

[Shri B. V. Nair]

taken out at the time of the preparation of the project report itself. In these circumstances, I would suggest that when it comes to the question of placing a ban or a limitation on the productive capacity, it should be considered more than once, and the production in this country will have to be increased, from whichever sector it may come.

Thirdly, I would suggest that the negative approach which it is sometimes fashionable, the book socialist approach which is found to be popular, will have to be discarded. I think in this country socialism will have to be saved from doctrinaire socialists in order to see that the common people in this country who do not distinguish between the brand or source it comes from get the goods they want at a reasonable price. They want goods in abundance. Under these circumstances, unless we are able to increase production which need not come in conflict with the principles of distributive justice, unless we are able to gear up our governmental machinery for this task, there is no salvation.

MR. CHAIRMAN: He may continue tomorrow. Now we shall take up the half-hour discussion.

17.30 hrs.

HALF-AN-HOUR DISCUSSION

ELIGIBILITY FOR PENSIONS TO FREEDOM FIGHTERS

SHRI C. K. CHANDRAPPA (Telli-cherry): Sir, the question of deciding the eligibility of the freedom fighters to receive pension has become a matter of serious concern. At the very outset, I would like to make one thing very clear. When we are sitting in judgment as to who are the people who are eligible to receive pension for having been freedom fighters, we

should take into account the fact that the freedom movement in our country was fought by a large majority of our people irrespective of their political or ideological beliefs and also irrespective of their religion, caste or creed. I am saying this with a view to impressing upon the Government that our present considerations, political or otherwise, should not come in the way while we decide the eligibility for granting pensions to the freedom fighters.

Now, I want to raise certain specific cases and I would like to get specific answers from the Government in regard to them. Firstly, during the last session, there was a discussion about the eligibility of the participants in the Moplah rebellion in Kerala. The Government outright rejected it; and in this session, in answer to a question, they said that they had gone through the records of the then Government, that is, the British Government, and they had also gone through the records of political conferences and their resolutions, and also R. C. Majumdar's history. I do not want to make any observations about that attitude of the Government. I would only request the Government not to close that chapter. In that answer, the Government made it clear that the Kerala Government, a government in which the Congress party is also a partner, had decided to grant pension to the participants in the Moplah rebellion taking into account all the different aspects that the Ministry here had considered. I do not like the manner in which a State Government's decision on a major political incident, on a major freedom battle which took place in that part of the country, was ignored; it is not good for people to pass a sweeping judgment completely ignoring the decision of the Kerala State Government. So, I would like the Government to reopen that subject.

I would also like to suggest that if they are very keen on consulting the British records, let them do so;

but the British records were also contradictory. The Collector's assessment was not approved of by the Secretary who was studying the matter. There were conflicting views, whether it was a peasant revolt or it was part of the freedom movement or whether it was a communal affair. There were differences. So, I would suggest that the Government should consider all this. Apart from R. C. Majumdar's book, why don't the Government consider the history of the freedom movement written by Dr. Tarachand, an equally eminent writer? This Government should also, if it is not very inconvenient, try to read the history of the Moplah rebellion written by the then Secretary of the Kerala Pradesh Congress Committee. I am not citing any other example. It would be also helpful for the Government to look into the decisions, resolutions and the speeches made by people who were participating in the political conference which took place in Ottapalam and Palghat in Kerala during that period. I would request the Government to reconsider their decision which will help in a way to come to a decision. Perhaps the Minister should consult his Cabinet colleagues, the other Ministers, and know also what Mr. Ganesh feels about those descendants of the participants in the Moplah rebellion, who were deported to the Andaman Islands. There are hundreds of them there. They felt very hurt, the entire muslim community felt very hurt because of the sweeping judgment by the Centre. I only want the Government to look into the matter.

Secondly there are two important movements. One is the Telengana Rebellion of 1946 and the other is Punnapra Vayalar struggle of 1946. These two struggles were against princely rules. One was in Hyderabad and the other in the former Travancore State. This is part of history.

In collusion with the British imperialist, the king of Travancore and his notorious diwan wanted to keep

Travancore as an independent State. They said that Travancore would have an American model Constitution and Travancore would not form part of India. The working class and the poor peasants under the leadership of the Communist party, the State Congress supported to a certain extent, organised an agitation. May be the Government might not have agreed with the way or the form of the agitation. But it was part of the freedom movement. The Kerala Government had granted pension to the participants of the freedom movements in Punnapra vayalar agitation. Two Ministers of our State Mr. T. V. Thomas and Mr. M. N. Govindan Nair were accused in that agitation. Here is Shri N. Sree Kantan Nair who was another accused in that agitation. Shri P. K. Diwakaran another member of the Kerala Cabinet was also an accused in that agitation. I only request that these cases should be considered and a speedy decision be taken. The Kerala Government has taken the decision about them.

