later. But the fact that there are so many destitute people or destitute families of political workers should bring a tinge of remorse to us that we have not been able to help them or that at present we are not giving them any help or assistance. Obviously all of us desire to do so. But insofar as this Resolution or some of the amendments go I should like to place some considerations before the House which make it difficult for Government to accept the Resolution. It is not from any lack of desire but for a variety of reasons including, I think, a lack of propriety.

My mind goes back, as I have no doubt the minds of many hon. Members will go back, to those days ten, twenty or thirty years ago when a

[Shri Jawaharlal Nehru]

great struggle, which has become part of India's history, was waged in this country. Some of us played a more prominent role in it and we got the plaudits of the crowd and garlands and whatever we may have today. But there can be doubt that the burden of the struggle lay on vast numbers of our countrymen who got no plaudits and garlands, and no profits at the end, no dividends paid out. They were, call them unknown volunteers, or the workers in field or factory or shop, who suffered. Remember that in those days we told them when we enrolled them as our volunteers, "You will get nothing for this, you will get no dividend, no profit". It is on that basis that we asked them to come. I do not mention this as a kind of argument to show that I am breaking no promise. I am mentioning this because I want the House to realize on what level that struggle was fought; because we have forgotten everything that the struggle meant and today all of us think more in terms of dividends, of profits and loaves and fishes. It was because we fought that struggle on that high level, that even though many of us were very small men, that we were pulled up by that very fact and the fact of the great Leader who led us. Now it seems to me that while on the one hand, it is perfectly right that these people who may be destitute, who may be suffering should be helped to the best of our capacity, it seems to me as something very, very wrong, to ask Government, to ask even a private organization to open, if I may use the words, some kind of destitute poor houses for those people who suffered in the struggle or their families etc.; or as one hon. Member said, have a committee to find out who are the destitute people or who are the families or whose fathers or whose brothers or cousins did it and have a list of the destitute poor who suffered and all this process. I think, it is un-becoming; it is an anti-climax to our struggle, which does not appeal to me in the slightest.

4 P. M.

There are other considerations too, and that is how far it is right or proper for us, many of us having ourselves participated in the struggle, to come to Government or to use the Government of which we are Members, for this particular purpose. It seems to me that that will not be a very good example to set. I know very well that in some countries that has been done; I know that in a number of our State Governments that is being done and I am glad that they have done it, but nevertheless it is one thing to do a thing as a part of Government's activities and it is quite an-

other thing to make it a definite charge on Government, make it a kind of new Department of Government, almost like the Department we have of Relief and Rehabilitation for those who have suffered from these migrations, and that, quite apart from the financial aspect, one does not quite know what it will mean, how many people will come as a result of the enquiries and when you set up an organization to inquire, you will get something which may help them a little but it will help itself much more, that organization, which tries to collect facts and figures of these people. Therefore, for these and like reasons, I would submit to the House that this question is far better dealt with, as far as possible on the non-official level. I do not wish to exclude the official level and therefore, I think, if Provincial Governments have done so, they have done a good thing. I should like to have it; the Central Government may also do so in the case of specially hard cases that are brought to its notice. If hon. Members bring such cases to our notice, certainly we shall try to do our best so far as we can, but as I take it, the resolution that the hon. Member has put forward is something much more than that; it goes back to the last 50 years; it refers to all the families and others who may have been connected with the struggle and who have suffered subsequently and how are disabled and it is a misfortune that in this country there are vast numbers of people who are destitute. I mean, apart from political sufferers.

Almost every day we hear about the unhappy position of the people who have migrated to India from Pakistan; that is a tremendous problem for us. We hear of the sufferings of people because of famine or near-famine in various parts of India; a great part of the population of India is suffering, under-nourished and all that. Now if at this moment or at any moment we go out of our way and do something, select people and make a special effort, even though they deserve it, by some kind of Government decree select people who, however much they have deserved well of the country and nevertheless might be said to be people to our credit, I think we do them an injustice and we do ourselves an injustice. It is the manner of proceeding which may land us in difficulties and not set a good example, as the hon. Member pointed out. So far as people like Government servants, students etc. all those are concerned, a large number of rules have been passed by the Home Ministry and the Education Ministry and others, so that whatever we could give back to them, whatever opportunity or ser-

vice or pension etc. we give back to them; there are many vast numbers, who, of course, we cannot recompense; they are dead or other things had happened; some people, many people remain still; let us try to help them and help them how? Well, in extreme cases certainly, if you like by cash grants or pensions, if you like, it may be. If you help them, except in extreme cases, again you make them paupers dependent on public charity. It is not a deserving fate for brave soldiers, who fought for India's freedom and helped in achieving it; we can help them in many ways. If you make such lists and have committees to function and make enquiries, I do not know exactly what it will lead to and whether it will be really helpful to them or not; it would be far better, I imagine, that we should help them and so far as we can in many ways, sometimes including money grants, if necessary, but that it should be done in the name of non-official funds, by non-official organizations. If the National Congress fought the struggle and led it to victory, well, it is the duty of that organization to see that those who supported it are supported by it, if necessary. I can understand that. Or individuals or others or groups can do it and I do not rule out the Government doing it too, but I do not wish to make this a formal charge on Government and a big charge, about which I know nothing.

Then, Sir, purely from the financial point of view, I dare not say anything without consulting my hon. friend, the Finance Minister as to what exactly it will lead or what would happen. But I am not for the moment basing my arguments on the question of finances but rather on other factors, one of dignity for those people, of our own cause, of this House, and I do not myself particularly fancy that I who had the great honour and privilege of serving in the Congress movement and the non-co-operation and *satyagraha* movements, should come to this House, of which I have the honour to be a Member, to seek for help from colleagues of mine, who functioned with me in the past; I do not like it.

As a matter of fact, from the Prime Minister's Fund or some other Fund which I can dispose of, I do occasionally help people in distress. I shall be frank with you, not because they were just political sufferers—I think it would be improper for me to use any such fund for that—but because they were people deserving of help, who were in distress, and who were also political sufferers. One can do that perhaps more effectively through a non-official organisation. If you set up an official organisation and brought in

the whole Government into the picture, you will find possibly that the sensitive people, people who probably deserve help more than others will not come in, but large numbers of people will come and you will find great difficulty in enquiring into the merits of each case. You will have to appoint committees and tribunals. It will create more jealousy and ill-will than good-will. Otherwise, we know we can exercise our judgment. The State Governments are in a better position to know and perhaps they can take this up. Where does the Government of India come into the picture, except that, if you like, it may come in regard to the Centrally Administered Areas? Otherwise, we will be overlapping with the State Governments. If the State Governments take charge of this matter and we also do it, the State Governments will say, "Government of India has come in; we will withdraw all the help that we have been giving." Now everything is considered as a responsibility of the Government of India. Here is the food problem, a terrible problem. Nobody seems to realise that it is the primary responsibility of the State Governments to feed the people: not of the Government of India. The Government of India comes to their help; it will help, of course. Today, the position is that every State thinks that it has merely to draw a cheque on the Government of India for money for everything, for food, for wheat, for rice. We have to go on pouring them there and pay for it. There is this habit, I regret to say, of our States far too much depending on the Government of India for everything, with the result that the Government of India can hardly perform its own functions, because it has to look after the functions of the States and to some extent also their finances, and all these things. I do beg of you that, from this point of view also, this matter should not be considered as a Government of India matter, but rather as a State matter, except in so far as that the Government of India ought, where it can, without fuss and noise, give help. I would therefore personally suggest to the hon. Member who has moved this Resolution and the movers of the amendments also that they shall not press them.

