

Tuesday, 20th March, 1951



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# PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME VI, 1951

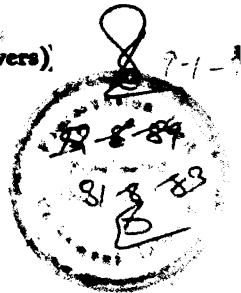
(5th February to 31st March, 1951)

Third Session (Second Part)

of the

PARLIAMENT OF INDIA

1951



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

2387

2388

**PARLIAMENT OF INDIA**

*Tuesday, 20th March, 1951*

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

[MR. SPEAKER in the Chair]

**ORAL ANSWERS TO QUESTIONS**

**TEXTILES (EXPORTS)**

\*2338. Prof. S. N. Mishra: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have shelved the proposal for drastic cut in cotton textile exports of the country for the year 1951-52; and

(b) if so, whether any overall target for the year 1951-52 has been tentatively fixed?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) The fact is that Government have taken steps to restrict exports of cotton textiles.

(b) The tentative figure is 800 million yards.

Prof. S. N. Mishra: May I know, Sir, what do Government propose to do in respect of the contracts already made?

Shri Karmarkar: Our attempt at the present moment is to stagger the exports to make them more gradual than they would otherwise have been.

Prof. S. N. Mishra: How long are these contracts expected to continue?

Shri Karmarkar: The usual practice both in respect of imports and exports have been that firm contracts supported by letters of credit have been usually honoured. In this particular case, how many contracts there are and to what extent they will continue and what is the position etc, I should like to have notice. Different contracts will be for different periods.  
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Shri Ghule: May I know how much quota out of this 800 million yards would be coarse and medium type of cloth and how much fine and superfine type of cloth?

Shri Karmarkar: A quota of 100 million yards of coarse and medium cloth in soft currency areas and 20 million yards in hard currency areas has been fixed for export in 1951. The rest will be fine and superfine.

Shri Sondhi: What is the quantity which has been already exported out of this 800 million yards?

Shri Karmarkar: I have not got that figure ready with me, Sir.

Shri Kesava Rao: May I know whether any handloom cloth is exported? If so, what is the quantity exported?

Shri Karmarkar: I shall require notice. Handloom cloth is certainly encouraged for export.

Shri B. K. Das: What is the position of yarn? Will it be exported during this year?

Shri Karmarkar: It does not arise out of this but, however, if it does, as my hon. friend knows, all export of yarn has been stopped.

Prof. S. N. Mishra: May I know the allocation made to dollar and non-dollar areas?

Shri Karmarkar: As I said a quota of 100 million yards of coarse and medium cloth for soft currency areas and 20 million yards in hard currency areas has been fixed for export for the period January to June 1951. As regards fine and superfine cloth it is open to all areas.

**MONEY RECOVERED FROM NEPALESE NATIONALS**

\*2339. Prof. S. N. Mishra: (a) Will the Prime Minister be pleased to state whether it is a fact that a sum of about Rs. 35 lakhs recovered in currency notes and Nepalese silver coins from some Nepal nationals at

Willington Airport on the 13th November, 1950 at 7-20 P.M. is still lying with Government?

(b) If so, what do Government propose to do with it?

**The Deputy Minister of External Affairs (Dr. Keskar):** (a) Yes, Sir.

(b) Government are taking steps to return the amount to the Government of Nepal.

**Prof. S. N. Mishra:** May I know why was it deemed necessary to conduct the search of the plane in question?

**Dr. Keskar:** The details of the search etc. were explained on the floor of the House in reply to question No. 2135 delivered on the 12th March.

**Prof. S. N. Mishra:** No details were given on that date. May I know whether the search was conducted at the request of the Government of Nepal?

**Dr. Keskar:** No, Sir.

**Thakur Lal Singh:** May I know whether the Government of Nepal informed this Government that treasuries other than Birgunj were also looted?

**Dr. Keskar:** We have been informed that some other places were also looted.

**Prof. S. N. Mishra:** May I ask whether Government have been able to ascertain the ownership of the money recovered?

**Dr. Keskar:** Government has tried its best to find out the ownership of this sum and that is probably the reason why such a delay has occurred in returning it.

**Prof. S. N. Mishra:** May I know what is the ownership of the plane which carried this money?

**Dr. Keskar:** I would require notice of the question.

#### WAR REPARATIONS

\*2340. **Shri Sidhva:** (a) Will the Minister of Commerce and Industry be pleased to state what articles have been received as War Reparations during the year 1950?

(b) What is the staff employed in Germany and other places in connection with India's Reparation claims?

(c) Are such establishments in foreign countries likely to be closed?

(d) What is the total amount of Reparation articles now lying with us?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) In all, 1,285 items of general purpose machine tools, workshop equipment and chemical plants were received from Germany as India's share of war reparations during 1950.

(b) and (c). The Indian Reparations Inspectorate at Berlin was closed on the 15th January 1951. A statement showing the existing staff of the Reparations Directorate at Calcutta is laid on the Table of the House. [See Appendix XVIII, annexure No. 11.]

(d) Out of the total 10,430 items of machinery allocated to India, only 3,074 items still remain to be disposed of. 7,356 machines and plants have already been allocated or reserved for allocation to various priority indentors.

**Shri Mahtab:** Sir, there is another question No. 2360 relating to the same subject.

**Mr. Speaker:** That is by Mr. Gopinath Singh.

(*Shri Gopinath Singh was absent.*)

We cannot take it up unfortunately.

**Shri Sidhva:** The hon. Minister stated in reply to parts (b) and (c) that the Berlin Office has been closed. May I ask if there is any other office in Europe, namely, in Belgium and whether that office in Antwerp has been closed? Am I to understand that no other staff exists in foreign countries?

**Shri Mahtab:** There is no office in Belgium. The Charge d'Affaires is a Member of that organization. Therefore there is no separate organization for this anywhere.

**Shri Sidhva:** Was no staff posted on behalf of Berlin in Antwerp? May I know whether it still exists?

**Shri Mahtab:** It is not existing at present.

**Shri Sidhva:** Arising out of the answer to part (d); the hon. Minister stated that 3,074 items still remain to be disposed of and 7,356 machines and plants have already been allocated. How many have been allocated to individual commercial firms and Governments and what is the total value? What are the items under priority indentors? Are they Government or commercial firms or individuals?

**Shri Mahtab:** The very definition of priority indentor is that it is the Central Government and State Governments. Priority indentors can

never be commercial firms. Allocation to priority indentors means that they have been allocated to various Departments of the Central Government, particularly the Defence, Railway and Communications Ministries.

**Shri Sidhva:** How much has been credited to the Government of India from the sale and disposal of these reparations?

**Shri Mahtab:** The value of the amounts already realized from our own Departments—Government Departments—is Rs. 22,55,133. The total estimated value still to be realized is Rs. 3 crores approximately, and subject to final acceptance of disposal prices by Defence and Transport Ministries to the tune of Rs. 95 lakhs.

**Shri Sidhva:** May I know whether this amount is credited to the General Fund of the Government of India or whether it goes to some other credit?

**Shri Mahtab:** There is no other credit. It goes to the General Funds.

**Shri Lakshmanan:** Are there still outstanding claims between India and Pakistan in the sharing of these reparations?

**Shri Mahtab:** Yes. There are some outstanding issues with regard to that and that is being dealt with by the Partition Secretariat.

**Shri Sondhi:** Arising out of answer given to part (b) and (c), what is the total amount we have spent so far on our Berlin Office?

**Shri Mahtab:** Those figures are being collected. I am sorry, I cannot give the exact figures.

**Shri Poonacha:** Is it a fact that quite a large number of these machines could not be worked here in India either for want of technical personnel to run these machines or because of the fact that quite a number of essential parts of these machines are missing?

**Shri Mahtab:** As the hon. Member must have known, out of the 10,000 and odd items 7000 and odd have already been allocated. There is no question of these machines being not used here.

**Shri A. C. Guha:** Are we to understand that none of these machines has been given to any private commercial firms?

**Shri Mahtab:** I think, not.

**Shri Kamath:** Was the Berlin office closed before or after India's termination of state of war with Germany?

**Shri Mahtab:** That I cannot say: the exact date, I do not know.

**Shri Sidhva:** I wanted to know under what Head this amount is credited?

**Mr. Speaker:** This could be ascertained from the accounts.

**Shri Sidhva:** We do not find any entry in the Budget. I wanted to know under what Head this is credited?

**Shri Mahtab:** The expenditure on items 1 to 3, Reparation Staff at Calcutta is debitable to Head of Account No. 57 Miscellaneous, Miscellaneous and unforeseen charges. The other items of expenditure detailed above are debited to Suspense Account in connection with expenditure on German Reparations machines—P. Deposits and advances. Receipts from the sale of these machines are credited to Suspense Account.

**Mr. Speaker:** We will go to the next question.

#### RIGHT OF ASYLUM OF DIPLOMATIC ENVOYS

\*2341. **Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state whether the Government of India recognize the so-called right of asylum *Franchise du quartier* of diplomatic envoys?

**The Deputy Minister of External Affairs (Dr. Keskar):** The Government of India accept the well-established principles of international law relating to the inviolability of the person of a diplomatic envoy of his office and residential premises. It is by virtue of this privilege that an envoy is in a position to give asylum to a person. By itself giving of asylum is not recognized as a right.

**Dr. Ram Subhag Singh:** In view of the fact that the International Court of Justice has recently decided against the Columbian Embassy when they gave shelter to the Peruvian leader Victor de La Torre may I know whether our Government will fall in line with that decision?

**Dr. Keskar:** With regard to this question of giving asylum, which is more a question of international jurisprudence, no one country is following one particular line. In fact, for example, countries like the United States do not recognise the right of asylum as it is recognised in some other countries. If a question will arise for our country, we might take a decision. But, what I wanted to

indicate was that countries are at liberty to vary this principle of right of asylum to some extent. It is not necessary that all countries should abide by a judgment of the International Court of Justice in any particular matter.

**Mr. Speaker:** Next question.

**Shri E. Velayudhan:** May I ask one question, Sir?

**Mr. Speaker:** It is no use discussing this question. We will go to the next question.

#### GRAM FROM PAKISTAN

\*2342. **Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state whether it is a fact that the Government of India have decided to introduce unrestricted imports of gram from Pakistan?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** The import of gram from all soft currency countries including Pakistan is now under the O.G.L.

**Dr. Ram Subhag Singh:** May I know whether at any time in this year or the last year the import of gram was prohibited or restricted?

**Shri Karmarkar:** In September 1950, Pakistan was excluded from the scope of the O.G.L. However, we permitted gram to come in if it came in.

**Dr. Ram Subhag Singh:** In view of the fact that we recognised the Pakistan Rupee rate very recently, may I know how these gram imports were paid before the recognition of the Pakistan Rupee?

**Shri Karmarkar:** Am I to understand the hon. Member to ask, when we stopped the O.G.L. in respect of gram, what arrangements were made to allow gram?

**Dr. Ram Subhag Singh:** How were payments made?

**Shri Karmarkar:** Payment was arranged by the parties in their own way.

**Shri Goenka:** When the parties wanted to make their own arrangements for the payment of goods from Pakistan, may I know why other people were refused permits to import other materials which were necessary for this country and which the Industries Department wanted to be imported?

strictly on merits, and every case has been considered on merits.

**Shri Ghule:** May I know the quantity imported from Pakistan under the O.G.L.?

**Shri Karmarkar:** It is yet too early to say; I want notice.

**Shri T. N. Singh:** In respect of these payments by the parties for imported gram, may I know whether Government have any knowledge if any of these payments have been made out of the unaccounted for balances held by the parties in Pakistan?

**Shri Karmarkar:** I think my hon. friend knows that in spite of the trade barrier, there has not been a perfect barrier between people in Pakistan and people here. There are instances of residents here having assets in Pakistan which they are entitled to operate upon as a matter of credit. In exchange for that, they have asked for some imports from Pakistan, not exactly in the form of money, but in the form of goods. That type of relations had not ceased completely even during the trade cessation period: not because we have permitted the parties to import goods as against their assets.

**Shri Goenka:** May I know whether merit means the influence of individual parties on the Government of India?

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

#### FOREIGN GUESTS

\*2343. **Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state the expenditure incurred by the Government of India on the reception of and hospitality to foreign guests in the year 1950?

**The Deputy Minister of External Affairs (Dr. Keekar):** The expenditure incurred on the reception of and hospitality to foreign guests during 1950 from the Hospitality Fund of the Government of India was Rs. 86,726 (Rupees eighty six thousand seven hundred and twenty six only).

**Dr. Ram Subhag Singh:** May I know whether there has been any increase in the year 1950 over the expenditure incurred in the year 1949?

**Dr. Ram Subhag Singh:** May I know (al Nehru): The figures are: in 1949 the total expenditure was Rs. 1,97,823; this year, as my colleague has stated, Rs. 86,000. It is considerably less than half of the previous year's.

**The Prime Minister (Shri Jawahar:** whether the expenditure incurred on

**Shri Karmarkar:** I may tell my hon. friend that every case is considered



foreign guests by the different Ministries such as External Affairs, Food and Agriculture, Health, etc., are disbursed through the Ministries concerned, or through a common central fund?

**Shri Jawaharlal Nehru:** It is rather difficult to say; I speak subject to correction. Part of it is done through a common fund; but part of it is done separately. I have got, as a matter of fact, the figures before me of each Ministry's separate expenditure.

**Dr. Ram Subhag Singh:** May I know whether Government propose to start a central fund for meeting this expenditure?

**Shri Jawaharlal Nehru:** The position is this. Each Ministry spends separately. But, certain forms of hospitality are general and they come out of the joint fund.

**Sardar Hukam Singh:** May I know whether these hospitality funds with the various Ministries are audited annually?

**Shri Jawaharlal Nehru:** I presume all funds are audited.

#### NEW TOWN IN KANDLA

\*2344. **Shri Sidhva:** (a) Will the Minister of Rehabilitation be pleased to state the total amount paid to the Sindhu Resettlement Corporation for establishing a new town in Kandla (Kutch)?

(b) How much amount has the said corporation spent so far towards the development of the town?

(c) What is the progress made in the construction of the town?

(d) How many houses have been so far built?

(e) How many have been occupied and are all the occupants displaced persons?

(f) Is there any industry, small or large, opened in this colony?

(g) Is any repayment of the loan to be made?

(h) What is the rate of interest charged on the loan?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) Rs. 110 lakhs.

(b) Approximately Rs. 90 lakhs on construction of houses and Rs. 45 lakhs on other works of development of the town.

(c) A note is placed on the Table of the House. [See Appendix XVIII, annexure No. 12.]

(d) 2,395.

(e) Nearly all the houses are occupied. About 400 have been temporarily allotted to Government servants engaged in port development schemes.

(f) Yes. Some industries have been started by the Corporation and displaced persons.

(g) Yes.

(h) 3½ per cent.

**Shri Sidhva:** Sir, arising out of the answers to parts (d) and (e). The hon. Minister has stated that out of 2395 houses constructed, 400 have been allotted to government servants and the rest to displaced persons. May I know if these displaced persons consist of only Asali Sindhis or do they include also the Kutchis who reside in Kutch?

**Shri A. P. Jain:** Among displaced persons, I believe the overwhelming majority consists of Sindhis.

**Shri Sidhva:** May I know whether the Kutch Hazrat Association made a representation to the hon. Minister about their having asked the Corporation for houses and their getting a reply that the houses will not be allotted unless they purchased shares money? Has the hon. Minister's attention been drawn to this representation of the 6th December, 1950 and if so what has been the result?

**Shri A. P. Jain:** I don't remember to have seen such a representation. But I know that houses are being allotted to persons who have not purchased shares with the Corporation. Of course house sites are being allotted to persons who have purchased shares of the Corporation and not to others.

**Shri Sidhva:** Sir, may I know whether the hon. Minister is aware that 4,000 Kutchis who came from Karachi as refugees applied on the 6th December, of which I have a copy with me and.....

**Mr. Speaker:** I think it will be better if the hon. Member takes up this matter individually with the hon. Minister.

**Shri Sidhva:** Sir, I have taken up this question and...

**Mr. Speaker:** May be. But the Question-hour is to be utilised for the purpose of getting information of general importance and not in respect of individual grievances.

**Shri Sidhva:** Sir, this is not an individual question as many as 4,000 persons.....

**Mr. Speaker:** May be, but I will not allow it.

**Shri Sidhva:** Sir, I want to put another question.

In part (f) of the answer it is stated that some industries have been started. May I know how many Kutch refugees have been employed in these industries and how many of them are Sindhis?

**Shri A. P. Jain:** We do not keep separate figures. We have figures relating to the persons who have been given houses in Gandhidham. If my hon. friend wants to know the types of industries carried on there, I will certainly give him their names.

**Shri Sidhva:** Sir are those employed in these industries mostly Kutch Sindhis or do they include other refugees from Sind?

**Shri A. P. Jain:** This scheme is not confined to any particular set of persons. We have advanced some loan to the Corporation but the general management of the Gandhidham is in the hands of the Corporation. We can write to them, advise them and give them guidance, but we cannot order the Corporation to do a particular thing unless it comes under the terms of agreement.

**लाला अचिंत राम :** क्या माननीय मंत्री कृपा करके बतलायेंगे कि कंडला के निर्वासित भाइयों को कर्ज की तौर पर कुल कितना रुपया दिया गया था और बड़ी से बड़ी रकम कर्ज की कितनी है और छोटी से छोटी रकम कर्ज की कितनी है?

[**Lala Achint Ram:** Will the hon. Minister be pleased to state the total amount that has been paid to the displaced persons at Kandla in the form of loans. What are the maximum and the minimum amounts of such loans?]

**जी ए० पी० जैन :** कुल कर्जा ८६,७०० रुपया दिया गया है और यह १३९ आदमियों को दिया गया है। यह मांकड़े ३१ दिसम्बर सन् १९५० तक के हैं।

[**Shri A. P. Jain:** The total amount of loans comes to 86,700 rupees, and this has been granted to 139 persons. These figures are up to 31st December, 1950.]

**Shri K. K. Chaudhuri:** Sir, what are the industries that have been opened there and what is the number of refugees employed in these industries?

**Shri A. P. Jain:** There are two types of industries opened there. One type of industries which have been opened by the Corporation consist of the manufacture of hollow cement blocs, spun cement pipes, saw-mills, carpentry shops, mechanical workshops etc. etc. The other industries are started by the displaced persons and they are such as grinding mills, oil pressing mills, lime-kilns, tile making factory, smitheries, handloom weaving, ice factories and aerated-water factories.

**Shri A. C. Guha:** May I know whether this Corporation is a statutory body and what is the control of the Government over the finances of this Corporation?

**Shri A. P. Jain:** It is a registered company and Government have no control over the finances of the Corporation. The company has been floated with a capital of Rs. 2 crores and Government have subscribed Rs. 50 lakhs. Government nominates the Directors according to the share capital. There is a land section attached to this Corporation and there the Government has a majority of one and therefore the controlling voice.

**Shri Shiva Rao:** Sir, are there any statistics to show the cost of buildings in Kandla? How does the cost compare with that in similar townships elsewhere?

**Shri A. P. Jain:** The stipulation was that 4,000 houses will cost Rs. 1,10,00,000. Comparatively, I believe Kandla is constructing houses cheaper than, say Bombay and at least a good number of other States.

**Shri A. C. Guha:** The hon. Minister said that Government have subscribed Rs. 50 lakhs for this Corporation. What is the amount subscribed by private persons? Have Government given any loan also to this Corporation?

**Shri A. P. Jain:** I cannot give the exact amount of the capital subscribed privately. Roughly speaking it is about Rs. 1 crore. Government have given a loan of Rs. 1,10,00,000 for the 4,000 houses. The Corporation has also asked for a loan of Rs. 50 lakhs for houses to be built on lands allotted to private persons.

**लाला अचिंत राम :** क्या माननीय मंत्री जी से जो मैंने पहले सवाल किया था, उसका जवाब देने की कृपा करेंगे कि जी

कबों दिये गये हैं, उनमें बड़ी से बड़ी रकम कबों की कितनी है और छोटी से छोटी रकम कितनी है ?

[Lala Achint Ram: Will the hon. Minister be pleased to give reply to my original question as to what were the maximum and minimum amounts of the loans that have been granted?]

जी ए० पी० जैन : मैं उसके ठीक ठीक बाँकड़े तो नहीं दे सकता, लेकिन ज्यादा से ज्यादा रकम कबों की जो हो सकती है, वह पाँच हजार की हो सकती है, छोटी से छोटी के लिये मैं नहीं कह सकता ।

[Shri A. P. Jain: I am unable to give you the exact figures. But the maximum of such amounts can be five thousand. About the minimum I cannot say anything.]

Shri Sidhva: Sir, is it a fact that when the hon. Minister went to Kutch Mandvi he promised to pay a sum of Rs. 2 lakhs to the refugees of Kutch Hazrat Association and if so, what amount has actually been paid to this Association?

Shri A. P. Jain: Sir, I never promised nor gave any amount to any Association. I said some money will be given to the Chief Commissioner for helping the displaced persons and that money, so far as I remember, has been paid

#### TARGET ACHIEVING COMMITTEE

\*2345. Pandit M. B. Bhargava: (a) Will the Minister of Commerce and Industry be pleased to state whether any Target Achieving Committee was appointed during the year, 1950-51. If so, how many of them and in respect of which industries?

(b) What was the total amount of expenditure incurred on such a Committee and how far have the efforts of such committees been successful in stimulating production?

(c) What was the quantity and value of production in the various industries during the six months preceding the appointment of the Target Achieving Committee and the total quantity and value of production during the six months following the said appointment?

The Minister of Commerce and Industry (Shri Mahtab): (a) A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 13.]

It is not proposed to constitute similar committees for 1951, because the Development Committee for Industries set up on 1st December 1950 has been charged, *inter alia*, with the task of fixing targets, where necessary.

(b) No expenditure was incurred on these committees. As a result of the efforts of these Committees, targets fixed in respect of certain industries have not only been achieved but exceeded in some cases. There was, however, a short-fall in the production of Sulphuric acid, Superphosphates, Power-alcohol and Plywood.

(c) A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 13.]

Pandit M. B. Bhargava: Sir, which of the Target Achieving Committees are still working and which have been closed?

Shri Mahtab: No Target Committee is working at present, because the work has been entrusted to the Developing Committee recently set up in December last.

Shri E. Velayudhan: Sir, may I know whether labour is included in any of these new Development Committees?

Shri Mahtab: Yes.

#### FERTILISERS FOR TEA INDUSTRY

\*2346. Pandit M. B. Bhargava: Will the Minister of Commerce and Industry be pleased to state:

(a) the total annual requirement of the tea industry in the north-east and southern regions of the Indian Union in respect of the chemical fertilisers like the sulphate of ammonia; and

(b) what was the total quantity of such fertilizers supplied to the industry during the years 1948, 1949 and 1950?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) The total normal annual requirement of the tea industry in respect of chemical fertilisers is 50,000 tons for North-East India and 8,000 tons for South India.

(b) The total quantity of chemical fertilisers supplied to the tea industry during the year 1947-48 and 1948-49, for the period from July to June, was 34,850 tons and 36,358 tons respectively and for 1950 it was 58,000 tons.

Shri Chaittha: Sir, may I know whether the Sindri factory is going to be made over to a private management as was announced the other day?

**Shri Karmarkar:** I think my hon. friend may table a question to the proper quarter.

**Shri Lakshmanan:** Sir, may I know whether there is any distinction observed in the matter of supplying fertilizers to food crops and money or cash crops? Is there any preference shown to money crops?

**Shri Karmarkar:** No, both classes are equally important.

**Shri Barman:** Sir, is it a fact that the fertilizer-mixing factories simply mix ingredients and no organic manures are mixed?

**Shri Karmarkar:** Sir, I would require notice.

#### TYRES AND TUBES

\*2347. **Pandit M. B. Bhargava:** (a) Will the Minister of Commerce and Industry be pleased to state the quantity and value of tyres and tubes imported into India from the hard and soft currency regions during the years 1948, 1949 and 1950?

(b) What is the quantity and value of tyres and tubes manufactured in India during the above three years?

(c) By which time is India expected to be self-sufficient in respect of these articles?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) and (b). Two statements giving the required information are placed on the Table of the House. [See Appendix XVIII, annexure No. 14.]

(c) India is self-sufficient in regard to the requirements of Automobile and Bicycle tyres and tubes. Efforts are being made to secure self sufficiency as far as possible in respect of special types of tyres and tubes used for tractors, earth movers and graders.

**Shri M. V. Rama Rao:** Sir, there are two other questions relating to the manufacture of rubber tyres. They are questions No. 2393 and 2394 in my name and they may also be answered along with the question just now answered.

**Shri Karmarkar:** We have no objection, Sir.

#### PRICE OF TYRES

\*2393. **Shri M. V. Rama Rao:** Will the Minister of Commerce and Industry be pleased to refer to the answers given to starred question No. 1785 on 27th February 1951 and state:

(a) whether it is a fact that the quantities of rubber imported into

India during the years, 1949-50 and 1950-51 (up to 31st December 1950) were 1200 tons and 1005 tons respectively;

(b) whether it is a fact that the average price of rubber imported into India during these years were Rs. 1,420 and Rs. 3,517 per ton;

(c) whether it is a fact that 525 out of 1005 tons imported in the calendar year 1950, were imported during the early part of the year at prices far below the present prices;

(d) whether it is a fact that tyre manufacturers in India do not maintain large stocks of rubber; and

(e) whether the increased price of approximately Rs. 15,00,000 paid for imported rubber in the year 1950 by the manufacturers warrants the increase of tyre prices by Rs. 150,00,000 and if so, how?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) to (d). A statement giving the information is laid on the Table of the House. [See Appendix XVIII, annexure No. 15.]

(e) The increase in tyre prices was not given on the basis of the difference in the value of imports of raw rubber during the years 1949 and 1950. It was based on the increase in the prices of rubber expected to be imported by the manufacturers during the year 1951.

#### COST OF MANUFACTURING RUBBER TYRES

\*2394. **Shri M. V. Rama Rao:** Will the Minister of Commerce and Industry be pleased to refer to the answers given to starred question No. 1785 on 27th February 1951 and state:

(a) whether there has been an inquiry into the cost of manufacturing rubber tyres in India at any time and if so, when and by what agency;

(b) the quantities of imported and indigenous rubber made available to manufacturers of tyres during the years 1948, 1949 and 1950;

(c) the prices paid for imported and Indian rubber during these three years;

(d) the size of rubber stocks held by the manufacturers of tyres in India during these three years;

(e) the prices of tyres manufactured in India during these three years as compared with prices of similar tyres manufactured outside India; and

(f) the quantity of tyres made in India purchased by or for Government and the quantity available to private consumers during the three years 1948, 1949 and 1950 and the respective prices charged for them?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) No, Sir.

(b) to (e). A statement giving the information is laid on the Table of the House. [See Appendix XVIII, annexure No. 18.]

(f) The information is being collected and will be laid on the Table of the House.

**Shri M. V. Rama Rao:** May I know whether Government propose to institute an enquiry into the cost of the manufacture of rubber tyres in India?

**Shri Mahtab:** We discussed that yesterday afternoon and I said that when the Tariff Board's recommendations would be received with regard to the price of rubber, then alone a case for investigation into the cost of the manufacture of rubber tyres would arise.

**Pandit M. B. Bhargava:** Has there been a rise in the price of these imported tyres recently? If so, to what extent?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** Yes, there has been a rise in the prices.

**Mr. Speaker:** He wanted, to what extent?

**Shri Karmarkar:** I want notice.

**Shri Poonacha:** In view of the fact that a fifteen per cent. increase has been agreed to by the Government so far as tyres and tubes are concerned in anticipation of the manufacturers importing about 5,000 tons of rubber from outside, what would happen if the importers do not import that quantity as they did in the past with the result that the public are charged for that?

**Mr. Speaker:** Order, order. That is a hypothetical question at this stage. The hon. Member is assuming something.

**Shri Poonacha:** What would be the position if the importers do not import the expected quantity of rubber?

**An Hon. Member:** It is the same question.

**Shri M. V. Rama Rao:** Who prepared the estimates of the quantities of rubber that are to be imported in 1951 and what is the basis on which those estimates have been made?

**Shri Mahtab:** The basis is the capacity of the manufacturing firms. If the rubber is not imported then the firms will cease to function, because that quantity of rubber is necessary to meet the manufacturing capacity of the firms. That can be easily ascertained as it is done in the case of other industries.

