

The Deputy Minister of Home Affairs (Shri Datar): (a) and (b). The question is being examined.

EVACUEE PROPERTY LAW

***866. Sardar A. S. Saigal:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether the Pakistan Government made any offer to scratch the Evacuee Property legislation on a reciprocal basis; and

(b) whether Government have decided about the action to be taken with regard to this matter?

The Minister of Rehabilitation (Shri A. P. Jain): As the House is aware, Dr. Qureshi, the Pakistan Minister for Refugees and Rehabilitation made a statement in the Pakistan Constituent Assembly on 20th November, 1952 to the effect that the Pakistan Government were prepared to withdraw their evacuee property legislation provided the Government of India also agreed to do the same. On the following day in the course of supplementaries asked on the floor of this House the Prime Minister indicated that if such an offer came from Pakistan, he would be willing to consider it.

2. On the 26th February, 1953, we received a letter from Dr. Qureshi in continuance of his statement. In this communication, surprisingly enough, Dr. Qureshi suggested that the Government of India should first withdraw their evacuee property legislation from all but a few areas which are termed 'agreed areas' in the January, 1949 Agreement. Only thereafter would the way be paved for a consideration of the question of the withdrawal of the evacuee property legislation from those so-called 'agreed areas' in both the countries. Dr. Qureshi contended that under the 1949 Agreement, evacuee property laws were to operate only in the areas specified in it.

3. The Government of India have never accepted this interpretation of the January, 1949 Agreement. As is clear from the Agreement, the term 'agreed areas' used in it meant certain areas in which facilities for the exchange of revenue records of agricultural land, and facilities for the disposed of urban immovable and movable property were to be given. The Agreement nowhere mentions that the Government of either country will not be authorised to apply or extend its evacuee property laws to an area other than those specified areas. In fact, even when the 1949 Agreement was signed, evacuee

property law was in force in parts of India not included among those areas; and no demand was made by the Pakistan Government for the withdrawal of legislation from those other areas. The January, 1949 Agreement contains a note indicating that Pakistan desired to extend the scheme of the 'January' 1949 Agreement to apply to the property of Government servants wherever it was situated in either country. The Government of India, on the other hand, felt that while there could be no objection to applying the Agreement as a whole to either country, it would not be justifiable to make a distinction in favour of a particular class of persons as suggested by the Government of Pakistan. It will thus be seen that the contention of the Pakistan Government in regard to the limitation of evacuee property laws to the areas mentioned in the January, 1949 Agreement is altogether unfounded.

4. In effect, Dr. Qureshi's offer amounts to a demand that the Government of India should withdraw their evacuee property law from large parts of India before the Government of Pakistan could even consider making a beginning on their side. We have told the Pakistan Government that the proposal made by them is so extraordinary, that we can only draw the conclusion that they are not anxious to consider the matter.

There was therefore no substance in the statement made by Dr. Qureshi in the Pakistan Constituent Assembly. For our part, we have indicated that we are prepared to consider the question of evacuee property in all its aspects, and to endeavour to come to a settlement without attaching any preliminary conditions.

LOANS GRANTED TO PUNJAB GOVERNMENT

***867. Prof. D. C. Sharma:** Will the Minister of **Finance** be pleased to state:

(a) the total amount of loans granted to the Punjab Government under various counts during the last five years;

(b) the total amount of interest accrued on those loans;

(c) whether any payments have been made towards the discharge of the loans and interest thereof; and

(d) the outstanding balance under different heads of loans and the interest thereon?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (d). A statement is laid on the Table of the House. [See Appendix VI, annexure No. 5.]