

LOK SABHA DEBATES

Second Series

Volume XXXII, 1959/1881 (Saka)

[August 3 to 14, 1959/Sravana 12 to 23, 1881 (Saka.)



EIGHTH SESSION, 1959/1881 (Saka)

(Vol. XXXII contains Nos. 1 to 10)

**LOK SABHA SECRETARIAT
NEW DELHI**

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N.B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

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LOK SABHA

Friday, August 14, 1959 (Sra. Vana 23,
1981 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Export Trade with West Asian Countries

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*434. { Shri S. C. Samanta
{ Shri Subodh Hansda.

Will the Minister of Commerce and
Industry be pleased to state

(a) what steps have been taken to
expand India's export trade with her
neighbouring West Asian Countries,

(b) whether it is a fact that there
is a great demand of many consumer
goods in those Countries,

(c) whether any survey has been
made as to the items for which busi-
ness possibilities exist, and

(d) whether Government propose to
send trade delegations to those coun-
tries or encourage individual manu-
facturers to tour those Countries?

The Deputy Minister of Commerce
and Industry (Shri Satish Chandra).
(a), (c) and (d) A statement is placed
on the Table of the House [See
Appendix II, annexure No 41]

(b) Yes, Sir

Shri S. C. Samanta: May I know
whether bicycles of green colour are
in great demand in Iran and, if so,
whether that has been met?

Shri Satish Chandra: I cannot say
exactly about the colour, but the

export of bicycles has slightly increas-
ed in 1958 as compared to 1957

Shri S. C. Samanta: Is it not a fact
that Iraq demands goods which are
latest in ideas and designs, and, if so,
whether this fact has been taken note
of by the Government?

Shri Satish Chandra: Every country
requires goods which are latest in
design, there is nothing peculiar about
Iraq in this matter

Shri Subodh Hansda: May I know
what are the most important consumer
goods that have a great demand in
those countries?

Shri Satish Chandra: Cotton textiles,
jute manufactures and tea. Some
engineering goods are slowly finding
a market in those countries. Also
spices, some quantity of sugar etc

Shri S. C. Samanta: May I know
whether the delegations that visited
these places hunted about the packing
and standardisation?

Shri Satish Chandra: There has
been no particular complaint about
packing and standardisation from
Asian countries

Shri Tangamani: May I know whe-
ther the Sports Goods Export Promo-
tion Council is sending its delegation,
if so which countries they will be
visiting?

Shri Satish Chandra: The Sports
Goods Export Promotion Council is
considering the question of sending a
delegation. The proposal is still under
consideration

Shri P. C. Borooah: May I know
whether the export of tea to Iran has
been, of late, on the decline?

Shri Satish Chandra: The export of
tea fluctuates. It has increased in the

case of Iraq There has been some decline in the case of Iran, but this happens from season to season. There is no abnormal decline.

Former French Possessions

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*435 { Shri Bibhuti Mishra:
Shri D. C. Sharma:
Shri Radha Raman:
Shri Ajit Singh Sarhadi:
Shri H. N. Mukerjee:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 25 on the 10th February, 1959 and state the latest position regarding the *de jure* transfer of former French Possessions in India?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Although we had hoped that the Treaty of Cession would be approved by the French Assembly early this year, the present indications are that no firm date has yet been fixed for discussion of this problem in the French Assembly. We have raised this question with the French authorities on all suitable occasions and shall continue to do so.

श्री बिभूति मिश्र : बहूत दिनों से यह मामला चल रहा है। मैं जानना चाहता हूँ कि क्या कठिनाई हो रही है जिस के कारण वह मामला डि जूरे तय नहीं हो रहा है।

प्रधान मंत्री तथा बड़े-बड़े कार्य-मंत्री- (श्री जवाहरलाल नेहरू) : कठिनाई हमारे सरकार से तो है नहीं। कठिनाई तो दूसरी तरफ से है। जब उस का बनना हमारे लिये कठिन है। कुछ अन्दाजा हो सकता है। यह शायद इस लिये है कि वहाँ अन्दाजा बदली बहुत होती रही है।

श्री बिभूति मिश्र : मैं जानना चाहता हूँ कि जब तक डि जूरे मामला तय नहीं होता तब तक उन फ़ायदे जगहों को, जो हमारे कब्जे में हैं, डेवेलप करने में कोई कठिनाई होती है।

श्री जवाहरलाल नेहरू : जी नहीं, उसमें तो कोई रुकावट नहीं है। लेकिन कायदे कानून जो वहाँ के हैं वह पुराने फ्रांसीसी कायदे कानून हैं। कुछ दिक्कतें उसमें होती हैं और जैसे में, कानूनन, पांडिचेरी वगैरह हिन्दुस्तान के हिस्से नहीं हैं, उनका कोई प्रतिनिधि इस माने में लोक सभा में नहीं है। नहीं तो कोई जरिया होता उस के माने का।

Shrimati Renu Chakravartty: Sir, until the *de jure* transfer takes place, there is a peculiar situation obtaining in the French possessions like Pondicherry. It is not the Supreme Court of India where we can file an appeal, it is the Supreme Court of France. May I know how much longer we have to continue like this? Can something be done about this?

Shri Jawaharlal Nehru: I am afraid I cannot give an answer because, naturally, a matter of this kind cannot be ended by unilateral action, at least we prefer not to take such action. Throughout these past years we have been told from time to time that the *de jure* recognition is coming within a few months, but unfortunately it has not come.

Shrimati Renu Chakravartty: In what way, Sir, do we propose to have discussions with the French Government for removing some of the anomalies which exist even today, both regarding the judiciary as well as other aspects of the law? Are we proposing to discuss this matter, if the actual *de jure* transfer is not itself passed by France?

Shri Jawaharlal Nehru: I have not understood the question. Anomalies, no doubt, must exist; there are minor anomalies can certainly be removed by talks, but the basic thing which derives from the fact of the *de jure* transfer not having taken place, I suppose, cannot be removed till the basic cause is removed.

Shri Supakar: May I know whether representation of Pondicherry and other French possessions in this

House shall await the *de jure* transfer of these possessions to India?

Shri Jawaharlal Nehru: Naturally. This House represents the Union of India. If a territory is not legally and constitutionally part of the Union of India, then it cannot be represented here

Shri P. C. Borooah: May I know whether after the *de jure* transfer these territories will each form a separate administrative unit directly under the Central Government, or will they be amalgamated with any other State?

Shri Jawaharlal Nehru: We have repeatedly stated that in the main these territories will remain a separate unit. But that is always for the people to decide. We will not make any change without the active consent of the people concerned; no change will be thrust upon them. They will be treated as a separate unit. I cannot precisely say about the little units like Mahe and others because they are very small, but the major units like Pondicherry etc., we propose to treat as a separate unit.

सेठ गोविन्द बास जो हमारी नीसरी पचवर्षीय योजना बन रही है, उस में इन स्वतंत्रों के विकास का ध्यान रखा कर क्या इन के लिये भी कोई ठस तरह की योजना बनाई जायेगी जिस से वहा की परिस्थितियों के अनुसार उन का भी विकास हो सके ?

श्री जवाहरलाल नेहरू : जी हा, वह तो हमारी पिछली पचवर्षीय योजना में भी था, और वहा काफी रूपमा खर्च किया गया है। वहां के लिये कई विकास योजनाये बनी है बन रही हैं और प्राइन्दा भी बनेगी।

Shri Joachim Alva: May I know how much of this postponement is due to our active identification of the Algerian cause in the Africa-Asia Group of the UNO?

Shri Jawaharlal Nehru: I am not aware of that; perhaps Shri Joachim Alva knows

Shri Narayankutty Memon: May I know whether the Government of India propose to give any firm date to the French Government for the final settlement of this issue?

Shri Jawaharlal Nehru: If the hon Member suggests that we should tell them that unless they do something something else would be done by us, no, we do not propose to do that.

Central Training Institute for Instructors

*496 { **Shri R. C. Majhi:**
Shrimati Ila Palchoudhuri:
Shri Subodh Hansda:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:

Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that Government of India recently approached the United Nations Special Fund Committee for financial assistance for establishing a Central Training Institute for Instructors,

(b) whether the United National Special Fund Committee have agreed to do so,

(c) if so, to what extent, and

(d) when are the arrangements in regard to the establishment of Institute likely to be finalised?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):

- (a) Yes
- (b) Yes
- (c) 860,000 U.S dollars
- (d) By the end of 1960

Shri R. C. Majhi: May I know how many craftsmen would be trained within this year?

Shri L. N. Mishra: It will have a capacity to accommodate 400 persons.

Shri Ram Krishan Gupta: May I know the nature and the type of agency which will be set up for the execution of this project?

Shri L. N. Mishra: According to the constitution of this fund a specialised agency has to be appointed and in this case the I.L.O. has been appointed

Shri Subodh Hansda: Is there any condition for the financial assistance that has been asked for?

Shri L. N. Mishra: There is no condition. There is a specialised fund and we are availing of it.

Shri S. M. Banerjee: May I know how many instructors will be appointed and what will be the basis of their appointment?

Shri L. N. Mishra: There will be 14 experts from outside and there will be many instructors from this country.

Shri Subodh Hansda: There are two other institutes functioning. May I therefore know whether this assistance is also meant for the improvement of those institutes?

Shri L. N. Mishra: This is meant for this institute only.

Institute of Nuclear Research
Hyderabad

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*437 { Shri Ram Krishan Gupta
Shri D. C. Sharma

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1487 on the 26th March 1959 and state

(a) whether the assurance from the Osmania University regarding integrating the activities of the proposed Institute of Nuclear Research, Hyderabad, has since been received, and

(b) if so, whether any assistance has been given to the Institute for setting up of Nuclear Research Institute at Hyderabad?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) The assurance from the Osmania University regarding integrating the activities of the proposed institute of Nuclear Research, Hyderabad, has not been received.

(b) Does not arise.

Shri Ram Krishan Gupta: May I know if any assurance has been received in this regard and whether any help will be given to that institute?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Who should give the help and what for? May I explain, Sir? The desire of some enthusiastic persons to start an institute is not enough. It is a very big thing to have an institute for nuclear research. There are very few in India, apart from the major institute—doing this work and they are one or two universities like Calcutta and Bombay which do something about it. The other universities cannot.

Now, if some people want to start this without adequate equipment in personnel and other things it may not lead to any successful results. Therefore, the Atomic Energy Department said, if the Osmania University takes this under its wing generally and promises support, "we shall also support it." The Osmania University has not done so. Therefore, it becomes not at all feasible for the Atomic Energy Department to recognise this and support it till that is done.

Diplomatic relations with South Africa

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*438 { Shri Harish Chandra Mathar:
Shri Shree Narayan Das
Shri Radha Raman
Shri D. C. Sharma
Shri Dinesh Singh
Shri Hem Barua.
Shri S. A. Mohd:
Shri Asar

Will the Prime Minister be pleased to state

(a) whether there is any possibility of the restoration of diplomatic relations between this country and South Africa,

(b) whether any approaches have been made in the matter; and

(c) if so, what progress has so far been made?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) There has been no severance of diplomatic relations between the Governments of India and the Union of South Africa; the Indian High Commission in the Union has been withdrawn but diplomatic relations continue through the High Commissioners of the two countries in the United Kingdom. There is no proposal at present for reopening the Indian High Commission in the Union.

Shri Harish Chandra Mathur: May I know whether any fresh approach has been made in this connection by the Government of India to the permanent representatives of the Union of South Africa at the United Nations or the High Commissioner in London and, if so, if any notes have been exchanged and what is the nature of the notes and the reaction of that Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Annually this matter comes up before the United Nations and the UN General Assembly has repeatedly passed resolutions calling upon those various countries involved, the Union of South Africa, India and Pakistan, to discuss this matter. Almost annually we inform the South African Government that in terms of the resolutions of the General Assembly we are prepared to do so and the Pakistan Government follows suit, but thus far their replies have not been satisfactory. So nothing has been done.

Shri Assar: In the absence of direct diplomatic relations with South Africa, how are we keeping ourselves in touch with our Indian nationals?

Shri Jawaharlal Nehru: Broadly speaking, we are not keeping in touch with them. Naturally some news comes in various ways but not continuously or formally.

सेठ गोविन्द दास : क्या यह बात सही नहीं है कि दक्षिण अफ्रीका की रंगभेद नीति दिन पर दिन और बढ़ती जाती है और ऐसी

हालत में क्या इन बात का ध्यान रखा जायेगा कि जब तक इस नीति में कोई परिवर्तन न हो तब तक हमारा उनका कोई राजनैतिक सम्बन्ध न रहे ?

श्री जवाहरलाल नेहरू : यही ग्राजकल की हालत है और कोई खास इरादा नहीं है कोई नया सम्बन्ध पैदा करने का जब तक कि कोई रान्ता माफ न हो ।

Shri Joachim Alva: Is it realised by our Government that it is impossible to continue any kind of relationship with South Africa where three million whites kick to death ten million blacks, murder them and abduct them and do not give any kind of protection to the population? This has been reported in British papers.

Mr. Speaker. The hon Member is arguing this matter. He has not put a question.

Shri Nath Pai. I think we do not have any trade relations as such with South Africa. Are the Government aware that goods normally imported by traders of Indian origin for Nairobi are then re-exported on a very large scale to South Africa?

Shri Jawaharlal Nehru: I believe this is done to some extent. To what extent, I cannot say.

Shri S. M. Banerjee: May I know whether the Indians are still facing the same amount of humiliation as in the past and, if so, what steps have been taken by our Government to see that this behaviour changes?

Shri Jawaharlal Nehru: There are no Indians in South Africa.

Shri S. M. Banerjee: Indian nationals.

Shri Jawaharlal Nehru: There are no Indian nationals in South Africa.

Shri S. M. Banerjee: The coloured people. You know better than I.

Shri Jawaharlal Nehru: They are not Indian nationals; they are not Indian citizens. There are people of Indian descent who are South African nationals. Is the hon. Member referring to them?

Shri S. M. Banerjee: Yes; they are facing humiliation. It is known to us.

Shri Jawaharlal Nehru: Quite so. But that is a matter because of which this withdrawal of our representative took place.

Shri S. M. Banerjee: Has there been any effect?

Mr. Speaker: Order, order.

Shri Joachim Alva: Just one question.

Mr. Speaker: The hon. Member put a question earlier.

Shri Joachim Alva: Please allow one question. It is an important question. Is the Government aware that the South African Government has ordered 80 armoured vehicles from Great Britain and Great Britain has supplied two squadrons to South Africa just in order to continue its process of suppression? We being members of the Commonwealth, have we conveyed our reactions to this kind of military forces being supplied from Great Britain?

Shri Jawaharlal Nehru: No, Sir. Government is not aware of all this.

Clinical Thermometer

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*439. { **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the scheme for the manufacture of clinical thermometer in collaboration with a Japanese firm has been finalised;

(b) if so, whether the plan and estimate of the scheme have been prepared;

(c) where the proposed factory is to be established; and

(d) when it is expected to start production?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). Messrs. National Instruments Limited, Calcutta, a Government of India undertaking, propose to manufacture clinical thermometers in collaboration with a Japanese firm. The terms of collaboration are under examination by the company and have also been referred to Government for scrutiny.

Shri Subodh Hansda: May I know when the terms are likely to be finalised?

Shri Manubhai Shah: I think very soon; at least in the next year the first process of production may start.

Shri Subodh Hansda: Is it not a fact that the programme for 1958-59 was to manufacture 50,000 thermometers and, if so, may I know how this target will be fulfilled?

Shri Manubhai Shah: Firstly, the application is under consideration. So, there is no question of any target here. When the programme is approved and the scheme is finalised, then we shall lay before the House the necessary targets.

Shri Subbiah Ambalam: May I know the annual requirements of clinical thermometers in India and the capacity of this plant to produce them?

Shri Manubhai Shah: The total estimated demand is about 12 lakhs. The capacity of this plant will be about six lakhs thermometers per year.

Shri S. C. Samanta: May I know from which country this import is the heaviest for clinical thermometers and whether by this collaboration with Japan we will be able to manufacture these things?

Shri Manubhai Shah: In the past in some years the Japanese imports were the heaviest and sometimes the West

German imports were the heaviest. The quality of this thermometer is also very high. It has international reputation.

Tanganyika Trade Delegation

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*442. { Shri Pangarkar:
Shri Raghunath Singh:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that a trade delegation from Tanganyika visited India during May, 1959 with a view to explore the possibilities for a larger market for Tanganyika cotton in India, and

(b) if so, the details and outcome of the delegation's visit to India?

The Minister of Commerce (Shri Kanungo): (a) and (b) Yes, Sir, an unofficial delegation from Tanganyika was here in May 1959, and established personal contact with cotton manufacturers, cotton Associations and millowners.

Shri Pangarkar: May I know the delegation has submitted any report to the Government and if so, the details thereof?

Shri Kanungo: No, Sir; it was a non-official delegation. They were not required to submit any report to us.

Shri Tangamani: The hon Minister has not replied to part (b) of the question, viz, what are the details and outcome of the delegation's visit to India?

Shri Kanungo: Parts (a) and (b) have been answered. The outcome is that the delegation established contacts with manufacturers, cotton Associations and mill-owners.

Shri Tangamani: May I know whether they have placed orders for textiles from this country as a result of the contacts?

Shri Kanungo: No, Sir, Tanganyika is a cotton-producing country. Obviously the efforts of the delegation was to find prospects of sale of cotton.

भारतीय सूती वस्त्रों का निर्यात

*४४३. श्री रघुनाथ सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह मंच है कि कृषी १९५८ में गैर-कम्युनिस्ट देशों के सूती वस्त्र के निर्यात में १२ ८ प्रतिशत की कमी आ गई है और भारत के निर्यात में यह कमी सब में अधिक, अर्थात् ३३ प्रतिशत हुई है और

(ख) यदि हा, भारतीय सूती कपड़े के निर्यात में इस अयकर कमी के क्या कारण हैं?

वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र) : (क) और (ख) सदन की मेज पर एक विवरण प्रस्तुत किया जाता है। [वेसिथे परिशिष्ट २, अनुबन्ध संख्या ४२]

Some Hon Members: The English answer may be read

Shri Satish Chandra: (a) and (b). A statement is laid on the Table of the House

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि कम्युनिस्ट कट्टीज में हमारे एक्सपोर्ट की अवस्था क्या है, और नान कम्युनिस्ट कट्टीज में, जो कि डिमाक्रेटिक कट्टीज कहे जाते हैं हमारे एक्सपोर्ट की अवस्था क्या है ?

श्री सतीश चन्द्र : अगर माननीय सदस्य चाहे तो मैं एक स्टेटमेंट मेज पर रख दूंगा कि कहा कहा कितना एक्सपोर्ट होता है।

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि डिमाक्रेटिक कट्टीज में, जो कि कम्युनिस्ट नहीं है, हमारे एक्सपोर्ट दिन पर दिन कम क्यों होते जा रहे हैं ?

अध्यक्ष महोदय : यही सवाल है।

श्री सतीश चन्द्र : मैं माननीय सदस्य के मूल सवाल से यह समझा था कि नान कम्युनिस्ट कट्टीज से जिनका कपड़ा एक्सपोर्ट होता था

उसमें कमी क्यों होती जाती है यह उनका सवाल है न कि यह कि नानकम्युनिस्ट कंट्रीज को कितना एक्सपोर्ट होता है ।

एक्सपोर्ट गिरता जाता है उस की कई बजह है । उन में एक बजह यह है कि बहुत से देशों में जहा अब तक कपड़े की मिले नहीं थी वहा कपड़े की मिलें बनती जा रही है । कुछ मुल्कों ने अपनी मिलों को तरक्की देने के लिये इम्पोर्ट रेस्ट्रिक्शन लगा दिये हैं । कुछ प्राटिफिसियल यार्न बले हैं और उन से बने कपड़ो की तरफ लोगो का रुझान होता जा रहा है । इन सब बजहो से एक्सपोर्ट कम होता जा रहा है ।

Shri Subbiah Ambalam: May I know whether it is a fact that the European Common Market countries have banned the import of cotton textiles from Asia and other countries and if so, to what extent our export trade is affected by this?

Shri Satish Chandra: There has been no ban so far by the E.C.M countries; I have not heard of it

Shri S. M. Banerjee: The fall in India's exports is attributed to six reasons. May I know what steps have been taken by Government to overcome these difficulties and whether the difficulties have been brought to the notice of the Export Promotion Council also?

Shri Satish Chandra: The Export Promotion Council for cotton textiles is constantly engaged in finding remedies for the present state of affairs as far as exports from India are concerned. Several steps have been taken in this connection during the last few years. All export duties have been abolished. Import duty on cotton has been abolished. Some incentive schemes have been started in order to give concessions to the exporters of cotton cloth. They are allowed to import textile chemicals, dyes and machinery against export of cloth. Showrooms, exhibitions, etc. are organised in foreign countries and delegations are sent abroad. Many steps are

being taken in order to arrest this decline.

Shri Vajpayee: One of the reasons given is: "Severe competition from certain countries assisted by liberal schemes of incentives". What are those countries?

Shri Satish Chandra: We have to face competition in our traditional markets from new sources of supply namely China and Pakistan

Shri Nagi Reddy: May I know whether the Government has tried to study the effects of cotton textile imports in the European countries after the establishment of the European Common Market scheme?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): I might add that the cotton industry has faced a very difficult period during the last one or two years. I am glad to say that the industry has now overcome those difficulties. The House is aware that great accumulation of cloth had taken place during the last one year or so and it is during the last two or three months that the stocks have been almost cleared. The textile industry now feels that it can help in stepping up the exports also

I might add that during the last week of July and in the first week of this month, there has been some improvement and we feel there are very good prospects of getting additional orders for the export of textiles. Only last evening, the Chairman of the Textile Export Promotion Council who used to take a very pessimistic view, has said that the conditions are changing rapidly and it seems that the export of textiles will step up very much during the next two months.

Shri T. B. Vittal Rao: What are the repercussions on our export trade, in view of the European Common Market?

Shri Lal Bahadur Shastri: As my colleague has explained, in fact there has been no ban. But it is true that

this scheme of European Common Market will have an adverse effect on our export; but, we are making efforts and we are discussing it in the GATT conference to overcome these difficulties.

Shrimati Renu Chakravarty: May I know whether the percentage of exports has fallen or remained stationary, so far as exports to communist countries are concerned?

Shri Satish Chandra: I require separate notice to answer that question.

श्री प्रकाश बीर शास्त्री : क्या कपड़े के निर्यात में इसलिये भी कमी होती जा रही है कि आरम्भ में जितना अच्छा कपड़ा दिखाया जाता है, सप्लाई के समय उतना अच्छा नहीं होता ?

श्री लाल बहादुर शास्त्री : मेरा खयाल है कि ऐसी शिकायत तो हम को सुनने को नहीं मिली है ।

सेठ गोविन्द दास : क्या हम कुछ नये बाजारों को प्राप्त करने का भी प्रयत्न कर रहे हैं, जहाँ अपना कपड़ा भेजा जा सके, और अगर वह प्रयत्न कर रहे हैं तो किन किन जगहों में ?

श्री सतीश चन्द्र : ईस्ट यूरोपियन कंट्रीज में, जिनमें हमारे बाईनेट्रल ट्रेड एग्रीमेंट हुए हैं, कुछ कपड़ा जाने की व्यवस्था की गयी है । और वह हमारे लिये नये बाजार हैं ।

Export of Manganese Ore

*444. **Shri Panigrahi:** Will the Minister of Commerce and Industry be pleased to state

(a) whether with a view to increasing export of manganese ore, the State Trading Corporation had worked out joint selling arrangements with principal producers and traditional buyers;

(b) whether any such joint selling agreement has materialised so far, and

(c) what additional quantities of manganese ore have been sold to the traditional buyers under these arrangements?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Yes, Sir.

(c) A statement is laid on the Table of the House

STATEMENT

Export of Manganese Ore

Country	Additional quantities sold during 1958-59 under Joint Sale Programme
	Tons
France	2,000
U K.	86,293
Germany	7,000
U S A	60,857
TOTAL	1,56,150

Shri Panigrahi: May I know, whether the export policy regarding manganese ore has been deferred for three months from 1st July to October, 1959 and if so, what is the position in this respect and why the Government have delayed the export policy?

Shri Satish Chandra: The policy has been extended from 1st July to the end of August and not to October; the future policy is under consideration. But all the exporters and mine-owners have been informed—a Press communique has been issued some time back—that any firm commitments entered into by them will be honoured, irrespective of the future policy.

Shri Panigrahi: Besides working out this general sales arrangement with foreign buyers, may I know whether the Government also propose to work out link arrangements for promotion of manganese sale in foreign countries and, if so, what additional quan-

titles of manganese ore were sold to foreign buyers under this link arrangement?

Shri Satish Chandra: Certain barter arrangements and link deals have been finalised only recently. We have a proposal to export about 175,000 tons of manganese ore and some quantities of wheat from USA. Similarly, another barter arrangement has been finalised in which manganese ore will be exported to France against the import of stainless steel and the plates. Such link deals are being negotiated with other countries also

Shri Surendranath Dwivedy: May I know whether the possibilities of the State Trading Corporation taking over the entire manganese ore exports have been explored?

Shri Satish Chandra: Various proposals have been under consideration from time to time. But, as I said, the future policy is under consideration, and it has not yet been finalised. So, we cannot say at present as to what is going to be the future policy.

Shrimati Renu Chakravarty: Is it a fact that we have a much greater demand for ferro-manganese than for manganese ore? If so, what steps are being taken by the Government to increase the amount of ferro-manganese here?

Shri Satish Chandra: Three companies at least have been licensed to produce ferro-manganese. The construction of one or two factories is going on at present and they will soon go into production. We want to encourage the production of ferro-manganese as much as possible. But there is a limitation to the export of ferro-manganese. There are specifications prescribing a certain percentage of phosphorus etc. which stand in the way of export of unlimited quantities.

Shri Panigrahi: What are the main features of the short-term export policy for manganese ore which has been recently declared by the Government of India?

Shri Satish Chandra: There has been no short-term export policy. The last year's policy has been extended for a period of two months. Since the new policy could not be finalised, it was announced some time back that the exporters could enter into fresh commitments as heretofore, irrespective of any change in the export policy in future.

श्री गोविन्द बास : अभी अभी जी ने कह कहा कि फेरो-मैंगानीज के निर्यात की भी एक सीमा है, पर क्या यह बात सही नहीं है कि जहाँ तक फेरो-मैंगानीज की माग का सम्बन्ध है, वह अभी तक जितनी हम भेज सकते हैं, उस से बड़ी अधिक है और ऐसी हालत में क्या इस बात का प्रयत्न किया जा रहा है कि फेरो-मैंगानीज की अधिक फैक्ट्रियाँ इस देश में ही मनें ?

श्री सतीश चन्द्र : अभी मैं ने धन किया—माननीय सदस्य ने शब्द सुना नहीं— कि फेरो-मैंगानीज की फैक्ट्रियाँ लग रही हैं। नागपुर के पास एक फेरो-मैंगानीज की फैक्ट्री लग रही है, जो कुछ महीने में लग जायगी और अगर फेरो-मैंगानीज की फैक्ट्रीज लगाने के लिये और पार्टीज आवेंगी, उन पर गौर किया जायगा।

Soda Ash Factory

445. { Shri S. M. Banerjee:
Shri Muhammed Elias:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Scheme for a Soda Ash factory for West Bengal has been finally rejected by the Central Government;

(b) if so, the reasons therefor; and

(c) whether the Central Government propose to set up such a factory in any other State?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A proposal was submitted by the Durgapur Industries Board envisaging the manufacture of a number of items including soda ash in their coke oven plant at Durgapur. Manufacture of only that quantity of soda ash corresponding to the by-product ammonia liquor from their coke ovens would not lead to any economic production. A larger scheme for soda ash involved cross movement of raw materials and was not therefore considered desirable at Durgapur.

(r) No, Sir

Shri S. M. Banerjee: Since the proposal has been dropped for some reasons, may I know whether soda ash factories are being installed in other States? May I also know whether a factory is being established in UP?

Shri Manubhai Shah. Yes, Sir One factory has already been established in UP and a recent scheme for expansion in one factory in UP has also been approved.

Shri Muhammed Elias: The argument which the hon. Minister has given for not giving a permit for establishing a soda ash factory in West Bengal is not at all convincing. More than 60 per cent of the soda ash is consumed by the glass and paper industries in West Bengal.

Mr. Speaker: Order, order. The hon. Member should listen to me first. It is not competent for him to argue this matter. He can only ask for information. He is not a Minister. We do not want his facts.

Shri Muhammed Elias: I am asking my question.

Mr. Speaker: Let him put the question straight.

Shri Muhammed Elias: In view of the necessity to have this industry in West Bengal for its paper and glass industry, which will consume more than 60 per cent of the soda ash to be produced in this factory at a cost of Rs. 1 crore, will the Government

reconsider this question and give permission to this factory?

Shri Manubhai Shah: If I may clear the doubts of the hon. Member, with 15 tons of production per day it would be the least economic and highly unprofitable industry that could exist anywhere. The minimum economic unit in soda ash is about 100 to 200 tons per day. Technically and economically also it is not profitable to use the bi-product of ammonia for the manufacture of soda ash. Therefore, after many discussions, the West Bengal Government was persuaded to drop such a scheme and to concentrate on some more profitable lines. Regarding the other part of the question of the hon. Member that there is consumption of soda ash in West Bengal, even though the figures are not correct it is true that the consumption of soda ash is all over India including West Bengal and so we have to establish all such heavy industries only at places where they can be produced cheaply and economically.

Shri S. M. Banerjee: What amount has been sanctioned by the Central Government for this particular factory in UP?

Shri Manubhai Shah: It is a private factory and no amounts are being sanctioned by us for private factories excepting giving them permission to expand from their own resources. Of course, resources are available to everybody from the national credit institutions.

Shri S. M. Banerjee: My question was different. My information is that this particular factory has asked for some loan from the Government. I want to know whether the Government will grant some loan to it.

Shri Manubhai Shah: As far as loans are concerned, it is a continuous process. In the past, this particular firm has also been granted loans. If they go to the IFC, it will consider all such requests on merit and grant

loans We have allowed them to develop their production.

Shri Muhammed Elias: May I know whether the attention of the Government has been drawn to a news item which appeared in *Jugantar* of 21st of May, alleging that the Government of India are adopting a step-motherly attitude towards the West Bengal Government and so though they have submitted many schemes a large number of schemes have been rejected without any discussion?

Shri Manubhai Shah: So many newspaper comments appear from different parts of India. But I am proud to say that West Bengal is one of the most industrialised States in this country, as compared to the industries elsewhere. It does not mean that as compared to other countries in the world, West Bengal is better off. But it is fortunate in having quite a number of industries. And we are supporting all the legitimate industries in West Bengal for which proposals are received both from the private sector and the public sector.

श्री सरजू पाण्डे : यूपी०० के लोगों को खास तौर से शिकायत है कि केन्द्रीय सरकार उत्तर प्रदेश में उन्हीं तरह उद्योग-धंधे नहीं चलाती है, जिन तरह कि वह अन्य राज्यों में चलाती है। पिछले दिनों हमारे चीफ मंत्री ने इस सम्बन्ध में तमाम लोक मंत्रा के सदस्यों का सम्मेलन बलाया था। इसी तृतीय पंच-वर्षीय योजना बनाई जा रही है, उस में क्या यह कोशिश की जायगी कि उत्तर प्रदेश के लोगों की ये शिकायतें रफ्त की जाय ?

Mr. Speaker: He has put a question. Of course, it is a long question. Part (c) of the question is

"Whether the Central Government propose to set up such a factory in any other State"

Evidently, the hon Member is coming from U.P. and, therefore, he has put that question.

Shri Manubhai Shah: I have already indicated that the Central Government as such is not establishing any factory in the public sector, which is the common parlance term. But the proposal from a U.P. factory in the private sector has already been sanctioned for expansion. The rest of the complaint for which the hon Member took advantage to put in a question in a long way in Hindi, and which has not much relevance to this question, is that the U.P. Government is dissatisfied, as the other hon Member said also West Bengal Government is dissatisfied with the Central Government. Here I may assure the hon Members from U.P. as well as elsewhere that in all proposals that we receive and in all proposals of the public sector that we formulate we try to distribute and disperse as many industries as possible in every part of India.

Works Committees

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*446. { **Shri Kunhan:**
Shri A. K. Gopalan:

Will the Minister of Labour and Employment be pleased to state

(a) whether it is intended to exempt Bombay and Calcutta Ports from the obligation of setting up Works Committees, and

(b) if so, the reasons for not setting up the Committees?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):
(a) No

(b) Most of the trade unions in the two ports do not appear to be in favour of setting up Works Committees in these Ports.

Shri Kunhan: May I know the consideration that weighed with the Government for granting exemption to these two ports?

Shri L. N. Mishra: I could not follow the question.

Shri Kunhan: May I know the consideration that weighed with the Government in granting exemption to these two ports?

Mr. Speaker: What are the considerations which weighed with the Government to exempt these two ports?

Shri L. N. Mishra: We have not exempted them. We have been anxious to have these works committees at these two ports. The Ministry is trying since 1948 but the local trade unions are not co-operating.

Shri Tangamani: May I know whether Government have issued orders for the establishment of these works committees in the three major ports of Madras, Calcutta and Bombay and whether Madras has got the works committee? If so, what is the delay in the setting up of these works committees in Bombay and Calcutta?

Shri L. N. Mishra: Orders were issued in the year 1948 Bombay and Calcutta have not yet been able to have the works committees. The main difficulty is that trade union organisations have not been co-operating. There are three kinds of difficulties that have cropped up. Firstly, the trade unions refuse to disclose their membership. Secondly, their activities are not confined to one particular sector. Thirdly, the membership also has been fluctuating. In a word we have not yet been able to get due co-operation from the trade union organisation there. If we get this, the works committees will be set up.

Shri S. M. Banerjee: May I know whether it is a fact that the works committees are not functioning properly and that is one of the reasons why unions are losing faith in the establishment of works committees?

Mr. Speaker: We are going away from one thing to another.

Shri S. M. Banerjee: The unions objected to it and therefore my question is relevant.

Mr. Speaker: This question is not a general question on the works committees. The question is if they have a proposal to exempt Bombay or Calcutta. The answer is that there is no proposal to exempt them; on the other hand, the Government is persuading Bombay and Calcutta Port Trusts to have them.

Shri S. M. Banerjee: May I state that this question is relevant in the sense that the unions are not co-operating? What are the reasons as to why they are not co-operating?

Mr. Speaker: Hon. Member seems to know better than the Government.

Shri S. M. Banerjee: I do not belong to Calcutta.

Shri Tridib Kumar Chaudhuri: What are the specific reasons because of which the unions have refused co-operation. It seems from the question that the works committees are proposed to be set up in separate section of the port. What are the exact reasons which have impelled the unions to refuse co-operation?

Shri L. N. Mishra: The unions have not given us any particular reasons, but the Ministry of Transport and Communications, which is the Ministry in charge of ports, tried to set up works committees according to our instructions and they felt that they had these three difficulties which I have stated earlier. There is no question of setting up works committees for different sections. For each port we wanted to have works committees which we have not been able to have.

Shri Tridib Kumar Chaudhuri: If I heard him right, he also said that it was difficult to ascertain the membership of the port unions. In view of the fact that both the Central Government and the State Governments have a system of registration and submission of returns and annual verification what is the difficulty in finding out the membership of these unions?

Shri L. N. Mishra: We have not got the figures section-wise. We have got the figures of the unions working in a particular port.

The Minister of Labour and Employment and Planning (Shri Nanda): May I say a word about this question of works committees particularly because an impression is being created that the non-co-operation of those unions might have resulted from the fact that the works committees are

not functioning properly in other places also? This is not a very correct impression. We have made an enquiry and we have now been able to ascertain that it cannot be said that uniformly they are successful or otherwise. In a number of places works committees are functioning satisfactorily. Therefore that is not the reason. But we have appointed a committee in the last session of the Indian Labour Conference. A committee was appointed to deal with the whole question and this matter also we shall refer to that committee.

Shri P. C. Borooah: May I know whether Government have framed any constitution for the formation of works committees elsewhere? If not, do they propose to do so?

Shri L. N. Mishra: According to the provisions of the Industrial Disputes Act there are rules for the working of the works committees and these works committees are working according to those rules.

Dr. M. S. Aney: What are the functions of these works committees?

Mr. Speaker: Hon. Members will kindly look towards the Chair when asking questions so that all sides of the House may hear and know the question instead of addressing the hon. Minister concerned. It becomes a conversation between them.

Dr. M. S. Aney: I have asked him as to what are the functions of these works committees.

Shri L. N. Mishra: The functions of the works committees are stated in the Act.

Mr. Speaker: That is going into a larger issue.

Shri Narayanankutty Menon: May I know whether any instruction has been issued for the election of the works committee in the fourth major port of Cochin under the Industrial Disputes Rules?

Shri L. N. Mishra: I will require notice.

श्रमजीवी पत्रकार मजूरी समिति

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श्री प्रकाश वीर शास्त्री :
 श्री श्रीनारायण दास :
 श्री राधा रमण :
 श्री दी० चं० शर्मा :
 श्री राम कृष्ण गुप्त :
 श्री अंसार हरवानी :
 श्री सूपकार :
 श्री वाजपेयी :
 श्री नारायण कुट्टि मेनन :
 *४४८. श्री पुन्नूस :
 श्री स० म० बनर्जी :
 श्री जगदीश अदवस्थी :
 श्री नागो रेड्डी :
 श्री सरजू पाण्डे :
 श्री अ० क० गोपालन :
 श्री कुन्हन :
 श्री भक्त दर्शन :
 श्री मुहम्मद इलियास :

क्या श्रम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) श्रमजीवी पत्रकार मजूरी समिति की रिपोर्ट को लागू करने के लिये क्या कार्यवाही की गई है;

(ख) क्या किन्हीं समाचारपत्रों के स्वामियों ने इन निर्णयों को लागू किया है;

(ग) क्या उन समाचारपत्रों के स्वामियों के विरुद्ध सरकार कोई कार्यवाही करेगी जो इन्हें लागू नहीं करेंगे; और

(घ) इन निर्णयों को लागू करने के फलस्वरूप समाचारपत्रों के स्वामियों के ऊपर कितने प्रतिशत बोझ बढ़ गया है ?

श्रम उपमंत्री (श्री आबिद अली) :

(क) पत्रकार कानून के अमल की जिम्मेवारी राज्य सरकारों की है जो इस रिपोर्ट को जैसा कि केन्द्रीय सरकार ने मंजूर किया है लागू करने की व्यवस्था कर रही हैं और अखबारी

संस्थानों रिपोर्ट के अनुसार जल्द अमल करें
ऐसी कोशिश हो रही है ।

(ख) जी, हाँ ।

(ग) जी, हाँ । राज्य सरकारों द्वारा ।

(घ) सूचना प्राप्त नहीं है ।

[**Shri Abid Ali:** (a) The State Governments are the appropriate Government under the Working Journalists (Condition of Service) and Miscellaneous Provisions Act and are looking after the implementation of the Report of the Working Journalists Wage Committee, as modified, by the Central Government. The reports so far received indicate that the State Governments are taking steps to persuade the newspaper establishments to implement the Report at an early date.

(b) Yes.

(c) Yes. By the State Governments.

(d) The information is not available.]

श्री प्रकाश वीर शास्त्री : श्रमजीवी पत्रकार मजदूरी समिति के निर्णय को समाचारपत्रों के जिन स्वामियों ने लागू किया है उन्होंने उमे पूर्णतया लागू किया है अथवा अंशतः लागू किया है ?

श्री आबिद अली : गवर्नमेंट ने उस रिपोर्ट में थोड़ा फर्क किया है, वह रिपोर्ट अमल में आनी चाहिये ।

श्री प्रकाश वीर शास्त्री : मेरा प्रश्न यह नहीं है । मेरा प्रश्न ऐसा है कि समाचारपत्रों के जिन स्वामियों ने इस निर्णय को लागू किया है उन्होंने उस रिपोर्ट को पूरी ज्यों की त्यों लागू किया है अथवा कुछ बचाव के साथ लागू किया है ?

श्री आबिद अली : पूरी लागू करना चाहिये ।

श्री भक्त दर्शन : श्रीमान्, क्या गवर्नमेंट के ध्यान में यह बात आई है कि इम कमेटी ने

जो निर्णय दिया है, उस से श्रमजीवी पत्रकार संगठन ने अपना घनघोर असन्तोष प्रकट किया है ? ऐसी दशा में क्या गवर्नमेंट यह विचार करेगी या कर सकती है कि कभी भविष्य में इस बारे में संशोधन किया जाय ?

श्री आबिद अली : हाँ, एक प्रस्ताव तो पास किया गया है, लेकिन मेरा ख्याल यह है कि करीब करीब सब ने इसे मंजूर कर ही लिया है और खुशी से मंजूर किया है । फिलहाल तो कोई फेर बदल करने की कोशिश नहीं की जायेगी ।

Shri Vajpayee: May I know if any time limit has been fixed for the implementation of this decision? If not, are we to understand that the press magnates are going to implement these decisions at their wish?

Shri Abid Ali: Should be implemented immediately.

Shri Vajpayee: What is the definition of immediately?

Mr. Speaker: The hon. Member understands that word.

Shri Vajpayee: No, Sir, I do not.

Shri Narayanankutty Menon: May I know whether the Government are aware of the very serious situation created by the judgment of the Madras High Court in the case of Express Newspapers whereby the High Court held that the employer has an inherent right to close down the business and thereby avoid the implementation of the recommendations of the committee? If so, may I know whether the Government propose to remedy the situation by any action?

Shri Abid Ali: I have seen the report. It is being studied by the Law Ministry.

Shri S. M. Banerjee: I want to know whether some of the unanimous recommendations have not been accepted by the Government. If so, what are those recommendations? I want to know also whether the Committee recommended that gross revenue

should be taken into account but the Government took the net circulation and advertisement revenue into account. Why this particular recommendation was not accepted *in toto*?

Shri Abid Ali: The Report is available with Government modification in the Library. The hon Member may see it there.

Shri S. M. Banerjee: I want to know the reasons. This was a unanimous recommendation.

Mr. Speaker: The hon Minister says that the hon Member may refer to the report.

Shri S. M. Banerjee: It is not a question of referring to the Report. It is a question of acceptance. A unanimous recommendation of the Wage Committee was not accepted by the Government. They are protecting the interest of the employer by having that modification. That is my point which he does not want to reply to.

Shri Abid Ali: There was a very minor sort of modification and the reasons also are mentioned there.

Shri K. N. Pandey: May I know if the Government are aware that some of the papers have changed their names to avoid implementation of the recommendations? Will the Ministry see that those workers retrenched due to the change of the names will be rehabilitated and the benefits given to them?

Shri Abid Ali: To an earlier supplementary question, I have replied that this is receiving the Government's attention.

Shri Joachim Alva: Government is armed with the right of granting newsprint to newspapers. In a case like this where it may be legally correct to take a paper from one place to another, in what way will the Government grant relief to the workers in Madras when a newspaper owner chooses thus to put the workers in a jam?

Shri Abid Ali: The Madras High Court has ruled that, that particular

establishment had a right to transfer. I have already submitted that the ruling is being studied.

श्री सरजू पाण्डे : क्या मंत्री महोदय न राज्य सरकारो से इस बात का खानने की कोशिश की है कि किन किन प्रकार के मामलों को इस रिपोर्ट की पूरी सिफारिशों को लागू नहीं किया है ?

श्री ज्ञानिब झाँसी : एक फेहरिस्त आई है जहाँ जहाँ यह लागू कर दी गई है और हूब उनको हर पन्द्रहवें दिन पर एक सत्र भेजते हैं कि सब जगह इन सिफारिशों को जल्दी लागू करने की कोशिश की जाये ।

Shri A. M. Tariq: May I know if any newspaper proprietor has been prosecuted up to this time for not implementing this decision?

Shri Abid Ali: Such information has not reached us.

Mr. Speaker: Next question.

Shri Muhammed Elias: One question. Sir My name is there.

Mr. Speaker: I know, every hon Member cannot ask. I am trying to distribute supplementaries as much as possible among all hon Members.

Shri Sadhan Gupta: Other Members have been allowed whose names are not there.

Mr. Speaker: Bhakt Darshan.

श्री भक्त दर्शन . श्रीमान्, क्या मैं इसी प्रश्न पर सप्लीमेंटरी पूछ या अपना इसरा प्रश्न पूछ ?

Mr. Speaker: You have a new question No 449.

आई० ए० एल० ट्रेनिंग स्कूल का बन्दूकी से जज्बा जाना

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*४४९. { श्री भक्त दर्शन :
श्री प्र० मं० देव :

क्या निर्माण, कावात और संभरण यानी ११ मार्च, १९५९ के तारांकित प्रश्न संख्या

११०५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि भारतीय प्रशासनिक सेवा (आई० ए० एस०) के प्रशिक्षण विद्यालय की दिल्ली से मसूरी के जाने के सम्बन्ध में इस बीच और क्या प्रगति हुई है ?

निर्वाण, आवास तथा संभरण उपमन्त्री (श्री अनिल कु० चन्दा): इस संस्था को मसूरी में स्थान दिलाने की कार्यवाही लगभग पूरी हो रही है और आशा की जाती है कि इस महीने के अन्त तक स्कूल वहाँ चला जायेगा।

An Hon. Member: In English also

Mr Speaker: Yes

[Shri Anil K. Chanda. Arrangements for housing the institution at Mussoorie are nearing completion and it is expected that the School will move to that place by the end of this month]

श्री भक्त वर्मान : श्रीमन् मन्त्री महोदय को इस निर्णय के लिये धन्यवाद देने हुए, मैं यह जानना चाहता हूँ कि आखिर डम मामले में इतनी देरी क्यों हो रही है ?

Shri Anil K. Chanda. We have sent our officers to take possession of the building As I said, towards the end of the month the school will possibly move out

श्री भक्त वर्मान : श्रीमन् इस ध्यानोचना में कितनी सत्यता है कि इस होटल को आई० ए० एस० ट्रेनिंग स्कूल मसूरी में ले जाने के लिये जो कीमत गवर्नमेंट की ओर से दी गई है वह बाजार-कीमत में कुछ ज्यादा है और क्या इस पर प्रकाश डाला जायेगा ?

Shri Anil K. Chanda: I do not think so, Sir It is a big property with land, building and furniture Excepting crockery, cutlery and consumable goods, the entire property has been bought for a sum of Rs 4 lakhs

Shri Somavane: What are the advantages of shifting this I.A.S. training school from Delhi to Mussoorie besides the bracing climate?

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Shri Anil K. Chanda: That is a question which has been answered several times in the House

Mr. Speaker: That question does not arise out of this This only refers to further progress in regard to shifting Next question

Manganese Industry

*450. **Shri Keshava:** Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the manganese industry in India is passing through a crisis on account of the competition from the USSR, and African and South American countries, and

(b) if so, the steps taken if any to help them to overcome the crisis?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir

(b) A statement is laid on the Table of the House [See Appendix II annexure No 43]

Shri Keshava: Apart from the steps which the Government have been pleased to take, to overcome the crisis as made out in the statement, may we know if the Government has evolved any scheme to continuously harness the initiative, enthusiasm and efficiency of the principal workers and others in this important industry within the structure of the industry?

Shri Satish Chandra I could not clearly understand the question of the hon Member Every effort is being made that the exports of manganese ore should be increased in fullest co-operation with the exporters and mine-owners With that end in view, the State Trading Corporation has entered into joint selling arrangements with some of the leading exporters and mine-owners They have entered into some sort of partnership for making joint endeavours to sell manganese ore I might

also state that the prospects from now onwards appear to be better than last year

Shri Panigrahi: May I know whether the S.T.C. have asked some quota-holders to surrender their quotas for manganese ore exports?

Shri Satish Chandra: The S.T.C. has not asked any exporters to surrender their quotas. As I said, in the joint selling arrangements, three or four firms of mine-owners and exporters have voluntarily entered into a sort of selling partnership with the S.T.C.

Shri Panigrahi: May I know what is the amount of manganese ore which is in stock with the Government now and with the mine-owners at present?

Shri Satish Chandra: The Government has no stocks of manganese ore. According to the latest information, about 4 to 5 lakh tons of manganese ore of various grades is lying at different ports.

Central Public Works Department in Delhi

*452. **Shri Tangamani:** Will the Minister of Works, Housing and Supply be pleased to state

(a) whether it is a fact that there are two independent sub-Divisions in the Central Public Works Department in Delhi;

(b) if so, whether there is a proposal to merge them with some local Divisions, and

(c) if not, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes

(b) and (c) One of them namely, the Independent Aviation Electrical Sub-Division is proposed to be attached to the Runway Lighting Division, C.P.W.D. shortly

The remaining Sub-Division, namely the Independent Sub-Division under II Circle will continue as such so that

the important works in the Sub-Division can be under the direct supervision of the Superintending Engineer.

Shri Tangamani: May we know whether the C.P.W.D. Workers' Union has suggested that this second sub-division also may be merged for the purpose of efficiency and economy?

Shri Anil K. Chanda: The matter will be reviewed soon

Shri Tangamani: May I know when this Independent Aviation sub-division will be merged?

Shri Anil K. Chanda: It should be in the course of the next few days

केरल का नारियल-जटा उद्योग

*४५३. श्री वाजपेयी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केरल राज्य का नारियल-जटा उद्योग बड़ी मकड़ पूर्ण स्थिति में है,

(ख) यदि हा, तो इसका क्या कारण है,

(ग) क्या यह सच है कि नारियल-जटा उद्योग में मदी के फलस्वरूप हजारों व्यक्ति बेकार हो गये हैं, जिन में ऐसे परिवार भी हैं, जो गत सवा ती साल में निरन्तर यही काम करने चले आ रहे थे, श्री

(घ) इस मकड़ का निवारण करने के लिये अब तक कौन से कदम उठाये गये हैं ?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). There has been no new crisis or depression in the coir industry in Kerala. Among the important measures taken to help the industry are the organisation of co-operatives on an intensive scale and promotion of internal and external markets for coir and coir products.

Shri Vajpayee: Is there any appreciable increase in the export of articles made of coir from Kerala during the last two years?

Shri Manubhai Shah: Export has increased. I would not say appreciably. From 69,850 tons in 1957-58, it rose to 73,400 tons in 1958-59.

Shri Narayankutty Menon: May I know whether there is any proposal before the Government to abolish the Coir Board as it stands today?

Shri Manubhai Shah: No, Sir.

Wage Board for Cement

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*454. { **Shri Kanhan:**
Shri T. B. Vittal Rao:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1804 on the 14th April, 1959 and state:

(a) whether the Cement Wage Board has since recommended interim relief for workers;

(b) if so, whether the same has been given effect to; and

(c) if the reply to part (a) be in the negative, the reasons for the delay?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) Does not arise.

(c) The Wage Board is proceeding expeditiously and expects to submit a final reply shortly. In view of this, and with a view to avoid delay in submission of the final report, representatives of the employees did not press for interim relief at the Board meeting.

Shri T. B. Vittal Rao: The hon. Minister said that the Wage Board is going to submit its final report very shortly. May I know whether shortly means during the course of a couple of months?

Shri Abid Ali: That is what I hope, Sir.

Shri Tangamani: May I know whether this Wage Board has adduced any special reason for this delay in view of the fact that there are only

a very few Unions in the Cement factories, one of the biggest being the A.C.C.?

Shri Abid Ali: I do not accept that there is any delay in the submission of the report. They have done the work very speedily, I submitted.

Shri S. M. Banerjee: May I know whether in view of this delay, according to us, the Wage Board is going to be asked to give some interim relief to the cement workers?

Shri Abid Ali: About interim relief, I have already submitted that the workers' representatives themselves were feeling that if this question were taken up, the submission of the final report would be delayed. They want the final report to come earlier.

Mr. Speaker: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Plots Sold by Government in 1954

*440. **Shri Badha Raman:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that the possession of plots sold by his Ministry in Delhi during 1954 has not been given to their owners so far;

(b) if so, the reasons therefor;

(c) whether these plots are fully developed; and

(d) when the possession of these plots will be given to their owners?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (d). The number of plots sold is fairly large and the information is not readily available. If information is required about any particular plot, it will be collected and furnished to the Honourable Member.

Export of Indian Textiles to Iraq

*441. **Shri Ajit Singh Sarkhedi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there has been any improvement in the export of Indian Textiles to Iraq as a result of opening of an office at Baghdad; and

(b) whether any further steps are being taken to improve exports of Textiles to Iraq?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) The opening of the overseas office of the Cotton Textiles Export Promotion Council at Baghdad in 1956 helped to arrest the decline in exports. A slight improvement is noticeable since the beginning of this year.

(b) Incentive measures for promoting export of Cotton Textiles are applicable to Iraq also. The Council is undertaking promotional measures in co-operation with Iraqi importers

Trained Personnel for Industries

*447. **Shri Damani:** Will the Minister of Commerce and Industry be pleased to state the action taken by Government to form an autonomous institute to provide trained personnel to industries as recommended by the Indian Productivity Team?

The Minister of Industry (Shri Manubhai Shah): The matter is under consideration in the Ministry of Scientific Research and Cultural Affairs.

Training in Peaceful Uses of Atomic Energy

*451. { **Shri Shree Narayan Das:**
Shri Radha Raman:

Will the Prime Minister be pleased to state the extent to which India has so far utilised the training opportunities provided by the International Atomic Energy Agency for general and specialised training and for research in the field of the peaceful uses of atomic energy?

The Parliamentary Secretary to the Prime Minister (Shri Sadath Ali Khan): So far the assistance of the

International Atomic Energy Agency has not been utilised in arranging general or specialised training in the peaceful uses of atomic energy.

Utilisation of Development Funds

*455. { **Pandit Manishwar Dutt**
Upadhyay:
Shri M. L. Dwivedi:

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that some of the States have spent only a portion of their development funds for the year 1958-59 specially on Agriculture, N.E.S. Blocks, Community Development Projects and Irrigation and Power;

(b) whether there are any valid grounds for leaving the funds idle on such vital schemes; and

(c) how are they to be dealt with regarding future allotment of funds?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) The progress of expenditure on development programmes followed the provision in the Annual Plan. Details of the expenditure incurred have, however, not yet been received from all the States.

(b) Does not arise

(c) Does not arise.

Institute of Company Secretaries

*456. **Shri Muhammed Elias:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a proposal has been made to establish an Institute of Company Secretaries to train the secretaries; and

(b) if so, the details thereof?

The Minister of Commerce (Shri Nityanand Kanungo): (a) An all-India Institute known as the Institute of Company Secretaries is already in existence with its headquarters at Calcutta.