**Sardar Hukam Singh:** Is it a fact that licences issued for the import of tubes and tyres during the latter half of 1949 and 1950 remained unutilised and the goods were not imported, because the list attached to the licences relating to size and varieties exhausted all articles that could be used in India?

**Shri Mahtab:** I shall have to look into that; the position is not clear.

**Shri Poonacha:** How do the prices of Indian-manufactured tyres compare with those imported from abroad?

**Shri Mahtab:** Our prices compare favourably with the prices of imported tyres.

**Shri M. V. Rama Rao:** May I know whether the present terms of reference of the enquiry by the Tariff Board, concerning rubber prices include any reference to the cost of manufacturing rubber tyres in India?

**Shri Mahtab:** It has no relation with that. Probably the hon. Member is not aware of one fact, that rubber constitutes only 26.6 per cent. of the manufactured tyre. Therefore the cost of the manufacture of tyres will depend on various other materials besides rubber.

**Shri M. V. Rama Rao:** May I know whether Government have any idea of the cost of the other components that go into the manufacture of tyres and whether Government have carried out any investigation into the price-structure of those commodities?

**Shri Mahtab:** As I explained yesterday all these matters have been investigated.

**Sardar Hukam Singh:** Is the hon. Minister aware that an ordinary tyre 34×7 used for commercial vehicles which ought to be sold at Rs. 383 is now selling at Rs. 500 and more?

**Shri Mahtab:** It may be the case. The fact is that except in the case of cycle tubes and tyres the prices of other tyres and tubes are not controlled.

**Shri Rathnaswamy:** Sir, there is also another question in my name relating to the rubber industry, Q. No. 2398, which may be answered in this connection.

## REMOVAL OF CONTROLS ON RUBBER

\*2398. **Shri Rathaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of Government has been drawn to the statement of Mr. A. V. Thomas, Chairman of the Indian Rubber Board on 21st February, 1951, at Bombay (according to P.T.I.) that the rubber factories in India may have to be closed down due to rubber shortage in India;

(b) what were the Tariff Board's recommendations as a result of their recent enquiry conducted into the Rubber Industry;

(c) whether it is the intention of Government to remove all controls on raw rubber; and

(d) what steps Government propose to take to alleviate the situation arising out of rubber shortage?

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

(b) The report of the Tariff Board has not yet been received by Government.

(c) No, Sir.

(d) Please see answer to part (a) of starred question No. 1649 answered on 22nd February, 1951.

## DISPLACED PERSONS IN ANDAMANS

\*2348. **Shri Barman:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of agriculturists, artisans, professionals and businessmen among displaced persons rehabilitated in Andamans;

(b) the number amongst them who have become self-supporting by this time; and

(c) the amount spent on them and the amount of grants of loans distributed amongst them so far?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) 230 families have been settled as agriculturists and 7 as artisans.

(b) All of them have become self-supporting.

(c) Total amount spent.—Rs. 11,13,000.

Grants.—Rs. 8,94,000.

Loans.—Rs. 1,02,000.

**Shri Barman:** Does the figure given by the Minister include the last batch which, according to newspaper reports, left on Saturday last?

**Shri A. P. Jain:** No: it does not include the expenditure on those persons, because the question was about the persons who have been rehabilitated. These persons have been sent but not rehabilitated yet.

**Shri Barman:** Is the hon. Minister in a position to say what was the number of families which were sent last and if so, how many families and of what profession?

**Shri A. P. Jain:** My latest information is that the Chief Commissioner of the Andamans wanted eighty-three non-agriculturist families to be sent there and 47 have already reached the Andaman islands.

**Shri Barman:** In order to rationalise our man power and in order to exploit the natural resources of the islands, do Government propose to conduct any survey of the natural resources there, so that we can rationalise our man power there and give the people gainful occupation?

**Shri A. P. Jain:** Government has conducted several surveys there and there is a scheme under consideration according to which 6,000 families of displaced persons are proposed to be settled in the Andamans in another five years.

**Shri Dwivedi:** Is it a fact that certain families in the name of displaced persons reached the Andamans and returned back after taking the benefits?

**Shri A. P. Jain:** Some displaced persons did go to the Andamans and then expressed a desire to come back. We could not retain them there and they were brought back. Their numbers are 21 families in the first and second batches and 16 families in the third and fourth batches. The last sixteen families came back on the ground that conditions in East Bengal were far improved and so they wanted to go back there.

**Shri B. K. Das:** Are we to understand that the choice of persons of different categories is made on the requisition of the authorities there or the Government follows a definite plan in the matter of their choice?

**Shri A. P. Jain:** The Chief Commissioner indicates the needs there. He knows the area of land on which the displaced persons can be rehabilitated. He also knows the scope for the rehabilitation of businessmen and artisans and then he sends us the requisition. We invite applications and out of them those who are considered to be most fit are sent to the Andamans.

**Shri Barman:** Since vast forest resources, more than half, of the Andamans are lying unexploited up till now, has that fact been taken into consideration in choosing families which will be most required there, such as artisans and carpenters?

**Shri A. P. Jain:** Yes.

**Shri A. C. Guha:** At what rate is the Government intending to send these refugees—by batches of how many families and at what intervals?

**Shri A. P. Jain:** The scheme is being worked out. It has not been finalised as yet. It is not possible for me to give the figures asked for by the hon. Member.

#### PRODUCTION OF COTTON TEXTILES

\*2349. **Shri Balmiki:** Will the Minister of Commerce and Industry be pleased to state:

(a) the Statewise production of cotton textiles during 1949-50 and 1950-51;

(b) whether there is an increase in the annual production of textile mills and the number of workers employed in this industry; and

(c) how many mandays were lost in this industry on account of strikes and lockouts (separately) in the last six months?

**The Minister of Commerce and Industry (Shri Mahtab)** (a) A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 17.]

(b) There has been no increase either in production or in the number of workers employed.

(c) It is not possible to give separate figures for strikes and lockouts as it is difficult to separate out figures relating to strikes and lockouts because lockouts are often followed by strikes and vice versa. The number of mandays lost due to strikes and lockouts during the period July to November, 1950, is 96,54,400. Figures for subsequent months are not available.

**श्री कन्हैया लाल बाल्मीक :** कपड़े की मिलों में कपड़े का डेफिसिट पारसाल की बनिस्वत इस साल कम रहा या ज्यादा रहा ?

[**Shri Balmiki:** Has the deficit in cloth mills increased or decreased during this year as compared to the last year?]

**Shri Mahtab:** I don't know to which year the hon. Member is referring, but as I have said there has been practically no increase in production. That is to say, production has remained steady so far.

**श्री कन्हैया लाल बाल्मीक :** कपड़े की मिलों में इस साल पिछले सालों से स्ट्राइक कम हुए या ज्यादा ?

[**Shri Balmiki:** Has the number of strikes in cloth mills increased or decreased this year as compared to the last year?]

**श्री माहताब :** अभी जैसा मालूम होता है कपड़े का प्रोडक्शन इस साल बढ़ेगा, लेकिन सब फिगर इस वक्त मेरे पास नहीं है।

[**Shri Mahtab:** So far it seems that the cloth production would increase this year; but I have not got all the figures with me at this time.]

**श्री कन्हैया लाल बाल्मीक :** काड़ा मिलों का एक्सेज प्रॉफिट इस वर्ष पिछले सालों से कितना अधिक रहा ?

[**Shri Balmiki:** By how much has the average profits of the cloth mills increased during this year as compared to the last few years?]

**Shri Mahtab:** That I cannot say, but if the price of cloth is taken into account the same rate of profit is allowed as has been settled after the examination of the Tariff Board's report.

**Shri R. Velayudhan:** May I know whether there is any particular reason for the difficulty of the common man in getting cloth today when the Minister specially mentioned that this year there would be no difficulty in the production of more cloth?

**Shri Mahtab:** As I said, it was because of the large export which was allowed last year. Had there been no such export there would have been no shortage.

**Thakur Krishna Singh:** Is it a fact that production has increased since January this year? If so, why don't we find any cotton textiles in Delhi proper?

**Shri Mahtab:** Production has increased, as I gave the House the figures the other day, since January and it is steadily increasing. And accordingly the supply has also increased since January, that is to say supply in the month of January was better than that in the month of December or November.

#### BIRI INDUSTRY WORKERS (MINIMUM WAGES)

\*2350. **Shri Jaami Ram:** Will the Minister of Labour be pleased to state:

(a) the names of the States which have fixed the rate of wages under the

Minimum Wages Act for Labour in Bidi Industry; and

(b) if so, what are the wages fixed by the different States?

The Minister of Labour (Shri Jagjivan Ram): (a) Madras, Bihar, Madhya Pradesh and Ajmer.

(b) A statement giving the information is laid on the Table of the House. [See Appendix XVIII, annexure No. 18.]

Shri Jnani Ram: May I know how many of the States have given effect to this Act?

Shri Jagjivan Ram: As I said, Bihar, Madras, Madhya Pradesh and Ajmer. As regards the other States, the number of employees in the States of Punjab, Assam, Delhi and Coorg and in the Andaman and Nicobar Islands is less than 1000 and so the Act is not to be applied in those States. In Bombay and Uttar Pradesh they were finalising the thing and I think they must have finalised it by the 15th of this month.

श्री जंगड़े : क्या माननीय मंत्री बतलायेंगे कि मध्य प्रदेश में बीड़ी उद्योग के सिवा और कौन से ऐसे धंधे हैं जिन पर सरकार ने कम से कम मजूदरी निश्चित की है?

[Shri Jangde: Will the hon. Minister of Labour be pleased to state the names of those industries except the "Bidi" Industry for which Government have fixed the minimum wages for the workers in Madhya Pradesh?]

श्री जयजीवन राम : यदि सदस्य महोदय मिनिमम वेजेज ऐक्ट देखेंगे तो उसमें पायेंगे कि कई एक ऐसे उद्योग हैं जिनकी मिनिमम वेज निश्चित करनी है। मध्य प्रदेश की सरकार ने उनमें न्यूनतम वेतन निर्धारित कर दिया है।

[Shri Jagjivan Ram: If the hon. Member will take the trouble of studying the Minimum Wages Act, he will find that there are several such industries where minimum wages for workers have to be fixed. The Madhya Pradesh Government have fixed the minimum wages for workers in respect of these industries.]

Pandit Krishna Chandra Sharma: What is the basis of fixation of minimum wages in relation to production?

Shri Jagjivan Ram: I will refer my hon. friend to the sections of the Minimum Wages Act.

## STATE MINES

\*2351. Shri Jnani Ram: (a) Will the Minister of Works, Production and Supply be pleased to state whether the Indian Mining and Construction Company, Bermo, have entered into any agreement with the Government of India for working out the State mines?

(b) If so, what are the terms of the agreement?

(c) What privileges have been granted to the foreign nationals employed in the Company?

(d) How many Indians are holding Administrative posts of the Company?

The Minister of Works, Production and Supply (Shri Gadgil): (a) Yes Sir.

(b) and (c). A statement containing the required information is laid on the Table of the House. [See Appendix XVIII, annexure No. 19.]

(d) According to the Company, there are thirteen Indian nationals in administrative posts, such as Cost Accountant, Head Store keeper, Labour and Welfare Officer etc., but I do not think these can be called administrative posts.

Shri Jnani Ram: May I know what is the contribution of Government to the share capital?

Shri Gadgil: The issued capital of the company is Rs. 45 lakhs made up as under:

Share capital contributed by Messrs. Sir Lindsay Parkinson and Co. Ltd.—Rs. 23 lakhs.

Contributed by Government of India.—Rs. 22 lakhs.

Shri Jnani Ram: May I know what profit was received by the Government last year?

Shri Gadgil: All I can say is that the Company has been working satisfactorily. As regards the exact amount of profit, I require notice.

Shri Jnani Ram: Is it the policy of the Company to exclude Indians from administrative posts?

Shri Gadgil: No, Sir, on the contrary I may be permitted to state that 30 Indian candidates have been sent to England to undergo training and as soon as they come they will replace the foreign personnel which numbers about 18.



**COMMONWEALTH ECONOMIC COMMITTEE**

\*2352. **Shri R. Velayudhan:** (a) Will the Minister of Commerce and Industry be pleased to state whether India is a member of the Commonwealth Economic Committee?

(b) What was the import of India in the years 1949 and 1950 respectively under this Committee's estimates?

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

(b) The hon. Member is presumably referring to the figures of total imports into India as given by the Commonwealth Economic Committee in their "Memorandum on Commonwealth Trade in 1949" which was published in December 1950. If so, the figure for the fiscal year 1949-50 is Rs. 6,017 million. The corresponding figure for fiscal year 1950-51 is not mentioned in the Memorandum.

**HOUSING SCHEMES IN STATES**

\*2353. **Shri B. R. Bhagat:** Will the Minister of Rehabilitation be pleased to state:

(a) whether schemes have been drawn up for providing housing accommodation to squatters in different States; and

(b) if so, when and how they will be implemented?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) and (b). As a result of the Rehabilitation Ministers' Conference held in New Delhi in December, last, the State Governments have been requested to make provision for all those who are without proper shelter during the course of the next financial year. It was recognised that where the size of the problem was large, the period for the completion of the programme may be longer.

**Shri B. R. Bhagat:** May I know whether it was decided in that Conference to prepare a scheme for the different States in the ensuing year?

**Shri A. P. Jain:** Yes. Different States have been requested to intimate their housing requirements for these squatters and also the amount of construction which they can do during the next financial year. We shall allocate money to the different States after we receive those estimates.

**Shri B. R. Bhagat:** May I know whether any indication was given by the different States as to the financial implications of those schemes?

**Shri A. P. Jain:** Yes. Some indication was given, but final figures have not been worked out.

**Shri B. R. Bhagat:** May I know whether any construction programme has been drawn up for Delhi States?

**Shri A. P. Jain:** Yes.

**Shri B. R. Bhagat:** What is the cost of that programme and how many squatters would be provided for by it?

**Shri A. P. Jain:** It is estimated that Delhi will require about 50,000 houses and shops for these squatters. During 1951-52, we hope to tackle about 50 per cent. of this number.

**लाला अचिंत राम:** क्या माननीय मंत्री कृपा करके बतलायेंगे कि मुलतलिफ़ स्टेट्स में ऐसे स्क्वैटर्स की संख्या कितनी है जिनके लिये मकान, दूकान, लोन और कोटा की जरूरत है?

[**Lala Achint Ram:** Will the hon. Minister be pleased to state the number of such squatters in the different States who are in need of houses, shops and the quota?]

**श्री ए० पी० जैन:** मैंने मिन मिन राज्यों से इसकी जो जानकारी की है उससे ऐसा पता लगा है कि ५६,००० मकानों की जरूरत है और १०,००० दूकानों की जरूरत है लेकिन अभी पूरी तौर से निश्चय नहीं हुआ है। इन दोनों बांकों से ऐसा अन्दाज़ा है कि इन्हें या पीने तीन लाख आदमी ऐसे हैं जिनको स्क्वैटर्स कहा जा सकता है।

[**Shri A. P. Jain:** From the information that I have gathered from the various states, I have come to know that 56,000 houses and 10,000 shops are required for this purpose. But it has not been finally decided upon as yet. Nevertheless it can be estimated from these figures that there are two and a half lakhs or quarter to three lakhs of such people who can be called squatters.]

**लाला अचिंत राम:** क्या मंत्री जी कृपा करके बतलायेंगे कि उन आदमियों को किस तरह से मकानों और दूकानों के देने की बात सोची जा रही है और उसके लिये लोन दिया जा रहा है, उसी तरह

से उन के कारबार के लिये कोई लोन सैंकशन होगा क्योंकि उसके बिना उनका काम नहीं चल सकता ?

[**Lala Achint Ram:** Will the hon. Minister be pleased to state whether any loans have been sanctioned to get these people settled in some sort of profession in the same manner in which the question of their shops and houses had been considered and the loans granted; because without such help they cannot pull on with their business?]

**श्री ए० पी० जैन :** यह सभी किसी न किसी काम में लगे हुए हैं। जिन्हें अभी तक मकान नहीं मिला है उसका यह प्रबल नहीं है कि वह बिल्कुल खाली बैठे हुए हैं।

[**Shri A. P. Jain:** All of them are settled in one profession or the other. It does not mean that the persons who have not been able to find houses for themselves are without any means of livelihood.]

**Shri A. C. Gaha:** Does the scheme include West Bengal refugees? If not, have Government formulated any scheme for them?

**Shri A. P. Jain:** This Conference had nothing to do with East Bengal refugees. It was a Conference of Rehabilitation Ministers from the Western region. What I stated does not therefore apply to East Bengal refugees.

**Shri Kamath:** Are figures available as to how many refugees, who were forcibly evicted by Government from the shelters which they had built for themselves by their own efforts in the absence of Government aid for them, were thus compelled to become squatters?

**Mr. Speaker:** Order, order. I think the question is full of insinuations. He need not use adjectives. It implies that the eviction is "forcible". It implies that they were "compelled". This question was discussed and full explanation given.

**Shri Kamath:** Not for all States.

**Thakur Krishna Singh:** Has there been any plan for requisitioning houses in the towns for allotting them to these people who have no houses?

**Shri A. P. Jain:** So far as our information goes, the housing situation in the towns is very difficult and there is not much scope for requisitioning houses to accommodate D.Ps.

#### PHOTOGRAPHIC CHEMICALS

\*2355. **Shri S. C. Samanta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the production figures of various photographic chemicals in India during the first half of 1950;

(b) the names of such chemicals as are produced in India; and

(c) the quantity of the above chemicals which falls short of total consumption in India?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) and (b). Sodium thiosulphate.—198 tons.

Sodium sulphite.—78 tons.

Sodium bisulphite.—103 tons.

Hydroquinone.—One ton and 1.196 lbs.

(c) India is self sufficient for her requirements of sodium sulphite and sodium bisulphite. So far as sodium thiosulphate and hydroquinone are concerned, our present production falls short of estimated annual requirements by 170 tons and 17 tons respectively.

**Shri S. C. Samanta:** May I know the chemicals the import of which has been banned?

**Shri Mahtab:** There is no ban on import of chemicals.

**Shri S. C. Samanta:** May I know the chemicals that are not produced in India?

**Shri Mahtab:** Till about the middle of 1950, India was entirely dependent on imports for hydroquinone, but since then one firm is manufacturing a certain quantity.

**Shri S. C. Samanta:** May I know the factories where potassium bromide and sodium bromide are being manufactured?

**Shri Mahtab:** The materials, the names of which I just now read out, are being manufactured here and certain quantities are also imported. With regard to the two items mentioned by the hon. Member, I am sorry information is not available just now.

#### CASES BEFORE CONCILIATION OFFICERS

\*2358. **Babu Gopinath Singh:** Will the Minister of Labour be pleased to lay on the Table of the House a statement showing:

(a) the number of cases of disputes pending for settlement before each Conciliation Officer (Central) at the beginning of the year 1950;

(b) the number of fresh cases referred to them for settlement during the year;

(c) the total number of cases decided during the year (i) in favour of employees; and (ii) in favour of employers;

(d) the total number of unsettled cases referred to Central Government for orders;

(e) the total number of cases still pending for disposal; and

(f) the dates of three oldest cases coming under parts (d) and (e) above?

**The Minister of Labour (Shri Jagjivan Ram):** (a) to (f). A statement is placed on the Table of the House giving the requisite information. [See Appendix XVIII, annexure No. 20.]

**Babu Gopinath Singh:** What action has been taken by the Government in unsettled cases referred to it by conciliation officers for orders?

**Shri Jagjivan Ram:** In some cases, they have been referred to adjudication and in other cases, further efforts are being made to resolve the disputes.

**Babu Gopinath Singh:** Will the hon. Minister kindly have the figures placed on the Table checked up and make himself sure if they are correct?

**Mr. Speaker:** They are presumed to be correct. What is the question?

**Babu Gopinath Singh:** I am afraid the figures given in the table are not correct. So I want the hon. Minister to have them checked up again and give correct figures.

**Mr. Speaker:** Order, order! Next question.

#### DISPOSALS

\*2359. **Babu Gopinath Singh:** Will the Minister of Works, Production and Supply be pleased to state:

(a) the total value of stores held by the Directorate General of Disposals which were awaiting disposal as on 31st December 1950;

(b) the value of stores since disposed of; and

(c) the value of stores still lying undisposed of?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) Surplus stores of the book value of Rs. 43.5 crores were available for disposal on 31st December 1950.

(b) Stores of the book value of Rs. 5.96 crores have been disposed of during the months of January and February 1951.

(c) Book value of stores available for disposal on the 1st March 1951, was Rs. 41.07 crores.

**Babu Gopinath Singh:** Is it a fact that Government promised last year that this Department would be wound up by March 1951?

**Shri Gadgil:** That was our estimate, Sir. But there are still stores left with the Defence Ministry. They are declaring from time to time what is surplus to them. The House will find that in the course of the last two months they have declared Rs. 3.56 crores worth of goods as surplus. That is the reason why we have to extend the period.

**Shri Sidhva:** When is it likely to be closed and may I know whether the regional offices are closed or do they still continue?

**Shri Gadgil:** I cannot give any estimate of time. As regards the second point, I require notice.

#### WRITTEN ANSWERS TO QUESTIONS:

##### FLOUR-MILL WORKERS (WAGES)

\*2354. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Labour be pleased to state the rates of wages fixed for the unskilled flour-mill workers from March, 1951 in different parts of Delhi?

(b) Is there uniformity in the rates of wages in different parts of Delhi and if not, why not?

(c) How does it compare with unskilled labour in other industries in the same locality?

**The Minister of Labour (Shri Jagjivan Ram):** (a) Rs. 37 per month or Rs. 1/14/- per day have been fixed as the minimum rates for all flour and Dal mills situated within Delhi and New Delhi Municipalities, as well as within the limits of Shahdara, Najafgarh, Narela, Mehrauli and Yusuf Sarai; for other outlying areas, the minimum rate fixed is Rs. 51 per month or Rs. 1-11-0 per day.

(b) There is no uniformity namely for the following reasons:

(i) the expenses of rural workers in respect of certain items such as rent, fire-wood, amusement, education and certain miscellaneous expenses are less than those of the urban workers.

(ii) the business of flour mills in rural areas is somewhat restricted as compared with the Flour Mills situated in urban areas.

(c) The rates compare favourably with the existing wages as paid in the same localities in unorganised industries.

#### TYPE-WRITER MANUFACTURING PLANT

\*2356. Dr. M. M. Das: Will the Minister of Commerce and Industry be pleased to state whether Government have any information regarding the establishment of a type-writer manufacturing plant in India and if so, what is it?

The Minister of Commerce and Industry (Shri Mahtab): Yes. Two Bombay firms propose to establish type-writer manufacturing factories. One of them is likely to go into production during the course of this year. The other has not made any progress in the implementation of their scheme.

#### REHABILITATION IN ANDAMANS

\*2357. Dr. M. M. Das: Will the Minister of Rehabilitation be pleased to state whether Government have received any complaint from the displaced persons rehabilitated in the Andamans, that the bullocks supplied to them are so old and infirm that instead of being an asset to the displaced persons, they have become a liability to them?

The Minister of State for Rehabilitation (Shri A. P. Jain): Yes. A report was received in May, 1949, by the Ministry of Home Affairs that 51 pairs of buffaloes supplied from Madras were of a very poor quality.

#### GERMAN REPARATION MACHINES

\*2360. Babu Gopinath Singh: (a) Will the Minister of Commerce and Industry be pleased to state what expenditure has been incurred by the Government of India in connection with the selection and transport of German Reparation machines from Germany to India?

(b) What amount has been or is being spent on the storage charges of these machines, demurrage charges, if any, pay of supervisory staff, and other staff employed in this connection and cost of repairs incurred, if any?

(c) What amount has been realised or is estimated to be realised by the sale of these machines to Government departments and private parties?

(d) Have all the machines received been disposed of?

(e) If not, what portion has been disposed of up till now and when is the remaining portion likely to be disposed of?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). The required information is being collected and will be laid on the Table of the House in due course.

(c) to (e). A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 21.]

#### INDUSTRIAL SURVEYS

\*2361. Shri T. N. Singh: (a) Will the Minister of Commerce and Industry be pleased to lay on the Table of the House a statement showing the industrial surveys undertaken during the last three years under Government direction and their results?

(b) Which were the surveys for which foreign experts were employed, how much money was spent on them and what was the action taken by Government on their recommendations?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). Two statements are laid on the Table of the House. [See Appendix XVIII, annexure No. 22.]

#### WORK CENTRES

\*2362. Seth Govind Das: Will the Minister of Rehabilitation be pleased to state:

(a) the number of work centres for displaced persons in each State started by Government for (i) women; (ii) children; and (iii) men;

(b) the number of persons working in each centre; and

(c) whether the number is proposed to be increased?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) A statement giving the number of work centres in different States is placed on the Table of the House. [See Appendix XVIII, annexure No. 23.] There are no work centres for children.

(b) A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 24.]

(c) Yes.

**EARTH MOVING MACHINERY (PURCHASE)**

\*2363. **Seth Govind Das:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether it is a fact that some time back tenders were invited by the Directorate General of Industry and Supply for the purchase of Earth Moving Machinery for Hirakud Project;

(b) if so, what was the total estimated price of the stores;

(c) whether it is a fact that only three firms sent their tenders and instead of accepting the lowest tender, the Directorate referred all tenders to the Ministry of Works, Mines and Power, and if so, why;

(d) whether it is a fact that the Ministry of Works, Mines and Power gave their preference on the advice of one of their foreign experts;

(e) whether it was ever brought to the notice of the Government that the adviser concerned had interests in the firm recommended by him to the Government; and

(f) if so, what action was taken on the adviser and the Directorate?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) Yes, Sir.

(b) Rs. 77 lakhs approximately.

(c) No. Sir, quotations were received from 12 firms. After examining these, the question was discussed with the Central Water-power, Irrigation and Navigation Commission. In accordance with the usual practice of consulting this expert body, whenever considered desirable.

(d) In respect of one item only where working conditions and operating costs had to be taken into consideration besides the price of the machinery.

(e) No.

(f) Does not arise.

**TELEVISION BROADCAST BY INDIA'S AMBASSADOR TO U.S.A.**

\*2364. **Shri Kamath:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that our Ambassador to the U.S.A. made a television broadcast from Washington on 1st January 1951;

(b) if so, whether she criticized therein the American Public Relations Organisation;

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(c) whether she also stressed China's non-aggressive intentions in Korea and Asia; and

(d) whether a full text of her speech is available?

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

(b) No.

(c) The Ambassador expressed views similar to those that I have expressed in this House and elsewhere.

(d) The interview was impromptu and no text of questions and answers was prepared.

**INDIAN NATIONALS IN BURMA**

\*2365. **Shri Krishnamand Rai:** (a) Will the Prime Minister be pleased to state how many Indian Nationals had to leave Burma during the last two years due to the activities of the insurgents and the orders of the Burma Government to discharge Government servants of alien nationality?

(b) What cost had the Government to bear to repatriate and re-employ such destitute Indians?

**The Deputy Minister of External Affairs (Dr. Keskar):** (a) 54,393 Indians returned from Burma to India in 1949 and 21,918 in 1950. It is not known how many of them left Burma owing to the activities of the insurgents and how many as a consequence of the orders of the Government of Burma terminating their services, or for other reasons.

(b) About 13,411 destitute Indians were repatriated from Burma at Government expense during the two years in question. The total expenditure incurred on them during the year 1949-50 was about Rs. 5,60,000 and about Rs. 50,000 have been spent during the current financial year up to the 31st December, 1950.

**PREFABRICATED SHOPS**

\*2366. **Dr. Deshmukh:** (a) Will the Minister of Rehabilitation be pleased to state the number of shops:

(i) prefabricated;

(ii) temporary; and

(iii) permanent

constructed out of funds of the Central Government all over India?

(b) What is the number of each class still remaining to be constructed and where?

(c) How many of these have been and are to be constructed in Delhi?

(d) What is or would be the total expenditure under each of the classes referred to in parts (a), (b) and (c) above?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) to (d). A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 25.]

#### AMERICAN EXPERT FOR TARIFF BOARD

**\*2367. Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Commerce and Industry be pleased to state whether the Government of India have engaged any American expert for the Indian Tariff Board in connection with its enquiry into steel prices?

(b) What are his qualifications for the job, wherefrom has he come and what will be the cost to the Government of India?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) Yes, Sir. The services of an American expert have been obtained to assist the Tariff Board to assess the effect of technical and managerial efficiency on cost of production of the two producers, viz. Tatas and SCOB.