Shri B. K. Das: Sir, after what the hon. Prime Minister has been pleased to observe in this connection.....

Shri R. K. Chaudhuri (Assam): May I, Sir, humbly beseech the hon. Prime Minister to let us know whether he supports this Resolution—there is no Whip—or whether he opposes it. It is not a matter to laugh at; I want to know.

[Shri R. K. Chaudhuri]

Mr. Deputy-Speaker: He has sufficiently explained. The hon. Member knows English as much as we do.

Shri B. K. Das: Sir, after what the hon. Prime Minister has been pleased to observe with respect to the Resolution moved by Mr. Kamath, and the amendments moved by other friends including myself, I have no difficulty in expressing my willingness to withdraw my amendment. But I would like to submit very respectfully one or two things in this connection.

I feel, Sir, that this is a very poor recompense to the sacrifices that have been made by the political fighters, by those people who have lost their lives, burnt their boats in the prime of their lives, and whose families are suffering as a result of their actions. Still, Sir, I feel that the National Government has a duty to do towards them. It is quite true that it is a very delicate matter, and in trying to do that duty by them, we shall be led to a position when we may do some injustice to the sacrifices that they have made.

Sir, the hon. Prime Minister referred to the action of some States Governments. I may point out that the West Bengal Government has been doing something in this matter. The West Bengal Government have made lump-sum grants to political sufferers. They have granted monthly pensions and they have given grants even to institutions whose properties were destroyed by police or military action. It may not be that they have been able to do perfect justice in all cases. It may be that they have not been faced with delicate matters which the hon. Prime Minister was pleased to point out. But, still, they have been able to do something. It is for this reason that I have pointed out in my amendment that Government may do something in collaboration with the States Governments.

If this resolution is not acceptable to Government, this House may be satisfied with an assurance from the hon. Prime Minister that he will be in touch with the States Governments who have formulated their schemes in this respect and are trying to do something in this matter, and if necessary, he is prepared to help the State Governments; then, I think, this question might be solved to a certain extent. I realise that there are the difficulties pointed out by the hon. Prime Minister. But, at the same time, Sir, I cannot forget that we shall be failing in our duty if we do not try to do something. It is prominently in the mind of everybody in this House or outside that we should take every care to see that we do not hurt the dignity of

those people whose sacrifices have brought us independence and liberation from foreign domination. But, we cannot look at the distress of our brethren who sacrificed with equanimity, just because it is delicate and just because if we try to do something, we may hurt their dignity and their feelings. Under these circumstances, I would humbly request the hon. Prime Minister and the Government as a whole to take this matter into consideration and try to do whatever is possible.

I am glad the hon. Prime Minister has accepted in principle the necessity, the propriety and the usefulness of such a step. Though he has not considered it fit enough to deal with it as an administrative matter, still, there is a duty and that duty ought to be performed either non-officially or officially, if possible. Besides the Government of West Bengal, I understand some other States Governments are also doing something in this direction, and I would humbly request that the Union Government may also see its way to do its bit in whatever respect they can do it. I have nothing more to add.

Mr. Deputy-Speaker: Yes, Mr. B. Das.

Shri Kamath: Sir, there are other Members who have moved amendments.

Mr. Deputy-Speaker: I did not see them stand up. All right, now I have called Mr. Das. I will call the other Members later. I may also remind the hon. Members that there is a time limit on their speeches.

Shri B. Das (Orissa): Sir, I will not take more than five minutes. In all humility and in the name of humanity I feel this is a Resolution which must be supported. The Prime Minister spoke with such sorrowful heart and anguish just now. Knowing the Prime Minister for so long a time I can say that his heart feels very much for the sufferers. The question is, the Union Government, in spite of Sardar Patel's reply to a certain question that political sufferers will be helped, gave no mandate to the State Governments to do their very best for the political sufferers. My hon. friend Shri Kamath said that the States have not done very much for these people. In my own province of Orissa, I can say that various political sufferers and their dependants have received pensions and other assistance—thanks to my hon. friend Shri Mahtab who took a very keen interest in this matter. We have also a decent hall named

Shaheed Hall being built to commemorate the services of these political sufferers. We have the Basic Education School at Angul which was started by Shrimati Malati Chaudhury, a former colleague to keep alive the memory of that Shaheed Baji Ront. That Institution is making unique experiment in basic education where *adibasi* children and others are receiving common training for sound citizenship of India. Therefore, we can see that something is being done by the States, but there is no coordinated policy in this matter, between the Union Government and the States. I know our Colleague Durbar Shri Gopal Das M. P. who lost his State to the Political Department of the former Government, and I know his State has been restored to him, though I do not know what has happened to it now that it is in Saurashtra Government. So, as I said, some attempt is being made in this direction. But these have to be pieced together.

In this Resolution, knowing Shri Kamath as I do, what was in his mind when bringing forward this Resolution was the question of succour to the I.N.A. soldiers and their dependants. We know that our Government in those days, in the conditions prevailing in 1947 and 1948 decided with a certain private understanding with the British Government, that the I.N.A. soldiers, its generals and officers were not to be employed in the army of the Government of India. I know my hon. friend wants the problem of the I.N.A. soldiers to be dealt with. He has my full sympathy. It is for the Government to decide and they agreed with the British Governor-General at the time that they will not employ any I.N.A. soldiers, generals or officers. The Prime Minister said that he did not know what the Finance Minister would say. But, Sir, this is a national problem and national responsibility is involved in this, and in such a case we should not always think of financial difficulties. I hope the Finance Minister will see that it is a matter of prestige and national self-respect and not one of pound, shilling and pence or rupee, anna and pie. It is a question of showing to the suffering dependants of those who died as *shaheeds* in the I.N.A. and other political sufferers' family members that they will be helped and given succour. Nobody wants fat pensions. I may point out that there are many ex-officials drawing fat pensions now who played absolute treachery with the country in its struggle for independence, and what is more, some of them have been re-employed by us and are enjoying our

confidence. If that be the case, I feel that the men who made such sacrifices in connection with the I.N.A. and in other fields of our national struggle must be given all opportunities of employment and I hope the Finance Minister will see his way to give the help to the dependants of those who have suffered for the country, and see that they get some pittance to keep body and soul together.

श्री कन्नमवार: सभापति जी, मेरे मित्रकामत जी ने जो प्रस्ताव रखा है उस में जो मैंने अमेंडमेंट (amendment) दिया है वह तो थोड़े ही समय का है। वह तो केवल १९२० से १९४४ तक का ही है। महात्मा गांधी का जो मूवमेंट (movement) चला उस का पीरियड (period) कोई २४ साल का है। इस पीरियड के जो पोलिटिकल सफरर्स (political sufferers) हैं उन का हमें ज्यादा ख्याल करना चाहिये। प्रधान मंत्री जी ने जो बात कही है उस से मैं बहुत सहमत हूँ। उन्होंने कहा कि अगर सेंट्रली एडमिनिस्टर्ड एरियाज़ (Centrally Administered Areas) में मदद देने का सवाल है तो वह विचारणीय होगा। यदि सेंट्रली एडमिनिस्टर्ड एरियाज़ के पोलिटिकल सफरर्स का विचार होने वाला है तो मैं यह चाहता हूँ कि अगर स्टेट गवर्नमेंट्स (State Governments) भी इस प्रश्न पर विचार करें तो यह प्रश्न अच्छी तरह से हल हो सकता है। आज देश की आर्थिक हालत अच्छी नहीं है। इस वक्त यह प्रश्न पूर्णतया हल न हो, पर इस के लिए कोई कमेटी (committee) या जानकारी, प्राप्त करने के लिए कोई मैशिनरी (machinery) निर्माण की जायेगी तो बहुत से पोलिटिकल सफरर्स के दिलों में एक प्रकार की आशा उत्पन्न होगी।

