

Wednesday, 29th November, 1950

Par. S. II. V. 50 (1)

840



# 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

Wednesday, 29th November, 1950

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

[Mr. Speaker in the Chair]

ORAL ANSWERS TO QUESTIONS

MAIL SERVICE

\*470. **Shri B. K. Das:** (a) Will the Minister of Communications be pleased to state what is the arrangement of mail service between the main land of India and the Andaman and Nicobar Islands?

(b) Is any arrangement under consideration to expedite the service?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Mails are carried periodically between India and the Andamans and Nicobar Islands by two steamships chartered by the Ministry of Home Affairs as and when the sailings are made. A schedule of the sailings upto 1st January 1951 is placed on the Table of the House [See Appendix V, annexure No. 1].

(b) As and when more steamers are employed on this route, more frequent mail despatches will be made. In the meantime, to avoid delays even non-contract steamers, whenever they happen to run on the route in question, are utilised for the conveyance of mails.

**Shri B. K. Das:** In view of the fact that Andaman Islands are going to be a settlement for refugees, do Government propose to run an Air service in the near future?

**Shri Khurshed Lal:** The volume of mails which is there at present does not warrant the employment of Air mail.

**Shri Tyagi:** What is biggest gap of time between two mails?

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**Shri Khurshed Lal:** The two steamers run fortnightly each way so that the gap comes to a week.

**Shri Tyagi:** Has any arrangement for telephonic communication been made?

**Mr. Speaker:** Order, order.

**Shri Tyagi:** I want to know if there is any.....

The Minister of Communications (Shri Kidwai): That does not arise.

**Mr. Speaker:** Next question.

THEFTS ON THE RAILWAYS

\*471. **Shri B. K. Das:** (a) Will the Minister of Railways be pleased to state whether it is a fact that cases of thefts in the goods trains have, for sometime past, increased between Kharagpur and Balasore stations on the B. N. Railway?

(b) What is the number of such cases so far detected during this year?

(c) What precautionary measures have been taken against such thefts?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes. On this section there were 60 cases of thefts from goods trains with part recovery of stolen property in 16 cases, during the period January 1950 to August 1950 as against 26 cases of theft with part recovery in 9, during the same period in 1949.

(b) One; a case is pending in the Court.

(c) As a precautionary measure, the B. N. Railway Administration have arranged for the Railway Protection Police or the Government Railway Police to escort important trains between Kharagpur and Balasore particularly at night.

**Shri B. K. Das:** Do I understand that guards are provided in that line in the running trains?

**Shri Santhanam:** Yes, Sir.

**Shri Frank Anthony:** Have any complaints been received by the Administration to the effect that there is suspicion in some cases that these police guards act in collusion with thieves?

**Shri Santhanam:** We have not heard complaints about the police guards. Sometimes it has been alleged that some railway employees are in collusion. That point has been remembered by the Administration and they are on the watch for that also.

**Lala Achint Ram:** What is the total loss due to these thefts this year?

**Shri Santhanam:** I would like to have notice of this question.

**Pandit Balkrishna Sharma:** May I know if this number of thefts includes those that were committed on goods trains also?

**Shri Santhanam:** The question relates only to goods trains.

**Pandit Balkrishna Sharma:** And not to passenger trains?

**Shri Santhanam:** No.

**Shri Munavalli:** Are there any cases where guilt has been traced to the employees of the Railway?

**Shri Santhanam:** In these cases?

**Shri Munavalli:** Yes.

**Shri Santhanam:** There is only one case in which the culprit has been detected. So far as I know, he is not a railway employee.

**Shri Syamaandan Sahaya:** Have thefts in the railway increased of late between Barabanki and Chapra and between Mokameh and Samastipur.....

**Mr. Speaker:** I think the question relates to a different Railway. Next question.

**Shri Syamaandan Sahaya:** One more question. Sir.

**Mr. Speaker:** Next question.

#### MEDICINAL HERBS

\*472. **Shri Raj Kanwar:** Will the Minister of Agriculture be pleased to state:

(a) what steps, if any, have been taken or are proposed to be taken, by Government for the plantation and nurture of medicinal herbs in any of the Centrally Administered Areas; and

(b) whether any research has been carried out under Government auspices, with regard to indigenous medicinal herbs available in the country?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** (a) The cultivation of medicinal herbs is possible only in places which have suitable climate, soil etc. The Indian Council of Agricultural Research have under consideration a co-ordinated scheme for the cultivation of such medicinal plants as are in demand both for internal consumption and export, at some selected centres climatically suited for their cultivation and where necessary facilities exist. One of these centres is in Himachal Pradesh.

(b) Yes. The Indian Council of Agricultural Research sponsored from 1935 to 1947 an enquiry of medicinal plants and food poisons under Col. R. N. Chopra, Principal, Indian School of Tropical Medicine and later Director, Drug Research Laboratory, Srinagar. Work on the investigation of indigenous medicinal herbs on scientific lines was started in the School of Tropical Medicine, Calcutta, in the year 1920 when a department of Pharmacology was opened there. Since then a great deal of work has been done in this direction and about two hundred plants have already been investigated upto now. Research is also being carried out on a number of medicinal plants at the Central Drug Research Institute, Lucknow.

**Shri Raj Kanwar:** Considering that a very large population of the country has great faith in the efficacy of medicinal herbs, found all over the country, do Government propose to start institutes for the scientific study and exploration and experimentation of medicinal herbs?

**Shri Thirumala Rao:** Government recognise the faith of the people in medicinal herbs and in pursuance of that recognition, they have started a number of Institutes. Research in this behalf extends over a period of years and some valuable material has been collected as a result of research.

**Shri R. Velayudhan:** May I know whether during the Vanamahotsava any medicinal plants were planted?

**Mr. Speaker:** Order, order.

**Shri Chattopadhyay:** May I know what is the increase in the acreage of Chinchona plantation since last year?

**Shri Thirumala Rao:** I have not got the information here.

**Shri Munavalli:** May I know the names of the Institutes that have been started and where they are situated?

**Shri Thirumala Rao:** I have not got it here; in Simla Hills and in Calcutta

**Shri Sondhi:** Simla Hills, where?

**Mr. Speaker:** Order, order; let him finish.

**Shri Thirumala Rao:** In the Simla Hills, in the Himachal Pradesh; and in some of the Part C States.

**Shri Syamnandan Sahaya:** Is there any scheme before Government for the encouragement of and developing the growth of indigenous medicinal herbs?

**Shri Thirumala Rao:** I have mentioned that the Indian Council of Agricultural Research has sponsored several enquiries with regard to medicinal plants and food poisons and a report was prepared by Col. Chopra. About 200 plants were discovered and a list drawn up.

**Sardar B. S. Man:** May I know if researches have been carried out according to modern methods in the Himalayan regions in connection with the herbs that Hanuman got from there?

#### METALLURGICAL COAL

\*473. **Shri Kesava Rao:** Will the Minister of Works, Mines and Power be pleased to state:

(a) whether any investigations are being carried out for locating "metallurgical coal"; and

(b) whether any of these investigations have borne fruit?

**The Deputy Minister of Works, Mines and Power (Shri Buragohain):** (a) No investigations for the location of metallurgical coal are in hand at present. But a re-survey of the reserves of metallurgical coal was carried out last year by the Geological Survey of India, the Coal Commissioner's Organisation, and the Chief Inspector of Mines, for the Committee on the Conservation of Metallurgical Coal.

(b) The investigations have revealed that, provided adequate measures are taken for conservation, there is no need for undue alarm regarding the country's reserves of metallurgical coal.

**Shri Kesava Rao:** May I know where these investigations were carried out?

**Shri Buragohain:** The Committee has suggested exploration of the Jharia and Raniganj areas to a depth of about 2,000 to 5,000 feet by means of drill holes to locate metallurgical coal.

**Shri Kesava Rao:** What is the reserve output estimated by this Committee?

**Shri Buragohain:** The Committee thinks that if adequate measures regarding conservation etc. are taken, the reserve might be estimated at 2,000 million tons. Otherwise this figure may come to only 1,000 million tons.

**Shri R. K. Chaudhuri:** May I know, Sir, if any such survey has been made in the province of Assam and if so with what results?

**Shri Buragohain:** I have not got the information with me here, because the question related to metallurgical coal only.

**Shri A. C. Guha:** May I know, Sir, when the final decision of Government will be taken about the recommendations of this Metallurgical Coal Preservation Committee?

**Shri Buragohain:** It is now under consideration of the Industry and Supply Ministry.

**Shri T. N. Singh:** In the meantime, may I know, Sir, if Government have issued instructions to the collieries for the proper preservation, conservation and use of metallurgical coal and for avoiding misuse?

**Shri Buragohain:** Regarding the enforcement of the prudent mining practice, the draft rules have been framed by the Bureau of Mines under section 6 of the Mines and Minerals Act, and they are ready to be circulated. The rules provide for adequate inspection of mines and for increase in the inspection staff of the Bureau.

**Shri Hussain Imam:** Sir, if no care is taken for the preservation of this coal, how long will the supply last? I mean, what is the annual requirement of India and how long will the available supply last?

**Shri Buragohain:** I have not got the information with me here. But if proper washing, blending etc. are done, probably it should last for 150 years or so.

#### RED-ROT DISEASE IN SUGARCANE CROP

\*474. **Dr. R. S. Singh:** (a) Will the Minister of Agriculture be pleased to state whether it is a fact that sugarcane crop of Eastern Uttar Pradesh

becomes affected with red-rot disease after flood?

(b) If so, do Government propose to take any steps to check or localize that disease?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):**

(a) Yes, particularly the crop in low lying areas.

(b) Following steps are being taken to control this disease:

(i) Encouragement of use of red-rot resistant sugarcane varieties.

(ii) Uprooting the damaged stools.

(iii) Treatment of red-rot affected cane-sets with hot water, before planting, at 52°C for about 20 minutes.

(iv) Dusting the red rot infected crops with sulphur.

(v) Preventing the attacked fields from being sown under cane in succession.

The work of seed distribution and control of pests and diseases is being carried out under the 5 year Sugarcane Development Scheme financed jointly by the Indian Central Sugarcane Committee and the Uttar Pradesh Government.

**Dr. R. S. Singh:** May I know, Sir, if the red-rot disease has been noticed in the sugar-cane fields of the flood affected areas of Bihar?

**Shri Thirumala Rao:** I have not got the information about Bihar.

**Shri M. L. Gupta:** May I know in what manner the Government propose to compensate for the area which under the instructions of Government will be left uncultivated because it is likely to be affected by the red rot?

**Mr. Speaker:** The hon. Member wants to know how much area is out of cultivation because of the red rot?

**Shri Thirumala Rao:** No, Sir, I think he wants to know how Government propose to compensate for the area likely to be affected by this red-rot. I want to have notice of the question, Sir.

**Dr. R. S. Singh:** May I know whether the schemes for checking this disease are undertaken by the U.P. Government or the Government of India?

**Shri Thirumala Rao:** There is the scheme run by the Indian Agricultural Research Institute and the U.P. Government also have got their scheme to prevent red-rot.

**Dr. R. S. Singh:** May I know whether the Institute maintains any sugarcane protection staff also?

**Shri Thirumala Rao:** The U. P. has got its own cane research institute and the staff to prevent this red-rot, and the advice and experience of the Indian Council of Agricultural Research are at the disposal of the State Government.

**Pandit Munishwar Datt Upadhyay:** Is there any report of the disease prevailing this year and if so what is the estimated loss due to this disease this year?

**Shri Thirumala Rao:** In the U.P. from Rohilkand and Bareilly area the number of villages affected is 49, fields 150 and area affected 135 acres. In all the villages, fields and area the disease was controlled. In Sitapur 252 villages were affected and 249 villages were controlled. In Gorakhpur out of 243 affected villages, in 237 the disease was controlled.

**Shri Tyagi:** As the sugar cane sowing season is near, may I know what arrangements have been made to supply the villagers with fresh sugarcane seeds free from red-rot?

**Shri Thirumala Rao:** The State Government is taking all the necessary steps to provide efficient seeds free from the red-rot.

**Shri T. N. Singh:** Have certain rot-resisting varieties of cane been developed and have they been introduced among the cultivators?

**Shri Thirumala Rao:** Yes, the Agricultural Research Institute at Coimbatore is giving greater and greater attention to this subject. They have evolved a rot-resisting variety—No. CO349 and a few others and they have been introduced among cultivators. Steps have also been taken to prevent cultivation of cane varieties which are susceptible to the red-rot—e.g. No. CO133.

**Dr. R. S. Singh:** Does the Central Institute give the necessary advice to the Government of Bihar in this respect?

**Shri Thirumala Rao:** Whenever advice is sought, it is always at their disposal.

**DAMODAR VALLEY CORPORATION  
(EMPLOYEES)**

\*475. **Dr. R. S. Singh:** (a) Will the Minister of Works, Mines and Power be pleased to state the categories of employees of the Damodar Valley Corporation?

(b) What is the number of employees in each category of service from each State?

**The Deputy Minister of Works, Mines and Power (Shri Buragohain):** (a) The Damodar Valley Corporation has categorised its employees in three grades:

*Grade I.*—Posts carrying pay, or the maximum pay if it is in a time-scale, exceeding Rs. 500 P.M.

*Grade II.*—Posts, other than those in Grade I, carrying pay if it is in a time-scale, exceeding Rs. 60 P.M.

*Grade III.*—Posts, the maximum pay of which does not exceed Rs. 60 P.M.

(b) A statement is placed on the Table of the House [See Appendix V, *annexure No. 2*].

**Dr. R. S. Singh:** Sir, in the matter of employment of the people of the States connected with the Damodar Valley Corporation, are these States adequately represented?

**Shri Buragohain:** I have got a long statement here, Sir. If the hon. Member wants the figures for Bihar, I may give him. In Grade I there are 81 officers.....

**Shri Syammandan Sahaya:** Out of a total of how many?

**Shri Buragohain:** Out of 262. In Grade II, there are 157 out of 507, in Grade II non-technical there are 136 out of 343 and in Grade III there are 283 out of 536.

**Dr. R. S. Singh:** Sir, may I know the number of officers from each State in charge of the different departments?

**Mr. Speaker:** Order, order. I understand there is a statement placed on the Table of the House, the hon. Minister has said that and hon. Members can refer to it for all this information. I do not propose to take up any more time on this question and thus bar other questions.

**Shri Gautam:** Sir, may I know what is the maximum pay that a non-technical officer draws?

**Shri Buragohain:** I have not got the information just now with me.

**Shri R. K. Chandhuri:** Sir, may I know if appointment in the Damodar Valley Corporation is open to the people of all the Provinces and if so, why Assam has been excluded?

**Mr. Speaker:** Has it been excluded?

**Shri Buragohain:** Assam is not excluded, appointment is open to the people of all the Provinces.

#### LOSS OF FOOD GRAINS

\*476. **Shri Kamath:** Will the Minister of Food be pleased to state:

(a) the total quantity of foodgrains destroyed or damaged in various parts of India including Kashmir as a result of the recent floods, earthquake and failure of monsoon;

(b) the target aimed at by the Grow More Food Campaign next year;

(c) whether Government propose to import foodgrains next year, if so, how much; and

(d) the present prospect for the attainment of self-sufficiency in food by the end of 1951?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** (a) Attention of the hon. Member is invited to the answer given to part (a) of starred question No. 181 by Shri B. K. Das on 21st November, 1950.

(b) The target of additional production of food grains during 1951-52 over 1950-51 has been fixed at 23 lakh tons.

(c) Yes, the target is under consideration.

(d) It is expected that imports will stop by 31st March, 1952, the target date, except:

(i) for meeting any grave calamity such as wide-spread failure of crops;

(ii) for replacement due to diversion of crops in national interests; and

(iii) for building up of a Central reserve.

**Shri Kamath:** Arising out of the answer to part (a) of the question I believe that the answer given to Mr. B. K. Das did not include Kashmir. May I therefore have the figure with regard to Kashmir?

**Shri Thirumala Rao:** I do not think I have got the figure specially for Kashmir. The overall position is mentioned, namely that the deficit was six million tons.

**Shri Kamath:** What is the target aimed at for the year 1950-51 and to what extent has that target been achieved so far?

**Mr. Speaker:** Was this question not discussed in the Food debate?

**Shri Kamath:** No, Sir.

**Mr. Speaker:** Has no information been given up to now? I thought it has been.

**Shri Kamath:** Arising out of answer to part (b) of the question how much waste land is proposed to be reclaimed during the next year and brought under the plough?

**Shri Thirumala Rao:** I think there is a question further down on which I can give the figures in detail. I am afraid the hon. Member's question does not arise out of this.

**Shri Kamath:** If the question is relevant in this context it may be answered now. That question may not be reached at all. If it is relevant why should we wait for the other question?

**Mr. Speaker:** What is the number of the question?

**Shri Thirumala Rao:** 497.

**Shri Kamath:** It may not be reached at all.

**Mr. Speaker:** If hon. Members do not put in too many supplementaries the question can be reached.

**Shri Kamath:** But this question may not be reached at all (*Interruption*):

**Mr. Speaker:** Hon. Members should not begin to put questions unless I call upon them. If Members begin to put questions simultaneously the only remedy left will be not to allow them. They should wait for their turn.

**Shri Thirumala Rao:** This question relates to the loss of food grains and I have got all the figures collected relating to this question. I can answer any supplementaries on this question.

**Mr. Speaker:** The hon. Member may put his next question.

**Shri Kamath:** Not that one?

**Mr. Speaker:** No. His supplementary question.

**Shri Kamath:** How much wasteland is proposed to be reclaimed during the next year and brought under the plough for foodgrains?

**Mr. Speaker:** He is not in a position to answer it now.

**Shri M. A. Ayyangar:** Sir, you are aware of the practice that when there are connected questions it is usual for the Government to take up those questions together and answer them, although they may not be consecutive

questions, so as to avoid supplementaries. May I request you to allow question No. 497 to be put now, so that the question relating to the grow more food campaign and the question relating to the extension of cultivation may be answered together?

**Mr. Speaker:** They do not seem to be connected questions at all. They are apparently different aspects of the same question.

**Shri Tyagi:** One relates to the loss of foodgrains and the other to the acreage of tillable land.

**Shri Kamath:** In view of the Government campaign for self-sufficiency in jute and cotton also, how much land is proposed to be diverted from foodcrops to these two crops during the next year, 1951-52?

**Shri Thirumala Rao:** To be exact I want notice.

**Shri Tyagi:** Are we supplying foodgrains to Kashmir? If so, what is the quantity every year?

**Shri Thirumala Rao:** Since the floods have inundated Kashmir this year an extraordinary situation arose there and we had to supply foodgrains to them.

**Shri T. N. Singh:** In reply to a supplementary question it has been stated that there has been damage to crops amounting to six million tons. The expected deficit in food this year was about three million tons. May I take it that there is a deficit of nine million tons in the current year?

**Shri Thirumala Rao:** I cannot answer a mathematical question like that.

**Shri Radhelal Vyas:** May I know whether the food crops have been damaged by locust raids also?

**Shri Thirumala Rao:** The quantity of damage by locusts is not much.

**Shri Hussain Imam:** Sir, I want to draw attention to the fact that the part of the question relating to the import of foodgrains next year has not been replied to.

**Mr. Speaker:** He has replied to that.

**Shri Hussain Imam:** He has given no figures.

**Mr. Speaker:** He could not give the figures. He said that foodgrains will not be imported except in certain circumstances such as some kind of calamities and certain other things happening.



**Shri Kamath:** Apart from the damage by floods, earthquake and failure of monsoon, how much crops have been destroyed owing to bad storage, rats and other pests?

**The Minister of Works, Mines and Power (Shri Gadgil):** And by questions?

**Shri Thirumala Rao:** I have not got the figures.

#### PROJECTS AND PLANS

\*477. **Shri Kamath:** Will the Minister of Works, Mines and Power be pleased to state:

(a) whether it is a fact that, as a measure of economy, some of the projects and plans have been held in abeyance or abandoned;

(b) if so, which; and

(c) which are being proceeded with?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) and (b). So far as the river valleys are concerned, no projects or plans have been abandoned. But some of the investigations have been slowed down, e.g. the Dihang project in Assam and the Bargi project on the Narbuda.

So far as civil works are concerned, the attention of the hon. Member is invited to the answer to Starred Question No. 419, answered on 8th December, 1949 in connection with which a list of civil works which had been abandoned or slowed down due to financial stringency was given. Apart from the schemes shown in that list, no other schemes have subsequently been held in abeyance or abandoned as a measure of economy.

(c) A list of the River Valley Works and Civil Works which are in progress at present is placed on the Table of House. [See Appendix V, annexure No. 3].

**Shri Kamath:** In the list placed on the Table among the river valley projects there is an item (iv) which says 'Preliminary investigations on various projects.' May I know what these various projects are?

**Shri Gadgil:** (1) Sabarmati Project, (2) Narbada Project, (3) Tapti Project, (4) Kosi Project, (5) Ganga Barrage Project, (6) Harangi and Lakshmantirtha Project in Coorg, (7) Jonk and Mahanadi Projects in Madhya Pradesh, and (8) Manas and Dihang Projects in Assam.

**Shri Kamath:** What are the projects in Madhya Pradesh?

**Shri Gadgil:** The Narbada Project is in Madhya Pradesh. The Tapti Project is partly in Madhya Pradesh and the Jonk and Mahanadi Projects are also in Madhya Pradesh.

**Shri Kamath:** May I know whether the Wainganga Project has been abandoned or held in abeyance?

**Shri Gadgil:** It was never undertaken. Like great men and great Governments whatever our Government commences it completes.

**Shri Kamath:** In connection with the Wainganga Project is it a fact that investigation was undertaken, a survey was made and certain preliminaries were carried out?

**Shri Gadgil:** All that was done by the Madhya Pradesh Government and not by the Central Government.

**Shrimati Renuka Ray:** What is the total amount spent on projects for initial investigation and outlay which have since been slowed down but not abandoned as the hon. Minister said.

**Shri Gadgil:** I require notice of the question: all the same I may add that nothing that has been spent so far has been spent uselessly. The data collected will be useful for the next generation.

श्री एम० ऐल० वर्मा : राजस्थान और मध्य भारत में कितने प्रोजेक्ट्स हैं ?

[Shri M. L. Varma: How many projects there are for Rajasthan and Madhya Bharat?]

श्री गडगिल : जो लिस्ट अभी दी है उसमें राजस्थान का कोई सवाल नहीं है। अगर आप मुझे नोटिस देदेंगे तो मैं उत्तर दे दूंगा।

[Shri Gadgil: Rajasthan is not included in the list that has been submitted just now. I require notice to reply the question.]

**Shri Deogirikar:** May I know at what stage the Koyna River Valley Project stands?

**Shri Gadgil:** With respect to Koyna, the investigations have been partly completed by the Government of Bombay and the report desired by the Central Government has been just received. The report is being examined with a view to phase the whole scheme so as to be good in the context of our present financial circumstances.

**श्री द्विवेदी :** क्या सेंट्रली एडमिनिस्टर्ड एरियाज में भी कोई ऐसे प्रोजेक्ट खोले गये थे और एबनडन कर दिये गये खासकर बिन्ध्य प्रदेश और भोपाल में ?

[**Shri Dwivedi:** Were any projects undertaken and abandoned in the Centrally Administered Areas specially in Vindhya Pradesh and Bhopal?]

**श्री गाडगिल :** बिन्ध्य प्रदेश और भोपाल में तो कोई प्रोजेक्ट शुरू नहीं किये गये । कुर्ग में जो सेंट्रली एडमिनिस्टर्ड एरिया है काम चल रहा है ।

[**Shri Gadgil:** No projects were undertaken in Vindhya Pradesh and Bhopal. In Coorg, which is a Centrally Administered Area work is in progress.]

**श्री कामथ :** Is it not a fact that in connection with the Wainganga Project the Minister himself paid a visit to the site over eighteen months ago, discussed the whole matter with the people on the spot and arrived at a decision?

**श्री गाडगिल :** It is a fact that I visited the spot which was proposed by the officers of the Madhya Pradesh Government, but even as a non-technical man I could see that it was not feasible because the land it sought to bring under cultivation was much less than the land which was going to be completely submerged.

### THIRD CLASS COMPARTMENTS

\*482. **श्री S. C. Samanta:** Will the Minister of Railways be pleased to state:

(a) the number of trains with class III compartments only (Janata Express) running on different Railways in India; and

(b) whether passengers can reserve sleeping accommodation at night in them?

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

(a) There are eighteen Janata Express trains running on the various Indian Railways. In addition, there are 55 short distance passenger trains on the E. I. and S. I. Railways catering exclusively for third class passengers.

(b) No. In this connection attention of the hon. Member is invited to the

reply given to part (c) of Starred Question No. 70 by Shri D. S. Seth on 16th November, 1950.

**Shri S. C. Samanta:** May I know what is meant by "long distance passengers"? If it means passengers travelling 300 miles and above, may I know whether any special arrangements are being made in these Janata Express trains for passengers travelling over 600, 700 or even 900 miles?

**Shri Santhanam:** Seats are reserved in many of these Janata Express trains for long distance passengers.

**श्री जांगड़े :** क्या बी० एन० आर० में बर्ड क्लास जनता एक्सप्रेस है ।

[**Shri Jangde:** Is there any third class Janata Express on B.N.R.?.]

**Shri Santhanam:** Not in the B.N.R., so far as I can see.

**श्री S. C. Samanta:** Is Government receiving complaints regarding the occupation of the bunks which have been constructed in these Janata Expresses for sleeping?

**Shri Santhanam:** Sir, in no third class compartment is any sleeping accommodation provided or reserved. Sometimes when the bunks are vacant people occupy them according to the priority of their occupation. That is all.

**श्री द्विवेदी :** May I know whether any Janata trains are running between Delhi and Bombay, and, if so, at what intervals?

**श्री Santhanam:** Yes, Sir, a weekly express runs between Bombay and Delhi—Bombay-Delhi once a week and Delhi-Bombay once a week.

**श्री Kesava Rao:** May I know what are the reasons for not running a Janata express between Delhi and Madras?

**श्री Santhanam:** At present we have not got the necessary power and coaching stock. And, I am not so sure that there will be full occupation for a Janata express all the way from Delhi to Madras.

### RAILWAY EMPLOYEES (AMENITIES)

\*483. **श्री S. C. Samanta:** (a) Will the Minister of Railways be pleased to state whether free passes are allowed or issued to Railway employees to tour all over India?

(b) If so, how many dependants are allowed to accompany them?

(c) If not, was such a system prevalent at any time and what are the reasons for discontinuing the system?

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

(a) Yes. A limited number of free passes are allowed to railway employees per annum available over Indian Railways as a matter of privilege.

(b) Two dependant relatives are allowed subject to certain condition on a free pass issued to a railway employee.

(c) Does not arise.

**Shri S. C. Samanta:** May I know the class of passes allowed to the various Railway employees?

**Shri Santhanam:** Sir, it depends upon the salary of the employee. All Class I and II officers get I Class, all staff drawing Rs. 250 and above II class, staff drawing above Rs. 130 but less than Rs. 250 Inter Class, and staff drawing Rs. 130 and below get III class.

**Shri S. C. Samanta:** Are the employees enjoying the same privileges as regards these passes as were enjoyed by them fifteen years ago?

**Shri Santhanam:** There has been a revision in the salaries, and the passes also have been adjusted to conform to the revised salaries.

**Kanwar Jaswant Singh:** Is the amenity of free passes for Railway servants uniform all over the Railway system or is there any difference on different Railways?

**Shri Santhanam:** It may be that when the Company Railways were taken over there were differences between the systems of passes, but as far as possible now the system has been made uniform subject to special undertakings in regard to Company service.

**Shri J. N. Hazarika:** May I know to what kind of relatives of employees are the free passes given?

**Shri Santhanam:** Ordinarily wife and minor children are considered members of the family. So far as dependant relatives are concerned, the following are included: mother or step-mother if widowed, unmarried or widowed sisters or step-sisters provided that the father is not alive, and brothers or step-brothers under 21 years of age provided the father is not alive.

**Shri Gautam:** Is it a fact that the clerical staff which used to get Inter Class passes get only third class passes now?

**Shri Santhanam:** No, Sir. Formerly the staff drawing Rs. 76 and above used to get Inter Class. Now staff drawing above Rs. 130 get Inter Class. Most of the staff who were drawing Rs. 76 in the old days are now getting Rs. 130. There might be a few marginal cases.

**Shri Gautam:** Is it not a fact that employees getting less than Rs. 76 and falling within the clerical staff used to get Inter Class passes formerly?

**Shri Santhanam:** No, Sir.

**Shri S. C. Samanta:** May I know whether the old fathers of these employees are regarded as non-dependents?

**Shri Santhanam:** The old fathers are not in the list I read.

#### LOCOMOTIVES (IMPORT)

\*484. **Shri S. C. Samanta:** Will the Minister of Railways be pleased to state:

(a) the names of places from which locomotives have been imported since 1947; and

(b) the difference in price of locomotives of different places?