(b) He is the Manager of the Metallurgical Department of Koppers Company, Inc. Pittsburgh, PA., one of the leading firms of Consulting Engineers in the U.S.A. This firm was also selected for the preparation of a project report on our New Steel Works. The remuneration payable to Koppers is still under consideration.

#### PERMITS FOR GOING TO PAKISTAN

**\*2368. Shri Sidhva:** (a) Will the Minister of Rehabilitation be pleased to state whether the attention of Government has been drawn to the recent announcement by Pakistan High Commissioner in India to the effect that persons willing to proceed to Pakistan must apply at least six weeks in advance to the Pakistan Permit-issuing authorities in India?

(b) Have Government raised objection to this period;

(c) Has the Pakistan High Commissioner in India also issued orders that persons who intend visiting ailing relatives should first obtain certificates from the Civil Surgeon of the district in which the relation resides?

(d) Has any order been passed by the High Commissioner of Pakistan in India for relatives who intend visiting Pakistan for funeral purposes?

(e) How much advance notice is required in that case?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) to (e). The Government of India have of late observed increasing strictness on the part of the Pakistan Government in the administration of the Permit System. While the Government of Pakistan were averse, generally, to the grant of permanent resettlement permits, in the matter of temporary permits also now, matters have become very difficult for Indian nationals. According to a Press Note issued by the Pakistan High Commissioner on 13th January 1951, a person going from India to Pakistan has to apply for a temporary permit at least six weeks in advance. The application, is, thereafter, sent to Pakistan for pre-verification, only after which a temporary permit will be granted by the Pakistan High Commissioner in India. Persons intending to visit Pakistan even to see ailing relations are now required to attach a certificate from the Civil Surgeon of the district in Pakistan in which the ailing relation resides, as proof of his illness. There is no special procedure for persons attending funerals in Pakistan, but apparently, they are also covered by the general rule requiring six weeks' time for a visit to Pakistan. The Pakistan Government are also reported to have recently withdrawn the limited exemption in the matter of production of Income-tax clearance certificates, which had hitherto been allowed to Indian nationals visiting Pakistan. It is, thus, now not possible for an Indian national even to visit Pakistan for a single day without having to produce a Pakistani Income-tax clearance certificate.

The Government of India have viewed this development of strictness on the part of Pakistan authorities in the matter of travel between the two countries with great concern, especially, as the Government of India have themselves been consistently liberalising the rules, so much so that it is now possible for almost any person to visit India from Pakistan without let or hindrance. The Government of India have taken up the matter with the Government of Pakistan through the High Commissioner for India at Karachi. The question was also raised with the Pakistan Government at the recent Trade Conference held in Karachi.

A conference was held recently at New Delhi between Pakistan and Indian representatives to consider measures necessary for the successful implementation of the Trade Agree-

ment, as a part of which facilities for travel to traders were also considered. During this conference, the Pakistan representative promised to take up with his Government the formulation of common rules for travel between the two countries and meanwhile, to recommend to his Government the withdrawal of the recent restrictions imposed by it. The Government of India have not yet heard the views of the Pakistan Government in the matter.

#### TANNING INDUSTRY

\*2369. **Shri Somavane:** Will the Minister of Commerce and Industry be pleased to state what is the policy of Government to encourage and improve the cottage industry of tanning?

**The Minister of Commerce and Industry (Shri Mahtab):** Government's policy is to encourage and develop all cottage industries including tanning. At the recommendation of the Cottage Industries Board, the cottage industry of tanning is being taken up for special examination in consultation with State Governments.

#### PURCHASE OF Khadi

\*2370. **Shri Deogirikar:** (a) Will the Minister of Commerce and Industry be pleased to state what was the amount spent by the Government of India for purchasing Khadi for their requirements during the years 1947-48, 1948-49 and 1949-50?

(b) What was the total amount spent by the Government of India for purchasing cloth for the same purpose during the same period?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) Attention of the hon. Member is invited to the reply given to Starred Question No. 9 on 15th November 1950.

(b) A Statement is placed on the Table of the House.

#### STATEMENT

Year	Amount.
	Rs.
1947-48	1,23,85,489
1948-49	2,10,39,616
1949-50	3,07,79,173

#### PROVIDENT FUND COLLECTIONS FROM COLLIERY LABOUR

\*2371. **Shri R. L. Malviya:** (a) Will the Minister of Labour be pleased to

state the amounts collected by individual collieries towards the Provident Fund from their labour under the provisions of various awards prior to the application of Provident Fund Act on 1st January 1950?

(b) How much and what percentage of this amount has been refunded by the collieries to their workers, and how much and what percentage of the amount has remained unpaid?

(c) Where is this unrefunded amount kept and how do Government propose to dispose of it?

**The Minister of Labour (Shri Jagjivan Ram):** (a) and (b). A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 26.]

(c) The unrefunded amount is kept with the collieries and will be available to the subscribers or their nominees when claimed.

#### PROVIDENT FUND COLLECTIONS FROM RAILWAY COLLIERIES

\*2372. **Shri R. L. Malviya:** (a) Will the Minister of Labour be pleased to state the amount collected by each of the Government Railway Collieries towards the Provident Fund from their workmen under the provisions of various awards prior to the applications of the Provident Fund Act on 1st January 1950?

(b) How much and what percentage of this amount has been refunded by the collieries to their workmen and how much and what percentage of the amount remained unpaid?

(c) How do Government propose to dispose of this unrefunded amount?

**The Minister of Labour (Shri Jagjivan Ram):** (a) to (c). I would invite the attention of the hon. Member to the statement placed on the Table of the House today, in reply to his question No. 2371. The position regarding the State Railway collieries has been marked in asterisk.

#### INVESTMENT OF INDIAN CAPITAL IN PAKISTAN TEXTILE INDUSTRY

\*2373. **Shri D. S. Seth:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of Indian Industrialists who are prepared to finance Pakistan's Textile Industry, if any; and

(b) whether the Government of India have been consulted in the matter and whether they propose to allow Indian Capital to be invested abroad?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) and (b). The Government of India have not been approached by any Indian Industrialists with a proposal for investment of Indian capital in Pakistan.

#### ADMINISTRATION OF EVACUEE PROPERTY

**\*2374. Shri D. S. Seth:** Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have received complaints from the All India Refugee Association to the effect that increasing laxity is being shown in the administration of evacuee property declared by authority constituted by law to be evacuee property taken over as such;

(b) what are the conditions for issuing permanent resettlement permits to evacuees returning from Pakistan; and

(c) whether Government propose to exercise stricter control in issuing such permits?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) No.

(b) The permit system was introduced in July 1948. In September 1948, a system of 'No objection certificates' was introduced under which any national of India visiting Pakistan temporarily could take an identity certificate from the Deputy Commissioner/Collector of his district in India, on the basis of which he could obtain a permanent return permit to India. The difficulty arises only in the case of those persons who went before the introduction of this system, and who had no intention of really settling down in Pakistan. If after due investigation and verification the Government of India are satisfied that the person had no intention of migrating and that he was trapped in Pakistan on account of circumstances beyond his control, a permit for permanent resettlement is granted.

(c) The question does not arise.

#### EMPLOYMENT EXCHANGES (REGISTRATIONS)

**\*2375. Shri Balmiki:** Will the Minister of Labour be pleased to state:

(a) how many persons were registered in the various Employment exchanges in the country in 1950-51; and

(b) what sort of employment was given to them?

**The Minister of Labour (Shri Jagjivan Ram):** (a) The Employment

Exchanges registered 10,44,895 employment seekers during the year April 1949 to March 1950 and 10,95,599 during the ten months April 1950 to January 1951.

(b) Vacancies in which applicants were placed covered a wide range of occupations. They included administrative and clerical posts, supervisory posts in industry, jobs for technical operatives in the engineering, building and other industries, vacancies for teachers and others belonging to the educational profession, for doctors, nurses, midwives and others belonging to the medical profession, and employment for domestic servants such as ayahs, cooks etc. Unskilled labourers were also placed in employment in large numbers.

#### LOANS AND COMPENSATION

**\*2376. Lala Achint Ram:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact that small percentage of displaced persons from West Pakistan have been able to receive loans from the Rehabilitation Finance Administration and State Governments above the amount of rupees four thousand or so and due to lengthy procedure and a number of restrictions, a general feeling of hopelessness has prevailed amongst the displaced persons about the Rehabilitation Finance Administration?

(b) Is it also a fact that the Government of India have turned down the request of the Advisory Committee of the Rehabilitation Finance Administration for inviting fresh applications?

(c) Is it a fact that no compensation for the moveable or immovable property has been paid to them out of the Muslim Evacuee property or by the Pakistan Government even after three and a half years of their arrival in India?

(d) Are Government aware of the fact that most of the people have completely exhausted all their meagre resources as they had brought in the form of small ornaments or petty cash?

(e) Have Government ever contemplated upon their plight and thought of paying only a part of their claims submitted twice to the Government of India, say three annas a rupee or so, as an advance immediately out of their own funds and deduct the same amount at the time of actual payment for their claims?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) The



Regulations framed under the Rehabilitation Finance Administration Act permit the Administration to deal with only applications in which the amount of loan asked for exceeds Rs. 5,000/- and loan applications for loans below this figure are handled by the State Governments. The total number of loan applications from displaced persons from West Pakistan sanctioned up to the 31st December, 1950, was 4321 for an amount of Rs. 426 crores, i.e. an average of Rs. 9,900 per application, against which a sum of Rs. 171 crores was disbursed during the period to 2072 applicants.

(b) The question regarding re-opening of application lists in general as suggested by the Advisory Board of the Rehabilitation Finance Administration is still under the consideration of the Government of India.

(c) No compensation has been paid so far. Maintenance allowance is, however, being paid out of income from evacuee property to some persons who lived on income from immovable property in Pakistan and who have no source of livelihood in India.

(d) No economic survey has been made to enable Government to answer the question with precision. But Government do not accept the sweeping implications of the question.

(e) The matter was considered but any interim payment has not been found feasible.

चमड़े का सामान (आयात)

\*२३७७. श्री जंगड़े : क्या बाणिज्य तथा उद्योग मंत्री यह बतलाने की कृपा करेंगे कि :

(ए) चमड़े के सामान की कितनी मात्रा प्रतिवर्ष विदेशों से आयात की जाती है तथा इसके लिए कितना मूल्य चुकाया जाता है ;

(बी) क्या यह सामान अभी भारत में निरिप्त नहीं किया जा सकता है; तथा

(सी) क्या भारत से चमड़ा तथा झालें विदेशों को निर्यात की जाती हैं ?

LEATHER GOODS (IMPORT)

[\*2377. Shri Jangde: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of leather goods annually imported from foreign countries and the price paid for it;

(b) whether these goods cannot be manufactured in India as yet; and

(c) whether India exports hides and skins to foreign countries?]

The Deputy Minister of Commerce and Industry (Shri Karmakar): (a) A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 27.]

(b) Imports mainly consist of industrial leather goods which are not yet made in the country in satisfactory quantity.

(c) Yes, Sir.

#### CORRESPONDENCE WITH FOREIGN GOVERNMENTS

\*2378. Shri Ratanaswamy: Will the Prime Minister be pleased to state;

(a) whether it is permissible for the State Governments to correspond direct with foreign Governments;

(b) if so, in what subjects they carried on direct correspondence; and

(c) whether it is a fact that the Government of India have instructed the State Governments to correspond with foreign States through the External Affairs Ministry of the Government of India?

The Deputy Minister of External Affairs (Mr. Bessar): (a) to (c). All correspondence with foreign Governments should normally take place through the Ministry of External Affairs and State Government's should not correspond directly with foreign Governments or their representatives. This is the normal diplomatic practice. State Governments have, however, been permitted to carry on direct correspondence with representatives of foreign Governments in India on routine matters such as a request for factual information of a non-confidential nature on technical subjects, and sometimes in connection with the investigation of specific crimes of a non-political character.

In regard to our dealing with Pakistan, the following exceptions have been made:

(i) The partitioned Provinces of Assam, Bengal and Punjab have been authorised to correspond on partition matters directly with their counterparts in Pakistan.

(ii) The Tripura Government have been authorised to correspond directly with the

East Bengal Government regarding co-operation between police forces, detection of crimes, etc.

- (iii) Exchange of correspondence between the State Governments in India and the Provincial Governments in Pakistan on exchange of publications, of seeds and of information of a technical and scientific nature has also been permitted.

#### COTTON EXPORT

\*2379. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Commerce and Industry be pleased to state the quantity, if any, of cotton that was permitted to be exported during the year 1950?

(b) What was the number of export licences granted for the export referred to in part (a) above?

(c) To which countries was the export made?

(d) Was the export duly notified to trade and if so, when and in what way?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) A quantity of 1,53,605 bales of raw cotton was allowed to be exported during the year 1950.

(b) 974.

(c) The countries to which export was permitted are:

- (1) France.
- (2) Belgium.
- (3) U. S. A.
- (4) U. K.
- (5) Australia.
- (6) Italy.
- (7) Japan.
- (8) Holland.
- (9) Switzerland.
- (10) Canada.
- (11) Germany.
- (12) New Zealand.
- (13) Thailand.
- (14) Denmark.

(d) Yes; the quotas against which licences were issued were duly notified to the trade by port authorities through public notices, except in respect of a quantity of 6,500 bales for which a licence was issued to a Bombay firm for export to U. K. under circumstances already explained

in reply to Shri Kannamwar's question No. 708 answered on the 6th December, 1950.

#### AREA BETWEEN INNER LINE AND MAC MOHAN LINE

\*2380. **Shri J. N. Hasarika:** Will the Prime Minister be pleased to state:

(a) the distance in miles between the Innerline and the MacMohan line on the North-East of India;

(b) the estimated acreage of the area between the lines;

(c) the estimated (approximate) population thereof; and

(d) whether the population thereof will be entitled to any kind of representation in the Parliament of India?

**The Deputy Minister of External Affairs (Dr. Keskar):** (a) The distance between the Inner Line of the North East Frontier Agency and the MacMohan Line varies a great deal from an average of 64 miles in Mishmi Hills to 120 miles in Abor Hills as the crow flies.

(b) As there has been no proper survey of the extensive mountainous area between the two lines an estimate of the acreage is not available.

(c) The estimated population is about 5 lakhs.

(d) The population of the area is represented in the Parliament of India.

#### EXPORT OF COAL TO BRITAIN

\*2381. **Shri Rathnaswamy:** Will the Minister of Works, Production and Supply be pleased to state:

(a) whether it is a fact that negotiations with Britain have been completed for the export of coal to Britain;

(b) if so, of what variety and what is the quantity to be so exported;

(c) what are the other countries to which India has been exporting coal since the last two years; and

(d) what is the total quantity produced in India during the last two years?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) No. Sir, this has only been an enquiry.

(b) Does not arise.

(c) Aden, Australia, Burma, Ceylon, China, Hong Kong, Japan, Manila, Pakistan, Saigon, Singapore and South Korea.

(d) 1949.....31,450,479 tons.  
1950.....31,993,963 tons.

## WASTE COTTON

\*2383. { Shri Radhelal Vyas:  
Shri K. K. Vyas: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of waste cotton exported during the years 1948, 1949 and 1950;

(b) the selling prices of ordinary and waste cotton which were prevalent during these years in India;

(c) the countries to which the waste cotton was exported and the quantity exported to each country; and

(d) the selling prices of ordinary and waste cotton in those countries during this period?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (c). A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 28.]

(b) Statements showing the prices of cotton fixed for the years 1948, 1949 and 1950 are placed on the Table of the House. [See Appendix XVIII, annexure No. 28.]

The information regarding the selling prices of cotton waste for internal consumption are not available because the prices of cotton waste are not controlled. The selling prices of waste cotton exported are mentioned in the Statement placed on the Table in reply to part (c) of the question.

(d) The information is not available.

## SALE OF FOOD GRAINS

\*2384. Shri Sanjivayya: (a) Will the Minister of Commerce and Industry be pleased to state the States in which foodgrains are sold by measures and not by weight?

(b) Do Government consider the desirability of having one system alone in all the States?

The Minister of Commerce and Industry (Shri Mahtab): (a) The information is not readily available, but it is understood that in some parts of the country foodgrains are sold by measure.

(b) The question of standardising weights and measures is under consideration.

## SUPPLY OF YARN TO HANDLOOMS

\*2385. Shri A. Joseph: Will the Minister of Commerce and Industry be pleased to state the number of Handlooms that were supplied yarn in each State in the years 1949 and 1950?

The Minister of Commerce and Industry (Shri Mahtab): The attention of the hon. Member is drawn to the reply given to part (a) of Starred Question No. 689 put down for reply on 8th March 1950. These were the figures supplied by the various States and it can be assumed that yarn on *pro rata* basis was supplied to all of them by the State Governments.

## DIRECTOR OF EXHIBITIONS

\*2386. Shri Jagannath Das: Will the Minister of Commerce and Industry be pleased to state the strength of the staff attached to the Director of Exhibitions and the expenses incurred during the years 1949 and 1950?

(b) What are the functions of the office of Director of Exhibitions?

(c) What are the qualifications of the present Director?

(d) Was he selected by the Union Public Service Commission?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) to (c). A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 29.]

(d) No, Sir, but his appointment has since been approved by the Commission.

MINISTRY OF COMMERCE AND INDUSTRY  
(STRENGTH OF OFFICERS)

\*2387. Shri Jagannath Das: (a) Will the Minister of Commerce and Industry be pleased to state the number of Secretaries; Joint Secretaries, Deputy Secretaries and Under Secretaries attached to the Ministry of Commerce and Industry at present?

(b) What was the number of these officers when these two Ministries were functioning separately?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 30.]

EXPENDITURE INCURRED ON PLANNING  
COMMISSION

\*2388. Shri Jagannath Das: Will the Prime Minister be pleased to state the expenditure incurred on the work of the National Planning Commission for the year 1950?

The Prime Minister (Shri Jawaharlal Nehru): Rs. 5,43,217.

## DEFENCE OF NORTH FRONTIERS OF NEPAL

\*2389. Shri Krishnanand Rai: (a) Will the Prime Minister be pleased to

state whether any treaty or agreement existed before the 15th August, 1947, between the Governments of Nepal and India for joint defence of the northern frontiers of Nepal?

(b) If so, does any such agreement still exist?

(c) If not, do Government propose to have any such agreement with the Government of Nepal?

**The Deputy Minister of External Affairs (Dr. Keskar):** (a) to (c). No. There has however been an understanding for mutual consultations in the event of any foreign aggression.

#### PUMP FACTORIES

\*2390. { **Shri Jajoo**  
**Shri Balwant Sinha Mehta:**

(a) Will the Minister of Commerce and Industry be pleased to state whether the application for permission to start a pump-factory in India with their own capital submitted by Messrs. Johnston International as stated by the hon. Minister in reply to part (g) of starred question No. 965 answered on the 18th December 1950, has been considered by Government?

(b) If the answer to part (a) above be in the affirmative, is the permission granted or not?

(c) Did Government consider the present capacity of indigenous pump makers before granting the permission?

(d) Were there no Indian firms to start such factories?

(e) What special stipulations for making use of Indian personnel and energy by the foreign firm have been entered into and do they form part of the permission given by Government?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) and (b). The firm's proposal has been accepted by the Government. Formal sanction will be issued shortly by the Controller of Capital Issues.

(c) Yes, Sir.

(d) No, Sir.

(e) The American firm have undertaken to impart the requisite technical training to Indians and they propose to establish a training school for technicians required for pump installation and maintenance. They will make every endeavour to utilise the indigenous resources of raw materials to the greatest extent possible and negotiate with other local firms for the manufacture and supply of various components.

#### ALLOTMENT OF M. PS. BUNGALOWS

\*2392. **Shri Sivaprakasam:** Will the Minister of Works, Production and Supply be pleased to state:

(a) the number of bungalows available for allotment to Members of Parliament; and

(b) whether there are any over-due arrears in respect of these bungalows?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) There are 108 bungalows meant for allotment to Members of Parliament. All of them have been allotted.

(b) Yes.

#### EXPORT OF GROUNDNUT KERNELS

\*2395. **Shri M. V. Rama Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of groundnut kernels exported from India in the years, 1949-50, and 1950;

(b) the countries to which groundnut kernels are exported by India;

(c) the value of the export trade in these years;

(d) if the answer to part (a) above is that groundnut kernels are not exported from India at present, the reasons therefor; and

(e) whether it is proposed to revive the export trade in view of the Budget proposals, which envisage an income of 1½ crores of rupees from the levy of export duty at Rs. 80 per ton?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) to (c). I lay on the Table of the House a statement containing the required information. [See Appendix XVIII, annexure No. 31.]

(d) Does not arise.

(e) No general resumption of exports of groundnuts is contemplated at present.

#### FOREIGN FIRMS

\*2396. **Dr. Deshmukh:** (a) Will the Minister of Commerce and Industry be pleased to state the conditions under which foreigners and foreign firms can carry on trade and business in India?

(b) Are there any rules governing the matter?

(c) If so, do Government propose to place a copy of Rules on the Table of the House?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) and (b). No conditions have been prescribed for the conduct of trade and business by foreigners and foreign

firms in India nor have any rules been framed specifically for the purpose. I would, however, refer my hon. friend to the reply given by Shri K. C. Neogy to parts (c), (d) and (e) of his starred question No. 433 on the 22nd February 1950.

(c) Does not arise.

#### FOREIGN FIRMS

\*2397. **Dr. Deshmukh:** (a) Will the Minister of Commerce and Industry be pleased to state the number of foreign firms now carrying on business in India?

(b) What is the number of foreign firms which have started business in India since 1st January 1948?

(c) What was their number in each of the years, 1948, 1949 and 1950?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) to (c). No up-to-date information is available. But the position on 30th June, 1948 was as follows:

Number of controlled partnerships, i.e., firms registered and operating in India, whose partners abroad had proprietary rights of control was 36.

Number of companies, incorporated outside India, having branches in India was 465. In addition, there were 663 Indian Joint stock companies, which were either subsidiaries of parent companies incorporated abroad or were managed by foreign controlled Indian Joint-stock companies or a substantial portion of whose shares was owned abroad.

The number of foreign firms granted permission to set up industrial undertakings was 24 in 1948 and 44 in 1949 and 47 in 1950.

#### COTTAGE INDUSTRIES EMPORIUM, NEW DELHI

\*2399. **Shri Ramaswamy Naidu:** (a) Will the Minister of Commerce and Industry be pleased to state whether the Cottage Industries Emporium in Delhi acts as an agent for sale of exhibits sent or does it buy the goods?

(b) What was the value of articles sent to or purchased by the Emporium in the years 1948-49, 1949-50, and 1950-51?

(c) What was the total sales in those years?

(d) What is the Commission or the margin of profit the Emporium charges for sales per rupee and what was the total earning in these years?

(e) What is the cost of the establishment, rent and other expenses, per year?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) The Emporium generally acts as an agent for the sale of goods on a commission basis. It also buys goods to a limited extent.

	Articles received on consignment basis for sale	Articles purchased outright
1948-49	Nil	Nil
1949-50	Rs. 2,90,000	Rs. 22,418-12-6
1950-51	Rs. 2,50,000	Rs. 44,845-11-3

(upto Feb. '51)

(c) 1948-49	- Nil
1949-50	- Rs. 1,23,635-14-3
1950-51	- Rs. 1,92,494-9-9

(d) The rate of commission varies between 6 pies and 4 annas per rupee. The total earning was:

1948-49	- Nil
1949-50	- Rs. 12,958-10-3
1950-51	- Rs. 17,720-10-3

(upto Feb.

51)

(e) 1948-49	- Rs. 8-6-0
1949-50	- Rs. 41,256-14-0
1950-51	- Rs. 56,170-8-0

#### EXPORT OF SOFT WOOD TO PAKISTAN

\*2400. **Shri Ramaswamy Naidu:** (a) Will the Minister of Commerce and Industry be pleased to state whether it is a fact that Government have agreed to export soft wood from India to Pakistan?

(b) What quantity was exported in the year 1950-51, and what quantity will be exported in the years 1951 and 1952?

(c) What varieties of soft wood will be exported?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) Yes, Sir.

(b) Separate statistics of export of soft wood to Pakistan during the year 1950-51 are not available. Information regarding total quantity of timber exported to Pakistan during the period April-September 1950 has already been laid on the Table of the House in reply to Starred question No. 1303 by Shri A. C. Guha on the 9th February 1951. The quantities fixed

under the recent Indo-Pakistan Trade Agreement for export to that country are 5,000 tons during the period 26th February 1951 to 30th June 1951 and 20,000 tons during the period 1st July 1951 to 30th June 1952.

(c) The variety of soft wood agreed to be exported to Pakistan is jungle-wood from Malabar, Assam etc.

#### PRINTER'S INK

\*2401. **Shri S. V. Nalk:** Will the Minister of Works, Production and Supply be pleased to state:

(a) what quantity of the annual requirements of Printer's Ink is produced in India;

(b) what are the production and import figures for the years 1949 and 1950; and

(c) whether any self-sufficiency programme has been chalked out in this respect and if so, what is it?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) and (b). About 1,000 tons of Printer's Ink other than Rotary Newsprint Ink was produced in India in the year 1950. The production figures for the year 1949 are not readily available. The figures of annual consumption are also not available but the indigenous production does not cover India's total requirements. The value of imports of Printer's and Lithographers Ink during the years 1949 and 1950 is as follows:

1949— Rs. 18,21,000.

1950— Rs. 14,24,000.

(c) No, Sir.

#### CLOSURE OF JUTE MILLS ON THE HOOGLY

\*2402. **Shri Naziruddin Ahmad:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether all the jute mills on the "Hooghly" were closed from the 9th to the 18th March, 1951;

(b) whether this was due to shortage of raw jute; and

(c) when this state of affairs came to the notice of Government?

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

(b) Yes.

(c) Government had been aware of the difficult stock position for some time before decontrol.

#### PERMISSION TO GOVERNMENT OFFICIALS OF PAKISTAN TO VISIT INDIA

\*2403. **Shri Sanjivayya:** Will the Minister of Rehabilitation be pleased to state:

(a) whether Government permit Government Officials of Pakistan to visit their wives or near relatives in India periodically; and

(b) if so, what arrangements have been made to check their activities while in India?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** (a) Yes.

(b) The normal rules for temporary visitors to India are applicable also in the case of Pakistan Government Officials visiting India otherwise than in their official capacity.

#### MOVABLE PROPERTY OF DISPLACED PERSONS SOLD IN PAKISTAN

\*2404. **Shri Hussain Imam:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact that the Custodian of Evacuee Property, Sind and Federal Capital of Pakistan, has forwarded, to the High Commissioner for India in Pakistan, a statement of evacuee movable property sold by him?

(b) If so, what was the value of the property?

(c) What amount has been paid to the High Commissioner for India in Pakistan?

(d) Have the Government of India paid to displaced persons concerned the amount received from Pakistan?

(e) Have the Government of India furnished any such list of properties of evacuees to the Government of Pakistan and has any payment been made?

**The Minister of State for Rehabilitation (Shri A. P. Jain):** The information is being collected and will be laid on the Table of the House.

#### जीवधिया

२४०५. श्री ज्ञानदेव: क्या जाविद्वय तथा उद्योग मंत्री यह बतलाने की कृपा करेंगे:

(ए) भारत में विदेशों से आयात की जाने वाली विदेशी जीवधियों का मूल्य तथा भारत से विदेशों को कितने मूल्य की जीवधियां निर्यात की जाती हैं ;

(बी) भारत में औषधियां बनाने वाले विदेशी साधों की संख्या तथा उन भारतीय साधों की संख्या जो इस समय आयुर्वेदिक पद्धति से औषधियां बना रहे हैं; तथा

(सी) विदेशों में भारत की आयुर्वेदिक औषधियों की वार्षिक मांग ?

#### MEDICINES

[\*2405. Shri Khaparde: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of foreign medicines are imported into India from foreign countries and how much worth of Indian medicines are exported;

(b) the number of foreign firms in India, that manufacture medicines and the number of Indian firms, that are at present manufacturing medicines on Ayurvedic system; and

(c) the demand per year for Ayurvedic medicines of India in foreign countries?]

The Minister of Commerce and Industry (Shri Mahtab): (a) A statement is laid on the Table of the House.

(b) Number of foreign and Indian firms manufacturing medicines on organised basis is 21 and 40 respectively.

Information regarding the number of Indian firms manufacturing medicines on Ayurvedic system is not available.

(c) I am afraid this information is not available.

#### STATEMENT

(Value in lakhs of Rs.)

