

to keep their fingers on the triggers all the time all over the place in a nervous state.

Shrimati Renu Chakravartty: Is it a fact that the police or armed police patrols Pakistan is keeping along this border have been increased? Are they constantly increasing and are we on our side doing something to protect lives and property?

An Hon. Member: We are lodging protests!

Shri Jawaharlal Nehru: I cannot give the figures regarding patrols on the other side of the border. But what normally is done is that if there is any trouble in any particular area, patrols and posts are increased in that area immediately.

Article in 'New Age'

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*2053. { **Shrimati Renu Chakravartty:**
Shri S. M. Banerjee:
Shri T. K. Chaudhuri:
Shri H. N. Mukerjee:
Shri Narayanankutty Menon:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Short Notice Question No. 15 on the 17th April, 1958 and state:

(a) what were the reasons for asking compensation under separate heads for him, his wife and sons when his wife is living with him and his sons are described as minors;

(b) what was the difficulty in making a composite claim for his share of ancestral property;

(c) whether it is a fact that in the first instance his mother Shrimati Putli Devi was also a claimant and in later application she withdrew her claim; and

(d) whether it is a fact that a large portion of his property was in cantonment and whether the value of land was also computed in assessing his claims?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). The attention of the hon. Members is drawn to the reply given by me on 17th April, 1958 to Short Notice Question No. 15. It was optional under the rules either for the Karta of a joint Hindu family to file a claim as Karta on behalf of the whole family or for the various members of the family to file claims for their respective shares separately.

(c) It was withdrawn by her own son who held a power of attorney on her behalf. Shrimati Putli Devi, who is my stepmother, had no interest in the ancestral property.

(d) No. My claim has been verified exactly in the same manner as the claims of other persons for properties in Cantonments. The value of land was not taken into account in assessing the claim.

Shrimati Renu Chakravartty: Is it a fact that besides the claim of Shrimati Putli Devi to the joint family property, she was also a claimant in her own right, as has been stated in the statement laid, and that the date of her application for the claim and the date on which cheque was given were very close by? Were there certain other widows' outstanding claims on that very date?

Shri Mehr Chand Khanna: What I said in reply to the Short Notice Question was that as far as my step-mother was concerned, she was left some property by her father who died in 1931. If she filed a claim on account of the property left to her by her own father and received either some maintenance allowance or compensation, I have no knowledge. My mother does not live with me. She lives in Rajasthan.

Mr. Speaker: I want to make a suggestion. I feel not a little embarrassing to allow this question or this kind of answer. The hon. Minister has to decide his own affairs and give an explanation about himself so far as his Ministry is concerned. I would

make a suggestion that in all cases where any Minister is interested in a particular matter relating to his department, he will place it in the hands of the Prime Minister who will appoint some other persons to look into it and dispose of it.

Shri Jawaharlal Nehru rose—

Shri Mehr Chand Khanna: I said so in reply to the Short Notice Question.....

Mr. Speaker: Order, order.

Shri Jawaharlal Nehru: If in any newspaper allegations are made which *prima facie* have no force, is the Minister to run to the Prime Minister immediately?

Mr. Speaker: No, no. The hon. Minister admits that this is a matter relating to his own department. If it is so, is it right that the Minister should take the responsibility of deciding a matter between himself and his step-mother?

12 hrs.

Shri Jawaharlal Nehru: Nothing between himself and his step-mother. As a matter of fact, there was an article in a newspaper called *New Age* in which various allegations were made against my hon. colleague. Thereafter, a Short Notice Question was asked here and my hon. colleague made a statement after consulting me and showing it to me. I was brought into the picture at an early stage and he answered it. So far as I was concerned, there is no question of any further enquiry into the matter.

Shri Mehr Chand Khanna: May I only add one thing? Claims were invited in 1950. They were verified in the year 1951, 1952, long before I was appointed a Minister 3-4 years after that. I was not a Minister then. That is No. 1.

No. 2 is that my claims were verified exactly in the same manner as the claims of any claimant—I mean the

4,60,000 claimants. No. 3 is that over 3,15,000 people have been paid their claims up till now to the total value of Rs. 80 crores. I have not received a single penny in my claim.

While replying to the short notice question I had categorically stated—may I read out four lines?—:

“As Minister in charge of the Compensation Scheme, my position is peculiar and difficult.”

I am dealing with the claims

“There is no authority outside those prescribed under the Act who can pass orders in regard to claims and compensation. All these orders are of a judicial nature. Nevertheless, as I do not want...”

just as you have remarked yourself, Sir,

“...any matter which concerns me or the members of my family should be finally decided by officers of my Ministry, I propose to refer any such matter whenever it arises to the Prime Minister for such procedural consideration that may be deemed necessary.”

things. I have not received any compensation. If and when I do take the compensation I shall not do so without the case being referred to the Prime Minister. Thirdly, if ever I get my claim, I can only do that by bidding at the public auction for property. There is no other procedure open to me.

Shri Joachim Alva: I believe in what you say, Sir. When a Minister is personally involved, another Minister may answer the question to save personal embarrassments as well as the dignity of the House.

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

Shrimati Renu Chakravartty: Can the Minister lay a statement on the Table of the House showing the original claims and the verified claims?

That will save embarrassment for him and for us too.

Shri Mehr Chand Khanna: This very question has been raised and formed part of the original question. You have deleted it yourself.

Shrimati Renu Chakravartty: It is only a question of laying it on the Table of the House. If we have been wrong, we shall correct ourselves and if he is wrong he will correct himself.

Mr. Speaker: What is the question?

