

in profit capacity of Jute mills which have modernised their machineries by loans from the Central Government; and

(b) if so, what is the percentage of increase?

The Minister of Commerce (Shri Kanungo): (a) and (b). Presumably the reference is to loans advanced by the National Industrial Development Corporation. As these loans have been granted only recently, it is too early to assess profits.

Shri Aurobindo Ghosal: May I know if the Government are contemplating that any extra profits that will be earned by nationalisation and modernised machines will also be shared by the employees?

Shri Kanungo: No, Sir. The Corporation collects its interest.

Shri Ramanathan Chettiar: What is the amount?

Shri Kanungo: The amount so far sanctioned is Rs. 2.95 crores out of which the debtors have drawn up only Rs. 1.36 crores.

Evacuee Property in Delhi

+

*1207. { Shri S. M. Banerjee:
Shri Tangamani:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether evacuee properties were allotted in New Delhi without auction;

(b) if so, the number of such properties; and

(c) whether this practice still continues?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). At the time of the partition, when evacuee properties came under the control of the Custodian, New Delhi, the properties were either already in the possession

of the old tenants or, if vacant, were subsequently allotted.

(c) According to our information, there is no vacant evacuee properties in New Delhi.

Mr. Speaker: Next question.

Shri S. M. Banerjee rose—

Mr. Speaker: The hon. Member did not rise in his seat earlier.

Shrimati Renu Chakravartty: He has given an answer regarding allotment. I just want to know whether any evacuee property has been given without auction.

12 hrs.

Shri Mehr Chand Khanna: The question is whether evacuee properties were allotted in New Delhi without auction. After partition, evacuee properties came under the control of the Custodian and they were allotted in the years 1947 and 1948. There was no question of auction then.

Synthetic Rubber Factory in Assam

*1208. **Shrimati Mafida Ahmed:** Will the Minister of Commerce and Industry be pleased to state whether Government have approved the proposal of the Government of Assam to set up a synthetic Rubber Factory in Assam?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A proposal from a private party to manufacture synthetic rubber from natural gas at Nahorkatiya has been received through the Assam Government. It will be considered only after a proper study about the best possible utilisation of Nahorkatiya gas has been made.

Short Notice Question

Indo-Pak. Canal Waters Dispute

+

S.N.Q. { Shri Raghunath Singh:
No. 9. { Shri Harish Chandra
Mathur:

Will the Minister of Irrigation and Power be pleased to state whether it

is a fact that Pakistan has repudiated the Canal Water Pact agreed into by India and Pakistan in 1948?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): In August, 1950, more than two years after the "Inter-Dominion Agreement of the 4th May, 1948, on the Canal Water Dispute" was signed, the Government of Pakistan, for the first time, intimated that Pakistan had accepted this agreement under duress, that if the agreement was ever binding upon Pakistan it had long since expired and that it should be regarded as "without present effect". In our reply we informed the Pakistan Government that there had no suggestion of compulsion at the time the agreement was reached, nor was any such suggestion made in the note that was submitted 3 weeks later by the West Punjab Government to the Punjab Partition Committee, or at any time thereafter. We were therefore unable to accept the contention that the Agreement was accepted by Pakistan unwillingly and under compulsion and informed the Pakistan Government that we could not recognise any unilateral repudiation of an international agreement.

After some further correspondence the Government of Pakistan were informed in September, 1951 that, in case they had any doubt about the validity of this Agreement, the proper course would be for that Government to seek a judicial decision from an impartial international authority and that, in case it desired to follow this course, the Government of India would be willing to discuss the procedure for such adjudication. No reply to this offer has so far been received.

As far as the Government of India are concerned, the Agreement is in operation. It is the only basis under which Pakistan canals are being supplied with water through works in Indian territory.

Shri Raghunath Singh: May I know whether in spite of the repudiation of this agreement by Pakistan, we are

going to continue supply of water to Pakistan?

Hafiz Mohammad Ibrahim: That is true as we have said in the answer.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The reply is, yes.