मैं जानता हूँ और मानता हूँ कि महात्मा गांधी ने हमें सिखाया था और बताया था कि इस स्वतन्त्रता के युद्ध में

[श्री कन्नमवार]

हम जो कुछ काम करेंगे उस के लिए हमें कुछ नहीं मिलेगा। इसी ख्याल से लोगों ने इस स्वतन्त्रता और आजादी की जंग में भाग लिया था। यह बात सच है कि स्वतन्त्रता के युद्ध के दिनों में पोलिटिकल कार्यकर्ताओं ने बहुत मुसीबतें सहन की हैं। मुझे अभी भी याद है कि मैं १९४२ में जब जबलपुर जेल में था उस वक्त जबलपुर जेल में मेरे एक मित्र की पत्नी का पत्र आया था। पत्नी ने लिखा था कि इस वक्त मेरी ऐसी हालत है कि मेरे पास एक साड़ी भी अच्छी तरह पहनने के लिए रही नहीं है और मैं चाहती हूँ कि अब आत्म हत्या कर लूँ। तो उस वक्त मेरे मित्र ने अपनी पत्नी को पत्र लिखा था कि तुम चाहो वैसा करो, मैं यहां पड़ा हुआ हूँ और मैं यहां से कुछ नहीं कर सकता। उन दिनों इस प्रकार की मुसीबतें उन्होंने और उन के कुटुम्बियों ने सहन की थीं, क्योंकि गान्धीजी का कहना था कि इस में तुम्हें कुछ नहीं मिलेगा और आजादी प्राप्त करने के लिए तुम्हें सब कुछ सहन करना पड़ेगा। लेकिन हम आज आजाद हो गये हैं और हम ने देखा है कि उस समय जो सब-इंस्पेक्टर (Sub-inspectors) थे और जिन्होंने जनता पर गोली चलाई वह आज डिस्ट्रिक्ट सुपरिण्डेंट आफ पोलिस (District Superintendents of Police) और कोई कप्तान था आई० जी० बने बैठे हैं। लेकिन जो लोग स्वतन्त्रता के लिए लड़े और जिन्होंने गोलियां खाईं और मर गये उन के कुटुम्बियों की बहुत बुरी हालत है। हम जब इस प्रकार की उन की दशा देखते हैं तो यह विषय अवश्य विचारणीय हो जाता है।

मैं आज से ५० साल पहले की बात नहीं कहता। आठ दस साल पहले, सन् ४२ में जो शहीद हुए हैं उन के परिवार आज खाने से मुहताज हैं और उन के बच्चे मारे मारे फिरते हैं। ऐसे कई मामले हैं कि लड़का भी गोली से मारा गया, और बाप भी मारा गया और अब उनके केवल बेवा और छोटे छोटे बच्चे बचे हैं। वे आज इस बुरी हालत में हैं कि बयान किया नहीं जाता। आप चिमूर और अष्टी के शहीदों के परिवार की हालत देखिये! मैं उसी तहसील का रहने वाला हूँ। वहां कई शहीदों की फ़ैमिलीज (families) ऐसी हैं कि जिनके बेचारे बच्चे मजदूरी करते हैं और उन का शिक्षण भी नहीं हो सका है। सरकार को उन के लिए कम से कम इतना तो करना चाहिये कि ऐसे शहीदों की जो औलाद हैं उनके लिये फ्री एजुकेशन (free education) देने का प्रबन्ध किया जाये। यह किया गया तब भी उनकी कुछ न कुछ मदद हो सकेगी। हमारी आज कल जैसी आर्थिक हालत है उस में हम अधिक नहीं कर सके तब भी उन के लिए कुछ न कुछ इन्तजाम करना जरूरी है। गवर्नमेंट को उन की एजुकेशन (education) के लिए तो कुछ न कुछ करना ही चाहिये। जिन के घर वाले मर गये हैं उन के बच्चों के लिए अगर यह प्रबन्ध हो जाये तो वे समझेंगे कि हमारे पिता दुनियां में नहीं हैं तो भी हमारी सरकार हमें शिक्षा दे रही है। शहीद फ़ैमिलीज का तो बड़ा अहम सवाल है। जैसा कि प्रधान मंत्री जी ने कहा कि ऐसे मामले जिन की हालत बहुत बुरी है उन के विषय में हम विचार करेंगे, तो मैं समझता हूँ कि शहीदों के कुटुम्बियों का प्रश्न प्रथम हल हो जाना चाहिये। और ऐसी बहुत

पोलीटिकल फॅमिलीज हे जिन के विषय में
सी विचार करने के योग्य परिस्थितियां हैं।
इस लिये मैं चाहता हूँ कि इस विषय
में कुछ न कुछ इन्तज़ाम होना अत्यावश्यक
है।

(English translation of the above
speech)

Shri Kannamwar: My amendment to the resolution moved by my hon. friend Shri Kamath relates to a short period only viz., from 1920 to 1944. Our movement under Mahatma Gandhi is spread over nearly 24 years and it is desirable that the political sufferers of this period should receive more consideration. To a large extent I am in accord with what the Prime Minister has said. He is of the opinion that the question is worth considering if its scope is restricted to the Centrally Administered Areas only. So if the issue of giving help to the political sufferers in the Centrally Administered Areas is about to be considered, I would like the State Governments also to take it up for consideration. In that case, I think, the question is capable of an adequate solution. The country is passing through a not too good financial condition these days. If, therefore a complete solution of the issue is deferred at present but only a Committee or some other machinery is set up to collect all necessary details even then it will create some hope of relief in the minds of many such sufferers.

I am aware and I concede that Mahatma Gandhi had taught us not to expect anything in return for our participation in the struggle for freedom and the people had taken part in that struggle with this very idea. It is true that political workers in this fight for freedom have endured tremendous hardships. I still remember how in 1942 when I was imprisoned in Jubbulpore jail a friend there had received a letter from his wife. She had written that she was in the most deplorable condition at the time and that she had not got even a single saree to dress herself and felt inclined to commit suicide. My friend had then replied that she could do whatever she liked and as he was rotting there so he was unable to do anything. So such were the trials and hardships endured by our people during those days. But Mahatmaji had forewarned them not to expect anything in return and to be prepared to sacrifice all in

the cause of freedom. Today, however, when we are free, we find that the sub-inspectors of those days, who had then not hesitated from firing upon our people, have now been promoted to the exalted positions of District Superintendents of Police and are even Captains viz. I.G.s. But what is the condition of families of those who fought for freedom, received bullets and eventually died. The issue becomes worth considering when we find them in such deplorable conditions.