**The Minister of Transport and Railways (Shri Gopaldaswami):** (a) and (b). The various countries from which locomotives have been imported since 1947 have already been given in the reply to part (c) of Starred question No. 525 put by Dr. Mono Mohan Das on 13th December, 1949. This reply also gave the prices of locomotives obtained from different countries.

**Shri P. G. Sen:** May I know if the locomotives imported from foreign countries require special type of railway lines as apart from the existing lines?

**Shri Gopaldaswami:** They are all working on the existing railway lines.

**Shri Rathnaswamy:** Could the Minister tell us as to the likely year when our country is expected to be self-sufficient in locomotives?

**Mr. Speaker:** This has been dealt with so many times.

#### CALCUTTA—ASSAM PASSENGER TRAINS

\*485. **Shri A. B. Gurung:** (a) Will the Minister of Railways be pleased to state whether there is any proposal of running through trains to Siliguri via Pakistan, if not, why not?

(b) How many passenger trains are running from Calcutta to Assam through Assam Link?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) No, as there is a break of gauge. There is, however, already a through train, running each way, on the Broad Gauge section between Calcutta (Sealdah) and Haldibari, via East Pakistan, suitably connecting with a train on the Metre Gauge section between Haldibari and Siliguri.

(b) Two trains each way provide suitable connections for journey between Calcutta and Amingaon.

**Shri A. B. Gurung:** Even in spite of running two passenger trains, is the hon. Minister aware that the inconvenience to the passengers has not been minimised?

**Shri Santhanam:** I am fully aware of that. We shall try to increase the trains as soon as we have the power and the coaching staff.

**Shri Barman:** May I know whether the hon. Minister has been receiving complaints from the districts of Jalpaiguri and Darjeeling as regards this inconvenience and the incapacity of the present rakes in carrying the passengers and goods? And, if so, at what period of time will the hon. Minister be able to put in additional rakes on these lines?

**Shri Santhanam:** Yes, Sir. Not only have we received complaints, but we are fully aware of the situation. We have already ordered a large number of metre gauge locomotives and coaches and as soon as we get them—probably in a year or eighteen months—I think many of the complaints of the hon. Member will be remedied.

**Shri R. K. Chaudhuri:** May I know the difference in time taken between Calcutta to Amingaon via the Assam Rail Link and Calcutta to Amingaon via Pakistan?

**Shri Santhanam:** The hon. Member will know it better.

**Shri R. K. Chaudhuri:** I do not know it better, because I travel by air.

**Mr. Speaker:** He can refer to the time-table.

**Shri R. K. Chaudhuri:** The time-table

May I know whether through-tickets are available from Sealdah to Amingaon via Pakistan?

via Pakistan is not available.

**Shri Santhanam:** No, Sir. As I have already stated, there is a break of gauge for issuing through-tickets. I

think at the terminal stations they will have to get new tickets owing to exchange difficulties.

**Shri J. N. Hazarika:** May I know whether it is a fact that passengers do not travel via the Assam Rail Link due to lack of amenities of any kind?

**Shri Santhanam:** It is a new and emergent link and we are trying to improve it every day.

**Shri A. C. Guha:** Will Government consider the desirability of making some arrangement for having through-tickets from Sealdah to East Bengal side or passing through East Bengal?

**Shri Santhanam:** When the exchange difficulties are solved, we shall do this also.

**Shri A. B. Gurung:** Is the hon. Member aware that for paucity of room in the trains, a large number of passengers are still travelling on the roofs and footboards of the trains?

**Shri Santhanam:** I have already admitted the difficulty. I have also said that as soon as possible we shall put more trains. I do not know what more we can be expected to do in the matter.

#### NATIONAL HIGHWAYS (DAMAGE BY EARTHQUAKE AND FLOODS)

\*486. **Shri A. B. Gurung:** Will the Minister of Transport be pleased to lay on the Table of the House a statement showing the damages done to various National Highways by the recent earthquake and floods?

**The Minister of State for Transport and Railways (Shri Santhanam):** A statement is laid on the Table of the House indicating the damage done to the National Highways in Assam by the recent earthquake and subsequent floods as well as the damage done by floods in the northern parts of Bengal and Bihar. [See Appendix V, *annexure No. 4*].

**Shri R. K. Chaudhuri:** May I know whether the work of repairing these highways has been taken in hand?

**Shri Santhanam:** Yes, Sir. In many places, emergent repairs are being carried out and at others permanent repairs are being carried out.

#### DAMODAR VALLEY CORPORATION

\*487. **Shri A. B. Gurung:** Will the Minister of Works, Mines and Power be pleased to state whether any Chief Engineer has been appointed for Damodar Valley Corporation?

**The Deputy Minister of Works, Mines and Power (Shri Buragohain):** Yes.

**Shri A. B. Gurung:** Has the Chief Engineer been appointed?

**Shri Buragohain:** He has only just been appointed.

**Shri A. B. Gurung:** What is the reason for the delay of his appointment?

**Shri Buragohain:** Efforts were made to recruit a suitable Indian Engineer for this post, but in spite of personal interest taken by the Prime Minister and the Chairman of the C.W.I.N.C., no suitable Indian Engineer was available.

**Shri A. B. Gurung:** What is the salary he is getting now?

**Shri Buragohain:** The terms offered to the Engineer selected are:

Salary—25,000 dollars per annum subject to Indian income-tax and payable in U.S.A. currency, plus reimbursement of the excess, if any, of the Indian income-tax over the U.S.A. tax.

Free passage—either by air or sea—for self and family both ways.

Corporation to provide free furnished house; transport; medical service; two peons.

For travel in India—all travel and other allowances permissible to Class I officers.

**Shri Alagesan:** Did the Government of India approach the Engineers in Madras through the Madras Government? If so, with what result?

**Shri Buragohain:** I have already stated that our efforts bore no fruit.

**Dr. R. S. Singh:** May I know where the Head Office of this Chief Engineer is located?

**Shri Buragohain:** He has not yet arrived and I am not in a position to say anything on that point.

**Mr. Speaker:** It may not have been actually located, but where is it intended to be located? That is the question.

**Shri Buragohain:** Probably, he will be stationed at the headquarters of the Damodar Valley Corporation.

**Shri Hussain Imam:** May I know whether this appointment was made after obtaining the approval of the Central Government and the Reserve Bank of India for payment of dollars?

**The Minister of Works, Mines and Power (Shri Gadgil):** Obviously, all

that is necessary under the Act has been done.

**Shri Tyagi:** May I know what are the qualifications of this Engineer and whether his appointment was at the recommendation of the U.S.A. Government or some other authority?

**Shri Gadgil:** The negotiations were made through our Embassy in America and we are told that he is an Engineer of outstanding ability.

**Shri A. B. Gurung:** May I know whether this Engineer was an employee of the T.V.A.?

**Shri Gadgil:** I require notice for that.

#### LOAN TO TATA ENGINEERING AND LOCOMOTIVE COMPANY LTD.

\*488. **Dr. M. M. Das:** (a) Will the Minister of Railways be pleased to state whether the request for a loan by the Tata Engineering and Locomotive Company Ltd., has been granted by Government?

(b) If so, what is the amount of such a loan?

(c) Have Government entered into any agreement with the said company regarding the purchase of Locomotives manufactured by the company?

**The Minister of Transport and Railways (Shri Gopaldaswami):** (a) and (b). A loan of Rs. 2 crores was sanctioned by the Government, with the approval of the Standing Finance Committee, in September 1949. Subsequently, it was decided to convert this loan into participation by the Government in the capital structure of the Tata Locomotive and Engineering Co. Ltd., in the form of 5 per cent. Cumulative Preference Shares.

(c) An agreement was executed with Messrs. Tata Sons Ltd., on 20th August 1947 for the purchase of boilers and locomotives manufactured by the said Company during the period of 16 years from the 1st June, 1945.

**Dr. M. M. Das:** May I know whether this factory has been completed and production has begun?

**Shri Gopaldaswami:** They are manufacturing boilers now, but the section relating to the manufacture of locomotives will take some time to go into production.

**Dr. M. M. Das:** May I know whether there is a proposal before Government now for Government to take more shares and run the factory in conjunction with Tatas?

**Shri Gopaldaswami:** There is no such proposal now.

**Dr. M. M. Das:** May I know whether this factory originally belonged to Government and afterwards it was sold to Tatas?

**Shri Gopaldaswami:** A part of the factory did belong to Government once and it was sold to Tatas.

**Dr. M. M. Das:** May I know when it was sold?

**Shri Gopaldaswami:** Somewhere about 1945.

**Shri Syamnandan Sahaya:** What is the total issued capital of this new company in which the Government of India have taken shares worth Rs. 2 crores?

**Shri Gopaldaswami:** At present it is about Rs. 4 crores. I think.

**Shri Raj Bahadur:** May I know whether they have completed the manufacture of any boilers so far?

**Shri Gopaldaswami:** Yes; they have manufactured about 94 boilers.

**Shri Raj Bahadur:** Are they for broad gauge or metre gauge?

**Shri Gopaldaswami:** They are all, I believe, for broad gauge.

**Shri Raj Bahadur:** May I know how it will affect our locomotive manufacturing factory at Chittaranjan?

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

#### SUBSIDY PAID TO AIR SERVICES

\*489. **Dr. M. M. Das:** (a) Will the Minister of Communications be pleased to state whether it is a fact that 6 lakhs of rupees have been paid to Messrs. Bharat Airways, as subsidy to cover part of their anticipated loss, on the operation of Air Services from India to the Far East for the last one year?

(b) Have similar subsidies been paid or are going to be paid to other companies as well?

**The Deputy Minister of Communications (Shri Khurshed Lal):** (a) No Sir. No subsidy has been paid or is payable for last year. But Government have agreed to pay subsidy not exceeding Rs. 6 lakhs to Bharat Airways to cover any loss or part thereof which the company may sustain in the operation, during a period of one year from the

6th October, 1950, of a weekly air service on the route Calcutta-Rangoon-Bangkok-Singapore.

(b) None for any service to the Far East. But Government have agreed to pay subsidy to the Air India International to the extent of any loss the company may incur during the first 5 years of its operations of the India-London service. Accordingly, the company was paid Rs. 19.79 lakhs for loss incurred during 1948.

**Dr. M. M. Das:** May I know whether the Bharat Airways which is already running at a loss, or is anticipating a loss, has extended its services recently?

**Shri Khurshed Lal:** My hon. friend is enquiring about the Far East service, or their internal service?

**Dr. M. M. Das:** I am referring to their foreign service.

**Shri Khurshed Lal:** Up to the 5th of October they were operating their service up to Bangkok; they have now extended it to Singapore.

**Dr. M. M. Das:** May I know whether I shall be correct in thinking that if on account of the extension of this Far East Service up to Singapore greater loss is suffered by the Bharat Airways, an increased subsidy will be paid to them?

**Shri Khurshed Lal:** No. What I said was that we have agreed to subsidise up to a maximum limit of Rs. 6 lakhs on the Calcutta-Singapore service.

**Dr. M. M. Das:** May I know, Sir, whether Government has got any arrangement for proper auditing of the accounts of this company?

**Shri Khurshed Lal:** Their accounts will be gone into thoroughly before any money is paid.

**Shri Joachim Alva:** Sir, has Government seen the report of the Air Services of India, Bombay, which has been circulated to Members of Parliament where the Chairman has stated that they have suffered a loss of Rs. 15 lakhs last year. Has any application come to Government for any subsidy, or do Government propose to give any subsidy to that company?

**Shri Khurshed Lal:** This question relates to the Far Eastern Service. The question as to what help should be given to internal lines is a different matter altogether.

**Shri Joachim Alva:** Part (b) of the question relates to it.

**Shri Jaipal Singh:** Is it not a fact that this subsidy of Rs. 6 lakhs has no prospective bearing, but has been given because the two Skymasters that the Bharat Airways imported were lying grounded for many months and they had to incur heavy expenditure on them?

**The Minister of Communications (Shri Kidwai):** In the beginning we had proposals under consideration for starting foreign services, one to the West and another to the East. So far as the West was concerned, we completed arrangements with Air-India. An agreement was signed and a company was formed. In regard to service to the east, negotiations were started with several companies. In the meantime Bharat Airways procured three Skymasters. They had enough aeroplanes and we started negotiations with them. Government, in the meanwhile appointed a committee to go into the whole question of civil aviation. Therefore, we agreed to pay Bharat Airways Rs. 6 lakhs for one year's service and to await results of the enquiry before deciding our future policy about external air services.

**Dr. M. M. Das:** In view of the fact that the Air Transport Enquiry Committee has mentioned explicitly that the losses suffered by many Indian companies is due to their extravagance in running the services, may I know the reasons why Government agreed to pay this subsidy to the Bharat Airways?

**Shri Kidwai:** The subsidy was agreed to before this Report was received. The House will have an opportunity of discussing the report itself before the end of this session.

**Shri Hussain Imam:** May we know, Sir, whether this subsidy of Rs. 6 lakhs was promised for regular service, or even for irregular service?

**Shri Kidwai:** It is for operation of regular service.

**Shri Tyagi:** May I know if this subsidy of Rs. 6 lakhs that has been promised is over and above the concession given by way of cheap petrol?

**Shri Kidwai:** There is no such concession for external services, because no customs duty is charged on petrol used by those services.

**Shri R. K. Chandhuri:** May I know if any other company offered to operate this service without subsidy, or for a lesser amount of subsidy?

**Shri Kidwai:** No negotiations were completed. But there were offers from other companies also, on the terms on which the Western service is being operated.

**Shri Syamaandan Sahaya:** When is the report of the Air Transport Committee likely to be discussed in this House?

**Shri Kidwai:** In the course of this session.

#### INLAND NAVIGATION

\*490. **Dr. M. M. Das:** (a) Will the Minister of Transport be pleased to state the number of Reports (of Experts and Commissions) on the problem of India's Inland Navigation submitted to Government during the last three years?

(b) Have Government considered the different reports submitted to them?

(c) Have Government formulated their own plan for the development of India's Waterways after consideration of those reports?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) Two reports on the subject have been received by Government; one by a Committee of traffic experts on the development of an inland transport service on the Ganga between Allahabad and Buxar and the other by Mr. Otto Popper, an expert deputed by the Economic Commission for Asia and the Far East on inland water transport development in India.

(b) Both the reports are under consideration in consultation with the State Governments concerned.

(c) Before formulating any plan for the development of India's Waterways, it is necessary to undertake a survey of all the existing waterways and of the possibilities of their development. State Governments have been requested to furnish the necessary preliminary data.

**Dr. M. M. Das:** May I know whether any concrete steps are under contemplation of Government for development of inland navigation?

**Shri Santhanam:** As I have already stated, we are collecting preliminary data for a survey of the existing waterways. I presume that this will be a concrete step.

**Dr. M. M. Das:** May I know whether any plan has been submitted to the Central Government by any of the

State Governments for the development of any particular waterways in any part of the country?

**Shri Santhanam:** No, Sir. Only the Uttar Pradesh Government wanted the development of inland transport service between Allahabad and Buxar. Therefore we had a conference which appointed a sub-committee which has drawn up a report. This report is under consideration.

**Dr. M. M. Das:** May I know, Sir, what is the recommendation of that Committee?

**Shri Santhanam:** It is the opinion of that Committee that the development is dependent upon certain conditions, that is, there should be industrial development in the vicinity of the area. Therefore a survey of the industrial possibilities of the area is necessary before a final decision is taken on the development of this inland water transport.

**Dr. M. M. Das:** May I know whether the report deals with the waterways between Buxar and Allahabad only, or it covers Calcutta to Allahabad?

**Shri Santhanam:** This particular sub-committee went into the question only of transport service between Allahabad and Buxar.

## WRITTEN ANSWERS TO QUESTIONS

### COTTON CULTIVATION

\*478. **Prof. Banga:** (a) Will the Minister of Agriculture be pleased to state what steps were taken for increasing the area under cotton cultivation?

(b) How much additional area has been brought under cotton cultivation during the years 1949-50 and 1950-51, and what are the additional expenses?

(c) How much of these areas is under cultivation of improved variety of cotton and how much under long staple cotton?

(d) How much cotton are we importing from abroad annually and at what prices, and at what total cost to the nation?

(e) In how many years is India expected to become self-sufficient in her needs for short and medium staple cotton?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** (a) A statement showing the steps taken to increase the production of cotton is placed on the Table of the House.

(b) Year	Addl. Acreage Lakhs.	Addl. expenses Rs.
1949-50	5	Not available as the scheme was not financed by the Central Government.
1950-51	14.75	Other repay- expensi- able lease ture (up to 15th Novem- ber, 1950)
	Rs. 16,41,000	Rs. 24,32,500

(c) In 1949-50.

Improved varieties Long staple cotton

2.5 lakh acres. 1.5 lakh acres.

In 1950-51

5.4 lakh acres. 3.4 lakh acres.

(d) In 1949-50.

\*12.51 lakh bales Cost Rs. 91.46  
of 392 lbs. each stores.

\*For the cotton year September 1949 to August 1950.

Strict comparison of the local prices with the prices of cotton imported is not possible.

(e) India has a small surplus of short staple cotton. As regards medium staple cotton, India is almost self-sufficient.

### STATEMENT

Steps taken for increasing the area under cotton during 1950-51

(1) Removal of restrictions on the growing of cotton in various States.

(2) Full remission of land revenue for additional areas brought under cotton.

(3) Guarantee to make good the loss of foodgrains on account of diversion of land from food grains to cotton.

(4) Grant of loans to the State Governments for the purchase and distribution of improved seed.

(5) Inter-cropping of ground nut and certain other crops with cotton has been propagated.

(6) Special Cotton extension staff of the Central Government has been appointed in various cotton growing States to assist the State Governments in the drive for increased production.

(7) Intensive cultivation has been encouraged and arrangement for the supply of ammonium sulphate required by each State, was made.



**RAILWAY TRACKS (TAMPERING)**

\*479. **Shri Sidhva:** Will the Minister of Railways be pleased to state:

(a) whether any devices or methods aimed at making tampering with railway tracks difficult have been considered and found successful; and

(b) on what sections of the railways these devices are being experimented with?

**The Minister of Transport and Railways (Shri Gopaldaswami):** (a) and (b). It is not in the public interest to disclose the details asked for.

**DUM DUM AERODROME**

\*480. **Shri Sidhva:** Will the Minister of Communications be pleased to state:

(a) the average number of aircraft that passed through Dum Dum (Calcutta) every day during the year 1949 and from January 1950, up to date;

(b) the approximate number of passengers that passed through Dum Dum during the same two periods, and every day; and

(c) whether it is contemplated to extend the buildings in Dum Dum aerodrome?

**The Deputy Minister of Communications (Shri Khurshed Lal):** (a) The average numbers of aircraft movements at Dum Dum airport during the year 1949 and the period January to September 1950, were 65 and 138 per day respectively.

(b) The numbers of passengers that passed through the airport during the same periods were 2,19,557 and 3,12,168, respectively, the average per day for the periods being 602 and 1,145 respectively.

(c) The existing aerodrome building (terminal building) at Dum Dum, which is of temporary war-time construction is not suitable for extension. Plans and estimates for the new passenger terminal building at Dum Dum have been ready for some time but due to financial stringency, it has not been possible to carry out the project.

**RAILWAY ACCIDENTS (ENQUIRY)**

\*431. **Shri Sidhva:** Will the Minister of Communications be pleased to state:

(a) in how many cases enquiry of the railway accidents which occurred from 1st January 1950 to date has been instituted;

(b) in how many cases reports have been received; and

(c) whether these reports will be made available to the Members?

**The Deputy Minister of Communications (Shri Khurshed Lal):** (a) Of the railway accidents which have occurred so far this year, inquiries have been held by the Railway Inspectorate into 23 cases.

(b) The final Reports of the Government Inspectors concerned have been received in 20 cases.

(c) The Reports on major accidents will be printed and published as soon as they are ready for publication and copies of the published reports will be placed in the Library of the House.

**PURCHASE OF COTTON, MAIZE AND WHEAT**

\*491. **Prof. Ranga:** Will the Minister of Food be pleased to state:

(a) if any negotiations have been instituted with the U.S.A. Government for the purchase at market or specially cheaper prices, of their surplus cotton, maize and wheat;

(b) whether any attempt is made to persuade U.S. Government to supply these surplus products under the terms of U.N. and F.A.O. recommendations that such surpluses should be sold to countries like India with a large percentage of under-nourished people; and

(c) what purchases in quantity and value have been made in 1950 of these products?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** (a) to (c). On the occasion of the Prime Minister's visit to the U.S.A. and subsequently to it, informal approaches have been made to the U.S. Government for the purchase of foodgrains at specially reduced prices. It is understood that special legislation by U.S. Congress would be required to permit the Government of the U.S.A. to sell at a reduced price commodities which have not been officially declared as surplus. Milo has been declared as surplus and U.S. Government have so far sold to India 427,000 tons of milo (red power) at a specially reduced price, involving a concession of about Rs. 3.5 crores as compared to the free market prices. Cotton, maize and wheat have not been declared surplus. Cotton and wheat have been purchased from U.S. at market prices or prices fixed under the International Wheat Agreement.

## RAILWAY SOCIAL GUIDES

\*492. Prof. Ranga: Will the Minister of Railways be pleased to state:

(a) how many social guides, men and women have been appointed in the different Railways and since when; and

(b) on what grades of salaries they have been appointed and what is the aggregate cost per annum for such Guides?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The scheme for appointment of social guides was initiated in August 1948 and originally 284 such guides, 207 men and 77 women, were recruited on the major Indian Railways. In the light of experience, Government have since decided to limit the scheme to stations where the need for services of such guides is pronounced and accordingly it is likely that about 130 social guides will be ultimately found sufficient.

(b) The scale of pay was fixed at Rs. 100—5—125—6—155—Efficiency Bar—185 and the aggregate cost per annum at the initial stage may be estimated at Rs. 5,46,000 which will be reduced to about Rs. 2,50,000 with the proposed reduction in the number.

## IMPORT OF RICE FROM BURMA AND SIAM

\*493. Shri Kshudiram Mahata: Will the Minister of Food be pleased to state:

(a) whether it is a fact that Government declined permission to food-grain dealers of Madras to import rice from Burma and Siam some time back; and

(b) if the answer to part (a) above be in the affirmative, what is the reason for this when there is scarcity of food in the country?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Yes.

(b) While foodgrain dealers are free to locate supplies and offer them to Government for purchase, the scope of their participation in the business of food imports is extremely limited on account of the conditions governing international trade in foodgrains at present. So long as these conditions prevail they make it incumbent on the majority of the Governments of importing countries to obtain their requirement through Government channels only. The bulk of the world's export trade in foodgrains is handled by State trading export monopolies

which function on the basis of long period bulk contracts generally at officially fixed prices. Competitive selling through commercial channels has thus been eliminated. Under these circumstances the only answer to bulk sales on monopoly basis is bulk purchases by importing Governments. It would be dangerous and costly to permit a host of commercial buyers to handle India's food import business and establish competitive buying against monopolistic sellers. The fact that the bulk of the world's exportable surplus is sold at officially fixed prices leaves very little scope for bargaining and direct purchase by Government become the cheapest method of obtaining imports.

## TELAIYA DAM (DAMAGE)

\*494. Shri Kshudiram Mahata: Will the Minister of Works, Mines and Power be pleased to state:

(a) whether there has been any damage to Telaiya dam foundation due to flood;

(b) if the answer to part (a) above be in the affirmative, what is the estimated loss; and

(c) how far it will affect the progress of the Dam?

The Minister of Works, Mines and Power (Shri Gadgil): (a) and (b). There has been no flood as such in the upper Barakar this year. Sand and silt partially filled up the foundation excavation in the river bed in March 1950 and during the monsoon. The river bed portion of the excavation, which was protected by sheet piles, was about 1/5 of the total excavation and the cost of de-silting will be negligible.

(c) According to the Damodar Valley Corporation, progress of work will not be retarded on this account.

## TOURIST TRAFFIC

\*495. Dr. Deshmukh: Will the Minister of Transport be pleased to state:

(a) when the organization for Tourist Traffic was started;

(b) the expenditure incurred on it both in the Ministry of Transport and the Ministry of Information and Broadcasting; and

(c) whether any record of tourists is maintained, and if so, what the results obtained are?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) The Tourist Traffic Organisation was started on 15th November, 1949.

(b) The total expenditure actually incurred upto the end of October 1950 is Rs. 2,21,600.

(c) Regular arrangements have been made recently through the Customs Collectors for the collection of reliable statistics every month regarding tourists visiting India. The results will be available for study at the end of the present tourist season. It may, however, be mentioned that thanks to the efforts of the Tourist Traffic Organisation, India has been included in important round-the-world cruises organised from America and we expect one of these cruises to bring about 600 top-ranking Americans this winter and another to bring 150 Americans. We have been assured of co-operation by a number of foreign Travel Agencies and leading international air and shipping companies.

#### LOCOMOTIVES (MANUFACTURE)

\*496. Dr. Deshmukh: Will the Minister of Railways be pleased to state:

(a) if any locomotives have been manufactured in India so far;

(b) if so, what is the number of locomotives manufactured from 1st April, 1950 to 1st November, 1950; and

(c) if not, when the manufacture is likely to commence and where?

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

(b) Two—one manufactured by the B.B. and C.I. Railway workshops at Ajmer and one assembled at the Chittaranjan Locomotive Works.

(c) Does not arise. The attention of the hon. Member is also invited to the reply already given to Starred Question No. 64 by Shri T. N. Singh on 16th November, 1950.

#### TILLABLE LAND IN INDIA

\*497. Shri D. S. Seth: Will the Minister of Agriculture be pleased to state:

(a) the total acreage of tillable land in the Indian Union;

(b) the additional acreage brought under cultivation since the target date of self-sufficiency in food was fixed;

(c) the total acreage actually under cultivation at present; and

(d) the plan which Government have in view to bring the rest of the arable land under cultivation and the time by which the plan is meant to be finalised?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):**

(a) Accurate statistics of cultivable land are not available. It is estimated that there are 419 million acres of cultivable land. But these estimates include land which is of marginal and sub-marginal quality, and cultivation of such land may not be economic. It has been roughly estimated that there are at least 6 million acres lying uncultivated and suitable for reclamation and subsequent cultivation.

(b) 6,88,862 acres.

(c) 252.6 million acres.

(d) The reclamation target fixed by the Central Tractor Organisation of the Central Government for the next six years (i.e. upto 1955-56) is about 3 million acres.

#### विस्थापित व्यक्तियों के लिये गेहूँ

\* ४९८ डा० देवी सिंह: सास मंत्री यह बतलाने की कृपा करेंगे कि पाकिस्तान से विस्थापित व्यक्तियों के प्रवाजन के फलस्वरूप इस वर्ष में कितने अतिरिक्त गेहूँ की आवश्यकता पड़ेगी ?

#### WHEAT FOR DISPLACED PERSONS

[\*498. Dr. Devi Singh: Will the Minister of Food be pleased to state the additional quantity of wheat that will be needed during this year as a result of migration of displaced persons from Pakistan?]

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** It is not possible to make any reasonably accurate estimate of the extra quantity of wheat required as a result of migration of displaced persons from Pakistan.

#### गेहूँ ( उत्पादन )

\* ४९९ डा० देवीसिंह: सास मंत्री यह बतलाने की कृपा करेंगे कि :

(ए) क्या बाह्य वर्ष में उत्पन्न होने वाले गेहूँ से इस वर्ष की आवश्यकताएँ पूरी हो जायेंगी;

(बी) यदि नहीं तो कितनी कमी पड़ेगी;

जवा

(सी) इस कमी को पूरा करने के लिये कहां से गेहूं आयात किया जायेगा ?

#### WHEAT (PRODUCTION)

[\*499. Dr. Devi Singh: Will the Minister of Food be pleased to state:

(a) whether the production of wheat in the current year would meet the requirements for this year;

(b) if not, what would be the deficit; and

(c) wherefrom wheat would be imported in order to meet this deficit?]

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):**

(a) Even without the addition of the displaced persons migrated to India, the country is deficit in wheat;

(b) According to the estimates of the State Governments, the wheat deficit in 1950 is 21 lakh tons.

(c) We obtain our wheat imports mainly from Australia, Argentina, U.S.A. and Canada.

#### COMPENSATION OF LANDS ACQUIRED (KANDLA PORT)

\*500. Prof. K. T. Shah: (a) Will the Minister of Railways be pleased to state the principles followed by Government for granting compensation to owners or tenants of lands taken over for the construction of the Railway connecting Kandla Port with the main B.B. & C.I. Railway system?

