

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME VII, 1951

(2nd April to 16th May, 1951)

Third Session (Second Part)

of the

PARLIAMENT OF INDIA

1951

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CORRIGENDA

In the Parliamentary Debates (Part I—Questions and Answers) Third Session of Parliament (Second Part), 1951,—

In Volume VII—

1. No. 1, dated the 2nd April, 1951,—

(i) कालम २७८२, पंक्ति ३, "हम" के स्थान पर "इस" पढ़ें ।

(ii) - کالم ۲۷۸۳ نہجے سے سطر ۸ میں "بھی" کے بجائے "اسی" پڑھیں۔

(iii) Col. 2807, line 30 for "Archaeological" read "archaeological" and line 5 from bottom for "Ttransport" read "Transport".

2. No. 7, dated the 10th April, 1951,—

(i) कालम ३०३२, नीचे से पंक्ति ४ "बगैर" के स्थान पर "बगैरह" पढ़ें ।

(ii) Col. 3055, lines 16 and 17 for the word "Consituation" read "Constitution".

3. No. 8, dated the 11th April, 1951,—

कालम ३१२५, नीचे से पंक्ति ९ "यागिज्य" के स्थान पर "वाधिज्य" पढ़ें ।

4. No. 11, dated the 16th April, 1951,—

(i) Col. 3230, line 27 from bottom for "ment" read "meant".

(ii) Col. 3244, line 23 insert "of" after the words "abolition of any".

(iii) कालम ३२५१, नीचे से पंक्ति २ "श्री जागडे" के स्थान पर "श्री सापडे" पढ़ें ।

(iv) Col. 3254, line 14 for "yards" read "years".

5. No. 12, dated the 17th April, 1951,—

Col. 3267, line 24 for "clerllago" read "clerkage".

6. No. 13, dated the 18th April, 1951,—

(i) Cols. 3301 & 3302, lines 22 from bottom and 24 respectively for the words "statu-
tary" and "statutory" read "statuary".

(ii) Col. 3330, line 21 for "landing" read "landed".

(iii) Col. 3340, lines 16 and 18 for "manzas" read "mouzas".

7. No. 15, dated the 20th April, 1951,—

Col. 3402, line 2 from bottom for "Cureh" read "Church".

8. No. 16, dated the 21st April, 1951,—

Col. 3447, for the existing line 24 substitute "ship Scholarship ; and "

9. No. 17, dated the 23rd April, 1951,—

(i) Col. 3478, line 27 from bottom for "so" read "of".

(ii) Col. 3491, between lines 4 and 5 from bottom insert new line "and (iii) Raw materials during the period October 1950 to February".

10. No. 19, dated the 25th April, 1951,—

(i) Col. 3548, for the existing line 20 from bottom substitute "satisfaction of Members. It is the".

(ii) Col. 3556 for the existing line 1 from bottom substitute "Indian Rupee or Sterling ?" and for line 26 from bottom substitute "meet for the first session. Accord"

- کالم ۳۵۱۳ نہجے سے سطر ۱۱ و سطر ۲۶ کے بجائے "د طور پر" پڑھیں۔

11. No. 20, dated the 26th April, 1951,—

(i) Col. 3621, line 7 from bottom for the figures "1,420" read "41,420".

(ii) Col. 3626, line 1 for "condeming" read "condemning".

12. No. 22, dated the 28th April, 1951,—

Col. 3687, line 26 for "complete" read "compete".

13. No. 26, dated the 3rd May 1951,—

Col. 3881 for the existing line 17 from bottom *substitute* "and Supply (Shri Gadgil):(a) 105".

14. No. 27, dated the 4th May, 1951,—

Col. 3925, line 25 from bottom for "fireman" read "firman".

15. No. 30, dated the 8th May 1951,—

(i) Col. 4041, for the existing line 15 from bottom *substitute* "(c) No, as none is considered neces-".

(ii) Col. 4042, line 31 *insert* "such" before the word "circums-".

16. No. 31, dated the 9th May, 1951,—

Col. 4087, line 21 for "Rama" read "Rana".

17. No. 32, dated the 10th May, 1951,—

(i) Col. 4124, line 20 from bottom for "member" read "number".

(ii) Col. 4129, line 21 for the words "having come" read "coming out of", lines 6 & 8 from bottom for the figure "1.4.51" read "15.4.51", and for "15.4.51" read "1.4.51" respectively.

- (iii) कालम ४१३३, पंक्ति १२ "नियम" के स्थान पर "नियंत्रणों" पढ़ें ।

18. No. 33, dated the 11th May, 1951,—

(i) Col. 4150, line 10 from bottom for "of" read "to".

(ii) Col. 4161, line 17 for the figure "85" read "185".

(iii) Col. 4162, line 24 for "in view of" read "in lieu of".

19. No. 36, dated the 15th May, 1951,—

(i) Col. 4270, line 30 for "pait-mixture" read "paint-mixture"

(ii) कालम ४२८८, पंक्ति २८, "*२९५" के स्थान पर "२९५" पढ़ें ।

(iii) कालम ४२८९, नीचे से पंक्ति १९, "बद्य" के स्थान पर "लाद्य" पढ़ें ।

PARLIAMENT OF INDIA

The-Speaker

The Honourable Shri G. V. Mavalankar.

The Deputy-Speaker

Shri M. Ananthasayanam Ayyangar.

Panel of Chairmen

Pandit Thakur Das Bhargava.

Shrimati G. Durgabai.

Shri Prabhu Dayal Himatsingka.

Sardar Hukam Singh.

Shri Manilal Chaturbhai Shah.

Secretary

Shri M. N. Kaul, Barrister-at-Law.

Assistants of the Secretary

Shri A. J. M. Atkinson.

Shri N. C. Nandi.

Shri D. N. Majumdar.

Shri C. V. Narayana Rao.

GOVERNMENT OF INDIA

Members of the Cabinet

- Prime Minister and Minister of External Affairs—The Honourable Shri Jawaharlal Nehru.**
Deputy Prime Minister and Minister of Home Affairs and the States—The Honourable Sardar Vallabhbhai Patel.
Minister of Education—The Honourable Maulana Abul Kalam Azad.
Minister Without Portfolio—The Honourable Shri C. Rajagopalachari.
Minister of Defence—The Honourable Sardar Baldev Singh.
Minister of Labour—The Honourable Shri Jagjivan Ram.
Minister of Communications—The Honourable Shri Rafi Ahmad Kidwai.
Minister of Health—The Honourable Rajkumari Amrit Kaur.
Minister of Law—The Honourable Dr. B. R. Ambedkar.
Minister of Works, Mines and Power—The Honourable Shri N. V. Gadgil.
Minister of Transport and Railways—The Honourable Shri N. Gopalaswami Ayyangar.
Minister of Industry and Supply—The Honourable Shri Hare Krishna Mahtab.
Minister of Food and Agriculture—The Honourable Shri K. M. Munshi.
Minister of Commerce—The Honourable Shri Sri Prakasa.
Minister of Finance—The Honourable Shri Chintaman Dwarkanath Deshmukh.

Ministers not in the Cabinet.

- Minister for the purposes of agreement between the Prime Ministers of India and Pakistan of the 8th April, 1950—The Honourable Shri C. C. Biswas.**
Minister of State for Transport and Railways—The Honourable Shri K. Santhanam.
Minister of State for Information and Broadcasting—The Honourable Shri R. R. Diwakar.
Minister of State for Parliamentary Affairs—The Honourable Shri Satyanarayan Sinha.
Minister of State for Rehabilitation—The Honourable Shri Ajit Prasad Jain.
Deputy Minister of Communications—Shri Khurshed Lal.
Deputy Minister of External Affairs—Dr. B. V. Keekar.
Deputy Minister of Commerce—Shri Dattatraya Parasahuram Karmarkar.
Deputy Minister of Defence—Major General Himatsinghji.
Deputy Minister of Works, Mines and Power—Shri S. N. Buragohain.
Deputy Minister of Food and Agriculture—Shri M. Thirumala Rao.

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

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PARLIAMENT OF INDIA

Thursday, 12th April, 1951

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

[MR. DEPUTY-SPEAKER in the Chair].

ORAL ANSWERS TO QUESTIONS

TRAIN DERAILMENT

*3060. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state whether a B. N. Railway train which left Bombay on the 22nd December 1950 was derailed at Manharpur station?

(b) If so, what were the reasons and was any damage caused?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes; three bogie carriages of 1 Down Calcutta Mail, viz., the 2nd, 3rd and the 4th from the engine derailed at Manharpur station at about 4-0 hours on 23rd December, 1950.

(b) The accident was caused by the breakage of a journal of the luggage van which was second from the engine on the train. The approximate cost of damage to rolling stock and permanent way amounted to Rs. 5850.

Shri Sidhva: May I know whether this was the only one accident to this train or whether there were more than one accident?

Shri Santhanam: At one time I think a train can have only one accident.

Shri Sidhva: I could not follow the answer, Sir.

Mr. Deputy-Speaker: There can be only one accident to one train at one time.

Shri Sidhva: Am I to understand from the hon. Minister that from 30 P.S.

Bombay to Jamshedpur (where this accident occurred), there was only one accident? May I know whether there was another accident immediately the train left near Kalyan as a result of which the train was detained for four hours?

Shri Santhanam: This particular question was about derailment at Manharpur station and I have given the reply. Now he has come to Kalyan—I have no information about any accident near Kalyan.

Shri Sidhva: My question relates to the same train and the same Railway. My point is this. This train left Bombay on the 22nd December and arrived at Kalyan where it was detained for four hours.

Mr. Deputy-Speaker: Why could it not have been put down as part of this question?

Shri Sidhva: But is it not germane to the question?

Mr. Deputy-Speaker: I find hon. Members want to reserve something to spring a surprise upon the hon. Minister. The present question could have been put down as a part of the main question so that the hon. Minister could come prepared.

Shri Sidhva: He should have come prepared.

Mr. Deputy-Speaker: The train may be a small one but the railway line may run to thousands of miles. Is he to be ready with information on all the accidents on the route?

Shri Sidhva: No, accidents to that particular train.

Shri Santhanam: Owing to this accident the 1 Down train was delayed by 4-20 hours at all the other stations.

Shri T. Husain: Has any judicial or departmental enquiry been made?

Shri Sauthanam: There was no loss of life or injury, and therefore there was no judicial enquiry. Of course, all such accidents are enquired into departmentally.

SUGAR CONTROL

*3061. **Shri Sidhva:** (a) Will the Minister of Food and Agriculture be pleased to refer to the announcement made in the last session that certain instructions were sent to various State Governments regarding the control of sugar and state how many States have accepted and followed the Government of India's instructions regarding sale of sugar in the open market?

(b) What steps have Government taken with those States which have not yet followed the Government of India's instructions?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The Government of India's policy regarding free sale of sugar side by side with rationing has been implemented in all the States.

(b) Does not arise.

Shri Sidhva: May I know if the hon. Minister can tell me that in all the States in the free market sugar is available in any quantity that the consumer desires?

Shri K. M. Munshi: How can I say in any quantity? Whatever quantity is there, is available.

Shri Sidhva: What is the total quantity released? Can I have any idea?

Shri K. M. Munshi: Fifty thousand tons.

श्री द्विवेदी : शक्कर का जो कोटा हलवाईयों और मिठाई बनाने वालों को दिया जाता है वह कंट्रोल रेट पर दिया जाता है या ब्लैक मार्केट रेट पर ?

[Shri Dwivedi: Whether the quotas of sugar allotted to the confectioners are given at the control rates or at the black market rates?]

Shri K. M. Munshi: It has been the practice to allot a very small quota of rationed sugar to the *halwais*. I don't think there is control on the price of this and I don't think in India it is possible to do so.

ठा० लाल सिंह : चूँकि शक्कर सब को बाझायी से मिल सकती है, इसलिये क्या

गवर्नमेंट यह सोच रही हैं कि यह कोटे बन्द कर दिये जायें ?

[Thakur Lal Singh: Whether the Government are contemplating to discontinue the allotment of quotas in view of the fact that sugar can be obtained easily?]

Shri K. M. Munshi: As a matter of fact, that was under consideration, but this year there was a sort of an assurance given that we will ration it on the old scale. So it was thought inadvisable to do so.

Shri M. C. Shah: May I know how much sugar has been imported and whether that quantity has been put in the free market?

Shri K. M. Munshi: The quantity imported,—of which the exact figure I cannot trust my memory to say, but I said it on the last occasion—is part of the Government ration stock. It is not to be on the free market.

Shri Bharati: May I enquire what is the total quantity released in the State of Madras for open market sales from the mills in Madras?

Shri K. M. Munshi: Notice.

Shri Rathnaswamy: May I know whether the existing restrictions on the price and movement of sugar have been removed within the Bombay State?

Shri K. M. Munshi: The inter-state ban with regard to sugar was imposed in view of our experience in 1949 when a considerable amount of sugar was smuggled out of the country. The inter-state ban was put four months ago. Now we are trying to revise it in view of the fact that the sugar season is coming to an end, but some kind of inter-state ban will have to be imposed, otherwise we might have a repetition of what happened in 1949.

Shri Rathnaswamy: Is it a fact that the ban on the production of *khand-sari* sugar has also been removed?

Shri K. M. Munshi: I don't think there was any ban on the production of *khand-sari*, but as regards its inter-state movement the matter is under consideration.

Shri Chattopadhyay: May I know whether instruction has been issued to the State Governments to issue sugar in the rural areas on production of ration cards and whether that instruction is followed by the U.P. Government?

Shri K. M. Munshi: I should like to have notice of that question.

Dr. Deshmukh: May I know what are the difficulties in lifting the control on sugar at the present time, and does not the hon. Minister think that if the control is lifted sugar will be available at cheaper rates?

Shri K. M. Munshi: I think the hon. Member should give me an opportunity to collect the facts and think over the matter.

Shri T. N. Singh: May I know whether Government have made any study of the trend of prices in regard to uncontrolled sugar and whether it has been going up?

Shri K. M. Munshi: The Government is watching the trend of prices of the free market sugar. When certain releases are made naturally, the prices go down, then after a few months or a few weeks the prices tend to rise.

Shri Sidhva: May I know whether it is the intention of the Government to keep the imported sugar in reserve and not put it in the free market?

Shri K. M. Munshi: It is not so. As soon as that comes that is released and what is produced in the country is kept back. The idea will be that if we go on as economically as this there will be a fair carry-over in next November.

Sardar Sochet Singh: What is the total additional production of sugar over and above the 107 per cent. which the mills are expected to supply to the Government for rationing purposes?

Shri K. M. Munshi: Well, there has been an excess of production over the basic quota. I am referring to the basic quota.....

Sardar Sochet Singh: Not the 107 per cent.?

Shri K. M. Munshi: No, and the basic quota has been a little different according to the year, 1948-49 or 1949-50. But the present one is about one lakh tons.

Shri T. N. Singh: Are Government aware that out of the released uncontrolled sugar, there is a tendency for quite a big proportion to go down into the blackmarket for cornering purposes?

Shri K. M. Munshi: I do not know all that. All that I knew was that there was a certain amount of black market in this free sugar.

Shri Bharati: Was there a basic quota fixed originally and was it sub-

sequently increased? Also, have releases of sugar for sale in the open been started for Madras State and if so, since when?

Shri K. M. Munshi: In the month of February, there was a notification setting out the basic quota for each factory. Since then, a certain proportion is being released subject to the general reserve, so that in case the shortfall is greater Government can meet the situation. So far as Madras is concerned, I want notice.

ADULTERATION OF GHEE

***3062. Pandit M. B. Bhargava:** (a) Will the Minister of Food and Agriculture be pleased to state whether the Government of India have appointed a Committee for finding out ways and means to put a stop to the adulteration of pure ghee by admixture of Vanaspati and vegetable oils as announced by the hon. the Prime Minister in the autumn session of Parliament in connection with the non-official Bill for the prohibition of the manufacture and import of Vanaspati?

(b) If so, who are the Members of such a Committee and what progress has this Committee made in its work and by which date is it likely to submit its report and if no committee has been appointed, what are the reasons therefor?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Yes.

(b) The following are the members of the Committee:

- (i) Hon. Shri M. Thirumal Rao, Deputy Minister of Food and Agriculture... Chairman.
- (ii) Shri Prabhu Dayal, Himmat-Singka, M. P. Member.
- (iii) Pt. Thakur Das Bhargava, M. P. Member.
- (iv) Dr. S. S. Bhatanagar, Secretary to the Government of India, Ministry of Natural Resources and Scientific Research. Member.
- (v) Dr. V. N. Patwardhan, Director, Nutrition Research Laboratories, Coonoor... Member.
- (vi) Dr. V. S. Subramanian, Director, Central Food Technical Research Institute. Member.
- (vii) Dr. N. N. Godbole, Director of Industries, Rajasthan Union. Member.
- (viii) Dr. D. V. Karmarkar, Technical Adviser, Ministry of Food and Agriculture. Member (Secretary).

The first meeting of the Committee was held on 10th April, 1951, and it is not possible at this stage to say when the Committee will be able to submit its report. Dr. P. C. Ghosh was requested to be a member, but he has declined. It is proposed to appoint Shri Satis Chandra Das Gupta in his place. It is not possible at this stage to say when the Committee will be able to submit its report, but it is going to do it as early as possible.

Pandit M. B. Bhargava: When was this Committee appointed?

Shri K. M. Munshi: It was announced on the 21st February 1951.

Shri Sohan Lal: Since appointment, how many times has it met?

Shri K. M. Munshi: It will meet on the 14th of this month.

Dr. Ram Subhag Singh: In view of the fact that the health of the nation is fast deteriorating on account of adulteration of ghee, may I know what action Government propose to take to check adulteration?

Shri K. M. Munshi: The Committee is entrusted with the task of finding out ways and means of preventing adulteration. All the steps Government could think of have already been taken.

Dr. Ram Subhag Singh: When is the Committee expected to complete its work?

Shri K. M. Munshi: As early as possible.

Pandit M. B. Bhargava: What is the reason for such a long delay in the appointment of the Committee?

Shri K. M. Munshi: As a matter of fact, it was proposed to appoint the committee several months before February, but there was a lot of difficulties. Then a Conference was held to find out a *via media*, and it was thought that there was no necessity for having a committee appointed. But that did not succeed. Last time all this was mentioned when the Bill of my hon. friend Pandit Bhargava came before the House.

Shri T. Husain: Have our Research Laboratories succeeded in inventing a suitable colour for preventing adulteration of ghee?

Shri K. M. Munshi: Several devices have already been adopted including the adding of 5 per cent. of sesamum oil. With regard to colour, experiments are going on still and a sort of colour has also been devised which it may be possible for us to adopt.

Shri T. Husain: What are terms of reference of this Committee?

Shri K. M. Munshi: They are: (1) to examine the extent of adulteration of ghee with Vanaspati and other products; and (2) to suggest measures to eliminate or minimise adulteration of ghee with Vanaspati.

Shri T. N. Singh: Is it a fact that barring one person there is no chemist at all on the Committee, though it contains a large personnel?

Shri K. M. Munshi: I do not pretend to be a chemist, but these were the best names that Government could find on recommendation by several persons.

Shri Chattopadhyay: Will the committee go into the question of the admixture of buffalo ghee with cow ghee?

Shri K. M. Munshi: After the Committee has finished its deliberations, it will be a case for the House to go into and find out.

MANUFACTURE OF VANASPATI

*3063. **Pandit M. B. Bhargava:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of factories engaged in the manufacture of Vanaspati;

(b) their total productive capacity, the actual quantity and the value of outturn during the years 1940—1950;

(c) the quantity, kind and value of the raw material used in the manufacture of Vanaspati during these years;

(d) the approximate amount of money invested in such factories in machinery etc.;

(e) the wholesale and retail prices at which Vanaspati was being sold in the market during these years;

(f) the total quantity of pure ghee produced in the country during these years; and

(g) the price at which it was being sold in the market?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) 47.

(b) Their total productive capacity is 3,30,228 tons per year. A statement showing the actual out-turn and its value during the years 1940—50 is placed on the Table of the House. [See Appendix XXI, Annexure No. 33. I.]

(c) A statement showing the quantity and value of the raw material

used during the years 1940—50 is placed on the Table of the House. [See Appendix XXI, annexure No. 23. II.]

Separate figures for each kind of oil used are not available. The Vanaspati factories use mainly groundnut oil. Since 1947, it is obligatory on all factories to use at least 5 per cent. of sesamum oil. A very small quantity of cotton-seed and coconut oil is also utilised by the industry.

(d) Approximately Rs. 22 crores.

(e) The wholesale and retail prices of vanaspati in Bombay market since 1945 are given in a statement placed on the Table of the House. [See Appendix XXI, annexure No. 23. III].

The prices prior to 1945 are not available.

(f) The production of ghee in 1940 was estimated at 4,93,277 tons for undivided India and in 1945 for divided India at 4,09,368 tons. No such estimates are available for other years.

(g) Two statements showing the annual and monthly wholesale prices of ghee in certain important centres in India during the years 1939-1950 are placed on the Table of the House. [See Appendix XXI, annexure No. 23. IV.]

Pandit M. B. Bhargava: What is the percentage of increased in the price of pure ghee during these years?

Shri K. M. Munshi: A statement is laid on the Table of the House giving the prices of ghee. I cannot vouch for their being in respect of pure ghee. Roughly, prices have gone up by 400 per cent. in different states.

Pandit M. B. Bhargava: What is the basis for the estimation of ghee production? Are these statistics maintained?

Shri K. M. Munshi: The marketing Adviser investigated into the whole matter and he came to the conclusion—it is contained in his report published in 1945—that the ghee produced in the country was about 400,000 tons.

Pandit Munishwar Datt Upadhyay: What is the acreage of land under cultivation of raw materials for Vanaspati?

Shri K. M. Munshi: Notice.

Pandit Thakur Das Bhargava: What are the respective prices of the part of machinery used for refining ground nut oil and the machinery used for hydrogenation?

Shri K. M. Munshi: I require notice.

Shri Barrow: How many workers are engaged in this industry?

Shri K. M. Munshi: Notice.

Pandit Thakur Das Bhargava: Is it a fact that only 10 per cent. of the machinery is used for hydrogenation?

Shri K. M. Munshi: I have not got the figures.

Shri Karunakara Menon: What is the percentage of ground nut oil production in the country that goes for the manufacture of Vanaspati?

Shri K. M. Munshi: I laid the figures on the Table of the House last month. I do not remember them just now.

Shri Sidhya: May I know if in case the production of Vanaspati is stopped there will be sufficient quantity of ghee available for the public? If so, at what price?

Shri K. M. Munshi: In my opinion, the one has no bearing on the other.

Shri Jhunjhunwala: What is the policy of Government for starting more factories for manufacturing Vanaspati?

Shri K. M. Munshi: So far Government have not that under consideration.

श्री द्विवेदी : मैं यह जानना चाहता हूँ कि मसिद्ध भारतीय महिला संघ तथा इंडिया टी बोर्ड के द्वारा जो वीर जन्म के उपहार-गृह खोले गये हैं उनसे बनस्पति का उपयोग होता है या अच्छे ची का ?

[**Shri Dwivedi:** May I know whether Vanaspati or pure ghee is used in the supplementary food canteens opened by the Indian Tea Board and the All-India Women's Council?]

Shri K. M. Munshi: I have no clear idea; but my impression is that it is Vanaspati.

Pandit Munishwar Datt Upadhyay: May I know, Sir, what is the number of workers employed in the manufacture of Vanaspati?

Mr. Deputy-Speaker: That question has already been put.

Shri Venkataraman: How much of the Vanaspati produced is used for industrial purposes and how much for human consumption?

Shri K. M. Munshi: I would like to have notice of that question.

Pandit Thakur Das Bhargava: Will the hon. Minister please state what is the number of workers who are employed in producing vanaspati, so far

as the refining part of it is concerned, and how many workers are engaged in the process of hydrogenation?

Shri K. M. Munshi: If I do not know the number, how can I divide it?

Shri Sarangdhar Das: May I know if the Government is sure that only groundnut oil is used by all the manufacturers, or they mix some other oil along with it to make a blend?

Shri K. M. Munshi: I have already answered that question.

HOSTEL BUILDING FOR INDIAN SEAMEN

*3064. **Dr. M. M. Das:** Will the Minister of Transport be pleased to state:

(a) whether the hostel building for the Indian seamen at Park Circus in Calcutta has been completed;

(b) if so, the total cost of construction of the building; and

(c) the maximum number of seamen that can be accommodated in the building and the number of seamen living there at present?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) About Rs. 9½ lacs.

(c) The building can accommodate 500 seamen but it is not being used as a seamen's hostel.

Dr. M. M. Das: May I know the reason why it is not being used for the purpose for which it was built?

Shri Santhanam: Sir, the Bengal Government objected that it was very near a women's college.

Dr. M. M. Das: May I know what is the accommodation in the building?

Shri Santhanam: The fact was that the Seamen's Hostel was to be constructed at Behala. It is a different place where land has been acquired. This was an interim arrangement. But when the building was constructed the Bengal Government objected that it was too near a women's hostel. Therefore it is being used as a hostel for marine engineering apprentices.

Dr. M. M. Das: What alternative arrangement has been made for the hostel accommodation of seamen?

Shri Santhanam: Arrangements have been made to build a proper hostel at the original place and the committee is now investigating the suitability of different types of construction, so as to secure the maximum economy possible.