Coming to Telengana struggle, it was against Nizam's rule, it is a well-known fact that Nizam wanted to set up what was called Azad Hyderabad. In collusion with the British imperialist, he wanted to create an independent State in the heart of our country. The peasants who rose in revolt against this were led by the Peasants Movement of the Communist. It was an armed insurgency. Government might not be in full agreement with the form of the agitation. That 4,000 people who took part in that agitation laid down their valuable lives for the cause of the country's unity. The Government should take a decision and they should be treated as freedom fighters. Their pension should be granted.

There is some misunderstanding that the entire Indian freedom fight came to an end on 15th August, 1947. It is true only with regard to that part of the country which was not under princely rule. Hyderabad

[Shri C. K. Chandrappan]

which was a princely State got into the Indian Union only after Military action, that was on 13 September, 1948.

Those who participated in the Telengana Movement upto 13 September, 1948, should be considered to have participated in the freedom struggle. Their pension should be granted.

I want to raise some other issues apart from these. Firstly, the snails pace in which the department which decides who are eligible to pension, works. Shri Esvara Reddy was saying that he asked for certain information and it took six months to get even that small information. I am not blaming them. Maybe they are dealing with lakhs of applications, but we they must remember that most of those to whom you want to give pension are old people. They may not wait indefinitely for formalities to be completed. Many have died and some will die soon. My request is that the department should be strengthened. If necessary, more staff should be allowed, so that there can be a speedy disposal of these applications.

There is another bureaucratic practice. In the States, some screening takes place for months and months and then applications come to the centre. Here another screening takes place for months and months. In such cases, my suggestion is this. Let us have some confidence in the State Governments. Let the State Government set up a committee consisting of the prominent people who participated in the freedom struggle from that State and some government officials. Let that committee process the applications and send them to the centre. After that, for heaven's sake, let not the Centre again screen it and send it back for information. That would perhaps speed up the whole process and give a feeling to the freedom fighters that their cases are decided as quickly as possible.

I would like to refer to two cases in Kerala and I am sure there must

be many such cases in other States. Mr. Kannantheedu Jamaradhana Nair, a former MLA in the erstwhile princely State of Travancore, a well known political leader, who took an active part in the freedom movement, died underground. He was in jail, but there is no jail record. It is not his fault. In so many cases there are no jail records. The minister can say, his descendants can give a certificate from an ex-MP or ex-MLA. In such princely States, at least in Travancore, political prisoners were treated in a different way by the Dewan and the King. In most cases, they were put as under-trial prisoners in the lock-up more or less in solitary confinement. There is no question of any companion or colleague who afterwards became MLA or MP, who can give a certificate. There is another case from Alleppey.

Shri S. K. Das is a very well-known trade unionist and communist leader who took part in the freedom struggle. Something should be done about them. We cannot just on technical grounds reject their cases. The minister himself has said here that CBI had to enquire into some bogus certificates. I am not casting aspersions on anybody. But when those who have nothing to do with the freedom struggle have been given pension, such genuine cases are rejected on technical grounds. This is very unfair.

A mass satyagraha was organised by the Goa Liberation Samiti on the borders of Goa on 15th August 1955, in which thousands from all over the country participated. As a small student, I also took part in it, but I am not claiming any pension for myself. Mrs. Subhadra Joshi was shot at. People from Kr. Kachwai's party, people from the Socialist Party Mr. Dange and so many others people participated in it. Mr. Tridib Chowdhury was there. Hundreds of people were beaten up by the Portuguese police and military. But many of those participants are denied pension.

I request the Government, when their applications come, to take a le-

nient view because they took part in a big way in liberating the country from the Portuguese colonialism.

Especially, there is a typical case that has been brought to my notice about which I have written to the Minister also. I am sure, it is not an isolated case. That is a case of a student who in early twenties was inspired by the call of our freedom movement and took part in it. He was dismissed from the college and he was put in jail. He belonged to Kerala. But he was a student in Bombay. He was put in jail. He remembers that Shri Jayaprakash Narayan was along with him. After his period in jail expired, he came out. He was dismissed from the college and, naturally, he went back to Kerala. Now, if you ask him to produce a jail certificate, it is very difficult to do so. Well, he had approached the Government of Maharashtra and they said that they have no record—everything is destroyed. He does not know whether anybody with whom he stayed in jail has become an M.P. or an M.L.A. He was a young boy. About 40 to 50 years back, he was in jail. It is a fact known to all the political party leaders in my State that Shri C. M. Kunhu Raman Nair is a well-known freedom fighter. But due to some technical reasons, he is denied of pension.

I am bringing these cases to your notice to take a lenient view of these genuine cases and find out a mechanism by which these can be considered sympathetically.

As regards the I.N.A. and the R.I.N. the Government often says that they have taken a decision. But there are so many people writing to us saying that they are not getting pension. Their applications are not being disposed of speedily.