(b) How many of such claims have been paid so far, and at what cost?

(c) Have any complaints been received on account of those claims?

**The Minister of Transport and Railways (Shri Gopalaswami):** (a) Land required for the Kandla-Deesa Railway construction is being acquired through the State Governments of Bombay and Kutch. In determining the amount of compensation the authorities concerned are guided by the provisions contained in sections 23 and 24 of the Land Acquisition Act.

(b) and (c). Claims and complaints, if any, are settled by the Civil Authorities concerned. The Railway Administration are not aware of the number of claims paid so far or of their value, nor have they received any complaints pertaining to such claims.

#### RAILWAY PASSENGERS (CONCESSIONS)

\*501. Prof. K. T. Shah: (a) Will the Minister of Railways be pleased to state whether any of the pre-war railway travel concessions to students, or in connection with certain holidays, or for recognised conferences, have been restored and if not, what are the reasons for not resuming such concessions?

(b) What steps do Government intend to take or have taken to popularise and encourage railway travel in increasing volume?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) Concessions to students and to persons attending certain specified recognized conferences have been restored. Holiday concessions have not been restored and consideration of their re-introduction must pend the complete elimination of overcrowding.

(b) To popularise railway travel by making it as comfortable as possible, railway administrations are paying special attention to the provision of additional amenities for passengers at railway stations and in trains. A sum of Rs. 3 crores is being spent for this purpose during the current financial year. Such steps as are requisite, will be taken to encourage more passenger traffic as and when travel conditions justify such action.

#### NEW POST OFFICES

\*502. Shri Ghule: (a) Will the Minister of Communications be pleased to state how many new post offices have been opened in Madhya Bharat from the 1st of April 1950 to 15th October 1950?

(b) How many new post offices are being proposed to be opened till the end of this financial year in Madhya Bharat?

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

(b) Nil.

#### NEW TELEGRAPH OFFICES

\*503. Shri Ghule: (a) Will the Minister of Communications be pleased to state how many new Telegraph Offices have been opened in Madhya Bharat from 1st April 1950 to 15th October 1950?

(b) How many Telegraph Offices are being proposed to be opened from the 15th of October 1950 till the end of this financial year in Madhya Bharat?

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

(b) Departmental Telegraph offices nil. Sub-post Offices to be converted into Combined P. and T. offices 4, namely, Mehidpur Road, Mungaoli, Jawad, and Bhind.

#### LIME STONE FINDS NEAR CHANDIGARH

**\*504. Prof. S. N. Mishra:** Will the Minister of Works, Mines and Power be pleased to state:

(a) whether high grade limestone used in the manufacture of cement has been found near Chandigarh, the site of the new Punjab Capital; and

(b) whether the limestone can be utilised for the calcium carbide and bleaching powder?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) Yes, deposits of limestone suitable for the manufacture of cement have been found near Chandigarh.

(b) The limestone is not considered chemically suitable for the manufacture of calcium carbide, but its use for the preparation of bleaching powder will be possible provided chlorine is available.

#### ASSAM EARTHQUAKE

**\*505. Prof. S. N. Mishra:** Will the Minister of Works, Mines and Power be pleased to state the reasons assigned by Government experts for the Assam Earthquake?

**The Minister of Works, Mines and Power (Shri Gadgil):** It is believed that the Assam earthquake was due to the sudden fracture and slipping of rock strata at great depth in the Eastern Himalayas.

#### SHORTAGE OF ACCOMMODATION IN DELHI

**\*506. Pandit Thakur Das Bhargava:** (a) Will the Minister of Works, Mines and Power be pleased to state whether there is an acute shortage of houses in the State of Delhi?

(b) If so, what steps have Government taken to meet the shortage?

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

(b) A large number of houses for displaced persons have been built by the Ministry of Rehabilitation, and the Ministry of Works, Mines and Power have also been constructing quarters for Government servants from time to time. Besides, the Government Housing Factory near Jung-

pura, set up by the Ministry of Health, has started producing prefabricated houses. The question whether existing rules and regulations in respect of the construction of new buildings, and with regard to the existing land tenure system of Delhi, should be modified further, with a view to encouraging the construction of more houses by private individuals, is at present under the active consideration of Government.

#### SOCIAL GUIDES

**\*507. Giani G. S. Musafir:** (a) Will the Minister of Railways be pleased to state whether it is a fact that the Social Guides at E. P. Railway stations are being retrenched?

(b) If so, what criterion has been adopted for those who are being retained?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) Government have decided to limit the scheme of Social Guides to stations where the need for their services is pronounced. This policy is being followed on all major Indian Railways including the E.P. Railway.

(b) This is left to the Railway Administration concerned who will no doubt, give due consideration to the merits of each case.

#### RURAL INDEBTEDNESS

**\*508. Maulvi Hameef:** Will the Minister of Agriculture be pleased to state:

(a) whether rural indebtedness in the country has gone down;

(b) whether Government have surveyed the subject; and

(c) if so, what is the report?

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** (a) to (c). No systematic survey of rural indebtedness has been made on an All-India basis since the Central Banking Enquiry Committee submitted its report in 1930. The results of some scattered and local surveys conducted in some of the States after 1939, however, show that there has been a substantial reduction of rural indebtedness as compared to the pre-war period. This is corroborated by the improvement in the debt position of co-operative societies upto 1945 in Madras and Bombay.

**RAILWAY VACANCIES**

\*509. **Shri A. C. Guha:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that 15,000 vacancies arising out of Adjudicators Award were reserved for displaced persons;

(b) if so, how many of these have till now been actually filled up by displaced persons;

(c) how many of these are displaced persons from East Bengal;

(d) how many of these have been filled up by others; and

(e) how many displaced persons have been taken by each railway to fill up those vacancies?

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

(b) 2,178 vacancies were filled up by displaced persons upto 30th September, 1950 upto which date only complete information is available in the Railway Ministry. In addition, 259 displaced persons are undergoing training and are expected to be absorbed in regular vacancies after completion of their training.

(c) and (d). The information is not readily available.

(e) The details are given below :

Assam Railway	...	20
B.B. and C.I. "	...	91
B. N. "	...	960
E. I. "	...	680
E. P. "	...	462
G. I. P. "	...	136
M. and S. M. "	...	28
O. T. "	...	—
S. I. "	...	—
Central Standards Office	...	13
Railway Clearing Accounts Office	...	127
<b>TOTAL</b>		<b>2437</b>

**RAILWAY BRIDGE**

\*510. **Manvi Wajed Ali:** (a) Will the Minister of Railways be pleased to state what has become of the project for construction of a Railway Bridge between Pardu and Ameigerdu stations of the Assam Railways?

(b) Is there any likelihood of its being undertaken in the near future?

**The Minister of Transport and Railways (Shri Gopalaswami):** (a) There are two alternative proposals for the

construction of a bridge across the river Brahmaputra in Assam, one at Pandu and the other at Jogighopa. It would be necessary to carry out more detailed investigations to determine the relative merits of the two sites, and this will be taken in hand when there is a reasonable prospect of funds being available for the actual construction of the bridge.

(b) As the matters stand at present, there does not appear to be any likelihood of the work being commenced at present.

**DELHI TRANSPORT SERVICE**

\*511. **Giani G. S. Musafir:** Will the Minister of Transport be pleased to state:

(a) what is the total number of the Delhi Transport Service buses plying in Delhi State and what is the number of buses, staying in the Delhi Transport Service workshops, awaiting repairs and overhaul;

(b) how much time this repairing and overhauling is to take; and

(c) whether it is a fact that the service on Route numbers 11, 24, 19 and 26 has either been suspended or considerably reduced and if so, why?

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

(a) The number of buses plying and under repairs varies from day to day. On the 23rd November 1950, 137 buses were in service and 41 were in the Central Workshop at Kashmiri Gate undergoing and awaiting repairs.

(b) The time taken in repairing vehicles depends upon the nature of the job. On an average 40 major jobs relating to overhaul of engines, body and chassis repairs are completed every month in the Central Workshop.

(c) Services on route Nos. 11 and 26 have had to be curtailed during the last three months for want of buses. Normal services are expected to be restored by the 1st of December 1950.

Owing to shortage of buses the services operating on route No. 24 have had to be merged with route No. 12, as both these routes have been operating almost parallel to each other with different frequencies. In the merger of these routes, a 20 minute frequency is being maintained.

Services on route No. 19 have been operating to its normal strength.

**GAUHATI AERODROME**

\*512. **Manvi Wajed Ali:** Will the Minister of Communications be pleased to state what improvements have been made in the Gauhati Aerodrome in Assam?

The Deputy Minister of Communications (Shri Khurshed Lal): The Gauhati Airfield has been provided with a temporary all-weather runway, temporary buildings for passenger facilities, stores and offices, permanent residential accommodation for the staff, and air traffic control and Radio Communication and Navigational facilities. The construction of a pucca runway with taxi tracks and apron and a Wireless Transmitting Station has been taken up and is in progress.

**RICE AND WHEAT FOR HYDERABAD**

\*513. Shri Abul Hasaa: Will the Minister of Food be pleased to state:

(a) whether the Government of Hyderabad has requested the Government of India to send immediately the quota of rice and wheat allotted to that Government for the month of November 1950;

(b) what is the quota allotted to Hyderabad for November 1950; and

(c) if the quota is not despatched, whether it will be possible to send it before the end of this month?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Yes.

(b) 20,000 tons.

(c) The entire quota except for 1,000 tons will be despatched before the end of the month.

**CALCUTTA-SILIGURI NATIONAL HIGHWAY**

26. Shri A. B. Gurung: Will the Minister of Transport be pleased to state whether Government have a proposal to improve and widen the National Highway linking Calcutta with Siliguri?

The Minister of State for Transport and Railways (Shri Santhanam): Yes, as funds become available. Estimates to the value of Rs. 140 lakhs have already been sanctioned and the Central Government has accepted further commitments to the extent of Rs. 60 lakhs. It will, however, take some years to complete this road which is nearly 350 miles long.

**CONSTITUTION HOUSE (ALLOTMENT)**

27. Shri A. B. Gurung: Will the Minister of Works, Mines and Power be pleased to state:

(a) the number of rooms in the Constitution House, permanently allotted to persons other than Members of Parliament; and

(b) how many of such rooms have been allotted to officials?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Nil; all allotments to persons, other than Members of the Parliament, are temporary.

(b) Nil. 34 rooms were however in the occupation of officials on a temporary basis on 3rd November, 1950.

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# PARLIAMENTARY DEBATES

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PARLIAMENT OF INDIA

OFFICIAL REPORT

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Part II—Proceedings other than Questions and Answers.

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*Price Five Annas*



**THE  
PARLIAMENTARY DEBATES**

(Part II—Proceedings other than Questions and Answers.)  
**OFFICIAL REPORT**

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**PARLIAMENT OF INDIA**

Wednesday, 29th November, 1950

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

[MR. SPEAKER in the Chair]

**QUESTIONS AND ANSWERS**  
(See Part I)

11-45 A.M.

**ELECTION TO COMMITTEES**

STANDING ADVISORY COMMITTEE FOR  
THE MINISTRY OF HOME AFFAIRS

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

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two persons from among their numbers to serve on the Standing Advisory Committee for the Ministry of Home Affairs, for the unexpired portion of the current financial year *vice* Shri Motilal Pandit resigned and Shri Abdul Hamid having ceased to be Member of Parliament."

**Mr. Speaker:** The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two persons from among their numbers to serve on the Standing Advisory Committee for the Ministry of Home Affairs, for the unexpired portion of the current financial year *vice* Shri Motilal Pandit resigned and Shri Abdul Hamid having ceased to be Member of Parliament."

The motion was adopted

**CENTRAL SILK BOARD.**

**The Minister of Industry and Supply (Shri Mahtab):** I beg to move:

"That this House do proceed to elect under the Central Silk Board

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(Election) Rules, 1949, in such manner as the Honourable the Speaker may direct, one Member to serve on the Central Silk Board, *vice* Shri H. R. Guruv Reddy who ceased to be a Member of Parliament on 26th January 1950."

**Mr. Speaker:** The question is:

"That this House do proceed to elect under the Central Silk Board (Election) Rules, 1949, in such manner as the Honourable the Speaker may direct, one Member to serve on the Central Silk Board, *vice* Shri H. R. Guruv Reddy who ceased to be a Member of Parliament on 26th January 1950."

The motion was adopted.

**CENTRAL COMMITTEE OF THE TUBERCULOSIS ASSOCIATION OF INDIA**

**The Minister of Health (Rajkumari Amrit Kaur):** I beg to move:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two members from among themselves to serve on the Central Committee of the Tuberculosis Association of India."

**Mr. Speaker:** The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two members from among themselves to serve on the Central Committee of the Tuberculosis Association of India."

The motion was adopted.

**STANDING FINANCE COMMITTEE FOR RAILWAYS.**

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

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two Members from among themselves, to serve on the Standing Finance Committee for Railways for the unexpired portion of the

[Shri Gopalaswami]

current financial year 1950-51 vice Shri M. Thirumala Rao and Shri Jaspal Roy Kapoor, resigned."

**Mr. Speaker:** The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, two Members from among themselves, to serve on the Standing Finance Committee for Railways for the unexpired portion of the current financial year 1950-51 vice Shri M. Thirumala Rao and Shri Jaspal Roy Kapoor, resigned."

The motion was adopted.

#### STANDING COMMITTEE FOR THE MINISTRY OF LAW

**The Minister of Law (Dr. Ambedkar):** I beg to move:

"That this House to proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Standing Committee to advise on subjects dealt with in the Ministry of Law for the unexpired portion of the current financial year vice Dr. P. K. Sen who died on the 17th November, 1950."

**Mr. Speaker:** The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Standing Committee to advise on subjects dealt with in the Ministry of Law for the unexpired portion of the current financial year vice Dr. P. K. Sen who died on the 17th November, 1950."

The motion was adopted.

**Mr. Speaker:** I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following Committees, namely:

- |   |                     |                   |
|---|---------------------|-------------------|
| (1) Standing Committee for the Ministry of Home Affairs.            | Date for Nomination | Date for election |
| (2) The General Silk Board.   | 1-12-50             | 4-12-50           |
| (3) The Central Committee of the Tuberculosis Association of India. |                     |                   |
| (4) The Standing Finance Committee for Railways                     |                     |                   |
| (5) Standing Committee for the Ministry of Law.                     | 1-12-50             | 5-12-50           |

The nominations for these Committees will be received in the Parliamentary Notice Office upto 12 Noon on the date mentioned for the purpose. The elections, which will be conducted by means of the single transferable

vote, will be held in the Assistant Secretary's room No. 21 in the Parliament House between the hours 10-30 A.M. and 1 P.M.

#### ROAD TRANSPORT CORPORATIONS BILL—concl'd.

**New Clause—cont'd.**

**Mr. Speaker:** The House will now proceed with the further consideration of the Bill to provide for the incorporation and regulation of Road Transport Corporations, as reported by the Select Committee.

There was some discussion yesterday about the admissibility of amendment No. 52. I have just cursorily glanced through the debate. I have not been able to catch the point of order raised by the hon. Minister. I may tell in my own way as to what I feel about the matter. The chief objection seems to be that the amendment seeks to amend the Motor Vehicles Act or some provisions of some other Act. If that is the basis of the objection, on a proper reading of the amendment, it appears to me that what the amendment really seeks to provide for, is not an amendment of the Act under which permits are granted or refused but it provides for something consequential to the exercise of powers under that Act. If a permit is refused the operator cannot then work his bus. What the amendment seeks is that in order to give him an equitable treatment, the Road Transport Corporation, which will be formed, should be compelled to acquire the bus and it should not be left to the option of the Road Transport Corporation to say, "Well, your permit is not there, you cannot run the bus, we do not care what happens to you". That seems to be the substance of the amendment. Am I correct?

**Shri Deshbandhu Gupta (Delhi):** Yes, Sir.

**Mr. Speaker:** It provides for some kind of compensation. I am not speaking of the merits.

**The Minister of State for Transport and Railways (Shri Santhanam):** Sir, my real point was whether the permit is granted, refused, renewed or limited, it is in the hands of an absolutely independent authority which has nothing to do with the Road Transport Corporation. Suppose the Road Transport Corporation applies for a particular permit, it is open to the road transport authorities, according to the Motor Vehicles Act, to refuse to grant it to the Road Transport Corporation and say, "We are going to give the permit to some other operator". Therefore this matter is decided, on the merits, by a different authority without any reference to the Road Transport Corpo-

ration which is not responsible at all for the refusal or renewal of a permit or anything. Therefore, I thought that to put an obligation on the Road Transport Corporation for an action for which it has no responsibility whatsoever was beyond the scope of this particular Bill which relates to the Road Transport Corporation. If the Road Transport Corporation does any act and there is some consequence, it will be legitimate to put an obligation or responsibility on the Road Transport Corporation. But because a State Government or some other authority under some other Act does something, for which this Corporation is not responsible, I think, it does not come within the scope of the Act to put any kind of obligation upon this Corporation. Of course, I abide by your ruling.

**Mr. Speaker:** I do not think it is necessary. I quite see his point on the merits. Whether on the merits, the case is good or bad, at the present moment, I am not concerning myself with it. The only question, as he has now urged is that it is beyond the scope of the present Bill. It is difficult to say that it is quite beyond the scope of the Bill. We are trying to provide for a Road Transport Corporation, and, I believe all incidental questions including the question of compensation might be raised in this House. It may not be legislated upon, that is a different thing. In fact, during the course of debate, a point was made about compensation also. Therefore, I am inclined to think that it does not seem to be quite out of the scope of the Bill. It may not be a good one, considering all other facts, but that depends on merits.

**Shri Deshbandhu Gupta:** I beg to move:

After clause 39 insert the following new clause:

"39A. If—

- (a) the renewal of any permit is refused to a permit holder under the Indian Motor Vehicles Act 1939, or
- (b) any limitation or condition is imposed other than those specified in the application for the renewal of the permit, or
- (c) the Road Transport Corporation decide to acquire any undertaking of any permit holder in part only, in accordance with the provisions of this Act,

and the effect of the refusal, the effect of the imposition of the limitation or condition will involve interference with the carrying on by the permit holder of some activity which was being carried out by him hitherto or by his predecessors in or any part of the undertaking, and has, upto the time of refusal, the imposition of limitation or condition as the case may be, he may, within the prescribed time serve on the Corporation a notice requiring the Corporation to serve on him a Notice of Acquisition with respect to his undertaking, and the Corporation shall serve such notice on him accordingly, and the like consequences shall ensue as if it were an original decision of the Corporation to acquire such an undertaking."

Sir, in moving this amendment, I wish to draw my hon. friend's attention to the note which the Select Committee has appended to section 39. It reads:

"There may also be cases in which certain routes at present operated by private parties may be handed over to a Corporation by refusal to renew their permits. We feel that even in such cases, fair compensation is due to the displaced operators."

The note further says:

"We note that such a provision exists in the U.K. Transport Act, 1947. We recommend that the Government should take necessary steps to examine this question with a view to see that such cases are suitably dealt with and that no unfair use is made of the Motor Vehicles Act, 1939."

As a matter of fact what this amendment seeks to do is to get this recommendation incorporated in the Act itself in some form or the other. I have almost bodily lifted the wordings of this amendment from section 54 of the U. K. Motor Transport Act of 1947, to which reference has been made by the Select Committee in the note, which I have just read out. It is a well-known principle that when a route is closed to a private motor operator by virtue of cancellation or non-renewal of the permit on which he has been plying his bus for many years, it is recognised that he is put to a loss as a consequence of the cancellation of the permit and non-renewal of the permit and as such deserves to be compensated for same. The main problem which has been facing us, while discussing this Bill is, Sir, that if the Government or the Corporation decides to take over an undertaking,

[Shri Deshbandhu Gupta]

some fair compensation must be given. The second point is that if the Government decides not to renew the permits, then too something should be done. All such buses should be taken over by the Government, not in part, but in full. These are the three points that I have tried to raise in this amendment and those points are in fact in the same order as is found in section 54 of the U. K. Transport Act, 1947 to which reference has been made, and the desirability of incorporation of such a provision has already been realized by my hon. friends of the Select Committee.

12 Noon.

Sir, as I pointed out earlier in the general discussion the fact is that the main grievance of all these private operators or privately run buses is that they do not object to nationalization. They say: "Take over our undertakings by all means, if you so decide that it is desirable to do so in the interests of better service or more efficiency or economical running. If you want to run the buses yourself, do it by all means". But they do demand that in case Government decides to take over a particular undertaking or close a particular route these people should be paid some fair compensation. It is agreed that if a bus is thrown out of use or is immobilized, due to non-renewal of a permit, whatever may have been the value of a bus it loses all its value because it is not a thing which can be sold, unless it be used in that area. And there are instances, Sir, where a large number of buses have been so immobilized and are not being used. They are being turned practically into junk. So I need not labour this point any more. I only wish to draw the attention of my hon. friend to this once again and I know he himself realizes the justice and fairness of this demand. I do not press this amendment, Sir. In fact, if my hon. friend had not raised a technical objection, even this much discussion would not have been necessary. But I hold that if he could have accepted this amendment, that would have set at rest all the doubts and apprehensions which these people have in their minds.

The hon. Minister for Transport gave an assurance in the Conference which was held the other day that Government would consider sympathetically all such cases where they feel that these buses have been immobilized due to some action on the part of the Government and that fair compensation would be given to them. My hon. friend has also in the House given an assurance that Government is thinking

of bringing in a separate legislation for modification of the Motor Vehicles Act of 1939, so as to provide for such hard cases. Therefore, Sir, if my hon. friend even at this late stage could have agreed to accept this amendment, I think, that would have been the right thing to do, but I would not press it. I think my hon. friend would give an assurance that a legislation would be undertaken by the Government wherein principles of compensation, affecting such cases where non-renewal of permits or cancellation of permits adds to the detriment of these private bus-owners, would also be considered. I hope, Sir, my hon. friend would have no difficulty in holding out that assurance. If he can accept it, I would be happy and I think the House would also appreciate it, but in case he finds some difficulty, I hope he will at least be able to give an assurance to that effect.

Mr. Speaker: May I know if Mr. Himatsingka also wishes to move his amendment?

Shri Himatsingka (West Bengal): My amendment is of a smaller scope. I wanted to limit the scope only to the refusal in favour of the State Corporation. I thought that this amendment of my hon. friend, Shri Deshbandhu Gupta has a wider scope and if it would not be possible for the hon. Minister to accept that, perhaps he may be willing to accept this. When a permit for running a vehicle is declined or refused in favour of the Corporation that might be set up or the Corporation is allowed to run on that particular route, in such cases it should be obligatory on the Corporation to take over those buses. That was the effect of my amendment.

Mr. Speaker: I made an enquiry from the point of view of avoiding a double debate. I wanted to know if the amendment is going to be moved now.

Shri Himatsingka: I will move it now. I beg to move:

After clause 39, insert the following new clause:

"39A. Whenever an existing permit for running a vehicle is declined or refused under the Motor Vehicles Act or otherwise, in order to give permission to any corporation established under section 3, in place thereof, or on that route it shall be obligatory on the Corporation to acquire or take over the vehicle or vehicles affected by such refusal."

Shri Santhanam: I regret I am not able to accept either of the amendments moved by Shri Deshbandhu Gupta or

Shri Himatsingka. I have already explained that in pursuance of the recommendations of the Select Committee we have undertaken the examination of the Motor Vehicles Act. The point mentioned by Mr. Deshbandhu Gupta is certainly one of the most important points which we are examining in that connection. In fact, the question goes much farther. It is not a question of mere cancellation of permits. As a matter of fact, there have been very few cancellations of permits as such. The real problems are non-renewal, or keeping the people in a state of uncertainty by issuing temporary permits. I do agree that when persons have worked a bus for a long time and have cultivated a particular clientele, or when they have invested a lot of amount, some kind of justice has to be meted out. In what way it could be done in our country, according to the circumstances, is a matter that we are examining. When our examination is over, that would be brought forward as an Amending Bill before this House. That will be the proper time when all these amendments can be considered. Now, Sir — I can only say this theoretically—if any such amendment is accepted, besides prejudicing the prospects of this Corporation, it can very easily be avoided. For instance, a permit may not be issued in favour of a Corporation at all. Or, a permit may be cancelled, and the departmental enterprise can run the route for six months, and afterwards, the Corporation may take it over, in which case, this provision can easily be avoided. It is only if all such provisions should apply in all cases mandatorily that the operators will get any kind of justice. It is no use trying to get that through the backdoor in a purely permissive legislation. That is the point that I have been trying to emphasise on my hon. friends. They admit this; but they want me to commit myself many times to the assurance. I give the assurance once more gladly.

Shri Alagesan (Madras): Sir, I feel that the amendment moved by my hon. friend Shri Himatsingka is a more innocuous one than the one moved by hon. friend Shri Deshbandhu Gupta. This is not open to the objection that the other amendment is open to. This is a more simple amendment and restricts itself to a case where a permit is refused to be given to a particular party in favour of the Corporation. These permits are given by a quasi-judicial body, with a provision to appeal. When a permit is refused at a lower level, if it is between two private parties, the affected party is in a position to take up the matter to the higher authority and have the decision reversed. But, when a permit is refused

to a private party in favour of a Corporation at the lower stage, there is no chance of its being reversed by the higher authorities provided in the Motor Vehicles Act. Hence, this amendment becomes necessary. The hon. Minister may agree to this because these quasi-judicial bodies give reasons in writing when a permit is refused and the other party is enabled to take it up on appeal. When the reason is so definite that a permit is refused to a particular party because a permit has to be given to a Corporation, in such cases, this amendment will come into operation. In such restricted cases, I think the hon. Minister may accept the amendment and there will be no harm accruing from that.

Shri R. K. Chaudhuri (Assam): I wish to make a few submissions on the point which has been raised by the amendment of my hon. friend Mr. Himatsingka. I think Mr. Himatsingka's amendment would appeal to most of the Members of this House as well as to the private operators.

But, there is one little defect, according to my opinion, in this amendment and it is this. Here, he says:

"Whenever an existing permit for running a vehicle is declined or refused under the Motor Vehicles Act or otherwise in order to give permission to any Corporation established under section 3, in place thereof, or on that route it shall be obligatory on the Corporation to acquire or take over the vehicle or vehicles affected by such refusal."

I submit, Sir, the more taking over of the vehicle or vehicles is not a compensation to the operators. Taking over the vehicle for a price, after allowing depreciation, would hardly be a compensation for the business which he has lost. Therefore, I would say that if the amendment stands as it has been suggested by Mr. Himatsingka, it will not meet the objection which has been raised by the private operators.

There is another point which I want to make out, and it is this. A particular operator whose permit has been refused on one route, may in some cases be granted in another route. If it is obligatory on the part of the Corporation to take over those vehicles, although the operator may have a permit in another different route, then, it would not be beneficial to him.

Shri Himatsingka: That obligation may be waived.

Shri R. K. Chaudhuri: It would be causing hardship to the private operator. I have noticed that where a permit has been refused in a certain route and

[Shri R. K. Chaudhuri]

the operator is given permit in another route, even though it may be less profitable, the operator might like to have his vehicle and he would not like it to be subjected to acquisition in every case. I think it should be made clear that if an operator does not wish his vehicle to be acquired, the Government or the Corporation will not acquire that. What I submit is that there should be no compulsory acquisition because by compulsory acquisition, instead of doing benefit to the operators, you may, in some cases, do incalculable harm.

**Pandit Thakur Das Bhargava** (Punjab): After the assurance that we have elicited from the hon. Minister in charge of this Bill, I should think the matter should be allowed to rest. As a matter of fact, it is not a question of compensation as much as the mischief of non-acquisition. - As soon as a bus is refused permit, or a permit is not renewed, the difficulty of the operator is that he is left with his bus if it is not acquired. I can understand, under the provisions of the Motor Vehicles Act, there may be cases in which permits are refused on grounds which are not in any way favourable to or which do not relate to any interest in the Corporation. The broad question remains whether in all cases in which a permit is refused, the operator is to be compensated or not. He may be compensated or he may not be compensated. After all it can be argued that a permit was given for a specific period of time, and that time having expired, it is no longer inherent in the operator to demand that he should be given a certain compensation. Ordinarily we see that a permit is renewed if there is no default with the operator and in ninety-nine cases out of hundred, when the permit will be refused, it will be done in favour of the Corporation. Therefore, my humble submission is when the new legislation comes, as the hon. Minister has promised, that would be good time when all these principles could be gone into and we could evolve some sort of a formula by which justice could be done to the operators. If we had in this Bill all these principles incorporated, we should insist here and now that this should be regarded as one of the principles, that on a permit not being renewed, compensation should be given. In fact, this particular amendment does not relate to compensation. It relates to non-acquisition. The very great complaint of the operators is that in many cases their buses have not been acquired. I would therefore request the Members in charge of these amendments not to press their amendments and to rely

on the assurance that has been given by the hon. Minister in charge of the Bill.