	Imports	Exports
1948-49	836.12	80.95
1949-50	850.63	80.60
1950-51	718.06	75.06

(April to December)

#### मिट्टी का तेल

\*२४०६. श्री खापर्डे: क्या निर्वाचन

उत्पादन तथा रसद मंत्री यह बतलाने की कृपा करेंगे:

(ए) विदेशों से सन् १९५० में आयात किये गये मिट्टी के तेल की मात्रा तथा निर्यात करने वाले देशों के नाम;

(बी) क्या भारत में भी मिट्टी के तेल के कुएं हैं ?

(सी) यदि हैं तो इन कुओं से प्रति वर्ष प्राप्त होने वाले तेल की मात्रा; तथा

(डी) उन राज्यों के नाम जहां यह कुएं हैं ?

#### KEROSENE OIL

[\*2406. Shri Khaparde: Will the Minister of Works, Production and Supply be pleased to state:

(a) the quantity of kerosene oil imported from foreign countries in the year 1950 and the names of the exporting countries;

(b) whether there are kerosene oil wells in India also;

(c) if so, the quantity obtained per year from these wells; and

(d) the names of States where they are found?]

The Minister of Works, Production and Supply (Shri Gadgil): (a) 807,000 tons of Kerosene were imported during the year 1950, from Iran, Bahrein, Saudi Arabia and Sumatra.

(b) Yes.

(c) A very small proportion of our requirements.

(d) Assam.

#### PAYMENT OF CLAIMS

\*2407. Giani G. S. Musafir: Will the Minister of Rehabilitation be pleased to state:

(a) the approximate date by which Government propose to make payment of urban claims verified under the Displaced Persons Claims Act, 1950; and

(b) the percentage or ratio in which Government propose to make the payment of such claims?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) and (b). The attention of the hon. Member is invited to my reply on 14th August 1950 to part (b) of Starred Question No. 370 by Sardar Bhopinder Singh Man. Government are not in a position to add anything more definite at this stage.

### मध्य प्रदेश के मिल श्रमिक

\*२४०८. श्री खारपे : (ए) क्या श्रम मंत्री यह बतलाने की कृपा करेंगे कि मध्य प्रदेश में मिल श्रमिकों की संख्या क्या है तथा उनमें स्त्रियां कितनी हैं ?

(बी) मिल मालिकों अथवा सरकार द्वारा इन मिल श्रमिकों के लिए कितने तथा किन किन स्थानों पर कल्याण केन्द्र चलाये जा रहे हैं; उन केन्द्रों के नाम क्या हैं तथा उनसे कितने श्रमिक लाभ उठा रहे हैं ?

(सी) क्या रात की पारियां भी होती हैं तथा क्या इन पारियों में स्त्रियां भी काम करने जाती हैं ?

(डी) किन किन मिलों में रात की पारियां होती हैं ?

### MILL WORKERS IN MADHYA PRADESH

[\*2408. Shri Khaparde: (a) Will the Minister of Labour be pleased to state what is the number of mill workers in Madhya Pradesh and how many among them are women?

(b) How many Welfare Centres are being run and at what places for these mill workers by the mill owners or by Government, what are their names and what is the number of workers utilising them?

(c) Are night shifts also run and do women also go to work in the night shifts?

(d) In which mills there are night shifts?]

The Minister of Labour (Shri Jagjivan Ram): (a) to (d). The information is being obtained from the State Government concerned and will be laid on the Table of the House in due course.

### MEDICINES

\*2409. Maulvi Wajed Ali: Will the Minister of Commerce and Industry be pleased to state what steps Government propose to take to improve the supply position of medicines and injections imported from U.S.A. and other hard currency areas?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): The attention of the hon. Member is

invited to the Press Note issued by the Ministry of Health on 2nd February 1951. Since then certain other essential drugs have been included in Open General Licence vide Government of India, Ministry of Commerce and Industry Notification No. 11-ITC/51, dated the 13th March 1951. It has also been decided to allow import of preparations of the drugs and medicines mentioned in the Notification under Open General Licence unless such preparations have been specifically excluded. The question whether any further liberalisation in the licensing of drugs and medicines is necessary is being examined in consultation with the Ministry of Health.

### REHABILITATION IN BIHAR

139. Dr. Ram Subhag Singh: Will the Minister of Rehabilitation be pleased to state the number of displaced agriculturist and non-agriculturist families settled so far in the State of Bihar?

The Minister of State for Rehabilitation (Shri A. P. Jain): The information is being collected and will be placed on the Table of the House in due course.

### EDUCATED UNEMPLOYED PERSONS

140. Pandit M. B. Bhargava: (a) Will the Minister of Labour be pleased to state whether Government are in possession of statistics of unemployed educated persons in India?

(b) If so, how many matriculates, non-matriculates, under-graduates, graduates and post-graduates are unemployed at present?

(c) Has there been an increase in the number of unemployed persons during the last two years?

(d) If so, how do Government propose to tackle this problem?

The Minister of Labour (Shri Jagjivan Ram): (a) No such statistics are available.

(b) Does not arise.

(c) It is difficult, in the absence of statistics, to say if there has been any increase in the number of unemployed persons. The number of registrants at Employment Exchanges who were unemployed at the end of 1950 was 3,30,743 as against 2,75,533 at the end of 1948.

(d) The problem of employment is intimately bound with the general economic activity in the country and it has always been the aim of the Government to so formulate their policy as to maintain such economic activity at the maximum possible level.



**TRIBUNAL FOR ENQUIRY INTO IMPORT  
CONTROL**

141. **Shri Sanjivayya:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government intend to set up a tribunal to enquire into the complaints made with regard to the import control as recommended by the Estimates Committee; and

(b) if not, why not?

**The Minister of Commerce and Industry (Shri Mahtab):** (a) and (b). The procedure for dealing with com-

plaints within the Chief Controller's Organisation, has been tightened up and improved. Complaints received are carefully scrutinised and reports are called for from the Chief Controller of Imports wherever necessary. All the complaints are personally scrutinised by senior officers, and most of them by me or the Deputy Minister. There has been a considerable improvement since the Estimates Committee examined the estimates of the Commerce Ministry and Government consider that, at this stage, it is neither necessary nor practical to appoint any special tribunal to examine complaints.

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Tuesday, 20th March, 1951



# PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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VOLUME IX, 1951

(5th March, 1951 to 30th March, 1951)

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Third Session

of the

PARLIAMENT OF INDIA

1950-51



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**THE**  
**PARLIAMENTARY DEBATES**  
(Part II—Proceedings other than Questions and Answers)  
**OFFICIAL REPORT**

4818

4819

**PARLIAMENT OF INDIA**

*Tuesday, 20th March, 1951.*

*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.

**PAPERS LAID ON THE TABLE**

REPORT OF DELEGATION TO ECONOMIC AND SOCIAL COUNCIL OF U.N.

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I beg to lay on the Table a copy of the Report of the India Delegation to the Eleventh Session of the Economic and Social Council of the United Nations, 1950. [Placed in Library. See No. II-C. 1 (d) (91)].

**ELECTION TO COMMITTEES**

**STANDING FINANCE COMMITTEE**

**The Minister of Finance (Shri C. D. Deshmukh):** I beg to move:

"That this House do proceed to elect, in such manner as may be approved by the hon. the Speaker, sixteen Members who, along with the Ministers of State for Finance and for Parliamentary Affairs, who shall be *ex officio* Members, shall serve under the Chairmanship of the Finance Minister on the Standing Finance Committee for the financial year 1951-52."

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

"That this House do proceed to elect, in such manner as may be approved by the hon. the Speaker,

sixteen Members who, along with the Ministers of State for Finance and for Parliamentary Affairs, who shall be *ex officio* Members, shall serve under the Chairmanship of the Finance Minister on the Standing Finance Committee for the financial year 1951-52."

The motion was adopted.

**CENTRAL ADVISORY COUNCIL FOR RAILWAYS**

**The Minister of States, Transport and Railways (Shri Gopalaswami):** I beg to move:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, twelve Members to serve on the Central Advisory Council for Railways for the year commencing 1st April, 1951, along with the eleven Members of the Standing Finance Committee for Railways, the Minister for Transport and Railways, the Minister of State for Transport and Railways and the Minister of State for Parliamentary Affairs all of whom shall be *ex officio* Members."

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

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, twelve Members to serve on the Central Advisory Council for Railways for the year commencing 1st April, 1951, along with the eleven Members of the Standing Finance Committee for Railways, the Minister for Transport and Railways, the Minister of State for Transport and Railways and the Minister of State for Parliamentary Affairs all of whom shall be *ex officio* Members."

The motion was adopted.

**STANDING FINANCE COMMITTEE FOR RAILWAYS**

**Shri Gopalaswami:** I beg to move:

"That this House do proceed to elect, in such manner as the hon.

5 P.S.D.

[Shri Gopalaswami] the Speaker may direct, eleven Members to serve under the Chairmanship of the Minister for Transport and Railways on the Standing Finance Committee for Railways for the year commencing 1st April, 1951. The Minister of State for Transport and Railways and the Minister of State for Parliamentary Affairs shall in addition be *ex officio* Members of the Committee."

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

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, eleven Members to serve under the Chairmanship of the Minister for Transport and Railways on the Standing Finance Committee for Railways for the year commencing 1st April, 1951. The Minister of State for Transport and Railways and the Minister of State for Parliamentary Affairs shall in addition be *ex officio* Members of the Committee."

The motion was adopted.

#### STANDING COMMITTEE FOR ROADS

**The Minister of State for Transport and Railways (Shri Santhanam):** I beg to move:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, fifteen Members to serve, under the Chairmanship of the Minister for Transport, on the Standing Committee for Roads for the year commencing from the 1st April, 1951. The Minister of State for Transport and the Minister of State for Parliamentary Affairs shall, in addition, be *ex officio* Members of the Committee."

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

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, fifteen Members to serve, under the Chairmanship of the Minister for Transport, on the Standing Committee for Roads for the year commencing from the 1st April, 1951. The Minister of State for Transport and the Minister of State for Parliamentary Affairs shall, in addition, be *ex officio* Members of the Committee."

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:

	Date for Nomination	Date for Election
(1) The Standing Finance Committee.	3-4-51	6-4-51
(2) The Central Advisory Council for Railways.		
(3) The Standing Finance Committee for Railways.	5-4-51	9-4-51
(4) The Standing Committee for Roads.		

The nominations for these Committees will be received in the Parliamentary Notice Office up to 12 Noon on the dates 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.

#### DELHI AND AJMER-MERWARA RENT CONTROL (AMENDMENT) BILL

**Mr. Speaker:** The House will now proceed with the further consideration of the motion:

"That the Bill further to amend the Delhi and Ajmer-Merwara Rent Control Act, 1947, be taken into consideration."

**Shri Sidhva (Madhya Pradesh):** I was stating yesterday that among the various control Acts and laws, if there is any popular Act it is the Rent Control Act. This Act, Sir, has brought immense blessing to large numbers of people in this country. No doubt there are good and reasonable landlords. Equally there are a very large number of very good and reasonable tenants. But if you take the percentage of unreasonableness, it is to the credit of the landlords—they are greater in number. There are many reasonable landlords who would not like to harass their tenants and accommodate them under the existing conditions. But it cannot be denied that tenants in several respects are at the mercy of the landlords despite the existence of the Rent Control Act. Invariably tenants have to suffer when unscrupulous landlords try to eject them, cut

water-supply and electricity, do not white-wash the house or attend to the essential repairs.

Yesterday the hon. Minister stated that 9,000 cases are pending in the Delhi courts. He has not enlightened the House by whom and why these cases have been filed. I am sure, Sir, that a large number of them must have been filed by the landlords. Some may perhaps be by tenants who have been served with notices of ejection. If there are instances where tenants have failed to pay rents for over three months, I entirely agree that they should not be spared.

My hon. friend Mr. Deshbandhu Gupta said that the boot is on the other leg and that the tenants are at fault. I do not want anybody to be unreasonable. If the tenant is to remain he has to pay rent regularly. At the utmost you can make allowance for three months' arrears. Beyond that if a tenant does not pay, surely that tenant does not deserve any sympathy. I am quite positive from my experience of the working of the Rent Control Act not only in Delhi, but in other parts of the country, that the tenants are the worst sufferers at the hands of landlords, in spite of the existence of this Act. I, therefore, contend that an Act like the Rent Control Act has to remain on the Statute Book for a very long time. No sane or reasonable person would deny the necessity for a Rent Control Act if we have to face facts. My hon. friend Mr. Deshbandhu Gupta gave an illustration of how lakhs of people are today huddled together and are without houses. That very fact shows that there are a large number of persons who could not get houses. I know that not only poor men but men who have influence over the Ministers could not get houses. I can say that with my experience in Delhi and several other places. The Minister or the Government officials would be anxious enough to provide houses, but there are no houses. Favours there may have been here and there, I do not dispute. But taking the question as a whole the point is whether a house is available either for a common man or a lower middle-class man or a middle-class man or even a rich man. I will tell my hon. friend Mr. Deshbandhu Gupta that a house is not available even for a rich man. Of course *pugrees* are there. My friend Mr. Deshbandhu Gupta quoted yesterday that I along with other friends was very enthusiastic about the incorporation of the provision relating to *pugree* in the Act but that not a single case has been found out and

prosecuted. For that the Police Department may have to be blamed, but for my friend to say that there is no *pugree* in Delhi is not correct.

**Shri Deshbandhu Gupta (Delhi):** I said that *pugree* is rife but nothing is being done.

**Shri Sidhva:** But that has nothing to do with Rent Control. You have rather to ask the Home Ministry to be vigilant in this matter. The trouble in my opinion is that there is no public opinion in Delhi on this question. In Bombay I know public opinion is so great in this respect that the moment *pugree* is demanded the tenant has merely to go to the Development Officer or even to the Minister. Even if Rs. 10,000 are demanded, immediately the Minister or the Government supplies the notes, hands them over to the C. I. D. and the man is caught. I know that in Bombay a number of people have been caught, and men of public repute have been prosecuted and sentenced. If it is lacking here I would ask the hon. Minister to see that effective measures are taken. I do not believe that there is *pugree* in Delhi. But it seems the landlords are so influential here that they do not allow the poor tenants to go to court and they probably settle among themselves. My friend cannot forget the fact that not only is the police responsible for not being vigilant in this matter, but the landlords are also responsible in arranging compromises with the tenants by not allowing them to go to a court of law. But *pugree* is there. These are the hardships of a tenant today. But among all persons, for my friend Mr. Deshbandhu Gupta to say this I cannot understand. I have a very great regard for him. He has also sympathy for the common man. But in this respect he has gone too far and shown sympathy towards landlords only and blamed the Government that they have done nothing.

An account was given of the number of houses built. 21,000 tenements have been built during the two years by Government. You must at least give some credit to the Government for this.

**Shri Deshbandhu Gupta:** They were for rehabilitation purposes.

**Shri Sidhva:** Whatever it may be. We criticize Government on many occasions. I also criticize. But when there is something good done we must acknowledge it. For building 20,000 houses for the refugees or anybody they do deserve credit. And they have built 3,500 houses for their own

[Shri Sidhva]

employees. Even if the pre-fab housing factory had come into existence it would not have produced more than 5,000 houses a year. Then, is this not creditable? What has been done is not a small thing.

12 Noon

I was stating yesterday that it will take twenty-five years at least in my opinion, if you take a realistic view of the situation, to solve the housing problem. I was asking what is the use of bringing this measure every year or every two years before the House, wasting public time and money. Why should not Government straightaway be frank and say, "This law should remain and there should be no limit for it" just as they took provision in the Income-tax Investigation Commission Bill, and whenever they do not want the measure it can be repealed. Why do they not do it that way? I would like to ask the hon. Mr. Gadgil, is he sure that within two years the housing problem will be solved? If that is not so I want to tell him straightaway that he is not discharging his duty to the country, because again after two years there will be the same performance. Two years ago my friend Mr. Deshbandhu Gupta repeated the same thing, and I am also repeating what I said two years ago. And the situation is worse. Therefore, why should Government in this respect, when they feel it is a fact, hesitate to make it a permanent measure? We are going to support this because fact is a fact, and whosoever may be having sympathy with the landlords, when billions of people are suffering for want of houses, which of the Members will ask you to remove this rent control?

**The Minister of Works, Production and Supply (Shri Gadgil):** Nobody has asked.

**Shri Sidhva:** But the whole speech for about 1½ hours of my friend was for the landlords. He said "You remove this, you remove that". Of course I will come to the other point, namely, about new buildings. But I would request my friend Mr. Deshbandhu Gupta that under the existing circumstances in which we are suffering he must not lay stress on that point. The Landlords' Association has started saying that war has been over since five years but there is still the trouble of control upon their heads. But they forget that the suffering comes after the war. During the war we did not really realise the difficulties; we had sufficient food during war, and we had even a fair number of houses during the war.

It is the after-effect of war that we feel, not only in India but throughout the world. Today there is the refugee problem in Europe, five years after the war. Houses are today being built even in Europe. It is the after-effect that is greater than during the existence of a certain calamity. The representatives of the Landlords' Association came to me. I had to speak to them frankly and I said "I am not going to support your cause". I said "Listen to me"; they listened to me, they discussed everything with me for half an hour and I told them "Nothing of the kind, I am not going to support you, you must remember the other side of the case". They agreed and said, "All right. Would you not support us on the question of sub-letting?" To that I said "I am with you". And on this matter I would have moved an amendment myself but for a technical difficulty, because this Bill is only for the amendment of one section. But if I am allowed I shall bring it, or if the Government brings that amendment I shall support them. As I was saying the representatives of the Landlords' Association may not have been pleased in their hearts, really speaking, but there was the indication that they were pleased with my conversation with them. So it is a question of approach. If my hon. friend Mr. Deshbandhu Gupta, who has a very great influence over landlords, had made an approach to them in a like manner I am sure his influence would have carried much more weight than the approach of myself or anybody. I feel that we should not play with the feelings of a small class of people. He said that they are realising only 1 per cent. or 1½ per cent. and that they are suffering. If he will excuse me.....

**Shri Deshbandhu Gupta:** I never mentioned 1 or 1½ per cent.

**Shri Sidhva:** I thought he said that they are not realising much interest on capital invested. If he did not say so, then I take it that they are realising a good percentage.

**Shri Deshbandhu Gupta:** I never referred to it at all.

**Shri Sidhva:** I do not say one per cent. If anybody says that these landlords are realising one per cent. or 2 per cent., they forget the appreciation of the value of the land and the building after the war and during war. What was the value of a building in 1937 and today? It is 400 per cent. more, that is to say if I purchased a house in Delhi say for Rs. 100 in 1938, I can get today Rs. 1,000. My friend will not deny that. What becomes or

the profit of Rs. 900 that I have made over Rs. 100, although the realization by way of rent may be small? In Bombay they get nearly between 3½ to 4 per cent. Sir, therefore.....

**Shri Deshbandhu Gupta:** In Bombay the rent comes to 8 per cent. That is the evidence given by the Chairman of the Housing Board.

**Shri Gadgil:** The law provides 6 per cent.

**Shri Sidhva:** The point that I was stating was that I gave the most conservative figure and the landlords themselves admitted in Bombay that they do not realize more than 4 per cent. After all you cannot consider Delhi to be a greater city than Bombay. Bombay is a big industrial town with a big population. I do not know the latest figures but Greater Bombay is estimated to have a population of 30 or 35 lakhs.

**Shri Deshbandhu Gupta:** May I ask my hon. friend what objection he has to the extension of the Bombay Rent Control Act to Delhi? That is all I ask for.

**Shri Sidhva:** I am coming to that. If he had only said that in his speech of 15 minutes, I would have dealt with the matter, but he dealt with so many matters. Of course that is before me and it is one of the most important points. I do appreciate it and I shall give an answer to that.

It was stated by my friend, Mr. Kapoor also that the Government machinery is moving too slow for the purpose of providing houses in this City, and that unless that problem is solved, this Act is not going to help. I have said sufficient to prove that even with the new construction, the problem of housing is not going to be solved. You may give any kind of concession to the landlords; you may give any kind of facility and some new houses will come up but I refuse to believe that as if by magic within 3 or 4 years this difficulty of the housing problem will be solved. It is not possible. I do appreciate his anxiety that the houses should be built in larger numbers but to blame the Government that they have not done anything is incorrect. He propagated a new theory yesterday and said: Why does not the Government nationalize the houses? I do not know what he means by 'nationalizing'. Does he mean that Government should take away by force all the houses built in Delhi or give them some compensation and take them over? He has not made clear what that 'nationalization' is. I am sure if his proposal is accepted, there will be clamour from the landlords.

**Shri Deshbandhu Gupta:** If the hon. Member would give way I would like to explain this point. By 'nationalization' I mean, let Government become the proprietor of all the houses and also undertake the obligation of giving shelter to everybody.

**Mr. Speaker:** Let there be no piecemeal arguments.

**Shri Sidhva:** That means there is no compensation. I shall be glad if the landlords are forthcoming to hand over the buildings without any kind of compensation. My hon. friend's nationalization is peculiar and whatever compensation there may be, it is not practicable on the face of it. We were out for nationalizing agricultural land and we have not succeeded. One would wish that every one should get a house, but it is not a practical proposition. Our Constitution provides that some compensation has to be paid and if the compensation is to be paid crores of rupees is required and therefore this is an unthinkable proposition. He made the suggestion because he had to find out some way of doing it. My hon. friend has not made any practical suggestion as to how these 7 lakhs of people who require shelter today could be provided houses within 2 or 3 years. He has never shown a programme for that nor has he said where the money ought to come from. My friend, Mr. Kapoor stated that the Rehabilitation Ministry was thinking of a proposal to ask an Insurance Company to build houses. I know of that scheme and the latest information with me is that last week an insurance company has started with a capital of Rs. 50 lakhs in Delhi. The terms of that proposal is rather very stringent. Even though the houses will be provided for the refugees, those who run the concern would always like to have some profit. As I studied the proposal I felt there is nothing to give an incentive to a capitalist to invest his money, to enable him to get a good return. I wish there could be patriotic people who even under extraordinary circumstances would not like to have a profit. They can start on a no-profit, no-loss system. But we are wanting in such kinds of patriotic capitalists to come forward and build the houses.

The other day we had a discussion with the hon. Minister for Health under whose charge this pre-fabricated factory is. I made a constructive suggestion to her that I am not going to remain content with small blocks that are being manufactured there, and although they may be giving 5 or 10 per cent. profit. I told her: Get the

[Shri Sidhva]

factory going. I am in favour of running the factory. Immediately take steps to see that the factory is put into operation. I am not satisfied with the output of some blocks even though you may get a profit of 5 or 10 per cent. I put a short question and she actually promised that a Committee will be appointed. Although the Mulgaonkar Committee report is not before us, she stated that it is still secret. We do not want to embarrass the Government in that respect. But are we not entitled to know what is going to happen, whether an Engineer is going to be imported from some foreign country to find out whether this factory is going to produce the houses or not? You were good enough to admit the short notice question, but she refused to answer it. That is the position. I had a discussion with her and she stated that she will give reasons in her answer but the Secretary of the Ministry has stated that the hon. Minister refuses to even answer and then my question is not even included in the ordinary questions. She promised me that she would make a statement very soon. I do not know when that statement would be forthcoming. The statement should be made as early as possible. I again make a suggestion, Sir. I have great respect for engineers in India for their intelligence but it is just possible that for this kind of work which we have started for the first time in India, there may not be an engineer who will be able to tell us what is the defect and whether the houses of the type originally contemplated could be manufactured. Let Government get some expert from Europe or England or wherever they may be and get their opinion and start the work. If this is done our 80 lakhs capital which has been invested would be saved and the great housing problem will be solved also. At least we shall get 5,000 houses per year. If the hon. Minister feels that this prefabricated factory has been thrust upon her and that it does not properly belong to her, then let the Government instead of having a dual system of housing manufacture, have one agency for the purpose of providing houses in the city. I can tell my friend Rajkumari Amrit Kaur that I happened to go to Faridabad last week and to my great joy, I found an electric power machinery being installed there.

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

On my enquiry, I found that this Power House was imported from reparation machinery from Germany and was lying for a number of months in the Calcutta Port. Engineers after Engineers examined that and said that it was not good and they rejected it.

I do not know how much demurrage we have paid to the Port Trust authorities; it remained there for a number of years. Some good man from the Rehabilitation Ministry came and said that he would like to make an experiment and try that machine. He suggested that an Engineer from the place from which the machine came may be called. An engineer was brought on a six months' contract on a salary of a paltry sum of Rs. 2,000—I deliberately use the word 'paltry' because in the Damodar Valley Corporation, we have brought an Engineer on a salary of Rs. 12,000 a month. That gentleman has erected that machinery in Faridabad. Let me tell you, Sir, that they are going to supply electricity not only to Faridabad, but to Delhi also through this power house. Thirty lakhs of rupees would have been wasted by our Government if that intelligent Engineer had not been brought in. This is the way in which our machinery is being wasted. I put a definite question to the hon. Minister; but the hon. Minister was not prepared to give a straight answer; he took shelter under many other things. I must say with all due respect, the Ministers do not know these things. If I ask a question whether the Minister understands the working of this machinery, perhaps, to save his respectability, he says, 'Yes'. But, I am sure, he does not know. Therefore, Sir, I contend that the hon. Minister should find out in which country in Europe, or England such a factory was working, and call for an Engineer from there. Do you mean to say that we will grudge the expenditure of a few thousands on this account? We have spent 80 lakhs on a bad bargain; we want to make the best use out of it. It is stated that some legal points are being examined. I do not want anybody to play a fraud upon us. My hon. friend says that it should be wound up. But, I would request the hon. Minister Rajkumari Amrit Kaur to take all the hon. Members of this House to that factory. Let them see the factory. When I was going to Faridabad, I showed the factory to some of the Members and they were very anxious to see the factory. Therefore, I say, let the hon. Minister make arrangements for the Members to see the factory. Then, they will realise what work could be done by the factory. When we make constructive suggestions, the Government is not prepared to consider them. It is said that the Cabinet is considering the whole question. My point is: the hon. Minister may not be able to make a Statement in the House; but even when I was talking to the hon. Minister, she is not prepared to take me into her confidence. That is our position. I do

not know whether she regards me as her colleague; I consider that I am part and parcel of this Government.

**Shri Kamath (Madhya Pradesh):** Government? Coming events cast.....

**Shri Sidhva:** Yes; I do think we are part and parcel of the Government. When we make constructive suggestions, Government must take us into their confidence and tell us what is happening. The Mulgaonkar report is not forthcoming. I do not blame the Government for that, because there are some legal points involved and we do not want them to publish it now. That argument is understandable. This problem of housing has a bearing on the question of rent control. My hon. friend Mr. Deshbandhu Gupta will clamour for ever if this problem also is not solved. Therefore, this problem has to be solved.

The other day, during the discussions I stated that some foreign firm, which has a representative here, is making a good offer to the Government to produce houses. The hon. Minister did not say this; but that gentleman told me. Because we are public workers, some people come to us. I want to know what the difficulty is in the way of getting this factory in a proper working order, for the original object for which it was intended. The original object with which the factory was established was to build houses. I will not be satisfied even if the factory is able to work on a profit of 5 per cent, by producing some building materials.

**The Minister of State for Transport and Railways (Shri Santhanam):** May I know if this Factory is the main topic under discussion now?

**Shri Sidhva:** My hon. friend Mr. Santhanam has always the habit like Jack-in-the-box, of getting up and raising a point of order. He was absent yesterday; he has now come.

**Mr. Deputy-Speaker:** Construction of houses is only an incidental matter, to avoid continuation of the Rent Control Act. As to how it should be worked, and all that, there is a limit. There are other Members also who are anxious to speak. It may be relevant at one stage. But, continued repetition becomes irrelevant.

**Shri Sidhva:** I was only saying, Sir, that housing has a bearing on rent control. We have got a certain machinery for the production of houses. I was only saying that the work in this factory should be expedited. My hon. friend sitting by the side of the Minister should give sound advice rather than

put obstacles in the way. Knowing the hon. Minister well, as I do, I am sure she will consider my constructive suggestions sympathetically, and will not take the advice of my hon. friend Mr. Santhanam.