These are the problems I want the Government to take note of and I request the Government to take a lenient view, to take a view which is also equally patriotic, and respect the freedom fighters. Let them not feel that after applying for pension, their

cases are rejected. Let them not be going round all kinds of officials who do not know anything about the freedom movement. Let them not feel that they are shabbily treated. I hope, the Government will share my feelings. I do not want to accuse the Government of anything. I feel very strongly about certain things. But still I do not want to accuse the Government of anything. I hope, the Government will consider these cases and take a sympathetic view of them.

श्री जगन्नाथ निध (मधुबनी) :
समापति, महोदय स्वतंत्रता सेनानियों को पेंशन देने की योजना का कार्यान्वयन कर सरकार ने वस्तुतः सराहनीय और स्तुत्य काम किया है। किन्तु वास्तविक दृष्टि से उस में कुछ खामियां और त्रुटियां रह गई हैं जिन की ओर मैं सरकार का ध्यान आकषिप्त करना चाहता हूँ। स्वतंत्रता सेनानियों को जो पेंशन दी जाती है उस में नियम है कि पेंशन उसी स्वतंत्रता सेनानी को दी जायगी जो 6 महीने की जेल की सजा भुगत चुके हों और इस विषय में जेल के अधिकारी बयाना भूतपूर्व एम० एल० ए० और एम० पी० से एक प्रमाणपत्र पेश कर सकें। इसमें कठिनाई यह होती है कि जेल के अधिकारियों से तो कोई प्रमाणपत्र मिल नहीं पाता है क्यों कि जेल में रेकार्ड ही नहीं रहें। तब रहें भूतपूर्व एम० एल० ए० और एम० पी०। उसमें होता यह है कि अगर किसी भूतपूर्व एम० एल० ए० या एम० पी० के साथ वह स्वतंत्रता सेनानी दो या तीन महीने ही रहा है और किसी अन्य के साथ बाकी अवधि में रहा है तो वह 6 महीने की अवधि का प्रमाणपत्र नहीं पेश कर सकता है जिस के कारण वह पेंशन पाने का अधिकारी नहीं करार दिया जाता है और उस से वंचित रह जाता है। तो क्या सरकार इस विषय में विचार करेगी कि अगर कोई भूतपूर्व एम० एल० ए० और एम० पी० यह प्रमाणपत्र दे कि जहाँ तक मेरी सूचना और जानकारी है उस आधार पर मैं प्रमाणित करता हूँ कि अमुक

[श्री जगन्नाथ मिश्र]

स्वतंत्रता सेनानी 6 महीने तक जेल की सजा भुगत चुका है तो तो क्या उस को पेंशन देने के प्रश्न पर सरकार विचार करेगी ?

सभापति जी, अभी तक सिर्फ उन्हीं स्वतन्त्रता सेनानियों को पेंशन देने के प्रश्न पर विचार हो रहा है जो 6 महीने जेल की सजा भुगत चुके हैं। लेकिन ऐसे स्वतन्त्रता सेनानी भी हैं जो 6 महीने जेल की सजा नहीं भुगत चुके हैं, लेकिन जहां तक उन के सेनानी होने का प्रश्न है, वे किसी से पीछे नहीं हैं, उन की भी बहुत बड़ी सेवा है, बड़ा त्याग है और वे भी एक जबरदस्त स्वतन्त्रता सेनानी माने जा सकते हैं। क्या मैं सरकार से जान सकता हूँ कि ऐसे स्वतन्त्रता सेनानियों के प्रश्न पर कब तक विचार प्रारम्भ होगा ?

[श्री उमा शंकर दीक्षित] : किस प्रकार के स्वतन्त्रता सेनानी ? एक तो वे हैं जिन की जायदाद चली गई है, उन को हम मानते हैं। दूसरे—जो अण्डर-ग्राउण्ड रहे, उन को मानते हैं। तीसरे—जो 6 महीने की सजा भुगत चुके हैं, उन को मानते हैं—अब यदि वे इन तीनों में नहीं हैं तो फिर वे कौन से हैं जिन पर विचार करें ?

जैसा अभी एक माननीय सदस्य ने हम को स्पष्ट बताया—वैसे ही कोई कक्षा या श्रेणी आप हम को बतलायेंगे ?

[श्री जगन्नाथ मिश्र] : मेरा मतलब है कि अगर कोई स्वतन्त्रता सेनानी 6 महीने की जेल नहीं भुगत चुका है, लेकिन अण्डर-ग्राउण्ड काम कर चुका है और काम करते हुए उस की जायदाद ले ली गई है या उस के घर में आग लगा दी गई, अनेकों तरह की कठिनाई भुगत चुका है—वह भी मेरी दृष्टि में स्वतन्त्रता सेनानी है। यहां तक मेरी जानकारी है, अभी भी ऐसे

प्रश्नों पर विचार नहीं हो रहा है और यह कहा जा रहा है कि जब 6 महीने जेल भुगतने वालों के मामलों पर विचार पूरा कर लिया जायेगा, तब ऐसे केसेज पर विचार होगा। इस पृष्ठभूमि में मैंने जानना चाहा कि ऐसे स्वतन्त्रता सेनानियों के प्रश्न पर कब तक विचार प्रारम्भ होगा ?