I am not talking of 50 years or so but only of 8 or 10 years back. I submit that the families of 1942 martyrs are not even in a position to obtain food today and their children are going about unprovided and uncared for. There are cases when both father and son have been shot dead leaving behind widows and children of tender age. Their pathetic conditions are simply indescribable. Just look at the conditions in which the families of the Chemur and Ashti martyrs are passing their days. I come from the very same Tehsil. There are several such families whose survivors children of tender age have to do manual labour and have no opportunities of even getting education anywhere. The Government should, at least, arrange free education for the children of such martyrs. This will surely help them to some extent. It is true that we are unable to do much for them in the present state of our economy but still we have to make some arrangements to this effect, say at least for their education. Should such arrangements be made, the destitute children will appreciate this gesture on the part of the Government and would think that the Government was educating them despite the unfortunate death of their fathers. The question of families of the martyrs is very important indeed and as the Prime Minister has said that he was prepared to consider all cases which were really in very deplorable circumstances. I think that the solution of the question of giving help to the families and relations of the martyrs should be given topmost priority. There are many such families whose circumstances really justify this consideration and that explains why I feel a vital need of doing something in this behalf.

گیانی جی - ایس - مسطور : سبھا

پتی جی م مسطور کامت کے پرستار پر

میں نے دو امینڈمنٹس (amend) /

[کھانی جی - ایس - مسافر]

ایک ترمیم کو ڈپٹی اسپیکر صاحب (Mr. Deputy-Speaker) نے آؤت آف آرڈر (out of order) قرار دے دیا ہے۔ مہری اس ترمیم کا جو بہاؤ ہے وہ تو صاف ہی ہے کہ میں چاہتا تھا کہ پارٹیشن (partition) کے نتیجے کے طور پر جن لوگوں نے سفر (suffer) کیا ہے ان کو بھی پولیٹیکل سرفر (political sufferers) ہی سمجھا جائے۔ میں سمجھتا ہوں اور اب بھی مہری یہ رائے ہے کہ پارٹیشن کے نتیجے کے طور پر جن لوگوں کو تکلیفیں آئی ہیں ان کو وہ اپنے کسی قصور کی وجہ سے نہیں آئیں۔ وہ بھی ایک سیاسی اور پولیٹیکل پالیسی (policy) کا ہی نتیجہ ہے اور اس پارٹیشن کے بعد ہی ہمیں آزادی ملی ہے۔ اس طرح میں سمجھتا ہوں کہ اس آزادی کے ہون میں جو بھی سامگری ڈالی گئی ہے۔ جو بھی آہوتی ہوئی ہے۔ اس میں ان کو بھی شامل سمجھا جائے۔ اس یکنگ میں انہوں نے بھی کچھ نہ کچھ ڈالا ہے اور اس سے ان کو علیحدہ نہ سمجھا جائے۔ خیر۔ وہ املڈمنٹ چونکہ آؤت آف آرڈر قرار دے دیا گیا ہے اس لئے میں اس پر کچھ زیادہ نہیں کہنا چاہتا۔ ان الفاظ کے ساتھ میں نے اپنے جذبات کا اظہار اس کے متعلق کر دیا ہے۔

دوسری املڈمنٹ جو میں نے پھر کی ہے اس سے اصل ریپزولوشن

(resolution) کی بناوٹ یا بہاؤ پر کوئی خاص اثر نہیں پڑتا۔ وہ تو صرف میں نے اپنی ایڈگزائٹی (anxiety) کو ظاہر کیا ہے کہ یہ کام ذرا بہت جلدی ہونا چاہیئے۔ مہری یہ رائے ہے کہ جو ریپزولوشن آج مسٹر کومت نے اس بھون میں اس اجلاس میں پھر کیا ہے یہ بہت پہلے اس بھون میں آنا چاہیئے تھا اور یہ ہمارا پہلا فرض تھا کہ ہم ان بھائیوں کے متعلق اپنے جذبات کا اظہار پارلیمنٹ میں پہلے روز ہی کرتے کہ سچ سچ ہی یہ ان بھائیوں کی قربانوں کی بدولت اور ان شہیدوں کی بدولت آج کا دن نصیب ہوا ہے کہ ہم اس لائق ہڈے کہ اپنی سوتندہ پارلیمنٹ میں آ کر بولیں اور اپنے ملک کے مفاد کے متعلق سوچیں۔ جن بھائیوں کی قربانی کا یہ نتیجہ ہے ان کو بھول جانا اور یاد نہ کرنا میں سمجھتا ہوں کہ کرتگھٹا نہیں ہے۔ اور آج بھی ہم اس حالت میں آ گئے ہیں اور پارلیمنٹ میں یہ ریپزولوشن آ گیا ہے تو میں سمجھتا ہوں کہ یہ بھی وہ دیر آید درست آید ee کی مثل کے مطابق اب بھی تھیک بات ہے۔

میں نے آل انڈیا کانگریس (All India Congress) کے اجلاس ناسک میں بالکل ہی اس بہاؤ کا ایک ریپزولوشن بھیجا تھا اور چھتاوٹی دی تھی اپنے بھائیوں کو کہ ان بھائیوں کو نہ بھول جائیں کہ جنہوں نے ملک کی آزادی کے لئے سفر کیا ہے۔ مگر وہ بھی

کچھ وقت کی تنگی کی وجہ سے وہاں
زیر بحث نہیں آ سکا۔

اصل میں بات تو بالکل صاف ہے
کہ اس وقت نام تو نہیں لیا جا سکتا
مگر ہزاروں کی تعداد میں تین
قسمیں اس وقت ایسے لوگوں کی
ہیں۔ ایک تو وہ جو پھانسی پر چڑھے
یا گولیوں کا شکار ہو گئے اور ان کی جو
فمیلیز ہیں وہ اس وقت بالکل بے
سرو سامانی کی حالت میں ہیں
جن کا پوچھنے والا کوئی نہیں۔
دوسرے کچھ ایسے آدمی ہیں جن
جملہ میں نے بیس بیس یا پچیس
پچیس سال تک منگ کی آزادی کے
لئے کام کیا۔ اس وقت ان کی عمر
۷۰ سال یا زیادہ ہو گئی ہے۔ کوئی ۷۰ سال یا
۸۰ سال کی عمر ہے اور ان کے کچھ
ڈیپنڈنٹس (dependants) بھی ہیں۔
دو ہوں یا چار ہوں۔ ان کے لئے اور
کوئی وسیلہ نہیں ہے۔ وہ بالکل بھکا
ہیں اور کچھ کام نہیں کر سکتے۔ تو
ان کی طرف بھی خیال کرنا ایک
بڑی ضروری بات ہے۔

کہا جا رہا ہے کہ ہم یہ ریزولوشن
پارلیمنٹ (Parliament) میں لا کر
انلی ان قربانیوں کی قیمت وصول کر
دیں گے جو کہ ہم نے اپنے دیہے کی
آزادی کے لئے کی ہیں اور یہ کوئی شوبھا
کی بات نہیں ہے اور اچھی بات نہیں
ہے۔ ان خیالات کا اظہار کیا جا سکتا
ہے۔ مگر ہمیں سوچنا چاہیے کہ یہ

تو ہر ایک بات کے لئے کہا جا سکتا ہے
کہ ہم نے جملہوں کے دیہے کے لئے کچھ
کیا ہے وہ اب اس کی قیمت وصول کرنا
چاہتے ہیں۔ کہنے والے تو یہ بھی
کہتے ہیں کہ اب جو حکومت ان کے
ہاتھ میں آ گئی ہے یہ بھی ایک
قیمت ہے جو کہ اپنی قربانیوں کی وہ
وصول کر رہے ہیں۔ مگر اس معاملہ
میں تو قیمت کا کوئی مطلب نہیں
ہے۔ وہ لوگ جملہوں نے قربانیاں
کی ہیں وہ تو کوئی قیمت مانگ ہی
نہیں دے سکتے۔