Dr. M. M. Das: May I know how this building which cost about Rs. 9½ lakhs is being used at present?

Shri Santhanam: I have already stated that it is used as a hostel for the marine engineering apprentices.

Shri Sidhva: May I know whether the sum of Rs. 9½ lakhs spent on this building was paid by the Calcutta Port Trust or the Government of India?

Shri Santhanam: By the Seaman's Welfare Committee, I think.

Shri Sidhva: Am I to understand that any grant has been given by the Government of India?

Shri Santhanam: It is partly from grants of the Government of India and partly from contribution from various funds like H. E. the Viceroy's War Fund, Ministry of Transport, Seamen's Welfare Fund, etc. They have got a fund of about Rs. 18 lakhs for the purpose.

Shri Kesava Rao: Were not Government aware, when the building was being constructed, that there was a women's college, near-by?

Shri Santhanam: The Bengal Government woke up to the fact a little late.

Shri A. C. Guha: The hon. Minister said that a sum of about ten lakhs rupees has been spent on this building. Are we to understand that this money is wasted? What will be the cost of the other building?

Shri Santhanam: The Bengal Government offered to take it up and pay all the cost incurred; but we are keeping it for our own purposes.

Shri A. C. Guha: What is going to be the cost of the other building?

Shri Santhanam: I have already stated that our marine engineering apprentices are lodged there. We have still not built up the marine engineering college. So it is serving a most essential purpose for the present.

CONTRACTS

*3066. **Prof. K. T. Shah:** Will the Minister of Railways be pleased to state:

(a) how many different forms of contracts have been in use in the Ministry since 15th August, 1947—

(i) for carrying out constructional work, (ii) supply of stores and provisions, (iii) operating canteens, (iv)

conveyance of mails or Government Stores and (v) for contract appointments;

(b) how many contracts involving a sum of Rs. 5 lakhs or more have had to be—

(i) cancelled or rescinded because of disputes with contractors, or for other reasons; (ii) revised in material particulars during the currency of the contract, by mutual consent, for or against Government, (iii) disputed, and referred to arbitration; and (iv) disputed, and taken to court for adjudication, or appeal from 15th August 1947 to 31st March 1950; and

(c) whether any attempts have been made to co-ordinate the terms and conditions of such Contracts, in the several departments or branches of the Ministry?

The Minister of State for Transport and Railways (Shri Santhanam): (a) and (c). A statement giving the information is laid on the Table of the House. [See Appendix XXI, annexure No. 34.]

(b) Information is being collected from the Railways and will be laid on the Table of the House in due course.

Prof. K. T. Shah: May I enquire what provision is there for looking to the quality of the food supplied at these canteens? Mention is made in the statement of the rates and so on, but there is nothing to show that care is being taken about the quality of food supplied.

Shri Santhanam: Wherever possible we try to run these canteens on a co-operative basis. If it is run departmentally then the Department takes care of the quality; if there is any deterioration the workers make a row.

Prof. K. T. Shah: When the canteens are given to licensees on contract, what arrangement is there for seeing to it that the quality is maintained?

Shri Santhanam: There is the usual inspection. When the workers complain, the contract is terminated and a new contract made.

Prof. K. T. Shah: As regards (c) what steps have been taken in the revised form of contracts to see that Government interest does not suffer in the event of a dispute arising?

Mr. Deputy-Speaker: Is there any arbitration clause?

Shri Santhanam: They are all incorporated as appendices in the State Railway Code. If the hon. Member will look into the code and point out any defects, we shall consider them.

Prof. K. T. Shah: In regard to answer to (b) would the hon. Minister please state when it is likely that this information will be supplied to the House?

Shri Santhanam: We have asked the Railway administrations to supply the information and as soon as we get it, we shall place it on the Table of the House.

Shri T. N. Singh: Are Government aware of the fact that as a result of an examination made by several Public Accounts Committees, it has been discovered that contracts in many cases are defective to the extent that it becomes almost impossible for the Railway authorities to recover any thing as damages or loss?

Shri Santhanam: I do not know what the hon. Member means. If he will draw our attention to any particular contract, I am prepared to look into it.

Pandit Munishwar Datt Upadhyay: How are these terms of the contract modified during the pendency of a contract? Is there any clause in the contract according to which modification is made?

Shri Santhanam: We do not alter a contract during its pendency. When it is found that a particular contract is not satisfactory for future contracts we modify the terms.

Shri Sidhva: In regard to item (iv) of clause (a), may I know whether there is any contract with the Communications Ministry for carrying of mails; if so, at what rates are the mails carried?

Shri Santhanam: If the hon. Member will look into the statement he will find the information. There are no contracts for the carriage of mails. There are scheduled tariffs and they are carried according to the tariffs.

Prof. K. T. Shah: Do I take it that the stores also are carried according to tariffs?

Shri Santhanam: All stores have to pay the public tariff rates.

CONTRACTS

*3067. Prof. K. T. Shah: Will the Minister of Communications be pleased to state:

(a) how many different forms of contracts have been in use in the Ministry since 15th August 1947:

(i) for carrying out constructional work, (ii) supply of stores and provisions, (iii) operating canteens, (iv) conveyance of mails and (v) for contract appointments;

(b) how many contracts involving a sum of Rs. 5 lakhs or more have had to be (i) cancelled or rescinded, because of disputes with contractors or for other reasons; (ii) revised in material particulars, during the currency of the contract, by mutual consent, for or against Government; (iii) disputed, and referred to arbitration; and (iv) disputed, and taken to Court for adjudication, or appeal from 15th August 1947 to 31st March 1950; and

(c) whether any attempts have been made to co-ordinate the terms and conditions of such contracts, in the several departments or branches of the Ministry?

The Minister of Communications (Shri Kidwai): (a) In the Ministry of Communications, there are forms of contracts for (a) conveyance of mails and (b) operating canteens. Contracts in respect of the other matters mentioned by the hon. Member concern other Ministries.

(b) Nil.

(c) So far as my Ministry is concerned, the terms and conditions of the contracts have been drawn up with due regard to the desirability for co-ordination and standardisation.

Prof. K. T. Shah: Am I to understand that there have been no contracts over five lakhs necessitating revision?

Shri Kidwai: Yes.

Prof. K. T. Shah: During the whole of that period?

Shri Kidwai: Yes.

PURCHASE OF DREDGER FROM NETHERLANDS

*3068. Dr. M. M. Das: Will the Minister of Transport be pleased to state:

(a) whether it is a fact that a new Dredger has been purchased for the port of Calcutta from the Netherlands;

(b) if so, the purchase prices of the Dredger and the time of its arrival at Calcutta; and

(c) the particular purpose for which the Dredger has been purchased?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The Calcutta Port Commissioners have placed an order with the Industrial Trading Corporation, Holland, for the construction of a bucket dredger, a suction hopper barge and two hopper barges.

(b) The purchase price of the above craft is £7,91,000 fixed ex-shipyard, including the cost of £31,000 for spares and shore connections required; the suction hopper barge is expected to be ready for delivery at the shipyard in April 1951 but the two hopper barges and the bucket dredger will not be ready before October 1951.

(c) The dredger and hopper barges are needed to cope with the dredging work that is necessary to maintain adequate depths in the approaches to the Port of Calcutta.

Dr. M. M. Das: May I know the total number of vessels that have been ordered.

Shri Santhanam: I have just stated that a bucket dredger, a suction hopper barge and two hopper barges have been ordered.

Dr. M. M. Das: May I know when we are getting all these vessels; is there any estimated time?

Shri Santhanam: I have already stated that the suction hopper barge will be ready for delivery at the shipyard in April 1951 but that the two hopper barges and the bucket dredger will not be ready before October 1951.

Dr. M. M. Das: May I know the total number of dredgers that are at present working in the port of Calcutta?

Shri Santhanam: There are at present three dredgers, but they are very old and inefficient.

Shri T. Husain: Is this dredger in addition to the fleet of dredgers or is it in replacement of some unserviceable dredger? If the latter, then what have Government done with the old ones?

Mr. Deputy-Speaker: The hon. Member has not evidently heard the answer given. The same question was put and he said that there are three old dredgers and this is a new one. As long as the old ones are serviceable they will be maintained, otherwise they will be replaced.

ASSAM TRIPURA ROAD

*3069. **Dr. M. M. Das:** Will the Minister of Transport be pleased to state:

(a) how far the construction of the Assam Tripura Road has been completed;

(b) the length of the road and the estimated expenditure for the construction;

(c) the average number of labourers working per day in the construction work; and

(d) the number of East Bengal displaced persons employed in the construction work, if any?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The hon. Member presumably refers to the Agartala-Assam border road. Formation of the road has been completed in about half the length. Work is in progress in the remaining half and it is hoped to provide a jeepable fair-weather road from Assam border to Agartala before the next rains.

(b) The length of the road is about 134 miles, including an approach road of about 5 miles to Dharmanagar, a divisional headquarters of the State, from the main road. The total estimated expenditure is Rs. 2'98 crores.

(c) 4,000.

(d) 400 per day on an average.

Dr. M. M. Das: May I know whether the construction of this road is executed under the direct supervision of the Central Government or by the State Government of Assam?

Shri Santhanam: It is being done by the Chief Engineer, Assam but under the supervision of the Roads Organisation of the Ministry of Transport.

Dr. M. M. Das: May I know whether this road belongs to the list of national highways or strategic highways and whether any contribution has been made for its construction by our Defence Department?

Shri Santhanam: This is in a way a strategic road, but the entire road is being built out of Government of India funds

Dr. M. M. Das: I wanted to know whether our Defence Department has contributed any portion of this amount.

Shri Santhanam: I have not got specific information, but I do not think it matters much whether it is

put in one account or the other. The whole thing is done by the Government of India.

Shri S. C. Samanta: May I know whether this road has been included in the five year plan?

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

Shri A. C. Guha: How many places of Tripura will be connected by this road?

Shri Santhanam: All the places from Chauribari to Agartala will be connected by this road.

Shri A. C. Guha: From Agartala to which place in Assam?

Mr. Deputy-Speaker: The hon. Member is not acquainted with the locality. He can only read from his notes. What is the good of pursuing this?

Shri A. C. Guha: But the notes ought to have said which places will be connected.

Mr. Deputy-Speaker: He has said the limits—from which place, to which place. All along the route the hon. Member evidently knows more.

AIR COMPANIES

*3070. **Shri S. C. Samanta:** Will the Minister of Communications be pleased to state:

(a) the names of Air Companies running air services in India;

(b) which of them carry mails and which of them carry passengers only;

(c) whether there is any disparity in fares and freights in those air services; and

(d) whether distance is taken into consideration in all cases in charging fares and freights?

The Minister of Communications (Shri Kidwai): (a) The following Indian companies operate scheduled air services in India:

(i) Air India Limited.

(ii) Indian National Airways Limited,

(iii) Air Services of India Limited,

(iv) Deccan Airways Limited.

(v) Airways (India) Limited,

(vi) Bharat Airways Limited,

(vii) Himalayan Aviation Limited and

(viii) Kalinga Airlines.

(b) All of them carry mails, freight and passengers with the exception of

Kalinga Airline, which carries no passengers.

(c) Yes, Sir. The companies have discretion to charge any fares or freight rates within prescribed maximum and minimum limits, subject to the approval of the Air Transport Licensing Board.

(d) Yes, Sir.

Shri S. C. Samanta: May I know whether it is a fact that the night fare charged by Himalayan Airways from Calcutta to Delhi is less than that charged in day time whereas the fare from Delhi to Madras is the same both by night and day?

Shri Kidwai: I think that is a fact.

Shri S. C. Samanta: May I know the reason?

Shri Kidwai: So far as night operations are concerned, Government has prescribed that they should charge first-class railway fare plus 12½ per cent. For the day service the companies have the discretion, and Deccan Airways decided to lower their fares.

Shri Dwivedi: I want to know if the Government propose to increase or extend the services carrying mails in view of the fact that the present service has been appreciated by the public.

Shri Kidwai: Government are still not running any service of their own.

Shri S. C. Samanta: May I know whether the freights for goods also vary?

Shri Kidwai: Yes.

Shri A. C. Guha: How many of these companies have been able to run their services at the rate per mile fixed by the Government?

Shri Kidwai: Everyone of these companies is operating within the limits fixed by the Air Licensing Board.

Shri T. Husain: Out of these companies which are on temporary licences and which are on permanent licences?

Shri Kidwai: Only one company holds a provisional licence which expires by the 30th of this month, and that is the Himalayan Airways. And I think one route is being operated temporarily by Airways (India) Ltd., and another route is being temporarily operated by Indian National Airways.

Shri T. Husain: Do Government propose to give them permanent licences?

Shri Kidwai: I thought that the hon. Member has been in this House long enough to know that the licences are being issued by an autonomous body known as the Air Licensing Board.

Shri Hussain Imam: A question arises whether the Air Licensing Board is independent of the Legislature or not.

Mr. Deputy-Speaker: It seems that it has been left to the discretion of the Board to grant licenses on particular terms. At every stage the Government does not interfere when there is a Board of that kind. This is what the hon. Minister says.

Shri Hussain Imam: That implies that the Board is an independent body.

Mr. Deputy-Speaker: In that some discretion is vested to them to grant licences on particular terms etc. The hon. Minister cannot be expected to interfere every time.

अन्नपूर्णा अनुपूरक खाद्य भोजनालय

* ३०७१. श्री जांबड़े: क्या खाद्य तथा कृषिमन्त्री यह बतलाने की कृपा करेंगे कि :

(ए) जनवरी, १९५१ के अन्त तक दिल्ली के अन्नपूर्णा अनुपूरक खाद्य भोजनालय में कितने मूल्य के अनुपूरक खाद्य पदार्थों का विक्रय हुआ;

(बी) उक्त भोजनालय का औसत दैनिक विक्रय रूप्यों में कितना है ;

(सी) अभी तक अखिल भारतीय महिला खाद्य समिति को दिल्ली में इस भोजनालय को चलाने के लिए कुल कितना धन दिया गया है ;

(डी) उक्त समिति को विक्रय के फलस्वरूप कितना लाभ अथवा हानि हुई है; तथा

(ई) क्या उक्त समिति की शाखायें विभिन्न राज्यों में भी सफलता पूर्वक कार्य कर रही हैं ?

ANNAPURNA SUPPLEMENTARY FOOD CANTEEN

[*3071. **Shri Jangde:** Will the Minister of Food and Agriculture be pleased to state:

(a) how much worth of supplementary food was sold in the Annapurna Supplementary Food Canteen of Delhi upto and including the month of January 1951;

(b) the average daily sale in rupees of the above canteen;

(c) the amount of money that has been given upto now to the All India Women's Food Committee to run this Canteen in Delhi;

(d) the amount of profit or loss accrued to the Committee as a result of sales; and

(e) whether the branches of the said Committee are working successfully in the various States?]

The Minister of Food and Agriculture (Shri K. M. Munshi):

(a) Supplementary foods worth Rs. 10,129/8/- (including Tea worth Rs. 1,900/-) were sold in the canteen between 12th January 1951 to 31st January 1951.

(b) The average daily sales for the month of January 1951 amount to Rs. 506 and the average daily sales for the months of February and March, 1951 are Rs. 720/6/6 and Rs. 681/9/- respectively.

(c) The Council has spent about Rs. 2,000/- on Electrical and power fitting etc. in the canteen. The rest of the capital (including purchase of furniture, crockery, utensils, expenditure on staff and the running capital) has been put in by the Central Tea Board who according to the terms and conditions settled with them will be entitled to recoup their capital from the profits first and after all the capital has been recouped then the profits will go to the Council for opening similar canteens elsewhere.

(d) I have just ascertained the rough profits. In January for a few days they made 1,600 by their profit. In February about Rs. 4,000. In March they are expected to make a similar sum by way of profit.

(e) Yes.

Shrimati Durgabai: May I know, Sir, in view of the fact that Mrs. Munshi's cafetaria is the only successful working branch of his Ministry's activity, the hon. Minister will be pleased to consider the desirability of liberalizing the grant to this activity?

Shri K. M. Munshi: There are two questions. There is no doubt that Mrs. Munshi is the better half of Mr. Munshi. That is my first answer. The second part of my answer is this: Last year the funds allotted for this purpose were very small and the local committees were allotted smaller sums. This year we have recently accepted the Budget grant of Rs. 1,50,000 and it is possible the Food Ministry can be a little more liberal about it.

श्री जंगड़े : जहाँ तक मैं समझता हूँ अन्नपूर्णा खाद्य भोजनालय केवल शाकाहारी भोजन तैयार करता है। क्या कहीं इसकी ऐसी भी शाखा है जो अन्नपूरक सामान्य अन्नपूर्णा खोलने का प्रयत्न कर रही हो ?

[**Shri Jangde:** As far as I know Annapurna Food Canteen prepares only vegetarian food. Whether any branch of it is contemplating to open supplementary non-vegetarian Annapurna Canteen]

Shri K. M. Munshi: So far nobody has thought of adding meat to this cafetaria.

Shrimati Durgabai: May I know whether the hon. Minister has received any complaints from the organizers of the State branches that the funds provided by the Centre to their activity have been very meagre and they have received only Rs. 1,000 or a little less than that? In view of that may I know whether their claims will be considered liberally by this Ministry?

Shri K. M. Munshi: The hon. Member will remember that if more grants had been given and the thing had not succeeded, it would have been a case of bringing about a censure upon me.

Shri T. Husain: May I know if Government have started or propose to start such canteens in important towns in Bihar, such as Patna? If not, why not?

Shri K. M. Munshi: I understand that the Central Women's Council are trying their best to secure energetic ladies from Bihar and I think they are summoning up energy. There has not been much evidence of it.

Shri Barrow: May I know if these supplementary foods are cooked in ghee or vanaspati?

Shri K. M. Munshi: As I have already stated on a previous occasion, my impression is it is vanaspati. There is no question of giving eight

annas worth of lunch with cow's ghee added with special Polson's butter.

Shri Sohan Lal: May I know in how many States this cafeteria has been opened and whether there are any opened in labour areas?

Shri K. M. Munshi: Permanent canteens in two or three centres are proposed to be opened. There has been no such movement so far to open them in the labour areas.

Shri Syamnandan Sahaya: The hon. Minister just said that the Government were in search of ladies to carry out this work. I want to know whether these ladies should necessarily be the wives of Ministers or other ladies can also take part?

Shri K. M. Munshi: Any energetic lady including the wife or sister of a Member of Parliament will be welcomed.

Shri M. L. Gupta: May I know in view of the cheapness of these foods, has any representation been received from the hotel keepers that their business has been hit?

Shri K. M. Munshi: I have received no representation, but if they do they will get no support. It will be black marketing on their part.

Ch. Ranbir Singh: May I know whether the Government is prepared to suggest to the All-India Women's Conference to open such canteens in some mill areas in Delhi?

Shri K. M. Munshi: The movement has been going only for a few months. It is open to any part of the country to say: We are going to do it. Give us the necessary assistance.

Sardar Sochet Singh: What is the establishment employed for running this cafeteria and what is the current monthly expenditure incurred on establishment?

Shri K. M. Munshi: I have not got the exact figures of the staff. As I stated already after paying all expenses for the staff-rent, of course is excluded, because it is Government property the profit has been about Rs. 4,000 a month.

Mr. Deputy-Speaker: I will call the next question. The Annapurna is so near and hon. Members can certainly have a taste of it first before coming here to ask questions. They can ascertain all these matters there. Parliament is not sitting to discuss Annapurna alone here. Order, order. Let us not spend too much time on

one matter alone. We are concerned with many matters all over India.

CHAMPA-KOREA RAILWAY LINE

*3072. **Shri Kishorimohan Tripathi:** Will the Minister of Railways be pleased to state whether the Champa-Korea Rail line proposed to be built to exploit the Korea Coal field and the Nagpur-Jagdalpur Rail line for exploiting the mineral and forest resources in Baster district in Madhya Pradesh have been abandoned?

The Minister of State for Transport and Railways (Shri Santhanam): Champa-Korea is one of the projects approved by the Central Board of Transport. It has not been abandoned, but so far it has not been possible to provide funds for the project.

Nagpur-Jagdalpur project has yet to be considered by the Central Board of Transport.

Shri Dwivedi: May I know if the platforms and waiting rooms in the Jhansi-Manipur Section which were abandoned last year will be taken up this year?

Mr. Deputy-Speaker: That relates to the next question.

WAITING ROOMS AND PLATFORMS

*3073. **Shri Kishorimohan Tripathi:** Will the Minister of Railways be pleased to state:

- (a) the total number of waiting rooms built by the Bengal Nagpur Railway administration during 1950-51;
- (b) how many Railway platforms were improved during the same period; and
- (c) what was the expenditure for the above works and from which fund it was met?

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

New waiting halls	...	19
Extension of old Class III waiting halls	...	45
Improvement to existing Class III waiting halls	...	17
New upper class waiting room	...	1
Total	...	82

(b) Sixty-four.

(c) Rs. 7.13 lakhs from Development Fund.

Shri T. Husain: Will the hon. Minister be pleased to state the total number of waiting rooms built by the Bengal Nagpur Railway Administration during 1950-51 in Bihar only and

how many railway platforms were improved during the same period in Bihar?

Shri Santhanam: All the details were given in the booklet distributed with the Railway Budget, Sir.

Shri Dwivedi: I wanted to know if the platforms and waiting rooms in the Jhansi-Manipur Section which were abandoned last year will be taken up this year?

Shri Santhanam: I will refer the hon. Member to the booklet which gives all the details for all the places in all the Railways.

Mr. Deputy-Speaker: Next question.

Mr. Deputy-Speaker: Question No. 3074 stands in the name of Mr. Hazarika: He is absent.

Pandit Maitra: Will you permit me to ask that question? It is an important matter?

Shri Santhanam: I am willing to answer it.

TRANSHIPMENT OF PASSENGERS AND GOODS

*3074. **Pandit Maitra** on behalf of (Shri J. N. Hazarika): Will the Minister of Railways be pleased to state:

(a) what arrangement has been made for the transshipment of passengers and goods at the Sakrigali-Maniharihat;

(b) whether the transshipment is undertaken by the Railways or by some company or individuals; and

(c) whether any catering arrangement has been made in the Ferry?

The Minister of State for Transport and Railways: (Shri Santhanam): (a) A flotilla consisting of passenger and towing steamers, barges and flats is in operation for the purpose. To augment the ferry capacity, if necessary, steamers and flats are hired from the India General Navigation and Railway Coy. Ltd., and the River Steam Navigation Coy. Ltd., Calcutta.

(b) The transshipment at Sakrigali and Manihari Ghats is arranged by a contractor under the supervision of the E. I. and Assam Railways at each of these two places respectively.

(c) Yes.

Pandit Maitra: May I enquire the hon. Minister, what amount the Railways have to pay to the contractor for transshipment?

Shri Santhanam: I would like to have notice.

Shri B. K. Das: May I know the number of passengers that daily cross the river here?

Shri Santhanam: I have not got the figures with me.

Mr. Deputy-Speaker: Next question. 2075. Mr. Hazarika; absent.

Dr. M. M. Das: It is an important question, Sir. May I put it?

Mr. Deputy-Speaker: The absent Member must have some penalty. I am not allowing that question.

CALCUTTA PORT COMMISSIONER

*3076. **Shri S. C. Samanta:** Will the Minister of Transport be pleased to state:

(a) the total amount of cargo handled by the Calcutta Port Commissioner during the months of October, November and December 1950, separately;

(b) out of this, how much from exports and how much from imports; and

(c) what are the chief items of exports and imports?

The Minister of State for Transport and Railways (Shri Santhanam): (a) to (c). A statement giving the information asked for is placed on the Table of the House. [See Appendix XXI, annexure No. 35.]

Shri S. C. Samanta: In view of the fact that this port has the largest import and export, may I know if there is any difficulty on account of go-downs?

Shri Santhanam: Not in Calcutta, so far as I know.

Shri Hussain Imam: Will the hon. Minister kindly state if this statement includes the goods in transit from Pakistan to other foreign countries also?

Shri Santhanam: This is a statement showing the exports and imports through the port of Calcutta. It includes all exports through the port.

Shri Hussain Imam: May I know if there is any import of salt in India, given in the statement, and if so, how much?

Shri Santhanam: Yes; there is import of salt: 66,200 tons in October 1950; 34,630 tons in November, 1950 and 44,744 tons in December 1950.

Shri Hussain Imam: I would like to understand from the general trend. Does this include coastal traffic also or only foreign traffic?

Shri Santhanam: It includes all traffic.

Shri A. C. Guha: In view of the fact that bonded goods from Pakistan passing through the port of Calcutta do not form part of our export traffic, does the Minister include those goods also in the figures given by him?

Mr. Deputy-Speaker: Those goods have also to be handled.

Shri Santhanam: These are goods which have to be handled at the port of Calcutta.

Shri A. C. Guha: They are to be handled; but they are not to be taken into our export accounts.

Shri Santhanam: The question is about the total amount of cargo handled by the Calcutta Port Commissioners. Pakistan goods have also to be handled there.

Shri S. C. Samanta: The statement shows a certain amount of timber. May I know whether this includes timber coming from the Andamans?

Shri Santhanam: Anything coming through the port of Calcutta is included.