**Mr. Speaker:** Do I place the amendments before the House?

**Shri Himatsingka:** No. I withdraw.

**Mr. Speaker:** I have not put them before the House, there is no question of withdrawal.

*Clause 40—Delegation of power and duties*

**Shri Santhanam:** Sir, I have got an amendment for deletion of the clause.

**Mr. Speaker:** I shall put the clause to the House and it may be negated by the House.

The question is:

“That clause 40 stand part of the Bill.”

The motion was negated.

Clauses 41 to 43 were added to the Bill.

*Clause 44—(Power to make rules)*

**Shri Santhanam:** I beg to move:

In part (b) of sub-clause (2) of clause 44, for the word “allowances” substitute the words, “remuneration, allowances”.

I have moved for this substitution because it was represented to us that in public corporations like that of Bombay they might require a full-time Chairman with remuneration and so on. That is a matter of discretion of the State Government and so we have brought forward this amendment.

**Mr. Speaker:** The question is:

In part (b) of sub-clause (2) of clause 44, for the word “allowances” substitute the words, “remuneration, allowances”.

The motion was adopted.

*Amendment made:*

Omit part (g) of sub-clause (2) of clause 44.

—[Shri Deshbandhu Gupta]

*Further Amendment made:*

Omit part (h) of sub-clause (2) of clause 44.

—[Shri Deshbandhu Gupta]

*Further Amendment made:*

Omit in part (o) of sub-clause (2) of clause 44, the words “in determination of compensation”.

—[Shri Deshbandhu Gupta]

**Mr. Speaker:** The question is:

“That clause 44, as amended, stand part of the Bill.”

The motion was adopted.

Clause 44, as amended, was added to the Bill.

Clauses 45 and 46 were added to the Bill.

**New clause**

**Shri Santhanam:** I beg to move:

After clause 46, insert the following new clause:

"46A. *Special provisions relating to Bombay.*—(1) The body known as the Bombay State Road Transport Corporation and the Board thereof, referred to in the notification of the Government of Bombay, No. 1780/5, dated the 16th November, 1949, (hereinafter referred to as 'the existing Corporation' and 'Board' respectively) shall, notwithstanding any defect in, or invalidity of, the enactment or order under which they were constituted, be deemed for all purposes to have been validly constituted as if all the provisions of the said notification had been included and enacted in this section and this section had been in force continuously on and from the said date, and accordingly—

(a) all action by, and all transactions with, the existing Corporation or Board, including any action or transaction by which any property, asset or right was acquired or any liability or obligation, whether by contract or otherwise, was incurred, shall be deemed to have been validly and lawfully taken or done; and

(b) no suit, prosecution or other legal proceeding shall lie against the Government of Bombay or any member of the Board or any officer or servant of the existing Corporation in respect of any action taken by, or in relation to the setting up of, the existing Corporation or Board merely on the ground of any defect in, or invalidity of, the enactment or order under which the existing Corporation or Board was constituted.

(2) On the establishment of a Corporation under section 3 in the State of Bombay (hereinafter referred to as 'the new Corporation'),

(a) the existing Corporation and Board shall be deemed to be dissolved and shall cease to function;

(b) all property and assets vesting in the existing Corporation shall vest in the new Corporation;

(c) all rights, liabilities and obligations of the existing Corporation, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations, respectively, of the new Corporation; and

(d) all licences and permits granted to all contracts made with,

and all instruments executed on behalf of, the existing Corporation or Board shall be deemed to have been granted to, made with, or executed on behalf of, the new Corporation and shall have effect accordingly."

Sir, I have already explained why this new clause is wanted. This Corporation was inaugurated on the basis of Act 32 of 1948 which is being sought to be repealed under clause 47 of this Bill. Owing to the defects in the Act passed by us this Corporation has been invalidated. I have given the figures relating to the consequences involved on account of this invalidation. Over 1,200 buses have been running for the last three years and there is no question of anybody going to be affected or displaced. The only party who will be affected if we do not pass this amendment will be the people of Bombay. We have taken care in this new provision to see that no legal liabilities or obligations of the existing Corporation are avoided. All that is preserved. It may be seen that in the case of para (b) relating to suits and prosecutions we have provided for the avoidance of only those suits which are instituted merely on the ground of any defect in, or invalidity of, the enactment or order under which the existing Corporation or Board was constituted. If there were any other cases, etc., all the suits will be sustainable, not only against the existing Corporation but also against the new Corporation based on the present Bill, which will be taking over the assets of the Corporation. This is absolutely essential to avoid interruption of traffic and also much litigation and loss of property, both of the Bombay Government as well as the Central Government. As an hon. Member explained over Rs. 5 crores have been invested of which more than one crore belongs to the Central Government. It is to nobody's interest that these assets and properties should become a matter of litigation or that there should be any other trouble. Sir, we have been given three drafts. Our legal experts have been at it and we have tried to minimise the provisions, simply for the sake of transition from taking over that Corporation by a new Corporation under the present Act. We have tried to see that no other interests are affected or touched and I hope the amendment will be accepted by the House.

**Mr. Speaker:** Amendment moved:

After clause 46, insert the following new clause:

"46A. *Special provisions relating to Bombay.*—(1) The body

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known as the Bombay State Road Transport Corporation and the Board thereof, referred to in the notification of the Government of Bombay, No. 1780/5, dated the 16th November, 1949, (hereinafter referred to as 'the existing Corporation' and 'Board' respectively) shall, notwithstanding any defect in, or invalidity of, the enactment or order under which they were constituted, be deemed for all purposes to have been validly constituted as if all the provisions of the said notification had been included and enacted in this section and this section had been in force continuously on and from the said date, and accordingly—

(a) all action by, and all transactions with, the existing Corporation or Board, including any action or transaction by which any property, asset or right was acquired or any liability or obligation, whether by contract or otherwise, was incurred, shall be deemed to have been validly and lawfully taken or done; and

(b) no suit, prosecution or other legal proceeding shall lie against the Government of Bombay or any member of the Board or any officer or servant of the existing Corporation in respect of any action taken by, or in relation to the setting up of, the existing Corporation or Board merely on the ground of any defect in, or invalidity of, the enactment or order under which the existing Corporation or Board was constituted.

(2) On the establishment of a Corporation under section 3 in the State of Bombay (hereinafter referred to as 'the new Corporation'),

(a) the existing Corporation and Board shall be deemed to be dissolved and shall cease to function;

(b) all property and assets vesting in the existing Corporation shall vest in the new Corporation;

(c) all rights, liabilities and obligations of the existing Corporation, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations, respectively, of the new Corporation; and

(d) all licences and permits granted to, all contracts made with, and all instruments executed on behalf of, the existing Corporation or Board shall be deemed to have been granted to,

made with, or executed on behalf of, the new Corporation and shall have effect accordingly."

**Shri Deshbandhu Gupta:** Sir, I fully realise the difficulty which this Corporation is facing or the State of Bombay is facing at the moment on account of the judgment of the Supreme Court, which has necessitated the bringing of this Bill before this House. But, Sir, I want to point out for the consideration of the hon. Minister and the House one aspect of this question, if this amendment is passed.

Part (d) of this amendment seeks to validate also the licences and permits that were granted to the Corporation which has been declared invalid. The history of this case is this. There were private bus owners whose permits were not renewed and their undertakings were not taken over by the Bombay Government. The result was that the only course left to them was to have resort to law. They went to the law court and they were able to get a judgment in their favour, the High Court ruled in their favour by saying that the Corporation was not properly constituted. The effect of this judgment so far as these people are concerned is that the permits that were issued to the Corporation are cancelled and these people have a right now—in fact, they have already applied to the licensing authorities—to ask for fresh permits for their buses. If this judgment stands as it does today they have every chance of getting their permits renewed and their buses which had been immobilised due to the formation of the Corporation can again come into business. I understand that there is an appeal against the judgment, either already pending or is going to be filed before the Supreme Court. When the highest court of the State has ruled in favour of the plaintiffs the proper course would have been to go to the Supreme Court and await their judgment. But as the liability and the risk involved are too great this extraordinary course has been adopted. I fully appreciate that we cannot allow the large number of buses involved or the capital invested by the State for public good to lie idle and thus bring about almost a stalemate. But I do feel that if my hon. friend is keen to see that the buses owned by the Corporation are not affected, in fairness he should also see the point which was raised by these private owners, and at this stage at least try to remedy the wrong that had been done to these people. After all, when an aggrieved party goes to the High Court, the object is to draw the attention of the Government to do justice or to get relief legally through the Court. The Court



had passed the judgment and they are likely to get relief that way. Now this Parliament comes forward and instead of giving relief to those people, see the points raised by them and look into the grievances which forced them to go to the Court, Parliament is now trying to validate the whole thing by this amending clause. I would therefore appeal to my hon. friend, who was pleased to give an assurance publicly that wherever he felt that private operators had a just grievance it would be looked into. I say, by all means bring this amendment, and get the new clause included in the Bill. But at the same time, it is the proper occasion when the Central Government should move the various State Governments and tell them, "Look here, so many of their buses are lying idle. Do something for them. Either take over their buses or renew their permits." The number may be very big. The Deccan Transport Corporation itself which challenged the Government action and filed and won this suit has I am told 46 buses which are lying idle since April this year.

So, I say this was the occasion when the Transport Ministry should have gone into the matter and seen that these operators were properly compensated or that their buses were utilised somewhere else, or something done to remove their grievances. Instead of doing that an amending clause has been brought before us just to remove the adverse effect of the High Court judgment on the Corporation. If Government have not yet moved in the matter, I hope they will at least now take some positive step. Also while seeking to amend this Bill in this manner, they will take it up with the Bombay Government and get justice done to these people.

**Mr. Speaker:** As I read the amendment, I felt one doubt so far as the form of it is concerned. I do not know whether my doubt is well-founded or not, but I thought I might just put it to the hon. Minister for consideration so that he may examine the position. His amendment divides the proposed section into two sub-clauses (1) and (2). By sub-clause (1) a provision is made which validates and legalises the Road Transport Corporation of Bombay.

The wording is:

"The body known as the Bombay State Road Transport Corporation .....shall..... be deemed for all purposes to have been validly constituted as if all the provisions of the said notification had been

included and enacted in this section."

The notification refers to various conditions—I do not know what they are—and the clause provides, further, certain conditions by (a) and (b). The effect *prima facie* is that of transforming that Corporation into a new Corporation under this Act. I have not been able to understand what is really intended by sub-clause (2), because sub-clause (2) refers to "the establishment of a Corporation under section 3 in the State of Bombay". Which is that Corporation that is going to be established again? If the constitutional existence of the present Corporation is validated, and if it is considered as continuing under this Act, the reference to the establishment of a new Corporation seems to be rather inconsistent. That is my reaction, but the hon. Minister may examine it.

**Shri Saathanam:** The point is this. The regulations of the Bombay Road Transport Corporation may not be on all fours with the provisions of the Bill which we have passed. We want the existing Bombay Corporation to be validated till the new Corporation is formed and assets are transferred. It is only a temporary validation with a view to the formation of the new Corporation. Till the transformation can be made, we do not want that the work should be discontinued or there should be any kind of discontinuity between the legal rights and liabilities of the Bombay Corporation till the same is taken over by a new Corporation. Our legal experts are of the view that this is the best that can be done under the circumstances.

**Mr. Speaker:** Supposing the new Corporation is not established for a year or two?

**Shri Saathanam:** This clause (1) will continue. We feel that it may take one or two months. As soon as the preliminary arrangements are complete, the new Corporation should come into existence; till then let this Corporation continue as a validated body. That is the intention.

**Pandit Thakur Das Bhargava:** Will this be consistent with Section 3 which authorises the State Governments to incorporate such Corporations? After all, the Central Government is making this Bill to enable the States to bring into existence such Corporations. By this amendment, you are yourself bringing into existence a new Corporation. Will this be consistent with Section 3?

**Shri Saathanam:** This Corporation was brought into existence by the Bom-

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bay State and we are only removing the defects and saying that that body shall be validated and continue to be incorporated according to provisions made by this Parliament.

**Mr. Speaker:** This Bill is merely validating what is already existing to-day and it is being done by the same Legislature. Where is the inconsistency?

**Pandit Thakur Das Bhargava:** Incorporation is included in the Union List, but I doubt very much whether the validation of a Corporation already existing is within the powers of the Central Government.

**Shri Hussain Imam (Bihar):** I look at this question from a different angle. I would ask the House to consider it. So far the practice has been that in validating an Act, actions which have been invalidated by a judicial court are left alone. As an instance, I will cite Ordinance No. 28 issued on 8th October, in which a decision of the Bombay High Court was over-ridden by the Central Government. At that time, specific provision was made in clause 3 of that Ordinance, leaving the validity of those actions to be governed by the judicial pronouncements. Here, I find no provision that the actions taken by the High Court have been left alone. What we are doing today is to ride roughshod over the decision of the Bombay High Court. I say that suitable provision should be made to the effect that in those particular matters in which the Bombay High Court has given a decision, this Act will not revalidate them.

**Mr. Speaker:** What the Bombay High Court has done is that in the case of a particular claim by a particular company the constitution of the Corporation was expressed to be invalid. That is how the position stood. Now, when this House is legislating for the validation of that Corporation, it is not overriding the Bombay High Court decision, because the decision in that particular case will stand. We are not here saying that the decision arrived at in that particular case is wrong. Nothing of the kind. But taking advantage of the decision, we are trying to implement what the Bombay High Court has decided and regularise a particular state of things in existence. For example, the hon. Member knows that the Privy Council decided that mortgage deeds must have the attestation of at least two people who saw the execution by the mortgagors. As regards the period of limi-

tation for redemption of mortgages, there were differences in High Courts and due to the decision of the Privy Council a large number of cases which otherwise would have been within time were likely to be declared as time-barred, though the law that existed before did not make them so; and the Limitation Act was amended. So far as limitation was concerned, or the transfer of property Act was concerned they were amended on the basis that in all transactions in between, such documents or such periods of limitation should be treated as perfectly legal. That was not overriding the Privy Council's decision. It was merely to revise the law in view of those decisions so far as other cases were concerned. The position seems to me to be something parallel to that.

**Shri Hussain Imam:** May I draw your attention to clause (a)? Is it not necessary that there should be an exemption clause saying that in spite of the validating Act such and such an action which was governed by the Bombay High Court judgment would not be upset by this validating Act? What I am asking is that there should be added a proviso of the right nature.

**Mr. Speaker:** Is it not inherent in such legislation that the judgment of the High Court will not be disturbed?

**Shri Hussain Imam:** No, Sir. It may be a point to argue, but when a validating Act is passed, it means that it validates all actions which are against any established law, rule or procedure. The mere validation Act brings about disparity and therefore exemption clause is necessary. I am not opposing this amendment, but I only suggest that a proviso should be added saying that those actions which are governed by the High Court judgment will not be affected by this Act.

**Mr. Speaker:** I wonder if it is necessary at all.

**Shri Santhanam:** I may inform the hon. Member that the High Court judgment has only said that the regulations which constituted this Corporation were not valid, because it was delegated legislation. Therefore, all we have to do is to see that that legislation be deemed to be our legislation instead of being delegated to the Bombay Government. I think this clause (a) is sufficient.

As regards the point made by my hon. friend Mr. Deshbandhu Gupta, I have received information from the Bombay Government. I find that the Bombay Corporation has already pur-

chased 400 out of 600 buses at a cost of Rs. 10 lakhs. There are only 200 more vehicles which they were willing to purchase but which have been held up because many of the operators thought that something may happen out of these High Court judgments. Now, I am willing to take his suggestion and tell the Bombay Government that we have made this Act now and they should, as far as possible, try to take over the remaining vehicles, if they are serviceable, at a reasonable valuation. That I can do and I am sure the Bombay Government will be glad to see that justice is done and as far as possible and if there are other operators they will try to accommodate them. It is because of this pending litigation that probably some of them thought that they might wait and see. Therefore, I am prepared to give this assurance and I hope the House will accept this clause.

**Mr. Speaker:** The question is:

After clause 46, insert the following new clause:

**“46A. Special provisions relating to Bombay.—(1)** The body known as the Bombay State Road Transport Corporation and the Board thereof, referred to in the notification of the Government of Bombay, No. 1780/5, dated the 16th November, 1949, (hereinafter referred to as ‘the existing Corporation’ and ‘Board’ respectively) shall, notwithstanding any defect in, or invalidity of, the enactment or order under which they were constituted, be deemed for all purposes to have been validly constituted as if all the provisions of the said notification had been included and enacted in this section and this section had been in force continuously on and from the said date, and accordingly—

(a) all action by, and all transactions, with, the existing Corporation or Board, including any action or transaction by which any property, asset or right was acquired or any liability or obligation, whether by contract or otherwise, was incurred, shall be deemed to have been validly and lawfully taken or done; and

(b) no suit, prosecution or other legal proceeding shall lie against the Government of Bombay or any member of the Board or any officer or servant of the existing Corporation in respect of any action taken by, or in relation to the setting up of, the existing Corporation or Board merely on the ground of any defect in, or invalidity of, the

enactment or order under which the existing Corporation or Board was constituted.

(2) On the establishment of a Corporation under section 3 in the State of Bombay (hereinafter referred to as ‘the new Corporation’),

(a) the existing Corporation and Board shall be deemed to be dissolved and shall cease to function;

(b) all property and assets vesting in the existing Corporation shall vest in the new Corporation;

(c) all rights, liabilities and obligations of the existing Corporation, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations, respectively, of the new Corporation; and

(d) all licences and permits granted to, all contracts made with, and all instruments executed on behalf of, the existing Corporation or Board shall be deemed to have been granted to, made with, or executed on behalf of, the new Corporation and shall have effect accordingly.”

The motion was adopted.

New clause 46A was added to the Bill.

Clause 47 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

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

Amendment made:

Re-number and re-letter the clauses and sub-clauses consequent on the amendments made by this House.

[*Shri Santhanam*]

**Shri Santhanam:** I beg to move:

“That the Bill, as amended, be passed.”

I do not want again to speak at length. I wish to say only a word or two. Whatever the discussions we have had, I hope this House will unanimously wish godspeed to this legislation. This is intended to put the road transport services on a basis which is likely to benefit the whole country. We want this to be done in a business-like and proper fashion and not be affected by parties and fac-

[Shri Santhanam]

tions which may come and go. The sole purpose of this measure is to enable the peoples of the States to take over motor transport in the same way as the Central Government has taken over the Railways. As I have already said, we want that justice should be done to the road operators. As far as possible, they should not be dislodged unnecessarily or abruptly. But there is no doubt that in the long run, probably within a whole generation, these road transport services are bound to become as much a national concern as other forms of transport. If we realise the size of the country and the scope for the development of road transport, I am sure that it will not be possible for any State to undertake complete nationalisation for many decades to come. Therefore, for decades to come there will be plenty of scope for the private operator side by side with the State. But when the State takes it over, I am sure all the Members will agree with me, it is in the interests of the people and the State and in fact the whole country that progress should be in an orderly and proper fashion. It is to regulate that development that this Bill has been brought forward. I do not, therefore, think that there will be any Member who does not wish well for this piece of legislation.

**Mr. Deputy-Speaker:** Motion moved: "That the Bill, as amended, be passed."

**Shri Deshbandhu Gupta:** I do join with my hon. friend the hon. Minister of State for Transport in wishing well to this Bill. I would only take a minute or two to remind him of the assurances that he has been pleased to give the House and hope that he will be able to fulfil those assurances.

The hon. Minister of State has said that the object of this Bill is to take over the road transport companies in the same manner as the railways were taken over by the Central Government. If instead of saying railways, he had said that the object of this Bill is to enable the State Governments to take over the road transport companies just as the Central Government took over the GNIT, there would have been no trouble. I hope the effect of his assurances will be that the State Governments will realise that they must proceed with caution and consideration and not take an extreme attitude in the matter.

With these words, Sir, I support the Bill.

**Shri D. D. Pant (Uttar Pradesh):** I am extremely sorry that I could not

catch the eye of the Speaker when the general discussion on the Bill was going on. I wanted to say a lot of things about this Bill. I also wanted to speak in Hindustani in order to voice the feelings of millions and millions of people in this country. But, Sir, to our misfortune, the hon. Transport and Railways Minister and the Deputy Minister of Transport and Railways both of them have not yet been able to nationalise their language and want to nationalise transport.

The main principle on which the Bill is based reads thus: "It shall be the general principle of a corporation that in carrying on its undertaking it shall act on business principles." My submission is that the meaning of the words "business principles" is not clear to me. If they have in mind the business principles that are these days being practised by the black-marketeers and if it is their idea that the Governments will go on charging more and more fares, I do not think that will be acceptable to the House. The principles on which these corporations should function should be service principles. They should be required to render good service to the people of this country, because our Transport and Railways Minister thinks that the private owners are not doing that. I entirely agree with him in this. In fact, I am for entire nationalisation in this country provided it is real nationalisation. The first thing that we should have nationalised is our Government itself. Though in name it is said to be a 'National Government' we feel that it is not a national Government. It is a bureaucratic Government. What we call nationalisation is, in fact, bureaucratisation. In the sphere of transport also you will be creating a new bureaucracy. Is it not possible for you to get rid of the bureaucracy that you have in your railways? I humbly ask the Transport and Railways Minister whether he really feels that the railways today are nationalised. It is the bureaucracy that is running the railways and not the nation. We may call them nationalised; but they are not nationalised. Every decision is taken by the bureaucracy and not by the nation. Every day so many questions are put to the hon. Minister for Railways about the grievances in the railways. The replies that are given here are given to us by the bureaucracy and not by the hon. Minister. In fact in this House they read the notes that are provided to them; but these notes are prepared by the bureaucracy who white wash their misdeeds in these replies, and not by the Ministers of the National

Government. I am very sorry to say these things, but, Sir, I have got to voice my feelings.

Real nationalisation can only be brought about by the workers. If the hon. Transport and Railways Minister had tried to create a healthy union of railway workers and ultimately handed over the railways to them and given them a constitution to run the railways that would have been real nationalisation.

**Mr. Deputy-Speaker:** The hon. Member may continue after lunch.

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

*The House re-assembled after lunch at Half Past Two of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair.]

**Shri D. D. Pant:** I was saying that that before attempting to nationalise anything we should nationalise the Government itself. As I said, the Government is not fully nationalised. By that I meant that we had only captured the power from the British but had not yet succeeded in nationalising the Government. We took over from the British the bureaucratic machinery left by them which they had created to grind us. We want to use the same machine now to serve us. Sir, it is impossible that a machine which had been designed by the expert drivers that the British were in colonial exploitation for grinding the people can be used for serving the people. After all, when you begin to nationalise in this way you will again go to the same Service to frame the rules for you and to do so many things and they will create another bureaucracy. There will spring up a new bureaucracy in Transport.

**Shri B. K. P. Sinha (Bihar):** Sir, may I know if there is a general discussion on Demands for Grants or whether matters relating to the Road Transport Corporation are being discussed now?

**Mr. Deputy-Speaker:** He wants to show how the road transport grinds!

**Shri D. D. Pant:** I am very thankful to you, Sir, for supporting the principle that I am enunciating. What I want is that instead of imposing nationalisation from above we should try to nationalise from below. We should create co-operative societies and create such a spirit in the people that instead of indulging in black-marketing and everybody trying to grab as much

money as he likes, they should serve the nation. That is what we exactly mean by nationalisation, and not that we should create a Corporation and appoint certain functionaries and create a bureaucratic machinery. That is not the proper thing to do. The British after hundreds of years of labour had been able to succeed in evolving out a character that can run these Corporations and other things. We have never had this experience and we have from the very beginning tried to imitate or rather to ape them in everything. When I was referring to the proceedings of this Parliament I did so because there also I find that we have only aped the British system. Every day one hour is wasted in putting questions. Ours is a National Government. If you go to the British Parliament you will find that questions are put only for exposing certain things.

**Mr. Deputy-Speaker:** Is it necessary to build up an argument to draw upon the Question Hour and questions relating to the Question Hour?

**Shri Jnani Ram (Bihar):** Sir, may I know whether the word "wasted" is parliamentary?

**Shri D. D. Pant:** I do not know what my friend means by "parliamentary word".

I will give you an instance of how these nationalised systems run. During the war all the traffic and all the transport in my part of the country was carried on by pack ponies. There was a district magistrate who thought of nationalising it and got hold of some old, condemned military mules, and said he was going to nationalise the transport. A lakh of rupees was wasted on this, and it proved a failure. My submission is that when you are so much in need of dollars you will have to import new transport if you do not take over the transport from these people. In my opinion the principle of compensation that we have embodied in this Bill is a very pernicious principle. I was not a Member of the Constituent Assembly. Otherwise I would have agitated against article 31 of the Constitution in which this compensation clause has been enacted. I do not expect the judiciary in India to bring it ultimately to nominal compensation just as in the case of damages where, if somebody insists on damages and they find it is a frivolous thing, they award contemptuous damages. That is not going to be done in India. My submission is if nationalisation is necessary, take over all the transport that private owners have got and let it belong to the

[Shri D. D. Pant]

nation, for the simple reason that, after all, they have acquired all that money by either black-marketing or by doing certain things which were not desirable, and that it is the nation's money and property. They have enjoyed its benefits for a pretty long time and I do not think they should permanently be allowed to do so. In real nationalisation this clause should never have come in. Due to nationalisation there will be a good deal of red-tapism. It is only nationalisation in name. It is really bureaucratisation mis-called nationalisation. As Mahatma Gandhi used to say, unless our Ministers practise the art of burning the red-tape it will not be possible to run a National Government. As I find in everything the red-tape instead of decreasing has multiplied like Draupadi's *chir*, I do not think it is possible to decrease it.

**An Hon. Member:** They have a white tape now.

**Shri Tyagi (Uttar Pradesh):** Because the blood has been sucked out of it.

**Shri D. D. Pant:** Instead of wasting our energies in nationalising these petty things why should we not take first things first? The first thing that the Government should have nationalised was the distribution of essential commodities, because in that the greatest amount of black-marketing occurs. If the distribution of food, cloth and sugar and all these Essential Commodities had been nationalised and if they had been distributed either through good co-operative societies or through government shops we would have achieved a very great thing. But the Government have not got the courage to nationalise the big industries—to kill the big ones—cloth and sugar industries where so many scandals have occurred. They want to catch these little fish because we can easily take them over. But I tell you that unless the spirit of nationalisation is created in the whole nation it will not be a success and ultimately I will not be surprised if the Government has to give it up as our district magistrate, after wasting one lakh of rupees over the nationalisation of pack pony transport, had to give up that proposition.

Another thing that I want to impress upon the Members of the House is that merely substituting State capitalism for private capitalism is not nationalisation, because in that case the exploiting machinery will remain. What we want is that all these things should be run on humanistic principles. I am not very much enamoured of the nationalisation of Great Britain.

It is perfectly all right for them because that character which is necessary to run nationalised industry obtains there. In England a civil servant would not behave in the manner in which our Lords behave in this country.

**An Hon. Member:** What do you mean by 'Lords'?

**Shri D. D. Pant:** They are our lords for this reason that we have to go to these bureaucrats from time to time, for petty things. That character which is obtainable in England is not obtained here. There it was evolved after centuries and they are able to nationalize on those lines. I am also not enamoured of the communistic system of nationalization, where you do things by force, grind people and force them to nationalize. What I want is a human system and that nationalization should be created from below and its principles should not be such as embodied in this Bill. Instead of running on business principles, it should be run on service principles. Service of the people should be the principle of nationalization and efficiency of service. These two things should be embodied in the Bill and if you create a corporation and simply appoint a manager on Rs. 1,000 or a Deputy Manager on Rs. 800 and things like that there will always be labour trouble and red-tapism and then you will be brought to such a pass that you will have to kneel down before labour leaders, as you do every time.

**The Minister of Communications (Shri Kidwai):** You are one of the labour leaders.

**Shri D. D. Pant:** I am a humble servant not a leader. The hon. Mr. Kidwai has remarked that I am a labour leader and I tell him that I am not. I want to bring this principle to his notice also. His Department is from the beginning said to be a nationalized department. He is one of those Ministers who to a very great extent, in my experience, have practised the art of burning red tape. I must pay a compliment to him because his Department is working very efficiently. But even his Department is in essentials run by the bureaucrats and that is why he is having so much trouble with the postal workers organizations every time.

**Shri Kidwai:** With labour leaders like you.

**Shri D. D. Pant:** Every time he has to go and meet the labour leaders and promise them certain things which he is not able to give later on. I do not wish to take up the time of the House

because it is the third reading of the Bill but I would respectfully submit that Government before they enact this legislation should ponder over the whole thing as to what they are doing and what and how they are nationalizing. That is all I have to submit, Sir.