ان کی آواز ہی اتنی کمزور ہے
کہ وہ یہاں تک پہنچ نہیں سکتی۔
انہوں نے اس بات کا کتنے پتہ
نہیں ہے۔ اگر کوئی قیمت وصول
کی گئی ہے تو بیشک ہم لوگوں
نے وصول کی ہوگی جو ممبر بن
گئے ہیں پارلیمنٹ کے اور اس پر
ہو گئے ہیں کہ یہاں آکر تقریریں
کریں۔ لوگ ہماری باتیں سنیں
اور ہم سمجھیں کہ ہم پارلیمنٹ کے
ممبر ہیں۔ بیشک ہم نے تو ایک
قیمت وصول کر لی ہے۔ لیکن جن
کے لئے یہ ریزولوشن ہو رہا ہے۔
پوسٹو پوسٹو کیا جا رہا ہے تیسری۔ تھوٹس
(destitues) کے متعلق۔ ان کے متعلق
یہ کہا کہ وہ کوئی قیمت وصول
کرنا چاہتے ہیں۔ یہ بات اس
ریزولوشن سے بالکل ظاہر نہیں ہوتی۔
اس لئے میں آپکو کہنا بتلاؤں
جیسا کہ پوائنٹ منسٹر صاحب نے

[کھانی جی - ایس - مسافر]
 آج بھی اپنی جذبات کا اظہار کیا
 ہے - میں سمجھتا ہوں کہ ان کے
 دل میں بھی اتنا ہی درد ہے -
 ان لوگوں کے لئے جتنا کہ
 کسی کے دل میں درد ہے -
 مگر میں آپ کو یہ بتانا چاہتا
 ہوں کہ یہاں کوئی یہ سوال نہیں
 ہے کہ کس کو کتنا درد ہے اور کس
 کو زیادہ درد ہے یا کس کو اس کا
 تھوڑا درد ہے - سوال صرف یہ ہے کہ
 آیا ہمیں اس پرنسپل کو آج پارلیمنٹ
 میں تسلیم کرنا چاہیئے کہ نہیں
 کہ جن لوگوں نے ملک کی خاطر
 قربانیاں کی ہیں - ان کی طرف
 ملک کا دھیان اور ہماری سرکار کا
 دھیان جو اس وقت برسوں اقتدار ہے
 جانا چاہیئے -

تھوڑے دن ہوئے ایک بہت بڑھا
 بھائی جو ہمارے ساتھ جیل میں
 تھا اور اس وقت اس کی ۷۰-۷۵
 سال کی عمر ہوگی - وہ میرے پاس
 آیا اور مجھے کہنے لگا کہ میں آپ
 سے کچھ بات کہنا چاہتا ہوں آپ
 مجھے پلڈت جواہرلال جی یا سردار
 پٹیل صاحب کے پاس لے چلیئے -
 میں نے کہا کہ آپ نے ان کے پاس
 کس لئے جانا ہے - وہ بہت مصروف
 ہیں - ان کے پاس وقت نہیں ہے
 اور وہ بہت ضروری ضروری کاموں
 میں لگے ہوئے ہیں - آپ کس لئے
 ان کے پاس جانا چاہتے ہوں -

مجھے ہی وہ بات بتادو - میرا جواب
 سن کر تو اُس کے آنکھوں میں آنسو
 آگئے - وہ کہنے لگا - میں اور کچھ
 نہیں کہنا چاہتا - میں صرف ایک
 بات پلڈت جی سے یا سردار پٹیل جی
 سے جا کر پوچھنا چاہتا ہوں
 کہ جب سپاہی ملک کے لئے
 لڑائی میں لڑتا ہے اور اپنی جان
 تک دینے کے لئے تیار رہتا ہے تو
 جب ملک کی فتح نصیب ہو جائے
 تو اس سپاہی کے ساتھ جس نے
 ملک کی لڑائی میں زبردست
 حصہ لیا ہو یہی سلوک
 ہونا چاہیئے جو آج میرے ساتھ ہو
 رہا ہے - تو میں نے کہا کہ تیرے ساتھ
 کیا سلوک ہو رہا ہے تو اُس نے
 اپنی جو تکلیفیں تھیں وہ ساری
 سنانا شروع کر دیں کہ میں نے
 کس طرح اتنے سال قید کاتی ہے - آج
 میرے پاس رہنے کے لئے جگہ
 نہیں ہے - پہلے کو کھڑا نہیں ہے -
 میرے پاس کچھ گزارہ کرنے کے لئے
 نہیں ہے اور سر چھپانے یا بیٹھنے کی
 بھی جگہ نہیں ہے - اتفاق سے میرے
 پاس میرا گریڈ سن ہے - لوکی ہے
 ان کے لئے میرے پاس کچھ نہیں
 ہے اور کم صدر ہونہی وجہ سے وہ خود
 اپنا گزارہ نہیں کر سکتے ہیں - وہ ایک
 ریفیوجی (refugee) تھا اور وہ بہت
 دیر تک ملک کی آزادی کی جنگ
 میں کام کرتا رہا تھا اور ہمارے
 ساتھ ہواہر جھلون میں جاتا تھا -

تو وہ لاشہ کے لئے جہاں سے جہاں سے
آج کے ملک میں اس وقت کے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے

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جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے

جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے
جہاں سے جہاں سے جہاں سے

[گھبانی جی - ایس - مسافر
 بھائی آیا اور کہنے لگا کہ میں نے
 عمر قید کاتی ہے بوجہ دکم کے ساتھ
 اس نے بیان کیا کہ میری زمینیں جو
 اس وقت کی سرکار نے ضبط کر لی
 تھیں - وہ زمین مجھے ابھی تک
 واپس نہیں ملی - تو میرا بھو
 کہنے سے یہ ہے کہ کم از کم ان لوگوں
 کے دل میں جن لوگوں نے ہمارے
 ساتھ قربانیاں کیں - عمر قید کاتی
 تکیہیں اتھائیں ان کے دل میں
 عمارے متعلق جو بھو ہے وہ اچھا
 عوا چائے - وہ بھو اگر ان کے دل
 میں اچھا نہیں ہے تو یہ تھیک نہیں -
 دوسروں کی میں پرواہ نہیں کرتا جو
 ہر سرے اقدار پارتی کے خلاف حکومت
 کے خلاف پرچار کرتے ہیں - کئی
 ملک میں پارٹیاں موجود ہیں اور
 ایسے ایسے بھی لوگ موجود ہیں
 جنہوں نے کبھی آزادی کی جنگ میں
 ہانہ تک نہیں ملایا - وہ جاسوں
 میں جا کر اخباروں میں جا کر اس
 موجودہ سرکار کے خلاف پرچار کرتے
 ہیں - ان کی تو میں کچھ پروا نہیں
 کرتا - مگر جو لوگ اس لڑائی کی
 جنگ میں ہمارے ساتھ رہے ہیں
 اور ان کے دل میں ہمارے متعلق
 اچھا بھو نہیں ہے تو میں یہ سمجھ
 لینا چائے کہ کہیں نہ کہیں غلطی
 ضرور ہوئی ہے - اور اس غلطی کو
 جتنی حد تک اور جتنا بھی درست
 کر لیا جائے اتنا ہی اچھا ہے -

گو میں اس سے زیادہ اور کچھ
 نہیں کہنا چاہتا - ان الفاظ کے
 ساتھ میں اس بات پر زور دیتا ہوں
 اور اپنی سرکار سے پروا نہیں کرتا ہوں
 کہ اس طرف ضرور کچھ نہ کچھ
 دیکھنا دینا چائے - یہ بہت ہی
 اہم معاملہ ہے اور یہ معمولی معاملہ
 نہیں ہے - وقت کی پکار ہے کہ ہم
 اپنے فرض کو ادا کریں - مجھے صرف
 اتنا ہی کہنا ہے -

(English translation of the above speech.)