WHEAT-CARGO CARRIED BY S. S. Skeldergate (Loss)

*3077. **Shri S. C. Samanta:** Will the Minister of Food and Agriculture be pleased to state:

(a) when the ship *S. S. Skeldergate* carrying wheat cargo ran aground and broke her back near Orissa Coast;

(b) the amount of wheat she was carrying;

(c) how much was salvaged;

(d) how much was lost; and

(e) the amount of loss sustained?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) Steamer *Skeldergate* ran aground on the night of 17th/18th November, 1950.

(b) She was carrying about 5803 tons of wheat when she met with the accident.

(c) About 249 tons of wheat were salvaged from the wrecked ship.

(d) 5354 tons of wheat were lost in this ship.

(e) the value of wheat lost is approximately Rs. 20,58,000/-.

Shri S. C. Samanta: May I know what the cost of salvaging was?

Shri K. M. Munshi: I would like to have notice.

Shri Kamath: During the last three months, has there been any other casualty among ships carrying food to hungry mouths here?

Shri K. M. Munshi: So far as I know there has been no accidents with regard to any foodgrains either carried for hungry mouths or non-hungry mouths.

Shri Kesava Rao: May I know whether the foodgrains lost have been insured?

Shri K. M. Munshi: All the cargo which is brought on Government account by ships chartered by the Government are not insured.

Dr. Deshmukh: May I know if it is not a fact that a considerable amount of foodgrains was destroyed by fire in one of the ships?

Shri K. M. Munshi: I do not know what quantity was actually destroyed. If I remember aright, about 8 or 9 months ago, something happened to some steamer which was coming from Egypt.

Shri Kamath: Has any food ship been held up in Bombay harbour on account of the Dock strike there?

Shri K. M. Munshi: Yes, for a day or two. I think the work has been resumed; but, it was stopped.

BILL FOR THE ABOLITION OF JAGIRDARI

*3078. **Thakur Lal Singh:** Will the Minister of States be pleased to state:

(a) whether Government are proposing to bring before the House during the present Session of Parliament, a Bill for the Abolition of Jagirdari in the State of Bhopal; and

(b) if not, why not?

The Minister of States, Transport and Railways (Shri Gopaldaswami): (a) and (b). Proposals for the abolition of the Jagirdari system in Bhopal are under the consideration of the Chief Commissioner. I regret it may not be possible to introduce a Bill during the current Session.

Thakur Lal Singh: I hope there will be another session of this House; will this Bill be brought forward in the next session?

Shri Gopaldaswami: By the next session, if one is held, it is likely to become ready.

Shri Dwivedi: In connection with the other Part 'C' States, may I know whether the Minister proposes to consider the abolition of Jagirdari.

Zamindari and Ilaqadari? Particularly in the Vindhya Pradesh, there was a Bill already which was drafted by the popular Ministry there. What has happened to that?

Shri Gopaldaswami: I should like to have notice, as to the stage at which the Vindhya Pradesh matter now is. So far as the Jagirdari system is concerned, wherever it has not been dealt with it will be dealt with in all the Part 'C' States.

Ch. Ranbir Singh: May I know what is the difficulty which stands in the way of the abolition of Jagirdari system?

Mr. Deputy-Speaker: It is being considered.

Shri Gopaldaswami: There is no difficulty except that we have to make investigation into the existing conditions in each area, and we have got also to examine the best methods of effecting the reform.

Ch. Ranbir Singh: May I know how much time will it take to investigate this matter?

Shri Gopaldaswami: We are trying to do as rapidly as we can.

Shri Raj Bahadur: May I know when this question of abolition of Jagirdari in Bhopal was taken up by the Chief Commissioner, and how long it has been pending consideration with him?

Shri Gopaldaswami: I cannot fix the point of time when the Chief Commissioner took up the matter into his consideration.

Shri Radhelal Vyas: May I know whether a Bill for the abolition of Jagirdari in Madhya Bharat had been referred to the States Ministry and if so, when it was referred and what action has been taken by the States Ministry?

Shri Gopaldaswami: In Madhya Bharat, the question has been discussed between the States Ministry and the Madhya Bharat Government. Meanwhile, I believe a Zamindari Abolition Bill has been passed by the legislature of Madhya Bharat.

Shri Radhelal Vyas: No reply has been given as regards the time. I wanted to know how long it has been pending here receiving consideration.

Mr. Deputy-Speaker: The Bill has been passed by the Madhya Bharat legislature.

Shri Radhelal Vyas: That is regarding zamindaris; not jagirdaris.

Shri Gopaldaswami: The matter may have been pending for a few months. All that time has been necessary for a proper examination and discussion.

Mr. Deputy-Speaker: The Question-hour is over.

WRITTEN ANSWERS TO QUESTIONS

ALL-METAL THIRD CLASS BOGIES

*3065. **Seth Govind Das:** Will the Minister of Railways be pleased to state the number of all-metal III class bogies of the latest design introduced on the Railways?

The Minister of State for Transport and Railways (Shri Santhanam): 133 All-metal third class bogie passenger coaches of a new design have been placed in service between January, 1949 and 31st March, 1951.

UNDER-TRIAL PRISONER IN MANIPUR

*3075. **Shri J. N. Hazarika:** Will the Minister of States be pleased to state:

(a) whether it is a fact that an under-trial prisoner by name Irom Meine Singh died suddenly in jail in the Manipur State; and

(b) if so, what the death was due to?

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

(b) The death is reported to have been due to heart failure.

ARABLE LAND IN BHOPAL

*3079. **Thakur Lal Singh:** (a) Will the Minister of States be pleased to state whether it is a fact that a large part of good arable and fertile land of certain Tehsils of Bhopal State is lying waste and more and more is being laid barren on account of the ravages of wild animals from the reserve forests surrounding these tracts of land?

(b) If the answer to part (a) above be in the affirmative, do Government propose to abolish continuance of such reserve forests and open them to the public for shooting wild animals, and if not why not?

The Minister of States, Transport and Railways (Shri Gopaldaswami): (a) In certain areas in the Nasrullaganj and the old Mardanpur Tehsils of Bhopal some damage is caused by wild animals. The Chief Commissioner has under consideration a scheme for the protection of crops from wild animals.

(b) No Sir, I do not think it would be conducive to the conservation of

the already deficient forest wealth of this State to do so.

AGRICULTURAL MACHINERY (IMPORT)

*3080. **Shri S. N. Das:** Will the Minister of Food and Agriculture be pleased to state the various categories of articles both machinery and others which have been imported for planned development of agriculture during the years 1949-50 and 1950-51?

The Minister of Food and Agriculture (Shri K. M. Munshi): It is not possible to furnish a complete list of such items which may run into hundreds, but some of the more important ones with which this Ministry is concerned are:—(i) Chemical Fertilisers; (ii) Tractors and tractor drawn implements; (iii) Pumping machinery; and (iv) Insecticides and pesticides.

Indian Farmer

*3081. **Shri Jagannath Das:** (a) Will the Minister of Food and Agriculture be pleased to state the cost of the *Indian farmer* published by the Ministry, and its average circulation for the years 1948, 1949 and 1950?

(b) Is it being published in Hindi?

(c) If the reply to part (b) above be in the negative, when is it proposed to be published in Hindi?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The price per copy of the *Indian Farming* is annas -8/. Average circulation in 1948, 1949 and 1950 was 2800, 2708 and 2325 respectively.

(b) No. Its Hindi counterpart namely *Kheti* is published separately.

(c) Does not arise.

MERGER OF BARODA

*3082. **Shri Raj Kanwar:** Will the Minister of States be pleased to refer to the correspondence placed by him on the Table of the House on 7th February 1951 in reply to my starred question No. 1249 regarding the merger of the former Princely State of Baroda with the State of Bombay and state:

(a) whether a copy of the letter, dated 10th December 1950, addressed by the Prime Minister to the Ruler of Baroda, which is referred to in paragraph 1 of the Secretary, Ministry of States, letter dated 27th December 1950, will also be placed on the Table of the House;

(b) whether the Governor-General of India, on or about the 14th April 1949, received any Memorial on the subject of merger or future relations

of the Baroda State from the Baroda Rajya Praja Sangh; and

(c) if the reply to part (b) above be in the affirmative, whether a copy thereof, and of the reply, if any, sent thereto, will also be placed on the Table of the House?

The Minister of States, Transport and Railways (Shri Gopalswami):

(a) I regret that in view of the fact that the letter is in the nature of a personal communication from the Prime Minister to His Highness, it would not be appropriate to place it on the Table of the House.

(b) and (c). There is an entry in our records of a Memorial having been received from the Baroda Rajya Praja Sangh in April 1949. But, in view of the fact that it lost its importance in the light of subsequent developments, it has been weeded out and destroyed.

RICE MILLS

*3083. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Food and Agriculture be pleased to state the total number of rice mills engaged in milling rice from paddy?

(b) How many of these produce par-boiled rice?

(c) Is all the rice milled in rice mills procured by Government?

(d) Is any preservative, to safeguard against the deterioration of quality, used immediately after rice has been milled?

(e) Is it a fact that rice produced in mills deteriorates in quality earlier than that produced by other indigenous methods?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) to (e). Information has been called for from the State Governments and will be laid on the Table of the House when received.

RAILWAY EMPLOYEES

*3084. **Prof. K. T. Shah:** Will the Minister of Railways be pleased to state:

(a) the number of confirmed staff;

(b) the number of officiating incumbents;

(c) the number of officiating incumbents confirmed, since the assurance given by ex-Minister of Railways, Dr. John Mathai, on the floor of the Assembly in the year 1948 regarding confirmation of officiating incumbents against permanent vacancies; and

(d) the number of temporary staff confirmed, since the date of the assurance given by the present hon. Minister of Railways that 50 per cent. of temporary staff will be confirmed?

The Minister of State for Transport and Railways (Shri Santhanam): (a) to (d). It is considered that the time and labour involved is disproportionate to the usefulness of the information.

CONFERENCE OF RAJPRAMUKHS

*3085. **Shri Raj Kanwar:** Will the Minister of States be pleased to state whether Government propose to lay on the Table of the House a copy of the decisions arrived at the Conference of Rajpramukhs of Part B States recently held in Delhi?

The Minister of States, Transport and Railways (Shri Gopalaswami): It is not proposed to lay on the Table of the House a copy of the proceedings.

COLD STORAGE PLANTS

*3086. **Shri S. N. Das:** (a) Will the Minister of Food and Agriculture be pleased to state the number of cold storage plants in the country?

(b) Is there any cold store for preservation of mango fruits?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) 80.

(b) No cold storage plants have installed specifically for preservation of mangoes.

I. C. A. R.

*3087. **Shri Karunakara Menon:** Will the Minister of Food and Agriculture be pleased to state what are the functions and purposes of the Statistical Branch of I.C.A.R.?

The Minister of Food and Agriculture (Shri K. M. Munshi): Its functions fall under three heads, namely, advisory training and research. It ensures the application of statistical methods to agricultural and animal husbandry research and helps the officers concerned at the centre, in the States or working in different Institutes in planning experiments, analysing results and interpreting statistical data. It undertakes to give training to research workers in these subjects through an applicational course, to graduates in mathematics and statistics through a certificate course and to professional statisticians through a diploma course. It also conducts refresher courses for the training of officials of Agriculture and Revenue Department of the States in the conduct of crop cutting experiments by the random sampling method. It undertakes research in sampling

techniques for the improvement of agricultural statistics.

JUTE GROWING DEVELOPMENT BOARD

*3088. **Shri B. K. Pani:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is fact that the Jute Growing Development Board has been entrusted to distribute Jute seeds in West Bengal;

(b) the quantity of seeds distributed through this body last year in West Bengal; and

(c) if the answer to part (a) above be in the affirmative, whether the seeds will be supplied at cost price, concessional rate or free of any charge?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) No.

(b) Does not arise.

(c) Does not arise

WOMEN EMPLOYED ON E. P. RAILWAY

*3089. **Prof. Yashwant Rai:** Will the Minister of Railways be pleased to state:

(a) the total number of women employed on the E. P. Railway in different branches; and

(b) the number of women working in each branch with their pay scales?

The Minister of State for Transport and Railways (Shri Santhanam): (a) 115 (67 in Class III and 48 in Class IV).

(b) The information is given in a statement laid on the Table of the House. [See Appendix XXI, annexure No. 36.]

NON-AVAILABILITY OF WAGONS FOR COCONUTS

*3090. **Shri B. K. Pani:** (a) Will the Minister of Food and Agriculture be pleased to state if it is a fact that huge quantities of coconuts worth lakhs of rupees are getting rotter and unfit for human consumption in Puri in Orissa due to non-export for want of railway wagons?

(b) Is it a fact that such colossal loss of human food is being caused due to railway authorities not treating edible coconuts as perishable articles of food and their not being included in the preferential priority of Railway wagon supply?

(c) If the answer to part (b) above be in the affirmative, what steps do Government propose to take as the remedial measures?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The

Government of Orissa have reported that due to the shortage of railway wagons it has not been possible to export the available supply of coconuts from Puri with the result that some of the stuff has gone bad. The loss is estimated at about twenty to thirty thousand rupees.

(b) Coconuts are not treated as perishable articles by the Railway and do not qualify for preferential treatment. Some consignments could not get wagons for quick transport and resulted in the above loss.

(c) The Government of Orissa are taking steps to have coconuts classified as perishable article under Preferential Priority of wagon supply.

TELEGRAPH WIRES (RECOVERY)

*3091. **Shri B. K. Pani:** (a) Will the Minister of Communications be pleased to state the total quantity of stolen copper wire recovered State-wise till the middle of March 1951 after the Telegraph-wires (Unlawful possession) Act, 1950 has been passed by Parliament?

(b) How many persons have been prosecuted under the "Telegraph wires Act 1950"?

(c) What machinery has been set up to find out the stolen telegraph wires (copper wires)?

The Minister of Communications (Shri Kidwal): (a) and (b). The Act has been brought into force only from the 1st April, 1951. The question of supply of the information required by the hon. Member does not, therefore, arise.

(c) Occurrence of theft of copper wire is detected by the telegraph staff by testing instruments. A report is then made immediately to the police who send out patrol parties when they are likely to prove effective and take up investigation.

RAILWAY ACCIDENTS (COMPENSATION)

*3092. **Shri Sanjivayya:** Will the Minister of Railways be pleased to state the amount paid by Government in the shape of compensation to those persons who were victims of the accidents on Railways during the years 1949-50 and 1950-51?

The Minister of State for Transport and Railways (Shri Santhanam): Rs. 58,445/- and Rs. 4,17,254/- during 1949 and 1950 respectively. Figures have been shown calendar year-wise, as those for the financial year 1950-51 are not yet available.

UNCLAIMED GOODS (SALE)

*3093. **Shri Sanjivayya:** Will the Minister of Railways be pleased to state the amount realised by way of sale of the unclaimed goods on the Railways during the years 1949-50 and 1950-51?

The Minister of State for Transport and Railways (Shri Santhanam): The amount realised by way of sale of unclaimed goods on the Indian Railways was Rs. 56,73,700 during the year 1949-50 and Rs. 28,62,767 during the year 1950-51 (up to 31st January, 1951).

FOOD STORAGE GODOWNS

*3094. **Shri P. T. Munshi:** (a) Will the Minister of Food and Agriculture be pleased to state how many new storage godowns were prepared in the State of Bombay and if so, at what places?

(b) How many of these are with tin-roofs?

(c) Was any expert advice taken before construction of these godowns on the question that overhead tin sheets would not spoil food stuffs during summer because of terrible heat in Gujerat and elsewhere?

(d) If heat will affect the quality of food stuffs, do Government propose to take measures to cover these roofs with some material that may protect food stuffs from heat?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) A statement is placed on the Table of the House. [See Appendix XXI, annexure No. 37.]

(b) All have roofs of galvanised corrugated Iron Sheets.

(c) Expert advice was not considered necessary as the Government of Bombay had constructed more than 300 sheds during the period 1945-48 and grains stored in them did not show more deterioration as compared to grains stored in godowns with non-C.I. sheet roofing.

(d) The Government does not consider the measures necessary in view of what is stated above.

मच्छली का आयात

*३०९५ की जायज़ें : (क) क्या काश्

तबा कृषि मंत्री यह बतलाने की कृपा करेंगे कि १९४८, १९४९ तथा १९५० के वर्षों में कराची (पाकिस्तान) से भारत में कितने टन मच्छली का आयात किया गया; और

इस सम्बन्ध में पाकिस्तान सरकार को कितना कर देना पडा ?

(ख) क्या सरकार ने मछली के पकड़ने की कोई विशेष योजना तैयार की है जिससे अन्य देशों से मछली के आयात की कोई आवश्यकता न रहे तथा यदि कोई योजना है, तो यह क्या है ?

(ग) भारत में प्रति वर्ष कितने टन मछली की खपत होती है तथा मछली खाने वाले व्यक्तियों की सम्पूर्ण संख्या क्या है ?

IMPORT OF FISH

[*3095. Shri Khaparde: (a) Will the Minister of Food and Agriculture be pleased to state what is the amount of fish, in tons, imported into India from Karachi (Pakistan) during the years 1948, 1949 and 1950, and what is the amount of tax that had to be paid on that account to the Pakistan Government?

(b) Has any special scheme been formulated by Government for the catching of fish so as to obviate their import from other countries and if so, what is it?

(c) What is the quantity of fish, in tons, consumed by India in a year and what is the number of people who take fish?]

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) The information has been called for from the Director General of Commercial Intelligence and Statistics, Calcutta and will be laid on the Table of the House when received.

(b) Yes: besides technical advice and guidance, the Government of India are giving financial assistance in the form of loans and grants to State Governments for implementation of their schemes for development of fisheries resources. Particulars of these schemes are given in two statements laid on the Table of the House. [See Appendix XXI, annexure No. 38.]

(c) On the basis of figures for 1948 about 496,221 tons of fish is consumed in India every year. The exact number of people who take fish is not available but it is roughly estimated that more than 50 per cent. of the population would eat fish if made available to them.

GOVERNMENT PRESS IN BHOPAL

*3096. Thakur Lal Singh: (a) Will the Minister of States be pleased to state whether there are arrangements in the Government Press at Bhopal for printing necessary Government publications in Hindi?

(b) If not, what steps are Government going to take to make up the deficiency?

The Minister of States, Transport and Railways (Shri Gopalaswami):

(a) Yes

(b) Does not arise.

TOBACCO CULTIVATION

*3097. Saikh Mohiuddin: Will the Minister of Food and Agriculture be pleased to state the total acreage of land under tobacco cultivation in the years 1948, 1949 and 1950 separately in Bihar and West Bengal?

The Minister of Food and Agriculture (Shri K. M. Munshi): The area of land under tobacco in Bihar and West Bengal during 1948-49 and 1949-50 was as under:

	(Figures in thousand acres)	
	1948-49	1949-50
(1) Bihar (excluding merged territories.)	61	55
(2) West Bengal (excluding merged territories.)	50	46

Similar information with respect to 1950-51 is not yet available.

FOOD DISTRIBUTION AND PROCUREMENT

205. Shri J. P. Srivastava: Will the Minister of Food and Agriculture be pleased to lay on the Table of the House the basic plan for food distribution during the current year side by side with the figures of anticipated procurement for each State.

The Minister of Food and Agriculture (Shri K. M. Munshi): A statement giving the necessary information is placed on the Table of the House. [See Appendix XXI, annexure No. 39.]

FOOD REQUIREMENTS

206. Shri J. P. Srivastava: Will the Minister of Food and Agriculture be pleased to state, State-wise, the requirements of food to meet the rationing obligations and the estimated deficit in each case?

The Minister of Food and Agriculture (Shri K. M. Munshi): A statement is placed on the Table of the House. [See Appendix XXI, annexure No. 40.]

LAND UNDER CULTIVATION

207. Shri S. C. Samanta: Will the Minister of Food and Agriculture be pleased to state:

(a) the acreage of Land under cultivation in the State of West Bengal in 1950; and

(b) the acreage of (i) cultivable land but not cultivated; (ii) current fallow; and (iii) the acreage under forest?

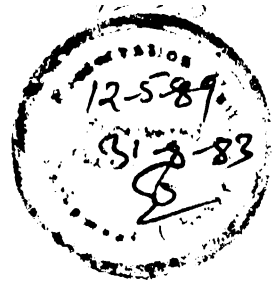
The Minister of Food and Agriculture (Shri K. M. Munshi): (a) and (b). A statement giving the required information in respect of West Bengal (excluding merged territories) for 1948-49 is placed on the Table of the House. Similar figures for later years are not yet available.

STATEMENT

Classification of area in West Bengal (Excluding Merged Territories) in 1948-49.

Classification	Area (million acres)
(1) Area under cultivation (net i.e., excluding double-cropped area)	.. 11.23
(2) Cultivable land but not cultivated :	
(a) current fallow ..	0.98
(b) other unculti- vated land ex- cluding current fallows ..	1.91
(3) Forest ..	1.70

Thursday, 12th April, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME X, 1951

(31st March, 1951 to 20th April, 1951)

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

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PARLIAMENT OF INDIA

Thursday, 12th April, 1951

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

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

QUESTIONS AND ANSWERS

(See Part I)

11-45 A.M.

MOTION FOR ADJOURNMENT

DISCONTENT AMONG BANK EMPLOYEES

Shrimati Durgabai (Madras): Sir, I would like to make a submission, before you take up the next item of business.

Mr. Deputy-Speaker: Not now.

Mr. Deputy-Speaker: I have received notice of an adjournment motion from Prof. K. T. Shah to discuss:

"The situation created by the judgment of the Supreme Court declaring the decision or award of the All-India Industrial Disputes (Bank Employees) Tribunal, and the steps necessary to prevent the consequent unrest and discontent among bank employees, and dislocation of the entire trade of the country."

Does the hon. Minister of Labour wish to say anything? I think he has received a copy of this notice of adjournment?

The Minister of Labour (Shri Jagjivan Ram): Sir, I have not much to say. The judgment of the Supreme Court was given on the 9th instant and it was only yesterday that we could secure a copy of the judgment. We are examining it at present, and I am not in a position to say more

82 P.S.

than that now. As regards this adjournment motion, Sir, I may say that I do not think it is admissible.

Mr. Deputy-Speaker: Apart from the question of technical admissibility, there are certain matters which we have to consider.

The Minister of Home Affairs (Shri Rajagopalachari): It is not a matter merely of technical admissibility. It would not be proper to consider it now.

Mr. Deputy-Speaker: That is why I asked the hon. Minister to state the position.

Shri Hussain Imam (Bihar): The fact of the matter is, the employees are panicky and we want to know from the Government whether it proposes to take any action in the matter to relieve the position or not. That is all that we want to know.

Several Hon. Members: No, no. It is not so simple.

Mr. Deputy-Speaker: And that is what the hon. Minister has said.

Prof. K. T. Shah (Bihar): Sir, I do not know under the rules how much time we are supposed to give in a matter of this kind which is of recent occurrence, which is urgent and which is of public importance. This happened a few days ago only. It may be that I would have been told that it is too late already. The judgment was published on Monday or Tuesday and so by to-day it is too late. Here sufficient time has been allowed. But then I am told that this is a matter which has only been published yesterday or Monday and therefore the Government is considering it. Therefore, I would like to know, Sir, what is to be regarded as the meaning of the terms "recent occurrence." Secondly, Sir, I hope there is no difference of opinion that it is a very serious matter as regards not only the employees who number something like 60,000, but also the pos-

[Prof. K. T. Shah]

sible threat to the trade and commerce of the country and the whole national economy. I shall be quite willing to consider the matter and if the short-notice questions which have been tabled are to be answered first and the discontent settled, I should have no objection. But merely on the ground that it is only yesterday that the judgment was published, if we are to leave the matter here, that would be a very difficult and embarrassing position, in view of the actual interpretation of the rules. I would, therefore beg of you, Sir, to make it clear what is meant by "recent occurrence," "public importance" and "an urgent matter."

Mr. Deputy-Speaker: I do not think there is any dispute here. All that the hon. Minister said was that it takes time to deal with this matter, to get a copy of the judgment and to understand the full implications of it so that precipitate action may not be taken. If I am asked to give a ruling whether this motion is in order or not, I can only say that the Supreme Court is not subordinate to the Government of India. It is not a case of questioning here the action of any subordinate. It is open to the Supreme Court, if it is so convinced, to set aside something that has been done by the Government. Therefore, the Government is looking into the matter with a view to do all that is possible. Therefore, it is not advisable for the hon. Member to ask for a ruling. It is a matter which affects a large number of employees and so I asked the hon. Minister to allay any apprehensions that may be there. In all *bona fides*, the Government is taking every step to understand the position and to take such action as is necessary, after proper consideration, lest it becomes infructuous.

There are the other four questions here and as soon as the hon. Minister has gathered some more materials he will be able to answer them to the satisfaction of the hon. Member and the House. I do not think, under the circumstances, it is necessary to pursue this matter any further.

Shri Kamath (Madhya Pradesh): Sir, in view of the urgency of the matter, will the hon. Minister answer the questions on Saturday next?

Mr. Deputy-Speaker: I have suggested it—though even without any suggestion he is quite willing to give all accommodation—and he will certainly look into the matter and fix a day as early as possible.

Shri Jagjivan Ram: It may not be possible, to give all the information by Saturday. As I have said, we are examining the judgment and we will certainly try to take all possible steps that we can. That is all that I can say at present.