**बाबू रामनारायण सिंह :** सभापति महोदय, आज बहुत दिनों के बाद सभापति की नज़र हम पर पड़ी है, इसके लिये बहुत बहुत धन्यवाद है। अभी रोड ट्रांसपोर्ट कारपोरेशन्स बिल (Road Transport Corporations Bill) कुछ मिनटों के बाद कानून हो जायेगा और सरकार के कानून भंडार में जा धमकेगा। सभापतिजी, जिस वक्त इस बिल पर बहस हो रही थी तो कुछ लोग तो बाग़ बाग़ हो रहे थे। लेकिन यह बात भी सही है कि देश में कहीं कहीं पर हाहाकार भी मच रहा है। कुछ लोग तो ऐसा समझते हैं कि इस बिल के पास होने के बाद ही यह कानून कल्पतरु का रूप धारण करेगा और हमारे समाज को चारों पदार्थ, धर्म, अर्थ, काम और मोक्ष, सब प्रदान कर देगा। लेकिन मैं इस बिल में भला कुछ नहीं देखता, कुछ बुरा ही देखता हूँ और मैं सरकार से कहे देता हूँ कि वह इस तेज़ी के साथ न दौड़े। मुझे डर है कि इस तरह तेज़ी के साथ दौड़ने वाला धक्का खायेगा, गड़े में गिरेगा और चकनाचूर हो जायेगा।

सभापति जी, सरकार का जैसा काम हो रहा है और जो यह कानून बन रहा है उसे देख कर मुझे एक पुराण की कथा याद आ जाती है। वह कथा यह है कि प्राचीन काल में एक समय शिव और पार्वती जंगल के रास्ते से चले जा रहे थे।

**डिप्टी स्पीकर :** यह ट्रांसपोर्ट बिल है।

However indulgent I might be it is the Third Reading of the Bill and we ought not to go into the clauses as they have been discussed in detail at

an earlier stage. Before the consideration stage the pros and cons must be discussed in great detail. Now the hon. Member must oppose or support this Bill. Of course, a few salient points in opposition or in support might be referred but going into a digression and to talk about nationalization and with regard to other departments are not at all relevant to the issue. I do not want to prevent any hon. Member from speaking but what he speaks must be relevant and as short as possible. We have spent three days already on this Bill.

**Shri R. K. Chaudhuri :** Can we not in the Third Reading stage discuss about the effects of the Bill, as it is passed after amending it?

**Mr. Deputy-Speaker :** It is not clause by clause. Of course it is open to discuss the general effects of the Bill whether it is in support or in opposition.

**बाबू रामनारायण सिंह :** सभापति जी, मैं क्लॉज़ बाई क्लॉज़ (Clause by Clause) तो नहीं लेता हूँ और मैं ने तो एक मिनट या दो मिनट ही कहा होगा और मैं ने तो ब्रू ही किया था।

**डिप्टी स्पीकर :** शिवजी और पार्वती कैसे आते हैं ?

**बाबू रामनारायण सिंह :** मैं आप की आज्ञा के प्रतिकूल तनिक भी नहीं जाऊंगा। लेकिन क्या सरकार के काम के लिए बहुत ज़रूरी है। मैं कह रहा था कि एक समय प्राचीन काल में शिव जी और पार्वती जंगल के रास्ते से जा रहे थे। उन लोगों ने क्या देखा कि एक लकड़ी काटने वाला लकड़ी जमा कर के बोझा बांध कर उसे उठाने लगा तो वह बोझा उठा नहीं। तब उसके बाद उस मूर्ख को चाहिए तो यह था कि उसमें से कुछ लकड़ी हटा दे और जितना ले जा सकता है वह ले जाय। लेकिन ऐसा न कर के वह जंगल में और भी लकड़ी लेने के लिये चला गया और उसे फिर जमा करके बांधा और फिर उठाने लगा।

[ बाबू रामनारायण सिंह ]

फिर भी वह बोझा उससे नहीं उठा। तब पार्वती शिव जी से पूछती हैं कि शिव जी यह क्या मामला है कि यह मूर्ख जो बोझा पहले है वह तो उठा नहीं सकता और फिर भी और लकड़ी ले आता है और उठाना चाहता है। तो शिव जी ने जबाब दिया कि पार्वती जी, यही तो कलियुग का प्रभाव है।

सभापति महोदय, अब मैं इस जगह पर आता हूँ। मैं आप से कहता हूँ कि सरकार के पास जितने काम हैं वह तो इस से चलते नहीं, जितने इसके पास महकमे हैं वह तो इस के कब्जे में हैं नहीं, जितने आदमी हैं वह भी अपने मन से चलने वाले हैं, तो कलजुगिया मूर्ख की तरह जो काम इन से चल सकता था वह न कर के और और काम ये बढ़ाये जाते हैं, इस का क्या मतलब है? सभापति जी, काम बहुत हैं। जितने आदमी इन के पास हैं उनको जरा ठीक रास्ते पर ला कर ये काम लेते तो देश सुखी होता। यह तो आप करते नहीं हैं। आज सारे देश में घूसखोरी और जुल्म से हाहाकार मचा हुआ है। इन को न रोक कर के यह एक और संस्था बना रहे हैं। अब मैं आप से कहता हूँ कि यह जो राष्ट्रीयकरण की बात आती है तो पंत जी ने जितनी बातें कहीं उन का मैं अक्षरशः समर्थन करता हूँ। भला कहिये तो कि राष्ट्रीयकरण कब होता है? राष्ट्रीयकरण उस समय होता है जब देश में राष्ट्रीय चरित्र होता है और राष्ट्रीय दिल और दिमाग होता है।

पंत जी ने कहा कि पहिले तो सरकार का ही राष्ट्रीयकरण करो। नेशनलाइज्ड (Nationalised) सरकार होने के माने होते हैं अच्छी सरकार, वह सरकार जो देश की सेवा के लिये होती है। सभा-

पति महोदय, जिस समय आप बोल रहे थे आप ने ही कहा था कि प्राइवेट एंटरप्राइज (Private enterprise) का अभिप्राय यह होता है कि उस के अन्दर रहता है लाभ, स्वार्थ, और जो पब्लिक एंटरप्राइज (Public enterprise) रहती है उसके अन्दर रहती है सेवा। आज जितने प्राइवेट एंटरप्राइज हैं उनके लिये आप कहते हैं कि वह तो लाभ के लिये हैं लेकिन सरकार क जितने काम करने वाले हैं वह लोग किस वास्ते हैं, क्या वह लाभ के लिये नहीं हैं। मुझे लज्जा से कहना पड़ता है कि जितने सरकार के कर्मचारी हैं वह सब पेट के लिये काम करते हैं। यहां जो राष्ट्रीयकरण की बात कही जाती है वह तो आप तभी कर सकते हैं जब सारे देश के राष्ट्रीय भाव होते हैं, राष्ट्रीय चरित्र हो जाता है, राष्ट्रीय दिल व दिमाग हो जाते हैं। और राष्ट्रीय दिल व दिमाग हो जाने से यह होता है कि जब हम जीते हैं तो देश के लिये जीते हैं। कराची में हमने पास (Pass) किया था कि हमारे देश में सबसे बड़ा वेतन जो होगा हमारे राष्ट्र का वह होगा केवल पांच सौ रुपये। लेकिन आज हम लेते हैं पांच हजार और वही पांच हजार लेने वाले बात करें राष्ट्रीयकरण की! सभापति जी, राष्ट्र की जो सेवा करने वाला होगा वह अपने भरण पोषण परवरिश की चीज चाह सकता है और उसका भरण पोषण होना चाहिये। लेकिन राष्ट्र के खर्चों से वह अमीर नहीं बन सकता, मोटा नहीं बन सकता। तो जो हमारे पंत जी कह रहे थे वह मुझे भी दुःख के साथ और लज्जा के साथ कहना पड़ता है कि यह सरकार अभी कुछ काम नहीं कर रही है। मैं आप से एक बात कहता हूँ। पहले तो कारपोरेशन (corporation) बने, उसमें चेअरमैन (Chairman) बनेगे, मेम्बर



(Member) बनेंगे, कौन कौन बनेंगे, उसके बाद क्या होगा, ऐडवाइज़री कमेटी (Advisory Committee) बनेगी। यह तो वैसा ही हो गया जैसे रिहैबिलिटेशन डिपार्टमेंट (Rehabilitation Department) है। एक मिनिस्टर (Minister) हैं, उन में सब काम करने की ताकत नहीं हैं और एक डिप्टी मिनिस्टर (Deputy Minister) चाहिये, डिप्टी मिनिस्टर भी नालायक ठहरा, उस के लिये ऐडवाइज़र्स (Advisers) चाहिये। यह सब आखिर किया है। सभापति महोदय, मुझे लज्जा और दुःख के साथ कहना पड़ता है, रोप के साथ कहना पड़ता है कि यह सरकार क्या कर रही है। यह देश की सेवा कर रही है या देश को लूट रही है, यह कहने का मुझे शक नहीं है मैं हृदय से रो रो कर यह कहता हूँ। आखिर यह ऐडवाइज़री कौंसिल (Advisory Council) बनाने की क्या ज़रूरत है। मैं तो कहता हूँ कि आप कारपोरेशन बनाते हैं, कारपोरेशन में जो चेअरमैन होगा, मेम्बर होंगे, उसकी कोई ज़रूरत नहीं है। मेरा तो यह ख्याल है कि ऐडवाइज़री कौंसिल की भी ज़रूरत नहीं। यहां जो आपके एग्ज़िक्यूटिव अफसर (Executive Officer) है वही तो सब काम करने वाला है, तो और लोगों की ज़रूरत क्या? कोई मिनिस्टर इसका चार्ज ले लेगा और काम चलेगा, लैंग काम बढ़ाते जाते हैं। मैं कहता हूँ बड़े प्रेम के साथ कि आप हमारी सरकार को अच्छी तरह से चलाइये। देश में जो आज कमी है वह यह कि काम ठीक से हो। अगर वह काम ठीक हो जायेगा तो आपकी सारी बातें ठीक हो जायेंगी और अगर जिस तरह से आज काम चल रहा है उसी तरह

से चलता रहा तो कञ्जुगिया मूख की तरह हमारा काम नहीं चलेगा। मैं सन्धानम जी से कहूंगा कि अभी क्या हुआ है, बिल वापस ले लो। अगर आप यह उम्मीद करते हैं कि यह सब की राय से पास हो जायेगा तो भाई, यह सब के वोट से तो पास होगा नहीं, हां, कुछ वोटों से भले ही पास हो जायें। मैं निवेदन करूंगा कि आपके पास बहुत काम है, और कुछ नहीं तो दिल्ली ट्रांसपोर्ट (Transport) में ही कम से कम ऐसा करो कि सब को बस पर बस (Bus) मिल जाये। कहीं कहीं लोगों को घंटों बस स्टैंड (Bus Stand) पर खड़ा होना पड़ता है और बस नहीं मिलती है। चले हैं सारे देश का राष्ट्रीयकरण करने के लिये, एक दिल्ली का काम तो होता नहीं सारे देश में करने चले हैं।

मैं बहुत नहीं कहूंगा, क्योंकि थर्ड रीडिंग (Third Reading) पर ज्यादा नहीं बोलना चाहिये। लेकिन मैं अर्ज के साथ प्रेम के साथ, और हृदय के दुःख के साथ, आप लोगों से कहता हूँ, सरकार से कहता हूँ कि सरकार को कायदे से चलाओ। देश में बहुत हाहाकार मचा हुआ है। सरकार की निंदा, आप लोगों की निंदा सुनते सुनते मेरा सारा बदन छिद रहा है। मैं फिर भी कहूंगा कि इस बिल को वापस ले लो क्योंकि इसको पास नहीं होना चाहिये।

(English translation of the above speech).

**Babu Ramnarayan Singh (Bihar):**  
Sir, after many days I am fortunate to catch the Speaker's eye and I am much thankful to him for that. After sometime the Road Transport Corporations Bill will become a law and will be an addition to the Government of India's stock of statutes. Mr. Speaker, when this Bill was being discussed in

the House, many people were feeling overjoyed. But this is also a fact that there are places where chaos is prevailing. Some people think that as soon as this Bill is passed into an Act it will assume the shape of a Kalptaru, the tree of Desire, and will shower on us all the four blessings, i.e., God, Wealth, Pleasure and Salvation. Instead of finding anything good, I see that it is disadvantageous and I want to warn the Government that it should not go so fast. I fear that a man going so fast is bound to stumble and topple down in a ditch which will prove his end.

Sir, when I look into the way the Government is performing its duties and the manner in which this Bill is being passed, I am reminded of a story from the Puranas. The story is that in ancient time once Lord Shiva and Parvati were going through a jungle.

**Mr. Deputy-Speaker:** This is Transport Bill. However indulgent I might be it is the Third Reading of the Bill and we ought not to go into the clauses as they have been discussed in detail at an earlier stage. Before the consideration stage the pros and cons must be discussed in great detail. Now the hon. Member must oppose or support this Bill. Of course, a few salient points in opposition or in support might be referred but going into a digression and to talk about nationalization and with regard to other departments are not at all relevant to the issue. I do not want to prevent any hon. Member from speaking but what he speaks must be relevant and as short as possible. We have spent three days already on this Bill.

**Shri R. K. Chaudhuri:** Can we not in the Third Reading stage discuss about the effects of the Bill, as it is passed after amending it?

**Mr. Deputy-Speaker:** It is not clause by clause. Of course it is open to discuss the general effects of the Bill whether it is in support or in opposition.

**Babu Ramnarayan Singh:** Mr. Speaker Sir, I am not taking it clause by clause and I have taken only a minute or two and I have just started.

**Mr. Deputy-Speaker:** How does Shivji and Parvati come in?

**Babu Ramnarayan Singh:** I will not defy your orders in the least. But this story is very much essential for the Government work. I was telling that once Shivji and Parvati were going

through a jungle. They saw a wood-cutter collecting wood and then trying to lift the bundle, but he could not succeed in doing so. That fool should have removed some woods from the bundle and should have carried as much as he could. But instead of doing so he went into the jungle to collect more wood and tried to lift it after adding some more to it. He tried again to lift, but failed. Then Parvati asked Shivji as to what the matter was. That fool had not been able to lift the bundle which he already possessed and still he collected more wood and wanted to lift that. Shivji told Parvati that that was the effect of Kaliyug.

Sir, now I come to the point. I submit that the Government's hands are already full and it is not able to execute the functions properly. It is not able to control even those departments which are under it. The personnel of the Government do as they like. Instead of taking up that work while it could have executed, it is, like the Kaliyug fool, taking up more and more of work. What does it mean? Sir, there is already too much work to be done. The country would have felt happier if it would have tried to reform those who are working under it. The Government is not doing that. The country is rife with bribery and is groaning under barbarities. Instead of stopping these the Government is forming another corporation. I totally agree with Mr. Pant's views as expressed by him on the question of nationalisation. Please let me know when nationalization takes place. Nationalisation takes place only when there is national character, and the national mode and method of thinking. Pantji has urged for the nationalisation of the present Government in the first instance. Nationalised Government means good Government, a Government which would serve the nation. Sir, when you were speaking you had told us that the underlying principle of private enterprise was profit while that of Government enterprise was service. It is said that all the private enterprises are undertaken with the profit motive, but may I ask what is the underlying principle of Government enterprises. Is it not profit? I am ashamed to say that all the Government employees work simply for their bread. Nationalisation could only be done when we have national feeling, character, and national mode of thinking. The result of all this is that when we live we live for the country. In Karachi we had passed a resolution that the highest salary in our country will be Rs. 500/-. But today we take five thousand rupees

per month as salary and even then we talk to nationalisation! Sir, one who wants to serve the nation could expect a means of subsistence and he should therefore be provided for. But he cannot become rich by amassing national funds. Like Pantji, I am pained and ashamed to say that the present Government is not doing anything. I tell you one thing. In the first place a corporation will be formed and chairman and members will be appointed, then there would be the question of personnel and in the end an advisory committee will be instituted. It will be just like the Rehabilitation Department. There is a Minister and he is not capable of doing the entire work and he needs a Deputy Minister and if the Deputy Minister turns out to be a fool then he would need advisers to assist him. What is all this? Sir, I am pained and ashamed to submit that this Government is not doing anything. Is it serving the nation or plundering it? I am not ashamed in the least to say like that. My heart weeps when I say like that. After all, what is the necessity of forming an advisory council? I say that there should be no chairman or members in the corporation which we want to form. In my opinion there is no need even of an advisory council. The executive officer is the man who does all the work, then what is the necessity of others? Some Minister will take charge of it and thus the task will be fulfilled. I submit that you run our Government efficiently. The only deficiency in the country today is lack of efficiency. If that is set right everything will become all right. But if we allow things to drift like this then like the *Kaliyugi* fool, our task would not be fulfilled. I would request Mr. Santhanam to withdraw the Bill as it would not matter much. If he believes that this will be passed unanimously, he is in the wrong. It may be passed with a majority of few votes. I would request the Government that there is enough work to be done, if nothing else is done kindly work in such a manner that at least in Delhi one may get bus in time. Sometimes people have to wait for hours at bus stands and still they do not get a bus. You are setting out to manage the affairs of the whole country while you are not even able to manage properly the buses in Delhi.

I will not take much time as lengthy speeches are not delivered at the Third Reading stage of the Bill. But in all earnestness and with all respect I appeal to the Government to run the Government efficiently. Chaos is prevailing in the country. I am tired of listening to the complaints made by people against the Government and its Ministers. I will once more request

him to withdraw the Bill as it should not be passed.

**Pandit Balkrishna Sharma** (Uttar Pradesh): I would not have thought of taking any time of this House had I not heard the speech of my hon. friend Pandit Pant and had I not been provoked into a sort of loud thinking by his speech.

In the first place, he has taken exception to this Bill on the ground that it has placed before itself the objective of running this Corporation on business principles. He would very much have liked this Corporation which will come into existence as a result of this Bill being passed into law, to be run on humanistic principles, on principles of service to society. I am reminded of the famous saying of Mahatma Gandhi in this connection. He once said, however much you may try to protect the cow, you shall fail in protecting her unless you make the cow an economic success. The same principle more or less can be applied to all such attempts where we are required to serve the people either in regard to supply of essential commodities or in regard to transport. To say that business principle and principles of service are essentially contradictory, conceptions is to say something which is not a fact, nor a truth. Principle of service is quite all right, suppose the principle of service, in order to be effective, requires an organisation to be built up and that organisation in terms is an organisation which has a lot of give and take in its operation, certainly you cannot run it except on business principles. Therefore, I do not see that there is anything wrong in the Bill if it enunciates the principle that the Corporation shall be run on business principles. It is really a misfortune that we have come to connect or associate business principles with anti-social activities, that businessmen have not been able to show greater attention to scruples about serving the society, and that therefore business principles in themselves are anti-social in their character. Therefore, Sir, the objection that has been taken on that ground that it is against the fundamental principles laid down in the Bill seems to me to be spurious.

3 P.M.

The second point that was raised was in regard to nationalisation. It was said that this was no nationalisation, but that here was an attempt to bring about bureaucratisation rather than nationalisation and that real nationalisation could be brought into existence only when the hon. Minister of Trans-

[Pandit Balkrishna Sharma]

port would make provisions in the Bill whereby he could associate the labour that will be required to run these Corporations, or the activities of these Corporations.

**Shri B. Das (Orissa):** That will be socialisation.

**Pandit Balkrishna Sharma:** I very humbly beg to submit one or two things in this connection. To my mind, this question which my hon. friend has raised is rather of a fundamental nature. Nationalisation or even socialisation or even communisation of any enterprise of necessity, under present circumstances, involves a great deal of bureaucratisation. We have seen that the biggest experiment in this direction has been or is being carried out in the land of the U.S.S.R. And what do we find? In spite of the best efforts to keep the various industries in tune with national interests, there we find such a great bureaucratisation of the whole thing that we cannot simply get out of it, by merely pointing out that bureaucratisation is there, and therefore real nationalisation or socialisation is not taking place. Socialisation is there, along with that there is bound to be bureaucratisation. The two are bound together. You cannot avoid it. As between nationalisation and bureaucratisation...

**Shri Hussain Imam:** Which is worse?

**Pandit Balkrishna Sharma:** Between nationalisation and bureaucratisation, there must be an interconnection which cannot be avoided under any circumstances whatsoever. That again raises a fundamental question, and that is, whether any big industry, whether in the hands of private individuals or in the hands of society can be run without bureaucratisation. Look at the Tatas, look at the Birlas, look at the Singhanias, look at all the other big industries in this country. My hon. friend here raised the question which is worse. Sir, it is not a question of which is worse or which is better. It is a question of simple realisation of the fact that this process of bureaucratisation is inherent in the very conception of big industries. That inherent conception has to be borne in mind when we criticise our own government for trying to bring about a certain amount of social control over certain industries or over certain systems of transport. That has to be taken into consideration. Bureaucratisation will be there, and simply because it has been our misfortune to have suffered from the sins of over-bureaucratisation, we cannot advance that as a very

powerful or positive argument against the system of nationalisation, even though that of necessity will carry with it bureaucratisation of the machinery.

**Shri D. D. Pant:** And so the hon. Member admits that there is bureaucratisation and that we will continue to have bureaucratisation?

**Pandit Balkrishna Sharma:** My friend is talking through his hat, Sir, if he thinks that in any socialisation, you can prevent bureaucratisation and.....

**An Hon. Member:** He has no hat.

**Pandit Balkrishna Sharma:** And if he has no hat, it is his misfortune and not mine.

Then again, a third point was stressed by my hon. friend, that the principle of compensation to a very great extent militates against the principle of socialisation or nationalisation, and therefore the provisions of this Bill relating to the payment of compensation should not have been there. My friend also expressed his misfortune that he was not there in the Constituent Assembly when the Constitution was on the anvil, otherwise he would have used his stentorian voice, if not his strong logic, against that article which prevents any government from depriving anybody of his property without compensation. Well, this is not the time to consider whether we could have done away with such clauses in this Bill, such clauses as are meant to regulate the compensation for the buses that the Corporation may take over from private individuals. We have to take into consideration the situation in which we are and that situation is that we cannot to-day pass any law in regard to nationalisation either of any industry or any system of transport, without incorporating in that law a definite provision with regard to the payment of compensation. If that is the situation as I have understood it is, then to fall foul of this or that clause of this Bill on the ground that it wants payment of compensation, is not quite logical. I can quite understand my friend, bringing into this House an amending Bill, a Bill to amend the Constitution, and that will be the forum and there this principle could be discussed. But the present Bill and the clauses of the present Bill with regard to compensation are not the proper forum for discussing the fundamental question that I have referred to.

Another thing that was said was that State capitalisation of industries

is not nationalisation. I would rather not touch this aspect because it will again involve some discussion of certain fundamentals. It all depends, Sir, upon the nature of the State, whether state capitalisation is or is not nationalisation or socialisation. I hold that so far as this State—the Union of India—is concerned, it is a democratic State. And therefore, such of the industries that might be taken over by the State will certainly be nationalised, that is to say, there will be socialisation; in other words, they will be run in the interest of the people in general. Of course, you can say that in a Fascist State, it is not possible to call a state-owned industry by the name of socialised or nationalised industry. But then in a democratic state it is not so and therefore to fling that sort of a diatribe is, I think, not at all well deserved. There may be certain clauses in this Bill which on maturer consideration I may not be able to give my support fully to. On the whole I think it is a very desirable step that our State has taken in this direction. To say that instead of nationalising big industries we are nationalising a service from which thousands of people are eking out their existence is to lose sight of one very fundamental truth and it is that that nation will be a poor nation which will leave such a vital source of revenue as the transport system into the hands of private ownership. Therefore, I fully support the measure before the House.

**Shri R. Velayudhan** (Travancore-Cochin): Sir, two categories of hon. Members in this House have spoken on this Road Transport Bill. The first category consists of those who believe in private enterprise and who want that the motor transport industry should not be a state-owned industry. But at the same time, those who opposed wanted a kind of state monopoly or state ownership of the transport industry. As for myself I submit that I belong to a third category: I am a man who always travels in a bus and I have only one interest in the Bill and that is that the bus travellers should be given all comforts as far as their transport is concerned.

**Pandit Balkrishna Sharma:** Does he travel alone or with his wife?

**Shri R. Velayudhan:** If the hon. Member is interested to know I travel not only with my wife but with my children also. I do not travel with wives, if I may say so plainly.

**Shri Tyagi:** He also keeps a knife.

**Shri R. Velayudhan:** My submission is whether the present Government is

competent to take up this industry as a national concern at all. During the last 3½ years of its life it has shown its incapacity not only in the administration of the State but also in the management of its industries. Hon. Members have already indicated that the State has spent huge amounts, crores of rupees, in state enterprises. Take for example the Sindhri factory and the other factories which the State is running today. The other day a friend of mine was telling me that if that much money was spent on industries managed by private persons they could have produced machinery with perhaps double or treble their capacity. The present National Government is wasting huge national resources.

**Mr. Deputy-Speaker:** I would like to make it clear that it is going out of the way to discuss about other state enterprises. This is not a general discussion on state enterprise versus private enterprise. As regards the Sindhri factory it is a very valuable factory which is expected to supply fertilisers for the whole of India. As to whether it is properly managed or not is another matter. The hon. Minister in charge is not here to answer any criticism and even if he were here it would be going out of the way to take industry after industry which has been nationalised and say that they have proved failures. Hon. Members should address themselves to any inherent weaknesses in the proposed scheme and that is all that is before the House.

**Shri R. Velayudhan:** Sir, I am very grateful to you for giving me a guidance with regard to my speech. I shall now confine myself to the motor transport industry only.

We have a nationalised motor transport industry in my state. My state was the first to introduce motor transport as a national concern but I must humbly submit that it has proved a failure, especially after the advent of the present Congress Government. The present Central Government has so many tongues to speak. With one tongue it will say that we do not want nationalisation and at the same time with another tongue they say we want nationalisation. It has got tongues like Ravana's ten tongues. It makes all kinds of promises to one section of people. They say we want nationalisation but we want for that a particular system of Government. I shall give you one example. How much dollars we have spent in nationalising the motor transport industry in my State, whose resources are very limited. In the same way take the motor transport industry in Madras State or in

[Shri R. Velayudhan]

the Bombay Corporation. It has been proved openly that state-ownership has failed—not nationalisation, because nationalisation can be done in the proper sense only in a Socialist State. India is a curious State: it cannot nationalise any industry. I therefore submit that the present measure will not achieve the object we contemplate. It will only mean trouble or waste of money to the national exchequer as far as the motor transport industry is concerned. Even though I concede the principle on which the hon. Minister has brought the Bill, I say that the present Government cannot take up the industry and work it successfully. We have a lot of social welfare amenities on which we have to spend a lot of money but we are neglecting them. At the same time we are launching on laudable plans or noble paths which will result in waste of money. Even if I concede or accept the principle of nationalisation I think the Bill is most inopportune. This Government which is not a Socialist Government cannot bring about nationalisation as contemplated in the Bill.

**Shri R. K. Chaudhuri:** Sir, I am grateful to you for giving me this opportunity of saying a few words at the time the motion for passing the Bill is being considered. I shall try strictly to follow your advice and will not say anything to invite your admonition.

I am not making any new point which the hon. Minister may not be in a position to reply but I should remind Members of an unusual thing today. The Minister was compelled to make a speech at the time of moving for the passing of this Bill. That speech was more in the nature of an apology than of justification. Nevertheless I congratulate the hon. Minister for his success on this particular occasion. This was, so far as I can see, a very difficult occasion. This was an occasion on which the hon. Minister was rather going uphill, an occasion in which he was compelled to tread on the interests of a large number of middle class people and to have this Bill passed in spite of—though with the support of the House no doubt—or in the teeth of opposition from members of the public outside.

Though I congratulate him, I wish to sound a note of warning. This hybrid measure which is neither nationalisation nor a full-measured business proposition, may lead the Government to far more serious trouble. Sir, if it were an outcome of a policy of nationalisation, one should have expected that the Minister would begin charity at his home. Times

without number I have spoken in this House about the poor condition of a Railway which is known as the T.B. Railway in Assam. Hon. Members who had been in this House before may be nauseated if they hear a description of that Railway again, but those hon. Members who have come in this House for the first time will be interested to know that there is a peculiar sort of Railway in Assam which is under the active patronage of the Government of India.

**Shri Santhanam:** I believe it is private enterprise for which the hon. Member stands.

**Shri R. K. Chaudhuri:** Yes, that is what I am coming to. In that Railway everybody has got to co-operate. The passenger, the driver, and the guard always work in a spirit of beautiful co-operation.