Giani G. S. Musafir: Sir, I had tabled two amendments to the resolutions moved by Shri Kamath, out of which one has been held out of order by Mr. Deputy-Speaker. The underlying spirit of my amendment was quite clear in as much as that I wanted to have the sufferers of the Partition included in the 'political sufferers'. This has been my opinion in the past and I still hold that the hardships which our people are called upon to face in the wake of Partition, have not been the result of any fault on their own part. It is certainly the result of a political policy and it was only after agreeing to partition that we have been able to achieve our freedom. I, therefore, am of the opinion that their sacrifices must also be reckoned along with many others made at the sacred altar of freedom. They too have surely contributed something to this holy performance and as such must not be excluded. Anyway the amendment having been held out of order I have no wish to say more on it except expressing my sentiments regarding the same.

My second amendment does not affect the basic resolution in any material way. It merely expresses my anxiety to stress the urgency of doing this work with some speed. I hold that the resolution now moved by Shri Kamath in this House should have been brought forward much earlier. I feel we should have expressed our regards for these brethren and martyrs in the Parliament on the very first day to the effect that it is indeed because of the sacrifices that we have been able to come to our free Parliament and deliberate over the well-being of

our country. To forget their sacrifices is to me nothing short of ingratitude. Even today when we have been confronted with this resolution here in the Parliament, I think it is not too late and it is all right to consider the issue even at this stage.

I had tabled a resolution to the same effect for the Nasik Session of the All India Congress Committee and had warned against forgetting these brethren of ours who have suffered in the cause of the country. But that resolution too could not be taken up for discussion there for want of time. The position, in fact, is quite clear. Though it is impossible to count over the names but three distinct classes of such people exist each in thousands. Firstly there are those who mounted the gallows or were the victims of firing. Their families are reduced to mere destitutes and they have nothing to pull on. The second category consists of those who have spent twenty years or more in the service of the country. They are now in advanced stages of age say seventy or eighty years. They have usually some dependants also. They possess no means of subsistence, are without employment and incapable of doing anything. It is, therefore, very necessary that we pay heed towards them as well.

It may be said that by moving this resolution in the Parliament we wish to charge for our sacrifices made previously for the freedom of the country. This course is not commendable and is unbecoming. Such opinions can be expressed but we have to think that these remarks may be made regarding everything we do. It means that we who have done our bit for the country are now set for charging a price for the same. There are even people who say that the very fact of the country's administration being in their hands is the price they are now charging for those sacrifices. But here in this matter no question of any price is involved. The people who have made sacrifices do not demand it. They possess too feeble a voice to find its way here. They even know little of all that. If any such price has been charged it has been undoubtedly by us who have succeeded to become Members of this Parliament and are in a position to deliver speeches so that people may listen to them and we may have the exalted sense of being a Member. We have, no doubt, charged some sort of a price, but to say it of those destitute people, for whom this resolution is being moved, that they want to charge a price, is not indicated anywhere in the resolution before the

House. I, therefore, need hardly dilate upon the subject any further. The Prime Minister expressed his feelings here today. To me he is no less sympathetic towards these people than any one else. But I wish to say that here there is no question as to how much sympathy one has got or who has got more and who has less of it. The point is whether or not we should concede it in principle here in this Parliament that our country and the Government in power today should pay attention towards those who have made sacrifices in the national cause.

A few days ago, a very old gentleman aged at present about 70 or 75 came to me with the request to secure an interview for him with Pandit Jawaharlal Nehru and Sardar Patel. I told him that they were very busy men and being engaged in more important tasks had very little time to spare and then I inquired the object of his intended interview and asked if he could possibly divulge the same to me. Tears welled his eyes and citing his case he told me that he had nothing much to say except to ask Panditji and Sardarji whether this should be the treatment that a soldier, who fights the country's battles so heroically and is ever prepared to lay down his life to that end, should receive in the hour of its victory. On being asked the kind of treatment he was receiving, he began to narrate the various hardships he was undergoing. He told me how he had suffered imprisonment for years together and how now he had no place to live or even to hide his head, no clothes to dress himself and nothing to depend upon. He confided further that he happened to have a grandson and a daughter who being minors were unable to support themselves and he had nothing to help them. The gentleman in question was a refugee and had been working in the struggle for the country's freedom for long and had unfailingly accompanied us to the goals. I have not cited this case with any particular desire to defame or censure the Government. I have no motive of this kind in view as the Government itself is our own. I merely wish to convey that the issue is really of much importance and that we will have to pay attention towards those who have sacrificed their all in the cause of the country. I think it is in our own interests as also in the interests of our Government. Otherwise on our failure to do so the humbler amongst us will gradually come to entertain the feeling that those in power are mindful of the interests of a particular type only and are quite indifferent towards others. It will bring a lot of discredit to us.

[Giani G. S. Musafir]

I know that earlier the I.N.A. men used to claim to have sacrificed their positions and all monetary considerations. They maintained to have struck in the cause of the country at a time most suited for the purpose. At the time these people used to think that they had been of some service to the country and the country too had recognised and valued that service. At that time they were much enthusiastic and ever willing to undertake as much service in the name of the Congress and the country as was possible. There was an over-flowing zeal for the protection of the country's interests. But today, according to my information, that enthusiasm has waned away. Now I have a personal knowledge that those very I.N.A. men are doing propaganda against the present Government at their respective places. They deliver speeches and are busy with their plans to contest the forthcoming elections. I do not say that they are doing a right or proper thing. But the fact is clear that because of some indifference on our part, we have set these people against us. I have simply cited an instance which supports my plea for helping such destitute families. We are unmindful of their afflictions and hardships and have almost ignored them. I claim to know people who have suffered life imprisonments. Only a few days back a gentleman who had undergone life imprisonment came to me and sorrowfully told me as to how his lands confiscated by the then Government have not been returned to him till date. My object in saying these things is that such people, who have been making sacrifices shoulder to shoulder with us and who suffered even life imprisonments and underwent all sorts of hardships, should feel well towards us. It will not be good for us if that feeling is lacking. I do not care for other people who are always making propaganda against the party in power. There are many parties in this country and we also know such people who had never moved even their little finger during the days of country's struggle for freedom. These persons are utilizing the forums of public meetings and newspapers for doing propaganda against the present Government. Of such persons I am the least mindful. If those who had been our comrades in the struggle for freedom are not well disposed towards us, then we must understand that a mistake has occurred somewhere and the earliest it is rectified, the better for all concerned.