Shri Raghunath Singh: There were three *ad hoc* agreements to supply water to Pakistan. May I know the date of the last *ad hoc* agreement to supply water to Pakistan and the payment fixed therein?

The Deputy Minister of Irrigation and Power (Shri Hathi): The last *ad hoc* agreement terminated on 31st March, 1957, and the amount has to be specified for each quarter by the Prime Minister of India.

श्री रघुनाथ सिंह : जब वह एपीमेंट १९५७ में समाप्त हो गया, तो उस के समाप्त होने के बाद क्या हम ने इस बात की कोशिश की कि हम पाकिस्तान से कोई एपीमेंट कर के उस को पानी दें ?

Hafiz Mohammad Ibrahim: Afterwards there was an agreement on the basis of which supply was continued.

Shri Tyagi: From the statement it looks that up to 30th September, 1957, Pakistan was regularly paying undisputed water charges. As regards disputed ones, I understand that up to June, 1950, they deposited the dues in the Reserve Bank. Now disputed and undisputed—both these charges have not been paid. The statement says that Rs. 97 lakhs and odd is disputed and the amount undisputed is not known. May I know what is the total due in all from Pakistan?

Hafiz Mohammad Ibrahim: As far as non-payment of charges is concerned, it must have been referred to in the question concerned. It is because there is some dispute between the parties in regard to the calculation of the amount due or not due. That matter is going on between the two.

As soon as it is settled, that payment will be made.

Shri Tyagi: Am I to take it that there is no difference of opinion and it is only the mathematical calculations that are standing in the way?

Hafiz Mohammad Ibrahim: Certainly.

Shri A. C. Guha: In view of the fact that Pakistan has repudiated the agreement of 1948, does it not also imply that Pakistan has repudiated its obligation to make any payment for water? On what basis, in the future, we shall ask for payment of dues?

Hafiz Mohammad Ibrahim: No, no. As far as repudiation is concerned, it is only in words, not in deed. That agreement has been in operation and payments have been continuing and supply of water has been continuing. Only in words it was repudiated.

Sardar Iqbal Singh: May I know what is the constitutional position regarding these dues when they have repudiated that agreement?

Mr. Speaker: The hon. Minister said that the repudiation is only oral.

Shri A. C. Guha: The compliance is only on our part. We have been supplying. They have not paid.

Sardar Iqbal Singh: The question is this. According to that agreement, we have to take about Rs. 1 crore and 19 lakhs. What is the position at present when the Pakistan Government has repudiated that agreement?

Hafiz Mohammad Ibrahim: After repudiation they have been admitting the validity of the agreement by payment.

Shri A. C. Guha: Is it not a fact that the World Bank suggested that our obligation to supply water should end after five years i.e. in 1959—the World Bank suggested in 1954? On what ground we have been supplying particularly when they have repudiated the agreement and when they have not been making any payment?

Shri Hathi: So far as the period of five years is concerned, in 1954, when the Bank made the proposals, it was thought or estimated that it may take about five years for Pakistan to be ready, to arrange for supplies of water by link canals and other things. That was the period roughly estimated then in 1954. Subsequently matters went on. In 1957, these proposals could not be proceeded further. The Bank suggested a further co-operative approach. At that time we thought that while we are going on supplying water to Pakistan, we cannot indefinitely wait when we are ready to receive water. We have made it clear that by 1962 we shall be ready with Rajasthan canal and then it may not be possible for us not to utilise the water for which we would be ready.

श्री रघुनाथ सिंह : जब पाकिस्तान १९४८ के समझौते को नहीं मानता है, तो क्या फिर भी आप वर्ल्ड बैंक के द्वारा उस के साथ समझौता करने के लिये तैयार हैं और वर्ल्ड बैंक के सामने जो प्रोपोजल है, उन को मानने के लिये तैयार हैं ?