**Mr. Deputy-Speaker:** Is the hon. Member suggesting to Government that it should give it away to a private agency?

**Shri R. K. Chaudhuri:** I want to say.....

**Mr. Deputy-Speaker:** The hon. Member is straying far away in referring to the Railway system and railway working.

**Shri R. K. Chaudhuri:** I will not stray far away, Sir. I will come back.

**Shri Hussain Imam:** Assam is very far off!

**Shri R. K. Chaudhuri:** Assam itself is far off, but I cannot help it. What I was saying was this. If really the hon. Minister is acting honestly towards nationalisation, why does he not take steps to nationalise that piece of railway which is only a distance of about thirty miles, and which is causing the greatest discomfort to the public of that locality? It is quite easy for him to do that. It is not a long distance, it is only a distance of thirty miles. There has been so much of public complaint against it, and still the hon. Minister is impervious to that complaint. But here he is hurrying to nationalise motor transport which, as I said earlier, is being sufficiently efficiently carried on by private enterprise.

By introducing this half-measure, the hon. Minister is indirectly going to encourage the capitalists with larger financial resources than the persons who were till now carrying on this trade. Who, generally, are the private operators? Most of them, at least in

my Province, are ordinarily people who had originally started their career as a driver. After carrying on for some time as a driver they happened to collect some money; they took vehicles on hire-purchase agreement and they purchased new vehicles later and carried on as efficiently as may be expected under the circumstances. Now, by taking this big risk and ousting those poor people, what is Government going to gain after all? As we are going to pass this measure, it should be our duty to assess the gain as well as the loss accruing out of it. That we must assess in a proper spirit. What are we going to gain? Did the public ever cry for nationalisation of road transport? Did the passengers ever cry for it? Then who is going to gain by it? Who is going to profit by it? I can understand the original object of our previous masters. They did not want to nationalise even the Railways. They were in great sympathy with the public limited company which was organised in the United Kingdom and other places, and they were apprehensive of the competition which was being presented by the motor transport. They got apprehensive that the railway income would fall short, and therefore they had passed the Motor Vehicles Act of 1939 so as to put a stop, as far as possible, to the competition which was being set up by the private transport organisations.

That was the original idea, but that question does not arise now. Today the Railways are in a position, happily or unhappily, to have enough business. They have enough things to transport which they fail to transport. Therefore, the question of competition with motor transport does not arise. On the other hand, motor transport has been of great help to the Railways in carrying on as a feeder service and in supplying goods to the Railways for their carriage. Now it seems to be the policy of the Government to start some policy which the previous masters of this land failed to carry out. Take for instance this question of motor transport. Our previous rulers were anxious to devise a scheme whereby the motor transport which was generally in the hands of the indigenous people—they were not run in any part of the country by Europeans or Americans, they were run in those days by indigenous people—would be killed by taking it out of the hands of the indigenous people and putting it into the hands of a Corporation. But the Government of the day did not try to do it on account of the opposition from the public. If I remember aright, our own Congress friends were at that time very much opposed to that sort of policy. Simi-

larly, in the matter of the Hindu Code the previous Government, our previous masters, did not dare to pass it into legislation, but now the Government has brought forward that Bill.

**Mr. Deputy-Speaker:** I would ask the hon. Member to stop. He is straying too far away. He referred to the railways, and now he is referring to the Hindu Code. I think he has said enough on motor transport and nothing more has to be said.

**Shri R. K. Chaudhuri:** In spite of all the talks that we private Members had indulged in, what have we really succeeded in getting in this Bill? We have not been able to get anything in the Bill whereby payment of compensation will be made to persons who will be affected by future acquisition of undertakings. There has been a pious wish expressed by the hon. Minister that he will try to see that everyone was properly compensated. But he has not put anything in this Bill whereby anybody could legitimately expect to be properly compensated. Now, as regards compensation, as I have already said, it is not merely a question of the acquisition of the vehicle for which a considerably insignificant amount will be paid, but it is a question of the acquisition of the undertaking; it is taking away all the business from the hands of the private operators that will affect them the most. I want to ask the Government: since by this Bill we have not been able to secure first preference to the existing employees, since we have not been able to secure an assurance to find employment for the private operators who will now be pushed out of this business, what are they going to do? What will the private operators who may get some money by giving away vehicles in the process of nationalisation do with it? The only course that would be open to them would be to stand for election in the next General Election. This sum of money will help them to carry on the election. It will help them to throw out the Congress and say all that they want to say against the present Government. Also, they may try to secure a seat in the Treasury Benches. That will be the only occupation which would be left to them.

**Srimati Banu'la Ray (West Bengal):** Is that relevant, Mr. Deputy-Speaker?

**Shri R. K. Chaudhuri:** The amendment which the hon. Minister put before the House related to improvement of things as they now prevail in Bombay. I am sure I am quite relevant. By bringing that amendment, my hon. friend Mr. Santhanam has com-

[Shri R. K. Chaudhuri]

mitted three or four offences against the public. First of all, I do not know why he brought this Bombay affair into this Bill.

**Shri Munavalli (Bombay):** Because it is one of the States.

**Shri R. K. Chaudhuri:** I cannot understand, really speaking. My hon. friends who are very progressive and come from very progressive provinces should certainly make allowance for a man who comes from the far eastern corner and who has not got an up-to-date knowledge of things and of law. Now, Sir, I do not know whether the Bombay Corporation was actually the result of a legislation passed by the Bombay Assembly or whether it was due to a legislation passed by the Centre.

**Shri Munavalli:** Both.

**Shri Santhanam:** If the hon. Member has not caught the point so far from the discussion, I wonder whether he will catch it again. I told him that the difficulty arose owing to the defects in the Act which we passed in the predecessor to the present Parliament in 1948 and that is why we are passing a modifying Bill.

**Shri R. K. Chaudhuri:** I am thankful for this information. Sitting in this corner and being somewhat advanced in age, I have not got that sense of hearing which my hon. friend the Minister possesses. If it was a piece of legislation passed by this House and at the instance of the present hon. Minister.....

**Shri Santhanam:** No, Sir. My predecessor.

**Shri R. K. Chaudhuri:** Oh, my Lord! Then, I would ask him only one question.

**Mr. Deputy-Speaker:** But the hon. Member was a Member of the House then.

**Shri R. K. Chaudhuri:** I am speaking about the Bombay amendment.

**Mr. Deputy-Speaker:** All this is relevant when we were getting through the clauses one by one. At this third reading stage, we cannot go into clause after clause. The whole thing was thrashed out during the second reading. Only the general effect of the acceptance or rejection of a particular clause would form the subject matter of discussion here. The hon. Member may speak on whether he supports or does not support the final passing of the Bill.

**Shri R. K. Chaudhuri:** Sir, that is the most vital provision in this Bill, and that was the only amendment brought forward by the hon. Minister on which he spoke with some amount of vehemence. My only question is—I am not going into the merits or demerits—if the previous legislation has been found today to be defective, what guarantee is there that the present legislation also is not going to be defective? That is the only question I am asking.

**Shri Santhanam:** I can reply straightaway. My successor will bring in an amending Bill.

**Shri R. K. Chaudhuri:** I want to know whether the hon. Minister has consulted the same set of lawyers and legal advisers whom his predecessor had consulted or whether he has taken the advice of a new set of lawyers and legal advisers. If it is the same set of lawyers who drafted the previous Bill, then we run a similar risk of having another legislation on the same subject.

**Shri Balkrishna Sharma:** The same set of lawyers and the same set of Parliamentarians.

**Shri R. K. Chaudhuri:** All that I want to avoid is that we should not pass such a legislation which may again be criticised by the High Court, and again we may have to bring in another law to meet the defects which the High Court points out. I presume the House will agree that it is a sorry spectacle for the public to see that some legislation is passed by the Parliament and only a few months after that, it is found to be defective and the law court holds it to be so, and as a result we have to come to the House to improve it. That was what happened in the case of the Preventive Detention Act.

**Mr. Deputy-Speaker:** What is the suggestion of the hon. Member?

**Shri R. K. Chaudhuri:** My suggestion is that I want a clear assurance from the hon. Minister that he has left no stone unturned to see that this piece of legislation is free from those defects on account of which the High Court had to declare the previous legislation to be defective.

**Shri Santhanam:** No stone has been left unturned.

**Mr. Deputy-Speaker:** The hon. Minister is thoroughly satisfied.

**Shri R. K. Chaudhuri:** It is not for the hon. Minister to be satisfied. The



House also must be satisfied. Surely, he has taken some pains to bring this Bill. Now, Sir, I am afraid the House is getting tired of what I am saying.

**Some Hon. Members:** No, no.

**Shri R. K. Chaudhuri:** I submit that any legislator who has any sense of legislation and who has any sense of framing laws by Parliament or an Assembly ought clearly to bear in mind three things.

**Shri T. Husain (Bihar):** What about a sense of humour?

**Shri R. K. Chaudhuri:** I said three things. One is that it is not materially defective. The second is that it has no retrospective effect. This amendment which has been accepted by this House clearly has retrospective effect, because not only will new persons suffer but even those who did not suffer in the past and who are going to be compensated by the court will suffer. Although the House may not be tired, I am afraid I have irritated you and I think, Sir, that you would appreciate it if I close my speech. One thing more I want to say. Why does not the hon. Minister follow the path which his colleague the Minister of Communications has chosen to follow in the matter of nationalisation of air services? It will be recalled by at least some of the senior Members of this House that when the proposal about nationalisation was discussed in this House with the present hon. the Prime Minister in charge of the Government in 1946 it was generally agreed that nationalisation should be resorted to for the advantage of the public only and not on the principle of getting profits for the Government. Now the present Air Minister...

**Shri Tyagi:** From the land the hon. Member has gone to air. I submit this is not transport.

**Shri R. K. Chaudhuri:** Nowadays you travel not only by land but by sea and air as well. In the matter of nationalisation of airways...

**Pandit Balkrishna Sharma:** May I request the hon. Member not to go to heaven.

**Mr. Deputy-Speaker:** I thought the hon. Member had finished; but he is getting constant encouragement from other Members.

**Shri R. K. Chaudhuri:** So far as the nationalisation of air services is concerned, I understand that the Government of India are going to nationalise

only those services which have failed to give satisfaction to the public. The same should be their policy in the matter of nationalisation of road transport—to take over only those routes where the private operator has failed to give satisfaction to the public.

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

“That the question be now put.”

**Shri Naziruddin Ahmad:** I beg to point out that questions cannot be put like this. The rule says that there must be sufficient debate. We had so far sufficient talk but there has not been enough debate. Therefore, this motion should not be accepted.

**Mr. Deputy-Speaker:** So far as this Bill is concerned this is the Third Reading. We have had enough speeches during the course of the Second Reading. Clause after clause was discussed at length and a number of people have spoken already. I will allow one or two more speeches. Mr. Hussain Imam.

**Shri Hussain Imam:** When I spoke on the second reading I was accused of using strong language. But I am now speaking with a very heavy heart. I am speaking more in sorrow than in levity. I feel, Sir, that the House has been unable to contribute anything useful due to the attitude of the Government. We had brought forward almost unanimously for the consideration of Government certain points which were brushed aside in the same manner and in almost the same attitude with which they used to be brushed aside when the Treasury Benches were filled in by foreigners.

It is a sad thing, Sir, that people like my hon. friend Pandit Santhanam whose strong articles against the bureaucracy for mismanagement of the Government have with the change of place become as mindful of the Treasury Benches as he was then mindful of the opposition.

**An Hon. Member:** It is on account of responsibility now.

**Shri Hussain Imam:** Some may say it is the result of responsibility. Others may say it is the result of absolute power which he enjoys. It is a well known fact, Sir, that power corrupts and absolute power corrupts absolutely. I am sorry for my country. We are living through a time when the destiny of the nation is at stake. Apart from this, Sir, the attitude of the Government is non-responsive to the House.

[Shri Hussain Imam]

Valuable suggestions made in all sincerity are simply brushed aside. There is very little difference between absolutism and this show of democracy.

Sir, I am not going to deal with all these points. But I have to say a few words on one or two fundamental things. My hon. friend from the far-eastern corner referred to retrospective effect, or what I call the validation part of the Bill. We feel, Sir, that it is beneath the dignity of the Government to take the course and methods which are not open, fair and just. A point has been made by several hon. Members that the Regional Transport Authorities were cancelling permits of the operators, thereby debarring them of their right to get any compensation. They were given temporary permits and those permits were not being renewed. These two methods are being adopted by the State Governments in order to get out of payment of compensation. Let Government hold an independent and impartial enquiry and if it is proved that our charges are wrong we are prepared to apologise here in the House. But if our allegations are found to be correct, is it not the duty of the hon. Minister and the Government which prides itself as a democracy and which wishes to talk these things to others outside India to correct them. It is not enough for you to brush these things aside and say that it will create difficulties. We have a democracy. The difference between 1948 and 1950 is that then we had no Constitution and no Fundamental Rights. Today we have them.

**The Minister of Works, Mines and Power (Shri Gadgil):** The hon. Member need not speak so loud; we can conveniently hear him.

**Shri Hussain Imam:** I shall speak very slowly and very quietly for the convenience of my old friend the hon. Minister of Works, Mines and Power.

**An Hon. Member:** That is why he has put microphones.

**Shri Hussain Imam:** He is himself a microphone. He has got power without mines.

I was referring, Sir, just before we dispersed for lunch that the new clause 46A which he has introduced runs counter to the established procedure whereby every revalidating Act safeguards those actions on which the judiciary has made a pronouncement.

**Shri Santhanam:** If I remember aright, this was exactly the same argument. I mean, exactly the same words

which the hon. Member advanced while speaking on that particular clause.

**Shri Hussain Imam:** That is what exactly I am saying now.

**Mr. Deputy-Speaker:** If that is what the hon. Member is saying, he is out of court. It is not right to go over the same grounds of argument with reference to individual clauses. I may refer the hon. Member to a ruling given on the scope of discussion during the Third Reading of the Insurance Amendment Bill.

Speaking during the third reading of the Insurance Amendment Bill, a Member started a discussion of the same question which was raised on a clause of the Bill during the second reading. The President ruled:

"It is of court competent to the House to reject a Bill even at the third reading and therefore to comment on the Bill as a whole. But it is entirely different from going into details and repeating a discussion which has already taken place."

Therefore, if the hon. Member admits that he is repeating exactly what he has already said, as the hon. Minister pointed out, then it is unnecessary for him to pursue the matter.

**Shri Hussain Imam:** I was just reminding the House of what I said in the morning.

**Mr. Deputy-Speaker:** The hon. Member is not adding anything new. Further this will be entering into details of the matter. What the effect of the Bill as a whole will be on road transport, how it will work in general, these are certain matters which may be discussed during the third reading.

**Shri Hussain Imam:** While I was discussing this matter the hon. Minister stated that the High Court had given no decision except that the Corporation was not a legal body. I am reinforced in this by the judgment...

**Mr. Deputy-Speaker:** Nobody disputes the correctness of what is contained in the judgment. In the morning when the hon. the Speaker was here, though the text of the judgment was not brought to his notice, the same arguments were adduced. He heard the arguments and gave a ruling that it is open to this House to pass legislation retrospectively, irrespective of the question whether it is right or wrong. There is nothing moral in this matter; nor is it not competent for this House to pass legislation with retrospective operation. That is what has

been done. There is no use going over the same ground again.

**Shri Hussain Imam:** I am not going over the same ground. What I was trying to submit to you was that as late as the 7th of October, 1950 an Ordinance was issued by the President of the Republic of India...

**Mr. Deputy-Speaker:** What is it that the hon. Member is driving at? To say that this House is not competent to pass legislation with retrospective effect?

**Shri Hussain Imam:** No, Sir. I am just trying to say that a specific provision was made in the Ordinance that actions taken in pursuance of the Supreme Court judgment will not be affected by a revalidating Act.

**Mr. Deputy-Speaker:** That is with respect to some other thing.

**Shri Hussain Imam:** That is what I am trying to cite now as a precedent to the Government of India which is after all an indivisible whole. This very Government only a month and a half before had taken this line of action in clause 3 of that Ordinance which lays down:

"Where before the commencement of this Ordinance the Supreme Court has, on an appeal in respect of the assessment of an assessee for any particular year, held that any tax paid by that assessee in respect of the relevant previous year is 'an annual charge not being a capital charge' within the meaning of clause (iv) of subsection (1) of section 9 of the said Act, then nothing contained in this Ordinance shall apply to the assessment of such assessee for that particular year."

This is what I am citing.

**Mr. Deputy-Speaker:** It is open to Government to accept or not to accept it.

**Shri Hussain Imam:** That is for the Government. But what I am submitting to the House for its consideration is whether the Government is proceeding in a right manner or not, and I think I am perfectly within my right in doing so.

**Shri Tyagi:** Sir, the hon. Member is pointing out that the House has committed a blunder or has gone inconsistent with the previous policy of the Government. What he refers to is a mistake which the High Court or some Indiciary found basically with one

point. But here we have just filled the gap which was left. It was only a technical gap which was left, which has been filled.

**Shri Hussain Imam:** That is why I wanted to read the passage of the judgment.

**Mr. Deputy-Speaker:** The matter has been set at rest that it was open to the House. But in the details I find a world of difference between the two things. What was provided in the Ordinance, which relates to a different subject-matter altogether namely, Income tax, was that if an assessee has escaped assessment you must not re-impose it by an Ordinance, and to that extent let us allow him to escape. But so far as this case is concerned, when two persons along with this Corporation wanted to have a permit on a particular route, the Corporation was held to be valid on that basis and the regional authority granted a permit to it in Bombay. The High Court, however, found that the Corporation was not legally established and therefore set aside the permit and asked the regional authority once again to consider the matter. It is at this stage. No permit has been given to any stranger and therefore the permit given is not going to be dislodged. The Corporation will be taken to be a valid Corporation, and the regional authority which is the only competent authority to grant the permit had granted the permit. Therefore the two cases are entirely different. There is no use quoting out of context. That will have no bearing on the point. I would ask the hon. Member to proceed to any other point or to conclude his speech.

**Shri Santhanam:** Sir, this very instance was quoted before the Speaker and the Speaker himself was of similar opinion as you have just now expressed, and everything is being repeated exactly as it happened.

**Shri Hussain Imam:** I was going to say that by this Act the permits which were held by the High Court to be invalid have been validated. That is the result of this.

This strengthens my second case that Government is taking recourse to methods other than fair and open ones, namely, of giving compensation to the operators, but instead of that they have themselves admitted that they have used a devious method. I am at least consoled that that charge of mine has been accepted by the Government. I feel that the Government has got to do something more.

[Shri Hussain Imam]

than satisfying itself. It is necessary that it should carry conviction to the Members on this side. The people feel that today they are given no better treatment than was meted out by the non-responsible people. Even the Indian Members of the old Government of India were in the same manner unresponsive. The present Government is technically responsible to the House. But is it responsive to the House? We will see in a few day's time.

**Mr. Deputy-Speaker:** This argument has been heard *ad nauseam*. If the House had been all along with the hon. Member he could have insisted upon a division being held and tested if the House was in his favour or in favour of the Government, at various stages. When all the clauses have been accepted by the House, I think it is unfair to the House to make this kind of remarks at the Third Reading stage that over the head of the House something has been passed. It is the House which has passed it before where the Government was also a petitioner like the hon. Member himself. If any points are made as to how the Bill has to be worked or that the Corporation ought to be more sympathetic to the road operators, etc., that is understandable. But going into the details again at this stage is irrelevant.

**Pandit Thakur Das Bhargava:** Sir, may I say that if the hon. Member had any arguments and he should have advanced them at the earlier stage so that we might have been influenced by the arguments. To advance these arguments on the very same amendment at the Third Reading stage is not proper so far as the House is concerned. That is what the House also feels because we would have considered them then.

**Mr. Deputy-Speaker:** Let not the hon. Member generalise about the conduct of the Government but confine his remarks to the Bill.

**Shri Hussain Imam:** Sir, I am going to restrict my remarks to the Bill itself. We are in the Third Reading stage, and it is no use crying over spilt milk. Under sub-clause (d) of clause 46A they are validating the permits which were cancelled by the High Court. So far it is their responsibility whether they want judicial orders to be respected or not. It is their look out. I am not concerned. What I am concerned with is in respect of what has been done by the Government or said by the people, are they prepared, when they bring

forward a new legislation on this subject, to give an assurance that these instances of hard cases will be given a special consideration. I only want an assurance from the hon. Minister that it is not the intention of the Government only to give compensation to those whose lines are taken over as such but also those who are being ousted by methods other than acquisition—whether the cases of those people will also be considered. That is the first point on which I want an assurance.

The second point which, I wish the Government to consider is the need of associating local people, the people of the district through which the buses run, in an advisory capacity, to advise the Corporation, so that this Government may not fall in the same trap in which the former Government used to live, namely, in a fool's paradise that everything was all right. We are glad that in the Railways he has introduced the system of social guides and others which are bringing fruit. I feel that some thing on the same lines should be done, because it is very necessary. We have found for instance in the case of U.P., it is a standing scandal, Sir. The amount of time which a man has to waste to get a ticket on the U.P. road-way bus is something between 3 to 4 hours and it is no good shutting our eyes to these existing conditions. Nationalization must mean not only new income to the national exchequer but new conveniences also to the public. If we do not have public conveniences, we only have a little more income in the coffers of the State and that is not the purpose of nationalization for which this Bill is brought. It is more in its working that it will be tested than in the drafting of the Bill as it is before us and with this last word, I resume my seat.

4 P. M.

**Shri Santhanam:** I had no inclination to speak again before the Bill is finally put to vote, but the last speaker has forced me to make a few remarks. Sir, even at the Second Reading, he was riding a high horse and I wanted to reply to him, but he was not in his seat. I am therefore glad that he is there in his seat. Sir, he has got into the habit of speaking from the place of self-appointed Opposition, as if he was the spokesman of the House. He said that we here acted as our predecessors. Sir, if the previous House had the ability to displace our predecessors, then we would not have complained at all. Now the House is in the absolute position of

being able to replace the Treasury Benches whenever it wants and therefore to say that we are acting as dictators and that the House is a subservient House and that he is the mouth-piece of the House, I say, it is a caricature which he ought not to permit himself to make

**Shri Hussain Imam:** I included many prominent Congressmen also

**Shri Santhanam:** The Congressmen can speak for themselves. I do not see why the hon. Member should speak for them. They know how to make themselves felt; they can vote me out; they can reject any clause; they can reject the whole Bill, and if, after friendly criticism, they are convinced that the whole Bill is good for the country, does it lie in the mouth of the hon. Member to say that we are dictators and that he is the popular spokesman? I think, that is not a fair role to play. *(Interruption)*. I think it is not his exclusive privilege to use hard words. He spoke of the mean, low or devious actions of the State Governments, I resent those words even more than the reflections that he made on the Central Government. I do not accept that there is any State Government which is acting in a mean or low or devious fashion. All the State Governments are fulfilling the responsibilities laid upon them by the Constitution and they are doing the best for the people.

Sir, my hon. friend, Mr. R. K. Chaudhuri complaining about this Bill was asking why we have not taken over his T. B. Railway. If we hesitate in the public interest to take over a concern which is run by a private interest, then they come down and ask why we have not nationalized it. Transport, Sir, is a public utility business and whosoever may run it, whether it be a public operator or the State itself, it is a public utility business. There is no ministry which cannot be unseated by the Legislature and it cannot spend a single pie without the sanction of the legislature. If with the full backing of the legislature a State Ministry feels that it is in the interests of the public to nationalize road transport, it is not for a Member of this House to attribute motives and to make all kinds of reflections. I say Sir, this is not the proper way of dealing with it. He has also got into the habit of saying that unless we here agree to his suggestions, we become dictatorial. I do not think we are going to be intimidated or coerced by any such reflections.

**Shri Hussain Imam:** I seconded the motion of Mr. Rohini Kumar Chaudhuri and supported the motion of Sardar Hukam Singh.

**Mr. Deputy-Speaker:** I feel that the arguments used by the hon. Member were too strong.

**Shri Santhanam:** I hope the hon. Member will be a little more careful and speak as if he is speaking to his colleagues who have at least as much popular backing as he has, if not more.

I do not want to say anything more and I have explained the principles already. Exceptions prove the rule and it is a wise convention that only critics should have the field in the Third Reading. I may presume that all those who have not spoken are in full support of the Bill.

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

DELHI PREMISES (REQUISITION  
AND EVICTION) AMENDMENT  
BILL.

**The Minister of Works, Mines and Power (Shri Gadgil):** I beg to move:

"That the Bill further to amend the Delhi Premises (Requisition and Eviction) Act, 1947, be taken into consideration."

I think, Sir, that in as much as all the road impediments have been removed, the passage of this Bill will be considerably easier. This is a very simple Bill in which the Government of India is only wishing to make two small amendments. One amendment deals with the widening of the definition "Government premises" by including in the definition the word "land". The second amendment deals with the recovery of rent and of damages from unauthorized occupants of Government premises in a summary manner.

**An Hon. Member:** Very simple indeed.

**Shri Gadgil:** I hope, Sir, I will be at least doing my best to convince the Members of this hon. House that in the interest of those for whom they are honestly anxious, those amendments are necessary.

Sir, you are aware of the acute shortage of housing in Delhi. I will

[Shri Gadgil]

be in order if I give the hon. House some idea as to the extent of this huge problem. The population of Delhi was about 3,47,000 in the year 1931. In 1941 the population as shown by the Census return was 5,22,189. The present population of urban Delhi as calculated by the Delhi Administration is 14,60,000. Even before the consequences of partition became apparent the position of accommodation in Delhi was not even happy. According to the authorities of the Delhi Administration the requirements were on a fair standard necessary for a population of 8 lakhs of people. Now, Sir, this being the position, the problem has been further complicated by certain actions taken by individual citizens which has gone a long way, if not in sabotaging, at least in complicating and delaying several schemes for the clearance of slums in Old Delhi, as also implementing what is known as the Greater Delhi Plan. To have an idea as how the refugees, for whom I have every sympathy, although I may not be as vocal as many others are, have complicated the problem, as I said, by encroaching upon hundreds of acres of lands belonging to the Government, belonging to the Improvement Trust, belonging to the Delhi Municipality, I shall give some concrete facts. Four hundred structures covering about six acres of land have been built over Municipal lands. About 6409 unauthorised.....

**Shri J. R. Kapoor** (Uttar Pradesh): May I just enquire whether municipal land is also intended to be covered by this Bill?

**Shri Gadgil:** That is Government land.

**Shri J. R. Kapoor:** That would be covered by this Bill?

**Shri Gadgil:** Yes.

About 6409 unauthorised structures have been put up by the refugees on Improvement Trust land, *nazul* and *non-nazul*, covering 54 acres, 1508 unauthorised structures have been put up by the refugees on Government land, including *nazul* and *non-nazul* land, covering about 100 acres. Out of 3582 plots leased or sold by the Delhi Improvement Trust to private parties, 492 have been unauthorisedly built over by the displaced persons. The number of unauthorised structures on privately owned land falling within the jurisdiction of the Trust Scheme is 6759.

**Dr. Tek Chand** (Punjab): May I enquire whether the last category that

the hon-Minister just mentioned is also included in this Bill, which is described as a very simple Bill, but which is more complicated and more dangerous than most Bills?

**Shri Gadgil:** These plots have been sold by Government and Government has received the premium money, and in most cases the ground rent also. Therefore, Government is under an obligation to see that possession is delivered over to those who have purchased these plots.

**Dr. Tek Chand:** That may be so. I only want to know whether this is also covered by the Bill or not. The moral obligation may or may not be there. That is a different matter altogether.

**Shri Gadgil:** The moral obligation is being turned into a legal obligation, if necessary, by the introduction of this Amendment.

This is the problem. I do not want to describe the area wherein all these things have happened. I may tell hon. Members that this has held up schemes which will cover 2500 plots from those which have been unauthorisedly occupied by the refugees.

**Pandit Balkrishna Sharma** (Uttar Pradesh): Only 2500?

**Shri Gadgil:** That is, plans for which have been drawn and which could not be implemented, in which Government schemes have been finalised.

With all the sympathy that one may have, here are cases in which equities have to be balanced against equities, and it will be very difficult to accept the proposition that *status quo* should be regularised, and those who are there should be allowed to continue. If this extreme view is to be taken, Sir, I would most respectfully submit for the consideration of the House that that would mean the end of any Government. Such a situation revolts against the very ethos which informs the Constitution of any State. At the same time, I will inform the House that the Delhi Administration has been dealing with the question very tactfully, very sympathetically, and doing its very best to minimise the privations and troubles which must ensue in any case of ejection. (**Shri Kamath:** Question). It is true that it was not possible for the Government to immediately make available accommodation for a vast number of people like eight lakhs. When this problem became more acute, the hon. Prime Minister desired, and very rightly, that things should

be done in a very sympathetic and tactful manner and the local authorities acted in that spirit. Structures which had come into existence by the 15th August 1948, and which were in conformity with Building By-laws were allowed to remain undisturbed till alternative accommodation was provided. Later on, there was further pressure, and the date was advanced to 15th January 1949. In all cases, I am informed by the Delhi local authorities that alternative accommodation is offered. Now, the real trouble.....