(b) The Institute was incorporated under the Companies Act, 1956 on the 8th November, 1956 with the support of Government with the object of providing an organisation for secretaries and other similar administrative officers in Joint Stock Companies, public or private corporations, societies, public bodies etc. It is a non-profit making body, limited by guarantee and licensed under section 25 of the Companies Act, 1956 under its own Memoranda and Articles of Association and Bye-Laws

Property Rights to Scheduled Castes and Backward Classes

*457. **Shri Daljit Singh:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No 913 on the 4th September, 1958 and state the further progress made so far in implementation of the scheme in respect of the property rights for Scheduled Castes and other Backward Classes in Punjab State?

The Deputy Minister of Rehabilitation (Shri F. S. Naskar): Till the middle of July, 1959, 1,471 rural evacuee houses were transferred to the members of Scheduled Castes and other Backward classes in the Punjab at concessional rates

Export Quota Control of Raw Goat Skins

*458. **Shri N. R. Munisamy:** Will the Minister of Commerce and Industry be pleased to state

(a) whether any representations have been received by the Government of India from the United Kingdom against India's introduction of export quota control on raw goat skins,

(b) if so, with what results, and

(c) what are the effects upon India's trade industry of such export quota?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) A representation was received from the British Kid Tanners Association Ltd., London

(b) The Association was informed that exports are allowed at the rate of 100 per cent of the best exports of established shippers in the three years 1956 to 1958

(c) The restrictions would facilitate supplies of the raw material to the tanning industry, provide increasing work for tanners in the country and result in larger exports of tanned skins

भारत में जापान का लघु और मध्यम उद्योगों का प्रतिनिधि मंडल

*४५९. { डा० राम सुभग सिंह :
श्री रघुनाथ सिंह :
श्री बामनी :
श्री कालिका सिंह :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि भारत सरकार ने जापान की सरकार से प्रार्थना की है कि वह भारत में लघु और मध्यम उद्योगों को स्थापित करने और उनका विकास करने के लिये सरकार को परामर्श देने हेतु इन उद्योगों के विशेषज्ञों का एक प्रतिनिधि मंडल भारत भेजे,

(ख) यदि हा, तो यह प्रतिनिधि मंडल कब भारत पहुंचेगा, और

(ग) इसे क्या काम सौंपा जायेगा ?

उद्योग मंत्री (श्री मनुमाई झाह) :

(क) से (ग) सदन की मेज पर एक विवरण प्रस्तुत किया जाता है। [विक्रम परिशिष्ट २, अनुबन्ध सख्या ४४]

Model Rules on Maternity Benefit

*460 { Shrimati Benu Chakravarty:
Shri Muhammed Elias:

Will the Minister of Labour and Employment be pleased to state:

(a) whether all the State Governments have since furnished their

opinions regarding the Model Rules on Maternity Benefit circulated by the Central Government; and

(b) if so, the further steps Government propose to take in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) Replies have been received from all the State Governments except Assam.

(b) As the adoption of the Model Rules will not result in uniformity being achieved in the matter of maternity benefit, it is proposed to undertake a Central legislation on the subject to prescribe uniform standards in this regard.

Displaced T.B. Patients in Tripura

*461. **Shri Dasaratha Deb:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that the financial assistance given to displaced persons suffering from TB in Tripura stopped after a year, even though the patient may not get cured, and

(b) if so, whether it is proposed to continue such aid till the patient gets cured?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b) Ordinarily financial assistance to displaced TB patients is admissible for a period not exceeding six months pending admission into a hospital or a sanatorium. This period can be extended to one year at the discretion of the Tripura Administration and still further by the Central Government on the recommendation of the medical authorities concerned. Financial assistance is also given to a T.B. patient for a period not exceeding three months after the date of discharge from the hospital or sanatorium. Throughout these periods the dependants of a T. B. patient are also given financial assistance.

2 In Tripura, there were 82 cases in which financial assistance was stopped after one year. On examina-

tion by a T.B. specialist it was found that only in four of these cases the displaced person was suffering from active T.B. These four persons were admitted to a sanatorium for treatment and pending such admission, they were given financial assistance from the Chief Commissioner's Discretionary Fund.

Indo-Pak Trade Agreement

Shri Pahadia:
Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Pangarkar:
Shri F. C. Borooah:
Shri S. A. Mehdi:
*462. Shrimati Ila Palchoudhuri:
Shri Vajpayee:
Shri Assar:
Shri P. G. Deb:
Shri Bishwanath Roy:
Shri Prakash Vir Shastri:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 2228 on the 5th May, 1959 and state:

(a) whether talks were held recently between the Governments of India and Pakistan for reviewing the Indo-Pakistan Trade Agreement, and

(b) if so, the outcome thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) Yes, Sir

(b) As a result of the recent review of the working of the current Indo-Pakistan Trade Agreement, it is hoped that the declining trend in the trade between the two countries will be reversed.

सिकागो में अन्तर्राष्ट्रीय मेला

*४६३. श्री सरजू बान्से : क्या वाणिज्य तथा उद्योग मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या ३ जुलाई, १९५९ से सिकागो

में होने वाले अन्तर्राष्ट्रीय मेले में हवकरवा उद्योग की वस्तुओं प्रदर्शित की गई थी, और

(क) यदि हाँ, तो हवकरवा उद्योग की वस्तुओं को लोकप्रिय बनाने में कितनी सफलता मिली ?

वाणिज्य तथा उद्योग उपमन्त्री (की सतीश चन्द्र) : (क) जी हाँ ।

(ख) मेले में प्रदर्शित किये गये हवकरवे के कपड़ों में काफी दिलचस्पी ली गई है । ३५ लाख रु० मूल्य के हवकरवे के माल के आर्डर बही पर प्राप्त हो गये ।

Maps of India

*464. **Shri A. M. Tariq:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the Directorate of Advertising and Visual Publicity has published some maps of India for tourist interest,

(b) whether it is also a fact that these maps have been found defective after they were printed and distributed, and

(c) if so, whether Government have decided to withdraw these maps from circulation?

The Minister of Information and Broadcasting (Dr B V. Keskar): (a) to (c) The Directorate of Advertising and Visual Publicity has produced for the Department of Tourism, Ministry of Transport and Communications in India Tourist Map (Folder) and a Pictorial Map of India (Poster) Some minor defects in these maps have been brought to the notice of the Government and the distribution of the India Map folder has been suspended pending correction Tourist map was based on an official map of the Indian Airlines Corporation guide

Distribution of Raw Film

*465. **Shri Sadhan Gupta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of raw film allocated to Calcutta region during 1958 for

purposes of the cinematograph industry;

(b) whether the entire quota allocated to the Calcutta region was supplied,

(c) if not, the reason for the deficient supply;

(d) whether the attention of Government has been drawn to the reported statement of a spokesman of the Bengal Motion Pictures Association to the effect that the shooting of cinematograph films at Calcutta might have to stop for lack of adequate supply of raw film; and

(e) if so, the steps taken to prevent such an eventuality?

The Minister of Commerce (Shri Nityanand Kanungo): (a) 11.93 million feet

(b) No, Sir. Only 10.95 million feet were supplied during 1958

(c) A statement is laid on the Table of the House

(d) Yes, Sir

(e) A statement is laid on the Table of the House [See Appendix II, annexure No 45]

Central and State Governments Establishments Abroad

*466 **Shri Dinesh Singh:** Will the Prime Minister be pleased to state:

(a) how many Ministries of the Government of India, and State Governments have establishments and officials posted abroad,

(b) the reasons for maintaining these separate establishments, when the Ministry of External Affairs have already posted suitable personnel there; and

(c) are these establishments also inspected by the Foreign Service Inspectors?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) to (c). Apart from the separate

Establishments maintained in London and Washington by the office of the Comptroller and Auditor General, there are 13 Ministries of the Government of India who have their officials posted in our Missions abroad. Most of these officials are specialists in their respective fields.

The object of inspection carried out by the Foreign Service Inspectorate of the Ministry of External Affairs is to assess the need for revision or adjustment of foreign allowances, daily allowances, salaries and scales of pay of local staff and house rent ceilings. Their recommendations on all these matters are applicable to all the Missions and Establishments maintained by the Government of India in foreign countries. Specific proposals referred to the Inspectors on matters such as augmentation of staff, office accommodation and purchase of property are also examined by the Inspectors.

Shark Liver Oil

*467. Shri Subbiah Ambalam: Will the Minister of Commerce and Industry be pleased to state

(a) the quantity of crude shark liver oil produced in Madras State, and

(b) whether there is any proposal to erect a factory in Madras State for the manufacture of capsules from shark liver oil?

The Minister of Industry (Shri Manubhai Shah): (a) Exact figure of production of crude shark liver oil in the State is not available.

(b) While there are no proposals for a new factory for the manufacture of capsules from shark liver oil, it is understood that the Government Factory at Kozhikode in Kerala, produces them.

Textile Mills

*468. Shri M. M. Gandhi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that most of the textile mills which are showing

poor results and as such are likely to be closed, are producing coarse and medium cloth;

(b) whether it is also a fact that the burden of excise duty on coarse and medium cloth has accentuated the conditions in which these Mills are placed at present,

(c) whether it is also a fact that the mills producing fine and superfine cloth are in a better position than the mills producing coarse and medium cloth, and

(d) if so, remedial steps proposed to be taken in the matter?

The Minister of Commerce (Shri Nityanand Kanungo): (a) to (d). A Note giving the required information is laid on the Table of the House [See Appendix II, annexure No. 46].

Indians Turned Away from U.S.A. Beaches

*469. { Shrimati Parvathi Krishnan
Shri Barman:
Shri S. C. Samanta:
Shri Sadhan Gupta:
Shri S. A. Mehdi:
Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state

(a) whether it is a fact that five Indian nationals three of them members of an official mission to the U.S.A. were turned away from two bathing beaches on Chesapeake Bay on Sunday, the 20th July, 1959;

(b) if so, whether Government have enquired into the reasons as to why they were turned away, and

(c) the steps taken in the matter?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) We have seen Press reports alleging that some Indians were turned away from two bathing beaches in U.S.A. We are waiting for a full report from our Embassy on the subject. As soon as it is received we shall make the facts available to the House.

Treatment to People of Indian Origin in South Africa

*470. Shri Hem Barua: Will the Prime Minister be pleased to state:

(a) whether it is a fact that India has asked that the question of the treatment meted out to people of Indian origin in South Africa should be inscribed in the agenda of the forthcoming Session of the UN General Assembly; and

(b) if so, with what result?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). The question of treatment to people of Indian origin in South Africa has been under discussion in the United Nations for a number of years. Last year the General Assembly asked the parties to open talks with a view to finding a solution to this problem. India and Pakistan suggested to South Africa that talks should be opened in pursuance of this resolution. However, there was no response from South Africa. These facts have been reported to the United Nations and India and Pakistan have suggested discussion of this subject in the forthcoming session of the United Nations Assembly. The item has been included in the provisional agenda which will come up for confirmation after the General Assembly has begun its work.

Janata Hotel in Delhi

*471. { Shri S. A. Mehdi:
Shri P. C. Borooah:
Shri Ramakrishna Reddy:
Shri Ram Krishan Gupta:
Shrimati Ila Palchowdhuri:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that Government have decided to construct a Janata Hotel in Delhi; and

(b) if so, what is its estimated cost and when the Construction Work will be completed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). A proposal to construct Janata Hotel is being processed. As the details have not yet been finalised, it is not possible to indicate now when the project will be completed and at what cost.

Exports and Imports

*472. { Shri D. C. Sharma:
Shri Raghunath Singh:
Shri Bishwanath Roy:
Shri Jhulan Sinha:
Shri Ram Krishan Gupta:
Shri Jaipal Singh:
Shri Harish Chandra Mathur:
Shri Hem Barua:

Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the import and export trade position of India since 1st January, 1959;

(b) the total value of exports and imports made during this period;

(c) whether there is any shortfall in the value of exports during this period; and

(d) if so, which of the commodities are mainly responsible for the shortfall?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) to (d) A statement is laid on the Table of the House

STATEMENT

Statistics of import and export trade are available upto May, 1960. The total value of imports and exports in January—June, 1960 was as follows:—

	Rs. in lakhs
Value of imports	41,862
Value of exports	26,586

(c) No, Sir (The comparative figure for the first six months in 1958 is Rs 25,058 lakhs).

(d) Does not arise.

Spun Silk Mill in Assam

*473 } Shri Subodh Hansda:
 { Shri S C. Samanta:

Will the Minister of Commerce and Industry be pleased to state the steps taken for the establishment of a spun silk mill in Assam?

The Minister of Industry (Shri Manubhai Shah): It is proposed to set up a Spun Silk Mill at Jagi Road an Assam in public sector under the Second Five Year Plan. The Government of Assam has concluded an agreement with a Japanese firm for import of machinery on deferred payment basis. The contract entered into has been registered with the State Trading Corporation of India and Essentiality Certificate and Import Licence have been obtained. The State Government is also making efforts to procure the items of machineries which are available in the country.

Graphite Plant

*474. Shri Ram Krishan Gupta
 Will the Prime Minister be pleased to state:

(a) whether the scheme for setting up a plant to produce reactor grade and commercial graphite has been finalised, and

(b) if so, the details thereof?

The Parliamentary Secretary to the Prime Minister (Shri Sadath All Khan): (a) and (b) The question of setting up a plant to produce reactor grade and commercial grade graphite is under consideration

Manufacture of Rolls

*475. { Shri S. C. Samanta:
 { Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to state:

(a) the steps taken for the manufacture of rolls of different types in the country, and

(b) who are the competent authorities from whom expert advice has been sought for the purpose?

The Minister of Industry (Shri Manubhai Shah): (a) A contract has been entered into between the Government of India and Messrs Techno-export of Czechoslovakia on the 10th August, 1956 for the setting up of a Foundry/Forge Plant which will, *inter alia* manufacture Rolls of different types and descriptions

(b) A Committee of Indian experts drawn from the Ministries of Commerce and Industry, Steel, Mines and Fuel, Railways and Defence as well as representatives of the Public and Private Sector undertakings was constituted for consultation from time to time on all important engineering and technical problems connected with the preparation of the detailed project report for the Foundry/Forge Plant

Mahatma Gandhi Memorial Hospital, Bombay

*476 { Shri Kunhan.
 { Shri T. B. Vittal Rao:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 1976 on the 22nd April, 1959 and state

(a) when the construction of the Mahatma Gandhi Memorial Hospital at Bombay is likely to be completed,

(b) who are the members of the Board of Management of this Hospital; and

(c) whether any assessment of the value of the equipment has been made?

The Deputy Minister of Labour (Shri Abid Ali): (a) By the end of October 1961.

(b) Shri Neville N. Wadia, Shri Ramnath A. Podar, Dr. D. P. Sethna, Shri M. K. Jadhav, Colonel V. M. Albuquerque and Shri V. R. Mahadevan.

(c) No.

Rebate on Handloom Cloth

*477. { Shri Raghunath Singh:
Shri N. E. Munisamy:
Shri Pahadia:
Shri Tangamani:
Shri T. B. Vittal Rao:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the special rebate on handloom cloth has been reduced; and

(b) if so, the reasons therefor?

The Minister of Commerce (Shri Kanungo): (a) and (b) The rate of special additional rebate in the current financial year will be at four naye paise per rupee on sales of handloom cloth. As compared with the rate in 1958, there is a reduction but as compared with the rates prevailing in previous years, 1957 and earlier, there is an increase.

The unusual rate adopted in 1958 was intended to effect a speedy liquidation of a very heavy concentration of accumulated stocks in the handloom sector.

Violation of Ceasefire Line by the Pakistanis

*478. { Dr. Ram Subhag Singh:
Shri S. M. Banerjee:
Shri Hem Raj:
Shri N. E. Munisamy:
Shri P. C. Borooah:

Will the Prime Minister be pleased to lay a statement showing:

(a) the number of times the Jammu and Kashmir ceasefire line was

violated by the Pakistani personnel from the beginning of May this year;

(b) in how many cases the attention of the United Nations observer was drawn towards these matters; and

(c) with what result?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

Cease-fire Line Violations by Pakistan Armed Personnel

(a) Number of cease-fire line violations by Pakistani armed personnel between May 1, 1959 and August 2, 1959	15
(b) Number of cases in which attention of U. N. observers was drawn to these violations	15
(c) Results	<i>Chief Military Observer's awards:</i>
	Violation against Pakistan 2
	No Violation against Pakistan 4
	Cases pending 9

Textile Industry

*479 Shri S. M. Banerjee: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Textile mill owners in certain regions have demanded more concessions from Government to avert further crisis in textile industry; and

(b) if so, the reactions of Government thereto?

The Minister of Commerce (Shri Kanungo): (a) Presumably, the hon. Member is referring to the representations made by the U.P. Cotton Textile Millowners' Committee recently to the Minister for Commerce and Industry asking for certain

concessions to the cotton textile industry in Uttar Pradesh.

(b) The matter is under consideration of the Government

Reinforcement of Pakistani Troops on Indo-Pak Border

*480. { Shrimati Ila Palchoudhuri:
Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state

(a) whether Government of India's attention has been drawn to recent press reports in regard to reinforcements of Pakistani border posts, digging up of new trenches, construction of bunkers, heavy movements of Pakistani troops and ammunition and their concentration all along the East Pakistan border opposite to Dawki and other places in the Indian territory amounting to war-like preparations,

(b) if so, what are the actual facts, and

(c) the steps taken by Government of India in regard thereto?

The Parliamentary Secretary to the Minister of External Affairs (Shri J N Hazarika): (a) Yes, Sir, although it would be an exaggeration to describe them as war-like

(b) Reports of Pakistani troops' movements and concentrations within their own territory opposite Dawki started to be received from the second half of June. These consisted of repairing their bunkers on the hills overlooking Dawki and reinforcement of their posts at Tamabil, Najapara, Masimpur, Gobbil, Rajapara, Gomair-tola, Khasiador, Chinnakandi, Dalura Lalpani, Anarastilla, Sonatilla Saduram etc. Pakistan forces also encroached into Indian territory in a betelnut grove in Bakurtilla and built three or four bunkers a few yards within Indian territory

On 31st July, Pak forces opened unprovoked fire on Dawki but a cease-

fire was brought into effect from 2nd August.

(c) First, we drew the attention of the Pakistani authorities to their troops concentrations near Dawki, both at the State and Central levels. Secondly, strong protests were lodged against the encroachment at Bakurtilla. Thirdly, we took precautionary security measures in case Pakistani forces took any aggressive steps against Indian territory and when Pakistan armed forces opened fire, our forces retaliated. Fourthly, the Deputy Commissioner of Shillong was successful in arranging a cease-fire with the Deputy Commissioner of Sylhet within two days of the firing. Finally, Pakistani authorities have been persuaded to agree to vacate bunkers built by them in Indian territory at Bakurtilla and we are awaiting confirmation that this has been done.

We are continuously taking steps, both to deter Pakistani aggression and to seek Pakistani co-operation, to prevent border firing.

Madurai Spinning Mills

*481 { Shri Tangamani:
Shri T. B. Vittal Rao:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the spinning mills of the Madurai Mills Limited remained closed for 85 days from 18th May, 1959,

(b) if so, the reasons therefor,

(c) what is the loss of production of yarn as a result of this closure, and

(d) the steps Government have taken for re-opening of the Mills?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir

(b) As a result of a dispute between the management and Labour over the fixation of workloads

(c) Loss of production of yarn was about 10429 bales per month.

(d) The Mills have since re-opened.

Forged Passports

*482 Shri Hem Barua: Will the Prime Minister be pleased to state

(a) whether it is a fact that some persons using forged passports for going out of India were apprehended recently at the Dum Dum Airport;

(b) if so, the steps so far taken against them;

(c) what is their number, and

(d) whether the source from which these forged passports emanated has been traced?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) to (d) Investigation in this case is still in progress. It appears that a lady intending to leave for the UK was stopped at Dum Dum. The passport she had covered only two children, but three persons tried to go with her.

2 No information of this came to the Ministry as such information is not passed on automatically to the Ministry. It was only when notice of this Question came that enquiries were started. These are being proceeded with.

केन्द्रीय लोक निर्माण विभाग

*483. श्री जगत बर्लन क्या निर्माण, आवास और संभरण मंत्री ०३ फरवरी, १९५९ के तारांकित प्रश्न मध्या ५३० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि केन्द्रीय लोक निर्माण विभाग के अवन तथा अन्य निर्माण कार्यों में ठेकेदारी प्रथा को समाप्त करने के प्रस्ताव के तिलचिन्ने में इस बीच और क्या प्रगति हुई है ?

निर्माण, आवास तथा संभरण उपमंत्रि (श्री कल्लि क० चंदा) इस प्रश्न पर वित

मन्त्रालय और योजना आयोग की सलाह से बिन्दार किया जा रहा है और जल्दी फंसला करने की कोशिश की जा रही है।

Power Alcohol Industry in U.P

*484. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that power alcohol industry in Uttar Pradesh is unable to export its surplus products, and

(b) if so the steps taken by Government to help this industry?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir

(b) Assistance is being rendered to prospective exporters for establishing storage installations at port towns so as to facilitate export of alcohol in bulk.

Hindu and Sikh Shrines in West Pakistan

*485. { Shri D. C. Sharma:
Shri Ajit Singh Sarbadi:
Shri Damar:
Shri Daljit Singh:

Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 678 on the 26th February 1959 and state

(a) whether any meeting of the Joint Committee set up for the preparation of lists of Hindu and Sikh religious shrines in West Pakistan has since been held,

(b) if so, the decision taken, and

(c) if the reply to (a) above is in the negative, when it is proposed to be held and what would be the agenda?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) to (c) No meeting of the Indo-Pakistan Joint Committee on shrines

has since been held. An invitation to the second meeting, proposed to be held in New Delhi, was extended to the Government of Pakistan in February, 1958. In spite of several reminders and approaches by our High Commissioner at Karachi, the Government of Pakistan have not so far accepted the invitation to the second meeting.

The following tentative agenda for the second meeting was agreed upon by the Joint Committee at its first meeting held at Karachi on the 24th and 25th February, 1958:

- (i) Pooling of all income of the shrines in each country in a separate account and the utilization of funds in the account for the purpose of maintenance and repairs of the holy places.
- (ii) Posting of Khadims, Sewadars, Pujaris, etc. to look after important shrines in two countries and payment of their expenses from the income of the shrines.
- (iii) Liberalisation of travel and other facilities to pilgrims and pilgrim parties to the holy places in the two countries.

Trade Centres for Indian Handicrafts

*487. { Shri Ram Krishan Gupta:
Shri A. M. Tariq:
Shri Damani:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to the Starred Question No. 30 on the 10th February, 1959 and state:

(a) whether the proposal to open Trade Centres at Frankfurt, (West Germany) Los Angeles and New York, with a view to popularising Indian handicrafts has since been finalised; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The proposal is still being examined.

Sericulture Research Station at Berhampur

*487. { Shri Subodh Hanada:
Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the scheme for the Development of the Sericulture Research Station at Berhampur in West Bengal has been finalised;

(b) if so, the nature of the development scheme taken in hand;

(c) whether other Research Stations will also be developed in the same way; and

(d) if so, when these will be taken up?

The Minister of Industry (Shri Manubhai Shah): (a) Not yet, Sir.

(b) Does not arise.

(c) and (d). Proposals received from the Governments of Mysore, Assam and Bihar for development of the Sericultural Research Stations in their respective States have already been scrutinized by the Central Silk Board, and suitable financial assistance extended keeping in view the local problems proposed to be tackled in each area.

Financial Assistance to Bhutan

*488. Shri Bhakt Darshan: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1959 on the 16th March, 1959 and state the further progress made so far in connection with the provision of financial assistance to Bhutan?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hasmirika): The financial assistance

as finally released to Bhutan during the financial year 1958-59 was as follows:

(1) Aid for the survey works on proposed road from Sarbang to Lapsa Bhotc	50,000
(a) Equipment for road construction work	1,00,000
(3) Fertilizers	11,000
(4) Supply of steel	63,195
(5) Supply of two trucks	63,996
(6) Supply of hospital equipment to Bhutan	1,28,438
TOTAL	4,16,629
(7) Loan to Bhutan for Orange Crushing Factory	2,20,000
GRAND TOTAL	6,36,629

In the current year, a provision of rupees seven lakhs exists in the budget for giving grants to Bhutan. Out of this, a sum of Rs. 58,300 has been released for supply of cement and steel to Bhutan. Proposals for sanctioning the balance is under consideration.

A provision of rupees 15 lakhs has also been made in the current year's budget for giving loans to Bhutan. Proposals in this respect are awaited from the Bhutan Government.

Rents of Lodgings of Central and State Government Employees

*499. { Shri Tangamani:
Shri T. B. Vittal Rao:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is any discrimination in the rents charged for lodgings from Central Government and State Government employees in respect of the buildings owned by the Central Government at Delhi;

(b) if so, the reasons therefor; and

(c) the action Government propose to take in the matter?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes. In accordance

with the existing arrangements, rent under F.R. 45-A is recovered from Central Government employees staying in Hostels etc. at Delhi, while rent under F.R. 45-B is recovered from officers of State Government

(b) Only Central Government employees are entitled to Central Government accommodation at concessional rates, i.e. under F.R. 45-A. All non-Central Government employees are charged rent at F.R. 45-B rates which involve no concession

(c) The question of introduction of reciprocal arrangements is under consideration.

Import of Raw Materials for Sports Goods

*499. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received a complaint from the Sports Goods Export Promotion Council to the effect that due to lack of raw material the quality of Indian sports goods is deteriorating;

(b) if so, the steps taken for the import of raw material for sports goods; and

(c) how much amount has been sanctioned for this purpose?

The Minister of Commerce (Shri Kanungo): (a) and (b). No, Sir. No such complaint has been made by the Sports Goods Export Promotion Council. Actual user applications from manufacturers of sports goods are considered on the recommendations of the Director of Industries. In addition, import licences for raw materials on the export performances are given on the recommendations of the Sports Goods Export Promotion Council.

(c) There is no rigid foreign exchange ceiling for licensing of raw materials for the sports goods industry.

State Trading Corporation

805 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of turn-over in commodities directly purchased by the State Trading Corporation during 1958-59; and

(b) the total amount of profit on this turn-over?

The Minister of Commerce (Shri Kanungo): (a) and (b) The accounts of the S.T.C for the year 1958-59 have not yet been finalised and audited. As such, information sought for cannot be given at present.

Civil Works in Bombay State

806 Shri Ram Krishan Gupta: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total amount sanctioned by the Central Government during 1958-59 for the civil work in Bombay State, and

(b) total amount to be spent during 1958-60?

The Minister of Works, Housing and Supply (Shri K. C. Heddy): (a) Rs 2,25,00,756; and

(b) Rs 2,58,54,000

These figures do not include information in respect of a few Ministries whose replies are awaited.

Imports through the State Trading Corporation

807 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state the total value of goods imported from foreign countries during 1958-59 through the State Trading Corporation?

The Minister of Commerce (Shri Kanungo): Rs 7,65,79,484.73

Machinery for Mineral Oil Industry

808 Shri Ram Krishan Gupta: Will the Minister of Commerce and Indus-

try be pleased to refer to the reply given to Unstarred Question No. 474 on the 18th February, 1959 and state at what stage stands the proposal to establish a factory to manufacture the machinery for Mineral Oil Industry in India?

The Minister of Industry (Shri Manubhai Shah): There has been no further progress. However, the question of providing adequate capacity for the manufacture of machinery for Mineral Oil Industry in the Heavy Machinery Project to be set up with Soviet assistance, is under active consideration of the Government.

Industries (Development and Regulation) Act

809 Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of defaulters against whom action has been taken under sections 15 and 16 of the Industries (Development and Regulation) Act, 1951, during the period 1958-59 (Stat-wise), and

(b) the nature of action taken in each case?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement of cases in respect of which action under section 15 of the Industries (Development and Regulation) Act, 1951, has been taken is placed on the Table [See Appendix II, annexure No 47]. Action under section 16 of the Act has not been taken during the period 1958-59.

Khadi and Village Industries Board Bombay

810 Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) the amount allotted during 1958-59 by the Khadi and Village Industries Commission to the Khadi and Village Industries Board of Bombay and

(b) the amount proposed to be given to the Board during 1959-60?

The Minister of Industry (Shri Manubhai Shah): (a) Rs. 16,16,218 as grants and Rs. 26,21,900 as loans.

(b) The tentative allocations made by the Khadi and Village Industries Commission to the Khadi and Village Industries Board of Bombay during 1959-60 are Rs. 16,85,135 as grants and Rs. 38,26,025 as loans.

Trade with Egypt

811. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any improvement in the export of Indian goods to Egypt during 1958-59 as compared to 1957-58; and

(b) whether the imports into India from Egypt have declined during 1958-59 as compared to 1957-58?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) No, Sir. The respective figures of exports are as follows:

1957-58	..	1060 lakhs.
1958-59	..	823 lakhs.

(b) Yes, Sir. The respective figures of imports are as follows:

1957-58	..	812 lakhs.
1958-59	..	669 lakhs.

Export of Tea

812. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 3391 on the 22nd April, 1959 and state the names of the countries where Public Relations Units have been opened and Tea Promotion Officers have been appointed so far for the promotion of tea exports?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Public Relations Units have already been sanctioned for Egypt and

Australia. Officers to hold charge of these units have been selected and are under training with a view to join their posts shortly.

Import of Car Spare Parts

813. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state the value of the import licenses issued to car manufacturing firms during 1958-59 for the import of car spare parts, firms-wise?

The Minister of Commerce (Shri Kanungo): Import licences for spares are not being issued to vehicle manufacturers separately for car and trucks but in bulk to cover the requirements of both types. During 1958-59 the licences issued for import of spare parts were as under:

	Value in lakhs of Rs.
	1958-59
1. M/s. Ashok Leyland Ltd.	26.95
2. M/s. Hindustan Motors Ltd.	41.11
3. M/s. Mahindra & Mahindra Ltd.	36.05
4. M/s. Premier Automobiles Ltd.	57.53
5. M/s. Standard Motor Products of India Ltd.	11.72
6. M/s. Tata Locomotive & Engg. Co. Ltd.	54.15
TOTAL	227.40

Off-take of Cloth

814. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state the total off-take of cloth from the textile mills in Punjab during 1959 so far (mill-wise)?

The Minister of Commerce and Industry (Shri Kanungo): A statement giving the required information is placed on the Table of the House.

STATEMENT

Deliveries of cloth for domestic sale, export and other purposes by Punjab Mills from January to June, 1959 are as follows:—

	(Quantity in '000' yards)
Punjab Cloth Mills	3,240
Technological Institute of Textile	19,562
Jagajit Cotton Textile Mills Ltd.	11,465
Dayal Bagh Spinning and Weaving Mills	1,621

Indian Villages in Pakistan

815. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to state:

(a) the number of villages at Punjab border some area of which is in Pakistan; and

(b) the arrangement that exists in these villages to check illegal trade with Pakistan?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) On the Punjab border, there are, in all, 92 villages, some area of which is in the adverse possession of Pakistan.

(b) Close vigilance is maintained day and night by the authorities.

Expenditure on Dalai Lama

816. { Shri Panigrahi:
Shri Wodeyar:
Shri S. A. Mehdi:
Shri Ram Krishan Gupta:

Will the Prime Minister be pleased to state:

(a) the total amount of money which was spent in receiving the Dalai Lama at the Indian border and bringing him to Mussoorie for his stay;

(b) the amount of money which the Government of India have spent so

far in making all arrangements for the Dalai Lama and his party's stay and boarding at Mussoorie so far; and

(c) whether Government of India have given some officers special responsibility to look after the Dalai Lama and his party at Mussoorie?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The exact expenditure is not known, as information from Assam and West Bengal Governments, who have incurred the expenditure is still awaited. The information so far available indicates that a sum of approx. Rs 23,089 was spent while the Dalai Lama and his Party were in NEFA, Varanasi and Sarnath including the cost of his special train and catering from Varanasi to Dehra Dun.

(b) The exact expenditure is not known. Some bills are yet to be paid and some are expected. The amount spent till 15-6-1959 is approx. Rs. 85,217 and the monthly estimated expenditure thereafter is likely to be Rs 29,256.

(c) Yes. A liaison officer has been attached to the Dalai Lama's party.

Listing of Dock Workers at Calcutta and Madras

817. Shri Anthony Pillai: Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No 4253 on the 8th May, 1959 and state the progress since made in the matter of listing of workers by the Calcutta and Madras Dock Labour Boards?

The Deputy Minister of Labour (Shri Abd All): The present position regarding the listing of dock workers in Calcutta and Madras is as under:—

Categories of workers	No. approved for listing
Chipping and Painting Workers	1,679
Baggers & Stickers	177
Sail Workers	543
Coal Bunkering and Coal Stevedoring Workers	475

(6) Madras		Port	Qty. in tons
Categories of workers	No. approved for listing	Madras	1,52,828
Shipping and Painting Workers	200	Vishakhapatnam	24,685
Coal Stevedore Workers	116	Masulipatam	64,167
Other categories (shore workers, handling coal, ore scrap iron, sulphur, bulk phosphate etc)	1,800 (listing in progress)	Kakinada	41,282
Occupational Hazards in Atomic Establishments		Karwar	3,209
		Mangalore	17,697
		Cuddalore	1,31,357
		Redi	86,800
		Paradip	14,921
		Kandla	68,184
		TOTAL	9,48,021

818. Shri P. K. Deo: Will the Minister of Labour and Employment be pleased to state:

(a) the various occupational hazards in an atomic establishment due to radio-activity and similar other reactions; and

(b) whether those diseases have been incorporated in the list of occupational diseases reproduced in Schedule III of the Workmen's Compensation Act, 1923?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) The information is being collected and will be laid on the table of the Sabha

Export of Iron Ore to Japan

819. Shri P. K. Deo: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 680 on the 26th February, 1959 and state the quantity of iron ore exported to Japan during 1959 so far through various ports of India (Port-wise)?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A statement showing port-wise exports of iron ore to Japan during January to June 1959 is laid on the table

STATEMENT

Export of Iron Ore to Japan from January to June, 1959 (Port-wise)

Port	Qty in tons
Calcutta	2 34,862
Bombay	8,025

Applications Pending for Passports

820. Shri Hem Raj: Will the Prime Minister be pleased to state

(a) the number of applications pending for passports during the years 1957, 1958 and 1959 to England, Middle East and Far Eastern countries, Europe and American countries from different States, year-wise and State-wise,

(b) the number of such applications year-wise and State-wise which are more than three months, nine months, a year and over a year old; and

(c) the main reasons for such long delay?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c) The information is being collected and will be placed on the Table of the House

Industrial Development of Bihar

821 Shri Anirudh Sinha: Will the Minister of Commerce and Industry be pleased to state the total amount granted to the Government of Bihar by the Central Government for the Industrial Development of the State during the First and Second Five Year Plan periods separately?

The Minister of Industry (Shri Manubhai Shah): The information is being collected and will be placed on the Table of the House in due course.

Indian Yogis in Russia

822. { Shri Harish Chandra Mathur:
Shrimati Ha Palchoudhari:
Pandit D. N. Tiwary:

Will the Prime Minister be pleased to state:

(a) whether Indian Yogis are imparting Yogic knowledge of breath control in U.S.S.R., and

(b) whether it is under any of the schemes of Indo-USSR collaboration?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Government of India have seen a report in the Press suggesting that Indian Yogis are teaching prospective space travellers in U.S.S.R. the art of breathing in different atmospheres. However, our Embassy in Moscow have no such information and we do not know the basis on which the Press carried this report.

Bicycle Industry

823. Shri Harish Chandra Mathur: Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing

(a) to what extent the Bicycle Industry has expanded from year to year since 1955 in (i) large scale (ii) medium scale and (iii) small scale sectors;

(b) what is the programme for its future expansion,

(c) the percentage and value of components purchased by the large scale industry from small scale units; and

(d) what principle, if any, is followed by Government in respect of part (c) in regulating and licensing the industry?

The Minister of Industry (Shri Manubhai Shah): (a) to (d) A statement is laid on the Table of the House [See Appendix II, annexure No 48]

Employment Exchanges

824. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to state:

(a) the total number of persons registered with the Employment Exchanges during the year 1959 (as on the 1st July, 1959); State-wise;

(b) the total number of vacancies notified to the Employment Exchanges during the same period, State-wise;

(c) the total number of persons who actually got jobs during the above period, State-wise;

(d) the number out of these to whom service was provided in States, at the Centre, in Semi-Government and private firms;

(e) whether any change in the occupational distribution of employment seekers has been noticed; and

(f) the total number of Scheduled Castes people who registered themselves with the Employment Exchanges during 1959 (as on the 1st July, 1959) and the number of those who secured employment during the same period?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (f) A statement is laid on the Table of the House [See Appendix II, annexure 49]

Investments in Coffee Plantations

825. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state

(a) the amount of foreign investment in the Coffee plantations in India

(b) the extent of Indian Capital invested in the Industry at present, and

(c) the steps taken to increase the Indian Capital investment in the above industry?

The Minister of Commerce (Shri Kanungo): (a) According to information available foreign capital invested

in Companies engaged in coffee plantations was Rs. 29.5 lakhs at the end of 1957.

(b) Precise figures are not available but P.I.C. estimated Indian capital invested in coffee estates over 100 acres as Rs. 12.18 crores on 30th June, 1954. Since then this figure must have increased as a result of transfer of non-Indian coffee estates to Indian hands

(c) No steps are necessary, as by processes of sale of estates, foreign capital in coffee industry has dwindled to a negligible figure.

Housing of Industrial Workers

826. { Shri Ram Krishan Gupta:
Shri Panigrahi:

Will the Minister of Labour and Employment be pleased to refer to the reply given to Unstarred Question No 1004 on the 26th February, 1959 and state:

(a) whether Government have since received reports from the remaining States regarding the special survey conducted by them to find out the magnitude of the housing problem of industrial workers; and

(b) if so, the details thereof (State-wise)?

The Deputy Minister of Labour (Shri Abid Ali): (a) Reports have been received from the Governments of Andhra Pradesh and Bihar

(b) *Andhra Pradesh:* About 36,575 permanent industrial workers require the provision of residential accommodation; under the Second Plan, it is proposed to provide 7,778 houses under the Subsidised Industrial Housing Scheme. Industrial Co-operation Housing and Building Societies are also being organised to relieve housing shortage for industrial workers. The response from workers is not however, encouraging.

Bihar: The ad hoc Survey conducted on a stratified random sample basis in Jamshedpur in 1956 revealed a

potential demand of about 24,000 houses at varying rents. Another survey conducted in 1957 concerning workers in sugar factories showed that a large number of workers were without houses. Out of about 6,500 permanent workers, only about 3,300 were provided with residential accommodation. The demand for houses from seasonal workers was estimated at about 7,300

Sulphite Cellulose Mill at Mirthal (Panjab)

827. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 39 on the 10th February, 1959 and state at what stage stands the scheme for setting up a Sulphite Cellulose Mill at Mirthal in Punjab?

The Minister of Industry (Shri Manubhai Shah): The Finnish Experts' recommendations have been considered by the Government. The suggestions made by them involve long term developments in the forest areas of the Punjab in order to ensure adequate supplies of raw materials to sustain a fullfledged newsprint mill. The question of establishing a newsprint mill based on indigenous raw materials there, if at all, is thus only a long term possibility. In these circumstances, the Government do not envisage in the near future the establishment of a newsprint mill based on the forest resources of the Beas Basin.

European Common Market

828. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 34 on the 10th February, 1959 and state:

(a) whether Government have since assessed the situation arising out of

the formation of European Common Market,

(b) if so, the result of the assessment, and

(c) its effect on our export earnings?

The Minister of Commerce (Shri Kanungo): (a) to (c) Since February 1958, there have been no developments which would permit a more precise assessment being made. The process of consultations is, however continuing.

Study of Small Scale Industries in Japan

829. { Shri Ram Krishan Gupta:
Shri Bhakt Darshan:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 2152 on the 19th March, 1959 and state at what stage stands the question of sending a delegation to Japan to study the organisation and financial structure of small scale industries in that country?

The Minister of Industry (Shri Manubhai Shah) The question of sending the delegation to Japan will be finalised after considering the reports of the Delegation of Bankers who studied the structure of financing small scale industries in Japan on their way back from USA and of the Seminar of Bankers held recently at Hyderabad.

Export of Leather Goods

830. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that Government is considering a proposal to grant special concession in income tax based on export performance of leather goods as an incentive for the exports of leather goods, and

(b) if so, at what stage the proposal stands?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) No, Sir

(b) Does not arise

Loss of Man-Days

831. Shrimati Ila Palchoudhuri: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that there has been a deterioration in the position in respect of man-days lost during the year 1958 as compared to 1957,

(b) if so, to what extent; and

(c) the steps taken, if any, to prevent further deterioration and to improve the situation?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b)

No. of Man-days lost in 1957	64,29,319
No. of Man-days lost in first half of 1958	47,01,136
No. of Man-days lost in second half of 1958	30,96,449
	<hr/> 77,97,585

(c) The Code of Discipline in Industry which was ratified by all India Organisations of Employers and Workers and came into effect from 1st June, 1958 appears to have assisted in improving the situation in the latter half of 1958.

Textile Industry

832. { Shri Shree Narayan Das:
Shri Radha Raman.

Will the Minister of Commerce and Industry be pleased to state the present position with regard to production, stocks, off-take and cost structure of the textile industry?

The Minister of Commerce (Shri Kanungo): Statements showing production, off-take and stocks of mill-made cloth and yarn are placed on the Table. [See Appendix II, annexure

No. 80] The Government have not recently made any inquiry into the cost structure of the cotton textile industry

Carbon Black

833. { Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1875 on the 31st March, 1959 and state:

(a) whether the report of the Rumanian experts for exploring the possibilities of manufacturing carbon black in India has since been examined; and

(b) if so, the main recommendations made by them?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The report of the Rumanian organisation covers the production of different grades of Carbon Black. The report has been examined by the Government and further consideration has been deferred pending investigations of the availability of the raw materials proposed cost of production and market demand

Tobacco

834. { Shri Barman:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of tobacco exported in 1958-59 through private trade and through the State Trading Corporation;

(b) the varieties of tobacco for which there is demand in the export market; and

(c) the varieties of tobacco which are imported at present?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a)

	Qty. (in lbs.)	Value (in Rs.)
(i) Exports through private trade	lakhs 827.3	lakhs 380
(ii) Exports through State Trading Corporation	183.0	88
Total	1020.3	468

(b) (i) Virginia fluecured

(ii) Virginia Suncured

(iii) Natu (country) Suncured.

(c) The chief varieties which are imported at present are

(i) Virginia type tobacco

(ii) Pipe tobacco

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835. { Shri D. C. Sharma:
Shri S. M. Banerjee:
Shri Tangamani:
Shri Muhammed Elias:

Will the Minister of Labour and Employment be pleased to state

(a) whether it is a fact that the 43rd Session of I.L.O. was held in Geneva in June, 1959,

(b) if so, the names of the organisations from which workers' representatives were included in the Indian delegation

(c) whether Government have received any complaint from the All India Trade Union Congress in regard to the selection of workers' representatives.

(d) if so the reaction of Government thereto, and

(e) the nature of the report submitted by the Indian delegation?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) The Indian National Trade Union Congress.

(c) Yes.

(d) The complaint is without substance. The All India Trade Union Congress had also lodged a complaint with the I.L.O. This was referred to its Tripartite Credentials Committee and was unanimously rejected.

(e) The report of the delegation has not yet been received.

Sample Count of Population

836. **Shri D. C. Sharma:** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 2540 on the 31st March, 1959 and state the latest position with regard to taking a sample count of population between March and April every year to determine the growth and migration of the population in the country?

The Prime Minister and Minister of External Affairs (**Shri Jawaharlal Nehru**): It has been decided to undertake the sample count every year but the best time of the year in which it should be taken has yet to be determined in the light of the experience gathered on the basis of sample censuses being organised in various States at different times during 1959.

Spot Verification of Claims of Displaced Persons

837. **Shri D. C. Sharma:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 1809 on the 14th April, 1959 and state the further progress made with regard to the 'On the Spot' verification of claims of displaced persons?

The Deputy Minister of Rehabilitation (**Shri P. S. Naskar**): There has been no further progress.

Employment Exchanges

838. **Shri D. C. Sharma:** Will the Minister of Labour and Employment be pleased to refer to the reply given

to Starred Question No. 377 on the 18th February, 1959, and state the progress made in different aspects of the Four-Point programme formulated to improve the services by Employment Exchanges during 1959, so far?

The Deputy Minister of Labour (**Shri Abid Ali**): A statement is laid on the Table. [See Appendix II, annexure No. 51].

Visitors from Pakistan to India and Vice Versa

839. **Shri D. C. Sharma:** Will the Prime Minister be pleased to state:

(a) the number of Pakistani nationals from East and West Pakistan separately who visited India during the year 1959 (upto the 30th June, 1959); and

(b) the number of Indians who visited East and West Pakistan separately during the same period?

The Prime Minister and Minister of External Affairs (**Shri Jawaharlal Nehru**): (a) 272463 and 27805 Pakistan nationals visited India from East Pakistan and West Pakistan respectively during the period from 1st January to 30th June, 1959.

(b) 68,541 and 44,360 Indian nationals visited East and West Pakistan respectively during the same period.

Emporia for the Sale of Handloom and Small Scale Industries Products

840. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of emporia opened so far outside India for the sale of handloom and small scale industries products; and

(b) their locations?

The Minister of Industry (**Shri Manubhai Shah**): (a) and (b). Five emporia have so far been opened for the sale of handloom cloth under the external marketing scheme of the All

India Handloom Board at the following places outside India;

1. Singapore . . . at 23, Race Course Lane, Singapore No. 8 (Malaya).
2. Kuala Lumpur . . . at 69, Ampang Road, New M. C. A. Buildings, Kuala Lumpur (Malaya).
3. Bangkok . . . at 1070, New Road, Nal Lert Building, Bangkok, (Thailand).
4. Colombo . . . at No. 7, Sea Street, Colombo—11, (Ceylon).
5. Aden . . . at Bohra Bazar, Crater, Aden.

For the sale of small scale industries products, no emporia have so far been opened in any country outside India.

Drainage System in Delhi

841. Shri D. C. Sharma: Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Starred Question No. 1570 on the 31st March, 1959 and state which of the recommendations of the Committee of Inquiry regarding inefficient working of the drainage system in Delhi have been accepted by Government?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): All the recommendations, made by the Committee for planning measures against floods and similar calamities in Delhi, have been accepted by Government, subject to the following conditions:

- (i) The work included in Phases I and II may be sanctioned for implementation in the financial years 1959-60 and 1960-61, respectively;
- (ii) The works included in Phase III should be examined in consultation with the Planning Commission and implemented in the Third Five-Year Plan period.

Indians Deported from Khulna

842. Shri D. C. Sharma: Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 403 on the 18th February, 1959 and state:

(a) whether any further effort was made in regard to the re-entry into Pakistan of about 200 Indian nationals who were deported from Khulna, (East Pakistan);

(b) if so, the nature thereof; and

(c) the result achieved?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). There has been no further correspondence with the Government of Pakistan on the subject.

In their last reply, the Pakistan Government alleged that the Indian nationals had entered Pakistan illegally and were deported because they did not possess passports and visas. The State Government of Uttar Pradesh has been asked to furnish passport and visa particulars of the deportees. On receipt of these particulars, and matter will be taken up with the Pakistan Government again.

Allotment of Waqf Properties

843. Shri Ajit Singh Sarhadi: Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No. 23 on the 10th February, 1959 and state:

(a) the names of schools, colleges and hospitals etc. to which Waqf properties of non-religious character have been allotted in Punjab upto now; and

(b) the terms on which this allotment has been made?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 25 such properties have been allotted to educational and cultural institutions. A list showing the names of such institutions is laid on the Table of the Sabha. [See Appendix II, annexure No. 52].

(b) These properties have been leased to the institutions on nominal rent on long term basis subject to the condition that the allottees will be responsible for their proper repair and maintenance.

Survey of Employment Opportunities

844. Shri Shivananjappa: Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have undertaken a Survey of employment opportunities created in the first three years of the Second Five Year Plan, and

(b) if so, the main features of the survey?

The Deputy Minister of Labour (Shri Abid Ali): (a) A Survey has been undertaken of the increase in employment in the public sector since the beginning of the Second Five Year Plan upto 31st December, 1958

(b) Information was called for from all establishments under the Central and State Governments, Local Bodies and Quasi Government establishments regarding the number of persons employed on 31st March, 1956 and 31st December, 1958. The data received is being analysed

Industries in Bombay

845 Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state

(a) whether any of the industries in Bombay State have already reached the targets for capacity set under the Second Five Year Plan, and

(b) if so, the names thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The targets for capacity in the various industries have been fixed in relation to the overall development in the country during the Second Five Year Plan period. It is difficult to fix realistic targets on a State-wise basis as the development of local areas are by and large left to the initiative of

entrepreneurs apart from developments taking place in the public sector in these areas.

दक्षिण अफ्रीका में भारतीय बचचे

८४६. श्री बाबुदेवी : क्या प्रधान मंत्री ३ मार्च, १९५९ के तारांकित पत्र संख्या ८६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या उन १५०० भारतीय बच्चों के सम्बन्ध में, जिन्हें दक्षिण अफ्रीका की सरकार ने शरीरबन्धक रखा हुआ है, समाचारपत्रों में प्रकाशित खबरों की वास्तविकता का पता लगाने में सफलता मिली है ;

(ख) यदि हा, तो इस बारे में तथ्य क्या है , और

(ग) इस सम्बन्ध में सरकार की प्रतिक्रिया क्या है ?

प्रधान मंत्री तथा वेंदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) (क) जी नहीं । पिछले मार्च महीने में मन्दन में भारतीय हाई कमिश्नर इस की कोशिश कर रही है कि बहा के अपने दक्षिण अफ्रीकी सहयोगियों में उन्हें इस सम्बन्ध में सही सूचना मिल जाय । दक्षिण अफ्रीकी हाई कमिश्नर ने २४ मार्च, १९५९ को पत्र मिलने की सूचना तो भजी थी पर अभी तक कोई उत्तर नहीं दिया ।

(ख) समाचार एजेंसी की रिपोर्टों के अनुसार ट्रामवान के शिक्षा-निर्देशक न स्थिति इस प्रकार बतलाई थी :

"पिछले वर्ष की समाप्त पर न्यूक्लेयर स्कूल में १६५० विद्यार्थी थे । इस स्थिति को थोड़ा सुविधाजनक बनाने के लिये श्री न्यूक्लेयर को काले लोगों का क्षेत्र (कमंड एरिया) घोषित कर दिये जाने के कारण, दूनरे-तीसरे-बीचे और पाचवे स्टैंडर्ड में पढ़ने वाले भारतीय विद्यार्थियों को १९५९ का पहला सत्र (फर्स्ट टर्म) शुरू होने पर

लेनासिधा भेज दिया जायगा। इन बिद्यार्थियों को न्यूक्लेयर से सीधे लेनासिधा के स्कूल तक पहुंच मील बन द्वारा भेजने का इंतजाम कर दिया गया है। इस प्रकार, उन्हें रेलवे स्टेशन तक पैदल घाना-जाना नहीं पड़ेगा। पहले घीर कुसरे ब्रेड तथा पहले स्टैंड के जो भारतीय बिद्यार्थी न्यूक्लेयर से रहते हैं, वे फ़िनलान्ड न्यूक्लेयर स्कूल में ही रहेंगे।”

(ग) जब तक ऊपर (ख) में बताई गई स्थिति का ख़टन नहीं किया जाता, तब तक यह प्रश्न नही उठना।

Hindustan Antibiotic Ltd, Pimpri

847. Shri Vidya Charan Shukla: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1239 on the 16th March, 1959 and state:

(a) whether the consideration by the Board of Directors of the Hindustan Antibiotic Ltd, Pimpri of the representations on some other demands has been completed, and

(b) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) The representations referred to in the reply given to Starred Question No 1239 in the Lok Sabha on the 16th March, 1959 relate to the demands of the Hindustan Antibiotic Mazdoor Sangh, Pimpri for revision of pay scales of the lower income group of workers of the Company. As a result of discussions between the Management and the Union it has been agreed that the latter will submit in writing, a formal proposal in this behalf on terms mutually agreed upon. The formal proposal of the Union has not yet been submitted to the Management.

Tenements in Rajabagicha (Cuttack)

848. Shri Panigrahi: Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to

Unstarred Question No. 2704 on the 3rd April, 1959 and state:

(a) whether electric power has since been supplied to the one-roomed single storeyed tenements at Rajabagicha (Cuttack); and

(b) if not, by which time the arrangements are expected to be finally completed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The Orissa Government have since intimated that the internal wiring installation of the industrial housing colony at Rajabagicha is complete, except for service connection and that the area comes within the jurisdiction of Cuttack Electric Supply & Co. and State owned L.T. distribution line does not exist in this area

They have further stated that steps are being taken to supply power to the Labour Colony at Rajabagicha as early as possible

Export of Iron Ore

849. Shri Panigrahi: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1655 on the 3rd April, 1959 and state:

(a) whether the State Trading Corporation purchased any amount of iron ore from the Orissa Mining Corporation during the years 1957-58, 1958-59 and 1959-60 so far, for export through Paradip port;

(b) if so, the amount of iron ore purchased from the Orissa Mining Corporation during the above period; and

(c) whether the State Trading Corporation is purchasing iron ore from any private mine owner for export through Paradip port?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) No, Sir.

(b) Does not arise.

(c) No, Sir.

Out-Posts on Sylhet-Cachar Border

850 Shri Ajit Singh Sarhad: Will the Prime Minister be pleased to state:

(a) whether any new out-posts are being set-up near the Sylhet-Cachar border;

(b) if so, the reasons therefore; and

(c) the total expenditure for setting up these out-posts?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). It would not be in public interest to disclose the details of these border protection arrangements

Coal Field Recruiting Organisation

851 Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state

(a) whether the Government of India have received any representation from the General Secretary, Indian National Mine Workers Federation regarding the extension of the Coal-field Recruiting Organisation to the Chapin Khas Colliery (Sahu and Jain concern) Ramganj Coal belt; and

(b) if so, the steps taken to stop this extension?

The Deputy Minister of Labour (Shri Amd Ali): (a) No

(b) Does not arise.

Statistical Quality Control

852. Shri Keshava: Will the Prime Minister be pleased to state:

(a) the decisions arrived at the Statistical Quality Control Conference held at Calcutta in December, 1958, and

(b) whether any of them has been accepted by Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) This Conference was not intended to take decisions. Its object was to provide an opportunity to those

interested in Statistical Quality Control to review progress and exchange experience regarding organisation and techniques.

(b) Does not arise. A brief summary of the proceedings of the Conference is laid on the Table of the House [See Appendix II, annexure No 53]

Compensation to Displaced Persons

853 Shri Keshava: Will the Minister of Rehabilitation and Minority Affairs be pleased to state the total amount of compensation paid to displaced persons in India so far?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): An amount of Rs 1,14,08,63 4/2 has been paid as compensation against verified claims to the displaced persons from West Pakistan upto the 30th June, 1959 as follows:—

(i) By Cash Rs 54,54,18,951.