LAYING OF ADAPTATION ORDER ON THE TABLE

Mr. Deputy-Speaker: Dr. Ambedkar.

The Minister of Law (Dr. Ambedkar): Mr. Deputy-Speaker, Sir. . . .

Shri Syamnandan Sahaya (Bihar): Sir, before the Law Minister begins, may I make a submission? Now we have got an idea of the work to be done by Parliament up to the 16th. But we do not yet know what Bills or other legislative measures or other work will be taken up on the 17th of this month and. . . .

Shri Sidhva (Madhya Pradesh): There is the agenda up to the 19th.

Shri Syamnandan Sahaya: But it only says whether the business will be official or non-official.

Shri Sidhva: No, they are all official Bills. We got it to-day.

Dr. Ambedkar: Mr. Deputy-Speaker, yesterday, my hon. friend Mr. Hussain Imam raised a question with regard to an answer which I gave to a question put by Pandit Bhargava with regard to the Adaptation Order issued by the President. Unfortunately I was not present in the House. I wish he had given me previous notice that he was going to raise this matter; I certainly would have been present in the House to give him the answer. From the proceedings, extracts from which were supplied to me yesterday evening, I find that he raised two questions. One question which he raised was that he was not able to obtain a copy of the Adaptation Order although he made an effort to get one. On that point, the facts which I have been able to ascertain are these. The Adaptation Order was published in the Gazette Extraordinary dated the 4th instant. I gave my reply on the 7th. Copies of the Adaptation Order, or rather, of the Gazette, were received in the Constitution Branch on the 10th, the date on which he sent a telephonic message to the Constitution Branch, enquiring as to what had happened to the copies of the Adaptation Order. My information is that the Superintendent whom he contacted on that matter told him that the copies of the Gazette Extraordinary had just reached him and

that he was examining whether there were any clerical or printers' errors. I am told that my hon. friend did not specifically ask for a copy. I do not know, he is in a better position to confirm this or not.

Shri Hussain Imam (Bihar): I asked ~~me~~ it in the Notice Office and in the Library.

Dr. Ambedkar: I am telling what happened in the Superintendent's branch. That being so, the hon. Member was not directly supplied any copies from the Constitution Branch. It is obvious that if the copies were received by the Superintendent on the 10th it was not possible for him to supply copies to the Notice Office for distribution among Members of Parliament. That is the position so far as the first complaint is concerned.

I find from the proceedings, extracts of which were sent to me, that the hon. Member also raised a question of privilege. What I understood him to say was that as soon as an Adaptation Order is made by the President, it ought to be placed on the Table of the House. Now, Sir, so far as that point is concerned, my submission is this. Whatever privileges this House has, they are regulated by article 105 of the Constitution which says that the Parliament shall have all the privileges which the House of Commons has. That takes us to an enquiry as to whether, when laying a paper on the Table of the Parliament is a matter of privilege and when it is not a matter of privilege. Referring to May one thing is quite clear.

Mr. Deputy-Speaker: I am sorry to interrupt the hon. Minister. So far as the question of privilege is concerned first of all the Speaker looks into the matter, goes through the rules and regulations and then ascertains the opinion of the House. If he comes to the conclusion that a matter of privilege is involved, he then sends it to the Privileges Committee. I do not think the hon. Member seriously raised a question of privilege. The question was that a copy of the Adaptation Order ought to be made available. He went to the Notice Office and also to the Library. He said that the Adaptation Order was made as early as the 4th April and therefore normally expected it to be placed in the Library in a day or two. Now that the matter has been made clear by the Law Minister we need not go further into the question of privilege.

Dr. Ambedkar: If that is your ruling I would not pursue the matter. But I only wanted to submit one point

which I think is of general interest and which the House should know. A matter of privilege can arise only when a statute makes it obligatory upon the Government that a paper should be laid on the table of the House. Now so far as the Adaptation Order is concerned there is no such obligation at all. I would like hon. Members to compare article 372, which deals with Adaptation, with article 392 which deals with an order made by the President for the removal of difficulties in the Constitution during the transition period. It will be found that so far as article 392 is concerned there is a specific sub-clause which says that any order made by the President for the removal of difficulties shall be placed on the table of the House. There is no such proviso with regard to article 372. Therefore my submission was that there is really no privilege involved and the question of breach of privilege therefore cannot arise.

Pandit Maitra (West Bengal): Sir, are you going to allow a general discussion as to whether or not this is a question of privilege.

Shri Bharati (Madras): The Chair has already ruled that there was no question of privilege.

Mr. Deputy-Speaker: I am not deciding the question of privilege at all. Inasmuch as there was a reference by Mr. Hussain Imam to the word privilege, the hon. Law Minister thought that he must answer that other point also. He has now placed his viewpoint. That question does not arise now and therefore I will not go into it.

Shri Hussain Imam: Sir, on a point of personal explanation, we saw the news first on the 10th when it was published in the *Hindustan Times*. On that day I did not make any approach to you or the Constitution Branch. I simply asked the Librarian and the Notice Office to find it out. On the 11th when I saw other papers the words in the *Hindustan Times* were "last week" and I tried to find out the exact date of the order. I then learnt that the date was the 4th, as I mentioned to you in the Chamber. The copies were not till then available in the Library or the Notice Office. What I mentioned was,—and the report will bear me out—not the question of breach of privilege. Section 372, sub-clause 2 does not provide.

Mr. Deputy-Speaker: The hon. Member need not go into that matter.

Shri Hussain Imam: I only want to explain. As you had pointed out there are questions which may not be of privilege but of etiquette and it was more of the latter. That is why I used the word privilege and not breach of privilege.

12 Noon.

Mr. Deputy-Speaker: I do not think any breach of privilege or etiquette is involved here. Hon. Members ought not to rush through these matters. There has been no unnecessary delay in the matter. After all the Superintendent of the Constitution Branch has to see through the proof and the corrections. I would ask the hon. Member to be a little patient before he comes up with any charge against the Government.

ENHANCEMENT OF POSTAL RATES

The Minister of Communications (Shri Kidwai): Sir, I also rise to make a similar protest. Yesterday I was in the House during the whole of the Question Hour and Mr. Sidhva was also here. He had some points on paper and some he had in his mind. If he was going to raise the question regarding the enhancement of the postal rates which was announced through a press note, he should have informed me and I would have been here to answer him.

Shri Sidhva (Madhya Pradesh): I never complained that he was not here. I did not mention about his absence at all.

Shri Kidwai: Then the other point I want to mention is that there was no secrecy about the matter and there should not have been any surprise about the announcement. It was contended that the increase in postal rates should have been mentioned in the Finance Minister's Budget speech

Dr. Deshmukh (Madhya Pradesh): On a point of order, Sir, I do not think this question can be agitated now. There is ample opportunity for the Communications Minister during the debate on the Finance Bill and when the Finance Minister replies to the whole debate to clarify the situation. I do not think the time of the House which is so short should be taken over this explanation.

Mr. Deputy-Speaker: This consists of two parts. The hon. Minister seems to have understood that exception was taken to his not being present. (An Hon. Member: It was not so.) Order, order. Nobody can prevent the Minister understanding it in a particular manner and so he has explained his conduct. If he does not

come forward to explain his conduct Members take exception to it and if he comes forward to explain his conduct the House still takes exception to it. Hon. Members ought to be consistent. It is very good of the hon. Minister to come to the House and show his due regard to the House by his explanation inasmuch as something was said in the House. He could not anticipate any number of questions that might arise in the course of the discussion on the Finance Bill. Therefore it is up to the hon. Member who wishes to draw particular attention to any particular Ministry to give some intimation, not a legal notice, to the Minister concerned, so that the latter knows about it and replies to it in the House. That is the proper procedure to be adopted. Of course if the Minister wants to explain to the House regarding the enhancement of the postal rates it is left to his discretion to participate in the debate and he will have an opportunity.

Shri Kidwai: I only wanted to touch this point that Mr. Sidhva raised the question that the proposal came as a surprise.

Mr. Deputy-Speaker: He may reserve it to the occasion when he may take part in the debate on the Finance Bill.

Shri Sidhva: I never complained yesterday that the Minister was not present. For my purpose the Finance Minister was there. I stated that this increase should have been mentioned in the budget speech of the Finance Minister.

Prof. S. L. Saksena (Uttar Pradesh): Instead of Ministers asking us to give notice, would it not be better that they are present here during the debate on the Finance Bill?

Mr. Deputy-Speaker: The Ministers have to do other executive business and they cannot be expected to be sitting here all through the day. . . .

Prof. S. L. Saksena: The debate is only for two days and they can be here at least for those days.

Mr. Deputy-Speaker: The Ministers are our own men, after all, and they have to do a lot of executive work. I do not think it is reasonable to expect them to be sitting here during the budget debate or the debate on the Finance Bill. (interruptions.)

Pandit Thakur Das Bhargava (Punjab): A number of questions may be raised at the time of the Finance Bill and the debate is only for two days. It is not too much to expect that

hon. Ministers should be here during those two days.

Mr. Deputy-Speaker: The proceedings are sent to the Ministers daily. There are also other Ministers taking note of points, besides their deputies are here. Let us not be too meticulous. I agree that the House must safeguard its interests. Unless intentionally there is a breach let there be no complaint. The Ministers are only too ready and accommodating to come and explain.

Shri M. L. Gupta (Hyderabad): You were pleased to say that hon. Members should inform hon. Ministers beforehand. But how can we do that when we do not know on what points we have to speak and we can only know them if the Ministers inform us first.

Mr. Deputy-Speaker: There are exceptions. Ordinarily, I said that was the procedure.

SUSPENSION OF SUB-RULE (2) OF RULE 22 OF RULES OF PROCEDURE

Mr. Deputy-Speaker: The House will now proceed with the discussion of Private Members' Bills.

Shrimati Durgabai (Madras): Before you proceed with the next item on the agenda, I would like to make a submission. On the order paper today we find that 27 Bills have been set down, some for consideration, some for circulation and some for reference to select committee. Besides these 27 Bills, there are 14 Bills pending introduction for a long time. Unless these latter Bills are allowed to be introduced in this session, I do not see any chance of their being considered, much less passed, before this House is dissolved, for the General Election is coming in the winter. Private Members get only a day or two for introducing new Bills or considering old ones. I know that I am making a request to you which I should not have made in the ordinary course, but you will remember that you yourself have set up a practice in this respect when you made a request to the hon. Mr. Speaker during the December Session when you wanted to make a motion like this. My request is that you should suspend the operation of sub-rule (2) of rule 22. The introduction of these Bills will not take more than two or three minutes and in view of the importance of the Bills pending introduction and also in view of the fact that most of us will or will not be in this House

when the General Election takes place and a new House may come into being. I request you to favourably consider my request. I have consulted the other Members whose motions are on top and they have all agreed, except one or two who are not present at the moment.

Mr. Deputy-Speaker: If my experience is worth referring to, I think that my own experience is that such motions are useless. I requested the Speaker to suspend the standing order and allow me to make the motion. Along with me other hon. Members also took advantage of the opportunity. Today, we find that as many as 23 Bills are put down for consideration; two or three others that have already been taken up are effectively barring the consideration of other Bills. Of course, I had the mental satisfaction of introducing my Bill and if my hon. sister wants that she must also be in the same boat and she should have the satisfaction of her Bill being introduced even though it has no chance of being considered. . .

Shrimati Durgabai: There is always a chance of its getting a high place in the next ballot.

Mr. Deputy-Speaker: That raises another issue. Along with the Bills previously introduced, there are 14 other Bills which even if they are introduced have very little chance of being taken up. Is there any chance of their coming up before this Parliament?

Shrimati Durgabai: Yes.

Mr. Deputy-Speaker: Then I would make a suggestion. When there are a number of Bills, hon. Members should ascertain from the Government and the Government also should look into the private Bills. It is not as if not one of them should be accepted by the Government. There are social and other measures and if Government agrees with some of them, they may give preference to them in the order of priority and even at the ballot other Members may also agree to give preference to those measures. Some of the measures here are of social importance and as the hon. Member has just now stated, this Parliament may not sit and a new Parliament may come into existence. Therefore, without making a precedent, I give my consent in view of the exceptional circumstances to the motion for suspension of the standing order being moved.

Shrimati Durgabai: I beg to move:

"That sub-rule (2) of rule 22 of the Rules of Procedure and Conduct of Business in Parliament in

[Shrimati Durgabai]

so far as it requires that Bills which have already been introduced by Private Members shall have priority over all other Bills be suspended for this day and that Bills in respect of which motions for leave to introduce have been entered in today's List of Business be taken up first."

Mr. Deputy-Speaker: I take it that the Government has no objection. Normally, it is left to the House but the Leader of the House is also consulted. This is a non-official day and it would not impede official work.

Shrimati Durgabai: It is for the Chair to decide?

The Minister of Home Affairs (Shri Rajagopalachari): May I see the motion?

No objection, Sir.

Mr. Deputy-Speaker: The question is:

"That sub-rule (2) of rule 22 of the Rules of Procedure and Conduct of Business in Parliament in so far as it requires that Bills which have already been introduced by Private Members shall have priority over all other Bills be suspended for this day and that Bills in respect of which motions for leave to introduce have been entered in today's List of Business be taken up first."

The motion was adopted.

Mr. Deputy-Speaker: The Bills to be introduced will be taken up now.

PARLIAMENT LIBRARY BILL

Prof. K. T. Shah (Bihar): I beg to move for leave to introduce a Bill to provide for building up an up-to-date and comprehensive Library for Parliament.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for building up an up-to-date and comprehensive Library for Parliament."

The motion was adopted.

Prof. K. T. Shah: I introduce the Bill.

INSURANCE (AMENDMENT) BILL

Dr. Deshmukh (Madhya Pradesh): I beg to move for leave to introduce a Bill further to amend the Insurance Act, 1938.

Mr. Deputy-Speaker: The question is:

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

The motion was adopted.

Dr. Deshmukh: I introduce the Bill.

REHABILITATION FINANCE ADMINISTRATION (AMENDMENT) BILL

Shri Sighva (Madhya Pradesh): I beg to move for leave to introduce a Bill further to amend the Rehabilitation Finance Administration Act, 1948.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Rehabilitation Finance Administration Act, 1948."

The motion was adopted.

Shri Sidhva: I introduce the Bill.

INDIAN PENAL CODE AND THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(Amendment of Sections 375 and 376 I.P.C. and Schedule II of Criminal Procedure Code).

Pandit Thakur Das Bhargava (Punjab): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code (XLV of 1860) and the Code of Criminal Procedure (V of 1898).

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code (XLV of 1860) and the Code of Criminal Procedure (V of 1898)."

The motion was adopted.

Pandit Thakur Das Bhargava: I introduce the Bill.

ALL INDIA BAR COUNCILS BILL

Shri Kazmi (Uttar Pradesh): I beg to move for leave to introduce a Bill to provide for the constitution and incorporation of Bar Councils for High Courts and an all-India Bar Council for the Supreme Court.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Sea Customs Act, 1878."

The motion was adopted.

Shri Sidhva: I introduce the Bill.

FOOD AND DRUGS BILL

Shri Kamath (Madhya Pradesh): I beg to move for leave to introduce a Bill to safeguard the quality and purity of food and drugs and to provide for penalties in case of certain offences relating thereto.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to safeguard the quality and purity of food and drugs and to provide for penalties in case of certain offences relating thereto."

The motion was adopted.

Shri Kamath: I introduce the Bill.

MUSLIM KAZIS BILL

Shri Kazmi (Uttar Pradesh): I beg to move for leave to introduce a Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and for the appointment of tribunals for trying and deciding cases of divorce and dissolution of marriage amongst Muslims.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and for the appointment of tribunals for trying and deciding cases of divorce and dissolution of marriage amongst Muslims."

The motion was adopted.

Shri Kazmi: I introduce the Bill.

PROHIBITION OF MANUFACTURE AND IMPORT OF HYDROGENATED VEGETABLE OILS BILL— Contd.

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Pandit

Thakur Das Bhargava on the 26th February, 1951, namely:

"That the Bill to provide for the prohibition of manufacture and import of hydrogenated vegetable oils, be taken into consideration."

पंडित ठाकुर दास भार्गव: जनाब डिप्टी स्पीकर (Deputy Speaker) साहब, २६ फरवरी को मैं ने इस बिल (Bill) के बारे में मोशन (Motion) किया था कि इस को कंसिडर (consider) किया जाय। इस से पहले ही एक कमेटी के बारे में तजक़िरा हुआ था, नवम्बर के सेशन (Session) में, कि एक कमेटी (committee) इस बिल के मुतालिक बिठाई जायगी। लेकिन उस बखत तक नवम्बर के सेशन में और दिसम्बर में भी कोई कमेटी नहीं बिठलाई गयी। बल्कि जनवरी में एक कानफरेंस (conference) हुई जो हमारे मुहतरिम मिनिस्टर (Minister) साहब श्री मुन्शी ने बुलाई थी! उस के बाद फरवरी में इस कमेटी का ऐलान हुआ। इस कमेटी के बारे में हाउस (House) के सामने चन्द मेम्बरान के नाम भी पढ़े गये हैं और उस के टर्म्स आफ रेफरेंस (Terms of reference) भी पढ़े गये हैं। मैं अब से अर्ज करूंगा कि उस के टर्म्स आफ रेफरेंस हरगिज़ तसल्ली-बल्श नहीं हैं। जिस बुनियाद पर बिल बना था, उस बुनियाद के बारे में मैं नहीं समझता था कि कोई गुंजायश किसी क्रिसम की बहस की थी। फिर जहां तक टर्म्स आफ रेफरेंस का सवाल है यह मैं कभी नहीं समझ सकता था कि उस का नतीजा यह भी निकल सकता है कि कमेटी कोई ऐसी रिपोर्ट (Report) कर दे कि जिस की बजह से इस बिल की बेल्कनी हो जाय। इसलिये इस बजह से मैं ने ऐतराज़ किया कि मुझ को यह टर्म्स आफ रेफरेंस मंज़ूर नहीं हैं। चनांचे उस के परसोनज (Per-

(Personnel) के बारे में भी मैंने ऐतराज किया और जब मुझ को इस का पता लगा कि इस किस्म की कमेटी बनने वाली है तो मैंने मुन्शी साहब के पास एक चिट्ठी दिसम्बर १९५० में लिखी कि न तो मैं इस कमेटी पर सर्व (serve) करने को तैयार हूँ और न इस के टर्मस आफ रेफरेंस को मानता हूँ।

उस के बाद हाउस के अन्दर यह मामला फिर आया। बहुत कुछ पूछ ताछ के बाद मुझ को मालूम हुआ कि दरअस्त इस कमेटी के बनाये जाने के पीछे स्वाहिस है कि इस बिल के नतीजे पर बनस्पती को रंग दिया जाय। मुझे हाउस के सामने यह कहने की जरूरत नहीं है कि आज इस बिल के लम्बा होने की वजह से देश में कितना असंतोष फैल रहा है मेरे पास कितने ही दिनों तक बराबर चिट्ठियाँ आती रहीं और मुझ पर जोर डाला जाता रहा कि इस को पास होने के लिए हाउस में पेश करूँ। मैं जानता हूँ कि इस हाउस की बहुत बड़ी तादाद की यह स्वाहिस है कि इस को जल्द पास कर दिया जाय। मुझे यह भी मालूम है कि मुझे इस बिल के साथ वर्किंग कमेटी (Working Committee) की भी हिमायत हासिल है और उस ने हाउस को लिखा था कि जहाँ तक मुमकिन हो जल्दी से जल्दी बनस्पती को रंग दिया जाय। इस बात को तीन बरस हो गये और हमारी गवर्नमेंट ने भी उस मौके पर यह वायदा कर लिया था कि इस को रंग दिया जायगा। लेकिन यह पुरानी कहानी है, इस में मैं नहीं जाना चाहता। इसके बाद हमारी आल इंडिया कांग्रेस कमेटी (All-India Congress Committee) ने एक रिजोल्यूशन (Resolution) पास कर दिया कि हाइड्रोजिनेशन (Hydrogenation) बन्द कर दिया जाय। यह रिजोल्यू-

शन उस ने इसलिये पास कर दिया कि बहुत असें तक इस को रंगने की चेष्टा नहीं की गई और गवर्नमेंट ने इस पर कोई ऐक्शन (action) नहीं लिया। इस रिजोल्यूशन के बाद मुझे डर है कि अगर कोई शरूस इस के खिलाफ कोई प्रोपोजल (Proposal) करे तो कहीं उस के खिलाफ डिस्प्लिनरी ऐक्शन (Disciplinary action) लेने की जरूरत न पड़ जाय। लेकिन, जनाब वाला, मैं इस सवाल में नहीं जाना चाहता। जैसा मैंने अभी अर्ज किया है मुझे यकीन है कि हमारी गवर्नमेंट (Government) सच्चे दिल से इस सवाल को तै करना चाहती है। अब ऐसी हालत में यही उम्मीद है कि जहाँ तक घी का मामला है गवर्नमेंट कभी ऐसा नहीं होने देनी कि घी को एडल्टरेट (adulterate) होने दे, खसूसन जबकि एक बड़ा हिस्सा इस मुल्क का वीजीटेरियन (Vegetarian) है। मैं अदब के साथ अर्ज करना चाहता हूँ, बल्कि मैं इस हाउस में बड़ी खुशी से एलान करना चाहता हूँ कि दरअस्त हमारे प्राइम मिनिस्टर (Prime Minister) साहब ने मुझे अपना वर्ड आफ आनर (word of honour) दिया है कि वह इस बारे में जो कुछ भी बन सकेगा करेंगे। मैंने उन की बिधमत में अर्ज किया था कि इस में वेस्टेड इंटेरेस (Vested interests) बहुत तकलीफ देने वाले हैं। मैंने साइंटिस्ट्स (Scientists) के बारे में भी अर्ज किया था कि मैं उन से क्या उम्मीद नहीं करता। जिस जोर से हमारे प्राइम मिनिस्टर साहब ने मुझ से वायदा किया उस को देखकर मुझे यकीन हो गया कि हमारे प्राइम मिनिस्टर साहब जरूर अपने वायदे का ईफा करेंगे और इस को रंगवा कर छोड़ेंगे। मुझे सिर्फ प्राइम मिनिस्टर साहब ही का वायदा नहीं भ्रम

[पंडित ठाकुर दास भागंज]

है बल्कि उसको सप्लीमेंट (Supplement) करने के लिए मेरे पास श्री मुन्शी का भी वायदा है जो कि इस वक्त हाउस में बैठे हुए हैं। उन्होंने मुझ से वायदा किया कि चाहे और किसी डिपार्टमेंट (Department) के साइंटिस्ट कुछ करें या न करें लेकिन जहां तक उन के डिपार्टमेंट का ताल्लुक है वह इस बात की पूरी कोशिश करेंगे कि ऐसा रंग मुहय्या करें कि इस को रंगवा दें। मुझे उन के इस वायदे पर पूरा यकीन है। इस के अलावा लास्ट बट नाटवी लीस्ट (last but not the least) इस कमेटी के प्रेसीडेंट (President) मिस्टर थिरुमल राव ने और भी ज्यादा जोर से वायदा किया है। मैं उम्मीद करता हूँ कि वह इस वायदे पर कायम रहेंगे। उन का वायदा यह है कि वह पूरी कोशिश करेंगे और उन को पूरा यकीन है कि बहुत जल्दी इस को रंग दिया जायगा। वह वायदा यहां तक पहुंच गया है कि अगर कोई और रंग न मिला तो जो रंग सतीश चन्द्र दास ने पेश किया है वही रंग कर दिया जायगा। मैं यह नहीं चाहता कि कोई ऐसा रंग कर दिया जाय जो देखने में खूबसूरत न हो। मैं वह नहीं चाहता कि इस का काला रंग कर दिया जाय। मैं चाहता हूँ कि उसमें निहायत खूशगवार रंग कर दिया जाय क्योंकि जो लोग इस को जानना चाहते हैं मैं उन की राह में कोई बाधा नहीं डालना चाहता। जहां तक मेरा जाती क्याल है मैं इस हक में हूँ कि हाइड्रोजिनेशन बिल्कुल ही बन्द कर दिया जाय, लेकिन जब मैं देखता हूँ कि हमारी वर्किंग कमेटी का रिजोल्यूशन है, सं. ४० का पहला पांथी का कहना है, उन्होंने भी यही कहा था कि इस को रंग दिया जाय, हमारे प्राइम मिनिस्टर साहब का वायदा है, हमारे श्री मुन्शी का वायदा है और उच्च

कमेटी के प्रेसीडेंट मिस्टर थिरुमल राव का यह वायदा है वह सब इसके रंग देने के हक में हैं। ऐसी हालत में मैं ज़िद नहीं करना चाहता कि हाइड्रोजिनेशन बन्द कर दिया जाय। चूंकि मेरा क्याल है कि हाइड्रोजिनेशन से न्यूट्रीशन (Nutrition) में फर्क आता है, इस वास्ते मेरी यह राय है लेकिन मुझे ज़िद नहीं है कि मैं इन सब की राय पर अपनी राय को क्रीकियत दूँ और उन को मजबूर करूं। मैं उम्मीद करता हूँ कि इस तरह का रंग निकल आवेगा, लेकिन अगर दो तीन महीने में इस तरह का रंग न निकला तो मैं फिर इस हाउस के सामने यह चीज लाऊंगा कि हाइड्रोजिनेशन बन्द कर दिया जाय।