**Shri J. R. Kapoor:** I could not follow the last sentence.

**Shri Gadgil:** Alternative accommodation in the sense that a plot is offered and the person who has built the structure is asked to shift there.

**Shri J. R. Kapoor:** What about the structure?

**Shri Gadgil:** He is permitted to remove the structure. There is no ban on removing the structure. He is paying nothing for ground rent either to the land lord, or to the Improvement Trust or to the Government or to the Municipality.

The real trouble is this, that some people have constructed somewhat fairly *pucca* houses. The majority really is what might be called mud type houses. In some cases, merely there is a fencing to show that they are in possession of the particular plot. It is a real hardship to those who have really built fairly *pucca* houses. Even this factor is being taken into consideration by the local authorities when any one is asked to shift. There is another aspect of this question that these lands have been encroached upon not with any set purpose or in any systematic manner. Some people have got into the very best land. For example, in the area which is between Karol Bagh and New Delhi, which is called Patel Nagar, although the authorised name of Patel Nagar is given to an area which is to the north, land is so valuable that if it is to be auctioned, I have not the slightest doubt that it will fetch not less than Rs. 80,000 to one lakh per acre. Now, you have to consider very dispassionately, consistent with all the sympathy that this House and this Government have for the cause of the refugees, whether, if the *status quo* is regularised, that is going to help the solution of the problem. As soon as it is regularised, the owner will sell it and make money by thousands. I have not the least

doubt about that, having had experience of similar matters during the three years and four months during which I had the good fortune to be on the Treasury Bench, that is what will happen as soon as there is an opportunity or temptation. To illustrate, Sir, a person who had property on Parliament Street worth about four lakhs sold it for Rs. 12 lakhs, purchased another house, knowing full well that it was under requisition and was in the possession or occupation of an embassy. He started bringing pressure on me. Notes from all persons, high and low, from the refugees, came on, saying that she is the owner and she is without any accommodation and that the hon. Shri Gadgil had given a promise on the floor of the House that if any owner is without accommodation, he will be given some accommodation.

**Dr. Tek Chand:** Was she a refugee?

**Shri Gadgil:** Yes. I was only giving an example of this character of transaction. I may bring another illustration to the notice of this hon. House.

**Shri Hussain Imam (Bihar):** What was the final result?

**Shri Gadgil:** The result was I declined to derequisition the House, declined to give possession of the house that was purchased. You could have easily visualised the result so far as I am concerned.

To give another example. A lady came to me and said: "My house is under requisitioning for four years, but at least let my son who is ill die in his own house." Sir, that was too much for a sympathetic man like me and I immediately fell a victim and derequisitioned the house. Within twenty-four hours the House was sold. Sir, these are examples which make me somewhat nervous to accept an extreme proposition of the character that *status quo*, wherever it is and whatever it is, with respect to whatever persons and with respect to whatever properties, should be regularised. What this amendment seeks to do is nothing new. I am not introducing anything which is not already available under the law of the land. All of them are trespassers. Of that there is no doubt in the minds of those who are there, in the minds of those who are their legal advisers. But the moment we take action under the Criminal Law of the land and try to evict them, immediately the entire Executive is paralysed by injunctions from the civil courts. It is perfectly known, and it has been our experience

[Shri Gadgil]

that with all these injunctions Government ultimately succeeds. But the position is that for the last two years and a half, the administration is completely paralysed. The slums are there. It is a pitiable sight to go round the city and see them, to see the refugees living somehow or other, having shelters of may be wood or corrugated sheets or grass and so on and so forth. The best service I can do to them is not to go to their locality, because I have not got the courage to meet them. At the same time, we have instructed the local authorities and they have been faithfully carrying out the instructions that up to a particular period which I mentioned, we do not remove them unless we give them a plot. But then the complaints are that they have established their business there. If he is a doctor, he says all his clients are there, he has just started his business and I am asked, "Are you going to repeat the tragedy of Lahore here also?" If we give them plots within a mile or two of the Greater Delhi Plan, they are not willing to take them. This hon. House has to consider this position. There must be some fairplay. There must be some justice done, both to those who have purchased these plots, and to the Government which represents the community and which wants to build for its office and for its servants. I have 6,000 refugee government servants without accommodation and at the same time about 1,500 units belonging to the Government are in unauthorised occupation by the refugees. Gradually I am giving them some accommodation and trying to deal with the problem as humanely and as sympathetically as I am capable of, and in this capacity I yield to none—not even to Mr. Jaspal Ray Kapoor.

Now as I was saying, I am not asking for something which is not there in the law already. No change in the *de facto* position, no change in the *de jure* position either is contemplated. All that I am asking is that in abnormal circumstances, please empower me with a little more power and I assure you that I shall never abuse it. But that little power is absolutely necessary; for otherwise the problem of rehabilitating all these 8 lakhs of people and giving them shelter is not going to be solved. If once people know that if they are there, they are going to be there, because our sympathy for them is so great that it defies all canons of law and justice, then there is an end to all progress towards a satisfactory solution of this problem. I want hon. Members of this House to fully realise this. I am willing to accept any formula which

is equitable, and which does justice to all the parties concerned and I am prepared to go slow with them by giving them time, till they are able to shift to some places of their own. But, if nothing is possible, then in the interest of society, in the interest of good government and in the interest of any government, you must give sufficient power to the executive to see that what is good, what is fair, what is just, is enforced, for a weak government and a weak husband deserve to be kicked out.

**Shri Tyagi (Uttar Pradesh):** I hope you are strong at both the places.

**Shri Gadgil:** That is the reason why I speak with confidence.

**Mr. Deputy-Speaker:** It is well that the remarks are made before the Hindu Code Bill is passed.

**Shri Gadgil:** This, Sir, is the position with respect to the unauthorised constructions, on Government lands, Municipal lands and on the Improvement Trust lands. There is nothing in this Bill to which objection could be taken. Things were moving on gradually. But suddenly as is usual, certain newspaper people took interest in this. An irresponsible editor of a responsible paper in a public meeting threatened all sorts of consequences for the present Government and accused us that we have brought this Bill because of certain political motives.

**Babu Ramnarayan Singh (Bihar):** What is that?

**Shri Gadgil:** Not necessary to mention. The agitation went on. Deputation after deputation waited on me. I will only read an extract from a memorial handed over to me, in which it is stated:

"They met in their general meeting. The house has considered and endorsed and ratified this memorandum and has resolved to depute a sub-committee to see the Prime Minister of India and the other responsible state authorities. It is determined by the house that if the central authority failed to accept the legitimacy of this memorandum and elect to persist in this onslaught on the refugees in Delhi, the Association will deem it its duty to gather public momentum and mobilise the mass for attaining suspension of this black Bill."

The organisation is the Central Refugee Association, Raharganj, Delhi.



Is this a correct attitude for the refugees to take? Is this an attitude which should find support in this House or is this attitude calculated to facilitate the solution of this problem? An attitude of this kind is more likely to enrage those private plot owners numbering about 6,000 who are deprived of their plots. The right to private property, whether good or bad, is guaranteed by the Constitution. This is a problem for the solution of which I have suggested a remedy in the shape of an amendment to the Act. I am perfectly prepared—I want to repeat it to accept any formula which is equitable, which will do justice and fair-play to all the interests concerned.

The other small amendment is with respect to recovery of arrears. But before I deal with this I will give this House some idea as to what Government has done for these refugees.

Up till now the number of houses, shops, schools etc., constructed for the refugees in Delhi are as follows:

Double storeyed houses	106
3 roomed houses	110
2 roomed houses	2,623
Single room houses	10,597
Total	13,436

There are 506 shops with verandahs and 652 stalls and altogether 14,000 units.

**Shri Hussain Imam:** All allotted or some are vacant?

**Shri Gadgil:** They are all allotted. A few of them constructed about a month ago may be in the process of being allotted. Now there are 818 houses or in other words 2,393 units under construction and according to schedule they will be completed before this year is out. (*Interruption*). The hon. Member can ask his questions later on. This is only to show what has been done in a short period of two years and a little more. Apart from this my hon. colleague has told me that about 1,000 houses have been built by the Central Relief Committee which was given as much help as was possible for the Government to give.

**Shri Hussain Imam:** Financial or otherwise?

**Shri Gadgil:** So these houses have been built for the refugees and are

allotted to them but the question of realising rent becomes very important. Our whole programme is based on the assumption that as we get the rents we again invest them in building more and more houses. But what is our experience? Every year for the past two years a sum of Rs. 5 lakhs remains in arrears.

**Shri Sondhi (Punjab):** Only?

**Shri Gadgil:** Only 5 lakhs. If this goes on it will affect our building programme and that is the reason why I said that these amendments are necessary in the larger interests of those who have to be rehabilitated, though it may not be in the interest of those few who have taken the law into their hands, may be out of necessity. But they must not retain this attitude to the end of eternity. That is what I want to plead.

[**SHRI HIMATSINGKA** in the Chair.]

Apart from these ten lakhs in arrears, as I said a little while ago, nearly 1,500 units belonging to the Government are in the unauthorised occupation of the refugees. The rent or damage on account of these is Rs. 13,15,056 up to date plus electric and water charges amounting to Rs. 33,000 and the recovery up to date has been only Rs. 3 lakhs, the net balance being about 10 to 11 lakhs.

**Shri Sondhi:** It is less than what we lost in the Swedish hard board deal.

**Shri Gadgil:** Two wrongs do not make one right. If something is lost there that is no justification that you should lose here. At least I expected better of the hon. Mr. Sondhi.

**Shri Sondhi:** I did not justify it.

**Shri Hussain Imam:** On a point of information, is the rent charged at the 45 A or B. rate—the penal rate or the ordinary rent?

**Shri Gadgil:** Normally we charge an economic rent but I might tell my hon. friend that up to the 31st August 1948 I have written off all the losses and the persuasive eloquence of my hon. friend sitting to my right is working on my mind and I am thinking of writing off for another two or three months more. But even after that do you want me to write off this whole sum? What will be the consequence? It will not be merely material, because the sum of ten lakhs is nothing in a budget of 354 crores. But the consequence will be that after all this Government yields if there is a little

[Shri Gadgil]

pressure and if you once create that atmosphere in this country, anywhere as I said, I repeat there is an end to all plans of progress, to all plans of rehabilitation.

**Lala Achint Ram** (Punjab) Deduct these amounts when you pay compensation to these people.

**Shri Gadgil:** This amount is not to be paid to those who have built houses. It is to be recovered from those who are in unauthorised occupation of Government houses.

**Lala Achint Ram:** They are refugees; they have left their properties in Pakistan and they have to get compensation.

**Shri Gadgil:** It is a good suggestion but I will make another suggestion. Let them pay up now and I will square up their accounts later.

**Shri Sondhi:** Wherefrom will they pay?

**Shri Gadgil:** Whenever it comes. The present position is that I can recover the damages by just asking them to walk out, because they are defaulters. But even then two things happen. They are put to trouble and I lose my money. Once they go no body knows where they have gone. Therefore, what I am requesting the hon. House, by this amendment, is a very simple thing.

**Babu Ramnarayan Singh:** Sir, by way of information. As regards these 6,000 plots, may I know when these plots were sold to those private people, why they were not used for so long, and why the refugees were allowed to occupy them?

**Shri Gadgil:** My information is that in some cases there may have been delay, but in other cases the time between the allotment of the plot and the illegal occupation was so short that there was no opportunity for them to build. On this point, I am sure when my friend, Shri Deshbandhu Gupta intervenes in the debate, he will give us more light.

Sir, I was referring to the fact that I have to recover these damages. I only want the power to recover Government dues in the manner in which land revenue is recovered. If you ask that every Government due should be recovered through a Civil Court.....

**Shri Sondhi:** That is your own Court!

**Shri Gadgil:** I wish it were so. Do not the last two or three months show that there is a regular war between the executive and the judiciary?

Now, Sir, if you put that proposition that for the recovery of its dues the executive should go to the court, then there are nearly 26,000 officers who are living in Government houses will have to be proceeded against in courts—fortunately, I cut the dues from their salary bills. But such a proposition is an impossibility. You cannot run the Government that way. Therefore at least Government itself must be capable of more speedily recovering such dues, and that is exactly what I am asking this hon. House to do.

I find from the Order Paper that there is a motion for reference to a Select Committee. Only to show how sympathetic I am, I am prepared to accept it.

**Shri J. R. Kapoor:** Is it only to show? I hope there is some more substance behind it.

**Shri Gadgil:** Any way you should not doubt it.

**Shri J. R. Kapoor:** I have never doubted it.

**Shri Gadgil:** I am prepared to accept that motion, and if in the Select Committee some constructive formula or suggestion is made which will meet the requirements of the situation, I am prepared to accept it. I have nothing more to say. Though I have termed the Bill as simple, undoubtedly very big principles are involved and in their consideration I hope a greater sense of responsibility will be shown. I move, Sir.

**Mr. Chairman:** Motion moved:

“That the Bill further to amend the Delhi Premises (Requisition and Eviction) Act, 1947, be taken into consideration”.

**Shri R. K. Chaudhuri** (Assam): May I know under what provisions of law applicable to Delhi, arrears of land revenue are recovered? In this Bill it is stated that rent will be recovered as arrears of land revenue. What law prescribes the procedure for realising arrears of land revenue in Delhi?

**Shri Gadgil:** There must be some law for the recovery of land revenue because Delhi is both urban and rural.

**Dr. Tek Chand:** If I may give the information, Sir arrears of land

revenue in Delhi are collected under the provisions of the Punjab Land Revenue Act of 1887 which was extended to Delhi under the Delhi Laws Act passed in 1915. Under that provision, if a person does not pay land revenue, then the Collector or the Assistant Collector has got the power, first to issue a writ; secondly to commit the person who is the defaulter, to jail; thirdly to take possession of his moveable property, and fourthly to transfer his land because arrears of land revenue were originally intended with regard to land which was in the ownership of the defaulter. So, a person's moveable property—that is his cattle, household effects etc.—can be seized by the executive, and then if that is not considered sufficient the Collector can take possession of his land and transfer it to some other person. There are many more provisions of that type also which I shall place before the House later, if it becomes necessary. But this I think is sufficient to answer the question of Mr. Chaudhuri. Meanwhile, I would ask the hon. Minister to study the provisions of that Act before he asks the House to adopt this very 'simple and innocent' measure with the 'two very small amendments' which he has brought in, if I may say so, through the backdoor.

**पंडित ठाकुर दास भार्गव :** माननीय चैयरमैन साहब, मैं एक तहरीक पेश करना चाहता हूँ जो एजेंडा (agenda) पर इस तरह है :

"That the Bill be referred to a Select Committee consisting of:

Dr. Syama Prasad Mookerjee, Dr. Bakshi Tek Chand, Shri Deshbandhu Gupta, Shri Jaspal Roy Kapoor, Lala Achint Ram, Shrimati Sucheta Kriplani, Shri Raj Bahadur, Shri T. R. Deogirikar, Dr. Ram Subhag Singh, Shri Mihir Lal Chattopadhyay, Shri Tribhuan Narayan Singh, Mr. T. Hussain, Sardar Bhopinder Singh Man, Shri S. N. Mishra, Dr. M. Channa Reddy, Shri Sita Ram S. Jajoo, Shri Satish Chandra, Giani Gurmukh Singh Musafir, Shrimati Jayashri Raiji, Sardar Hukam Singh, The Honourable Shri N. V. Gadgil, Shri S. N. Buragohain, and the Mover, with instructions to report by the 15th December, 1950."

यह जो २३ नामों की मने फेहरिस्त पढी है यह काफ़ी लम्बी चौड़ी फेहरिस्त है। लेकिन जो सबालात ज़ेरे बहस है और

जो सबालात कि हमार मिनिस्टर साहब ने हमारे सामने रखे हैं वे इतने ज़बरदस्त हैं, इतने मुश्किल हैं कि जिन का हल हम को ढूँढना है तो मैं ताज्जुब तो नहीं करूँगा लेकिन अपने आप को बड़ा खुशकिस्मत समझूँगा अगर यह कमेटी इस सारे मामले को ऐसे तरीके से हल करदे कि जो सब के वास्ते तसल्ली बरूसा हो। मेहरबानी फरमा कर हमारे आनरेबिल मिनिस्टर साहब (Honourable Minister) ने यह खुद ही जाहिर कर दिया है कि वह इस हक में है कि वह सिलेक्ट कमेटी (Select Committee) की तजवीज़ को मंज़ूर करते हैं। जिस वक़्त उन्होंने अपनी स्पीच (Speech) शुरू की तो मैं तो हैरान था कि उन्होंने तमहीद तो ऐसी बांधी है कि यह मामला इतना सहल है कि जिस के अन्दर न किसी कमेटी की ज़रूरत है और न किसी दूसरे शख्स की ज़रूरत है। मैं बहुत खुश होता अगर वह सारे हाउस (House) को यह जाहिर कर देते कि किस तरह वह इसको सहल समझते हैं। लेकिन जब उन्होंने आगे चल कर इस की पेबोद-गियां, जाहिर कीं और यह कहा कि इस का हल न होने से सारी गवर्नमेंट (Government) का ख़ातमा हो जायेगा सारी सोसाईटी (Society) का ख़ातमा हो जायेगा, इतना मुश्किल यह सवाल है, तो मैं यह समझा कि यह किसी छोटी चीज़ को ऐसे तरीके से पेश करने का ढंग है कि सुनने वाला कहीं धबरा न जाये।

अब इस हाउस के सामने यह चीज़ पेश है कि दर असल यह कितना सहल और कितना सीधा मामला है। अगर हाउस एक नजर इस बिल की तरफ डालेगा तो मालूम होगा कि यह छोटा सा एक सफे का जो बिल है इसके अन्दर कितनी तरह के मजमून हैं और किस क़दर इसके अन्दर

[पंडित ठाकुर दास भागवंत]

पेचीदगियां हैं। मैं सब से अत्यंत यह पूछना चाहता हूँ कि किसी भी मुक्त के किसी सिस्टम आफ जूरिसप्रूडेंस (System of Jurisprudence) में कभी आप ने यह देखा है कि मर्द ही जज हो और वही कलेक्टर (Collector) पुलिसमैन (Policeman) और ऑक्शन (auction) करने वाला हो। हमारी गवर्नमेंट इस बिल में खुद ही मर्द, जज, कलेक्टर, ओकशीनर वगैरा सब कुछ खुद है।

श्री सौधी : काका साहब।

**Dr. Tek Chand:** Works, Mines and Power combined.

**Shri Gadgil:** Therefore, it works.

पंडित ठाकुर दास भागवंत : अगर मैं निहायत अदब के साथ अपने दोस्त की तकरीर को एनालाइज (analyse) करूँ तो हाउस यह देखेगा कि आनरेबल मिनिस्टर साहब ने एक तरीके से हमारे दूसरे आनेरेबिल मिनिस्टर साहबान की और इस गवर्नमेंट की कलई खोल दी है। हमारे मिनिस्टर साहब फ़रमाते हैं कि हमारी सिविल कोर्ट्स (Civil courts) इतनी खराब हैं कि वे सरकार को इन्साफ नहीं दे सकती हैं। तो मैं अदब से पूछता हूँ कि आप तो सरकार हैं, आप के हाथ तो इतने लम्बे चौड़े हैं, आप उस गरीब लैंडलार्ड (Landlord) दिल्ली वाले को तो देखिये कि जिसके पास मकान है और आप ने जो बिल पास किया उस की वजह से वह शर्स अपने मकान में रहने के काबिल नहीं है। एक शर्स जिस का मकान है वह दर बदर दीड़ता है, उस के मुकद्दमे का दो तीन साल तक फ़ैसला नहीं होता, वह अपना मकान खाली नहीं करा सकता, ऐसे शर्स की क्या हालत है। जो नकशा आपने सिविल अदालतों का खींचा है वह इतना ही दुरस्त तौर पर खराब है तो जितने मिनिस्टर साहब हैं वह अपना फ़र्ज अदा नहीं कर रहे हैं और पब्लिक के वास्ते वह चीज मोहय्या

नहीं कर रहे जो मुहरया करनी चाहिये। मैं दिल्ली की हालत जानता हूँ, दिल्ली के अन्दर मेरे कई दोस्त हैं जिन से मैं मिलता रहता हूँ, मैं दिल्ली के जैसे हालत वाले कुर्बों जवार के हिस्से का रहने वाला हूँ और मैं जानता हूँ कि मकान के मालिक की क्या हिसियत है और वह कितनी मुश्किल में है। मैं सरकार की मुश्किलों को भी बड़ी अच्छी तरह जानता हूँ और मैं इस बिल के वास्ते हरगिज वह उसूल नहीं बरतना चाहता जिस से श्री गाडगिल के कथन के अनुसार सारी गवर्नमेंट का खात्मा हो जाये और सोसायटी का खात्मा हो जाये। दिल्ली के अन्दर लोग मुझे बतलाते हैं, मेरे दोस्त एक डाक्टर हैं, उस बेचारे ने सारी उन्नत काम करके एक आष मकान बनवा लिया था। उसको उसके एक किरायेदार ने इतना हैरान और परेशान किया है जिस का कोई ठिकाना नहीं है। तीन आदमियों से खुद किरायेदार ने पगड़ी ले ली, जिन से पगड़ी ले ली है वह रोते फिरते हैं और डाक्टर साहब किरायेदार को खुद रुपया दे कर मकान खाली कराने की फिर में हैं। वह जो किरायेदार है, वह लैंडलार्ड पर मुकदमा करनेवाला है कि वह उसे तकलीफ देता है। मैं तसलीम करता हूँ कि हालत निहायत खराब है और निहायत सोचने के काबिल है। गवर्नमेंट को इसका हल सोचना चाहिये। गवर्नमेंट यह जो बिल लाई है इस में वह किराया भी वसूल करेगी और साथ में डैमेजेज (damages) भी वसूल करेगी। कभी आपने ऐसा देखा है कि गवर्नमेंट खुद ही तो डैमेजेज ऐसेस (assess) करे और खुद ही उसको वसूल करे और शायद उस की कोई अपील (appeal) भी नहीं है और उसको कोर्ट में जाना भी नहीं है। गवर्नमेंट का एक अफ़सर

डैमेजज मुकरर कर देगा और वह ही उसको इनफोर्स (enforce) करने वाला होगा, न उसकी कोई अपील होगी और न कोर्ट में सुनवाई और जैसा कि बखशी जी ने कहा कि यह इस तरीके का बिल है कि न तो इसमें अपील है न इसमें वकील है और न इसमें दलील है।

बिल के प्रोविजन्स (Provisions) के अनुसार रूल (Rules) बनाये जायेंगे वह क्या होंगे और किन असूखों पर होंगे यह बिल में दर्ज नहीं। कोई अपील होगी या नहीं यह भी मालूम नहीं बेदखली के खिलाफ तो अपील चीफ कमिश्नर (Chief Commissioner) का हो सकता है पुराने एक्ट के अनुसार लेकिन इस नए बिल में अपील का जिक्र नहीं पुराने बिल में चीफ कमिश्नर तो मौजूद थे वह ठीक है लेकिन मुझे माफ करें क्योंकि आप के चीफ कमिश्नर और आप के सिविल कोर्ट की छोटी छोटी बातों पर गवर्नमेन्ट यह शिकायत करती है कि मानों दो हिस्सों में गवर्नमेन्ट के लड़ाई हो गई हो। सिविल कोर्ट कुछ करते हैं और इक्जीक्यूटिव (Executive) कुछ करती है। इस बिल के अन्दर खास बात यह है कि गवर्नमेन्ट की यह इच्छा मालूम नहीं पड़ती कि डिफाल्टर (Defaulter) मकान छोड़कर चले जाये, गवर्नमेन्ट की मंशा इस बिल से यह मालूम होती है कि पहले तो उन का किराया सारे का सारा वसूल हो जाय और साथ में डैमेजज भी वसूल हो जायें और उस के बाद उन को निकाल दिया जाये यह नहीं कि बेचारा रिफ्यूजी (Refugee) अपने गोश्त और पोश्त के साथ यहां से जाये निकल जाये, बल्कि उस से पहले किराया वसूल हो जाये और फिर उस को वहां से निकालने के लिये तो बिल मौजूद है। मैं

अर्ज करना चाहता हूँ कि यह बिल बगैर सिलेक्ट कमेटी में गये कोई ठीक हल मौजूदा झगड़े का पेश नहीं कर सकेगा, बिल्कुल इसी तरीके से तो कैसा ही हाउस हो, कभी इस बिल के प्रोविजन्स को मंजूर नहीं करेगा।

आज इस में कोई शक नहीं है कि हमारे गाइगिल साहब जैसा कि उन्होंने माना है और मैं इस को तसदीक करने को तैयार हूँ कि वह रहम दिल है, और वह हर एक के साथ सिमपैथी (sympathy) करते हैं। जब मैं उन के पास गया इस बिल के मुताल्लिक तो उन्होंने निहायत हमदर्दी के साथ पेश आये और मुझे यकीन दिलाया और आज इस हाउस में भी यकीन दिलाया है। लेकिन जब मैं ने उनको स्पीच (speech) सुनी तो मुझे उस हफ्तवर्दी के पीछे वह पुलिस मैन और कलेक्टर (Collector) खड़े दिखाई दिये जो उन की जब मैं पड़े रहते हैं। मैं अर्ज करना चाहता हूँ कि इस को हल करने के वास्ते हम को रियल मिनिस्टर आफ पीस (real Minister of peace) की जरूरत है कांग्रेस को उस मेन्टलिटी (mentality) की जरूरत है जो आज तक हमारे देश के अन्दर चली आई है। हमें इस मामले को कांग्रेस के तरीकों की मदद से हल करना चाहिये, हमें ला (law) की जरूरत नहीं है, हमें स्टेट्समैनशिप (statesmanship) की जरूरत है, हम को रिजीडिटी (rigidity) की जरूरत नहीं है, हम को इलेस्टिसिटी (elasticity) की जरूरत है। मैं यह बिल्कुल साफ कर देना चाहता हूँ कि हम या कोई रिफ्यूजी हरगिज नहीं चाहता कि यह गवर्नमेन्ट खत्म हो जाये और यह इन्तजाम न कर सकें। हम यह हरगिज नहीं चाहते कि जो चीज मुनासिब

[ पंडित ठाकुर दास भार्गव ]

और फेयर (fair) है उसको हम अपने हाथ से दें, लेकिन साथ ही अगर मुझे वह असूल और ला ट्रेसपास का (Law of Trespass) बतलाये जायें, तो उन्हीं कानून के बरखिलाफ आज इखलाक व सोशल इन्साफ के असूल हैं, यह मैं उनको बतला देना चाहता हूँ। अगर मुझे यह बतलाया जाता है कि कहीं पहाड़गंज के अन्दर किसी रिफ्यूजी ने लिख दिया कि हम गवर्नमेंट के खिलाफ ऐजीटेशन (Agitation) करेंगे, तो आप उस से इतना घबड़ाते क्यों हैं। आखिर वह आप ही का तो सिखाया हथियार है और पिछली गवर्नमेंट के खिलाफ ऐजीटेशन करना आप का काम था। अगर किसी ने कह दिया कि हम किसी मामले को इस तरह आप से ठीक करायेंगे, तो इसमें उसने क्या गलती की। मैं साथ ही यह भी जानता हूँ कि किसी को इस मामले में हरगिज गवर्नमेंट को थ्रेटिन (Threaten) नहीं करना चाहिये। गवर्नमेंट से लड़ना बाजिब नहीं है। अब जो सबाल हाउस के सामने है वह बड़ा टेढ़ा सबाल है। मेरे लायक दोस्त ने तसलीम किया है कि आठ लाख आदमी एक ऐसे वक़्त में दिल्ली में आये जब गवर्नमेंट यहाँ पर उनको वह मदद नहीं दे सकती थी और जिसको गवर्नमेंट अपना फ़र्ज़ समझती थी। मैं आपसे अदब से पूछना चाहता हूँ कि दिल्ली के अन्दर आपने इवैकुयी प्रापरटी (Evacuee Property) के वास्ते उसको लोगों को देने के वास्ते एक कमेटी बनाई थी, जिसने बहुत से मकानात को एलोट (allot) किया था आप बतलाएँ कितने मकानात का कब्ज़ा रिफ्यूजीज़ से गवर्नमेंट ले सकी और गवर्नमेंट से मैंने इस हाउस में जैसा कि आप फ़रमाते हैं यह अर्ज उस वक़्त किया था कि गवर्नमेंट जब तक कड़ी

नहीं होगी, तब तक काम नहीं चलेगा। मैं अब भी कहता हूँ कि गवर्नमेंट को जो काम करना हो, उस को बहुत फ़र्मनेस (firmness) से करना चाहिये। लेकिन इस के यह मानी नहीं हैं कि हमददों को खो दिया जाये और अपनी जिम्मेदारी से हटा जाये। मैं अर्ज करना चाहता हूँ कि गवर्नमेंट कई हजार हाउसेज़ में से शायद १०,१५ कब्ज़े में कर सकी और बाकी के कब्ज़ों को गवर्नमेंट ने खुदबखुद लीगेलाईज़ (Legalise) कर दिया, ऐसा किस कानून के मातहत कर दिया। जब गवर्नमेंट ने यह फ़ैसला कर लिया कि हम इन हाउसेज़ को उन लोगों को देंगे और उस कमेटी ने मकानों को रिफ्यूजीज़ में बाँट दिया। और गवर्नमेंट जब कब्ज़ा रिफ्यूजीज़ से नहीं दिला सकी, तो उसने उन्हीं कब्ज़ों को लीगेलाईज़ कर दिया। मैं पूछना चाहता हूँ कि किस कानून के मातहत हमारे प्राईम मिनिस्टर साहब (Prime Minister) ने रिफ्यूजीज़ को यह यकीन दिलाया था कि उन को शैल्टर (Shelter) मिलेगा। मुझे बतलाया जाये कि कौन से कानून के मातहत, वह कानून कोट (quote) किया जाये जिस के अन्दर यह ऐश्योरेन्स (assurance) उन हालात में दिया गया था। सारे मकानात जिस की डिटेल् (detail) अभी बतलाई गई कि आज तक कुल १४ हजार मकानात बने हैं, जिन में से पन्द्रह सौ पर नाजायज़ कब्ज़ा बतलाया जाता है, कि उन पर नाजायज़ लोगों का कब्ज़ा है। १८०० जेरे तामीर हैं और १००० किसी सोसाइटी (Society) ने बनाये हैं। मैं आप से पूछना चाहता हूँ कि आठ लाख आदमी जिन की जिम्मेदारी खुद हमारे प्राईम मिनिस्टर साहब ने ली थी और जिन के बारे में हमारे वजीर

साहब जिन्होंने यह बिल पेश किया है वह भी कितनी ही मर्तबा परमा चुके हैं कि उन को बसाना और शैल्टर देना हमारा फर्ज है, तो यह कैसे मुमकिन होगा। देहली के अन्दर जितने मकानात बन चुके हैं या बन रहें हैं, वह क़रीब ज्यादा से ज्यादा ७०,८० हजार आदमियों के बसाने के लिये काफ़ी हो सकते हैं। उन बेचारों ने आन आन कर उस खुली ज़मीन को जो बिल्कुल निकम्मी पड़ी हुई थी, और जिन्होंने उन ज़मीनों को देखा होगा वह जानते होंगे कि किसी काम की वह ज़मीन नहीं थी, उस को आकर बसा दिया, उस को जंगल से मंगल में तबदील कर दिया, उन लोगों के वास्ते आज यह बिल क्या, मा निन्द बुलेट (Bullet) के नहीं हैं।

*(English translation of the above speech)*

**Pandit Thakur Das Bhargava (Punjab):** Sir, I move:

"That the Bill be referred to a Select Committee consisting of—

Dr. Syama Prasad Mookerjee, Dr. Bakshi Tek Chand, Shri Deshbandhu Gupta, Shri Jaspal Roy Kapoor, Lala Achint Ram, Shrimati Sucheta Kriplani, Shri Raj Bahadur, Shri T. R. Deogirikar, Dr. Ram Subhag Singh, Shri Mihir Lal Chattopadhyay, Shri Tribhuan Narayan Singh, Mr. T. Hussain, Sardar Bhopinder Singh Man, Shri S. N. Mishra, Dr. M. Channa Reddy, Shri Sita Ram S. Jajoo, Shri Satish Chandra, Giani Gurmukh Singh Musafir, Shrimati Jayashri Raiji, Sardar Hukam Singh, The Honourable Shri N. V. Gadgil, Shri S. N. Buragohain, and The Mover, with instructions to report by the 15th December 1950."