Coming to the proposal of my hon. friend to apply the Act to new houses, which was one of the points made in his speech, I wish to point out that there are Acts in other parts of the country where some relaxation in rent control is made in respect of new houses. My hon. friend put me the question whether I had any objection to have the U.P. Act applied in Delhi. If he is anxious to have the Bombay Act applied to Delhi, I have no objection. He is under the mistaken impression that in the Bombay Act there is no control in respect of new buildings. The position is this. There is a provision in the Bombay Act by which the landlord and the tenant are allowed to fix amongst themselves the rent of the new buildings. But, if the tenant feels that the rent is high, he has the right to go to the Small Cause Court in Bombay and the Judge of the Small Cause Court fixes the standard rent. If this provision is acceptable to my hon. friend, I am for it. I do not know whether the hon. Minister is agreeable to this. That would give encouragement to builders of houses. He will feel that although he may not be able to get a certain percentage of rent, still, he would be able to manage to get a certain rent and if the tenant does not go to the court, he will continue to enjoy that rent. Let me tell for the information of my hon. friend that there is another facility given by the Bombay Act. If those landlords who have built only the ground floor, want to add five or six storeys Government will have no objection to allow the ejection of the tenants, on the condition that when the building is completed, those very tenants should be provided the same accommodation. If my hon. friend is agreeable to this, I am for it. This would give encouragement to the landlords to build.

**Shri J. R. Kapoor (Uttar Pradesh):** That is exactly what I have suggested.

**Shri Sidhva:** My point is, there is difference between the landlords of Bombay and the landlords of Delhi. My hon. friend cannot forget that. Further, the Bombay Government have given an assurance that sufficient building materials like cement and steel will be made available for the people who wish to build new houses. I am sure the hon. Minister can issue such orders if the landlords are forthcoming.



**Shri Deshbandhu Gupta:** If my hon. friend will allow me to say so, I am all for the Bombay Act *in toto* to be extended to Delhi.

**Shri Gadgil:** But, the Bombay landlords are different from the Delhi landlords.

**Shri Sidhva:** Even without the hon. Minister coming to my rescue, I have held that view for a long time that there is difference between the landlords of Bombay and the landlords of Delhi.

बाबू रामनारयण सिंह : क्या डिफरेंस है ?

[**Babu Ramnarayan Singh (Bihar):** What is the difference?]

**Shri Sidhva:** डिफरेंस यह है कि वहां बम्बई के ज्यादा पेट्रियाटिक हैं (The difference lords of Bombay are more patriotic).

I hope the hon. Minister will consider this proposal. For the purpose of building new houses, some encouragement is needed. But I do want some kind of rent control. I do not want absolute de-control in the matter over the new houses. My friend Mr. Kapoor wanted absolute de-control over the houses which are built now. That should not be. When you give relief to the landlords, there must be some relief to the tenants also. Those houses built after 1947 are under control and if the proposal is that for the new houses there should not be any rent control, I will oppose it tooth and nail.

**Shri J. R. Kapoor:** I shall be content with half a loaf, if you cannot give me a whole bread.

**Shri Sidhva:** My hon. friend Mr. Gupta made out a good case about the Improvement Trust and the slums in Delhi. I would suggest that if the municipality and the Improvement Trust are all amalgamated, that will be the best arrangement. What has this Improvement Trust done? Apart from improving some areas outside Delhi, has it done anything to develop Delhi city? It is the duty of an improvement trust to examine the areas, demolish houses where necessary and clear the slums, broaden the roads and sell new plots under betterment clause which will bring greater revenues. What has been done in Bombay? Sir, we know that they changed the old road which was only 25 feet broad and changed it into a fine road 125 feet broad—I mean the Sir Pherozshah Mehta Road—one of the finest avenues in that city. What is the position here in Delhi? Go to Chandni Chowk and see the condi-

tion there. The road there is 100 ft. wide and on both sides there are tram lines and by the side of rails some people there use the space on the road as motor garage. Anyone going through Chandni Chowk can see cars covered with tarpaulin sheets standing on the roadsides, and they block the traffic on the road.

**An Hon. Member:** Who is responsible?

**Shri Sidhva:** Well, the police or the municipal authorities or the landlords are responsible for keeping the roads clear. But then the landlords or the persons concerned approach the authorities and probably bribe them and therefore this state of things continues. But we should not allow such encroachment on a public road. The result is that Chandni Chowk is very congested. It has been made a one-way road or a road with one-way traffic. Still the congestion is there. Sir, the Improvement Trust should amalgamate with the Municipality and the relevant laws should be properly framed and modified if necessary. The roads should be widened. Old buildings which require to be demolished should be demolished and the whole place made less congested and made hygienic and sanitary. Sir, I do not accept the proposition of my hon. friend Mr. Deshbandhu Gupta that Delhi is the worst slum city in India. There are slums here, I admit, but I have seen equally bad slum cities in other parts of the country. But these slums in Delhi can be cleared and the general housing situation improved and the whole problem solved by adopting the proper measures. This will take time, and according to me it will take about 25 years.

Sir, I do not want to take more time of the House, though I have a lot more to say. My hon. friend referred to certain figures of cost and said that at the rate of 100 sq. ft. for a man it will require so much for getting the land for the houses and so on. But I feel that all his calculations are rather imaginary and designed only to show that the work will require so many crores of rupees and nothing has yet been done. But I must give credit to the Government for doing what it has done, though much remains yet to be done. They have done something, that must be admitted. The Rehabilitation Ministry, and the Ministry of Works, Mines and Power, have constructed nearly 30,000 tenements. It was said that 6,000 houses were built by private agencies. But I have not been able to see any such large number of houses either in Delhi or in New Delhi, as I do in Bombay. But I will not dispute the figures by Mr. Gadgil. But

one thing I must refer to. Have we heard of building sites being sold by acres? Does that happen anywhere? In Delhi land for houses has been sold in the past by the acres. In other cities housing sites are sold by square feet or at the most square yards. But this is what has happened in Delhi. And on Curzon Road which is  $1\frac{1}{2}$  miles long, on one side you find eleven houses and on the other thirteen bungalows. And each bungalow consumes a few acres. Why did not the landlords construct more houses on these lands and thus remove congestion and also go a little towards solving the housing problem in Delhi? Is there any restriction?

**Shri Deshbandhu Gupta:** That is exactly what I am saying. Restrictions have been put by the Government in the way of landlords who want to construct multi-storeyed houses or additional houses on their lands. Unless the additional ground rent which I have referred to is paid, they would not give the permission.

**Shri Sidhva:** The hon. Member did not say any such thing. He may re-read his speech. He wanted everything to be given to the landlords. If the bye-laws require modifications, necessary steps have to be taken to change them. My hon. friend wants us to follow the example of Bombay, but he will not follow the example of Bombay himself. I feel if the Bombay Act is applied to Delhi with certain modifications, then the problem is solved. If my hon. friend also agrees, then I hope he will withdraw all his opposition and agree to the giving of this small mercy to the tenants that the hon. Minister is showing. Of course, I would not say that he is doing any great or distinct service to the citizens of Delhi by bringing forward a Bill to extend the Act for another two years. The Government, I say, must be firm and should follow a good plan. If it is weak and likes to play to the galleries, then that Government will not function properly. I would like to hear from the hon. Minister what he has for solving this problem which according to me, will take about 25 years. I have an amendment asking that the law may be extended to 10 years time.

**Shri Gadgil:** The comprehensive Bill proposed will have no time-limit.

**Shri Sidhva:** I am glad to hear that. Then I will be content. I do not believe in giving any time-limits. As in the case of an investigating committee, it is no good giving a time-limit after which it has to be wound up.

Sir, I feel that the Government have done well and I hope that they will do better and I support this small measure intended to extend the Act for two years. I hope my hon. friend Mr. Deshbandhu Gupta and also Pandit Bhargava will also support it. This provision deals also with Ajmer-Merwara. The provisions contained in this are not confined to Delhi only. Government have not taken stringent action: they have been too lenient. Let us be fair to all and not only to a class of the landlords. Take impartial view of the whole problem where millions of people are affected. It seems to me that after hearing my speech he will see that there is no difference of opinion between him and me. He said that the Bombay Act may be applied here and the hon. Minister said that he is going to bring a comprehensive Bill with provisions to suit the purposes of this City. Therefore, Sir, with these words I whole-heartedly support the motion.

**बाबू रामनारायण सिंह:** उपसभापति महोदय, मैं बहुत वर्षों से दिल्ली आता रहता हूँ और यहाँ पर रहता हूँ। श्री देशबन्धु गुप्ता ने अपने भाषण में कहा कि जो लोग बाहर से आये हुए हैं, कुछ अंश में वे लोग भी दिल्ली के निवासी हैं, तो ऐसा दावा उन का करना ठीक है और उन के इस दावे को न मानना कृतघ्नता होगी। मैं उन के इस दावे को मानता हूँ। इतना ही नहीं हमारे सिधवा साहब ने उन के भाषण में बहुत सी ऐसी बातें देखी थीं जिन से उन को यह प्रतीत होता था कि जो कुछ गुप्ता जी ने कहा वह सब लैंडलॉर्ड (Landlords) के लिये कहा। लेकिन मैं कहता हूँ कि श्री देशबन्धु गुप्ता के भाषण में अक्षर अक्षर की बात तो जाने दीजिये, साधारणतः जो कुछ उस में है न्याय के लिये है और वह केवल सरकार से न्याय चाहते हैं और कुछ नहीं।

**श्री सिधवा :** मैं तो समझा था कि आप जनता के आदमी हैं।

**बाबू रामनारायण सिंह:** इसलिये मैं उन के भाषण का पूर्णतः समर्थन करता हूँ। जिस वक्त बीच में हमारे मित्र गाडगिल

[ बाबू रामनारायण सिंह ]

साहब ने जवाब देते हुए कहा था कि हॉ सरकार सरकारी कर्मचारियों को निवास स्थान देने के लिये उत्तरदायी है और उस के बाद जो लोग बेचारे हमारे शरणार्थी भाई हैं, उन के लिये है, बकाया लोगों के सम्बन्ध में गाडगिल साहब का कहना है सरकार उत्तरदायी नहीं है। उन का यह सीधासादा जवाब है। तो क्या उन लोगों की तरफ से मैं भी एक सीधासादा प्रश्न कर सकता हूँ कि फिर सरकार है काहे को ? जिन लोगों के लिये सरकार नहीं है, वह लोग भी तो कह सकते हैं कि सरकार है काहे के लिये। चाहे रहे या न रहे। यह ठीक है कि हमारे मित्र गाडगिल साहब देशभक्त व्यक्ति हैं और बहुत समझदार व्यक्ति हैं। वह इस को समझ सकते हैं कि जिन के लिये आप नहीं हैं, उन के लिए तो आप बेकार हैं, उन को तो यह बात मान लेनी चाहिये। और मुझे तो सिधवा साहब के भाषण को सुन कर बड़ा ताज्जुब मालूम होता था कि वह सरकार की प्रशंसा करते थे, हांलाकि कोई तारीफ़ करने का विशेष कारण नहीं था। यह बात नहीं है कि मैं सरकार की कभी प्रशंसा नहीं करता। मैं भी सरकार की तारीफ़ करने के लिये तैयार हूँ, लेकिन तभी जब मैं उस का अनुकूल अवसर देखता हूँ और तब मेरा हृदय खुशी से गदगद हो जाता है, मसलन् यह सुन कर कि सरकार ने २० हजार मकान बनाये। सरकार के हाथ में आज सारी शक्ति है और सारी सम्पत्ति है, सरकार को जितना करना चाहिये, उस से अधिक सरकार ने अगर किया, तो वास्तव में प्रशंसा की बात है। लेकिन यह कहना कि अरे कुछ तो किया और घतने के लिये सरकार की प्रशंसा हो, ऐसी खुशामद सरकार की न होनी चाहिये। हम सरकार की प्रशंसा खूब करें और

मैं कहता हूँ कि करनी चाहिये जहां सरकार से जितना हो सकता था, उस से अधिक किया, लेकिन जितना हो सकता था, उतना नहीं किया, तो ऐसी दशा में तो सरकार की निन्दा होनी चाहिये, डांट फटकार होनी चाहिये कि आखिर सरकार है किस लिये।

भला मैं कहता हूँ कि यह कानून जो बनाते हैं, आखिर कानून बनाने की मंशा क्या होती है। मंशा तो यही होती है कि जहां कोई झगड़ा हो, तो उस को खत्म करने के लिये कानून बनाया जाता है। कानून असली हकदार को उस का हक दिलाने के लिये बनाया जाता है, और यही करना उस का मकसद होता है। यह बात क्या मेरे लिये, इस पार्लियामेंट के लिये और इस सरकार के लिये लज्जाजनक नहीं है कि आज करीब नौ हजार मुकदमे इस कंट्रोल को ले कर कचहरी में चल रहे हैं ? यह कैसी बात है, कानून सीधासादा बनाना चाहिये जो कि बिल्कुल सिम्पल (Simple) हो। और जो हमारे भाई गाडगिल साहब ने कहा कि वह एक कम्प्रीहेंसिव (Comprehensive) बिल (Bill) ला रहे हैं, तो न जाने वह बिल कब आयेगा, लेकिन मेरा सुझाव है कि उस में ऐसा होना चाहिये, यह कहना ठीक है कि मैं तो लैंडलॉर्ड के साथ ही नहीं सकता किसी भी हालत में, लेकिन जब तक लैंडलॉर्ड हैं, और आप लैंडलॉर्ड की हैसियत को मानते हैं, तब तक तो आप को उस के प्रति न्याय करना होगा। जो कुछ आप रेन्ट (Rent) निश्चित कर दें, यह देखना होगा कि निश्चित समय पर उतना रेन्ट उस को मिल जाया करे। जहां तक लैंडलॉर्ड को खत्म करने का सवाल है, मैं रोना नहीं चाहूंगा अगर लैंडलॉर्ड के सारे अस्तित्वात् ले लिये जायें,

और 'नेशनलाइज (nationalize) कर दिया जाये, अगर उन लोगों से सरकार मकानात ले ले, तो मैं लैंडलार्ड्स के लिये रोने नहीं बैठूंगा, मैं तो उल्टे ऐसा देख कर खुश हूंगा। लेकिन जब तक आप ऐसा नहीं करते, और जब तक लैंडलार्ड्स के हक को आप मानते हैं, तब तक अकल की बात है और ईमानदारी की बात है कि उन के साथ भी न्याय होना चाहिये और क़ानून ऐसा सीधासादा बनना चाहिये जिस से जो क़ानून के खिलाफ़ काम करे, उस को पूरी पूरी सज़ा दी जा सके। यह ठीक बात है कि लैंडलार्ड्स टेनेन्ट्स (tenants) से अधिक रेंट न ले सकें और बीच में उस को बढ़ा न सकें, ऐसा प्रबन्ध करना ठीक है, लेकिन जितना रेंट निश्चित हो गया, उतना रेंट समय पर मिल जाना चाहिये, और अगर निश्चित समय पर टेनेन्ट्स रेंट नहीं देते हैं, तो चूँकि क़सूर टेनेन्ट्स का है, इसलिये उन को निकाल बाहर करना चाहिये और उन को इस के लिये सज़ा होनी चाहिये।

**चौधरी रनबीर सिंह :** मालिक मकान मकान की रसीद नहीं देते हैं।

**बाबू रामनारायण सिंह :** तो उस के लिये कचहरी में जा कर रुपया दाखिल करना चाहिये, मैं समझता हूँ कि ऐसा क़ानून होगा और अगर नहीं है, तो ऐसा हो जाना चाहिये। मैं तो यह देखता हूँ कि न जाने कैसा क़ानून बनाया जाता है कि लैंडलार्ड्स लोग जो आते हैं, वह भी रोते हैं और टेनेन्ट्स जो आते हैं वह भी रोते हुए आते हैं, मैंने तो सब को रोते देखा, किसी को हंसते नहीं देखता। मेरा तो निवेदन है कि क़ानून बिल्कुल सिम्पल बने, साधारण तरीक़े से ताकि भगड़ा न बढ़े, क्योंकि भगड़ा बढ़ना, यह लोगों को बेईमान बनाना है, और

आपस में मतभेद बढ़ाना है और इस तरह की झगड़ेबाजी से देश को हानि होती है।

सिधवा साहब ने जो बम्बई के लैंडलार्ड्स के बारे में कहा कि वह बहुत देशभक्त हैं, उस को सुन कर बड़ी खुशी हुई और हृदय गदगद होता है, लेकिन जब देशबन्धु गुप्ता कहते हैं कि फिर वही बम्बई का क़ानून यहाँ पर लागू कर दो, तो क्या यह सम्भव हो सकता है कि उस क़ानून में कोई ऐसा गुण है जिस गुण की वजह से ही कोई आदमी देशभक्त हो जाता हो, यह हो सकता है कि उस क़ानून में कोई अच्छी बात होगी जिस के लिये देशबन्धु गुप्ता उस को यहाँ पर लागू कराना चाहते हैं। मैं तो सब के साथ न्याय चाहता हूँ लेकिन कन्ट्रोल (Controls) की बात सुन कर तो डर सा जाता हूँ, क्योंकि इन कन्ट्रोलों का मुझे खूब अनुभव है। उन्होंने कहा है कि जितने सारे कन्ट्रोल हमारे यहाँ प्रचलित हैं, उन में यह एक ऐसा कन्ट्रोल है, जिस को सभी चाहते हैं। होगा, कोई चाहता है या नहीं चाहता है, कि हर जगह कन्ट्रोल ही कन्ट्रोल हो, लेकिन मैं तो यह चाहूँगा कि परमात्मा की कृपा से हमारे देश में ऐसी भी कोई संस्था हो जो इस सरकार को कन्ट्रोल कर सके।

**श्री गाडगिल :** यह हाउस हमें कंट्रोल कर रहा है।

**बाबू रामनारायण सिंह :** बड़ी खुशी की बात है। कहीं से आवाज़ आती है कि पार्लियामेंट करती है। लेकिन मुझे तो इन आंखों से देखने से यह मालूम होता है यह सरकार पार्लियामेंट को कन्ट्रोल कर रही है। जिस दिन वह होगा वह दिन हमारे लिये सौभाग्य का दिन होगा।

[बाबू रामारायण सिंह]

उस दिन मैं समझूंगा कि स्वराज्य का आरम्भ हुआ है जिस दिन पार्लियामेंट सरकार को कंट्रोल करने लगेगी। लेकिन मुझे दुःख और लज्जा के साथ कहना पड़ता है कि आज पार्लियामेंट सरकार के ज़रिये कंट्रोल हो रहा है।

उपसभापति महोदय, मैं गाडगिल साहब से और उन के ज़रिये से सरकार से कहूंगा कि सरकार जैसी भी हो, लेकिन उसे अपनी योग्यता दिखाने के लिए चाहिये कि इस दिल्ली नगर के लिये कुछ करे। इस का कारण यह है कि आप जानते हैं कि दिल्ली देश की राजधानी है, सारी शक्ति और सारा समय इसी में केन्द्रीभूत किया जाये। सब लोग मिल कर ऐसा प्रबन्ध करें और ऐसा सुन्दर शासन दिल्ली में स्थापित करें जिस में अन्याय का नाम न रहे, न कोई घूस लेने पाये न कोई किसी को दुःख देने पाये और न ही भारत सरकार किसी तरह का कोई झगड़ा होने दे। अगर झगड़ा हो भी जाय तो बिना पैसे के पंचायत के ज़रिये फ़ैसला हो जाये। मैं कहता हूँ कि इस तरह का कोई काम तो सरकार को करना ही चाहिये। इस कानून के ज़रिये या किसी और कानून की भी ज़रूरत पड़े तो उस के ज़रिये ऐसा कोई प्रबन्ध हो कि दिल्ली में सुन्दर शासन हो जिस को हम रामराज्य भी कहें, स्वराज्य कहें, या जो जो उस को सुन्दर उपाधि देना चाहें वह दें। और मैं कहता हूँ कि इसी में हमारी सरकार की और हम लोगों की परीक्षा होगी योग्यता की। अगर हम इतना नहीं कर सकते तो मान लेना होगा कि हम काम लायक नहीं हैं। और अगर देश के किसी अंश में खास तौर से दिल्ली में ऐसा सुन्दर प्रबन्ध हम कर लेते हैं तो मुझे आशा है कि सूर्य को किरणों की तरह सारे देश में उस का गणगान फ़ैल जायेगा।

इस वास्ते यह जो बिल है मैं उस का समर्थन करता हूँ लेकिन मैं चाहता हूँ कि इस में जो देशबन्धु गुप्ता जी का जो प्रस्ताव है कि इसे सिलेक्ट कमेटी (Select Committee) में जाना चाहिये, उसे स्वीकार करना चाहिये और इस को सिलेक्ट कमेटी में जाना चाहिये और वहां से और सुन्दर बन कर यह आये जिस में इस सम्बन्ध में दिल्ली शहर में कोई झगड़ा न रहने पाये, और इस के ज़रिये ऐसा प्रबन्ध हो जिस के ज़रिये हमारे सारे देश को सुन्दर बनाया जा सके और लोग सुखी हों।

यही कह कर मैं श्री देशबन्धु गुप्ता जी के प्रस्ताव का समर्थन करता हूँ।

(English translation of the above speech)

**Babu Ramnarayan Singh:** Sir, I have been coming to and residing in Delhi for the last so many years. Shri Deshbandhu Gupta has observed in the course of his speech that those who have come to Delhi from outside are also to a certain extent deemed to be residents of Delhi. He is justified in raising that plea and it would be ingratitute not to concede it. I, for one, would concede it. Our Shri Sidhva found many things in Shri Gupta's speech which made him feel as if whatever had been stated therein had been in support of the landlord's case. I should say, on the other hand, that although I would not vouch for every word in that speech it was on the whole a plea for justice and that what he wants from the Government is nothing but justice.

**Shri Sidhva:** I took you for a man of the masses.

**Babu Ramnarayan Singh:** Hence I lend my full support to what he has stated. Our friend, Shri Gadgil, has come forward with the reply that the Government is responsible for providing houses for Government servants, in the first instance, and then for our unfortunate refugee brethren. As for the rest, Shri Gadgil is of the view that our Government is not responsible. This is his frank reply. May I, then, on behalf of those other people, ask a frank question, "What else is the Government meant for?" For, such

people might well ask that question and it would make no difference to them whether this Government remains or ceases to exist. It is a fact that our friend, Shri Gadgil, is a patriotic person and a very intelligent man. He can very well follow the argument that he does not exist for those whom he does not serve. He should be able to concede that point. I was very much surprised to hear the speech of Shri Sidhva who was giving praise to the Government although there was no particular cause for doing so. Not that I would never give praise to the Government. I am also prepared to praise them but only when I see a befitting occasion and then my heart leaps with joy, as, for instance, when I heard that the Government has built twenty thousand houses. The Government today holds all the power and the resources and if the Government does more than it is expected to do it certainly deserves our praise. But it is not enough to say, 'Well, they have done something, after all and let us praise them for it.' We must not flatter our Government that way. Let us give all possible praise to the Government. In fact, it is our duty to do so in cases where it has done more than it could be expected to but where it has failed to do as much as it might have done it should be censured and taken to task. For, what, after all, is a Government meant for?

Now, what is the idea behind the laws that we enact? As a matter of fact they are designed to resolve disputes. A law is made in order that a right be made to vest in one to whom it lawfully belongs. This is what it should aim at. Is it not a matter for shame for me, for this Parliament, and for this Government that there are at this time about nine thousand cases pending in courts which arise out of this control? Why should this be so? A law should be simple and straightforward. Shri Gadgil has of course stated that he is going to bring forward a comprehensive Bill but who knows when that Bill might come up. I would, however, suggest that it ought to possess the aforesaid virtues. It is true to say that I can in no case side with the landlord but so long as he is there and you admit his status you shall have to do justice unto him. Whatever rent might be fixed by you, you shall have to see that he gets it at the proper time. In so far as the question of the liquidation of landlordism goes I would shed no tears if the landlord is divested of all his rights and there is nationalization. If the Government were to deprive landlords of their houses I would not cry over it but would rather be pleased. But, until you do that and so long as you

recognise the rights of the landlord it stands to reason and is only fair that he is treated with justice, and the law should be so simple that it should be possible to punish any one who does anything in contravention of it. It is right and proper that it should not be possible for landlords to realize excessive rents from tenants or to raise the amount subsequently, but they must be paid in time whatever rent has been fixed, and if a tenant fails to pay the rent at the appointed time he must be held to blame for this and should be ejected and also punished.

**Ch. Ranbir Singh (Punjab):** The landlords receive the rent but do not give a receipt for the same.

**Babu Ramnarayan Singh:** In that case, he should go and deposit the amount with the court. I hope that kind of law is there and in case it is not it should be provided. My own observation in regard to this peculiar law is that both the landlord and the tenant are crying against it. I have found them all crying and none happy. My submission is that the law should be very plain and simple so that there might be an end to disputes, for these disputes tend to make people dishonest, mutual dissensions multiply and prove harmful to the country.

Shri Sidhva has remarked about the landlords of Bombay that they are extremely patriotic. I was much pleased to hear this. But, then, as suggested by Shri Deshbandhu Gupta, why not make the Bombay law applicable here? May be, that law has some such virtue attached to it as suffices, *ipso facto*, to turn a person into a patriot. Possibly there is some merit in that law that Shri Deshbandhu Gupta would have it made applicable here.

I want justice for all. But when I hear people talking of controls I am scared for I have sufficient experience of them. He says that of all the controls that are extant this one is the most popular. I do not care who wants controls and who does not but I would pray to God there were some organisation in this country which might control this Government of ours.

**Shri Gadgil:** We are being controlled by this House.

**Babu Ramnarayan Singh:** I am glad, for a voice comes from somewhere that this control is being exercised by the Parliament. My own observation, however, is that it is the Government that is controlling the Parliament. It will be a happy day for us when the other

[Babu Ramnarayan Singh]

thing happens. Swaraj, to me, would begin from the day the Parliament starts controlling the Government. But I must confess with a sense of pain and shame that today it is the Parliament that is being controlled by the Government.

Sir, I would urge upon Shri Gadgil and through him, upon the Government that whatever else they might do they must do something for this city of Delhi, just to give a proof of their efficiency. Delhi being this country's capital you must give it the best of your time and attention. Let all unite to evolve a magnificent administration for Delhi which should be free from the least vestige of injustice, where none dare accept a bribe or cause harassment to anybody. Let Government of India check all sorts of disputes and even if a dispute occurs it should be possible to settle it through a *Panchayat*, without any expense. I would say that the Government must do something of this kind. Let it be with the help of this law or of any other law, if necessary, but let us provide Delhi with a fine administration which we might be able to call by the name of Ram Rajya, or Swarajya or which might be given any other attractive appellations. Let this be a test of our efficiency and of the efficiency of our Government. If we cannot achieve even that much we shall have to admit that we are not fit for the job. If, however, we succeed in establishing such an administration in any part of the country, especially in Delhi, I am sure this would evoke the admiration of the whole country.

With this, I support the Bill but I want that in this connection the motion of Shri Deshbandhu Gupta that the Bill be referred to a select committee should be accepted. Let it be so referred and let it come back in an even more refined form—so that there may be no more disputes in Delhi. Let it help in making the country happy and prosperous. With this I support the motion of Shri Deshbandhu Gupta.

**Shri Gadgil:** I am grateful to the hon. Members who have participated in the discussion over this motion as it has provided an ample opportunity for them as well as for me to survey the entire problem of accommodation in Delhi. Sir, I am particularly grateful to my hon. friend, Shri Deshbandhu Gupta, because in his wide survey of the entire position he has stated that Government has not given any thought to this great problem, that the Government had never had any idea as to

the extent of this problem, and that whatever the Government did was too little in view of the big demand which we were faced with.

Now, Sir, I want to have your indulgence to preface my remarks, in a chronological order, with what the Government has been doing and how the situation developed from time to time and went beyond the control of people in charge of Government. In 1947, when the original Act was passed, the problem was not so great and as stated by my hon. friend, Shri Deshbandhu Gupta, it was a question of accommodating at the most a lakh and a half of people. In the 1947 Act, no doubt, some provisions were improvised in order to meet the situation that would arise as a result of the particular Ordinance expiring, but after six months it was discovered that so far as new constructions were concerned the landlords did not behave well with the result that Government was forced to bring in an amending Bill which on enactment by this hon. House brought the new constructions within the purview of the provisions of the Rent Control Act.

In 1947 in the months of September and October, as every Member of this House knows, thousands and thousands of refugees from West Punjab came down and settled in Delhi. There was no opportunity then—in fact, it would have been unwise to do so—to fix any target for our efforts as well as for a plan and finalise things. It was only towards the end of 1948 that the situation somewhat stabilised when we could think that we could put a particular target towards which all our efforts should be directed. The construction period was really the two years 1949 and 1950 and in these two years, as I have stated 25,000 houses have been put up. I do not mind if the credit for 21,000 goes to my colleague the Minister for Rehabilitation, and credit—or discredit as was suggested by Mr. Kapoor—for 3,500 goes to my Ministry, but it might interest the House to know that all the building is done by the Ministry over which I have the honour to preside. But that is only a small matter. The point I was making was that it was towards the end of 1949 that we had some idea as to the target we should fix and the enormous resources necessary to attain that target.