श्रीमन्, 200 रुपये मासिक पेंशन स्वतन्त्रता सेनानियों को दी जा रही है, लेकिन जीवन की आवश्यक वस्तुओं के मूल्य में वृद्धि का ध्यान रखे हुए 200 रुपये की पेंशन बहुत बड़ी रकम नहीं है। इस लिये क्या सरकार उन की पेंशन बढ़ाने के प्रश्न पर विचार करेगी ? इस के साथ ही क्या ऐसी व्यवस्था भी की जा सकेगी कि उन की पेंशन की अदायगी मनीग्रार्डर से की जाय और मनीग्रार्डर कमीशन की रकम भी सरकार स्वयं वहन करे ?

[श्री हुकम चन्द कछवाय (मुरैना)] : सभापति जी, मैं माननीय मंत्री जी से कुछ प्रश्न पूछना चाहता हूँ—ऐसे कितने लोग हैं जो राज्य सरकार से भी पेंशन लेते हैं और केन्द्र सरकार से भी लेते हैं ? मेरी जानकारी के अनुसार ऐसे लोगों की संख्या काफी बड़ी है। क्या इसकी जांच के बाद आप ऐसी व्यवस्था करेंगे जा पैसा वे राज्य सरकार से लेते हैं, उसका काट कर केन्द्र सरकार की पेंशन उन को दी जाय ?

आप की ताम्र-पत्र की जो लिस्ट थी, उन में जिन का नाम नहीं था, उन को भी ताम्र-पत्र दिये गये हैं। ऐसे 13-14 लोग हैं। मैं जानना चाहता हूँ कि उन के लिये किस ने सिफारिश की थी, किस आधार पर उन को ताम्रपत्र दिया गया ?

ऐसे भी लोगों को पेंशन दी जाती है जिन को स्वतन्त्रता सेनानी माना जाता

हैं, लेकिन जब परदेसी सरकार हमारे देश में थी, उस वकत उन्होंने सरकारी गवाह बन कर देशभक्तों के खिलाफ गवाही दी थी और दूसरे कामों में जेल गये थे। आपने जिन लोगों को पेन्शन मिलती है, उन की संख्या 36 हजार बतलाई है, मैं जानना चाहता हूँ कि इनमें से कितने लोग ऐसे हैं जो कांग्रेसी हैं और कांग्रेसी विधायक की सिफारिश पर उन को पेन्शन दी गई है। ग्राम लोगों में यह धारणा है फैल रही है कि जितने लोगों को पेन्शन दी गई है ये कांग्रेस के परिवरिश पानेवाले लोग हैं; इन को फुल-टाइम वर्कर बनाने के लिए पेन्शन दी जा रही है। यह बात मैं ही नहीं कह रहा हूँ, ग्राम जनता में यह भावना फैलती जा रही है।

अभी कुछ दिन पहिले, शुक्रवार को हिमाचल प्रदेश का एक मामला यहां उठा था। वहीं के एक वृद्ध अध्यापक ने एक बहुत ही शर्मनाक काम किया, उन्होंने 11 वर्ष की लड़की के साथ बलात्कार किया, इसकी रिपोर्ट गृह मंत्रालय को भी गई है। उन को 200 रुपया महीना पेन्शन मिलती है। क्या ऐसे शर्मनाक काम करने वालों की पेन्शन रोकी जायगी ?

आप के पास अनेकों एप्लीकेशन्ज पेन्शन के लिए आई हैं। एटा के एक छदामी लाल ने भी अनेकों बार आप को प्रार्थना पत्र दिया, लेकिन उन का प्रार्थना पत्र मन्जर नहीं हुआ, पता नहीं—क्यों ? ऐसे जो लोग प्रार्थना पत्र ले कर आते हैं—या तो वे खिलाते-पिलाते नहीं हैं या कांग्रेसी मेम्बर ने उन की सिफारिश नहीं की है, इसलिए मन्जर नहीं किया जा रहा है। परन्तु यह व्यक्ति काफी बार जेल में गया है। ऐसे अन्य भी बहुत से लोग हैं जिन का अंग्रेजों के समय में वारन्ट था और वे भागे भागे किं हैं, महीनों

सालों गायब रहे हैं। उन का भी क्लेम है लेकिन उन को भी आपने नहीं दिया है—अजीब तमाशा है। अभी पंजाब के पिछले मुख्य मंत्री सरदार प्रताप सिंह केरो का जिस ने मर्डर किया था, ऐसे व्यक्ति को भी पेन्शन में शामिल किया गया है, उन का नाम सुख राम है। यह बड़ी शर्मनाक बात है, जिस को सुन कर लज्जा आती है।

मैंने 3-4 प्रश्न पूछे हैं, कृपा कर इन का उत्तर दें और बतायें कि जितने लोगों को पेन्शन दी गई है, उन में कितने ऐसे हैं जो कांग्रेसी हैं ?