(ii) By transfer of properties Rs 41,16,12,150

(iii) By adjustment of public dues Rs. 18,38,82,371.

Nav-Vidhan Audyogik Sahakari Mandal

854 Shri Assar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Nav-Vidhan Audyogik Sahakari Mandal was started in Poona in the year 1956 to manufacture Radio transformers;

(b) if so, what is the output from 1956 to the 30th April, 1959;

(c) whether Government have given any loan to the above Mandal to start their production;

(d) if so, the amount given and how much of it has been recovered uptill now;

(e) whether it is also a fact that the Mandal is running at heavy loss; and

(f) if so, what is the loss and the steps taken by Government?

The Minister of Industry (Shri Manubhai Shah): (a) to (f). A statement is laid on the Table of the House. [See Appendix II, annexure No. 54].

Films Division

855. Shri Bibbuti Mishra: Will the Minister of Information and Broadcasting be pleased to state:

(a) the expenditure incurred on the Films Division in 1958-59;

(b) the number of documentary films produced;

(c) the amount spent on the staff; and

(d) the amount spent on production of films excluding the staff during this year?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Rs. 73,98,712.

(b) 101.

(c) Rs. 22,74,801.

(d) Rs. 45,39,601.

Slum Clearance in U.P.

856. Shri S. M. Banerjee: Will the Minister of Works, Housing and Supply be pleased to state:

(a) what amount has been allotted to U.P. for slum clearance scheme for Kanpur during 1958-59; and

(b) the total amount likely to be sanctioned during the remaining period of the Second Five Year Plan?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The U.P. Government allocated a sum of Rs. 43 lakhs to Kanpur under the Slum Clearance Scheme during 1958-59. A further sum of Rs. 68 lakhs is likely to be allocated by them to Kanpur during the remaining period of the 2nd Five Year Plan.

National Productivity Council Delegations Abroad

857. { Shri Muhammed Elias:
Shri Aurobindo Ghosal:

Will the Minister of Commerce and Industry be pleased to state:

(a) how many delegations will be sent abroad by the National Productivity Council in the years 1959 and 1960;

(b) which countries will be visited by them;

(c) what amount has been given by the Technical Co-operation Mission of the U.S.A. for this purpose; and

(d) whether any terms and conditions are imposed by the Technical Co-operation Mission of America on this amount?

The Minister of Industry (Shri Manubhai Shah): (a) Provision exists for sending seven teams in 1959 and 15 teams in 1960.

(b) Itineraries of the teams so far finalised cover Italy, U.S.A. Japan, Switzerland, West Germany, France, Sweden, Holland and the U.K.

(c) The Technical cooperation Mission of the U.S.A. will meet all foreign exchange expenditure of these Teams on international travel and per diem allowance, amounting approximately to \$ 1,94,250.

(d) None.

Central Public Works Department

858. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the Ajmer Central Division, Simla Central Division and U.P. Central Public Works Division of the Central Public Works Department have Electrical sub-Division attached to them; and

(b) if so, the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Yes.

(b) For administrative convenience.

Production of Fertilizers

859 Shri Bikhari Mishra: Will the Minister of Commerce and Industry be pleased to state.

(a) whether it is a fact that the cost of production of fertilizers produced by various factories in the country differ greatly, and

(b) if so, the reasons thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir

(b) The cost of production varies among other factors due to the difference in

- (i) the size of the units,
- (ii) the processes adopted,
- (iii) the raw materials used and distances involved,
- (iv) cost of electric power generated or purchased etc

T.B Hospital at Hyderabad

860 { Shri Kunhan:
Shri T B Vittal Rao

Will the Minister of Labour and Employment be pleased to state

(a) the reasons for delay in the reservation of five beds for the coal miners of Andhra Pradesh in the T B Hospital at Hyderabad by the Coal Mines Welfare Fund Organisation.

(b) whether Government are aware of the hardship experienced by workers suffering from tuberculosis, and

(c) when the arrangements for the reservation is likely to be finalised?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c) There has been requested to complete the issue of necessary orders to the hospital authorities from the State Government. The State Government has been requested to complete the arrangements urgently

Allocation to Hyderabad

861 Shri M. Sampure: Will the Minister of Planning be pleased to state:

(a) the total amount allotted to the erstwhile Hyderabad State in the Second Five Year Plan,

(b) how this amount was re-allocated in 1956 when the State was bifurcated at the time of re-organisation of States,

(c) the share of the amount allotted to the districts of Gulbarga, Bidari and Raichur forming the Hyderabad-Karnatak area of the present Mysore State, when these districts were transferred to the Mysore State, and

(d) out of the total amount allotted to these districts, how much money has been spent so far, for the development of this area?

The Deputy Minister for Planning (Shri S N Mishra). (a) Rs 100 21 crores

(b) The outlay under the State Plan was divided after taking into consideration population area, location of specific projects etc and in consultation with all concerned

(c) The share of the Hyderabad Karnataka area in the total Plan outlay of former Hyderabad was Rs 18 62 crores

(d) Figures of expenditure incurred for the development of this area are not available separately

Cement Production

862. Shrimati Ila Palchoudhuri: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the production of cement in India has exceeded the demand, and

(b) if so, by how much?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The present monthly rated capacity of the cement factories in the country is

6,00,000 tons while the monthly demand for cement is of the order of 9,10,000 tons. The current average monthly production, however, is about 6,00,000 tons

Nepa Newsprint Factory

303. { Pandit Munishwar Dutt
Upadhyay;
Shri M. L. Dwivedi:

Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the Nepa Newsprint factory has made profit during 1958-59, and

(b) if so, whether there has been any reduction in the price of news print as a result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) The accounts for the year 1958-59 have not yet been finalised

(b) There has been no reduction in price

Factories Act, 1948

304. Shri K. N. Pandey. Will the Minister of Labour and Employment be pleased to state

(a) whether the Factories Act, 1948 is applicable to the workers employed on construction works; and

(b) if not, the steps taken to regulate the safety of workers employed on construction works involving digging, mounting upon walls and working with the help of scaffolds?

The Deputy Minister of Labour (Shri Abid Ali): (a) No

(b) Draft regulations for the safety, health and welfare of labour employed in works of engineering construction have been framed and are being finalised in consultation with the authorities concerned

Pashmina Wool

305. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state

(a) the names of the countries which produce Pashmina Wool, and

(b) the quantity of Pashmina Wool imported from those countries annually?

The Minister of Commerce (Shri Kanungo): (a) Tibet

(b) Precise figures are not available but average annual imports are estimated to be of the order of 4,000 maunds

Amenities for Bhusandapur Colony

306 Shri Panigrahi. Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) whether the displaced persons now settled in Bhusandapur Colony in Orissa have represented to Government for establishing a high school and a hospital in the Colony,

(b) whether Government have any such proposal under their consideration, and

(c) if so, by what time these proposals are likely to be implemented?

The Deputy Minister of Rehabilitation (Shri P S Naskar): (a) Yes

(b) and (c) A health centre has already been sanctioned by this Ministry, and the construction of the building is in progress

The State Government is considering the proposal to set up a high school

पाकिस्तान में पशुओं का निर्यात

166 { श्री प्रकाश चौर शास्त्री,
श्री बाजवर्मा :

क्या बाहिरकम तथा उद्योग मंत्री यह बतान की कृपा करेग कि :

(क) क्या हान ही म कुछ पशु भारत से पाकिस्तान निर्यात किये गये थे, और

(क) यदि हा, ती कोण निर्यात किये गये थे और उन की संख्या कितनी है ?

वाणिज्य तथा उद्योग उपसचिवी (जी अतीस अम्ह) (क) जी हा ।

(ख) लगभग २३ हजार ६० मूल्य के ६ षोडे पविचयी पाकिस्तान का जनवरी से मई १९५६ की अवधि मे निर्यात किये गये थे ।

Displaced Persons in Tripura

868. Shri Dasaratha Deb Will the Minister of Rehabilitation and Minority Affairs be pleased to state

(a) the total number of litigations that have been started in respect of lands allotted to displaced persons rehabilitated in the colonies of Tripura

(b) the total number of displaced persons who got punishment in such litigations

(c) whether the Tripura Administration bears litigation costs in such cases, and

(d) if not what are the reasons for not bearing litigation costs in these cases?

The Deputy Minister of Rehabilitation (Shri P S Naskar) (a) 88

(b) 9

(c) Yes, in all deserving cases, where litigations have arisen directly from allotments of land made by Tripura Administration

(d) Does not arise

Wool Tops

869 Shri Hem Raj. Will the Minister of Commerce and Industry be pleased to state

(a) the number of wool tops produced in the country and imported from foreign countries for the manufacture of wool yarn during the period from 1957 to 1959

(b) whether it is a fact that the All India Woollen Spinners' Association has asked for the setting up of a spinning mill for this purpose in Punjab, and

(c) if so, the steps Government propose to take in the matter?

The Minister of Commerce (Shri Nityasand Kanungo): (a) Wool tops are not produced in the country. Imports of wool tops during the period 1957 to 1959 is given in the statement below

(b) and (c) The Association has made a proposal to the Textile Commissioner for setting up a wool combing plant which is under consideration

STATEMENT

Statement showing the quantity and values of wool tops imported from foreign countries during the year 1957 to 1959 January-April

Year	Quantity (in lbs)	Value (in rupees)
1957	1 62 00 000	11 23,00,000
1958	1,58,00,000	9 55,00,000
1959 (January-April)	2 00 00 000	2 90,00,000 (approximate)

Import Quota of Calcium Carbide

870 Shri Anrobindo Ghosal. Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the import quota of Calcium Carbide has been reduced this year and

(b) if so by what quantity and why?

The Minister of Commerce (Shri Kanungo). (a) Yes, Sir

(b) the quota has been reduced from 25 per cent to 15 per cent, i.e., approximately from 5,000 to 3,000 tons during April-September, 1959 including

period in order to conserve foreign exchange and to prevent accumulation of stocks with the indigenous producers.

Expenditure on Second Five Year Plan

871. Shri M. E. Thakore: Will the Minister of Planning be pleased to state.

(a) whether it is a fact that the Second Five Year Plan expenditure in UP State is lagging far behind the schedule, and

(b) if so, the reasons therefor?

The Deputy Minister for Planning (Shri S. N. Mishra): (a) No

(b) Does not arise

Compensation for Lands owned by Indians in Burma

872. Shri Subbiah Anbalam Will the Prime Minister be pleased to state

(a) the amount of compensation that is due to be paid by the Burma Government to Indian nationals as compensation for the lands owned by them,

(b) whether negotiations have been carried on for early payment of compensation, and

(c) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). (a) The Land Nationalisation Department of the Government of Burma does not maintain nationality-wise statistics of the lands resumed by them. No authentic information of the total compensation due to Indian nationals is therefore available

(b) and (c) The award of compensation for the resumed lands, and its payment in accordance with the due processes of law, necessarily involves some time. The Burmese law on the subject does not discriminate between Indian land owners and others in this matter. All claims duly supported by valid documents, and otherwise in order, are paid as soon

as the legal formalities have been completed. The Government of India had, therefore, no occasion to undertake negotiations for the early payment of these claims

Indians in Shanghai

873. Raja Mahendra Pratap: Will the Prime Minister be pleased to state:

(a) whether it is a fact that some Indians are still stranded in Shanghai,

(b) if so, their number, and

(c) what arrangements Government have made to help them?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Some Indians are still in Shanghai, but as far as the Government is aware none of them are stranded

(b) Seventy-nine

(c) Does not arise

Indian Delegation sent Abroad

874. Shri Pahadia: Will the Prime Minister be pleased to state

(a) how many delegations were sent abroad during the year 1958-59,

(b) whether this number is more than in the preceding year,

(c) if so, whether the expenditure is also more, and

(d) whether all the delegations were official or non-official?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). (a) to (d) Information is being collected and will be placed before the House

Production of Silk Yarn

875. Shri Shankaralya: Will the Minister of Commerce and Industry be pleased to state:

(a) the installed capacity of Silkatures in different States;

(b) the quantity of Silk Yarn produced by them during the last three years;

(c) the steps taken to have maximum production of silk yarn; and

(d) the steps taken to raise the standard of flature silk yarn to international standards?

The Minister of Industry (Shri Mansubhai Shah): (a) and (b). A statement is placed on the Table. [See Appendix II, annexure No. 55].

(c) The various schemes which are being implemented in the States are designed to achieve maximum production of raw silk in India

(d) Since the quality of flature raw silk depends mainly on the quality of cocoons, the State Governments have undertaken schemes intended to bring about improvement in the quality of cocoons by selection of suitable races of silk worms and mulberry besides modernisation of the flature machinery.

Conference of Rehabilitation Ministers

876. { Shri S. A. Mehdi:
Shri Hem Raj:
Shri Ajit Singh Sarhad:
Shri Sadhan Gupta:

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

(a) whether a Conference of Rehabilitation Ministers was held at Srinagar during July, 1959; and

(b) the decisions taken by Government at that Conference?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b) A conference of Rehabilitation Ministers was held at Srinagar in the last week of June 1959. This conference was held mainly to consider the residual problems relating to the rehabilitation of displaced persons from West Pakistan and to plan out the completion of that task, if possible, by the end of the current financial

year. No far reaching decisions were thus required to be taken at the conference. Its deliberations consisted primarily of the consideration of the residuary problems of the Ministry and steps to be taken to expedite their disposal and to remove bottlenecks or obstacles in the process.

Training within Industry Scheme

877. Shri P. K. Deo: Will the Minister of Labour and Employment be pleased to state:

(a) the number of supervisors of the various industries who have been trained under the "Training Within Industry Scheme" sponsored by Government; and

(b) how many of them belong to industries in private sector and in public sector?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Bombay Centre has so far trained 173 training officers from various establishments, who have in turn trained about 37,000 supervisors in Training-within-Industry programmes of job instruction, job method and job relations.

(b) Of the 173 training officers so far trained, 141 are from the private sector and the remaining 32 from the public sector. The breakdown of the number of supervisors trained by these training officers in their respective sectors is not available.

Public Sector Industries Conference

878. { Shri Tangamani:
Shri T. B. Vittal Rao:

Will the Minister of Labour and Employment be pleased to state:

(a) whether any date has been fixed for convening the adjourned meeting of the Public Sector Industries Conference held on the 21st January, 1957, and

(b) if so, the venue, date and agenda of the Conference.

The Deputy Minister of Labour (Shri Abid Ali): (a) The Public

Beqter Conference was of ad hoc nature and completed the agenda which was placed for its consideration.

(b) Does not arise.

Consulates of India in the Middle East

879. Shri S. A. Mahdi: Will the Prime Minister be pleased to state:

(a) how many new Consulates have been opened in the Middle East by India during 1959 so far;

(b) the names of the countries where they have been opened; and

(c) the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) None.

(b) and (c). Do not arise.

Expenditure on Indian Embassies

880. Shri Daljit Singh: Will the Prime Minister be pleased to state:

(a) the expenditure incurred on the Indian Embassy office in U.S.S.R., U.S.A. and Japan during 1958-59;

(b) whether there has been any increase in the expenditure of that year as compared to the previous year; and

(c) if so, the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The final book- ed figures of expenditure for 1958-59 are not yet known as the accounts have not been finally closed. The comparative position of the actuals for 1957-58 and the departmental figures of actuals for 1958-59 in respect of the grants controlled by the Ministry of External Affairs is as follows:

Countries	1957-58	1958-59	Excess (+) or Saving (-)
	Rs.	Rs.	
1. U.S.S.R (Embassy of India, Moscow)	10,55,467	8,41,862	(-) 2,13,605
2. U.S.A (Embassy of India, Washington Information Section, Washington; Consulate-General, New York; Information Section, New York, and Consulate-General, San Francisco)	48,12,383	47,70,158	(-) 42,225
3. Japan (Embassy of India, Tokyo, Information Section, Tokyo, and Consulate of India, Kobe)	9,05,266	9,45,428	(-) 40,162

(c) There has been no increase in expenditure on the offices in U.S.S.R., and U.S.A. The small increase of Rs. 40,162 in Japan is due to the following reasons:

(i) More expenditure on cost of passages, outfit allowance, transfer

grant etc. due to transfers.

(ii) Additional expenditure on travelling allowance payable to officers and staff of the Mission on account of the President's visit.

(iii) Upward revision in the rates of foreign allowance with effect from 1-12-1957.

Import of Watches and Clocks

881. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of watches and clocks imported during 1959 so far;

(b) whether the import of clocks and watches has been banned; and

(c) if so, the reason thereof and its effect on the market?

The Minister of Commerce (Shri Kannego): (a) The value of watches and clocks imported during January-May 1959 are as follows:

Watches	Rs 45,000
Clocks	Rs 370,000
	<hr/>
TOTAL	Rs 415,000
	<hr/>

(b) Yes, Sir

(c) The ban has been imposed on the import of watches and clocks on account of foreign exchange consideration. With the imposition of ban on their import, the prices of watches and clocks showed an upward trend but recently the prices of clocks have gone down appreciably.

Nangal Fertilizers and Chemicals Ltd.

882. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of employees (Class-wise) in the Nangal Fertilizers and Chemicals Limited, Naya Nangal at present, in all the departments;

(b) the number among them belonging to oustees (Class-wise);

(c) the number among them belonging to Scheduled Castes in all the departments (Class-wise);

(d) whether it is a fact that no preference is being given at the time of selection to candidates belonging to the Scheduled Castes;

(e) if so, the reason therefor; and

(f) the action being taken by Government in this regard for the welfare of the Scheduled Castes?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table. [See Appendix II, annexure No 56].

(d) to (f). The Government have issued a directive for the observance of the communal reservation orders applicable to Government Departments and the Company is following them to the extent possible

Export of Zardozi Handbags to Czechoslovakia

884. Shri S. A. Mehdi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Czech Government has placed an order for 7,000,000 zardozi handbags from U.P.;

(b) if so, whether the same has been executed;

(c) whether the same was executed through State Trading Corporation; and

(d) what is the total price of the order?

The Minister of Industry (Shri Manubhai Shah): (a), (b) and (d) The Central Government does not have any information about this matter so far

(c) The State Trading Corporation has not executed any such order.

Training of Announcers by the All India Radio

885. Shri S. A. Mehdi: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the Railway Board had requested the All India Radio to train their Announcers and

(b) if so, how many were trained by All India Radio till July, 1959?

The Minister of Information and Broadcasting (Dr. Kankar): (a) Yes, Sir.

(b) Thirteen

Arrest of a Pakistani National

886. Shri P. C. Borooah: Will the Prime Minister be pleased to state.

(a) whether it is a fact that a Pakistani national was arrested on the Khalra border on the 29th July, 1959;

(b) if so, the details of the incident, and

(c) whether it is a fact that a map of India and Pakistan was recovered from his person?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c) A report has been called for from the local authorities, and information will be laid on the Table of the House when received

Muslims from Kashmir for Haj

887. Shri P. G. Deb: Will the Prime Minister be pleased to state how many Muslims from Kashmir went for Haj during this year?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 237

Sikh Pilgrims to Pakistan

888. Shri P. G. Deb: Will the Prime Minister be pleased to state

(a) how many Sikh pilgrims were permitted by Pakistan to visit their shrines in Lahore in June, 1959, and

(b) how many actually visited Lahore for the said purpose?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) 1,000

(b) 360.

Development Council for Automobiles, Automobile Ancillary Industries and Transport Vehicle Industries

889. Shri P. G. Deb: Will the Minister of Commerce and Industry be pleased to state the decisions taken at the meeting of the Development Council for Automobiles, Automobile Ancillary Industries and Transport Vehicle Industries held in New Delhi in July, 1959?

The Minister of Industry (Shri Manubhai Shah): The meeting of the Development Council held in New Delhi on the 13th July, 1959 was its first meeting at which there was general discussion on the programme of work of the Council and it was decided to form the following five sub-committees who will study the different problems assigned to each and make suitable recommendations to the Council

(i) Sub-Committee to study the demand and capacity for the production of important and special components for the Automobile Industry;

(ii) Sub-Committee on Standardisation and for assessing demand for raw materials,

(iii) Sub-Committee on Price Control and Distribution of components of Automobile and Related Industries,

(iv) Sub-Committee on Quality Control and Testing, and

(v) Sub-Committee to study the cost of different vehicles

12 hrs.

MOTION FOR ADJOURNMENT

Reported statement by Prime Minister of Ceylon re baton-charging of certain Indian nationals by Ceylonese Police

Mr. Speaker: I have received notice of an adjournment motion from Shri Vajpayee and Shri U. L. Patil on the following subject:

"The embarrassing situation arising out of the reported statement made by the Prime Minister of

[Mr. Speaker]

Ceylon that the police acted against the Indians demonstrating before the Indian High Commission on August 10, 1959 at the request of the Indian High Commissioner himself and that no official regrets have been expressed over this incident, contradicting thereby the statement made by the Prime Minister of India in Lok Sabha on August 12, 1959 "

May I know what the position is?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): First of all, Sir, it is not safe for me or for the hon. Member to proceed on odd sentences in a newspaper report. I should like to have full reports and I should like to place before the House exactly what the Prime Minister of Ceylon has said. But, apart from that, even today in two different newspapers, different accounts appear. In one of the newspapers it is said Prime Minister Bandarnaik in a press statement regarding the police action on demonstrators on Monday in the Indian High Commission precincts today said, "It is regretted that such an incident should have taken place, but it is not possible to attach blame to any one in the circumstances of the case." You see, Sir, the thing is different here.

On the last occasion what I said was—I did not say something which unfortunately was given in headlines in the press, viz., "Ceylon Government expresses regret"—that when the information of this was telephoned to the Permanent Secretary of the Ceylon Government—these are my words—"he said that this episode was unfortunate and he was sorry that this should have happened in our Embassy", which is a perfectly correct remark to make. To make this a kind of official regret of the Ceylon Government would not be a correct statement, but somehow this was misunderstood, and Mr. Bandarnaik, if he is given to understand by our newspapers that this was an official

regret, is perfectly right in saying that as a matter of fact he is enquiring into the matter.

Therefore, I would suggest that the matter really is not of high importance except for the fact that it seems to be very undesirable that Indians in foreign countries should function in a way which creates these difficulties. It is an important matter. They can do what they like in our country, but in a foreign country they should not function against each other, especially against our Mission which, of course, is a connecting link between our country and the other country.

You will remember, Sir, that on the last occasion I said that when our High Commissioner heard that a demonstration was going to be held the next morning, he informed the External Affairs Ministry of the Ceylon Government that he had heard of this news. Thereafter the DIG of Police telephoned to him and said something to the effect that he proposed sending a police force. Our High Commissioner said, according to that report, that he did not think there was going to be any trouble and perhaps it would not be necessary to do this. Therefore, again the DIG said that anyhow he would keep a watch. Our trying to catch what somebody said during a telephone conversation, a word here and there and the interpretation is rather difficult. This is the broad impression that we got and I reported to the House.

I do not think that there is anything of high importance, that is, that the Ceylon Government invaded our territory etc. That is not correct. It may be an action taken by a local police officer or somebody there in a hurry. Of course, the whole thing lasted a minute or two.

Anyhow, we must have a proper account of what the Ceylon Prime Minister said after his enquiry before we can say anything more definite about this.

Shri Vajpayee (Balrampur): May I know who expressed regret to whom?

Shri Jawaharlal Nehru: I have just made out again. On our High Commissioner telephoning to the Permanent Secretary of the Ceylon Government—I do not quite know he is a member of the service there—the Permanent Secretary said (this is what I said on the last occasion) that this episode was unfortunate and he was sorry that this should have happened in our Embassy. This is what I said on the last occasion.

Shri Narayanaankutty Menon (Mukandapuram): May I know whether the Prime Minister would be pleased to place before the House the authentic information when it is available? Apart from the newspaper report, may I know whether the Government would place on the Table of the House the statement of the Ceylon Prime Minister when available?

Shri Jawaharlal Nehru: Presumably the Ceylon Prime Minister's statement, if it is a public statement, will no doubt appear in the press fully, if it is not a public statement, then I will not be able to place it.

Shri T. B. Vittal Rao (Khammam): It is a public statement.

Mr. Speaker: In view of what the Prime Minister has said, I do not give my consent to the adjournment motion.

12.05 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF NAHAN FOUNDRY PRIVATE LIMITED

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table, under sub-section (1) of section 639 of the Companies Act, 1956, a copy of the Annual Report of the Nahan Foundry Private Limited for the year 1957-58 along with the Audited Accounts and comments of the

Comptroller and Auditor-General thereon. [Placed in Library, See No. LT-1531/59]

CERTIFIED ACCOUNTS OF COIR BOARD

Shri Manubhai Shah: I beg to lay on the Table, under sub-section (4) of section 17 of the Coir Industry Act, 1953, a copy of each of the certified Accounts of the Coir Board for the years 1955-56 and 1956-57, together with the Audit Reports thereon. [Placed in Library, See No. LT-1532/59]

ANNUAL REPORT OF EMPLOYEES' STATE INSURANCE CORPORATION

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table, under section 36 of the Employees State Insurance Act, 1948, a copy of the Annual Report of the Employees' State Insurance Corporation for the year 1958-59, along with the Revised Estimates for 1958-59 and Budget Estimates for 1959-60. [Placed in Library, See No. LT-1533/59]

COAL MINES PITHEAD BATH RULES

Shri Abid Ali: I beg to lay on the Table, under sub-section (7) of section 59 of the Mines Act, 1952, a copy of the Coal Mines Pithead Bath Rules, 1959, published in Notification No. S O 1711 dated the 1st August, 1959. [Placed in Library, See No. LT-1534/59]

AMENDMENTS TO DISPLACED PERSONS (COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): I beg to lay on the Table, under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. G.S.R. 896 dated the 1st August, 1959, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. [Placed in Library, See No. LT-1535/59].

12.07½ hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce Government Business for the next week will consist of—

- (1) Discussion on the Resolution approving the proclamation issued by the President assuming to himself all the functions of the Government of Kerala
- (2) Further consideration and passing of the Oil and Natural Gas Commission Bill, 1959
- (3) Consideration and passing of the International Monetary Fund and Bank (Amendment) Bill, 1959
- (4) Discussion and voting of the Demands for Excess Grants (General) for 1956-57
- (5) Consideration and passing of —
 - (a) The Arms Bill, 1959, as reported by the Joint Committee
 - (b) The Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959
- (6) Discussion on the Third Annual Report of the National Small Industries Corporation Private Limited for the year 1957-58 laid on the Table of the House on the 27th April, 1959, on a motion to be moved by Shri Harish Chandra Mathur at 3 p.m. on 20th August
- (7) Discussion to be raised by Dr. Ram Subhag Singh and others on 21st August on the rise in foodgrains prices in the country with special reference to West Bengal where levy and price control on rice has been withdrawn.

12.08½ hrs.

STATEMENT RE: ACCIDENT TO KALKA-DELHI-HOWRAH MAIL

The Deputy Minister of Railways (Shri Shahnawas Khan): I regret to inform the House of an accident to 2 Dn. Kalka-Delhi-Howrah Mail at about 23.55 hrs on 13-8-1959 near Shiusagar Road Station on the Moghalsarai-Gaya Grand Chord section of the Eastern Railway, about 52 miles from Moghalsarai. While the tram was on the run between Khurmabad Block Hut and Shiusagar Road Station, the train engine and 8 bogies next to it got derailed. As a result of the accident, 9 persons were injured, of whom 2 are reported to have suffered serious injuries.

Necessary medical relief had been rushed to the site. The injured persons were attended to by the Railway Doctors on arrival. The two seriously injured persons have been sent for admission into the Gaya Civil Hospital.

The transhipment of passengers of 2 Dn Mail and their luggage has been done and they have proceeded on their journey to Howrah.

The General Manager, Eastern Railway, accompanied by the Government Inspector of Railways, Calcutta, and the Departmental Heads concerned left Calcutta by air at 9.00 hrs for Patna and will proceed further by road to the site of the accident. The Government Inspector of Railways will hold a statutory enquiry into the cause of the accident. The District Magistrate and Superintendent of Police, Arrah, have also left for the site of the accident.

1 Up and 3 Up Mails and 9 Up Express have been diverted from Gaya via Gaya-Patna Branch line and 4 Dn Mail and other down trains will be diverted from Moghalsarai via Main Line and Patna-Gaya Branch.

to Matter of Urgent
Public Importance

12-09) hrs.

CALLING ATTENTION TO
MATTER OF URGENT PUBLIC
IMPORTANCEINDIAN ARMY'S ASSISTANCE DURING
KASHMIR FLOODS

Shri Vajpayee: Under rule 197, I beg to call the attention of the Minister of Defence to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The assistance rendered by the Indian Army to the people of Jammu and Kashmir during the recent floods."

The Minister of Defence (Shri Krishna Menon): Mr Speaker, Sir, a statement of 'the assistance rendered by the Indian Armed Forces to the people of Jammu and Kashmir during the recent floods' has necessarily not only to be brief, but has to be largely of a general character, having regard to the fact that, as the House knows, special considerations apply to the State of Jammu and Kashmir, which is an operational area, and any statement of particulars and details while being accurate have to be governed by reasons of national security and the fact that troop dispositions and details, of course, are part of this consideration.

The armed forces positioned in the State have been available to render all possible aid, and it is gratifying to feel that their participation has been welcome to the people and the State Government. Because of the knowledge of the area and of previous years' conditions, the forces and their commanders were fully alive to the situation, and no time was lost in their becoming fully operative. Land communication had become impossible. Reconnaissance of the flooded area from the air was made very soon after the floods set in, by the high-ranking officers at Defence Headquarters, including Chiefs of Staff and Defence Ministry officials, along with the State authorities.

The first warning of floods in the Srinagar Valley which is generally issued when it rains heavily for about twelve hours was given at seven o'clock on the morning of 4th July last. Army Units in the area were thereupon alerted. A combined headquarters consisting of representatives of the civil authorities, the Army and the Air Force was set up at Srinagar to co-ordinate rescue and relief work and other assistance that may be required by the Armed Forces in view of the disaster that threatened. The situation appeared to deteriorate rapidly on the 6th July. Army patrols were thereupon detailed on a round-the-clock basis to watch the breaches on the banks of the river Jhelum and to strengthen weak points with sand bags etc.

In the Jammu sector, the flood warning was issued by the State Government on the 5th July at 7-15 A.M. Troops were deployed immediately to render assistance to the civil authorities and to strengthen bunds wherever required. The Army prepared for evacuation of civilians in the low lying areas and the issue of boats and other requisites. While general particulars of damages, to highways, bridges and other structures and places may as far as possible be given, description has necessarily certain limitations in regard to this part of India

In the Valley, Army engineers brought back to use four important roads. Troops were deployed for the evacuation of civilians and both Army road transport and boats were detailed for anti-flood measures. Tens of thousands of sand bags from Army stocks were diverted to meet the fury of the flood and to save important areas and points from disaster. Flour had to be released from limited Army stocks for urgent and immediate relief to flood victims. Similarly, tens of thousands of gallons of fuel had to be loaned to the trade to meet the requirements of the public and of the tourists who were stranded in many-

[Shri Krishna Menon]

places. The Army Medical Authorities had to give attention to civilian cases and casualties amounting to more than eight thousand, to meet the threat of the epidemic that often follows a flood. T.B., small-pox and anti-cholera inoculations on an extensive scale had to be undertaken by the Armed Forces Medical Services. Similarly, preventive measures had to be undertaken in the villages affected by the flood, by DDT spraying and other methods on a large scale. Some eight medical teams had to be despatched to various points in the Srinagar area.

In the Rajauri-Poonch area land slides, washed away roads and other damages had to be repaired and restoration work done, and a number of bridges had to be constructed within short periods.

In the Jammu area also, Army personnel had to be employed for similar work and for making good the breaches in the banks and protective bunds of the river Tawi.

Army engineers and troops were deployed to assist to bring into commission the Pathankot-Srinagar road which had been breached in many places. Six major bridges had to be constructed, the work being done on a non-stop basis until completion. A number of other bridges and culverts had also to be similarly restored at the same time. The town of Banihal and the Banihal bridge which faced danger of being washed away was protected by counter-measures and fortunately, both the town and the bridge were saved.

The extent of the damage and the volume of consequent assistance may be stated in general terms as follows:

In and around Srinagar, a total length of nearly three hundred miles of roadways and breaches, partial or full destruction of communications at over fifty places including some eighteen bridges and culverts had to be effectively dealt with and very soon

In the Rajauri-Poonch area, similarly, the damage which had to be restored extended to twenty-one miles of roads, including seven bridges which were completely destroyed by the floods.

In and around Jammu, one hundred miles of roads and tracks in over thirty-seven places had to be restored.

In far off Leh, one bridge, and ten miles of roads suffered destruction and were repaired.

Srinagar airfield which is on high ground, and therefore, escapes floods, however, was isolated on account of the damage to the roads leading to it, thus creating a problem in respect of the tourists that had to be repatriated. These roads, where possible of repair, were repaired, and where it was impossible, diversions were built. The Indian Air Force carried out many sorties for reconnaissance of the flood-affected areas to enable counter-measures to be planned and taken. They were also able to respond to requirements of air-lift essential supplies of Red Cross stores and other relief.

Government would not like to give the impression to the House that the Armed Forces alone were available and rendered the required assistance to meet the menace and the harm inflicted by the catastrophe. The resources of the State Government were both extensively and promptly organised under the leadership of the Prime Minister of Jammu and Kashmir and manned both by the volunteers and official personnel. The resources of the Central Government were also available to the State. All necessary branches of administration of the Central Government, more especially, the Ministry of Food and Agriculture, the Ministry of Health and the Ministry of Communications in a large and considerable measure were engaged in meeting the havoc

The Indian Airlines Corporation carried out as many as 162 additional flights between Srinagar and Jammu/Pathankot. They airlifted some four thousand passengers in addition to their normal flights.

Government are glad to report to the House that the personnel of the Armed Forces in addition to their assigned duties responded as citizens to the aid and succour of the afflicted people, voluntarily, and in considerable measure.

I, however, regret to inform the House that some twenty-two Army personnel lost their lives. I feel sure that the House would like me to convey to the next-of-kin and their families of these dead men our abundant sympathy, and also our appreciation of the prompt and spontaneous response of Army personnel in all ranks to render assistance to the civilian population—men, women and children—to the best of their ability.

The account that has now been given, as required by this occasion, has to be restricted to the assistance rendered by the Armed Forces. The House is already aware both of the extent of damage and the extent of reparation and relief rendered by Governments, State and Central; and by voluntary authorities and organisations, both from the statements made in this House and from the reports that have appeared in the press.

Mr. Speaker: I am sure, as the Defence Minister has said, our sympathies go forth to the families of the twenty-two or twenty-three members of the Armed Forces who have lost their lives. We also appreciate the excellent work that has been done by the Armed Forces, and we hope that if necessary they will continue to do so.

12-16 hrs.

**MOTION RE: RISE IN SUGAR
PRICES**

श्री कुसुमवन्त राय (शेरी) : माननीय अध्यक्ष महोदय, जो प्रस्ताव मेरे सामने है उस को मैं उपस्थित करना चाहता हूँ :

“कि यह सभा चीनी के बितरण के बारे में सरकार की नीति पर चिन्ता प्रकट करती है और सरकार से अनुरोध करती है कि वह चीनी के मूल्य में वृद्धि और चीनी के व्यापारियों द्वारा मुनाफाखोरी को रोकने के लिये उपयुक्त कार्यवाही करे।”

श्रीमान्, मैं आप का बहुत आभारी हूँ कि आप ने मेरे प्रस्ताव को स्वीकार कर के मुझ को विवाद में हिस्सा लेने का अवसर दिया। साथ ही साथ मैं माननीय मंत्री पार्लियामेन्टरी अफेयर्स का भी आभारी हूँ कि उन्होंने ने इस विवाद के लिये समय निकाला।

हमारी सरकार, कांग्रेस सरकार, सन् १९४७ में बनी थी और उस के बाद से दो साल ऐसे आये हैं कि जिन में सबकर के मिस मालिकों ने और सबकर का रोजगार करने वालों ने उपभोक्ताओं की पूरी पूरी जूट की। सन् १९४९ में ऐसा अवसर आया और उस समय भी इस सभा में इस प्रश्न पर विवाद हुआ था। उस समय हमारे वर्तमान मंत्री जी यकी नहीं थे। वह एक साधारण सदस्य थे जैसाकि मैं इस समय हूँ। और उस समय उस विवाद में बोलते हुए उन्होंने ने कहा था :

“The consumer was fleeced of no less than a sum of Rs. 6 to Rs. 8 crores, when the Government sat calling conferences, meetings, and committees, when every housewife was worried

[श्री सुशबन्त राय]

that she could not sweeten her child's milk with a pinch of sugar. Government was fiddling with committees, boards and conferences"

उस समय हमारे श्री अजित प्रसाद जैन ने उस समय की सरकार पर यह चार्ज लगाया था कि जब घर की औरतों को एक एक चम्मच चीनी नहीं मिलती थी उस समय सरकार कमेटीया, कानफरेसे और बोर्ड बुला रही थी। अब इस मार्च से ले कर इस समय तक मंत्री जी ने जो शहरों और गांवों के अन्दर चीनी के दाम बढ़े उस के बारे में क्या किया। उस समय की सरकार ने तो कमेटीया, कानफरेसे और बोर्ड बुलाये थे। पर मंत्री जी के मन्त्रालय ने तो इस बार कोई ऐसा नहीं किया।

श्री बजरंग सिंह (फिरोजाबाद)
कमेटीया बन्द कर दीं।

श्री सुशबन्त राय · कमेटीया बन्द हो गई और कानफरेसे बन्द हो गई।

सन् १९४९ में मंत्री जी के अनुमान से ६ करोड़ ८ लाख रुपये की लूट की गई थी। इस समय जो अनुमान है उस के हिसाब से जो उपभोक्ताओं से मूल्य वसूल किया गया है शक्कर के मिल मालिकों द्वारा और शक्कर के व्यापारियों द्वारा वह १५ करोड़ ८२ लाख आता है, जिस में से ७ करोड़ ४१ लाख तो मिल मालिकों की जेब में गया और जो उन से बचा वह थोक व्यापारियों और फूटकर के व्यापारियों की जेब में गया। मैं कहना चाहता हू कि उस समय तो हमारे अजित प्रसाद जी को इतनी बड़ी चिन्ता थी, परन्तु इस समय जबकि १५ करोड़ रुपया उपभोक्ताओं की जेब से निकल गया और मिल मालिकों और शक्कर के व्यापारियों की जेबों में चला गया, तो उन्होने कोई काम नहीं किया।

सन् १९४९ में जो शुगर रेकेट हुआ था उस के बारे में जब कमेटी बनी थी और उस के सम्बन्ध में टैरिफ बोर्ड ने भी अपनी रिपोर्ट पेश की थी। मैं माननीय मंत्री जी से पूछना चाहता हू कि टैरिफ बोर्ड ने और उस कमेटी ने जो सुझाव दिये थे उन पर कितना धमल किया गया। जहाँ तक मैं जानता हू उन सिफारिशों पर कोई बिचार ही नहीं किया गया और न धमल ही किया गया। उस समय टैरिफ बोर्ड ने सुझाव दिये थे कि किस प्रकार से शुगर रेकेट रोका जा सकता है। परन्तु जहाँ तक मुझे मासूम है, न्दर,के, मन्त्रालो,पर, धमल,नक,कोई,धमल,नहीं, किया। जो शुगर रेकेट सन् १९४९ में हुआ और जो इस साल हुआ जिस की मैं चर्चा कर रहा हू, इन दोनों में एक प्रकार की पारिवारिक समानता है। सन् १९४९ में भी यह बात फैलाई गई थी कि चीनी का अभाव है। दूसरी बात उस समय यह भी कही गई थी कि ५० हजार टन चीनी पाकिस्तान को निर्यात की जायेगी और आखिर में यह कहा गया कि वह एक्सपोर्ट नहीं होगा। तो जैसाकि मैं ने कहा इस समय भी बनावटी अभाव की धारणा पैदा की गई थी और उस धारणा को प्रोत्साहन मिला ५० हजार टन के निर्यात की बात से। इस समय भी करीब करीब वही बात हुई। आप देखेंगे कि फरवरी से चीनी का उत्पादन घटने लगा। मिल मालिकों ने उसी समय से ५ घाना, १० घाना, १ रुपया, डेढ़ रुपया की मन के हिसाब से कीमतें बढ़ानी शुरू कर दी। उस समय, जैसाकि मैं ने कहा, पाकिस्तान को निर्यात करने की बात कही गई थी। इस समय भी एक लाख टन निर्यात करने की बात थी जिस का इस सरकार ने फेब्रुवारी दिसम्बर सन् १९५८ में किया था। मेरी तो समझ में नहीं आता कि जब फरवरी में सरकार को यह स्पष्ट रूप से मासूम हो गया था कि इस वर्ष का उत्पादन पिछले साल

के उत्पादन से कम होगा, मैं तो बयगतता हूँ कि उन की यह विसम्बर में मासूम हो जाना चाहिये या क्योंकि उनके पास इस के आंकड़े बत गये थे कि इस साल गन्ना कम हुआ है, और फरवरी के आंकड़ों से तो साफ ही हो गया कि इस वर्ष शकर का उत्पादन कम होगा, फिर भी जब ६ मार्च को माननीय मंत्री जी श्वर मिल एसोसियेशन में बोलने गये उस वक्त भी उन्होंने कहा कि हम ५० हजार टन का निर्यात करेंगे। यह जरूर कहा कि अगर जरूरत होगी तो हम इस में थोड़ी तबदीली कर देंगे। परन्तु ५० हजार टन के निर्यात की बात उस वक्त भी मौजूद थी और उस को उन्होंने वहाँ बताया। इस प्रकार एक तो फरवरी से अभाव की बात चल रही थी कि इस साल उत्पादन कम होने वाला है और दूसरे ५० हजार टन निर्यात करने की बात थी। इन दोनों बातों ने बाजार में बुलिश इफेक्ट पैदा कर दिया और जब बुलिश इफेक्ट पैदा हो जाता है तो दो बातें शुरू हो जाती हैं, एक कारनरिंग और दूसरी हॉर्डिंग, जिस को हिन्दी में कुनियाना और एकत्रीकरण कहते हैं। जब ये दो बातें शुरू हो जाती हैं तो दाम भी बढ़ते हैं और आप जानते हैं कि जो हमारे शकर के मिल मालिक हैं और जो चीनी के व्यापारी हैं वे कोई दूध के घोये नहीं हैं। वह तो सिर्फ इसलिये हैं कि ज्यादा से ज्यादा पैसा पैदा करे। हमारे मंत्री जी के दिल में भले ही अच्छे खयाल हो और वह खयाल उन्होने अक्सर इस सदन में जाहिर भी किये हैं, स्पष्ट भी किये हैं श्वर इंडस्ट्री के बारे में, जिस के बारे में मैं बाद को बताऊंगा। लेकिन मैं यह शुरू में ही कह देना चाहता हूँ कि वह हमारे मिल मालिक और व्यापारी पैसा पैदा करने के लिये ही बैठे हैं, ये कोई फिला-फाफिक बिचार ले कर नहीं बैठे हैं कि वह इस बात की कोशिश करे कि उचित मूल्य पर चीनी बितरित की जाय। वह ऐसा खयाल तभी कर सकते हैं जबकि उन के सिर पर आप का कोड़ा हो।

यह मैं आप को शकर के उत्पादन के बारे में कुछ बतलाना चाहता हूँ। यह तो ठीक है कि पिछले साल से इस साल शकर के उत्पादन में कमी हुई है। इस साल का उत्पादन, जहाँ तक मुझको मालूम है, १६ लाख ४ हजार टन हुआ है। परन्तु इस के यह मानी नहीं है कि शकर की कोई कमी थी। आप देखें कि जो पिछले साल की बची हुई शकर थी वह लगभग ६ लाख ५० हजार टन थी जिस में से ३ लाख १० हजार टन तो शकर मिलों के ही पास थी। उस के अलावा २,४८ हजार टन शकर बाजारों में थी। ऐसा नहीं होता है कि जितना स्टॉक बाजारों में हो, वह सारे का सारा १ नवम्बर के पहले बेच दिया जाये। जो स्टॉक १ नवम्बर के पहले दुकानदारों के पास होता है, वह उन के पास रहता है। उस के बारे में अन्दाजा यह है कि २,४८ हजार टन शकर बाजारों में थी। इस के अलावा ५० हजार टन शकर बन्दरगाहों में थी। उस में आप इस साल की चीनी जोड़िये, जोकि १६,०४ हजार टन थी।

यह आकड़े मैं ने इन्डियन श्वर मिल्ज एसोसियेशन के पत्र "इन्डियन श्वर" में से लिये हैं। इस में दो लाख टन खबसारी भी जोड़िये। पिछले साल से इस साल खबसारी का उत्पादन कम हुआ और उस का भी एक कारण है, लेकिन दो लाख टन तो अनुमानत उत्पादन किया ही गया। इस सब को आप जोड़िये, तो आप के पास इस साल का बितरणलायक शकर—एवलेबल टोटल सप्लाय— २७,६१,८७८ टन हो जाती है। जहाँ तक मुझे याद है, इस साल का शकर का स्टॉक एक साल को छोड़ कर पिछले सालों में किसी भी साल के स्टॉक से अधिक है। जब इतना स्टॉक है, तो अभाव का प्रश्न ही नहीं उठता। परन्तु जैसा मैं ने अभी चर्चा की, फरवरी से हमारी श्वर मिलों का उत्पादन बढा और तभी से यह बात बाजारों में फैलने लगी कि शकर का अभाव है। पहले तो यह बात मौखिक रूप से बाजारों में चलती रही और

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उस के बाद बखारों में इस का प्रचार होने लगा। बखारों में शक्कर की मार्केट रिपोर्ट्स भाती हैं, उन में यह बर्णन होने लगी। २३ अप्रैल, १९५६ और २७ अप्रैल, १९५६ के "स्टेट्समैन" में इस प्रकार की खबरों को छापा गया। २३ अप्रैल की कलकत्ता की न्यूज बी और २७ अप्रैल की हावुड की न्यूज बी और इन दोनों में यह बताया गया कि इस साल सुगर का बड़ा अभाव है। उस वक्त शक्कर के उत्पादन के सम्बन्ध में सरकार का अनुमान बीस लाख का था। वैसे साढ़े उभीस लाख का अनुमान किया गया था, लेकिन इन खबरों में बताया गया कि इस साल शक्कर साढ़े अठारह लाख होगी, इसलिये शक्कर के दाम बढ़ेंगे और शक्कर की कमी होगी। लेकिन हमारे मंत्री जी और उन के मंत्रालय ने इस धारणा को दूर करने की क्या कोशिश की? कोई बात ऐसी मालूम नहीं पड़ी कि मंत्री जी ने या उन के मंत्रालय ने कोई भी बिज्ञप्ति या कोई प्रकाशन निकाला हो कि कोई अभाव नहीं है, कोई कमी नहीं है और शक्कर के मूल्य बढ़ने की कोई जरूरत नहीं है।

अध्यक्ष महोदय, प्राप को, और सदन के सभी सदस्यों को यह बात स्मरण होगी कि जब हम लोग पिछले सत्र में ६ मई, १९५६ को उठ रहे थे, तो प्राप ने कृपा कर हमारा एक कॉमिंग एटेंशन नोटिस मजूर कर लिया था और उस समय उस पर बर्षा भी हुई थी। उस समय पहले हमारे मंत्री जी मौजूद नहीं थे। उस दिन डिप्टी मिनिस्टर महोदय ने उस का जवाब दिया था और उन्हो ने यह बताया था :

"Although the production of sugar this year is likely to be somewhat less than that of last year, this year's production together with the carry-over from last year is sufficient to meet the requirement of consumption during the current sugar year".

मेरा आरोप यह है कि जो वक्त बाबरीब उपमंत्री जी ने इस सदन में ६ मई को कही, वह वक्त उस को फरवरी में कब्जी चाहिये थी।

एक माननीय सदस्य : उस से क्या फर्क पड़ता है ?

श्री सुसचन्त राय : फर्क पड़ता है। अगर उस समय यह बक्तव्य दिया गया होता, तो बाजार में भाव न बढ़ते। फरवरी के बजाव ६ मई को यह बात कही गई। जब ६ मई को इस सदन में यह बक्तव्य दिया गया, तो उस वक्त तक शक्कर के भाव बढ़ चुके थे, काली ज्यादा हो चुके थे और उस वक्त उस बक्तव्य से मूल्यो के घटाने में कोई सहूल्यता नहीं मिली। मैं इस बात में नहीं जाना चाहता हूँ कि किस प्रकार से मिल-मालिकों ने चोर-बाजारी की। उन्होंने बड़े भजीब भजीब तरीके चोर-बाजारी के निकाले। मैं यह बताना चाहता हूँ कि उन मिल-मालिको ने भी, जिन की बड़ी धाक है, जिन का, जब हम कांग्रेस में थे, हम मान करते थे, बर्ही किया, जो और मिल-मालिको ने किया।

एक माननीय सदस्य : क्या किया ?

श्री सुसचन्त राय : माननीय सदस्य सुनना चाहते हैं, लेकिन मेरे पास समय कहा है ?

मैं ने पहले भी कहा था कि माननीय मंत्री जी ने इस सदन में यह बात कई बार कही है कि शक्कर का उद्योग एक बड़ा ही सुनिश्चित उद्योग है—एक बैन-रेगुलेटिड इंडस्ट्री है। उन्होंने यह भी कहा है कि हम ने शुरू से ले कर प्राब्लि तक—मने के मूल्य डे ले कर शक्कर के मूल्य तक—हर चीज पर कंट्रोल कर रखा है। उन्होंने ने कहा कि उन के पास कोई मुजायका नहीं है। मैं नम्रतापूर्वक पूछना चाहता हूँ कि जब यह मोस्ट कंट्रोल्ड इंडस्ट्री है—मैं समझता हूँ कि यह वर्ल्ड वीक-मार्केटियर है—जब यह एक बैन रेगुलेटिड इंडस्ट्री

है, तो सरकार के रेगुलेशन कड़ा करने गये जबकि सरकार के मिल-मालिकों और व्यापारियों ने करोड़ों रुपये पैदा कर लिये और सरकार रेगुलेट नहीं कर पाई ।

१८-१२-५८ को मासनीय मंत्री जी ने इस सदन में गन्ने की कीमत बढ़ाने का विरोध किया था और कहा था—

"Our present ex-factory price of sugar in U.P. and Bihar is Rs. 36 per md. and no mill can sell sugar—a particular quality of sugar, that is D-29—for more than Rs. 36 per md. If any factory sells at a higher price then it is an offence calling for heavy penalty".

मैं माननीय मंत्री जी से पूछना चाहता हूँ कि जब सरकार की तरफ से डी-२९ की शक्कर का मूल्य ३६ रुपये निश्चित किया था और मिलें उस से ज्यादा कीमत पर शक्कर बेचती रही । और यह तथ्य मंत्री जी को मासूम भी था, तो भी सरकार ने क्या कार्यवाही की । भाल इंडिया शुगर मिल्स एसोसियेशन के वार्षिक अधिवेशन में मंत्री महोदय ने चेतावनी दी थी कि मिलों ने शक्कर ऊंचे भाव पर बेची है । वरन्मध्य में उन्होंने ने स्वीकार किया कि मिलों ने शक्कर ऊंचे मूल्यों पर बेची । मैं यह जानना चाहता हूँ कि उन के इतने बड़े धार्फेन्स के बारे में सरकार की तरफ से क्या कार्यवाही की गई । मैं जानना चाहता हूँ कि क्या यह सिर्फ चेतावनी ही थी और उस का फल क्या निकला । क्या सरकार के पास इस सम्बन्ध में कोई अधिकार नहीं थे कि वे इन मिलों के खिलाफ कार्यवाही कर सकते ? सरकार ने न तो कोई प्रिवेटिव और न पीनल मैजर लिया । क्यों नहीं लिया ? मैं जानता हूँ कि सरकार के पास अधिकार थे । अगर आप शुगर कंट्रोल आर्डर की धारा ५(१) को देखें, तो उस में इस बात की मुमानियत की गई है कि मुफरर कीमत से अधिक मूल्य पर शक्कर को बेचा जाये । इस के अलावा धारा ८(ई) को भी देख

लीजिये । उस में सरकार को यह अधिकार दिया गया है कि यदि उस को मासूम ही जाये कि किसी ने ऐसा किया है, तो उस के स्टॉक सीज किये जा सकते हैं । मैं यह कहना चाहता हूँ कि अगर किसी भी मिल के बारे में मंत्री महोदय को इतिला मिली थी, तो वह उस का स्टॉक सीज कर लेते । अगर एक भी मिल का स्टॉक सीज कर लिया गया होता, तो किसी भी मिल की हिम्मत न पड़ती कि वह चोर-माजारी करें ।

अब मैं कुछ बात आप के डाइरेक्टोरेट आफ शुगर एण्ड इन्सुलिन के बारे में भी कहना चाहता हूँ । मेरे पास समय की कमी है वरना मैं बहुत सी बात कहता, परन्तु फिर भी मैं दो बात जरूर कहना चाहता हूँ । पिछले वर्षों में जब शुगर के कोटे रिलीज होते थे फ्री सेल के लिये भ्रान अलाटमेंट आफ टेडर्म, तो वह जिस महीने के लिये रिलीज होते थे, उस महीने के पहले हफ्ते में या उसके पहले वाले हफ्ते में इश्यू हो जाया करते थे, लेकिन आप देखिये कि इस समय जो कोटे रिलीज हुए हैं वह काफी देर देर में रिलीज हुए हैं । आप इस बात को सोचिये कि जब देश में इस बात की धारणा फैल चुकी थी कि शुगर की कमी है तो दो दिन, तीन दिन, छः दिन, सात दिन की देरी इस अभाव की बात को प्रोत्साहन देती थी कि आखिर यह देरी क्यों हुई ।

दूसरी बात देखिये कि पिछले साल से जो कोटे रिलीज किये गये हैं वह कम किये गये हैं साथ कर के अगर आप मार्च और अप्रैल के महीने के पिछले सालों के धार्फेन्स को मिलाव तो देखेंगे कि मार्च और अप्रैल में जो कोटे रिलीज किये गये वह कम किये गये और इसका भी यह प्रभाव पड़ा कि लोगों के दिनों में खयाल पैदा हुआ, बाजार वालों के दिम में यह खयाल पैदा हुआ कि शक्कर की कमी

[श्री कुशवन्त राव]

है। मुझे धाय से यह भी कहना है कि आपने सुगर के डाइरेक्टोरेट को जो यह अधिकार दे दिया है कि जो भी धाये उसे एक बैगन दे दो, यह कोई बहुत मुनासिब बात नहीं थी। जो लोग सुगर का व्यापार करते धाये हैं, उनकी एक धाक है, उनकी एक पोखीधन है, लेकिन जिन्होंने कभी भी शक्कर का व्यापार नहीं किया वे यहाँ से बैगन्स ले गये और ले जा कर चोर बाजार में उसे बेचा। आपने कोई इस बात का प्रयत्न नहीं किया और धाय के डाइरेक्टोरेट से कोई इस बात का प्रयत्न नहीं किया गया कि जिन लोगों को सुगर के छोटे धान टेंडर दिये गये, उन के बारे में कोई नियन्त्रण रक्खा जाता।

Mr. Speaker: One hon Member need not be too ambitious to exhaust every aspect of it. There are other hon Members

Shri Khushwaqt Rai: I am not exhausting; I know I am not a sugar expert; there are other Members in this House who know better than myself

Shri Raghunath Singh (Barmer) Then leave it for us

Shri Khushwaqt Rai. I am leaving now

धब में एक ही बात कहना चाहता हूँ और उस के बाद बैठ जाऊंगा। मैंने थोड़ी देर पहले इस बात का जिक्र किया था कि खन्डसारी की जो पैदावार थी वह घटी और उसके घटने के कारण यह हुआ कि आपने एक्साइज ड्यूटी लगाई। साथ ही साथ मैं यह भी कहना चाहता हूँ कि खन्डसारी का जो कुछ भी उत्पादन हुआ उस पर बैन लगा कर आप ने और भी एक मुसीबत पैदा कर दी। आज के दिन खन्डसारी राजस्थान और सीराष्ट्र में नहीं जा सकती। राजस्थान और सीराष्ट्र ही खन्डसारी के खाने वाले प्रदेश थे। जब आपने एक्सफैक्टरी प्राईस को कंट्रोल

किया तो सिर्फ पंजाब, उत्तर प्रदेश और नार्थ बिहार में किया। इस बारे समय में जी और मिल थीं उन को पूरी छूट रही कि वह कितने दान में बाहें उसे बेचें। मेरे पास इस बात का सबूत है कि किस तरह से सुगर दक्षिण में बेची गई, उस की चोर बाजारी की गई और कितनी कितनी ऊंची कीमत पर बेची गई। इसका कारण यही था कि आपने जो सुगर की एक फैक्ट्री प्राईस कंट्रोल की वह सिर्फ पंजाब, उत्तर प्रदेश और नार्थ बिहार में की। इन सब बातों के कारण दक्षिण में सुगर की चोर बाजारी हुई।

इन बातों से मुझे चिन्ता है और मैं समझता हूँ कि खास मंत्री जी को भी चिन्ता होगी तथा ऐसा कुछ उपाय होगा कि धागे चल कर ऐसी कोई बात न हो सके।

Mr. Speaker: Motion moved:

"That this House expresses its concern at the policy of the Government in regard to the distribution of sugar and urges upon the Government to take suitable steps to check the rise in the prices of sugar and profiteering by sugar interests"

I have received notice of some amendments. Is Shri Saksena moving his amendment?