जब मैं बिचर से अपने दोस्त मिस्टर चौधरी का इंटरप्शन (Interruption) सुनता हूँ और हाउस की दाहिनी तरफ नज़र डालता हूँ बिचर डाक्टर पट्टामी बैठे हैं तो मुझे अपने बुजुर्ग डाक्टर पट्टामी की याद आती है जब कि उन्होंने अपने जयपुर के साधन में इस चीज को बड़े जोर से मुल्क के सामने रखा था। हमारे सब बड़े बड़े बीडराल का यही क्याल है, हमारे मिनिस्टर साहब को इस का सब से ज्यादा क्याल है। इस बिचर पर हाउस का बहुत वक्त लग चुका है। इसलिये मैं अपनी तरफ से और हाउस की तरफ से अपने देश के साइंटिस्ट्स से अपील करता हूँ कि हमारे प्राइम मिनिस्टर साहब का वर्ल्ड टेस्ट (world test) पर है और अगर वह ऐसा रंग निकाल दें तो हमारी बहुत भलाई होगी। यह जो हमारी ११ लैबोरेटरीज (laboratories) कायम की गई हैं और जिन से यह उम्मीद की जाती है कि वह हमारी आयन्दा नस्ल के लिए बहुत कायदेमन्द साबित होंगी, मैं उन से अपील करता हूँ कि सब से पहली चीज वह यह रंग निकालें और किसी बेस्ते

इंटेरेस्ट की परवाह न करें। सिर्फ इस बात का ध्यान रख कर कि हमारे बड़े बड़े लीडरान का वह ब गवर्नमेंट आफ इंडिया (Government of India) की साथ इस मामले में टेस्ट पर है। हम को यह याद रखना चाहिये कि इन लेबोरेटरीज का पहला फल कास्तकारों की ओर बीबीटेरियंस की भलाई के लिए होना चाहिये, जिन की कि यहां इतनी बड़ी तादाद है। इन अल्फाज के साथ मैं जनाबवाला से यह अर्थ कसंगा कि मुझ को यह इजाजत दें कि कुछ बसें के लिए यह बिल रोक दिया जाय। अगर कमेटी को रिपोर्ट इस के मुताबिक हुई तो उसी के मुताबिक मैं अगले सेशन में मुनासिब तबदीली कर के फिर लाऊंगा ताकि यह रंगना बनास्पती का पास कर दिया जाय। लेकिन अगर उस वक्त तक कमेटी की रिपोर्ट न आई या कमेटी ने जवाब दे दिया, और गवर्नमेंट ने अगर उस वक्त तक इस को रंगाने की कोई चेष्टा नहीं की तो मजबूरन मुझे यह बिल हाउस के सामने खाना होगा। इन अल्फाज के साथ मैं उम्मीद करता हूं कि मेरी इस बरख्वास्त की ताईद हमारे मिनिस्टर साहब और डिप्टी मिनिस्टर साहब भी करेंगे और वह कोई एश्योरेंस (Assurance) भी देंगे कि हम देश के लोगों को दे सकें। मुल्क ने इस पर हजारों रुपया खर्च किया है, अब भी मेरे पास रोजाना खत आते रहते हैं। लाखों आदमियों के बस्तकात करकर इस बारे में भजे गये थे। इसलिए मैं और इस बारे में ज्यादा नहीं कहना चाहता। मैं उम्मीद करता हूं कि हमारे मिनिस्टर साहब मेरी ताईद करेंगे और मुझे इस बिल को अगले सेशन तक रोक देने की इजाजत दी जायगी।

(English translation of the above speech)

Pandit Thakur Das Bhargava (Punjab): Sir, I had moved a motion on the 26th February that this Bill be

taken into consideration. It was mentioned in the November Session that a committee will be appointed in connection with this Bill. But no committee was appointed during the November Session and not even in December. But a conference was held in January which was called by our hon. Minister Shree Munshi. Then in February a declaration was made regarding the formation of this committee. Names of some members of the committee and also its terms of reference have been read out in this House. I have to submit that the terms of reference are not at all satisfactory. I do not think that the basis on which this Bill was framed, left any place for discussion. Then so far as the terms of reference are concerned, I could never think that the committee would submit such a report that it will kill the Bill absolutely. That is why I had objected to the terms of reference. I had also, therefore, objected to its personnel and when I learnt that a committee of this sort was going to be set up, I wrote to the hon. Shri Munshi in December 1950 that neither I was prepared to serve on the committee nor did I agree to its terms of reference.

After that, the matter came up again before the House. After making thorough enquiries I came to know that the purpose behind forming this Committee was to add colour to the Vegetable oil on the basis of its findings. I need not tell the House what amount of discontentment is prevailing in the country due to prolongation of this Bill. A large number of letters come to me every day and I was pressed to move this Bill before the House. I know that the majority of the Members are in favour of its early passage in the House. I also know that this Bill has got the backing of the Working Committee as well and it had recommended to the House that the Vanaspati should be coloured as early as possible. Three long years have passed since then and the Government had also promised at that time to add colour to it. But it is an old story and I do not want to repeat it. After this, our All-India Congress Committee passed a resolution that hydrogenation should be stopped. This resolution was passed because no attempt was made since a long time to colour it and the Government also took no action on it. After passing of this resolution, if anybody attempts to put any other proposal against it I am afraid, the need might arise to take disciplinary action against him. But I do not want to go into this matter. As I have just submitted that I am confident that our Government want to solve this problem in the real

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spirit. Under the present circumstances, as far as the problem of *ghee* is concerned, I hope, the Government will not allow the adulteration of *ghee* and more so, when a major part of our country is vegetarian, I submit rather I announce with great pleasure in the House that our Prime Minister has given me his words of honour that he will try to do whatever he can in this matter. I had told him that the vested interests were the real trouble makers in this matter. I also said about the scientists that we cannot expect very much from them. As a result of hon. Prime Minister's promise to me, I became confident that he will certainly fulfil his promise and will have it coloured. Not only the hon. Prime Minister has promised to me but the promise has been supplemented by Shri Munshi as well who is sitting in the House at present. He promised to me that the scientists of any other department may do any thing but as far as his department is concerned he will do his best to see that a suitable colour is found out to colour it. I have full faith in his promise. Last but not the least, the President of this committee Shri Thirumal Rao has also promised to me with equal earnestness. I hope, he will keep his promise. He has promised that he will try his best and is confident that it will be coloured very soon. He has promised to such an extent that if no other suitable colour is discovered, the colour discovered by Shri Satish Chandra Das will be mixed with it. I do not want that it should be coloured with some such colour which is not pleasing to the eyes. I do not want that it should be coloured black. I want that it should be coloured with some such colour which is pleasing to the eyes. I do not want to put any obstruction in the way of those who want to consume it. As far as I am concerned I want that hydrogenation should be totally banned. But I do not want to press my suggestion in view of the resolution of the Working Committee and the words of Mahatma Gandhi who had said in 1940 that it should be coloured and our hon. Prime Minister, and Shri Munshi and last of all the President of the Committee Shri Thirumal Rao want that it should be coloured. I think that the hydrogenation makes all the difference in its nutritive value and therefore, I want that it should be banned. But I do not want to supersede the opinions of all of them in order to assert my own opinion nor I want to force them to accept my opinion. I hope that a suitable colour will be found out and if within two or three months such a colour is not

discovered, I will again put the said Bill before the House for completely banning hydrogenation.

When I listen to the interruption of my friend Shri Chaudhuri and cast my eyes on the right where Dr. Pattabhi is sitting, I am reminded of the words of Dr. Pattabhi who placed before the country in emphatic words the need of banning the hydrogenation in his Jaipur speech. All our prominent leaders are of the same opinion and our hon. Prime Minister is particularly conscious of it. The House has already devoted enough time on this Bill. Therefore, on my behalf and on behalf of the House I appeal to the scientists of our country that the words of our hon. Prime Minister are on test and if they find out any suitable colour, they will render great service to the nation. It is hoped that the eleven established laboratories of ours will prove much beneficial to the future generation and I appeal to them that they should first of all find out some suitable colour without caring for the vested interests. They should realize that the words of their leaders and the reputation of the Government of India are at stake. We should keep in mind that the result of researches of these laboratories should be first of all for the benefit of the cultivators, and the vegetarians, who are in majority in this country. With these words I request you to allow me to withhold this Bill for some time. If the report of the committee is in its favour, I will introduce the same Bill with suitable modifications in the next session so that this Bill regarding the colourization of *Vanaspatti* may be passed. But, if the report of the committee is not available by that time or if the committee submits its report and the Government make no efforts to colour it, I will be compelled to bring forth this Bill before the House again. With these words, I hope, our hon. Minister and Deputy Minister will support my request and will give us some such assurance which we may place before the country. Our country has spent thousands of rupees on it and I am still daily receiving letters regarding this matter. Petitions signed by lakhs of people have been received. Therefore, I do not want to dote more on the subject. I hope, the hon. Minister will support me and I shall be allowed to withhold this Bill till the next session.

The Minister of Food and Agriculture (Shri K. M. Munshi); Sir, I deeply appreciate the reasonableness of my hon. friend Pandit Thakur Das Bhargava and looking to the fact that they are all devoting such attention

to this question, it is necessary that this matter should stand over.

Pandit M. B. Bhargava (Ajmer): I would like to know whether Government is committed to the principle of colouration of this vegetable oil. Pandit Thakur Das Bhargava told us that an assurance to that effect had been given by the Prime Minister as also by the Food Minister. The reply that has just been given by the hon. Minister does not contain any such assurance. I would like to know whether Government stands committed to the principle of colouration of vegetable oil?

Shri K. M. Munshi: The Committee is appointed for the purpose of considering these questions. For Government to commit itself to any principle at this stage would be not only unwise, but would be an affront to the committee.

This is what exactly the hon. Prime Minister said:

"We certainly desire that all efforts should be made to stop adulteration of *ghee* with *vanaspathi*. Government is prepared to set up soon a committee to consider this matter."

Shri Jhunjhunwala (Bihar): That is the general desire regarding all food-supplies. What steps are Government taking with regard to it?

Mr. Deputy-Speaker: This relates to that. The question is:

"That the further consideration of the following motion moved by Pandit Thakur Das Bhargava on the 26th February, 1951, be postponed to the next session:

"That the Bill to provide for the prohibition of manufacture and import of hydrogenated vegetable oils, be taken into consideration."

The motion was adopted.

The Minister of State for Finance (Shri Tyagi): Will it pass through the ballot again?

Mr. Deputy-Speaker: Yes.

USEFUL CATTLE PRESERVATION BILL

Pandit Thakur Das Bhargava (Punjab): I beg to move:

"That the adjourned debate on the following motion moved by me on the 12th December, 1950, be resumed:

"That the Bill to provide for the preservation of useful cattle in the centrally administered areas, be taken into consideration."

The Minister of Food and Agriculture (Shri K. M. Munshi): Before the hon. Member proceeds I would like to make a statement at this stage.

Pandit Thakur Das Bhargava: Sir, if I may be permitted to submit, I may be allowed to say something in regard to this motion before the hon. Minister makes any statement, because it will be only in the light of what I say that he can make a statement.

Mr. Deputy-Speaker: All right.

Dr. Deshmukh (Madhya Pradesh): Why waste the time of the House when it is decided that this Bill is not going to be considered? The hon. Member has already taken a lot of the time of the House by emphasizing the same things over and over again and repeating the same arguments a hundred times.

Pandit Thakur Das Bhargava: Sir, I very humbly beg to protest against the manner in which my friend has taken this opportunity to criticize my conduct. He ought to know better. It is not desirable that Members should pass such criticism upon one another. If he is under the impression that much time has been wasted on this, then I am afraid he does not know the public mind and public opinion on this very important question.

Dr. Deshmukh: I am sorry to differ from him in reading the public opinion.

Pandit Thakur Das Bhargava: He has a right to differ, but he has no right to criticize my conduct in this House. I am a responsible Member and I know how to conduct myself. Therefore, Sir, with this protest I proceed.

In regard to this motion the House is fully aware that the motion for the consideration of this Bill was made previously in this House. It was in the November session, and when this motion was being discussed the hon. the Deputy Minister stood up in his place and wanted that the consideration of the Bill may be postponed and said that the Government wanted to bring a new measure. That was in November. On that day, in deference to the desire of the Deputy Minister, I did not move for a motion of closure and we wasted the whole day. But I found that even for the next session no Bill was brought. Ultimately, on the 26th February, again this matter was taken up, and again a request was made that the consideration of

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the Bill be postponed. And on that day, on the assurance of the hon. Minister that a Bill will be brought, I agreed that the consideration be postponed. Hence it was postponed to this date.

Now, Sir, what has happened? After this time also the Bill has not so far been brought. It is now about four months. If the House remembers what a long period has been taken in regard to this Bill when it was introduced and when it subsequently came on certain occasions before the House, and when the House remembers how difficult it is for non-official Members to get some opportunity to move a Bill and get it through, the House will realise that dilatory tactics are being employed. I am fully responsible while making this statement, and my difficulty is not only this much. I know that there is an attempt and that some Bill has been put up before the Cabinet and that the Bill has not received the assent of the Cabinet. All the same I submit for your consideration that so far as that Bill is concerned I am not satisfied with it. Therefore, before I agree to the postponement of this Bill, I require three assurances from the hon. Minister. If he agrees to give me these assurances I will certainly agree again that this Bill may be postponed to the next session.

I want first of all that the Government Bill will be placed before the House in this session. Secondly, that it shall be referred to a Select Committee. Thirdly—which is much more important—that when it is referred to Select Committee, no such objection will be taken in regard to the scope of the proposed Bill that we will not be able to alter the manner in which that Bill is designed to proceed. This Bill is a direct and frontal attack upon the present policy of the Government and we want, so far as useful cattle is concerned, that their slaughter may be stopped in accordance with the Report which the Government has accepted and in accordance with article 48 of the Constitution. Now, if the proposed Bill is such that it does not offer any scope for this purpose to be implemented we should be able to alter its provisions to achieve the desired object.

Mr. Deputy-Speaker: The hon. Member will kindly see that there are two motions in his name relating to the same matter. The first one is in regard to the granting of leave to resume the discussion, and then of course the hon. Member may go on with the details in support of his motion. The first one is a very formal

motion, namely, whether further discussion should be resumed or not. After it is put to the House and taken up he may proceed to the second one.

Pandit Thakur Das Bhargava: Sir, I do not want to take up the time of the House, and the second motion may not be made if these assurances are given.

Shri K. M. Munshi: Sir, you will remember that on the last occasion when this Bill came before the House it was postponed on the ground, as was submitted by me, that the Government is considering a comprehensive Bill and therefore it would be much better that this matter should come up as a Government Bill. I am in a position to tell the House that the Government has accepted the Bill and that I propose to introduce that Bill in the House in this session.

The only question with regard to Select Committee is this. I am quite willing that in this session the Select Committee should be appointed. But the only question is if the House exercises a certain amount of self-restraint, so far as taking the time of the House is concerned in discussion, it may be possible. It is not in my hands. It will depend upon the time available to the House, whether sufficient time will be left. If Members come to some compromise that after the introduction there should not be much time taken up on general discussion, I think within a very short time we will be able to send it to Select Committee. That is the position.

As regards the other question which was mentioned by my hon. friend Pandit Thakur Das Bhargava the position is simply this. It was mentioned on the last occasion that Government would like to prohibit the slaughter of useful cattle, as laid down in the directive of the Constitution. At the same time we have to consider what will be the effect of a penal legislation of the *ad hoc* character contemplated by this Bill, how oppressive it will be in the villages, what will be the scope for corruption, and all the rest of it. Therefore, it is open to any Member in the Select Committee to press his point of view, but the Government Bill itself is based on the principle that steps should be taken to prevent the slaughter of useful cattle. It is there in the Bill which I am bringing forward. The only difference is with regard to the method, and it may be that the House may not be prepared to accept the method proposed by my hon. friend Pandit Thakur Das Bhargava. So I cannot commit it to that particular method. That is the position.

Pandit Thakur Das Bhargava: I do not want Government to commit themselves to anything. I only want that it will be open to us to alter the manner in which that Bill proceeds, if the Select Committee accepts it.

Shri K. M. Munshi: I have pointed out clearly that one of the objects of the Gosamvardhan Bill will be to prevent the slaughter of useful cattle. Also, any rule made requires to become penal. But Government's position is, and I want to make it clear, that a general all-India or all C States legislation of a categorical character would lead to an abuse, which Government does not want to encourage. That is the attitude of the Government and nothing will prevent them because after all the principle is there.

Mr. Deputy-Speaker: Is it necessary to put this motion?

Pandit Thakur Das Bhargava: I would beg of this House to allow me to take this Bill to the next session. With your permission, I may be allowed to move the next motion also. I do not want that it should be said subsequently that I have not taken leave of the House to allow the Bill to continue. It must be assumed after the statement of the hon. Minister.

Mr. Deputy-Speaker: What I consider is that the same motion may be made next time.

Pandit Thakur Das Bhargava: This motion may be put to the House. The next one I will move and then let it be postponed. The resumption motion may be allowed, Sir, since the hon. Minister has also not opposed it. The next motion may be left for the next session. It is a formal motion.

Mr. Deputy-Speaker: The hon. Member may kindly move his motion.

Pandit Thakur Das Bhargava: I have already moved it.

Mr. Deputy-Speaker: Then I will put it to the House. The question is:

"That the adjourned debate on the following motion moved by Pandit Thakurdas Bhargava on the 12th December, 1950, be resumed:

"That the Bill to provide for the preservation of useful cattle in the centrally administered areas, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The adjourned debate is resumed.

Pandit Thakur Das Bhargava: I have already made a submission that this may be postponed to the next

session, and I hope the House would agree to allow it.

Mr. Deputy-Speaker: The question is:

"That further consideration of the following motion moved by Pandit Thakur Das Bhargava on the 12th December, 1950, be postponed to the next session:

"That the Bill to provide for the preservation of useful cattle in the centrally administered areas, be taken into consideration."

The motion was adopted.

TRAINING AND EMPLOYMENT BILL

Dr. Deshmukh (Madhya Pradesh): I beg to move:

"That the Bill to make provision for employment and training for employment and to establish a comprehensive youth's employment service, be referred to a Select Committee consisting of"

Mr. Deputy-Speaker: Has he consulted the hon. Members whose names have been set down here?

Dr. Deshmukh: No, Sir, I have presumed it.

Mr. Deputy-Speaker: Normally the consent of the Members whose names are proposed is taken and the Whip also must be informed about it. In this case it has not been done.

Dr. Deshmukh: Actually there are many more Members who are anxious to join the Select Committee.

Mr. Deputy-Speaker: I would like this procedure is followed in future.

Dr. Deshmukh: I have never been informed of this at any time.

Mr. Deputy-Speaker: That is the rule. Therefore the consent of the Members may be obtained later on.

Dr. Deshmukh: I can almost guarantee that they will all consent.

Shri Satish Chandra (Uttar Pradesh): On a point of order, may I point out that not a single Minister is present in the House and the Treasury Benches are empty? Is it not necessary that at least one Member of Government should be present when non-official Bills are being considered?

Mr. Deputy-Speaker: I have to inform the House that when Mr. Jagjivan Ram was here, he was feeling

[Mr. Deputy-Speaker]

somewhat indisposed and he asked me if he could go and I agreed. I least expected that this motion will be taken up now for consideration. The hon. Deputy Minister is here. . . .

The Deputy-Minister of Food and Agriculture (Shri Thirumala Rao): I will take notes and convey it to the hon. Minister.

Dr. Deshmukh: I beg to move:

"That the Bill to make provision for employment and training for employment and to establish a comprehensive youth's employment service, be referred to a Select Committee consisting of Pandit Balakrishna Sharma, Shri B. L. Sondhi, Shri M. A. Hasan, Shrimati G. Durgabai, Shri G. R. Ethirajulu Naidu, Shri Mihir Lal Chattopadhyay, Shri Bali Ram Bhagat, Shri Lakshmi Shankar Yadav, Shri Ari Bahadur Gurung, Shri T. Channiah, Shri B. N. Munavalli, Shri R. L. Malviya, Chaudhari Ranbir Singh, Shri Ramnath Goenka, Shrimati Dakshayani Velayudhan, the hon. Shri Jagjivan Ram, Shri P. Kunhiraman and the mover, with instructions to report by the first week of the next session."

Mr. Deputy-Speaker: There should be a provision: The presence of at least five being necessary to constitute a quorum.

Dr. Deshmukh: The quorum would be five.

Sir, I have given notice and I have tabled on the floor of this House two Bills which are really complimentary to each other, the object being to see that the youths of this country are well looked after, the destitute children are also cared for, that there are adequate arrangements not only for their employment but previous to their employment adequate arrangements for their training also, and that for that purpose a comprehensive youth employment service should be established. This is not merely a matter of a humanitarian nature. I have been moved by the spectacle of our youth and young children being far more neglected than anything we neglect even in this India of ours. It was so disheartening that even at the time when we were considering the distribution of subjects in the various lists in the Constitution, it has unfortunately been our experience that whereas the protection of animals and cruelty titution in the list of concurrent subjects, I fought in vain in the Constituent Assembly to see that the animals found a place in the Cons-

children's welfare was also the care of the Central Govt. concurrently with the State Governments. I do not wish to complain about that here and at this stage. There are ample provisions in the Constitution itself which should persuade us to take up this matter with as much expediency as possible, because it is an important problem affecting the future of the whole Indian nation.

I would only point out, Sir, that under article 39 we have made very specious and generous provisions for the protection of children and the youth of our country. Article 39 of the Constitution reads as follows:

"The State shall, in particular, direct its policy securing—

(a) that the citizens, men and women equally have the right to an adequate means of livelihood;...

I would not refer to (b), although it has also a bearing and it reads as follows:

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

Then I come to (c):

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that childhood and youth are protected against exploitation and against moral and material abandonment."

In view of this Article, I do not expect, Sir, that anybody would question the desirability of passing the two Bills that I have presented to the House. At first sight someone may probably say that my Bills are too short and not elaborate enough. I quite agree that they are short. The British Government has accustomed us to big Bills and the big Bills have often resulted in doing as little good as possible. My intention in having these briefer Bills is that the work done should not be commensurate with the number of sections or articles in the Bill, but the benefit conferred should be inversely proportionate to

the number of sections that are embodied in the particular bill.

The objects of the Bill which is under discussion have been stated in the Statement of Objects and Reasons. The first reason I have given is that the provisions for the employment of the youthful persons in this country are not adequate. We have had, mostly as a result of the war situation, to establish Employment Exchanges. They have done a certain amount of good work; but I beg to differ from the point of view that they are really conferring that benefit on the community that could be expected from the money expended on them. I therefore think that it is desirable that the working of these Employment Exchanges should be reviewed and should be made to achieve greater good of the people. Then, so far as the question of training of our people is concerned, there is no coherent policy. As is well known to the House, the technical training of people is divided between two Ministries at the present moment. One Ministry does not consult the other Ministry as to what is the position. At present, the Labour Ministry and the Ministry of Education deal with this question. Whereas on the one hand the Labour Ministry has opened certain Centres for technical training, and they are exclusively under the management of the Ministry of Labour, so far as technical education, especially, higher technical education is concerned, it is the exclusive concern of the Education Ministry. The Education Ministry does not know what sort of education is imparted in these training Centres and the Ministry of Labour has not much say in the rest of the technical education in the country. As regards these training Centres, I would also like to say that this is a sort of a mere continuation on a smaller scale of what was being done during the war. I know that the hon. Minister has great sympathy for these people who derive benefit from these Centres and he has made it a matter of his personal care and attention to see that the greatest possible benefit is derived by the people from these Centres. Yet, the country is so vast and the needs both of industry and other services are so great that what has been done so far is extremely inadequate. Therefore, unless the attention of the Government is more pointedly drawn to these deficiencies, and unless we have an organisation which will be competent to deal with the problem as it faces us today, it will not be possible to do what is expected of us to be done in this matter. What I want in this Bill is that for every person who

is in need of employment, adequate means should be provided to get proper training and proper employment that he deserves. As I have already stated, some efforts are being made in this direction; but those efforts are inadequate.

The second objective of the Bill is that whatever employment is available, there must be facilities to make these persons fit enough to take advantage of that employment.

Shri Sidhva (Madhya Pradesh): May I rise on a point of order, Sir? My hon. friend's Bill says that certain expenditure has to be incurred on so many things. Article 117 of the Constitution says:

"(1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States."

As far as I can understand, the sanction of the President has not been taken. Also, a schedule of expenditure has not been appended as required under the Rules. I feel that the Bill could not even be moved.

Mr. Deputy-Speaker: I myself was looking into this matter and was about to ask the hon. Member to come prepared to argue this matter. Because we are nearing the lunch interval, I did not want to interrupt the hon. Member. The hon. Member will kindly note that matter.

Pandit Thakur Das Bhargava (Punjab): With your permission, Sir, may I suggest that Education is in List II and is therefore a provincial subject. I would therefore humbly request the hon. Member to come prepared on this point also.

Dr. Deshmukh: It is not education; it is training, which is already being given.

Shri Sidhva: Will you take the Chair, Sir, when this matter is taken up?