SHRI SAMAR GUHA (Contai): I have repeated it several times and I will repeat it again. The country has very much appreciated the Government's policy of appreciation of the services of the freedom fighters and I hope this policy will be implemented very liberally and the task completed without any further delay.

In this connection, I want to know about the INA as also about the RIN. About the INA people a committee has been set up with my friend, Gen. Shah Nawaz Khan as the Chairman and they have requested that either the Chairman or the Secretary be associated. It will be helpful if you accept the name of Mr. Surendra Mohan Ghosh. He was a very great revolutionary but he did not belong to INA. It will be better if you include one. I have written to you and I shall be happy if you include either the Chairman or the Secretary.

I want to know about the INA. Gen. Sahab is here. About the regular British Army their list is with the Government. I want to know whether those who have applied from the regular army, who were in the British Army, their applications would be given straightaway sanction as also the applications of these who joined from the Indian Independence League or from the civilian side or from

[Shri Samar Guha]

the Bari Jhansi regiment. What are the criteria the Government is following in regard to giving them pension? What are the criteria of judging their cases. I want to know the number of applications received from the INA, the number granted and the number still pending.

About the RIN, there cannot be any difficulty. About the naval ratings who participated, their names are ordinarily with the Government. I want to know whether the Government is dealing with their cases straightaway and forthright and whether Shri B. C. Dutt who was the leader of the RIN struggle was given Tamra Patra and pension.

Then, many State Governments like the West Bengal Government have extended to Government employees who joined government later like extension in service and obliteration of the disqualification. I have written to the Central Government several times about giving the same benefits to central government servants. Their number will be only a few hundreds. All these who have joined government later—will the same benefits be extended to them?

Then, you have set up several State committees to expedite the matter. I want to know from the Government whether any time limit has been set for the State committees to sort out and process the applications so that their cases may not be delayed.

I want to know the number of applications already accepted and pension given. I want to know the numbers pending, that is to say, the numbers still remaining. Lastly I want to know the numbers rejected. I request the hon. Minister to reply to these points.

MR. CHAIRMAN: Shri H. N. Mukerjee—absent. The hon. Minister

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): Mr. Chairman, Sir, I shall first refer to the remarks of the hon. Member, Shri Samar Guha. He has raised three or four questions in which his valuable suggestions are also contained. First he suggested that the rules that have been framed should be interpreted liberally. I would like to say that this question was earlier raised and the hon. Prime Minister got this whole matter examined and certain sub-rules were framed to see that any inflexible or too technical view is not taken of the policy and, on the various issues that had arisen, these twelve guidelines were approved with the object of liberalising the procedure. And, I shall read out those provisions in order to clear the atmosphere in many respects.

The first one is 'normal remission as part of actual imprisonment'. That is to say, imprisonment undergone for 5 months and 5 days or 6 days, is to be regarded as 6 months. We don't insist upon the freedom-fighter having actually suffered imprisonment for the full period of six months. This is one point.

Then, detention under the orders of the competent authority is to be treated as equal to imprisonment. This applies to under-trial period followed by conviction towards actual imprisonment suffered. Then the decision is to include broken periods of imprisonment towards reckoning of actual imprisonment. The next is to include a person who remained underground for more than six months provided he was a proclaimed offender or one on whom an award for arrest was announced or one for whom detention orders were passed but not served. It also includes a person interned in his home or externed from his district provided the period of internment or externment was for six months or more. The other included categories are (1) a person whose property was confiscated or attached

and sold due to participation in the freedom struggle, (2) a person who became permanently incapacitated during firing or lathi-charge, (3) a person who lost his job, civil or military, or other means of livelihood for participation in the national movement. Further it has been decided to include members of the INA and persons who participated in RIN Mutiny of 1946, as well as of Garwal Rifles who took part in the Peshawar Kand, provided they fulfil other conditions of eligibility. The definition of the 'Family' was expanded to include the 'Father'. This is as regards Mr. Samar Guha's suggestion regarding treating the whole matter in a included in the committee concerned manner.

Then, Sir, he has suggested that Mr. Surendra Mohan Ghose should be included in the committee concerned. He is there already.

SHRI SAMAR GUHA: I suggested either the Chairman or the Secretary of the INA Association. Panditji has recognised that association. That might be of help.