श्री जवाहरलाल नेहरू : मेरी समझ में नहीं आता कि इस पेचीदा सवाल को इस तरह सवाल-जवाब से हल करना तो दूर है, समझा भी सकना कैसे मुमकिन है। निहायत पेचीदा सवाल है, जिस में दो मुल्कों में बात हो रही है। तीसरा फ़्रीक उस में पड़ा हुआ है। हम बात-चीत कर रहे हैं। उस में न हम कोई इस तरह से धमकी दे कर सवाल को हल कर सकते हैं, न और जरिये से। बात-चीत हो रही है। उस के बीच में हम ज्यादा दूर तक नहीं जा सकते हैं। जो वाक्यात अब तक है, वे बता दिये गये हैं। जाहिर है कि हमारी कोशिश है और शुरू से १९४८ के एग्रीमेंट में हम ने जो कहा है, वह यह है कि हम चाहते हैं कि इस पानी से दोनों मुल्कों को फ़ायदा हो, जितना कि हो सकता है। जाहिर है कि अपने मुल्क की हमें फ़िक्र करनी है, लेकिन दूसरे मुल्क का हमें नुक़सान नहीं करना है—दूसरे मुल्क से मतलब है लोगों का। इस ढंग से

हम देखते हैं और देखते रहेंगे। जो बाबा आदमी वहाँ है, हम उन को कोई नुकसान नहीं पहुंचाना चाहते हैं। लेकिन जाहिर है कि हम अपने मुल्क का नुकसान नहीं पहुंचा सकते हैं। पानी, दरियाओं और नहरों के ये सबाल बेचीया होते हैं, फिर भी उन को हल करने की कोशिश हो रही है। जो यह सिलसिला है, जो यह बात-चीत हो रही है, यहाँ पर जवाब में हम कोई ऐसी बात नहीं कहें कि जिस से बात-चीत बन्द हो जाये, तो उस से कोई खास फायदा नहीं होगा।

Circulation by Post of Magazines and Periodicals

S. N. Q. No. 10.

+
Shri Goray:
Shri Nath Patil:
Shri Jadhav:

Will the Minister of Transport and Communications be pleased to state:

(a) whether the attention of the Government has been drawn to the fact that the strict enforcement of the clause 74 of the Post and Telegraph guide is causing great hardship in the circulation by post of magazines and periodicals in the country; and

(b) if so, what steps the Government are contemplating to remove these difficulties and to ensure that the facilities available at present would be continued?

The Minister of Transport and Communications (Shri S. K. Patil):

(a) Government has received certain complaints in this connection.

(b) The matter is under consideration.

Shri Goray: Is the Government aware of the fact that the circulation of magazines has dropped by nearly three lakhs of copies during the last year?

Shri S. K. Patil: We have no information on that.

Shri Jadhav: May I know whether the major part of these magazines consists of Hindi and other regional language magazines?

Shri S. K. Patil: The question asked is whether the enforcement of that particular rule has created any hardship. The rules are meant to be enforced.

Shri Goray: For the last so many years they were not enforced. Why is it the Government is enforcing them now after so many years?

Shri S. K. Patil: The fact that for some time they were not enforced is no justification for their not being enforced in future.

Mr. Speaker: Hon. Members are anxious to know why they were not enforced so long, and why they are enforced now.

Shri S. K. Patil: When we knew that we were making colossal losses on this particular score, the time came for the rules to be enforced. They have no doubt entailed some difficulties now, and it is under our examination as to how we shall meet the situation.

Shri Hem Barua: May I know whether the enforcement of the rule has adversely affected the circulation of the journals and magazines? The circulation of journals and magazines is very poor in this country. Does the hon. Minister think that the people should be deprived of the benefit of these journals and magazines?

Shri S. K. Patil: That question will arise in future. The enforcement has not yet started even, and therefore, if last year the circulation has been affected, it is not due to this rule which has not yet been enforced.

Shri Jadhav: Does the hon. Minister know that when this rule was brought into force in U.P., it was challenged in the High Court and that the High Court has given a ruling that the rule should not be strictly enforced?