Mr. Deputy-Speaker: That is not necessary; however, so far as this matter is concerned, I shall come.

Before rising, I would like to say one thing as regards the programme for the next week. On the 16th April, there is a motion already tabled by the hon. Minister Mr. Rafi Ahmed Kidwai to the effect that the Report of the Air Transport Enquiry Commit-

[Mr. Deputy-Speaker]

tee, 1950, be taken into consideration. The report has already been circulated to hon. Members so early as 30th October 1950, together with a Press summary of the report. As it is a long time since the report was circulated, I may remind the hon. Members to search out their copy of the report so that on that date they may not find it inconvenient, and there may not be complaints that copies are not available as there may be only a few copies in the Library.

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.]

Mr. Deputy-Speaker: The House has taken seven minutes of its own accord.

The Minister of Labour (Shri Jagjivan Ram): It is a non-official day, Sir.

The Minister of Works, Production and Supply (Shri Gadgil): I was almost about to ask you, Sir, on a point of order whether on a non-official day, the quorum could only be made by the presence of Members on the Treasury Benches?

Shri Sidhva: Do they want a holiday on that day?

Dr. Deshmukh: If I may reply to the observations of the hon. Minister, I would like to say that we could defeat any legislation from coming into this House if they relied only on the ministerial strength to make a quorum. So we have got a weapon of retaliation, if they say that they are responsible for making a quorum.

Mr. Deputy-Speaker: I would like to hear the point of order formally raised.

Shri Sidhva: Sir, I raised the point of order that the Bill brought in by my hon. friend Dr. Deshmukh is not in order because it involves expenditure. Article 117 reads thus:

"(1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States:"

And if you refer to clause (3) of the same article you will find that it says:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

Mr. Deputy-Speaker: Under what clause does it come?

Shri Sidhva: I was referring to clauses (1) and (3) of article 117. Clause (1) of article 110 in its sub-clause refers to appropriation of moneys out of the Consolidated Fund of India. We have given money to the Consolidated Fund of India and whenever money is drawn it is drawn from this Consolidated Fund of India.

Mr. Deputy-Speaker: Let us proceed one after another. Which clause does the hon. Member refer to now?

Shri Sidhva: Clause (3) of article 117 emphatically refers to any Bill which, if enacted would involve expenditure. That means expenditure from the Consolidated Fund of India. This money will have to come from the Consolidated Fund. We have opened a consolidated fund of Rs. 50 crores or so and all the money whether for a private Member's Bill or Government Bill has to come out of this fund. In fact under the ruling of the Speaker a schedule has to accompany a Bill wherever expenditure is involved. He said that he would not allow a Bill to be moved, unless the House is given an idea of the expenditure to which the House is going to be committed. I agree that the object of this Bill is laudable and even if I am in favour of it the Constitution comes in the way. The Constitution is above every thing. Even if my friend says that it will cost only Rs. 2 lakhs I have to point out to him what the law requires and what the Speaker has said about the schedule of expenditure to be appended to every Bill. As far as I remember such schedules are attached to every important Bill involving expenditure. It would be stretching too far if any other view is taken. Sub-clause (d) of Article 110 (1) is clear, which says "the appropriation of moneys out of the Consolidated Fund of India." Unless Mr. Jagjivan Ram has separate funds where is he going to get the money from. Or unless the Finance Minister says that this is all right and that he would provide the money how is the money to be found?

Shri Jagjivan Ram: Without coming to the Parliament.

Shri Sidhva: I am very clear about it. If you say that the Consolidated Fund does not come in here, where is the money to come from?

Mr. Deputy-Speaker: If it does not come under appropriation of moneys out of the Consolidated Fund. Article 117(1) prohibits the introduction or moving of a Bill except on the recommendation of the President, provided the provision in the Bill comes within sub-clauses (a) to (f) of Article 110(1). So the hon. Member seems to say that this comes under sub-clause (d) of Article 110(1). Therefore there is objection to the introduction or moving of the Bill. If perchance sub-clause (d) does not apply is it the contention of the hon. Member that sub-clause (3) of Article 117 applies?

Shri Sidhva: Yes, Sir.

Mr. Deputy-Speaker: Similar words such as introduced or moved are not there and you come to the last stage of passing, possibly the third reading.

Shri Sidhva: I had that point in my mind. Therefore I did not quote sub-clause (3). As you rightly stated I wanted to strengthen my point. It is definitely laid down here and my point there is why do you allow the time of the House to be wasted, when there are so many other Bills awaiting consideration.

Mr. Deputy-Speaker: If it comes under sub-clause (3) of Article 117, it is still open to the hon. Member, before the House passes it to send it up to the President. Once the House accepts the principle of the Bill he can go to the President and obtain his sanction. It will strengthen his hands.

Shri Sidhva: You are correct. My point is that that stage, I do not desire, should come. If you allow the first and second readings I do not know what the President will do, after discussing the Bill for a number of days.

Mr. Deputy-Speaker: If it does not come under sub-clause (d) of Article 110(1) the other provision is Article 117, sub-clause (3). Objection can be raised only to the passing and not to the introduction or the second stage.

Shri Sidhva: Sir, I would like you to apply your mind to sub-clause (d) of Article 110. I would like to be enlightened further before you give your ruling. It is a very important point. I may tell you for your information that the Law Ministry has held over a Bill of mine and they have given me notice that it cannot be introduced under this clause. If you are

going to give a favourable ruling I will be too glad, because it makes the way clear for my Bill. I request you to give your considered opinion on this matter (*Interruption*). I want the Chair to give a ruling in your favour so that I will tell the Law Minister that he is wrong.

Mr. Deputy-Speaker: I would like the hon. Member to elucidate his point, whether the words "appropriation of money out of the Consolidated Fund" in clause (d) have any special significance or it refers only to the appropriation Bill under Article 114(1).

Dr. Deshmukh: He has already withdrawn his objection based on that part.

Shri Sidhva: I have not withdrawn anything. He should not put into my mouth words which I have not said.

Regarding appropriation there is a definite article No. 114. When we opened the Consolidated Fund there was no question of appropriation. We gave the Finance Minister a particular sum for him to use to any extent or for whatever purpose he likes. That was the object of the fund. But when a private Member brings a Bill it will necessitate drawing from that Fund, because there is no other treasury from which the money can be drawn. The matter was made very clear when the Consolidated Fund Bill was moved last session. I am very clear on that point. I do not see wherefrom Dr. Deshmukh is going to get his money.

Dr. Deshmukh: I will bring it from my treasury.

Shri Sidhva: Your house or your treasury is the same thing.

Mr. Deputy-Speaker: What is the particular clause in the Bill which is offensive: Clause 4, relating to the establishment of employment exchanges, which says:

"The Ministry of Labour may establish and maintain in such places as it thinks fit Employment exchanges, that is to say offices or places for the collection and furnishing of information"

There may be honorary employment exchanges without involving any money.

Shri Sidhva: Clause 5 says:

"The Minister or Ministers concerned may provide in the annual

[Shri Sidhva]

budget such sums of money as may be needed for the fulfilment of the purposes of this Act."

Dr. Deshmukh: The word is "may"

Shri Sidhva: "May" means "shall" also. I know of judgments where when it suits them they say that "may" means "shall" also. But you should not give any importance to that.

Mr. Deputy-Speaker: What about clause 6?

Shri Sidhva: Quite right. Sir. Thank you for drawing my attention to it. My point is that the matter is very clear. Apart from my point about the Consolidated Fund, the clause which Dr. Deshmukh has himself prepared is very clear. He wants the Minister to give him money. Sir, I want to hear the hon. Minister.

Mr. Deputy-Speaker: Let us hear the Government's view.

The Minister of Food and Agriculture (Shri K. M. Munshi): May I point out, Sir

Mr. Deputy-Speaker: The hon. Law Minister is not able to assist in this matter? I would like that on all such matters, whenever Bills are taken up,—whether the Bills come up non-officially or they are official Bills—I find a noticeable feature: the hon. Law Minister is not available unless he is sent for. I would say that on all these occasions the Law Minister should be present. Of course, so far as we are concerned, we must utilise the services of the Law Minister and I would like to have the benefit of his advice in this matter.

Shri K. M. Munshi: May I make a few submissions on this point? So far as this Bill is concerned, there is no doubt about it that the Bill purports to deal with the appropriation of moneys appertaining to the Consolidated Fund of India for this reason, that:

"The Minister or Ministers concerned may provide in the annual budget such sums of money as may be needed for the fulfilment of the purposes of this Act."

Though the word used here is "may", it is really in the sense of "shall" because if this Bill has to be operative at all, some provision for finance will be required. Therefore, the word "may" has been used but it really means "shall" provide for funds; otherwise the Bill is entirely nugatory. Clause 6 says:

"6. Contribution towards the expenditure incurred by private

bodies or any local authority.—The Minister or Ministers may defray or contribute towards the expenditure incurred by any organization, society or Provincial, State, or any other local authority whatsoever, towards their funds provided the Ministries are convinced that these contributions shall be spent for the purposes mentioned in section 2 of this Act."

Now, there are two faults. First of all, discretion is given to the Ministries by this Bill, irrespective of any financial budget, to contribute and it "shall be spent for the purposes mentioned in section 2 of this Act." Again, clause 6 says, "provided the Ministries are convinced". So, that is in their discretion. They "are convinced" is not the proper phraseology for this Bill.

Dr. Deshmukh: What was the Government doing so far for these two years?

Shri K. M. Munshi: That is not the question. The Minister is expected to place before the Parliament the whole budget and his discretionary grant is limited to the budget. The budget is only placed by the Government and not a private Member, and when a private Member seeks to impose upon the Minister the right to exercise his discretion for the disbursement of funds, it is investing him with a much larger power than the Constitution does. The second point is that if a Minister is convinced that contribution has to be made, then he may "defray or contribute". This again imposes a right on the Minister to impose a burden on the Consolidated Fund of India. Therefore, the two sections clearly come within the purview of article 110(1) (d) which runs as follows:

"110. (1) For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely—

(d) the appropriation of moneys out of the Consolidated Fund or India."

This would be an appropriation out of that Fund. The point may be made that the words at the beginning of the article are:

"if it contains only provisions dealing with".

Surely, it must mean in the context that if the Bill cannot be brought into

operation without the use of funds then really it is a money bill. It may be that the other sections may deal with something else and yet, incidentally, there may be some provision about money. That is a different matter altogether. But when the whole operation of the Bill is based on the use of the money that is to be appropriated from the Consolidated Fund, it becomes a money bill. That is my submission. Now, reading with this article 117 it is very clear. Article 117 says:

"(1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States."

This article embodies a very wholesome law which prevails in England and which prevailed also in India during the time that the Councils were in operation. That is, so far as expenditure is concerned, it is the Government alone which knows the resources of the State and which can levy taxation or decide what use the tax money can be put to, that can decide what further expenditure to make. If private Members can put forward Bills like this, then the result may be bad. In this case it may be argued that it is a very small burden, but it is a question of principle and there might be a much heavier burden placed in this indirect way. A Minister might think proper to spend fifty lakhs for this purpose. Surely it cannot be considered anything other than a money Bill. Therefore, my contention is that the point of order raised by Mr. Sidhva is perfectly correct, and if this bill is left unchallenged it will have very serious consequences.

Mr. Deputy-Speaker: The hon. Minister feels evidently that though the Bill says "provision may be made" and not "shall", even then it becomes a money Bill, in so far as power is sought to be given under this bill to the Ministers to make financial provision. And whenever provision has to be made such provision can be made only with the sanction of the President.

Shri K. M. Munshi: That is so, because the Minister makes the expenditure. Normally he makes it within the four corners of the budget provided—outside that he cannot spend without the authority of this House. That authority with regard to a money Bill can only be given under an Act passed

by the House out of a Bill which has been moved by Government.

Mr. Deputy-Speaker: Therefore, the hon. Minister feels that whether it is obligatory on the Minister to spend it or not, even for exercising that optional power the sanction of the President is necessary to introduce a Bill of that kind?

Shri K. M. Munshi: If it is obligatory, then it is bad enough, but if it is optional it is still bad because it is outside the budget, and not moved by Government. In any event, here the word "may" has really no meaning because if you look at clause 2 it says:

"2. Providing proper facilities for employment of persons.—Subject to the provisions of this Act, it shall be the duty of the Ministries of Labour and Education—

(i) to provide such facilities and service as may be considered expedient for the purpose of assisting persons to select, to fit themselves for and to obtain and retain, employment suitable to their age etc."

That cannot be done without money. Then sub-clause (ii) says:

"(ii) to assist employers to obtain suitable employees;"

That also requires the setting up of an office. Then:

"(iii) generally to promote employment in accordance with the requirements of the community so as to attain thereby a higher standard of living for the whole community."

That also would imply the spending of money, and if money has to be spent the Minister is bound to use his discretion.

Mr. Deputy-Speaker: Therefore, it is stated openly there that if any particular provision in a Bill imposes an obligation on the Government involving an expenditure, then that Bill comes within the purview of money Bills.

Shri K. M. Munshi: Because an obligation is imposed on a Minister to maintain certain services and spend in a particular way which he cannot do without drawing out of the Consolidated Fund of India.

Mr. Deputy-Speaker: So far as article 110(1) (d) is concerned, it is clear. My point is that if the objection comes under article 117(1) then there cannot even be a motion for introduction,

[Mr. Deputy-Speaker]

Even at this stage objection can be taken.

Shri K. M. Munshi: That is so.

Mr. Deputy-Speaker: It does not come under 117(1) but if comes under 117(3) then it "shall not be passed by either House". Similar words are not used here—it says "shall not be introduced or moved". Possibly, then we shall have to wait until the third reading and give sufficient time to the hon. Member to persuade the President to give his sanction. There is an essential difference, I believe, between clause (1) and clause (3) of article 117. Therefore, if objection is to be taken to clauses 5 and 6 of this Bill, then the Bill must be construed as coming under Article 110(d), that is to say, appropriation of monies out of the Consolidated Fund of India. Is it the hon. Minister's contention that this Bill amounts to appropriation of monies out of the Consolidated Fund of India?

2 P.M.

Shri K. M. Munshi: Yes. The point is this. The first question is whether you want monies to be appropriated out of the Consolidated Fund of India or not. If it is to be appropriated from the Consolidated Fund of India then Article 117(1) is attracted. But if it does involve expenditure but will not necessarily be appropriation, then Article 117(3) would apply.

Mr. Deputy-Speaker: If Article 117 (3) alone applies, my difficulty is that this is not the stage when objection can be taken.

Shri K. M. Munshi: There are two things: either it is appropriation, or it involves expenditure.

Mr. Deputy-Speaker: Whether it be under Article 117(1) or 117(3), in either case the sanction of the President is necessary but the stage at which objection can be taken is in the one case at the introduction stage and in the other at the stage of the President's consent after passing of the Bill.

Shri K. M. Munshi: Exactly. If this Bill seeks to appropriate monies out of the Consolidated Fund of India. . .

Mr. Deputy-Speaker: What is the hon. Minister's view? Is it appropriation or mere involvement of expenditure?

Shri K. M. Munshi: It is appropriation for this reason that this Bill in terms authorises the Minister to make expenditure. If it did not make express provision like this, then by

implication expenditure would be involved. The difference between appropriation and involving expenditure is that in one case there is an express provision which authorises expenditure and in the other case by implication some money is to be spent.

Mr. Deputy-Speaker: Will the hon. Minister state whether it comes under Article 117(1) or Article 117(3)?

Shri K. M. Munshi: It comes under Article 117(1). It is appropriation, for this reason that in terms the Bill says under clauses 5 and 6 that you shall spend money. If these clauses had not been there, I would have understood it. The point is: what is the meaning of the word 'appropriation'? Appropriation means by the Act itself you want to devote some money from out of the Consolidated Fund of India. In the other case, it is not so. Clauses 5 and 6 say that you shall provide monies from out of the Consolidated Fund.

Mr. Deputy-Speaker: We will assume that they are not there.

Shri K. M. Munshi: Then the position would be different and the Bill would come under Article 117(3) only. Here the Bill gives a specific power to the Minister to spend the money required for this purpose. Therefore, it is clearly appropriation.

Mr. Deputy-Speaker: I would like to know one more thing. Does not appropriation refer to Article 114 which prescribes a special procedure to be adopted for Appropriation Bills?

Shri Sidhva: No, Sir. That is for grants passed.

Mr. Deputy-Speaker: As the House knows, in statutes particular expressions are used either for general connotation or having particular reference to particular cases.

Shri K. M. Munshi: If you look at Article 114, it says:

"As soon as may be after the grants under article 113 have been made by the House of the People, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of India. . ."

This is done by the Government: it cannot be by a private Member. In Article 117 the word "appropriation" implies an appropriation Bill moved, not by the Government but moved by a private Member.

Mr. Deputy-Speaker: Why?

Shri K. M. Munshi: It is Article 117 (1).

Mr. Deputy-Speaker: Whether moved by the Government Member or private Member sanction of the President is necessary.

Shri K. M. Munshi: Perfectly right. Therefore, it does not relate only to the appropriation Bill under Article 114. Article 117(1) is wide enough to cover both an appropriation Bill by the Government and an appropriation Bill by a private Member, because the words are very clear: "shall not be moved except on the recommendation of the President".

Mr. Deputy-Speaker: Because the word 'appropriation' is used in Article 114 and because in Article 110(d) a special procedure for appropriation is prescribed, is it not a proper inference to draw that appropriation in Article 110(d) relates only to those Bills which are introduced by the Government under Article 114? Or can a general meaning be given to the word 'appropriation', at whosever's instance, the appropriation of monies may ultimately be made out of the Consolidated Fund of India? I want to know whether it refers to the special procedure prescribed in Article 114 or it is general.

Shri K. M. Munshi: If you turn to Article 109, it describes a money Bill, and a money Bill is a special act and it cannot be moved in the Council of States. There is a special procedure for the money Bill.

Dr. Deshmukh: Is this a money Bill?

Shri Sidhya: No, no.

Shri K. M. Munshi: Article 110 defines what a money Bill is. If it contains provisions dealing with appropriation of monies out of the Consolidated Fund of India, Article 110 does not say that a money Bill must necessarily be a Bill which proceeds from the Government, because if it is in accordance with 110(1) then it becomes a money Bill and it is open even to a private Member to move a money Bill. Then we come to Article 114 and you find that Article 114 pertains to a special appropriation Bill. Here the words 'appropriation Bill' are used specifically for the purpose of a Government Bill. If I may say so, it is a species of a money Bill, because a money Bill may be a Government appropriation Bill or a non-Government appropriation Bill. Because it expressly says:

"As soon as may be after the grants under article 113 have been

made by the House of the People, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of India of all moneys required to meet (a) the grants so made by the House of the People; and (b) expenditure charged on the Consolidated Fund . . .".

Mr. Deputy-Speaker: What is the meaning of Article 110(1)? It is said there: "For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions with all or any of the following matters. . . ." What is the effect of "only"?

Shri K. M. Munshi: That is what I am pointing out.

Mr. Deputy-Speaker: There are in the case of this case other matters, for instance, the institution or establishment of employment exchanges and incidentally some expenditure is involved. I want to know whether it becomes a money Bill or not. What is the effect of the word 'only'. I am labouring on this point, because the hon. Minister will see that at the end of Article 110 it is stated that if any question arises as to whether a Bill is a money Bill or not, the decision of the House of the People thereon shall be final. I do not want to give any ruling offhand in this matter.

Shri Munshi: That is what I am trying to point out.

Mr. Deputy-Speaker: What is the effect of the word "only".

Dr. Deshmukh: This is just wasting time.

Mr. Deputy-Speaker: The hon. Member must be glad that he has given rise to a very important constitutional matter.

Shri K. M. Munshi: He has got the necessary time of the House any way.

There are two points: first, whether it is an appropriation Bill within the meaning of article 117(1). An appropriation Bill under article 114 is a different one altogether. This is not an appropriation Bill within the meaning of article 114 which has to be moved by Government. That is clear. The question is whether it is an appropriation Bill first. If it is not an appropriation Bill, it does not attract the applicability of article 110.

Mr. Deputy-Speaker: Does this make any difference. In article 117(1) the words "money Bill" are not used. It only says "a Bill or amendment

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making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1)" (d) comes under that. If the words "money Bill" had been used this objection may possibly prevail. The only question therefore appears to be whether this is appropriation out of the consolidated fund of India.

The other point that arises is whether 'appropriation of moneys out of the Consolidated Fund of India' is a set phrase which has reference only to similar phrase used in Article 114. "Appropriation of moneys out of the Consolidated Fund" must be interpreted in a general manner and that means whatever money is drawn out of the Consolidated Fund.

Shri K. M. Munshi: "A Bill" does not mean Appropriation Bill or Money Bill. There may be a harmless Bill, but if somebody wants to add something which appropriates money, it will be covered by Article 117(1). Therefore a Bill may not be for appropriation and yet there may be an amendment which would amount to an appropriation.

Mr. Deputy-Speaker: In either case, whether the appropriation of money is out of the Consolidated Fund, or involving expenditure out of the Consolidated Fund, the source is the same.

Shri K. M. Munshi: In either case the expenditure has to be met out of the Consolidated Fund. In one case it is by implication; in another it is by express terms. The only difference between (1) and (3) is that if you expressly say that there shall be a burden on the Consolidated Fund it is caught by (1). In the other case you may not find it involves an expenditure and yet after the second and third reading, things might become clear and it might be found by implication that expenditure has to be met. The only difference between 1 and 3 is that in one case it is open on the face of the Bill; in the other it has to be inferred by implication.

The Minister of Finance (Shri C. D. Deshmukh): I would like to make one submission, Sir.

Article 114 deals with Appropriation Bills, for the purpose of appropriation out of the Consolidated Fund of moneys required by Govt. to meet certain expenditure. Those are special kinds of Bills called Appropriation Bills. But the words "appropriation out of the Consolidated Fund" is not a term of art in the sense that it is confined to appropriation by Government.

Therefore this present Bill though not an Appropriation Bill, is a 'financial Bill'. And there is a side note in

Mr. Deputy-Speaker: Marginal notes do not form part of the Constitution.

Shri C. D. Deshmukh: But at any rate appropriation is not a term of art intended to be used only for the purpose of clause 114. You might say instead of 'appropriate' 'take' or some such word.

Dr. Deshmukh: My submission to you, Mr. Deputy-Speaker, is that all these points of order are absolutely invalid and should not be upheld.

Article 110 defines "Money Bills". May I ask the hon. the Food and Agriculture Minister—who has brought his forensic talents to the aid of the hon. the Labour Minister without any compensation, or without any remuneration or fees—whether this is a Money Bill or not. If Article 110 refers to nothing else than Money Bills, I do not think any great sense or any superior talent is necessary to show that a Bill which is not a Money Bill can be objected to on the strength that it is a Money Bill. It is, therefore, my submission that this Bill cannot possibly come under the definition of 'Money Bill'. I do not know whether my hon. friend claims the authorship of this particular article, though he may perhaps admit the fatherhood of some of the other articles, in the constitution.

Mr. Deputy-Speaker: The hon. Member will see that Article 117(1) does not refer to 'Money Bills'.

Dr. Deshmukh: I am dealing first with Article 110, because it is referred to in Article 117.

My submission to you, Sir, is that although the word "Money Bill" is not used, the very fact that Article 117 refers to nothing else except 110 (a) to (f), it necessarily follows that it can refer to nothing else except a "Money Bill". The mere fact that the words "Money Bills" are not used does not lead us to conclude that it has a wider scope than that. Once you refer to Article 110 and also refer to sub-clauses of that Article, then it necessarily follows that the provisions of 110 are referred to. So, the words in that particular article need not specifically be referred to at all. Once it is clear that this refers only to 110 (a) to (f), it follows that it refers only to Money Bills. That is my first submission.

Secondly, I do not conceive of any legislation in this House which can

have absolutely no reference to any expenditure out of the Consolidated Fund. The argument of my hon. friend Mr. Sidhva is that we have got only one Fund and that it has been statutorily constituted. It would be tantamount to saying that even for the expenditure to be incurred for the printing of Bills you must get the sanction of the President first. Now that would be reducing the Constitution to absolute ridicule. It would mean only this that every Bill that has to be brought forward by any Member, including the Government, so long as it involves the expenditure of a single pie, must go to the President for sanction.

Mr. Deputy-Speaker: Does the hon. Member suggest that a pecuniary limit is placed—that if it is Rs. 100 no sanction is required and if it is Rs. 1 crore sanction is required?

Dr. Deshmukh: I do not say so. But what I was driving at was that the Constitution intended to safeguard only the Money Bills. The provisions are intended to refer to Money Bills, and the force of the word "only" should also not be forgotten—as was kindly pointed out by the Deputy-Speaker to which my hon. friend Mr. Munshi has made no fitting reply. Article 110 says:

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely, etc."

One of the other points I would like to reply to is that without expenditure you cannot give effect to a Bill, and expenditure can be made only after the President's sanction. There are various stages. Even supposing that my Bill imposes certain duties or responsibilities on the Minister and involves his Ministry in certain expenditure, it does not follow that it is therefore a Money Bill. The whole argument is ridiculous because merely placing the responsibility on the shoulders of the Minister does not mean that that money is sanctioned today. It has got to be embodied in an Appropriation Bill or it may be embodied in some other form in the budget and only after it is sanctioned in the budget can that expenditure be made. So the argument that as soon as you pass the Bill a responsibility is thrown on his shoulders and therefore you are taking money from the Consolidated Fund immediately is not correct.