SHRI UMA SHANKAR DIKSHIT: We are willing if you can suggest any names for additional co-option and we could do it. The Committee is working hard. Mr. Shahnawaz Khan is a very responsible person and he is doing his best. We have received from the Defence Ministry recently a complete list and the eligible cases are being processed.

SHRI SAMAR GUHA: I am happy.

SHRI UMA SHANKAR DIKSHIT: So, in order that we should not make the kind of errors about which Mr. Kachwai has complained, we have done all these things. It is a very narrow path which we have to walk. On the one side, Members of Parliament and other responsible persons complain that we give pensions to wrong people. But we do so only on the certificate given either on the authority of the State Government or on the authority of MP or MLA or on the certificate issued by the jail authorities or the district authorities.

Various categories have been included. Still, errors occur. Sometimes genuinely an error occurs when somebody's sincerity is accepted or taken for granted. I want to assure the House that in no case have we had any information or a reasonable suspicion that we have allowed a wrong case to be passed for sanction.

Also, we have come to know that we sanctioned a pension in one particular case—I will not mention the name as a Member of Parliament and, at least one M.L.A. had certified that a particular person was a freedom fighter who should be given pension and pension was sanctioned. But, another Member of Parliament from the same district wrote to us later I am given to understand that so-and-so has been treated as a freedom fighter; he was not in the jail in question and so, please reconsider.' I have said that we will reconsider. But, we have not stopped the pension. Shri Kachwai has mentioned something about Shri Suka Ram. Nothing can be farther from the truth than to allege that knowingly sanction of pension is made to a person who is accused of or found guilty of murder. He must have served a sentence as a freedom fighter. In any case if there is somebody who is wrongly accused and he is acquitted completely without any shadow of suspicion against his character but he did suffer imprisonment in the struggle either in a non-violence movement or otherwise, then even if he was an accused person in a particular case but was given a clean chit, I do not think we would be right in stopping the sanction of payment of pension.

Shri Kachwai said certain other things. I would request him to take a human and liberal view of things and to realise that life is not that bad neither the Opposition nor the Treasury Benches nor people outside should think that we are not human; we are all human beings. He seems to proceed on the assumption that all the conceivable evils are monopolised by the Treasury Benches.

[Shri Uma Shankar Dikshit]

and deliberately our officers go on doing wrong things, and Shri Kachwai is the only person who is a watchdog, or a custodian of all the good things in life. I would request him not to take such a dark and evil view of life around us. It is not so.

श्री हुकूम चन्द कछवाय : मेरा यह कहना है कि अधिकांश उन्हीं लोगों को पेंशन दी जाती है जो कांग्रेस लोगों द्वारा समर्थक हैं।

श्री उमाशंकर दीक्षित : माननीय हुकूम चन्द कछवाय जी को मालूम होना चाहिये कि यह मूवमेंट चला 1920, 1930 में तब उन के दल का नाम ही नहीं था। स्वयंभटल बिहारी राजपेयी भी कांग्रेस से जनसंघ में गये हैं, बाकी थे ही नहीं। तो हम कहां से पकड़ कर लायेंगे। जो पहले बंगाल, महाराष्ट्र, दक्षिण, पंजाब और गदर मूवमेंट में शामिल हुए उन सब को पेंशन मिली। अगर आई० एन० ए० के लोगो को देते हैं, और एस० एन० घोष जैसे क्रांतिकारियों को देते हैं तो दूसरों को देने में कैसे आपत्ति हो सकती है इसलिये उनका संदेह निराधार है। हां, किसी ऐसे मामले में जिस में उन को सूचना हो कि किसी अयोग्य व्यक्ति को पेंशन मिल गई हो तो बताये। या तो हम उसकी पेंशन बन्द कर देंगे या माननीय कछवाय जी को प्रमाण दे कर सुष्ट कर देंगे।

माननीय जगन्नाथ मिश्र जी ने जो प्रश्न उठाया है वह बड़ा महत्वपूर्ण है। ऐसे मामले अबश्य है कि एक आरामी जेल में तो था और उस समय जो कोई उम्मीद था या उसका मालूम है कि वह जेल में था, लेकिन वह पांच महीने या सवा पांच महीने तक था कि नहीं, उस क रिगरेस इम्प्रीजनमेंट था या सिम्पल इम्प्रीजनमेंट था, या माफ़ी मांग कर चला आया यह कहना भविकल है। आप का जो कहना

है कि कोई एन० पी० या एन० एन० ए० यह कह दे कि व्यक्ति में वहाँ नहीं था....

फिर भी मैं यह प्रस्तावित करता हूँ कि वह व्यक्ति छः महीने जेल में रहे हैं उन का कहना है, इस पर ह्व ने कोई विचार किया है ?