Shri S. L. Saksena (Maharajganj) I beg to move

That at the end of the motion, the following be added, namely,—

"and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent public-man be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Ra. 16 crores during the last five months

and the evasion of income-tax on the profits so accruing to the sugar mill-owners".

Mr. Speaker: Shri Braj Raj Singh has tabled an amendment No. 2. There is no objection to part (a) of the amendment. But part (b) of the amendment "that sugar industry be nationalised" does not arise out of this and therefore, it is ruled out of order. He will be allowed to move the first part. I will treat it as moved. What I propose doing is this I will treat these amendments which are not out of order as moved if the hon. Members are in their seats. Now, Shri D. R. Chavan is here and he has tabled an amendment. Part (b) of his amendment does not arise out of this motion and so it is ruled out. I will treat the first part of his amendment as moved. Shri Raghunath Singh has also tabled an amendment, No. 4. Copies of that amendment have been circulated.

Shri Braj Raj Singh: You may have to waive the time-limit of 24 hours; it has just been circulated.

Mr. Speaker: There is no harm, it is only a substitute motion.

An Hon. Member: It seems that it is a Government amendment.

Shri Raghunath Singh: No, Sir, it is my amendment.

Mr. Speaker: Any hon. Member who belongs to the Government party will certainly support the Government with such modifications as the occasion may require. I shall treat that amendment also as moved. Now, how much time would the hon. Members require? The time originally allotted was 2 hours and it has been increased to 2½ hours.

Shri Braj Raj Singh: I would request to extend the time by one more hour; this is a very important matter.

Mr. Speaker: I have no objection if the hon. Members assure me of

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quorum. The private Members' business is to start at 2:30. Instead we may start at 3:30; then we may have to sit till 6. Is the House agreeable to this?

Some Hon. Members: Yes.

Mr. Speaker: All right. This will end at 3:30. A number of hon. Members want to participate. I would like to make the time distributed among the various groups and give opportunity to all hon. Members. So, they will confine their remarks to 15 minutes. Now, Shri Braj Raj Singh, I will then call Shri Shubban Lal Saksena and then Shri Raghunath Singh. (*Interruptions*).

An Hon. Member: There will be no quorum.

Shri S. M. Banerjee (Kanpur): I am one of the Movers.

Mr. Speaker: I will call him also.

Shri Vajpayee (Balrampur): My name may be included.

Mr. Speaker: Yes, I will call Shri Vajpayee also. (*Interruptions*) Time permitting, I will allow all hon. Members.

Some Hon. Members: Please make it ten minutes so that others may get a chance.

Mr. Speaker: I have allowed 15 minutes to Shri Braj Raj Singh. For others, only ten minutes.

Shri S. L. Saksena: For me also, 15 minutes.

Mr. Speaker: Shri Saksena has fasted on this question; therefore, I will allow him 15 minutes. Other hon. Members will try to confine their remarks to ten minutes.

Shri Braj Raj Singh: I beg to move:

That at the end of the motion, the following be added, namely:

"and recommends—

- (a) that Government do appoint a Committee consisting of a High Court Judge and two members of Parliament one from each House to enquire into the undue profits earned by the sugar interests during the last few months"

Shri D. R. Chavan (Karad) I beg to move:

That at the end of the motion, the following be added, namely.

"and recommends—

- (a) that a Committee consisting of five members of Parliament, three from Lok Sabha and two from Rajya Sabha, presided over by a Judge of High Court, be appointed to investigate and enquire into unduly high profits earned by the sugar industrialists during the last few years"

Shri Raghunath Singh: I beg to move

That for the original motion, the following be substituted, namely

"This House expresses its concern at the rise in the sugar prices and after taking note of the steps already taken by Government recommends that Government should take such further steps as are found necessary from time to time to check the rise in the prices of sugar and profiteering by sugar interests"

श्री ब्रजराज सिंह : प्रायशः महोदय, ६ मई को इस मदन जबम एक कालिग प्रोटेक्शन नोटिस की चर्चा हो रही थी तो मैंने प्राप के सम्मुख यह कहा था

"I fear that within the next three months when Parliament

will not be in session, there will be a sugar famine in India..."

इसके बाद मैं कुछ और कहना चाहता था कि हिन्दुस्तान की केंद्रीय सरकार हिन्दुस्तान के चीनी मिल मालिकों से मिली हुई है, उसकी उन के साथ साजिश है, जिसके कारण चीनी का अकाल पड़ेगा। इस के साथ मैं कुछ शब्द और भी कहना चाहता था जिन को कहने से आपने मुझे रोक दिया था। वे शब्द मैं नहीं कह सका था। मैं क्यों बचना चाहता था कि अगले तीन महीनों में हिन्दुस्तान के अन्दर चीनी का अकाल पड़ने वाला है? कोई ऐसी बात नहीं थी कि मैं भविष्यवाणी करना चाहता था कोई भविष्य बक्ता हो गया था और इस बात को कहना चाहता था। लेकिन मैं जानता था, जिन तरह की प्रक्रियाएँ खाद्य मन्त्रालय में चल रही थी और जिस तरह से उन की माठ गाठ मिल मोनर्स में चल रही थी उनमें एक पता चलता था कि जिन बक्ता पालियामेंट नहीं बैठ रही होगी, उस बक्त ये लोग मिल जुल कर खूब धना करेगे। देश की जनता का ठगेंगे और उपभोक्ता को ठगेंगे। इस के लिये मेरे पास उससे पहले का उदाहरण मौजूद था प्राप को याद होगा कि सन् १९५८ में जब पालियामेंट नहीं बैठ रही थी, उस वक्त खाद्य मन्त्रालय ने एक प्राडिनेन्स पास किया उसमें कहा था कि सरकार शुगर को बाहर एक्मपोर्ट करना चाहती है फारेन एक्मचेंज पैदा करने के लिये। इस के लिये प्राडिनेन्स जारी किया गया था। प्राडिनेन्स जारी करने के बाद १३ अगस्त को, १२ अगस्त से पालियामेंट बैठी, लेकिन १३ अगस्त को पालियामेंट में श्री महोदय ने कहा था कि अब तक हम एक पाई की चीनी भी बाहर नहीं भेज सके हैं और कोई फारेन एक्मचेंज हमें नहीं मिल सका है। इसमें मैंने अन्दाज लगाया है कि हिन्दुस्तान का खाद्य मन्त्रालय जो शुगर के पूनीरति है उनके साथ माठ गाठ कर रहा है और हिन्दुस्तान की जनता को लूटना चाहता है, वह भी उस वक्त जब कि सदन बैठ

न हूँ, जब कि देश के प्रतिनिधि यहां बैठे न हों और उन से कोई जांच पड़ताल न कर सकें। लेकिन मैं आप का ध्यान आकर्षित करना चाहता हूँ आपकी उस व्यवस्था की तरफ जो कि आपने उस दिन की चर्चा के बाद की थी। आपने कहा था :

"Whenever there is an abnormal rise in prices, I expect the hon. Minister of Food to come before Parliament without waiting for questions to be put and explain what has happened when the House is in session. But when the House is not in session, he should issue statements as to why this has occurred and what steps Government are taking. Notwithstanding everything done by the Government, it will remove a lot of misunderstanding about the actions of Government."

वह सब होते हुए भी इन पीने तीन महीनों में जबकि पार्लियामेंट नहीं बैठी थी लाखों टन चीनी टैंडर सिस्टम से जारी की गई और उस टैंडर सिस्टम को न तो प्रसूचकारों में प्रकाशित किया गया न लोगों को बतलाया गया कि किस तरह से टैंडर दिये जायेंगे। जो खाद्य मंत्रालय का नोटिस बोर्ड है उस पर भी नहीं लिखा गया कि कब टैंडर दिये जायेंगे और किस तरह से दिये जायेंगे। इस तरह की कोई बात नहीं की गई। मैं निवेदन करना चाहता हूँ कि जब अध्यक्ष महोदय का डाइ-रेक्शन था, उनकी यह व्यवस्था थी कि जब कीमत बढ़ने लगे तो कीमतों के बढ़ने के कारणों पर इस सदन में प्रकाश डाला जाना चाहिये और अगर सदन न बैठे हो तो हिन्दुस्तान की जनता को हिन्दुस्तान के प्रसूचकारों के जरिये और प्रेस विज्ञप्तियों के जरिये बता देना चाहिये कि क्या हो रहा है। लेकिन इस सम्बन्ध में खाद्य मंत्रालय कनई चुप बैठा रहा, कही कुछ किया नहीं गया। इस बार जो टैंडर सिस्टम लागू किया गया, उससे पहले भी टैंडर सिस्टम लागू किया गया था। आप को मालूम होगा कि इससे पहले

भी संकट पड़ चुके हैं चीनी के सम्बन्ध में और इसीलिये उन संकटों की देखते हुए मैंने इस संघोषण में यह व्यवस्था की थी कि अब चीनी उद्योग का राष्ट्रीयकरण कर दिया जाय। इस के फलवा अब कोई चारा नहीं रह गया है अगर हिन्दुस्तान की सरकार यहां की जनता को चीनी खिलाना चाहती है, अगर वह उन लोगों के साथ न्याय करना चाहती है जिन के वोटों पर चुन कर वह यहां भाई है। परन्तु आज का यह विषय नहीं है और इस में वह नहीं आ सकता है, लेकिन मैं यह जरूर कहना चाहूंगा अब हम के फलवा कोई चारा नहीं रह गया है कि चीनी उद्योग का राष्ट्रीयकरण कर दिया जाय। तो चीनी में टैंडर सिस्टम पहले भी लागू हुआ था। जिन दोनों श्री रफी प्रहमद किदवाई खाद्य मन्त्री थे, यह टैंडर सिस्टम लागू हुआ था। उन्होंने नियम बनाया था कि जो व्यक्ति टैंडर पायेगे वे ऐसे लोग होंगे जो पिछले तीन माल तक चीनी को निजारात में रहे हों, जो इनकम टैक्स भ्रदा करते रहे हैं। लेकिन हमारे वर्तमान खाद्य मन्त्री के राज्य में क्या होता है? कोई नियम नहीं है कि कौन टैंडर पायेगा। कोई किमी तरह की खोज नहीं की जाती कि किमी ने चीनी का व्यापार किया है या नहीं, इनकम टैक्स दिया है या नहीं। यदि कोई पान बेचने वाला चाहे—मैं उस की तरफ कोई दिकारन की नजर से नहीं देखता, वह भी अपनी जगह पर अच्छा होता है, लेकिन तिजारन के मामले में ऐसा नहीं होना चाहिये तो पान बेचने वाले को भी टैंडर मिल जाता है। अगर वह कोई जनता का आदमी होता तो भी मुझे कोई ऐतराज न होता, लेकिन साजिश थी जो खाद्य मंत्रालय में ठग बैठे हुए हैं उन की, और मैं निवेदन करूंगा कि मुझे तो लगता है कि खाद्य मन्त्री का भी कुछ हाथ रहा होगा।

12.50 hrs.

[SHRI BARMAN in the Chair]

खाद्य मन्त्री महोदय लगातार बैठे रहें और यह घाबलिया चलती रहें और करो हों

[श्री ब्रजराज सिंह]

इसमें का वारा न्यारा चलता रहा। जैसे कि मेरे मित्र श्री खुशवक्तराय ने इस प्रस्ताव को पेश करते हुए कहा कि इसमें तो करीब ५०, ६० करोड़ का वारा न्यारा हुआ है और स्कैंडिल हुआ है। यह बड़े ताज्जुब का विषय है कि शुगर के मामले में ५०-६० करोड़ का वारा न्यारा हो जाय और खाद्य मंत्री चुपचाप बैठे रहें और उसके बारे में कुछ न कहें। टेंडर सिस्टम लागू हो और उस के कोई नियम न हों यह बड़ी गम्भीर घटना है। जिस पर कि इस देश की जनता और इस सदन को बहुत गम्भीरतापूर्वक विचार करना चाहिये। जैसी परिस्थिति है उसको देखते हुए मैं समझता हूँ कि इसके अलावा कोई और चारा नहीं रह गया है कि श्री अजित प्रसाद जैन अपनी प्रतिष्ठा को बचाने के लिये खाद्य मंत्री के पद से इस्तीफा दे दें। अगर वे स्वयं इस्तीफा देने को तैयार न हों तो मैं निवेदन करूँगा कि हिन्दुस्तान की सरकार को इस बात पर इस्तीफा दे देना चाहिए क्योंकि आखिर इस तरह का स्कैंडिल एक बहुत गम्भीर घटना है।

खाद्य तथा कृषि मंत्री (श्री अ० प्र० जैन) : मैं आनरेबल मेम्बर से पूछना चाहता हूँ कि वह मेरे खिलाफ अगर कोई अभियोग लगाना चाहते हैं तो उसको साफ तौर से लगायें, खुल्लमखुल्ला लगायें और उसकी कुछ तफसील दें।

श्री ब्रजराज सिंह : अभियोग तो बिल्कुल साफ है। मैं इस सम्बन्ध में व्यक्तिगत तौर पर नहीं जाना चाहता लेकिन क्या यह खाद्य मंत्री महोदय की जिम्मेदारी नहीं है कि जब इस तरह का गोलमाल और स्कैंडिल चल रहा हो तो वह उसके बारे में कोई उचित और आवश्यक कदम उठायें और उसको रोकें? शुगर मैगनेट्स द्वारा और स्वयं उनके खाद्य मंत्रालय के सम्बन्धित अधिकारीगण नाजायज तौर पर मुनाफा कमायें जा रहे हैं और इस तरह की अंधेरगर्दी के बावजूद वह चुप बैठे

रहते हैं। मैं तो यह मानता हूँ कि इस तमाम गड़बड़ी की सामूहिक जिम्मेदारी खाद्य मंत्री पर आती है।

श्री अ० प्र० जैन : इसका जवाब मैं दूँगा कि मैंने क्या क्या कदम उठाए ?

श्री ब्रजराज सिंह : वह जवाब देने का आपका अधिकार है बाकी यह सदन देखेगा कि आया वह कदम दरअसल उचित थे और ऐसे थे कि जिनसे यह अंधेरगर्दी और गड़बड़ी रोकी जा सकती थी कि नहीं। लेकिन जहाँ तक कि कांग्रेस पार्टी के सदस्यों का ताल्लुक है उन के लिये तो चाहे कुछ भी क्यों न हो सरकार का अन्त में समर्थन करना जरूरी है और जब ऐसी हालत हो तो कोई वास नतीजा निकालने को कम ही आशा की जा सकती है? बहरहाल अब मैं उस में नहीं जाऊँगा। लेकिन मैं तो यहाँ तक भी बता सकता हूँ कि कुछ व्यक्ति हैं जिन को कि नाजायज तरीके से शक्कर दो गई है। अब चूंकि खाद्य मंत्री महोदय ने बीच में मुझे टोक कर यह कहा कि मैं साफ तौर पर उन पर इलाजाम लगाऊँ लेकिन मैं व्यक्ति विशेष को कोई महत्व नहीं देता चाहे वह अजित प्रसाद जैन हों या के० गो० जैन हों या कोई और साहब रहे हों। लेकिन मेरा तो कहना यह है कि मंत्री महोदय पर एक सामूहिक जिम्मेदारी आती है जिस से कि वे बच नहीं सकें...

श्री अ० प्र० जैन : मैं यह चाहता हूँ कि इस किस्म को जो बातें कही जा रही हैं, तो वह केसेज बतलाये जायें कि कहाँ पर बेजा तौर पर दिया गया, गलत तौर पर दिया गया, स्पेसिफिक केसेज बतलायें जाय ताकि उन के ऊपर सख्त कार्यवाही की जा सके। इस तरह के वेग एलियेशंस लगाना बिल्कुल नाजायज चीज है।

श्री ब्रजराज सिंह : अब सदन में माननीय सदस्य इस का कुछ न कुछ नतीजा त

निष्कर्षों ही जो कि खाद्य मंत्री महोदय को बुलाने के लिए टोकना पड़ रहा है। मैं तो कहता हूँ कि यह खाद्य मंत्री की जिम्मेदारी है कि वह देखते कि टैंडर सिस्टम तो बाधू कर दिया गया लेकिन उस के वास्ते कोई नियम नहीं बनाये बड़े और जिम को चाहिए मनमाने तौर पर और पैसा एंठ कर चीनी दे दी गई। यह १, २ लाख टन का नहीं बल्कि सात लाख टन का मामला है और उस में निश्चित रूप से कहा जा सकता है कि फरवरी के महीने में ले कर अब जुलाई के महीने तक जब तक कि यह कालियामेंट नहीं बँधी थी तब तक हर टैंडर पर २००, ५०० और ७०० रुपये में ले कर ४ हजार रुपये तक का प्रीमियम पडा है। एक टैंडर में २२० बॉरे चीनी दी जाती है फ्री टेंडर १०० रुपये प्रीमियम के हिसाब से खाद्य मंत्रालय के चीनी के वितरण से सम्बन्धित अधिकारियों ने २००० तक फ्री टेंडर के हिसाब में रुपये नाजायज तौर से कमा लिये। अब इस चीज के ताँ मेरे पाग आकड़ें नहीं होंगे कि किस मीके पर और किस टैंडर में किस अधिकारी ने कितना मुनाफा कमाया लेकिन मैं निवेदन करना चाहता हूँ कि जिम कमीटी या जिम कमीशन को बँटाने की माग मैं ने अपने प्रस्ताव में की है यदि वह कमीशन बनाने के लिये खाद्य मंत्री महोदय तैयार हों और उस कमीशन के आगे मेरे चार्जें साबित न हो पाएँ तो मैं यह समझूंगा कि मंत्री महोदय के मुझे इस तरह टोकने के कोई मायने थे। मैं चाहता हूँ कि सरकार एक कमीशन हाईकोर्ट जज की सदारत में जिस में कि लोक सभा और राज्य सभा के सदस्य हों बिठाने को राजी हो जाये और वह इस बात का पता लगाये कि किस तरीके से इस शुगर के मामले में करोड़ों रुपये का बारा न्यारा हुआ है और टैंडर सिस्टम में क्या खराबी थी।

२३-५-५६ को इस साल १ लाख ५० हजार टन चीनी बेचने के लिये छोड़ी जानी है

जब कि सन् १९५८ में २ लाख ९९ हजार टन चीनी छोड़ी गई थी।

अब मैं पूछना चाहता हूँ कि आखिर प्रोडेशन कम होने के कोई मायने होते हैं ? आखिर कितना प्रोडेशन कम हुआ। ७२, ७३ हजार टन से ज्यादा तो कम नहीं हुआ है अर्थात् इतनी चीनी कम पैदा हुई है। अब हमारे देश में विशेष रूप से मई का महीना ऐसा होता है जब गरमी भी पड़ती है और शादी ब्याह भी काफी होंते हैं और चीनी का खर्च आम तौर पर ज्यादा बढ़ जाता करता है।

श्री श्री ३० जून में आनरेबुल मेम्बर को बतला द कि मई के महीने में हम ने १ लाख ५० हजार टन चीनी फ्री सेल के लिये ग्लिनीज की और ६० हजार टन टैंडर एलीटमेंट के लिये छोड़ी

श्री बजराल सिंह १० अगस्त की रिपोर्ट के मुताबिक टैंडर एलीटमेंट ४० हजार का नहीं था कि ३८ हजार टन का है और १ लाख ५० हजार टन फ्री सेल के लिये ग्लिनीज की गई। इस तरह यह कह सकत है कि कुल १ लाख ८८ हजार टन शुगर ग्लिनीज की गई। पिछले साल २ लाख ६६ हजार टन चीनी ग्लिनीज की गई। अब यह याद रखने की बात है कि ६ मई को यहाँ पर खाद्य मंत्री महोदय मानते हैं कि चीनी की स्थिति गड़बड़ होनी जा रही है और मदन के मदस्य यह जानते हैं कि चीनी की कीमतें बढ़नी जा रही हैं और स्पीकर महोदय मदन की भावना को व्यक्त करते हुए कहते हैं कि चीनी की बढ़ती हुई कीमतों को रोका जाये लेकिन इस के बावजूद हम देखते हैं कि ६ मई को कालियामेंट उठ जाती है और २३ मई १९५६ को यह १ लाख ५० हजार टन चीनी सेल के लिये ग्लिनीज कर दी गई। अब मैं पूचना चाहता हूँ कि इस साल पिछले साल के मुकाबिले इतनी कम चीनी क्यों ग्लिनीज की गई ? पिछले साल २ लाख ६६ हजार टन या

[श्री अजराज सिंह]

६८ हजार टन चीनी रिजर्व की गई। मेरे पास इस समय वह आकड़े नहीं हैं कि कितनी शुगर फ्री सेल के वास्तव की गई और कितना टैंडर एलोटमेंट के वास्तव रिजर्व की गई ?

मेरे यह निवेदन करना चाहता हूँ कि यह तो ठीक है कि पहले से ७२, ७३ हजार टन चीनी का उत्पादन कम हुआ लेकिन इस के बावजूद भी यह बात निश्चित है कि मुल्क में चीनी का काफी स्टॉक है और इस बारे में मुल्क को बड़े मुगालते में रखा जाता है क्योंकि अगर हिसाब लगा कर देखा जाये तो मालूम पड़ेगा कि करीब २८ लाख टन चीनी का इस सीजन के लिये हमारे पास स्टॉक है और इतना पर्याप्त मात्रा में चीनी का स्टॉक रहते हुए भी कोई इस तरीके की आवश्यकता नहीं थी कि किसी तरह मुल्क में चीनी का संकट पैदा होता। लेकिन यह चीनी का मुल्क में कमी इस उद्देश्य से बताई जाती है ताकि चीनी बाहर एक्सपोर्ट कर के फारेन एक्सचेंज कमाया जा सके। पिछले साल जो फारेन एक्सचेंज पैदा किया गया वह डार्ड करोड़ का था लेकिन खाद्य मन्त्रालय बतलाये कि इस साल जो चीनी से उन्होंने फारेन एक्सचेंज कमाया वह क्या ३५ लाख से ज्यादा है ? कुल साठे सात हजार टन चीनी बाहर भेजी गई है, बात आप करते हैं १ लाख टन चीनी बाहर भेजने की लेकिन हकीकत में बाहर साठे ७ हजार टन ही भेजी जाती है। आप के वहाँ पर इस फारेन एक्सचेंज कमाने के नाम पर जो कि मैं भी मानता हूँ एक अच्छा उद्देश्य है लेकिन वास्तव में होता यह है कि उस की आड़ में मिल मालिकों ने साठ गाठ कर के नाजायज तरीके में मुनाफा कमाया गया है। मिल मालिकों ने भी मुनाफा कमाया और खाद्य मन्त्रालय के सम्बन्धित अधिकारियों ने भी मुनाफा कमाया। अब खाद्य मंत्री महोदय भी कहेंगे कि आप के पास इन के लिये क्या कोई प्रमाण है तो मेरा तो

कहना है कि बहुत तो वह कमीशन इकट्ठे करेगा। लेकिन मेरा मोटा अनुमान है कि शुगर और बनस्पति के जो डायरेक्टर हैं, उन के अफसरान और कर्मचारियों में कम से कम २८ लाख रुपया इन ६ महीनों के अन्दर रिजर्व की क्षमता में बसूल किया है, टैंडर आदि देने में बसूल किया है।

13 hrs

श्री विश्वनाथ राय (संभलपुर) . इस २५ लाख रुपये के बारे में क्या माननीय सदस्य के पास कोई खास मिसाल है ?

श्री अजराज सिंह अब मिसाल देकर करने के वास्ते मेरे पास वक्त नहीं है अगर जरूरत पड़ेगी तो मैं आप को मिसाल दे दूँगा। इस की जांच पड़ताल के लिये एक कमीशन बनाया जाय। मैं निवेदन यह कर रहा था कि जब वास्तव में मुल्क में कोई चीनी का संकट नहीं था तो क्यों इस किस्म का बनावटी संकट पैदा किया गया और यह दिखाया गया कि अब चूँकि संकट आ रहा है इसलिए चीनी के दाम बढ़ रहे हैं। इस तरह की बात पहले से क्यों नहीं कही। क्या आप को विश्वास था मिल मालिकों पर कि वह दाम नहीं बढ़ायेंगे और इसलिये आप चुपचाप बैठे रहे ? क्यों कोई कार्यवाही नहीं की गई ? जो मूल्य कार्यवाही आप भ्रम करना चाहते हैं वह उस वक्त क्यों नहीं की गई। आप ने पूरा स्टॉक हाथ में ले लिया तो फिर टैंडर सिस्टम की बात चलती है। उस से क्या होने वाला है। आप राज्य सरकारों को चीनी देना चाहते हैं। आप पंजाब की सरकार को देना चाहते हैं। वह कहती है कि वह एक मन पर सात रुपये के हिसाब से मुनाफा करेगी। आप ने जो स्कीम बनायी है उस में १ रुपया प्रति मन का मुनाफा देने की बात है। बम्बई सरकार ने एक रुपया फी बीरी की योजना बनाई है। केन्द्र की सरकार और बम्बई की सरकार में मतभेद है, केन्द्र की सरकार

और पंजाब की सरकार में मतभेद है। क्या इस तरह से आप चीनी की समस्या को हल करना चाहते हैं? मैं निवेदन करना चाहता हूँ कि देश में चीनी की कोई कमी नहीं थी। जब कहा गया कि चीनी की कमी होने वाली है इस समय भी चीनी की कमी नहीं थी। अब भी चीनी की कमी नहीं है। मंत्री महोदय को स्व० रफी अहमद कदवई की तरह साहस के साथ कहना चाहिये था कि देश में चीनी की कमी नहीं है और अगर जरूरत होगी तो हम बाहर से मगायेंगे और मुल्क के लिये उस की व्यवस्था करेंगे। मैं जानता हूँ कि वह यह दलील देंगे कि उस वक्त यह बात कही जा सकती थी क्योंकि हमारी फारेन एक्सचेंज की पोजीशन सराब नहीं थी लेकिन आज यह बात नहीं कही जा सकती। लेकिन बाहर से एक टन भी चीनी मंगाने की जरूरत नहीं है। इस मुल्क में चीनी मौजूद है जिस का वितरण वह कर सकते थे और उन को करना चाहिये था। आज भी चीनी ४५, ५०, ५५ और ६० रुपये मन मिल रही है पर ३६ रुपये मन पर नहीं मिलती। इस से प्रकट है कि चीनी की कोई कमी नहीं है। अगर इस मद्द्गाई का कोई कारण है तो वह आप की अव्यवस्था है। आप मिल मालिकों को नाजायज मुनाफा देना चाहते हैं। आप का सुगर और वनस्पति का डायरेक्टर चाहता है कि किसी तरह से नाजायज मुनाफाखोरी कामम रहे और उपभोक्ताओं से जितना ज्यादा वसूल किया जा सकता है किया जाये।

मैं यह भी बतलाना चाहता हूँ कि यह ३६ रुपये मन का भाव किस तरह निश्चित किया गया। कहा जाता है कि यह इकार्नामिक प्राइस है जो कि चीनी के मिल मालिकों को दी जानी चाहिये। लेकिन आर्थिक मूल्य का भी कोई हिसाब होता है। मैं यह साबित करने को तैयार हूँ कि यह आर्थिक मूल्य नहीं है। इसी तरह से भी आर्थिक मूल्य ३० रुपये ६५ नये पैसे से ज्यादा नहीं होता।

जो आपने १३ रुपये ३ आने मन का दर चीनी पर लगाया है उस को मिला कर भी यह भाव ३० रुपये ६५ नये पैसे से अधिक नहीं हो सकता। आपने पहले ही इस में ५ रुपये ज्यादा का भाव निश्चित कर दिया है। लेकिन आज चीनी ४०, ४५, ५०, ५५ और ६० रुपये के हिसाब में बिकती है और आप कानों पर हाथ गंवे बँटें हैं और कुछ करना नहीं चाहते।

अब कहा जाता है कि हम यह वितरण का काम राज्य सरकारों को दे देंगे। यह काम पहले से क्यों नहीं किया गया। मेरा निवेदन है कि पिछले ६ महीनों में चीनी के मामले में बड़ा गम्भीर गोलमाल हुआ है और इस पर सरकार को बहुत गम्भीरतापूर्वक विचार करना चाहिये। वैसे मेरा तो क्याल है कि इस का और कोई इलाज नहीं हो सकता। इस उद्योग का तो राष्ट्रीयकरण ही होना चाहिये।

आपने एक कंट्रोल एरिया बनाया। आप ने उत्तर बिहार को कंट्रोल एरिया में रखा। लेकिन दक्षिण बिहार को उस में शामिल नहीं किया जहाँ साहू जैन और हालमिया की चार मिलें हैं। पंजाब की मिलों को कंट्रोल किया गया लेकिन दक्षिण भारत की पैरी एंड को० का कंट्रोल में नहीं लिया गया। यह शायद इसलिए किया गया कि जिन एरियाज में कंट्रोल किया गया वह सरफलम एरिया हैं। मैं कहता हूँ कि समस्या को हल करने का यह कोई ठीक तरीका नहीं है। मंत्री जी किसी चीज पर जब तक कंट्रोल नहीं कर सकते जब तक कि वह सब को एक नजर में न देखें। इस नीति का परिणाम यह हुआ कि दक्षिण भारत की मिलें मुनाफा करती रहीं। नाथ इंडिया के मिल मालिकों ने सोचा कि हम भी मुनाफा क्या न कमायें। इसीलिये मैं निवेदन करना चाहता हूँ कि चीनी के उद्योग का राष्ट्रीयकरण करने की व्यवस्था की जाय। इस के लिये दलील यह

[श्री ब्रजराज सिंह]

दी जायगी कि हम मुआवजा नहीं दे सकते क्योंकि हम को ७२ करोड़ रुपया मुआवजा देना होगा अगर हम इस उद्योग का राष्ट्रीयकरण करें। मैं निवेदन करना चाहता हूँ कि ये मिलें सैंकड़ों करोड़ रुपया का मुनाफ़ा कर चुकी हैं, इन का राष्ट्रीयकरण किया जा सकता है। अब इन्हें कोई सुझाव भी देने का प्रश्न नहीं है। आवश्यकता ही तो विधान बदलवाइये परन्तु राष्ट्रीयकरण कीजिये।

इस के अलावा मैं यह भी कहना चाहता हूँ कि जब तक आप गन्ने के उत्पादकों को २ रुपया प्रति मन के हिसाब से गन्ने का मूल्य नहीं देंगे तब तक आप को मिलों के लिये पूरा गन्ना नहीं मिलेगा। इसलिये मैं निवेदन करूँगा कि यदि आप अगले सीजन में चीनी का उत्पादन बढ़ाना चाहते हैं तो अमी से उत्पादकों को यह सूचना दे दीजिये कि उन को गन्ने का दाम दो रुपये मन दिया जायेगा। इतना दाम देने पर भी चीनी का मूल्य ३६ रुपये मन से ज्यादा नहीं होगा और चीनी का उत्पादन भी काफी हो जायगा।

अन्त में मैं सिर्फ इतना और कहना चाहता हूँ कि इस मामले की जांच करने के लिये एक कमेटी बनाई जाय। यह कमेटी एक हाई कोर्ट जज की सदारत में बने जिस में लोक-सभा और राज्य सभा का एक एक सदस्य भी हो और यह तीन सदस्यों की कमेटी इस सारे मामले पर विचार करे और यह पता लगाये कि क्या गोलमाल हुआ है और यदि गोलमाल साबित होता है तो मैं आशा करूँगा श्री जैन महोदय से कि वह अपने पद से इस्तीफा दे देंगे।

इस के साथ साथ मैं यह भी निवेदन करना चाहता हूँ कि आपने जो खंडसारी उद्योग पर टैक्स लगाया है उस से वह दब सकता है। उस की वही हालत है जोकि मिल के कपड़े के मुकाबले खादी की है। जिस

तरह से आप खादी को सहायता देते हैं इसी तरह से आप को खंडसारी को भी सहायता देनी चाहिये ताकि यह उद्योग जारी रह सके।

इन शब्दों के साथ मैं अपना संशोधन पेश करता हूँ।

Shri S. L. Saksena: Mr. Chairman, Sir, my amendment reads like this:

That at the end of the motion, the following be added, namely:

“and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent public-man be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Rs. 16 crores during the last five months and the evasion of income-tax on the profits so accruing to the sugar mill-owners”.

Sir, I am very unhappy as I stand here today. A close friend of mine is in charge of the Ministry, but I have to be very blunt in exposing this racket. I have sent him a book on this subject. I think he has perused it. I also think he realises how keenly I feel about it. After all that, he repeats in this White Paper that the basic cause of the rise in sugar prices is the drop in production. That is utter falsehood. There cannot be a greater falsehood than this, and I should like to prove it.

He himself says that the amount of sugar production this year was 19.2 lakh tons. Last year it was 19.78 lakh tons. But that was up to October.

Therefore the position is this. There are still the months of September and October to go by. The production of sugar in the corresponding months of last year was about 50,000 tons. So, the total production of sugar up to October will be the same as in the last year.

Shri A. P. Jain: In the total production, the production in October, should also be taken into account.

Shri S. L. Saksena: What is the actual production. I want to know it.

Shri A. P. Jain: 19 05 lakh tons. About 15,000 tons are produced in the special season.

Shri S. L. Saksena: Then your figure of 20,000 tons is not correct. For, you know the factories produced sugar up to 15th October. In Uttar Pradesh they produced more than 1,000 tons. From the figures of last year, you will find that production went up to 15 lakh tons. Anyhow, the figures can be checked with the Ministry. Even then, there is a drop of production by about 0.78 lakh tons, taking 19.20 lakh tons as the total production. In other words, 15,000 tons is the amount of production by which the whole total is less, is that a sufficient drop to warrant a sugar racket? It has dropped, in fact, from 20.29 lakh tons to 19.75 lakh tons in the same order of 15,000 tons, roughly. Was that not so last year? Is there no production now? Why should there be such a difference this year?

I shall tell you the reasons. It is not the drop in production that is the reason. The Minister himself has said that 19.20 lakh tons was the production for this year and according to him, 3.31 lakh tons was the carry-over from last month. That means 22.51 lakh tons was the total quantity of sugar available in the country. When there were 22 lakh tons of sugar in the country, according to him, 21 lakh tons was the consumption. There was already a surplus. That was about 1.51 lakh tons. When there was a surplus, and he knew the surplus, why should there be this sugar

racket? When you have got in your shops 22½ lakh tons in the whole country, and when you know that only 21 lakh tons are consumed, why should there be this racket? The reason is that the position was so manipulated or the releases were so manipulated that the prices shot up. That is the main reason for this difficult situation.

When there was an enquiry into the sugar situation in 1949, what was the finding of the Tariff Board? They said, and the Sugar Syndicate at that time, said that although there was more stock of sugar in the country than required it was managed in such a manner that the prices shot up. What was the result? There was an enquiry held by the Tariff Board. It was presided over by a Judge, Shri Surendranath. The result ultimately was that the Sugar Syndicate was dissolved. Today, you are the man—I mean the Minister—who have ordered the releases from month to month. Today there is a racket as bad as the one of the last occasion. Should not the Ministry be dissolved and should he not go out of the Ministry? If the Sugar Syndicate was guilty of fleecing the consumers to the extent of Rs 16 crores, why should not the Ministry be censured?

Sir, I lay a very serious charge, and it is a very serious charge to be brought here. Therefore, without any whitewash, in order to prove that you are not guilty, you must appoint a Commission of Enquiry to find out what is the truth. It is in your own interest that you must prove that it is not as a result of bungling that all this has happened. I lay a serious charge. I say, that had the Ministry not bungled in the months of April, May, June and July, knowing that it was a season of marriages and they were hot months, and had released quotas of sugar just more than required, all this would not have happened. Then it would not have resulted in these happenings.

The Minister asked me to give instances, where black money was made. Does he mean to say that the men who deal in them would come

out? If it was so, what will be the result? Now, I want to ask you one thing. The market rate for sugar was Rs. 1-8 per seer. Even today sugar is selling at Rs. 30 a maund in Punjab and in Pathankot. This is the figure ruling this morning. Today's quotation in the Times of India is Rs. 121-8-0 a bag in Kanpur. That is the wholesale price of sugar in Kanpur today. If Rs. 44 per maund is the rate of sugar today, you give a release of sugar by tender at Rs. 36 per maund. Rs. 8 is the margin. Do you think that the people in the Ministry are angels to give it without any consideration? When the sugar is released to people who have got the quotas, you will find that there are many people with the same name or firm who have got the sugar because they have greased the palm of the Ministry. I can give the names of the people if an enquiry is made, and lay it on the Table then, and I can tell you people with the same names and firms—not panwalaahs—and even prostitutes have got quotas of sugar and they have sold them in the black market. I have the names and if a Commission of Enquiry is appointed, I can give those names to the Minister. This is not something which is secret. It is a thing that everybody knows in the Kanpur market, Delhi market, Hapur market. It is a serious scandal, and the public has been robbed of about Rs 16 crores, and if this thing continues, it will go still further.

I can tell you the figures from your own statement. The price of sugar in Kanpur market was Rs 42-55. Today it is Rs 44-55. I can tell you that if this thing continues, it will go up to Rs 50, Rs 60 or even Rs 70 by 1st September. Where is the control price and where was it during the last five weeks? The quotas were given to the State Governments. How does it happen that there is sugar even now in the market and is selling at the black market prices? Where does it come from? Last year you had not given quotas and you gave them only to the State Governments. The reason for this situation is, as I have been

saying earlier, the mills had been transferring their free stock to their own agents in the name of benami transactions and they are keeping this sugar. They are now selling at high prices. Once you do not release any free quotas, the result will be that in the month of December, only that sugar will sell which has been hoarded by the sugar millowners and given to the benami agents. That will sell at Rs. 80 to Rs. 100 per maund. You will see it in September or October if your control continues to be as it is, and it is absolutely ineffective.

Take the Kanpur market. I was there yesterday. You have given 1,475 tons of sugar for one month there. That means 14,000 bags. In the previous two or three months they have been selling 15,000 bags every month and about half of it went outside. 25,000 tons is the consumption of Kanpur city and Kanpur district as a whole. But you have given only 50,000 bags. About 1,270 tons is the quota. They have not taken all the quota. They have taken about 16,000 bags. The result will be that there will be no sugar in the shops and in the market, and the black market will prosper and the price of sugar will shoot up.

Therefore, I say that you must be very careful in this matter. It is not a thing which you can easily manipulate. It is a thing which must be regulated and which must have normal channels. I therefore recommend that if you have got sufficient sugar, more than what is required, then, your duty is to see that anybody can offer to purchase the sugar and let them get what they want. You should have done that. Ask the millowners not to sell one single seer of sugar. Let the entire sugar produced by the mills be taken over by the Government and the Government must sell it. When the mill-owners see that sugar is selling at Rs. 45 a maund, will they sacrifice so many rupees?

The Minister also has admitted that the sugar has been selling at Rs 8 to Rs 12. That means they have taken black money at the mill gate. I know the factories and I know the names of the mills. In fact, the market quota-

tion went to show that Rs. 12 was the premium. Today, the prices range from Rs. 8 to Rs. 12, and these are the practices openly done. Yet, not a single action has been taken against any mill-owner. What is this? Your order is that more than one seer should not be consumed, and the statement says that there is a quota. Can you not prosecute the concerned people, and can you not prove that they are doing it? Everybody knows what is the price at which sugar is being sold.

Therefore, I charge you that you have not done your duty, you have not seen to it that the mill-owners do not indulge in such practices. I therefore demand that the mills should not be allowed to sell any sugar. Whatever they produce must be taken over by the Government and the Government must give to every trader from that stock. You have got the system of licensing now. It is very good. You have got the system, and so, whatever the people demand, give them. Then sugar will be sold at a cheaper rate and at a smaller cost. At present, the sugar released through quotas sells at Rs. 1 or Rs. 1.02. That is much more than what the trader sells in normal times. 15 annas was the price at which sugar was being sold about a year back.

I have given the reasons why the present situation has come about. What was the position last year? What is the difference between last year and this year? I say it is because of the change in the personnel—in the directorship in the Ministry. When Shri Prasad was there, he gave quotas freely and gave tenders freely. In the months of July and August, the price fell below Rs. 35 per maund. But after the new Chief Director has come, there has been black-marketing and the price of sugar has risen. At the crucial moment, when people required more sugar, you hoarded it in the godowns in March and April. In April, we expected that there would be some more release of sugar, but it was not

done. I have got the figures here. Last year, in the months of January, February, March, April, May and June, the quantity released was 8,82,000 or about 9 lakh tons. This year the quantity released was much less compared to last year. The release was about 2 lakhs tons less this year. In the hot months, in the crucial months of May and June when sugar was badly needed if you had released enough sugar, the position would not have been so bad.

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): The Chief Director was on leave from the end of last month. How is it that when he was officiating, the allotments were made? The hon. Member was saying that after a change in the post of the Chief Director, there has been some abuse.

Shri S. L. Saksena: When did the new Chief Director take over?

Shri A. M. Thomas: He was there only from December last.

Shri S. L. Saksena: If you see the price of sugar in November, it was below Rs. 36. After December, the prices began to rise and black money has been charged. All the tenders were not freely accepted. If licences had been issued to proper sugar merchants, there would not have been this serious situation. My charge is, after that you have been discriminating in accepting tenders and black money has been charged. Although there was less sugar product on last year, the prices were not so high last year.

The sugar manual gives the amount of sugar consumed every year. Khandasari sugar is also consumed. In 1956-57, 1 lakh tons was the consumption of khandasari. The total sugar consumption was 20.8 lakhs tons. In 1983 lakhs tons was the consumption last year. This year the consumption has increased. In fact, as Shri Rai stated, the consumption of khandasari has gone up to 3 lakh tons. If you take all these things into account, you will find that this serious situation is

[Shri S. L. Saksena]

not so much due to the actual consumption as to the fact that sugar is hoarded by the sugar mill agents; they are keeping it for being sold in black-markets, because your control is not properly functioning.

Another thing I was surprised to find was this. The main markets for khandasari are Rajasthan and Punjab. But he has stopped the movement of khandasari from the 27th July even to the markets. That sugar is not here in UP. Its main markets are Rajasthan and Punjab, but in Punjab sugar is selling at Rs 62 per maund. So, unless you allow this sugar to go there, you will consume your white sugar and there will be famine again.

I now come to the sugarcane prices. You say, if you increase the price of sugarcane, the price of sugar will go up. But what has happened now? You have yourself said that sugar was selling at Rs 47 per maund and the price of sugarcane is still Re 1-7-0. Is it not most cruel that the sugarcane-grower should not get any part of it? If you had not had this control and if sugar been sold at the high price, you would have got income-tax. Now because of your control, there is loss of income-tax. So, I demand that there should be an enquiry to find out how much money has been charged in the black-market, which mills have made that black-market money, how much money has been lost by the Government by way of income-tax and if the money has been there, how much of it must go to the cane-grower and to the sugar labourers whose wages are so low.

Therefore, my motion is a very simple and a very urgent one. So, appoint an enquiry commission where I will give all the evidence to prove that the mill-owners are guilty. I say the mill-owners have been mainly responsible for the propaganda of scarcity. There is no scarcity, because, as I told you, there is only a drop of 0.5 lakh tons in production

and for that there is so much propaganda of scarcity. Go back to 1952-53 when production was 12 lakh tons and consumption was 16 lakh tons. Shri Kidwai was able to keep the prices at a low level even in that year and sugar was selling at Rs. 30 per maund all over the country. So, when there was real scarcity, there was plenty; now when there is plenty, you say there is scarcity. I, therefore, say that it is necessary that you must take a leaf out of that book and see how he did it.

My only message is this. We have got enough sugar, but this control will not do. Let every tender which comes freely from the licence-holders be honoured and everybody will get enough sugar. They will take it to the smallest corners and there will be no black-marketing. But if you do what you are doing now, the result will be this Sugar is already in the black-market. It is hidden in the hoarders' godowns and they will sell it at black-market prices.

Shri Heda (Nizamabad). Mr Chairman, Sir, I think the country is facing a strage predicament. The consumer is paying much more for sugar than I think he had at any time imagined that he would have to pay. The producer had not got the price he wanted. Last year, some of us who represent the sugarcane-growing areas had desired that Government may fix a higher price for sugarcane, but it was rejected on the plea that the consumer should not suffer. If you increase the price of sugarcane, the price of sugar will increase and the consumer will have to suffer. Because of this argument, we reconciled ourselves.

If you look at the position today, the country has suffered in the sense that if we had given a higher price for sugarcane, the producer would have produced more sugarcane not only in terms of greater yield per acre, but also in terms of getting

more areas under the cultivation of sugarcane. Thus, all concerned—the consumer, the producer and the country—have suffered. The production of sugar is not much less to create this scare. In fact, I very well remember that the Food Minister did well by assuring the House time and again that the carry-over stocks are quite enough and they would be able to cope up with the increased demand of the consumers. Not only that; he struck a cheerful note and said that the export of sugar, as it was programmed, will be carried out. So, we thought there would be no difficulty, though it was expected that there would be less production of sugar. No doubt the production of sugar fell below the estimated quantity, but even then the production even today has not fallen to such an extent as to have created this scare.

Obviously, therefore, there is something wrong in handling. Take the case of releases is the months of March and April. The sugar release had been to the extent of 1,70,000 tons each month. It is expected that the consumption this year would be to the tune of 21 lakhs tons; i.e. 1,75,000 tons per month. Particularly in the hot months, when there is greater demand for sugar, the releases had been less; they should have been a little more. When an unreal scarcity propaganda was created, thereby resulting in the sugar prices rising, I do not think anything would have been lost if you released a little more sugar, as we are doing now, *viz.*, 1,90,000 tons per month. Had we released this much sugar in March and April, the situation would have been better. We would have hardly needed 1,85,000 tons or something like that. So, the handling of the situation, particularly in the realm of releases, was not accurate to cope up with the situation. Another thing in this regard is that when we made the releases we thought that the sugar in that quantum will reach the consumer. That does not necessarily happen every time. We know how

the market goes and how the cycle of the trade works. From the factory sugar is released, but then it is held by the wholesalers and the wholesalers can play with the consumers freely. It is a common knowledge practically in every big city—we have seen it—they create an artificial scarcity, charge more prices and thereby get higher profits. That has happened and this is the reason.

Therefore, taking advantage of the laws that we have in force, had we gone into the details of the trade at various levels, particularly at the wholesale level, and the agency between the wholesale and retail trade, had we kept a good watch over it and penalised some persons, the effect would have been quite different. Even now I feel that what is needed is not an enquiry neither full-fledged rationing; what is needed is a good watch over the trade to see that they play the game very fairly. The Minister should employ certain agencies, some people, to go incognito and find out the rates at different places at different levels and if there are any malpractices strong and prompt action should be taken against the anti-national elements that are working in the field. A few actions here and there may bring down the situation to normalcy and the scarcity which is so much felt now all over the country would not be felt.

Now I come to the question of zones. Some zones have been created. Take the case of the South. I belong to the southern zone which consists of the four States of Andhra Pradesh, Mysore, Madras and Kerala. They were put in one zone thinking that they are self-sufficient, so far as sugar is concerned. Though we are deficit in sugar, our deficit is not very much. Particularly, if we look at the expansion programmes of my State I am sure that in the near future the Southern zone will not only be not deficit but also will be surplus. But what happened this year? When a

[Shri Heda]

separate zone was created sugar started being smuggled out of the zone, particularly to Bombay, and this resulted in greater scarcity in those areas. I do not know anything about U.P. but it has affected us, because no sugar was allowed to be imported to our zone and some sugar was going out of the zone. The result was that prices increased and no action was taken to stop them. So, we in the south zone had a little more difficulties. I hope Government will take cognizance of this fact and allow more sugar to be taken to the south zone so that the position there may improve.

Again, I make the same plea that what is required in the situation is a better watch over the trade, particularly over the wholesalers and the middle links, which are many times unnecessary between the wholesaler and the retail trade. As some hon. Members have said, many of these middle agencies are not real agencies. They are not in the field; they are just bogus ones. In these matters favouritism in various spheres of life does play its own part. However, if we keep a good watch over this and penalise the elements that are not falling into line, who are charging more rates than prescribed by the Government, the situation can be controlled better, the prices will come and we will not be faced with any difficulty.

With these few remarks I oppose the motion, as well as the amendment moved by Shri S. L. Saksena.

Shri S. M. Banerjee: I rise to support the motion of my hon. friend, Shri Khushwaqt Rai. I remember when this question was raised in this House the hon. Minister assured us that every possible step was being taken to check the prices. This unfortunate statement of the fortunate Minister is before us and I have read it with keen interest. And while reading I found that the Ministry or

the Central Government knew about this crisis. It was in sight in the month of February, 1959. It is also stated here that they had this knowledge that the mill-owners and the trade will exploit the situation. When I read the statement I could not possibly understand the helplessness of the Ministry, whether at the Centre or at the States. Were they actually helpless or was it a deliberate collusion with those magnates who are trying to create a situation in the country in which it would be difficult for anyone to function? I accuse the hon. Minister and his Ministry, because I find that such a crisis, which was already in sight, could have been avoided.

It is also said here that different figures were shown and some figures were not shown in the books and it was in the knowledge of the Food Ministry that the mill-owners were adopting these tactics. I want to know the action taken against these mill-owners. This is not the first time they wanted to create this situation, this is not the first time they wanted to exploit the situation, because they are exploiters by nature, it is in their blood and they go on exploiting any situation whether it suits the Government or not.

So, my contention is this. The Food Ministry has utterly failed in its duty. Today, I am sorry to say that if you analyse every letter—I have analysed it—you will find that in the word "sugar" "s" stands for "scandal", "u" for "unchecked", "g" for "glaring", "a" for "amazing" and "r" for "real". So, "sugar" is an "unchecked, glaring, amazing but real scandal". And I am really sorry to see that even today the Minister feels like remaining as a Minister. Don't you think that it is high time that the hon. Minister resigns peacefully and gracefully? The entire situation has been created in such a way that the common man does not feel that this crisis could not be averted.

In 1949 when there was a sugar racket—it is quite evident from the book written by my hon. friend, Shri S. L. Saksena—the hon. Prime Minister said in this very House.

“What is more disturbing is not the fact that some of us have got sugar and some of us have not been able to get sugar but the fact that sugar position should deteriorate so rapidly and the situation could not be checked quickly. That is a fact which is very important and we should find out who is particularly responsible for this and who is guilty of it.”

Some reasons have been attributed. They say that the sugar production was low and the quality of the cane was not good. May I mention for the information of the hon. Minister that in this very House when we the Members wanted to discuss why the Central Government stands in the way of increasing the price of sugar, especially when both the Houses in U.P. and Bihar have unanimously recommended that the price of sugar-cane be increased to Rs. 1.75 it was rejected on the ground that the prices will be increased.

Even the hon. Prime Minister, who took part in that debate held the same view. So, I can tell you that these mill-owners and these magnates not only hit the consumer but equally hit the cane-growers and the workers. The Government today is a silent spectator of the whole show.

Now, I take the distribution of sugar. In U.P. they have started distribution of sugar at the rate of .97 nP per seer through the fair price shops and they feel that the crisis in Uttar Pradesh has been solved. I cannot blame the State Government for that particular state because their crisis is much more than the sugar crisis. They are unable to solve that. But I can tell you that only 40 per cent of the

population is getting sugar through these shops. How can a man feel that Government is doing something? He knows that if he can wait patiently in the queue he can get one, one and a half or two seers of sugar, but if he has money in his pocket, he can go into the market and purchase any quantity at the rate of Rs. 1|4/- or Rs. 1:25.

13.41½ hrs.

[MR. DEPUTY-SPEAKER in the Chair]

So, the production has been deliberately decreased by those who wanted to have fabulous profits. Nobody can deny that the sugar magnates made fabulous profits during the last so many years. I will read out how the profits increased. If you take Base 1939 as 100, these are the index figures:—

1942	126.7
1943	157.8
1944	133.5
1945	108.9
1946	122.4

Then I am quoting from 1951 onwards.

1951	221
1952	409
1953	419
1954	336
1955	413
1956	454.5

How can anyone believe that there is no profit? So, my submission is that the sugar magnates, with the help of the Food Ministry both at the Centre and at the State level have created this situation.