Mr. Deputy-Speaker: Does not the hon. Member want in clause 5 of his 82 PSD

Bill that provision should be made in the annual budget? And if such provision is made in the annual budget, an Appropriation Bill must follow.

Dr. Deshmukh: It is up to the Minister to make or not to make. It is his choice.

Mr. Deputy-Speaker: Is it the object of the framer of the Bill that the Minister shall never make a provision?

Dr. Deshmukh: That is not the intention. But the Consolidated Fund would not thereby be depleted and no expenditure from the Consolidated Fund will be incurred so long as an Appropriation Bill is not passed. There is therefore no danger in casting the responsibility on the shoulders of the Minister that the Consolidated Fund would be expended to that extent. There may be further impediments in the way of the Consolidated Fund being expended for this purpose. If it is the intention that wantonly no expenditure out of the Consolidated Fund should be incurred, and if the intention of Article 117 is beyond Article 110 or the Money Bills, then I submit that there is sufficient safeguard and sufficient time to get the President's authority not only for appropriation but even to the expenditure. So I think there is no danger of our circumventing or circumscribing the provisions of the Constitution in any way, if at this stage no sanction has been taken. And as regards the point of order raised, you, Sir, have got the ultimate authority according to Article 110(3). I would like to say that no calamity on this nation is going to befall if your ruling is in my favour and if you say that the Bill is quite in order, because it is provided here in Article 110(3), as you know, that "if any question arises whether a Bill is a Money Bill or not, the decision of the Speaker of the House of the People thereon shall be final". That shows that the reference, so far as this article is concerned, is to Money Bills and to nothing else. I think, Sir, you are already convinced, so far as article 117(3) is concerned, that that contingency arises only after the Bill is passed.

Mr. Deputy-Speaker: The point is whether Article 117(3) applies or Article 117(1) applies.

An Hon. Member: Both.

Mr. Deputy-Speaker: If both, the hon. Member is out of court. Because, if Article 117(1) applies, immediately there ought to be a sanction for the introduction also.

Dr. Deshmukh: Article 117(1) has no application whatever.

Shri Hussain Imam (Bihar): Sir, this is a very historic occasion, because you have to decide the fate of the rights of the Legislature and of its Members. I believe that it is a privilege of the Members to be able to move beneficial measures, and if we cannot move any beneficial measures in which money will be involved and if the collective will of the House of the People is to be subjected to the single will of the President, I think democracy will become a mockery.

Mr. Deputy-Speaker: By the collective will of the House they can throw out the Government.

Shri Hussain Imam: It is not a question of throwing out the Government. We have to restrict our choice in so interpreting the Constitution that it does not clash with the accepted ideals of democracy.

Mr. Deputy-Speaker: Let us hypothetically assume that this provision which is made here involves an expenditure of Rs. 100 or 150 crores. Suppose the Finance Minister finds it very difficult to make both ends meet. Instead of passing a vote of no-confidence, if you impose such an obligation on them they will themselves resign and go. One way of doing it is if the House without getting the sanction passes such Bills and imposes obligations upon the Government, the Government need not be in office; they will say "Thank you" and get away. Therefore, when Government itself wants to bring in Money Bills or when private Members bring such Bills, is it not a very wholesome provision to see that moneys are not spent where there is no responsibility to acquire moneys?

Shri Hussain Imam: There is another apprehension also which I want the Government as well as the Secretariat to find out. Many Bills have been passed in this House after the 26th January 1950 without the previous sanction of the President. All those Acts will become null and void if you stick to this provision that it is mandatory to get previous sanction.

Shri Sidhya: Will you please quote one?

Shri Hussain Imam: I have not had time to go through it in detail, but on the 26th of April 1950 the House passed the Displaced Persons (Claims) Bill which involves a large expenditure, in respect of which probably there was no sanction from the President. Similarly there are any number of Acts which, in the Bill stage, never contained the provision contemplated

in Article 117(1). My contention is that the framers of the Constitution never wished and never thought that it will be interpreted in such a narrow sense as to regard it as mandatory, that anything involving expenditure however small will not be passed by either of the Houses unless the President has recommended to the House the consideration of the Bill. I submit also that Article 117(3) involves the consent of the President after introduction. You have already passed the second reading; you have partly passed the Act. You have accepted the principle.

Mr. Deputy-Speaker: Where is the second reading? We have not yet passed it.

Shri Hussain Imam: Because introduction has taken place.

Mr. Deputy-Speaker: This is the second reading. I have not put the question to the House and the principle has not yet been accepted by us.

Shri Hussain Imam: The words are: "the consideration of the Bill". It is not passing of the Bill. Therefore, I request Government not to be too legalistic and thereby declare their own acts *ultra vires* in the court of law; because here the discretion is not vested in the House or in the Chair but it is mandatory and anything under Article 13 which is against the Constitution becomes *ipso facto* void. If it is held that we must have the previous sanction then it is not only for private Members' Bills; but for every Bill introduced either by the Government or by private persons this is mandatory. What I want you to consider is that in regard to any matter recounted in Article 110 if a Bill is brought forward to amend the system or anything pertaining to that under items (a) to (f), it becomes mandatory and we must have the sanction of the President. If it is incidentally that matters are affected, then it comes under the purview of Article 117. The difference between Articles 110 and 117 is this: In the one exclusively these matters come and they become Money Bills and they cannot be introduced in the Council of States and the second Article 117 deals with matters pertaining to those in which that is not the main item. This is not the only item which is introduced. Therefore a money Bill cannot be introduced in the Council of States and cannot be proceeded with without the sanction of the President. If it is only incidental, then it does not come within the purview of Article 117(1).

Shri K. M. Munshi: I just want to make a clarification. I omitted to

refer to another relevant Article which I think the House should be in due possession. Article 107 (1) reads as follows:

"Subject to the provisions of articles 109 and 117 with respect to Money Bills and other financial Bills, a Bill may originate in either House of Parliament."

Therefore this refers to all Bills and any Bill may originate in either House. There are two classes of Bills, Money Bills and other financial Bills. With regard to Money Bills, you go by Article 109 and with regard to financial Bills you go by Article 117. Subject to that all other Bills can originate in both Houses. That is the fundamental provision here. It was a mistake that I made in the beginning which I ought to correct. Article 109 deals with the Money Bill and not other financial Bills. Then, Sir, Article 110 gives the definition of the word "Money Bill".

Mr. Deputy-Speaker: Article 110 refers to both.

Shri K. M. Munshi: Only Money Bills. Articles 109 and 110 cover the first part of 107 (1), namely Money Bills. Then you come to Article 117. It deals with a financial Bill, i.e., a Bill other than the Money Bill. This may be of two kinds. It may be an express appropriation or it may be implied use of money.

Mr. Deputy-Speaker: I have got a doubt. If the hon. Minister's interpretation is that Money Bills are provided for only in Articles 109 and 110 and not covered by Article 117 which are concerned with financial Bills, does it mean that the Money Bills do not require the sanction of the President? For instance, there is a definite appropriation Bill. Does it require the sanction of the President or not? Though the marginal note in Article 117 refers only to financial Bills, it seems to refer to both Money Bills and other financial Bills.

Shri K. M. Munshi: As regards the manipulations, a special procedure has been provided in Article 109.

Mr. Deputy-Speaker: There is no provision there for recommendation by the President.

Shri K. M. Munshi: It emanates from the Government.

Mr. Deputy-Speaker: Even if it emanates from the Government, the recommendation by the President is necessary. What is the provision for the recommendation by the President?

Shri K. M. Munshi: So far as Article 109 is concerned it is this.

Mr. Deputy-Speaker: If the hon. Minister looks at the back page of the appropriation Bill, he will find the words: "Whereas in pursuance of (1) and (3) of Article 117. . . . recommended to the President. . . ." Therefore, that interpretation does not appear to be quite correct. Article 109 says: A Money Bill shall not be introduced in the Council of States. As to what the procedure ought to be, whether it should be sent and so on, there is a procedure between the two. It does not refer to recommendation by the President.

Shri K. M. Munshi: In Article 117 the words "Money Bill" are part of financial Bills—Money Bills and other financial Bills, that is financial Bills are the larger category in which Money Bills and non-Money Bills would lie. Article 117 applies to both, all financial Bills. Whereas when it is a Money Bill you apply the whole of Article 110. When it is other financial Bills they must attract (a) to (f). Therefore without the words "being a Money Bill or appropriation Bill" it may appropriate money. If it seeks to appropriate expressly it is a financial Bill under (1). If it involves expenditure, it comes under (3). . .

Shrimati Durgabai (Madras): May I request you to call upon the hon. Finance Minister to give the benefit of his advice?

Mr. Deputy-Speaker: He has already spoken.

Shri Kazmi (Uttar Pradesh): Mr. Deputy-Speaker, the whole controversy centres round the interpretation of the words "would involve expenditure from the Consolidated Fund".

Mr. Deputy-Speaker: That is not denied. The only point is that if it involves directly or indirectly expenditure from the Consolidated Fund, it offends the provisions of clause (3) of Article 117. The further question is if it comes near 117 (3) the objection is that it ought not to be passed without the President's recommendation. We have not yet come to that stage. The point that is being considered is whether it comes under Article 117(1).

Shri Kazmi: My submission is that as a matter of fact the words used in 110 (d) are:

"the appropriation of moneys out of the Consolidated Fund of India".

Now these are the very words which are used in 117 (1). If it means

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appropriation of moneys out of the Consolidated Funds of India, then prior to introduction, the sanction of the President would be necessary. But in Article 117(3) the words used are:

"would involve expenditure from the Consolidated Fund of India".

The persons who framed the Constitution seemed to draw a distinction between the appropriation of moneys out of the Consolidated Fund and expenditure from the Consolidated Fund. If they are one and the same, then 117 (1) and 117 (3) become contrary to each other and then that would mean that the objection can be raised at 2 stages. The first stage is when the Bill is introduced. If no objection is raised when the Bill is introduced, even if such a provision is contained in the Bill as passed. . . .

Shri Sidhva: This is a safety clause in the event of its being passed, if it is enacted.....

Shri Kazmi: Even if we consider the words used: "would involve expenditure from the Consolidated Fund and appropriation of moneys out of Consolidated Fund" mean one and the same thing, then we have clauses (1) and (3) which would mean that objection can be raised at two stages, namely at the time of the introduction. But if no objection has been raised at that time, then it can be raised at the time when the Bill is passed.

Shri Sidhva: At the time of moving?

Shri Kazmi: No, no.

Shri Sidhva: I may make my position perfectly clear. At the time of introduction, a convention has been established in this House that all Bills shall be allowed to be introduced whether legal or illegal.

Mr. Deputy-Speaker: Order, order.

Shri Sidhva: I thought I was only helping him.

Shri Kazmi: Thank you very much. Whatever may be the convention established by my hon. friend, any convention against the Constitution cannot be considered to be a sacred convention. The question is what the framers of the Constitution meant. What they meant was, they differentiated any expenditure from the Consolidated Fund as distinguished from Appropriation of moneys from the Consolidated Fund. In case they did not draw a distinction between

the two, it has to be taken, that at this stage no objection could be raised.

Shri Sidhva: I only wanted to state. . . .

Mr. Deputy-Speaker: The hon. Member has got many chances.

Shri Sidhva: I only wanted to make the position about the introduction of Bills clear. If it is clear. . .

Mr. Deputy-Speaker: Let us get light from other Members also.

Shri Meeran (Madras): With reference to Articles 117(1) and 117(3), I will try to explain the position like this.

Mr. Deputy-Speaker: Hon. Members might state only their points.

Shri Meeran: I am only stating the point. So far as Article 117(1) is concerned, it contemplates an objection at the stage of introduction. So far as Article 117 (3) is concerned, it contemplates an objection which may arise later; that is to say, Bills which may be introduced, which do not involve any expenditure, but after being introduced, in the course of passing certain amendments may be introduced which will involve expenditure. For example, there may be Bills introduced in the Council of States where Money Bills could not be introduced. A Bill which does not involve any expenditure, ordinarily, is introduced in the Council of States. No objection could be raised. Suppose after introduction and passing by the Council of States, it comes to the House of the People. Amendments may be introduced or so many other clauses may be introduced which would involve expenditure. Objection could be raised at that stage. Article 117 (3) contemplates an objection which may arise on a Bill to which there could be no objection at the time of introduction, but which may arise later. That is why the words used here are "shall not be passed by either House of Parliament". That is to say, a Bill which ordinarily does not involve any expenditure is introduced in the Council of States; after introduction in that House or after it has been sent to the House of the People for confirmation, if clauses are introduced which involve expenditure, then also, objection may be raised. Therefore Article 117 (3) contemplates an objection which may be raised later on though there could be no objection initially under Article 117 (1). That is how this apparently irreconcilable position can be easily reconciled if we could visualise a position like that.

Mr. Deputy-Speaker: Let us hear the hon. Law Minister.

Shri Sarwate (Madhya Bharat): Am I not entitled to speak on the point of order?

Mr. Deputy-Speaker: Every hon. Member is entitled so far as points of order are concerned. But, it is for me to find out whether there has been sufficient discussion or not.

Shri Sarwate: Am I not entitled to speak on the point of order?

Mr. Deputy-Speaker: If every hon. Member is entitled to speak on every point. . . .

Shri Sarwate: It is a question of entitlement. If I am not allowed, then I shall take it that I am not entitled. . . .

Mr. Deputy-Speaker: Order, order. I cannot understand this brow beating and saying, "Am I not entitled to speak". No hon. Member can say as though he is entitled to be heard. Of course, it is not for me here to call upon every hon. Member to speak and hold up this eternally. I cannot see the justification for this kind of remark, "Am I not entitled to speak". Every hon. Member is entitled to speak provided the Speaker calls upon him to speak. That discretion must be with the Speaker; otherwise there is no good in his sitting here. I am anxious to get information from all Members who are able to contribute to the discussion. I am only trying to find out whether we are not spending much time when the hon. Law Minister is here.

Shri Sarwate: I would not have tried to catch the eye of the Deputy-Speaker if I did not think that I would be able to contribute to the discussion.

Mr. Deputy-Speaker: I have no doubt that the hon. Member will contribute much more than particularly myself. All right; I will hear the hon. Member.

Shri Sarwate: I shall be very short. The point that I want to make is this. The difference between Article 117 (1) and 117 (3) is, providing for appropriation and involving expenditure. These are the two distinct terms. If it is a case of providing for appropriation, then, it would come under Article 117 (1).

Mr. Deputy-Speaker: I shall state the point for elucidation. So far as other points are concerned, to a large extent they have been covered. The point is whether the word 'appropriation'. . .

Shri Sarwate: That is what I am pointing out.

Mr. Deputy-Speaker: The hon. Member will hear me and then answer. The point is whether the word 'appropriation' in Article 110 (d) refers only to Appropriation Bills under article 114 or to any appropriation when it comes out of the Consolidated Fund. If it applies to all appropriation from the Consolidated Fund, Article 117(1) will apply. Otherwise, Article 117(3) will apply.

Shri Hussain Imam: Sub-clause (d) alone should not be taken; the other articles should also be read together.

Shri Sarwate: The correct interpretation in my opinion is that Article 117 (1) would apply only when it provides for appropriation. Expenditure may arise in two ways. Expenditure may be involved, and still it may not be providing for appropriation. Providing for appropriation arises only when a Bill is brought that appropriation should be provided for, as in the case of appropriation Bills. That is covered by Article 117(1). The wording in clause (1) of Article 110 is: "if it contains only provisions. . .". 'Only provide' means only providing for appropriation. Then, it would be covered by 117 (1).

Mr. Deputy-Speaker: But, Article 117 (1) does not refer to "only". It does not say, only making provision for matters specified in sub-clauses (a) to (f) of clause (1).

Shri Sarwate: Evidently, the present Bill can only come under clause (d), that is appropriation of moneys out of the Consolidated Fund of India. Article 117 (1) refers to sub-clauses (a) to (f) of clause 110. One of the clauses is providing for appropriation of expenditure. This is not appropriation of expenditure though it involves expenditure. The difference is, under Article 110 (d) it must expressly provide for the appropriation of moneys out of the Consolidated Fund of India. If incidentally expenditure is involved, it comes under Article 117 (3). The difference is between providing for appropriation and incidentally involving expenditure. These are the two different categories under which a Bill could fall and this alone is the relevant interpretation.

Mr. Deputy-Speaker: The hon. Law Minister evidently has not looked into this matter. This is a matter of far-reaching consequences. I would therefore allow the discussion to proceed. There is no harm. At any stage, this objection may be taken. Let I should

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forget, I may state the points that have been raised because the Law Minister has not been here. The position is this. Objection is raised under clauses (1) and (3) of Article 117 to the further consideration of this Bill on the ground that clauses 5 and 6 of this Bill speak of provision of funds for expenditure by a Minister or Ministers concerned in the annual Budget, and contributing towards expenditure incurred by any organisation. If these clauses had not been there but only clause 4 relating to the establishing of employment exchanges, even then there would be expenditure involved, I mean expenditure from the Consolidated Fund and that would bring that provision within the ambit of clause (3) of Article 117. Besides this, there are also clauses 5 and 6, as I have already said. If it is under clause (3) of Article 117, it is open to the House not to pass it. But unlike the provision under 117 (1) where the Bill cannot even be introduced or moved, the words in 117 (3) are that the measure shall not be passed if assent is not given to the consideration of the Bill.

Shri Jagjivan Ram: No, Sir. I may point out that even if 117 (3) is attracted by this Bill, the position is that unless consideration of the Bill has been recommended by the President, the House will not proceed with the consideration of the Bill.

Shrimati Durgabai: No, no. The recommendation relates only to the passing of the Bill and not to its very consideration.

Shri Jagjivan Ram: Unless the consideration is consented to, the House will not proceed with the consideration. That is my interpretation.

Mr. Deputy-Speaker: I am only putting forward the points to be cleared by the Law Minister. It is not as if the framers were thirsting or wanting in words. They could have said—"No Bill shall be considered unless for its consideration recommendation has been given" or some such words. That could have been done. In that case no Bill would be passed. During the time of consideration the opinion of the House might be such that the President might be persuaded to give the consent. Therefore it does appear to make a division here, to my mind, subject, of course, to what the Law Minister might say and what other hon. Members might say.

I would urge the Law Minister to consider one other point. If perchance it comes under 117 (1) what is the position? So far as that point is

concerned it was stated that article 110 relates to Money Bills. In the preamble a Money Bill is described as one which contains provisions belonging to any of the following matters-- and then it specifies the matters.

It was sought to bring it under clause (d) as it is appropriation. Even if it should be considered appropriation, because it involves expenditure from the Consolidated Fund, it was contended that because it contains many other provisions, it is not a Money Bill and so it does not come under 117 (1). Apart from this, my difficulty is this. The framers could have said that no Money Bill shall be passed except on recommendation. But Article 117(1) specifies sub-clauses (a) to (f) leaving the preamble alone. So the framers have touched only sub-clauses (a) to (f) and so Article 117 applies not only to Money Bills but also to other Bills.

The only point that remains for consideration is that even if it is not a Money Bill whether it comes under the appropriation clause, clause (d). Doubt was raised whether the expression "moneys out of the Consolidated Fund of India" was a term of art and applies only to cases where an appropriation Bill is contemplated as in Article 114. Then it is not seeking to make provision directly from the Consolidated Fund. It will not then come under 117 (1) but under 117 (3).

I would like the Law Minister to consider one other matter. The point was raised that this would involve expenditure from the Consolidated Fund or appropriation from the Consolidated Fund. In either case it is the same source--The Consolidated Fund of India. There are no words here to say that it shall be appropriated by means of an appropriation Bill. Therefore it comes under 117 (3) and not under 117 (1).

A further point that has been brought to my notice is that the Financial Memorandum Rule 17 (1) says that a Bill shall be accompanied by a financial memorandum which shall invite particular attention to the clause involving expenditure and also make an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law. This is a wholesome provision. It is open to any hon. Member to bring in a measure which involves a lot of money and unwarily the House might pass that expenditure. After all it may be a very wholesome and social measure and...

Dr. Deshmukh: Will 300 Members of the House be so unwary as to pass that expenditure?

Mr. Deputy-Speaker: It is in view of such a contingency that it has been specifically stated that attention must be drawn by putting it in thick type. Possibly it may be that some hon. Member may not notice it. It is no aspersion on any hon. Member. It is just a duty cast on the Member, whether on the Treasury Bench or otherwise, to invite the particular attention of the hon. House to the financial implications involved. So that rule is there. In accordance with that rule, even at the introduction stage, if one had looked into it carefully, one could have insisted upon this point of schedule being attached. That is another point for consideration.

Lastly it was suggested that this is a matter relating to Education, and . . .

Dr. Deshmukh: I have not had an opportunity of replying to that point.

Mr. Deputy-Speaker: I will deal with it and . . .

Dr. Deshmukh: But then the whole day may be taken up in this way. Let us decide on this point for the time being.

Mr. Deputy-Speaker: Is the Law Minister prepared just now to throw light on these points?

The Minister of Law (Dr. Ambedkar): I would be grateful for a little time.

Mr. Deputy-Speaker: I would also like the points to be considered fully.

Pandit Thakur Das Bhargava: This point also may be considered. The words in 117 (3) are:

"A Bill . . . shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

So it is not the passing of the Bill that stands in need of being recommended, it is its very consideration. The President's recommendation relates to the consideration of the Bill. Therefore the position will be, unless and until there is this recommendation, we are not competent to consider the Bill.

Mr. Deputy-Speaker: Then no Bill shall be considered, if the framers have such a meaning in their mind.

Pandit Thakur Das Bhargava: Unless for the consideration a certificate is obtained from the President, we are incompetent to consider the Bill.

The Minister of State for Finance (Shri Tyagi): In this connection we

have to consider what will be the position if it is held that the consideration could be taken up and the Bill could be stopped at the stage of passing. Suppose the consideration is over, which means that the second reading is over and the third reading is commencing. Between these two periods, in the intervening period, the President's recommendation comes.

Shri Sidhva: From where? From Heaven?

Shri Tyagi: It may come as Mr. Deputy-Speaker said now. If in that period the hon. Member succeeds in obtaining a recommendation from the President, will that be given retrospective effect to the stage of consideration? What is the position in that case? The President's recommendation has to be had before the consideration starts. It cannot be during the period which lapses between consideration and the final passing stage. Therefore according to me the recommendation must be had before we start the consideration of the Bill.

Mr. Deputy-Speaker: I will reserve my ruling until I hear the Law Minister.

4 P.M.

Shri Sidhva: He said that he will take only ten or fifteen minutes. Meantime the consideration may go on.

Mr. Deputy-Speaker: There was some objection that it is not in the Union List. Is there any substance in that?

Pandit Thakur Das Bhargava: Entry No. 11.

Dr. Deshmukh: This is not for education. It is merely for training and employment both of which functions are actually performed by the Labour Ministry. If you are going to allow such frivolous points of orders

Mr. Deputy-Speaker: Order, order.

Dr. Deshmukh: There will be no point in taking the trouble of bringing forward any Bills. We know the nature of the Constitution. It was already predicted what sort of Constitution it is going to be. And if the authors themselves are going to put such interpretation—there was the hon. Mr. Munshi and then the great fighter for public causes, Pandit Bhargava. . .

Mr. Deputy-Speaker: Order, order. I have heard the hon. Member. The hon. Member is himself an eminent lawyer. It is no good merely trying

[Mr. Deputy-Speaker]

to meet argument by something which is not quite palatable. (*Interruptions*). The hon. Member would have seen the Concurrent List where there is a provision to enable him to carry on the Bill. Why did he not

Dr. Deshmukh: Yes, Sir, I know that and I have got it in my notes. I was just going to refer to it. I am convinced that

Mr. Deputy-Speaker: Item 25 relates to vocational and technical training of labour. This will come under that.

Pandit Thakur Das Bhargava: The Bill does not refer to vocational or technical training. The word education is mentioned. So far as education is concerned it is strictly within the province of the provincial legislatures. The Bill provides for education also.

Dr. Deshmukh: It does not.

Mr. Deputy-Speaker: It is no good saying that any objection raised is bad or a Member is frivolous

Dr. Deshmukh: It is no good I know Sir but what is going to follow is going to make it good. That is the conclusion, which as I have said from the beginning I am going to substantiate by reasons.

First of all I would draw attention to the fact that what is objected to has a place in the Directive Principles of the Constitution. Secondly, in the Concurrent List there are items 23 (Social security and social insurance: employment and unemployment) and 24 (Welfare of labour.) Essentially the training is also intended for employment. Only one argument should suffice, namely that the labour training centres and technical training are actually under the Labour Ministry at the present moment. Does my hon. friend suggest that something unconstitutional is being done by the Central Government?

Shri Jagjivan Ram: May I inform my hon. friend that it was done with the concurrence of the State Governments, even before the passing of the Constitution. The Act of 1935 did not provide for these subjects in the Concurrent List. We were running the Training centres and employment exchanges even before the Constitution was passed. It was done only with the concurrence of the State Governments and not according to the Constitution.