Now in 1947 the position was not so acute, but as a result of partition and our brethren coming over from West Punjab to this side and about six lakhs of them making Delhi their place of residence, the whole thing assumed quite a different aspect. I want to tell the hon. House what steps were taken

by the Government. It will be easily appreciated that if we had not passed the Rent Control Act of 1947 then, things would have become, I should, say, overwhelmingly disastrous by the months of September and October. The old tenants would have been thrown out completely, there would have been a huge scale *pugri* operation because many of the refugees coming over were very anxious to have some sort of shelter, and the situation would have been exploited, as has been exploited in many cases, by landlords in Delhi. Therefore, there was complete justification in the month of March 1947 to have an Act of this kind on the statute-book.

It is true that after six months the provisions of this Act were extended to new construction. In doing so, directions were issued that in arriving at the standard rent liberal allowance should be made for the price of purchase of certain building material, and that has been done. I for one cannot understand the thesis that there should be no rent control over new constructions when the standard rent is fixed according to certain well-defined and well-laid principles. After all, how much return does a man want on his capital or investment? If the Government has been giving all along a little over 6 per cent. I think the capitalists or the investors ought to be satisfied with that, and, in fact, if I had the money I would have taken less because here was an opportunity for me to show my patriotism, my magnanimity, my nobleness of mind. But I have to say very regretfully that the difficulty of the population has become the opportunity of the landlord and even now that is the outlook with which the landlord is looking at this problem. It is the same attitude which has been expressed by some representatives of the landlords in this House. I want to know for whom Delhi exists: is it for the 100 or 200 Raises and Raizadas who want to dominate the entire position in Delhi or is it for 4 or 5 lakhs of people who are without houses and the other 3 or 4 lakhs who have come over after partition? I just want to have an answer to this simple but very important question. I can well understand that there are landlords and landlords. There are big landlords and small landlords and middle-sized landlords. It is because of this that I stated when moving for the consideration of this Bill that Government have been watching the situation and they want to do justice to both the landlord and the tenant. It is for that reason and for removing many other defects which we have noticed as we have been working this Act for the last four years that it be-

came evident that we should come out with the present measure. It is not enough to ask: 'Why don't you apply the provisions of the Bombay Act? It is not so simple. If that was so, then there would be one Rent Control Act for the whole of India and there would be no scope for a variety. But everywhere the problems differ. It is because the problems differ that we have different State and Local Government bodies.

My hon. friend Shri Deshbandhu Gupta charged us with absolute negligence about this problem. I want to tell him the position, as I said, chronologically. In the month of October 1947, the Ministry in charge of this subject called a Conference of the authorities responsible for the different functions in connection with the housing problem. We then decided that there must a Greater Delhi Plan. My hon. friend said that Government are proceeding absolutely without a plan. I want to tell him that a Greater Delhi Plan which would accommodate about 20 lakhs of people was drawn up in December 1947 or thereabouts. In that Plan we have made provision even for a Press Colony. Different neighbourhoods have been fixed up and in implementation of that Plan all these 25,000 houses have been built. It is not, therefore, that we have not got a plan. The Plan is there. The townships and neighbourhoods have been fixed up. The arteries of the cities, that is to say, the high roads, have also been fixed up. The playgrounds have been fixed up and all other amenities which go to make the life of the citizen a little more pleasant have been also considered and provided for. I agree with my hon. friend Shri Sidhva that more than two years are necessary to give complete satisfaction in the matter of accommodation for a population of 14 or 15 lakhs. That also has been taken into consideration. In fact, we have gone further and visualised that the population will grow on account of natural causes and also abnormal causes. Therefore, the Greater Delhi Plan includes also what are known as Subsidiary towns beyond the 'Green belt'.

The point I want to make out is that even outside the editorial office of a newspaper, there exist people who think about this problem. (Shri Deshbandhu Gupta: I wish they do.) And they also try to execute. They construct and not merely criticise. They erect and not merely write editorials. Therefore, we should in all honesty accept that Government have been going ahead as much as possible in spite of the handicaps.



[Shri Gadgil]

Towards the end of 1947 the Greater Delhi Plan was completed and we found, as I said, that the situation has been changing every now and then and becoming worse in 1948. A Co-ordination Committee was established to coordinate all the activities and all the aspects of the housing problem in Delhi. It was attended to by the various authorities in Delhi as also the representatives of the citizens of Delhi.

**Mr. Deputy-Speaker:** It is now 1 o'clock. The hon. Minister may resume 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 Gadgil:** I was referring to the measures taken by Government to meet this ever-rising accommodation problem in Delhi. I referred to the fact that a plan for Greater Delhi, which would house about twenty lakhs of people, with the necessary amenities, such as good roads, adequate supply of water and a proper system of drainage was planned. Now I want to inform the hon. House that certain decisions were taken in 1949 and in implementation of the same a big scheme of water and sewage is already under construction, costing Rs. 35 lakhs. In order to secure adequate supply of water reservoirs are under construction in the various sectors of the City.

But something which is far more interesting to the hon. House is that the Ganges water is now being made available to parts of New Delhi population. This will be news to many of the hon. Members. When we considered this plan about eighteen months ago we found that even for the target of 20 lakhs the water-supply that we used to have from the Jumna was not adequate. I then thought that I should divert the Ganges water from Gurmukhteshwar to Jumna and take up that water from our water-works. It was found that this was too costly. Therefore we decided and we have carried out that decision to some extent, viz. that water from the Ganges canal is taken into the River Hinden and the River Hinden empties into Jumna near Okhla. For the last many months Ganges water is coming to Jumna near Okhla and part of New Delhi is being supplied with Ganges water. What Bhagiratha could not do quickly, I think we have been able to do! The lighter part of the theme apart, what I what the hon.

House to appreciate is that we are not sitting quietly in the Secretariat. We are constantly at the problem, revising our ideas in the light of experience gained and accumulated. We sent special officers to England and negotiated for the machinery for filtration of water. Part of the machinery for generation of electricity has also arrived.

Only a month ago when we found that the target of 20 lakhs would be exceeded, not from natural causes, but from abnormal circumstances, I called a meeting of the Greater Delhi Co-ordination Committee. We decided two things to provide adequate facilities for a population of 30 lakhs and since saturation point would then be reached it was decided that further rehabilitation, would be beyond the proposed Green Belt. Many hon. Members, who have occasion to go about would have noticed that several roads are being widened. It is not as if it is the brain-wave of an engineer to go and widen a particular street. It is not so. It is in terms of a plan.

The problem of transport for the Greater Delhi has been studied with care and caution. At one stage we thought we could have an underground railway. But when the cost was worked out it came to Rs. 7 crores. So we gave up that idea. Then, we thought of having a circular railway. That is under consideration. Meanwhile we have decided to increase the number of buses by about 125. I understand that orders have been placed and that very soon those buses will be plying on the roads.

Now, Sir, town-planning in Delhi is different from town planning in Bombay. In Bombay expansion can be vertical and must be vertical because Bombay is a small place and also because the climatic conditions are suitable for vertical expansion of that type. In Delhi, Sir, we cannot go much beyond two storeys, or three storeys for the simple reason that occupants will find it difficult unless you have a huge air-cooling arrangement for every little unit of accommodation. If we have two-storeyed buildings the occupants of the ground floor can during summer sleep in the open grass lawn or compound in front of the house and the occupants of the second storey on the terrace. But if we have three storeys then the occupants of the second storey will find it very difficult because they cannot go up nor can they come down. Therefore, there are certain limitations with regard to this. At the same time we have decided, so far as the business sectors of the City are concerned, on

a plan of urbanisation and the first construction will be on the Parliament Street where the buildings will be five-storeyed. There will be very few residential flats and most of the premises will be used for business purposes. The point that I am making is that all along we have been making every effort in the matter of conception, in the matter of planning and in the matter of execution of the same. Undoubtedly there are limiting factors such as supply of building materials.

During war-time and a few years after, there was great difficulty in having coal for burning bricks. Gradually our transport position improved with the result that control on brick was removed by my Ministry. I want to urge that there is no question of being dogmatic either about control or non-control. Both are means to a certain end and if I have found that by removing control in one sphere I am able to get better service I shall certainly do it. I have done that in the case of petroleum and its products. But I do not want to take any chance, because the tendency of our mercantile community is to take advantage of any difficulty that may arise in the community. If they were more patriotic minded, then, perhaps, one would have been justified in taking a risk.

Apart from what we have been doing, we have been constantly looking into the working of this Act, in order to know the public reaction—apart from my contacts with hon. Members interested in this matter. In 1949, I had an informal conference with some of the building contractors. Some of their suggestions are being considered. But a bigger attempt was made on the suggestion of my hon. friend Mr. Kapoor and I called a conference in the month of March 1950. In that conference certain recommendations were made and they are exactly the recommendations that have been made in the interim report of the committee that was appointed to go into the working of the Delhi Improvement Trust. After the Conference to which I have just made a reference there were two meetings of the various Ministries concerned, one in April, that is immediately after that.....

**Shri J. R. Kapoor:** Could we have the advantage of a copy of those recommendations?

**Shri Gadgil:** I will read both. On the 19th of March this Conference was held. In April there was a meeting because the problems concerned not

only this Ministry but other Ministries also. Another meeting was also called on the 2nd of June, 1950. We came to certain provisional conclusions which were to be recommended to the Government. Meanwhile this Committee was appointed in April and they made interim recommendations on the 10th of September. The recommendations were as follows. This is the last paragraph.

"10. To sum up, our recommendations are as below:

(1) That no residential premises constructed hereafter shall be requisitioned by Government.

(2) That the residential building constructed hereafter should be exempted from the operation of the Rent Control Act;

(3) That for putting up an additional building in the coverable area in New Delhi the lessee should not be required to pay any additional premium;

(4) That the buildings bye-law should be so amended as to facilitate the creation of additional accommodation; and

(5) That the steel quota for the State of Delhi should be substantially increased."

They are exactly on the lines of the recommendations made by the Conference to which I just made reference. Now I will tell you what has been done. Even before these recommendations were received, the recommendations made by the Conference were under consideration, and as soon as these recommendations of the interim report were received we accepted recommendation No. 1 *in toto*, that is, not to requisition newly constructed premises. And in this I still have a feeling of guilt that in accepting this I have not been fair to the general citizen. I want to make it absolutely clear. The second recommendation was about rent control which we did not accept then, but, as I said two days ago, if I am convinced that if I relax something there then great activity in the line of building will come up. I am prepared to consider it. Then as regards the recommendation that "for putting up an additional building in the coverable area in New Delhi the lessee should not be required to pay any additional premium", I have accepted it. All that I have done, is in the interests of the general taxpayer. If I had not done what I had done it would have only meant that the landlord would not have taken the fact into consideration that

[Shri Gadgil]

the price of land has increased and therefore he must not charge more rent but less. But he would not charge it, he would charge it according to the present market position. Therefore the increase in the price is something in which the general taxpayer ought to share and it is no good merely saying that the State has no authority in the increase or unearned income. Hence annual ground rent is fixed at 2½ per cent. of the present market value of the sub-divided plot.

[MR. SPEAKER in the Chair]

Greater Delhi has improved and it has attracted people not because of any efforts of those landlords who live on Curzon Road or nearabout Chandni Chowk. It has been done at social cost, in other words at the cost incurred by Government representing the community. We have therefore a right in this.

Then there was the other recommendation about building bye-laws. Even before this was made a Committee has been appointed to go into it and liberalise the same and its recommendations are awaited. The increase in the steel quota, as has already been shown by my hon. friend, has also been effected. But my hon. friend said that the Government was doing nothing, that this Committee recommended—as if this Committee did everything—and that their recommendations were not even seen by my hon. colleague, that they were not taken into consideration, this, that and the other. I have shown what has been done, and immediately in the month of December when this hon. House was discussing something about the Delhi Premises Act Amending Bill, I declared what the Government proposed to do. And a formal decision was taken in the month of January and a press communique was issued.

**Shri Deshbandhu Gupta:** Sir, may I interrupt my hon. friend with your permission and ask a question? All that I said was this that these recommendations were submitted but they did not reach the hands of the hon. Minister for more than a month. I want a specific reply to that question.

**The Minister of Health (Rajkumari Amrit Kaur):** May I reply to that, Sir? I think the recommendations of the Committee were made on the 10th September. On the 28th September they were circulated to all the Ministries concerned, including the Ministry of Works, Mines and Power, and I sent a special personal copy to the hon. the Prime Minister who again

wrote and said that these recommendations must come up before the Cabinet. It is a complete misrepresentation of facts that the hon. Member has indulged in.

**Shri Deshbandhu Gupta:** Sir, on a point of personal explanation. I want to know whether the hon. Minister did tell the Chairman of this Committee after about three weeks after that that she had not seen the recommendations and it was her office that had circulated the Ministries and not she.

**Rajkumari Amrit Kaur:** On the contrary I told the Chairman of the Committee that the moment the recommendations came in I had read them, that immediately I had circulated a personal letter to the Prime Minister on them, and that I had given orders to my Secretary to circulate the papers to the Ministries concerned.

**Shri Gadgil:** Sir, in order to make matters abundantly clear I am quoting from the speech of my hon. friend delivered yesterday:

“And it is now more than six months since the report was submitted but we have not heard whether it has been considered by the Cabinet, and what action, if any has been taken on its recommendations”.

Now, Sir, I am quite prepared to be blamed for what we have not done, but ordinary canons of justice and fairplay require that even if you do not want to give credit for what little we have done, at least you should not misrepresent us. That is I think a demand which will readily be accepted by the hon. Members of this House. As I said in my speech two days ago, we have been constantly looking into the matter and we know that a cake, howsoever equitably it may be cut into pieces, does not add to the quantity. The solution to this problem is more buildings, more buildings and more construction. That is something on which there is no dispute. My hon. friend gave instances of Japan and other countries. If I know rightly, in England the Government has been blamed for not doing as per expectation. I do not know what has happened in Japan. But if you take the total number of constructions in the whole of the country I have no doubt that we are not behind any other country, perhaps we may be ahead of a few. (*An Hon. Member:* Question). In this small commissariat of Delhi if during the last two years Government has been able to build 25,000 houses, I think in the circumstances in which

Government finds itself today—there are shortages of all kinds, there are prior requirements against the Government's finances and so on—even this is not inconsiderable. My hon. friend, as I said, is very anxious to know why we have not been able to do something on the lines on which the Government of Bombay has been acting. I want to read out from the Press Communique which has been issued by the Government of Bombay in the month of December 1948:

"After careful consideration of the representations made to Government by the owners of new buildings regarding the allotments to be made in new buildings. Government have decided to declare the policy Government wishes to follow in approving of these allotments under the Bombay Land Requisition Act. The landlords shall be at liberty to propose allotments for all the tenements proposed to be erected by them and these proposals must be sent to the office of the Controller of Accommodation at least one month before the building is ready for occupation. Government would not ordinarily interfere with these proposals but this would be subject to the following conditions:

1. The provisions of the Rent Act will continue to be in force.

2. There should be absolutely no element of *pugree* in any form. If it appears to the Government that any consideration in the nature of *pugree* is involved, Government will be at liberty to requisition the whole building and the landlord will not be given option to propose any other alternative allotment:

3. The allottees must be residents of Bombay on the date of the allotments and must have been continuously residing in Bombay from a date at least six months prior to 1st January 1949."

Satisfactory documentary proof of their continuous residence would be necessary.

"The proposals of the landlord must contain full particulars. If he wants to rebuild then he should give the exact location of the old premises, rent, the name of the landlord, the date on which the premises would be vacant and so on.

"This concession is granted as an experimental measure for a year. If it comes to the notice of Government within the course of next year that this concession

has been abused, it would be totally withdrawn and Government will consider the question of imposing full control over new buildings."

**Shri Deshbandhu Gupta:** What has happened since then?

**Shri Gadgil:** You will know in course of time when I introduce a new Bill. As I said I was quite willing to consider exemption of new construction for a certain time, namely six months, till the new Bill is enacted by this House.

Apart from this, Sir, what is the real grievance of the landlord? Is it because he wants to dispose it of to people whom he desires or is he only building to meet the needs of the society and for *bona fide* tenants? In that case what is proposed in the Bombay Act would be good so that there would be no element of *pugree*. He would have to give to those who come under that category. The second concern, which is really the concern of any investor must be: What is the return on the amount invested? That is always taken into consideration under Schedule 4 of the Act which governs at present. However, as I said, I want to repeat it and I do not want to resile from that position that with respect to new construction, I am prepared to consider, provided I am convinced. But it does not mean that I will exempt new constructions completely from the provisions of the Rent Control Act. If I do, I will not be serving the cause of the poor and needy tenants.

Now, Sir, my hon. friend referred to nationalization. I do not know whether he refers to it more in sorrow or in anger but I am prepared to take him at his word.

**Shri Deshbandhu Gupta:** By all means.

**Shri Gadgil:** When I requisition the houses, I find no bitterer critic than my hon. friend Shri Deshbandhu Gupta. Requisitioning is the preliminary to nationalization. I take possession and control the management. What a hue and cry he has been raising mostly out of season and partly in season when questions of this character are asked in this House! I understand that the landlords are not realizing rents, and therefore 9,000 suits are pending. That is fairly a correct statement. Would the landlords hand over the management of their buildings to me? Consider it. I am prepared to consider on behalf of the Government and I shall charge 25 per cent. on the gross earnings and

[Shri Gadgil]

not a penny less for the management. I am prepared to take over everything and then my hon. friend would come and say: Instead of building, you have been requisitioning this, that and the other. The problem of realization of rent from the tenant can be best solved thus. I am quite prepared to consider it but to go in for nationalization here and now is something quite different. I do not know whether he had completely understood the implications of the same. In the first place the Government will have definitely to accept the obligation viz., that every man who comes into Delhi must be given a house within 24 hours or he must be accommodated either with the Minister or the newspaper editors or the more charitable minded Members of this House.

**Shri Deshbandhu Gupta:** Will the hon. Minister find out what are the arrears of rent every year in his own Ministry?

**Mr. Speaker:** It is not a proper way of proceeding.....

**Shri Deshbandhu Gupta:** I took your permission, Sir.

**Mr. Speaker:** He did not wait for it. I was going to say "order, order." I cannot allow hon. Members to interfere like that.

**Shri Gadgil:** In any scheme of nationalization of house property the control of the movement of population must be there. Then it is for the Government to choose who shall remain in Delhi and if I happen to control, I shall ask my hon. friend to walk out of Delhi. He will be found to be in sympathy with the right deviationists. He will have therefore not right to remain in Delhi! This is all in lighter vein. Nationalization of house accommodation is something that we cannot think of at present. All that we can think of is that where any commodity or service is in short supply we should try to distribute it in as equitable a manner as possible, at the same time take into consideration hard cases, marginal cases, and provide for them. I am quite one with him that there are tenants who are abusing the position which they have got under the law. That is one of the reasons, as I said two days ago, why I am impelled to review the position. I propose to have a conference, so that when I finalize the Bill, it will be possible for even my hon. friend Babu Ramnarayan Singh, who normally is against the landlords but today somehow or other he is not to be pleased with it.

**Babu Ramnarayan Singh:** Even today I am not with the landlord.

**Shri Gadgil:** That is the greater reason for my surprise. However the whole object of this Bill, as I said, is to enable us to have a comprehensive Bill completely worked out and to meet the needs of the situation as far as possible. As I said in my speech the other day, it is the intention of the Government to call into conference the landlords, tenants and the general public and then finalize it. If the House is so keen, I shall expedite the process and before this session ends I shall introduce that Bill and move for a reference to the Select Committee.

This is all that I have to say with respect to the arguments that have been advanced by many hon. Members. There are other points which better be left to be discussed when the comprehensive Bill comes up.

A point was made by my hon. friend, Mr. Kapoor that at present it becomes very difficult for a landlord if he wants to add something to his old construction and the tenant stands in the way. Something should be provided for whereby the matter may be judged on the merits and the landlord should be given an opportunity to add to the accommodation. All those points, Sir, as I said, will be taken into consideration. I want to assure the House that this is not a Bill which has been brought with any mischievous intention or a fraudulent purpose. It is no doubt true that this problem cannot be solved within 2 years. That is quite true and I agree with my hon. friend because of the huge cost. Even if the Government accepts the obligation to provide for everybody, the means at Government's disposal are not enough today, they will not be enough tomorrow of perhaps there may be something else day after tomorrow. Therefore there is a necessity for having a comprehensive Bill without a time limit but power may be reserved in that Bill to withdraw the application of all or any provisions of the same in any area or in respect of classes of construction. Even in the present Bill, there is a provision that the Government can exempt certain areas from the operation of the several provisions of this Bill. That is all I have to say and I hope the House will carry the motion that I have moved.

**Mr. Speaker:** There is a motion by the hon. Member, Mr. Deshbandhu Gupta for reference of the Bill to a Select Committee.

I shall first put this motion.

3 P.M.

**Shri Deshbandhu Gupta:** Before you put this to vote, I would like to know one point. Yesterday, I wanted to know whether you would allow me to move the other amendment which stands in my name.

**Mr. Speaker:** I will state that after the Consideration Motion is taken.

**Shri Deshbandhu Gupta:** My point was, if you have taken a decision about that, I would not press this amendment. Otherwise, I may ask the hon. Minister to accept this amendment.

**Mr. Speaker:** I think it is not proper on my part to say as to what I am going to decide, unless the matter comes actually before me. But I have given him an indication of the lines in which my mind is working.

**Shri Deshbandhu Gupta:** In that case, I will not press this amendment.

**Mr. Speaker:** In what case?

**Shri Deshbandhu Gupta:** I hope your mind is working favourably.

**Mr. Speaker:** I think my mind is working in favour of putting this motion to the House. The hon. Member may decide for himself as to whether he wishes to press or withdraw this amendment.

**Shri Deshbandhu Gupta:** In the light of the assurance given by the hon. Minister that he is bringing a Bill in this very session and that that Bill will certainly go to a Select Committee, it will not serve any useful purpose to send this Bill which is not a comprehensive measure to the Select Committee. I withdraw this amendment.

The amendment was, by leave, withdrawn.

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

“That the Bill further to amend the Delhi and Ajmer-Merwara Rent Control Act, 1947, be taken into consideration.”

The motion was adopted.

**Mr. Speaker:** I will take the Bill now clause by clause.

**Clause 2.**—(Amendment of section 1, Act XIX of 1947).

Now, with reference to the various amendments that are tabled by hon.

Members, I find that, there are in all 20 amendments and two more in the Supplementary List, 22 in all, of which one has been disposed of, namely, the motion for reference to the Select Committee.

Then, I should like to inform hon. Members as to the scope of amendments on the present Bill. The point raised is as to whether certain amendments, of which notice is given by hon. Members, seeking to modify or amend certain sections of the Delhi and Ajmer-Merwara Rent Control Act, 1947, as further amended, are in order, that is, whether they are within the scope of the present Bill which is really a measure for the continuance of an expiring law.

The present Bill has only one clause which seeks to extend its period by two years. While doing so, it also seeks to delete the first proviso to sub-section (3) of section 1. This deletion is consequential on the lapse of time, during which Government was authorised by the Act to direct the extension of the Act by notification in the official Gazette. The amendment sought by sub-clause (3) of clause 2 is purely verbal and consequential on the deletion of the first proviso. In substance, therefore, the Bill comes to nothing more than an extension of the Delhi and Ajmer-Merwara Rent Control Act for a further period of two years from the 24th March, 1951.

On these facts, it is stated that the Bill is in substance a re-enactment or an enactment of a fresh law, though, in terms identical with the old law. But for this extension, there will be no such thing as the Delhi and Ajmer-Merwara Rent Control Act from and after the 24th of March, 1951. The present Bill is thus, it is argued, in substance, one for enacting the provisions of the old law, and therefore, the whole field of the old law is open, not only for discussion, but also for making such alterations and modifications therein as the House may deem proper. Apparently, this plea is plausible and carries its own appeal.

I approached the consideration of the amendments with a strong bias in favour of this plea. But, on a closer and mature consideration and a study of the precedents in the House of Commons, which are based on experience, I have come to the conclusion that, broadly speaking, in cases where a Bill is brought to continue an expiring law, it would not be competent to move any amendments seeking

[Mr. Speaker]

to alter or modify the substantive provisions of the expiring law. To this general rule, there are some exceptions depending upon the nature of the continuing Bill which seeks to continue the expiring law. But, they are of a very limited and also of a procedural character; the vital point being that, no expiring law sought to be continued can be taken as an occasion to amend or alter the substantive provisions of the law, which is sought to be continued.

May's Parliamentary Practice, 14th Edition, states the rule as follows at page 523:—

"The operative clause of an Expiring Laws Continuance Bill prescribes that the Acts mentioned in the Schedule (or schedules) shall be continued until a specified date, and the amendments which may be moved to such a Bill are subject to the following limitations:

- (a) An amendment is outside the scope of the Bill, if it seeks to amend the provisions of the Acts proposed to be continued, or to make permanent such Acts, or to include in the Bill a statute which has already ceased to have effect.
- (b) An amendment may be moved to the operative clause of the Bill to alter the date to which the Act (or Acts) in the schedule (or schedules) are to be continued."

Where the Bill providing for extension takes the form of having an operative clause with a schedule attached to it, specifying the various Acts, the procedure will have to be a little different, and May's Parliamentary Practice states the procedure as under:

"The continuance of any Act or part thereof must be discussed on the schedule of the Bill, when that Act is reached there, and not on clauses of the Bill."

Of course this will not apply here because there is no schedule and there is only an operative clause that we have here.

"Thus an amendment may be moved to the schedule to exclude from continuance any Act or distinct provisions of any Act(s)."

I am quoting only portions that are relevant and pertinent.

Though it may be argued that, in substance the continuation of an existing law is as good as enacting a new law, the matter is not merely technical or procedural, so far as amendments to the substantial provisions go. It must be borne in mind that, in case of a Bill to continue an existing law, the substantial principle of the legislation had already been accepted by the House, when the law was passed; and that, therefore, though it will be competent to have a general and summary review of the way of its working or administration and to suggest improvements or point out defects, it will not be permissible to amend this or that section, treating the Bill, as if it incorporates in it every section of the expiring Act. The House has to accept or reject the proposed extension, with the option of altering the date to which the Act may be continued, and touching other amendments, if any, which are proposed in the operative clause of the amending Bill. As pointed out by the Chairman of the Committee of the House of Commons on 30th July, 1874, on the question being raised in the Committee, "it must be remembered that the Bill is not to amend but to continue the Acts". In the case of an Expiring Laws Continuance Bill before the House of Commons under discussion on the 10th September, 1887, an objection was raised to a particular Act sought to be extended on the ground that the extension was sought without equalising the law as between England and Ireland. The objection was raised by an Irish Member, whose point of grievance was that, while the law was good for England, it was unfair that it should be extended to Ireland without equalising certain provisions in view of the peculiar Irish situation. The Chairman then ruled:

"All that the Member could do was to move for the omission of the Act from the Schedule, or he may further move, if he so liked that certain sections of the Act sought to be included in the Schedule may be omitted, but it was not competent for him to move their extension or modify in any other fashion."

I need not go into further precedents.

In the present case, the scope of the Bill covers two matters—(i) the period of continuance, and (ii) the Central Government's power to notify the areas in which the Act shall cease to remain in force. Amendments in respect of these two points are perfectly competent.

In view of what I have already stated, it is competent for the House

to reject the proposed Bill if they do not like the provisions of the expiring Bill. The proposal to continue is coming in the form of adopting the law as it is, and any attempt to modify this or that part is not only not competent, but is also not desirable on general principles. It will be agreed that, if it is the desire of the House to have modifications in the substantive provisions of the Act, it is necessary that they should have the whole Act under review and examination, and then consider modifications, on consideration of the general and entire picture of the legislation. An attempt to touch this or that part of the original legislation is likely to bring in undesired and also unexpected results, without co-relation to all the other provisions of the expiring Act. I am saying this as a general proposition, giving my reasons as to why the precedents in the House of Commons appeal to me as proceeding on sound basis. Any attempt to touch this or that provision of the expiring law will practically mean dealing with the revision or review of the expiring law in a piecemeal and haphazard fashion.