Shrimati Renu Chakravartty: I wanted to know whether the Minister will lay on the Table the original claims, the claim orders and the verified claims . . . (Interruptions).

Shri Mehr Chand Khanna: Under the old rules, the family members of a joint family filed their claims separately. I have accepted it and I said so. When these claims were filed in 1950 that was the rule. Under the rules then prevailing, the idea was that everybody will get his share *pro rata*. It was later on in 1955 that it was decided that there would be one unit and a ceiling. I was responsible for bringing that amendment in this House that in the life time of his father, his son could not get a share.

Shrimati Renu Chakravartty: My point is not that at all, Sir. Unfortunately the hon. Minister replies to a somewhat quite different question than the one put from this side. The question is this. Will he lay on the Table of the House the original claims, the claim orders made and the amounts verified and passed? That is all that I wanted.

Mr. Speaker: Relating to this matter?

Shri Mehr Chand Khanna: That question was received by the Lok Sabha Secretariat and this part has been deleted because it was of a judicial nature...

Mr. Speaker: We do not go into individual cases here. Thousands of claims have been disposed of. We

are not sitting here as an appellate authority to decide whether a decision is right or wrong. Individual hon. Members may hold their own views on individual cases. But I would like to tell hon. Members that we have no jurisdiction. How long can we sit? Shall we sit endlessly on these matters of individual cases? Therefore, I suggest that in all matters where there is a possibility of doubt whether it affects an individual Minister, some other Minister must be authorised to look into that matter or the Prime Minister himself may do so.

Shri Jawaharlal Nehru: I accept that, Sir. I may say with all respect that in the present case, if I may repeat, the whole question arises because there is a Minister involved, not because any individual is involved. The question arose in that matter three or four years before he became a Minister—that is, in regard to the putting in of those applications, etc. In fact, no action has been taken in the sense that any payment was made. No payment is going to be made. In the normal course, as he said, if and when it arises, it is referred to the Prime Minister and is considered fully.

Shri Tangamani: But what is the difficulty in complying with that question?

Mr. Speaker: Order, order. I would not allow any paper to be laid on the Table. This will be a precedent for every other case and a statement will have to be laid on the Table if a licence is disposed of or cancelled... (Interruptions.) Order, order. Every hon. Member and every person will heckle the other hon. Member and make the life of the hon. Member impossible here. Already I know a number of hon. Members are being troubled by the refugees. They must be left to the care of the Minister except in the case where he is a Minister himself in which case I shall leave it to the hon. Prime Minister. If still there is a doubt, those persons who are Members of Parliament can be relieved of that doubt by the Prime Minister taking the papers and doing whatever is necessary . . . (Interruptions). It is

because the Minister himself in a quasi-judicial form has to decide a particular matter. I am not going to allow any statement to be placed on the Table of the House. That is my ruling also for rejecting clause (e) in the original question. I leave it to the hon. Prime Minister to consider what other steps need be taken. I am not going to allow any such paper to be placed here to remove any kind of doubt here.

Shri Jawaharlal Nehru: Sir, I do not quite understand. I completely agree, if I may say so with respect, that where any Minister is concerned, directly or indirectly, the matter has to be viewed from a special point of view. It is not a mere individual case. He is a Minister. In other cases it may be dealt with. But in this case the matter cannot be dealt with by him alone. The Prime Minister comes in; may be the Cabinet comes in. Whatever it may be, I accept it. In the present case I do not quite know because about eight or nine years ago, long before my colleague was a Member of Parliament or a Minister, he put in an application on his behalf at that time, which application is apparently not disposed of or dealt with and nothing has been paid to him. As I said, no action can be taken on that application, he being a Minister, by his Ministry. He will have to come up to me or to the Cabinet.

Mr. Speaker: Next question....
(Interruptions.) The Question Hour is over.

Shri S. M. Banerjee: I want to submit one thing.

Shri Narayanankutty Menon: I have tabled a separate question.

Mr. Speaker: I will look into it if there is a separate question.

SHORT NOTICE QUESTION AND ANSWER Tour of Foreign Service Inspectors to Europe

S. N. Q. No. 19. Shrimati Renu Chakravartty: Will the Prime Minister be pleased to state:

(a) whether it is a fact that an inspection team is to leave for two months tour of Europe immediately;

(b) whether the itinerary includes several days stay in Madrid which has no Indian Embassy;

(c) whether the inspection of all the Indian Embassies in Europe will be completed during this short tour; and

(d) the amount of foreign exchange involved in this tour?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) Yes, for four days.

(c) No.

(d) Rs. 34,200.

Shrimati Renu Chakravartty: May I know if there are certain embassies that have not at all been inspected and certain embassies that have been inspected more than once and also whether those that have not been inspected at all are in the Asian areas and those that have been inspected more than once are more in the European areas? If so, what is the reason for sending this particular inspection team to Europe?

Shri Jawaharlal Nehru: The reason, Sir, is to inspect these places, many of which have not been visited at all at any time. Some have been visited. They are important. Some like London are constantly visited, being just on the way. Whenever an inspector goes he reports about certain places. Most of the places that this team is going to visit are Prague, Warsaw, Budapest, Vienna, Oslo, Stockholm, London, Madrid, Rabat, Paris, Rome and Cairo. This is the itinerary of this team. Most of these places have not been visited. Therefore, I cannot off-hand say what places in Asia have been visited or have not been visited. Only recently, last week, this team went to Burma and came back to Rangoon after visiting our Embassy there.

Shrimati Renu Chakravartty: Is it a fact that many of the areas in Asia and West Asia require the inspection