Dr. Deshmukh: The same thing could be done with respect to what I am proposing in this Bill. It should

not come in the way. The employment exchanges are under the Ministry of Labour. The training centres to which I have referred are intended for purposes of employment, employment being the main objective and one of the concurrent subjects. Even so much explanation should be quite enough. The Bill does not refer to primary, university or any kind of education, in which the State Governments are concerned. As a matter of fact we have education also under the Centre. We have scholarships awarded to various people for various purposes which are intended for helping education and these are given by the Centre. We also have the central universities. We have all these activities also for which we provide funds for the Minister to carry on.

Mr. Deputy-Speaker: Does it clothe the Centre with jurisdiction?

Dr. Deshmukh: It is not a question of jurisdiction: it is a question of performing functions which are already being performed by the Ministry of Labour.

The Minister of State for Transport and Railways (Shri Santhanam): The whole issue is where does the legislative power lie? Except in the case of Money Bills it is not for the Chair to decide whether a Bill offends the Constitution or not. Of course it may be used as an argument against the Bill or otherwise. The Chair leaves it to the courts to decide.

Shri Sidhva: No. no.

Shri Santhanam: Except in the case of Money Bills where the Chair has to decide in the case of other Bills as regards constitutional objections it has been consistently left both by the present and previous Speakers to the courts.

Mr. Deputy-Speaker: It is the duty of the Chair. Flagrantly we will assume that an item is not in the list and the hon. Member himself is not able to defend it. Therefore I do not think that the time of the House need be spent on that matter. It is not for the Court but for the House to decide whether to go on with a Bill or not. When once the House has decided on a piece of legislation, thereafter its validity can be decided in a court of law. I do not take upon myself the responsibility so far as this point is concerned, whether it is in the Union or Concurrent List. For the purpose of hon. Members' understanding this point, for in them lies the ultimate decision, I am only trying to clear the issues

Shri Santhanam: It is for the House to decide and later on, if necessary, for the courts to decide.

Mr. Deputy-Speaker: Items 23 and 24 are sufficiently wide in the opinion of the hon. Member.

Shri Sidhva: The decision has to come from you, Sir, and in the meantime could not the second Bill be taken up?

Mr. Deputy-Speaker: No.

Dr. Deshmukh: Since we have spent some time over the debate I would crave your indulgence to read out some verses from a poem which is so appropriate to the present occasion. It reads:

"The Powers debate—the children die!

Did ever woe beneath the sky
Out-do this killing of the young?
Beyond all force of pen or tongue

To tell! It needs the voice of God—

But God is dumb! Fate's lifted rod

Has spoiled the offspring of an Age!

With doom the children paid the wage

Of war. And now, in trailing peace,

The dogging hunger and increase of cold confirm their misery,

And, ever more, the children die!

Ah! if there's anything we can, You—I—the simple woman—

man—

To-day, while Powers deliberate Their policies and rules of hate,

For Pity's sake then let us give That some starved, frozen child may live!

Who cares if it be alien bred, No less than ours it must be fed;

Against the cold it must be clad No less than ours! Poor mite,

it had As little part in hate—it smiled As prettily! A child's a child!"

Shri Hussain Imam: Who wrote it?

Dr. Deshmukh: John Galsworthy.

Sir, this legislation is not intended to take away a very large amount from the sacred Consolidated Fund of India. The expenditure involved, in fact, is going to be very little, and even there, so long as it is used for this purpose, it would be subject to the vote of this House. From that point of view there was nothing in 82 PSD

the Bill which should really have been objected to. But since we have already heard the various views on the point of order, I do not wish to take the time of the House in dealing with that question. I will come to the main part of my speech and deal with the Bill which has been pending before this House for such a long time.

Sir, we are living in an age where we have got to take courage in both hands and harness our resources so that we may advance as rapidly as possible from every point of view; whether it is military training, whether it is ordinary education, whether it is fitting our people for vocational and technical trades and avocations, we have got to proceed as fast as we can. I have framed this Bill because for a very long time I had held that the facilities available for technical training and training for professions and trades were extremely insufficient. Fortunately, I discovered that our erstwhile masters, the British people had as late as 1948 placed on their statute-book an Act called the Employment and Training Act. I have, I state quite frankly, copied many of its provisions, not because I respect whatever is passed in the British Parliament but because I thought it was appropriate that the Indian nation should benefit from provisions of a similar nature. Nothing can be more important than the care of our people and nothing can be more important than to see that the largest possible number of our people, children and young people, are fitted to earn their livelihood. We have found that gradually agriculture is not able to sustain as many people as it used to in the former days. We are resorting to mechanised agriculture more and more. More and more young people are considered superfluous for rural needs. There may be complaints from certain quarters that they do not get sufficient labour, but if we want to be modern, if we want to go with the current that is driving us, that is taking us farther, it is improbable that we will be able to absorb all the youth of this country in agriculture. And therefore it is very necessary that we should provide for employment and that before providing them with employment we make them fit to receive the largest possible benefit and to serve themselves in a way which will raise their social status and which will make them happier.

[PANDIT THAKUR DAS BHARGAVA in the Chair.]

With that intention, Sir, I brought this very simple Bill. It has only a few sections. It may probably be

[Dr. Deshmukh].

argued that the Government is contemplating to have a very elaborate legislation. That is the reply which we generally get, and you, Sir, are quite familiar with this sort of an argument which is flung at your face every time you come to the House, and you become angry with such flinging. I am put in the same predicament now but I hope the simplicity, or the small number of sections, of the Bill would be an advantage to me. The main question is whether we are going to provide for the employment and the various other objectives behind this Bill, and if there is adequate provision for these purposes, I submit that the Bill should be accepted. I have heard the hon. Minister say, "You are merely defining the powers of the Ministry of Labour and the Ministry of Education." I have no intention of interfering in their domestic relationship. It may be that he is looking after one section of technical education and the Minister of Education looking after another section. They never meet and that one does not exchange ideas with the other. I am quite prepared to leave both of them severely alone to themselves and not to bother about this. But, sir, what I am providing is to bring into being an organisation by which the training will be systematised, by which the hands of the hon. Minister will be strengthened, by which he will be able to assist the private institutions which can do the same thing at a far lesser cost than the Government. I think it is the experience of everybody, and it was also referred to yesterday by Rev. D'Souza when he pointed out that the Government always does not understand or appreciate the efforts of private institutions and assist them to do good on a larger scale at lesser cost. Here also, a provision has been made by which the hon. Minister, instead of taking the whole burden of training upon himself or placing it upon the Government, will be able to assist private institutions which are prepared to undertake it, and undertake at a much smaller cost—not more than even one-third. I know that he is also worried about his labour exchanges. This economy cut that is going on is making him very anxious because on the one hand he wants to extend the activities of the labour employment exchanges whereas on the other the paucity of funds is forcing him to cut down and contract these activities. If this Bill is passed, then his position will be strengthened because it will be the demand of this House and the nation that at any cost and under any circumstances provision for the training of our youth ought to be made

and the unemployment that is increasing must be put a stop to. When we are not in a position to absorb all our youth on the land there will be increasing unemployment and if there is no provision of the nature I am suggesting there will be no organisation or activity to meet this demand for employment. Does the hon. Minister believe that he wants the youth of this country to join and embrace communism? That is going to be the only result if you are slack in providing facilities for the training of our youth. The youth is already impressed by communistic ideas because it is depressed at the present moment at the prospects in life which are dark, dull and uncheerful. It has very little hope of any success, very little hopes of increased happiness; it has very little hope of a change of status or of a better life. Under these circumstances, it is of the utmost importance that we consider this question, and I make bold to say that there can be nothing more important than the two Bills that I have brought forward. One wants to protect all these children who roam about the cinema houses, on the railway platforms and elsewhere, who have become weapons in the hands of the unscrupulous people; they are taught bad habits and become vicious beings and potential dangers to society. These should be looked after and this could be done without much cost if my Bill is accepted. There are philanthropic people in India who are as a matter of fact anxious to spend a lot of money on such institutions, but there is no organisation to take advantage of their philanthropy. If Government, according to the Constitution, gives a concrete shape to the ideals embodied therein and starts activities of this nature, it will find that the financial burden need not be shouldered by itself alone. So, this is a sort of a prolongation—a follow-up—of my other Bill which refers to destitute children. If these training centres already exist, they should be multiplied and increased. It is only then that we can say that we are trying to give effect to what we have stated in our Constitution?

What are the Directive Principles, Sir? We want that every citizen, whether it be a woman or a man, to have equal right to an adequate means of livelihood. That is Article 39 (a). Then we want that the ownership and control of the material resources of India should be so distributed as best to subservise the common good. Here, we do not want a few people to have all the amenities of life. The intention is that every citizen should have a share in the fortunes and no one should be treated

in a manner which will be prejudicial to the welfare of India. Then we do not want the economic system to be such as will lead to concentration of wealth in a few hands. Lastly, we want that the health and strength of the workers, men and women and children of tender age, are not jeopardized and the citizens are not forced by economic necessity to enter avocations unsuited to their age and strength. All this bears directly on the Bill I have suggested and I think that there is nothing in it to which objection can be taken. Everywhere, so far as financial help is concerned, the word used is 'may' and if it is really found that in spite of my Bill Government is not in a position to sanction funds, then the Bill does not bind the hon. Minister.

Shri Jagjivan Ram: So, it is a pious hope.

Dr. Deshmukh: Pious hope, because Government is unwilling to do so. When my Bill is accepted and all the activities outlined therein are followed in practice, the efforts of the Labour Ministry would be placed on a sound footing. There will be scope for expansion and it would be possible to realise the ideals set out in the Constitution.

Sir, as I have a second Bill of my own, I do not wish to take more time. I conclude with the words that the hon. Minister will accept the Bill.

Mr. Chairman: I see that the hon. the Law Minister has come, but as the point of order has to be decided by Mr. Deputy-Speaker I think it would be better if he speaks in the presence of Mr. Deputy-Speaker. He will be here very shortly. In the meanwhile, I shall place the motion before the House. Motion moved:

"That the Bill to make provision for employment and training for employment and to establish a comprehensive youth's employment service, be referred to a Select Committee consisting of Pandit Balkrishna Sharma, Shri B. L. Sondhi, Shri M. A. Hasan, Shrimati G. Durgabal, Shri G. R. Ethirajulu Naidu, Shri Mihir Lal Chattopadhyay, Shri Bali Ram Bhagat, Shri Lakshmi Shankar Yadav, Shri Ari Bahadur Gurung, Shri T. Channiah, Shri B. N. Munavalli, Shri R. L. Malaviya, Chaudhuri Ranbir Singh, Shri Ramnath Goenka, Shrimati Dakshayani Velayudhan, the hon. Shri Jagjivan Ram, Shri P. Kunhi Raman and the Mover, with instructions to report by the first week of the next session."

Shri Rathnaswamy (Madras): Sir, I would just like to make a few remarks on this Bill. The problem of unem-

ployment in our country has assumed gigantic proportions and there is considerable frustration among the youth because there is no scope for them to utilise the education received in the Universities. The student population is easily influenced by the doctrines of Communism. As soon as young men come out of the Universities, they become easy victims of Communist doctrines and constitute a serious menace to the security and safety of the State. A recent analysis shows that the Communist movement in India consists of young men, because they find that the State does not guarantee any security after they complete their education. This is the pitiable plight in which we find ourselves today.

There is not that social security arrangement in India as we find in some of the advanced countries of Europe today. Government should pay attention to this problem of unemployment among the youth and take immediate steps to see whether the services, talents and education of hundreds of thousands of our young men cannot be better utilised for the prosperity and progress of the country. Statistics show a great deal of rise in the figures of unemployment. As soon as the war was over, the Labour Minister of that day had been good enough to start employment exchanges in the various provinces, but considering the gigantic proportion and magnitude of this problem I am afraid that the employment exchanges that exist cannot rise to the occasion. They are not in a position to meet the surging demands of the unemployed. This problem of the youth is a very important one, and in some countries like Yugoslavia we find that they have got a separate department to deal with the youth problem. For certain good reasons, our Government have not yet paid any such attention to the tackling of this problem. The mover of this Bill detailed the conditions in which destitute children find themselves.

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

Mr. Deputy-Speaker: The hon Member may resume after we hear the hon. the Law Minister.

Dr. Ambedkar: Sir, I have applied my mind to the points which you were good enough to put to me and I would like to submit my opinion about those points.

The real question that the House has to consider is whether this Bill offends against Article 117—either clause (1) of that article, or clause (3) of that article. Those are the main points that are to be considered and the clauses which require to be considered in the light of Article 117 are clauses (4), (5) and (6) of the Bill.

[Dr. Ambedkar]

I should take clauses (5) and (6) together. Now it is contended that those clauses offend against clause (1) of Article 117. The validity of that contention must depend upon the meaning that is to be attached to the word "appropriation" occurring in sub-clause (d) of clause (1) of Article 110 which defines what is a "Money Bill". Now, I am quite certain in my mind that the word "appropriation" which is used in sub-clause (d)—and I have verified myself by reference to May's "Parliamentary Practice" where this matter has been discussed at great length—is a term of art and it involves two things: first the naming of the service, the particular service, and secondly the exact allotment of money to be spent on that particular service. It is these two things that go to make what we know now as appropriation and it is in that sense that the word is used both in Article 114 and Article 266 of the Constitution.

Reading the two clauses 5 and 6 in the Bill I do not think it is possible to import into those two clauses any such thing as we now understand by the term "appropriation". They are, in my judgment, mere directions to the Government that this is a service on which money may be spent which Government may or may not spend. Therefore, so far as Article 117, clause (1) is concerned, the Bill, it may be said, sails clear and no difficulty can arise on that account.

Now, I turn to clause 4 of the Bill. There, we have to consider whether that clause offends against clause (3) of Article 117. My conclusion is that it does, because clause 4 of the Bill imposes a liability upon the Government to undertake a service which, if the Bill is passed by this House, would undoubtedly involve expenditure out of the Consolidated Fund. Therefore, it would require a recommendation from the President under the provisions of clause (3) of Article 117.

The question that remains for consideration is this. At what stage must the recommendation of the President be forthcoming? The word used there is "consideration". It has been contended that "consideration" means the very initiation of the Bill. I am afraid I cannot agree with that contention. A Bill has two stages: the first stage is called in our parlance "introduction" which is different from 'consideration'. After a Bill is introduced, then the stage of consideration begins and the stage of consideration continues from that point when the Bill is taken up by the House after

the stage of introduction, until it is passed. During that interval the proceedings are proceedings in respect of consideration of the Bill. Therefore, in my humble opinion, if before the motion for passing is put, a recommendation is obtained, that would meet the requirements of clause (3) of Article 117. But while that is so, I think there is one practical point which must be considered. The House must not readily assume that the President will give his assent or recommendation whenever it is asked. If a financial liability is involved, the President will have to consider the matter in detail and find out whether the financial condition of the country is such as he could agree to take more financial liability. It is possible that the President may refuse his recommendation, in which case the labour spent by the House would be wasted. I think, therefore, there is no harm in adopting or suggesting the rule that whenever there is any Bill projected before the House which involves or is likely to involve expenditure from the Consolidated Fund, the House should insist that immediately, before the consideration stage begins, the Member in-charge should produce a recommendation from the President so that the House may be engaged in labours which may ultimately not turn out to be fruitless.

Mr. Deputy-Speaker: We have heard this point *in extenso*. I entirely agree with the hon. the Law Minister in coming to the conclusion that 'appropriation' as used in Article 110, sub-clause (1) (d) is only a term of art and it applies only to cases which are referred to in Article 114. Therefore the provisions do not militate against the provisions of Article 117 (1). Of course, it involves expenditure from the Consolidated Fund and therefore comes within the purview of sub-clause (3) of Article 117.

The only question is whether the practical guidance that has been given by the hon. the Law Minister that for the purpose of consideration, a recommendation of the President has to be obtained. It is not said that consideration ought to be barred. The objection is to the passing of the Bill. The President may give authority or refuse to give authority for consideration. So far as this House is concerned, it is the passing of the Bill that is prevented.

I will make my position clear by reference to the Constitution. Clause (3) of Article 117 says:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consol-

lidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill."

All that this House is prevented from doing is the passing of the Bill.

An Hon. Member: The clause says 'consideration'.

Mr. Deputy-Speaker: I do not think any hon. Member can force me to agree to any particular view. I do still consider it is open to the President to recommend to the House the consideration of the Bill. He has not recommended, we will assume. Then it will be futile to go on with it until the passing. It cannot be passed. There is no good embarking upon an enterprise which will end in nothing. But we are in a different stage so far as this Bill is concerned. Today we have started the consideration of the Bill. It may be, in some cases, when the general body of opinion in the House is in favour of a particular Bill, notwithstanding certain commitments which will involve expenditure, that will be an important consideration for the President himself to grant sanction or recommend it for acceptance of the House. Therefore that is not an absolute proposition. I agree with the hon. the Law Minister that the consideration stage starts after the introduction and continues right up to the passing of the Bill. As it is, I leave it to the hon. House whether we should go on or not go on with it. It is only twenty minutes more. Therefore we shall go on with it today. So far as the future is concerned I would like that before a motion for consideration is made the recommendation of the President ought to be obtained. Otherwise we will be taking away the time of the House needlessly. But an exception has to be made in favour of this Bill, particularly in view of the fact that there is no time for the hon. Member to go to the President—unless it is the desire of the House that we should pass over this Bill, postpone its consideration and take up any other Bill. There is no chance of making much headway with respect to any other Bill to any large extent. Therefore, so far as this Bill is concerned we shall go on with it. We will not reach any particular stage.

Shri Hussain Imam: Sir, the words "passed" and "considered" may have been used in connection with the passing by the one Chamber and the commencement of the consideration by the other Chamber.

Mr. Deputy-Speaker: I have given my ruling.

Shri Hussain Imam: I am submitting for your consideration that the words may have been included in this way, namely passing by the one House and consideration by the second House.

Mr. Deputy-Speaker: I am calling upon Mr. Rathnaswamy to speak.

Shri Rathnaswamy: Sir, there are about 4 million youngmen without employment and about 1½ million skilled workers whose services our Government are not in a position to utilise, and there are millions of agricultural workers who are either under-employed or unemployed. That is the position today. I do not know whether we have got correct statistics of all those unemployed men in our country—how many millions of unskilled workers are there, how many millions of skilled workers are there—I do not know whether Government took the trouble of collecting the statistics of people of various categories during the last census. I hope when the Planning Commission submits its report it will come out with a blue-print in regard to the various ways and methods by which the services of the vast human material and human wealth, of which our country is evidently very rich, will be utilized. I hope the Planning Commission will submit a blue-print in regard to the utilisation of this vast man-power in our country.

There is one thing to which I should like to draw the attention of the hon. the Labour Minister. In England and other countries the Employment Exchanges can compel the private employers to requisition the services of such of those people whom they recommend.

[PANDIT THAKUR DAS BHARGAVA *in the Chair.*]

I do not understand why the hon. the Labour Minister has not yet brought a statutory provision by which private employers can employ only such of those persons as are recommended by the Employment Exchanges. I earnestly hope and trust that the hon. the Labour Minister would very soon bring forward a Bill whereby the private employers in our country would be obliged to accept only such of those who are recommended by the Labour or Employment Exchanges.

Sir, in the year 1949-50 our Government spent about Rs. 129 crores, and in 1950-51 they spent about Rs. 140 crores, in regard to the import of

[Shri Rathnaswamy]

foodgrains from foreign countries. If we can only have a planned programme by which we can employ the services of the vast human population in our country who are idle today for want of work, and if we can have a planned programme by which we can start co-operative or collective farming in our country where we can utilize the services of these millions of people who are simply idle for want of work, I am sure we will definitely stand to gain, and our money will not be wasted by importing foodgrains from other countries. Rather, that money can be utilised in enriching the soil in our country, and at the same time we will be in a position to find scope for this army of unemployed people to eke out their livelihood in a decent and dignified way. Sir, there is vast scope whereby that human material can be utilized, and I earnestly trust that the Planning Commission would embody in its recommendations this provision whereby the human material in our country could be better utilized.

I do not want to take much of the time of the House, but I should only like to draw your attention to one or two things to which I should like to make reference. The education system in our country is definitely defective. I only hope that the Education Minister here would see to it that in the colleges the students do not receive only empty education but that they utilize their vacation, their holidays, by going to the villages and putting in their efforts to help the farmers and others in respect of production. In foreign countries it is quite possible for youngmen, after their colleges close for vacation, to go to their places and, instead of wasting their valuable time, to usefully spend it in construction of roads, in construction of buildings and in such other useful directions. But in our country we do not have any plan by which the services of brilliant youngmen who otherwise waste their time can be properly utilized. Sir, in Yugoslavia the student population were able to construct a three-hundred mile railway track, all by their own sheer effort, only with the assistance of the Government. In other countries the students so much use their time because there is that dignity of labour to which so much of importance is being paid and in our country the students think that it is beneath their dignity if they work either as a porter or in such a humble capacity as it is the case in America and England. Therefore, Sir, I should like to appeal to the hon. Education Minister to utilize the great and grand scheme enunciated by our revered Gandhiji, namely the Wardha Scheme

in the schools and colleges. It is not enough if education alone is being imparted to the students. They must know how to use their hands, how to use their time and leisure in productive channels. After all our country is very much lacking in production. Countries which were very backward in recent times have made tremendous advancement because the Governments there were able to enthuse the people; the Government was able to give all sorts of opportunities to the people to utilize their time and leisure. I wish our Government should bring out a scheme whereby they could utilize the leisure and the time of millions of young men who are without work, who could not find work either to eke out their livelihood or to help the country to increase its national wealth. I have not much to say except to conclude by saying that it is high time that our Government thought of bringing out a tangible scheme, whereby they could help the people to eke out their livelihood in an honourable way. At the same time, it would be very wise of our Government if they could see that the services of these people are better utilized. If this is not done, instead of being useful citizens of the State, they would become subversive and dangerous elements. They would be creating a nasty situation for the Government by indulging in criminal activities and thereby constitute a serious menace to the security and safety of the State.

Shri R. K. Chaudhuri (Assam): Sir, it is in the fitness of things that the Bill which we are discussing just now and the Bill which is following and also my Bill which is immediately following should come up for discussion on the same day. Sir, one leads to the other. If our Government or for the matter of that any Government had paid due regard to the interests of the youth, had paid due regard to the proper training and proper employment, the necessity for consideration of the question of the abolition of death sentence would not have arisen. Sir, why are we considering at the present moment this question? As a matter of fact the whole world is considering the question of abolition of the death sentence. It has become necessary to do so on account of the fact that a good number of youths who are dissatisfied with the present condition of things, who have been perforce driven to terrorist crimes, who have been perforce driven to adopt the doctrines of communism, they meet with untimely and cruel death. Today if you want to protect the society in a proper spirit, if you want to prevent them from committing anti-social crimes, if you want to prevent them from ending their lives

by going to the gallows, you have got to consider about their interests more carefully, more intently than we are doing at present.

I hope the House will recall the instances of cruel punishments by which valuable lives have been lost. Some persons who were sentenced to death when their death sentences were set aside, had become useful Members of society afterwards. Some persons who had to meet cruel death, could not be recovered and they were permanently lost. (*An Hon. Member*: Is this relevant to this Bill?) The relevancy to this question is this. I already sounded a note of warning. I appreciate and welcome the Bill which has been moved by Dr. Deshmukh. Whether this Bill is passed into law or not, I again sound a note of warning that action on the lines indicated in this Bill should be taken by the Government. Whether it is passed or not, it is necessary for the protection of society. Unless you take care of the youth, unless you give them employment, unless you train them for employment, unless the State makes it their business to train them in proper employment and give them employment, the society that is going to come after us will go to ruin. What do you see in Delhi today? Delhi ought to be a model for the rest of India. Our educational institutions, our health institutions ought to be a model. What do you find? What are you doing for the youth here? When I go through Connaught Place or Connaught Circus, I find crowds of young men and women waiting for admission into the cinemas. All their spare moments are spent in seeing the pictures. They go and crowd these cinemas and if you prohibit a particular show on the ground that it is not meant for adults, more crowds that cinema house attracts because a larger number of young boys and girls want to see that particular show. What are you doing to stop it? What is the Government now

doing to stop this demoralization of youth? Why do they not properly regulate the cinema shows? What have you been doing? I saw here in this. . . .

Mr. Chairman: May I suggest that these things are not the subject matter of the Bill.

Shri R. K. Chaudhuri: I am coming to the root of the whole question. The root is there. Love songs and ditties are now on the lips of every young man and woman, which they have heard in the cinemas. They are most obscene and cannot be tolerated. It was not so in the days of our youth; it was not so even 25 years ago when the whole country was engaged in a death struggle for the freedom of this land there was no such demoralization; this demoralization has been in evidence now after the Independence. What I say is this! If you train these youths properly, if you give them proper education, if you give them proper employment, these things would not happen. There are a lot of hotels, coffee houses, restaurants etc. A guardian can prevent a youth from going to a restaurant or going to place where drinks are being sold. .

Shri Sidhva: Is my hon. friend conversant with the provisions of the Bill? There are no cinema houses or restaurants there.

Shri Sondhi (Punjab): He is going to the root of the question.

Shri Tyagi: It is only the branch he is referring to.

Mr. Chairman: Does the hon. Member propose to take long?

Shri R. K. Chaudhuri: Yes, Sir.

The House then adjourned till a Quarter to Eleven of the Clock on Saturday, the 14th April, 1951.