The list of 23 persons which I have just read out seems to be pretty long but the issues under discussion and those put before us by the hon. Minister are equally big and difficult. It will not surprise me, but certainly I will consider myself to be much fortunate, if this Committee is able to find out such a solution of these issues as may be satisfactory to all. The hon. Minister has himself very kindly made it clear that he is sympathetic and is prepared to accept the move for its being referred to Select Committee. I was rather surprised

to note that in the introductory part of his speech he put the things in such a way as if the matter was so simple that it did not require help of any Committee or anybody else. I would have been much pleased had he told the House as to how he considered it to be simple. Later on when he disclosed its complications and told that in case of its solution being not found there would be no Government, no society, then I thought that it was simply a method of putting a thing in such a way as may not put the audience to anxiety.

Now the House is forced with the question as to in reality how simple and easy this case is. If the House goes into this Bill, it will be disclosed that this small Bill of one page involves various issues and many other complications. First of all I should like to ask if there has been any such example in any system of jurisprudence of any country in which plaintiff himself be not only the judge but also the Collector, the Policeman and the auctioneer. But in the case of our Government the things are exactly like this for they themselves are plaintiff. Judge, Collector, auctioneer and so on.

**Shri Sondhi (Punjab):** Kaka Sahab.

**Dr. Tek Chand (Punjab):** Works, Mines and Power combined.

**Shri Gadgil:** Therefore, it works.

**Pandit Thakur Das Bhargava:** If, with all respects, I analyse the speech delivered by my friend, the House will see that in a way the hon. Minister has exposed the activities of our other hon. Ministers and this Government. Our hon. Minister submits that our Civil Courts are too inefficient to give justice to the Government. I very respectfully submit that you yourself run the Government and you have got wide powers at your disposal, but the poor landlord of Delhi has been rendered unable to live in his own house on account of the Bill passed by you. The owner of the house runs from one place to another on account of his suit being not decided for as many as two or three years. He is not in a position to get his house vacated. Imagine the plight of such a person. If the condition of the Civil Courts is really so bad as you have described then the hon. Ministers might not be performing their duties satisfactorily and they might not be giving to the public what they ought to have given. I am quite aware of the conditions prevailing in Delhi. I have got several friends

[Pandit Thakur Das Bhargava]

here whom I frequently see. I am a resident of a place near Delhi, the conditions where are as good or as bad as those of Delhi and I understand the condition and plight of house owners. I appreciate the difficulties of the Government and do not want in the least to adopt such principles as may, to quote Shri Gadgil, finish the whole Government or the entire Society. There is one of my friends in Delhi who is a doctor. The poor fellow had got a house built out of the earnings of his whole life. A tenant has caused untold miseries to him. The tenant has taken 'Pugree' from three persons and these persons go from one place to another describing their grievances to others. The Doctor is trying to get the house vacated by advancing some money to the tenant. The tenant is going to file a suit against the landlord with the plea that the landlord troubles him. I admit that the condition is worse and requires much consideration. The Government should try to find out some solution. Under the present Bill the Government will realise the rent and will also recover the damages. Have you ever seen a Government assessing the damage and recovering it themselves? Probably there is no provision for any appeal or for filing any suit in the Court. An Officer of the Government will fix the damages and he himself will enforce it. Neither any suit will be allowed to be filed against it in any Court nor any appeal will be heard. As Shri Bakshi has said, it is such a Bill as has no provisions either for filing an appeal or for pleading any case or for submitting arguments. Rules will be formed in accordance with the provisions of the Bill. But there is no mention of the fact as to what those rules will be or on what principles they will be formed. Whether any appeal will be allowed or not, this fact too has not been made known. Under the old Bill an appeal against eviction order could have been filed in the Court of the Chief Commissioner, but in the new Bill there is no mention of any such appeal. It is true that in the old Bill there was a provision of filing an Appeal in the court of the Chief Commissioner. But, you will excuse me for this, the Government make complaints against small issues related to the Chief Commissioner and the Civil Courts in such a way as if the two parts of the Government were at war. While Civil Courts adopt one way, the Executive adopts another. The main feature of this Bill is that it appears that the Government not only want the defaulters to vacate the houses and run away

but are anxious first to realize the whole rent together with the damages and then evict them. The Government not only want the poor refugees to vacate the houses and leave with their bag and baggage but on the contrary they first want to realise the entire rent and then evict them under this Bill. I submit that without this Bill being referred to a Select Committee, no one can suggest any solution of this issue. No House would agree to the Provisions of this Bill if it is moved as it is.

There is no doubt that my friend Shri Gadgil, as he himself had admitted and I am simply confirming it, is kind at heart and is very sympathetic to all. When I called on him in connection with this Bill, he assured me his full sympathies which he also did today in the House. But when I listened to his speech, I was reminded of those very Policemen and the Collector who are ever at his beck and call. I beg to submit that a real Minister of peace is required to solve this problem; that congress mentality is needed which was prevailing so far in our country. We should solve this problem in accordance with the principles of the Congress; we do not need the help of law. We require Statesmanship. What we need is not rigidity but elasticity. I want to make it quite clear that neither we nor the refugees wish that this Government may cease to exist or its administration may fail. We never wish to do away with what is justifiable and fair. All the same, if they quote some principles and laws of trespass I wish to tell them that there are also principles of equity and codes of morality and social justice. I am told that some refugees wrote from somewhere in Paharganj that they would agitate against the Government. Why do you bother then? After all it is you who have taught it to them for it was you who carried on agitations against the previous Government. What mistake does one commit in saying that he would get the things done by you in this very way? I understand that nobody should ever threaten the Government in this matter. It is not at all proper to fight with the Government. The issue now before the House is much complicated. My able friend admitted the fact that eight lac persons reached Delhi at a time when the Government were unable to help them; although, the Government considered it to be their duty. You had formed a Committee in Delhi in order to allot the evacuee properties to the people and it had allotted many houses. How many of these houses were taken possession of from the



refugees? I had then submitted in this House that unless the Government were firm, no purpose would be served. Again I submit that whatever Government intend to do they should do with great firmness. It does not, however, mean that every sense of sympathy and responsibility should be lost. I am to submit that perhaps the Government have been able to take occupation of only 10 or 15 houses from amongst several thousand and the existing occupation of the rest have been legalised by the Government themselves. Under which law this step has been taken? When the Government and that Committee decided to allot the houses to those persons and when the Government could not take occupation from the refugees, they legalised those very occupations. May I ask under what law the Prime Minister had assured shelter to the refugees? I want the particular law to be quoted under which such an assurance was given. The details of the houses were just told; fourteen thousand in all have been built so far out of which one thousand and five hundred are said to be under unauthorised occupation, one thousand and eight hundred are under construction and one thousand have been built by some society. I want to ask how it will be possible to rehabilitate these eight lac persons. The Prime Minister himself had taken the responsibility of rehabilitating them and the hon. Minister, the mover of this Bill, had also said several times that it was their duty to provide shelter to them and rehabilitate them. The houses which have already been built or are under construction can accommodate about 70 or 80 thousand persons at the most. Those poor refugees came here and rehabilitated themselves on what was absolutely useless land. Those who might have seen those lands should have been aware of the fact that those lands were of no use. The poor fellows made a heaven on the earth even on those worthless lands. Is this Bill, therefore, not like a bullet to them?

**Mr. Chairman:** It is now 5 P.M. and the House will now take up the discussion on 'the Shortage and non-availability of Jute and Mesta'.

#### DISCUSSION ON SHORTAGE AND NON-AVAILABILITY OF JUTE AND MESTA.

**Mr. Chairman:** The House will now take up discussion on the motion of Mr. B. K. Das on the following matter:

'The shortage and non-availability of Jute and Mesta during this

year and Government's plan regarding the making up of the deficit, arising out of answers given to starred question No. 51 and the unstarred question No. 3 on the 16th November 1950.'

5 P.M.

**Shri B. K. Das (West Bengal):** Sir, the discussion has been admitted on the following three points, namely, calculated shortage of jute and mesta this year, the reasons for non-availability of jute to several jute mills in the Calcutta area resulting in their closure and the plan of the Government regarding making up of the deficit.

[MR. SPEAKER *in the Chair*]

In explaining these points, I beg to submit that on the 16th November an unstarred question was put to Government (No. 3) as to what was the forecast of the jute production. The reply received was that no official forecast of jute was available, but the present indications are that the production of jute was 33.51 lakh bales. I believe that as the jute year begins in September, an estimate ought to have been made by the Government as regards the correct position of production. The figure supplied to me seems to have been based on guess-work.

As regards shortage of jute I put a starred question No. 51 as to what was the gap between this year's production and the required quantity. The hon. Minister asked for notice, with the result that we could not know what the real shortage for the year was. I also wanted to know the reasons for the non-availability of jute to several jute mills and their consequent closure. In regard to that too I received no reply, as the hon. Minister asked for notice. The point I wish to bring to the notice of the House in this respect is that at that time the jute year had already started and there was a large quantity of jute in the market. It was not explained why in those circumstances no jute was available to the mills and they were obliged to close down. I wanted to know what was the plan for making up the deficit for the current year. But the Minister replied that he would take several steps to step up production so that there would be increased production next year. Probably that was the import of his reply. But my question was regarding the making up of the deficit for the current year. And I wanted to know whether there was any plan of import or so. But the reply was that there was no such plan.

[Shri B. K. Das]

So I want to know what is the correct position regarding these three matters.

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** The calculated shortage of jute and mesta this year is like this. The production this year, that is, 1950-51, according to the latest estimate will be:

Jute—33·51 lakh bales.  
Mesta—7·0 lakh bales.

The total is 40·51 lakh bales. The normal requirements of jute are 72·5 lakh bales, made up as follows:

Mill requirements—65·0 lakh bales.  
Domestic consumption—1·5 lakh bales.

Exports—6·0 lakh bales.

The total is 72·5 lakh bales. The actuals last year, that is, 1949-50, were:

Mill consumption—51·5 lakh bales.  
Domestic consumption—1·5 lakh bales.

Exports—6·0 lakh bales.

The total is 59 lakh bales. The shortage, provided the exports of 6 lakh bales are stopped completely and mills work on the same basis as last year will be 53 minus 40·51=12·49 lakh bales. The present plans for 1951-52 provide for increasing jute by 12·5 lakh bales, so that the deficit will be fully covered.

If exports are allowed on normal basis and mills are attempted to be worked exactly as they were before partition, the shortage will naturally be higher, that is, 72·5 minus 40·51=31·99 lakh bales or 32 lakh bales.

With regard to the reasons for non-availability of jute to several jute mills in Calcutta and their closure, it is reported that the Jardine Henderson group of jute mills in the Calcutta area suspended work from 8th November, 1950 to 13th November, 1950 for lack of raw jute. It may be mentioned here that there is ample jute in the country to ensure full working for all mills for throughout the six months. The reasons for the closure of the mills are understood to be as follows:

(1) Stoppage of regular supplies of Pakistan jute since the expiry of the April 1950 agreement with Pakistan;

(2) Transport difficulties for the movement of Indian jute to the mill areas at Calcutta;

(3) Withholding of raw jute by holders on account of the fantastic prices offered by American buyers for

hessian, since sellers of raw jute anticipate that at some later stage they will be able to realise better prices.

(4) Some mills are reported to be purchasing raw jute at a premium against delivery of jute goods, thus circumventing the arrangement of distribution of all purchases of raw jute through the Central Jute Disposals Section of the I.J.M.A. Consequently, the I.J.M.A. is not getting enough jute to apportion to the mills which depend only on the association for their supply.

It may be mentioned that the Jardine Henderson group of mills reopened work after six days as supplies of jute were made available to them by other mills and also by balers.

With regard to the plan of the Government regarding making up the deficit, a provisional target of additional production of 12·5 lakh bales of raw jute during 1951-52 has been set. This additional production of 12·5 lakh bales is expected to be brought about by bringing an additional five lakh acres of land under jute during 1951-52. Schemes for intensive cultivation which may result in further additional production have not been formulated so far but the break-up of this 12·5 lakh bales is expected to be:

West Bengal	2 lakh acres.
Bihar	1 Do
Assam	1 Do
Orissa	·5 Do
Uttar Pradesh	·5 Do

Total 5 lakh acres

**Shri B. K. Das:** Sir, as regards the last point, the hon. Minister has given us the plan for the next year. For the next year, we will have jute after the month of September when the new acreage comes under cultivation but as regards his plan for this year, that is, up to September 1951, how are we going to make up our deficit? That was my question and I want to know about that. Shall I put my next question, Sir?

**Mr. Speaker:** It will be better if he puts them one by one.

**Shri Thirumala Rao:** The only alternative that is open to us is to import from Pakistan, but until the question of the currency is settled, it does not seem to be possible to import from Pakistan any jute. The essential fact is that we are deficit in jute and that cannot be overcome.

**Shri B. K. Das:** As regards the production figure that has been given by

the hon. Minister, I beg to mention that the figures that have been supplied by the Jute Agricultural Research Institute are as follows:—

The estimated production of jute this year is roughly 36·73 lakh bales and that of mesta is 5 lakh bales. At a meeting of the local sub-committee of the Indian Central Jute Committee, there was a discussion that the position regarding production ought to be estimated correctly; otherwise the industry and other interests will be in difficulty. So the Director of the Jute Agricultural Research Institute was asked to submit figures and he has submitted the above figures. Since the question was put on the 16th November, I enquired of the Indian Central Jute Committee and I have received those figures from them. May I know why there is a good deal of difference between the figures quoted by the hon. Minister and the figures supplied by the Indian Central Jute Committee?

**Shri Thirumala Rao:** As far as our information goes, at the time the reply was given in Parliament, the actual production against the above target was known as 33·51 lakh bales. Subsequently within the last few days, reports from the States indicate that there is a slight fall in the estimate which is now put at 32·92 lakh bales. With regard to mesta our estimate is somewhat higher than the figure given by my hon. friend. Therefore the total make-up is higher than the figure that is given. We rely on the Provincial Governments for our imports.

**Shri B. K. Das:** May I point out that these are not my figures but they say that they are having those figures; they have corrected some figures saying that they have had the reports from the Director of Agriculture of Bihar and other provinces. I should like to know what are the agencies that supply figures to these different limbs of the Government?

**Shri Thirumala Rao:** The Departments of Agriculture in the several States supply us these figures. They have got their own statistical sections to give them the information.

**Shri Himatsingka (West Bengal):** Is the hon. Minister aware that Pakistan jute is not coming to India, not because of exchange difficulties, but because of price fixation at Rs. 35, whereas other countries are paying more than Rs. 35 and are taking away jute from Pakistan?

**Shri Thirumala Rao:** It may be so.

**Shri Himatsingka:** Does Government consider the question of removing this

fixation of price at Rs. 35 and allowing the jute to come to India so that the mills may have jute to go on for all the twelve months without difficulty?

**Shri Thirumala Rao:** My hon. friend on my right may perhaps be able to give an answer.

**Shri Chattopadhyay (West Bengal):** May I know, Sir, . . .

**Mr. Speaker:** Order, order; he has not given notice of the question.

**Shri S. C. Samanta (West Bengal):** May I know the States where mesta is grown, how much quantity is grown in each State, and the States where crop yielding lands are being utilised for the cultivation of both mesta and foodcrops?

**Shri Thirumala Rao:** The additional acreage under mesta in 1950 is expected to be nearly one million acres as follows:

1949-1950.

Madras—64,449.

Bombay—35,000.

Madhya Pradesh—25,000.

Hyderabad—65,000.

Orissa—4,000.

U. P.—10,000.

Bihar—8,000.

East Punjab—8,000.

In 1950-51, the total acreage comes to 3,19,924.

**Pandit Thakur Das Bhargava (Punjab):** May I put a question, Sir?

**Mr. Speaker:** The hon. Member has not given notice.

**Pandit Thakur Das Bhargava:** My name is there.

**Mr. Speaker:** This discussion is raised on one of the questions of the hon. Member. I do not know if he has joined in the notice.

**Pandit Thakur Das Bhargava:** I joined in the notice given by Mr. Himatsingka.

**Shri Himatsingka:** I gave a notice and Pandit Thakur Das Bhargava has joined in it. But, that is not for today.

**Shri B. K. Das:** He has signed my notice also.

**Shri B. Das (Orissa):** My name is also there, Sir.

**Mr. Speaker:** I am sorry; Pandit Thakur Das Bhargava's name is here. Pandit Thakur Das Bhargava.

**Pandit Thakur Das Bhargava:** May I know, Sir, whether the export duty which was Rs. 85 was raised to Rs. 350, then to 750 and is now proposed to be raised to Rs. 1,500, and whether the delay in increasing the duty has not occasioned a loss of 40 to 50 crores to the Government and the country.

**Shri Thirumala Rao:** The question seems to be wide off the mark. I have not got information on the subject.

**The Minister of Commerce (Shri Sri Prakasa):** May I add, Sir, that the whole problem is going to be discussed in the House in connection with a Bill that I am presenting, and if the hon. Members will have a little patience, they would be able to ventilate all these matters in the course of the debate on that Bill, instead of in the course of this discussion.

**Pandit Thakur Das Bhargava:** May I submit, Sir, that the constitutional practice is that when a Bill is on, information is elicited beforehand by means of questions, so that we may be able to discuss the Bill better. My question is perfectly in order. I beg the hon. Minister to kindly tell us if the time taken in fixing the duty at Rs. 1,500 has not caused a loss of 40 or 50 crores to this country.

**Shri Sri Prakasa:** I cannot say straight off the exact amount of loss.

**Pandit Thakur Das Bhargava:** Approximately?

**Shri Sri Prakasa:** The fact is that different persons have computed the loss at different figures—the loss in foreign exchange: that is what the hon. Member is referring to, I think. I can only say that it is impossible to anticipate beforehand what events would happen in the world and what exactly would be the effect of these in the world. I shall have occasion to explain to the House how the sudden outbreak of the Korean War upset most of our calculations. When we raised the duty to Rs. 750, we were certain that we would be able to mop up all the difference. But that did not take place and as hon. Members are aware, within a month we raised it to Rs. 1,500.

**Shri Tyagi (Uttar Pradesh):** What about the six months that had passed off?

**Mr. Speaker:** Order, order.

**Pandit Thakur Das Bhargava:** The hon. Minister told us that the loss has been estimated at different figures by different people. May I know what is

the estimate made by the Government? Will the hon. Minister kindly enlighten us on this point?

**An Hon. Member:** With the duty at Rs. 1,500 the country will be incurring a loss of Rs. 15 to Rs. 20 per 100 yds. of hessian.

**Pandit Thakur Das Bhargava:** But that is for the future. What is the Government's estimate of the loss? What is your calculation?

**Shri Sri Prakasa:** Taking it per yard, the landed cost of hessian in America will be 22.75 cents per yard, while the rate at which it is to be sold in the Calcutta Market—the forward price rate—will be 23 cents.

**Pandit Thakur Das Bhargava:** Sir, I wanted to know the estimated loss, according to Government, as it has been said that in the black-market people have got about Rs. 40 to 50 crores.

**The Deputy Minister of Commerce (Shri Karmarkar):** Sir, the position is this. I am happy to say that owing to the various measures taken by Government in various directions, the actual disparity between the internal and external prices of hessian was almost eliminated. But unfortunately then came the Korean war and as the hon. Member knows, then there was a spurt in world prices of almost every commodity, due to stock-piling, both of hessian and other materials, like paper which were used for making bags to replace hessian, especially in the United States. Well, the Korean war led to a tendency, especially in the United States and other countries also to stock-piling and as a result of this a very serious situation arose for us also. As far as the hon. Member's observations relate to the period after the start of the Korean war, we are prepared to concede that as days passed, the prices increased, day by day, the price of jute increased. But we cannot raise an export duty day by day. We cannot raise our duty that way. As hon. Members are aware it is an undesirable practice to go on raising our duties, increasing the export duties. It is a cardinal principle of export duty that if it is to have a stabilising effect, the level of the duty should be there for a reasonable period of time. Therefore I hope hon. Members will agree that after the Korean war, we have been closely watching the situation. In fact as my senior colleague just now said, within a month, we raised it from 750 to 1,500.

Coming to the other question as to whether we are sure that this increased duty of 1,500 really does away with the disparity between the internal and external prices, frankly, we are not absolutely sure of the position. We are advised at the present moment that this additional export duty of 1,500 does not exactly mop off the increase in the price which may be available in the American market. In the American market, as hon. Members may be aware, there is what is called the "spot" price and there is the "afloat" price. The spot price is that at which a commodity is available in New York.

**Shri Tyagi:** In the open market?

**Shri Karmarkar:** Yes, in the open market, and ready for delivery there. On account of the previous controls, the quantity of jute that was available for delivery in American market was very small as compared with the demand. Well, the afloat price means the price of goods that are already afloat from India and are on the seas. Supposing we calculate on the basis of that price, that would lead us to a false position. It would be absolutely undesirable to have a very high export duty and then go on revising it; it would be detrimental to ourselves, specially in regard to jute. I would ask my hon. friends to remember that jute is a commodity in the export of which we are very much interested. During an earlier period this finished commodity, hessian, in U.S.A. was fast tending to be replaced by other materials like paper bags.

**Some Hon. Members:** No, no.

**Shri Karmarkar:** We are now in the dilemma of so guiding our affairs as to ensure in the future an assured market for jute. Secondly, at the same time we are very anxious to see to it that there is no substantial disparity between the internal and external prices for hessian. Taking all these factors into consideration I am sure this House will agree that Government are making what might be called a cautious but at the same time effective approach. Government are advised, having taken all the factors into consideration, that the export duty of 1,500 proposed to be imposed under the Bill introduced the other day would be a reasonable duty. If hon. Members were to pin us down to that point and say that yesterday's price, both spot and afloat, in U.S.A. did justify the imposition of a higher duty, we are ready with the answer that it might well be for the moment. The disparity between internal and external prices may justify a higher duty but certainly it would be wrong for us always to

correlate export duty with the disparity in the external and internal prices.

**Shri B. Das:** I would like to know from the hon. Shri Sri Prakasa why his Ministry did not take the public into confidence over this shortage of jute which was likely to happen very shortly and what was the cause of the failure of the intentions of the Nehru-Liaquat Pact in that Pakistan did not deliver jute to India.

**Shri Sri Prakasa:** I do not know what necessity there would be for taking the public into confidence specifically when the fact is very well known that most of the jute was produced in what is now Pakistan and all the mills were in India.

**Shri Himatsingka:** All the world is getting jute.

**Mr. Speaker:** There also we are entering into arguments again.

**Shri Tyagi:** May I request the Ministry to give us all the information before the debate on the Bill begins. We want all the information about prices in the past.

**Mr. Speaker:** Hon. Members might table questions or the Ministry might circulate a note giving as much information as they can. The Members should indicate what information they want to enable the Ministry to prepare their note.

**Shri Barman (West Bengal):** Is it a fact that the Commerce Ministry have in U.S.A. a machinery and may I know whether they supply us weekly reports of the American open hessian market. If so, will the hon. Minister place a report for six months of the prices of hessian in U.S.A.?

**Shri Karmarkar:** We are in a position to say that we receive various reports from different sources. For instance we receive a commercial report from our commercial representative periodically. In addition to that whenever we desire we receive additional reports. Will the hon. Member make it clear as to what type of reports he wants?

**Shri Barman:** The price of hessian in the American market.

**Shri Karmarkar:** This may also be an item in the note to be prepared in accordance with your directions.

**Shri Himatsingka:** May I know whether all this difficulty complained of is due to the ceiling prices having been

[Shri Himatsingka]

fixed to the export of jute products and not to any other thing?

**Shri Karmarkar:** No, Sir. I am afraid we are not in a position to agree with the hon. Member.

**Pandit Thakur Das Bhargava:** It being a fact that the price fixed is Rs. 55, may I know, when the price in America is Rs. 120, who pocketed the intermediate profits, if both the facts are correct?

**Shri Sri Prakasa:** The profits must have been pocketed by those who were in the trade.

**Pandit Thakur Das Bhargava:** Does it not encourage black marketing?

**Mr. Speaker:** Our time is up. All that I would suggest to hon. Members is that they may give just very short questions—not argumentative—for

drawing out such information as they would desire to have; not by way of the regular questions in the House, but just some points. I shall pass them on to the Ministry to enable them to prepare a note. But let it not be an argumentative business. Let them ask only for information.

**Shri Hussain Imam (Bihar):** May I make a suggestion? My suggestion is that the Bill may not be considered tomorrow so that the Ministry may get time to give the note to us.

**Mr. Speaker:** The Eviction Bill is going on. Let this Bill come and we will see.

**Shri Sri Prakasa:** I hope, Sir, that will not evict my Bill!

*The House then adjourned till a Quarter to Eleven of the Clock on Thursday, the 30th November, 1950.*