In 1949, I remember, when a committee was appointed to go through this, they made certain observations. They asked that action should be taken against the Sugar Syndicate. The recognition of the Sugar Syndicate was withdrawn but later on it was restored with a mild warning. It was in the knowledge of all these people that such a situation may arise

[Shri S. M. Banerjee]

in the future also. The Sugar Enquiry Committee, 1950, which looked into the popular complaints against the Sugar Syndicate, reported as under:—

“The Sugar Commission started investigation into these complaints and addressed the Sugar Syndicate on various matter in connection with it, but the Syndicate followed a policy of delay and evasiveness which clearly showed that the Syndicate was reluctant to submit to the control and supervision of the Sugar Commission.”

It is quite evident that right at the beginning, in 1949, the same thing happened and today the sugar situation is almost out of control. You produce more otherwise there is no solution. But the workers are suffering at the hands of these mill magnates. Cane-growers are also suffering. The consumer has been hit and today a situation has arisen that a high power commission should go into this scandalous affair. Till it submits its report, it is necessary that the hon. Food Minister may kindly resign.

An Hon. Member: He has not suffered.

Shri S. M. Banerjee: Whenever a question is asked, whether it is about foodgrains or about fodder, whether it is about sugar or about salt, some statistics are given in this House. I have received a telegram from Trivandrum which says that the price there is Rs. 47-8 per maund. It is from the Chamber of Commerce there which is patronised by them. They say that this rate is unprecedented for the past many years. My information is that the biggest manufacturers there are Parry and Company. They were supplying sugar at a lower rate but they were asked, “You cannot do it; now you have to give at a particular rate.” I do not know why, when the mill-owners were ready to give at a lower rate, they were asked to increase the rate.

Shri A. P. Jain: Who asked them?

Shri S. M. Banerjee: I do not know. Somebody must have asked. But, today the rate is Rs. 47-8-0 per maund.

So, let a commission be appointed. Let a judge of the Supreme Court be appointed, though I know that after the submission of the report the report may not be accepted because even the recommendations of the Supreme Court judges are not accepted or are flouted by this particular Government. So, my submission is that immediate steps should be taken....

Mr. Deputy Speaker: This ought not to have been said that the decisions of a Supreme Court Judge are not respected by the Government.

Shri Vajpayee: This is what is happening.

Shri V. P. Nayar (Quilon): Even when the judge himself is considered....

Mr. Deputy-Speaker: No authority in the country can afford to flout the decision of the Supreme Court. This should not be said.

Shri S. M. Banerjee: I can use the mild word ‘ignored’.

Mr. Deputy-Speaker: Not that. The Supreme Court has got wide powers to see that its decisions are implemented, executed and obeyed.

Shri V. P. Nayar: The decision on the report of Justice Vivian Bose is fresh in our memory.

Mr. Deputy-Speaker: That is not a decision of the Supreme Court. Commissions are different.

Shri S. M. Banerjee: Another thing is about distribution.

Mr. Deputy-Speaker: The hon. Member should conclude now. 10 minutes have been given to each hon. Member.

Shri S. M. Banerjee: I want only another minute and a half. I have come to distribution. Regarding distribution, it says:

"From the May release, the Uttar Pradesh Government decided to arrange for distribution of sugar through the Uttar Pradesh Co-operatives Federation...."

What is this Uttar Pradesh Co-operatives Federation? I have no time, otherwise I would have traced the history of those who have formed this Federation. They are the same men, the same exploiters but in a different form. The Sugar Merchants' Association in Kanpur itself issued a press statement, went to the District Magistrate and met the Food Ministers, both at the Centre and in the State. They say, "We promised to distribute sugar at a reasonable price of .95 nP." They were not considered. They said, "No, we have got this Co-operatives Federation" because, I know that they are the offshoots, the branches of those mill-owners who have created this situation.

So, what I submit is that this commission should be appointed at the earliest. Till that time there should be proper check and this hoarding must stop. Uneven distribution of sugar must stop. There is a serious situation in the country and I again respectfully submit to my hon. friend, the Minister, whom I respect most, kindly to submit his resignation in the larger interests of the country because in that case the people will feel that the hon. Minister has taken it very seriously.

श्री सुनसुनवाला (भागलपुर): उपाध्यक्ष महोदय, चीनी के व्यापार और उस के वितरण के बारे में बहुत कुछ कहा गया। अभी ही नहीं कहा गया है, बहुत वर्षों से कहा जा रहा है। लेकिन मैं देखता हूँ कि वह बसता बैसा ही है कि प्राप कुत्ते की पूँछ को सीबा कर दोजिये पर वह फिर

देको हो जाती है। जिस मसले के ऊपर विचार किया जाता है, वह तो सुधरता नहीं, एक दूसरे के ऊपर आरोप लगाया जाता है। दोष किस का है यह भी माकूम तो हो ही जाता है परन्तु कोई अपने दोष को मंजूर करने के लिये तैयार नहीं।

बहुत कुछ कहना चाहता था लेकिन एक तो समय उतना नहीं है दूसरे मेरा स्वास्थ्य भी ऐसा नहीं है कि मैं उतनी बातें कह सकूँ। मैं दो एक बातें कहना चाहता हूँ। हमारे भाई सुशबन्त राय जी ने कहा कि जब हमारे भाई अजित प्रसाद जी जैन उन की बगल में बैठा करने थे तो वह कहा करते थे कि गवर्नमेंट कमेटीया बगैरह तो बनाती है लेकिन असली मवाल को माल्व नहीं करती। उन्होंने ने उस समय कहा था कि कंज्यूमर से शुगर इंडस्ट्री ने आठ करोड़ रुपया ले लिया और पता नहीं चला कि वह कहा चला गया। उन्होंने ने यह भी कहा कि जब मैं वह प्राये हूँ तब से कमेटीया बगैरह भी नहीं होती है और वह कहने हैं कि १७ करोड़ रुपया प्रायब हो गया। मुझे नहीं पता कि कितने करोड़ रुपया प्रायब हुआ गया है। मेरे पास कोई आंकड़े नहीं हैं। परन्तु उन्होने जो बात कही, वह यदि सच है, तो मैं खाद्य मंत्री महोदय से कहूँगा कि वह तलाश करें कि वह १७ करोड़ रुपया कहा गया है। यह बहुत जरूरी है। बहुत से भारी-भारी आरोप खाद्य मंत्री पर लगाये गये हैं।

Shri Goray (Poona): He has survived all that.

श्री सुनसुनवाला ने आरोप हमारी समझ में ठीक नहीं है। खाद्य मंत्री जी से यह भी कहा गया है और बार-बार कहा जाता है कि प्राप इस्तीफा दे दीजिये। मेरा सुझाव खाद्य मंत्री जी से यह है कि वह इस्तीफा कमी भी न दे। जो आरोप उन पर लगाये गये हैं, कांग्रेस के एक उम्मेद्विनिस्टर की हस्तियत से उन सब आरोपों

[श्री मुनसुनवाला]

कम वह सामना करें और कमिशन के द्वारा और किली भी तरह से पब्लिक को बिल्ला दें कि वे शारीर बूटे हैं।

एक माननीय सदस्य वह एपायट करेंगे।

श्री मुनसुनवाला वह एपायट करेंगे या नहीं, यह मैं नहीं कहता। इतनी देर में इस बारे में राय देना मुश्किल है, क्योंकि उस के पक्ष और विपक्ष में बहुत सी बातें कही जाती हैं। लोग पाच दस मिनट में इनने और-जिम्मेदार तरीके से इतनी बातें कह डालते हैं, जिन से कोई नतीजा नहीं निकलता है। बनर्जी साहब कह बैठे कि शूगर इंडस्ट्री में वर्कर्स को मारा जाता है, कन्ज्यूमर्स को मारा जाता है, इस को मारा जाता है, उम को मारा जाता है। उन्होंने यह नहीं कहा कि जिलाया किस को जाता है। वह यह भी कह गये कि मुश्रीम कोर्ट के फैसले पर भी यहाँ पर कुछ ध्यान नहीं दिया जाता है, लेकिन बाद में उन्होने अपनी गलती महसूस की। बनर्जी साहब ने जो बातें कहीं, मैं नहीं कहता कि वे गलत हैं, मिथ्या हैं।

श्री स० एम० बनर्जी : तजुर्बा कम है।

श्री मुनसुनवाला : तजुर्बा तो सब से बेसी है। वह कानपुर में रहते हैं और काम करना प्राये है। लेकिन मैं यह कहना चाहता हूँ कि जो बात कही जाये, अगर भाकड़ी में उस का समर्थन हो, तो उस का मूल्य होता है, नहीं तो सदन के उन लोगों पर, जो कुछ जानते नहीं हैं, बूझन नहीं है, कुछ विशेष पढ़ते नहीं हैं, एक प्रजीव तरह की छाप पड़ जाती है कि क्या है, क्या नहीं है। वे उसमन में पड़ जाते हैं।

सवाल इस समय यह है कि सरकार के काम कम से बढ़ें। मैं बाहर नहीं जाऊंगा। हमारे साथ मंत्री जी की जो रिपोर्ट है, उसी पर दो बार बातें कह कर बैठ जाऊंगा। उन्होंने

वे कहा कि मिन-मालिकों को करवरी मार्च में पता चल गया था कि प्रोडक्शन कम होगा, इसलिये वे लोग इस का खूब फायदा उठाने लगे। उन का यह केश नहीं है कि करवरी मार्च में दाम बढ़ें। उन्होंने ने यह भी नहीं कहा कि उन को मालूम था या नहीं कि करवरी मार्च में उन को पता चल गया कि प्रोडक्शन कम होगा। हम को पता चला है कि उन को बार-बार चिट्ठियाँ लिखी गईं करवरी मार्च में कि इस साल प्रोडक्शन कम होने वाला है और यह कारण है, जिस से प्रोडक्शन कम होगा और अगर प्रोडक्शन कम होगा, तो स्वभावतः चीनी के दाम ऊँचे जा सका है। हम को यह खबर मिली है। वह चुपचाप बैठे रहे। उन्होंने कोई हा न कुछ भी नहीं कहा। जब ६ मई को कॉन्सिग एट्रेशन नोटिस दिया गया, उस समय भी जवाब यही मिला कि नहीं, चीनी हमारे पास इतनी है कि दाम ऊँचे जान का कोई भी डर नहीं है।

श्री कुशावन्त राव यह कहा था कि साल भर का काम चल जायगा।

श्री मुनसुनवाला यदि उन्होने यह कहा कि साल भर का काम चल जायेगा, तो यह सही बात थी और हमारे फूड मिनिस्टर और फूड मिनिस्ट्री यदि सावधान रहनी, तो साल भर का काम चल जाता और कोई कमी-बेशी न होती। मैं यह नहीं कहता कि इंडस्ट्री और ट्रेड एक दम से पाक है। मैं नहीं जानता। मैं ने फिगर्स भी नहीं देखीं। मैं उन्होने की बात बतलाता हूँ। लेकिन कही पर तो यह गलती हुई है। माननीय सदस्य ही विचार करें। मैं फूड मिनिस्ट्री की रिपोर्ट के बारे में कहना चाहता हूँ। मिनिस्टर साहब के स्टेटमेंट में यह बात ठीक है कि मई के पहले हमने एक सब दाम एक दम से ठीक थे। उन में कोई भी ऊँच-नीच का सवाल नहीं था। यद्यपि श्री कुशावन्त राव ने बताया है कि नहीं, करवरी मार्च में दाम एक, सवा रुपये बढ़ गये थे,

लेकिन इस के बारे में उन्होंने ने झांकते नहीं किये। यदि किये होते, तो वेरे पास झांकते थे, मैं उन के सम्बन्ध कर लेता और शायद कुछ कहता। बिना झांकने के कोई स्टेटमेंट करने से कोई लाभ नहीं है। उस के बाद उन्होंने ने यह बात भी साफ़ कर दी—

“The Food Minister has made it clear that from the July release, the entire production has been taken over by the Government in the controlled area for direct allotment. In effect, therefore, if there was any exploitation by the factories or if they have charged higher prices as alleged, this was restricted to only two releases made by the Government, one towards the end of May and the other towards the end of June. In these releases, the total quantity released was 375,000 tons”

इस झांकने की तरफ मैं ध्यान दिवाना चाहता हूँ कि ३७५,००० टन उन्होंने ने दो रिलीज में रिलीज किये थे। इन में के केवल १,१६,५६२ टन कंट्रोल्ड फ़ैक्टरी से रिलीज कराई गई और बाकी रिनाज हुई फूड मिनिस्ट्री के परमिट में या कंट्रोल से—उस को क्या कहते हैं?—जिन के बारे में यहाँ तक हुआ कि फूड मिनिस्ट्री में लाठी-चार्ज हुआ।

श्री वि० ला० सक्सेना : डॉक्टर कहते हैं।

श्री सुनसुनवाला : शायद डॉक्टर कहते हैं। मैं नहीं जानता।

उपाध्यक्ष महोदय : जो भी कहते हैं। मैं समझ करे। अब माननीय सदस्य अपने बोलें।

श्री सुनसुनवाला : उपाध्यक्ष महोदय, मैं समझ नहीं हूँ। बिना समझे वह कहने लगते हैं कि तुम गवाही करो हो।

14-00 hrs.

३,५५,५३० में से कुछ तो परमिट, डॉक्टर के जरिये निष्ठा। कुछ उन की फ़ैक्टरियां थीं—कारण उन्होंने ने नहीं बताया है—साहू-जिन की बिहार में फ़ैक्टरी थी, साज्ज इंडिया में सभी फ़ैक्टरियां थीं। कुछ बहाई से रिलीज हुआ था और कुछ रिलीज परमिट, डॉक्टर, से किया गया था। तो इस में के वह झांकते याद रखिये कि ३२ परसेंट जो रिलीज था वह तो था कंट्रोल्ड फ़ैक्टरीज से, जिन के ऊपर सारा द.प हमारे फूड मिनिस्टर साहब ने अपने स्टेटमेंट में बताया है और ६८ परसेंट जो था वह उन दो जगहों से आया था। कुछ तो उन की पेट फ़ैक्ट्रियां थीं जिन के ऊपर उन्होंने ने कंट्रोल नहीं किया था, दूसरी चीज यह थी कि जिन-जिन को चाहते थे उन को परमिट देते थे। बहा से यह चीज आई। जब करीब ६८ परसेंट इस तरह की चीजें उन के हाथ में थीं तो मेरी बुद्धि तो नहीं कहती है कि ६८ परसेंट जो चीनी थी वह सब चीज को कंट्रोल करती थी, ३२ परसेंट वाले नहीं कर सकते थे। तो यदि कोई अन्याय हुआ है तो वह ६८ परसेंट वालों की तरफ से हुआ है, ३२ परसेंट वालों की तरफ से नहीं हुआ। हा यह जरूर है कि इस के साथ यह बात भी हुई कि आखिर ३२ परसेंट वाले भी पीछे क्यों रहते। अगर उन को ज्यादा मिलेगा तो वह उसे लेंगे ही। मैं फूड मिनिस्टर साहब से पूछूंगा कि आखिर यह क्या बात है कि आप के ऊपर इतने चार्ज लमाये गये हैं परमिट आदि के बारे में और आप दोष देते हैं इंडस्ट्रियलिस्ट्स के ऊपर। जैसा मैं ने कहा कि वह कोई पूरी तरह से सफ़ा नहीं हैं, लेकिन आप को कम से कम इम्पार्टिअल तरीके से सब कुछ संसद् के सामने रख देने चाहिये जिस से संसद् विचार कर सके कि क्या बात है। अगर आप संसद् के लोगों को सचरे में रखकर तरह तरह की कार्र

[श्री सुनसुनवाल]

करने लगेंगे तब तो कोई सुगर प्राक्लेम हल होने वाली है नहीं। आप सरकार कहती है कि हम कंट्रोल कर के सब चीजों का ठीक तरह से बितरण कर सकते हैं, लेकिन अगर उन का इसी प्रकार का तरीका रहा और यदि इसी तरह से मिसलीडिंग स्टेटमेंट लोगों के सामने धाते रहे तो मैं नहीं समझता कि जो सवाल आप के सामने है उसे आप किस तरह से हल कर सकते हैं। केवल इस तरह के मिसलीडिंग स्टेटमेंट दे कर अगर हमारा समय निकाल देना चाहते हैं तो ठीक है, वह तो निकलता ही है और मुझे कुछ नहीं कहना है। जैसा मैं ने कहा, मुझे और कुछ नहीं कहना है, मेरा केवल यही कहना है कि हमारे फूड मिनिस्टर साहब जो स्टेटमेंट बगैरह करते हैं उन में गलतिया और बिस्कुल मिसलीडिंग स्टेटमेंट नहीं होने चाहिये, जोकि अन्धे धादमियों को भी जरा सा देखने से मालूम हो जाय कि इस में गलतिया हैं। उन का परिणाम केवल यही हो सकता है। उन्होंने स्टेटमेंट दे दिया है कि फला-फला जगह देखो, दाम कम हो गये हैं। उन्होंने फलकत्ते का उदाहरण दिया है कि वहां पर दाम कम हो गये, कानपुर का उदाहरण दिया है जहां पर कि हमारे २० मो० बनर्जी साहब बराबर रहते हैं। इसी तरह से कई जगहों के कोटेशन दे दिये हैं कि यहा यहा पर चीनी के दाम कम हो गये हैं, अब यह हमारे कंट्रोल में है। यह तो बहुत अच्छी बात है कि आप के कंट्रोल में यह चीज आ गई है, इस से अच्छी कोई और बात नहीं है परन्तु फूड मिनिस्टर साहब जानते हैं, पता नहीं हम को वह बतलाने को तैयार हैं या नहीं, लेकिन मैं उन से पूछना चाहूंगा कि आखिर फलकत्ते में दाम गिरने के कारण क्या थे? आप ने इतनी चीनी जल्दी जल्दी वहां मजबूत की। साफ है कि जहां पर मास अधिक आ आवेगा वहां पर दाम कम हो जायेंगे। परन्तु

आप इस बात का जवाब रखें, क्योंकि वह जानते हैं कि उन को जवाब रखने की जरूरत नहीं है। जो कुछ भी है उन की आश्चर्यकारी में है, हो सकता है कि कुछ बातें म मालूम हों क्योंकि उन को शायद उसे देखने का वकत न मिला हो तो मैं कहना चाहता हूं कि जब फलकत्ते से चीनी मुफ्तिसल में जाती है, जैसे बर्दान है, अन्य-अन्य जगह हैं, जिन के फिजल हमारे पास हैं, वहां पर दाम बढ़ जाते हैं। वहां पर दाम अभी भी ज्यादा हैं। श्रीमती रेणु बरनवती होतीं तो बतलातीं कि वहां पर मुफ्तिसल में दाम अभी भी काफी अधिक है। फलकत्ते में दाम इसलिये कम हो गये कि वहां पर चीनी खली गई। तो यह तो एक तरह की मिसलीडिंग चीज है।

दूसरे मैं उन से यह भी पूछना चाहूंगा कि जहां पर दाम बढ़े हैं वह तो उन्होंने बतला दिये, लेकिन जहां पर अभी भी दाम बढ़े हुए हैं वे उन्होंने क्या नहीं बतलाये? सौराष्ट्र में दाम खूब बढ़े हुए हैं, राजस्थान में दाम बढ़े हुए हैं, मध्य प्रदेश में बढ़े हुए हैं। मैं आप को आंकड़े दे कर बतलाता हूं कि इन जगहों पर कितने दाम बढ़ गये हैं।

रायपुर (म० प्र०)	४७.२७ ६०
बिलासपुर	४६.५५ ६०
राजस्थान	४७.६० से लेकर
	४६.६० तक
सौराष्ट्र	५४.६० से ५५.६० तक

क्या यह मंत्री जी के लिये ईमानदारी की बात थी कि वे उन्हीं जगहों के आंकड़े दें जहां पर दाम किसी वजह से नीचे आ गये हैं और वे आंकड़े न दें जहां पर कहा जाता है कि दाम बढ़ गये हैं?

उपाध्यक्ष महोदय : माननीय सदस्य साहब पूछ रहे हैं मिनिस्टर साहब से जेदि देखते हैं न उन की तरह और न मेरी तरह।

की अनुमानपत्रता : इस का सम्बन्ध अधिकतर वनासदों से है इसलिये मैं उन की ओर देखा रहा था। माफ कीजियेगा कि मैं प्राय की तरफ नहीं देखा रहा हूँ। मैं तो अपने समासदों से यह कह रहा था जब इस तरह की बाबली हो रही है और मिसलीडिंग स्टेटमेंट्स सरकार की तरफ से सदन के सामने रखे जा रहे हैं तब सदन को सरकार से कहना चाहिये कि इस तरह की चीजें सदन के सामने नहीं आनी चाहियें।

उपाध्यक्ष महोदय : श्री काशीनाथ पांडे। लेकिन मैं माननीय सदस्य से यह बिनाती कहेगा कि वह इस मिनट में अपना भाषण समाप्त कर दें। अगर हर एक मेम्बर ऐसा इरादा कर के तो बहुत से मेम्बर बोल सकेंगे।

श्री काशीनाथ पांडे (हाता) : माननीय उपाध्यक्ष महोदय, चीनी की बित्री के सम्बन्ध में जो माननीय साधु मंत्री का स्टेटमेंट हुआ है, उसे मैं ने बड़े ध्यान से देखा है और मैं यह समझता हूँ कि प्राय जो समस्या हमारे यहां चीनी के दाम बढ़ जाने की है वह अगर इसी साल तक रहे तब तो गनीमत की बात होगी। लेकिन हम को इस बात पर विचार करना है कि क्या यह भाव इस साल तक रहेंगे, इस से और ज्यादा तो नहीं बढ़ेंगे। इस की क्या कोई सम्पीद है? मैं इस बात पर प्राय का ध्यान दिलाना चाहता हूँ कि प्राक्सिर चीनी के दाम बढ़े क्यों? इस के कारण क्या थे? मैं समझता हूँ कि साधु मंत्रालय चाहे कोई स्टेप ले, लेकिन अर्थशास्त्र के सिद्धान्त के अनुसार वह दाम बने नहीं रह सकते। सप्लाय और डिमान्ड की ध्योरी बराबर इस बारे में भी लागू होती है। जब चीज जरूरत से कम होगी तो उस के दाम बढ़ेंगे और जब चीज जरूरत से ज्यादा होगी तो दाम घटेंगे।

पंडित क० चं० शर्मा (हाथुड़) : यह प्राय कोसहमी सदी की बात कर रहे हैं।

श्री काशीनाथ पांडे : मैं तो पुराना प्राय हूँ इसलिये वही ही बात कहूंगा। प्राय नहीं चीज बताइये।

मैं एक चीज प्राय के दर्ज करना चाहता हूँ। प्राय से दो साल से बराबर मंत्रालय के सामने यह बात आ रही है और उन्होंने अपने स्टेटमेंट में खुद यह दिया है कि इयूरिंग दि इषर १९५६-५७, १९५७-५८ और १९५८-५९ को प्रोडक्शन कैपेसिटी फैक्ट्री की थी वह थी १७.३ लाख टन, १८.७ लाख टन और २० लाख टन। लेकिन प्रोडक्शन क्या हुआ? जिस साल कैपेसिटी कम थी उस साल प्रोडक्शन हुआ १९.२ लाख टन लेकिन जिस साल कैपेसिटी बढ़ गई थी उस साल प्रोडक्शन बहुत कम था १७.३१ लाख टन। उस साल प्रोडक्शन हुआ २२.२९ लाख टन दूसरे साल हुआ १९.७८ लाख टन और तीसरे साल हुआ १९.२ लाख टन। इस का मतलब यह है कि जो कैपेसिटी हमारी फैक्ट्रियों की है उस में भी अगर हमारे पास सप्लाय गन्ने की हो तो हम ज्यादा चीनी बना सकते हैं। बजाय इस के जो हमारी सेकेन्ड फाइव इमर प्लान का टार्वेट था २५ लाख टन की कैपेसिटी का, उन्होंने यह भी दिया है कि कारेन एक्सेन्ड की कमी की वजह से उस कैपेसिटी तक भी हम नहीं जा सके हैं। लेकिन जो है उसमें बोझ सा ऐक्सपेंशन हुआ है लेकिन जो है उससे प्राय यह समझ जायेंगे कि जिस समय १७.३ लाख टन की कैपेसिटी थी उस साल हमारा प्रोडक्शन हुआ है २२.९२ लाख। मैं यह कह सकता हूँ अगर गन्ने की सप्लाय हमारे यहां हो तो चीनी हम जरूरत के मुताबिक पैदा कर सकेंगे। जो प्राकट्टे मिनिस्ट्री की तरफ से दिये गये थे इस साल के बारे में कि २१ लाख टन की हमारी कंजम्पशन कैपेसिटी है, हम यह समझते हैं कि यह कंसकुलेशन हमारे खयाल से मजत है। कंजम्पशन की कैपेसिटी हमारे देश की बढ़ गई है और वह के न एक सामंजस्य स्थापित करने के लिये ही गई है लेकिन अगर हम वही मान लें तो उसका नतीजा यह है कि हमारा जो

[श्री काशीनाथ शंभे]

प्रोडिक्शन है वह १६.२ लाख टन है और जो कमी है उसका ज्ञान सारे कीटलिस्ट्स को है और उसका फायदा तमाम लोगों ने उठाया। मैं यह प्रश्न करना चाहता हूँ कि हमारे यहाँ जो चीनी का प्रोडिक्शन कम हुआ उससे यह नहीं समझा जाना चाहिये कि गन्ना कम था। हमारे देश में गन्ने की कमी नहीं है और गन्ने की कमी के कारण हमारे देश में यह आइसिस नहीं हुआ। मैं मिनिस्टर साहब के इस कथन को कहते तो समझ सकता था कि जो १ व० ५ धाने व १ व० ६ धाने मन गन्ने का दाम फिक्स किया है वह इस बात को ध्यान में रखते हुए किया है कि कंज्यूमर्स को उपभोक्ताओं को सस्ती चीनी मिले लेकिन हम देखते हैं कि इसके बावजूद बांध बांध चीनी किस भाव में बाजार में मिल रही है। मुहरीदीनपुर फैक्टरी की चीनी साढ़े १४ धाने सेर मिलती है और वहाँ अब भी इसी भाव के कंट्रोल रेट पर चीनी मिलती है लेकिन फैक्टरी के बाहर चले जाइये वहाँ चीनी १ रुपये और ६ नये पैसे प्रति सेर के भाव से मिल रही है। अब यह जो ३१ रुपये मन का भाव तय किया गया है उनसे ६ रुपये ५० नये पैसे कंज्यूमर्स को देना पड़ता है। इसका मतलब यह है कि मेरठ के भासपास ५२ रुपये और ५० नये पैसे मन चीनी बिक रही है। मैं कहना चाहता हूँ कि जब किसान गन्ने का दाम बढ़ाने की बात करता है तब तो आप कहते हैं कि हम उसको इतना बैलेंस रखना चाहते हैं ताकि चीजों के दाम न बढ़ें लेकिन मैं पूछना चाहता हूँ कि किस के फायदे के लिये आपने यह ३६ रुपये चीनी का दाम तय किया है? हम लोग तो एक रुपये सेर की चीनी खरीद रहे हैं और ऐसी अवस्था में मेरी समझ में यह बात नहीं आई कि सरकार गन्ने का दाम क्यों कम बनाये रखना चाहती है?

पिछले साल जब संबसारी के ऊपर एक्सहाइबिट्यूटी लगाने की बात थी तो हमारे उपभोक्ता के माननीय सदस्यों ने मायकुटा में जाकर उसका क्या विरोध किया था और

सरकार को उसके लिये प्राप्तिपना की थी। मेरा निवेदन है कि जब कहीं किसी चीज की बचत से हमारी एकोनमी पर बचत बढ़े तो उस पर बचत खयाल करना चाहिये। जब संबसारी इंडस्ट्री के बारे में कर्ब कमेटी ने लिखा है कि यह वेस्ट इंडस्ट्री है। संबसारी की इंडस्ट्री स्माल स्केल इंडस्ट्रीज में एक वेस्ट इंडस्ट्री समझी जाती है। १०० मन गन्ने में संबसारी केवल ६-७ मन निकलती है जब कि सुगर फैक्टरी में १०० मन गन्ने में १० मन चीनी निकलती है।

एक माननीय सदस्य : गुड़ के बारे में आपका क्या विचार है ?

श्री काशीनाथ शंभे : मैं मानता हूँ कि गुड़ इंडस्ट्री को इनकरेज करना चाहिये लेकिन संबसारी को तरकी नहीं देनी चाहिये। मेरा तो ऐसा मत हो सकता है कि भाव इस मत के न हों और आपका इच्छे विपरीत मत हो। जब तक संबसारी उद्योग को आप अच्छे तरीके से कंट्रोल नहीं करेंगे जो भवत्वा इस बात है अपने साथ यह बेहतर नहीं हो सकती। आपने इस साथ संबसारी पर एक्सहाइबिट्यूटी तो लगा दी लेकिन इसकी प्राइस पर कोई कंट्रोल नहीं है और संबसारी बहुत ज्यादा भाव में बिक रही है। अब जब संबसारी ज्यादा भाव में बिक रही हो तो कोई चीनी मिल मालिक कोई फिर्निट्रीफिक सोसाइटी कोई क्रीडिट सोसाइटी ती चला नहीं रहे हैं, उन्होंने कोई धर्मसाता ती खोसा हुमा नहीं है कि वह सस्ती दर पर चीनी बेचें। वह चीनी का जो स्पेसिफ कर रहे हैं वह बिजनेस लाइस पर कर रहे हैं जाहिर है कि जब उन्हें अच्छा मुनाफा मिलेगा तभी वह इन मिलों को चलायेंगे बरना चाटा सहने के लिये बीड़े ही चलायेंगे। वह ब्लैक मार्केटिंग से भी नहीं डरते हैं। इसलिए सत्य बात को हमें ग्रहण करना चाहिए और इस बात की कोशिस करनी चाहिये कि ऐसे उपाय हम करें जिससे संबसारी इंडस्ट्री को हम ठीक तरीके से कंट्रोल कर सकें।

दूसरी बात मैं यह कहना चाहता हूँ जैसा कि फूड मिनिस्टर साहब ने यह स्टेटमेंट दिया है कि the main cause for shortage of sugar, drop in production has been mainly in Western U.P. due to poor crop and diversion of cane to garnd khandasari हमारे देश में हर जगह कम पैदा होता है लेकिन फूड मिनिस्टर साहब इस बात की स्वीकार करते हैं कि वेस्टर्न यू० पी० की फेक्टरीज बनाना बंद न्हे नहीं करती और यह बात जब से ज्यादा खंडसारी और दूसरी चीजों के बारे में कही जा सकती है। चीनी धरार कम बने जो उसका अंतर तमाम देश पर पड़ता है। माननीय सदस्य ने बतलाया कि ३५ रुपये मन् चीनी बीराष्ट्र में मिलती है तो मैं समझता हूँ कि इस में कोई गलत बात नहीं हो सकती। हम समझते हैं कि यह सत्य बात है और हम मिनिस्टर महोदय की राय देना चाहते हैं कि घाप इस तरीके से प्राइस कंट्रोल करके चीनी की चीजों को कंट्रोल नहीं कर सकते हैं और मैं घाप से कह देना चाहता हूँ कि सुगर फेक्टरीज के सामने अगले साल और भी आइसिस धाबेची धरार घाप गन्ने का दाम नहीं बढ़ावेंगे। गन्ने के चूक मुनासिब दाम कास्तकारों की नहीं मिल रहे हैं इसलिये मैं देखता हूँ कि गन्ने की एक्सेज क्रोप में की कमी हो रही है।

दक्षिण में अम्बई में वहाँ पर ४ घाने मन के हिसाब से गन्ने का दाम देते हैं। सिस्मा फारपूला के हिसाब से गन्ने के दाम ज्यादा मिलते हैं। वहाँ पर ईल्ड कम है और दूसरी बात यह है कि रिकवरी कम होने से और ईल्ड कम होने से किसान भी परेशान हैं। दूसरी तरफ वे किसान जिनको कि गन्ने के ज्यादा दाम मिलते हैं वे चीनी ज्यादा दाम में खरीदते हैं इसलिये मैं समझता हूँ कि फूड मिनिस्टर साहब की इस बारे में विचार करना चाहिये। समस्या गम्भीर है। चीनी के बढ़े हुए दाम कंज्यूमर केने को तैयार हैं बसलें कि उसकी कोई एक विधि हो। हम गन्ने के मुनासिब दाम

कास्तकारों की दें ताकि सुगर फेक्टरीज में हम उत्तनी चीनी पैदा कर सकें जो कि हमारी कंज्यूमर कैपेसिटी की देखते हुए काफी हो। यही मेरे बन्द एक सुझाव है।

श्री बाबूदेवी : उपाध्यक्ष महोदय, इस बात से इंकार नहीं किया जा सकता कि देश में जिस गति से चीनी की मांग और खपत बढ़ रही है उसके अनुसार हम चीनी का उत्पादन नहीं कर रहे हैं। उत्पादन बढ़ाने का एक ही तरीका है कि हम धनी लेती करें और गन्ना की क्वालिटी की सुधारें।

महोदय का विषय है कि चीनी का उत्पादन बढ़ाने की घोषणा करने के बाद भी सरकार इस प्रकार की परिस्थितियाँ उत्पन्न करने में असफल रही है जिनमें गन्ने का उत्पादन और उसके फलस्वरूप चीनी के उत्पादन में वृद्धि हो सके। श्रीमान्, मेरे चुनाव क्षेत्र में दो चीनी की मिलें हैं। मैं देखता हूँ कि उनका उत्पादन कम हो रहा है क्योंकि उनको पर्याप्त मात्रा में गन्ना नहीं मिलता। पहले कहा गया था कि वहाँ ट्यूबवैल्स लगाये जायेंगे जिनकी कि सिंचाई के परिणामस्वरूप गन्ने की पैदावार बढ़ेगी। बाद में वहाँ नहर लाने की बात हुई और आज स्थिति यह है कि नहर की नहीं आई और चूक नहर घाने वाली भी इसलिये ट्यूबवैल्स भी नहीं लगे। नतीजा यह हो रहा है कि पैदावार घट रही है किन्तु यदि देश में उत्पादन कम है और माग अधिक है तो यह स्पष्ट है कि हम ने वितरण की व्यवस्था ठीक रखी है और मेरा आरोप है कि साधन मर्यादा चीनी के वितरण की अपूर्ण व्यवस्था नहीं कर सका है।

इस सम्बन्ध में मेरी सब से पहली आपत्ति यह है कि जब देश में चीनी का अभाव था और मंत्री महोदय इस बात को अनुभव करते थे कि चीनी की खपत बढ़ रही है तो बोटी की विदेशी मुद्रा के लोभ में चीनी को सबसिडिजिड करके, चीनी के निर्यात करने का जो निर्णय किया गया, मैं समझता हूँ कि वह बड़ा गलत

[श्री बाजपेयी]

निर्यात था, पट्टरक्षितपूर्वक था और अन्व-
व्याहारिक था ।

देश की जनता अधिक मूल्य पर चीनी प्राप्त करे और हम चीनी को विदेशों में भेजे विदेशी मुद्रा की प्राप्ति के लिये मैं इसे कोई व्यावहारिक नीति नहीं मानता । विदेशी मुद्रा का महत्व है किन्तु आज चीनी सर्व-साधारण के जीवन का अंग बन गयी है, अब उसे बिलास या ऐश्वर्य की वस्तु कह कर टरकाया नहीं जा सकता । चाय के साथ चीनी सुदूर गांवों तक पहुंच गई है, और यदि हमें अपने देश की जनता के जीवन की आवश्यकताओं को पूरा करना है तो विदेशी मुद्रा की प्राप्ति के लिये हमें अन्य मार्ग का अवलम्बन करना चाहिये था । चीनी के निर्यात का विचार इस दृष्टि से बड़ा गलत साबित हुआ है । लेकिन जब चीनी के भाव बढ़ते हैं, बाजार में संकट उत्पन्न होता है । उपभोक्ता को अधिक मूल्य देना पड़ता है, तो हमारी सरकार एक घिसा घिसाया, पिटा पिटाया उत्तर देती है और सारी जिम्मेदारी उद्योग और व्यापार पर डालकर अपना बचाव करना चाहती है । मैं जानता हू कि उद्योगपति दोषी हैं, उन्होंने चीनी की अनुचित मुनाफाखोरी की है, और व्यापारियों ने भी जनता को लूटने में कोई कसर नहीं की है, अगर हमारी सरकार जो इस सदन से सब प्रकार के अधिकार प्राप्त कर चुकी है, कर सकती है । उद्योगपतियों और व्यापारियों पर नियंत्रण लगाने के लिए, वह सरकार संकट उत्पन्न होने पर इस सदन में आकर कहे कि इसके लिये व्यापारी जिम्मेदार हैं । उद्योगपति जिम्मेदार हैं । तो यह हमी की बात है । इस सदन ने सरकार को काफी अधिकार देने में संकोच नहीं किया । यदि उन अधिकारों के बावजूद सरकार उद्योगपतियों और व्यापारियों पर नियंत्रण नहीं लगा सकी तो वह सरकार की दुर्बलता है । यह सरकार का दायित्व है । और सरकार जनता के रोष से बचने के लिये उद्योगपतियों या व्यापारियों

को बलि का बकरा बना कर अपने पाप से बच नहीं सकती । मेरा निवेदन है कि जब सरकार के पास अनुचित मुनाफाखोरी को रोकने के लिये पर्याप्त अधिकार थे तो उनकी काम में क्यों नहीं लाया गया । सरकार स्टॉक जब्त कर सकती थी । क्या मिल मालिकों का या व्यापारियों का स्टॉक जब्त किया गया ? कौनसा कदम उठाया गया उनके विरुद्ध ? मैं समझता हू कि इस दृष्टि से सरकार ने कोई ठोस कार्रवाई नहीं की है । और उसके दुष्परिणाम हमारे सामने हैं ।

दूसरी प्राप्ति मेरी यह है कि जब चीनी के भाव नहीं बढ़ें थे, तब तक चीनी की जो मात्रा रिलीव की जाती थी वह मात्रा अधिक थी, लेकिन अप्रैल से जो मात्रा रिलीव की गयी वह कम कर दी गयी । २२ जनवरी सन् १९५६ को १ लाख ६५ हजार टन चीनी मुक्त की गयी थी लेकिन २६ अप्रैल सन् १९५६ को १ लाख ४० हजार टन चीनी मुक्त की गयी । मैं जानना चाहता हू कि जब भाव बढ़ेंगे इस तरह के आमार बाजार में थे तो फिर चीनी कम मात्रा में क्यों रिलीव की गयी । इनकी छानबीन बहुत आवश्यक है ।

तीसरी प्राप्ति टेंडर सिस्टम के सम्बन्ध में है । अनेक सदस्यों ने इस पद्धति के विरुद्ध बातें कही हैं । और मैं जानता हू कि इससे अछूताचार को बढ़ावा मिला है । कोई नियम नहीं, कोई कसौटी नहीं जिसके आधार पर टेंडर के लिये प्रार्थनापत्र मंगाये गये । जिस किसी का भी प्रभाव लगा, सिक्का जमा वह अपना काम बना बैठे । और जो टेंडर सिस्टम से चीनी दी जाती है उसके भावों पर भी कोई नियंत्रण नहीं है । उन्होंने उपभोक्ताओं के मनमाने दाम वसूल किये । मैं समझता हू कि इस सिस्टम को काय किया जाना चाहिए और इस में जो अनियमितताएँ हुई हैं उनकी भी जांच बहुत आवश्यक है ।

उपायवाक महोदय, सरकार ने एक्स-कैन्ट्री प्राइस रै की मगर वह प्राइस सभी प्राप्ती पर लागू नहीं होगी। इसका परिणाम यह हुआ कि कुछ प्राप्ती में चीनी के भाव कम रै किये गये, कुछ में अधिक रै किये गये, जिसके फलस्वरूप इधर उधर चोरी से चीनी भजने को बढ़ावा मिला। इसके साथ ही जब एक्स-कैन्ट्री प्राइस रै की गयी थी तो हमारी सरकार ने थोक व्यापारियों के लाइसेंस का विचार नहीं किया। एक्स-कैन्ट्री प्राइस रै की गई थी पिछली जुलाई में और व्यापारियों को लाइसेंस देने की बात इस मई में की जा रही है। मैं जानना चाहता हूँ सरकार को इतना समय क्यों लगा है। आज सरकार कहती है कि अगर चीनी के भावों पर नियंत्रण रखना है तो यह बिना थोक व्यापारियों को लाइसेंस दिये नहीं हो सकता। मैं जानना चाहता हूँ कि क्या पिछली जुलाई में सरकार इस बात का अनुभव नहीं कर सकी थी। अगर नहीं कर सकती थी तो सरकार ने दूरदर्शिता से काम नहीं लिया। पिछली जुलाई में जब चीनी की सपत बढ़ने के आसार थे और भावों में वृद्धि की आशाका थी तो थोक व्यापारियों को लाइसेंस दे देने का काम होना चाहिए था, लेकिन वह नहीं किया गया।

अभी लडसागी की भी चर्चा हुई है। हमारी सरकार ने लडसारी पर एक्साइज ड्यूटी लगायी, इसलिए कि गन्ना उनको न मिले और उमसे चीनी बने। मगर मैं कहना चाहता हूँ कि सरकार का यह प्रयत्न सफल नहीं हुआ। लडसारी के निर्माता जिनना गन्ना चाहते हैं प्राप्त कर रहे हैं और एक्साइज इस्पेक्टर्स के साथ मिलकर एक्साइज ड्यूटी भी बचा रहे हैं। जब सरकार ने लडसारी पर एक्साइज ड्यूटी बढ़ाई तो बाजार में लडसारी की कमी की वजह से चीनी का अभाव और भी अधिक अनुभव होगा इस बात का भी उसे ध्यान रखना चाहिए था। मगर उसने यह ध्यान नहीं रखा। और हम एक्साइज ड्यूटी के भी हाथ धो रहे हैं और उसके फल-

स्वरूप चीनी की कमी के कारण जो भाव बढ़ रहे हैं उनके कारण भी कष्ट हो रहा है।

गन्ने के मूल्य का भी सवाल थाया है। पिछले साल लडसारी बावों ने १ रुपया १५ आने मन पर गन्ना खरीदा जब कि मिल मालिक १ रुपया ७ आने से ज्यादा देने को तैयार नहीं हैं क्योंकि उन्हें सरकार का सब्सिडी प्राप्त है। अगर गन्ने का मूल्य अधिक नहीं बढ़ाया जायेगा तो लडसारी पर एक्साइज ड्यूटी बढ़ने के बाद भी मिलों को गन्ना नहीं मिलेगा और इसके परिणामस्वरूप भावों को नीचे नहीं लाया जा सकेगा।

सरकार चीनी का कंट्रोल करे वा राशन-निंग करे इस के सम्बन्ध में मंत्री महोदय ने अपने वक्तव्य में यह प्राप्ति दी है कि चीनी की सपत किसी के लिये अधिक, किसी के लिये कम है। इस मामले में लोगों में खेद है और सब धान बाईस पसेरी नहीं तोला जा सकता, सब को एक ही लकड़ी से नहीं हाँका जा सकता। मेरा निवेदन है कि प्रत्येक व्यक्ति की कम से कम आवश्यकता को तो पूरा किया जाय और इस के लिये सरकार को राशननिंग का सिस्टम अपनाना पड़ेगा। इस के सिवा कोई चारा नहीं है।

अनेक सदस्यों ने बहुत गम्भीर आरोप लगाये हैं। कुछ आरोप माननीय मंत्री महोदय पर हैं कुछ उन के विभाग के ऊपर हैं। लेकिन मुझे यह देख कर खेद हुआ है कि जो आरोप मंत्री महोदय पर लगाये गये उन की पुष्टि में कोई बात नहीं कही गई। जहाँ तक विभाग पर आरोपों का सम्बन्ध है, मैं समझता हूँ कि इस सदन में भी अफसर अपना जवाब देने के लिये मौजूद नहीं हैं उन पर आरोप लगाना अच्छी संसदीय पद्धति नहीं है। लेकिन यह बात स्पष्ट है कि चीनी के गोसमाल के सम्बन्ध में जनता के मन में अनेक तरह के सन्देह हैं और सीजर की पत्नी की तरह से हमारे मंत्री महोदय को भी सभी सन्देहों से परे होना चाहिये। इस से अच्छा यह है कि

[श्री बाजपेयी]

जो कुछ भी सदस्यों ने आरोप लगाये हैं उन सदस्यों को निर्मित किया जाय उन आरोपों के ठोस प्रमाण देने के लिये, और अगर कोई प्रास्ताव फेरी कैसे बनता है तो सारे मामले को किसी हाईकोर्ट जज के लियुर्व कर दिया जाय ।

Shri Khadilkar (Ahmednagar): Mr. Deputy-Speaker, Sir, I would like to discuss this issue of sugar prices from a long-range point of view, because I do not think there is a short-term solution to this problem. As we all know, in 1946 and 1947, we used to get sugar at 13 annas a seer, but since then, taxes, excise and State levies have gone up—I am trying to analyse the factors which are beyond the control of the Ministry which go to increase the price of sugar. If we take the Central excise as it has increased in 1957, it works out at 17 nP. per seer. This is the increase in taxation. The quantum of tax on production was 14 per cent; now it has gone up to 36 per cent. The tax burden adding to the cost of production is passed on to the consumers. This is the present level. At the same time, there is a reduction in production to a large extent. But I do not understand one thing, though the Minister has given a statement. There was the last year's balance of 1.33 lakh tons. Why was it not made available to check the prices? That factor is not clearly mentioned in his statement. Why sugar production has gone down? This needs further explanation as the hon. previous speaker just now mentioned. As I said, you will have to find out some long-term solution. Sixty-seven per cent of the sugar production is more or less controlled by U.P. and the northern Indian areas. There, the method of production is outmoded; it is wasteful. As the Minister of Agriculture he must look into this.

The mills are almost dilapidated and the third factor which is operating is khandasari production. If at all you want to maintain a certain price level for the consumer you will have

to take all these factors into consideration.

Another thing which has affected the price and to which serious thought must be given is export. As the previous speaker just now mentioned we are exporting 50,000 tons of sugar every year. But I do not think this export is profitable because if we compare the prevailing prices here with the prevailing prices in the international market, taking our cost of production into consideration, it is about Rs. 240 to Rs. 265 more than the international prices. If we calculate, by exporting this quantity of sugar, we are losing Rs. 1.25 crores annually.

I do not know what benefit the Food Minister is deriving from continuing this type of export and earning a meagre foreign exchange at the cost of the consumer, because, ultimately, this burden falls on the Indian consumer.

Certain taxes have gone up; railway freight rates have gone up, I admit. Production has gone down. That is also true. These are factors which are not under the control of the Ministry or the Minister. What is in his control? Has he performed that part of his duty whereby he could have checked the prices? Once you come to that basic thing, my first submission is that in our economy, if sugar or some other essential food material is in short supply, if, without having at your command a good control machinery, you begin to talk about it, our experience is that hoarders and speculators benefit thereby. So, unless we have got a controlling machinery of an overall nature—because we have learnt in the days when there was rationing—there is no use of having partial control. Control even at strategic points is never effective in the market. Either you must have a blanket control or no control at all. Then alone you can succeed in controlling the prices. Unfortunately, the Food Minister has not taken into consideration this basic factor which is

inherent and which has more or less entrenched itself in our market mechanism.

In this country the distributors are afraid that today or tomorrow, because of shortages, because of certain policy matters, there are likely to be controls and they are forewarned. They hoard the essentials and play in a speculative manner at the cost of the life of the common man and the poor man's life is being corroded further and further. This is the main thing.

It is no use pleading that we have less production. These things have happened. But within the means at your disposal why have you failed to control the market and guarantee a certain minimum price, which is reasonable under the given situation, to a consumer? Why allow the hoarders to hoard? What attempt was made to punish these people? We talk loud: 'We shall bring corruption to an end'. In righteous anger we sometimes utter these words. But if we examine the policies, in day to day life we find the greatest failure of the present Government so far as this aspect of our economy is concerned. The price levels of the daily needs of the people are left more or less to be determined by the trading community in this country. And this grip of the trading community over the policies of Government is, ultimately, bringing down the reputation of Government.

My hon. friends have said 'Here you own your moral responsibility as was formerly owned by the Railway Minister when there was an accident. This is a social accident where everybody has suffered. Own moral responsibility and resign.' I do not think there is anything beyond that. This is a type of moral responsibility which you must own and face the House and the country and make it clear that you will control this and will not allow speculators to dominate the market and play with the common man's life. This is one part.

Mr. Deputy-Speaker: The hon. Member must conclude.

Shri Bhadishkar: I will finish in a minute, Sir.

On the 9th August, I presume, the Minister suggested that he is thinking of increasing the production capacity. In this country certain areas are good for production; and, particularly, south is very good. If he is considering the long-term aspect, if, from my own province of Maharashtra, he were to license 25 mills with the optimum production capacity, they will go into production in a couple of years and this headache of shortages will disappear within no time. Therefore, when you release new production capacity, I would urge that it should not be released in areas where the crop production is of an outmoded nature, where the sugar production machinery is also almost old and useless, and other factors operate to the detriment of increased production. It should be allocated to areas in this country where it will be utilised to the best advantage of the people at large.

Pandit K. C. Sharma: Mr. Deputy-Speaker, Sir, there has been enough rather unnecessarily hard criticism of the policy of the Government and the failure in its implementation. Therefore, I would not repeat what is unnecessary. I would simply beg to point out that in a developing economy many things happen which you do not expect

For instance, the consumption has increased. Nobody expected that the consumption would increase to the extent it has done. Whoever be the Food Minister, he cannot bring sugar or grain from his pocket. Mistakes are bound to occur as they have occurred. They have occurred because there was no pressure and the hon. Minister does not claim to be a genius. It is the genius alone that meets an unexpected crisis successfully when it meets with unexpected crisis. An ordinary man in office with

[Pandit K. C. Sharma]

a rationalised discipline at his back, at the most, can avoid what is called a breaking down of the administration, and so much the hon. Minister can safely claim.

The fundamental proposition that I would like to point out is the proposition of production. What is wrong is that we take things as they are. In any developing economy there is no order like the military order 'as you were.' If you order the economic development process like a military colonel 'as you were', there will be failure; here lies the crux of the problem. A great philosopher has said: every day you go to bed, the old man is dead; every day you wake up in the morning, you are a new man. Every financial year that passes should be left like that and every new year that is coming should be taken as a year of progress and change and new measures should be taken. Therefore, I would request him to consider seriously this thing. I have full faith in his capacity, young as he is and resourceful enough as he is. He can do the job. He should take it up seriously and take strong measures to see that a new variety of sugarcane is produced next year. Look at the cane going to the mill. What will the mill-owner do with some of that rotten sort of cane, without any juice inside? The result is that the cane fails to give the mill owner the necessary quantity of juice. Therefore, he does not worry even about minimum facilities and gets the cart unloaded after 36 hours. What is the consequence of it? This sort of treatment is nothing but slavery. On this criterion I say that this great State of ours has no face to boast before the comity of nations that we are a civilised people. The poor peasant has to wait for 36 hours. Where is independence for that man? Where is your safety or liberty? Where is the protection of the man? This is the consequence. Bad production is at the root; these are the consequences that affect the very roots of civilised society. Therefore, I urge him to

take strong measures to have a better variety of sugarcane and raise the price. Make it compulsory for the mill-owner to provide good manure and seed and give every help to the cultivator; the better variety of sugarcane will come and producers will get better price. Demarcate an area for the mill and beyond that you may allow khandsari and gur. But make it compulsory for the mill-owner that in the area allotted to him, he shall have to pay for every pound of cane that is produced. Cane is burnt? Who is responsible? Cane is not produced merely by the wish of the man. Money and labour had to be spent on it. When the cane in the field is burnt, what happens? The man is ruined. Who is responsible for the ruination of the peasant? Therefore, take the production to a scientific level and take things seriously and take strong measures. Young as you are, if you put in your intellect and physical capacity to the job, you will do it. I mean to say nothing further, Sir.

Shri A. P. Jain: Sir, I am not going to plead before this House that there has not been profiteering in sugar. The mill-owners, wholesalers and the retailers have all unduly benefited. The question is whether in the circumstances Government have or have not done anything to control the price of sugar, whether they have succeeded to any extent. In the note which I had circulated to the hon. Members, I have stated that the sugar situation had improved but it was not yet fully under control. There are two kinds of questions involved. One is the question of policy. Some allegations may have been made that we have deliberately followed a policy with a view to help the sugar mill-owners. If that is so, it is a very great charge and if we can be held guilty of that charge, I am not fit to occupy this place and I will resign. The second type of charge may be that there has been corruption in the department, etc. It is not with my permission that corruption has taken place. I am prepared to

look into it and I will say something about it a little later.

The first question is about the availability of sugar. In the paper, we have said that the availability of sugar is not sufficient during this year. Hon. Members have given certain figures. I am sorry to say that those figures are incorrect. I will first take up the question of the availability of sugar in 1956-57. The carry-over in that year was 5.32 lakh tons. The production was 20.29 lakhs and altogether the availability was 25.61 lakh tons. The consumption was 19.46 lakhs, export was 1.44 lakhs. In 1957-58, the carry-over was 4.31 lakh tons. Production was 19.78 lakhs; thus the availability was 24.09 lakh tons. Consumption was 20.42 lakh tons; the export was .36 lakh tons, leaving a balance of 3.31 lakh tons.

Shri S. L. Saksena: About khand-sari?

Shri A. P. Jain: I am not including khand-sari now; I am coming to that later on. The carry-over this year was 3.31 lakh tons. Some hon. Members have stated that there was some sugar in the ships. Where is the sugar in the ships or ports?

Shri Khushwaqt Rai: I never mentioned ships; I mentioned ports and markets.

Shri A. P. Jain: There was no availability of sugar at the ports. What was available was only this: 3.31 lakh tons with the mills.

Shri S. L. Saksena: I will quote from the *Indian Sugar Manual*. There were 85,000 tons in the inland markets, 14,200 tons in the ports and 4,58,939 with the factories.

Shri A. P. Jain: It cannot be so.

Shri S. L. Saksena: It is here on page 89

Shri A. P. Jain: The hon. Member may pass it on to me. It is true that

at that time there was a little imported sugar available. This year, there was no import of sugar. Some of this was carried over.

Shri S. L. Saksena: It is all last year's production.