My submission is that it is not fair to the Members of the Legislature in the Centre or in the States; because quite a lot of people go and pressurise them. I can bear witness to the fact that from Bombay, so many people who I know were not in the movement had come to me. I was in all the three movements; excepting the 1920 movement I was in the 1930, 1932 and 1940 movements, and I had participated in all these in Bombay. Some of them had come to me and said that their family was in great difficulty. I explained that if a person had suffered or worked for the country's freedom then from the Home Minister's discretionary fund we could make some small contributions, but knowing that the case did not fall under any of the categories and that the person had not suffered imprisonment or otherwise he was not entitled to have pension. I would not recommend pension.

मेरा निवेदन माननीय सदस्य से यह है कि आप के ऊपर और हम सब के ऊपर बहुत अनुचित दबाव पड़ने हैं क्योंकि बहुत से ऐसे कैसेज मुझे मालूम है—ये बहुत आदर्शवाक कहता हूँ, आप गलनफहमी में न पड़े—नोन के लिए, तकावी के लिए और दूसरी चीजों के लिए जिनने हम आख मूद कर सर्टीफिकेट दे देते है और बाद में लौट कर आते है और सिर्फ रिश्वत वरन वानो से पृष्ठा जाता तब वे वहुती है कि क्या करें, हमारे पास वे आये और हमने ठीक समझ कर दे दिया, अब अगर वे नही देने हैं तो उन से बसूल कर लो। मैं मानता हूँ कि यह एक समस्या है और इस को ह्व करने के लिए कोई तरीका होना चाहिये।

I think by saying 'everybody' he means well known people whose integrity cannot be doubted. If there are such cases, we shall treat them as exceptions. I believe that no good rule can be carried out satisfactorily without allowing reasonable exceptions. For that purpose, however, we should not change the categories. Changing the categories will open the flood-gates of cases which we shall never be able to dispose of completely, however long we may try.

Then, he said that those who had suffered less than six months or suffered loss of property etc. should be included. I can tell him that we have already included loss of property. Again, if the hon. Member has advised that a person who was underground for six months or more, he should be included. We have already included such cases. In the case of imprisonment, if the period is less than six months, say about five months or so, after deducting the period of grace that is allowed in accordance with the jail manual, such a case is covered, but not cases of imprisonment for less than that. I am sorry to say that it is not possible for us to extend the scope of the scheme.

श्री हुकम खन्ड कच्छवयः कुछ लोग राज्य सरकारों से भी पेंशन लेते हैं और केन्द्र से भी लेते हैं।

श्री उमाशंकर डोलिन : राज्य सरकारों के बारे में पहले भी कह चका हूँ और अब फिर स्पष्ट करता हूँ कि जो हम देते हैं उस में से राज्य सरकारों से जो मिलता है, उस को काट देते हैं। अगर 75 रुपये उस को राज्य सरकार से मिला है, तो हम उसको 125 रुपये ही देते हैं। 100 रुपये अगर मिले हैं तो उस को 100 रुपये ही देंगे।

श्री लखर गु : कुल मिला कर 200 रुपये होता है।

श्री उमाशंकर डी भत : सब मिला कर 200 होता है लेकिन जहाँ पर उन्होंने दस, पन्द्रह साल की सजा काटी हो, तो तीन तीन

सौ और चार चार सौ भी देते हैं। इस तरह का एक फारमूला हमने बना रखा है। दस, पन्द्रह साल की सजा हो तो ज्यादा भी देते हैं और कुछ कैसेज में तीन सौ और चार सौ रुपया भी दिया है लेकिन उन की संख्या अधिक नहीं है। औस्तन 150 से 160 रुपया पड़ता है और वह इसलिये कि राज्य सरकारों द्वारा दिया गया पैसा उस में से काट देते हैं। प्रत्येक मामले में राज्य द्वारा दी गई पेंशन काट कर रुपया देते हैं, यह कछवाय साहब को विदित होना चाहिए।

अब रह गई वह बात जो कि चन्द्रप्पन साहब ने कही है।

Shri C. K. Chandrappan had mentioned some other categories of cases; he referred to the Moulah rebellion, the Telengana rebellion against the Nizam and the Razakars, and then the Punnapra Vayalar struggle. He said also that the department should be strengthened. He has also mentioned the Goa liberation movement. He has suggested that in order that the pending cases be expeditiously disposed of, we should strengthen the staff.

He had also mentioned the cases of Shri Janardhan Nair and Shri S. K. Das as being very genuine cases, and he had also referred to the case of one Shri Kunjhi Ram Nair who was in jail.

Now, I would suggest to all members to kindly note that wherever they feel strongly about a case on the strength of their personal knowledge and the considerations mentioned by, they should bring it to my notice. It is not enough for the hon. member or any other gentleman to just go to office clerks who cannot go beyond the instructions given to them.

SHRI C. K. CHANDRAPPAN: I have written to the Minister. I did not go to the office.

SHRI UMA SHANKAR DIKSHIT: In that case, it will receive all due consideration.