I, therefore, propose to submit no more. With these words I stress the vital need of paying some attention towards this issue and request the

Government accordingly. It is not an ordinary issue but a quite important one. Time demands that we should do our duty in this behalf. I conclude:

Shri R. Velayudhan (Travancore-Cochin): When I read the Resolution moved by my hon. friend Mr. Kamath I was a little confused. And after hearing him I was a little more confused. But let me submit to you, Sir, when I heard the Prime Minister's exhortation, I must say frankly, I was a little confounded on this issue. Of course, not only in this House but all over India, there are thousands of people who are unknown, whose names are not heard, but who have suffered in the name of the Congress which the country is hailing as the back of the successful liberation movement which our forefathers launched about 150 years ago. Here is a Resolution which does not deal with the highest ranks in the Congress but deals with the destitutes, the poor and the unknown. In India, most of the people not only in the Congress but outside it are looking to the Prime Minister for guidance—guidance not merely in ideals; not merely in the political field—but they want him to give them food, clothing and housing. They have great admiration for him. They have great hopes in him. And it is up to our Prime Minister not to shatter their hopes but to see that it is fulfilled at least in this generation. Here our friend Mr. Kamath is moving a Resolution seeking to help destitute people who have suffered. I must bring to the notice of this House one simple example. It is shocking not only to us but to the whole of India. About a year ago, we went to Rajghat. I saw Gandhiji's sister who is about thirteen years older than Gandhiji standing in the little hut there. We had to give Rs. 10 and I think Mrs. Velayudhan gave Rs. 10 to that destitute woman. Of course, later on I understood that the Government of Saurashtra was kind enough to give her Rs. 50 p.m. She had a widowed daughter also. An old woman of about 80 years—she did not even get a cot. She got a cot from some gentleman who came from Ahmedabad. This was her pitiable condition. In this way, there are pitiable instances in this country, where people are starving. If Gandhiji cared, he could have given something to his dear sister. Until he died, he was giving her every month a suitable sum but after his death for seven months she was selling *papat* in the streets of Saurashtra. This was the story, the shocking tale, which she narrated to us. I told it to some of our leaders. I think I have told our President also about it. But nobody has taken any care about it. Instances after instances of this type are happening in the country. I do not think it will be illegitimate for the Congress, either as a party or a

Government, to give something to these people who are suffering like this because they sacrificed their life in the national movement.

Shrimati Durgabai (Madras): May I know whether this debate will conclude today or will be carried over to the next non-official day?

Mr. Deputy-Speaker: If by 5 o'clock there are no other speakers, we shall dispose of the Resolution today.

Shrimati Durgabai: I think there are a number of other speakers who wish to speak.

Mr. Deputy-Speaker: Then it will be carried over.

लाला अर्चित राम : माननीय डिप्टी स्पीकर साहब, मैं श्री कामत को बड़ा धर्मवाद देता हूँ कि उन्होंने यह प्रस्ताव हाउस (House) के सामने रक्खा । इस में शक नहीं कि जाहिरा तौर पर प्राइम मिनिस्टर (Prime Minister) साहब ने इस प्रस्ताव का विरोध किया है लेकिन मुझे खुशी है कि इस विरोध में भी इस का समर्थन है । अगर आज यह प्रस्ताव न होता तो जितनी बातें वजीर आजम साहब ने कहीं वह न कहते । उन्होंने इस बात को तस्लीम किया है कि स्टेट गवर्नमेन्ट (State Government) पोलिटिकल सफरर्स (Political Sufferers) की मदद करती है तो इस को वह अच्छा समझते हैं, इस पर उन को कोई एतराज नहीं है, अगर आल इंडिया कांग्रेस कमेटी (All India Congress Committee) इस काम को करती है तो इस पर भी वह खुश हैं । अच्छी बात है, आल इंडिया नेशनल कांग्रेस (All India National Congress) इस काम को करे बहुत बड़ी खुशी की बात है । आप इस को भी तस्लीम करते हैं कि अगर प्राइम मिनिस्टरस फंड (Prime Minister's Fund) से रुपया दिया जाये तो उस

में से भी देने के लिये वह तैयार हैं । इस को भी वह तस्लीम करते हैं कि अगर कोई इंडिविजुअल (Individual) इस में मदद करने की इच्छा रखता हो तो करे । उस में भी वह एतराज नहीं करते । सेन्ट्रल गवर्नमेन्ट (Central Government) थोड़ी बहुत मदद करे तो भी बुरी बात नहीं है । यह तमाम बातें उन्होंने कह दीं । मुझे बड़ी खुशी हुई । मैं समझता हूँ आप ने यह सब कहने के बाद भी एक बात की कसर रख दी है । मुझे खुशी होती अगर वह यह भी कहते कि मैं भी कुछ करूँगा । इस में कोई ऐसी बात नहीं थी । इस के बाद आप ने फरमाया है कि आप कैसे करें । क्या उन आदमियों को जो हमारे साथ कल तक मिल कर लड़ते रहे हैं आज अपनी तरफ से रुपया दें । मुझे खुद सोच आता है कि हम क्या करें । मुझे अच्छी तरह याद है कि सन् १९१९ में जलियांवाले बाग में पांच सौ आदमी मारे गए थे । हम ने कभी यह वादा नहीं किया था कि जो इस मीटिंग (Meeting) में आयेगा उस को इन्डेमनिटी (Indemnity) मिलेगी । लेकिन दिल्ली के अन्दर आ कर पंडित मदन मोहन मालवीय जी और दूसरे नेताओं ने इस बात का दावा किया कि उन को कम्पेन्सेशन (Compensation) मिले । मुझे मालूम है कि एक छोटा सा लड़का मारा गया था और उस के लिए दस हजार रुपये कम्पेन्सेशन के तौर पर दिलाये गये । औरों को भी दिलाये गये । उस वक्त कोई इन्विटेशन (Invitation) नहीं था, न हम ने यकीन दिलाया था कि जो हमारे जल्से में आयेगा उस को कम्पेन्सेशन दिलाया जायेगा । लेकिन जब वह मर गये उस वक्त हमारी

[लाला अचिन्तराम]

जिम्मेदारी हो गई और हम ने गवर्नमेंट (Government) को मजबूर किया कि उन को कम्पेन्सेशन दो और लाखों रुपया दिया गया । मैं समझता हूँ कि अगर वह बात ठीक थी तो यह बात भी ठीक है । महात्माजी और वर्किंग कमेटी (Working Committee) ने साफ तौर पर कहा कि जो आदमी इस आजादी की लड़ाई में हिस्सा लेगा उसको तन्खाह नहीं मिलेगी, मौत ही मिलेगी, उस वक्त यह कहना जायज़ था लेकिन उन के मरने के बाद जब वह मिट गये हैं तो क्या हमारा फर्ज नहीं है कि हम उनके लिये कुछ करें । सन् १९३९ की लड़ाई में जो भरे आज हम उन को कम्पेन्सेशन देते हैं, उस को हम बुरा नहीं समझते । अगर उन को हम कम्पेन्सेशन दे सकते हैं जो अंगरेजों के लिए लड़े और मुल्क को गुलाम बनाने में मदद की तो जो आप की आजादी के वास्ते लड़े उन को देने में क्या खराबी है । मुझे यह दलील सही नहीं मालूम होती कि स्टेट गवर्नमेंट (State Government) अगर चाहें तो मदद कर सकती हैं । अगर पंडित गोविन्द बल्लभ पन्त उत्तर प्रदेश में कुछ करते हैं तो वह बुरा काम नहीं है लेकिन अगर पंडित जी कुछ करें तो बुरा है । अगर गोपी चन्द भार्गव कुछ करते हैं तो नथिंग रांग (Nothing wrong), अगर मध्य प्रदेश में गुक्ला जो कुछ करते हैं तो कोई खराबी नहीं है, या अगर बाबू पुरुषोत्तम दास टंडन अपील करते हैं तो कोई गल्ती नहीं है लेकिन जब हमारे प्राइम मिनिस्टर या डिप्टी प्राइम मिनिस्टर (Deputy Prime Minister) करते