Shri A. P. Jain: It was 57-58 production; I am talking about 58-59. It is a fact that the carry-over was 3.31 lakh tons. The production was 19.21 lakh tons. So, the total availability of sugar during this year was 22.52 lakh tons. The consumption of sugar in this year is expected to be 21 lakh tons and the exports would be 25 thousand tons. So, the carry-over at the end of the year would only be about 1.23 lakh tons for 1959-60. Ordinarily, a safe carry-over is about 3-4 lakh tons because the new sugar year begins from the 1st of November and the factory-produced sugar is released only by the middle of December. The new sugar is ordinarily released in the month of December, after the 15th of December, and the previous year's carry-over is consumed during November and December. So, on all hands it has been accepted that the safe carry-over is 3 to 4 lakh tons. This year we will have a carry-over of 1.23 lakh tons only. While the statement I made on a previous occasion that we had sufficient sugar for consumption this year is correct, nonetheless it is a fact that the carry-over next year will be only about 1 lakh or 1½ lakh tons as against 3.31 lakh tons this year. Therefore, it will have to be accepted that though we have got enough sugar for consumption during this year, our position is a tight one. No one can deny that.

An Hon. Member: Is it on the basis of estimated production?

Shri A. P. Jain: It is now practically firm. Because, the special season produces only 15 thousand tons of sugar, and the production up till now has been 19.05 lakh tons. So it will not exceed that.

[Shri A. P. Jain]

Another thing has been said, that in the releases of sugar we have manipulated in a manner as to create a scarcity. I will place before the House the figures of releases in the year 1958 and this year. In the month of January, in 1958 the release of sugar was 1,68,000 tons; but this year the release is 1,92,000 tons, that is 24,000 tons more. In the month of February, the release was 1,83,000 tons last year; this year it is 1,84,000 tons. In the month of March, last year the release was 1,84,000 tons; this year it is 1,85,000 tons. In the month of April the release was 1,76,000 tons last year, and this year it is 1,69,000 tons; that is only about eight thousand tons less. In May last year there was a big release. The normal release was 1,69,000 tons. But when the sugar market went out of control and the price began to go up—this matter was also raised in this House—we gave a special release of 1 lakh tons. This year we have released 1,70,000 tons which compares favourably with the normal release. This year our stock position was not such that we could give a special release. If I had any sugar I would have given a special release. So, although in May last year two releases were given, one of 1,69,000 tons and another of 1 lakh tons, this year only one release of 1,70,000 tons was given. And I plead before the House that the special release of 1 lakh tons could be done only because plenty of sugar was available that year. This year it was not available, and I could not.

Shri S. L. Saksena: There was enough sugar in your stock, but you did not do it. That was a crucial mistake.

Shri A. P. Jain: There was no mistake. In the month of June last year the release was 1,73,000 tons. This year the release is 1,83,000 tons.

In other words, during the first six months of 1959 we have released

10,88,000 tons. Multiply it by two, and the total consumption comes to 21.76 lakh tons. Can it be said that these releases had been manipulated in a manner so as to assist the mill-owners? I only want the House to judge on the basis of the facts, hard facts which I have placed before it, whether the releases have been manipulated in any manner whatsoever.

Shri S. L. Saksena: The mistake was made when the sugar price rose to Rs. 9 and Rs. 10.

Shri A. P. Jain: I have already said that last year in the month of May we gave a special release of 1 lakh tons when the prices began to rise. This year we could not afford to do it because of the reason that our sugar position was very tight.

Shri Braj Raj Singh: Is it not a fact that last year the special release was made only for the reason that the season was summer and also marriage season?

Shri A. P. Jain: It was made because the prices were going up.

Shri Subbiah Ambalam (Ramanathapuram): May I know why Government could not ban the export of sugar?

Shri A. P. Jain: I am coming to that. Take the question of export. The House is well aware that we need foreign exchange badly. And, therefore, we decided on a policy of export of sugar, with the approval of the House. This year we decided to export 1 lakh tons of sugar. That was based on the original estimate. Our estimate of production this year was 21 lakh tons, and with a carry-over of 3.41 lakh tons we were expecting that we shall have a total quantity of 24.41 lakhs at our disposal.

Shri S. L. Saksena: What was the basis on which that assumption was

made when there was actually less sugarcane?

Shri A. P. Jain: That was the estimate. It did not come out to be true. When we came to know that the sugar position was tight and we shall not have much surplus of sugar, we reduced the quantity to be exported from 1 lakh tons to 25,000 tons.

Shri S. L. Saksena: When?

An Hon. Member: In July.

Shri A. P. Jain: We have exported only 9,000 tons out of the 25,000 tons. So, it is not that we did not take that step. We did take that step to reduce the quantity of exportable sugar.

Shri S. L. Saksena: What was the amount in April when the price was rising? You knew in February. (Interruptions)

Shri A. P. Jain: We took a decision and we announced it. (Interruptions)

Mr. Deputy Speaker: Order, order

Shri A. P. Jain: Another question has been raised about the system of allotments. During the first four months, that is December 1958 to March 1959, the system was to receive the applications by hand. Immediately on receipt, a priority number was assigned to each applicant in the presence of the applicant. These were then entered in a register, and then on the basis of the priority entry in the register the allocations were made. On the 28th March, 1959 there was a huge crowd which collected and the police had to be summoned. Therefore, the system of receiving applications by hand was given up and the applications from 30th March, 1959 were received through registered post, accompanied by a *chalan* of deposit.

Shri Subbiah Ambalam: May I know whether these applications were received at New Delhi or.....

Shri A. P. Jain: Yes, at New Delhi.

Shri Subbiah Ambalam: For the whole of India?

Shri A. P. Jain: Yes, for the whole of India.

And priority numbers were assigned on the basis of the delivery memo received from the post office. After assignment of priority numbers the applications were scrutinised by a committee of three senior officers of the Directorate

An Hon. Member: Very nice!

Shri A. P. Jain: Ordinarily we have been allocating 2 per cent. of the sugar for the purposes of allocation direct by the Government. This system continued right up to April, and at that time sugar was allotted to certain areas,—because it was a comparatively small quantity—where the prices had a tendency to go up. It was done in some big towns of U.P. and other big towns were selected; among these were Calcutta, Kanpur, Delhi, Bombay. And when the prices began to go up in the Punjab all the towns with a population of more than a lakh were also selected

These are the various operations through which sugar has been distributed, which are generally the normal operations and about which I have mentioned.

As a result of the rise in sugar prices which happened about the end of April and the beginning of May we took the following steps: Firstly, in order to control sugar or any other commodity it is first necessary to find out the persons whom you are going to control and that can be done only through the system of licensing. On the 7th of May we issued a letter to the State Governments requesting them to take action to license the wholesale dealers. I want to make it clear to the House that the licensing of the dealers takes more than a month;

[Shri A. P. Jain]

because, firstly, a notification has to be issued and you have to give at least fifteen days or more time for the people to make applications. After they have made the applications, each of the applications has to be scrutinised and then a licence has to be issued. Now, as a result of the issue of this letter on 7th May the wholesalers could be licensed by the middle of June and in some cases they could not be licensed by the middle of June. Therefore, we could not take over the entire sugar for distribution through the wholesale dealers, because if we had taken it over than anybody who came would have got the sugar, whether he was a wholesale dealer or not, and he would have misused it. Therefore, when we practically decided upon control of sugar the first thing that we rightly did was to license the wholesale dealers. The system of licensing in a major part of the country was finished by the middle of June, but in some parts of the country it was done a little later.

15 hrs.

Therefore, Sir, one thing follows, that we could not exercise any rigid control over the release in the month of May because the release in the month of May was made near about the 23rd of May—22nd, 23rd or 24th. In the month of June, when the wholesalers had been licensed, we took over the entire production of Punjab and 70 per cent of the production of U.P. and North Bihar for purposes of allocation by the Government. The reason why we left 30 per cent in these two regions of U.P. and North Bihar was that registration had not been completed in all parts of the country and, therefore, if we had taken over the entire sugar for allocation direct by the Government there might have been a great scarcity of sugar in places where licensing had not been done.

Now, in the month of July we have taken over the entire production in

the controlled regions of Punjab, U.P. and North Bihar for the purpose of direct allocations. The position today is this. . . .

Shri S. M. Banerjee: Sir, may I ask one question?

Shri A. P. Jain: I will answer questions later. The position today is that no movement of sugar from one zone to another is allowed. In the north of India each State is a zone and in the south the four States constitute a zone. Sugar is allotted to each zone according to its requirements but on the basis of its past consumption. For instance, in the case of Uttar Pradesh we found that normally Uttar Pradesh was consuming 25,000 tons of sugar and so we allocated 25,000 tons of sugar to Uttar Pradesh. In the case of Bombay we found that the annual consumption of sugar in that State was of the order of 5 lakh tons. Bombay has produced 3,20,000 tons in its own territory, and therefore we assigned 1,80,000 tons from U.P. to make up the deficit. Similarly, sugar has been allotted to all the regions according to their requirements worked out on the basis of their consumption.

Shri Easwara Iyer (Trivandrum): What about the south?

Shri A. P. Jain: I will explain why certain regions are controlled and others are not controlled. Now, no free quota for sale to factories is available in the controlled regions. As soon as an allocation is made, information is communicated to the State Government and to the Collector of the District concerned that so much sugar has been allocated to such and such a person. Distribution inside the State is made according to the advice given by the State Government. The State Governments are at liberty to distribute it through co-operative societies, they are at liberty to distribute it through associations of merchants, they are at liberty to distribute it through licensed dealers,

but not through other persons. So far as the wholesale licensed dealers are concerned, the State Governments inform the Centre that so much sugar should be allotted to each District, which is accordingly allotted. The State Governments also send the name of the wholesaler to whom the sugar should be allocated. So, Sir, the position today is that sugar is being allocated on the basis of past consumption of the different States according to the directions given by the State Governments.

Then, the sale price of wholesale dealers is also controlled on the following basis: ex-factory price, plus cost of transport, plus local taxes such as octroi etc., and up to Re. 1—not exceeding Re. 1—for profit, handling and incidental charges. The Collector, after taking these things into account, is given the power to declare a price for his District.

Therefore, today the position is that in the controlled regions the mills are not allowed to sell any sugar on their account. It is the Government of India which allocates the sugar to a particular person and the mills sell at the controlled price. Even the wholesale price is fixed; of course, we have not fixed the retail price because I do not know whether it will be wise for us to fix the retail price

A question has been put as to why we have not controlled the prices in the whole of India and why we have selected certain regions for controlling prices leaving the other regions. In particular, the case of South Bihar has been pointed out. Hon. Members will remember that the system of controlling prices was taken up in the month of April, 1958. When the prices in North Bihar and Uttar Pradesh were fixed, Rs. 36 per maund was fixed as the controlled price and Rs. 36-8-0 was fixed as the controlled price in Punjab.

Shri Braj Raj Singh: It was in July, 1958, I believe.

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Shri A. P. Jain: I stand corrected. At that time we found that in the case of South Bihar the cost of production worked out to Rs. 37|29 nP, whereas the selling price in the market in the month of April, on the basis of which these controlled prices were fixed, was Rs. 36|25 nP.

Shri S. L. Saksena: What is the basis of those figures?

Shri A. P. Jain: These are figures that have been calculated. In the Control Order it was said that the Central Government may from time to time by notification in the official Gazette fix prices or maximum prices at which any sugar may be sold or delivered, and different prices may be fixed for different areas, factories or different types or grades of sugar; such prices or maximum prices shall be fixed with due regard to the prices or minimum prices fixed for sugar-cane, manufacturing cost, taxes, reasonable margin of profit for producer or trade and any incidental charges. If we had fixed the prices for South Bihar at that time, we would have made a gift of Rs. 1|04 nP. to the factories of South Bihar because, as the hon. Members are well aware, when a controlled price is fixed that generally becomes the normal price and sales do not take place at a price lower than that. That is the general experience. If the selling price at that time was Rs. 36 25 nP, and the cost of production was Rs. 37 29 nP., certainly we would have made a gift of 1|04 nP. to the factories of South Bihar if we had fixed the prices in South Bihar.

Shri S. L. Saksena: The U.P. Government has said in the Assembly that the cost of production was Rs. 33 only.

Shri A. P. Jain: Those figures are wrong: they have themselves said that those figures are wrong.

Then, why have we not controlled the prices in Bombay and South India? Bombay is a highly deficit

[Shri A P Jain]

State so far as sugar is concerned. Its annual deficit is of the order of 1,80,000 tons. Though South India has now become almost self-sufficient, it was a deficit area in the past. The prices both in Bombay and in South India are determined by the ex-factory price of sugar in UP and Bihar, from where sugar is exported to these centres, plus the cost of freight. Therefore unless we had taken the entire distribution into our hands it would have been impossible to fix prices in respect of the factories in the south because it is not the cost of production in the factories in the south and in Bombay which determines the market price there but it is the landed price of sugar imported from Uttar Pradesh which determines the price in Bombay and South India.

Now, the Southern India Mill owners' Association worked out a scheme even, I think, in the month of May for controlling the prices, and they fixed the issue price on the basis of the landed cost of sugar from Uttar Pradesh.

Shri Subbiah Ambalam: Are we to understand that the prices of sugar in the South were fixed in relation to the Uttar Pradesh prices? I may inform the Minister that with the announcement of the Government about sugar control and the announcement about licensing to sugar dealers the prices shot up by 20 per cent in the South.

Shri A. P. Jain: According to my information, normally, the market price in the south is determined by the landed cost price of sugar in the South from Uttar Pradesh.

Shri Subbiah Ambalam: May I know the ex-factory price of sugar produced by the distilleries in the South and by the manufacturers in the south prior to control?

Shri A. P. Jain: I do not have the figures at present. I can give them if he wants later.

Shri Narayanankutty Menon (Mukandapuram): Anybody can know the prices prevailing in the market. The hon. Minister's figures are based on what? Nobody knows.

Shri A. P. Jain: What I said was about the basis on which the market prices are determined.

Shri S. L. Saksena: Does the hon. Minister know that the late Shri Kidwai fixed the price of Rs 30 all over India including Bombay and Calcutta?

Shri A. P. Jain: That was for imported sugar.

Shri S. L. Saksena: For the sugar produced in this country.

Shri A. P. Jain: Now, I may say that even now there are some cases pending. I think some cases have been decided. Sugar was requisitioned and the Government had to pay a higher price because the contention of the millowners was that they should get a price on the basis of their cost of production whereas the Government did not want to do it. The case was decided in their favour. That is why we did not fix the control price for the whole of India. These three regions, that is, Punjab, Uttar Pradesh and North Bihar, produce about 70 per cent of the sugar produced in the whole of India and we were quite justified in concluding that if we can fix the price of 70 per cent of the sugar the other prices will be controlled, and in fact, for a long period, they were controlled. But when the prices in Uttar Pradesh went up the prices in the South and in Bombay also went up and when prices in Uttar Pradesh and Bihar have been controlled now, sugar is being supplied at ex-factory rates and the prices are normal.

श्री अक्षित राज (पटियाला) : जो कदम—स्टेप—आप ने मई में उठाये, क्या वे पहले नहीं उठा सकते थे ?

Could we not have taken those steps in February when the warning was given in the House?

Shri A. P. Jain: Hon. Members from the other side....

Shri Narayanankutty Menon: From all sides.

Shri A. P. Jain:... spared no criticism. But the first time when sugar prices began to go up and a scare created was about the end of April. It was on the 7th of May that we issued letters to the State Governments to undertake licensing of sugar dealers.

There is also another aspect of it. Unnecessary licensing and unnecessarily creating scare is not a good thing.

Shri S. M. Banerjee: When the question was mooted in this House.

Shri A. P. Jain: Even before I made the statement in the House we had issued instructions to the State Governments to license the wholesale dealers. This is so far as the policy is concerned and so far as the steps taken by us are concerned.

Shri Subbiah Ambalam: I want to offer only one point for being explained. The hon. Minister said that there was an announcement regarding the control of sugar and licensing. May I know whether before the announcement was made, the Government took care to requisition the entire stock available with the mill-owners?

Shri A. P. Jain: No, Sir. That is because we had no machinery for distribution. Before we requisition the stock we must have machinery for distribution and in the month of April we created a machinery for distribution and by the end of July we had taken over the entire sugar.

Shri S. M. Banerjee: One clarification. It is pertinent in this case. The Minister, in his statement, said:

"While these control prices were generally effective till April 1959 when the prices started rising, there were reports that most of the factories were charging higher prices, without of course revealing them in their books which would have enabled legal action to be taken."

I want to know whether there was any action taken. I want to know why no action was taken when it was definitely known that they were charging higher prices.

Shri A. P. Jain: No specific case....

Shri S. M. Banerjee: Am I to take it that no reply to my question was given?

Shri A. P. Jain: Four specific cases of the violation of the law were reported to us. We prosecuted two people. In the other two cases, the persons who had sent the telegrams of the first information were not prepared to give evidence. One of these cases has been decided by the Calcutta courts and the other case is pending. A large number of persons wrote to us. One of the hon. Members who is a party to this motion met me and made some complaint. I told him, "Give me a specific case and I will prosecute the person concerned". I know that a big racket was going on and that profits were being made. When it came to a question of evidence we were not getting the evidence. We wrote to the State Governments of Uttar Pradesh and Bihar to depute their police to detect those cases. They could not send us any case. Here, we tried to detect cases through the Special Police Establishment. They said that unless some specific facts were given to them and any particular case entrusted to them they could not carry on any enquiry. I know profits had been made. I am very unhappy about it. It is most unfortunate that there should have been so much of profiteering by the millowners, by the wholesalers and

[Shri A. P. Jain]

by the retailers, and in the circumstances, we could not contro' it.]

An Hon. Member: Resign

Shri A. P. Jain: With the various steps that we have taken, the situation is coming under control and I hope and wish the position will improve

There is one thing more Hon Members have said that there has been a lot of corruption I would not like to defend any corruption I want hon Members to give me at least some facts I do not say, "all the facts". It cannot be a roving enquiry If I am given some facts, I will look into the cases, and see whether there has been any corruption in the allocation or whether there is anything fundamentally

Shri S. L. Saksena: I shall give all the evidence that is available with me

Shri Subbiah Ambalam: It is not a question of corruption From the policy of the Government as seen from the statement of the Minister, it is clear that the Government have not cared to take adequate steps before announcing the programme You allowed them and created a situation for them to indulge in corrupt practices and sell all the stocks in the black market

Mr Deputy-Speaker. Am I charged with this allegation?

Shri A. P. Jain: Some hon Members said that I was constitutionally responsible If there is any charge against me, I am prepared to stand a trial, and I am prepared to resign I will not stand here for a minute (Interruptions)

Shri S. L. Saksena: Appoint a Commission

Shri A. P. Jain: If it is a question of anything having gone wrong in the Directorate, well, I am prepared to look into it

Shri S. M. Banerjee: Appoint a Commission

Shri A. P. Jain: There is no case for the appointment of a Commission You may charge me I am here, and I have explained the policy You may not agree with it, but I maintain that these are the correct policies. The House is the judge of the policies.

Shri S. M. Banerjee: It is no policy; it is polishing

Shri A. P. Jain: If, on the other hand, there has been any corruption on the part of any officer or any official, he must be punished Nobody could give him any shelter But this kind of sweeping charge that Rs 25 lakhs

Shri Braj Raj Singh May I ask whether any regulations were made for announcing tenders accepting tenders, etc? May I know whether any information was published in the press or whether any such thing was pasted on the notice-board of the Sugar Directorate?

Shri A. P. Jain. No These rules were laid down from time to time I am prepared to pass on a copy of these rules to the hon Member

Shri Nagi Reddy (Anantapur) What is the use?

Shri A. P. Jain. For the purpose of allocation But they are not published in the gazette If any allocation has been made against these rules and which gives rise to suspicion of bribery or corruption, certainly action can be taken in those matters So, the position is clear

Shri Narayanankutty Menon: May I ask how many crores of rupees has the AICC received during the last elections from these millowners alone in Uttar Pradesh? The highest form of corruption

Mr. Deputy-Speaker: It is not for the Minister to know or to tell.

Shri A. P. Jain: I know there is a lot of sentiment and passion about it I know that the situation has been bad I know that it has not fully come under control as yet, but I maintain that things have been improved We are doing our best and we hope that sugar will come fully under our control After all, the key to the maintenance of proper prices is production This year, as I said, the main cause for the rise in price of sugar was low production Some suggestions were made for increasing production We will give due consideration to them, There will be utmost effort on our part to increase the production of sugar, so that these difficulties may not arise

Shri Braj Raj Singh: In view of the serious situation, can he categorically say that no exports are going to take place in the future months?

Shri A. P. Jain: The maximum quantity fixed for export is only 25,000 tons, out of which we have exported 9 000 tons We will make our utmost effort to reduce the export to the minimum and we shall try to export as little as possible just for maintaining certain markets We had a demand of about 60 000 maunds of sugar from Nepal We could not refuse them and we supplied it Except for these exceptional cases, we are not allowing exports

श्री सरजू पांडे (रसड़ा) माननीय मंत्री ने जैसा अभी कहा और माननीय सदस्यों ने भी कहा है कि मुनाफाखोरा ने मुनाफा उठाया। क्या इस सम्बन्ध में किमी तरह का कमिशन अम्पाइट करने को सरकार तैयार है? दूसरी चीज मैं यह जानना चाहता हूँ कि गुगुर के डिस्ट्रिब्यूशन के लिये कोई पापुलर कमेटी के निर्माण का, जिस में हर दल के लोग हों, कोई विचार है या नहीं?

श्री श्री ० प्र० जैन जहाँ तक पहले सवाल का सवालुक है, मैं ने खुद कहा कि उन्होंने मुनाफा कमाया लेकिन उन का जो

कुछ भी भला बुरा किया जा सकता है वह अदालतों में मुकदमा चला कर ही किया जा सकता है। जब भी कोई केस होगा, मैं वादा करता हूँ कि उन का प्रोसीक्यूशन किया जायेगा। जहाँ तक पापुलर कमेटी काँग्रेस का सवाल है, डिस्ट्रिब्यूशन स्टेट गवर्नमेंट कर रही है और वह इस को देखेगी।

उपाध्यक्ष महोदय मेरा मतलब कोई सलाह काँग्रेस देने का तो नहीं है, लेकिन जिन्होंने इस बहस में हिस्सा लिया है अगर उन को बुला कर मिनिस्टर साहब एक कमेटी में बैठ जायें तो जो बहुत सी शिकायतें हैं वह पेश की जा सकती हैं और दिक्कतों को आसानी से हल किया जा सकता है।

कुछ माननीय सदस्य और जिन्होंने हिस्सा नहीं लिया है वह क्या करेंगे?

उपाध्यक्ष महोदय जो हिस्सा नहीं ले पायें हैं वह भी जा सकते हैं।

श्री श्री ० प्र० जैन जो इस में दिन-चरपी रखते हैं या यह समझते हैं कि इस मामले में गड़बड़ी हुई है मैं उन सब को दायत देता हूँ कि वह धा कर बातचीत क।

Shri S. L. Saxena: Why have you stopped the export of khandasari from UP to Rajasthan?

श्री श्री ० प्र० जैन ज़ा मिन की गुगुर है वह भी चली जायेगी। बड़ा मुश्किल है इस की सिनास्त पाना कि वह न जा सके इन के साथ।

श्री सुजयवन्त राव श्रीमान्, मुझे इस बात की बड़ी प्रसन्नता है कि जो प्रश्न आज प्रातः काल मैं ने यहाँ उपस्थित किया था उस पर हमारे सभी भाइयों ने चाहे वे इधर बैठते हो चाहे उधर बैठते हो, चिन्ता प्रकट की और माननीय मंत्री जी ने भी यह माना है कि इस गुगुर के मामले में मिलसारियों ने, थोक चने वालों ने और फुटकर बेचने वालों

[श्री कुलधरदास राय]

ने भी बेइतहा रूपया कमाया है। जब इस बात को मान लिया गया तब मैं नहीं समझ पाता हूँ कि माननीय मंत्री जी को इस में क्या परेशानी है कि एक कमीशन घ्राफ एन्क्वायरी नियुक्त कर दिया जाय। मैं समझता हूँ कि माननीय मंत्री जी को अपने क्वाल से और सदन की इच्छा के क्वाल से, इस देहा में जो चिन्ता पैदा हो गई है उस के क्वाल से इस माग को मान लेना चाहिये। यह मांग इधर से ही नहीं की गई है, उधर के लोगो ने भी यह माग की है कि कम क्षम घ्राफ एन्क्वायरी बनाया जाय और उस के जरिये यह जांच कराई जाय कि किस तरह से लोगो ने फायदा उठाया।

इसी के साथ-साथ जो भारोप डाइरेक्टो-रेट पर लगाये गये हैं वह भी बड़े गम्भीर हैं और उन के ऊपर भी विचार किया जाना चाहिये। उन को यह कह कर नहीं छोड़ा जा सकता कि जब तक घ्राप के पास केस न घ्रायें घ्राप कुछ नहीं कर सकते। यहा पर ऐसी बातें कही गई हैं कि उन की जांच होनी घ्रायश्यक है। इसलिये मैं बहुत नम्रता-पूर्वक माननीय मंत्री जी से यह कहूंगा कि जो अमेडमेट प्रॉफेसर जिम्बन लाल खखसेना ने दिया है उसे मैं मंजूर करता हूँ और उन से भी प्रार्थना करता हूँ कि वे इस बात को मान लें

श्री स० प्र० जैन : बनें कोई एन्क्वायरी की बात नहीं कही। मैंने कहा कि घ्राप सब लोग घ्रादये, बैठ कर बातचीत कीजिये। कोई बात ऐसी मासूम होगी कि डाइरेक्टोरेट में ऐसा हुआ है तो जरूर ऐंक्शन लिया जायेगा।

Mr. Deputy-Speaker: After the reply of the mover, the debate is closed I shall put the amendments I shall first put Amendment No 1 by Shri S L Saksena

The question is

That at the end of the motion, the following be added, namely—

and recommends that a High Power Commission of Enquiry, consisting of either a Supreme Court Judge or an eminent public man be appointed to investigate into the complaint, and to find out the causes of the present sugar racket which has already resulted in the exploitation of sugar consumers to the extent of Rs 16 crores during the last five months and the evasion of income-tax on the profits so accruing to the sugar mill-owners "

Lok Sabha divided Ayes 32, Noes 84

Division No. 1]

AYES

15.32 hrs]

Awasthi, Shri Jagdish
Banerjee, Shri S M
Basumaty, Shri
Chakravarty, Shrimati Renu
Dage, Shri
Dwivedy, Shri Surendranath
Fhas, Shri Muhammed
Goray, Shri
Gupta, Shri Sadhan
Iyer, Shri Easwara
Kamble Shri B C

Kunhan, Shri
Mahendra Pratap, Rao
Vishva, Shri Asoka
Menon, Shri Narayanaikutty
Mullick, Shri B C
Pandey, Shri Satju
Panigrahi, Shri
Parulekar Shri
Patil, Shri Balasabeh
Patil Shri U L
Rai, Shri Khushwaqi

Ram Garib Shri
Rao, Shri D V
Rao, Shri T B Vittal
Reddy, Shri Naraga
Saksena, Shri S L
Shastri, Shri Prakash Vir
Singh, Shri Braj Rai
Singh, Shri P N
Tangaram Shri
Vasparao Shri
Verma Shri Ramji

NOES

Agarwal, Shri
Ambalal, Shri Subbiah
Anandaram, Shri R S
Arumugham Shri S R

Balmiki, Shri
Barupal, Shri P L
Basappa, Shri
Bhagat, Shri B R

Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Chettiar, Shri Ramanathan
Chund Lal, Shri

Das, Shri K. K.
Das, Shri N. T.
Das, Shri Murali
Dube, Shri Mulchand
Bachara, Shri V.
Ganapathy, Shri
Ganga Devi, Shrimati
Ghosh, Shri M. K.
Hajamavia, Shri
Hamada, Shri Subodh
Jain, Shri A. P.
Jain, Shri M. C.
Jinachandran, Shri
Jogendra Sen, Shri
Khan, Shri Osman Ali
Khadkar, Dr. G. B.
Khawaja, Shri Jamal
Kistaiya, Shri
Kotrukupally, Shri
Krishna Chandra, Shri
Kureel, Shri B. N.
Laxmi Bai, Shrimati
Mahadeo Prasad, Shri
Malviya, Shri Motilal

Mandal, Dr. Pankaj
Maniyangadan, Shri
Masuriya Dun, Shri
Mathur, Shri M.D.
Mishra, Shri Bibhuti
Mitra, Shri R. D.
Mora, Shri R.R.
Murty, Shri M.S.
Narasimhan, Shri
Naskar, Shri P. S.
Nayar, Dr. Sushila
Nep, Shri Nek Ram
Nehru, Shri Jawaharlal
Neswi, Shri
Pahadia, Shri
Pandey, Shri K. Ncent
Panna Lal, Shri
Raj Bahadur, Shri
Ramaul, Shri S. N.
Rane, Shri
Rao, Shri Jaganatha
Reddy, Shri Rami
Roy, Shri Bishwanath
Rup Narain, Shri

Sahu, Shri Ramshwar
Saigal, Sardar A.S.
Samanta, Shri S.C.
Sarhad, Shri Ajit Singh
Satyabhama Devi, Shrimati
Sharma, Pandit K. C.
Sharma, Shri R. C.
Shobha Ram, Shri
Singh, Shri Biral
Singh, Shri D. N.
Singh, Shri H.P.
Singh, Shri Radha Mohan
Singh, Shri Raghunath
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Sonavane, Shri
Subramanyam, Shri T.
Thomas, Shri A. M.
Varma, Shri M. L.
Vyas, Shri R. C.
Wadiwa, Shri.

The motion was negatived.

Shri Sadhan Gupta (Calcutta-East):
The sugar magnates have got it

Mr. Deputy-Speaker: The question is

"The at the end of the motion, the following be added, namely—

and recommends—

(a) that Government do appoint a Committee consisting of a High Court Judge and two Members of Parliament one from each House to enquire into the undue profits earned by the sugar interests during the last few months."

The motion was negatived.

Mr. Deputy-Speaker: The question is

"That at the end of the motion, the following be added, namely—

and recommends—

(a) that a Committee consisting of five members of Parliament, three from Lok Sabha and two from Rajya Sabha, presided over by a Judge of

High Court, be appointed to investigate and enquire into unduly high profits earned by the sugar industrialists during the last few years."

The motion was negatived.

Mr. Deputy-Speaker: I will now put the motion of Shri Raghunath Singh

Shri Narayanankutty Menon: You may rule it out of order as it has no meaning

Mr. Deputy-Speaker: The Speaker has allowed it and it has been moved.

Now the question is—

'That for the original motion, the following be substituted, namely.

'This House expresses its concern at the rise in the sugar prices and after taking note of the steps already taken by Government recommends that Government should take such further steps as are found necessary from time to time to check the rise in the prices of sugar and profiteering by sugar interests."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up Private Members' Business. Now we will take up the Bills to be introduced. Shri Prakash Vir Shastri.

15-22 hrs.

BACKWARD COMMUNITIES (RELIGIOUS PROTECTION) BILL*

श्री प्रकाश वीर शास्त्री (गुडगाव)
उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि धार्मिक विद्वास के अतिरिक्त अन्य आधारे पर बलात् धर्म परिवर्तन से अनुसूचित जातियों, अनुसूचित आदिम जातियों और अन्य पिछड़ी जातियों के और अधिक प्रभावशाली संरक्षण का उपबन्ध करने वाले बिल को मदन में प्रस्तुत करने की अनुमति दी जाय।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for more effective protection of the Scheduled Castes, Scheduled Tribes and other backward communities from change of religion forced on them on grounds other than religious conviction"

The motion was adopted

श्री प्रकाश वीर शास्त्री मैं बिन का मदन में प्रस्तुत करता हूँ ।

Mr. Deputy-Speaker: I find that Shri Ram Krishan Gupta is absent

DISPLACED PERSONS (COMPENSATION AND REHABILITATION) AMENDMENT BILL*

(Amendment of Section 24)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Displaced Persons (Compensation and Rehabilitation) Act, 1954.

The motion was adopted.

Shri Ajit Singh Sarhadi: I introduce the Bill

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL*.

(Amendment of sections 81, 82, 86 and 116-A and omission of sections 88 and 89)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951"

The motion was adopted

Shri Ajit Singh Sarhadi: I introduce the Bill

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL*

(Amendment of Section 488)

Shri Ajit Singh Sarhadi (Ludhiana): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure 1898"

The motion was adopted.

Shri Ajit Singh Sarhadi: I introduce the Bill

UNDUE DELAY AND PRESUMPTION OF CORRUPTION BILL*

Shri Jhulan Sinha (Siwan) I beg to move for leave to introduce a Bill to provide for raising of certain presumptions in cases of undue delay in the disposal of matters in offices and departments of the Government

Mr Deputy-speaker: The question is

"That leave be granted to introduce a Bill to provide for raising of certain presumptions in cases of undue delay in the disposal of matters in offices and departments of the Government"

The motion was adopted

Shri Jhulan Sinha: I introduce the Bill

CATHOLIC CHURCH PREMISES AND ECCLESIASTIC ORDER (RESTRICTION OF POLITICAL ACTIVITY BILL)*

Shri T. B. Vittal Rao (Khammam) I beg to move for leave to introduce a Bill to restrict the use of Catholic Church for political purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity

Mr. Deputy-Speaker The question is

"That leave be granted to introduce a Bill to restrict the use of Catholic Church for political purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity"

The motion was adopted

Shri T. B. Vittal Rao: I introduce the Bill

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL*

(Insertion of new section 7A)

Shri T. B. Vittal Rao (Khammam): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951

Mr. Deputy-Speaker: The question is

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951"

The motion was adopted

Shri T. B. Vittal Rao: I introduce the Bill

15.38 hrs.

SIKH GURDWARAS BILL

Sardar A S Saigal (Janjgir): I beg to move

"That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 15th February, 1960"

This Bill is of vast importance inasmuch as it related to the administration of Sikh Gurdwaras situated throughout the country. The principles of the Bill have, no doubt a general support of all, yet further time is called for to enable the managing societies of the Gurdwaras in far flung corners of the country to give their opinions. I have received communications from different societies and friends throughout the country that in view of the all-embracing nature of the Bill and its importance, further consideration is necessary and the

public should be given an opportunity to give their opinion on its provisions. Besides it will also be necessary to consult the various bodies which might feel apprehensive of the effect of some of the clauses on their interests. Such consultation is also necessary to make necessary changes. Therefore, I would request that the House be pleased to grant a further six months before I move it for consideration.

Mr. Deputy-Speaker: The question is:

"That the time appointed for eliciting opinion on the Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith be further extended upto the 15th February, 1960."

The motion was adopted.

15.41 hrs.

EQUAL REMUNERATION BILL—
contd.

Mr. Deputy-Speaker: The House will now resume further discussion on the motion for circulation of the Equal Remuneration Bill moved by Shrimati Renu Chakravarty on the 1st May, 1959.

Out of 2½ hours allotted for the discussion of the Bill, 1 hour and 23 minutes have already been taken up on the 1st May, 1959 and 1 hour and 7 minutes are now available for its discussion today.

Shri Abid Ali, Deputy Minister of Labour, may now continue his speech.

The Deputy Minister of Labour (Shri Abid Ali): Mr. Deputy-Speaker, most of the points which were raised on the last occasion were dealt with by me when the debate was postponed. Therefore, I will not be taking much time of the House. I was explaining that day that in various

employments, there is no difference, so far as wage is concerned, because of sex. In Government employment and also in the public sector, like, Hindustan Telephone Industries and the like establishments, where a large number of women are employed, there is no difference so far as wages are concerned. Also, in plantations, mines and in categories like the clerical staff typists, stenographers, teachers and the like, nowhere any difference will be found in this respect. A large number of employees are getting wages on the basis of piece rate. In that also there is no difference. There is a small number, who are of unskilled category and in some places, there is a difference, but that difference is because of the type and volume of work, like carrying of material in the constructional section. There, there is not only difference in the wages of male and female workers but also in wages concerning people coming from different regions. A worker from a particular region may be able to carry much more quantity at a time than other persons, coming from other regions, may be able to carry. Women are not able to carry materials as much as male members are able to carry. Therefore, even between the males there is a difference in the wages so far as males coming from different regions are concerned. So, the wage is not only equal so far as time-rate and piece-rate are concerned, but in some sections for the same job, women are getting more wages.

Directive principles contained in article 39(b), to which a reference was made, enjoins that there should be equal pay for equal work for men and women. Also, the Minimum Wages Act of 1948 does not make any distinction based on sex. The Central Minimum Wages Advisory Board recommended that the principle of equal pay for equal work should be complied with and that there should be no discrimination in wages on account of sex only. In respect of time rates also... (Interruption).

Mr. Deputy-Speaker: Laughter should not be so loud as to reach the whole House and disturb the proceedings.

Shri Abid Ali: "In respect of time rates also, the rate should be equal for men and women employed for identical work. Of course, it has to be made permissible—this I am quoting from the report of the Advisory Committee—to fix differential rates for men and women when their respective output was demonstrably unequal." Now, these principles have been accepted by the Central Government and also by the State Governments in the matter of minimum wages fixation.

That day it was stated that we are bullied by certain interests and do not carry out these principles. It is absolutely wrong. In these matters not only do we do our part of the job very well but do it to the satisfaction of the workers at large.

About maternity benefits also, a reference was made. All the preliminaries have been completed. The delay is because we have to consult various interests, both of workers and of employers and committees, conference, consultations and objections, all these have to be dealt with. State Governments have to be consulted. Therefore, there has been some delay. I can appreciate that. But I hope the amending Bill will be coming very soon and that should convince the hon. Members that the propaganda by some sections about the delay in these matters does not influence us.

About circulation my feeling is that all the facts are known and nothing more will come to light because of further enquiry. All that is possible and necessary in this matter is being done and, therefore, we should not waste time and money by accepting this circulation suggestion.

This should also be borne in mind that it is very easy to pass this Bill and have another Act on the statute book. But will this bring employment

or ensure the number of employment opportunities which are available to women? Of course, those who are in employment have complete protection. But when those who are now in employment retire, have we any power by which we can ensure that the same number of women will remain in employment? What guarantee can there be for that? So, the hon. Member should appreciate that more and more of these compulsions may result in reducing employment opportunities for women, but if the intention is to achieve that so that there may be more trouble and agitational interests may be served by that then, of course, I cannot have any quarrel with that. But my feeling is that every reasonably minded person should appreciate that nothing should be done to further reduce the employment opportunities for women. There is no case either for any enactment of the kind or for the circulation of the proposed Bill.

Shri T. B. Vittal Rao (Khammam): Mr. Deputy-Speaker, Sir, at this stage

Shri Abid Ali: It was my reply, Sir. Now the hon. lady Member, who moved the Bill, should reply, or I should be given another opportunity.

Mr. Deputy-Speaker: Normally, I should say that what he says has some force. He has replied to the debate and the hon. Mover should give her reply now.

Shrimati Renu Chakravarty (Basirhat): He has just intervened in a debate on a non-official Bill. Normally hon. Ministers intervene.

Mr. Deputy-Speaker: Who is to reply?

Shri Tangamani (Madurai): What happened was that on the last occasion, although only one hour was taken, the hon. Minister was called upon to reply. Now, there is one hour more left.

Mr. Deputy-Speaker: If no hon. Member was prepared to speak or offer himself to speak, what could the Chair have done? I do not know what happened that day. I was not there.

Shri Tangamani: If necessary, the hon. Minister may be called upon to make further observations, if he so chooses.

Mr. Deputy-Speaker: He cannot go on making speeches again and again. One hon. Member cannot make two speeches in the same debate.

Shri T. B. Vittal Rao: The hon. Minister of Labour and Employment can reply.

Mr. Deputy-Speaker: He has replied on behalf of the hon. Minister and he is in charge of it. The hon. lady Member shall reply now.

Shrimati Renu Chakravartty: Mr. Deputy-Speaker, Sir, the hon. Deputy Minister has posed the problem whether we want more employment for women or we want protection for her welfare, that is, whether we want to enact certain welfare laws which will bring about further equality in wages etc. That posing of the question will not be very correct because there is no doubt about it that today one of the major problems that are facing the working class, specially women, is that there is a definite attack on the women workers. Her retrenchment is going apace and really upto now the Government has done nothing to give her statutory protection. One of the big classic examples, of course, is the textile industry and the jute industry. The hon. Minister is quite right when he says that as yet in India statutorily there is nothing to guarantee that even in the industries where women have been traditionally employed, like plantations, jute, textiles or mines, the average percentage of women will be kept at a level at which it has been during the last 15 years or so. Even that is not statutorily provided. Therefore, both the Labour Ministry and the working classes are being

faced with this problem. They will have certainly to consider in what way they are going to provide some statutory security for women workers from being retrenched. The main attack in retrenchment is coming upon women. They are the first targets. This is an aspect which I would like the Government to consider. Obviously, it cannot be dealt with in this Bill.

On the question of equal wages, this has to be looked upon not as a question which is posed opposite to the question of the employment of women. I would like to have an Equal Wages Bill, a statutory Bill which need not necessarily be my Bill, but a Bill which may be a much improved version. With the help of the Labour Ministry and the Trade Unions, we can certainly make it a much better Bill. I would like, it could be incorporated in this Bill a clause which will give some protection to the working woman against the whims of the employers and against their powers of retrenchment. I would welcome an amendment saying that in the departments where women are traditionally employed in the traditional industries, there should be laid down a certain percentage of women who must be given employment. A committee could be set up to determine the exact percentage of women which must be maintained in that industry. Because, there is no doubt about it that the number of women who are today seeking employment is growing. One of the things which I have always felt in the employment figures that are coming from the Planning Commission reports or in the calculations of the employment potential in the country is that this has always been based only on the figures of the unemployed men. The number of women today who are seeking employment either because they have no other means of subsistence or no other guardians,—may be widows with children—is increasing every day. Therefore, I am in favour of laying down a percentage of women

workers who have to be guaranteed employment in the major industries employing women and they have to be kept statutorily by the employers. The alternative course would be, before wanting to retrench a woman worker, the employer will have to show cause and get the permission of the Government and only when it is a legitimate cause, can she be retrenched. Some such guarantee should be embodied in such a bill. I would welcome it.

Instead of that, the hon. Minister has pleaded helplessness in this matter and he feels—and I appreciate that part of his feeling when he says that—that, may be, if we pass this Bill without making a condition that there will be no further retrenchment, the employment opportunities of women may be reduced. Therefore, I would plead that this Bill be circulated with the idea that it should be further improved upon, specially with regard to the question of retrenchment.

Beyond that, I would like to plead with the hon. Minister this. He has read to me the recommendations of the Minimum Wages Advisory Committee. This is a point that I had already noted down. On this question of minimum wages, when I raised the case of plantation labour, he pointed out that in plantation labour, it is piece rate. My point is this. I know the case of Darjeeling plantations better than the south. In the Darjeeling plantations, it is minimum wages that is implemented. If it is minimum wage, that is a wage below which a man or woman cannot exist, there is absolutely no justification for having a wage differential. It is also a fact that actually women pickers are much better pickers than men. As such, there should be no difference between women and men as regards minimum wages. Regarding the difference in the nature of the job, even in my Bill itself, I have made that provision that if there is difference in the job, if there is difference in lead and lift, certainly there should be difference also in wages. I do not plead that even if a woman does

much less work, she must be given the same wages. I do not plead for that. But, I do say that the nature of the job, the lead and lift and other intricacies of the job itself, the technical skill required, etc. should be evaluated by a Committee and on the basis of that, the wages can be set down. But, the principle guiding it must be equal wage for equal work. I would like to know from the hon. Minister—I do not know if he will answer; I think he will not be answering—I would like him to consider this. In the case of minimum wages, the Advisory Committee has made recommendations. The Agricultural Labour Enquiry report shows that the figures are different between men and women. I do not know what is going to happen there. Now that the Committee has made its recommendations regarding equal wages, what is going to ensue? Are we going to make statutory changes? Will the minimum wages be revised and the schedules and charts revised and brought to the same level? There again, my point will be, when you do it without providing some law by which some kind of protection could be given to the women workers, it will be dangerous. That has to come side by side with that.

There is the question of closure which the employer always puts forward and which has led to this decrease in the number of women workers. As soon as we have tried to implement any social law or labour law, whether it is maternity benefit or wages, whenever we attempt to implement equal wages, or even such rules as banning women from working underground, that has led to a fall in the number of women workers. The hon. Minister says that we shall be using voluntary methods and we shall try to create that atmosphere. What has happened? When it has been statutorily enforced with the help of trade union organisations, with the strength of the trade union organisations as well as the vigilance of the Government, the attempt of the employers has been—and it will

[Shrimati Renu Chakravarty]

always be there—to avoid paying proper maternity benefits or other social amenities. They cannot avoid paying maternity benefits. But whenever we have elected voluntary methods, what is the position? For example, there is the industrial housing scheme. The scheme is such that the more attractive terms the Government comes forward and gives to employers, we find still the employers are not prepared to cut any of their profits to contribute even the amount which they have to give in order to bring about industrial housing, with the result that industrial housing even today is not coming up. There are very few industries, even if we take the total industries in India where industrial housing has come up satisfactorily. I think it will be very difficult to implement voluntarily social laws to protect the rights of women. Therefore, I was pleading with the House and with the Minister that in order to achieve the very objective which he has enunciated, that is, creating an atmosphere by which the tendency to reduce employment opportunities of women is checked, and in order to see that an atmosphere is created where social laws will be welcomed, circulation of the Bill is necessary. The necessity of social laws is recognised. I have not pressed immediately that you should pass this Bill. Certainly public opinion must be enlightened on this point. The working classes and trade unions themselves must come forward to take up this agitation as well as to make further improvements in the body of this Bill itself.

These are some of the points which I wanted to urge. I feel this is an argument that the employers are always putting forward. They almost put the trigger at your chest and say, either you want employment or take away your social laws; if you want social laws, if you want equal wages, we do not employ women. This is the state of affairs that is coming. I feel that in the context of today, only ratification of Convention 100, which

has been ratified by our Government, is not going to do justice. That ratification is essential. With that, there should be a law to implement the principles which we are accepting. The machinery should be set up.

I would urge that this Bill be allowed to be circulated for the purpose of eliciting public opinion. Let it be considered by committees of Government and by the Ministry itself again. May be, after some time, we may be in a position to have the help of the trade union organisations to bring forward a correct Bill, a Bill which will be able to give security to the woman worker, which is very necessary, and which will also ensure for her justice in the way of wages which is also needed today when larger and larger numbers of women are coming forward seeking employment.

16 hrs

Lastly, this principle of equality is, if at all, being implemented only in the higher categories, that is, in the case of skilled workers, educated workers, and the professional classes, both men and women are getting equal wages, but the more unskilled the job, the more helpless the woman. She has no education and she has possibly to contend with much greater poverty. To that class we have not given the amount of attention that we should have given in regard to equal wages. And that is why I plead on behalf of these unskilled categories who in numbers are the largest wage-earners among working women. The higher educated classes are certainly coming out in larger numbers to work, but as yet, the factory workers, the unskilled categories of workers and the casual workers are the largest number of wage-earners among women, and for them it is right that this principle should be accepted. No doubt differentiation can be made according to the

nature of the work, but certainly on the question of minimum wages, it must be made the same, and where the nature of the job is the same, certainly equal wages should be paid.

Mr. Deputy-Speaker: The question is:

"That the Bill to introduce equal pay for equal work for women workers be circulated for the purpose of eliciting opinion thereon by the 30th September, 1959."

The motion was negatived.

16.02 hrs.

**CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL**

(Omission of sections 107, 109 and 110 and amendment of section 161) by
Shri Jagdish Awasthi.

श्री जगदीश अवास्थी (निन्होर)
उपाध्यक्ष महोदय, मैं यह विधेयक प्रस्तुत करता हूँ

"That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration."

यदि इस विधेयक को देना जाय तो इसमें स्पष्ट है कि धारा १०३, १०९ और ११० जिस प्रकार से इस कानूनी पुस्तक में रक्की गई है, उन की शब्दावली से मान्य होता है कि किसी भी व्यक्ति को जिसने अपराध सचमुच किया नहीं, लेकिन करने की आकांक्षा है या उस पर इस प्रकार का शक है, तो उसे दण्डित किया जा सकता है। आप धारा १०७ को लें। इस धारा १०७ में जो शब्दावली है, उस से केवल एक ही बात स्पष्ट होती है कि ऐसे व्यक्ति को जिसकी तरफ से यह आशका हो कि शान्ति भंग होने की सम्भावना है, उस व्यक्ति को पुलिस या राज्य गिरफ्तार कर सकता है, जेल में

बैज सकता है और मैजिस्ट्रेट के सामने प्रस्तुत करके उस को दण्ड दिलाया जा सकता है। मैं निवेदन करना चाहता हूँ कि यदि आप सारी विषय की दण्ड व्यवस्था को देखें तो इस दण्ड व्यवस्था में एक ही सिद्धान्त है और वह यह कि जब तक कोई मनुष्य अपराध न करता हो तब तक उसे आप दण्ड नहीं दे सकते हैं। कल्पना कीजिये कि एक व्यक्ति दूसरे व्यक्ति को पीट दे, उस को मार दे, या मशरूफ हमला कर दे तब राज्य का कर्तव्य है कि उनके बीच में वह दखल दे और जो दोषी व्यक्ति है उसे पकड़ कर दंड दिया जाय। अगर आप इस आप दण्ड पर इस धारा को देखें तो कही इस में इस बात का जिक्र नहीं है कि कोई व्यक्ति जब अपराध करता है तभी उसे दंडित किया जाय। इसमें स्पष्ट है कि केवल आशका में आप उसे दंडित कर सकते हैं। मैं समझता हूँ इस मन्तव्य भाग में जो हमारी दण्ड व्यवस्था होती चाहिये उसमें यह सिद्धान्त हर व्यवहार में लागू होना चाहिये कि जब तक कोई व्यक्ति अपराध न करे, उसे दण्डित न किया जाय। लेकिन धारा १०७ इस सिद्धान्त के विपरीत है। इसलिये इस सिद्धान्त की दृष्टि से इस धारा १०३ का हमारे कानूनी पुस्तक में रहना आवश्यक नहीं है। इस दृष्टि में मैं यह कहना हूँ कि अगर हम अपने भारतीय सिद्धान्त को देखें, तो उसमें भी यह निश्चय है और उस में इस बात की गारण्टी दी गई है कि प्रत्येक व्यक्ति को निखने पहने की शर बानने की आजादी है। इस पर कोई प्रतिबन्ध नहीं लगाया जा सकता। लेकिन धारा १०७ को अगर आप देखें, उसकी शब्दावली को अगर आप देखें तो उसमें आज भी ऐसा हो रहा है कि अगर किसी व्यक्ति को किसी व्यक्ति में राज्य के लिये आशका है, उस के भाषण देने में राज्य को खतरा है तो उस व्यक्ति को इस धारा में गिरफ्तार किया जा सकता है। यह केवल किया ही नहीं जा सकता है बल्कि सचमुच ही व्यवहार में ऐसा हो भी रहा है। एक

[श्री जगदीश प्रबस्थी]

निःशस्त्र व्यक्ति धरार बापी से अपनी कोई बात कहता है तो फिर जब तक वह सवास्त्र कान्ति न कर दे, जब तक राज्य को सचमुच कोई हानि न पहुंचा दे तब तक आप किस प्रकार से उस पर यह आरोप लगा सकते हैं कि उसमें राज्य को सचमुच बहुत बड़ा नुक़तर पैदा हो गया है ? हमारा संविधान स्पष्ट कहता है कि जब तक संविधान की धारा मौजूद है तब तक आप धारा १०७ को लागू करके एक व्यक्ति की स्वतन्त्रता को आघात पहुंचाते हैं। इसलिये यदि आप अपने मविधान की मूल आत्मा को देखें तो उस मूल आत्मा में स्पष्ट है कि हमारे कानून में कोई ऐसी धारा नहीं होनी चाहिये जो हमारे मविधान को इस धारा को अपमानित करती हो। आज ज़िम रूप में इस धारा १०७ का प्रयोग होता है वह निश्चित रूप से बहुत ही खराब है। जब कभी देश में अन्दर जन आन्दोलन चलने रहे हैं, उन जन आन्दोलनों में ज़िम प्रकार इसका प्रयोग हुआ है पिछले १२ वर्षों में, वह इतिहास वास्तव में बड़ा दुःखद और बड़ा ही अणजान्य है। ज़िम प्रकार से पिछली मंता मनें सदन में दफा १४४ का प्रस्ताव प्रस्तुत करने हुए कई उदाहरण उपांथत किये थे, उसी प्रकार से हमें भी कई उदाहरण पेश किये जा सकते हैं कि किम प्रकार से विभिन्न राज्यों में इस धारा १०७ का मनमाने ढंग से दुरुपयोग हो रहा है। अगर में इस के बहुत में उदाहरण दंगा तो सदन का बहुत समय लग जायेगा, लेकिन फिर भी में दो एक उदाहरण देना आवश्यक समझता हू कि आज प्रदेशों में पुलिस किस प्रकार से इसका प्रयोग कर रही है। राजस्थान में एक आन्दोलन चला और उस आन्दोलन में बहुत से लोग गिरफ्तार किये गये; मध्य प्रदेश के एक मोनालिस्ट पार्टी के नेता जब राजस्थान में गये तो उन के साथ धारा १०७ का प्रयोग किया गया। उनका नाम श्री लाडली मोहन निगम था। उनके साथ

किस प्रकार से इस धारा के अन्तर्गत दुरुपयोग किया गया यह मैं सदन के सम्मुख रखना चाहता हू। इस से इसका दुरुपयोग स्पष्ट हो जायेगा।

“श्री लाडली मोहन निगम राजस्थान सत्याग्रह के सिलसिले में बांसवाड़ा गये हुए थे। वहाँ पुलिस ने उन्हें ज्ञाते ही १०७ दफा में पकड़ लिया। एक दूसरी दफा में उन्हें १५ दिन की सजा हो गयी। पुलिस ने कानून का पूरे राजस्थान में गला घोट्टा। मजिस्टरी व पुलिस का नीच व धृणित गठबन्धन जितना राजस्थान में है उसना धीर कहीं नहीं है। सत्याग्रहियों को पुलिस ने पीटा व उनकी धीरतो के साथ दुरुपयोग किया। लाडली जी को पुनिम ने मारा तो नहीं लेकिन उनका तकलीफ खूब दी। गालिया सुनाई। खाने को बहुत बुरी रोटिया दी गई। उनको अपना झोला व बिस्तर भी नहीं दिया गया। बड़ी गन्दी जगह में इन्हे रखा गया। एक बकील ने, जिसका नाम श्रीपत है धीर जो जनसधी है, जब लाडली जी की तरफ से बकालत नामा पेश किया तो इसके बाद पुलिस ने इस बकील को मारा व उसे पिस्तौल दिखाई।

मजिस्टर ने लाडली जी को १००० रु० की जमानत पर १००० रु० का मुचलका देने को कहा, नहीं तो इसके बदले में १ साल की सजा मिलेगी। जितने भी जमानतदार लाडली जी को छड़ाने गये, उन सबको पुलिस ने १०७ में बन्द कर दिया। यहाँ तक कि जब मीमच के कामरेड एडवोकेट इंगरबाल कामरेड मधु की पत्नी करके लाडली जी की तरफ से पैरवी करने बामबाडा गये तो उन्हें भी जेल भेज दिया गया। बड़ी मुश्किल से बकील साहब छूटे।”

उपाध्यक्ष महोदय: माननीय सदस्य ने कहाँ से इस को पका है ?