One may ask as to what the House should do, if it wants improvement of the legislation. In that case the rejection of the Act is not a proper course; the House may want to continue the legislation substantially and therefore may prefer continuance to absolute rejection, even though the modifications wanted are very important in themselves. I have no doubt if the House expresses itself on the points in respect of which modification is wanted, the Government, responsible as it is, will surely bring in a further amending legislation meeting the modifications required, or removing the defects pointed out. To allow an amendment in the substantive provisions of the expiring law on the plea that the whole legislation is under review, would be tantamount to opening the flood-gates of controversy over and over again, on points already discussed and in respect of conclusions already arrived at. Therefore, from the point of view of general convenience, as also better and more expeditious work in the House, the practice prevailing in the House of Commons is a sound one and I have no hesitation in following it.

I have already indicated above, the scope of the amendments to the present Bill. Following the above reasoning the following amendments seem to be in order:

Amendment No. 1: Reference to Select Committee, which has already been disposed of.

Amendments Nos. 4 to 11 (No. 12 being an amendment to No. 11) and amendment No. 13 seem to be in order.

I hope I am not committing any mistake in quoting the numbers of the amendments.

No. 2 is the same for all practical purposes, as No. 11, but it does not seem to be in order as it seeks to amend the provisions retrospectively. Amendment No. 3 is out of order being a negative, and so also amendment No. 5 which though not negative in form, is so in substance.

I am doubtful as to whether amendments Nos. 1 and 2 in the Supplementary List—I mean the amendments of Mr. Kapoor and Mr. Deshbandhu Gupta—are in order, in so far as they seek to vest an additional power in the Government with reference to class or classes of construction. But as the subject seems to be covered by the operative clause, I think, the amendments should have the benefit of doubt and I will hold them to be in order.

In this connection I might just state that I propose to divide the amendments for discussion into two parts.

Amendments Nos. 4, 6, 7, 8, 9 and 10, refer to the period to which the Act should be extended, some suggest one year, others two or five or six and so on. These come in a group and they can be taken together for discussion.

The other group consists of provisions which authorise the Government with regard to the application of the Act or the stopping of the application of the Act, to certain areas. With reference to these, though I feel doubtful about No. 11 to which No. 12 is an amendment again, I am taking as a separate group, No. 13 along with Nos. 1 and 2 of the Supplementary List.

If the two matters for discussion are taken in separate groups that will avoid repetition of the same arguments and the overlapping of arguments and I would suggest to the House, that the amendments may be taken in the manner I have suggested.

Now, I would like to know which amendments of the first part are going to be moved. I shall call out the names of the Members concerned and they may say whether they move their amendments or not.

That leaves two amendments, one by Mr. Kapoor and the other by



[Mr. Speaker]

**Mr. Deshbandhu Gupta.** They are both practically the same.

**Shri Deshbandhu Gupta:** rose—

**Shri J. R. Kapoor:** Sir, I do not mind if Mr. Deshbandhu Gupta moves his amendment provided he accepts my amendment.

**Mr. Speaker:** Let both of them be moved and discussed together.

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

In part (iii) of clause 2, add the following at the end:

"and after the words 'in such areas' the words 'and for such class or classes of premises' be inserted."

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

In part (iii) of clause 2, add the following at the end:

"and after the word 'areas' the words 'and to such classes of construction' be inserted."

**Mr. Speaker:** Amendments moved:

In part (iii) of clause 2, add the following at the end:

"and after the words 'in such areas' the words 'and for such class or classes of premises' be inserted."

In part (iii) of clause 2, add the following at the end:

"and after the word 'areas' the words 'and to such classes of construction' be inserted."

**Shri Gadgil:** Sir, I am prepared to accept the amendment moved by Mr. Deshbandhu Gupta.

**Mr. Speaker:** In the same wording or with any change in the words?

**Shri Gadgil:** With the same wording, "and to such classes of construction" be inserted.

**Mr. Speaker:** The word "construction" in singular.

**Shri J. R. Kapoor:** Sir, I was wanting to submit to the hon. Minister that if he heard me I am sure he would be prepared to accept my amendment. I am not very particular about the amendment but there are certain implications.

The word "premises" has been defined in the Act itself but the word "construction" has not been defined. May I draw the attention of the

Minister to section 2 of the Act which defines premises:

"Premises means any building or part of a building which is or is intended to be let separately for use as a residence or for commercial or for any other purpose."

So the word "Premises" is specifically defined whereas the word "construction" has not been defined, though it has a set meaning. The word "construction" not being defined the difficulty will be that it will not include a part of premises, whereas "premises" will include part of the premises also. I would therefore request the Minister to consider the acceptance of my amendment. It would be permissible for a landlord to make additional construction even on existing premises or make additions to any part of the premises. If that is the Minister's intention he would do well to have the word "premises" instead of the word "construction". If in the amendment of Mr. Deshbandhu Gupta the word "construction" is substituted by "premises" it will satisfy me absolutely. So mine may be taken as an amendment to Mr. Gupta's amendment.

**Mr. Speaker:** Will not the word "construction" include premises also?

**Shri J. R. Kapoor:** It would not include a part of the premises and that was the particular point which I want the Minister to consider seriously.

**Shri Gadgil:** The definition of the word "premises" includes garden, furniture, etc. I do not think it is the wish of the House that I should take power to do this. "Construction" is the best word which I am prepared to accept.

**Shri J. R. Kapoor:** I beg leave of the House to withdraw my amendment.

Amendment was, by leave withdrawn..

**Shri Deshbandhu Gupta:** Sir, the purpose of moving my amendment is to give discretion to the Government, even during the period at their disposal between now and the comprehensive Bill which will be passed by the House, to consider the desirability of exempting new constructions from the purview of the Rent Control Act. I am quite alive to the fact that temporary exemption is not likely to achieve the object of my amendment. The whole idea behind my amendment, which I urged yesterday is this. The problem is a stupendous one, as my hon. friend has admitted. We need the resources both of the Government

and private agencies to meet the problem, so that there may be more buildings and unless there are more buildings the rents would not be reasonable and we would not be able to solve the problem. That was the burden of my speech and it is the crux of the problem. The Enquiry Committee to which reference was made has laid stress on this point because they would in no way favour buildings by private agencies in preference to building by government agencies. That is not the idea. When I said that about 85 crores would be required if we want to provide accommodation to the homeless, houses of a very moderate standard, the whole idea behind it was to make this House realise the magnitude of the problem, which was so big that Government resources alone would not be enough to solve it. Therefore as my hon. friend has admitted every possible effort should be made to encourage private agencies and in private agencies it is not the private landlord alone that is included and to which reference is made by me. As a matter of fact I want co-operative societies to come into being and to play their role in building thousands of houses with the help of Government and encouragement received from the Government. That was the whole idea and I am sorry that my friend the Minister has missed the point which I made yesterday. When I said I would even prefer nationalisation it was not that I made that suggestion. What I said was that Government cannot have it both ways. Let them take the responsibility of providing houses to each and every man and for that, if they consider necessary, they can even nationalise house-building, just as they have done in the case of *zamindari* lands in U. P. But then that will throw on them the obligation to provide shelter to everybody. If they are not prepared to do that then they should try to encourage private agencies to build houses. According to me and according to the conferences held, to which reference has been made by my hon. friend, and according to the recommendations of the enquiry committee which was appointed by the Ministry of Health, it is an agreed thing that if we want private agencies to share the burden of providing more houses we will have to give them proper encouragement. Two obstacles which stand in the way are the Requisitioning of Premises Act and the Rent Control Act. It was suggested therefore by the conference which my hon. friend convened, and by this enquiry committee, and then if my information is correct it was

supported also by the local Government and by the Chief Commissioner's Advisory Council, that in order to overcome the difficulties which we face today we must give an incentive, an encouragement...

**Mr. Speaker:** I am afraid he is referring to the same arguments.

**Shri Deshbandhu Gupta:** I will not take long, Sir. So, my amendment only means that the House thinks in terms of exempting new constructions and the Government takes note of it. Therefore, instead of making it obligatory by moving an amendment—which I think could be moved even according to the ruling which you read if the fourth schedule referring to new buildings is deleted, I leave it at giving the authority to Government to exempt any class of houses. From that point of view Pandit Thakur Das Bhargava's amendment would be quite in order, but in any case that is beside the point now because the Government is willing to consider the point and my hon. friend has an open mind.

I do not wish to take any more of the time of the House, but in moving my amendment I hope we will not be led by slogans, we will not derive pleasure by just branding people as advocates of landlords or of tenants. All that we need is to bear in mind that this is a problem which has to be solved by the combined efforts of the Government as well as of private agencies. I hope my hon. friend and the Government will have an open mind when the matter comes up before the Select Committee, and they will have a constructive approach.

Sir, with these words I commend my amendment to the House.

**Shri Naziruddin Ahmad (West Bengal):** I desire to say a few words, Sir. I have doubt as to the legality of the Bill itself. I do not wish to raise it by way of a point of order.

**Mr. Speaker:** I should like him to make his point clear. When he speaks of doubt about the legality of the Bill, does he mean the original Act or the present amending Bill?

**Shri Naziruddin Ahmad:** The amending Bill. I am doubtful about the legality of this amending Bill by which we want to continue or revive.....

**Shri J. R. Kapoor:** On a point of order. Can this question be raised now?

**Mr. Speaker:** Let me hear the hon. Member for some time and see as to what way he is going. He raises a

[Mr. Speaker]

point on the legality of the measure and is not challenging the ruling of the Speaker—if he comes to that I shall certainly stop him.

**Shri J. R. Kapoor:** At this stage we are considering the amendment moved by Mr. Gupta. We have already taken up the consideration of the Bill stage by stage. The stage of questioning the legality of the Bill was I thought over.

**Mr. Speaker:** Here there is a peculiar situation. The Bill consists of only one clause and what is under discussion is clause 2 along with the amendment of Mr. Deshbandhu Gupta. Therefore, when he says legality of the Bill, it substantially amounts to legality of clause 2—there are no other clauses in the Bill.

**Shri Naziruddin Ahmad:** That is exactly what I mean—the legality of clause 2. Sir, the enactment of this Bill would revive the Act with effect from the 24th March on which date it would have been dead. My point is that to revive the Act would be illegal in view of the following considerations. The original Act when it was passed was certainly legal, but after that our Constitution has been passed. By article 19(1)(f), every person has been given the right to “acquire, hold and dispose of property”. To this some condition is laid down in clause (5) of the article, namely that “reasonable restrictions on the exercise of those rights” may be laid down. The point which I wish to raise is this, that the Act which we are going to continue places certain restrictions on the rights of owners of property to “acquire, hold and dispose of” property, namely that every owner of property is entitled to let it out at a rent which is fixed by agreement; if the rent is not paid, to sue for rent when it is overdue and after giving notice to sue for ejectment unless the right is extinguished by contract. The point is that the restrictions put by the Act on these rights would be “unreasonable”. Reasonable restrictions are laid down in the general law which is to be found in the Transfer of Property Act. The original Act was enacted at a time of emergency when there was an extraordinary shortage of housing accommodation, and, therefore, as an emergency law it was justified on the ground of policy as well as on the ground of the state of the constitutional law then prevailing.

Now the difficulty has been created by treating an emergency law as a permanent measure. What was wanted was the erection of houses. The demand for houses overran the supply, but instead of supplying houses

we are merely trying to prolong an emergency law. The question can be approached from two points of view. Firstly, that the restrictions put upon the rights of an owner of a house or a property by the Act are unreasonable, much beyond what is laid down in the general principles of law not only in this country but in other countries. Secondly, that the disease which is properly diagnosed is not being properly treated by this sort of a continuing make-shift legislation. I do not know what will be the character of the Bill that is to come, but it should take into account the question raised by article 19(1)(f) of the Constitution, as controlled by clause (5) of that article, as well as other relevant articles. Legal opinion should be taken in framing that Bill. The whole point is that we are tinkering with a problem which is essentially a problem of construction of houses. The country needed accommodation but no accommodation worth the name was forthcoming. This House wanted accommodation for the people. The hon. Minister has resourcefully told us, “We cannot give you houses, but we are supplying you with Ganges water through a circuitous route.” What was wanted was house and what is supplied is water. There is a saying in Bengali that a man was thirsty and wanted water. His friend quickly gave a basketful of *bael*. I submit that the erection of houses is not beyond the capacity of the Government.

**Mr. Speaker:** He is going into the merits of the case. It is not, I presume, part of the legality.

**Shri Naziruddin Ahmad:** I am now going into the merits of clause 2. I oppose clause 2. I ask for its rejection. This continuing business is tinkering with the problem. The hon. Minister was charged with negligence and in reply he stated that he was scheming, planning and talking all the time. He said that what has been done is the maximum that could be done, but I submit that the resources of the Government are ample and if they were minded to erect sufficient number of houses and place sufficient money and call upon contractors to do their work or allow sufficient opportunities to owners of plots to build houses on suitable terms, much could have been done. No practical steps worth the name have been taken. I therefore submit that clause 2 should be omitted. In other words, the Bill should be thrown out.

Sir, my purpose is to draw attention to the urgency of the problem. The question as to whether the landlord is good or the tenant is good is absolute-

ly immaterial. There are good landlords and good tenants, but in this case I find that tenants have taken tremendous advantage of the situation and good landlords find it difficult to realise their rent or eject the tenant in suitable cases. All these difficulties stare us in the face and if the House now passes the Bill and lets the old Act continue, the sooner the old Act points urged by me would receive the consideration of the Law Department of the Government.

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

In part (iii) of clause 2, add the following at the end:

"and after the word 'areas' the words 'and to such classes of construction' be inserted."

The motion was adopted.

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

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

The motion was adopted.

Clause 2, as amended, was added to the Bill

**Mr. Speaker:** Before I put clause 1, the Enacting Formula and the Title, I would like the hon. Minister just to request the Draftsman, if he can make, or thinks it proper to make, a slight amendment in the Title. On looking up the House of Commons practice, I find that whenever a Bill is introduced to continue an expiring law, the Title of the Bill does not read "Amending Bill" or "Amendment Bill" but "Continuing Bill" or "Continuance Bill".

**Shri Gadgil:** That will be done.

**Mr. Speaker:** I do not say that it should be done. I am merely asking him to consider whether it is possible to adopt that phraseology and if it is reported to me by the time the Bill goes for the assent of the President that the Draftsman would like to adopt a different phraseology instead of the word "Amendment"—whether it be "Continuance" or "Continuing", whatever might be chosen—that amendment can be made in the final copy in print. I am bringing it to the notice of the House, because I would like to have the amendment carried out with the concurrence of the House, if the House is agreeable to that.

**Hon. Members:** Yes.

**Mr. Speaker:** That is all right then. The question is:

"That clause 1, the Title and the Enacting Formula stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Enacting Formula were added to the Bill

**Shri Gadgil:** I beg to move:

"That the Bill, as amended, be passed."

**Mr. Speaker:** Motion moved:

"That the Bill, as amended, be passed."

**Shri J. R. Kapoor:** I have only one word to say and that is a word of congratulation to the hon. Minister for his having summoned halting courage to accept Shri Deshbandhu Gupta's amendment. He has also held out the assurance that he is prepared to consider as to what reasonable concessions could be given in the matter of new constructions, provided a pretty large number of houses can be built up. In this connection, I would suggest to him to make up his mind and fix a target and place it before the public of Delhi, so that insurance companies, bankers and other capitalists may know as to what number of buildings they should construct in Delhi so as to earn the concessions which the hon. Minister has in view. He may within a week or so call a meeting of these persons and place before them an idea about this. If he adopts that course, I am sure that a 1000 or 500 houses might be constructed within the next six months. I hope the hon. Minister will seriously consider this suggestion of mine. I am not making it in the hope and belief that capitalists would play the game. I am fully conscious of the fact that even after these concessions they will not play the game. But my simple object is that some new houses may be constructed within the next few months. Let us leave the capitalists and their moral notions alone. Let us not worry much about them. They stand condemned and they will stand condemned hereafter. But if only our little purpose could be served, it would be a useful thing.

**Pandit Thakur Das Bhargava (Punjab):** I have to say something on this. While my hon. friend Mr. Kapoor stood up in the third reading to congratulate the hon. Minister, I am sorry that I have to stand up to take back my congratulations, which I offered to him when he initiated this Bill. When he made his first speech, he said clearly that he would allow new constructions to be put up

[Pandit Thakur Das Bhargava]

without this Bill applying to them. After two days, again he comes to the House and says that he has not yet decided it. On that occasion, I congratulated him for his changed opinion, but it so happened that after I had spoken two or three sentences the hon. Mr. Deputy-Speaker asked me to sit down because Shri Deshbandhu Gupta wanted to speak, with the result that I could not continue my speech.

Now, Sir, in the changed circumstances I am afraid I cannot congratulate the hon. Minister. If even after all these speeches, he cannot take a decision as a decision has been taken in Bombay and other places that new houses would be allowed to be built, I do not know what this means. If this decision is changed, it means that the Government are not capable of meeting the challenge which the new situation has thrown out. According to Shri Deshbandhu Gupta Rs. 86 crores are required to meet the situation. I do not think that this Government can for a considerable time to come find this money. At the same time, I must say that this figure of Rs. 86 crores is fantastic in this sense that it is not the Heaven-born citizens of Delhi alone that should be favoured. After all, the situation about housing in the country is almost the same as in Delhi. Therefore, my humble submission is that if the Government are incapable of providing houses, then the only course open to them is that they should encourage private house building activities. When the Government have not even made up their mind in regard to Delhi, one can only feel that the one way in which we can build houses is being closed. I would very humbly ask the hon. Minister as well as the Cabinet to consider this question from all points of view, because I understand that the hon. Minister has changed his view after consultations with the Cabinet. Therefore, my regret is all the greater. My humble submission therefore is that if a decision is not taken by the Cabinet and new constructions are not allowed in Delhi, I fear the problem will not be solved, at any rate, for a long time.

This is not the only thing. The hon. Minister at the time he initiated the original Bill in this House said so many other things. I do not know whether he now stands by them. One of the assurances he gave was that he would allow new constructions to be put up.

[MR. DEPUTY-SPEAKER in the Chair]

I know of several cases in Delhi where people are put to considerable

inconvenience. A gentleman, a retired officer from the Punjab, came to me. He has a fairly big building near the Railway station, built in 1860. That building is not able to take another storey. He is prepared to invest some money, pull down the whole building and construct a new four-storeyed house. But he is not permitted to. He does not want to harass any tenant, but wants to construct a big house for his own use and for use of others over an area of land which covers two kanals. Even that he is not permitted to do.

Another person who came to me complained that he has got a house in New Delhi, which he wishes to sell away. But as the house is requisitioned, it would not fetch even half the price. Such anomalies and hardships have been the result of this legislation.

This is not all. My hon. friend Pandit Mukut Bihari Lal Bhargava submitted to this House some of the reasons why he was not agreeable to this measure so far as Ajmer-Merwara is concerned. I can add some more to them. I do not want at this late stage to take up the time of the House. If a person wants a house for himself I fail to understand what reason there could be for not allowing him to utilise it for his own purpose.

It is quite true that the landlords may be greedy and creating situations in which tenants may not be able to live in their houses peacefully. To that extent such a measure is justifiable. I can understand that, because we know the mentality of capitalist landlords. In this connection I may quote an Urdu quotation:

داندھی سے مونچھ بڑی

which means that the moustache is longer than the beard. I know of instances where tenants take possession of the houses and get more money by way of rent from other persons to whom they sub-let it than the landlord himself. Government was compelled to bring forward a legislation in this House known as the Delhi Premises Eviction Bill, by virtue of which they wanted to take extraordinary powers for its own properties. When the Government is unable to get possession of their properties from ordinary people, how can an ordinary man take possession of his houses from a tenant? What actually happens is that an unscrupulous tenant never delivers possession of his house to a landlord. On the contrary, he takes *pugree* himself and gives possession to some other person, and that some other person hands it over to some other person,

and this goes on. I know of cases where landlords have not been able to take possession of properties for several years. When, as the hon. Minister himself, admitted, about 9,000 cases are before courts of law, there is something definitely wrong with the law. If Government wants to save their own properties from being trespassed upon, it is high time that they brought some measure by virtue of which the private landlords, who by vagaries of the present Act are unable to take possession of their houses, will be helped.

I was a Member of the Select Committee on the original Bill. We devoted a good many days to the consideration of this subject and found certain remedies for certain defects. It would be very wrong if these defects which have now been found out are not remedied now. I am glad Government has promised to bring in a comprehensive Bill to remedy them. In this hope, Sir, I support the Bill, with a heavy heart, because I am not satisfied with this halting amendment.

**Shri Deshbandhu Gupta:** I am thankful to the hon. Minister for having accepted my amendment, although I know, in view of his own assurance which he has given to the House that he would be bringing a comprehensive Bill, that it is of little consequence. Sir, I want to remove one or two misconceptions which my hon. friend has in the matter.

I must congratulate my hon. friend for having taken pains to give in a chronological order the progress made by the Government in regard to buildings etc. He used three words—conception, planning and building. I readily concede that so far as conception goes, he has been thinking and thinking and thinking and he can readily take credit for it. But so far as planning and actual building is concerned, the achievement is not much, though it is far from me not to give him credit for having put up 25,000 houses in two years. We are very thankful to him for the same. But in view of the magnitude of the problem, I must say that it falls very short of the requirement.

My hon. friend said that there is a 'master plan'. I must tell him that when I was referring to a survey or master plan I had the slums of Delhi in mind. I want still to know from him whether he has got a master plan and whether he can say that there is a master plan for the removal of the slums. The evidence that came before us is that there is no such plan and that there has not even been a proper survey.

My hon. friend said that if we were to compare India with other countries and take into account the total number of buildings put up in this country ours would be a larger number. He is obviously committing a fallacy in comparing India with a population of 35 crores with Japan or United Kingdom with a population of 4 and 7 crores respectively.

Then, Sir, I want to make one point quite clear. When I said yesterday that the hon. the Health Minister had not got the interim report for a few weeks after it was submitted to the Ministry, I was relying on the words of no less a person, than the Chairman of the Committee. There are two other hon. Members of this House serving on this Committee, who will bear me out on this point. This is what he gathered after a casual talk which he had in an evening party when he enquired as to what had been done on that Report. It may be that the Chairman did not understand her aright when he told us that the Report had not reached the hands of the hon. Minister although it had reached the Ministry itself and the Report was circulated by the Secretary, without reference to the hon. Minister concerned, to other Ministries. This was all that was told us and this is all that I repeated here. None will be happier than myself if that statement is not correct. I must accept the statement of the hon. Minister who has now said that she had seen the Report the very day it was sent to her. But I would like it to be noted that all that I had said was on the authority of the Chairman of the Committee, and there are two hon. Members here in this House in whose presence that statement was made.

4 P.M.

Then about rent collection, my main charge against the Ministry was that although it is four years and other Provinces have thought it fit to go into the working of the Act and then amended their Acts from time to time, here it has not been possible to do so. All that I wanted my hon. friend to agree to was that it was high time that we should have also amended the Act suitably—this way or that way does not matter. I would even today suggest to him that with regard to these 9,000 cases there should be a sample survey made and let him find out what are the reasons for such a large number of cases. He should have by now known what are the reasons. It is no use our proceeding on mere presumptions or my hon. friend Mr. Sidhva saying that they might have been cases filed by landlords. The whole point here is to understand the problem, so that when we are going

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into the amendment of the Act we should know what type of complaints there have been against the Act. My own feeling is that there has been no survey and no effort on the part of the Ministry to go into this question in detail and then make up its mind as to what we are required to do now. My hon. friend said that he would be quite prepared to take over the charge of collecting rent if he was paid 25 per cent. commission on that. Although I do not own a house, if I had one perhaps under the conditions I would have readily agreed—even though he demands 25 per cent. as collecting charges. Already he is taking 17½ per cent. building charges which is raising the cost of Government buildings in Delhi. But I want to know whether my hon. friend is not himself in arrears of rents to the tune of lakhs of rupees.

**Shri Gadgil:** You are responsible for that. You wanted me not to be strict with regard to unauthorised occupants.

**Shri Deshbandhu Gupta:** My hon. friend says that he is in arrears so far his own buildings are concerned, yet he is prepared to undertake the responsibility of realising the rent for the whole city! Does he mean to say that he will not be faced with a problem of a hundred-fold magnitude?

One word more, Sir. My hon. friend had made a statement, and he evidently misunderstood me when he said that, according to me, in 1947 when my friend's attention was drawn to the seriousness of the problem there was dearth of accommodation only for 150,000 people. That is a mistake. I had referred to the year 1936 when Mr. Hume took charge and made a report. At that time the shortage was about that. It is not that because in 1947 the displaced persons came and so the shortage arose, and all was well till then. The point is that since 1936 when the Improvement Trust was formed till 1947 there had been not much progress. That was my point.

In the end I must say that my hon. friend has been a little unfair to me by suggesting that I was opposed to the substantive Act itself. At no stage did I question the desirability of continuing the Rent Control Act. Nobody in this House did. I had also supported the Act when it was passed. As long as the shortage of houses continues the necessity for the Rent Control Act also will continue. Nobody denies that. All we wanted was how to meet the shortage. I am glad that after all, although hesitatingly as

my friend Pandit Thakur Das Bhargava has rightly described it, he has at least conceded the point that he is prepared to consider the exemption of new constructions so that there may be some contribution towards solving the problem by private agency. Sir, with these words I support the motion.

**Shri Gadgil:** Sir, I have nothing to say in reply. I thank those who have criticized me and congratulated me, both.

**Mr. Deputy-Speaker:** Before I put the motion to the House I wish to say that it has been brought to my notice that the amendment that was moved by Shri Deshbandhu Gupta and that was adopted does not fit in except with a modification, which I shall suggest. The amendment was:

In part (iii) of clause 2, add the following at the end:

“and after the word ‘areas’ the words ‘and to such classes of construction’ be inserted.”

The proviso reads thus:

“direct that it shall cease to be in force in such areas as may be specified”.

The amendment is to insert after the word ‘areas’ the words ‘and to such classes of construction’. If it is adopted as it is, the proviso will read as follows:

“direct that it shall cease to be in force in such areas and to such classes of construction as may be specified.”

It does not fit in. Therefore my suggestion is to insert instead of the words ‘and to such classes of construction’ the words ‘and with regard to such classes of construction’. I am further considering whether the word ‘and’ may be there or, whether the word ‘or’ would be better, so that it will read “direct that it shall cease to be in force in such areas or with regard to such classes of construction as may be specified”.

**Shri J. R. Kapoor:** ‘Or’ will be better.

**Mr. Deputy-Speaker:** It must be only cumulative. I think it is necessary to make this amendment, even at the Third Reading, as it is a formal and drafting modification. May I take it that in that proviso the words “or with regard to such classes of construction” may be inserted in place of the words “and to such classes of construction”?

**Pandit Thakur Das Bhargava:** If you do not mind, the words “or to apply to such classes of construction” will be better. Other-

wise it will be that "it shall cease to be in force with regard to such classes of construction". This would again be meaningless.

**Mr. Deputy-Speaker:** It will read all right—"that it shall cease to be in force with regard to such classes of construction". When the amendment suggested by me is adopted the proviso will read as follows:

"Provided that the Central Government may at any time by notification in the Official Gazette direct that it shall cease to be in force in such areas or with regard to such classes of construction as may be specified in the notification on such date as may be so specified".

I will now put the amendment. The question is:

In the amendment moved by Shri Deshbandhu Gupta and adopted by the House, for the words 'and to such classes of construction' substitute the words 'or with regard to such classes of construction'.

The motion was adopted

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

"That the Bill, as amended, be passed."

The motion was adopted

#### INDIAN TARIFF (AMENDMENT) BILL

**The Deputy Minister of Commerce (Shri Karmarkar):** I beg to move:

"That the Bill further to amend the Indian Tariff Act, 1934, be taken into consideration."

