

श्री ज० ब० सिंह ० बिष्ट : क्या उनका आबजेक्शन यह तो नहीं था कि उन को मिलना नहीं चाहिए ?

श्री आबिद अली : उनको ग्रेट्इटी मिलनी चाहिए, इसमें तो सहमति थी, लेकिन कितने साल के बाद मिलनी चाहिए, इस पर कुछ मत-भेद था।

Mr. Speaker: Next question.

Shri Muhammed Elias: May I put one question?

Mr. Speaker: Why did he not rise earlier? All right, he may put the question.

Shri Muhammed Elias: I followed the hon. Deputy Minister's reply only just now. Since the matter is pending for a long time, may I know when the decision is going to be taken in this matter?

Shri Abid Ali: Very soon.

Shri Muhammed Elias: May I know when the amending legislation will be brought before Parliament?

Mr. Speaker: He said next session. If the hon. Member is very enthusiastic he must follow what is happening here.

Shri Muhammed Elias: I am sorry, Sir.

Anti-India Propaganda in Pondicherry

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*1332. { **Shri H. N. Mukerjee:**
Shri Tangamani:

Will the **Prime Minister** be pleased to state:

(a) whether the attention of Government has been drawn to the consistent anti-India propaganda conducted in Pondicherry by certain pro-French elements like the weekly "Republique Francaise" and the "Association de la Republique del tude Francaise";

(b) whether Government are aware of such statements being published as that "the Indian Republic is in illegal

occupation of our territory (Republique Francaise 12 et 19th April, 1961) (Vol. XIII No. 40-41); and

(c) what steps are being taken in this regard?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). Yes.

(c) Such reports do not reflect the opinion of the people of Pondicherry. In case of any violation of our laws and regulations, necessary action will be taken.

Shri H. N. Mukerjee: This paper publishes scurrilous material from time to time. May I know if any definite steps are being taken to put down the idea of Indian nationals living in Pondicherry and becoming members of an association of French India and talking in this manner, maligning our flag being hoisted on Independence Day and that sort of thing?

Mr. Speaker: He wants to know what steps are being taken.

Shrimati Lakshmi Menon: No, Sir; as I have already pointed out, if there is any violation of law certainly steps will be taken. As it is, their activities are within the law. That is a very small association which publishes a paper, about 500 copies in number, making attacks on the Government saying all sorts of falsehood and making false allegations about the administration. So far we have not taken any steps to prevent such thing.

Mr. Speaker: The hon. Member wants to know if the object of the association is to re-establish French power in Pondicherry?

Shrimati Lakshmi Menon: How can, Sir, a microscopic minority re-establish French rule in Pondicherry?

Mr. Speaker: That is not the point. If that is the object of it, then a small fire may lead to a big one.

Shrimati Lakshmi Menon: The object of the association is not to re-establish French authority, but the

propaganda that they carry on *inter alia* claims that they would like to have the French back.

Shri H. N. Mukerjee: I have noticed, Sir, statements definitely saying that the "Indian flag does not belong here, this is French territory" etc. Are we going to tolerate this only because we have not yet got *de jure* settlement with France? What is the limit of our patience with regard to this kind of thing?

Mr. Speaker: We do not encourage.

Shrimati Lakshmi Menon: We do not encourage this. Under the provisions of the *de facto* transfer they can hoist the French flag if they want to. There is nothing to prevent them from hoisting the French flag. These people are taking advantage of these small concessions to say that they would like to go back, that the merger is all wrong, that the Indian Republic is in illegal occupation of their territory and things like that which are manifestly absurd.

Shri Tangamani: May I know whether the Government is aware that this weekly *Republique Francaise* is published both in Tamil and in French? I would also like to know how many issues they have published and whether they are publishing it regularly even after the publication of this material in April?

Shrimati Lakshmi Menon: Yes, it is published in Tamil also. I think it is an irregular publication in the sense that it does not appear regularly. The number of copies is about 500.

Shri Tangamani: When was the last issue published?

Mr. Speaker: What does it matter? The object of it is this. Evidently, Government is finding that unless *de jure* transfer is made they cannot do anything. They have consulted the lawyers on this.

Shri Tangamani: On a previous occasion we brought the publication of this journal to the notice of this House. Then a similar reply was

given. But then we thought that they would take some steps to see that this is not encouraged. But we find that the publication is going on.

Mr. Speaker: That is true. The hon. Member has heard the hon. Minister's reply. They have consulted the lawyers and they are not able to get at them according to the law of the land.

Shri H. N. Mukerjee: Sir, to this paper there is a press line indicating the printing shop where it is produced. Is not there anything in our legal armoury to take steps so that the press may be prevented from printing this kind of anti-Indian scurrilous material?

Shrimati Lakshmi Menon: Obviously not. As I have pointed out, unless there is a violation of law we cannot take any action.

Mr. Speaker: All hon. Members who are lawyers here will sit together and try to evolve a method and write to the Government.

Shri Sadhan Gupta: May I know whether Government have ascertained from which quarters these people receive their inspiration, and whether they have any inspiration from some outside source?

Shrimati Lakshmi Menon: There is no inspiration from any outside source. This is a very small discontented minority who used to enjoy certain privileges under the old French rule. They find that they have been deprived of these things—they are smugglers and some kind of industrialists who used to get things free of customs etc. It is a small minority. They think that if the French come back they will be able to enjoy in the same old way. That is all. They are in such a small minority that we do not think it is worthwhile taking notice of them even.

Shri Tyagi: May I take it that the *de facto* transfer of this territory of Pondicherry to India does or does not involve complete control over the State functions and the maintenance

of law and order in that territory; if so, may I know which law applies there, whether the Indian law applies there or the French law?