की जनवीर कबली : मैंने एक पत्रिका है उससे उदाहरण दिया है, यदि आप चाहें तो मैं सबकी की नों पर इसे रख सकता हूँ।

इस कटना के स्पष्ट है कि दफा १०७ का पुलिस द्वारा किस प्रकार से दुरुपयोग किया जाता है। इतना ही नहीं उत्तर प्रदेश जहां में कि मैं जाता हूँ और वहां की हालत में बनी भांति परिचित हूँ, अगर यह कह कि उत्तर प्रदेश में इन पिछले ११-१२ सालों में जनतन्त्र नहीं चल रहा है बल्कि पुलिस राज कायम है तो इसमें कोई अतिरिक्त नहीं होगी। यह देखने में आया है कि जब कभी उत्तर प्रदेश में विरोधी पार्टियों द्वारा कोई आन्दोलन चलाया जाता है और जो कि शांतिपूर्ण होते हैं तो वहां की राज्य सरकार और वहां की पुलिस भिन्न भिन्न जिलों में जो भी इस तरह के अहिंसात्मक और शांतिपूर्ण आन्दोलन चलते हैं, उनको पूरी तरह कुचलने के लिये और जो भी आवाज वहां के शासन के खिलाफ उठे उसे पूर्ण रूप में बन्द करने के लिये इस १०७ दफा का आश्रय लिया जाता है और इस दफा के अधीन नमाम अपने राजनैतिक विरोधियों को चुन चुन कर बन्द कर दिया जाता है।

मेरे मित्र श्री प्रभु नारायण सिंह यहां पर बैठे हुए हैं और मैं आशा करता हूँ कि इस सदन को उनकी जबानी वह तमाम वाक्यान्त मुनने को मिलेंगे जो कि स्वयं उनके साथ उत्तर प्रदेश में घटित हुए। मन् १९५७ में जब उत्तर प्रदेश के अंदर से विदेशी मूर्तियों को हटाने का आन्दोलन चला तो उनको इस १०७ दफा के मातहत गिरफ्तार कर लिया गया और वे खुद बसलायेंगे कि हाईकोर्ट ने किस प्रकार उनको छोड़ा। अभी जो उत्तर प्रदेश में साक्ष्य आन्दोलन चला उसमें भी वे पुनः इसी दफा के अन्दर गिरफ्तार किये गये और किस प्रकार से वह हाईकोर्ट के छूटे।

उत्तर प्रदेश में सन १९५७ के चुनावों के पश्चात् जब कि शासक दल बहुत जगह हारा तो जिन लोगों ने कांग्रेस को हराने में कोशिश

की थी, योग बिया या और कांग्रेस के मुकाबिले विरोधी पक्षों के उम्मीदवारों को जिताया था, उन लोगों के विरुद्ध भी पुलिस ने मनमाने ढंग से धारा १०७ का दुरुपयोग किया। कानपुर जिले से जहां का कि प्रतिनिधित्व करने का मुझे गौरव प्राप्त हुआ है, वहां का मैं एक उदाहरण देना चाहता हूँ। हमारे जिले में पाली नाम का एक गांव है जहाँ पर कानपुर का बहन ही इज्जतदार और सम्भ्रान्त व्यक्ति हमारे जिले के ठाकुर नयनसिंह रहते हैं जो कि दम वर्ग तक निरन्तर जिला बोर्ड के परमर्श ग्रे और चुनाव के समय उन्होंने हम लोगों का साथ दिया। जब चुनावों में वे विधान सभा की सीट के लिये कांग्रेस पार्टी का उम्मीदवार पराजित हो गया तो उन पराजित महानुभाव ने जिना कलक्टर से मिल कर, हालांकि पुलिस ने इसके बारे में कोई खिनाफ रिपोर्ट नहीं की थी तो भी एक किरी रिपोर्ट के नाम पर उनके ऊपर १०७ दफा का अतिरिक्त आरोप लगाया और जमानत के अन्तर्गत कचहरी में भाना पड़ा। अब जब एक ऐसे प्रतिष्ठित व्यक्ति के विरुद्ध जो कि शांतिपूर्ण है और जिनमें कि शांति के भग होने की कोई आशंका नहीं है, उनके विरुद्ध जब इस दफा १०७ का प्रयोग कर दिया जाता है तब और लोगों की तो बात ही क्या पृथक्ता। मैं एक नहीं अनेक इस सम्बन्ध में सदन के माध्यम से उदाहरण पेश कर सकता हूँ जिसमें १०७ दफा का इस तरह नाजायज तौर पर इस्तेमाल किया गया और जिसका कि उद्देश्य महज अपने राजनैतिक विरोधियों का दमन करना और उनका मुंह बन्द करना है।

इसी तरह हमारे पार्टी के मंत्री ज. कि पिछले चुनाव में कुछ ही वोटों से निर्वाचित हो गये तो कांग्रेस वालों ने अपनी पार्टी अटाने के लिये उनके विरुद्ध इस धारा का प्रयोग करवाया। आज भी अगर आप देखें तो पायेंगे कि इस प्रदेश के भिन्न-भिन्न जिलों में जो विरोधी पक्ष के लोग हैं उनके

[श्री जगदीश प्रवर्तनी]

बिहड़ इस दफा १०७ का प्रयोग किया जाता है। भारतीय संविधान ने जो लोगों को मौलिक अधिकार दिये हैं उनका प्रयोग करने से आप अपने से विरोधी विचार रखने वालों को बाँधन रखने हैं। आप ब्रिटेन से उनके बिहड़ दफा १०७ का प्रयोग कर रहे हैं। ऐसे समाजसेवी लोग जिनको कि जनता चुन कर भेजती है आप उनको शान्ति भंग होने के प्रदेशों के नाम पर पकड़ कर बन्द कर देते हैं और इस प्रकार वे संविधान में जो अधिकार उनको प्राप्त हैं उनका उपयोग करने में वह बाँध रहे हैं। उत्तर प्रदेश में जिसमें कि मेरा सम्बन्ध है, वहाँ की मजिस्ट्रेट्स और पुलिस मिल कर धारा १०७ का प्रयोग करती हैं। मैं तो समझता हूँ कि शायद गुलाम भारत में भी हमारे उत्तर प्रदेश में इस दफा १०७ का उनका प्रयोग नहीं होता था जितना कि भारत में राखीन होने के समय से हो रहा है। आज उत्तर प्रदेश में शायद ही कोई ऐसा जिला बाकी बचा होगा जहाँ कि इस धारा १०७ का प्रयोग करके लोगों को सार्वजनिक स्थानों में न दौड़ाया जाता हो। यहाँ तक भी देखा गया है कि पुलिस कुछ लोगों के खिलाफ रिपोर्ट करती है कि इनमें राज्य की शान्ति भंग होने का भ्रम है और कभी कभी जब मजिस्ट्रेट्स के यहाँ दोनों तरफ के लोगों को बुलवा कर सुन लिया जाता है और दोनों पक्ष के लोग यदि समझौता भी कर लेते हैं तब भी पुलिस उनको रिपोर्ट नहीं देती है और इनकी परेशान किया जाता है और वे बेचारे सुबह से शाम तक ४०, ४० का गोल बाँध कर हेड क्वार्टर में आते हैं और शाम के बक्ता कह दिया जाता है कि पेणी बंद गई। इस तरह से उनके समय को बर्बाद किया जाता है और परेशान किया जाता है।

मेरे अपने क्षेत्र के एक व्यक्ति के बिहड़ जिसका कि पैर लंगड़ा था इस १०७ का प्रयोग किया गया और उनको परेशान करने के लिये उनके मुकदमे की मुनवाई की तारीख बढ़ा

दी जाती थी। अन्त में एक दिन वह मुझ से मिला तो मैंने उससे कहा कि तुम मजिस्ट्रेट महोदय से कह दो कि अगर मुझ से राज्य की शान्ति भंग होने का भ्रम है तो मुझे भले ही जेल भेज दीजिये या पुलिस से आप कहिये कि वह सबूत पेश करे। लेकिन उसके साथ होना यह था कि सबूत के अभाव में तारीख बढ़ा दी जाती थी और उसको व्यर्थ में परेशान किया जाता था। जब मजिस्ट्रेट से उसने यह बात कही तब चूँकि उसके बिहड़ कोई पुलिस ने सबूत फराहम नहीं किया था इसलिए उसको १०७ की दफा से मुक्त कर दिया।

उत्तर प्रदेश और खाम करके कानपुर में जैसा मैंने निवेदन किया वहाँ की मजिस्ट्रेट्स और पुलिस द्वारा मिल कर निर्दोष और शान्तिप्रिय व्यक्तियों को परेशान करने की दृष्टि से धारा १०७ में उनको बाध दिया जाता है और उसका दुरुपयोग किया जाता है। इसलिये मैं चाहता हूँ कि अब समय आ गया है जबकि इन विषय पर गम्भीरतापूर्वक चिन्ता आय और यह न भुना दिया जाय कि अब तो हमारा भारत स्वार्थी हो गया है और भारतीय संविधान के रहने इस प्रकार की धारामो का हमारे कानून में रहना गन्त है और अनुचित है। हमें इस बात का व्यवस्था कर देनी है कि अब तो कम से कम जो शान्तिप्रिय व्यक्ति है और जिनमें कि राज्य की शान्ति का कोई खतरा नहीं है असबता जा कि शासक बल में भिन्न और विरोधी विचार रखते हैं, उनके बिहड़ इस दफा १०७ धारा का दुरुपयोग न किया जाय।

मेरे विवेक में दफा १०६, ११० का भी कोई आफ क्रिमिनल प्रोसीज्योर कोड में घोषित करने की माँग की गई है। मैं समझता हूँ कि इतना व्यापक झूठ शायद कभी नहीं बोला जाता है जितना दफा १०६ में बोला जाता है और जिसका कि प्रयोग लोगो के बिहड़ कार्यवाही करने में पुलिस द्वारा किया जाता है। मेरा तो सब से विश्वास है कि दफा १०६ के अन्तर्गत विभिन्न राज्यों के प्राकट

इकट्ठे किये जायं और उन अभियोग पत्रों को जिनके कि प्राचार पर लोगों के विविध कार्य-वाही की जाती है इकट्ठे किये जायें वह तो एक मन्गदन्त कहानी का बड़ा पोथा बन सकता है। बंस दका १०६ की सदावनी बहुत थोड़ी है लेकिन सब कोई जानने है कि उसका प्रयोग कितने भीषण और गलन डग से होता है। हाईकोर्टस तक तो मुकदमे पट्टुच ही नहीं पाते हैं और लोअर कोर्टस से जिनको सजा हो जाती है और जिनके कि विषय अर्जीनों की जब सुनवाई होना है और उनके सम्बन्ध में जो न्यायाधीश और मजिस्ट्रेट्स लोग निर्णय देते हैं उनको अगर आप देखें तो जल्द से जल्द आपका खाल जपना में समझना है कि इस सदन के बहुत से माननीय सदस्यों का इस १०६ दफा का जागू नजुबा होगा। मेरा यह मीभाग्य है कि मुझे इसका स्वयं जाती अनुभव नहीं है, लेकिन जिनको कि इससे साबका पड़ा है वे खूब जानने हैं कि किस प्रकार से इसका दुरुपयोग पुलिस भ्रूषण रूप से करती है। इस दफा की शब्दावली अगर आप देखें तो आपको मालूम पड़ेगा कि इस देश की कई करोड़ जनसंख्या ऐसी है जिनके कि पास न रहने को मकान है और न खाने को ही पर्याप्त भोजन मिल पाता है। जीविका का उनके पास कोई ममुचित साधन नहीं है और मेरी समझ में धारा १०६ का प्रयोग उन्ही लोगों पर किया जाता है। हम गरीब हैं, हम दुखी दरिद्र हैं इसका यह मतलब नहीं है कि धारा १०६ को रख कर हम दुखी और गरीब देश को अपमानित किया जाय।

आप धारा १०६ को इसलिये रखते हैं ताकि वाकई वे जो अपराधी व्यक्ति हो उनको हम के अधीन दंडित किया जाय लेकिन मैं अपने माननीय मंत्री महोदय से पूछना चाहता हूँ कि क्या सबमुच धारा १०६ में जो व्यक्ति सामान किये जाते हैं क्या वे वास्तव में और और बदमाश होते हैं? आप इस बात को देखें कि जो व्यक्ति १०६ में

गिरफ्तार होने हैं और मजिस्ट्रेट के सामने पेश किए जाते हैं वह कहीं गिरफ्तार किये जाते हैं, लेकिन जार्जशीट में यह लिखा जाता है कि चार आदमी अमुक स्थान पर जा रहे थे, उनमें से एक दो आदमी के पास मोमबत्ती, दियासलाई और लोहे की छड़ थी और वह सेंध लगाने जा रहे थे। उसी समय पुलिस के आदमी आ गए और उन चार आदमियों में से तीसरे भाग गए और एक आदमी को पकड़ लिया। इस प्रकार के अभियोग पत्र रले जाते हैं। और जो व्यक्ति पकड़ा जाता है वह गरीब और साधन-हीन होता। उसके पास वकील करने का साधन नहीं होता और न वह अपने पक्ष में गवाह ला सकता है। पुलिस वाले उसको जालब देते हैं कि अगर तुम अपना अपराध स्वीकार कर लोग तो तुम को छोड़ दिया जाएगा और वह स्वीकार कर लेता है। परिणाम यह होता है कि छोटी अदालत में शायद ही कोई ऐसा व्यक्ति होता हो जिसमें एक साल की सजा न ठोक दी जाती हो और उसको जेल में न भेज दिया जाता हो। अगर हिन्दुस्तान की जेलों की दीवारों के माथ, कान और मुह होते तो वे इन बातों को ठीक तरह से बयान कर सकती। मैं इस मदन को बनाना चाहता हूँ कि शायद उत्तर प्रदेश में ही इस धारा १०६ के अन्तर्गत ५-६ हजार के बीच व्यक्ति जेलों में होंगे और मारे देश में २० या २५ हजार व्यक्ति इस धारा के अन्तर्गत जेलों में होंगे। और जो व्यक्ति एक बार इस धारा में जेल चला जाता है उसको छठने पर पुलिस वाले फिर बन्द करवा देने हैं। कभी कभी तो यह देखा जाता है कि डबर वह जेल से छूटता है और उधर पुलिस उसको पकड़ लेती है। और फिर उसको सजा कर दी जाती है।

मजिस्ट्रेटों की यह दशा है कि वही मोमबत्ती, दियासलाई और लोहे की छड़ जो एक मुकदमे में पेश की जाती है उसी को दूसरे मुकदमों में भी एग्जिबिट कर दिया जाता है। इस तरह की बहुत सी विचलन्य बातें इस

[श्री जगदीश शर्मा]

धारा के कसों में होती है जिनसे माननीय सदस्य परिचित होंगे। इसमें शक नहीं कि इस प्रकार न्याय की हत्या की जाती है। मैं तो यह मानता हूँ कि यदि किसी को दण्ड भी मिलता है तो उसको नियम के अनुसार मिलना चाहिए। यदि कोई एक भी निर्दोष व्यक्ति दण्ड पाना है तो यह सरकार और न्याय व्यवस्था के लिये कलक की बात है। लेकिन धारा १०६ को इस रूप में प्रयोग करके बड़ा ही निन्दनीय कार्य हो रहा है।

और उस बात को केवल मैं ही नहीं कह रहा हूँ। हमारे बहुत से न्यायाधीशों ने जो इस सम्बन्ध में निर्णय दिये हैं वे प्रायः खोलने वाले हैं। मैं खुद मदन नामने

उपाध्यक्ष महोदय अभी माननीय सदस्य दफा १०६ तक ही पहुँचे हैं अभी ११० और १६१ बाकी हैं।

श्री जगदीश शर्मा उन पर बहुत थोड़ा कहना है। सबसे दिनचर्या धारा यही है।

उपाध्यक्ष महोदय ११० उममें भी ज्यादा दिनचर्या है।

श्री जगदीश शर्मा उममें तो यह माविन करना पड़ना है कि यह आदमी है बिचमल है, उसके खिलाफ रिपोर्टें होनी चाहियें। लेकिन इस दफा में तो किसी रिपोर्ट की जरूरत भी नहीं होनी। इसलिये यह बहुत दिनचर्या है।

उपाध्यक्ष महोदय दिनचर्या बनाना या न बनाना तो आपके वज्र में है।

श्री जगदीश शर्मा मैं बहुत थोड़ा समय लूंगा।

अभी सन् १९५६ में कानपुर नगर और जिले में इस दफा का बड़ा भीषण दुरुपयोग हुआ और वहाँ के न्यायाधीश ने इस दफा के सम्बन्ध में कई निर्णय दिये हैं। एक व्यक्ति बाबूलाल की अपील स्वीकार करते हुए

न्यायाधीश ने निम्नस्थ मजिस्ट्रेट की कटु आलोचना की है और कहा है कि विद्वान् मजिस्ट्रेट ने निर्णय में लापरवाही की है। उनका निर्णय संक्षिप्त और स्पष्ट है। न्यायाधीश ने यह भी आशय दिया है कि उनके निर्णय को एक प्रतिलिपि जिला मजिस्ट्रेट को भेज दी जाए ताकि वे उचित कार्यवाई कर सकें। यह निर्णय न्यायाधीश समाचार पत्र में छपा था। उममें कहा गया था।

“अपीन कर्ता बाबूलाल को भारतीय दंड विधान की धारा १०६ के अन्तर्गत २५० रुपये का नती सूचना तथा इनकी ही रकमों की दो जमानते ६ भाग की नुकचननी के आदेशासन के साथ शक्ति करने का आदेश मजिस्ट्रेट द्वारा दिया गया था।

विद्वान् न्यायाधीश ने निर्णय में लिखा है कि अभियुक्त के विरुद्ध यह मामला था कि उसने ४ और ५ अक्टूबर, १९५५ के मध्य क रात्रि को प्रायः २ बजे के लगभग गांधी नगर (मीसामऊ) क्षेत्र में कुछ अपराध करने की नीयत से देव भाल कर रहा था।

१२ अक्तूबर, १९५५ को अभियुक्त को जो नोटिस मजिस्ट्रेट द्वारा दिया गया था उस में यह वर्णित नहीं था कि किस समय और स्थान पर अपीलकर्ता अपने को छिपाने के उद्देश्य से कार्यवाही कर रहा था। नोटिस में इन पूर्तियों का स्थान बिना कुछ लिखे खाली छोड़ दिया गया है।

इस कारण नोटिस स्पष्टतया अस्पष्ट एवं अर्थहीन था। जब अपीलकर्ता के बयान लिये गये तब भी उसे नहीं बताया गया कि किस दिन और किस समय पर वह अपराध करने की गरज से अपने को छिपाने की कोशिश कर रहा था। इन पूर्तियों का स्थान रिक्त छोड़ दिया गया है। यह बहुत गम्भीर बात है और यह प्रकट करती है कि कुछ मजिस्ट्रेट

धारा १०६ के मामलों के विचार के समय उन पर उचित ध्यान नहीं देते ।

अपीलकर्ता के पास से चोरी का कोई सामान बरामद नहीं हुआ है । साक्षी पक्ष के अनुसार उस के पास केवल एक वियासलाई और मोमबत्ती निकली थी । इन से यह स्पष्ट नहीं होता कि वह यह चीजे चोरी करने के ही उद्देश्य से अपने पास रखे था । विद्वान् मजिस्ट्रेट का निर्णय संक्षिप्त एवं अस्पष्ट है । साक्षियों के बयान न तो दर्ज किये गये हैं और न विद्वान् मजिस्ट्रेट ने उन की समीक्षा ही की है । उन्होंने केवल यही कहा है कि गवाहों ने साक्षी पक्ष की बातें पुष्ट की हैं । उन्होंने क्या कहा था यह लिखा होना चाहिये था ।”

सत्र न्यायाधीश ने इन अनियमितताओं के कारण अभियुक्त को छोड़ देने का निर्णय दिया । इसी प्रकार के और भी बहुत से निर्णय होते हैं । और सामाचार पत्रों में निकलते रहते हैं । लेकिन मैं उन निर्णयों को पढ़ कर सदन का समय नहीं लेना चाहता । केवल यही कहना चाहता हूँ कि इस तरह से न्याय की बड़ी हत्या होती है । इस के प्रतिरिक्त कुछ मामलों में निर्णय होने में बहुत समय लगा दिया जाता है । कभी कभी साल डेढ़ साल तक लग जाता है । यह एक सिद्धान्त है कि जब न्याय देर से मिलता है तो वह न्याय नहीं होता है । इस प्रकार किसी निरपराध व्यक्ति को डेढ़ साल तक बन्द रखना बहुत गलत है । इसीलिये मैं इस धारा को हटवाना चाहता हूँ ।

अब मैं सदन के सामने यह प्रकट करना चाहता हूँ कि धारा ११० का किस प्रकार दुरुपयोग हो रहा है । आज हर गांव में हमारे महा दलबन्दी का राज है । जब से उत्तर प्रदेश में पंचायत राज कायम हुआ है तब से और कुछ चाहे हुआ ही या न हुआ ही, घर घर में दलबन्दी जरूर बढ़ती जा रही है और पुलिस

का रोक बढ़ता जाता है । एक घाघमी वृक्ष के खिलाफ रिपोर्ट लिखा जाता है जिस का उस को पता नहीं लगता । कुछ समय के बाद उस को हँबिबुल्ल कह कर उस पर मुकदमा चला दिया जाता है । अभी मेरे क्षेत्र में दो सगे भाइयों के विरुद्ध धारा ११० का प्रयोग किया गया । उन से पुलिस और गांव के लोग नाराज थे और वे धारा ११० के शिकार हुए । मैं समझता हूँ कि धारा १०६ और ११० जो कि हमारे प्रजातन्त्र के लिये कलंक हैं उन को हटा दिया जाना चाहिये ।

अन्त में मैं धारा १६१ के बारे में कुछ कहना चाहता हूँ । धारा १५४ में पुलिस को अधिकार है कि वह किसी अपराधी व्यक्ति का बयान ले सकती है । उस के बारे में नियम यह है कि उस बयान की प्रतिलिपि और जो भी अभियुक्त के बारे में डायरी में और बर्षा हो उस की प्रतिलिपि जिलाधीश को भेजी जाय । एक प्रतिलिपि सुपरिन्टेन्डेंट पुलिस को भेजी जाय और एक प्रतिलिपि पुलिस आफिस में रहे । ताकि पुलिस किसी अपराधी के पक्ष विपक्ष में अपने विवेक का दुरुपयोग न कर सके । लेकिन व्यवहार में यह होता है कि प्रथम सूचना रिपोर्ट ही देर से लिखी जाती है, कभी कभी २४ घंटे बाद लिखी जाती है । और जब लिखी जाती है तो उन में लोगों का हत्या और डकैती जैसे अपराधों में गलत नाम लिखा दिया जाता है । अगर पुलिस किसी व्यक्ति के खिलाफ है तो उन का नाम उनमें लिख दिया जाता है । और ये डायरियाँ उपस्थित कर दी जाती हैं । जो वकील लोग हैं, वे जानते हैं कि पुलिस कभी भी नियम के अनुसार चौबीस घंटे में डायरी नहीं भरती है और सुपरिन्टेन्डेंट के कार्यालय में नहीं भेजती है । हमेशा हफ्ता, पन्द्रह बीस दिन के बाद डायरी भर कर भेजती है और महा तक होना है कि जिन जिम्मेदार अधिकारियों के पास प्रतिलिपियाँ जाती हैं, जो कि कार्यपालिका के अंग होते हैं, वे भी बैंक डेट से किसी पिछली तारीख से दस्तखत कर देते हैं ।

[श्री जगदीश प्रकशी]

इस लिये हम ने इस बिल में प्रांग की है कि अगर एक प्रतिनिधि सेशनज जज के पास पहुंचाई जाया करे, तो सेशनज जज कभी भी पिछली तारीखों में दस्तखत नहीं कर सकता, क्योंकि अब तक इस देश को धीरे हमारे जैसे लोगों को विश्वास है कि इस देश की छोटी धीरे बड़ी अदालतों से—सेशनज कोर्ट, हाई कोर्ट, सुप्रीम कोर्ट से—अब भी न्याय मिलता है। वे कभी भी पुलिस की फ़ैब्रिकेशन और ट्विस्टिंग का समर्थन नहीं कर सकतीं। अगर उस की एक कापी न्यायाधीश के पास पहुंच जाया करे, तो पुलिस को यह करने का अवसर नहीं मिल सकता कि अभियुक्त को धाज पकड़ना है, अगर नहीं पकड़ा गया, तो उस के बारे में जो चाहे डायरी भरती रहे, उस के बारे में जो चाहे आरोप लगाती रहे और अधिकारी लोग उस पर साइन कर दें। मैं एक घटना का वर्णन कर के अपनी बात समाप्त करता हूँ। जिला कानपुर स्थित सिठमरा गांव में, जहां का मैं रहने वाला हूँ, ३ अक्टूबर की रात को एक डकैती पड़ी और वहा पर एक स्त्री का डाकुधो ने सफाया किया और कुछ माल भी लूटा। उस गांव में हमारी पार्टी के मंत्री श्री रामपाल सिंह जी रहते थे। प्रथम सूचना रिपोर्ट तीन दिन के बाद लिखी गई। मालूम हुआ कि २१ दिन तक पुलिस ने डायरी नहीं भरी थी और उस में उन का नाम नहीं था, लेकिन उस के बाद उन की कुर्की जल्दी धा गई और उन को उस डकैती में फंसाने का प्रयत्न किया गया। चूकि चुनाव का समय आ रहा था, इस लिये जो लोग इस सम्बन्ध में दिलचस्पी रखते थे, उन्हो ने उन को डकैती के गम्भीर अपराध में फंसाना चाहा और यही हुआ। उन को अपराधी घोषित कर के जेल भेज दिया गया। अन्त में वह बाभुलखिल तमाम उच्च न्यायालय से छूटे। उसी घटना से मुझे यह प्रेरणा हुई कि अगर इस प्रकार का संशोधन कानून में ही जाये, तो फिर पुलिस अपनी विवेकशक्ति का दुस्प्रयोग नहीं कर सकती। इस लिये मैं चाहता हूँ कि

बका १६१ में इस तरह संशोधन कर दिया जाये कि उस की एक प्रतिनिधि न्यायाधीश के पास भी जायेगी। तब फिर पुलिस को अपना कार्य करने में धीरे जो सचमुच अपराधी हैं, उन को उचित दंड देने में बड़ी सहायता मिलेगी। मैं ज्यादा समय नहीं लेना चाहता हूँ। मुझे विश्वास है कि मैं जास्ता फौजदारी की धारा १०७, १०९ और ११० को लोप करने और धारा १६१ में संशोधन करने सम्बन्धी जो विधेयक प्रस्तुत किया है, उस पर सब गम्भीरता के साथ विचार करेगा। मैं श्री महोदय से भी यह आशा करता हूँ कि जब वह जवाब देंगे, तो यह दलील नहीं देंगे कि शान्ति और व्यवस्था के नाम पर इस कानून की आवश्यकता है। यह तर्क इतना पुराना और इतना थोथा हो चुका है कि इस की अब आवश्यकता नहीं है। यह तर्क तो ब्रिटिश लोग दिया करते थे और शान्ति और व्यवस्था के नाम पर लाठी गोली चला कर लोगों को जेलों में बन्द किया करते थे। अब उस तर्क की आवश्यकता नहीं है। हम आशा करते हैं कि यह तर्क मन्त्री महोदय नहीं देंगे। इस बात की आवश्यकता है कि जास्ता फौजदारी में से ऐसी धाराओं को हटा दिया जाये, जिन से कि समाज में अपराध बढ़ते हैं, घटते नहीं हैं जिन से बैंगुनाहो को दण्ड मिलता है और जिन से हमारा कानून बदनाम होता है। मुझे विश्वास है कि सब उस पर बहुत ही गम्भीरता से विचार करेगा।

Mr. Deputy-Speaker: Motion moved:

“That the Bill further to amend the Code of Criminal Procedure, 1898 be taken into consideration”

The hon. Mover has already taken only 35 minutes; still he was kind enough to say that he will not take long. May I know what time the hon. Minister will take? Will he take the same time?

The Minister of State in the Ministry of Home Affairs (Shri Datar): I shall take about 15 to 20 minutes.

Mr. Deputy-Speaker: Then, one hour is gone and we have got one hour for hon. Members. Will ten minutes each do?

Shri Narayanankutty Menon (Mukandapuram): Ten minutes each will do.

श्री सरजू पाण्डे (रसड़ा) : उपाध्यक्ष महोदय, जो बिल सदन के सामने आया है, मैं उस का समर्थन करने के लिये खड़ा हुआ हूँ। मुझे याद है कि बहुत दिन पहले हमारे प्रधान मंत्री ने अपनी "भेरी कहानी" में हिन्दुस्तान की पुलिस के कैरेक्टर के बारे में लिखा था कि "हिन्दुस्तानकी पुलिस इस तरह की है कि महज शुबहे के बल पर लोगों को बालान किया करती है, ऐसी पुलिस किसी देश में नहीं है, जो कि हमारे देश में है।" लाजिमी तौर पर सब को इस बात का तजुर्बा है कि किम तरह से बफा १०७, १०९ और ११० का दुरुपयोग यहाँ की पुलिस उस वर्ग के हित में इन्तेमाल करती है, जिस वर्ग का शासन आज हमारे देश में है। जैसी आज की प्रचालतें हैं और जिस तरह के कानून-कायदे हैं, उन में गर बाँ को न्याय पाना बहुत ही मुश्किल है। लेकिन ऐसी दगा में धारा १०७ सिर्फ़ इम निये रखी जाती है कि गरीबो का शोषण किया जा सके और वे उन अमीरो और बड़े लोगो के लिम्पाफ न लड मकें, जो उन के हक को दबाये हुए हैं, या जो उन का शोषण करते हैं। मैं नहीं जानता कि दुनिया के किसी भी आजाद मुल्क में इस तरह का कानून है कि महज शुबहे के आशर पर कुछ लोगों को जेल में डाल दिया जाये। अभी हमारे भाई ने बहुत सी बिसालें की हैं। मैं खुद उस का भुक्त-भोगी हूँ। पिछले दिनों जब उत्तर प्रदेश में ब्राह्म आन्दोलन चल रहा था, तो मैं आजमगढ़ जिले की एक इन्क्वाय भीटिंग में बोलने के लिये गया और जब वहाँ से वापस आया, तो मुझे पुलिस ने धारा १०७ में गिरफ्तार कर लिया और यह बताया कि आप की बचह से यहाँ पर शांति-संघ की धांका है।

16-37 hrs.

[Shri Barman in the Chair]

मैं ने कहा कि मैं इस करने में नहीं हूँ, मैं बोल कर जा रहा हूँ, कोई ऐसी बात नहीं है, फिर मेरे आने से कैसे शांति भंग हो गई। पुलिस ने कहा कि उन्हें गुबहा है कि भागे चल कर शांति भंग हो जायेगी। अभी ब कानून है। दुनिया के किसी भाग में यह देखने को नहीं मिलता है कि किसी अधिकारी को विधवाय हो जाये कि किसी आदमी की बजह में शांति भंग होने की आशंका है, और उस को इस आशंका पर जेल में डाल दिया जाये—और ऐसे लोगों को जेल में डाल दिया जाये, जिन को लोगों का विश्वास प्राप्त है, अर्थात् जो जनता के चुने हुए प्रतिनिधि हैं। बहुत से लोग प्रजा सोशलिस्ट पार्टी के लोग, कम्युनिस्ट पार्टी के लोग, जन सच के लोग और दूसरे दलो के लोग सोते में गिरफ्तार किये गये हैं और कहा गया कि उन के कारण भविष्य में—आज नहीं—शांति भंग होने की आशंका है।

श्री रा० च० शर्मा (शालियर) : अगर जाग जाते, तो उपद्रव हो जाता।

श्री सरजू पाण्डे : अगर जाग जाते तो, खतरा हो जाता, लेकिन ऐसी कोई बिसाल नहीं है कि अपराध करने से पहले अपराधी को जेल में डाल दिया जाये। मैं समझता हूँ कि इस तरह का कानून किसी आजाद मुल्क में नहीं है।

हमें याद है कि जब आजादी नहीं मिली थी, तो हमारे कांग्रेस के नेता बड़ी-बड़ी बरतें बनाते थे। मैं पिछले दिनों प्रिबेटिव डिप्टेन्सन एक्ट में गिरफ्तार हुआ था। हाई कोर्ट के सामने मैं अपना आर्ग्यूमेंट करने के लिये गया। मैं ने जब से कहा कि यह इसी कोर्ट की कृतिम है कि कोई भी आदमी किसी भी पार्टी गवर्नमेंट के खिलाफ जनता में अपनी राय दे सकता है और सरकार के खिलाफ

[श्री सरजू पांडे]

द्विज-एजुकेशन फैला सकता है, लेकिन यह जो सुविधा हम को प्रदान की गई है, उस का मैं फायदा कैसे उठाऊँ ? फ़र्ष कीजिये कि मैं कोई नया कहता हूँ और पुलिस वाला लिख देता है कि इन्होंने कहा कि "उस को जान से मार डालो"—मैंने वह कहा ही या न कहा हो—तो बिना सबूत लिये मैं जेल में डाल दिया जाता हूँ और उस की सज़ाई नहीं होती । तो हम इस को कैसे फ़ाइट आउट करें ? कोर्ट ने कहा कि यह तो ऐंगे कानून है, जो कि लालस ला है । इधारे प्राइ इन का कोई इलाज नहीं है । यह काम लैजिस्लेचर का है कि ऐसे कानूनों को बदलवा दे ।" मैंने कहा कि दूसरी मिसाल यह है कि मैं कम्प्यूनिस्ट हूँ और अगर आप मेरे साथ चाय पी ले और पन्त जी महाराज की पुलिस रिपोर्ट कर दे कि फ़ला अफसर ने सरजू पांडे के साथ चाय पी, तो लाजिमी तौर पर वह दूसरे दिन सबिस से निकाल दिया जायगा, चाहे वह एक हजार कम्प्यूनिस्टों को डेली अपने हाथों से फासी देता हो । मैं समझता हूँ कि इस तरह की धारणें किसी कानून में होना कि आप को विश्वास हो जायें कि यह आदमी कमरु करने वाला है और उस को आप जेल में डाल दे, मैं समझता हूँ कि किसी मुल्क के लिये और कम से कम हमारे आजाद मुल्क के लिये बड़ी तब्ज्जाजनक बात है और हमारे देश को गिराने वाली बात है । अगर कोई अपराधी है, तो उन के अपराध को साबित होने दीजिये । अगर कोई अपराध करते हैं, तो उन को जेल में डालिये । मैं कहता हूँ कि यह भीनों धारणें कास्टी-ट्यूशन के बिल्कुल खिलाफ है, यद्यपि हम कास्टीट्यूशन में गरीब जनता को, देश के किसान मजदूरों को बड़े अधिकार प्राप्त नहीं है, जोकि दूसरे लोगों को है । इंग्लैण्ड में, जिस को डेमोक्रेसी की जननी कहा जाता है, कहा जाता है कि वहाँ पर कानून की

नबदों में सब बराबर है, लेकिन हमारे यहाँ कानून बड़े लोगों के लिये कुछ है और छोटे लोगों के लिये कुछ और है । बड़ा आदमी कितना भी बड़ा अपराध करे, कितनी बंदी हत्या करे, पुलिस किसी को १०७ में नहीं पकड़ती है—कमी भी यहाँ के बड़े बड़े मिल-मालिकों को जेल में नहीं डालती है कि तुम्हारी वजह से मजदूर वर्ग में शान्ति भंग की आशंका पैदा हो गई है ।

पंडित ज्वा० प्र० ज्योतिषी (सागर) :
कानून नहीं रोकता है ।

श्री सरजू पांडे : कानून उन को नहीं रोकता है, लेकिन कानून उन का इलाज नहीं करता है । दूसरी तरफ तमाश बड़े लोगों को इस बात की इजाजत है कि वे जो चाहें करे और अगर गरीब आदमी बोले, अपने अधिकारों की बात करे, तो लाजिमी तौर पर पुलिस उन को १०७ में बन्द कर देती है, या जैसा कि मेरे मित्र ने कहा किमी के हाथ में दियासलाई की बत्ती पकड़ा दी और कह दिया कि कौन में प्राग जला कर देख रहेगा । और स्पष्ट हो गया कि वह चोरी करेगा । रास्ता चला जा रहा है । मुझे याद है इसी जगह, दिल्ली की घटना है, राम जी भाई गोरखपुर से आये थे । एक काब्रिती बर्कर बंचारे हैं बंचारे । वह बहुत सन्त आदमी हैं । राष्ट्रपति भवन को पुलिस ने उन्हें पकड़ लिया ६ बजे रात में । यहाँ एक धाननीय मेम्बर के यहाँ ठहरे हुए थे । उन के हाथ में एक किताब थी धरेंबी की । पुलिस वालों ने कहा कोई बड़े पकड़े लिखे तो हो नहीं, इतनी मोटी किताब क्या करोगे ? बंचारे अपने लिये चन्दा माग रहे थे सूरीम कोर्ट में अपील करने के लिये । पुलिस वालों ने कहा कि किसी एम० पी० के यहाँ से भालूम होता है यह किताब चुरा लाया है और राष्ट्रपति भवन के पुलिस द्वारा बन्द कर दिये गये । बड़ी मुश्किल से टैबिकोन बनैरह करने के बाद रिहा किये गये । मैं समझता

हूँ कि वह हुंसे की बात नहीं है, लोगों को कम से कम इसका दृश्यहीन तो नहीं होना चाहिये। इस मुल्क में कितनी श्रावण होती है। लेकिन सिर्फ सजा देने से वह घटती नहीं है। सिर की जगह सिर तोड़ दे, दात की जगह दात तोड़ दे, हाथ की जगह पर हाथ काट ले, लेकिन श्रावण बढ़ता ही जायेगा। कहीं कहीं अभी भी पाकेटमारी की सजा के लिये फासी दी जाती है। एक तरफ पाकेटमार को फासी दी जाती है दूसरी तरफ जो लोग फासी को देखने के लिये जाते हैं उन में से दो तीन की पाकेट वही पर कट जाती है। तो दंड से यह चीज नहीं खत्म हो सकती। हमारे यहां के दंडशास्त्रियों ने कहा है कि दंड से यह चीज नहीं खेगी। आज समाज में कुछ लोगों की छाती-पर कुछ लोग बैठे हुए हैं, वे हिंसा करते हैं, लूट करते हैं, मारने हैं, मगर उन को कानून का प्रोटेक्शन नहीं मिलता है, मगर राज्य इस बात की इजाजत नहीं देता, मगर मुल्क इन अपराधों को खूद रोकने के तौर पर लाजिमी तौर पर इन कानूना का इन्तेमाल नहीं करता है। इस लिये मैं चाहूंगा कि चूंकि यह धाराये १०६ और ११० हमारे सविधान के खिलाफ हैं, हमारे अपन फंसला के खिलाफ हैं, इसलिये इन दोनों धाराओं को वापस लिया जाना चाहिये। कम से कम हम अपने देश के अन्दर इन का इस्तेमाल न करे ताकि सब लोगों को बढने, फलने और फूलने का मौका मिले। आप इस तरह से अधिकारियों को हम का प्रयोग करने से रोके।

एक बात कह कर मैं खत्म करूंगा क्योंकि समय ज्यादा नहीं है। मैं चाहूंगा कि आप इस पर ठंडे दिल से विचार कीजिये। मगर मुझे मौका होता तो मैं आप को उस जमाने की चीजे भी बतलाता, उन को मामने लाता, जबकि बहुत ज्यादा हाई कोर्टों और सुप्रीम कोर्ट के जजों ने इन धाराओं के विरुद्ध अपनी रायें दी हैं। मुझे याद है कि एक बार बलिघा में १०७ दफा के प्राचीन एक सज्जन

को ३ वर्ष तक जेल में रक्खा गया। मैं भी उस जमाने में जेल में था। मैं ने पूछा तुम्हारे मुकदमे का क्या हुआ? कहा अभी सुनवाई नहीं हुई। इस १०७ दफा के प्राचीन रोज रोज हैरेस करोगे, परेशान करोगे। यह आप का कामया है। इसलिये मैं चाहता हूँ कि जब लोग आज यहां इस रेजोल्यूशन के खिलाफ बोले, जो यहां के कानूनदा हैं वे इन कानूनों के खिलाफ खड़े हुए हैं, उन का कहना है कि कोई भी इस दफा १०६ में पकड़ा जा सकता है। मुझे याद है कि किस प्रकार से बड़े इम्पार्टेंट लीडरों को पकड़ कर जेल में डाल दिया जाता रहा है।

एक माननीय सदस्य मंत्री जी भी पकड़े गये हैं।

श्री सरजू पांडे मंत्री जी की बात तो यं नहीं जानता हूँ लेकिन मुझे याद है कि हमारे यहां बड़ बड़े कांग्रेस के नेता भी १०६ में पकड़े गये और उन में से बहुत से आज उत्तर प्रदेश में मिनिस्टर हैं। इसलिये मैं कहता हूँ कि आज मुझे इन सब चीजों का इतिहास बहुत दोहराने की जरूरत नहीं है, जब यह हमारे कांस्टिट्यूशन के विरुद्ध है, हमारी आजादी के ऊपर रोक लगाता है, जो हम को कानूनी प्रोटेक्शन नहीं देता है, उस को बिल्कुल ही क्रिमिनल प्रासीजर कोड में निकाल कर यश प्राप्त कीजिये, इसी में देश का कल्याण है, जिस से कि उन तमाम लोगों को जो ऐडमिनिस्ट्रेशन की गलतियों को जानते हैं, उन को कुछ कहने का मौका मिले।

श्री श्री श्री जैन (कैबल) चेयरमैन साहब, मैं इस बिल की मसालिफत के लिये खड़ा हुआ हूँ। इसलिये नहीं कि पुलिस इन दफात का गलत इस्तेमाल नहीं करती या कि यह मैं नहीं जानता या हाउस के कुछ मेम्बर नहीं जानते। इन दफात का पुलिस काफी गलत इस्तेमाल करती है, यह ठीक है, लेकिन ऐसे भी कितने सारे केसेज हैं जहां अगर वह

[श्री मू० चं० जैन]

दफा पास में न होती तो बहुत मुश्किलता पैदा होती। लाजिमी तौर पर मूबर साहब को इन दो बातों में तमीज करनी चाहिये। कि भाया इन दफात का दुरुपयोग होता है या नहीं, और अगर होता है तो इस दुरुपयोग को कैसे खत्म करे। क्या यह लाजिमी है कि हमारे सामने या पुलिस के सामने या देश की सीडरशिप के सामने बुनियादी तौर पर ऐसी दफात हैं जिन की जरूरत नहीं? जोकि इस देश की जानता फौजदारी में नहीं रहनी चाहिये। यह सीधी दो बातें हैं। मैं ने इतनी देर के बाद भी यह नहीं सुना कि किस तरीके से इन का इस्तेमाल किया जाना चाहिये। पुलिस को क्या क्या हिदायतें देनी चाहियें और मैं मिनिस्टर साहब से इस बारे में पूछूंगा भी। लेकिन पहली बात आज यह है कि यह कहना गलत है कि इन दफात की जरूरत नहीं। यह भी कहना गलत है कि यह कास्टि-ट्यूशन के खिलाफ है। अगर यह कास्टि-ट्यूशन के खिलाफ है तो कितने सारे मुकदमे हर सूबे में, हर जिले में हुए हैं, किन्ती भी जगह किसी मैजिस्ट्रेट के हुकम को चैलेंज किया जा सकता है हाई कोर्ट में या सुप्रीम कोर्ट में कि यह १०७ और १०९ दफात हमारे विधान के खिलाफ हैं। अगर वाकई खिलाफ हैं तो हाई कोर्ट और सुप्रीम कोर्ट यह फैसला दे सकते हैं कि यह अल्ट्रावायर्स हैं। उस के बाद यह जानता फौजदारी से खत्म हो जायेंगी। लेकिन अभी तक ७ या ८ बरसों से तो किसी ने चैलेन्ज नहीं किया है मेरे खयाल में।

एक जाननीय सचस्य : चैलेन्ज किया है।

श्री मू० चं० जैन : अगर चैलेन्ज किया होता तो इस बिल के जाने की जरूरत नहीं क्योंकि अगर यह अल्ट्रावायर्स है तो उसे बैठा करार दे दिया जाता। यह अब तक अल्ट्रावायर्स करार नहीं दिया गया नहीं तो इस बिल को जाने की कोई जरूरत नहीं थी। यहां तक इस के कास्टिट्यूशन के खिलाफ

होने की बात है, इस तर्क में कोई अड़न नहीं है।

अगली चीज यह कि साहब, यह क्या बात है कि अभी किसी ने चुन नहीं किया है लेकिन उसे पकड़ लिया जाय? मैं उन से कहूंगा कि ऐसे कई केसेज हैं जिनमें पहले से पकड़ना जरूरी था। मैं जानता हू कि पुलिस इस का काफी गलत इस्तेमाल करती है, इस में कोई शक नहीं, लेकिन ऐसे केसेज भी हैं जहां पुलिस इन को जायज तौर पर इस्तेमाल करती है और इस से गरीब आदमियों को बहुत भय पैदा है। अगर यह हथियार पुलिस के पास न होता तो उस गरीब आदमी की रक्षा नहीं थी। इसलिये इन का जानता फौजदारी में होना निहायत लाजिमी है और इस को जानता फौजदारी में से निकालना नहीं चाहिये। इसलिये के तौर पर दफा १०७ को भीजिये। इस में खुद यह बात लिखी है।

"Whenever a Presidency Magistrate, District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class is informed that any person is likely to commit a breach of the peace or disturb the public tranquility or to do any act that may probably occasion a breach of the peace"

कोई खिलाफ कानून काम करने वाला है या जिसके किसी भी काम से नुकसे धमन का पैदा अन्वेषा हो, मैं नहीं सचस्यता कि उसे नुकसे धमन कर लेने देना चाहिये, उसे पहले खिलाफ कानून काम कर लेने देना चाहिये, जब उसे विरस्तार किया जाय, तब उसके खिलाफ एमपान लिया जाय। मैं कहता हू कि दवा से ज्यादा अन्वेषा इलाज होता है। और उसे काम करने का मौका दिये हुए ज्यादा अन्वेषा होना अगर उसे विरस्तार तौर दिया जाय।

इसी तरीके से ११० की बात है। जहाँ तक दफा ११० का तात्पर्य है, उसमें निम्नलिखित हुआ है :

"Whenever . . . receives information that any person within the local limits of his jurisdiction—

(a) is by habit a robber, house-breaker, thief or forger, . . ."

इतनी सारी चीजें दी हुई हैं। जब कोई आदतन मुजरिम है, उसके खिलाफ पाब या सात शिकायतें भोजूद हो, उसके खिलाफ क्यों न ऐक्शन लिया जाय ? इसका एक फायदा है कि अगर पुलिस के पास यह चीज है कि किसी आदमी की ११० में सजा हुई है और इस तरह के १०० आदमी हो तो उन को पहले ही पकड़ लिया जा सकता है। मुस्तलिफ सूबो में भ्रमण भ्रमण चीजें होती हैं एक रजिस्टर में उन १०० आदमियों का नाम दर्ज है जब भी किसी इलाके में कोई खाम बरदात होती है तो पुलिस के पास एक बहुत जल्दी की चीज होती है कि जो इलाके के बदमाश हो उन्हें पकड़ कर तहकीकात कर ली जाय। कई दफा बरदातों का पता उन्हीं आदमियों से चल जाता है। अगर यह रजिस्टर ही न रहे, अगर यह दफा ही न रहे, तो पुलिस किम तरीके से मालूम करेगी बरदात के बारे में ? फिर मान लीजिये कि किसी एक गाव में एक चोरी हो जाती है, तो क्या सारे गाव के आदमियों की पकड़ कर बिठा लिया जाय ? कोई बरदात हो गई तो उस इलाके के दस बीस आदमियों को ले लिया, उनसे पूछताछ की और ७०, ८० फी सदी उन्हीं लोगों में से चोरी निकलती है और काम चल जाता है। इसलिये कहना कि इन दफात के होने की जरूरत नहीं है हमारे किमिनल प्रोसीजर कोड में, मैं इस को किसी तरह से तस्वीर नहीं कर सकता।

अब मैं मिनिस्टर साहब से एक सवाल पूछना चाहता हूँ और मैं समझता हूँ कि वह जबाब देंगे। हमारी आजादी से पहले जो हमारी पुलिस स्टेट थी, पुलिस स्टेट के बाद हमने उसको सोशल वेल्फेयर स्टेट बनाने का इरादा किया है, यह हमारा भावना है, और इस काम में हम लगे हुए हैं यह हमारा दावा है, तो क्या कोई हिदायतें जारी हुई हैं होम मिनिस्ट्री की तरफ से स्टेट गवर्नमेंट्स को कि पुलिस को इन दफात का इस तरीके से इस्तेमाल करना चाहिये, और जो पहले तरीके थे उन तरीको से इस्तेमाल नहीं करना चाहिये। इसके लिये हमारे मिनिस्टर साहब यह कह सकते हैं कि यह मामला तो स्टेट लेबिल पर उठाना चाहिये क्योंकि यह स्टेट्स सब-जेक्ट है और हमलिये वहा ही इसके वास्ते एजिटेड करना चाहिये। लेकिन मैं मन्त्री महोदय से दरखास्त करूंगा कि जब हमारी सारी गवर्नमेंट की यह पालिसी है, हमारे देश की यह पालिसी है कि हम अपने देश में एक वेल्फेयर स्टेट बनाना चाहते हैं तो यह जरूरी हो जाता है कि पुलिस इन दफात और इन क्वान्टीन का, जिस तरह से कि वह पहले इस्तेमाल करती थी, अब उस तरीके से उनको इस्तेमाल में न लाये। पुलिस द्वारा इन कानूनों का गलत तौर पर इस्तेमाल होता था। इन दफातों का मियासी आदमियों पर इस्तेमाल होता था जिसको कि मैं बिल्कुल गलत इस्तेमाल मानता हूँ। किसी भी पार्टी के कार्यकर्ताओं के विरुद्ध मसलन सोसलिस्ट पार्टी वालो के या और किन्ही राजनैतिक पार्टीज के कार्यकर्ताओं के विरुद्ध यह दफा १०७, १०६ और ११० का इस्तेमाल किया जाना बराबर गलत है और यह उन कानूनों का दुरुपयोग है। जरूरत आज इस बात की है कि आप इस दुरुपयोग को खत्म करें न कि इस कानून को ही आप खत्म कर दें। मेरा अपना मत है कि यह दफाएँ और कानून तो होने चाहिये और इनको कानूनी किताब में रहना चाहिये लेकिन पुलिस और सम्बद्ध अधिकारियों द्वारा इन अफाओं का जो गलत

[श्री म० च० जैन]

धीरे नामुनासिब इस्तीमाल होता है उसको रोकने की कोशिश की जाय और उसके लिए जरूरी कदम उठाये जायें। अब ऐसा पुलिस अधिकारी किस कारण से करते हैं, कुछ उनके पुराने सस्कार इस किस्म के हैं जिनके कि कारण वे ऐसा करते हैं, इसका तो आप स्वयं फैसला करे लेकिन मैं यह जानूंगा कि जिस तरह से पिछले जमाने में इन दफाओं का दुरुपयोग होता चला आया है वह अब जारी नहीं रहना चाहिये।

इन दफाओं के दुरुपयोग के बारे में मैं कुछ अपने जाती अनुभव पर प्राप्त मिसालें देना चाहता हू कि किस तरह से इनके मातहत गरीबों को कुचला जाता है। मिसाल के तौर पर एक खेत पर टेनेंट काबिज है, टेनेंट का खेत पर कब्जा है, पटवारी के कागजात में भी लिखा हुआ है लेकिन मालिक जमीन उससे जबर्दस्ती कब्जा लेना चाहता है और पुलिस को चाहिये तो यह कि जो जबर्दस्ती कब्जा लेना चाहता है उसे १०७ में पकड़े, पुलिस उस गरीब मजदारे को भी १०७ में धर लेती है। पुलिस दानो को गिरफ्तार करती है लेकिन होता यह है कि टेनेंट के तो १५ आदमी गिरफ्तार कर लेती हैं लेकिन मालिक जमीन के एक दो नौकरो वगैरह को गिरफ्तार करती है। मैं मंत्री महोदय से रिक्वेस्ट करूंगा कि वह हर एक स्टेट से फेहरिस्त मगाये तो वे यह देख कर हैरान रह जायेंगे कि इस तरह के जमीन मालिकों और टेनेन्ट्स के बीच कितने सारे मुकद्दमे चल रहे हैं और उनमें टेनेन्ट्स को किस तरह इस १०७ के मातहत रगडा जाता है, हैरेस किया जाता है और परेशान किया जाता है। उन बेचारों को किस तरह उनके गांवों से मुनबाई के लिये हैब्सवार्टर पर बुलवाया जाता है, दिन दिन भर वे वहाँ बैठे रहते हैं और शाम को कह दिया जाता है कि उनकी ठारिक पड गयी है। मंजिस्ट्रेट्स उन पर इस कदर मेहरबान होते हैं कि उनकी १०, १० और १५, १५ पेशियां लगवा देते हैं और उनका

हैब्सवार्टर पर धाने जाने में ही कबूलर निकल जाता है, हैब्सवार्टर धाने में जो उन पर खर्च पड़ता है तो तो भलग और खेत पर जो वे मजदूरी करते हैं उसका हर्जा जो होता है वह भलग और यह सब प्रफसरान की मेहरबानी के कारण होता है। दफा १०७ को रहना चाहिए लेकिन आज बदले हुए हालात में, इस वेसफेयर स्टेट में और इस सोशलिस्टिक पैटन आफ सोसाइटी के ढांचे में दफा १०७ गरीबों की मदद के लिये होनी चाहिये न कि उनको सताने के लिये।

मैं एक ऐसा वर्कर होने का दवा करता हू जो कि अब तक देहातो में काम करता रहा है और आगे भी करता रहेगा और एक वर्कर के अलावा एक वकील की हैसियत से भी मुझे जो जाती तजुर्बा हुआ है वह यह है कि पुलिस दफा १०७ और १०६ वगैरह का इस्तीमाल गरीबों को रगडने के लिये करती है और इसका इस्तीमाल जहा होता है वहा ६० फीसदी धमीर के हक में इस्तीमाल होता है। आप इन दफाओं का गलत इस्तीमाल रोकने के ब्याल से चाहे आई० जी० की मीटिंग करें या स्टेट्स के पुलिम मिनिस्टर्स की एक कान्फेंस बुलाये और उसमें कोई पुलिस के लिए नया कोड आफ कडक्ट निकालें ताकि हर एक पुलिस धाने में यह हिदायत हो कि अगर किसी भी पुलिस सब इस्पेक्टर ने उसके खिलाफ भ्रमल किया, बदउनबानी से काम लिया और इन दफाओं का बेजा इस्तीमाल किया तो उसके खिलाफ सख्त कार्यवाही की जायगी। अगर इस तरह की कोई ब्यबस्था की जाय तो मैं समझता हू कि हमारे प्रफसरान में इस बात का प्रहसास पैदा होगा कि कानून ने जो उन्हें बख्तयारात दिये हैं उनका यदि वे गलत इस्तीमाल करेंगे तो उनके खिलाफ सख्त कार्यवाही की जायगी। इस तरह का इन्तजाम करने से ही इस देश में कम आफ ला कायम हो सकता है वरना पुलिस इस किस्म के कानूनों से कम आफ

सा काम करने के बजाय मितवकन करने वाली है। अब वह मिनिस्टर साहब का काम है कि वह इसको ठीक करने के लिये उनके पास कैसी हिदायतें भेजें, कोई नया कोड आफ कंडक्ट उनके हास्ते बनायें। मैंने तो धाज जो गरीब लोगों के साथ सलूक हो रहा है और उनको परेशान किया जा रहा है वह बतान कर दिया।

Shri Narayanankutty Menon: Mr. Chairman, Sir, it may be taken for granted that the hon. the Home Minister is not going to accept the Bill. But apart from all considerations I wish to place before him two aspects of the Bill, one concerning the preventive sections and the other concerning section 161.