As will be clear from the Statement of Objects and Reasons, this measure is brought before the House with a three-fold object. Firstly to empower Government to impose protective duties by a notification in emergent circumstances, secondly, to grant protection to certain industries and to extend the period of protection to certain others and thirdly to continue for a further period of 3 years the concessions agreed to under the general agreement of Tariff and Trade at Geneva. As the House is well aware, prior to the Protective Duties Act of 1944, a protective duty like any other customs duty could only be imposed by legislation. Now under conditions existing at that time industries were started and developed very gradually while they prepared to face the regular and even flow of imports for which

they were already prepared. But, Sir, a new situation was created by the war and many new industries grew as a consequence of the shrinkage of imports from outside. As soon as the war was over, imports flooded the market and the nascent industries which had gradually risen and developed during the war were in danger of being submerged under this flood. It was realized that unless some action was taken with a view to protect these industries, it would later on be too late to help the industries to stand on their own legs. With that object, a solution was found to invest Government with the power to impose a protective duty by a notification in emergent circumstances, such action being followed up by legislation during the ensuing session of Parliament. These powers were embodied in what is known as the Protective Duties Act of 1946. The measure was designed to meet conditions which it was expected might be merely temporary and as nothing like a permanent policy in respect of protection had been changed, that was initially given a life of only three years. By the time the Act was about to expire, it was found that its provisions were necessary for a little longer and in 1949 it was extended for a period of another two years. That Act is thus due to expire at the end of this month. As the House is well aware, in respect of affording protection to indigenous industries, it has been our policy for a very long time—and experience has shown us that that policy has been a sound one—of imposing protective duties by way of protecting the indigenous industries. There are other methods available. One of them being, for instance, subsidies. But that is not a practicable measure in all cases and to the fullest extent possible. There is also the remedy or weapon of what we know as quantitative restrictions, that is restricting by quantity the imports of a particular commodity in order to protect the indigenous industry. Now, Sir, that also has not been adopted because in the long run it has not been found to be as a policy—judging by other peoples' experience—which is acceptable and of being followed. The Fiscal Commission very recently after a full consideration of this problem has also advised us, as the House is well aware, that protection by way of imposing duties on imports is about the best way of giving protection to an indigenous industry and we have also introduced a measure known as "the Tariff Commission Bill" with a view to place on a firm footing a Tariff Commission in accordance with the recommendations of the Fiscal Commission. Now, Sir, we want



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to have those powers continued, which were given to Government originally by the Protective Duties Act. I am aware that whenever powers are sought to be given to the executive, they are bound to be censured; they are bound to be subjected to scrutiny to see whether the executive is given powers more than necessary. The House is aware that in many of the advanced countries like the United Kingdom, for instance, the executive is endowed with powers of imposing, modifying or lowering the duties. It must be obvious in view of the present circumstances—where as a result of the impetus given during the war, industries are fast springing up, where in the new impetus created under conditions of national freedom, industries are anxious to develop in different fields. But in the old days when industries were slow in development, we could have been content with tardy measures of protection. In this new changed set-up, national as well as international, where on the one hand every other country is very anxious to develop its industry and to step up not only its production but also its exports, it has become necessary for us to be very vigilant about the measures to be taken for protecting our own industries. We cannot just say to ourselves: Well, this Budget session is ended. The autumn session is coming. It does not matter what measure of protection the industry may need. In the meanwhile, we had better wait. We are not living at a time, when we can afford to be tardy with any measure to protect our industries. Government would very much wish that this power be very freely given. The proposals as embodied in the present Bill are very modest indeed and carry with them very sound safeguards. Firstly for instance, the conditions and limitations attached to the discretion that is being given to Government are: firstly there must be a recommendation by the Tariff Board. If there is an institution about which our country could very well be proud in the field of protection, it is the Tariff Board. As hon. Members are aware, the Tariff Board has been functioning in respect of many industries. Its examinations have been sound. It has come to conclusions which in the end all of us found in the majority of cases to be acceptable. Whenever Government wants to exercise this power under the provisions of this Bill there is to be a recommendation by the Tariff Board. That is the first precaution taken. Secondly, the protective duties proposed to be imposed by a notification whenever necessary cannot under any circumstance exceed the amount recommended by the Board, that is to

say Government itself proceed on some judgment arrived at after mature consideration. It does not want to take powers to arbitrarily increase the amount of duties to a larger extent than that proposed by the Tariff Board. The third precaution that has been taken is that whatever the Government does or propose to do, must come as soon as possible, if it has not already come, before the House, the matter must come before the peoples' representatives as early as possible. Therefore, Sir, it has been proposed that any such notification shall be followed by legislation at the earliest possible time and the object of issuing that is obvious and Government is most anxious to leave the rights of this House in all senses unimpaired. Finally the very nature of the measure under consideration or so far as this part of the measure is concerned is to provide us with an instrument to be used in case of an emergency. Whenever it is not possible for Government to place the whole matter before the House, it is only under those circumstances that Government will take recourse to these special powers proposed to be given by this measure. In so far as that aspect is concerned, Government, even after the introduction of this measure, have taken into full consideration all points that could be urged to keep the rights of this House intact. With a view to remove any anxiety in any quarter and to see that Government are not given any greater discretion than is absolutely necessary, I propose, with your permission and with the permission of the House to put before the House an amendment, which, in effect will limit the discretion of the Government to the minimum possible extent. For instance, we propose to move an amendment in respect of para (3) in clause 3A, which is the subject matter of section 2 of this Bill, namely, the portion which begins with "During the session of Parliament commencing after the date of the notification....." and which provides for legislation consequent upon such a notification. We propose to move an amendment providing, firstly, that when the House is in session, a Bill embodying the notification will be introduced within 15 days after the notification is published. If such a measure becomes necessary during the vacation, then, in the session immediately following the vacation, we propose to introduce a Bill within 15 days after the commencement of the session. It may very well be said, that it is always possible to introduce a Bill and see that the Bill is not passed. With a view to avoid any such doubt in any quarter, we propose to move an amendment making provision to the effect that whatever happens after a

Bill is introduced, the particular notification, under no circumstances will have any effect after two months of the introduction of the Bill. That, I think, goes a long way to meet.....

**Shri Goenka:** What a concession!

**Shri Karmarkar:** I do not think it is a right conception that we in the Government are patrons or donors. We are here to meet the wishes of the House to the fullest possible extent and to discharge a duty which we owe to the House. It is not a concession or a patronage or a donation. It is, in our opinion, absolutely necessary to see that the House is seized of the matter as early as possible. I am not at all putting it as a concession. I am putting it as a matter of duty to this House.

**Shri Goenka:** Why was it not put in the Bill then?

**Mr. Deputy-Speaker:** Let the hon. Minister go on.

**Shri Karmarkar:** I think I could answer the hon. Member quite well; but it will be answering his own arguments and I may not proceed with the Bill.

**Mr. Deputy-Speaker:** The hon. Minister may go on.

**Shri Karmarkar:** That is in regard to the first aspect of the matter.

The second aspect is an easier matter. It relates to the grant of protection to certain industries and the extension of the period in respect of certain other industries. The reports of the Tariff Board in respect of these industries have been in the library of the Parliament for a considerable period. In order to facilitate and refresh the memory of hon. Members, we have circulated to the hon. Members brief summaries of the contents of the reports of the Tariff Board. I will not, therefore, repeat what is contained either in the notes or reports in support of our plea for giving protection and extension of protection to some of these industries.

The first industry sought to be protected is Sago, Gibbules and tapioca pearls. The second is Fine Chemicals (calcium lactate). Then, there are, Pencils, Fountain pen ink, Oil pressure lamps and Buttons, studs and cuff links. All these have been very carefully considered by the Tariff Board in the light of the principles that have been decided by Government with the approval of the House. These principles, as the House doubtless is aware, are, first that the industry is established and conducted on sound

business lines and secondly, that having regard to the industrial or economic advantages enjoyed by the industry and its actual probable cost, it is likely within a reasonable time to develop sufficiently to be able to carry it successfully without protection or State assistance, and third, that it is an industry to which it is desirable in the national interests to grant protection or assistance and the probable cost of such protection or assistance to the community is not excessive.

There has been one point to which I might invite the attention of the House and it is this. What has been done in respect of the actual burden falling on the consumer as a result of this legislation will not be any increase in the burden which he is already bearing. In all these cases what have been revenue duties before have now been confirmed as protective duties. One might well ask, what is the difference and if you are already imposing a duty on imported goods of a like industry and if you are not going to increase the duty hereafter how are the industries bettered than before? These duties will be stabilised for a period of three years and two years as the case may be. There is a very great psychological satisfaction to the industries concerned that these duties will not be varied at the caprice of the Government. It is recognised that these industries deserve protection and the conversion of the revenue duties into protective duties will be taken as an assurance by the Government and by this House that these are industries which we will be anxious to protect. The two industries to which protection is sought to be extended are Sericulture and Grinding Wheels and segments.

**Mr. Deputy-Speaker:** You can also vary the quantum of protection to suit the needs of the case.

**Shri Karmarkar:** I entirely stand corrected by you, Sir. The point is that the whole decision is taken on merits. In this case, it was not as if we are formally converting a revenue duty into a protective duty. On merits also, except in one case, which I will indicate, that is in the case of calcium lactate, it was found that the duty would have to be increased to the extent of 111 per cent. to cover the margin between the landed cost of foreign imports and the production cost of the indigenous industry. Partly for the reason that such a burden should not be placed on the shoulders of the consumer, it has been reasonably anticipated that during the next three years, this industry will be in a position, with this protection, to minimise the cost of production by

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stepping up production and therefore in this case also, it has been found reasonable to keep to the duty as it was before.

Sir, I was on the question of Sericulture. Protection was accorded to Sericulture, as this House knows in 1934 for a period of five years. During the war, no enquiry was possible and the period of protection was extended from time to time. In April 1949, the Tariff Board recommended that protection should be continued up to 31st March, 1951. Meanwhile, action has been taken to extend the period up to 31st March 1951. With regard to Grinding wheels, protection, as the House knows, was granted originally in 1949. At that time, there were two manufacturing units. At the present moment, one of them has disappeared and only one remains: Messrs. The Grinding Wheels Co. Ltd. This happens to be an important industry. Grinding wheels are used in a variety of ways. The main users are Railways, machine tool factories, automobile and ship-building factories and foundries. One of the conditions imposed by the Government for the continuation of protection was that the firm should take steps to convert itself into a limited concern. This has now been done. The existing protection is 100 per cent. *ad valorem*. The Tariff Board have reviewed the industry and recommended that the period should be extended by one year.

There is another matter which I would like to mention before the House. Government have reached a decision, after this Bill was introduced, in regard to three industries, the protection to which is due to expire on the 31st March 1951.....

Shri Sidhwa: What industries?

Shri Karmarkar: I am naming them—firstly preserved fruits in which my hon. friend is very much interested, possibly, secondly, artificial silk and cotton and artificial silk mixed fabrics, and thirdly pickers used in the textile industry. The Tariff Board has reviewed these industries and their reports are under examination of the Government. Pending final decision on the recommendations made in those reports, it is considered desirable to extend the protection provisionally for a short period, that is, up to 31st December 1951. Should any change in the duties be found necessary in respect of any of these articles, it could be made immediately by notification under section 4 (1) of the Indian Tariff Act. I have, as you know, Sir, moved an amendment in respect of these.

There is another subject covered by this Bill: that is what is known as GATT, that is the General Agreement on Tariff and Trade, entered into firstly in Geneva and then discussed at Anacere and Torquay. There is some confusion in regard to this in the minds of some people. Sometimes, we mix up Havana Charter with GATT. I would like to draw the attention of the House to the distinction between these two. What we are seeking to do now is not to bring before the House what is known as the Havana Trade Charter, though both the things are running parallel at the same time. I may say for the information of the House that this Charter came up before the Government as early as 1945 and it was considered at various meetings and several economists discussed the matter and advised the Government on it. The first tangible step taken was in London in 1947. A few countries came together and India happened to be one of them. The original object of what is now known as the Havana Trade Charter or the General Agreement on Trade and Tariff as it was conceived by some officials in the United States Government was that there should not be a repetition of what happened in what is called the inter-war period where one country competed with another with a view to save and sustain its own industry and to this end they imposed unreasonable trade barriers in the way of foreign imports. That was the original object out of which this matter started. Now, we were not what might be called an industrially advanced country, though we always refused to call ourselves an industrially backward country—we occupied a rather middle position, being an industrially developing country. Therefore the Indian Government all along did its best both in the provisions of the Havana Charter and in the General Agreement on Trade and Tariff, our representatives always struggled to see to it that just as it was necessary to avoid repetition of what happened in the inter-war period in respect of trade barriers, just as it was necessary to have free flow of goods and to see that no unreasonable barriers are created, or are permitted to be created by the arbitrary action of any country, so also it was equally necessary to see to it that the interests of the economically undeveloped countries are not neglected. Both in England and in Geneva and at Havana there was a sort of perpetual struggle between the industrially advanced countries who were much more interested in seeing that the trade barriers were removed, and the undeveloped countries which were keen on developing their industries. There was practically a strug-

gle between these two sections that in respect of what is known as quantitative restrictions each party should have its own way. It is obviously in the interest of an industrially advanced country which is always interested in the export of its products to see to it that no other country uses restrictions curtailing the imports arbitrarily. And so they tried to see to it that quantitative restrictions was a matter of the past. On the other hand the undeveloped countries struggled to retain quantitative restrictions with a view to safeguard this weapon to advance their own case for economic development. Ultimately it was decided that the industrially advanced countries should concede this point and they made two very good and big exceptions in favour of the undeveloped countries. Firstly in respect of those industries which have been developed during the war time any country could adopt quantitative restrictions to protect its own industries. Secondly wherever raw material is available, the processing industries arising out of that raw material should be there and should be free from the prohibitive and quantitative restrictions. Ultimately, as a compromise between these two groups an agreement was evolved and that is what is called the Havana Trade Charter. But there were difficulties in the way of bringing the organisations known as the international trade organisations into actual effect. Rules were laid down regarding the conditions under which the Charter would come into force. In the meantime those countries who realised the essential value of putting into effect the operative parts of the Havana Charter entered into multilateral agreements by means of initial bilateral agreements. Ultimately the concessions available were made available to all the countries who were parties to these negotiations.

Now, there is a common misapprehension with regard to the GATT and the concessions involved in this agreement. We are asked many a time what has been the loss sustained by India on account of this GATT. Or in other words, what has been the result of this trade agreement? We have come to a sort of agreement with other countries saying that in respect of imports from them, we shall reduce our customs revenue by so much per cent, say 5 per cent or 10 per cent, whatever it may be. Doubtless we lose customs revenue on that. But it is not as if some money is lost to someone else. It simply means this that if we were deriving Rs. 100 as customs revenue in a particular year we taxed the consumer to a certain extent in that particular year. If we made it

90 then we got 10% less from the consumer and to the extent to which the Government loses to that extent the consumer gains. The advantage that the exporting country gets is this. If we reduce the duty a little on, say motor cars or radios or something else, then it becomes much more possible for the consumer here to buy that article because it becomes cheaper. There is a possible step-up of the exports. This position is borne out by the income figures and the expenditure figures. We have to consider that in such a case we have neither gained anything nor have we suffered any loss. In these bilateral agreements, as much as we lose so much we gain. That is the principle on which we are likely to arrive at ultimately. Well, as I said they were all converted into multi-lateral agreements binding all the parties to the agreement. What happened?

We in India are now at a stage when we have ceased to be considered in terms of an exporting country, exporting only raw materials. We have now to think in terms of exporting our finished products as well. It is obvious that if our exports are to prosper, if our industries are to expand, then it is in our interest to see to it that it is made impossible for neighbouring countries or other countries who may be prospective customers to impose any quantitative restrictions. Suppose country A to which otherwise our goods would have gone, says that it will not have a single item of this commodity from India which it can say if we are not members of this General Agreement on Trade and Tariff, what will be the position? Now as much as 80 per cent of the world's foreign trade is between the countries which are members of this organisation. And our future interests lie in extending our exports not in raw materials but in finished products and therefore it is to our benefit to approve of it and see to it that it becomes difficult for any other country to impose quantitative restrictions on your commodity. They will not say that if they want to continue as members of the organisation. That, to my mind, is the principal advantage of being a member of the GATT. It is not exactly a monetary advantage, because the monetary advantage is not very much. For instance the consumer of, say tea in the U. K. will get tea a little cheaper than otherwise and some other article we will get some 5 or 10 per cent cheaper than before. That is what happens in the GATT. Ultimately the real advantage is since we are a fast industrially developing country, our interest is to see that there are no barriers in the way of our extending our exports.

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Therefore it is to our advantage to be party to the GATT. That is the reason why the Fiscal Commission also advised us that it is in our interest and would benefit the nation.

That is what I have to say about the third aspect of the proposition.

These are the three principles upon which this measure is proposed. There are a few miscellaneous matters seeking clarification here or there or seeking to remove a lacuna here or there. They are not very important and I do not propose to take up more time of the House in referring to them in any detail.

Sir, I should say one word with regard to the amendments. We have very carefully considered them. So far as amendments relating to consequent legislation is concerned I have already placed before the House an amendment which I will move at the appropriate time. As regards the other amendments relating to formal alterations in language, we have considered them very carefully and found that the public interests would be better served by retaining the present language. There is an amendment which says in respect of emergency action that it should be taken when Government is satisfied. The proposed amendment is "when Government is of opinion." We do hold that Government should be satisfied on good grounds that emergency action is necessary. But the words "is of opinion" is very weak. After giving careful attention to all these amendments in respect of both form and substance it is my duty to tell the House that we do not find it possible to accept them. As regards my own amendments, one of them I have tabled and another I have the intention of moving and there is also a third one. The reason why this measure is not to be permanently placed on the statute book is that we depend on the reasonableness of the Parliament existing then and the reasonable need of the industry to be protected and the reasonable measure of emergency that may possibly arise in respect of industries to be protected. Therefore we are quite content to have the power for the time being and section 3(a) may be there on the statute book for two years only. I am drawing particular attention to this fact lest the matter may be traversed over again during the course of the discussion.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Indian Tariff Act 1934, be taken into consideration."

**Shri T. T. Krishnamachari (Madras):** I heard my hon. friend Mr. Karmarkar with the attention that a speech like the one that he made deserves. I would like at the outset to congratulate him on the masterly way in which he dealt with a difficult problem. I must say that I have nothing to find fault with in regard to his proposals for granting protection to certain industries. I must also express my admiration for the manner in which he explained to the House the principles underlying the General Agreement on Trade and Tariff and also the Havana Charter, knowing as I do that he is most competent to do it, having been a member of the delegations that went to the various conferences in that regard.

But I must say that I am extremely disappointed that a former colleague of mine in the back bench should after translation to the celestial heights muster enough courage to support a proposition which in 1951, in a Parliament supported by a Constitution and in a House which has got ultimate control over the destinies of this country, he asks us to accept and give our approval to.

Sir, I have been in this House for a fairly long number of years. In the days when you and I were in the opposition we used to fight for protection of nascent industries which needed protection at the hands of a foreign Government. I remember that year after year I used to bring forward to the notice of the then rulers all their promises made in 1942 that industries started during the war would be protected. But no adequate protection was given until a Tariff Board was appointed in 1945, which was followed by the Protective Duties Act of 1946. I was not in the House at that time but I have read the proceedings. I have seen that very eminent Members of the previous House had taken part in it and I believe the Deputy Speaker also participated in it. But circumstances today are totally different from the circumstances that obtained in 1946 and even if one peruses the Act passed in 1946, which was for a period of three years and was subsequently extended for two more years, he will find that the present Bill is not an improvement on it as in clause 2 of this Bill one finds that our popular Government in their firm belief of their own popularity and their ability to convince the Members of this House of their *bona fides* seem to have felt convinced that it was quite enough, if they say that when the Parliament assembles they will introduce a Bill. The very fact of introduction was enough, whether the Bill was passed or not. I am however very happy to

hear, because we are always thankful for small mercies, that my hon. friend Mr. Karmarkar has sought to incorporate the halting provisions of the original Act, in his proposed amendment to clause 2 which is now sought to be continued, whereby some kind of legislative sanction will become obligatory. It is a great concession, though to any person who has had occasion to refer to the original Bill it is no concession at all. Actually I do not know how any draughtsman thought that clause 2 of this Bill would ever pass muster in any intelligent legislature. It shows that my hon. friend the Minister for Commerce and Industry and his Deputy are ill-served not merely by the drafting department of the Government of India but also by their own department, who have not scrutinised this particular measure. Anyway I do not want to labour that point, since the Mover proposes to amend it.

There is one moot point in regard to this particular matter which I would like to raise. It is all quite true that most of us want protection to be given to industries, protection which the Tariff Board considers as reasonable and adequate. But then we are not in 1946. The Central Assembly in those days used to assemble twice or thrice a year for short sessions except for the Budget session. We expect this Parliament to be almost continually in session, seven or eight months in a year, and we want to make it obligatory on the part of Government, whichever party is in power, to make this Parliament to be in continuous session, because we do not want to allow them to govern as they like. And here I would like to utter one word of caution, though it might be mentioned that I could only claim the right as a person who by mere process of time and elimination has become sufficiently senior to be in a position to utter that word of caution. We here, both in the Parliament and in the Government, are proceeding in two opposite directions and if we proceed in those directions unfettered, nothing but disaster will ultimately overtake us all. In a popular Government, the members thereof who were probably back-benchers like me a few days ago now sit in the front bench the moment they get into office the advice of their advisers or their secretaries becomes sacrosanct. I have nothing to say against the Secretaries as such. The Secretary wants to get things done expeditiously and naturally he suggests ways and means in which things could be done expeditiously. But Parliamentary democracy is a slow form of Government, and we cannot be impatient. In fact I thought I might miss the

chance of speaking today because the other Bill before this might not have gone through. That cannot be helped: Parliamentary business has to go on in that manner. But it is better for the Ministers, their Secretaries, Joint and Deputy Secretaries to realise that the safest way of carrying the Parliament with them is not to try to bypass it but to take it along with them. The other aspect which I think is even more dangerous is this. I would ask my hon. colleagues in this House to forgive me if I tread on anybody's corns.

We in this House and in the Committees attached to it sometimes feel that we can interfere in the day-to-day administration of this country. We would like to have a little more power, but yet we would pass a measure of this nature which practically gives away—signs on the dotted line—the right to legislate to Government on matters very important. At the same time we would like to interfere in the appointment of this person or that person, in trying to dictate some policy in regard to some particular Ministry, and as a consequence we go on pitching into some individual officer who we think is not behaving properly, and start a game of heresy-hunting. Well, if heresy-hunting goes on, the obvious result will be that the administration will break down, as the administration will truckle to the desires of Members of Parliament. They will try to meet them in the various ways in which only they can meet, and ultimately the administration and the country will suffer.

But how are we going to stop the two cross-currents assuming greater momentum? Well, we are ignorant, we are a mass of people who are likely to be led away by temptations. But here are people in the Cabinet selected, hand-picked men on whom responsibility is put, and often time they justify that responsibility by becoming extremely sober and conservative. Why do they not at any rate stand up and say, "Well, so far as we are concerned, we will check our proclivities to grab from Parliament its legitimate power, and let the Members of Parliament in due course understand that we must be left free to deal with the day-to-day administration, and heresy-hunting in regard to any particular set of officers should not start." Sir, I do this in all humility, because I see that these trends are very dangerous. The Government is seeking today to get more powers, but supposing we do give them the powers? Let me take this particular measure before us.

[Shri T. T. Krishnamachari]

There is an old Act which gives similar powers, powers of a similar nature subject to the modifications that my hon. friend proposes now. But is that necessary? An hon. friend, in explaining the provisions, told me, "Well, the Government must have executive powers because once they say they are going to increase the duty on any article and bring forward a Bill there will be speculation." I want to tell the House that that argument would not hold good because this is subject to the Tariff Board making an enquiry. And Tariff Board reports are not secret, even though they should remain secret until they are published. Practically every vested interest in this country knows what the trend of the report of any enquiry will be and they probably may even have read the report before its publication. For that matter, I may tell my hon. friend that in regard to the report on the sugar industry, I knew long before many people knew of even the paragraphs to which the Government objected, which they wanted the Tariff Board to sort of erase from their report. These secrets are public property. If Cabinet secrets are not Cabinet secrets, you cannot expect Tariff Board reports to remain secret. So, if the speculator wants to speculate, he can speculate in the belief that the Tariff Board report will be accepted by the Government. Secondly, granting that once a Bill is introduced there will be speculation, there is nothing to prevent my hon. friend, Mr. Karmarkar, instead of bringing a Bill with the provision of clause 2 as it is today, to put in the wording of the Provisional Taxes Collection Act which is the one that is followed in regard to the Finance Bills. On the 28th February the Provisional Collection of Taxes Order comes into being and even if we change the contents of the Finance Bill all that has to be done is to refund the taxes collected if the taxes collected are more than what they ought to be when the Finance Bill becomes law. Well, some such thing is possible. After all, human ingenuity and the ingenuity of my brilliant friends on the Treasury Benches and their advisers is quite equal to devising a scheme by which some such provision can be incorporated in this Bill. But on the other hand the treasury bench says, "This power was given to an alien Government in 1946, why should we not have it?" I say again, I am one of those who never liked the alien Government but I am one of those who feel very unhappy that inspite of the fact that aliens have gone their influence still remains dominant in this country. I am one of those who feels very unhappy because I find that the British

economic stranglehold on this country is tighter than it was in 1946, that my hon. friends in the front bench when they see a white face, melt like butter. And as I said yesterday, it is only in a country like ours with a popular Government that foreign interests like Dunlops and Firestone can flourish, where the poor planter, planting labour and the poor investor in those planting industries have been suffering for a period of years. So, the fact that the Government has changed does not mean that the outlook of the Government has changed. We are now more careful. We do not want to tread on the corns of vested interests because our relationship with the Commonwealth might snap.

Therefore, it would be wrong for us to give our approval to the provisions of clause 2 on the mere supposition that it is a popular Government that sponsors it; that we did it in the case of a foreign Government and we should do likewise in the case of a popular Government. As I said before, a popular Government has to keep the Parliament continuously in session and therefore they could come to Parliament at any time they want. The other factor is this. A popular Government is far more prone to the pressure of powerful interests than the previous Government was. So far as the foreign Government was concerned, they were prone to the pressure of only one interest, that was the British interest. Our popular Government is prone to the pressure that is brought upon them by diplomatic interests, by Indian capitalist interests and all kinds of interests. Sir, I can say in this House that last year when the Finance Bill was introduced I objected to a particular provision. I took up the matter with Members of Cabinet. I did get a very patient hearing, but still the matter was too late, the promise was given, the Cabinet was committed, the Government was committed, and so the House had to be committed *ipso facto*! Well, I will ask my hon. friends on the Treasury Benches: Do they envisage that with a Party which belongs to them in power in the House, it is possible for the House to say, "We will not accept a *fait accompli* for which the Ministry has been the cause?" No, it is not possible. Even though I might have a conscientious objection, to support Government action I would stay away from the debate rather than get up and oppose a measure which seeks to put the *imprimatur* on an action taken by my hon. friend the Minister of Commerce and Industry. Even while it was a *bona fide* action, it was nevertheless a mistake. The very idea

of Parliament—unless its opposition is very strong—ever revising or countermanding executive action by a Government of this nature is very remote. Therefore, I plead, as this is also a matter of educating our people to discharge their responsibilities adequately, do not fetter the freedom that Parliament will have—leave it to Parliament, when it meets, to impose or not the duty by a Bill. The moment a Bill is introduced and the Parliament gives its approval to such introduction and then protection can come into operation to be rescinded or amended as the Parliament chooses when it passes the Bill.

Sir, I have no time left. There are one or two points on which I would like to expand, but I do not think it is possible. There are other Members in the House better versed than I am in this particular matter....

**Shri Sondhi (Punjab):** Why do you not continue tomorrow?

**Shri T. T. Krishnamachari:** I am afraid I have not got the good fortune....

There was one reference made by my hon. friend about U.K., that such-and-such a thing was done there. But might I mention to my hon. friend that in U. K. delegated legislation was watched very carefully? There was a Committee there, a Parliamentary Committee, which was assisted by Sir Cecil Carr who is a noted authority on delegated legislation and who is a Counsel of the Speaker of the House

of Commons. The Committee reviews all delegated legislation very carefully. I do not think any such position is available here. Sir, we have given powers to Government in regard to export duties the other day, but export duties are of a different category altogether. Pressure groups are not quite so powerful or are not quite so interested there, and in any event things change very rapidly in the Export markets which needs quick action. But so far as import duties are concerned which have to be supported by the recommendation of the Tariff Board I do not think those emergency provisions are necessary particularly in view of the fact that Parliament is likely to sit most of the time during a year. I would earnestly plead with my hon. friend the Mover, and with his senior the Minister who is present here, that they had better drop this particular clause, and not to tinker with it so that we could have some notional satisfaction that we have been able to persuade the Government to dot the i's and cross the t's. Let them make a beginning from now onwards that they will trust Parliament to do the right thing and not increase the number of delegated legislations in the Statute Book.

5 P.M.

Sir, subject to these observations I support the motion.

*The House then adjourned till a Quarter to Eleven of the Clock on Wednesday, the 21st March, 1951.*