[Shri Uma Shankar Dikshit]

So far as the Mopla rebellion is concerned, Shri Chandrappan has suggested that the matter should not be treated as closed and that we should reconsider it. He has mentioned two reasons. He says that the State Government's decision should not be ignored. We do not ignore the State Government's decision. The State Governments function in all respects in the matters with which they are concerned within the jurisdiction of the State. They will not give pensions to freedom fighters outside the State, but inside the State they have given pensions, land and various other facilities, more than we have given from the Centre. That is not coming in the way. The Government of India, as you now, have come out with this scheme and they are executing it as liberally as possible. The hon. Member has also suggested that we should examine the evidence or opinion contained in Dr. Tara Chand's book. I am not in a position to say today whether or not....

SHRI C. K. CHANDRAPPAN: Also Shri Madhavan Nair who was at that time Secretary of the Provincial Congress Committee.

SHRI UMA SHANKAR DIKSHIT
As for the question of weighing the historical evidence available to us, I do not know whether I was able to explain my position clearly at that time or not. Just as it is our responsibility not to leave out a person who is really eligible and is in difficulty, it is also our duty to prevent wrong people from taking undue advantage. I would request him to remember that it is much better that some people who are entitled are either left out or helped otherwise rather than that we should open an issue which may generate a new controversy. But if there is any new evidence—in one sense, I can say that we have no closed mind—if any new evidence is available which would show that the Mopla rebellion was a movement for the liberation of the country or of that character, then

I say, that I will take up this matter again.

SHRI C. K. CHANDRAPPAN: I shall write a detailed letter to you.

SHRI UMA SHANKAR DIKSHIT:
Yes. But I am not giving any assurance that we are going back on the decision we announced last time. But as regards this and other matters which he has mentioned my idea is to collect complete information on all these points and then go to the Cabinet for a final decision, so that the members would be satisfied that every relevant aspect of the matter has been considered.

About the Telengana rebellion, we have not said 'no'. We are examining both this matter and the Poonappa Vayala matter. The hon. Member would be glad to know that we have collected quite a lot of literature on the subject. Officers are going into it. They are marking portions and taking extracts and, before long, we would be able to come to a decision. Also we would be able to announce why we have taken the decision. We have not closed the subject. I do not want to go beyond my brief, but I should say it is not an unsympathetic approach which we have to both these cases.

About the department, it is not so much a question of strength in the department. Fifty thousand cases have been referred to the State Governments. It has been suggested—it was suggested earlier also—that we should request State Governments to appoint committees. Some States Governments have; others have not. One or two State Governments have written to say that they do not propose to do so. We have written to all the State Governments. There was a fresh draft ready and we will be issuing it in a day or so. Again we will ask the State Governments to appoint committees where the committees have not been appointed, and to ask the committees to expedite the work.

But more than the State committees, it is the job of the district committees. Where in a State Committee there are no veterans who participated in the movements,—it is extremely difficult for the young people who are on the committees, to come to any decision even to genuine cases. But I promise that we will again write to the Chief Ministers of all the States requesting them to expedite the work of furnishing clarifications that we have requested them to give, and as soon as the clarifications are received we shall quickly dispose of the cases.

There is another point. We have not yet stopped entertaining new applications but I am in the hands of the Members of this House and of the other House as to whether we stop considering fresh applications.

SHRI C. K. CHANDRAPPA: Do not close, there are so many applications. (*Interruptions*)

SHRI UMA SHANKAR DIKSHIT: After their income goes down, they will be free to apply at any time or to intimate to us. They need not write regular applications.

Now, the information that I have gathered—I am not in a position to say so with authority—is that the applications that are now coming are mostly about the underground. I myself was underground once or twice, for five or six months. It is not an easy matter. Thousands and lakhs of people worked, some privately some secretly, and some in the

lanes and some outside in the streets. They were all underground, or even while overground, they participated in the movement in some way or another. Therefore, in this matter we have to take a responsible attitude. It is not merely a financial aspect—(*Interruptions*)

SHRI SAMAR GUHA: A close friend of mine was known as one of the heroes of the 1942 movement in one part of West Bengal, but unfortunately, except some press report, there is nothing for him. I know he is suffering terribly. I told him, "Please give me the photostat copy of the paper-cutting and then I will plead your case."

SHRI UMA SHANKAR DIKSHIT: You write to us. (*Interruptions*)

AN HON. MEMBER: Goa movement.

SHRI UMA SHANKAR DIKSHIT: Goa movement? It is included.

SHRI C. K. CHANDRAPPA: In the satyagraha, so many people had participated—(*Interruptions*)

MR. CHAIRMAN: I do not want the discussion to be reopened again. When the Minister closes, I shall adjourn the House. I think you have closed the reply.

SHRI UMA SHANKAR DIKSHIT: Yes.

18 24 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 4, 1973/Agrahayana 13, 1895 (Saka).