It may be argued quite rightly by him that there is a necessity for these preventive sections to be retained in the Code. And I also agree with him that in some form or another certain preventive sections should be incorporated in the procedural law, so that when necessity arises, as might be usual, socially undesirable elements will have to be dealt with for prevention of a breach of the peace, and therefore, broadly it might be necessary that these sections, not in the present form, but in some other form be retained in the statute.

But what I wish to tell the hon. Minister is, let him impartially examine, apart from all political considerations, the sum total and the result of the working of sections 107 to 110, and whether in a large majority of cases the Government could themselves be convinced that a large amount of misuse had been there and that it is going on. I am not for a moment suggesting that this misuse could be properly prevented by means of a control directly from the Government, and misuse and the likelihood of misuse is so inherent in the nature of these sections. If these sections are retained in the present form, it is impossible sometimes to control it also.

For example, even though the authority to take action is an executive magistrate, the subjective satisfaction as to whether a person is going to commit an offence and is to be bound over is left entirely at the disposal of the police officer concerned. Because, at the time of deciding the whole case the magistrate has not got any other material with him expect a broad report prepared by the police officer, unsupported by any evidence. The only document accepted as evidence in law is an affidavit filed by the police officer and the magistrate is bound to take action on the basis of that affidavit which is unchallenged and untested either by cross-examination or in any other way.

Therefore, it is quite likely that if the present procedure which extends to section 117 is retained there is likelihood of misuse of these sections, and misuse is really happening. I was closely following the speech of my hon. friend Shri Jain. Whenever there is a strike you will find the police resorting to these sections in order that the workers are bound over. We will be very glad if the hon. Minister can point out a single instance in the last twelve years where section 107 has been used against an employer who has violated the law relating to workers or who has indulged in black-marketing. The hon. the Food Minister was telling the House today that even though the price of sugar was soaring and action could have been taken, the Government was helpless and they could not take action. I would like the hon. Home Minister to point out any case where the workers are not bound over and this section has been used against the employer.

In a still large number of cases, as far as agricultural labour and tenants are concerned, this section has been used in disputes between agricultural labour, the tenants and the landlords, and invariably the police use the section against the workers and the peasants and agricultural labour, and against the other side it is not used.

[Shri Narayanankutty Menon]

My only submission is, first of all, misuse will have to be prevented by the Government, and, secondly, in their present form it is impossible to prevent their complete misuse. These sections and the procedured sections which follow up to section 117 will have to be suitably amended, so that the magistrate will have before him material evidence just like an ordinary cognizable offence case and he can come to an objective satisfaction about the likelihood of the person concerned committing an offence.

I earnestly desire that the hon Home Minister and the Government will spend some time over this question and, in order to prevent the possible misuse the likelihood which nobody can deny that it is being misused at least on some occasions, come forward with suitable amendments as far as sections 107 and 117 are concerned.

17 hrs.

Coming to section 161, the hon Minister will have to agree that it is possible to have a large amount of misuse by the police especially after the amendment of the Criminal Procedure Code in 1956. Till the Code was amended in 1956, a statement recorded by the police could be used only for the purpose of contradiction whereas now it can be used as evidence even for the purpose of corroboration in cases where the witness turns hostile in the sessions court.

Shri Datar: Not for corroboration, only for contradiction.

Shri Narayanankutty Menon: I may submit, Sir, that in case where the witness after having given evidence in the lower court turns hostile in the sessions court, this can be used as corroborative evidence. The police diary could be used as evidence. It was under the old Code that it could be used only for contradiction. In that case it is a piece of material evidence which the accused gets. It is the most important material evidence, because that is the first picture

of the whole story as disclosed to the police. Invariably in many cases you will find that if the case diary could be kept under the complete disposal of the police till the filing of charge-sheet there is likelihood of its misuse. As far as that provision is concerned, the amendment introduced by my hon friend is innocuous. It will not be possible for the hon. Minister to object to that, because the new procedure suggested is that as soon as the case diary is written just like other papers that are sent to the Magistrate let the police send a copy of the case diary also. As there is a condition precedent in the Police Manual that a copy of the case diary will have to be simultaneously forwarded both for the District Superintendent of Police and the Senior Investigating Officer, let a copy of the case diary be sent to the judicial Magistrate also, so that later on the police will not be able to fabricate things. This is the most valuable document, Sir, as far as the accused is concerned, more important in sessions cases where the accused stands charged with capital offences and it is therefore necessary that the accused be given protection and the authenticity of this document should be preserved by sending a copy at the earliest stage to the Magistrate. I cannot find any reason why the Government should disagree with this simple procedure of sending a simultaneous carbon copy, to the magistrate when they are sending a copy to the District Superintendent of Police and the Senior Investigating Officer, so that the Magistrate can keep it and the authenticity of the document can be safeguarded.

Therefore, my earnest appeal is that the Government should accept this amendment, because the principle involved has already been accepted by the Government, that once a case diary is recorded, once an evidence has been recorded, it should not be tampered with. If that is the intention of the original section, if that is the

intention of the Government, certainly this amendment could be accepted, whereby a copy of the case diary should be sent to the magistrate and more guarantee is given to the authenticity of the document. Any possible misuse of the provision, so far as the police is concerned, can be totally prevented, and the whole section made fool-proof.

Shri Tangamani (Madurai): Mr. Chairman, Sir, enough has been said about the way section 107 has been misused in the past. I shall briefly refer to certain objections raised by one of the speakers, who said that all these sections will have to be retained if there is to be prevention of offences.

Sir, the whole chapter, Chapter VIII, which deals with prevention of offences, namely, security for keeping peace and for good behaviour, requires a radical transformation. I shall briefly show how the very wording of the various sections, which have been referred to by my hon. friend who moved this Bill, is likely to be abused. Section 107(i) says:

“Whenever a Presidency Magistrate, District Magistrate, Sub-divisional Magistrate or Magistrate of the first class is informed that any person is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace, or disturb the public tranquillity, the Magistrate if in his opinion there is sufficient ground for proceeding may, in manner hereinafter provided, require such person to show cause....”

It is so wide and so general. As against this, the corresponding provision in the English law is as follows:

“If a person has just cause to fear that another person will do him some bodily harm, as by killing him or his wife or his child, he may demand surety and the peace against such person and

it is the duty of the Justice of the Peace to bind over such person.

If the applicant proves on oath that he is actually under such fear and has just cause to be so”.

So it was meant only to prevent the commission of certain serious offences on the basis of complaints by those people who are likely to be attacked. But here, as many hon. friends have pointed out, section 107 has been used in cases where there is likely to be breach of the peace according to the magistrate.

Some instances also were mentioned such as the one in September, 1958 when there was a food agitation in Uttar Pradesh and when as many as 10,000 people were arrested and my friends tell me that a thousand people were arrested under section 107 including one of the Members of Parliament here. I will be happy to know from the hon. Minister how many were actually arrested under section 107. If, for such an agitation, section 107 is used, then will it not amount to an indiscriminate use of this section?

If we come to section 109 (b), the words are:

“that there is within such limits a person who has no ostensible means of subsistence.”

Can you have a phrase much wider than “has no ostensible means of subsistence” in a country where *David-ranarayan*s are worshipped? In that case, a police officer can arrest a person for having no ostensible means of subsistence. That phrase may be the easiest way by which they can take action. So, this kind of test which might have been all right when they conceived of such a thing can no longer apply, and it is like to be abused.

Also, this section is mainly to prevent vagabondism and in the name of preventing vagabondism any person who is found, according to the police officer, without any means of subsistence can be arrested and detained under this section.

[Shri Tangamani]

If you take section 110, there is one more aspect. My hon. friend referred to habitual offenders—an offender who is by habit a robber, house-breaker, thief or forger. But what he has forgotten to mention is sub-section (f) which says:

“is so desperate and dangerous as to render his being at large without security hazardous to community”

So, who is to define that a particular person is a desperate person? A person who is opposing a certain proposal of the Government may be a desperate person. A person who is going to take a particular attitude to a certain thing may be a desperate person. So, these phrases such as “a person without ostensible means”, “if he is satisfied that there is likely to be a breach of the peace” are all phrases much wider than the mark and unless a radical change and a radical modification of these preventive sections are resorted to, there is likely to be a further abuse of these provisions.

I would like to say one more thing. My hon. friend has referred to three sections. Section 108, according to him, is an obnoxious section. That section says:

“a person who disseminates seditious matters, a person who causes some disaffection amongst the communities, etc.”

There are the persons who are to be brought under this section 108. There are enough sections in the Indian Penal Code for bringing to book all these persons. So, in the name of prevention of offences, we cannot resort to such measures. I do admit that we have got to have provisions for prevention of offences, but, if we start from section 151, and then take up sections 106 to 125, we will find that there is a series of sections which give wide powers to the police officers. Therefore, the intention of my hon.

friend is to see that these wide powers given to these police officers are curbed. Flowing from this is the question of investigation: Section 154 deals with what is known as the first information report. The first information report will have to be submitted to the district police officer and also to the magistrate concerned. Whenever there is a cognizable offence, certainly the magistrate gives him proper direction and the police officers also decide as to whom a particular case should be referred. There is a check and cross-check.

In the same way, when investigations do take place, as the hon. Minister knows, to this day probably the one person who is not trusted by the courts is the Inspector-General of Police. If I make a statement to anybody, that can be used. But a statement I have made to the Inspector-General of Police in the course of an investigation cannot be used in a court of law. What does it show? There is a certain pressure exercised by these police officers, not that all the police officers are bad, but in the nature of things, a certain pressure is exercised and a check and counter-check are necessary. That purpose is sought to be served by this amendment. I must say that this amendment is a very wholesome provision. Unless this is done, the intention of those who wanted to amend section 162 in 1956 will not be served.

What exactly does the Bill seek to do? It says:

“A copy of the police diary, the information recorded under sections 154 and 155 of this Act and the statements recorded under sub-section (3) of this section, shall be sent to the District Judge having jurisdiction over the area, within 24 hours of any entry being made in the police diary or any information or statement being recorded, excluding the time taken for the despatch....” etc.

We do give him time also to send those records. The only purpose is to see that there is no chance given for manipulating and altering these valuable records. I hope the Hon. Minister will see his way to accepting this amendment or at least the spirit of it. If he is not going to accept this amending Bill, at least let him bring forward a suitable amendment to the Criminal Procedure Code.

Shri Naldurgkar (Osmanabad): Mr. Chairman, much criticism has been levelled against the police in respect of the implementation of sections 107, 108 and other sections of the Criminal Procedure Code. I respectfully submit that all these criticisms are baseless and unjustified.

Shri Narayanankutty Menon: All of them?

Shri Naldurgkar: Yes; I will deal with them. All the sections to which I will refer are preventive. There is a maxim that prevention is better than cure. I may say that prevention of crime is better than to see the commission of crime. So, without waiting for a certain offence to be committed, it is better that that offence is prevented.

There has been so much argument that these sections are sometimes misused. I am afraid those arguments are quite against the wording of these sections. Under section 107, the magistrate is not to act only on any report that is received by him. But there are these words of "in his opinion there is sufficient cause for proceeding". The report is to be received by a magistrate. It is not incumbent under section 107 that only police have to submit that report for taking any action under this section. Any person—he may be from the public also—can submit a report that there are such and such facts that are mentioned in section 107. Section 107 is preventive in nature. Suppose a person is likely to commit a breach of peace or disturb the public

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tranquillity, then this section is meant to prevent the occurrence of such acts. This prevents a person from committing those acts. Then section 109 has been enacted which enables the precautions to be taken in advance for suspected persons. Section 110 relates to habitual offenders.

So, when such report is received by the magistrate, after that he scrutinises the report. Thereafter he satisfies himself whether to proceed or not. The moment the report is submitted the magistrate does not proceed. There is a procedure under section 112. When such a report is received the magistrate has to satisfy himself that action is necessary. If the magistrate is not satisfied, he will dismiss the report and will not proceed. If he thinks that there are proper grounds to proceed in order to prevent a breach of the peace or other acts that have been mentioned in sections 107 to 110, then he will proceed under section 112. Then he shall send a summons. For that summons the report is the basis. Then the report is annexed with the summons and the party is given a chance to show cause why he should not be bound, and what are the causes of making such report against him. After his written statement is received, if the magistrate is satisfied that there are no reasonable grounds to proceed further, then the magistrate is given discretion to release him or to dismiss all the proceedings. But if the magistrate thinks, to proceed with application of section 112, then that report will be explained to him, or if he is in the court, then instantly that report will be explained to him and he will be ordered to show cause why action should not be taken against him and why he should not be asked to furnish a security for keeping peace and tranquillity. After that a chance is given to both the parties to adduce evidence. Even the person making the report can adduce evidence and the other party can refute all the charges. Thus, even the defendant is given a chance to adduce

evidence. After considering the evidence of both parties the magistrate can take action under sections 117 and 118 of the Cr. P. C. If the magistrate thinks that the report is baseless then he has the discretion to release the accused.

Therefore, all these security measures that are taken from sections 106 to 119 are all preventive measures and any action taken under Chapter IV is considered to be a summons case, and the procedure followed there is of summons cases. Therefore, I do not know why so much criticism has been levelled against the police department that police misuse these sections. These sections have been enacted in order to have public tranquility, peaceful life to the citizen. That is a right of the citizen. Every citizen has a right in society to pass his life peacefully. And if any person disturbs the peace and tranquility, he has also the right to move the court so that such person could be taken to task. From my own previous experience I can say that some years ago I have myself submitted an application before a magistrate. The magistrate was requested to take action under section 107. But he declined, there was criminal trespass. After that, there were four murders over that controversy regarding possession of the property. This is my professional experience in two or three matters. If, on the same day, the magistrate had taken action and prevented the other party from entering on the land, those four lives would have been saved and those persons would have been still alive to see the independence of India. Unfortunately, some incident occurred. Therefore, the allegation or the argument that is advanced in this case that all these sections are mis-used are quite incorrect.

In this case, if the discretion had been given to the police to do anything, I admit, perhaps, there would have been misuse of these sections.

When the judiciary is given the power to proceed or not on the basis of the information given to it, what is the objection? The magistrate, no doubt, is vested with power to take precautionary measures in this matter and proceed. After all, there are sections 112, 117, and 118 to give full scope, full liberty and to give full chance to the other party to adduce evidence and refute all the allegations.

Shri Narayanankutty Menon: If the hon. Member could give one instance where, not on the petition of a private party, alone but when the petition is supported by an affidavit of a police officer, any magistrate in India has refused to give a warrant we will be satisfied. If he could give one instance, that would be enough.

Shri Naldurgkar: What should be the grounds for satisfaction of the magistrate is immaterial. The section says, when in his opinion there is sufficient ground for proceeding. That may be with affidavit or without affidavit. That is in the discretion of the magistrate. Therefore, you cannot charge or dismiss the magistrate that he was misusing the sections, because the magistrate is not bound to take any evidence. He can proceed even on a letter of a certain person. If I send a certain letter by postal delivery to a magistrate and if the magistrate thinks fit, he will proceed.

Shri Braj Raj Singh (Firozabad): Hence the omission of these sections.

Shri Naldurgkar: Why?

Shri Braj Raj Singh: Hence.

Shri Naldurgkar: I have stated, I am one of the factors of society. I am one of elements of this democratic republic. I have got a right that I should pass my nights peacefully, that I should sleep peacefully and I should go wherever I want to go peacefully and my peace should not be disturbed by any unsocial elements or mis-

creants. With that idea I can say that the omission of these sections will do no good to the society and that it would result in the increasing of murders, and other serious matters. Therefore, I oppose this Bill. There is no necessity of omitting these sections.

As far as section 161 is concerned, I think there is no necessity for the present amendment. Under section 162, when the police submit the challan into the court, the accused are given full copies. After the challan is submitted and before the trial begins, under section 162, all copies, including copies of documentary evidence, including statements recorded by the police during investigation are given to the accused. Unless those copies are given, no trial is proceeded with. Therefore, when the accused have a chance to get all statements of persons recorded under section 161, I think there is no mis-use of that section also.

On all these grounds I can say that there are no sufficient grounds for the omission of these sections. Therefore, I oppose the motion and appeal to the House that this motion should be rejected.

श्री प्र० ना० सिंह (चन्दौली) - श्रीमन्, दफा १०७, दफा १०६ और दफा ११० जाना फौजदारी की सबसे ज्यादा प्रति-क्रियावादी दफायें हैं। इसी के साथ साथ यह दफायें हमें मिले हुए मूलाधिकारों पर भी कुठाराघात करती हैं, चोट पहुँचाती हैं। इन दफाओं के चलते हुए हर दिन हजारों लोग इन देश के अन्दर मनमाने तरीके से परेशान किये जाते हैं। इसलिये दफा १०७, दफा १०६ और दफा ११० का फौजदारी विधान से निकाला जाना बहुत ही आवश्यक बात है, जरूरी है। इस सम्बन्ध में मैं इतना कहना चाहता हूँ कि बहुत बकासत इस बात की गई कि ला मार्बर् के नाम पर इन दफाओं का रहना बहुत जरूरी है। लेकिन जिस तरीके से

इन दफाओं का प्रयोग हो रहा है, जिस तरीके से इन दफाओं के इस्तेमाल करने के सिलसिले में सरकारें मनमाने तरीके से बरताव कर रही हैं और इन दफाओं का नाजायज इस्तेमाल करती हैं, उस को देखते हुए इन दफाओं का जायदा फौजदारी से निकाला जाना बहुत आवश्यक है।

श्री श्री हमारे एक माननीय सदस्य ने कहा था कि पिछली बार जब खाद्य भ्रान्दोलन उत्तर प्रदेश में चला था तो उस मौके पर हजारों लोगों की गिरफ्तारी दफा १०७ और दफा ११७ में हुई थी। मैं स्वत. उम सरकार का, जो कि क्लिंग पार्टी है, शिकार रहा। दफा १०७ के मामले में दो बार मुझे गिरफ्तार होना पड़ा। रात के वक्त ३ बजे, ४ बजे, जब मैं अपने मकान पर सो रहा था, उस मौके पर दफा १०७ और ११७ में उत्तर प्रदेश की सरकार ने मेरे ऐसे आदमी को गिरफ्तार किया। एक ऐसे आदमी को गिरफ्तार किया जो उम स्टेट के मौजूदा गृह मंत्री श्री कमलापति त्रिपाठी का विधान सभा के चुनाव के सम्बन्ध में प्रतिद्वन्दी था। ऐसे आदमी को दो मर्तबा दफा १०७ और ११७ में गिरफ्तार किया गया। मैं एक घटना और इस सदन के सामने रखना चाहता हूँ। १० मई, १९५७ को उत्तर प्रदेश की सोशलिस्ट पार्टी ने "भ्रष्टेजी हटाओ" भ्रान्दोलन और उसी के साथ साथ "उत्तर प्रदेश से विदेशी मृत्तियों को खत्म करो" भ्रान्दोलन उसी महीने में शुरू किया था, और उम सम्बन्ध में १५ और १६ मई को जो चकिया तहसील है बनारस के जिले में, जो कि उत्तर प्रदेश के होम मिनिस्टर का निर्वाचन क्षेत्र है विधान सभा का, मेरा भी वही निर्वाचन क्षेत्र है, उसमें मेरी सभायें हुई थी। चकिया तहसील में श्री कमलापति त्रिपाठी की भी सभायें हुई थी। जिस दिन मामूला हुआ अधिकारियों को कि यह सभायें रक्खी गई हैं, उसी दिन १५ तारीख को उन्होंने मुझे दफा १०७ और दफा ११७ में गिरफ्तार करना चाहा, लेकिन बूक में उस क्षेत्र में चला गया था, उस क्षेत्र की जनता

[श्री प्र० ना० सिंह]

जो है वह हमारे लोगों के साथ है और शायद गिरफ्तारी होने पर हजारों लोग अपने को गिरफ्तार कराने के लिये पहुंचना श्रेयस्कर समझते, इसलिये चकिया तहसील में मैं गिरफ्तार नहीं हुआ। लेकिन मेरी और गृह मंत्री जी की सभायें धामने सामने हुई चकिया तहसील में, और मेरी सभायें होने के बाद उन की सभायें हुई, यह दूसरी बात है कि मेरी सभाओं में ज्यादा लोग आये थे। १६ मई की रात को मैं भी बनारस आता हूँ कार से और वह भी सरकारी गाड़ी से बनारस आते हैं। १७ मई को देखता हूँ कि पुलिस मौजूद है, डी० एस० पी० मौजूद है। यह कहलाया गया कि तुम्हारी गिरफ्तारी १०७ में की जाती है। उस सरकार ने जो कुछ किया उसे न्यायालय ने माना कि जिस तरीके से मेरी गिरफ्तारी हुई है वह गलत है। लेकिन साध आन्दोलन के सिलसिले में जो कि सितम्बर, १९५८ में चला १२ सितम्बर को सारे प्रदेश में हड़ताल होने वाली थी सरकार के खिलाफ। साध की कीमत बहुत जोरो के साथ बढ़ती चली जा रही थी और उस साध नीति के खिलाफ विरोध प्रदर्शित करने के लिये उत्तर प्रदेश के विरोधी दलों ने उत्तर प्रदेश के अन्दर आम हड़ताल की घोषणा की थी। सरकारी नीति के खिलाफ १२ तारीख को हड़ताल होनेवाली थी, ११ तारीख की रात में ३०० लोगों को मकान से गिरफ्तार किया गया। आप को देख कर आश्चर्य होगा कि सितम्बर, १९५८ में जो साध नीति चल रही थी उस समय दफा १०७ में मुझे गिरफ्तार किया गया। लेकिन आज भी, जब कि उस साध आन्दोलन को बीते साल हो गया, मेरे मुकदमे का फैसला नहीं हुआ है। मैं गृह मंत्री जी से पूछना चाहता हूँ जो कि इस सदन में मौजूद हैं, कि साल भर बीतने के बाद भी दफा १०७ और ११७ में मुझ से जमानत और मुचलका मांगा गया। वह अभी भी अदालत में चल रहा है। जब उस साध आन्दोलन को साल भर

बीत गये तो अब कोई मुझे धमक का खतरा नहीं है, लेकिन फिर भी मेरे ऐसे धावपी से जमानत और मुचलका मैजिस्ट्रेट द्वारा मांगा जा रहा है और इन प्रकार बाकायदा उन्होंने १०७ और ११७ के मुकदमे में मुझे बाइंड बाउन्ड कर दिया है। और सेशन कोर्ट में उसकी अपनी प्रॉबिंग है। मैं श्री वातावर से पूछना चाहता हूँ कि क्या वे दफा १०७ और ११७ का इस्तेमाल राजनीतिक आंदोलनों को जो कि शान्तिपूर्ण हों, उनको दबाने के लिए करना चाहते हैं? जब जनता के दो दलों में झगड़ा हो और जो कि दफा १०७ की मंशा है तो उसमें तो इस दफा के इस्तेमाल की बात समझ में आती है लेकिन जब सरकार से जनता का झगड़ा हो, जब सरकार की नीतियों से विरोधी दलों का झगड़ा हो और जब सरकारी नीतियों के विरोध में विरोधी दल वाले और अपनी मांगों के सिलसिले में शान्तिमय प्रदर्शन कर रहे हों, शान्तिमय सभाएं कर रहे हों तब १०७ और ११७ का खुले तौर पर इस्तेमाल, और हजारों की तादाद में इस १०७ और ११७ का इस्तेमाल किया जाना समझ में नहीं आता। जब ऐसी हालत हो तो कुछ लोगों का यह कहना कि दफा १०७, १०९ और ११७ के द्वारा अन्याय नहीं होता, कोई मायने नहीं रखता है। अब किसी गवर्नमेंट के खिलाफ शान्तिमय तरीके से आन्दोलन चलाना और उनके विरुद्ध जनमत तैयार करना और उस सरकार को शान्तिमय तरीके से बदलने के लिए शान्तिपूर्ण सभाएं और प्रदर्शन आदि आयोजित करना, इन बातों का उस संविधान ने जिसको कि हमने अपनाया है, पूरा हक देता है लेकिन हमारे यह रोज देखने में आता है कि संविधान में दिये गये अधिकारों का उपयोग जनता को नहीं करने दिया जाता है और राजनीतिक दलों पर दफा १०७ और ११७ का इस्तेमाल किया जाता है और इस तरह उनके अधिकारों का हनन किया जा रहा है। आप सौमिलिट

पार्टी, कम्युनिस्ट पार्टी और अन्य विरोधी राजनीतिक पार्टियों को गैर-कानूनी तो नहीं करार देते हैं लेकिन आप इन पार्टियों के सदस्यों को दफा १०७ में गिरफ्तार कर लेते हैं और ऐसा करके आप उनको बोलने की आजादी को छीनते हैं, उनके लिफाफे की आजादी को छीनते हैं और उनकी सभाएं करने की आजादी को छीनते हैं। उनके जो मौलिक अधिकार हैं व्यक्ति स्वातंत्र्य के, उन अधिकारों को आप छीनते हैं। आज यह अधिकार इसलिए छीने जाते हैं क्योंकि न्यायालयों में आज बंटीन ही डिस्कस कर सकते हैं। अगर हम इस बात की चुनौती दे सकते कि हमारी गिरफ्तारी सही है या जायज है और जिन कारणों से हुई है वह कारण सही है या गलत तो शायद इस तरीके से दफा १०७ का इस्तेमाल नहीं कर पाते। दफा १०७ के चलते हुए इस माननीय सदन के सदस्य दफा १०७ में बाउंड हैं। अब चूंकि हम लॉग मौजूदा उत्तर प्रदेश की सरकार के विरुद्ध हैं और उस की नीतियों का विरोध कर के उस की जगह पर हम नहीं नीतियां लाना चाहते हैं तो मैं पूछना चाहूंगा कि अगर दफा १०७ के अन्दर हम लोगों को बाइंड डाउन किया जाना है तो क्या यह उस का बेजा इस्तेमाल नहीं करना है? मुझे तो जब कुछ माननीय सदस्य यहां पर खड़े हो कर बड़े जोर से कहते हैं कि दफा १०७ का रहना बहुत जरूरी है तो बड़ा आश्चर्य और हैरानी होती है। मैं तो यह मानता हू कि जो दफा मैजिस्ट्रेट को इस बात का हक देती है कि वह बिना किसी प्रावर्जिफिड टैस्ट के उस का बड़ल्ले से इस्तेमाल करे और जिस में कि मैजिस्ट्रेट को विहिम्बकल पाबल दे दी गई है और जिस से कि वह उस का नाजायज तौर पर इस्तेमाल कर सकता हो, उस दफा १०७ को एक मिनट के लिये भी कानून की किताब में रहने का अधिकार नहीं होना चाहिये। इस दफा १०७ के मातहत मैं आप को बतलाना

चाहता हू कि जिस तरह गरीब किसानों को हरेज किया जाता है। उन को ३०, ३० और ४०, ४० मील की दूरी से हेडक्वार्टर पर सुनवाई के लिये तयब किया जाता है और दिन भर के बाद शाम को कह दिया जाता है कि तुम्हारे केस में तारीख पड़ गई अब फलां तारीख को फिर हाजिर होना और इस तरह से उन बच्चों की यह मैजिस्ट्रेट्स ४०, ४० और ५०, ५० पेशी लगाते हैं। किस्सा मुस्तसर यह कि उन को बहुत परेशान किया जाता है और मैजिस्ट्रेट्स लोग कहते हैं कि यह दफा १०७ है ही इसलिये कि सब लोगों को परेशान करो और सब तारीखें दो और इस तरह परेशान हो कर वे लोग अपने आप बँठ जायेंगे। मैं कहना चाहता हू कि आज पुलिस को जो आप ने अधिकार दे रक्खा है, वह उस अधिकार का नाजायज तौर पर इस्तेमाल करती है और छोटे छोटे मामलों में जिन में कि उस को दफा १०७ की रिपोर्ट नहीं करनी चाहिये, लिफ्ट इस वजह से कि वह किसी से नाखुश है नाराज है इसलिये उस के लिनाफ १०७ से रिपोर्ट कर देती है। आज सारे उत्तर प्रदेश के गावा में दफा १०७ का नाजायज इस्तेमाल हो रहा है और उस को देखने वाला और रोकने वाला कोई नहीं है। इस सिलसिले में मैं यह कहना चाहता हू कि उत्तर प्रदेश की जो मौजूदा सरकार है उस ने तो हर तरीके के नियमों का उल्लंघन किया है। जो मौजूदा उत्तर प्रदेश के पुलिस मंत्री महोदय हैं अब उन के बारे में मैं क्या कहूँ और दूसरे वे इस सदन के अन्दर मौजूद भी नहीं हैं। उन के सम्बन्ध में तो बहुत कुछ बातें उत्तर प्रदेश की विधान सभा में उठ खड़ी हुई हैं। अब मौजूदा सरकार उस की जाच भी नहीं कराना चाहती। और वह न कराये लेकिन मैं यह कहना चाहता हू कि उत्तर प्रदेश की जैसी वर्तमान हालत है और वा एंड अर्बा की जैसी हालत है उस में जिस नाजायज तरीके से विरोधी दलों को दबाने के लिये

[श्री प्रा० नर० सिंह]

और उन को कुचलने के लिये इन दफाओं का इस्तेमाल किया जा रहा है उस की कोई इतिहास नहीं हो सकती।

इसी के साथ में दफा १०६ की जो शब्दावली है उस की धोर सदन का ध्यान दिलाना चाहता हूँ जिस में दर्ज है कि अगर किसी शास्त्र का कोई जरिया माघा मालूम न होता हो तो उस को दफा १०६ के मातहत गिरफ्तार कर के बन्द किया जा सकता है। अब आप समझ सकते हैं कि भारत जैसे गरीब देश में जिन की कि ४० करोड़ की आबादी में में बरीब ७ करोड़ लोग ऐसे अवश्य होंगे जिन को कि काम नहीं के बराबर होगा और जिन का कि जाने पंजे का और जरिया माघा नहीं के बराबर होगा, तो ऐसे देश के अन्दर पुलिस को १०७, १०६ और ११७ के अमीमित अधिकार देना चाहते हैं कि वह जैसे भी चाहे १०६ के अन्दर गिरफ्तार कर ले इस तरह के असीमित अधिकार आप के लिये पुलिस को देना कहा तक उचित होगा? हम को नो आजादी की लडाई के जमाने में भी जेल में रहने का मौका मिला और स्वाधीन भारत में भी जेल में रहने का मौका मिला और मैं बिला शक कह सकता हूँ कि उस जमाने की १०६ दफा में और आज जिन तरह से १०६ दफा का इस्तेमाल किया जा रहा है, उस में जमीन आस्मान का फर्क दिखाई देता है। हम देखते हैं कि दफा १०६ में कैसे लोगों को पकड़ा जाता है और जाहिर है कि वे गरीब लोग कहा में साल भर का मुचलका दें। उन के पास जीविका कमाने का कोई साधन नहीं है और उन को जीविका चलाने के लिये कुछ काम धंधा दिया जाय, यह तो आप करेगे नहीं लेकिन बूँकि किसी के पास काम धंधा नहीं इसलिये उसे दफा १०६ में बन्द कर दिया। अगर पुलिस दारोगा किसी गरीब आदमी से नाराज हो गया तो उसे उठा कर १०६ में बन्द कर दिया। दफा १०६ के अन्दर जेल में जाने के बाद वह बेचारे गरीब

और सीधे सादे लोग जब वहा से बाहर निकलते हैं तो अभियोग और जुर्माना करवा नीख कर बाहर निकलते हैं। यह याद रखने की बात है कि जेल जाते समय वह बिल्कुल नीचे सादे और निर्दोष होते हैं, उन के पास जीविका कमाने का साधन नहीं होता और जाहिर है कि अगर उन के लिये कुछ काम दिया जाये तो वह मेहनत कर के अपनी जीविका कमाना चाहते हैं, ऐसे निर्दोष और सीधे सादे व्यक्ति जेल में रह कर अभियोग सत्य लेते हैं और बाहर एक मुजरिम की शकन में निकलते हैं। दफा १०६ का इतना बुरा इस्तेमाल हो रहा है जिस की कि कोई इतिहास नहीं। मैं समझना हूँ कि यह १०७, १०६, ११० और ११७ दफाये, हमारे सविधान के जो मौलिक अधिकारों की मशा है, उन मौलिक अधिकारों पर हमला करने की दफाये हैं उन पर चोट पहुंचाने वाली दफाये हैं और जिन के कि कारण आज हजारों लोगों पर जुल्म हो रहा है और जमी के साथ साथ मौजूदा सरकारी पार्टी द्वारा इस देश की विरोधी राजनीतिक पार्टियों के हक भी छीने जा रहे हैं। इसलिये मैं यह कहना चाहता हूँ कि दफा १०७, १०६ और ११० के इस्तेमाल पर मोक्ष विचार होना चाहिये और फौजदारी के विधान से इन दफाओं को निकाल देना चाहिये। मैं उम्मीद करता हूँ कि जब माननीय मंत्री जवाब देंगे तो वे इस बात को बतलायेंगे कि राजनैतिक आन्दोलनों के दरमियान में इधर दो सालों के बीच में कितने हजार लोगों पर इस दफा १०७ का इस्तेमाल हुआ चाहे वे उत्तर प्रदेश के हों चाहे वे दूसरे सुबे के हों। अब अगर दफा १०७ के नाजायज इस्तेमाल में हजारों लोगों के मौलिक अधिकारों को छीना हो तो ऐसी हालत में इस दफा १०७ का जान्ता फौजदारी में एक मिनट के लिये भी रहना मुनासिब नहीं है। इसलिये माननीय अवस्थी जी ने जो यह प्रस्ताव रक्खा है कि दफा १०७, १०६, १०६ और ११७ को फौज-

दारी विधान से निकाल दिया जाय, मैं उस का पूर्णतया समर्थन करता हूँ और मैं यह उम्मीद करता हूँ कि कम से कम लोक-तंत्र और जम्हूरियत के नाम पर कुछ तो मंत्री महोदय के दिल पर असर होगा और इस सम्बन्ध में सोच विचार कर के कोई रास्ता निकालने की कोशिश करेंगे।

Shri Datar: Sir, this Bill has been brought forward for a two-fold purpose: one is the omission of certain sections from the preventive provisions of the Code of Criminal Procedure, and the other is an explanation to section 161. So far as these two matters are concerned, I should like to deal with them independently or separately because they deal with separate situations.

Before I deal with the points raised by hon Members, may I say one thing? The hon. Mover had some months ago brought forward a similar Bill for the purpose of deleting section 144 from the Code of Criminal Procedure. At that time he took an extreme stand and he even attacked the Constitution. But I am very happy that this time the hon Mover has been showing some regard for the provisions of the Constitution. So that itself is a great improvement so far as my hon friend is concerned.

श्री जगदीश शर्माजी मैंने कानन की पुस्तक का पन्ना फाड़ा था, मन्विधान नहीं फाड़ा था।

I respect the Constitution as much as the Minister does.

Shri Datar: I would not like to refer to something that happened then. If I remember correctly, my hon friend wanted to burn a copy of the Constitution.

Shri Braj Raj Singh: No, no. He tore that page from a copy of the Code of Criminal Procedure (*Interruptions*).

Shri Datar: ... And the hon. Chairman who was in the Chair.....

Shri Braj Raj Singh: He never said that. (*Interruptions*) You can ask hon. Members.

Shri Datar: And the hon. Chairman who was in the Chair, either the Deputy-Speaker or somebody else. .

Shri Narayanankutty Menon: Nobody said anything about the Constitution.

Shri Datar: Let the hon. Member wait. What he did say was this. It had to be pointed out to him that he cannot deal with the Constitution in this manner.

Shri Jagdish Awasthi: No, no; not the Constitution (*Interruptions*).

Shri Datar: I am very happy this time—I was almost amused to find that this time the hon Mover has started swearing by the Constitution in the sense. (*Interruptions*).

Shri P. N. Singh: On a point of information, Sir. When the hon. Member has already given the information to the hon Minister that he did not utter that thing, the hon. Minister is going on repeating and repeating that very thing.....

Shri Datar: I am not repeating anything. I would request the hon. Member to wait. I am prepared to correct myself if it is wrong. I remember and I speak quite correctly that he was stopped when he made certain references.... (*Interruptions*).

Mr. Chairman: May I just request the hon. Minister not to harp upon that because the hon. Member has said he did not say so.

Shri Datar: I am harping on the happy change in the hon Member (*Interruptions*).

Shri Narayanankutty Menon: May I point out, Sir, that to accuse an hon Member.....

Shri Datar: ... And I congratulate him.

Shri Narayanankutty Menon: On a point of order, Sir.

Mr. Chairman: I have requested the hon. Minister not to repeat it.

Shri Datar: I am not repeating it

Mr. Chairman: It is a matter of record; it can be controverted

Shri Narayanankutty Menon: I want to raise a point of order whether it is proper for an hon. Minister to accuse an hon. Member of this House that he wanted or attempted to burn the Constitution which is an act of treason. He must withdraw it (*Interruptions*).

Shri Braj Raj Singh: The records can be referred to and it can be found whether he wanted to burn the Constitution

Mr. Chairman: Anyhow the hon. Minister has said that if he is wrong he will correct himself

Shri Datar: Naturally, I shall correct myself

Shri Braj Raj Singh: He must withdraw his remarks

Mr. Chairman: Anyhow at this moment the record is not before us. What he said may be wrong (*Interruptions*)

Shri Datar: If it is wrong I am prepared to correct. But I am relying upon my memory

Shri Jagdish Awasthi: I did not say that; I still say I did not say that

Shri Datar: I am not making a further reference. But my hon. friend made such gestures that the gestures themselves were not proper (*Interruptions*).

Shri Easwara Iyer (Trivandrum): On a point of order, Sir...

श्री प्र० नर० सिंह वह सचिवालय नहीं था, वह तो दफा १४४ का पन्ना था।

श्री जगदीश अवास्थी . वे ने कानून को पुस्तक का पन्ना फाड़ा था, सचिवालय का नहीं यह घाप को मान्य होना चाहिये।

Shri Easwara Iyer: On a point of order, Sir. A Member is supposed to take an oath that he will live up to the traditions of the Constitution. Now to accuse a Member without any basis is a very serious thing. If he says that if it is incorrect he will withdraw, it is no extenuating circumstance. He must produce the record because I was present here when the hon. Member said that section 144 should be torn away from the Criminal Procedure Code and not any offence against the Constitution. (*Interruptions*)

Mr. Chairman: Anyhow I have got notice of that. I shall examine the records (*Interruptions*). In the meantime I would request the hon. Minister

Shri Datar: And I am prepared to assure the House that if my memory is wrong (*Interruptions*)

Shri Narayanankutty Menon: Your memory is wrong

Shri Datar: And I remember the hon. Member did say that. If he has not said that I am prepared to withdraw

Shri Jagdish Awasthi: You are totally wrong (*Interruptions*)

Shri Datar: I shall accept it for the time being.

Shri Jagdish Awasthi: Withdraw it, withdraw it.

Shri Datar: I would not like to refer to this particular thing

Mr. Chairman: I have already ruled and asked the hon. Minister not to refer to that.

Shri Kesava (Bangalore City): The records may be sent for and verified.

Shri Jagdish Awasthi: You can consult the record. I am ready to face the consequences. Let the records come. (*Interruptions*).

Shri Datar: In fact I myself raised the objection.

Shri Narayankutty Menon: Let the hon. Minister continue, in the meantime the records may come. If on verification of the records it is found that the allegation the hon. Minister is making, that is, accusing an hon. Member of an act of treason, is wrong, certainly, he should unconditionally withdraw what he has said. (*Interruptions*).

Shri Datar: I have stated I am going to be fair. I have stated that if what I have said is not correct I shall certainly withdraw it. There is no dispute at all. (*Interruptions*) But it has to be found out whether it is correct. In fact, if I remember aright, I myself raised the objection and it was withheld.

Mr. Chairman: When it is a matter of record, that record may be looked into later on. But if hon. Members insist, I can bring it now if it is just near at hand.

Shri Datar: I have no objection.

Mr. Chairman: But before that why should there be this altercation, an affirmation from one side and a denial from the other. In other words, we are going away from the subject of the debate. Let us continue the debate that is before us. In the meantime, I will get the record.

Shri Datar: I am prepared to abide by what you say, so far as this matter is concerned, after going into the record. May I point out that this time the hon. Member has suggested that this amendment is in accordance with the Constitution? The Constitution has given certain Fundamental Rights to the citizens. It is true. But they are subject to certain reasonable restrictions which have been made

clear. It is not good to go on merely saying that there is in this particular case a violation of the Constitution or of the Fundamental Rights. It is entirely wrong. I would invite your attention to article 19(2)

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interest of the security of the State public order "

These are the two expressions, among others, which are used—public order and security—and from this point of view we have to adjust the provisions in the Criminal Procedure Code.

Shri Braj Raj Singh: May I point out to the hon. Minister that article 19(1)(a) relates to the freedom of speech and expression. (*Interruptions*)

Shri Datar: Hon. Members dealt with only the so-called action against political prisoners, they did not bring in the other matters at all. In fact this extreme position was taken that behind the exercise of such powers, there is a political view. May I correct the hon. Member so far as this view is concerned? In the Criminal Procedure Code we have two types of provisions. One deals with the actual commission of the offence. Thereafter, the man has to be proceeded against, either punished or if he is not guilty, he has to be acquitted. These are the sections which deal with the actual commission of offences. But there are certain cases where prevention is far better and more effective than cure and therefore, action has to be taken so far as three matters are concerned. (*Interruptions*) Let the hon. Members wait. I did not interfere in any manner with them when they spoke. The first point is the mainte-

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sance of law and order. Let not that matter be dealt with in a light manner. Unless we have absolute peace, unless order has properly kept, unless laws are properly respected, there would be no society at all and it would be very difficult to carry on the work of administration or even our private life. My hon. friend was perfectly right in saying that he is entitled to certain facilities as a citizen of India. We have to allow the exercise of private rights, they are allowed in a peaceful manner without interruption and without obstruction from certain other persons who are unsocially minded. Therefore, public tranquillity has to be maintained at all costs. Secondly, breach of the peace has to be avoided.

And, lastly, may I point out. (Interruptions) I am not yielding. I shall complete my arguments. I have heard the hon. Member intently.

So far as the third is concerned, as I have pointed out, there are wrongdoers who have to be checked even before they commit the offences, and the opportunities have to be taken away from them. That is the reason why in these sections prevention is more important than a subsequent cure, or what may be called a post mortem dealing with the particular matter. This is the object for which the preventive section has been in the Criminal Procedure Code for long. After the Constitution was passed and it came into force—it is now more than nine years—the propriety, the legality or the constitutionality of these sections has not been challenged in any court—High Court or Supreme Court. Under these circumstances, we have to take into account the facts as they are.

I can understand the argument that in some cases dealing with political matters there are some complaints or grounds for complaint. I am prepared to understand that, and I am prepared to look into them. And we shall request the State Governments to see whether there has been any irregularity. My hon. friends used extreme

Expressions like 'abuse', 'misuse' and various other expressions. But so far as these things are concerned, let hon. Members understand, as my hon. friend Shri Tangamani pointed out quite rightly, that there are checks and counter-checks. But here I shall point out that these are the sections which deal naturally with certain preventive action. Now, the preventive action is taken on behalf of the administration, but it is subject to the judicial approval of a magistrate. Let that matter be understood very clearly. We do not take away either the liberty or the property of any person, but we place the case before the magistrate. And, secondly, there is a regular enquiry. It is a judicial proceeding. And after the enquiry and after evidence has been taken, you will find that the orders passed in respect of these matters are subject to appeal. That matter has been entirely forgotten by hon. Members here. And then a reference has been made to sessions judge in the other amendment. They refer to the district judge in the sense of a sessions judge practically. That is what the hon. Member has practically in view. Under these circumstances, before the sessions judge there is an appeal in respect of matters about which action has been taken under section 107, 109 or 110. What more guarantee can there be?

I can understand hon. Members saying that they have no faith in the police, but some hon. Members were quite fair enough in saying that they have faith in the sessions judge. (Some Hon. Members: Yes.) That is what they have stated, and I am very happy. I am grateful to the hon. Members for having said so. But may I point out that the magistrates are subject, so far as the judicial work is concerned, to the control of the sessions judge?

Shri F. N. Singh: No no. That is not the position.

Shri Datar: So far as judicial control is concerned—I have purposely used the expression, not administrative control, but judicial control—they are subject to the control of the sessions judge, and whenever anything wrong is done, naturally the sessions judge is there. May I point out that magistrates also are judicial officers, and whenever anything is done by a magistrate, then surely appeals can lie, revision petitions can lie, even to the High Court also in appropriate cases. Therefore, this is a grave and effective safeguard against what is called the abuse of powers.

Secondly, my hon friend Shri Tangamani was rather apologetic. He said that there are *goonda*, that there are vagabonds. May I point out that there have to be certain sections under which action has to be taken against *goonda*ism and against vagabondism? If there are, unfortunately, some persons as there are naturally action has to be taken against him. It is only for these purposes and I would not deal further with this particular point.

But may I say that all this action has to be taken provided the provisions have been satisfied? If the provisions have not been satisfied then it is open to the Magistrate, it is open to the higher judicial authorities, to dismiss the case for a security. That point should not be forgotten at all. Therefore, that is the greatest security against the abuse of any power so far as the security sections are concerned.

My hon friend, Shri Naldurgkar was perfectly right in saying that in one case where action was not taken this omission was felt, in the sense that four murders took place. I myself know of a number of cases where immediate action which was necessary was not taken and within a few days a murder or murders have taken place. Therefore, let us not, may I point out in all humility to my hon friends, in our anxiety to bring in political considerations, break at the foundations of the law.

Criminal law is essential so long as there are people with criminal propensities or with criminal record or antecedents. Therefore, it is absolutely essential to take action against such persons even before they have actually carried out their nefarious purpose. In fact, the object is to check, to nip in the bud, whatever otherwise they would have done. I would, therefore, submit to my hon friends, that so far as these sections are concerned they are meant for meeting certain very important situations which are otherwise likely to worsen the situation itself.

Now I shall deal with the political considerations. It was contended by him that in certain cases certain persons were proceeded against and they were not well treated. In that case, may I point out that it was open to the person aggrieved to have gone up to have gone before the Appellate Court before the High Court also. And I would invite hon Members to find out in how many percentage of cases an accused has been told

Shri Narayanankutty Menon: Sir, I do not want to interrupt the hon Minister, but I may say that in almost all the cases when security proceedings are taken, warrants are issued and security bonds are executed for one year, the final orders are passed after two or three years. You will find that in a majority of cases final orders have been issued after expiry of the period of inter in bond.

Shri Datar: My hon friends are generalising from what I may call, with due deference to all, very scanty material. It is quite likely that in a small number of cases, say one in a hundred cases or, perhaps, one in a thousand cases—after all, human nature is there and sometimes we act over zealously—it might have been so. The number is very rare because of two circumstances. One is that a provision has been made for a judicial interference at higher quarters; and, secondly, may I also tell the hon Member, whenever there are any adverse comments made against the

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conduct or omission of a police officer in the course of judicial proceedings, Government do take into account whatever has been stated. They look into the matter, they examine it from all points of view, and when it is found that the conduct of a police officer was not correct then, naturally action is taken against him. Therefore, it is not that Government are anxious to shield all police officers or shield or screen all actions.

Mr. Chairman: Order, order. I think the hon. Minister is likely to take some more time.

Shri Datar: Yes.

Mr. Chairman: Then the Mover will also take some time for his reply. It is already six o'clock now. The hon. Minister may continue on the next appropriate day.

10 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 17, 1959|Shrawana 26, 1981 (Saka).

[Friday, the 14th August, 1959/23rd S^{ravana}, 1881 (Saka)]

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870	Import quota of Calcium Carbide	2474-75
871	Expenditure on Second Five Year Plan	2475
872	Compensation for lands owned by Indians in Burma	2475-76
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875	Production of silk yarn	2476-77
876	Conference of Rehabilitation Ministers	2477-78
877	Training within Industry Scheme	2478
878	Public Sector Industries Conference	2478-79
879	Consulates of India in the Middle East	2479
880	Expenditure on Indian Embassies	2480
881	Import of watches and clock	2481
882	Nangal Fertilizers and Chemicals Ltd	2481-82
884	Export of zardozi handbags to Czechoslovakia	2482
885	Training of Announcers by the All India Radio	2482-83
886	Arrest of a Pakistani National	2483
887	Muslims from Kashmir for Haj	2483
888	Sikh pilgrims to Pakistan	2483
89	Development Council for Automobiles, ancillary Industries and Transport Vehicle Industries	2484

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MOTION FOR ADJOURNMENT

2484-87

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Sarvashri Atal Bihari Vajpayee and Uttamrao L. Patil regarding the reported statement of the Prime Minister of Ceylon with respect to the Ceylon Police action against Kerala demonstrators on the 10th August, 1959, in the precincts of the Indian High Commission at Colombo.

PAPERS LAID ON THE TABLE

2487-88

- (1) A copy of the Annual Report of the Nahan foundry Private Limited for the year 1957-58 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon under sub-section (1) of Section 630 of the Companies Act, 1956.
- (2) A copy of each of the certified Accounts of the Coir Board for the years 1955-56 and 1956-57 together with the Audit Reports thereon under sub-section (4) of Section 17 of the Coir Industry Act 1953
- (3) A copy of the Annual Report of the Employees' State Insurance Corporation for the Year, 1958-59, along with the Revised Estimates for 1958-59 and Budget Estimates for 1959-60 under Section 36 of the Employees' State Insurance Act 1948
- (4) A copy of the Coal Mines Pithead Bath Rules, 1959, published in Notification No. S.O. 1711 dated the 1st August, 1959 under sub-section (7) of Section 59 of the Mines Act, 1952.
- (5) A copy of Notification No. G.S.R. 896 dated the 1st August, 1959, under Sub-section (3) of Section 40 of the Displaced Persons (Compensation and Re-

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<p>Rehabilitation) Act, 1954 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.</p>	
<p>STATEMENT BY MINISTER</p> <p>The Deputy Minister of Railways (Shri Shah Nawaz Khan) made a statement regarding an accident to Kalka-Delhi-Howrah Mail on the 13th August, 1959, near Moghalaarai.</p>	2490
<p>CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE</p> <p>Shri Atal Bihari Vajpayee called the attention of the Minister of Defence to the assistance rendered by the Indian Army to the people of Jammu and Kashmir during the recent floods.</p> <p>The Minister of Defence (Shri Krishna Menon) made a statement in regard thereto.</p>	2490—95
<p>MOTION RE: RISE IN THE PRICES OF SUGAR</p> <p>Shri Khushwaqt Rai moved a motion re: Rise in the prices of sugar. After discussion, the substitute motion moved by Shri Raghunath Singh was adopted.</p>	2496—2584
<p>PRIVATE MEMBERS' BILLS INTRODUCED</p> <p>(1) The Backward Communities (Religious Protection) Bill, 1959, by Shri Prakash Vir Shastri.</p> <p>(2) The Displaced Persons (Compensation and Rehabilitation) Amendment Bill, 1959, (Amendment of section 24) by Shri Ajit Singh Sarhadi.</p> <p>(3) The Representation of the People (Amendment) Bill, 1959 (Amendment of sections 81, 82, 86 and 116-A and omission of sections 83 and 89) by Shri Ajit Singh Sarhadi.</p> <p>(4) The Code of Criminal Procedure (Amendment) Bill, 1959 (Amendment of</p>	2585—88

**PRIVATE MEMBERS' BILLS
INTRODUCED—contd.**

	COLUMNS
<p>section 48) by Shri Ajit Singh Sarhadi.</p> <p>(5) The Undue Delay and Presumption of Corruption Bill, 1959 by Shri Jhulan Sinha.</p> <p>(6) The Catholic Church Premises and Ecclesiastic Order (Restriction of Political Activity) Bill, 1959 by Shri T.B. Vitral Rao.</p> <p>(7) The Representation of the People (Amendment) Bill, 1959 (Insertion of new section 7A) by Shri T.B. Vitral Rao.</p>	
<p>EXTENSION OF TIME FOR ELICITING OPINIONS ON PRIVATE MEMBER'S BILL</p> <p>Sardar Amar Singh Saigal moved that the time appointed for eliciting opinions on the Sikh Gurdwaras Bill, 1958, be further extended up to the 15th February, 1960. The motion was adopted.</p>	2588—89
<p>MOTION TO CIRCULATE PRIVATE MEMBER'S BILL NEGATIVED</p> <p>Further discussion on the motion to circulate the Equal Remuneration Bill, 1957 for the purpose of eliciting opinion thereon, moved by Shrimati Renu Chakravarty on 1-5-59 was concluded. The motion was negatived.</p>	2589—99
<p>PRIVATE MEMBER'S BILL UNDER CONSIDERATION</p> <p>Shri Jagdish Awasthi moved that the code of Criminal Procedure (Amendment) Bill, 1957 (omission of section 107, 109, and 110 and amendment of section 161) be taken into consideration. The discussion was not concluded.</p>	2599—2658
<p>AGENDA FOR MONDAY, AUGUST 17, 1959/SRAVANA 26, 1881 (SAKA)—</p> <p>Further consideration and passing of the Oil and Natural Gas Commission Bill; consideration of the Resolution re: Proclamation in respect of Kerala and statement re: Supplementary Demands for Grants for 1959-60.</p>	