Shrimati Lakshmi Menon: If they interfere with the law and order situation certainly suitable measures will be taken against them (*Interruption*).

Mr. Speaker: Order, order. What is the good of going on like this? The hon. Minister is aware of the points that have been brought out by the hon. Members. They are all admitted. But they are not able to do anything. I would only appeal to the hon. Law Minister to look into this matter once again.

The Minister of Law (Shri A. K. Sen): I have not looked into the matter. I do not know if any reference was made to us. But I can assure the House that if there is any breach of law we will certainly take every step to see that the offenders are brought to book.

Mr. Speaker: They are only anxious to see that this kind of malicious propaganda is not carried on after the *de facto* transfer.

Shri A. K. Sen: The House will appreciate that we allow a certain latitude to eccentrics.

Mr. Speaker: The hon. Minister will look into all this.

Shri Hem Barua: In view of what the hon. Minister has just now said, may I know how far Indian jurisdiction over Pondicherry diminishes French jurisdiction over that area? He said that he wants to take all legal steps and all that. This is a very vital thing. May I know how far our jurisdiction over Pondicherry diminishes French jurisdiction over Pondicherry?

Shri A. K. Sen: Whether it is *de facto* jurisdiction or not, this country believes in the rule of law, and nothing which law does not warrant can be done. And, this country believes in extending some kind of latitude even to eccentrics like these few minorities.

Shri Tyagi: My question has not been answered. I want to know which law applies there; the Indian law or the French law.

Shri H. N. Mukerjee: I have quoted a certain statement by this paper which says that "the Indian Republic is in illegal occupation of our territory." Does our latitude, which the Law Minister has referred to, permit them to do that?

Shri A. K. Sen: I did not discuss any particular statement. As I said, I have not studied it myself. But, we do not fly off straightaway because some illegal news is published by a few eccentrics.

Shri Hem Barua: May I invite the attention of the Government to a statement by the Chief Commissioner of Pondicherry to the effect that the legal and constitutional provisions of our enactments do not apply to Pondicherry? That is what he said when he addressed the Assembly.

Shri A. K. Sen: As the House knows, so far as Pondicherry is concerned, it is governed under the Extra-territorial Jurisdiction Act, the Foreign Jurisdiction Act, as it is called, as it is not a part of India yet. Yet, our law is extended to them by the provisions of the Foreign Jurisdiction Act. That is the legal position.

Shri Tyagi: Are we to remain mere spectators when such things are happening?

Shri Hem Barua: Are we to understand that because of the eccentricity of the Law Ministry these things are happening?

Mr. Speaker: There is no point in making remarks like that. Both the Law Minister and the Deputy Minister of External Affairs have stated that they will certainly take all legal steps. Hon. Members have been arguing again and again why legal jurisdiction has not been transferred yet. The answer by the Prime Minister has been that it is for the French Government to do so. We have been urging them, but they have other pressing

matters. If they do not do so, what can we do?

Shri T. B. Vittal Rao: How long are we to wait?

Mr. Speaker: Is the hon. Member going to lead an army and take charge of it? (*Interruption*) Now Goa is neither *de facto* nor *de jure* in our possession. Pondicherry is *de facto* in our possession. I do not know what hon. Members want me to do in this House to solve this problem. I hope hon. Ministers will try to devise some method to avoid this kind of propaganda, subject, of course, to the limits of both international and national law.

Procedure for making Funds available to State Governments

*1333. **Shri Harish Chandra Mathur:** Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 635 on the 18th August, 1961 and state:

(a) what difficulties and issues have prompted the Planning Commission to reconsider the present procedure for making funds available to State Governments by Central Ministry;

(b) whether consideration is being given to the general question or only to Education Ministry's working; and

(c) what percentage of total allocations for Third Plan is being made available in the year 1961-62 and the reasons for lesser percentage if it is so?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The Planning Commission is not considering the procedure for release of funds to States. These are already well established. The Commission is, however, engaged in finalising patterns of Central assistance for different development programmes. These include Education as well as other heads of development.

(c) In accordance with the phasing of the Third Plan, both outlays and Central assistance during 1961-62 ex-

ceeded 14.5 per cent of the five-year allocations.

Shri Harish Chandra Mathur: Now that we are already half way through the year 1961-62, what funds have already been made available to the State Governments for different development programmes?

Shri S. N. Mishra: The total central assistance to be made available to the States is of the order of Rs. 3512 crores. Out of this, loans amount to Rs. 260.5 crores and grants Rs. 90.7 crores.

Shri Harish Chandra Mathur: How is it that in all essential matters like soil, irrigation, power and construction of roads, even the tempo which had been built during the last year of the Second Plan has not been maintained in programmes for this year?

Shri S. N. Mishra: We do not have any information to that effect. We shall certainly see that the tempo in the vital fields is kept up.

Shri Harish Chandra Mathur: In answer to parts (a) and (b) the hon. Deputy Minister has stated that it is not the procedure which is being considered but the pattern. Will he kindly throw some light as to what is meant by pattern of assistance and how it is going to be helped?

Shri S. N. Mishra: By 'pattern of assistance' we mean this; out of total outlay for a scheme what percentage is going to be by way of Central assistance and out of the Central assistance what is going to be the percentage by way of loans or grants and things like that. We are now finalising this very important matter of the pattern of Central assistance and we can assure the House that it is going to be finalised very shortly—may be within two weeks or so.

Assamese Language

*1334. **Shri P. C. Boroah:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that he has written to the Secretary, Jorhat Jilla