हैं तो गलत होता है । मैं नुक्ता चीनी नहीं करना चाहता, मुझे तो सिर्फ काम से गरज है । मैं आप से यही दरखास्त करूंगा कि आप खुद इन दलीलों को सोचें, तब आप मानेंगे । लोग आप के बारे में समझते हैं कि जनता के लिए आप के दिल में जितना दर्द भरा है उतना किसी में नहीं है । यह तो सभी मानते हैं जो रिफ्यूजीज (Refugees) हैं वह भी मानते हैं । और आप उन के काम को मुकम्मिल करेंगे । सेन्टर (Centre) से पांच, सात, दस करोड़ जितना रुपया हो सके वह अलहदा रख दिया जायेगा और उन को मदद दी जायेगी । लेकिन जहां आप ने इतनी बातें कहीं वहां तमाम स्टेट गवर्नमेंट्स को मदद दीजिये ताकि वह जो कुछ करना चाहती हैं कर सकें । आप ने अभी जिक्र किया कि हम ने फाइनेन्स मिनिस्टर (Finance Minister) साहब से मश्विरा नहीं किया है । यह ठीक है कि देश के फायनेन्सेज (Finances) बुरे हैं, मुझे आप की दलील अच्छी मालूम हुई । आप ने एक मर्तबा फरमाया था कि हमारे मुल्क पर यदि लड़ाई आ जाये, हमारे पास फाइनेन्सेज नहीं है लेकिन “ वी शेल फ़ाइट आउट ” (We shall fight out) । मुझे भरोसा था । आप ने कहा था कि “ वी शेल मीट दी सिचुएशन ” (We shall meet the situation), और हमारे मुल्क के लोग लड़ेंगे । मुझे आप की बात से बड़ी खुशी हुई । लेकिन डिप्टी स्पीकर साहब ने रूलिंग (Ruling) दे दी है कि गुरमुख सिंह जी का अमेन्डमेंट (Amendment) आउट आफ आर्डर (out of order) है । वह हिन्दुस्तान की आजादी की

लड़ाई के लिए लड़े हैं। पार्टी (Party) की हकूमत होने से क्या होता है। यह कैसे आउट आफ आर्डर है यह मैं समझने से कासिर हूँ। सन् १९२५ के पहले मरे हों या सन् ३० के पहले मरे हों, या सन् १९४७ में मरे हों, मैं तो यह जानता हूँ कि वह हिन्दुस्तान की आजादी के सिलसिले में ही मरे हैं चाहे ब. इ. पाटिशन (Partition) के सिलसिले में हों चाहे किसी तरह से हों। आजादी की लड़ाई और विभाजन को अलग नहीं किया जा सकता।

तो मैं फाबेनेन्स मिनिस्टर साहिब से दरखास्त करूंगा कि आप इस बात को अनुभव कीजिये। मेरी बात सुनें। जिन लोगों ने जाने दी हैं चाहे वह किसी बक्त हो उन के लिए आप रुपया निकालें। उस से आप के फाइनेन्सेज अच्छे होंगे, मुल्क बेहतर होगा और आई० एन० ए० (I. N. A.) और दूसरे आदमी जो हिन्दुस्तान की आजादी के लिए लड़े हैं वह आप के लिए सच्चे होंगे और मुल्क में अच्छाई होगी और अगर मुल्क को लड़ाई भी लड़नी पड़ी तो मुल्क में सालिडैरिटी (Solidarity) होगी।

(English translation of the above speech)

Lala Achint Ram (Punjab): Mr. Deputy-Speaker, I congratulate Mr. Kamath on his moving this resolution before the House. There is no doubt about the fact that the Prime Minister has opposed the resolution, but I am pleased to note that even in his opposition there is support for it. If this resolution would not have been there, the Prime Minister would not have spoken all that he has said. He has admitted that he welcomes the action of the State Governments in rendering help to political sufferers. He has no objection to it. He will be simply pleased, if All-India Congress Committee were to do any thing in the matter. He is even ready to give some amount out of the Prime Minister's

Fund. He also admits that if any individual wants to help them he is free to do so. He has no objection to that. There is nothing wrong if Central Government renders any help. He has said all this. I am much pleased. I think he has left one thing even after saying so much. I would have been much pleased had he said that he would also do something. There was nothing peculiar about that. After that he stated what one should do. Should we give money to those people on our behalf who had been taking part in the freedom struggle with us only till yesterday? I am myself confounded as to what should be done. I remember it well that five hundred people were killed in Jallianwala Bagh in 1919. We never promised that those who took part in that meeting would get indemnity. But on coming to Delhi Pandit Madan Mohan Malviyaji and other leaders claimed that they should be compensated. I know that a little boy was killed and ten thousand rupees were given as compensation. Others were also compensated. No invitation was thrown out or we gave no assurance that whosoever took part in our meetings would be compensated. But when they were killed it became our responsibility and we forced Government to give them compensation and lakhs of rupees were given. I think if that was right then this is also right. Mahatmaji and the Working Committee had openly declared that nobody would get wages if he took part in the freedom struggle, and would have only to lay down his life. It was appropriate to say like that on that occasion. But, is it not our duty to render help when they have died and are no more in the world? We do not think it wrong when we give compensation to those who died in the war of 1939. If we can give compensation to those who fought for the Britishers and gave assistance in keeping the country slave, then what is wrong in rendering help to those who fought for our freedom. I do not agree with the plea that if the State Governments want they can render help to them. If Pandit Govind Ballabh Pant does something in the Uttar Pradesh it is not wrong but if Panditji does something it is wrong. If Gopichand Bhargava does something, there is nothing wrong in that. If Shuklaji does something in the Madhya Pradesh it is not wrong or if Babu Purshottam Das Tandon makes appeals for them it is not wrong but if our Prime Minister or the Deputy Prime Minister does something it is wrong. I do not want to criticise. I only want the work done. I would appeal to the Members to think over these arguments and then they might agree with me. People think that nobody has got so much sympathy for them as we have. This is known to all and even refugees admit that and we

[Lala Achint Ram]

would strengthen their cause. Centre should put aside five, seven, ten crores of rupees or whatever is available to help them. We have said so many things but we should give subsidy to State Governments so that they may do what they want to do. He has stated that he had not consulted the Finance Minister as yet. It is true that the country's finances are not sound and I appreciate the argument. Once he had stated that if war comes to our country, though we have got no finances yet "we shall fight out". I trusted that. He said, "we shall meet the situation", and our people would fight. I was much pleased to hear that. But the Deputy Speaker has given the ruling that the amendment moved by Gurmukh Singhji is out of order. They have fought for the freedom of India. What difference it makes if that party comes into power? I am unable to understand how this is out of order? Whether they died in 1925 or 1930 or 1947 or during partition or in any other way but I think that they all died in con-

nection with the struggle for the freedom of India. Struggle for freedom and partition cannot be separated.

Then I will appeal to the Finance Minister to consider these arguments. Please listen to me. Kindly make available the necessary finances for helping those who have died for the sake of freedom. That will improve our finances. The country will prosper. I.N.A. or other people who have fought for the freedom of the country will prove faithful to us and if we have to face a war there would be solidarity in the country.

Mr. Deputy-Speaker: When I ruled out the amendment, I only said that there were other institutions which have been set up by the Central Government to take care of destitute families which suffered on account of partition. There is no good referring to it again and again.

The House then adjourned till a Quarter to Eleven of the Clock on Saturday the 25th November, 1950.